

**THE JOURNAL OF  
PARLIAMENTARY  
INFORMATION**

**VOLUME XLI, NO. 4  
DECEMBER, 1995**

## EDITORIAL NOTE

The Office of the Speaker occupies a pivotal position in a parliamentary democracy. We in India have had a galaxy of eminent personalities who adorned the Office of the Speaker of Lok Sabha. Each and every one of our Speakers, by virtue of his towering personality, dignity and abiding faith in the fundamental principles of democracy, has laid down healthy conventions and precedents which have enhanced the status of the Office. Naturally, this has had a significant impact on the varied activities of the Lok Sabha. Every Lok Sabha, since the first General Elections, has contributed to the further strengthening of parliamentary democracy in our country. This has been possible because the Lok Sabha is a dynamic institution, not a static one. Each Lok Sabha has taken praiseworthy initiatives and effected timely innovations to keep pace with the changing times and native requirements. Thus, the evolution of parliamentary system in India has been as much a part of the evolution of the successive Lok Sabhas. The Tenth Lok Sabha has, in fact, broken new grounds insofar as initiatives, innovations and developments are concerned.

In his article titled "The Tenth Lok Sabha : Initiatives, Innovations and Developments", the Editor highlights the significant achievements of the Tenth Lok Sabha under the inspiring leadership of the incumbent Speaker, Shri Shivraj V. Patil. The effective utilization of the time of the House is an imperative need for a successful parliamentary system. Equally important is the meaningful participation of all sections of Parliament in its proceedings. In India, successive Lok Sabhas and Presiding Officers have endeavoured to provide all modern facilities to the members with a view to ensuring proper time-management and promoting still greater participation and involvement of members in the business of the House. Efforts have also been made over the decades since Independence to ensure greater Executive accountability to Parliament. Realizing fully well the need to promote inter-parliamentary cooperation, members of our Parliament have been attending Parliamentary Conferences, visiting foreign countries on goodwill missions, hosting Conferences in India and encouraging visits by members of foreign Parliaments to our country. During the Tenth Lok Sabha, all these varied activities have received further momentum. In short, we have charted new courses and traversed long distances on a glorious path under the benign guidance of Shri Shivraj V. Patil.

While unveiling the portrait of the former Prime Minister, Shri Rajiv Gandhi at a function in the Central Hall on 20 August 1993, the Speaker, Lok Sabha, Shri Shivraj V. Patil, had stated that the Parliament building had more than 50 spots where the statues of great political leaders, parliamentarians and eminent sons and daughters of India could be installed. As advised by a Committee consisting of senior members of

Parliament, it was decided to install the statues of several prominent leaders in the parliamentary precincts.

On 25 August 1995, a statue of the former Deputy Prime Minister of India and eminent parliamentarian, Babu Jagjivan Ram was unveiled at the Entrance Hall of the Lok Sabha Lobby in Parliament House by the President of India, Dr. Shanker Dayal Sharma. The statue has been sculpted by the renowned artist, Shri Ram Sutar.

The ceremony was followed by a meeting in the Central Hall which was attended by a distinguished gathering. The function was addressed by the President, Dr. Shanker Dayal Sharma, the Vice-President and Chairman, Rajya Sabha, Shri K.R. Narayanan, the Prime Minister, Shri P.V. Narasimha Rao, the Speaker, Lok Sabha, Shri Shivraj V. Patil and the daughter of Shri Jagjivan Ram, Smt. Meira Kumar. The texts of the Addresses delivered on the occasion are reproduced in this issue of the *Journal*.

This issue of the *Journal* carries our other regular features, viz. Parliamentary Events and Activities, Procedural Matters, Parliamentary and Constitutional Developments, Sessional Review, Documents of Constitutional and Parliamentary Interest and Recent Literature of Parliamentary Interest. A comprehensive Index to Vol. XLI of 1995 also finds place in this issue.

It has been our constant endeavour to make the *Journal* more useful and informative. We would greatly welcome suggestions for its further improvement. We would also welcome practice and problem-oriented non-partisan articles in the field of parliamentary procedures and institutions from members of Parliament and State Legislatures, scholars and others interested in the field of parliamentary political science.

—R.C.Bhardwaj  
*Editor*

# ADDRESSES AT THE UNVEILING OF THE STATUE OF SHRI JAGJIVAN RAM

---

On 25 August 1995, a statue of the former Deputy Prime Minister of India and eminent parliamentarian, Babu Jagjivan Ram was unveiled at the Entrance Hall of the Lok Sabha Lobby in Parliament House by the President of India, Dr. Shanker Dayal Sharma. The statue has been sculpted by the renowned artist, Shri Ram Sutar.

The ceremony was followed by a meeting in the Central Hall which was attended by a distinguished gathering. The function was addressed by the President, Dr. Shanker Dayal Sharma, the Vice-President and Chairman, Rajya Sabha, Shri K.R. Narayanan, the Prime Minister, Shri P.V. Narasimha Rao, the Speaker, Lok Sabha, Shri Shivraj V. Patil and the daughter of Shri Jagjivan Ram, Smt. Meira Kumar.

The texts of the Addresses delivered on the occasion are reproduced below.

—Editor

---

## ADDRESS BY SMT. MEIRA KUMAR

*Honourable President, Vice-President, Prime Minister, Speaker, Cabinet Ministers, Members of Parliament and Friends :*

It is a great honour for me to be present here on behalf of the Jagjivan Ashram Trust which has presented Babuji's statue for installation in the Parliament and which respected President has just unveiled.

"Babuji", as he was affectionately and respectfully called by the entire country, sat the longest in this august House which guides the destiny of 900 million people.

He first came here on 2 September 1946 to join the Interim Government as Labour Minister. There were 12 Ministers in the Interim Cabinet with Wavell as the Viceroy. He was the youngest in the Cabinet. Following the Cabinet Mission plan, Wavell had earlier invited Babuji on 16 June 1946 to join the Interim Cabinet which he had refused on the ground of Wavell's failure to include a nationalist Muslim like Maulana Azad in the Cabinet and for inadequate representation to the untouchables.

Babuji's parliamentary career began way back in mid-1936 as member of the Bihar Legislative Council. Under the Government of India Act, 1935, when elections were held for the first time, he won unopposed to the Bihar Legislative Assembly in December 1936. He was candidate

of his own organisation, the Indian Depressed Classes League. He also fielded 14 more candidates of the Depressed Classes League and made sure that they too won unopposed to the Assembly. Thereafter on the invitation of the Congress Party, Babuji with his 14 MLAs joined the Congress. He was then only 28 years old.

The next elections were held in 1946 which again Babuji won unopposed. On both the occasions, his constituency was East-Central Shahabad which was later reconstituted as Sasaram. After Independence, Babuji won all the eight elections of 1952, 1957-when he won unopposed for the third time - 1962, 1967, 1971, 1977, 1980 and 1984. He never changed his constituency of Sasaram. From 1936, till his death in 1986, his uninterrupted parliamentary career spans over half a century which is unparalleled anywhere in the world. Of the 12 leaders who joined the Interim Government in 1946, he was the only one who continued to dominate the national scene for 40 years. Other leaders either came later or left earlier.

He was one of the Founding Fathers of the Constitution. Being on all the important Committees of the Constituent Assembly, he made invaluable contribution towards liberal and progressive provisions of the Constitution.

He was in the Cabinet for thirty years as Minister and later as Deputy Prime Minister. As Labour Minister he laid the very foundation of the Labour Policy. As Communications Minister he carried out the first ever nationalisation and established Air India and Indian Airlines. As Railway Minister he presented all six budgets without the slightest raise in the passenger fare. He took over as Food Minister amidst the worst drought of the century. Not only did he make India self-sufficient in food for the first time but also ushered in the Green Revolution. In 1971, when the dark clouds of war gathered on the Indian horizon, with his expert handling of the defence forces, in a matter of two weeks, he created history as well as changed the geography. That was the only war India has ever won and Bangladesh was born.

These are a few of his many spectacular achievements which are no longer limited to the confines of history but have passed on to the realm of legend. As a daughter I should be very proud of them. But believe me when I say that these achievements pale into insignificance in comparison to his one single decision made at a very young age. And that was to plunge into the freedom struggle led by the Mahatma.

Those days, under their policy of divide and rule, the British left no stone unturned to win over the few educated and promising young men from among the untouchables who in turn would convince the downtrodden to support the British. Seeing his tremendous potential and influence, they made the best of offers to Babuji. But, he preferred to be in the British Jails rather than sit in the Viceroy's Council. And I am

proud of that choice. For me nothing could have been a greater shame than to have a father who joined the British and nothing is a greater honour than to be a freedom fighter's daughter.

On the strength of his grit, intellectual vigour and commitment to quintessential human values he forged ahead. But social prejudices and obscurantist forces always operated against him, denying him what he rightfully deserved. As a result, those who used to swear by social justice stood exposed. Those teeming millions of the disinherited who used to dream of their share in the real ultimate power felt betrayed. He was not only an individual, he was the symbol of social change. When the doors were shut at him, the doors were actually shut at social change. All along he fought to bring light into the lives of those born like him in poverty and incapacitating humiliation. If today there is some semblance of awakening and courage in the meek and the feeble, behind it are years of his untiring crusade for the cause.

He was a man of action and he was a dreamer of dreams. He dreamt of establishing a casteless, classless society. Just as there can be Parliament only in a democracy, there can be true democracy only in a casteless society. Caste system and democracy are incompatible. Today, when Babuji's statue has been unveiled in the Parliament, I hope and pray that a strong wind of social change will sweep through our country and force open all those doors which have hitherto remained shut.

On behalf of the Jagjivan Ashram Trust, my mother and myself, I express our deep appreciation and gratitude to Honourable Speaker Shri Shivraj Patil for his thoughtful decision to install Babuji's statue. We are indebted to the Honourable President for agreeing to unveil the statue. We are grateful to the Honourable Vice-President and respected Prime Minister for gracing this occasion. We are thankful to the sculptor Shri Ram Sutar for making the statue. I extend greetings and good wishes to all present here.

Thank you.

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

We are grateful to the respected Rashtrapatiiji for unveiling the statue of Shri Jagjivan Ram and for agreeing to address this distinguished gathering. We are beholden to respected Upa-Rashtrapatiiji and respected Pradhan Mantriiji for gracing this occasion and agreeing to address this audience. We are thankful to the Honourable Ministers, Governors, Leaders of the Opposition, Leaders of different parties, members of Parliament, Leaders of different parties, members of the Diplomatic Corps and the members of the media for their presence here on this memorable occasion.

The statue of Babu Jagjivan Ram has been presented to the Parliament by the Jagjivan Ashram Trust. For this gesture, we thank the Trust. We are thankful to Shri Ram Sutar, the sculptor, for this fine work of art. We extend a very cordial welcome to all ladies and gentlemen to this function.

Today, we have installed in the precincts of this historic Parliament House, the statue of one more illustrious son of India, Late Babu Jagjivan Ram, who was a rare combination in himself of a loved leader, astute statesman, skilled parliamentarian and an able administrator. Babuji, as he was affectionately called, attained eminence and esteem by his hard work and dedicated service to the people over the decades.

Babuji was born and brought up in humble backgrounds. This, however, did not deter him from pursuing his education. Soon, he was drawn into the freedom struggle. Greatly inspired by Mahatma Gandhi, he too plunged into the liberation movement. Troubled by the thought that the backward classes were the victims of various prejudices and social disabilities, Babuji devoted himself wholeheartedly to the amelioration of their conditions from the days of his youth. With utmost dedication to the Gandhian philosophy and the cause of the downtrodden, he became a leading figure in the State politics and soon emerged on the national scene. What had distinguished Babuji's leadership was the humility and the greatness personified in him. His indomitable spirit and ceaseless efforts in the service of the nation, commendable organisational capacity and sincerity of purpose earned him a pride of place in the first Cabinet of independent India.

In his long and eventful parliamentary career spanning over the most momentous phase of Indian history, as a front rank national leader Babuji commanded the loyalty and respect of the vast majority of the people in all walks of life. Fearlessness and dedicated championship of the people's causes dominated his distinguished career. His greatest asset had been his capacity to carry the House with him which, indeed, speaks volumes of his personal qualities.

Jagjivan Ramji had almost an unbroken ministerial career over three decades. He held a succession of major portfolios, including Labour, Communications, Railways, Food and Agriculture and Defence. Some of the landmarks of his ministerial career include the vast agricultural output and food production, the Green Revolution, the nationalization of air transport and Bangladesh victory, not to forget the legislative measures in labour welfare and other fields for a better social order.

By his administrative acumen, pragmatic approach and deep insight into the national life, Babuji brought resounding success to each one of the portfolios he held. A legend has grown that whichever Ministry Babuji had taken up, he brought good luck to it.

In his long public life, Babuji served his country in varied positions with utmost dedication and staunch commitment. Babuji's is a shining example of a life dedicated to the country and the cause of social and economic justice.

Today India needs men and women of his vision and calibre to be able to translate the dreams into reality. On this occasion, we pay tributes to his memory from the core of our hearts. His valued services to the nation will always be remembered. The statue of Babu Jagjivan Ram in the Parliament House Complex would inspire us all to rededicate ourselves to the noble ideals deeply cherished by this great son of India.

Thank you.

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

*Revered Rashtrapatiji, Respected 'Upa-Rashtrapatiji, Mr. Speaker, Meiraji, Excellencies, Ladies and Gentlemen :*

This is a special and significant day for our Parliament. The unveiling of the statue of Babu Jagjivan Ram in Parliament by the Rashtrapatiji, is our humble tribute to a great builder and illustrious son of modern India. Babu Jagjivan Ram's life and work symbolised the hopes, aspirations and achievements of the people, especially those belonging to the weaker sections. His statue will be a continuous source of inspiration to strengthen our democracy, build a casteless society and work for the uplift of the downtrodden poor.

Babuji dedicated his life in the service of the nation and stood out as a staunch freedom fighter, committed labour leader, competent parliamentarian, mature administrator but above all a very humane and popular leader.

Babuji was one of those distinguished sons of India who rose from humble beginnings to occupy some of the most important positions at critical junctures. It was remarkable that at each of those junctures his contribution was of a lasting nature. However, he never allowed his position to come in the way of his close contact with the people. All through he continued to remain a smiling picture of humility yet behind that humility was a towering personality of grit, determination and conviction. He, therefore, could give a decisive push to all the tasks entrusted to him.

Babu Jagjivan Ram was born in the small village of Chandwa in the undivided district of Shahabud in Bihar in 1908. As he grew up the freedom movement was gaining momentum. He was a bright student and passed the Matriculation examination in the first division with hundred per cent marks in Mathematics. He went to study at the Benaras Hindu



University and took his B.Sc. degree from the Calcutta University. It was a triumphant achievement for a student with his background in those days of social stratification. He had shown that with his hard work and determination he could overcome the social disabilities and become an inspiring example for the whole nation.

Young Jagjivanji was profoundly influenced by Gandhian philosophy. After completing his studies he took up the challenge of working for the poor and the downtrodden. He got close guidance from Rajendra Babu. He soon became a strong champion of the working class. Even at that young age, he made a lasting impression as a sagacious leader and exponent of the problems of the depressed classes.

His devotion and commitment was soon recognised. He was nominated a member of the Bihar Legislative Council. He was elected to Bihar Legislative Assembly in 1936 and was appointed Parliamentary Secretary in Dr. Shri Krishna Sinha's Ministry. Everyone was impressed by his confidence and maturity at such a young age. He was now fully in the vortex of the freedom movement. He was arrested in 1940 and in 1942 for participation in the Quit India Movement.

By this time his qualities of leadership and commitment to the cause of the poor were recognised at the national level. Babu Jagjivan Ram joined the Interim Government as Labour Minister in September 1946 and continued to hold the portfolio till 1952 under the Prime Minister, Pandit Jawaharlal Nehru. His familiarity with the problems of the working class helped him in formulating a number of welfare measures and laws in their interest.

His administrative ability left a lasting impression on the Labour Ministry. Pandit Nehru recognised his administrative acumen and entrusted to him Ministries which would provide basic infrastructure for the development of the country. Thus he held vital portfolios of Transport and Communications during 1952-56 and then became Railway Minister. Whenever Pandit Nehru felt the need for improvement he entrusted that task to Babuji.

His most outstanding achievement was as Agriculture Minister and then Defence Minister under the Prime Ministership of Mrs. Gandhi. He ushered the country into the Green Revolution laying the foundations of self-sufficiency in food. He used his pragmatic approach to increase the agricultural production and gave remunerative prices to the farmers. As Defence Minister he provided excellent leadership in the 1971 conflict and was a major source of support to the dynamic leadership of Mrs. Gandhi.

It is a remarkable feature of Babuji's life that in each and every position held by him, he made a notable contribution and left a mark which is remembered till today.

I have been told by some officers in several Ministries that the notings of Babuji were a classic example to follow for Ministers in the Government of India - so crisp, so correct and so sane. His advice and guidance gave a new fillip and direction to the administrative policies in the interest of the people and the nation.

Babuji was a man of few words. But what he spoke reflected his in-depth understanding of the issues and a very considered, mature view. He was always listened to with rapt attention and with respect in the House. His arguments were cogent and concise.

Babuji was a mass leader. He had the support of the people from different sections of the community. He had effectively broken the caste barrier. Thus he provided a unique leadership for the uplift of the downtrodden and the cause of social justice.

Today we have come a long way. However, I believe that we must continue to work for building a secular and casteless society. The task will not be accomplished till we remove the last traces and vestiges of casteism and narrow sectarianism and ensure equal opportunities to all without any disabilities. This will be a real tribute to Babu Jagjivan Ram.

It is a matter of joy that his statue will now adorn the Parliament and inspire all of us to build a progressive and prosperous nation.

Thank you.

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

*Respected Rashtrapatiiji, Honourable Prime Minister, Honourable Speaker, Honourable Ministers, Honourable Members of Parliament and Friends:*

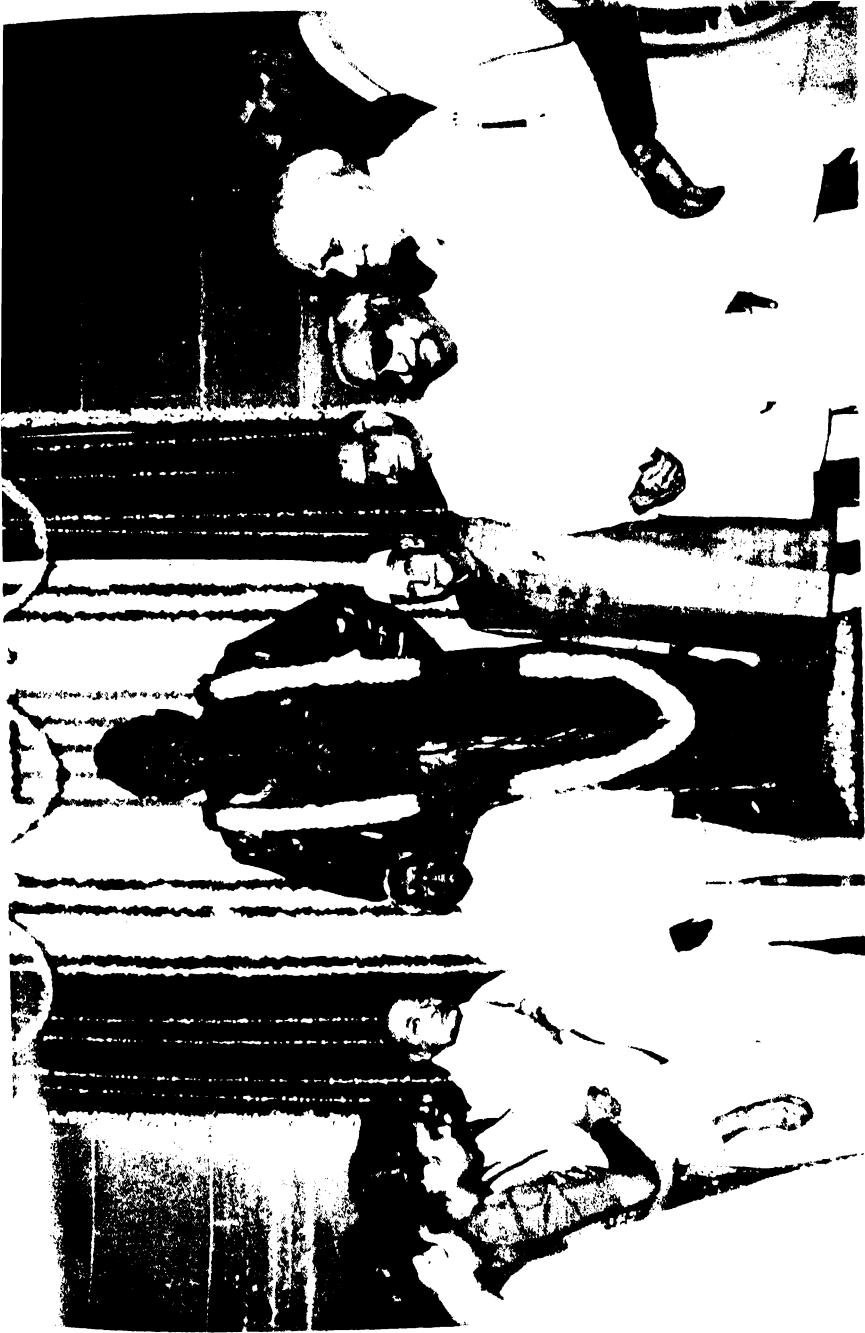
Today Babu Jagjivan Ram has joined the immortals of modern Indian history in the precincts of the Parliament of India. An exceptional personality who sprang from the common soil of this land, Babuji carved out a niche for himself in our history through sheer merit, hard struggle and dedicated service to the nation. Plunging himself into the nationalist movement when a young man, he remained in the thick of the freedom struggle and national politics to the very end of his life. Describing him as a priceless jewel Mahatma Gandhi once said of him : "My heart goes out in respectful admiration to Jagjivan Ram for his having emerged as the purest gold out of fire."

Jagjivan Ram's nationalism was the product of his ardent desire to serve the suppressed and oppressed masses of India. His political work revolved around his mission as a social reformer bent upon abolishing untouchability and the graded inequalities of the caste

system. During the freedom struggle he was a rallying point for the rights and aspirations of the depressed classes and he conceived the reform of the social order as an integral aspect of the country's struggle for Independence. He believed in the validity of the Gandhian way of moral revolution in our society and in the Nehruvian method of social and economic change to usher in a socialistic pattern of society. He believed that the salvation of India lay in a combination of these two methods of approach to the problem of transforming and modernizing Indian society.

Babu Jagjivan Ram had the unique privilege of participating in the heroic saga of the freedom struggle and in the hard and intensely practical task of developing and modernizing India after Independence. In the latter capacity also he emerged as "the purest gold out of fire", to use Gandhiji's phrase. He emerged as an outstanding administrator who is acknowledged as one of the builders of modern India. For nearly three decades he functioned as a Cabinet Minister in independent India holding important portfolios of the Ministries of Labour, Communications and Transport, Railways, Food and Agriculture and Defence. It has been said that nobody is a hero to his valet. There are few Ministers who have had the privilege of being heroes to their civil servants and being genuinely respected and adored by them for their versatile ability and sincere dedication to the task before them. In the Labour Ministry he was a symbol of social change and he laid the foundations of social security legislation in India. He was the moving force behind the Minimum Wages Act, the Coal Mines Labour Welfare Fund and the Employees' State Insurance Corporations. These progressive legislations emanated from his abiding concern for social justice and social change. As the Minister for Communications and as the Minister of Railways he spread the network of post offices and rail lines throughout the country, bringing the people closer together as citizens of one nation. It was during his tenure as the Minister of Food and Agriculture that for the first time India achieved victory in the battle against hunger. Jagjivan Ram led the nation through the Green Revolution demonstrating the possibility of self-reliance in foodgrains in a country as big as India with an exploding population growth. Jagjivan Ram's finest hour as a Minister was when he was in charge of the Defence portfolio during the Bangladesh crisis. He was a co-architect of the military and political victory in that crisis.

Jagjivan Ram's political and social philosophy is as noteworthy as his achievements as freedom fighter, politician and statesman. We find the philosophy expounded succinctly in his Presidential Address to the 73rd Session of the Indian National Congress held in Bombay in December 1969. Indulging in a bit of self-criticism, he said : "It has been our bitter experience that abridgement or denial of internal democracy



Dignitaries after unveiling the statue of Babu Jagjivan Ram





Smt. Meira Kumar addressing the gathering



Address by the Speaker, Lok Sabha, Shri Shivraj V. Patil



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





Address by the Vice-President of India and Chairman, Rajya Sabha, Shri K. R. Narayanan



The President, Dr. Shanker Dayal Sharma addressing the gathering



A view of the distinguished gathering in the Central Hall

has inevitably resulted in the emergence of 'bossism'. Analysing the political crisis, he said that the seeds of it "which were there in the social order, has been accentuated by greater politicisation of the people and the desire of each segment to maintain or secure the benefits of political power a necessary concomitant of implanting of democratic institutions on social framework permeated by cultural backwardness". He added with his fervent faith in democracy and I quote : "The way out is not the restriction of democracy but its expansion, and if I may say so, culturalisation".

On the political and social predicament of India, he observed, and I quote :

Many of our erstwhile colleagues are afraid of the spectre of Communism. The spectre of casteism is perhaps more dangerous, because it is a widely prevalent malady, inherent in our social order, in our attitudes, beliefs, behaviour. Inter-caste, inter-regional, inter-religious tensions are fundamentally of the same genre.

He pleaded for a cultural transformation of Indian society and the opening of a section in the AICC which will be wholly non-political, "which will create a forum for social scientists to meet and plan a campaign for the much needed mental revolution. Revolutions, even social ones after all, begin in the minds of men". And he added : "I have always maintained that the problems of the Scheduled Castes and Tribals cannot be fully appreciated much less solved except in the framework of radical reorganisation of the socio-economic order".

There is much in this statement of Jagjivan Ram for us to ponder over today.

It has been recounted how Babu Jagjivan Ram when a High School student in Bihar in 1922 faced different pitchers of drinking water kept in school for Hindus, Muslims and untouchables, and how he broke the pitcher meant for untouchables and insisted upon drinking water out of the other pitcher, and how the Head Master yielded to his insistence. Is it not an irony of tragic dimensions, that today, in a school in India, a Dalit girl student was beaten up and blinded by the teacher because she directly took water from the pitcher and drank it to quench her thirst. Nearly 80 years ago Jagjivan Ram got away with his rebellion against caste discrimination in his school in contrast to what happened to the Dalit girl in the school today. While installing the statue of Jagjivan Ram in the Parliament House all of us will have to do some soul-searching in regard to this state of affairs, despite the social and economic progress the country has made and is making today.

Thank you.

**ADDRESS BY THE PRESIDENT OF INDIA,  
DR. SHANKER DAYAL SHARMA**

*Shri K.R. Narayanan, Honourable Vice-President of India, Shri P.V. Narasimha Rao, Prime Minister of India, Shri Shivraj V. Patilji, Honourable Speaker, Respected Smt. Indrani Ramji, Honourable Members of the Union Council of Ministers, Leaders of the Opposition, Honourable Members of Parliament, Respected Freedom Fighters, Distinguished Ladies and Gentlemen :*

We have gathered here today to pay our respects to Babu Jagjivan Ram, a champion of human rights and dignity and one of the great social reformers of our time. As a representative of the masses, a member of our Constituent Assembly and of successive Parliaments and Governments, Jagjivan Ramji had a profound influence in shaping contemporary India. The vast majority of our countrymen will remember him as an indomitable fighter who struggled to eliminate the oppression of the millennia. For those till then resigned to remaining backward and neglected, he was their emancipator, their saviour and the symbol of their hopes. In honouring him today, we affirm our national commitment to human rights and social justice.

Jagjivan Ramji was the product of our national struggle. Under the leadership of Mahatma Gandhi, the freedom movement acquired a new meaning and shook the very foundations of our society as it mobilized the masses. It awakened and inspired millions and unleashed new social and economic forces. It was in this context that Jagjivan Ramji came in contact with the tallest of our leaders: Mahatma Gandhi, Panditji, Rajendra Babu, Netaji and others.

If the leaders of our Independence movement recognized Jagjivan Ramji's potential, it was the great events of our times that allowed it to flower in full. Associated with the 1928 Calcutta Congress, Babuji witnessed the declaration of Purna Swaraj by Panditji at Lahore in 1929. Drawn into the underground movement, he used his organisational abilities to spread the message of freedom and liberty. He was imprisoned as an individual satyagrahi in 1940, and once again, when he was in the front ranks of the Quit India Movement. These years of struggle were the defining experience for Babuji and imbued in him a deep sense of service to the masses.

The national movement led to considerable introspection as to why a nation, as great as India, became so enfeebled that it fell prey to foreign rule. Widely recognized among the causes of stagnation was the caste system, with its inequities and its injustice. Mahatma Gandhi spoke thus of its effect on our society: "Soil erosion eats up good soil. It is bad enough. Caste erosion is worse; it eats up men and divides men from men." Fighting casteism became intrinsic to our national revival and Jagjivan Ramji helped to give it a concrete shape.

It is not easy to appreciate today what effort it must have required to have overcome the hierarchical barriers of a caste-ridden society. It took a fighter like Babuji to break out of the shackles which had enslaved so many of our brethren. At the Benaras Hindu University, he organized a protest against social discrimination and chose to leave its hostel rather than bow to its caste pressures. This assertion by him of the basic principle of human dignity was a watershed in a life devoted to securing human rights and justice for all. Jagjivan Ramji soon established himself as the authentic spokesman for the suffering and the oppressed. He participated in Babu's anti-untouchability movement, became Secretary of the Harijan Sevak Singh and organized the All India Depressed Classes League. Even the colonial power acknowledged Babuji's position as an outstanding representative of the weaker sections.

The faith of the poor, the needy and the oppressed in the Congress Party was, to my mind, in no small measure, due to Babuji's rise as a leader of national stature. His position may be gauged from a note of Mahatma Gandhi written on 2 September 1946. It states: "Since after the prayer, I have been thinking only about you people. Abolish salt tax, remember Dandi March, bring together Hindus and Muslims, remove untouchability, adopt Khadi." The note was addressed to Jagjivan Ramji, Sardar Patel and Dr. Rajendra Prasad.

The securing of Independence in 1947 paved the way for national reconstruction. Jagjivan Ramji made a historic contribution to this end, one guided by a vision of India where growth would be accompanied by social justice. "The freedom that we have today cannot be called real freedom," he noted, "because it is only political freedom. It has no meaning for the masses. It has no use for them, unless their standard of living is raised, their problems of poverty, proper food, clothing, housing are solved; exploitation, injustice and oppression in every shape and form become a thing of the past and they get all necessary opportunities for their all-round development."

During his long and distinguished career as a public servant, Jagjivan Ramji held numerous responsibilities. But in each of them, he sought to improve the lot of the weakest and the most vulnerable in our society. As the first Labour Minister of free India, he was responsible for legislation which went a long way in ensuring better working conditions for our toiling masses. His contribution to the Minimum Wages Act, the Employees State Insurance Act and the Industrial Disputes Act will be long remembered. He took up the issue of bonded labour, working conditions in mines and securing welfare benefits for the working class with extraordinary commitment. In his words, "Real Swaraj lies in reinstalling the worker in the field and factory to his rightful place in society."

The same concern for the working masses is manifest in the policies which Babuji directed in later years. As Minister for Railways and Transport, he did much for employment generation. As the Food and

Agriculture Minister, he oversaw the Green Revolution which laid to rest for ever the spectre of famine. As Defence Minister, we all remember his direction of the victorious defence of our motherland. His contribution included improvements in the service conditions of our jawans.

Jagjivan Ramji represents the full participation of the people in their governance. He never forgot his humble origins and indeed was proud of them. I still remember that speaking in 1971 in a public meeting, he said: "It is because of democracy that today," the words he used were, "today, the son of a *chamar* is the Defence Minister of the country". Give a serious thought to these words, which are so meaningful. So proudly did he say that he was the son of *chamar*. What he meant was that there was nothing to be worried about, whatever be your station of birth. He was of the firm belief that in a democracy anyone could reach great heights. He wanted every Indian to have self-confidence so that the foundations of democracy became stronger. His words have left such an impact on me that they keep echoing in my mind time and again.

Through his achievements, this pride was transmitted to countless others, strengthening their awareness of their rights. He was a powerful voice against the indignities which a fifth of India has to face in their daily life. As a true nationalist, he was conscious that a country is as strong as its weakest sections. He spared no effort in formulating programmes which would rid them of the disabilities and discrimination, for long a part of our tradition. An advocate of reservation, he emphasized that this will generate a belief in the backward communities, who constitute the majority of population in this country, that opportunities for self-advancement even during the period of transition and creation, are not being denied to them. Then they will cooperate wholeheartedly and willingly in the creation of the new life and the new order.

Jagjivan Ramji signifies our commitment to a vision of a just and humane society, where the dignity of each individual would be equally respected. His achievements are the story of the change which has taken place in our society in this century, one which is still taking place and which, it is our duty to carry forward.

Fifteen years ago, Jagjivan Ramji wrote his book *Caste Challenge in India*, where he noted:

The liberation struggle of the Scheduled Castes has begun. There are many hurdles and impediments in the way. The fight is unequal. But struggle we must without any respite and without a pause. We must liberate ourselves for in our liberation lies the emancipation of mankind.

Let us all pledge to realize these words and this vision of Babuji and all the freedom fighters. Thank you.

Jai Hind.

# THE TENTH LOK SABHA: INITIATIVES, INNOVATIONS AND DEVELOPMENTS

R.C. BHARDWAJ

---

Parliament is the sovereign legislative body in our country. It is also the nation's highest deliberative forum. The Lok Sabha, comprising as it does the elected representatives of the people, has been in the vanguard for effecting measures aimed at the fullest realization of the potential of the nation and its people. Every Lok Sabha, since the first General Elections, has contributed to the further strengthening of parliamentary democracy in our country. This has been possible because the Lok Sabha is a dynamic, not a static, institution. Each Lok Sabha has taken praiseworthy initiatives and introduced timely innovations to keep pace with the changing times and requirements. Thus, the evolution of parliamentary system in India has been an integral part of the evolution of the successive Lok Sabhas. The Tenth Lok Sabha has, in fact, broken new grounds insofar as initiatives, innovations and developments are concerned.

Consequent upon the successful culmination of the General Elections, the Tenth Lok Sabha was constituted on 20 June 1991 and the House met for the first time on 9 July 1991. Shri Shivraj V. Patil was unanimously elected Speaker of the Lok Sabha on 10 July 1991. Under the Hon'ble Speaker's dynamic leadership, the Tenth Lok Sabha has witnessed important changes which have far-reaching significance. Following are some of the major initiatives, innovations and developments during this period.

## **Departmentally-related Standing Committees.**

Over the years, there has been an unprecedented growth in the range, magnitude and complexity of governmental activities. This naturally led to a situation where Parliament was finding itself somewhat handicapped in performing effectively its functions of debating policies, making laws and overseeing Executive actions in various fields of administration. Of late, there has been a growing realization that if the Parliament has to really fulfil its pivotal role in ensuring administrative accountability, it needed some institutional arrangements which could ensure scrutiny of the Government Budget and enquire into governmental performance and also suggest policy directions and initiatives.

As early as in 1978, the Conference of Presiding Officers of Legislative Bodies in India had deliberated on this matter. During the



Third Regional Commonwealth Parliamentary Seminar held in New Delhi in January 1984, the question of setting up Subject Committees was discussed in detail. The Presiding Officers' Conference held in the subsequent years also delved deep into the issue. These efforts finally reached fruition when, on 18 August 1989, Parliament constituted three such Committees relating to Agriculture, Science and Technology and Environment and Forests.

The viability of this experiment was soon in evidence so much so that it was felt that Parliament should go in for a full-fledged Committee System. On assuming office, the Hon'ble Speaker took the initiative and held discussions with the Prime Minister, Shri P.V. Narasimha Rao, Leaders of Parties, members and others. These discussions, which were in several rounds, helped considerably in formulating the scheme and also in bringing about commonality of views. Thereafter, the agreed proposals were placed before the Rules Committee of Lok Sabha. These were further considered at a joint meeting of the Rules Committees of the Lok Sabha and the Rajya Sabha. Finally, the Rules Committee, in its Third Report presented to the Lok Sabha on 29 March 1993, recommended the setting up of seventeen Departmentally-related Standing Committees (DRSCs) of Parliament. The Rules Committee of the Rajya Sabha also adopted the same rules and presented them to the Rajya Sabha on 29 March 1993. Both Houses adopted the rules the same day.

