

# THE JOURNAL OF PARLIAMENTARY INFORMATION

THE SPEAKER AND THE USE OF PRECEDENT AND DISCRETIONARY  
POWERS OF THE CHAIR

Tan Sri Dato Mohamed Zahir

THE POLITICAL POSITION OF THE PRESIDING OFFICER OUTSIDE  
PARLIAMENT WITH SPECIAL REFERENCE TO GENERAL ELECTION

T.R. Vakatora

THE ONE-PARTY PARLIAMENT AND THE WESTMINSTER SYSTEM

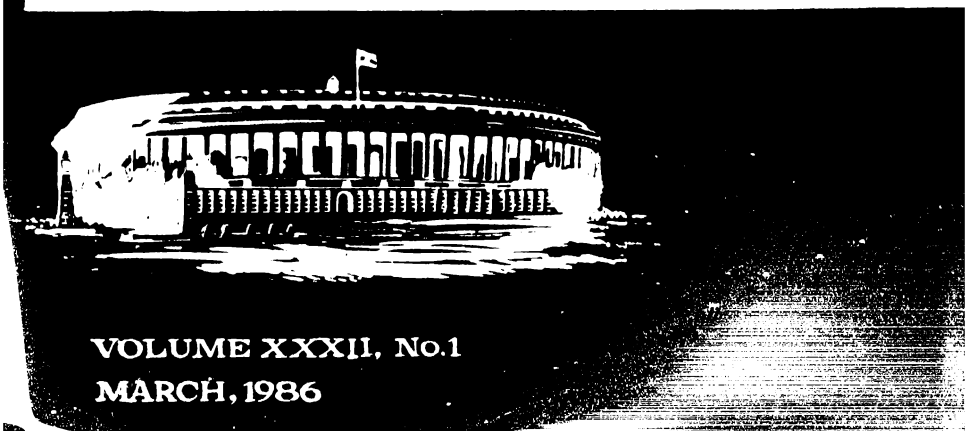
—D.N.E. Mutasa

REGISTRATION AND DECLARATION OF PECUNIARY INTERESTS OF  
MEMBERS IN AUSTRALIA

—Dr. H.A. Jenkins

EIGHTH CONFERENCE OF COMMONWEALTH SPEAKERS

—Dr. Subhash C. Kashyap



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# THE JOURNAL OF PARLIAMENTARY INFORMATION

Editor: DR. SUBHASH C. KASHYAP

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

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## EDITORIAL NOTE

The Eighth Conference of Commonwealth Speakers and Presiding Officers about which we wrote in the last issue of the *Journal* was held successfully in New Delhi on 6-8 January, 1986. Some of the Hon'ble Speakers who came to participate in the Conference contributed informative and useful papers. One of the papers on "The Speaker and the Use of Precedent and Discretionary Powers of the Chair" by Mr. Speaker Tan Sri Dato Mohamed Zahir of Malaysia is being published as the first article in this issue. He says at the outset that the two subjects are inter-related since it depends to a certain extent on the discretion of the Speaker whether or not to follow any precedent. He dwells on the role and importance of precedents in the Malaysian parliament in Particular and narrates in detail the practical difficulties experienced by him in using his discretion to follow a precedent.

In the second article on "The Political Position of the Presiding Officer outside Parliament with special reference to General Election", Mr. Speaker T R. Vakatora of Fiji, argues that since "a person cannot become a Speaker unless, except in a few cases, he is elected to a seat in Parliament," a Speaker must be fully involved politically outside the parliament and during a general election. He says that a member playing a political role outside Parliament and during a general election, could satisfactorily function as a Speaker, if he possesses the rare qualities of maturity and high calibre combined with dignity, diplomacy, respect, patience, resolution, tolerance, impartiality, flexibility, humour, fair-play and commonsense.

The third article on "The One-Party Parliament and the Westminster System" is by Mr. Speaker D.N.E. Mutasa of Zimbabwe who traces the history and the process of colonisation and emphasizes that the Westminster parliamentary system was introduced in the former British colonies to suit the rulers. Mr. Mutasa says that adoption of one-party system in some countries of Africa after their independence has served their interests best. He considers the one-party system as more democratic than the multi-party system if the fundamental essentials of democracy, viz., free and periodic elections, free discussion and communication at all levels, freedom to criticise the government, maintenance of the rule of law, and respect for human rights and dignity, are recognised and adhered to. He highlights the peculiar demerits of the Westminster system and concludes that "the Westminster system is like a university degree that one-party Parliament can easily graduate into".

In his article on "Registration and Declaration of Pecuniary Interests of Members in Australia," Dr. H A. Jenkins, former Speaker, House of Representatives, Australia discusses in detail the constitutional provisions and Standing Orders in Australia on registration and declaration of the pecuniary interests of the members of Parliament.

The last article in this issue sums up the momentous events and lively debates on the subjects discussed at the Conference besides Delegates' impressions about it.

As usual, the issue carries the other regular features, viz., parliamentary events and activities, wit and humour in Parliament, privilege issues, procedural matters, parliamentary and constitutional developments in India and abroad, documents of constitutional and parliamentary interest and a brief resume' of the sessions of the two Houses of Parliament and of the State Legislatures.

We congratulate and extend our heartiest felicitations to Sarvashri Ravi Inder Singh and Pulakesh Baruah on their election as Speakers and Sarvashri Nirmal Singh Kahlon and Altaf Hussain Mazumder as Deputy Speakers of the Punjab and Assam Legislative Assemblies respectively.

We are constantly endeavouring to make this *Journal* more readable and informative and, would always welcome suggestions for further improvements.

—SUBHASH C. KASHYAP

## THE SPEAKER AND THE USE OF PRECEDENT AND DISCRETIONARY POWERS OF THE CHAIR\*

TAN SRI DATO MOHAMED ZAHIR

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It would be more convenient for me to join these two subjects under one paper, because I think, both matters are interrelated. In fact to a certain extent whether or not to follow any precedent depends on the discretion of the Speaker. There may be even two or three precedents made on the same matter and it is therefore up to the discretion of the Chair which one to follow or even to create a new precedent. Precedents in most countries in the Commonwealth having young Parliaments depend largely on the requirement of that particular country or, if the Speaker thinks that the precedent as set out in the Westminster is a good one, not being repugnant with any local custom, he may adopt it.

But the main consideration is this. Do Parliaments have to bind their decisions with precedents, irrespective whether any particular precedent has outlived its usefulness? If this were to be the case then the principle, which may by itself be a precedent, that a Parliament cannot bind the future Parliament is rendered valueless. In the judiciary, the highest court in the land normally has the inherent power to set aside its own precedents and the precedents of the lower courts. It may set aside any precedents that are repugnant to the order of the day. Thus, a counsel appearing in the highest court may seek to set aside any precedent that may be in his way, but he cannot do so in a lower court which will be bound by the precedents of the higher tribunal. A sub-ordinate court can however set aside its own precedents which is only, to itself, a persuasive authority.

What is the position in a Parliament then? I am of the opinion that precedents in a House are also the persuasive authority, being the highest

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\*This paper was circulated by the author at the Eighth Conference of Commonwealth Speakers and Presiding Officers held at New Delhi on 6-8 January, 1986.

Court in the land a Parliament is entitled to follow any precedent or ignore it altogether or create a new one. Thus looking at it closely, the so-called precedents in a Parliament cannot be regarded as binding precedents that can be relied upon as in the subordinate courts. Although a Speaker will be slow to act against a precedent, yet he will not hesitate to set aside one which he thinks no longer desirable.

It appears that in the courts precedents take the form of decisions or rulings in a particular case, which can be a substantial factor to decide an issue. For instance, the degree of negligence required to hold a person liable in a criminal case against the accused or, in a civil case, against the plaintiff. Whereas in the House precedents appear to be more in the form of procedures for the purpose of conducting meetings of the House, because all substantive matters will have to be disposed of by voting.

How then proceedings in the Privileges Committee are conducted? In Malaysia there is a separate law called the House of Parliament (Privileges and Powers) Act 1952. Any person whether a member of Parliament, a Government officer or a member of the public who commits any of the offences enumerated under section 10 of the Act, is liable to a criminal charge under the Act with the Speaker acting as the Chairman sitting together with the members of the Privileges Committee. The manner in which the case is conducted is similar to board enquiries where counsels may represent any aggrieved party and each Member of the Committee may examine, by turn, any witness appearing.

The question whether an accused is guilty or not is decided by a simple majority of votes. Offences under this Act are quite extensive which include bribery, assault, intimidation and libel against a member of Parliament in the course of his or her duty or against the House itself. The Act provides that the law under which evidence will be adduced will be the Evidence Act. However, there is an anomaly in this Act in that only the Attorney General has the power to prosecute. The reason for this defect is that at the time of passing this Act, the Attorney General was a member of Parliament and also a member of Cabinet. In Malaysia, this practice has ceased and now the Attorney General may not be a Member of Cabinet or a member of Parliament. He is now a civil servant. As such he prefers to bring any case before the courts under the Penal Code instead of under this Act which is more cumbersome, there being too many cooks presiding, some of whom may have very little experience in law.

When a person is charged under this Act, should the precedents in courts be followed by the Committee? For instance what constitutes a libel or an intimidation? I am personally of the opinion that the Committee should follow these precedents, in view of the fact that they have been tested, after having gone through many discussions and deliberations by learned judges from time to time. But of course, the Committee may still reject any of these

precedents if they are unsuitable to Parliament on the ground that, for instance, Parliament should give more latitude for criticism. What may be a libel in Court may not be so in Parliament.

However, in Malaysia, it has been a practice that in spite of the 1952 Act, the Committee of Privileges still can, upon being referred to it by the House, try any person for committing contempt of the House when the House is in session. But when the House is not in session, the Speaker is given the discretion to refer the matter to the Committee if he thinks there is a *prima facie* evidence of contempt. Here the power of the Speaker is absolute as there is no sitting of the House to challenge his decision. Where proceedings are not instituted under the 1952 Act, the procedure adopted in such a case is as provided under the Standing Orders.