On 31 March 1993, at a function held in the Central Hall of Parliament House, the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan formally inaugurated the seventeen new Standing Committees (eleven in the Lok Sabha and six in the Rajya Sabha). The DRSCs were formally constituted with effect from 8 April 1993. Thus, in the history of the Indian Parliament, a major initiative was taken in the direction of making Parliament more powerful and effective in the exercise of its control over the Executive. The new Committee System represents a path-breaking endeavour in the area of parliamentary surveillance over administration.

*DRSCs:* The DRSCs in the Lok Sabha are those on: (i) Agriculture; (ii) Communications; (iii) Defence; (iv) Energy; (v) External Affairs; (vi) Finance; (vii) Food, Civil Supplies and Public Distribution; (viii) Labour and Welfare; (ix) Petroleum and Chemicals; (x) Railways; and (xi) Urban and Rural Development. The DRSCs in the Rajya Sabha are those on: (i) Commerce; (ii) Home Affairs; (iii) Human Resource Development; (iv) Industry; (v) Science and Technology, Environment and Forests; and (vi) Tourism and Transport. The DRSCs in the Lok Sabha work under the directions of the Speaker, Lok Sabha and those in the Rajya Sabha under the Directions of the Chairman, Rajya Sabha.

## **Composition**

Each of the DRSCs consists of 45 members, 30 from the Lok Sabha nominated by the Speaker, Lok Sabha and 15 from the Rajya Sabha nominated by the Chairman, Rajya Sabha. Seats on each Committee are allocated to different Parties and Groups in the House as far as practicable in proportion to their respective strength in the House. Suitable number of seats on these Committees are also allocated to independent and unattached members. Members of the Rajya Sabha are nominated to each of the Standing Committees by the Chairman, Rajya Sabha in a like manner. The Chairmen of the Committees are appointed by the Presiding Officers of the respective House. The term of office of members is one year from the date of constitution of the Committee concerned.

The Presiding Officers of the two Houses have been taking care in nominating, as far as possible, members with specialized background to specific Committees. Again, as far as possible, they have been renominating the same members to the same Committees on completion of their terms. This, naturally, has helped in enhancing their expertise as also in obtaining the best contribution from them based on their experience.

## **Functions**

The functions of the Standing Committees are:

(a) To consider the Demands for Grants of the concerned Ministries/Departments and make a report thereon to the Houses. The report shall not suggest anything of the nature of cut motions;

(b) to examine such Bills pertaining to the concerned Ministries/Departments as are referred to the Committee by the Chairman, Rajya Sabha or the Speaker, Lok Sabha as the case may be, and make reports thereon;

(c) to consider Annual Reports of Ministries/Departments and make reports thereon; and

(d) to consider national basic long-term policy documents presented to the House, if referred to the Committee by the Chairman, Rajya Sabha or the Speaker, Lok Sabha as the case may be, and make reports thereon.

The Standing Committees do not consider matters of day-to-day administration of the concerned Ministries/Departments and also generally matters which are under consideration by the other Parliamentary Committees.

## **Working of the System**

The Hon'ble Speaker, right from the beginning, took a keen interest in the functioning of the Committees. Soon after the DRSCs were set up, the Speaker convened a meeting of the Chairpersons and members

of Parliament on 15 April 1993 in the Central Hall wherein the concept behind the setting up of the Committees, their objectives and functioning were elaborately discussed. He also responded to a host of queries put forth by members.

Besides, he held meetings with Chairpersons, members and officers as also with Ministers concerned whenever any issue relating to procedural or functional matters of DRSCs figured. From time to time, valuable directions have been received from the Speaker to make these Standing Committees function effectively. Moreover, while providing infrastructural facilities to the Committee Secretariats, care has also been taken to ensure that modern equipment like computers were provided for speed and efficiency in their working.

### **DRSCs at Work**

The 17 Standing Committees have, till the end of the Fourteenth Session of the Tenth Lok Sabha, presented 319 reports. Of these, 262 are original reports on the Demands for Grants, Bills, Policies and Annual Reports/Subjects and 57 are Action Taken Reports. Experience has shown that the DRSCs have been guided by the established principles of objectivity; achievement of the intended goal or targets; appropriateness or feasibility of economy in terms of Plan outlays and annual budgetary allocation for a particular programme or scheme; and scope for improvement in this regard. They also locate Departmental accountability in terms of the implementation of various schemes and programmes. They not only point out lapses but also give guidance and suggestions for better performance. Above all, the DRSCs have been functioning in a non-partisan manner keeping in mind the nation's interests and the merits of the issue.

### **Demands for Grants**

Prior to the establishment of the DRSCs, all the Demands for Grants were not discussed in the House mainly due to paucity of time. The situation changed after the DRSCs came into existence. Now, at least 45 members of Parliament, through these Standing Committees, examine and scrutinize the Demands for Grants of every Ministry/Department. The reports of the Committees are then presented to the House.

The earnestness and enthusiasm generated by the setting up of these Committees was well reflected when all the newly set up DRSCs presented one report each on the Demands for Grants (1993-94) of their respective Ministries/Departments under their jurisdiction during the same Budget Session of Parliament. After the Demands of various Ministries/Departments for the year 1994-95 were presented to Parliament, they were discussed in detail by the respective Committees. Both the Houses were adjourned for this purpose for a period of one month from 18 March to 17 April 1994. Forty-eight reports on the Demands for Grants for the year 1994-95 pertaining to various Ministries/Departments were presented

to Parliament during the Budget Session in 1994. They contained a total of 651 recommendations/observations.

The current year is the third year of operation of the DRSCs. To consider the Demands for Grants this year, the Houses were adjourned from 1 April to 23 April 1995. The 17 DRSCs considered in depth the Demands for Grants for 1995-96 of the respective Ministries/Departments and adopted 51 reports containing a total of 1,043 recommendations/observations. These reports were then presented to the Lok Sabha and the Rajya Sabha. As a follow-up of their reports on the Demands for Grants of 1994-95, eleven Standing Committees of the Lok Sabha and one Standing Committee of the Rajya Sabha have prepared Action Taken Reports also.

The Committees have also made valuable suggestions to Ministries regarding the preparation and presentation of the Budget Estimates and related matters.

### **Bills**

Prior to the constitution of the DRSCs, the time constraint also affected, to a certain extent, the discussion on Bills on the floor of the House. This scenario has also changed when the DRSCs were given the mandate to examine Bills pertaining to their Ministries/Departments after these were referred to them by the Speaker, Lok Sabha or the Chairman, Rajya Sabha. The Bills are now referred to the DRSCs at the introduction stage. Over a short span of three years, as many as 52 Bills have been referred to the DRSCs during the period April 1993 to July 1995 on which reports have been presented to the Houses. Even though the recommendations of the DRSCs are only of persuasive value and not binding like the recommendations of the Joint/Select Committees, the new system has helped in having a detailed and in-depth analysis of the various provisions proposed in the Bills.

The Committees have been making useful reports on the Bills referred to them. For example, in the case of the National Environment Tribunal Bill, Trade Marks Bill and National Highways (Amendment) Bill, the Committee recommendations were accepted by the Government in toto and official amendments brought forward in pursuance thereof.

### **Policies**

The DRSCs have also scrutinised and prepared reports on national long-term Policies. While three of them have been referred by the Presiding Officers, there have been instances when the Committee(s) have taken the initiative and approached the Speaker/Chairman for permission to examine such Policy proposal/document.

### **Annual Reports/Subjects**

The DRSCs have also taken up for scrutiny the Annual Reports/Subjects pertaining to their respective Ministries/Departments. The

examination of the Annual Reports/Subjects have helped not only to reveal the fiscal and financial achievements of the Ministries/Departments but also implementation of Policies formulated. Till the end of the Fourteenth Session, 85 reports have been presented by the DRSCs on the Annual Reports and Subjects based on them.

### **Compendia on Recommendations/Observations on the Demands for Grants and Action Taken Reports on the Demands for Grants**

For ready reference of members of Parliament as well as other users, the recommendations of DRSCs were compiled in a Compendium for the first time in 1994 on the directions of the Hon'ble Speaker. In the current year too, all the recommendations have been brought out in two Volumes. Volume I refers to the recommendations made by the eleven DRSCs serviced by the Lok Sabha Secretariat and Volume II refers to the recommendations made by the six DRSCs serviced by the Rajya Sabha Secretariat.

In order to further facilitate follow-up of the recommendations on the Demands for Grants of 1994-95, a separate Compendium containing information about the eleven Committees serviced by the Lok Sabha Secretariat which adopted and presented 25 Action Taken Reports was compiled. The Compendium was released in May 1995 and provides at one place the recommendations of the DRSCs on the Demands for Grants along with the replies of the Government and comments of the Committee against each one of them in seriatim. In order to assess the response of the Government to the recommendations of the Committees, an introductory statistical analysis showing the acceptance or otherwise of the recommendations by the Government has also been given in respect of each report. A bird's eyeview of the entire statistics relating to the Action Taken Reports on the 1994-95 Demands brings out clearly the quantum of work done by the DRSCs.

Total number of recommendations made	356
Recommendations accepted by the Government	206 (58%)
Recommendations which Committee do not desire to pursue in view of Government's replies	51 (14%)
Recommendations in respect of which replies of the Government have not been accepted by the Committees and which have been reiterated	65 (18%)
Recommendations in respect of which interim replies have been received from Government and final replies still awaited	34 (10%)

The above figures amply prove that the Government have accepted a majority of the recommendations made by the Committees and the

Committees are pursuing the matter where they are not satisfied with the replies of the Government.

### **The Justice Ramaswamy Case**

The Sixth Session of the Tenth Lok Sabha created history when it discussed and subsequently negated the first ever motion for the impeachment of a sitting judge of the Supreme Court, Justice Ramaswamy. Interestingly, the case had its genesis in the Ninth Lok Sabha.

### **Constitutional Provisions**

Art. 124(4) of the Constitution provides that a Judge of the Supreme Court shall not be removed from office except by an order of the President passed after an Address by each House of Parliament supported by a majority of the total membership of the House and by a majority of not less than two-thirds of the membership of that House present and voting has been presented to the President in the same Session for such removal on the ground of proved misbehaviour or incapacity. Art. 124(5) provides that Parliament may by law regulate the procedure for the presentation of an Address and for the investigation and proof of the misbehaviour or incapacity of a Judge under Clause (4). Accordingly, the Judges Inquiry Bill was drafted in 1964 and was presented to the Third Lok Sabha. The Bill was referred to a Joint Committee which went very carefully into the clauses of the Bill and presented a report. The Bill, "to regulate the procedure for the investigation and proof of the misbehaviour or incapacity of a judge of the Supreme Court or of a High Court and for the presentation of an address by Parliament to the President and for matters connected therewith", based on the report of the Joint Committee of 1966, was discussed and passed by Parliament in 1968.

The Judges (Inquiry) Rules, 1969, were framed by a Joint Committee of the two House of Parliament, under Section 7 of the Judges (Inquiry) Act, 1968.

### **Facts of the Justice Ramaswamy Case**

On 27 February 1991, Prof. Madhu Dandavate and 107 other members of the Lok Sabha submitted a notice of Motion, listing eleven charges against Justice Ramaswamy, a Judge of the Supreme Court of India for the removal from office of Justice Ramaswamy under art. 124(4) of the Constitution, read with section (3) of the Judges (Inquiry) Act, 1968. At the last sitting of the Ninth Lok Sabha, on 12 March 1991, the then Speaker, Shri Rabi Ray informed the House that the he had admitted the notice of the Motion. He also announced the setting up of a three-member Committee to investigate into the grounds on which the removal of the Judge was prayed for. The members of the Committee

were Justice P.B. Sawant, Supreme Court of India; Justice P.D. Desai, Chief Justice of the High Court at Bombay; and Justice O. Chinnappa Reddy, a former Judge of the Supreme Court of India.

The Inquiry Committee, after detailed examination of the case and consideration of the charges against Justice Ramaswamy, submitted a report which was laid on the Table of the House on 17 December 1992.

After considering the charges collectively and individually, the Committee concluded that Justice Ramaswamy's conduct amounted to "misbehaviour" within the meaning of art. 124 (4) of the Constitution of India.

In the meantime, the Supreme Court, in its judgement in *Sub-Committee on Judicial Accountability vs. Union of India and Others*, held that the Motion for removal of Justice Ramaswamy moved during the Ninth Lok Sabha did not lapse on the dissolution of the Ninth Lok Sabha.

The Supreme Court also held in *Mrs. Sarojini Ramaswamy vs. Union of India and Others* that an opportunity of being heard should be provided by Parliament to Justice Ramaswamy before proceeding with consideration of Motion for the removal.

Considering the fact that this was the first ever instance of a Motion for the removal of a Judge of the Supreme Court on which the House had to decide, the Hon'ble Speaker took particular care to see to it that proper procedures were laid down for the discussions to follow. Lack of any precedent in this regard made the task much more onerous. Before bringing up the Motion before the House for presenting an Address to the President and the Motion for considering the Report of the Inquiry Committee, the Speaker held consultations with Leaders of Parties and Groups on the issue. On 10 May 1993, the Speaker made the following announcement in the House detailing the procedure for considering the two Motions:

What we are going to take up in the House now is a matter which involves a Judge of the Supreme Court and is of very great importance. Therefore, the discussion may be carried with all sincerity, solemnity and understanding at our command.

Thereafter, Shri Kapil Sibal, the Counsel on behalf of Justice Ramaswamy was brought to the Bar of the House.

The Motion for presenting an Address to the President was then moved by Shri Somnath Chatterjee who also moved the Motion for considering the report of the Inquiry Committee.

Shri Kapil Sibal then made submissions on behalf of Justice Ramaswamy. The Counsel, thereafter withdrew from the House. The discussion on the combined Motions continued on 11 May 1993, with

eleven members participating. Shri Somnath Chatterjee replied to the debate.

Thereafter, the Motion for presenting an Address to the President under clause (4) of art. 124 of the Constitution regarding removal of Shri V. Ramaswamy from his office as a Judge of the Supreme Court of India was put to the vote of the House. The result of the division was as follows: Ayes - 196; Noes - Nil. Accordingly, the Motion and the Address were declared as not carried by the required majority in accordance with clause (4) of art. 124 of the Constitution.

### **Speaker's Decision in the Janata Dal Case**

On 20 July 1992, the Hon'ble Speaker, Lok Sabha, received two letters dated 19 July 1992 from the President of the Janata Dal, Shri S.R. Bommai, intimating the expulsion of Sarvashri Shivsharan Verma, Ram Awadh, Rajnath Sonker Shastri and Ramnihore Rai, all members of the Lok Sabha, from the primary membership of the Party for six years. The same day, the Speaker received another communication from Shri Vishwanath Pratap Singh, the then Leader of the Janata Dal Parliamentary Party, conveying the Party's decision about the expulsion of the said members. As per past practice and precedents, the Speaker allowed the four members to sit outside the Janata Dal block in the Lok Sabha with effect from 7 August 1992.

Earlier, the Hon'ble Speaker had taken a similar measure in respect of Shri Ajit Singh, member of the Lok Sabha, who was expelled from the Janata Dal in December 1991, and Sarvashri Rasheed Masood, Harpal Panwar and Satyapal Singh Yadav, members of the Lok Sabha, who were expelled from the Janata Dal in January 1992.

On 7 August 1992, twenty members of the Lok Sabha, including the eight aforesaid members who had been expelled from the Janata Dal and twelve other members belonging to the Janata Dal, met the Speaker and gave him an application bearing signatures of these twenty members and also four more signatures. These four signatories did not, however, accompany the twenty members when the application was delivered to the Speaker. The twenty members who appeared before the Speaker and signed the letter again to affirm its contents were: Sarvashri Ram Lakhan Singh Yadav, Ram Sharan Yadav, Ram Sundar Dass, Upendra Nath Verma, Surya Narain Yadav, Govinda Chandra Munda, Anadi Charan Das, Ajit Singh, Rasheed Masood, Harpal Panwar, Abhay Pratap Singh, Gulam Mohammad Khan, Ramnihore Rai, Rambadan, Ram Awadh, Rajnath Sonker Shastri, Shivsharan Verma, Satyapal Singh Yadav, Arjun Singh Yadav and Roshan Lal. They requested the Speaker to recognize them and allocate separate seats in the Lok Sabha.

A photocopy of the application of the twenty members was sent to Shri Vishwanath Pratap Singh, the then Leader of the Janata Dal



Parliamentary Party, for his comments. Shri Singh, in his written statement filed on 11 August 1992, stated that out of the twenty members, four members, viz. Sarvashri Ajit Singh, Rasheed Masood, Harpal Panwar and Satyapal Singh Yadav had been expelled from the primary membership of the Janata Dal by the Party President, Shri S.R. Bommai. Shri Ajit Singh had been expelled on 26 December 1991 and the three others in January 1992. Four other members, viz. Sarvashri Rajnath Sonker Shastri, Romnihore Rai, Ram Awadh and Shivsharan Verma had been expelled from the primary membership of the Party by Shri S.R. Bommai, on 19 July 1992. As such, these eight members had lost their membership of the Janata Dal Legislature Party. Sarvashri Ram Sundar Dass, Govinda Chandra Munda, Gulam Mohammad Khan and Rambadan had violated the whip issued to them for voting in favour of the no-confidence Motion moved against the Government on 17 July 1992. Under the provision of para 2(1)(b) of the Tenth Schedule to the Constitution, they had incurred disqualification and they had ceased to be members of the Lok Sabha from 17 July 1992.

Thus, out of the twenty members, twelve members had incurred disqualification and ceased to be members of the Lok Sabha. Sarvashri Ram Sharan Yadav, Abhay Pratap Singh, Ram Lakhan Singh Yadav, Anadi Charan Das, Roshan Lal, Arjun Singh Yadav, Upendra Nath Verma and Surya Narain Yadav, the remaining eight of the twenty members of the Lok Sabha, could not form a group of members consisting of one-third of members of the Janata Dal Parliamentary Party who could separate from Janata Dal as per the provisions of para 3 of the Tenth Schedule. They too had incurred disqualification under para 2(1)(a) of the Tenth Schedule and ceased to be members of Lok Sabha from 7 August 1992. As such, Shri Vishwanath Pratap Singh maintained that the application of the said twenty members should be rejected.

On 11 August 1992, Shri Srikanta Jena, member of the Lok Sabha and the Chief Whip of the Janata Dal Parliamentary Party, sent seven letters to the Hon'ble Speaker - four letters informing about non-condonation of abstention from voting on 17 July 1992 against the party directive by Sarvashri Ram Sundar Dass, Govinda Chandra Munda, Gulam Mohammad Khan and Rambadan and three letters informing about condoning the abstention from voting by Sarvashri Abdul Ghafoor, Hari Kishore Singh and Ram Naresh Singh, all members.

On the same day, Shri Vishwanath Pratap Singh filed four separate petitions against Sarvashri Ram Sundar Dass, Govinda Chandra Munda, Rambadan and Gulam Mohammad Khan under the Tenth Schedule to the Constitution, in terms of para 2(1)(b), praying for their disqualification on the ground that they had abstained from voting contrary to the directions issued by the party at the time of voting on the Motion of no-confidence in the Council of Ministers on 17 July 1992.

The Hon'ble Speaker, on 12 August 1992, passed an Interim Order permitting the twenty members who signed the letter of 7 August 1992 in his presence, to be seated separately from the other members of the Janata Dal Parliamentary Party, for the purpose of functioning in the House, for the interim period, until the matter was finally disposed of.

On 19 August 1992, the Speaker held a meeting (first hearing in the case) with Leaders of Parties and Groups in the Lok Sabha and the aforementioned members to discuss matters arising out of the letter dated 7 August 1992. It was decided to hear the parties to the case on point of facts and law. The Speaker also proposed that the hearings might be open to the Press.

On 22 August 1992, the then leader of the Janata Dal Parliamentary Party, Shri Vishwanath Pratap Singh filed eight separate petitions under the Tenth Schedule to the Constitution praying for disqualification of Sarvashri Ram Sharan Yadav, Abhay Pratap Singh, Ram Lakhan Singh Yadav, Anadi Charan Das, Roshan Lal, Arjun Singh Yadav, Upendra Nath Verma and Surya Narain Yadav in terms of para 2(1)(a) of the Tenth Schedule on the ground that they had voluntarily given up the membership of the Janata Dal.

On 3 October 1992, the Chief Whip of the Janata Dal Parliamentary Party and member of the Lok Sabha, Shri Srikanta Jena filed two composite petitions under the Tenth Schedule to the Constitution — one against Sarvashri Ajit Singh, Rasheed Masood, Harpal Panwar and Satyapal Singh Yadav and the other against Sarvashri Rajnath Sonker Shastri, Ram Awadh, Shivsharan Verma and Ramnihore Rai—praying for their disqualification in terms of para 2(1)(a) of the Tenth Schedule on the ground that they had voluntarily given up the membership of the Janata Dal.

In all, therefore, fourteen petitions for disqualification had been filed - twelve by Shri Vishwanath Pratap Singh and two by Shri Srikanta Jena. Thus, petitions for disqualification had been filed against all the twenty signatories to the application given on 7 August 1992.

Matters arising out of the application dated 7 August 1992 and petitions for disqualification against all the twenty members were heard together by the Hon'ble Speaker for a decision under the Tenth Schedule. Parties to the case were allowed to plead their cases themselves as well as through lawyers. Broadly, the Code of Civil Procedure was followed in conducting the proceedings. The proceedings were allowed to be watched and reported by the Press and the media. Hearings by the Speaker in the case commenced on 19 August 1992 and concluded on 2 April 1993. In all, twenty-one hearings were held. At the outset issues arising in the case were framed. Documentary and oral evidence

were produced and adduced by parties. Counsels for parties advanced detailed arguments. The entire proceedings of the case were recorded verbatim and also tape recorded. Leaders of Parties in the Lok Sabha were allowed to put forth their views on legal points.

On 1 June 1993, the Hon'ble Speaker gave his decision under the Tenth Schedule to the Constitution and the Members of Lok Sabha (Disqualification on ground of Defection) Rules, 1985, on the case before him comprising the following:

- (i) In the matter of application filed by twenty members of Janata Dal Legislature Party on 7 August 1992.
- (ii) In the matter of four petitions filed by Shri Vishwanath Pratap Singh against Sarvashri Ram Sundar Dass, Govinda Chandra Munda, Gulam Mohammad Khan and Rambadan.
- (iii) In the matter of eight petitions filed by Shri Vishwanath Pratap Singh against Sarvashri Anadi Charan Das, Surya Narain Yadav, Ram Lakhn Singh Yadav, Ram Sharan Yadav, Roshan Lal, Arjun Singh Yadav, Abhay Pratap Singh and Upendra Nath Verma.
- (iv) In the matter of two composite petitions filed by Shri Srikanta Jena against: (a) Sarvashri Ajit Singh, Rasheed Masood, Harpal Panwar and Satyapal Singh Yadav; and (b) Sarvashri Rajnath Sonker Shastri, Ramnihore Rai, Ram Awadh and Shivsharan Verma.

The relevant issues included:

- A. Issues relating to the application filed by twenty members of Janata Dal on 7 August 1992
  - (i) Is the application filed under the Constitution of India, any other law or the rules of Procedure of Lok Sabha?
  - (ii) What do the signatories to the application claim?
  - (iii) At what time and in what manner the claims under the Tenth Schedule to the Constitution of India are to be proved?
  - (iv) Can the leader of a political party expel a member of his Party and terminate his membership of the Legislature Party, so as to change his rights, obligations and immunities given under the Constitution of India, other laws or the Rules of Procedure in Lok Sabha?
- B. Issues relating to violation of Whip
  - (i) Did the Petitioner prove that the respondents violated the Whip voluntarily and if so, whether the respondents ceased to be members of Parliament with effect from 17 July 1992?

- (ii) Did the respondents prove that they did not voluntarily refrain from voting?
- C. Issue relating to voluntarily giving up the membership of the political party
  - (i) Did the Petitioner prove that the Respondents had become liable to be disqualified under para 2(1)(a) of the Tenth Schedule to the Constitution of India by being signatories to the application given on 7 August 1992?
- D. Issues relating to the two composite petitions
  - (i) Did the petitioner prove that Shri Ajit Singh and three others had become liable to be disqualified under para 2(1)(a) of the Tenth Schedule to the Constitution of India, by constituting a separate faction of the Janata Dal Party?
  - (ii) Did the Petitioner prove that Shri<sup>o</sup> Rajnath Sonker Shastri and three others had become liable to be disqualified under para 2(1)(a) of the Tenth Schedule to the Constitution of India, by being signatories to the application given on 7 August 1992?

The Hon'ble Speaker, in his detailed decision, also reflected on the moral, legal and political aspects of the case and the law. He was of the view that the matter was important and complicated, as well as agonizing, as it carried implications for democracy and parliamentary system in India. It involved the interpretation of the Tenth Schedule to the Constitution and the freedom and rights enjoyed by, and obligations of, the Indian citizens and their representatives in Parliament. The Tenth Schedule being a new law, not many precedents were available on the basis of which it could be interpreted and enforced. Besides, it was also not free from lacunae.

The Speaker also felt that it was not easy to pass judgement on matters moral. Those who have to deal with matters on the basis of law have restricted scope to apply the principles of morality while deciding the issues. The present matter was also tried to be decided on the basis of law. Moreover, matters and ingredients political, were often both not straightforward and were difficult. They could solve, create, and complicate issues and problems.

The present case involved the membership of twenty parliamentarians who were the representatives of more than two crores of Indian citizens. They were elected by the people, and as representatives of the people were expected to come up to the expectations of law. The menace of floor-crossing, if uncontrolled, could destroy the parliamentary and democratic system.

The Speaker felt that to judge was not an easy matter. To do justice,

according to one's own light, was the only way available to one who had to decide and judge. That was tried to be done in the present case.

The gist of the Order of the Speaker in the Janata Dal case given on 1 June 1993, is as follows :-

- (i) It was held that the twenty members of Parliament who were signatories to the application given by them on 7 August 1992 were members of Parliament on 7 August 1992 and the request made by them in the said application was allowable and was allowed with respect to the sitting members at that point of time.
- (ii) It was held that Sarvashri Ram Sundar Dass, Govinda Chandra Munda, Gulam Mohammad Khan and Rambadan had incurred disqualification for being members of Lok Sabha and had ceased to be the members of Lok Sabha with effect from the date of the order, *i.e.* 1 June 1993.
- (iii) The petitions for disqualification against the remaining sixteen members were dismissed on the ground that when these members separated on 7 August 1992, they were sitting members of the Lok Sabha and were equal to one-third members of the Janata Dal Legislature Party.

In his detailed and considered decision, the Speaker pointed out:

The Tenth Schedule of the Constitution of India had served to a great extent the purpose for which it has been brought into existence. It has some weak points and defects too. They are now thrown up and have become quite visible. They should not be allowed to continue in the body of the law.

The Speaker held that the law should be made more comprehensive so as to provide for possible situations which could crop up in interpreting and enforcing the law, such as matters pertaining to party activities outside the Legislature, the question of who should decide on cases relating to the anti-detection law and the applicability of the whip.

The Hon'ble Speaker also offered some valuable suggestions, important among them being the constitution of a Committee to look into the matters relating to the Tenth Schedule, in consultation with the representatives of the Executive at the Centre, the Executive at the State level, the representatives of the Presiding Officers of the Legislatures and legislators, jurists and officers well versed in parliamentary and legislative matters.

Subsequent to the decision of the Speaker, the Division Bench of the High Court of Delhi passed the following order on 2 July 1993, in respect of Civil Writ Petition filed by Sarvashri Ram Sundar Dass, Govinda Chandra Munda, Gulam Mohammad Khan and Rambadan,

praying for staying the operation of the Order of the Speaker, Lok Sabha under the Tenth Schedule of the Constitution and the Members of Lok Sabha (Disqualification on ground of Defection) Rules, 1985, disqualifying them from the membership of Lok Sabha:

We are of the opinion that the petitioner has a strong *prima facie* case for an order of stay of the operation of the order of disqualification impugned in this petition.

We accordingly direct that operation of the order dated 1st June 1993, disqualifying the petitioner from membership of the House be stayed pending disposal of the writ petition.

By virtue of the above order of the Division Bench of the High Court of Delhi, Sarvashri Ram Sundar Dass, Govinda Chandra Munda, Gulam Mohammad Khan and Rambadan continue to be members of Lok Sabha.

### **Computerization**

During the tenure of the Tenth Lok Sabha, a new thrust has been given to the ongoing computerization and modernization efforts of the Lok Sabha Secretariat, particularly the computerization of the information service to the members of Parliament.

The idea of introducing automation of the parliamentary information service was mooted in 1982 when the Library Committee of Parliament gave its approval to see up a Computer Centre. A Computer based information system named PARLIS (Parliament Library Information System) was started in December 1985. Since 1991 particularly, computerization has made rapid strides. A number of mini and personal computer systems have been installed and necessary software programmes developed. So far, four pentium machines, eight 486 based minicomputers, thirty-five PC 486, fifty PC 386 based computers, 298 terminals and 123 printers, including laser and line printers, have been installed in various Services/Branches of the Secretariat. These are: Pay and Accounts, Budget and Payment, General Administration, the Library and Reference, Research, Documentation and Information Service (LARRDIS), Recruitment, Reporters, Questions, Committees, Members' Service, Reception Office, the Security Service and the Catering Service.

To make available non-partisan, objective and authoritative data on a continuous and regular basis to parliamentarians, a large number of index based databases generated within the Parliament were initially developed by the PARLIS. The data stored and available now in PARLIS databases for on-line retrieval to parliamentarians relate to:

- (i) Select Parliamentary Questions (only indexes) from 1985;
- (ii) Parliamentary Proceedings from 1985 to 1993 (only indexes); since Winter Session, 1993 (full texts);

- (iii) Government and Private Members' Bills (only indexes) from 1985;
- (iv) Bio-data of members of Lok Sabha and Rajya Sabha from 1985;
- (v) Presidential and Vice-Presidential Elections from 1952;
- (vi) Directions, Decisions and Observations from the Chair from 1952;
- (vii) Microfilms of Parliamentary Proceedings (starting with debates of the Central Legislative Assembly, 1922);
- (viii) Council of Ministers: Ministry-wise and name-wise from 1947;
- (ix) President's Rule in the States and Union territories from 1951;
- (x) By-elections to Lok Sabha from 1952;
- (xi) Members' References (selected, only indexes) from 1987;
- (xii) Statistical Tables relating to India's Agriculture, Economy, Energy, Industry, Labour, Parliament and Railways; and
- (xiii) Obituary References made in the House since the Provisional Parliament.

The texts of the Constitution of India, the Rules of Procedure and Conduct of Business in Lok Sabha and the Directions from the Chair are also available for on-line retrieval from the PARLIS database

Further expansion of the computerization activities of PARLIS is envisaged to cover some other areas, including parliamentary activities like Papers laid on the Table; Pay Rolls of members of Parliament; rare collections of Parliamentary Museum and Archives; and telecasting of parliamentary proceedings.

Library management functions like acquisition, processing and issue and return of books have also been computerized by using the software package LIBSYS. Members can access the catalogue of the Parliament Library through the terminals installed at the Library counters. Indexes of important articles published in newspapers and journals and publications of national and international organizations are also available through the terminals. Subject bibliographies and select list of publications on various subjects are provided to members on request.

### **Supply of Computers to Members**

Keeping in view the immediate and succinct information requirements of parliamentarians, a need was felt to provide computer facilities to them at their residences/work places. Accordingly, members are being provided with one Note Book Computer each along with a portable inkjet printer. The main features of the Note Book Computer are 486 DX 2

microprocessor of 50 megahertz (MZ) rating; 8 kilobytes of cache memory; 8 megabytes (MB) of Random Access Memory (RAM); hard disk of 340 MB capacity; one 3.5 inch floppy disk drive and active matrix colour VGA monitor; and data/fax modem card.

A user friendly menu-driven software under *Windows* environment has been developed by the National Informatics Centre (NIC) and the Computer Maintenance Corporation Ltd. (CMC) which would assist the members of Parliament in the following areas:

- (i) Constituency functions management system: census statistics; and election statistics
- (ii) Personal information system: correspondence and grievance module; local area development system; and list of service beneficiaries
- (iii) Office automation activities: multilingual word processing facility; E-Mail facility for sending mail to fellow MPs, Parliament Secretariats, Ministers and their offices, etc.; Fax facility; voice mail; telephone diary; greetings preparation; Directory of Who's Who; and appointment planning
- (iv) Parliamentary activities interaction system: agenda for the day; topical items; events of the fortnight; and important announcements
- (v) Parliament Library Information System (PARLIS)

In order to provide on-line services such as E-Mail facility and access to the Parliament databases, other Government databases and databases of foreign Legislatures to the members, a central computing facility has been set up in Parliament House and connected to the NIC's satellite based network, NICNET through a Micro Earth Station (VSAT) and leased lines. Presently, members of Parliament can have access to computerised information/databases available in the Computer Centre (in the Parliament Library) at their residence/work places through their personal computers. Each member has also been provided with a protected electronic mail box for exchange of messages with outside world through E-Mail.

### **Communication Linkage**

The linkage of the Parliament Library with Parliamentary Libraries of foreign countries and international databases through satellite network is a matter of paramount importance. Keeping this in view, the Parliament Library has been working on a comprehensive scheme for developing a national on-line network for interlinkage of databases of PARLIS with databases of State Legislatures under the National Legislatures Information System (NATLIS) and a multiple function/service international network named the International Parliamentary Information Network



(IPINET) interconnecting databases of Parliament Libraries of other countries and important databases the world over.

PARLIS is presently linked with the NICNET. Since NICNET is linked with capitals of all the States and district headquarters of the country, we are able to exchange messages and other information with State Legislatures and district headquarters in India. In addition, as NICNET is connected with major international networks like UUNET, INTERNET, SPRINTNET, TIMENET, TELENET, DATAPAK, etc. it is possible to interchange information with foreign Legislatures and have access to international organizations. The Parliament Library now proposes to have linkage with the Parliaments of the South Asian Association for Regional Cooperation (SAARC) having access to any of the above mentioned networks.

### **Automation of the Press Clipping Service**

As a corollary to the computerization of various Library activities, the Press Clipping Service of the Secretariat is also going to be automated through an Imaging Technology System linked with computer terminals. This project has been undertaken in collaboration with the NIC. A software package for this has been developed and is presently under testing. Hardware requirements have also been worked out and are to be procured shortly.

### **Televising of Parliamentary Proceedings**

Yet another area where rapid strides have been made during the Tenth Lok Sabha is in the televising of parliamentary proceedings. The Hon'ble Speaker's keen interest in the matter is reflected in these observations:

With the televising of Parliament, parliamentary democracy would become part and parcel of the daily life of the people, making democracy stronger, healthier and more meaningful. With direct access to the proceedings of Parliament, a direct exposure to the policies and programmes of the Government, people will be able to form their own opinion, without being unduly influenced by other agencies. Public opinion thus formed could play an important role in the electoral process.

In India, the matter of opening up the Legislative Chambers to television cameras had been under consideration for a long time. Yet, it was only on 20 December 1989 that a live telecast was made for the first time. The occasion was the Address by the President to members of the two Houses of Parliament assembled together in the Central Hall. With the constitution of the Tenth Lok Sabha, the question of televising of parliamentary proceedings was given further serious thought. Consequently, in November 1991, it was decided to start, on an experimental basis, televising of the Question Hour of both the Houses

of Parliament on alternate weeks. Thus, a new beginning was made in the country's parliamentary history when the recorded proceedings of the Question Hour of Lok Sabha of 2 December 1991 were televised the following day on the national channel.

Since 1992, besides the Address by the President to Parliament, the presentation of the Railway and General Budgets have also been televised live on the national channel every year. Further, important speeches of the Prime Minister, the Leaders of the Opposition and the Leaders of Parties during the discussion on the Motion of Thanks to the President for his Address, debates on No-Confidence Motions, general debate on Budget and debates on the Demands for Grants of important Ministries, etc. have also been televised countrywide.

As a prelude to the complete live telecast of parliamentary proceedings, a Low Power Transmitter was set up in Parliament House on 25 August 1994 to provide for live telecast of Lok Sabha proceedings within 10 to 15 km range of Parliament House. With the installation of another Low Power Transmitter, Rajya Sabha proceedings are also being telecast live since 7 December 1994. Besides, since 7 December 1994, the proceedings of the Question Hour of both the Houses are being telecast live on alternate weeks throughout the country on the primary channel of *Doordarshan*. It is now proposed to have live telecast of the complete proceedings of Parliament through a satellite channel throughout the country. It has also been decided to make use of the latest and most sophisticated equipment for the telefilming and telecasting of the proceedings, besides setting up a modern Studio in the Parliament House.

### **Films on Parliamentary Subjects**

As an extension of telefilming and televising of parliamentary proceedings, video films are being prepared on different parliamentary practices and procedures and related parliamentary topics. This is to give a new dimension to the Orientation Programmes for new members of Parliament and State Legislatures as well as Officers of Legislatures and Government. This would also facilitate in educating the scholars, media persons and others about various facets of the functioning of Parliament.

A beginning has since been made in this direction. Six such films have so far been prepared. These are: (i) Private Members' Bills; (ii) Parliament Questions; (iii) Parliamentary Etiquette and Manners; (v) Financial Committees; (v) Enriching the Debates in Legislatures; and (vi) How to be an Effective Parliamentarian?

### **Audio-Visual Unit**

As an upshot of telefilming and televising of parliamentary proceedings and production of films on parliamentary subjects, an Audio-Video Unit has been set up in Parliament House. It aims to preserve the official audio-visual records of Parliament for their current and archival value.

This Unit is looking after the work of selection and collection of material, accession and classification of cassettes and assisting members in retrieval and viewing of cassettes for reference purposes. Cassettes on important parliamentary functions and events like Conferences, Seminars and Workshops and telefilms on different aspects of parliamentary practice and procedure are part of the Unit's holdings.

### **Modernization of Administration**

The Lok Sabha Secretariat which, at its inception had a total strength of 53 officers, presently has about 1,600 officers. During the tenure of the Tenth Lok Sabha, several steps have been taken towards better management of such a huge workforce.

*Personnel Training:* Realizing fully well the rapid changes taking place in diverse fields, the Secretariat has embarked upon providing training to officers of the Secretariat in various faculties of management, viz. personnel management, effective communication skills, legislative drafting, management of libraries and information centres, use of audio visual techniques, electronic data processing systems, etc. within the country and outside.

*Delegation of Authority:* In order to effect better management of work force and resources, the Secretariat has been decentralized into different segments on the basis of their functional role and functions independently of one another under the overall guidance of the administrative authority.

*Employees' Participation in Management:* The modern concept of workers' participation in management ensures better interaction between workers and management. Keeping this aspect in view, the Lok Sabha Employees Association was established to foster a spirit of cooperation amongst its members to attain greater efficiency in work and harmonious relationship at all levels and to safeguard and promote the legitimate interests of its members in service matters and to secure redressal of their grievances consistent with the requirements or parliamentary work and overall interests of the Secretariat.

*Futuristic Planning:* The Administration has prepared a draft plan for effecting appointments/promotions to various categories of services which will cater to the needs and requirements of the Secretariat up to the year 2000. This is predicted upon a systematic appraisal of the existing staff strength vis-a-vis the work load. In the interests of workers' welfare, a scheme has been undertaken for providing immediate and continuous relief to the children of the deceased employees in the event of their sudden-demise.

*Use of Information Technology in Personnel Management:* The Administration, since the year 1989, have been modernizing its multiple areas of functioning. Computerization is one of the thrust areas of modernization which includes the following:

**Finance and Accounts Management:** A user friendly package has been developed for generation of pay bills in respect of all officers of the Secretariat.

**Members' Salaries and Allowances:** Under this system, the pay and allowances of all members of Parliament are generated through the computer system.

**Personnel Information System:**

(i) **Personnel Management System:** An integrated, multi-user software package has been developed in-house for proper upkeep of all the personnel data of individual officers.

(ii) **Annual Confidential Reports' Monitoring System:** This integrated, multi-user, user-friendly software package developed in-house keeps proper track of Annual Confidential Reports of individual officers.

(iii) **Secretarial Assistance: Word Processing System:** This software package, developed in-house, enables the users in locating their documents generated through the word processors without any difficulty.

**Perspective Planning:** Notwithstanding the inherent uncertainties of long-term planning, a concerted effort has been made to locate few essential areas where proper management of space, time and work force could be achieved, thereby increasing the overall standard and efficiency of the work force.

**Projects in the Pipeline:** A system study has been carried out for complete automation of the existing records kept in the Administration in paper form. This is in order to optimize the utilization of the existing available space. The proposed system configuration is based on computer hardware which includes optical devices in the form of Flat Bed/Handheld Scanners, Laser Printer and Optical Disks. On completion of the project, it is estimated that nearly 60 to 70 percent of the Administration will be paperless.

**Modernization of Security Services**

During the last five years, the security set-up in Parliament has undergone a major change by way of modernization of its infrastructure and upgradation of technical gadgetry. The changing security scenario, particularly the increasing instances of terrorist violence in different parts of the country, had been posing serious threats to the security of the VVIPs/VIPs from various extremist groups. The proliferation in their knowledge about explosives and improvised skill in IEDs, necessitated thorough anti-sabotage and anti-explosive checks and selfsufficiency in security devices. A comprehensive security review was, therefore, undertaken in 1991 and a Perspective Plan for modernization and upgradation of security gadgetry, communication network, etc. prepared.

This Plan, after due deliberations and under the guidance of the Hon'ble Speaker, was implemented in 1993. Some of the salient features of the new security system are highlighted below.

*Technical Gadgetry:* In order to ensure thorough anti-sabotage and anti-explosive checks of the inner and outer precincts of Parliament House (PH) and Parliament House Annexe (PHA), two Technical Teams of 12 officers, fully equipped with security devices, were created. The devices available with these Teams include Explosive Detectors, Mine Detectors, Electronic Stethoscope, Search Mirrors, Search Lights, Bomb Suppression Blankets and the ECM broom. Services of four sniffer dogs, especially trained in detection of RDX, were also engaged from the BSF on a permanent basis besides those of two RSP Teams from NSG to strengthen the anti-sabotage checks. Five X-Ray Scanners, one Polaroid Camera and sixteen Day/Night Vision Binoculars were also procured. Sliding Automatic Electronic Gates were installed at Iron Gates No. 1, 2 and 7 and Barriers at 1 and 2 for strengthening the Access Control and checking of stores, electronic goods, consumable items, etc.

*Communication set-up:* Earlier, the communication system of Parliament House, manned by the Delhi Police, was in use only during the Session period. Under the modernization scheme, a full fledged Communication Control for round-the-clock functioning with three separate nets, including a Repeater Station, was set up at PHA in September 1993. The latest Motorola Sets (saber/MT, 1000) were procured and provided to senior officers and security staff to enable effective communication at various duty points. Further, to ensure emergency communication with officers after office hours, twenty-five Alpha Numeric Pagers were procured and issued to the officers. For ensuring prompt repairs of defective wireless sets and equipments, a Radio Workshop was also set up.

*CCTV:* An extensive network of CCTV cameras, installed in June-July 1993, cover various strategic locations at the Access Control Points, outer corridors, Galleries, Reception, parking areas, etc. A few more cameras were added after a year. Similar CCTV Surveillance Control was installed in PHA by mid-1995 covering 17 strategic locations.

*Rationalization and Training:* In addition to upgradation of technical gadgetry, rationalization of security deployment and training of security personnel (Watch & Ward) was undertaken to further strengthen the security set up. While the rationalization of deployment helped optimum use of manpower resources to cover strategic points, the training programmes organized through BPST, NSG, DCPW, CRPF, IB, M/s Keltron, etc. gave exposure to officers on the use of modern security gadgetry and communication devices as also improving professional skill. During the period December 1991 to December 1995, as many as 75 security personnel were detailed for 27 professional courses on bomb

disposal, Karate, PSO (by NSG), fire fighting, wireless communication, Computer basic training, CCTV, identification and handling of explosives, etc.

In view of the latest threats of rocket/missile attack on Parliament House, further upgradation of technical gadgetry has been planned. CCTV surveillance of outer area of PH/PHA, additional strength of six sniffer dogs and procurement of latest Explosive Detectors and other security devices are a few other measures under implementation.

### **Integrated System on Microphone Management, Simultaneous Interpretation and Automatic Vote Recording in Lok Sabha Chamber**

As part of the modernization initiatives, a new computer-controlled integrated system, comprising three sub-systems, viz. Microphone Management System, Simultaneous Interpretation System and Automatic Vote Recording System, was introduced in the Lok Sabha Chamber from the Twelfth Session of the Tenth Lok Sabha.

Each member, under the Simultaneous Interpretation System, has the option to select a language of his/her choice from among English, Hindi or regional language (*i.e.* the floor language) to be heard over a headphone. For this purpose, each seat in the Chamber is provided with a headphone and a Language Selector Switch Assembly.

The Automatic Vote Recording System can be used for *open voting* wherein the names of members who vote 'for' or 'against' a question or 'abstain' in the voting are recorded; for *secret voting* wherein only the final number of votes in favour of 'for' or 'against' a question or 'abstention' are recorded without revealing the names of members and the nature of vote cast by them; and for automatic counting of members present in the Chamber or ascertaining the *Quorum*.

### **New Parliament Library Building**

The need for a well equipped modern Library for use of members of Parliament can hardly be overemphasized. The Parliament Library in India had a modest beginning in 1921. Over the decades, it has grown into one of the largest repositories in the region. There have been several notable efforts towards the construction of a modern Library building to house the Parliament Library. These endeavours bore fruit when, on 15 August 1987, the then Prime Minister, Shri Rajiv Gandhi laid the foundation stone of a new Parliament Library Building in the Parliament precincts. The Speaker, Shri Shivraj Patil, ever since assuming office, has taken a keen interest in the project, the work of which is in full swing now.

The building plan suggests fully computerized library facilities and linkages with other institutions, including international linkages. A

mainframe computer and a dish antenna are some of the provisions being made in the proposed complex.

The modern trend of having a modular and utilitarian building is being followed in the construction of the new building which shall have a minimum of permanent structure and be divided into standardized interior units by means of suitable partitions and furniture for reading room space, book stack space, professional work space and office space. This modular system will allow a flexible open plan.

A full-fledged conservation workshop is among the proposed features in the Library. This would be one of the approaches to preserve what is already there in the Library while it goes ahead with acquiring future technologies such as microforms, databases, video discs, teletext system and other machine readable formats in its goal towards a paperless Library.

The building being spatially horizontal, a technological feature being considered is introduction of conveyor belt system for movement of books.

An archival room, with temperature around twelve degree Celsius round the clock, is being created in one of the blocks in the stack area for storage of audio-visual and other micro-material. As such, the entire building will be fully air-conditioned.

A Media Centre, equipped with the latest telecommunication facilities, is also planned. Adequate provisions for electronic and print media and agencies would be made. Additional facilities like Conference room, lounges, cafeteria, etc. are also proposed.

An auditorium, with a seating capacity of 1,100 and a permanent screen coupled with a well equipped projection room, will form part of the Library building. In addition, a small auditorium with facilities for multimedia presentations for dissemination of information and other in-house activities is also planned. With the advancement of technology, this may even be used for teleconferencing at some stage.

The plan also includes a VIP reception hall for ceremonial purposes. The proposed Library is slated for commissioning by 30 September 1997.

### **MPs' Local Area Development Scheme**

Members of Parliament are quite often approached by their constituents for small works of capital nature to be done in their constituencies. Hence, there was a demand by members that they should be able to recommend works to be done in their constituencies. Considering these suggestions, the Speaker, Shri Shivraj Patil took up the matter and pursued it with the concerned authorities. In the meanwhile, a Joint Parliamentary Committee to suggest Facilities and Remuneration of Members of Parliament headed by Shri A.R. Antulay,

M.P., in its Interim Report, recommended that two crores of Rupees may be placed at the disposal of the Chief Executive Officer of Zila Parishads/Panchayats (of the Districts) or at the disposal of the Collector/Deputy Commissioner per annum to be spent on such public works within the constituency of a member, works within the sole discretion of the member without even general guidelines. The Committee further recommended that the principle of 'carry forward' may be applied in case the amount is not utilized/fully utilized in a particular year. The recommendations of the Committee found favour with the members and the matter was pursued with full vigour by the Speaker, Shri Shivraj Patil. The efforts eventually bore fruit when the Prime Minister, Shri P.V. Narasimha Rao announced in Parliament on 23 December 1993, the *MPs Local Area Development Scheme*.

Under this Scheme, each member has the choice to suggest to the District Collector works to the tune of one crore Rupees per year to be taken up in his/her constituency. Members of Rajya Sabha may select any District from the State from which he/she has been elected and the nominated members may select any one District in any State/Union territory for implementation of their choice of works under the Scheme.

Each member can give a choice of works to the concerned District Collector who will get them implemented through Government agencies in the District by following the established procedures. The works under the Scheme shall be developmental in nature based on locally felt needs. The Scheme has been warmly welcomed by members and the constituents alike. The Scheme was initially administered by the Ministry of Rural Areas and Employment. It was later transferred to the Department of Programme Implementation of the Ministry of Planning and Programme Implementation, who have maintained a close liaison with the Hon'ble Speaker, Lok Sabha and benefited from his invaluable guidance.

### **Additional Facilities for Members**

The need for providing adequate facilities to members so as to enable them to discharge their responsibilities effectively can hardly be overemphasized. The Speaker, Shri Shivraj Patil took great care to ensure that such facilities are extended to members as would help them in doing full justice to their representational role. To see to it that the facilities being extended to our members should compare favourably with such facilities to members in foreign countries, he constituted a Joint Parliamentary Committee to suggest Facilities and Remuneration for Members of Parliament on 1 June 1995. The Terms of Reference of the Committee were: (i) to suggest the facilities and remuneration that may be extended to members of Parliament in India so as to ensure that the members of Parliament stand on a footing which was not too adverse as compared to their counterparts in foreign countries and in



State Legislatures in India; (ii) to suggest a mechanism by which the remuneration and the facilities of the members of Parliament could be fixed without the need for the members of Parliament to vote such facilities and remuneration for themselves; and (iii) to consider and suggest any other measures germane to the above. With this in view, the Committee may (a) call for information, documents and other material from foreign countries, State Legislatures and other organizations; (b) examine witnesses; (c) obtain expert advice; and (d) undertake any other measures as may be considered necessary. A Questionnaire regarding salary, allowances and other facilities admissible to members of Parliament was prepared and forwarded to 143 foreign Parliaments as well as State Legislatures in India. The Committee held several meetings and discussed issues threadbare. An Interim Report was presented to the Lok Sabha on 23 December 1993.

Under the Hon'ble Speaker's guidance, the Joint Committee on Salaries and Allowances of members of Parliament, headed by Shri Vijay Naval Patil, M.P., also worked with utmost dedication towards this end and came up with several recommendations. On 12 February 1993, the Speaker convened a meeting in his Committee Room which was also attended by the Minister for Water Resources and Parliamentary Affairs, Shri Vidyacharan Shukla, Shri Vijay Naval Patil, the Chairman of the House Committee, Shri Dileep Singh Bhuria, M.P. and senior officers of the Lok Sabha Secretariat and the Ministry of Parliamentary Affairs. During this meeting, the recommendations of the Committee were discussed at length. Shri Vidyacharan Shukla requested the Speaker that the Government Bill to be brought for this purpose may be given top priority in the Business Advisory Committee for being passed early. All these efforts led to various measure being taken to provide enhanced facilities to members.

During the tenure of the Tenth Lok Sabha, the following facilities were extended to the members of Parliament:

(i) *Telephone Calls*: The limit of free local calls admissible to members on two telephones was increased from 25,000 to 50,000 per annum from January 1992. Excess telephone calls made over and above the pooled total of 50,000 are allowed to be adjusted in the next year's quota.

(ii) *Water and Electricity Charges*: Up till the Tenth Lok Sabha, a member was entitled to Rs. 3,600/- worth units of water and electricity per year. During the Tenth Lok Sabha, 7,200 units of electricity (3,600 units measured on light meter and 3,600 units on power meter) and 1,000 kiloliters of water per annum beginning 1st January of every year was made permissible to members.

(iii) *Daily Allowance*: Daily allowance for members was increased from Rs.150/- to Rs.200/- per day.

- (iv) *Rate of Road Mileage*: The rate of road mileage was increased from Rs.3/- per km. to Rs.5/- per km. In Delhi, a sum of Rs.120/- has been fixed for a journey performed by a member from and to the aerodrome from his residence.

(v) *Air Journey*: The number of air journeys for members was increased from 16 per annum to 28 per annum.

On the recommendations of the Joint Committee on Catering in Parliament Complex, some major improvements have been effected in the catering units in Parliament House Complex. These include the installation of Computers at the catering units; the opening of a subsidized canteen in Parliament House Reception; and the renovation as also modernization of existing catering units.

During the tenure of the Tenth Lok Sabha, various measures were thus taken to provide better amenities and facilities to our members of Parliament.

#### **Additional Facilities for Former Members**

During the Tenth Lok Sabha, the following facilities/benefits were extended to former members:-

(i) Every pensioner who has served the House for a period of four years, whether continuous or not, is entitled to a pension of Rs.1,400/- p.m. Provided whether any person has served for a period exceeding five years, he shall be paid an additional pension of Rs.250/- p.m. for every year in excess of five years.

(ii) Where any person has served as a member twice for its duration, continuously or not and who is not entitled to any pension under provision, he is now entitled to a pension of Rs.1,400/- p.m. with effect from 9 June 1993.

(iii) Every person who has served for any period as a member of the Provisional Parliament is now entitled to a pension of Rs.1,400/- p.m. with effect from 9 June 1993.

#### **Inter-Parliamentary Conferences**

The Speaker, Shri Shivraj Patil has repeatedly emphasized the importance of promoting inter-parliamentary relations. He has also stressed the fact that inter-parliamentary Conferences and meetings provide forums for parliamentarians from all over the world to meet, discuss and exchange ideas and views on bilateral, multilateral and international matters which certainly go a long way in widening the areas of understanding and cooperation. It is a matter of great honour and satisfaction that during the Tenth Lok Sabha, India had the privilege of hosting as many as four major international Parliamentary Conferences.

### **The 37th Commonwealth Parliamentary Conference**

The 37th Commonwealth Parliamentary Conference, held in New Delhi from 23 to 28 September 1991, was one of the largest Conferences in the history of the Commonwealth Parliamentary Association (CPA), with as many as 448 Delegates, Observers and others from 107 Branches of the CPA assembling in New Delhi. The Conference was inaugurated by the then President of India, Shri R. Venkataraman.

The Plenary Sessions at the Conference discussed four subjects, viz. United Nations Collective Security, Implementation of its Resolutions; The Gulf Crisis, with Special Reference to Commonwealth Countries; Role of Commonwealth Parliaments in Accelerating Changes towards Democracy which will Allow South Africa to rejoin the Commonwealth; Strengthening Democracy, Security and Economic Development of Small Commonwealth States; and Violence against Women and Children.

The Conference also held Panel Discussions on the following subjects: The Current Global Refugee Problems: Protection of Refugees' Human Rights; The Role of Press in a Democracy; Environmental Protection in Relation to Population Growth, Industrialization and Urbanization; Enhancing Health Care Systems with Special Reference to Developing Countries; What Commonwealth Parliaments can do in furthering Food Production, Marketing and Consumption?; and Drug Problems and Attendant Criminal Activity.

Prior to this, the 11th Commonwealth Parliamentary Conference of Members from Small Countries was also held in New Delhi on 21-22 September 1991. The Conference, inaugurated by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan deliberated upon four subjects of topical concern: Sociological and Economic Impact of New Technology and Equipment on Small States; How Best to Defend and Preserve the Environment of Small States in an Age of Growing Ecological Problems?; Without a Second Chamber, is Parliamentary Democracy Doomed?; and What Role do Small States have in Mediating or Hosting the Mediation of International Disputes?.

A meeting of the Commonwealth Women Parliamentarians' Group was also held during the Conference. A wide range of issues pertaining to women were discussed by the participants. The meeting was presided over by the Deputy Chairperson, Rajya Sabha, Dr. (Smt.) Najma Heptulla.

### **The 89th Inter-Parliamentary Conference**

A year and a half after the 37th Commonwealth Parliamentary Conference, India had the privilege of hosting the 89th Inter-Parliamentary Conference in New Delhi from 12 to 17 April 1993. The Conference, inaugurated by the President, Dr. Shanker Dayal Sharma, was attended

by 795 Delegates, including 488 members of Parliament and 37 Observers representing National Groups from 107 countries and 3 Associate Members.

The Conference discussed the following subjects in its Plenary Sessions: Transparency in Arms Transfer through a Global Arms Register, notably as a Means to Check the Growing Use of Violence to Achieve Political Objectives; The Implementation of Educational and Cultural Policies Designed to Foster Greater Respect for Democratic Values; General Debate on the Political, Economic and Social Situation in the World; and The Need for Urgent Action in the Former Yugoslavia, Particularly as regards the Protection of Minorities and Prevention of Further Loss of Life in order that Peaceful Co-existence and Respect for Human Rights can be Restored for All Peoples.

As a prelude to the main Conference, a Women Parliamentarians' Meet was inaugurated by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan on 11 April 1993 in which 65 women parliamentarians from 48 countries discussed various issues of common concern.

#### **The Sixth Commonwealth Parliamentary Seminar**

In less than a year's time of hosting the 89th Inter-Parliamentary Conference, we were once again hosts to another important event, the Sixth Commonwealth Parliamentary Seminar. The Prime Minister, Shri P.V. Narasimha Rao inaugurated the Seminar, held in New Delhi from 17 to 25 January 1994. It was attended by 46 Delegates from overseas and 56 Delegates from India.

The Seminar discussed the following subjects during its Sessions: Parliamentary System in India; Parliamentary System: Reforms to Suit Contemporary Changes; Role of Parliament In Policy Formulation and Execution; Parliament and Press; Committee System; Role of Presiding Officer; and Role of Opposition.

#### **The First Conference of the Association of SAARC Speakers and Parliamentarians**

The Speakers of the Parliaments of the member countries of the South Asian Association for Regional Cooperation (SAARC), at a meeting held in Kathmandu in 1992, had resolved to establish an Association of SAARC Speakers and Parliamentarians. As per the Charter, a Conference of the Association was also to be organized regularly. The Parliament of Pakistan, which had volunteered to host the first ever Conference, expressed its inability to do so for some compelling reasons. Following this, the Speaker, Shri Shivraj Patil proposed our Parliament's readiness to host the Conference.

As per this decision, in July 1995, the First Conference of the Association of SAARC Speakers and Parliamentarians was also hosted

by us in New Delhi. The Conference, held from 22 to 24 July, was attended by 93 Delegates and others from the member countries of SAARC. The Conference, inaugurated by the Prime Minister, Shri P.V. Narasimha Rao was also attended by 91 Observers from the State Legislatures in India.

The Conference, during its Sessions, deliberated on the following subjects: SAARC Parliaments: Their Relations with the Executive and the Judiciary; and the Committee System in SAARC Parliaments.

The successful organization of these Conferences brought encomiums to the Parliament of India from far and wide. Delegates to the Conferences particularly complimented the Hon'ble Speaker for the exemplary manner in which the deliberations were conducted as also for the excellent Conference arrangements. Needless to say, these Conferences, besides strengthening inter-parliamentary cooperation, also brought to the fore many useful ideas which could serve the larger cause of parliamentary democracy.

### **Exchange of Parliamentary Delegations**

Since the constitution of the Tenth Lok Sabha, 44 Indian Parliamentary Delegations visited foreign countries on goodwill missions or to participate in Parliamentary Conferences. During this period, as many as 48 foreign Parliamentary Delegations visited our Parliament. These visits provided opportunities for meaningful exchange of views on parliamentary matters as well as bilateral and international issues, besides further promoting India's relations with these countries.

### **Parliamentary Functions**

Several major parliamentary functions were also organized during this period.

On 29 January 1993, the president of the Russian Federation, Mr. Boris N. Yeltsin addressed the members of Parliament in the Central Hall of Parliament House at a function jointly organized under the auspices of the Indian Parliamentary Group (IPG) and the India International Centre.

The President of the Islamic Republic of Iran, Mr. Ali Akbar Hashemi Rafsanjani addressed members of Parliament in the Central Hall on 18 April 1995.

A function was held in the Central Hall on 21 July 1992 to bid farewell to the outgoing President of India, Shri R. Venkataraman.

A meeting of members of both Houses of Parliament was held in the Central Hall on 8 August 1992 to mark the commencement of the 50th Anniversary celebrations of the Quit India Movement and to pay homage to the martyrs of the freedom struggle. Another function marking

the conclusion of the celebrations was held in the Central Hall on 9 August 1993.

To commemorate the birth centenary of Dr. B.R. Ambedkar, under the joint auspices of the IPG and the Parliamentarians' Group for Dr. B.R. Ambedkar Birth Centenary Celebrations, a series of Lectures on "A Panoramic View of India's Freedom Struggle" was delivered by Dr. N.G. Rajurkar, Professor, Osmania University, on 2, 3, 5 and 6 December 1991 at the Parliament House Annexe.

A Seminar on "Constitution of India in Precept and Practice", organized under the joint auspices of the Parliamentarians Group for Dr. B.R. Ambedkar Centenary Celebrations, the IPG and the Bureau of Parliamentary Studies and Training (BPST) of the Lok Sabha Secretariat, was held in Parliament House Annexe on 25-26 April 1992.

To mark the occasion of 'Constitution Day,' a meeting was held on 5 December 1992 in Parliament House Annexe under the auspices of the IPG.

On 6 May 1994, a function was held in the Central Hall to celebrate the 50th Anniversary of the Azad Hind Fauj.

On 27 October 1995, at a function held in Parliament House Annexe, the Deputy Speaker, Lok Sabha, Shri S. Mallikarjunaiah received two receptacles specially designed by the Getty Conservation Institute, USA and the National Physical Laboratory, Delhi for the long-term preservation of the original calligraphed copies of the Constitution of India. The two original calligraphed copies of the Constitution of India, one each in English and Hindi, have been with the Parliament Library for nearly four decades. The National Physical Laboratory, in collaboration with the Getty Conservation Institute, USA developed an inert atmosphere preservation technology involving carefully fabricated glass receptacles filled with nitrogen gas for the preservation of these documents. The cases are designed to maintain a nitrogen microenvironment (with less than one per cent oxygen concentration) at 45 per cent relative humidity. This microenvironment has been chosen to prevent oxidation, biological and microbiological deterioration and air pollution damage to the original copies of the Constitution.

Three Conferences of the Presiding Officers of Legislative Bodies in India were held during this period. The 57th Conference was held in Gandhinagar on 29-30 May 1992; the 58th Conference in Madras on 25-26 June 1993; and the 59th Conference in Bhubaneswar on 1-2 February 1994. The Conferences discussed in detail various subjects of topical concern to the parliamentarians and the legislators. In addition, an emergent meeting of the Presiding Officers of the Legislative Bodies in India was held on 11 February 1992 in New Delhi to discuss the anti-defection law and the relations between the Legislature and the

Judiciary. The 59th Conference held in Bhubaneswar also considered and adopted the Report of the Committee of Presiding Officers on "Measures to Promote Harmonious Relations between the Legislature and the Judiciary".

For the first time, a Conference of Chairmen of the Committees of Privileges of the Lok Sabha, the Rajya Sabha and the State Legislatures was held in New Delhi on 14-15 March 1992.

An All India Conference of Presiding Officers, Leaders of Parties, Ministers of Parliamentary Affairs, Whips and Senior Officers of Parliament and State Legislatures on 'Discipline and Decorum in the Parliament and State Legislatures' was held in the Central Hall on 23-24 September 1992. At the Conference, the Prime Minister, Shri P.V. Narasimha Rao also gave away the Govind Ballabh Pant Memorial Society's Award for the Best Parliamentarian of the Year to Shri Indrajit Gupta.

A one-day Workshop on "Library and Information Services to the Sansad" was jointly organized by LARRDIS and the Parliamentary Libraries' Section of the International Federation of Library Associations and Institutions (IFLA) in Parliament House Annexe on 3 September 1992.

Shri Atal Bihari Vajpayee was awarded the Govind Ballabh Pant Memorial Society's Best Parliamentarian Award for the year 1994 by the Prime Minister, Shri P.V. Narasimha Rao on 17 August 1994 at a function held in the Central Hall.

The 17th Pandit Govind Ballabh Pant Memorial Lecture on "Britain and India: Democratic Giants" was delivered by the Speaker, British House of Commons, Ms. Betty Boothroyd in the Central Hall on 20 September 1994.

The Representative of the UNICEF in India, Mr. Jon E. Rohde made a presentation of "Challenges and Opportunities for Children and Women in India" on 24 August 1994 in Parliament House Annexe at the Annual General Meeting of the IPG.

### **Honouring National Leaders**

The history of our parliamentary democracy, in a way, has been inextricably linked with the Parliament House and its historic Central Hall. The precincts of Parliament House has statues and busts of stalwarts from our history. The Central Hall of Parliament House is adorned with portraits of several leaders who have contributed immeasurably to the national cause. It is a humble tribute to their sacrifices by a grateful nation which takes inspiration from their contribution to the welfare of the country and its people.

Under a major initiative taken by the Speaker, Shri Shivraj Patil, a Parliamentary Committee on Installation of Statues and Portraits of National Leaders in Parliament Complex, consisting of members from

both the Houses, was constituted to study the matter. The subject was also discussed at other fora like the General Purposes Committee and the meetings of Leaders of Parties. Accordingly, 25 proposals for installation of statues and portraits in Parliament Complex were approved.

As per these decisions, a statue of the Father of the Nation, Mahatma Gandhi was unveiled by the President of India, Dr. Shanker Dayal Sharma on 2 October 1993 in front of Gate No. 1 of Parliament House.

A statue of the former Deputy Prime Minister, Shri Yeshwantrao B. Chavan was unveiled on 3 May 1994 at the Entrance Hall to the Lok Sabha Lobby in Parliament House by the Prime Minister, Shri P.V. Narasimha Rao.

The President, Dr. Shanker Dayal Sharma unveiled a statue of the first Prime Minister of India, Pandit Jawaharlal Nehru in the Court between Gate No. 1 and Central Hall on 26 January 1995. The President of the Republic of South Africa, Dr. Nelson Mandela was the Chief Guest at the function.

On 1 June 1995, a statue of Bharat Ratna Pandit Govind Ballabh Pant was unveiled at the Entrance Hall to the Lok Sabha Lobby in Parliament House by the Prime Minister, Shri P.V. Narasimha Rao.

A statue of the former Deputy Prime Minister, Shri Jagjivan Ram was unveiled at the Entrance Hall to the Lok Sabha Lobby by the President, Dr. Shanker Dayal Sharma on 25 August 1995.

On 22 December 1995, a statue of veteran freedom fighter and eminent parliamentarian, Pt. Ravi Shankar Shukla was unveiled on the Entrance Hall to the Lok Sabha Lobby, opposite Gate No. 4 of Parliament House, by the President, Dr. Shanker Dayal Sharma.

The portrait of the second Speaker of Lok Sabha, Shri Madabhooshi Ananthasayanam Ayyangar was unveiled by the then President, Shri R. Venkataraman at a function held on 9 December 1991 in the Central Hall.

On 20 August 1993, a portrait of the former Prime Minister, Shri Rajiv Gandhi was unveiled in the Central Hall by the President of India, Dr. Shanker Dayal Sharma.

On 2 October 1993, the President, Dr. Shanker Dayal Sharma unveiled the portrait of the former Prime Minister, Shri Lal Bahadur Shastri in the Central Hall.

The portrait of another former Prime Minister, Choudhary Charan Singh was unveiled in the Central Hall by the President, Dr. Shanker Dayal Sharma on 23 December 1993.

On 15 December 1995, the portrait of yet another former Prime Minister, Shri Morarji Desai was unveiled in the Central Hall by the President Dr. Shanker Dayal Sharma.



The portrait of eminent parliamentarian, Shri N.C. Chatterjee was unveiled by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan at a function held on 20 December 1995 in the Central Hall.

On the birth anniversaries of those national leaders whose portraits adorn the Central Hall of Parliament House, functions are now being organized under the auspices of the IPG to pay tributes to their memory.

### **Outstanding Parliamentarian Award**

Under another initiative of the Hon'ble Speaker, the IPG has set up an Award to be given every year to an Outstanding Parliamentarian. The former Prime Minister, Shri Chandra Shekhar, who was chosen by the Award Committee as the Outstanding Parliamentarian for the year 1995, was conferred the Award by the President of India, Dr. Shanker Dayal Sharma on 12 December 1995.

### **Research Fellowships**

The Hon'ble Speaker has also set in motion a scheme whereby selected scholars will be provided some financial support and other relevant assistance for undertaking original studies on subjects of parliamentary interest. Under the scheme, the Lok Sabha Secretariat will grant two Research Fellowships, one each in Hindi and English, every year on any of the following fields: Parliamentary Institutions (including State Legislatures)- Evolution and Development: Parliamentary Rules, Practices and Procedures: Committee System; Communication between Parliament and the People; and Modern Techniques of Servicing the Parliaments. The Fellowships will be open to research scholars, academicians, media persons and others having suitable experience and aptitude to undertake the study. The total amount of each Fellowship will be Rs. 1,50,000/- all inclusive. The Research Fellows will have access to the Parliament Library and will be provided with secretarial assistance, photocopying facility, etc. After the project is completed, the Lok Sabha Secretariat may also assist in its publication.

### **Bureau of Parliamentary Studies and Training**

The Bureau of Parliamentary Studies and Training (BPST) was set up in January 1976 as an integral division of the Lok Sabha Secretariat. The Bureau is designed to provide institutionalized opportunities for systematic training, orientation and problem and practice-oriented studies in the various disciplines of parliamentary institutions, processes and procedures to all those responsible for the running of the democratic system—the legislators, policy makers, administrators and various functionaries at different levels.

During the tenure of the Tenth Lok Sabha, an Orientation Programme for new members of the Tenth Lok Sabha was organized on 13 and

14 July 1991 in Parliament House Annexe. This was followed by two Orientation Meetings on 18-19 July 1991 and on 9-12 August 1991. Orientation Programmes were also organized by the BPST for new members of the State Legislatures of Uttar Pradesh (27-28 July 1991); Orissa (13-14 September 1991); Madhya Pradesh (18-20 February 1994); Himachal Pradesh (26-27 February 1994); Goa (26-28 April 1995); and Orissa (13-14 November 1995); and for new members of the Andaman and Nicobar Pradesh Council (11-15 November 1991). Besides, two Computer Awareness Programmes were arranged for members of Parliament.

The BPST, in association with the Institute of Constitutional and Parliamentary Studies (ICPS), organized a Seminar on 'Experiences and Appraisal of the Working of the Departmentally-related Standing Committees' in Parliament House Annexe on 9 December 1994.

During this period, the BPST conducted 45 Appreciation Courses for officers of Government of India, Public Sector Undertakings, Universities, etc. 63 Appreciation Courses for Probationers of All India and Other Central Services were also arranged. 52 Attachment Programmes/ Training Courses/Study Visits for Officers of Parliament and State Legislature Secretariats were conducted. 197 Study Visits by officers of Government of India/ Autonomous/Non-Governmental Organizations, All India/Central Service Probationers/Professors/Lecturers and Students and others were arranged. 37 Senior Indian Parliamentary Officials were deputed abroad for Training/Conferences/Seminars, etc. 48 foreign Parliamentary/Government Officials visited BPST for Programmes/ Attachments/Study Visits as part of their attachment with the Parliament of India.

The effective utilization of the time of the House is an imperative need for a successful parliamentary system. Equally important is the meaningful participation of all sections of Parliament in its proceedings. In India, successive Lok Sabhas and Presiding Officers have endeavoured to provide all modern facilities to the members. This could go a long way in ensuring proper time-management and promoting effective participation and full involvement of members in the business of the House. Efforts have also been made over the decades since Independence to ensure greater Executive accountability to Parliament. Realizing fully well the need to promote inter-parliamentary cooperation, members of our Parliament have been attending Parliamentary Conferences abroad, hosting Conferences in India, visiting foreign countries on goodwill missions and encouraging visits by members of foreign Parliaments to our country. All these varied activities received further momentum during the Tenth Lok Sabha.

## PARLIAMENTARY EVENTS AND ACTIVITIES

---

### CONFERENCES AND SYMPOSIA

*Special Session of the Inter-Parliamentary Council on the occasion of the 50th Anniversary of the UN* : In conformity with the decision taken at its 156th Session in Madrid in March-April 1995, the Inter-Parliamentary Council held a Special Session at the Headquarters of the United Nations in New York from 30 August to 1 September 1995 on the occasion of the 50th Anniversary of the creation of the United Nations.

India was represented at the Special Session by a Delegation led by the Speaker, Lok Sabha, Shri Shivraj V. Patil. The other members of the Delegation were the Minister of Parliamentary Affairs and Water Resources, Shri Vidya Charan Shukla; the Leader of Opposition in the Lok Sabha, Shri Atal Bihari Vajpayee; the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla; and Shri Rabi Ray; Shri Indrajit Gupta; Shri Somnath Chatterjee; Shri S. Jaipal Reddy; Shri Ram Vilas Paswan; and Shri Mani Shankar Aiyar, all members of Parliament. The Secretary-General, Lok Sabha, Dr. R.C. Bhardwaj was Secretary to the Delegation. The Secretary-General, Rajya Sabha, Smt. V.S. Rama Devi also accompanied the Delegation.