In 1625, when there was a struggle for power between the English Monarch and the House, precedents were relied upon by the English Parliament in order to assert authority over the King. When King Charles imprisoned Earl of Arundel to the Tower, the displeased Lords resolved to take the matter into consideration and at the same time "to give no just offence to His Majesty, and yet to preserve the privilege of the Parliament". A Lords Subcommittee for Privileges were appointed to search for precedents concerning the commitment of a peer. They found such precedent which read as follows :—

"That the privilege of this House is, that no Lord of Parliament, sitting the Parliament, or within the usual times of privilege of Parliament, is to be imprisoned or restrained, without sentence or order of the House, unless it be for treason or felony, or for refusing to give surety for the peace".

Standing Orders have been drawn by every House of Parliament in almost all countries for its own use relating to the procedures by which the Speaker will be guided to conduct meetings. Some of these procedures were before precedents that had been followed for a considerable period of time, for instance the manner of electing a Speaker or the manner in which a Monarch addresses both Houses outlining the Government's policy speech.

But there are many matters that simply cannot be embodied in the Standing Orders Book and which are left to the discretion of the Speaker to decide. For instance, (and this is quite a common occurrence) the use of any particular word or phrase in the House, considered to be a borderline case of being parliamentary or unparliamentary. The Speaker here has to use his discretion based on his personal knowledge as to the prevailing meaning and acceptance of the word or phrase, and once he makes a ruling one way or another, then such a ruling shall be a precedent whenever the same situation arises in the future. The interpretation of the Standing Orders is another example.

There are also cases where precedents are created by decisions of the House itself, for instance a resolution passed by the House directing the country's Police Chief to facilitate attendance of members to the House. But there are more precedents created in Committees which are usually in the form of procedures for their own proceedings. In Malaysia, the Privileges Committee recently ruled that for its proceedings the Criminal Procedure Code be followed whenever applicable.

I find that the use of certain discretionary power is most difficult. When I have to limit an Opposition member his speaking time, or limit his supplementary question, he may remark that the Opposition is not given the opportunity to present their views. When I do so with a Government member, there is also a complaint that the Speaker is not giving them their fair share of time to govern the country.

Lord Selwyn-Leoyd in his book, "*Mr. Speaker, Sir*" wrote saying that he made a book which he called "Blue Book" where he recorded the speech of every member and the time taken by such member to make the speech. When there was any complaint by any member, he would refer to the book and would tell the member how many times and for how long he had already spoken.

The position may be worse if the Standing Orders limit the number of days in order to debate on any particular matter, for instance in Malaysia the debate on the Budget has to be completed in 27 days. The Speaker is bound to complete the debate within the time prescribed. What if he fails to complete the debate within the prescribed time? Does this make the decision null and void? I remember in the old days in the Malaysian Parliament if the Speaker overlooked certain requirements of the Standing Orders, he would declare all the previous proceedings to be out of order and expunge them from the records and would order the proceedings to start afresh. It would not be that bad if the proceedings to be taken again were short. But if the matter took days to complete, this would be a waste of time. Fortunately such cases were few.

For this reason in the Malaysian Parliament, the Standing Orders have been amended recently to provide that where in making any decisions there has been a failure on the part of the House or any Committee to comply with any provision of the Standing Orders, such failure will be treated as an irregularity and will not nullify the proceedings taken. This is in line with the rules provided in the Civil Procedure Codes used by the High Courts.

The principle that a Speaker will point to any member who first catches his eye to speak is not practicable. If this is the case then the persons seated nearest to the Speaker will always be speaking. Thus a Speaker should not follow this rule rigidly, as he would then be inviting complaints from members who are seated at the back. Since a Speaker can almost see all the members who are standing to speak, here again there is another discretion for the

Speaker to decide who and who is to speak. Notwithstanding the "catch eye" rule I will try to allow every member to speak, if not in one Bill then in another. Even then there are dissatisfactions. Some Members will even pass notes up to the Chair asking permission to speak.

In Malaysian Parliament, there is another aspect that may not be similar with other Commonwealth Parliaments. In that the Speaker is delegated with the discretionary power of granting leave to members who wish to be absent from attending any sittings for a continuous period of six months. This power is actually the power of the House, but it has been proved to be inconvenient for the House to decide on such matter, particularly when the House is not sitting. The Speaker is required to inform the House whenever such leave has been granted. This leave of absence is necessary because our Constitution provides that if a member is absent for a continuous period of six months, the House may declare his seat to be vacant. In my experience as a Speaker the exercise of my discretion in this respect is more of a formality than anything else, for I never had the occasion to refuse any application for leave and no one has ever questioned any of my decisions.

A number of discretionary powers of the Speaker are especially provided for in the Standing Orders, such as the sitting of the members in the House, whether a question to a Minister is to be rejected, whether to allow the reduction or dispensation of time required in respect of a notice on any motion, petition or bill. But the question whether to allow an emergency motion to be debated on a matter of public importance comes up quite frequently, as this is a matter which the Opposition usually resorts to in order to attain a great measure of publicity. For instance, whenever there is a collapse of a bank, or if the Government were to resort to a strong arm's tactic in order to remove some illegal squatters, then I can expect there is such a motion forthcoming. The Opposition knows very well that the Speaker will not allow certain such motions to be debated, as they relate to something that has occurred yet they continue to file them for the purpose of bringing the matter to public notice.