The general theme of this Special Session was "The Parliamentary Vision for International Cooperation ~~into~~ <sup>in</sup> the 21st Century". The deliberations at the Session concentrated mainly on the following subjects : (i) Agenda for Democracy, Peace and Sustainable Development; and (ii) Reinforcing and Democratizing the Structures for International Cooperation.

At the end of Special Session, the participants adopted a Declaration and a set of Comprehensive Findings and Recommendations in which they laid out their parliamentary vision for international cooperation into the 21st Century.

*The Fourth World Conference on Women* : The Fourth World Conference on Women was held in Beijing in China in September 1995 under the auspices of the United Nations.

As per the decision of the Executive Committee of the IPG, about 40 women members of the Lok Sabha and the Rajya Sabha and Senior Officers from both the Secretariats attended the above Conference as Observers.

At the Conference, a 'Parliamentarians Day' was organized by the IPU at the invitation of the Chinese National Peoples Congress, which

was open to all members participating in the Conference. India was represented at this meeting by all the women parliamentarians. This meeting was designed by the IPU to enable the members to get together and coordinate their initiatives so that they might bring their influence as political decision makers to bear on the governmental Delegates participating in the Conference and give prominence to their vision and perceptions as legislators.

The following subjects were mainly discussed at this meeting:

- (i) The themes of the IVth World Conference on Women as perceived by parliamentarians in the light of their national experience;
- (ii) Parliamentary strategy to ensure that the IPU Plan of Action is duly taken into account by Governments in the Beijing Platform for Action; and
- (iii) Parliamentary strategy for effective follow-up to the IVth World Conference on Women, particularly through the adoption of appropriate legislation and the mobilization of the essential financial resources for making a reality of the commitments undertaken in Beijing.

The meeting adopted a 'Beijing Parliamentary Declaration' setting out the vision and perspective of members affirming their solemn commitment to carry out their part of the national follow-up to the Beijing Declaration and Platform of Action.

*World Parliamentarians Conference for the Support of the United Nations*: The World Parliamentarians Conference-II for support of the United Nations was held from 10 to 12 September 1995 at Gifu in Japan. This Conference was sponsored by the Parliamentarians' League for the promotion of the United Nations Activities (Japan) and supported by the Ministry of Foreign Affairs of Japan and other bodies.

The Conference was organized to strengthen the increasingly important activities of the UN which provided an unrivaled opportunity for discussion for parliamentarians interested in the United Nations, enabling them to exchange opinions on how best to make the UN serve us in the coming century.

India was represented at the Conference by Shri Murli Deora, MP and Shri Digvijay Singh, MP.

The common theme of the Conference was "A view of the 21st Century of the UN whose roles, empowerment and reforms". The Conference mainly concentrated on the following themes :

- (i) The United Nations: Disarmament and Peace in the era of post-Cold War;

- (ii) Sustainable Development and Environmental issues;
- (iii) Reforms of the United Nations and involvement of Citizens and NGOs; and
- (iv) The United Nations and Asia Pacific Region.

*The 41st Commonwealth Parliamentary Conference*: The 41st Commonwealth Parliamentary Conference was held in Sri Lanka from 6 to 13 October 1995. The Indian Delegation to the Conference was led by the Speaker, Lok Sabha, Shri Shivraj V. Patil. The other members of the Delegation were: the Deputy Speaker, Lok Sabha, Shri S. Mallikarjunaiah, the Regional Representative for Asia Region, Shri Shiv Charan Mathur; and Smt. Veena Verma; Shri Peter G. Marbaniang; and Shri Ramachandran Pillai, all members of Parliament. The Additional Secretary, Lok Sabha Secretariat, Shri S.N. Mishra was Secretary to the Delegation.

Besides, the Delegation included the following Delegates from the State Branches of the CPA in India: the Speaker, Arunachal Pradesh Legislative Assembly, Shri Tako Dabi; the Speaker, Assam Legislative Assembly, Prof. Debesh Chandra Chakraborty; the Speaker, Bihar Legislative Assembly, Shri Deo Narayan Yadav; the Speaker, Goa Legislative Assembly, Shri Lamberto Tomazinho Cardozo; the Speaker, Haryana Legislative Assembly, Shri Ishwar Singh; the Speaker, Himachal Pradesh Legislative Assembly, Shri Kaul Singh Thakur; the Chairman, Karnataka Legislative Council, Shri D.B. Kalmankar; the Speaker, Kerala Legislative Assembly, Shri Therambil Ramakrishnan; the Chairman, Maharashtra Legislative Council Shri J.S. Tilak; the Speaker, Manipur Legislative Assembly, Shri W. Nipamacha Singh; the Deputy Speaker, Meghalaya Legislative Assembly, Shri Mohindra Rawa; the Speaker, Nagaland Legislative Assembly, Shri Neiba Nidang; the Deputy Speaker, Orissa Legislative Assembly, Shri Chintamani Dyan Samantara; the Speaker, Punjab Legislative Assembly, Shri Harnam Das Johar; the Speaker, Rajasthan Legislative Assembly, Shri Shanti Lal Chaplot; the Speaker, Sikkim Legislative Assembly, Shri C.B. Subba; the Speaker, Tamil Nadu Legislative Assembly, Thiru R. Muthiah; the Speaker, West Bengal Legislative Assembly and the Regional Representative for the Asia Region, Shri Hashim Abdul Haleem; the Minister-in-Charge of the Department of Parliamentary Affairs, Government of West Bengal, Shri Probodh Chandra Sinha, MLA; and the Speaker, Delhi Legislative Assembly, Shri Charti Lal Goel.

The Secretary, Bihar Legislative Assembly, Shri Jugal Kishore Prasad; the Secretary, Madhya Pradesh Legislative Assembly, Km. Sheela Khanna; and the Secretary, Manipur Legislative Assembly, Shri N. Hera Singh were the Secretaries from the State CPA Branches.

The following subjects were discussed at the Conference :

- (i) Democracy and Development: Adversaries or Allies?
- (ii) How can Parliamentarians and elected local representatives collaborate in support of the Commonwealth goal of democracy and good governance?
- (iii) How can present imbalances in the participation of men and women in political life be redressed?
- (iv) How can Parliamentarians improve standards of Human Rights?
- (v) Does religious extremism pose a threat to Democracy?
- (vi) How can social, economic, political and parliamentary programmes involve young people in development?
- (vii) What is the role of Parliamentarians in the battle for sustainable development?

*The Seventh Commonwealth Parliamentary Seminar* : The Seventh Commonwealth Parliamentary Seminar was held in Port Moresby, Papua New Guinea from 4 to 12 May 1995. Shri Peter G. Marbaniang, MP; the Speaker, Haryana Legislative Assembly, Shri Ishwar Singh; and the Leader of the Opposition in the Karnataka Legislative Assembly, Shri B.S. Yediyurappa attended the Seminar from India.

The following subjects were discussed at the Seminar :

- (i) The Origins of Parliamentary Democracy
- (ii) The Parliamentary and Political Scenes in Papua New Guinea
- (iii) The History and Role of the CPA
- (iv) The Role of the Presiding Officer
- (v) The MP's relationship with his political party, his Constituents and Interest Groups
- (vi) Political Reporting and the MP's relationship with the Media
- (vii) The MP's relations with the Executive, Civil Servants and non-elected officials
- (viii) Information Services for MPs
- (ix) Parliamentary Committees and Committee Systems
- (x) Parliaments and Courts: Who really legislates?
- (xi) Enhancing Public Perception of Parliament through consulting with the public in the Legislative Process: the Role of Referendums

- (xii) Ensuring ethical standards in public life; Responsibility and Accountability of Parliamentarians and other Public Officials

India presented a paper on "Parliamentary Committees and Committee Systems".

### BIRTH ANNIVERSARIES OF NATIONAL LEADERS

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

The Birth Anniversaries of the following leaders were thus celebrated during the period 1 April to 30 September 1995.

*Dr. B.R. Ambedkar* : On the occasion of the Birth Anniversary of Dr. B.R. Ambedkar, a function was held on 14 April 1995. The Minister of Home Affairs, Shri S.B. Chavan; the Minister of Finance, Dr. Manmohan Singh; the then Minister of State for Textiles (presently the Minister of Textiles), Shri G. Venkat Swamy; members of Parliament; and former members of Parliament and others paid floral tributes to Dr. Ambedkar.

*Pt. Motilal Nehru* : On the occasion of the Birth Anniversary of Pt. Motilal Nehru, a function was held on 6 May 1995 in the Central Hall. The Speaker, Lok Sabha, Shri Shivraj V. Patil; members of Parliament; and former members of Parliament and others paid floral tributes to Pt. Motilal Nehru.

*Gurudev Rabindranath Tagore* : On the occasion of the Birth Anniversary of Gurudev Rabindranath Tagore, a function was held on 9 May 1995 in the Central Hall. The Speaker, Lok Sabha, Shri Shivraj V. Patil; the Minister of Finance, Dr. Manmohan Singh; the Minister of State for Rural Development, Shri Uttambhai Patel; members of Parliament; and former members of Parliament and others paid floral tributes to Gurudev Rabindranath Tagore.

*Dr. Syama Prasad Mookerjee* : On the occasion of the Birth Anniversary of Dr. Syama Prasad Mookerjee, a function was held on 6 July 1995 in the Central Hall. The Speaker, Lok Sabha, Shri Shivraj V. Patil; the Leader of the Opposition in the Lok Sabha, Shri Atal Bihari Vajpayee; the Minister of State for Rural Development, Shri Uttambhai Patel; members of Parliament; and former members of Parliament and others paid floral tributes to Dr. Syama Prasad Mookerjee.

*Lokmanya Bal Gangadhar Tilak* : On the occasion of the Birth Anniversary of Lokmanya Bal Gangadhar Tilak, a function was held on

23 July 1995 in the Central Hall. The Speaker, Lok Sabha, Shri Shivraj V. Patil, members of Parliament; and former members of Parliament and others paid floral tributes to Lokmanya Tilak.

*Shri Rajiv Gandhi* : On the occasion of the Birth Anniversary of Shri Rajiv Gandhi, a function was held on 20 August 1995 in the Central Hall. The Speaker, Lok Sabha, Shri Shivraj V. Patil; the Minister of Home Affairs, Shri S.B. Chavan; the then Minister of Urban Development (presently the Governor of Himachal Pradesh), Smt. Sheila Kaul; the Minister of Finance, Dr. Manmohan Singh; Smt. Sonia Gandhi; members of Parliament; and former members of Parliament and others paid floral tributes to Shri Rajiv Gandhi.

*Shri Dadabhai Naoroji* : On the occasion of the Birth Anniversary of Dadabhai Naoroji, a function was held on 4 September 1995 in the Central Hall. The then Minister of Urban Development (presently the Governor of Himachal Pradesh), Smt. Sheila Kaul; members of Parliament; and former members of Parliament and others paid floral tributes to Dadabhai Naoroji.

#### **BUREAU OF PARLIAMENTARY STUDIES AND TRAINING (BPST)**

During the period 1 July to 30 September 1995, the following Programmes/Courses were organized by the BPST:

*Eleventh Parliamentary Internship Programme for Foreign Parliamentary Officials* : The Eleventh Parliamentary Internship Programme for Foreign Parliamentary officials was organized from 27 September to 14 November 1995. The Programme was attended by thirteen participants from various Afro-Asian countries. It was designed to meet the special needs of members/officers of foreign Parliaments and to enable them to study the working of parliamentary institutions in India and their processes and procedures. It also aimed at providing an opportunity to the officers to exchange ideas in the context of their experiences in their respective Legislatures.

*Appreciation Courses in Parliamentary Processes and Procedures for All India/Central Services and officers of Government of India* : During the period, the following Appreciation Courses were organized :

- (i) for Professors/Lecturers of Universities/Colleges (10-14 July 1995)
- (ii) for Audit Officers/Accounts Officers of Indian Audit and Accounts Department (17-21 July 1995)
- (iii) for Indian Forest Service Probationers (24-28 July 1985)
- (iv) for Middle Level Officers of Defence Services (31 July-4 August 1995)



- (v) for Officers of Public Undertakings (7-11 August 1995)
- (vi) for (a) Indian Information Service Officers; and (b) Officials of State Legislature Secretariats (11-15 September 1995)
- (vii) for Indian Customs and Central Excise Service (18-20 September 1995)

*Training Courses for Officers and Staff of Parliament and State Legislature Secretariats* : The following Courses were organized:

- (i) Training Course for Officers working in Financial Committees and Departmentally-related Standing Committees of Parliament and State Legislature Secretariats (21-25 August 1995)
- (ii) Sixth Management Development Programme for Officers of Lok Sabha and State Legislature Secretariats (4-8 September 1995)
- (iii) Lectures by Senior Parliamentary Officials who attended Parliamentary Staff Exchange Project Phase-II at Washington, D.C. (20 September 1995)
- (iv) Training Course for Watch and Ward officials of Parliament and State Legislature Secretariats (25-29 September 1995)

*Study Visits* : At the request of various training and educational institutions, seven Study Visits were organized by the BPST.

## PRIVILEGE ISSUES

---

### STATE LEGISLATURES

#### ASSAM LEGISLATIVE ASSEMBLY

*Alleged misleading of the House by a Minister :* On 10 April 1995, Shri Hitendra Nath Goswami, a member, gave notice of a question of privilege against the Minister for Higher Education for allegedly making a misleading statement in the House on a matter raised on 22 March 1995 during the 'Zero Hour' by Smt. Renu Pama Rajkhowa, another member and himself, regarding "Jorhat Science College : A Symbol of extreme negligence".

Subsequently, Shri Goswami raised the matter on the floor of the House with the permission of the Speaker and alleged that the impugned statement by the Minister for Higher Education was wrong and misleading inasmuch as there was no provision of Rs. Four lakhs in the State budget proposal (both P.W.D. and Education Department), specifically for the Jorhat Science College.

Thereupon, the Minister for Higher Education contended that the notice of question of privilege by Shri Goswami lacked merit, as proper procedure was not followed as per the Rules of Procedure and Conduct of Business in the Assam Legislative Assembly and, therefore, the notice was inadmissible.

The Speaker, after hearing both Shri Goswami and the Minister for Higher Education, ruled as follows :

"In case where it is alleged that a Minister or a Member has made an incorrect statement in the House, the procedure for inviting the attention of the House to such matters is laid down under Direction 115 of the Directions by the Speaker, Lok Sabha which reads as follows:-

'115(1). A member wishing to point out any mistake or inaccuracy in a statement by a Minister or any other member shall, before referring to the matter in the House, write to the Speaker pointing out the particulars of the mistake or inaccuracy and seek his permission to raise the matter in the House.

(2) The member may place before the Speaker such evidence as he may have in support of his allegation.

(3) The Speaker may, if he thinks fit, bring the matter to the notice of the Minister or the member concerned for the purpose of ascertaining the factual position in regard to the allegation made."

The Speaker then said that he had carefully gone through the statement made by the Minister for Higher Education and found that the Minister, in his statement, had replied to all the points raised during the 'Zero Hour' on 22 March 1995 by Shri Hitendra Nath Goswami. In this context, the Speaker referred to a ruling in the House on 29 March 1988 in a similar case which read as follows :

'It is not understood from the grounds stated by the Hon'ble Leader of the Opposition as to how the Hon'ble Home Minister suppressed facts and thereby misled the House. As far as I can understand and in accordance with parliamentary practice neither any yardsticks nor any norm have been prescribed or laid down anywhere according to which a statement should be made by a Minister. Therefore, a Minister is at liberty to make a statement touching the main part of an incident or a matter. If minute details of a particular incident are not mentioned in the statement, it cannot be said as suppression of fact. The statement was made in reply to a Zero Hour matter which was not put down in the List of Business for which it was also not possible to spare considerable time of the House. Even if the statement contains inaccuracy, it does not constitute breach of privilege as indicated by the Hon'ble Minister of State for Parliamentary Affairs from the 'Practice and Procedure of Parliament' by Kaul & Shakhder. The Minister has a right to correct his statement whenever it is found to be incorrect. I would like to remind the Hon'ble Members of the House that the foundation upon which the parliamentary privileges rests is maintenance of the dignity and independence of the House and of its Members. Therefore, we must keep this important point in our mind while deciding whether a Member or a Minister has committed any breach of privilege. I had made it abundantly clear that unless there are Ministers, there cannot be a meeting of the House and, therefore, a Minister occupies a position of dignity and authority. The statements made by the Hon'ble Ministers have their own sanctity as the same are made on the sacred floor of the House. But the manner in which the statement has been challenged, I am afraid, the debates of the House will lose their impact and sanctity.

The Speaker then observed that it was a fact that the statement made by the Minister for Higher Education was based upon the information furnished to him officially. If any *bonafide* factual error

occurred in the statement made and was subsequently detected, it could be rectified. In view of the above, the Speaker did not find any material to support the contention that the Minister for Higher Education had made a wrong statement which amounted to misleading of the House. Accordingly, the notice of question of privilege was disallowed.

## PROCEDURAL MATTERS

---

### LOK SABHA

*Admissibility of Notice of Adjournment Motion* : On 31 July 1995, the Leader of the Opposition, Shri Atal Bihari Vajpayee raised the issue regarding increase in the incidence of crime in Delhi and submitted that his notice of Adjournment Motion on the issue be admitted so that the matter might be discussed on the floor of the House. The Speaker, thereupon, observed :

Adjournment Motion is a device available to the members to raise a matter of Public importance. If you want to argue that this matter could be admitted... if you convince me, I will admit it. But it should not be a matter for admission under Adjournment Motion; you please show me under which rule it could be admitted under the Adjournment Motion. If you want to ventilate your views, I am allowing you to do that.

The Speaker further observed :

Adjournment Motion is moved against the Government for anything done by the Government. If you are alleging that some crime has been committed by the Government, then it is a different issue.

At this, Shri L.K. Advani, a member, submitted that the Union Government was directly responsible for the law and order situation in Delhi in respect of crime being committed and wanted that it be discussed in the form of an Adjournment Motion.

The Speaker, thereupon, quoted the rule and observed :

On a definite matter, a notice of the Adjournment Motion shall be given... However, here you are trying to discuss the entire gamut of the law and order situation in Delhi. If you want this to be discussed, nobody is disallowing you. But if you want it to be discussed in a particular manner, come within the limits of the rules which are provided by you, or you change the rules yourselves.

*Instance when allegatory matter, raised by member without prior permission of Speaker, was not recorded* : On 8 August 1995, Shri Swarup Upadhyay, a member, made certain allegatory references against an outsider for which he had not given notice in advance. As directed by the Speaker, the matter raised by the member was not recorded.

**Resolution regarding the Fiftieth Anniversary of the Atomic Bombing of Hiroshima and Nagasaki :** On 9 August 1995, the Speaker, Shri Shivraj V. Patil placed the following Resolution before the House :

**"THIS HOUSE**

*Recalls* the tragedy of the atomic bombing of Hiroshima and Nagasaki 50 years ago;

*Reiterates* its deep sympathy for the innocent victims of that horrific attack;

*Expresses* its admiration for the courage and will of the survivors who overcame their suffering to build a new future;

*Further Recalls* Mahatma Gandhi's words "I regard the employment of the atomic bomb for the wholesale destruction of men, women and children as the most diabolical use of science";

*Believes* that the existence of nuclear weapons pose the greatest threat to the survival of humanity;

*Regrets* that despite the end of the Cold War, the spectre of a nuclear holocaust continues to threaten humanity;

*Convinced* that global nuclear disarmament is the only effective guarantee for preventing a nuclear war and strengthening international peace and security;

*Reaffirms* the continuing validity of the Action Plan for the establishment of a nuclear-weapon-free and non-violent world order presented in 1988 by Prime Minister Rajiv Gandhi;

**On Behalf of the People of India,**

**Firmly Resolves that**

The tragedy of Hiroshima and Nagasaki must never be repeated either by human design or accident;

**And Pledges that**

India will continue its efforts, along with other countries, towards achieving a lasting and complete elimination of all nuclear weapons."

The Resolution was adopted unanimously.

*Instance when Division was held over to the next day due to lack of requisite majority :* On 25 August 1995, after the Lobbies were cleared for voting on a motion for consideration of the Constitution (81st Amendment) Bill and before the voting was actually held, sensing that the required number of members were not present in the House, the

Union Minister of Parliamentary Affairs, Shri Vidyacharan Shukla suggested that the voting might be postponed till the next day. The Speaker, Lok Sabha, Shri Shivraj V. Patil then took the consensus of the House and the voting was postponed till 26 August 1995. Accordingly, the voting was held on 26 August 1995.

# PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 July to 30 September 1995)

---

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

—Editor

---

## INDIA

### DEVELOPMENTS AT THE UNION

*Elections to Rajya Sabha from Tamil Nadu:* On 6 July, the following were elected unopposed to the Rajya Sabha from Tamil Nadu : Sarvashri O.S. Maniam, V.P. Doraisamy, T. Masthan, R. Margabandhu and N. Rajendran (all AIADMK) and G.K. Moopanar (Congress-I).

*SC ruling on CEC's petition:* On 14 July, the Supreme Court rejected a writ petition filed by the Chief Election Commissioner (CEC), Shri T.N. Seshan questioning the constitutional validity of the legislation making the Election Commission (EC) a multi-member body and equating the two Election Commissioners with him.

On 7 September, the Supreme Court dismissed a plea by Shri Seshan seeking a review of the judgement.

*Monsoon Session of Parliament:* The Monsoon Session of Parliament commenced on 31 July. Both Houses adjourned *sine die* on 26 August and were prorogued by the President on 6 September.

*Parliamentary approval for constitutional amendment:* On 22 August, the Rajya Sabha passed the Constitution (Seventy-eighth Amendment) Bill, 1995 placing land reform laws in seven States under the Ninth Schedule to the Constitution. The Bill was passed by the Lok Sabha on 26 August. It received assent by the President on 30 August.

*Parliamentary approval for amendment to the Sixth Schedule to the Constitution:* On 22 August, the Rajya Sabha passed the Sixth Schedule to the Constitution (Amendment) Bill, 1995 providing for greater autonomy to the Karbi Anglong and North Cachar Autonomous District Councils in Assam. The Bill was passed by the Lok Sabha on 26 August and received the assent by the President on 12 September.

*Resignation of Ministers:* The Minister for Urban Affairs and Employment, Smt. Sheila Kaul resigned from the Union Cabinet on 10



September. The resignation was accepted by the President on the advice of the Prime Minister.

On 11 September, five Union Ministers of State submitted their resignations. They are : Sarvashri Ajit Kumar Panja, S. Krishna Kumar, Tarun Gogoi, P.K. Thungon and Smt. Basava Rajeswari. The resignations were accepted by the President on 13 September.

*Cabinet reshuffle* : The Union Cabinet was expanded on 13 September with the induction of 2 Ministers of State with Independent Charge and 14 Ministers of State. The Deputy Ministers - Kumari Selja, Shri Paban Singh Ghatowar and Shri Ram Lal Rahi—were elevated as Ministers of State.

The new Ministers of State with Independent Charge are Shri R.K. Dhawan and Shri Rajasekara Murthy. The Ministers of State are : Sarvashri Debi Prosad Pal, Krupasindhu Bhoi, M. Kamson, Mohd. Ayub Khan, P.J. Kurien, S.S. Ahluwalia, Aslam Sher Khan, Suresh Kalmadi, Syed Sibtey Razi, Vinod Sharma, Vilas Muttemwar, Suresh Pachauri, G.Y. Krishnan and Kum. Vimla Verma.

Sarvashri Ram Lal Rahi, P.J. Kurien, Suresh Pachauri and G.Y. Krishnan, who could not be sworn in on 13 September, were administered the oath of office and secrecy by the President on 14 September.

On 15 September, the Prime Minister, Shri P.V. Narasimha Rao effected a reshuffle of portfolios. The Ministers and their portfolios are as under :

Sarvashri P.V. Narasimha Rao : **Prime Minister**; Manmohan Singh : *Finance*; S.B. Chavan: *Home*; Bal Ram Jakhar: *Agriculture*; Madhavrao Scindia : *Human Resource Development*; C.K. Jaffer Sharief : *Railways*; Ghulam Nabi Azad : *Civil Aviation and Tourism*; Dinesh Singh : *Minister without Portfolio*; N.K.P. Salve : *Power*; Ram Lakhan Singh Yadav : *Chemicals and Fertilizers*; Ajit Singh : *Food*; Buta Singh : *Civil Supplies, Consumer Affairs and Public Distribution*; Pranab Mukherjee : *External Affairs*; G. Venkat Swamy : *Labour*; P.A. Sangma : *Information and Broadcasting*; Sitaram Kesri : *Welfare*; V.C. Shukla: *Water Resources and Parliamentary Affairs*; A.R. Antulay: *Health and Family Welfare*; K. Karunakaran : *Industry*; Jagannath Mishra : *Rural Employment and Rural Areas*.

*Ministers of State (Independent Charge)* : Balram Singh Yadav : *Planning and Programme Implementation*; Giridhar Gamang : *Mines*; Satish Sharma : *Petroleum and Natural Gas*; Jagdish Tytler : *Coal*; Kamalnath : *Textiles*; K.P. Singh Deo : *Food Processing Industry*; Sontosh Mohan Dev : *Steel*; Sukh Ram : *Communications*; P. Chidambaram : *Commerce*; R.K. Dhawan : *Urban Development*; M. Rajasekara Murthy : *Surface Transport*; Rajesh Pilot : *Environment and Forests*.

*Ministers of State : Arvind Netam : Agriculture; Bhuvanesh Chaturvedi : Prime Minister's Office, Atomic Energy and Space; C. Silvera : Industry; Eduardo Faleiro : Chemicals and Fertilizers, Electronics and Ocean Development, Parliamentary Affairs; H.R. Bhardwaj : Law, Justice and Company Affairs; Krishna Sahi : Civil Supplies, Consumer Affairs and Public Distribution; K.V. Thangka Balu : Welfare; M. Arunachalam : Industry; M.V. Chandrasekhara Murthy : Finance; M. Mallikarjun : Defence, Railways and Parliamentary Affairs; Margaret Alva : Personal and Public Grievances and Parliamentary Affairs; Sukhbans Kaur : Tourism; Mukul Wasnik : Youth Affairs and Sports, Parliamentary Affairs; P.M. Sayeed : Information and Broadcasting; P.V. Rangayya Naidu : Water Resources and Energy; R.L. Bhatia : External Affairs; Salman Khursheed : External Affairs; Ram Singh : Wasteland Development; Uttambhai Patel : Rural Development; Urmilaben Patel : Power; Matang Singh : Parliamentary Affairs; Debi Prosad Pal : Finance; G.Y. Krishnan : Civil Aviation and Tourism; M. Kamson : Home Affairs; Mohd. Ayub Khan : Agriculture; Krupasindhu Bhoi : Human Resource Development (Education); P.J. Kurien : Non-Conventional Energy; Paban Singh Ghatowar : Health and Family Welfare; Ram Lal Rahi : Home Affairs; Selja : Human Resource Development (Culture and Education); S.S. Ahluwalia : Urban Affairs and Employment; Aslam Sher Khan : Prime Minister's Office and Welfare; Suresh Kalmadi : Railways; Suresh Pachauri : Defence Production and Supplies; Syed Sibtey Razi : Home Affairs; Vinod Sharma : Civil Supplies, Consumer Affairs and Public Distribution; Vilas Muttemwar : Rural Areas Employment, Poverty Alleviation and Parliamentary Affairs; Vimla Verma : Human Resource Development (Women and Child Development).*

In a further reallocation of portfolios on 19 September, the Minister of State of Urban Affairs and Employment, Shri S.S. Ahluwalia was given additional charge of Parliamentary Affairs. The Minister of State for Defence and Parliamentary Affairs, Shri Mallikarjun relinquished charge of Railways. The Minister of State for Chemicals and Fertilizers, and Electronics and Ocean Development, Shri Eduardo Faleiro relinquished the additional charge of Parliamentary Affairs. The Minister of State for Civil Supplies, Consumer Affairs and Public Distribution, Smt. Krishna Sahi would hold charge of the Department of Civil Supplies while Shri Vinod Sharma would look after Consumer Affairs and Public Distribution System.

## AROUND THE STATES

### ANDHRA PRADESH

*Death of MLA :* Telugu Desam Party MLA, Shri U. Krishna Rao passed away on 27 July.

*MLA killed :* Telugu Desam Party MLA, Shri M. Satyanarayana *alias* Erra Satyam was shot dead by unidentified persons on 12 August.

*Political developments:* On 16 August, the ruling Telugu Desam Party suspended eight MLAs for their role during the elections to the District Central Cooperative Banks and the District Cooperative Marketing Society.

On 24 August, 152 MLAs belonging to the ruling party, under the leadership of the Finance Minister, Shri Chandrababu Naidu, passed a resolution calling upon the State Governor not to honour any request from the Chief Minister Shri N.T. Rama Rao to dissolve the State Legislative Assembly.

On 25 August, on a communication from the Governor, Shri Krishna Kant to verify the signatures of those MLAs who rallied round Shri Naidu, the Speaker, Shri Y. Ramakrishnudu took a head count wherein 163 MLAs certified their support to the Finance Minister. Meanwhile, the Chief Minister called on the Governor and recommended the dissolution of the State Legislative Assembly.

On 26 August, the Governor asked Shri Rama Rao to prove his majority on the floor of the House by 31 August.

The Speaker, Shri Y. Ramakrishnudu recognised Shri Chandrababu Naidu as the Leader of the Telugu Desam Legislature Party on 29 August. Shri Naidu was unanimously elected President of the Telugu Desam Party at a General Body meeting on 30 August.

Shri N.T. Rama Rao resigned from the office of the Chief Minister on 31 August.

Shri Chandrababu Naidu was sworn in as the Chief Minister on 1 September along with ten other Ministers. They were: Sarvashri Ashok Gajapathi Raju, T. Devender Goud, A. Madhava Reddy, K. Vidyadhara Rao, C.H. Ayyanna Patrudu, S. Satyanarayana, Harikrishna and T. Sitaram (all Cabinet Ministers); and Shri K. Srihari and Shri G. Nagesh (both Ministers of State).

The Chandrababu Naidu Government won a vote of confidence in the State Legislative Assembly on 7 September.

## BIHAR

*MLA killed:* Janata Dal MLA, Shri Ashok Singh was killed in a bomb blast on 3 July.

## GUJARAT

*Political developments:* On 27 September, the BJP member of Parliament, Shri Shankar Sinh Vaghela called on the State Governor, Shri Naresh Chandra and submitted a list of 47 MLAs supporting him. He also claimed that another 22 MLAs owed allegiance to him and staked claim to form a new Government. The Chief Minister, Shri Keshubhai

Patel urged the Governor to convene a brief Session of the State Legislative Assembly so as to enable him to prove his majority on the floor of the House. On 29 September, the BJP expelled Shri Vaghela from the party for six years. On 30 September, the Governor asked Shri Keshubhai Patel to prove his majority in the State Legislative Assembly on or before 7 October.

### HIMACHAL PRADESH

*Resignation of Governor:* The Governor, Shri Sudhakar Rao Naik submitted his resignation from the office on 10 September.

### KARNATAKA

*No-confidence motion rejected:* On 9 August, the State Legislative Assembly negated a BJP-sponsored no-confidence motion against the Deve Gowda Ministry.

### MAHARASHTRA

*Death of Minister:* The Finance Minister, Shri Hashu Advani passed away on 22 July.

### MANIPUR

*Political developments:* On 1 July, nine MLAs, including five Ministers, withdrew their support to the Rishang Keishing Ministry and extended their support to the Opposition leader Shri R.K. Ranbir Singh. The Governor, Shri O.N. Srivastava dismissed four Ministers from the Cabinet on 3 July. They are: Sarvashri Gengumei Kamei, Basantakumar Singh, Thoiba Singh and Samuel.

On 31 July, the Speaker, Shri W. Nipamacha Singh disqualified five MLAs under the provisions of the anti-defection law. Later in the day, the House negated a no-confidence motion in the Keishing Ministry.

On 5 September, the State Cabinet was expanded. The Minister of State for Sericulture and Labour, Shri N. Biren Singh was elevated to the Cabinet rank. Six new Ministers of Cabinet rank were also inducted. They are: Sarvashri H. Babu Singh, V. Hangkhalian, D.P. Panmei, Irabot Singh, E. Kunjeswar Singh M. Kunjo Singh.

In another development, the Speaker, Shri W. Nipamacha Singh said in an Assembly Bulletin that the lone BJP legislator Shri E. Kunjeswar Singh had submitted a petition declaring that the original BJP had split. The Speaker said he had recognised the newly formed Manipur BJP under the leadership of Shri Kunjeswar Singh.

In another Bulletin, the Speaker said that the CPI legislator Shri Irabot Singh had submitted a petition stating that there had been a split in the two-member party. The Speaker then recognised the newly formed Manipur Communist Party under the leadership of Shri Irabot Singh.

## PONDICHERRY

*No-confidence motion negatived* : On 28 September, the Pondicherry Assembly rejected by a voice vote an Opposition-sponsored no-confidence motion in the Vaithialingam Government.

## PUNJAB

*CM killed* : The Chief Minister, Shri Beant Singh was killed in a bomb explosion in Chandigarh on 31 August. The Minister of Health and Family Welfare, Shri Harcharan Singh Brar was sworn in as the interim Chief Minister. Shri Brar, who was later formally elected leader of the Congress(I) Legislature Party, was sworn in as the Chief Minister on 8 September. The Cabinet was expanded on 9 September with the induction of five Ministers. The new Ministers and their portfolios are as follows: Sarvashri Kewal Krishan : *Finance, Planning and Local Government*; Dilbagh Singh : *Agriculture, Forests and Cooperation*; Tej Prakash Singh : *Transport*; Sajjan Kumar Jakhar : *Food and Supplies*; and Mohinder Singh Kaypee : *Education and Languages*. The remaining portfolios would be with the Chief Minister.

*Death of MLA* : The Congress(I) MLA, Shri Baldev Singh Pacca Kalan, who had sustained injuries in the bomb explosion in Chandigarh in which the Chief Minister, Shri Beant Singh was killed, succumbed to his injuries on 11 September.

## TAMIL NADU

*Ministers dropped from Cabinet* : On 25 July, the Minister for Food, Civil Supplies and Statistics, Shri R.M. Veerappan was divested of his portfolio. The charge of the Food Ministry was then given to Shri V. Satyamurthy. On 20 August, Shri Veerappan was given charge of the portfolio of Animal Husbandry. Shri Veerappan was dropped from the State Cabinet on 1 September. The Chief Minister also dropped from the Cabinet the Minister of Hindu Religious and Charitable Endowments, Shri V. Natesan Paulraj the same day.

## TRIPURA

*Ministers inducted* : The State Cabinet was expanded on 23 September with the induction of Shri Bimal Singha and Shri Niranjana Debbarma.

## UTTAR PRADESH

*Election of Speaker* : Shri Barkhu Ram Verma of the BSP was elected the Speaker of the State Legislative Assembly on 18 July.

*Death of MLA* : On 13 September, Shri Rampal Singh Saini, the BJP legislator representing the Morna constituency, succumbed to the injuries he had sustained in a road accident.

**WEST BENGAL**

*No-confidence motion defeated*: On 20 July, the State Legislative Assembly negatived an Opposition sponsored no-confidence motion against the Jyoti Basu Government.

**DEVELOPMENTS ABROAD****ANGOLA**

*New Vice-President*: On 11 August, former rebel leader Mr. Jonas Savimbi abandoned the rebellion he led for 20 years and joined the Government as Vice-President in charge of Economic Affairs.

**COLOMBIA**

*Emergency declared*: On 17 August, the President Mr. Ernesto Samper imposed a State of emergency in the country.

**ETHIOPIA**

*New President and Prime Minister*: On 22 August, Parliament elected Mr. Negasso Gidada as the new President. Mr. Meles Zenawi of the Ethiopian Peoples Parliamentary Democratic Front was sworn in as the Prime Minister on 23 August.

**MYANMAR**

*Suu Kyi released*: On 10 July, the ruling military *junta* released the pro-democracy leader Aung San Suu Kyi after nearly six years in detention.

**NEPAL**

*Minister dismissed*: On 15 July, the Prime Minister, Mr. Man Mohan Adhikari dropped the Minister of Local Development and Supplies, Mr. Chandra Prakash from the Cabinet.

*Lower House reinstated by SC*: On 28 August, the Supreme Court reinstated the Lower House of Parliament which was dissolved by the King on 13 June on the recommendation of the Prime Minister, Mr. Man Mohan Adhikari.