The wordings of the ingredients in our Standing Orders for this motion to be admitted are "a definite matter of urgent public importance". Thus the motion must comply with three requirements, namely, definite, urgent and of public importance. I have found that it has always been easy to conclude that a matter is definite and of public importance. But I would normally reject the motion on the ground it is not urgent, especially when I find out the Government is already doing something about it.

We borrowed this phrase from the Standing Order of the House of Commons. There in 1967, these wordings had been altered to "a specific and important matter that should have urgent consideration". To me, whose mothertongue is not English, I see no significant difference between the two phrases. In order to free the Commons Speaker from precedents, he is not



required to give any reasons for his decisions, I find it rather difficult to envisage precedents forming out of the Chair's ruling on these matters, as there cannot be any two incidents happening in the same manner. I always give my opinions whenever I reject such motions.

Another value of the duty of a Speaker that may not be so pleasant is to be attentive all the time in hearing the speeches made by every member and to check him in his use of words and conduct. There are instances whenever the Speaker checks a member in the course of his speech, an argument will ensue with the member trying to explain what he says is quite decent. A word that may be indecent before may become decent as times and values change as in the case of the book "*Lady Chatterley's Lover*".

Words like "liar" when levelled at another member or "traitor", "black-mail" or "bloody" all, I think have been regarded as unparliamentary in almost all Parliaments. But there are some words such as "arrogant", "baseless", "big-head" "childish attempt", "cock-crowing", or "want of common-sense" which are being allowed in Malaysian Parliament but which are disallowed in the Lok Sabha.\*

A Speaker who is not attentive and fails to stop an unparliamentary word at the time of uttering such word may encounter a problem if any member were to bring this to the notice of the Speaker subsequently. By that time the subject matter of the debate is already over and the member speaking the unparliamentary word is nowhere to be found. I have recently made a ruling in this respect, that any point of order should be brought at the time of the occurrence, and if the matter has passed, then the remedy is to bring a motion for a decision for the member to apologise or to withdraw the offending word. This is a round-about process, but necessary. The motion may even ask for punishment for contempt if the member refuses to comply with the decision of the House.

The trouble is the attitude of some members who leave the maintenance of order in the House solely to the Speaker and they never consider it their joint responsibility to do so. They expect every Speaker in discharging his duties, in giving or refusing discretions or in following precedents or otherwise to have all the virtues generally expected in a Speaker, that is what is described by A.F. Sturgis in his book "*Learning Parliamentary Procedure*" that a Speaker should have "two cups of common sense, well mixed with three pounds of tact and fairness stirred in and plentifully sprinkled with knowledge of Parliamentary law, baked with a few years of experience".

If the cap fits you, then wear it.

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\* See A.R. Mukherjee; *Parliamentary Procedure in India*, (Calcutta, 1983), p. 211-231.

# THE POLITICAL POSITION OF THE PRESIDING OFFICER OUTSIDE PARLIAMENT WITH SPECIAL REFERENCE TO GENERAL ELECTIONS\*

T. R. VAKATORA

## *Introduction*

I have taken the liberty of using the term "Speaker" throughout this paper, although the title refers to the "Presiding Officer." This is done merely for convenience during the preparation of the paper. I would request that wherever the word "Speaker" appears on the paper it should also be interpreted as "Presiding Officer", as the case may be.

The historical development of the offices of Speakers in many Commonwealth countries have been fully described by Mr. Philip Laundy (Honorary Secretary of the Conference) in the new edition of his book entitled, *The Office of Speaker in the Parliaments of the Commonwealth*. I am grateful to him for providing in his book many examples of the political position, sometimes precarious, of a Speaker, which help me in preparing this paper. I do not, however, intend to use his examples again in this paper but to relate them to my own experiences and to the Fiji situation.

## *The Presiding Officer as a Politician*

The prominent question that comes to mind and which must be satisfied is : which comes first, the elected member of Parliament as a politician first and a Speaker last, or *vice versa*.

To my mind a member is a politician first and a Speaker last, because a person cannot become a Speaker unless, except in a few cases, he is elected to a seat in Parliament. It is, therefore, important that although a member of Parliament is elevated to the high office of Speaker, he must not lose sight of

\* This paper was circulated by the author at the Eighth Conference of Commonwealth Speakers and Presiding Officers held at New Delhi on 6-8 January, 1986.

the fact that basically he is a politician. This is very important to a member if he wants to continue with his political career. If he loses sight of that fact it could cost him dearly at the next election.

Some may argue that once a member of Parliament has risen to the high office of Speaker he should be above and keep himself above politics. He should not be seen or heard to be either privately or publicly involved in political issues affecting national policies. Any such involvement by a Speaker can cast a doubt on the respect and dignity of the high office of Speaker. The slightest doubt that may be cast upon the Speaker will lower the respect and dignity of that high office.

I believe that a Speaker can play a low-key political role rather than being involved in national issues. The Speaker can discuss matters which have political connotation with his constituents and pass on their comments and feelings to those higher ups in the political hierarchy. After all he is their political representative in Parliament. I believe, a Speaker can attend as a back-stage observer, a political meeting held by his party in his constituency or elsewhere if only for the reasons of showing his own flag. I believe that a Speaker can participate in such governmental functions as opening of new roads, schools, health centres etc, particularly if such functions are held in his constituency. I believe a Speaker can initiate his own visits to his constituency and elsewhere to inform himself of what is going on in the countryside rather than depending on reports. I believe that a Speaker can contribute to his party's political funds and participate in the party's fund raising activities. These are the types of low profile activities that a Speaker can be involved with if he wants to keep his political link alive. If not, he would undoubtedly be cast by the way-side by his own political colleagues and by his constituents.