On 10 September, Mr. Adhikari resigned as Prime Minister after the Parliament passed a no-confidence motion against him.

On 11 September, King Birendra appointed the leader of the Nepali Congress, Mr. Sher Bahadur Deuba as the new Prime Minister. Mr. Deuba won a vote of confidence in Parliament on 18 September.

**UK**

*Political developments*: On 4 July, the Prime Minister, Mr. John Major won a contest for the Conservative Party leadership securing 218 of the 317 votes cast by the Conservative Party members of Parliament.

On 5 July, in a Cabinet reshuffle, the Prime Minister appointed Mr. Michael Heseltine as the Deputy Prime Minister. The Defence Secretary, Mr. Malcolm Rifkind took over as the new Foreign Secretary and the Employment Secretary, Mr. Michael Partillo was given charge of Defence.

## DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

---

Article 31B of the Constitution confers on the enactments included in the Ninth Schedule to the Constitution immunity from legal challenge on the ground that they violate the fundamental rights enshrined in Part III of the Constitution. The Ninth Schedule consists of the list of laws enacted by various State Governments and the Union Government which, *inter alia*, affect rights and interests in property, including land. Whenever it was found that progressive legislation conceived in the interest of the public was imperilled by litigation, recourse was taken to the Ninth Schedule. Accordingly, several State enactments relating to land reforms and ceiling on agricultural land holdings had already been included in the Ninth Schedule so that they would not be challenged before the Courts. The State Governments of Bihar, Karnataka, Kerala, Orissa, Rajasthan, Tamil Nadu and West Bengal had suggested the inclusion of some of their Acts relating to land reforms in the Ninth Schedule.

Since the amendments to Acts which were already placed in the Ninth Schedule were not automatically immunised from legal challenge, a number of amending Acts along with a few principal Acts were proposed to be included in the Ninth Schedule so as to ensure that implementation of these Acts was not adversely affected by litigation. The Constitution (Seventy-eighth Amendment) Bill, 1994 which sought to achieve the above objects was passed by the Rajya Sabha on 22 August 1995 and by the Lok Sabha on 26 August 1995. It received the President's assent on 30 August 1995.

Sub-section 2 of Section 3 of the National Commission for Minorities Act, 1992 provides that the Commission shall consist of a Chairperson and six members to be nominated by the Union Government from amongst persons of eminence, ability and integrity. The Act also provides that at least five persons, including the Chairperson, should belong to the minority communities. The five religious communities, viz. Muslim, Sikh, Christian, Buddhism and Zoroastrian (Parsi) have been notified by the Union Government as minority communities. The present National Commission for Minorities constituted under sub-section 1 of Section 3 of the Act, on 17 May 1993, consists of a Chairperson and five members belonging to the minority communities and one member from the non-minority community. In order to give appropriate weightage to all the minority communities in the Commission, the National Commission for Minorities (Amendment) Bill, 1995 proposed to create a post of Vice-Chairperson in the Commission by designating one of the members as Vice-Chairperson. Accordingly, the amended Bill provides for a Chairperson, a Vice-Chairperson and five members in the Commission. The Bill was passed by the Lok Sabha and the Rajya Sabha on 25 and 26 August 1995, respectively. It received the President's assent on 8 September 1995.

The provisions of the Sixth Schedule to the Constitution had evolved a separate scheme for the administration of the tribal areas in Assam, Meghalaya, Mizoram and Tripura through the institution of District Councils or Regional



Councils. These Councils were vested with legislative authority on specified subjects, allotted sources of taxation and were given powers to set up and administer their system of justice and maintain administration and welfare services in respect of land, revenue, forests, education, public health, etc.

Over a period of time, the minority tribals of Karbi-Anglong and North Cachar Hills Districts of Assam, covered under the Sixth Schedule, felt that their autonomy under the Sixth Schedule would be more meaningful and could achieve speedier progress if there was less overall control of the State Government over them. In order to meet the aspirations of the tribal people of these two Districts, a Memorandum of Understanding was signed between the Government of Assam and some representative bodies of the two Districts on 1 April 1995. As a result, certain additional subjects were also being entrusted to the Autonomous Councils and it was proposed to make it mandatory for the Governor to consult the Autonomous Councils of Karbi-Anglong or North Cachar Hills in the exercise of his discretionary powers.

The Sixth Schedule to the Constitution (Amendment) Bill, 1995 which sought to achieve the above objects was passed by the Rajya Sabha and the Lok Sabha on 22 and 26 August 1995, respectively. It received the President's assent on 12 September 1995.

We reproduce here the texts of the above Acts.

—Editor

## **THE CONSTITUTION (SEVENTY-EIGHTH AMENDMENT) ACT, 1995**

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

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

1. *Short title* : This Act may be called the Constitution (Seventy-eighth Amendment) Act, 1995.

2. *Amendment of the Ninth Schedule* : In the Ninth Schedule to the Constitution, after entry 257A and before the *Explanation*, the following entries shall be inserted, namely :-

\*258. The Bihar Privileged Persons Homestead Tenancy Act, 1947 (Bihar Act 4 of 1948).

259. The Bihar Consolidation of Holdings and Prevention of Fragmentation Act, 1956 (Bihar Act 22 of 1956).

260. The Bihar Consolidation of Holdings and Prevention of Fragmentation (Amendment) Act, 1970 (Bihar Act 7 of 1970).

261. The Bihar Privileged Persons Homestead Tenancy (Amendment) Act, 1970 (Bihar Act 9 of 1970).

262. The Bihar Consolidation of Holdings and Prevention of Fragmentation (Amendment) Act, 1973 (Bihar Act 27 of 1975).

263. The Bihar Consolidation of Holdings and Prevention of Fragmentation (Amendment) Act, 1981 (Bihar Act 35 of 1982).

264. The Bihar Land Reforms (Fixation of Ceiling Area and Acquisition of Surplus Land) (Amendment) Act, 1987 (Bihar Act 21 of 1987).

265. The Bihar Privileged Persons Homestead Tenancy (Amendment) Act, 1989 (Bihar Act 11 of 1989).

266. The Bihar Land Reforms (Amendment) Act, 1989 (Bihar Act 11 of 1990).

267. The Karnataka Scheduled Castes and Scheduled Tribes (Prohibition of Transfer of Certain Lands) (Amendment) Act, 1984 (Karnataka Act 3 of 1984).

268. The Kerala Land Reforms (Amendment) Act, 1989 (Kerala Act 16 of 1989).

269. The Kerala Land Reforms (Second Amendment) Act, 1989 (Kerala Act 2 of 1990).

270. The Orissa Land Reforms (Amendment) Act, 1989 (Orissa Act 9 of 1990).

271. The Rajasthan Tenancy (Amendment) Act, 1979 (Rajasthan Act 16 of 1979).

272. The Rajasthan Colonisation (Amendment) Act, 1987 (Rajasthan Act 2 of 1987).

273. The Rajasthan Colonisation (Amendment) Act, 1989 (Rajasthan Act 12 of 1989).

274. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1983 (Tamil Nadu Act 3 of 1984).

275. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment Act, 1986 (Tamil Nadu Act 57 of 1986).

276. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Second Amendment Act, 1987 (Tamil Nadu Act 4 of 1988).

277. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) (Amendment) Act, 1989 (Tamil Nadu Act 30 of 1989).

278. The West Bengal Land Reforms (Amendment) Act, 1981 (West Bengal Act 50 of 1981).

279. The West Bengal Land Reforms (Amendment) Act, 1986 (West Bengal Act 5 of 1986).

280. The West Bengal Land Reforms (Second Amendment) Act, 1986 (West Bengal Act 19 of 1986).

281. The West Bengal Land Reforms (Third Amendment) Act, 1986 (West Bengal Act 35 of 1986).

282. The West Bengal Land Reforms (Amendment) Act, 1989 (West Bengal Act 23 of 1989).

283. The West Bengal Land Reforms (Amendment) Act, 1990 (West Bengal Act 24 of 1990).

284. The West Bengal Land Reforms Tribunal Act, 1991 (West Bengal Act 12 of 1991)."

### **THE NATIONAL COMMISSION FOR MINORITIES (AMENDMENT) ACT, 1995**

*An Act to amend the National Commission for Minorities Act, 1992.*

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

1. *Short title* : This Act may be called the National Commission for Minorities (Amendment) Act, 1995.

2. *Amendment of Section 2* : In section 2 of the National Commission for Minorities Act, 1992 (hereinafter referred to as the principal Act), in clause (b), the words "and includes the Vice-Chairperson" shall be added at the end.

3. *Amendment of Section 3* : In section 3 of the principal Act, in sub-section (2), for the words "Chairperson and six Members", the words "Chairperson, a Vice-Chairperson and five Members" shall be substituted.

### **THE SIXTH SCHEDULE TO THE CONSTITUTION (AMENDMENT) ACT, 1995**

*An Act further to amend the Constitution of India in its application to the State of Assam.*

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

1. *Short title* : This Act may be called the Sixth Schedule to the Constitution (Amendment) Act, 1995.

2. *Application of Sixth Schedule to the State of Assam* : The Sixth Schedule to the Constitution shall, in its application to the State of Assam, have effect subject to the following modifications, namely :-

(1) in paragraph 2, in sub-paragraph (3), the following proviso shall be inserted, namely :—

"Provided that the District Council constituted for the North Cachar Hills District shall be called as the North Cachar Hills Autonomous Council and the District Council constituted for the Karbi Anglong District shall be called as the Karbi Anglong Autonomous Council.";

(2) in paragraph 3, for sub-paragraph (3), the following sub-paragraph shall be substituted, namely :-

"(3) Save as otherwise provided in sub-paragraph (2) of paragraph 3A, all laws made under this paragraph or sub-paragraph (1) of paragraph 3A shall be submitted forthwith to the Governor and, until assented to by him, shall have no effect.";

(3) after paragraph 3, the following paragraph shall be inserted, namely :-

"3A. Additional powers of the North Cachar Hills Autonomous Council and the Karbi Anglong Autonomous Council to make laws :- (1) Without prejudice to the provisions of paragraph 3, the North Cachar Hills Autonomous Council and the Karbi Anglong Autonomous Council within their respective districts, shall have power to make laws with respect to-

(a) industries, subject to the provisions of entries 7 and 52 of List I of the Seventh Schedule ;

(b) communications, that is to say, roads, bridges, ferries and other means of communication not specified in List I of the Seventh Schedule ; municipal tramways, ropeways, inland waterways and traffic thereon subject to the provisions of List I and List III of the Seventh Schedule with regard to such waterways ; vehicles other than mechanically propelled vehicles ;

(c) preservation, protection and improvement of stock and prevention of animal diseases; veterinary training and practice; cattle pounds;

(d) primary and secondary education ;

(e) agriculture, including agricultural education and research, protection against pests and prevention of plant diseases;

(f) fisheries;

(g) water, that is to say, water supplies, irrigation and canals, drainage and embankments, water storage and power subject to the provisions of entry 56 of List I of the Seventh Schedule;

(h) social security and social insurance; employment and unemployment;

(i) flood control schemes for protection of villages, paddy fields, markets, towns, etc. (not of technical nature);

(j) theatre and dramatic performances, cinemas subject to the provisions of entry 60 of List I of the Seventh Schedule; sports entertainments and amusements;

(k) public health and sanitation, hospitals and dispensaries;

(l) minor irrigation;

(m) trade and commerce in, and the production, supply and distribution of, food stuffs, cattle fodder, raw cotton and raw jute;

(n) libraries, museums and other similar institutions controlled or financed by the State; ancient and historical monuments and records other than those declared by or under any law made by Parliament to be of national importance; and

(o) alienation of land.

(2) All laws made by the North Cachar Hills Autonomous Council and the Karbi Anglong Autonomous Council under paragraph 3 or under this paragraph shall, insofar as they relate to matters specified in List III of the Seventh Schedule, be submitted forthwith to the Governor who shall reserve the same for the consideration of the President.

(3) When a law is reserved for the consideration of the President, the President shall declare either that he assents to the said law or that he withholds assent therefrom:

Provided that the President may direct the Governor to return the law to the North Cachar Hills Autonomous Council or the Karbi Anglong Autonomous Council, as the case may be, together with a message requesting that the said Council will reconsider the law or any specified provisions thereof and, in particular, will, consider the desirability of introducing any such amendments as he may recommend in his message and, when the law is so returned, the said Council shall consider the law accordingly within a period of six months from the date of receipt of such message and, if the law is again passed by the said Council with or without amendment it shall be presented again to the President for his consideration.";

(4) in paragraph 12, in sub-paragraph (1), for the words and figure "matters specified in paragraph 3 of this Schedule", the words, figures and letter "matters specified in paragraph 3 or paragraph 3A of this Schedule" shall be substituted;

(5) in paragraph 14, in sub-paragraph (2), the words "with the recommendations of the Governor with respect thereto" shall be omitted;

(6) after paragraph 20B, the following paragraph shall be inserted, namely:-

"20BA. Exercise of discretionary powers by the Governor in the discharge of his functions.-The Governor in the discharge of his functions under sub-paragraphs (2) and (3) of paragraph 1, sub-paragraphs (1), (6), sub-paragraph (6A) excluding the first proviso and sub-paragraph (7) of paragraph 2, sub-paragraph (3) of paragraph 3, sub-paragraph (4) of paragraph 4, paragraph 5, sub-paragraph (1) of paragraph 6, sub-paragraph (2) of paragraph 7, sub-paragraph (4) of paragraph 8, sub-paragraph (3) of paragraph 9, sub-paragraph (3) of paragraph 10, sub-paragraph (1) of paragraph 14, sub-paragraph (1) of paragraph 15 and sub-paragraphs (1) and (2) of paragraph 16 of this Schedule, shall, after consulting the Council of Ministers and the North Cachar Hills Autonomous Council or the Karbi Anglong Autonomous Council, as the case may be, take such action as he considers necessary in his discretion."

## SESSIONAL REVIEW

---

### TENTH LOK SABHA FOURTEENTH SESSION

The Fourteenth Session of the Tenth Lok Sabha, which commenced on 31 July 1995, was adjourned *sine die* on 26 August 1995 and was prorogued by the President on 6 September 1995.

A brief resume of some of the important discussions held and other business transacted during the period is given below:

#### A. STATEMENTS/DISCUSSIONS/MOTIONS/RESOLUTIONS/ ANNOUNCEMENTS

*Statement on the Dabhol Power Project*: Making a Statement in the House on 4 August 1995 on the repudiation of Phase-I and the cancellation of Phase-II of the Dabhol Power Project by the Government of Maharashtra, the Minister of Power, Shri N.K.P. Salve said that a fax message was received from the Secretary (Energy), Government of Maharashtra, purporting to be the Statement made by the Chief Minister of Maharashtra in the State Legislature in respect of the Enron Power Project at Dabhol in Maharashtra. That Statement referred to the decision taken by the Government of Maharashtra to repudiate the contract and to stop the work at the site in respect of Phase-I of the Dabhol Project and to exercise its option to cancel Phase-II of the Project. While the matter was essentially between the Government of Maharashtra, its Electricity Board and M/s Dabhol Power Corporation (DPC), the Central Government was directly concerned to the extent of its liabilities under the counter-guarantees given in favour of M/s DPC and generally about the possible fallout of the decision of the Government of Maharashtra on the investment climate in India. The implications of the decision taken by the Government of Maharashtra referred to in the Statement, including the legal implications of the counter-guarantees required, were under examination in detail.

*Statement on the World Trade Organization (WTO)*: On 8 August 1995, making a Statement in the House on the recently concluded service negotiations under the WTO, the Minister of State of the Ministry of Commerce, Shri P. Chidambaram said that the liberalization of trade in services was one of the areas which was negotiated in the Uruguay Round of Multilateral Trade Negotiations. The results of the negotiations which concluded in December 1993 in the area

of movement of natural persons on the one hand and financial services on the other were considered unsatisfactory. Members therefore proposed and obtained Ministerial Decisions on establishing separate negotiating groups on further negotiations on the movement of natural persons and financial services.

The Minister stated that the negotiations which were to conclude on 30 June 1993, as required by the Ministerial Decisions, had to be extended till 28 July 1993. This was on account of the stand taken by the USA on financial services on 29 June 1993, wherein they announced that they were not in a position to undertake an MFN (Most Favoured Nation) obligation that covered new activities in banking securities, insurance, fund management and other financial services. In order to deal with the situation created by the US decision, the European Union (EU) proposed that the rest of the members conclude a 'temporary fixed-term MFN agreement'. This required the maintenance of the best offer indicated during the negotiations on financial services and not seeking a general MFN exemption. The term of this agreement was initially proposed to be 4 to 5 years.

As it had finally emerged, however, this temporary fixed term agreement would be valid only till 31 December 1997 after which members would be at liberty to withdraw their commitments and/or take an MFN exemption. Under the arrangement, members had tabled their modified market access schedules in the financial services sector, with improvements in certain cases.

The advantages or implications of the agreement for India should be considered in the light of the fact that India was not a major demandeur in the financial services negotiations but was looking for improvements in market access opportunities in the sphere of movement of natural persons. The movement of natural persons or service procedures took place either with commercial presence or without commercial presence. While the offers tabled in December 1993 by our major trading partners contained provisions for movement of natural persons with commercial presence, there were limited offers in the mode of movement without commercial presence.

The developing countries, including India, had been emphasizing that for international trade in service to be conducted on the basis of inherent comparative advantage, movement of natural persons who were providers of services would need to be facilitated. In the area of financial services, India's offers were well within the current policy parameters. Sufficient safeguards had been provided to give primacy to India's domestic laws and regulations. With the financial sector in India growing and maturing, it could look for export opportunities that were available as a result of the financial services agreement.



The Minister further stated that the situation arising out of the US decision to take an MFN exemption on its financial services had been fully taken care of by retaining the MFN exemption notified by us in December 1993. Accordingly, India's commitments would be subject to entry requirements, domestic laws, rules and regulations and the terms and conditions of the Reserve Bank of India (RBI), the Securities and Exchange Board of India (SEBI) and any other competent authority in India. One of the conditions in our offer on banking provided that market access would be subject to grant of licence as permissible under the existing laws. Overall, it was the Government's assessment that the outcome of the negotiations on financial services and movement of natural persons was fairly balanced.

*Train accident at the Ferozabad Station:* Making a Statement on 21 August 1995, the Prime Minister, Shri P.V. Narasimha Rao apprised the House of the unfortunate rear-end collision between the Kalindi Express and the Purushottam Express at the Ferozabad Station in the Allahabad Division of the Northern Railway on 20 August 1995 at 0255 hours.

The Prime Minister informed the House that he had requested the Minister of State in the Ministries of Defence and Parliamentary Affairs, Shri Mallikarjun to proceed to the site of accident. *Ex gratia* payments had been arranged to the next kin of the deceased and to the injured persons. Arrangements had been made to facilitate travelling of the relatives of the injured and the dead passengers to the site by Special Train. The Commissioner of Railway Safety, Northern Circle, New Delhi would be holding a statutory enquiry into the matter, he added.

Later, initiating a discussion under Rule 193 on the subject, the Leader of the Opposition, Shri Atal Bihari Vajpayee said that this had been the worst rail accident so far. The Railways claimed a lot of progress in the field of electrification, mechanization, computerization and in signalling. The safety of passengers was the prime responsibility of the Railways and it could not absolve itself of this responsibility on any pretext.

Participating in the discussion\*, Shri Somnath Chatterjee said that all possible action should be taken to save the lives of the people who had been injured and were in a critical condition. The Railway Reforms Committee Report regarding accidents and safety

---

\*Others who took part in the discussion were: Sarvashri Ram Vilas Paswan, Prabhu Dayal Katheria, Arjun Singh, Bhagwan Shankar Rawat, Braja Kishore Tripathy, P.C. Chacko, Rajveer Singh, Rabi Ray, A. Charles, Brishin Patel, S.M. Lal Jan Basha, Satya Deo Singh, Basudeb Acharia, Dr. Kartikeswar Patra, Dr. Ravi Mallu, Smt. Geeta Mukherjee and Smt. Lovely Anand

measures was submitted way back in 1992 but no action on its recommendations had been taken so far.

Taking part in the discussion, Shri Chandra Shekhar pointed out that there should be an investigation to ascertain the responsibility for the lapse.

Participating in the discussion, Shri Chandrajeet Yadav said that the cause of the accident should be found out by a sitting Judge of the Supreme Court or a High Court.

Shri P.G. Narayanan suggested that modern means of communication should be provided at the lower level so that ghastly accidents of this type could be averted.

Shri Yaima Singh Yumnam said that a judicial enquiry should be conducted or a Committee of the House should inquire into it and fix the responsibility.

Shri E. Ahamed called upon the Prime Minister to constitute a sub-Committee of two Ministers for crisis management as that would not only give a sense of relief to the family of the deceased and the injured but also to the people at large as to how seriously the Government views the tragedy.

Intervening in the discussion, the Minister of State in the Ministries of Defence and Parliamentary Affairs, Shri Mallikarjun informed the House that quite a number of safety measures had been taken. All the safety staff concerned were being given Refresher Courses. The Railway administration had taken a decision that they would make arrangements for manning the unmanned level crossings in a phased manner.

Replying to the debate, the Prime Minister, Shri P.V. Narasimha Rao said that the Government was in continuous touch with the four Ministers who were camping at the accident site and continuous monitoring was going on. The implementation of the recommendations of the Safety Committee being an ongoing programme, much more required to be done in many respects in the working of the Railways and the Railways would certainly do that.

*Agreement between the Doordarshan and the Turner International Inc.:* Making a Statement in the House on 25 August 1995, the then Minister of State of the Ministry of Information and Broadcasting, Shri K.P. Singh Deo said that the agreement between the *Doordarshan* and the Turner International Inc. was entered into on 30 June 1995. Under this the *Doordarshan* would provide uninterrupted access 24 hours a day to the INSAT 2B C-Band transponder along with uplink and downlink facilities to the CNNI service. The Turner International

would assist the *Doordarshan* in the enhancement of the Satellite signal transmission and reception, equipment procurement (automatic playback machinery) and operation. The DD/CNN Channel would carry a minimum of two and a maximum of eight half hours of original news and current affairs programmes per day provided by the *Doordarshan* whose decision would be final and binding on the acceptability or otherwise of such programmes. The *Doordarshan* and the Turner International would not exercise any editorial control on each other's programming on the Satellite Channel. All programmes would conform to the *Doordarshan* broadcast and advertisement code. Turner International would provide on a fee basis to the *Doordarshan* assistance in its international news gathering operations outside India and the agreement would be governed by Indian laws. Disputes would be finally resolved by arbitration under the Indian Arbitration Act, 1940.

The agreement had been examined in great detail within the Government at the level of the Committee of Secretaries as also by a group of Ministers. Contrary to the assertion that this agreement had violated Indian laws, the fact of the matter was that it had, for the first time, resulted in a foreign network agreeing to abide by the programme and advertisement code of the *Doordarshan*. This Channel, besides giving wider coverage to the *Doordarshan's* own news and information programming in the neighbouring countries, would also help it put across India's perceptions on world events and an overview of the developments at home. The *Doordarshan* would earn an annual income of US \$ 1.5 million as telecast fee from the CNN.

The Minister stated that the financial terms of the agreement were very favourable to the *Doordarshan*. It would enable the *Doordarshan* to gain access, through the daily CNN programme 'World Report' to a worldwide audience for its five minute news capsule which would be prepared specially for this purpose. Various suggestions for carrying out improvements in the programmes carried on this Channel would also be examined and implemented expeditiously so that the efficacy of the Channel was enhanced.

*Draft Agriculture Policy*: On 7 August 1995, moving that the Draft Agriculture Policy Resolution be taken into consideration, the Minister of Agriculture, Dr. Bal Ram Jakhar said that the proposal for this Agriculture Policy was mooted in 1990. The very purpose of bringing the draft Policy was to see how to improve the lot of villages and the farmers living there. Efforts were being made to bring an end to uncertainty prevailing in agriculture. Although the loan waiver scheme started by the Government was jettisoned, it was proposed that an amount of Rs. 25 crore would be given

to farmers directly next year as loans. The Government would also pay utmost attention to efficient water management so that power could be utilized in the most proper and suitable manner. The Government was trying to encourage public investment in agriculture sector. As regards providing credit to the farmers, the Government intended to increase the amount of credit for which a Bill was to be brought before the House. Though agriculture had not been given the status of an industry even then all the facilities available to industry had been extended to agriculture.

Participating in the discussion on 8 August 1995\* Shri Sobhanadreeswara Rao Vadde said that the allocation to agriculture had come down from 15 per cent in the First Plan to 5.2 per cent in the Eighth Plan. The Government had neglected the credit requirements of the farmers and only ten per cent of the Indian farmers were able to avail of the loan facilities.

Taking part in the discussion, Shri Yaima Singh Yurnam said that the Minister should ensure that all the proposals of the draft Policy were implemented properly, effectively and in time.

Participating in the debate on 9 August 1995, Shri S. Mallikarjunaiah said that as far as irrigation was concerned, there were several good schemes but the want of funds was a major problem.

Taking part in the discussion, Shri P.C. Thomas said that in agriculture the price mechanism was completely under the control of a few hands, mainly the industrialists, who dealt with the agricultural produce. This aspect should be given more importance in the Policy. He called upon the Minister to bring out a scheme so that the cash crops were also covered under the Crop Insurance Scheme.

Replying to the discussion, the Minister of Agriculture, Dr. Bal Ram Jakhar said that the Government's endeavours would be to create a positive trade and investment climate for agriculture at par with the industry. The objectives of the Policy would be to develop effective systems and bestow similar benefits to agriculture as existed in the industry. One of the most important concepts that the Ministry wanted to bring in was the concept of infrastructure

---

\*Others who took part in the discussion were: Sarvashri Amar Pal Singh, V.S. Vijayaraghavan, B.N. Reddy, Umrao Singh, Sukhdev Paswan, Prataprao B. Bhosale, Bhogendra Jha, Nitish Kumar, Rajveer Singh, Bhupinder Singh Hooda, Kadambur M.R. Janardhanan, A. Venkata Reddy, Rajnath Sonkar Shastri, Shiv Raj Singh Chauhan, Anantrao Deshmukh, Zainal Abedin, Ram Prasad Singh, Hari Kishore Singh, Mohan Rawale, Lakshman Singh, Ram Nagina Mishra, Vishwa Nath Shastri, P.C. Chacko, Anadi Charan Das, Venkateswarlu Ummareddy, Chattrapal Singh, Brij Bhushan Singh, Anand Ratna Meurya, Shyam Bihari Misra, Kamla Mishra Madhukar, Satya Deo Singh, Dr. Kartikeswar Patra, Prof. Ashokrao Anandrao Deshmukh and Smt. D.K. Thara Devi Siddhartha

development facilities for agro-bound industries and for agro-processing industries. Unless there were good varieties of seeds, production could not be increased. Arrangements had to be made to increase the production and to export foodgrains. Government would not do anything contrary to the interests of farmers. In the Eighth Five Year Plan, Rs. 100 crore had been earmarked for providing cold storage facility. The Government had established a Nodal Agency to keep watch on the functioning of the Agriculture Science Centres, the Minister added.

*Motion regarding the Vohra Committee Report on the criminalization of politics:* Moving a motion on 23 August 1995, Shri Ram Vilas Paswan said that criminalization was fast spreading in every walk of life and had acquired a cancerous growth. If it was not checked, it would endanger the very edifice of democracy. The country was facing a crisis of trust. Persons having criminal background must not be given tickets to fight elections by political parties and electoral reforms were necessary in this regard. Government should find out the source of black money because every party wanted to come to power through money power or muscle power. It was a very serious matter.

Participating in the discussion\*, the Minister of State in the Ministry of External Affairs, Shri Salman Khursheed said that there was a need to find a solution to the problem by sitting together and by getting to the bottom of it. There were serious attempts all over the world, serious attempts in our country, to grapple with this problem. If we could break the nexus between the corrupt and the criminal, we would be able to single-handedly defeat both the forces.

Supporting the motion, Shri Somnath Chatterjee said that the purpose of the Vohra Committee was to take stock of the available information. But the details of the information had not found place in the final report. He called upon the Government to tackle the menace which had been mentioned in the report.

Shri Indrajit Gupta said that all assets and all conspicuous expenditure of political parties and leaders should be made public. People should be helped by political parties to organize a joint campaign against corruption and against the domination by the mafias. For that, all legal bodies and voluntary and non-voluntary organizations should be mobilized.

---

\*Others who took part in the discussion were: Sarvashri Jaswant Singh, Arjun Singh, Pawan Kumar Bansal, Sudhir Sawant, Kirip Chaliha, Rabi Ray, K.P. Reddaiah Yadav, A. Asokaraj, Dattatraya Banderu, Sharad Dighe, Amar Pal Singh, Hari Kishore Singh, Prof. (Dr.) S.P. Yadav, Prof. Ram Kapse, Smt. Suseela Gopalan and Smt. Geeta Mukherjee

Taking part in the discussion, Shri Sobhanadreeswara Rao Vadde said that criminalization was mainly due to the patronage extended by different political parties and pleaded for the appointment of a Committee of members of Parliament to see to it that the Vohra Committee recommendations were implemented properly.

Participating in the debate, Shri Chitta Basu said that Parliament should have a Standing Committee on Ethics regarding the behavior of members. There should be constitutional machineries and legal safeguards to fight against malpractices. Moreover, the accounts of political parties should be subjected to audit.

Intervening in the debate, the Minister of Home Affairs, Shri S.B. Chavan said that there should be some kind of a code of conduct adopted by all the parties together. People at large should be convinced that no one having a criminal record was going to be supported by a political party.

Replying to the debate, Shri Ram Vilas Paswan said that the Government should take steps to check increasing criminalization. The Nodal Agency which the Government had constituted should do the monitoring work and eminent persons from the Judiciary and the political parties should be entrusted to monitor its work.

The motion was adopted.

*Resolution regarding 50th Anniversary of the Atomic Bombing of Hiroshima and Nagasaki:* On 9 August 1995, the Speaker, Shri Shivraj V. Patil, placed the following Resolution before the House:

"THIS HOUSE

*Recalls* the tragedy of the atomic bombing of Hiroshima and Nagasaki 50 years ago;

*Reiterates* its deep sympathy for the innocent victims of that horrific attack;

*Expresses* its admiration for the courage and will of the survivors who overcame their suffering to build a new future;

*Further Recalls* Mahatma Gandhi's words "I regard the employment of the atomic bomb for the wholesale destruction of men, women and children as the most diabolical use of science";

*Believes* that the existence of nuclear weapons poses the greatest threat to the survival of humanity;

*Regrets* that despite the end of the Cold War, the spectre of a nuclear holocaust continues to threaten humanity;

*Convinced* that global nuclear disarmament is the only effective guarantee for preventing a nuclear war and strengthening international peace and security;

*Reaffirms* the continuing validity of the Action Plan for the establishment of a nuclear-weapon-free and non-violent world order presented in 1988 by Prime Minister Rajiv Gandhi;

On Behalf of the People of India

Firmly Resolves that

The tragedy of Hiroshima and Nagasaki must never be repeated either by human design or accident;

And Pledges that

India will continue its efforts, along with other countries, towards achieving a lasting and complete elimination of all nuclear weapons."

The Resolution was adopted unanimously.

*References regarding the 53rd Anniversary of the Quit India Movement*: On 9 August 1995 the Speaker, Shri Shivraj V. Patil made the following references in the House:

*This House observes* in solemnity today the 53rd Anniversary of the Quit India Movement;

*Recalls* that this day in 1942 leaders of the national freedom struggle under the guidance of Mahatma Gandhi gave a clarion call to launch the Quit India Movement to liberate the country from the yoke of alien rule and usher in Swaraj and sovereignty;

*Further recalls* that the entire nation rose like one entity to resist the repression of foreign rule;

*Notes* that the unique struggle for freedom was characterized by non-violence and that the twin tools of *ahimsa* and *satyagraha* as espoused by Mahatma Gandhi were upheld even in the face of grave provocation;

*Expresses* deep sense of gratitude for the broad vision of that leadership and the selfless sacrifice of those generations which led the country on the road to freedom;

*Pays* respectful obeisance to the memory of all those patriots who made the supreme sacrifice in the cause of the nation.

*Statutory Resolution re: Disapproval of the Sick Textile Undertakings (Nationalization) Amendment Ordinance, 1995 and the Disapproval of Textile Undertakings (Nationalization) Ordinance, 1995; and the Sick Textile Undertakings (Nationalization) Amendment Bill,*

*1995 and the Textile Undertakings (Nationalization) Bill, 1995* :\* Moving the Resolution on 24 August 1995, Shri Ram Naik said that the Government was misusing the power to issue Ordinances. The National Textiles Corporation (NTC) should be fully restructured and the Government should come out with proposals to reduce the losses incurred by the Corporation.

Moving that the Bills\* be taken into consideration the Minister of Textiles, Shri G. Venkat Swamy said that after the takeover of the management of fifteen Undertakings, large sums of money had been invested with a view to making these Undertakings viable. The Undertakings had continued to be sick on account of a variety of factors, like obsolete machinery, excess manpower, shortage of working capital, etc. It was necessary to modernize all the NTC mills, including the nationalized mills, and restructure them for revival by transfer, mortgage, sale or by otherwise disposing of any land, plant machinery and other assets of any of these Undertakings.

Taking part in the combined discussion on the Resolutions and the Bills\*\*, Shri Sobhanadreeswara Rao Vadde said that the money obtained from the sale of the unused land of the sick Undertakings should be utilized for their modernization.

Replying to the debate, the Minister of Textiles, Shri G. Venkat Swamy said that the money to be realized through the sale of the surplus land would be utilized for modernization. The Government would invite global tenders and two Committees would be set up for the sale of land and purchase of machinery.

Shri Ram Naik said that through the Statutory Resolutions, he had expressed displeasure at the tendency of the Government to issue Ordinances without any justification.

The Resolutions were negated.

The Motions for consideration of the Bills and clauses, etc. were adopted and the Bills, as amended, were passed.

## B. LEGISLATIVE BUSINESS

*The Workmen's Compensation (Amendment) Bill, 1995*\*\*\* : Moving that the Bill be taken into consideration, on 1 August 1995, the Minister of Labour, Shri P.A. Sangma said that the Workmen's Compensation Act was last amended in 1984. Based on the recommendations of the Law

\*The Bills were introduced in the Lok Sabha on 2 June 1995

\*\*Others who took part in the discussion were: Sarvashri Harin Pathak, Sharad Dighe, Tarit Baran Topdar, Ram Kripal Yadav, Syed Shahabuddin, Mohan Rawale, Bhogendra Jha, Datta Raghobaji Meghe, Kadambur M.R. Janardhanan, Ramchandra Marotrao Ghangare, Dr. Satyanarayan Jaitya and Smt. Saroj Dubey

\*\*\*The Bill, as passed by the Rajya Sabha, was laid on the table of the Lok Sabha on 1 June 1995



Commission and the suggestions received from the State Governments and the Ministries, it was proposed that the provisions of the Act be extended to drivers, cleaners and other workmen recruited by the employers registered in India and sent for work abroad. The minimum amount of compensation was enhanced from Rs. 24,000/- to Rs. 50,000/- in the case of death and from Rs. 24,000/- to Rs. 60,000/- in the case of permanent total disablement. In addition to the amount of compensation, provision for payment of Rs. 1,000/- towards funeral expenses of the deceased workmen was also being made. Keeping in view the problem of the poor inter-State migrant workers, a provision had been made in the Bill to facilitate filing of the claims for compensation also before the Commissioner for the area where the workmen or the dependents ordinarily resided.

Participating in the discussion\* on 3 August 1995, Shri Chitta Basu said that it was very difficult to draw a dividing line between the organized labour and the unorganized labour and certain special arrangements needed to be taken for the protection of the latter's rights so that they could have an exploitation-free life.

Shri Yaima Singh Yumnam said that the provisions of the Bill should apply not only to the industrial workers but should be extended to the agricultural workers and all other contract workers.

Replying to the debate, the Minister of Labour, Shri P.A. Sangma said that through the amendment, sixteen more categories of employment had been entered and migrant workers would also be covered under these provisions.

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

*The Maternity Benefit (Amendment) Bill, 1995\*\**: On 4 August 1995, the then Deputy Minister in the Ministry of Health and Family Welfare, Shri Paban Singh Ghatowar moved that the Bill be taken into consideration.