### *Needs of the Constituents (Electoralates)*

As the Speaker represents a constituency, he would be expected by his constituents to look into their needs and problems and to explain Government stand on certain controversial issues. He is, therefore, expected to visit his constituency regularly to meet and speak with those who have elected him to Parliament. He is also expected to attend social functions in his constituency or elsewhere such as marriages, funerals or a church service. He contributes to fund raising activities in his constituency such as for a sporting body or for the building of a new school. In attending these functions the Speaker could be asked questions on current political issues or certain controversial Government policies.

Does a speaker refrain from doing these things and also refrain from answering questions because it would be contrary to the norm of his office, that is, to steer clear from politics? I do not think so myself, because I believe that these are normal activities that a member must attend to, and possible questions that can be raised with him when he visits his constituency. He has to try to satisfy the needs of his constituents including the need of

being given a satisfactory explanation about certain Government policies and other current political issues. To refrain from doing so would lower his stand as member with his constituents. I do not think the Speaker has a choice but to attend to the needs of his constituents in the way I have described above.

### *The Speaker vis-a-vis his Party*

If a Speaker is to equip himself with up-to-date information so that he could intelligently answer questions raised with him by his constituents, he ought to keep an open line with his own political party. He should keep himself informed about his party's activities by having access to the party's information system such as circulars, newsletters, etc. He should also have, from time to time, private discussions with his party colleagues who are Ministers. He should also be identified with his party in some ways by being seen with some of his colleagues on informal occasions such as receptions, or at recreational functions. In this way the Speaker could keep his relationship with his party warm so that he would not be completely forgotten and in due course cast aside because of his office. I feel that the Speaker's relationship with his party is imperative and important especially if he wants to contest the next election.

### *Seeking another term*

A Speaker should decide beforehand whether he wants to have an other term in Parliament as a member or as a Speaker. I feel that this question is very important and it is for the Speaker alone to answer it. A number of things will depend on his answer, especially, how he is going to conduct himself during the general elections.

My own view is that when the term of Parliament expires and is being dissolved, all the offices and appointments that were made during the life of that Parliament expire with it. A Speaker therefore, although still holding his office as a caretaker Speaker, for all intents and purposes, is not even an ordinary member of Parliament because of Parliament's dissolution. He should therefore, seek another term in Parliament as a member and not as a Speaker. If he is returned as a member after the election and he still commands the respect of other members of Parliament and he wants it so, he could again be elected to that high office.

I am aware of the arguments advanced about the desirability of a Speaker to contest an election as a Speaker and not as a member. Experiences in Fiji have shown that these arguments were wrong. A Speaker who once proposed to stand as a Speaker did not even get past the first base. Both political parties did not agree with his proposal and in the end he was not even given a ticket by his former political party. Thus his political career was brought to an end. Moreover, even in Parliaments where the doctrine of Speaker standing as Speaker is well established as a convention, the Speaker's seat was at times, still challenged during a general election by candidates who did not

subscribe to that convention. In situations like that in Fiji this challenge is much more pronounced and it would be futile to pretend that a Speaker will be elected for another term just because he is the Speaker.

### *At the General Elections*

If my projected concept that a member of Parliament is a member first and Speaker last and that he should seek another term as a member and not as a Speaker is accepted, it naturally follows that a Speaker must be fully politically involved during a general election. He must no longer play a low profile. He must come out in the open and speak on issues upon which the general election is fought. He must not campaign alone and for himself but with his colleagues and for his party. He must work out his strategy not only to ensure that he will win his seat, but more importantly to ensure that his party is returned with a majority enabling it to form the Government. He should no longer be concerned with whether or not he will be elected to the Speaker's post again. There will be other contenders to that post when Parliament re-assembles after the general election. His energy and drive should be directed towards winning a seat for himself and winning the election for his party. That should be his sole concern until the general election is over.

It is for this reason, I believe, that apart from his status, the Speaker's salary and other office privileges in Fiji have been placed on the same level as those pertaining to Cabinet Ministers. The equation will also facilitate the parallel movements of Cabinet Ministers including the Speaker. Under the Fiji situation, this is a sensible thing to have because the field where Ministers are chosen from after a general election is very limited indeed.

### *Expectations from the Presiding Officer*

After having said all that I have said above, the question that should be asked now is : Can a member who has been playing a political role outside Parliament and during a general election also performs satisfactorily as a Speaker ? Perhaps, I would answer this question, in this way. If I were to write down the job description of the office of Speaker, I would probably write down the following :

'A matured person of a very high calibre imbued with dignity, diplomacy, respect, patience, resolution, tolerance, impartiality, flexibility, humour, a sense of fair play and a good deal of common sense.'

To try and find a person who meets the above job description, is almost impossible. He would be a very rare person indeed. It could be said that he would be next to an angel. But if he can display some of these rare qualities at the appropriate time and in accordance with the mood of the House in a given situation, I believe he can do it, irrespective of his political activities. After all, the main task of a Speaker in Parliament is to ensure that this high institution discharges its responsibilities as expected of it. When a general

election is over, all elected members should put aside their differences and together face the task of nation-building. It is the responsibility of Parliament under the guidance of the Speaker to facilitate the task of nation-building as smoothly as possible.

### *The non-elected Speaker*

It might be appropriate to have one or two words on a Speaker who is not an elected member of Parliament. I presume that most of the arguments expounded in this paper would not apply in his case for the simple reason that the Speaker is not a practising politician. Moreover, he does not belong to a political party. He is, perhaps the ideal Speaker who does not owe any allegiance to anyone and is perhaps seen by all Members of Parliament as absolutely impartial.

### *Conclusion*

This paper may be viewed as one-sided as it only portrayed the concept that the Speaker's political position outside Parliament is one of involvement and not one of aloofness. This is precisely the intention of this paper so that, taking into account the accepted norm that a Speaker must not be involved in politics, the paper could generate some useful discussions.

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*Shri Chandra Shekhar Singh* : I exactly took the House into confidence to say as to what is the bottleneck.....

*Mr. Speaker* : Bottleneck in bottling.

(*L.S. Deb.*, 25 February, 1986)

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## THE ONE-PARTY PARLIAMENT AND THE WESTMINSTER SYSTEM \*

D.N.E. MUTASA

In this paper I shall, but only, try to explain how one party parliaments are an endeavour to relate the Westminster system into the political culture and traditions of the formerly colonised indigenous people.

It is pertinent to say that there was without exception in every British colony before colonisation, an on-going political culture and tradition; be it in Australia, Canada, New Zealand, India or Africa. Some of this culture was destroyed by brute force of conquest or through "protection" and resulted in the establishment of a colony in which British interests were paramount.

The Westminster parliamentary system is based on British culture and traditions. It has worked well for the British who spread it throughout the Commonwealth. It was adapted, in the USA, to fall within an emerging culture of a new independent territory composed of people who came from the UK and various parts of Europe, but not the culture of those who were taken there from Africa as slaves or the indigenous Aborigines, Eskimos, Maoris, Indians and Africans who were conquered and collectively referred to as "the Natives". The Westminster Parliamentary system was introduced to former British colonies to suit the settlers. Colonial legislative councils were, in the main, composed of people from the UK who made laws governing the indigenous majority. Occasionally, representatives of the indigenous majority were appointed to these legislative councils. Pre-independence conferences held at Lancaster House provided for the colony a written constitution aimed at satisfying the interests of the settlers; to ensure their continued stay in the colonies. Little, if any, regard was paid to the interests of the indigenous community. So most of the time of the newly-independent colony was taken

\* This paper was circulated by the author at the Eighth Conference of Commonwealth of Speakers and presiding Officers held at New Delhi on 6-8 January, 1986.

in making amendments to the constitution and existing legislation. In the course of doing that new interests and sometimes conflicts emerged.

Democracy originated and flourished in no-party Greek States, the majority of whose inhabitants were slaves without the right to vote, but not in multi-party Rhodesia, where, for more than half a century, all white minority could have the vote and not the black majority. A worse situation is occurring in South Africa today where blacks have no political rights to determine their human rights and future.

Most ancient polities were monarchies or kingdoms. A move from monarchies occurred in Europe and resulted in republics. The Westminster system retains the Monarch or its representative. The power to run the State is divided between the executive, legislative and judicial branches of the State.

A close look at the functioning of African Kingdoms, before colonisation, reveals that the Monarch did not function in isolation. His counsellors performed legislative, executive and judicial functions. Even in the very centralised Zulu Kingdom, where the King wielded (in theory) absolute power; in practice, he operated within defined limits. He always sought the advice of his council which discussed the Kingdom's policies and programmes. They were always guided by their unwritten but carefully understood traditions which were the law. There were no formal opposition groups. If any such group developed, it left the Kingdom and wandered away to set up a separate kingdom. The entire Kingdom had the same religion and pursued common interests. Apart from the King and his family, the Kingdom had one class of people. It lived in harmony with itself and nature, and respected the rights and territorial integrity of other Kingdoms. These Kingdoms were, in a sense, one-party states.

The colonial era produced boundaries, which sub-divided some Kingdoms. The Kingdoms within the confines of a colonial territorial boundary became one nation. They fell under one British flag and administration. The Kingdoms were made as uniform as possible. Any form of political opposition to the colonial administration was punishable. Gradually, the Kingdoms were forced to disappear. Those that remained had no political power or fell under colonial protection. The end result was that the entire colony was run as a one-party state by a colonial Secretary of State through the Colonial Office.

The ruling party in Britain dictated to what happened in the colonies. There was no formal opposition, in the colonies, to the dictates of the ruling British Party. Those settlers who might have belonged to the opposition party in the UK went along with the Colonial Office which, anyway, ruled the colonies in the interest of the settlers.

The indigenous population was, initially, totally left out of the decision-making process. The argument of the settlers and the Colonial Office seemed to be that "native affairs" had to be conducted through Native Commi



ssioners. The less those Commissioners knew about native affairs the better. Besides, they were civil servants and could not argue with their political masters. They were, however, the link and symbol of the one-party-state nature of events during the colonial period. The indigenous people were spectators of political events that affected their own countries' destinies. They were never consulted and were always blamed.