Participating in the discussion\*\*\* on 7 August 1995, Shri Yaima Singh Yumnam said that the recommendations made by the Standing

\*Others who took part in the discussion were Sarvashri Virender Singh, Basudeb Acharia, A. Charles, George Fernandes, C. Sreenivasan, Sriballav Panigrahi, Chhedi Paswan, Dau Dayal Joshi, Ramesh Chennithala, G.M.C. Balayogi, Ramashray Prasad Singh, Ram Kripal Yadav, Syed Shahabuddin, Bandaru Dattatraya, N. Dennis, Mohan Rawale, Sivaji Patnaik, Braja Kishore Tripathi, Prabhu Dayal Katheria, Kamla Mishra Madhukar, Ajoy Mukhopadhyay, C.K. Kuppuswamy, Girdhari Lal Bhargava, Satya Deo Singh, Satyanarayan Jatiya and Dr. Ramkrishna Kusmaria

\*\*The Bill, as passed by the Rajya Sabha, was laid on the Table of the Lok Sabha on 2 June 1995

\*\*\*Others who participated in the discussion were: Sarvashri Dhananjaya Kumar, K.D. Sultanpuri, Syed Shahabuddin, Kadambur M.R. Janardhanan, Dau Dayal Joshi, Girdhari Lal Bhargava, Dr. Vasant N. Pawar, Dr. (Prof.) Girija Devi, Prof. (Smt.) Malini Bhattacharya, Smt. Saroj Dubey, Smt. Geeta Mukherjee and Smt. Sumitra Mahajan

Committee on Welfare had not been entertained in the amending Bill. He urged that the Act should be extended throughout the country.

Taking part in the discussion, Smt. Dil Kumari Bhandari said that the Bill should be extended to all the States and the unorganized sector also.

Replying to the debate, the then Deputy Minister in the Ministry of Health and Family Welfare, Shri Paban Singh Ghatowar said that the Bill had been introduced to serve a limited purpose. It was the demand of the representatives of the workers and other organizations. The Standing Committee on Welfare had deliberated upon the Bill and they had unanimously accepted the provisions of the Bill, the Minister added.

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

*The Indian Telegraph (Amendment) Bill, 1995\**: Moving on 9 August 1995 that the Bill be taken into consideration, the Minister of State of the Ministry of Communications, Shri Sukh Ram said that the proposed Bill sought to amend clause 6 of the Section 3 of the Indian Telegraph Act, 1885 which gave the definition of the term 'Telegraph Authority'. With the bifurcation of the Department of Posts and Telecommunications, the functioning of the post of the Director General (Posts) by and large ceased to exist. The proposed regulatory authority would become an autonomous body with clearly defined functions, responsibilities and powers.

Participating in the discussion\*\* on 16 August 1995, Shri Yaima Singh Yumnam said that there should be Regional Advisory Committees for Telecommunications for every Chief General Manager so that effective service could be given to the consumers. Members of Parliament and State Legislatures and representatives of consumers could be made members of such Advisory Committees.

Shri P.C. Thomas said that the Regulatory Authority which had to be given so much of powers should be one with a lot of technicians as well as people who knew what the real feelings of the people were.

Replying to the discussion, the Minister of State of the Ministry of Communications, Shri Sukh Ram said that telecommunication was both capital-intensive and technology-intensive. Hence, the induction

---

\*The Bill was introduced in the Lok Sabha on 2 June 1995

\*\*Others who participated in the discussion were : Sarvashri Shruvan Kumar Patel, Rajnath Sonkar Shastri, Bhubaneshwar Prasad Mehta, K.T. Vandayar, Bolla Bulli Ramaiah, Hari Kishore Singh, Pawan Kumar Bansal, Maj. D.D. Khanoria, Maj. Gen. (Retd.) Bhuwan Chandra Khanduri, Dr. (Prof.) Girija Devi, Prof. Rasa Singh Rawat and Smt. Suseela Gopalan

of technology and capital in the field was essential. As regards giving statutory powers to the proposed body, the Minister said that the Government was committed to passing a comprehensive legislation for the setting up of a statutory apex body.

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

*The Constitution (Eighty-first Amendment) Bill 1995\**: Moving the motion for consideration of the Bill on 25 August 1995, the Minister of Rural Areas and Employment, Dr. Jagannath Mishra said that the art. 31B of the Constitution conferred on the enactments included in the Ninth Schedule to the Constitution immunity from legal challenge on the ground that they violated the fundamental rights enshrined in Part III of the Constitution. The Government was assigning high priority to the implementation of various rural development programmes, and land reforms being an important component thereof, it had been decided to extend protection of the Ninth Schedule to these laws so that the implementation of these Acts was not adversely affected by litigations.

Participating in the discussion, \*\*Shri Chitta Basu said that there should be an Agriculture Commission to work and to find out the loopholes in the existing State laws to make proper estimate of the available surplus and also to find out what had been the main grounds of shrinkage of available surplus land.

Supporting the Bill, Shri P.G. Narayanan said that the Government should find out some way to abolish *benami* land holdings.

Taking part in the discussion, Shri Sobhanadreeswara Rao Vadde said that more funds should be provided to encourage rural industries, small scale industries and cottage industries which would go a long way in providing employment and in generating income to the rural poor.

Replying to the discussion, the Minister of Rural Areas and Employment, Dr. Jagannath Mishra said that the Government was fully determined for the implementation of land reforms and the laws relating to land ceiling and there had been no change in the policy of the Government nor was there any likelihood of a change in the future. The policy of economic liberalization was not

---

\*The Bill, as passed by the Rajya Sabha, was laid on the Table of the Lok Sabha on 23 August 1995

\*\*Others who took part in the discussion were : Sarvashri Vijay Kumar Yadav, Nitish Kumar, Subrata Mukherjee, Bhogendra Jha, Hannan Mollah, B.N. Reddy, Ramashray Prasad Singh, Tej Narayan Singh, Maj. Gen. (Retd.) Bhuwan Chandra Khanduri and Dr. (Prof.) Girija Devi

going to affect the land ceiling Act and the State Governments were free to enact stringent laws for the purpose, he added.

The Bill was passed on 26 August 1995 by the requisite majority in accordance with the provisions of art. 368 of the Constitution.

*'The Sixth Schedule to the Constitution (Amendment) Bill, 1994'* : On 26 August 1995, moving that the Bill be taken into consideration, the Minister of State in the Ministry of Home Affairs, Shri P.M. Sayeed said that the Autonomous District Councils (ADCs) provided for under the Sixth Schedule to the Constitution were an innovative constitutional arrangement for the devolution of powers to the tribal people by giving them a decisive role in their development through the instrumentality of grassroot planning. On 1 April 1995, A Memorandum of Understanding was signed between the Government of Assam and some representative organizations of the Karbi Anglong and the North Cachar Hills Districts in Assam providing for greater autonomy to the two ADCs.

Participating in the discussion,\*\* Dr. Jayanta Rongpi congratulated the Government for moving the Bill amending the Sixth Schedule to upgrade the ADCs in Karbi Anglong and North Cachar with more legislative, financial and executive powers.

Shri Yaima Singh Yumnam called for the extension of the Sixth Schedule to the tribal areas of Manipur also.

Shri Indrajit Gupta said that if the Government wanted to care for the non-tribal people, they could make a provision for reservation of some limited number of seats. Otherwise, it was preferable that the whole Council should be elected.

Smt. Dil Kumari Bhandari supported the Bill and urged the Government to do something to protect the interests of non-tribals in the scheduled areas.

The Minister of State in the Ministry of Home Affairs, Shri P.M. Sayeed replied to the debate.

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

### C. QUESTION HOUR

During the Session, in all, 340 Questions were put down in the Question Lists for oral answers of which the number of Questions orally answered was 49. The number of Questions put down in

\*The Bill, as passed by the Rajya Sabha, was laid on the Table of the Lok Sabha on 23 August 1995

\*\*Others who participated in the discussion were : Sarvashri Dwarka Nath Das, Kirip Chaliha, Syed Shahabuddin, Mani Shankar Aiyar, Uddhab Barman, Balin Kuli, Satyendra Nath Brohmo Chaudhury, Muhiram Saikia, Ram Vilas Paswan and Prof. M. Kamson

the Question Lists for written answers was 3,525 which included 3 Unstarred Questions deleted/transferred from one Ministry to another. Of these, the number of Questions for which written answers were laid on the Table, including those put down for oral answers but not reached for oral answers, came to 3,816. There were no Questions put down in the Short Notice Question List.

#### D. OBITUARY REFERENCES

During the Session, references were made to the passing away of Prof. N.G. Ranga, member of the Central Legislative Assembly, Provisional Parliament and the Second, Third, Fourth Seventh, Eight and Ninth Lok Sabhas, Shri Bhola Raut, member of the Provisional Parliament, the First to Fifth and Seventh and Eighth Lok Sabhas, Shri S.T. Singh, member of the Third Lok Sabha, Shri Brijendra Singh, member of the Fourth Lok Sabha and Chaudhary Sunder Singh, member of the Seventh and Eighth Lok Sabhas. Members stood in the silence for a short while as a mark of respect to the deceased.

#### RAJYA SABHA

#### HUNDRED AND SEVENTY-FOURTH SESSION\*

The Rajya Sabha met for its Hundred and Seventy-fourth Session on 31 July 1995 and adjourned *sine die* on 26 August 1995. A resume of some of the important discussions held and other business transacted during the session is given below :

#### A. DISCUSSIONS

*Problem of making available adequate potable water in all the villages, bastis and habitations in the country:* Initiating a short duration discussion on 3 August 1995 on the subject, Dr. Murlī Monohar Joshi said that a crisis of potable water was prevailing in cities and lakhs of villages. The National Water Policy, formulated in September 1987 envisaged that potable water would be made available to the people living in rural as well as urban areas by the end of 1991. But this had not happened.

The member said that the poor people were being grossly discriminated against even in the matter of supply of water. After each Five Year Plan, the number of villages facing scarcity of potable water had increased, even though the allocation of funds for potable water had gone up. It was the duty of the Government to provide safe drinking water and fresh air to every person and if it was felt that the State Governments should also shoulder responsibility in that task, then clear-cut plans should be made and sharing of responsibility ensured.

---

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

The member said that the problem was connected with environment and total water management and if the country was able to preserve even 6 to 7 per cent of the rain water, the problem could be solved. Ponds in villages for storing water had been destroyed. Unless the Government re-developed the ponds and explored methods to save the rainy water from going waste into the sea, it would not be able to solve the potable water problem. Foreign technology would not be of any help in the matter. The whole country was concerned with the problem of water. Unless that was solved, there would be no economic progress.. The National Water Policy should be reviewed, the member added.

Replying to the discussion\* the same day, the Minister of Rural Areas and Employment, Dr. Jagannath Mishra said that the implementation of the schemes of the Union Government was in the hands of the State Governments. The Union Government had been doing a lot to solve the problem of potable water. A large portion of population in the villages had been covered. Still, there were many villages facing the problem of potable water. There were *bastis* where there was no source of potable water. In India, 80 per cent of water was supplied through handpumps. Proper maintenance of those pumps was a big problem and the Government was giving serious consideration to that. Certain programmes had been chalked out which had to be given priority. Allocation had been increased in the Eighth Five Year Plan for that purpose. By the end of the Ninth Five Year Plan, the Government would be in a position to make available adequate potable water in all the villages, *bastis* and habitations in the country. Special efforts would have to be made by the State Government also at all levels, the Minister added.

*Nexus between criminals and politicians in the context of the Vohra Committee Report* : A short duration discussion on the subject was held on 8, 23 and 24 August 1995. Initiating the discussion on 8 August 1995, Prof. Vijay Kumar Malhotra said that the discussion was taking place in the backdrop of the gruesome murder of Naina Sahni which had shaken the whole country. The Vohra Committee Report was lying with the Government for the past 22 months and it was only after the murder of Naina Sahni, the Report was being placed before Parliament. The nexus between criminals and politicians had come to the fore prominently. But no action appeared to have been taken against them.

The member said that activities of the mafia gangs, drug peddlers, economic lobbies, etc. were spreading fast in the country. He asked as to why action was not taken following the submission of the

---

\*Others who took part in the discussion were : Sarvashri Suresh Pachouri, Sanatan Bisi, Moolchand Meena, Jalaluddin Ansari, Anant Ram Jaiswal, Ish Dutt Yadav, Naresh Yadav and Dr. Biplab Das Gupta

Vohra Committee Report. He also asked as to why a nodal agency was not set up and legislation enacted to strengthen the judicial system and who were those politicians, Ministers and officers who exerted pressure for not taking any action against the criminals.

The member observed that the mafia gangs were involved in various anti-social activities such as getting petrol pump agencies, construction of unauthorised colonies and illegal possession of land, etc. Criminals enjoyed the patronage of big people and politicians. If the misdeeds of a few politicians and their nexus with the mafia gangs were exposed, the political system could be cleansed. The Government should formulate a code of conduct and bring a legislation in order to check the mafia and the criminalisation of politics in the country, the member suggested.

Replying to the discussion\* on 24 August 1995, the Minister of Home Affairs, Shri S.B. Chavan said that the Vohra Committee Report was a kind of an internal document which was never contemplated to be placed on the Table of the House and to be discussed in Parliament. Referring to the steps taken by the Government to contain the criminalisation of politics, the Minister said that the Government had made an amendment in regard to donations received by political parties. The Government was not at all opposed to the idea of legislation. He suggested that all political parties should come together and decide that they would not give party ticket to any person having a criminal record. An Ethics Committee could also be appointed in the Rajya Sabha and the Lok Sabha, wherein members could discuss, monitor and give suggestions through the Committee as to what is needed to be done. Different agencies like the RAW, the CBI, etc. were there. If there was coordination, the nodal agency which had been suggested in the Vohra Committee Report would get all the information which would be kept secret. Investigation would follow after the submission of the report by the said agency. The nodal agency would be a permanent body which would include responsible people who would exchange ideas, coordinate intelligence and thereafter, decide the course of action. The Minister made a request to the Prime Minister to call a meeting of all the party leaders where a unanimous decision could be taken. If decisions were seriously followed up, that would be the greatest service to the country, he added.

*Situation arising out of the signing of an agreement between the Doordarshan and the CNN:* On 9 August 1995, Shri Gurudas

\*Others who took part in the discussion were: Sarvashri V. Narayanaswamy, M.A. Baby, V. Kishore Chandra S. Deo, Inder Kumar Gujral, Triloki Nath Chaturvedi, G. Swaminathan, Chaturanan Mishra, Satya Prakash Malaviya, Surinder Kumar Singla, Ram Gopal Yadav, Satish Pradhan, V. Gopalsamy, Tara Charan Majumdar, M.P. Abdussamad Samadani, Dineshbhai Trivedi, Sangh Priya Gautam, S.S. Surjewala, Jagmohan, Pasumpon Tha Kiruttinan, John F. Fernandes, Anant Ram Jaiswal, Joyanta Roy, Chimanbhai Mehta, Mohd. Masud Khan, Bhupinder Singh Mann and Dr. B.B. Dutta

Das Gupta called the attention of the Minister of State of the Ministry of Information and Broadcasting to the situation arising out of the signing of an agreement between the *Doordarshan* and the Cable News Network (CNN).

Replying to the Calling Attention, the then Minister of State of the Ministry of Information and Broadcasting, Shri K.P. Singh Deo informed that the agreement entered into by the *Doordarshan* with the Turner International Inc., Atlanta, USA, for the transmission of a 24-hour Cable News Network International (CNNI) programming service utilizing a transponder earmarked to the *Doordarshan* on the INSAT 2B Satellite had been a subject matter of considerable comment within and outside Parliament. Even a cursory look at the salient features of the agreement would establish that it did not, in any way, impinge upon the nation's interests and its security. On the contrary, the agreement, which was entered into after a very detailed examination, would be advantageous to *Doordarshan* on many counts as it would strengthen the *Doordarshan* platform considerably by the addition of an international channel which provided news and information to the viewers round the clock. Besides, it would enable the *Doordarshan* to gain access, through the daily CNN programme 'World Report' to a worldwide audience in its five-minute news capsule which would be prepared specially for that purpose. The agreement would also enable *Doordarshan* to provide training at the CNN's facilities in USA. In addition, jointly conducted workshops in India would benefit a larger number of *Doordarshan* personnel.

Replying to the points raised by members, the Minister made it clear that neither had there been a sell out nor a lease, nor had the Government sold out any time to the Turner International or its subsidiary, the CNN. The CNN was being received in India since the days of the Gulf War. The Turner International had agreed to abide by the laws of India and subject itself to the programme and advertisement code of India approved by the Government in 1978. The agreement to this effect was signed on 30 June 1995. It was the *Doordarshan's* pragmatic response to a situation of competition with a proliferating network of Satellites and cables. The agreement was valid for two years and was to be reviewed after one year.

Referring to the financial terms of the agreement, the Minister said that the Turner International would pay the *Doordarshan* an annual telecast fee of 1,500,000 dollars and 50 per cent of the additional net revenue over and above the first 1,500,000 dollars. Besides, they would also pay the *Doordarshan* 50 per cent of the net advertising revenue derived from the Turner International's



programmes carried on the *Doordarshan's* three channels and 65 per cent of the net advertising revenue derived from the Turner International's programming carried on the *Doordarshan's* channels 1 and 2.

The Minister informed that the *Doordarshan* and the Turner International would not exercise any editorial control on each other's programmes on the Satellite channel. However, all programmes would conform to the *Doordarshan's* broadcasting and advertising code. There were safeguards for disputes. Any dispute on the agreement would be sorted out through arbitration.

As regards the argument that the agreement would lead to the entry of foreign media in India, the Minister said that did not hold water because in the CNN had not been allowed to produce programmes in India and uplink them from within the Indian territory for Indian audience.

Concluding, the Minister said that since the CNN was not a competitor, the *Doordarshan* had entered into an agreement with it as an equal partner. It was a strategic agreement which would be beneficial not only to the Ministry of Information and Broadcasting but to the whole nation as such, the Minister added.

*Government's decision to hand over the Bailadilla Mines being run by the National Mineral Development Corporation to a Calcutta-based private firm:* On 16 August 1995, Shri Gurudas Das Gupta called the attention of the Minister of State of the Ministry of Steel to the Government's decision to hand over the Bailadilla Mines being run by the National Mineral Developments Corporation (NMDC) to a Calcutta-based private firm.

Placing the facts relating to development of the Bailadilla 11-B iron ore deposit before the House, the Minister of State of the Ministry of State, Shri Sontosh Mohan Dev said that India was on the threshold of becoming a dominant producer and consumer of steel, with significant presence in the world market. The steel industry was on the road to recovery from demand recession, registering an impressive 13.3 per cent growth in the production of finished steel and a 17 per cent growth in apparent consumption during 1994-95. The Government had targeted a 20.7 per cent increase in production in the current year. The steel scenario, therefore, presented a very optimistic outlook.

The Government had made an ambitious projection of total demand, including export demand of 37 million tonnes of finished steel in 2001-02. The existing industries would contribute about 24 million tonnes with expansion and modernization. The projected demand-supply gap of 13 million tonnes would have to be met primarily by private sector investment as no new steel plant was

on the anvil in the public sector. The private sector, therefore, needed the support and encouragement of the Government. The Government had been encouraging the production of sponge iron, which was a good substitute for steel melting scrap and the availability of which was very limited within the country. The Bailadilla iron ore deposits were amongst the richest in the world. The 11-B deposit had 67 per cent ferrous content and was ideally suited for gas-based sponge iron plants.

Though the NMDC had been considering the development of the 11-E deposit as a joint venture project since 1991, the proposal could not materialize as each of the potential joint venture partners was willing to join in the venture only as the sole co-promoter, with management rights vested in it.

The Minister said that the Task Force on Iron, set up by the Government in 1991, had recommended that large iron and steel projects should preferably have captive iron ore mines for assured supply of iron ore. Under the National Mineral Policy, 1993, the iron ore sector was opened up for entry of the private sector. As such, several proposals were again received for the development of the Bailadilla 11-B deposit as a joint venture. In view of the current policy of liberalization of the national economy and in the background of the National Mineral Policy, 1993, it was considered appropriate to advise the NMDC, in May 1994, to develop the deposit 11-B as a joint venture with one of the private sector companies operating or setting up a gas-based sponge iron plant, to whom a commitment had been made by the NMDC to meet their requirement of iron ore. The NMDC was also advised to limit its investment to 11 per cent of the equity, so that its internal resources could be utilized for implementation of other equally important projects.

The decision of the Government to allow the NMDC to develop the deposit 11-B in the joint venture was taken to encourage and facilitate private sector investment which was vitally required for the achievement of the projected growth in steel production, the Minister stated.

Replying to the points raised by members, the Minister said that this particular joint venture did not amount to the sale of any mine. It was being done in a transparent manner. Nothing illegal had been done. M/s Nippon Denro was a leaseholder of a foreign company in Mexico. They were mining there for the last five years in a mechanized way. The Government had taken that into consideration and ultimately decided in their favour, the Minister added.

*Trade of vital human organs:* Raising a half-an-hour discussion on 23 August 1995, on points arising out of answer given in the Rajya Sabha on 16 March 1995 to an Unstarred Question (No. 641)

regarding the trade of vital human organs, Dr. Murli Manohar Joshi said that from the reply given by the Minister it appeared that as on 16 March 1995, the Government had no information about the trade of vital human organs. It had been reported in the newspapers several times that this illegal trade was going on all over the country. In January 1995, it was reported in a newspaper that thousands of people had been sent abroad and their kidneys had been removed and sold. The trade had been going on since 1990 and the Union Government as well as the State Governments had been aware of that. But the Ministry of Health said that they had no information about that.

The member said that India had been made a market of kidney and other human organs, which were being exported to other countries on a very large scale. The Government should conduct a survey in order to find out the details in that regard. An agency should be set up for maintaining the complete record of all the cases of transplantation of human organs. The Government should also give a categorical assurance to the entire nation as well as to the House that no stone would be left unturned for preventing the trade of human organs.

Replying to the discussion, the Minister of Health and Family Welfare, Shri A.R. Antulay said that the Government had no intention to hide the facts. The Government's policy was not responsible for such trade of vital human organs. Transplantation of human organs had been continuing for a very long time. It was unbelievable that such acts were being done only due to poverty. The Government could not ignore such trade of human organs. It was a State subject. The State Governments were not enforcing the laws in that connection. It was a serious issue and the Government wanted cooperation of everybody. Steps would have to be taken against doctors performing such operations. The Ministry was prepared to accept suggestions from the members and the public for checking such trade. A Committee of the House could be set up for suggesting measures in that regard. The Government had already decided to have an Organ Bank and an announcement to that effect would be made shortly, the Minister added.

*The prevailing situation in Jammu and Kashmir:* Initiating a short duration discussion on 26 August 1995, on the prevailing situation in Jammu and Kashmir, Shri Sikander Bakht said that the Government was not in a position to check the situation in Jammu and Kashmir which had been deteriorating day by day. It appeared as if there was no apparatus of governance in the State. The Governor had no control over the situation. Pakistani terrorists were spread out in all parts of the country. The militants released by the Government

were creating more trouble. The application of art. 370 of the Constitution should be discontinued in Kashmir. India should not continue maintaining diplomatic relations with Pakistan. Pakistan had acquired arms from other countries and had perhaps developed nuclear bomb. The country was lagging behind even in developing the *Agni* and the *Prithvi* missiles. The Government was not prepared to view the Kashmir problem in the right perspective, he added.

Replying to the discussion,\* the Minister of Home Affairs, Shri S.B. Chavan said that the only solution to the problem in Jammu and Kashmir was to hold elections there. The percentage of the voting there might be very low, but still the Government would give the people of Jammu and Kashmir an opportunity. He assured the House that the elections would be free and fair. It was for the elected representatives of Jammu and Kashmir to choose their own leader. There was no question of self-determination by the people of Kashmir. After the elections were over, the Government would give them full freedom. But at the same time, they would not be allowed to violate the provisions of the Constitution. A Monitoring Committee had been appointed to see to it that the money allocation for the State had been distributed among the people and the results had been achieved.

The Minister said that after the elections were held, the Government would be very happy to discuss with the elected Government as to what shape of things they would like to have for the State.

As regards art. 370 of the Constitution, a Committee of members of Parliament would be constituted and it would advise the Home Ministry about it. As soon as the elections were over, the State would get a representative Government and the people of the State would be able to decide their own fate. The Minister added that the Government would accept the concrete suggestions in that regard.

## B. LEGISLATIVE BUSINESS

*The Payment of Bonus (Amendment) Bill, 1995\*\**: Moving the motion for consideration of the Bill on 7 August 1995, the Minister of Labour, Shri P.A. Sangma said that the Payment of Bonus Act, 1965 provided for the payment of bonus to employees. Representations had been received from various trade union organizations, associations and individuals for enhancement or abolition of the ceilings. The Payment of Bonus Act applied to all establishments, both in the public

---

\*Others who took part in the discussion were: Sarvashri Virendra Kataria, Maulana Obaidullah Khan Azmi, S.S. Ahluwalia, Jalaluddin Ansari, Satya Prakash Malaviya, Ish Dutt Yadav, Jagmohan, Vizol, Dr. Biplab Das Gupta and Dr. D. Masthan

\*\*The Bill was introduced in the Rajya Sabha on 31 July 1995

and the private sectors. After careful consideration, the Government decided to enhance the eligibility limit for the payment of bonus from Rs. 2500/- to Rs. 3500/- per month and the calculating ceiling from Rs. 1600/- to Rs. 2500/- per month. Accordingly, an Ordinance was promulgated on 9 July 1995 to give effect to the aforesaid amendments. The proposed amendments in the Payment of Bonus Act, 1965 would meet the long-felt needs of the low paid employees of both the public and the private sectors.

The motion for consideration of the Bill and clauses, etc. were adopted and the Bill was passed on 8 August 1995.

*The Sixth Schedule to the Constitution (Amendment) Bill, 1995\**: Moving the motion for consideration of the Bill on 22 August 1995, the Minister of State in the Ministry of Home Affairs, Shri P.M. Sayeed said that the Autonomous District Councils were an innovative constitutional arrangement for devolution of powers to the tribal people by giving them a decisive role in their development, through the instrumentality of grassroot planning. The Autonomous District Councils and the Regional Councils had been given powers to make laws in the field of land, forest, irrigation, town and village administration, and social customs like marriage, divorce, inheritance, etc. The representative organizations of the Karbi Anglong and North Cachar Hills districts of Assam had been feeling dissatisfied with the quantum of autonomy available under the Sixth Schedule and had been raising demands for more autonomy. A Memorandum of Understanding (MOU) was signed between the Government of Assam and some representatives of those organizations on 1 April 1995 after a series of talks. The signing of the MOU had been largely welcomed by the tribal population of those two districts.

A major consideration in the signing of the MOU had been to fulfil the aspirations of the tribal people of the two districts within the framework of the Sixth Schedule without affecting the integrity of the State of Assam. The Bill sought to give greater autonomy to the two Autonomous District Councils in Assam. It further provided for consultation with Councils by the Governor in exercising his discretionary powers.

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

*The Constitution (Eighty-first Amendment) Bill, 1994\*\**: Moving the motion for consideration of the Bill on 22 August 1995, the Minister of Rural Areas and Employment, Dr. Jagannath Mishra said that art. 31B of the Constitution conferred on the enactments included

---

\*The Bill was introduced in the Rajya Sabha on 17 August 1995

\*\*The Bill was introduced in the Rajya Sabha on 19 April 1994

in the Ninth Schedule to the Constitution, immunity from legal challenge on the ground that they violated the fundamental rights enshrined in Part III of the Constitution. The Schedule included laws enacted by various State Governments and the Union Government which, *inter alia*, affected the rights and interests in property, including land.

In the past, whenever it was found that progressive legislation conceived in the interest of the public was imperilled by litigation, recourse was taken to the Ninth Schedule. The State Governments of Bihar, Karnataka, Kerala, Orissa, Rajasthan, Tamil Nadu and West Bengal had suggested the inclusion of some of their Acts relating to land reforms in the Ninth Schedule.

Since the amendment to those Acts which were already placed in the Ninth Schedule were not automatically immunized from legal challenge, a number of amending Acts, along with a few principal Acts, were also proposed to be included in the Ninth Schedule so as to ensure that the implementation of those Acts was not adversely affected by litigation.

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

*The Sick Textile Undertakings (Nationalization) Amendment Bill, 1995 and the Textile Undertakings (Nationalization) Bill, 1995\**: Moving the motion for consideration of the Bills on 26 August 1995, the Minister of Textiles, Shri G. Venkat Swamy said that pending their nationalization, the management of the Elphinstone Spinning and Weaving Mills, Bombay and 12 other textile mills in Bombay and also the management of two other textile undertakings in Kanpur was taken over by the Union Government in public interest. The Government had approved a revised turnaround plan for the modernization of those mills. The nationalization of those mills would result in vesting of ownership of those mills in the Union Government and facilitate their modernization and restructuring also, if necessary.

The Government was fully committed to the successful revival of the National Textiles Corporation. In order to provide flexibility and make explicit the specific enabling provision in the Sick Textiles Undertakings (Nationalization) Act, 1974 and the Swadeshi Cotton Mills Co. Ltd. (Acquisition and Transfer of Undertakings) Act, 1986, it had become necessary to amend those two Acts.

---

\*The Bills, as passed by the Lok Sabha, were laid on the Table of the House on 25 August 1995

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

### C. QUESTION HOUR

During the 174th Session of the Rajya Sabha, 7,809 notices of questions (7,288 starred and 521 Unstarred) were received. Out of these, 339 Starred Questions and 2,602 Unstarred Questions were admitted. 9 Short Notice Questions were received out of which 3 were admitted.

*Daily Average of Questions:* Each of the Lists of Starred Questions contained 20 Questions. On an average, 3 Questions were orally answered per sitting. The maximum number of Questions orally answered was 5 on 2 August 1995 and the minimum number of Questions orally answered was 2 on 23 August 1995.

The minimum number of Questions admitted in the List of Unstarred Questions was 138 on 31 July 1995 and their maximum number was 155 on all dates except 31 July 1995 and 7 August 1995. Their average came to 153.

*Half-an-Hour Discussions:* 12 notices of Half-an-Hour Discussion were received out of which 2 notices were admitted. The discussion on one Half-an-Hour Discussion was not concluded.

*Statement correcting answers to Questions:* Two Statements were laid by the Ministers concerned correcting answers to Questions in the Rajya Sabha.

### D. OBITUARY REFERENCES

During the Session, references were made to the passing away of Sarvashri N.P. Chaudhuri, N.G. Ranga, Salam Tombi, Birchandra Deb Burman and Mohammed Usman Arif, all former members. Members stood in silence for a short while as a mark of respect to the deceased.

### STATE LEGISLATURES

#### ASSAM LEGISLATIVE ASSEMBLY\*

The Assam Legislative Assembly commenced its Session on 18 September 1995 and was adjourned on 27 September 1995. There were eight sittings in all.

*Legislative business:* During the Session, nine Bills were introduced in the House, discussed, and then passed.

*Financial business:* During the Session, the Supplementary Budget for the year 1995-96 was discussed and passed by the House.

\* Material contributed by the Assam Legislative Assembly Secretariat

*Obituary references* : During the Session, obituary references were made on the demise of sixteen leading personalities.

### DELHI VIDHAN SABHA\*

The Delhi Legislative Assembly which commenced its Seventh Session on 7 August 1995 was adjourned *sine die* on 14 August 1995.

*Election of Deputy Speaker* : On 11 August 1995, Shri Fateh Singh was elected the Deputy Speaker of the Delhi Legislative Assembly.

*Legislative business* : During the Session, although a total of four Bills were introduced and considered, only three Bills were passed. They are : (i) The Delhi Lokayukta and Upalokayukta Bill, 1995; (ii) The Delhi Artificial Insemination (Human) Bill, 1995; and (iii) The Delhi Tax on Entry of Motor Vehicles into Local Area (Amendment) Bill, 1995. The Delhi Prohibition on Smoking and Non-Smokers Health Protection Bill, 1995 was referred to the Select Committee.

### KARNATAKA LEGISLATIVE COUNCIL\*\*

The Karnataka Legislative Council, which commenced its Eighty-first Session on 7 August 1995, was adjourned *sine die* on 22 September 1995. There were 26 sittings in all.

*Legislative business*: During the Session, fourteen Bills, including the Appropriation Bill as passed by the Legislative Assembly, were considered and passed by the House.

*Financial business*: During the Session, the Supplementary Estimates (First Instalment) for the year 1995-96 were presented to the House on 20 September 1995 and were discussed on the same day.

### MAHARASHTRA LEGISLATIVE ASSEMBLY\*\*\*

The Maharashtra Legislative Assembly, which commenced its Second Session on 5 July 1995, was prorogued on 9 August 1995. There were 25 sittings in all.

*Legislative business*: During the Session, fifteen Bills were passed by the Legislative Assembly.

*Financial business*: The Deputy Chief Minister, who was looking after the Finance portfolio due to the Finance Minister's illness, presented the first Budget for the year 1995-96. The general discussion on the Budget was held for four days. The Appropriation (Vote on Account) Bill was also passed after conclusion of the general discussion on 29 July 1995.

---

\* Material contributed by the Delhi Legislative Assembly Secretariat

\*\*Material contributed by the Karnataka Legislature Secretariat

\*\*\* Material contributed by the Maharashtra Legislature Secretariat



*Obituary references:* On the opening day of the Session, obituary references were made on the passing away of former Chief Minister and former Prime Minister of India, Shri Morarji Desai. Obituary references were also made on the demise of former Minister Shri Tejsingrao Bhosale and six former Members. Later, the House was adjourned for the day as a mark of respect to Shri Morarji Desai.

### MAHARASHTRA LEGISLATIVE COUNCIL\*

The Maharashtra Legislative Council commenced its Session on 5 July 1995 and was adjourned *sine die* on 9 August 1995. The House was then prorogued by the Governor the same day. There were twenty-five sittings in all.

*Legislative business:* During the Session, two Bills, viz. (i) The Maharashtra Krishi Vidyapeeths (Amendment) Bill, 1995 and (ii) the Maharashtra Municipal Corporations (Amendment) Bill, 1995 were introduced, considered and passed by the House. Seven other Bills were also considered and passed by the House. They were : (i) The Maharashtra Tax Laws (Levy, Amendment and Validation) Bill, 1995; (ii) The Maharashtra Finance Commission (Miscellaneous Provision) (Amendment) Bill, 1995; (iii) The Maharashtra Municipal Councils, Nagar, Panchayats and Industrial Townships (Amendment) Bill, 1995; (iv) The Maharashtra Fruit Nurseries (Regulation) (Amendment) Bill, 1995; (v) The Maharashtra Employees of Private Schools (Conditions of Service) Regulation (Amendment) Bill, 1995; (vi) The Maharashtra Tax Laws (Levy and Amendment) Bill, 1995; and The Maharashtra Adoption Bill, 1995. Besides, two Bills, as passed by the Legislative Assembly were considered by the House, viz. (i) The Maharashtra Appropriation Bill, 1995; and (ii) The Maharashtra (Second Supplementary) Appropriation Bill, 1995.

*Financial business:* During the Session, the Deputy Chief Minister presented the Budget for the year 1995-96 on 6 July 1995. The general discussion on the Budget took place for four days.

*Obituary references:* On 5 July 1995, obituary references were made on the passing away of former Chief Minister and former Prime Minister of India, Shri Morarji Desai. Obituary references were also made on the demise of former Minister Shri Tejsingrao Bhosale and six former members. The House was then adjourned as a mark of respect to Shri Morarji Desai.

### ORISSA LEGISLATIVE ASSEMBLY\*

The Eleventh Orissa Legislative Assembly, which commenced its Second Session on 28 June 1995, was adjourned *sine die* on 2 August

\* Material contributed by the Maharashtra Legislature Secretariat

\*\* Material contributed by the Orissa Legislative Assembly Secretariat

1995. The House was prorogued on 15 August 1995. There were 27 sittings in all.

*Legislative business:* During the Session, eight Bills were passed by the House. The Bills were: (i) The Orissa Special Courts (Repeal and Special Provisions) Bill, 1995; (ii) The Orissa Legislative Assembly Speaker's Salary and Allowances (Amendment) Bill, 1995; (iii) The Orissa Legislative Assembly Deputy Speaker's Salary and Allowances (Amendment) Bill, 1995; (iv) The Orissa Ministers' Salaries and Allowances (Amendment) Bill, 1995; (v) The Orissa Legislative Assembly Members Salary, Allowances and Pension (Amendment) Bill, 1995; (vi) The Orissa Luxury Tax Bill, 1995; (vii) The Orissa Sales Tax (Amendment) Bill, 1995; and (viii) The Orissa Appropriation Bill, 1995.

*Financial business:* During the Session, on 28 June 1995, the Finance Minister presented the Annual Statement of Expenditure for the year 1995-96. The general discussion on the budget took place on 3, 4 and 5 July 1995.

The Appropriation Bill for the year 1995-96 was also passed by the Legislative Assembly on 25 July 1995.

*Obituary references:* During the Session, obituary references were made on the demise of the former Prime Minister, Shri Morarji Desai, the sitting member Shri Akshya Kumar Gómango and a former member, Shri Dusasan Jena.