Then suddenly "the wind of change" blew all over Africa. The colonies had to be independent. Political parties were allowed to be organised to suit Whitehall's wishes. And where Whitehall's view did not suit the settlers' wishes, the emerging indigenous political leaders were detained for "subversive activities". In Kenya, Malawi and Zambia, the emerging African political leadership spent long periods in detention and were released to become political leaders and Heads of their nations. In Zimbabwe, the detained emerging political leaders re-organised their parties into Liberation Movements and fought against the settler regime period to the attainment of national independence.

It is important to stress that right through the political history of British colonies in Africa, the indigenous population never participated in any meaningful political organisation without harassment. However, they participated in united movements to rid themselves of colonial domination. At the end of that domination, Whitehall seemed to desire that there should be political parties including an official opposition. This demand for political opposition groups took no regard of Whitehall's former contention which, though clumsily put, was more in line with African culture and tradition that Kingdoms could not have any formal opposition.

The compulsory end of African Kingdoms, during the colonial period, did not mean the end of our understanding of their political culture and tradition. With the end of colonial foreign domination the unopposed and imposed kingdoms of the various British Colonial Secretaries disappeared and were replaced with new indigenous kingdoms. The political culture of the people, which had never significantly changed right through the colonial period required to be brought forward and organised into an on-going political force for the first time. The new political leadership organised the people to become members of their political organisations. Obviously, they could not organise them into opposition groups. Political power in itself attracts more political support. No one wants to be an outsider. Besides, to be in opposition could be interpreted to mean dislike of the present "kingdom" and preference of the former, and, like in the past, was looked upon contemptuously or as punishable.

In African political culture constructive ideas have always been welcome. Those ideas could be in opposition to the main stream of current thought but were always expressed within the community of interests and intended to lead the whole community towards a higher level. Destructive opposition was not tolerated for obvious reasons. So, that communality of

political thought, interests and expression has to be exercised through a common political party. This way political tradition and culture is advanced to a higher level. What used to be the unwritten traditional law of the political kingdom becomes the constitution of the party and the political organisation of the whole nation. That organisation becomes the supreme body which ensures that the legislative, executive and judicial functions of the state are carried out in accordance with the will and interest of the nation. From this supreme political organisation is derived the various representatives of the nation elected by the people to serve the people's legislative and executive interests.

The establishment of one-party states and the attendant one-party Parliaments, particularly in former British colonies, has aroused interesting debate among various schools of political thought. Most of this debate has revolved around the question of whether the one-party system is democratic, where participants in the debate have accepted that the one-party system is democratic, the discussion degenerate into controversial comparisons of the merits and demerits of the one-party and the multi-party systems.

Today, some political scientists are beginning to accept that the one-party system is more democratic than the multi-party system provided certain fundamental essentials of democracy are recognised and adhered to. These include : free and periodic elections, free discussion and communication at all levels, freedom to criticise the government, maintenance of the rule of law, and respect for human rights and dignity.

Some advocates of orthodox multi-party democracy are slowly thawing to the view that there is no party system that should be considered the sole guarantor of democracy. History has many examples where both systems have produced democratic governments and others where the same systems have yielded to dictatorial, totalitarian and fascist regimes.

Now, we turn to the political organisation of the one party. I give below the structure of the ZANU(PF) Party which I am most familiar with. Its structure and function is similar to that of other parties such as Chama Cha Mapinduzi, the Malawi Congress Party, the United National Independence Party, Kenya African National Union, etc. The following are the principal organs and structure of ZANU (PF) :

(a) *The People's Congress* : This is the policy-making organ of the Party. It convenes in ordinary sessions once in every five years and may convene in extraordinary session during the intervening period.

(b) *The Central Committee* : This is the principal organ for the implementation of the policies and the administration of the affairs of the party.

It is answerable to the People's Congress and has a membership of 90, constituted as follows :

- (i) 42 members elected by the People's Congress upon the nomination of the Central Committee from lists submitted to it by Provincial Executive Councils;
- (ii) 18 members—2 from each of the nine regional provinces of the party;
- (iii) 10 members of the National Executive Council of the Women's League—elected by the National Women's Conference;
- (iv) 10 members of the National Executive Council of the Youth League—elected by the National Youth Conference; and
- (v) 10 members appointed by the President of the Party with the approval of the Central Committee and the People's Congress.

(c) *The Politbureau* : This is the administrative and executive organ of the Central Committee. It has a membership of 15. It supervises governmental agencies through the following five Standing Committees of the Central Committee :

- (i) Economic Committee;
- (ii) Political and Policy Committee;
- (iii) Justice and Constitutional Affairs Committee;
- (iv) Social and Welfare Committee; and
- (v) Defence and Security Committee.

(d) *The National Executive Council of the Women's League* : This is the principal organ of the women's League for the implementation of the policies of the party and the administration of the affairs of the Women's League. It is composed of 22 members of the Women's League.

(e) *The National Executive Council of the Youth League* : This is the principal organ of the Youth League responsible for the implementation of the policies of the Party and the administration of the affairs of the Youth League. It consists of 11 members of the Youth League. The main wing, Women's League and Youth League each have 9 regional *Provinces* made up of all districts in that Province; each *district* is made up of 10 branches or 5,000 members; each *branch* is made up of 10 cells (urban) or 10 villages (rural) or 500 members; and each *cell* or *village* is made up of 10 households or 50 members.