### SIKKIM LEGISLATIVE ASSEMBLY\*

The Fifth Legislative Assembly of Sikkim commenced its Autumn Session on 26 September 1995. There were two sittings in all.

*Legislative business :* During the Session, the following Government Bills were introduced, discussed and passed by the House: (1) The Sikkim Legislative Assembly Members (Payment of Pension) Amendment Bill, 1995; (ii) The Sikkim Clinical Establishment (Licensing and Registration) Bill, 1995; (iii) The Sikkim Manipal University of Health, Medical and Technological Science Bill, 1995; (iv) The Sikkim Panchayat (Amendment) Bill, 1995; and (v) The Appropriation Bill, 1995.

*Financial business :* During the Session, on 27 September 1995, the Finance Minister presented the Supplementary Demands for Grants for the year 1995-96. Later, the Demands were put to vote and unanimously passed by the House.

*Obituary references :* On 26 September 1995, obituary references were made on the passing away of the former Prime Minister of India, Shri Morarji Desai and the Chief Minister of Punjab, Sardar Beant Singh.

---

\* Material contributed by the Sikkim Legislative Assembly Secretariat

## RECENT LITERATURE OF PARLIAMENTARY INTEREST

---

### I. BOOKS

Bhardwaj, R.C. ed., *Constitution Amendment in India* (New Delhi : Northern Book Centre), 1995

Boothroyd, Betty, *Britain and India : Democratic Giants* (New Delhi : Institute of Constitutional and Parliamentary Studies), 1994

Goel, Sita Ram, *Perversion of India's Political Parlance* (New Delhi : Voice of India), 1995

Gupta, Indrajit, *Decline in Parliamentary Standards and Its Implication for the Future of Indian Democracy* (New Delhi : Institute of Constitutional and Parliamentary Studies), 1993

Hill, Michael and Lian Kwen Fee, *The Politics of Nation Building and Citizenship in Singapore* (London : Routledge), 1995

Inter-Parliamentary Union, *Statutes and Rules* (Geneva : Inter-Parliamentary Union), 1995

Inter-Parliamentary Union, *Minutes of the Inter-Parliamentary Council : 115th Session* (Geneva : Inter-Parliamentary Union), 1995

Inter-Parliamentary Union, *IPU in the Media* (Geneva : Inter-Parliamentary Union), 1995

Inter-Parliamentary Union, *92nd Inter-Parliamentary Conference : Copenhagen, Denmark, 12-17 September 1994 : Summary Records* (Geneva : Inter-Parliamentary Union), 1994

Inter-Parliamentary Union, *93rd Conference and Related Meetings, Madrid, 24 March-1 April 1995* (Geneva : Inter-Parliamentary Union), 1995

Mahaprajna, Acharya, *Democracy : Social Revolution Through Individual Transformation* (Ladnun : Jain Vishva Bharati), 1994

Mainwaring, Scott and Scully, Timothy R., ed., *Building Democratic Institutions : Party Systems in Latin America* (Stanford : Stanford University Press), 1995

Mehra, Shipra, *Indo-Sri Lankan Relations : 1947 to present Day* (Agra : M.G. Publishers), 1995

Olesen, Asta, *Islam and Politics in Afganistan* (Surrey : Curzon Press), 1995

Post, Robert C., *Constitutional Domains : Democracy, Community, Management* (Cambridge : Harvard University Press), 1995

*Spanish Constitution and Standing Orders of the Congress* (Madrid : Clerk at Spanish Parliament), 1990

Stirk, Peter M.R. and Weigall David, *An Introduction to Political Ideas* (London : Pinter Publishers), 1995

Vyapari, Praveen, *Secular State under Indian Constitution* (Hyderabad : Anusuya Prakashan), 1992

Weatherill, Bernard, *Triumph of Democracy : Contemporary Challenges* (New Delhi : Institute of Constitutional and Parliamentary Studies), 1994

## II. ARTICLES

Belvi, Shrinivas B., "Constitutional Amendments and Presidential Form of Government", *Bhavan's Journal*, Vol. 41, No. 20, 31 May 1995, pp. 61-63, 65

Bonnici, Michael, "Parliamentary Reform : Striving for Total Democracy", *Parliamentarian*, Vol. 26, No. 26, April 1995, pp. 26-27

Brooks, Stephen, "Consent and Constitutional Change in Canada", *Journal of Commonwealth and Comparative Politics*, Vol. 32, No. 3, November 1994, pp. 279-99

Castles, Francis G., "Policy Consequences of Proportional Representation : A Sceptical Commentary", *Political Science*, Vol. 46, No. 2, December 1994, pp. 161-71

Davidson, Diane, "Powers of Parliamentary Committees", *Canadian Parliamentary Review*, Vol. 18, No. 1, Spring 1995, pp. 12-15

Deshpande, Suhas G., "Removing Barriers to Private Member's Business", *Canadian Parliamentary Review*, Vol. 18, No. 1, Spring 1995, pp. 23-25

Dhawan, G., "Panchayati Raj Institutions : 73rd Amendment, Apprehensions and Comprehensive", *Kurukshetra*, Vol. 43, No. 7, April 1995, pp. 43-48

Dubey, A.K., "Panchayati Raj : The Constitutional Perspective", *Kurukshetra*, Vol. 43, No. 7, April 1995, pp. 108-112

Fernandes, Lionel, "Vision of Indian Society according to the Constitution", *Social Action*, Vol. 45, No. 2, April-June 1995, pp. 206-16

Gonzi, Lawrence, "Parliamentary Tradition : An Island Democracy in the Cradle of Western Civilization", *Parliamentarian*, Vol. 126, No. 2, April 1995, pp. 3-6

Grant, Richard L., "Political and Economic Reforms in China", *World Today*, Vol. 51, No. 2, February 1995, pp. 37-40

Jain, S.C., "Emerging Phase of Democratic Decentralization in India : Some Issues", *Kurukshetra*, Vol. 43, No. 7, April 1995, pp. 40-42

Khandelwal, Briz, "Case of Restructuring Indian Federation", *Janata*, Vol. 50, No. 9, 2 April 1995, pp. 3-4

Kirby, Michael, "Malawi : The Arrival of Multi-Party Democracy", *Commonwealth Law Bulletin*, Vol. 20, No. 2, April 1994, pp. 675-78

Kirwan, Kent A., "Use and Abuse of Power : The Supreme Court and Separation of Powers", *Annals of the American Academy of Political and Social Science*, Vol. 537, January 1995, pp. 76-84

Kogekar, S.V., "Changing Face of Indian Politics", *Freedom First*, No. 424, January-March 1995, pp. 5-8

Massicotte, Lovis, "Size of Legislatures : A Perspective on the House of Commons", *Canadian Parliamentary Review*, Vol. 18, No. 1, Spring 1995, pp. 9-11

Nizam U. Ahmed, "Parliamentary Politics in Bangladesh", *Journal of Commonwealth and Comparative Politics*, Vol. 32, No. 3, November 1994, pp. 364-82

"Parliament and People : Making Democratic Institutions More Representative, Responsible and Relevant", *Parliamentarian*, Vol. 126, No. 1, January 1995, pp. 6-11

"Party Politics", *Parliamentarian*, Vol. 126, No. 1, January 1995, pp. 63-67

Prasad, B.A., "India's Role in the Future of SAARC", *Strategic Analysis*, Vol. 17, No. 11, February 1995, pp. 1353-75

Proulx, Mathiew, "Sammuel Phillips Data Bank in Parliamentary Procedure", *Canadian Parliamentary Review*, Vol. 17, No. 4, Winter 1994-95, pp. 18-19

Ram, N., "Changing the System", *Frontline*, Vol. 12 No. 11, 20 May 1995, pp. 18-19

Ramakrishnan, Venkitesh, "Working to a Plan? The Action in Parliament", *Frontline*, Vol. 12, No. 12, 3 June 1995, pp. 19-20

"Role of Parliament", *parliamentarian*, Vol. 126, No. 1, January 1995, pp. 28-31

Talbott, Strobe, "New Geopolitics : Defending Democracy in the Post Cold War Era", *World Today*, Vol. 51, No. 1, January 1995, pp. 7-10

Tanner, Murray Scot, "How a Bill Becomes a Law in China : Stages and Processes in Law Making", *China Quarterly*, No. 141, March 1995, pp. 39-64

Varde, Sadanand, "Politics of Competitive Populism", *Radical Humanist*, Vol. 58, No. 12, March 1995, pp. 14-15

Vega, Arturo and Firestone, Juanita M., "Effects of Gender on Congressional Behaviour and the Substantive Representation of Women", *Legislative Studies Quarterly*, Vol. 20, No. 2, May 1995, pp. 213-22

Vella, George W., "Partisan Politics : Malta, a Highly charged Political Environment", *Parliamentarian*, Vol. 126, No. 2, April 1995, pp. 10-12

Venkataraman, R., "Stability in Government : An Alternative to Party System", *Bhavan's Journal*, Vol. 41, No. 20, 31 May 1995, pp. 13-22

Ware, Alan, "Party System of the Established Liberal Democracies in the 1990s : Is this a Decade of Transformation?", *Government and Opposition*, Vol. 30, No. 3, Summer 1995, pp. 312-26

Weaver, Kent, "Political Institutions and Conflict Management in Canada", *Annals of the American Academy of Political and Social Science*, Vol. 538, March 1995, pp. 54-68

Westlake, Martin, "European Parliament, the National Parliaments and the 1996 Inter-Governmental Conference", *Political Quarterly*, Vol. 66, No. 1, January-March 1995, pp. 59-73

**APPENDIX I**  
**STATEMENT SHOWING THE WORK TRANSACTED**  
**DURING THE FOURTEENTH SESSION OF THE**  
**TENTH LOK SABHA**

1. PERIOD OF THE SESSION	31 July to 26 August 1995
2. NUMBER OF SITTINGS HELD	16
3. TOTAL NUMBER OF SITTING HOURS	115 hours and 19 minutes
4. NUMBER OF DIVISIONS HELD	3
5. GOVERNMENT BILLS	
i) Pending at the commencement of the Session	25
ii) Introduced	8
iii) Laid on the Table as passed by Rajya Sabha	3
iv) Referred to the Departmentally related Standing Committees by the Speaker/Chairman, Rajya Sabha	8
v) Reported by Standing Committees	10
vi) Discussed	18
vii) Passed	18
viii) Returned by Rajya Sabha without any recommendation	5
ix) Pending at the end of the Session	18
6. PRIVATE MEMBERS' BILLS	
i) Pending at the commencement of the Session	339
ii) Introduced	15
iii) Discussed	1
iv) Part-discussed	1
v) Pending at the end of the Session	354
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)	
i) Notices received	83
ii) Admitted	2
iii) Discussions held	2
8. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling attention to Matters of Urgent Public Importance)	
Statements made by Ministers	1
9. STATUTORY RESOLUTIONS	
i) Notices received	37
ii) Admitted	5
iii) Moved	4
iv) Adopted	1
v) Negatived	2
vi) Withdrawn	1
10. RESOLUTIONS PLACED BEFORE THE HOUSE BY THE SPEAKER	1

11. GOVERNMENT RESOLUTIONS	
i) Notices received	1
ii) Admitted	1
12. PRIVATE MEMBERS' RESOLUTIONS	
i) Received	6
ii) Admitted	5
iii) Discussed	2
iv) Withdrawn	1
v) Part-discussed	1
13. GOVERNMENT MOTIONS	
i) Notices received	1
ii) Admitted	1
iii) Discussed	1
14. PRIVATE MEMBERS' MOTIONS	
i) Notices received	204
ii) Admitted	52
iii) Moved	1
iv) Discussed	1
v) Adopted	1
15. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION	8,950
16. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND DATE ON WHICH ISSUED	1,073 on 24 August 1995
17. NUMBER OF ADJOURNMENT MOTIONS	
i) Brought before the House	24
ii) Consent withheld by the Speaker outside the House	24
18. TOTAL NUMBER OF QUESTIONS ADMITTED	
i) Starred	340
ii) Unstarred	3,525



## 19. WORKING OF PARLIAMENTARY COMMITTEES

Sl. No.	Name of the Committee	No. of sittings held during the period 1 July to 30 September 1995	No. of Reports presented
1	2	3	4
(i)	Business Advisory Committee	—	—
(ii)	Committee on Absence of Members	—	—
(iii)	Committee on Public Undertakings	—	—
(iv)	Committee on Papers Laid on the Table	—	—
(v)	Committee on Petitions	3	2
(vi)	Committee on Private Members' Bills and Resolutions	2	2
(vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	—	—
(viii)	Committee on Privileges	—	—
(ix)	Committee on Government Assurances	2	2
(x)	Committee on Subordinate Legislation	5	1
(xi)	Estimates Committee	6	—
(xii)	General Purposes Committee	—	—
(xiii)	House Committee		
	(a) Accommodation Sub-Committee	—	—
	(b) Sub-Committee on Amenities	—	—
	(c) Sub-Committee on Furnishing	—	—
(xiv)	Public Accounts Committee	8	6
(xv)	Railway Convention Committee	—	—
(xvi)	Rules Committee	—	—
<b>JOINT/SELECT COMMITTEES</b>			
(i)	Joint Committee on Offices of Profit	3	2
<b>STANDING COMMITTEES</b>			
(i)	Committee on Agriculture	—	—
(ii)	Committee on Communications	4	3
(iii)	Committee on Defence	2	1
(iv)	Committee on Energy	—	—
(v)	Committee on External Affairs	—	—
(vi)	Committee on Finance	4	—
(vii)	Committee on Food, Civil Supplies and Public Distribution	—	—
(viii)	Committee on Labour and Welfare	—	—
(ix)	Committee on Petroleum and Chemicals	—	—
(x)	Committee on Railways	—	—
(xi)	Committee on Urban and Rural Development	—	—
21.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		5

**APPENDIX II**

**STATEMENT SHOWING THE WORK  
TRANSACTIONED DURING THE HUNDRED AND  
SEVENTY-FOURTH SESSION OF RAJYA SABHA**

1.	PERIOD OF THE SESSION	31 July to 26 August 1995
2.	NUMBER OF SITTINGS HELD	16
3.	TOTAL NUMBER OF SITTING HOURS	115 hrs and 12 mts.
4.	NUMBER OF DIVISIONS HELD	6
5.	GOVERNMENT BILLS	
	(i) Pending at the commencement of the Session	31
	(ii) Introduced	8
	(iii) Laid on the Table as passed by Lok Sabha	12
	(iv) Returned by the Lok Sabha with any amendment	Nil
	(v) Referred to Select Committee by the Rajya Sabha	1
	(vi) Referred to Joint Committee by the Rajya Sabha	Nil
	(vii) Referred to the Departmentally-related Standing Committees	7
	(Six Bills as introduced in the Rajya Sabha and one Bill as introduced in the Lok Sabha)	
	(viii) Reported by Select Committee	Nil
	(ix) Reported by Joint Committee	Nil
	(x) Reported by the Departmentally-related Standing Committees	9*
	(xi) Discussed	13
	(Including five Money Bills which were returned)	
	(xii) Passed	13
	(xiii) Withdrawn	2
	(xiv) Negatived	Nil
	(xv) Part-discussed	Nil
	(xvi) Returned by the Rajya Sabha without any recommendation	5
	(xvii) Discussion postponed	Nil
	(xviii) Pending at the end of the Session	36
6.	PRIVATE MEMBERS' BILLS	
	(i) Pending at the commencement of the Session	201
	(ii) Introduced	20
	(iii) Laid on the Table as passed by the Lok Sabha	Nil

\* Including the Trade Unions (Amendment) Bill, 1994 whose introduction in the Rajya Sabha was deferred and the Bill has not been introduced in either House

- (iv) Returned by the Lok Sabha with any amendment and laid on the Table
- (v) Reported by Joint Committee
- (vi) Discussed
- (vii) Withdrawn
- (viii) Passed
- (ix) Negatived
- (x) Circulated for eliciting opinion
- (xi) Part-discussed
- (xii) Discussion postponed
- (xiii) Motion for circulation of Bill negatived
- (xiv) Referred to Select Committee
- (xv) Lapsed-due to retirement/death of Member-in-charge of the Bill
- (xvi) Pending at the end of the Session

**7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176  
(MATTERS OF URGENT PUBLIC IMPORTANCE)**

- (i) Notices received
- (ii) Admitted
- (iii) Discussions held

**8. NUMBER OF STATEMENTS MADE UNDER RULE 180  
(CALLING ATTENTION TO MATTERS OF URGENT  
PUBLIC IMPORTANCE)**

Statements made by Ministers

**9. HALF-AN-HOUR DISCUSSIONS HELD**

**10. STATUTORY RESOLUTIONS**

- (i) Notices received
- (ii) Admitted
- (iii) Moved
- (iv) Adopted
- (v) Negatived
- (vi) Withdrawn

**11. GOVERNMENT RESOLUTIONS**

- (i) Notices received
- (ii) Admitted
- (iii) Moved
- (iv) Adopted

**12. PRIVATE MEMBERS' RESOLUTIONS**

- (i) Received
- (ii) Admitted
- (iii) Discussed

(iv)	Withdrawn	
(v)	Negatived	Nil
(vi)	Adopted	Nil
(vii)	Part-discussed	Nil
(viii)	Discussion postponed	1
		Nil
13.	GOVERNMENT MOTIONS	
(i)	Notices received	1
(ii)	Admitted	1
(iii)	Moved	1
(iv)	Adopted	1
(v)	Part-discussed	1
		Nil
14.	PRIVATE MEMBERS' MOTIONS	
(i)	Received	44
(ii)	Admitted	44
(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 THE PARLIAMENTARY COMMITTEE CREATED, IF ANY.	Nil
17.	TOTAL NUMBER OF VISITORS' PASSES ISSUED	1,218
18.	TOTAL NUMBER OF PERSONS VISITED	2,375
19.	MAXIMUM NUMBER OF VISITORS PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	131 on 25 August 1995
20.	MAXIMUM NUMBER OF PERSONS VISITED ON ANY SINGLE DAY AND DATE ON WHICH VISITED	268 on 25 August 1995
21.	TOTAL NUMBER OF QUESTIONS ADMITTED	
(i)	Starred	339
(ii)	Unstarred	2,602
(ii)	Short-Notice Questions	3
22.	DISCUSSION ON THE WORKING OF THE MINISTRIES	Nil

## 23. WORKING OF PARLIAMENTARY COMMITTEES

Name of Committee	No. of meetings held during the period 1 July 1995 to 30 September 1995	No. of Reports presented during the 174th Session
(i) Business Advisory Committee	3	Nil
(ii) Committee on Subordinate Legislation	3	Nil
(iii) Committee on Petitions	6	2
(iv) Committee on Privileges	Nil	Nil
(v) Committee on Rules	Nil	Nil
(vi) Committee on Government Assurances	4	1
(vii) Committee on Papers Laid on the Table	22	Nil

## DEPARTMENTALLY-RELATED STANDING COMMITTEES :

(viii) Commerce	12	1
(ix) Home Affairs	7	3
(x) Human Resource Development	6	3
(xi) Industry	3	Nil
(xii) Science and Technology, Environment and Forests	6	3
(xiii) Transport and Tourism	6	1

## 24. NUMBER OF MEMBERS GRANTED

LEAVE OF ABSENCE 3

## 25. PETITIONS PRESENTED

1

## 26. NAME OF NEW MEMBERS SWORN IN WITH DATES

Sl. No.	Name of members sworn in	Date on which sworn in
1	2	3
1.	Dr. Manmohan Singh	31 July 1995
2.	Shri Parag Chaliha	-do-
3.	Shri V.P. Duraisamy	-do-
4.	Shri O.S. Manian	-do-
5.	Shri R. Margabandu	-do-
6.	Dr. D. Mastnan	-do-
7.	Shri G.K. Mooppanar	-do-
8.	Shri N. Rajendran	-do-

## 27. OBITUARY REFERENCES

Sl. No.	Name	Sitting member/Ex-member
1.	Shri N.P. Chaudhuri	Ex-member
2.	Shri N.G. Ranga	Ex-member
3.	Shri Salam Tombl	Ex-member
4.	Shri Birchandra Deb Burman	Ex-member
5.	Shri Mohammad Usman Arif	Ex-member

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD  
1 JULY TO 30 SEPTEMBER 1995

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
<b>STATES</b>							
Andhra Pradesh L.A.	31.8.95 to 31.8.95	5	2(1)	—	476(127)	150 <sup>(a)</sup>	6
	7.9.95 to 11.9.95	—	—	—	—	—	—
Arunachal Pradesh L.A.	—	—	—	—	—	—	—
Assam L.A.	18.9.95 to 27.9.95	8	9(9)	—	484(160)	192(353) <sup>(b)</sup>	35(23)
Bihar L.A.*	—	—	—	—	—	—	—
Bihar L.C.*	—	—	—	—	—	—	—
Delhi L.A.	7.8.95 to 14.8.95	5	4(3) <sup>(a)</sup>	—	414(319) <sup>(a)</sup>	—	1(1)
Gujarat L.A.	—	—	—	—	—	—	—
Goa L.A.*	—	—	—	—	—	—	—
Haryana L.A.	26.6.95 to 31.7.95	26	6(6)	4(1)	835(618)	79(139) <sup>(a)</sup>	6(0)
Himachal Pradesh L.A.*	—	—	—	—	—	—	—
Jammu & Kashmir L.A. ©	—	—	—	—	—	—	—
Jammu & Kashmir L.C.*	—	—	—	—	—	—	—
Karnataka L.A.*	—	—	—	—	—	—	—
Karnataka L.C.*	—	—	—	—	—	—	—

1	2	3	4	5	6	7	8
Kerala L.A.	26.6.95 to 31.8.95	32	14(15)	7	10382(991)	7419	12(6)
Madhya Pradesh L.A.	—	—	—	—	—	—	—
Maharashtra L.A.	5.7.95 to 9.8.95	25	16(11)	8	(263)	30	283(17)
Maharashtra L.C.	5.7.95 to 9.8.95	25	4(11)	2	2929(745)	18	152(25)
Manipur L.A.*	—	—	—	—	—	—	—
Meghalaya L.A.	8.9.95 to 18.9.95	7	3(4)	—	107(107)	39(39)	—
Mizoram L.A.	27.9.95 to 5.10.95	5	5(2)	4	244(239)	97	—
Nagaland L.A.*	—	—	—	—	—	—	—
Orissa L.A.	28.6.95 to 2.8.95	25	8(8)	8	3335(2568)	2506(4061)	323(20)
Punjab L.A.	18.9.95 to 21.9.95	4	7(7)	—	117(73)	51(30)	—
Rajasthan L.A.*	—	—	—	—	—	—	—
Sikkim L.A.	26.9.95 to 27.9.95	2	5(5)	—	7	9	—
Tamil Nadu L.A.	—	—	—	—	—	—	—
Tripura L.A.	—	—	—	—	—	—	—
Uttar Pradesh L.A.*	—	—	—	—	—	—	—
Uttar Pradesh L.C.*	—	—	—	—	—	—	—
West Bengal L.A.	7.3.95 to 11.8.95	47	27(27)	—	1683(939)	508(658)	11(11)

1	2	3	4	5	6	7	8
---	---	---	---	---	---	---	---

**UNION TERRITORIES**

Pondicherry L.A.\* --- --- --- --- --- --- ---

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

⊕ Dissolved since 19.2.90

Notes : (a) Including Starred Questions admitted as Unstarred

(b) 202 converted to Unstarred Questions

(c) One Bill referred to Select Committee

(d) 414 Starred and Unstarred Questions received and 319 admitted. 91 Questions disallowed and 4 Questions were clubbed together

(e) 139 Questions were admitted as Unstarred







	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Uttar Pradesh L.C.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
West Bengal L.A.	1(1)	—	—	2	1(1)	4	3	4	4	1	—	—	(3)	—	—	80(7) <sup>†</sup>
UNION TERRITORIES																
Pondicherry L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

\* Information received from State/Union territory Legislature contained NIL report

† Information not received

‡ Dissolved since 19.2.90.

Notes :

- (a) Committee on Backward Classes-17 sittings  
 (b) Other Committees-1 sitting  
 (c) Employment Review Committee-4 sittings and 1 report; Act Implementation Committee-1 sitting; Committee on Welfare of other Backward Classes & More other Backward Classes-2 sittings and 2 reports  
 (d) Zila Parishad and Panchayati Raj-38 sittings; Internal Resources and Central Aid-23 sittings; Question and Calling Attention Committee-52 sittings  
 (e) Committee on Unauthorised Construction-5 sittings; Allotment of Land to Educational Charitable Institutions-2 sittings  
 (f) Budget Committee-2 sittings and 1 report  
 (g) Health Committee-7 sittings; Revenue Committee-7 sittings; Tourism Committee-7 sittings and 5 reports; Agriculture & Horticulture Committee-6 sittings and 2 reports; Education Committee-7 sittings and 4 reports; Papers Laid Committee-3 sittings; General Administration Committee-7 sittings and 2 reports; Forest Committee-7 sittings  
 (h) Subject Committee on C and I Department-8 sittings and 1 report; Subject Committee on Revenue, Forest, Ecology & Environment-4 sittings; Housing & Urban Development-7 sittings; Energy-4 sittings  
 (i) Committee on the Welfare of Women & Children-4 sittings; Committee on Environment-8 sittings and 2 reports; Committee on Welfare of Backward Class Communities-4 sittings; Committee on Papers Laid-3 sittings; Subject Committee-1-2 sittings and 2 reports; Subject Committee-III-1 sitting and 2 reports; Subject Committee IV-1 sitting and 2 reports; Subject Committee V-1 sitting; Subject Committee VI-2 sittings and 2 reports; Subject Committee VII-1 sitting and 2 reports; Subject Committee-III-3 sittings and 4 reports; Subject Committee IX-2 sittings and 4 reports; Subject Committee X-3 sittings and 4 reports  
 (j) Panchayat Raj Committee-3 sittings; Employment Guarantee Scheme-6 sittings; Catering Committee-2 sittings

- (k) Employment Guarantee Scheme Committee-6 sittings: Committee on Leave of Absence from sittings of the House (Council)-4 sitting; Panchayat Raj Committee-3 sittings
- (l) Committee on Papers Laid on the Table-4 sittings; Women's Welfare Committee-3 sittings; Subject Committee on Panchayati Raj-1 sittings and 1 report; Subject Committee on Agriculture-1 sitting and 1 report; Subject Committee on Rural Development-1 sitting; Subject Committee on Water Resources-1 sitting and 1 report; House Committee on Medical Colleges-3 sittings; House Committee on Publication of Haribansa Purana-2 sittings
- (m) Committee on Papers Laid to be Laid on the Table-10 sittings
- (n) Subject Committee on Health and Family Welfare-12 sittings and 1 report; On Environment-4 sittings; On Panchayat-4 sittings and 1 report; on Education and Information and Cultural Affairs-6 sittings and 1 report; On Transport-7 sittings and 1 report; On Irrigation and Waterways-10 sittings; On Welfare, Tourism and Sports & Youth Services-12 sittings and 1 report; On Agriculture, Food and Supplies-10 sittings and 2 reports; On Power and Commerce and Industries-7 sittings; On Public Works-6 sittings; Ad-hoc Committee on the Questions of Subject Committees-2 sittings

**APPENDIX IV****LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT  
AND ASSENTED TO BY THE PRESIDENT DURING THE  
PERIOD 1 JULY TO 30 SEPTEMBER 1995**

Sl. No.	Title of the Bill	Date of assent by the President
1	2	3
1.	The Recovery of Debts Due to Banks and other Financial Institutions (Amendment) Bill, 1995	9.8.1995
2.	The Maternity Benefit (Amendment) Bill, 1995	17.8.1995
3.	The Workmen's Compensation (Amendment) Bill, 1995	17.8.1995
4.	The Union Duties of Excise (Distribution) Amendment Bill, 1995	22.8.1995
5.	The Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1995	22.8.1995
6.	The Delhi Rent Bill, 1995	23.8.1995
7.	The Payment of Bonus (Amendment) Bill, 1995	30.8.1995
8.	The Jammu and Kashmir Appropriation (No.2) Bill, 1995	30.8.1995
9.	The Appropriation (No.3) Bill, 1995	30.8.1995
10.	The Appropriation (No.4) Bill, 1995	30.8.1995
11.	*The Constitution (Seventy-eighth Amendment) Bill, 1995	30.8.1995
12.	The Indian Statistical Institute (Amendment) Bill, 1995	5.9.1995
13.	The Textile Undertakings (Nationalisation) Bill, 1995	8.9.1995
14.	The Sick Textile Undertakings (Nationalisation) Amendment Bill, 1995	8.9.1995
15.	The National Commission for Minorities (Amendment) Bill, 1995	8.9.1995
16.	The Sixth Schedule to the Constitution (Amendment) Bill, 1995	12.9.1995

\* The Bill was introduced as the Constitution (Eighty-first Amendment) Bill, 1994. The Short Title of the Bill was changed by the Rajya Sabha through an amendment to clause 1.

APPENDIX V

LIST OF BILLS PASSED BY THE LEGISLATURES OF  
STATES AND UNION TERRITORIES DURING THE PERIOD  
1 JULY TO 30 SEPTEMBER 1995

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

1. The A.P. Prohibition (Amendment) Bill, 1995

DELHI LEGISLATIVE ASSEMBLY

- \*1. The Delhi Lokayukta and Upalokayukta Bill, 1995
2. The Delhi Artificial Insemination (Human) Bill, 1995
- \*3. The Delhi Tax on Entry of Motor Vehicles (Amendment) Bill, 1995

GOA LEGISLATIVE ASSEMBLY

1. The Goa Appropriation Bill, 1995
2. The Goa (Extension of the Electricity (Supply) Act) Bill, 1995
3. The Goa Town and Country Planning (Amendment) Bill, 1995
4. The Goa Shops and Establishments (Amendment) Bill, 1995
5. The Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 1995
6. The Goa Members of the Legislative Assembly (Special Rights) Bill, 1995
7. The Goa Land (Prohibition on Construction) Bill, 1995

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The H.P. Electricity (Taxation on Generation) Bill, 1995
2. The H.P. Municipal (Amendment) Bill, 1995
3. The H.P. Municipal Corporation (Amendment) Bill, 1995
4. The H.P. Non-Biodegradable Garbage (Control) Bill, 1995
5. The H.P. Legislative Assembly (Allowances and Pension of Members) Amendment Bill, 1995
6. The H.P. Aerial Ropeways (Amendment) Bill, 1995

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Mysore (Religious & Charitable (Karnataka Amendment) Bill, 1995
- \*2. The Bangalore Development Authority (Amendment) Bill, 1995
3. The Karnataka Special Tribunal (Amendment) Bill, 1995

---

\* Awaiting assent

4. The Karnataka State Commission for Backward Classes Bill, 1995
- \*5. The Karnataka Regularisation of Unauthorised Constructions in Urban Areas (Amendment) Bill, 1995
- \*6. The Karnataka Municipalities (Amendment) Bill, 1995
7. The Karnataka Municipal Corporations (Second Amendment) Bill, 1995
- \*8. The Karnataka Municipalities (Second Amendment) Bill, 1995
- \*9. The Karnataka Irrigation (Levy of Betterment Contribution & Water Rate) (Second Amendment) Bill, 1995
10. The Karnataka Command Areas Development (Amendment) Bill, 1995
11. The Karnataka Land Revenue (Amendment) Bill, 1995
- \*12. The Karnataka Local Authorities (Prohibition of Defection) (Second Amendment) Bill, 1995
13. The Karnataka Land Reforms (Amendment) Bill, 1995
- \*14. The Karnataka Appropriation (No.2) Bill, 1995
- \*15. The Karnataka Appropriation (No.3) Bill, 1995

#### KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Agricultural University (Amendment) Bill, 1994
2. The Kerala Finance Bill, 1995
3. The Travancore-Cochin Hindu Religious Institutions (Amendment) Bill, 1995
4. The Abkari (Amendment) Bill, 1995
5. The Kerala General Sales Tax (Amendment) Bill, 1995
6. The Kerala Beedi and Cigar Workers Welfare Fund Bill, 1995
7. The Kerala Panchayat Raj (Amendment) Bill, 1995
8. The Kerala Municipalities (Amendment) Bill, 1995
9. The University Laws (Amendment) Bill, 1995
10. The Kerala Appropriation (No.2) Bill, 1995
11. The Kerala Co-operative Societies (Amendment) Bill, 1995
12. The Kerala Cashew Factories (Acquisition) Amendment Bill, 1995
13. The Kerala Advocate's Welfare Fund (Amendment) Bill, 1995
14. The Kerala Appropriation (No.3) Bill, 1995
15. The Kerala State Backward Classes (Reservation of Appointments or Posts in the Services under State) Bill, 1995

#### MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Maharashtra Tax Laws (Levy, Amendment and Validation) Bill, 1995
2. The Maharashtra Finance Commission (Miscellaneous Provisions) (Amendment) Bill, 1995
3. The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Bill, 1995
4. The Maharashtra Appropriation Bill, 1995

---

\* Awaiting assent

5. The Maharashtra Fruit Nurseries (Regulation) (Amendment) Bill, 1995
6. The Maharashtra Employees of Private Schools (Conditions of Service) Regulation (Amendment) Bill, 1995
7. The Maharashtra (Second Supplementary) Appropriation Bill, 1995
8. The Maharashtra Tax Laws (Levy and Amendment) Bill, 1995
9. The Maharashtra Adoption Bill, 1995
10. The Maharashtra Agricultural Universities (Krishi Vidyapeetes) (Amendment) Bill, 1995
11. The Maharashtra Municipal Corporations (Amendment) Bill, 1995

#### MEGHALAYA LEGISLATIVE ASSEMBLY

1. The Meghalaya Excise (Amendment) Bill, 1995
2. The Contingency Fund of Meghalaya (Amendment) Bill, 1995
3. The Meghalaya Appropriation (No. III) Bill, 1995
4. The Meghalaya Legislators' Salaries and Allowances (Amendment) Bill, 1995

#### MIZORAM LEGISLATIVE ASSEMBLY

1. The Mizoram Salaries and Allowances of Government Chief Whip and Deputy Government Chief Whip Bill, 1995
2. The Mizoram (Sales of Petroleum and Petroleum Products, including Motor Spirit and Lubricants) Taxation (Amendment) Bill, 1995
3. The Taxation Laws (Mizoram Amendment) Bill, 1995
4. The Mizoram Professions, Trade, Callings and Employments Taxation Bill, 1995

#### ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Special Courts (Repeal and Special Provisions) Bill, 1995
2. The Orissa Legislative Assembly Speaker's Salary and Allowances (Amendment) Bill, 1995
3. The Orissa Legislative Assembly Deputy Speaker's Salary and Allowances (Amendment) Bill, 1995
4. The Orissa Ministers' Salaries and Allowances (Amendment) Bill, 1995
5. The Orissa Legislative Assembly Members' Salary, Allowances and Pension (Amendment) Bill, 1995
6. The Orissa Luxury Tax Bill, 1995
7. The Orissa Sales Tax (Amendment) Bill, 1995
8. The Orissa Appropriation Bill, 1995

#### PUNJAB VIDHAN SABHA

- \*1. The Punjab General Sales Tax (Second Amendment) Bill, 1995
- \*2. The Punjab Courts (Amendment) Bill, 1995
- \*3. The Indian Stamp (Punjab Amendment) Bill, 1995
- \*4. The Punjab Appropriation (No.3) Bill, 1995
- \*5. The Punjab Appropriation (No.4) Bill, 1995

\* Awaiting assent



- \*6. The Punjab Town Improvement (Second Amendment) Bill, 1995
- \*7. The Punjab State Legislature Officers, Ministers and Members Salaries, Allowances and Facilities Law (Amendment) Bill, 1995

#### **SIKKIM LEGISLATIVE ASSEMBLY**

1. The Sikkim Legislative Assembly Members (Payment of Pension) Amendment Bill, 1995
2. The Sikkim Clinical Establishments (Licensing and Registration) Bill, 1995
3. The Sikkim Manipal University of Health, Medical and Technological Sciences Bill, 1995
4. The Sikkim Panchayat Amendment Bill, 1995
5. The Sikkim Appropriation Bill, 1995

#### **WEST BENGAL LEGISLATIVE ASSEMBLY**

1. The West Bengal Finance Bill, 1995
2. The West Bengal Appropriation Bill, 1995
3. The West Bengal Appropriation (No.2) Bill, 1995
4. The West Bengal Appropriation (Vote on Account) Bill, 1995
5. The West Bengal Taxation Laws (Amendment) Bill, 1995
6. The West Bengal Taxation Laws (Second Amendment) Bill, 1995
7. The West Bengal Taxation Tribunal (Amendment) Bill, 1995
8. The West Bengal Municipal (Amendment) Bill, 1995
- \*9. The West Bengal Municipal Corporation Laws (Amendment) Bill, 1995
10. The Chandernagore Municipal Corporation (Amendment) Bill, 1995
11. The West Bengal Municipal Elections (Amendment) Bill, 1995
- \*12. The West Bengal Central Valuation Board (Amendment) Bill, 1995
13. The West Bengal State Council of Technical Education Bill, 1995
14. The West Bengal University of Animal and Fishery Sciences Bill, 1995
15. The Kalyani University (Amendment) Bill, 1995
- \*16. The West Bengal Non-Government Educational Institutions and Local Authorities (Control of Provident Fund of Employees) (Amendment) Bill, 1995
- \*17. The West Bengal Backward Classes and Finance Corporation Bill, 1995
- \*18. The West Bengal Minorities Development and Finance Corporation Bill, 1995
- \*19. The Bengal Board of Revenue (Repealing) Bill, 1995
- \*20. The Howrah Improvement (Amendment) Bill, 1995
- \*21. The West Bengal Electrical Undertakings (Recovery of Dues) Bill, 1995
- \*22. The West Bengal Co-operative Societies (Amendment) Bill, 1995
23. The West Bengal Panchayat (Amendment) Bill, 1995
24. The Code of Criminal Procedure (West Bengal Amendment) Bill, 1995
- \*25. The West Bengal Transport Undertakings (Prevention of Ticketless Travel) (Amendment) Bill, 1995

---

\* Awaiting assent

**APPENDIX VI**  
**ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD**  
**1 JULY TO 30 SEPTEMBER 1995**

Sl. No.	Title of Ordinance	Date of promulgation	Date(s) on which laid before the House	Date of Cessation	Remarks
<b>UNION GOVERNMENT</b>					
1.	The Payment of Bonus (Amendment) Ordinance, 1995	9.7.1995	31.7.95	—	Replaced by Act of Parliament
2.	The Union Duties of Excise (Distribution) Ordinance, 1995	18.7.95	-do-	—	-do-
3.	The Additional Duties of Excise (Goods of Special Importance) Amendment Ordinance, 1995	-do-	-do-	—	-do-
4.	The Depositories Ordinance, 1995	20.9.95	-do-	—	-do-
<b>STATE GOVERNMENTS</b>					
<b>ANDHRA PRADESH</b>					
1.	The A. P. Prohibition (Amendment) Ordinance, 1995	18.7.95	13.9.95	12.10.95	Replaced by Legislation
<b>ASSAM</b>					
1.	The Guwahati Municipal Corporation (Amendment) Ordinance, 1995	21.04.95	18.9.95	21.9.95	—

Sl. No.	Subject	Date of promulgation	Date on which laid before the House	Date of cessation	Remarks
2.	The Guwahati Municipal Corporation (Amendment) Ordinance, 1995	6.6.95	-do-	—	—
3.	The Missing Autonomous Council Ordinance, 1995	13.7.95	-do-	27.9.95	—
4.	The Lalung Autonomous Council Ordinance, 1995	-do-	-do-	-do-	—
<b>HIMACHAL PRADESH</b>					
1.	The H. P. Municipal Corporation (Amendment) Ordinance, 1995	29.7.95	27.9.95	—	Replaced by Legislation
2.	The H. P. Municipal (Amendment) Ordinance, 1995	-do-	-do-	—	-do-
<b>KARNATAKA</b>					
1.	The Karnataka Municipalities (Amendment) Ordinance, 1995	7.7.95	—	—	—
2.	The Karnataka Agricultural Produce Marketing (Amendment) Ordinance, 1995	13.10.95	—	—	—
<b>MAHARASHTRA</b>					
1.	The Maharashtra Contingency Fund (Amendment) Ordinance, 1995	8.5.95	6.7.95	15.8.95	—
2.	The Maharashtra Tax Laws (Levy, Amendment and Validation) Ordinance, 1995	8.6.95	-do-	-do-	Replaced by Legislation
3.	The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Ordinance, 1995	12.6.95	6.7.95	-do-	-do-

Sl No.	Subject	Date of promulgation	Date on which laid before the House	Date of cessation	Remarks
4.	The Bombay Provincial Municipal Corporation (Amendment) Ordinance, 1995	31.8.95	—	—	-do-
5.	The Maharashtra Legislature Members Removal of Disqualification (Amendment) Ordinance, 1995	11.9.95	—	—	-do-
<b>MEGHALAYA</b>					
1.	Contingency Fund of Meghalaya (Amendment) Ordinance, 1995	9.8.95	8.9.95	10.9.95	-do-
<b>ORISSA</b>					
1.	The Orissa Additional Sales Tax Ordinance, 1995	27.5.95	31.7.95	—	—
2.	The Orissa Sales Tax Ordinance, 1995	5.6.95	31.7.95	—	—
<b>PUNJAB</b>					
1.	The Punjab General Sales Tax (Second Amendment) Ordinance, 1995	25.7.95	19.9.95	—	Replaced by Legislation
2.	The Punjab Courts (Amendment) Ordinance, 1995	-do-	-do-	—	-do-
3.	The Indian Stamp (Punjab Amendment) Ordinance, 1995	28.9.95	19.9.95	—	-do-

**APPENDIX VII**  
**A. PARTY POSITION IN LOK SABHA**  
(As on 27.4.95)

Sl. No.	State/ Union Territory	Seats	Cong. (I)	BJP	CPI(M)	JD	CPI	SAMATA PARTY	AIADMK	JD(A)	TDP	OTHERS	IND./ Nominated	Total Vacancies
<b>(I) STATES</b>														
1.	Andhra Pradesh	42	30	1	1	—	1	—	—	—	7	1 (a)	—	41
2.	Arunachal Pradesh	2	2	—	—	—	—	—	—	—	—	—	—	2
3.	Assam	14	8	2	1	—	—	—	—	—	—	2 (b)	1	14
4.	Bihar	54	2	5	1	17	8	9	—	4	—	6 (c)	2	54
5.	Goa	2	2	—	—	—	—	—	—	—	—	—	—	2
6.	Gujarat	26	6	20	—	—	—	—	—	—	—	—	—	26
7.	Haryana	10	9	—	—	—	—	—	—	—	—	—	—	9
8.	Himachal Pradesh	4	2	2	—	—	—	—	—	—	—	—	—	4
9.	Jammu & Kashmir	6	—	—	—	—	—	—	—	—	—	—	—	6
10.	Karnataka	28	23	4	—	—	—	—	—	—	—	—	—	27
11.	Kerala	20	12	—	4	—	—	—	—	—	—	4 (d)	—	20
12.	Madhya Pradesh	40	26	12	—	—	—	—	—	—	—	1 (e)	—	39
13.	Maharashtra	48	39	5	1	—	—	—	—	—	—	2 (f)	—	47
14.	Manipur	2	1	—	—	—	—	—	—	—	—	1 (g)	—	2
15.	Meghalaya	2	2	—	—	—	—	—	—	—	—	—	—	2
16.	Mizoram	1	1	—	—	—	—	—	—	—	—	—	—	1
17.	Nagaland	1	1	—	—	—	—	—	—	—	—	—	—	1
18.	Orissa	21	13	—	1	2	1	1	—	2	—	—	—	20
19.	Punjab	13	12	—	—	—	—	—	—	—	—	1 (h)	—	13



- f) Shiv Sena - 2
- g) Manipur People's Party - 1
- h) Bahujan Samaj Party - 1
- i) Siddam Sangram Parishad - 1
- j) Janata Party - 1 ; Samajwadi Party - 3 ; Bahujan Samaj Party - 1
- k) All India Forward Bloc - 3 ; Revolutionary Socialist Party - 4





	1	2	3	4	5	6	7	8	9	10	11	12
20.	Rajasthan	10	3	1	—	—	5	—	—	1	10	—
21.	Sikkim	1	—	—	—	—	—	—	1 (i)	—	1	—
22.	Tamil Nadu	18	2	—	—	—	—	—	15 (j)	1	18	—
23.	Tripura	1	1	—	—	—	—	—	—	—	1	—
24.	Uttar Pradesh	34	5	4	—	—	13	3	7 (k)	2	34	—
25.	West Bengal	16	1	—	10	—	—	—	5 (l)	—	16	—
<b>UNION TERRITORIES</b>												
	Delhi	3	—	—	—	—	3	—	—	—	3	—
	Pondicherry	1	1	—	—	—	—	—	—	—	1	—
	Nominated	12	4	—	—	—	—	—	—	4	8	4
<b>TOTAL</b>		245	89	28	13	45	44	12	236	9		

(a) Telugu Desam I-3; C.P.I. - 1; Telugu Desam II- 1

(b) Asom Gana Parishad - 2

(c) C.P.I. - 3

(d) M.L. - 2

(e) Shiv Sena - 1

(f) H.S.P.D.P. - 1

(g) Nagaland People's Council - 1

(h) Rashtriya Janata Dal - 1

(i) Sikkim Sangram Parishad - 1

(j) AIADMK - 1; D.M.K. - 4

(k) Samajwadi Party - 5; Bahujan Samaj Party - 1;

Rashtriya Janata Dal - 1

(l) R.S.P. - 1; CPI - 1; F.B. - 2; Rashtriya Janata Dal - 1

C. PARTY POSITION IN STATE LEGISLATURES

(as on 1.7.1995 )

State/Union territory	Seats	Cong. (I)	Janata Dal	Lok Dal	BJP	CPI (M)	CPI	Other Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12
Andhra Pradesh L.A.	295	26	—	—	3	15	19	224*	5	292	3
Arunachal Pradesh L.A.	60	43	3	—	—	—	—	2 <sup>b</sup>	12	60	—
Assam L.A.	126	66	1	—	10	2	4	29 <sup>c</sup>	14	126	—
Bihar L.A.	325	29	164	—	41	6	26	43 <sup>d</sup>	12	321*	3
Bihar L.C.	96	20	19	—	05	02	06	03*	02	57	39
Delhi L.A.	70	12	4	—	49	—	—	2 <sup>f</sup>	3	70	—
Goa L.A.	40	22	—	—	4	—	—	11 <sup>g</sup>	3	40	—
Gujarat L.A.	—	—	—	—	—	—	—	—	—	—	—
Haryana L.A.	—	—	—	—	—	—	—	—	—	—	—
Himachal Pradesh L.A.	68	53	—	—	07	01	—	—	07	68	—
Jammu & Kashmir L.A.®	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.A.**	—	—	—	—	—	—	—	—	—	—	—
Karnataka L.C.**	75	23	10	—	—	—	—	—	7	48*	26
Kerala L.A.	141	55	2	—	—	26	12	36 <sup>h</sup>	05	138*	3
Madhya Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—
Maharashtra L.A.	289	80	11	—	64	3	—	84 <sup>i</sup>	44	286	3
Maharashtra L.C.	78	46	1	—	08	—	—	8 <sup>j</sup>	12	78	—
Manipur L.A.	—	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A.	60	—	—	—	—	—	—	56 <sup>k</sup>	—	56*	1

	1	2	3	4	5	6	7	8	9	10	11	12
Mizoram L.A.		40	21						9'	10	40	
Nagaland L.A.												
Orissa L.A.		147	79	46		9		1	5"	6	146	1
Punjab L.A.		117	87	1		4	1	4	13"	5	115	2
Rajasthan L.A.												
Sikkim L.A.		32	2						29"	1	32	
Tamil Nadu L.A.												
Tripura L.A.												
Uttar Pradesh L.A.												
Uttar Pradesh L.C.												
West Bengal L.A.		295	42	1			191	6	55"		295	
<b>UNION TERRITORIES</b>												
Pondicherry L.A.**												

\* Excluding Speaker

\*\* Information not received from State Legislature

© Dissolved since 19.2.90

(a) Telugu Desam Party-214; Majlis Bachao Tahreek-2; All India Majlis-Ittehad-ul-Muslimeen-1; Democratic Peoples Front-7

(b) Janata Party-2

(c) Asom Gana Parishad-25; Autonomous State Demand Committee-4

(d) Communist Party (Marxist)-6; Jharkhand Mukti Morcha (Soren)-16; Jharkhand Mukti Morcha (Marandi)-3; Samta Party-6; Bahujan Samaj Party-2; M.C.C.-2; Samajwadi Party-2; Jharkhand Peoples Party-1; Bihar Peoples Party-1; Jharkhand Party (Horo)-1; Champaran Vikas Party-1; Narmada-1

(e) Jharkhand Mukti Morcha-1; MCP-1; Unattached-1

(f) Unattached-2

(g) Maharashtrawadi Gomantak Party-6; United Goan Democratic Party-3

- (h) Muslim League-17; Kerala Congress(M)-6; Kerala Congress (Jacob)-4; Indian Congress (Socialist)-3; Revolutionary Socialist Party-2; National Democratic Party-2; Kerala Congress (B)-2; Kerala Congress-1; C.M.P.-1
- (i) Shiv Sena-73; Peasants and Workers Party-6; Samajwadi Party-3; Maharashtra Vikas Congress-1; Nagvidarbha Andolan Samiti-1
- (j) Peasants and Workers Party-1; Shiv Sena-5; Republican Party of India-2
- (k) U.M.P.F.-38; H.P.U.-10; H.S.P.D.P.-4; P.D.I.C.-1; Unattached-5
- (l) M.N.F.-9
- (m) Jharkhand Mukti Morcha-4; Jharkhand Peoples Party-1
- (n) Bahujan Samaj Party-9; Shiromani Akali Dal-4
- (o) Sikkim Democratic Front-19; Sikkim Sangram Parishad-4; Unattached-6
- (p) All India Forward Bloc-28; Revolutionary Socialist Party-18; Democratic Socialist Party-1; Marxist Forward Bloc-1; Revolutionary Community Party of India-1; Socialist Unity Centre of India-2; Jharkhand Party-1; Independent supported by G.N.L.F.-1; Unattached-1; Nominated-1

# THE JOURNAL OF PARLIAMENTARY INFORMATION

## INDEX TO VOL. XLI (1995)

ADDRESSES	Page		Page
At the Unveiling of the Statue of Pandit Jawaharlal Nehru	119	"The First Conference of the Association of SAARC Speakers and Parliamentarians: An Overview", by R.C. Bhardwaj	234
At the Unveiling of the Statue of Pt. Govind Ballabh Pant	217		
At the Unveiling of the Statue of Shri Jagjivan Ram..	353	"The Tenth Lok Sabha : Initiatives, Innovations and Developments", by R.C. Bhardwaj	365
By the President to Parliament	109		
By the President of the Islamic Republic of Iran, His Excellency, Mr. Akbar Hashemi Rafsanjani to Members of Parliament	226		
<b>ARUNACHAL PRADESH</b>			
		Cabinet Ministers	143
		Deputy Minister	143
		Election results	142
		Ministry constituted	143
		Resignation of members	30
<b>ANDHRA PRADESH</b>			
By-election results	268		
Cabinet Ministers	30	<b>ASSAM</b>	
Death of MLA	415	Reshuffle of portfolios	268
Election results	29		
Election of Speaker	142	<b>AUSTRALIA</b>	
MLA killed	415	Resignation of Deputy Prime Minister	276
Ministry constituted	30		
Ministers of State	30	<b>AZERBAIJAN</b>	
New Government sworn in	29	Emergency declared	34
Political developments	416	PM removed	34
Resignation of member	29	<b>BAHRAIN</b>	
Resignation of Minister	268	Resignation of Government	276
<b>ANGOLA</b>			
New Vice-President	419		
<b>APPENDICES</b>			
	75, 186, 319, 460	<b>BANGLADESH</b>	
<b>ARTICLES</b>			
"Address by the President/Governor and Privilege Issues", by J.K. Prasad	9	Minister removed	489
"Allegations Against Ministers, Members And Strangers", by R.C. Bhardwaj	3	Opposition members resign	276
"Integrated System of Microphone Management, Simultaneous Interpretation and Automatic Vote Recording in Lok Sabha Chamber, by R.C. Bhardwaj	128	Resignation of Minister	276
		<b>BHARDWAJ, R.C.</b>	
		Article, "Allegations against Ministers, Members and Strangers"	3
		Article, "The First Conference of the Association of SAARC Speakers and Parliamentarians: An Overview"	234

	Page		Page
Article, "Integrated System of Microphone Management, Simultaneous Interpretation and Automatic Vote Recording in Lok Sabha Chamber"	128	BOOK REVIEW	172
Article, "The Tenth Lok Sabha: Initiatives, Innovations and Developments"		BRAZIL	
		President sworn in	151
		BULGARIA	
		New President	151
		Parliament dissolved	35
<b>BIHAR</b>		BUREAU OF PARLIAMENTARY STUDIES AND TRAINING (BPST)	
Chief Minister sworn in	269	Courses/Programmes	24,254,405
Election results	270	BURUNDI	
Election of Speaker	269	New President	35
Elections to the Legislature Assembly	143	COLOMBIA	
Leader of the Opposition	269	Emergency declared	419
MLA killed	416	CONFERENCES AND SYMPOSIA	
Ministry constituted	269	The Fourth World Conference on Women	400
Political developments	30	The 40th Commonwealth Parliamentary Conference	19
President's rule	143	The 41st Commonwealth Parliamentary Conference	402
Resignation of Ministers	30,143	International Forum on "Parliament and Local Authorities: Tourism Policy Matters"	251
<b>BIRTH ANNIVERSARIES OF NATIONAL LEADERS</b>		The 93rd Inter-Parliamentary Conference	251
Maulana Abul Kalam Azad	21	The Seventh Commonwealth Parliament Seminar	403
Dr. B.R. Ambedkar	404	Special Session of the Inter-Parliamentary Council on the occasion of the 50th Anniversary of the UN	400
Lokmanya Bal Gangadhar Tilak	404	World Parliamentarians Conference for the support of the United Nations	401
Shri C. Rajagopalachari	22	Birth Anniversary of Maulana Abul Kalam Azad	21
Deshbandhu Chittaranjan Das	21	Birth Anniversary of Dr. B.R. Ambedkar	404
Chaudhary Charan Singh	23	Birth Anniversary of Lokmanya Bal Gangadhar Tilak	404
Shri Dadabhai Naoroji	405	Birth Anniversary of Shri C. Rajagopalachari	22
Mahatma Gandhi	30	Birth Anniversary of Chaudhary Charan Singh	23
Smt. Indira Gandhi	22		
Pandit Jawaharlal Nehru	22		
Shri Lal Bahadur Shastri	20		
Lala Lajpat Rai	252		
Pandit Madan Mohan Malaviya	23		
Pandit Motilal Nehru	404		
Gurudev Rabindranath Tagore	404		
Shri Rajiv Gandhi	405		
Dr. Rajendra Prasad	22		
Dr. Rammanohar Lohia	253		
Netaji Subhas Chandra Bose	252		
Dr. Syama Prasad Mookerjee	404		
Sardar Vallabhbhai Patel	21		

	Page		Page
Birth Anniversary of Deshbandhu Chittaranjan Das	21	The Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1995	153
Birth Anniversary of Dadabhai Naraoji	405		
Birth Anniversary Mahatma Gandhi	20	The Sixth Schedule to the Constitution (Amendment) Act, 1995	424
Birth Anniversary of Pandit Jawaharlal Nehru	22	EDITORIAL NOTE	1,107. 215,351
Birth Anniversary of Smt. Indira Gandhi	22	ESTONIA	
Birth Anniversary of Sh. Lal Bahadur Shastri	22	New Prime Minister	35
Birth Anniversary Lala Lajpat Rai	252	ETHIOPIA	
Birth Anniversary of Pandit Madan Mohan Malaviya	23	New President and Prime Minister	419
Birth Anniversary of Pt. Motilal Nehru	404	FINLAND	
Birth Anniversary of Gurudev Rabindranath Tagore	404	New Foreign Minister	151
Birth Anniversary of Dr. Rajendra Prasad	23	GERMANY	
Birth Anniversary of Shri Rajiv Gandhi	405	Chancellor-re-elected	35
Birth Anniversary of Dr. Rammanohar Lohia	253	GOA	
Birth Anniversary of Smt. Sarojini Naidu	252	Election results	31
Birth Anniversary of Netaji Subhas Chandra Bose	252	Election of Speaker and Deputy Speaker	144
Birth Anniversary of Dr. Syama Prasad Mookerjee	404	Expansion of Cabinet	144
Birth Anniversary of Sardar Vallabhbhai Patel	21	New Governor	270
		New Ministry sworn in	31
CUBA		Political developments	144
New Minister	151	Resignation of Minister	31
DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST		GUJARAT	
The Constitution (Seventy-Seventh Amendment) Act, 1995	279	Death of MLA	144
The Constitution (Seventy-Eighth Amendment) Act, 1995	422	Election results	145
The Indian Panel Code (Amendment) Act, 1995	279	Election of Speaker and Deputy Speaker	146
The Legal Services Authorities (Amendment) Act, 1994	38	Ministry constituted	145
The National Commission for Minorities (Amendment) Act, 1995	424	New Governor	270
		New Parliamentary Secretaries	270
		Reallocation of portfolios	270
		Resignation of Minister	145
		HAITI	
		Political developments	35
		HARYANA	
		Expansion of Cabinet	146
		New Governor	270
		Resignation of Governor	
		HIMACHAL PRADESH	
		By-election results	270

	Page		Page
Death of member	31	Ministry constituted	147
Resignation of Governor	417	No-trust motion defeated	33
<b>IRELAND</b>		Resignation of members	32
New Prime Minister	35	Resignation of Minister	33
<b>ITALY</b>		<b>MANIPUR</b>	
Government wins confidence vote	35	By-election result	273
New Government	151	Death of member	33
Resignation of PM	35	Election of Speaker	149
<b>JAMMU AND KASHMIR</b>		Ministry constituted	148
Extension of President's rule 146,	271	Political developments	33,148
<b>KARNATAKA</b>		Resignation of Minister	273
By-election result	271	<b>MEGHALAYA</b>	
Death of member	271	New Governor	273
Election of Deputy Speaker	32	<b>MEXICO</b>	
Election results	31	New President	36
Election of Speaker	32	Resignation of Minister	36
Independent members join Janata Dal	146	<b>MOROCCO</b>	
Ministry constituted	31	Dissolution of Parliament	151
No-confidence motion rejected	417	<b>MYANMAR</b>	
Resignation of Minister	31	Suu Kyi released	419
<b>KAZAKHSTAN</b>		<b>NAGALAND</b>	
Dissolution of Parliament	151	By-election result	273
New PM	36	Reallocation of portfolios	149
<b>KERALA</b>		Resignation of Ministers	149
By-election result	271	<b>NAMIBIA</b>	
Expansion of Cabinet	271	Election results	36
Government survives no con- fidence motion	146	<b>NEPAL</b>	
New Chief Minister	146	Election of Speaker	36
<b>MADHYA PRADESH</b>		Lower House reinstated by SC	419
By-election result	271	Minister dismissed	419
Death of Minister	31	<b>NIGERIA</b>	
<b>MAHARASHTRA</b>		Dissolution of Cabinet	151
By-election result	272	<b>ORISSA</b>	
Death of Minister	417	By-election result	273
Election results	147	Death of member	273
Election of Speaker and Deputy Speaker	147	Election result	149
Expansion of Cabinet	272	Ministry constituted	150
Government wins vote of Confidence	148	New Governor	273
		<b>PAKISTAN</b>	
		Minister removed	36



	Page		Page
PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS		a member in performing his parliamentary duties by a Government officer	
Developments abroad	34,151,	UTTAR PRADESH LEGISLATIVE ASSEMBLY	
	276,419	Alleged disrespect shown to a member by a police officer	136
Developments around the States	29,142,	Alleged misleading of the House by a Minister	136
	268,415	Alleged disrespect shown to members by a Minister	260
Developments at the Union	29,141,	Alleged disrespect shown to a member by a public officer	260
	266,414		
PARLIAMENTARY DELEGATIONS		WEST BENGAL LEGISLATIVE ASSEMBLY	
Foreign Delegations Visiting India	23, 253	Alleged misreporting of the proceedings of the House by a newspaper	261
Indian Delegations going abroad	24, 254	PROCEDURAL MATTERS	
		LOK SABHA	
PARLIAMENTARY EVENTS AND ACTIVITIES		Admissibility of Notice of Adjournment Motion	27
Feature	19,251	Allegatory remarks against Chief Minister of a State expunged	27
	400	Allegatory remarks against leader of a political party expunged	28
POLAND		Allegatory remarks against Rajay Sabha Secretariat expunged	28
New Prime Minister	152,418	Conduct of persons in high authority should be discussed through a substantive motion drawn on paper terms	265
PONDICHERRY		Derogatory remarks against member expunged	27
Defeat of no-trust motion	150, 418	Expunction of derogatory/all-egatory remarks	139,264
New Lt. Governor	273	Government not bound to reply immediately to the points raised by members on the floor of the House	139
PRASAD, J.K.		Instance when allegatory matter, raised by member without prior permission of Speaker, was not recorded	410
Article, "Address by the President/Governor and Privilege Issues"	9	Instance when an all-party parliamentary delegation was	265
PRIVILEGE ISSUES			
LOK SABHA			
Shouting of slogans from the Visitors's Gallery	134		
STATE LEGISLATURES			
ASSAM LEGISLATIVE ASSEMBLY			
Alleged misleading of the House by a Minister	407		
GUJARAT LEGISLATIVE ASSEMBLY			
Alleged casting of reflection on a Parliamentary Committee by a newspaper	134		
Alleged obstruction caused to a member in performing his parliamentary duties by disconnecting his official telephone	256		
MADHYA PRADESH LEGISLATIVE ASSEMBLY			
Alleged obstruction caused to	258		

	Page		Page
deputed to study a specific situation		Instance when the Prime Minister replied to clarifications sought by members	28
Instance when both submissions on statement regarding Government Business for the ensuing week and matter under Rule 377 were allowed same day	139	Matters within the jurisdiction of the Speaker are not raised on the floor of the House	265
Instance when division was held over to next day due to lack of requisite majority	411	Reference to the CEC not permitted to go on record	139
Instance when due to sudden sitting fixed for the last working day of the week on which the House was scheduled to sit, notices for raising matters under Rule 377 for the subsequent week were entertained from 1700 hrs. on Wednesday	266	References to State Legislative Assembly expunged	28
Instance when the House was adjourned before scheduled time	265	Resolution regarding the Fiftieth Anniversary of the Atomic Bombing of Hiroshima and Nagasaki	411
Instance when the House was adjourned on the demise of a member even though he died the previous day	265	PUNJAB	
Instance when item regarding Matters under Rule 377 included in the List of Business was postponed to next day	140	By-election result	273
Instance when an item listed in the List of Business not taken up for consideration	140	CM killed	418
Instance when a matter regarding shouting of slogans from the Visitors' Gallery could not be brought before the House the same day by the Chair and contemnors were kept in Parliament House under the custody of the Watch and Ward	139	Death of MLA	418
Instance when a member was permitted to raise a matter in Sanskrit although notice was given in Hindi	264	RAJASTHAN	
Instance when members demanded the early laying of revised Action Taken Report on the Table of the House	27	By-election result	274
		Cabinet expanded	33
		Death of Minister	150
		Election of Speaker	274
		RECENT LITERATURE OF PARLIAMENTARY INTEREST	
		Feature	68, 181, 312, 456
		RUSSIA	
		Deputy PM relieved	152
		Minister dismissed	36
		No-confidence motion defeated	36
		Resignation of Minister	36
		SESSIONAL REVIEW	
		LOK SABHA	
		Agreement between the Doordarshan and the Turner International Inc.	431
		Announcement regarding the live telecast of the proceedings of the Question Hour	55
		Atrocities on women and problems faced by them	284
		Budget (General), 1995-96	161
		Commemoration of the Fiftieth Anniversary of the United Nations	54

	Page		Page
Constitution (Eighty-first Amendment) Bill, 1995	440	Situation arising out of the burning of Charar-e-Sharief in Kashmir	285
Constitution (Eighty-sixth Amendment) Bill, 1995	292	Some aspects of the investigation and trial of Shri Rajiv Gandhi assassination case	288
Cotton Transport Repeal Bill, 1994	164	Statement by Minister regarding imposition of President's Rule in Bihar	163
Draft Agriculture Policy	432	Statement on the Dabhol Power Project	428
General Discussion on the Budget (Railways) 1995-96, Resolution regarding the Ninth Report of the Railway Convention Committee and Demand for Grants, 1995-96 and Demand for Excess Grants, 1992-93	282	Statement on the World Trade Organization (WTO)	428
Government's decision to ratify the agreement establishing the World Trade Organisation	55	Statutory Resolution re: Disapproval of Special Protection Group (Second Amendment) Bill, 1994	57
The Indian Penal Code (Amendment) Bill, 1995	290	Statutory Resolution regarding approval of the continuance in force of the Presidential Proclamation in respect of Jammu and Kashmir	155
Indian Telegraph (Amendment) Bill, 1995	439	Statutory Resolution regarding Disapproval of Customs Tariff (Amendment) Ordinance, 1994 and Customs Tariff (Amendment) Bill, 1995	156
Maternity Benefit (Amendment) Bill, 1995	438	Statutory Resolution regarding Disapproval of the Securities Laws (Amendment) Ordinance, 1995 and the Securities Laws (Amendment) Bill, 1995	158
Motion regarding the Vohra Committee Report on the Criminalization of Politics	434	Statutory Resolution regarding Disapproval of the Patents (Amendment) Ordinance, 1994 and Patents (Amendment) Bill, 1995	291
Motion of Thanks on the Address by the President	280	Statutory Resolution regarding approval of the Continuance in force of the Presidential Proclamation in respect of Jammu and Kashmir	286
National Environment Tribunal Bill, 1992	290	Statutory Resolutions re: Disapproval of the Sick Textile Undertakings (Nationalization) Amendment Ordinance, 1995 and the Disapproval of Textile Undertakings (Nationalization) Ordinance, 1995; and the Sick Textile Undertakings	436
Obituary references			
	958, 294, 442		
Question Hour	58, 293, 441		
Railway Budget, 1995-96	159		
Recovery of Debts due to Banks and Financial Institutions (Amendment) Bill, 1994	83, 541, 292		
References regarding the 53rd Anniversary of the Quit India Movement	436		
Resolution regarding 50th Anniversary of the Atomic Bombing of Hiroshima and Nagasaki	435		
Sixth Schedule to the Constitution (Amendment) Bill, 1994	441		

	Page		Page
(Nationalization) Amendment Bill, 1995 and the Textile Undertakings (Nationalization) Bill, 1995		Need for having a national consensus on India's nuclear policy with reference to the Nuclear Non-proliferation Treaty (NPT)	301
Trade Marks Bill, 1993	291		
Train accident at the Ferozabad Station	430	Nexus between criminals and politicians in the context of the Vohra Committee Report	443
Workmen's Compensation (Amendment) Bill, 1995	437	Obituary references	63, 307, 452
<b>RAJYA SABHA</b>		Ongoing mass agitation in the hill areas of Uttar Pradesh for a separate uttarakhhand State	60
Banking Companies (Acquisition and Transfer of Undertakings) Amendment Bill, 1995	167	Payment of Bonus (Amendment) Bill, 1995	449
Budget (General), 1995-96	298	Problem of making available adequate potable water in all the villages, bastis and habitations in the country	442
Budget (Railways) 1995-96	297	Question Hour	63, 307, 452
Cable Television Network (Regulation) Bill, 1993	62	Reservation in promotion for the Scheduled Castes and Scheduled Tribes in Government Services	166
Customs Tariff (Amendment) Bill, 1995	168	Sick Textile Undertakings (nationalization) Amendment Bill, 1995 and the Textile Undertakings (Nationalization) Bill, 1995	451
Delhi Rent Bill, 1994	304	Situation arising out of the non-payment of wages, default in payment of statutory dues, virtual closing down of a number of public sector undertakings (PSUs) all over the country and failure of the Board for Industrial and Financial Reconstruction (BIFR) to take a view on sick PSUs and in some cases refusal of financial institutions to advance money for their revival	165
Deepening crisis in the Handloom Industry	301	Situation arising out of increasing foreign debt of the country	303
Gian Prakash Committee Report	61	Situation arising out of the signing of an agreement between the Doordarshan and the CNN	444
Government's decision to hand over the Balladilla Mines being run by the National Mineral Development Corporation to a Calcutta based private firm	446	Sixth Schedule to the Constitution (Amendment) Bill, 1995	450
Government's decision to ratify the agreement establishing the World Trade Organization	59		
Inadequate representation of SCs and STs in Class-I, II, III and IV Government Services and Public Undertakings	302		
Industrial Development Bank of India (Amendment) Bill, 1994	166		
Maternity Benefit (Amendment) Bill, 1995	306		
Motion of Thanks on the address by the President	295		
National Environment Tribunal Bill, 1995	304		
National Highway (Amendment) Bill, 1995	305		

	Page		Page
The prevailing situation in Jammu and Kashmir	448	<b>KARNATAKA LEGISLATIVE ASSEMBLY</b>	
Trade of vital human organs	447	Address by the Governor	308
Workmen's Compensation (Amendment) Bill, 1995	305	Financial Business	308
		Legislative Business	308
<b>STATE LEGISLATURES</b>		<b>MADHYA PRADESH LEGISLATIVE ASSEMBLY</b>	
<b>ANDHRA PRADESH LEGISLATIVE ASSEMBLY</b>	<b>AS-</b>	Address by the Governor	309
Address by the Governor	63	Financial Business	309
Election of Speaker and Deputy Speaker	64	Legislative Business	309
Legislative Business	64	Obituary references	309
Obituary references	64	<b>MAHARASHTRA LEGISLATIVE ASSEMBLY</b>	
<b>ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY</b>		Address by the Governor	309
Election of Speaker and Deputy Speaker	168	Election of Speaker and Deputy Speaker	309
Financial Business	168, 307	Financial Business	65, 310
Governor's Address	168	Legislative Business	65, 310
Legislative Business	64	Obituary references	65, 310
Obituary references	169, 307	<b>MAHARASHTRA LEGISLATIVE COUNCIL</b>	
<b>ASSAM LEGISLATIVE ASSEMBLY</b>		Financial Business	65
Address by the Governor	308	Legislative Business	64
Financial Business	308	Obituary references	65
Legislative Business	308	<b>MANIPUR LEGISLATIVE ASSEMBLY</b>	
Obituary references	308	Address by the Governor	310
<b>DELHI VIDHAN SABHA</b>		Election of Speaker and Deputy Speaker	310
Election of Deputy Speaker	453	Financial Business	310
Legislative Business	64	Obituary references	311
Obituary references	64	<b>NAGALAND LEGISLATIVE ASSEMBLY</b>	
<b>GOA LEGISLATIVE ASSEMBLY</b>		Governor's Address	170
Election of Speaker and Deputy Speaker	169	Financial Business	171
Financial Business	169	Legislative Business	171
Governor's Address	169	Obituary references	171
Legislative Business	169	<b>ORISSA LEGISLATIVE ASSEMBLY</b>	
Obituary references	169	Financial Business	66
<b>GUJARAT LEGISLATIVE ASSEMBLY</b>		Legislative Business	66
Election of Speaker and Deputy Speaker	170	Obituary references	66
Financial Business	170	<b>SIKKIM LEGISLATIVE ASSEMBLY</b>	
Governor's Address	170	Financial Business	455
Legislative Business	170	Legislative Business	455
Obituary references	170	Obituary references	455

	Page		Page
WEST BENGAL LEGISLATIVE ASSEMBLY		USA	
Legislative Business	67	Election of Speaker	37
Obituary references	67	Republican Party in majority	37
SIKKIM		UTTAR PRADESH	
Election results	34	By-election results	274
Election of Speaker and Deputy Speaker	34	Death of MLA	418
New Ministry	34	Death of members	150
Opposition members join SDF	150	Election of Speaker	418
SOUTH KOREA		Formation of new party	274
New Prime Minister	36	JP member joins ruling party	34
SRI LANKA		Ministry constituted	274
New President	36	Political developments	274
New Prime Minister	37	WEST BENGAL	
STATE LEGISLATURES		By-election results	276
Bills passed	93, 194, 336, 475	Death of member	34
Ordinances issued	95, 201 338, 479	New Minister	151
Party position	103, 212 338, 487	No-confidence motion defeated	419
Statement showing activities	84, 186, 328, 467	YEMEN	
SUMMARY OF BOOKS	176	President elected	37
SWITZERLAND			
New President	37		
TADJIKISTAN			
Deputy PM killed	37		
TAMILNADU			
Member disqualified	274		
Ministers dropped from Cabinet	418		
TRIPURA			
New Governor	274		
New Ministry	34		
Ministers inducted	418		
TURKEY			
Minister resigns	37		
UKRAINE			
New Prime Minister	37		
UNITED KINGDOM			
Minister resigns	37		
Political developments	419		