It is important to observe that in the event of the establishment of a one-party state in Zimbabwe there will be countrywide participation in the Party, by all members of the community, at the Cell or Village level right up to the People's Congress. The Party will direct the government because the Party,

not the government provides the policy which emanates from the people. It has their support and loyalty which ties them to the state. The Party integrates the nation by a method that maximizes the opportunity of every citizen to participate on a regular and meaningful basis, in the decision-making-process. The notion that the opposition may have its chance next time does not apply because the minority will be so small that it may never have a chance to form a government.

From the above structure and method of organisation it can be seen that the desire is to mobilise the whole nation into a political awareness that had never occurred before. It is non-sense to say that such an organisation is communist. On the contrary, the organisation is African and serves our interests best. It brings forward into the modern era our political culture and tradition. Indeed communist parties organise themselves in this manner, but it would be ridiculous to claim that they are African. On the other hand, Britain has had political parties for nearly 200 years. The most spectacular development of the twentieth century history of parties in that country is not their rise but their strength and influence. Mass parties have controlled or attempted to control social organisations such as trade unions, youth movements and women groups, as well as newspapers and other media of communication.

Even though parties have existed in Britain for so long, it is surely misleading to equate the Tories and Whigs of the eighteenth century with the Conservative and Labour parties of today. Tories and Whigs were small cliques centred around leading families; they were scarcely more than factions. There is virtually no relationship between those loosely organised political bodies and the large parties of today which claim hundreds of thousands or even millions of members and supporters; with their regular conferences and congresses.

Time has seen the decline of the Liberal Party in the 1930s and the rise of the Labour Party in the years up to the 80s when the Social Democratic Party emerged and formed an alliance with the Liberal Party. How far this will mean the eclipse of the Labour Party in the foreseeable future is yet to be seen. The point is that the difference, in ideological terms, of the two dominating parties in Britain does not seem to us to be as great as is always portrayed. In 1935, the Communist Party (UK) made a formal request for affiliation with the Labour Party. This was rejected by the National Executive of the Labour Party because "the fundamental difference between the democratic policy of the Labour Party and the policy of dictatorship, which the Communist Party had been created to promote, were irreconcilable." Mosely's Fascist organisation did not team up with the Conservative Party. This seems to indicate the middle-of-the-road nature of the dominant British parties. "Parties, in their wish to win elections, whip up popular demands and expectations often with little regard to government's capacity to meet those demands. Hence the voters' feeling of disappointment and betrayal when the Government's performance falls short of the Party's promise."

The adversary nature of the two party system, combined with the all or nothing nature of the single party government breeds excessive partisanship and encourages parties to be irresponsible when they are in opposition. It also produces abrupt reversals of policy when one party replaces the other in government.

There is a tendency for the presentation of poor quality policy concocted while the party is in opposition during which it is in relative ignorance of future circumstances, reactions of the civil service and major interest groups in the world.

The regrettable influence of the Manifesto on British elections encourages the production of a document which may be a piece of window-dressing; something designed to present the party in favoured light, more of an exercise in symbolic than substantive politics. The theory of responsible party government posits a set of relationships between the party, its manifesto and those who vote for the party. It is assumed that voters implicitly or explicitly, support the programme when they vote for the party.

The essence of the conventional defence of the two party system is that at elections voters have the opportunity to choose between different sets of issues and policies and that because of the concentration of power embodied in parliamentary sovereignty and single party government, they may hold the government accountable at the next election. Electoral studies have shown that voting decisions are largely determined by policy considerations, the party's record, competence of leadership and tradition rather than specific issues in the party manifesto. The question has to be asked : do the different party manifestos make any difference as to how the government is going to be run ? Analyses of manifestos do show that there are no clear differences between the two British parties on many policies. So the replacement of one party by another in government will not have much difference.

The point about the limits of the multi-party government may be made more emphatically if we turn to the economy. The party's manifesto promises have increasingly dealt with economic matters—inflation, growth, unemployment and prosperity. What is striking is how little there is a consistent partisan pattern. An analysis by Richard Rose, a political scientist, in "Do Parties make a Difference ?" shows how the growth in public expenditure hardly correlates with changes in party control of government since 1945. If we turn to other macro-economic indicators, such as the size of the public sector deficit, rates of inflation, levels of unemployment and minimum lending rate, there have been a secular rise in each, over time, regardless of party's programmes or policies. The lack of variation of these indicators according to party policy or influence argues for the constraints of circumstances rather than the positive influence of party ideology.

An important question therefore arises : are multi-parties necessary ? Are they not misleading and a waste of leadership resources ? When the leadership

of any country works together for the common good of that country, the country could be a better place to live in and in turn the world. Minus the official opposition, the Westminster system is easily applicable to a one party parliament. This has been so in Zambia since that country became a one-party state.

Quite interesting developments have emerged in Zambia, Tanzania and Kenya in the recruitment of new members of Parliament. In the past, general elections used to be a frightening experience and occasionally led to deaths due to violence during the campaigns. Only one candidate per constituency was put forward by each competing party. Now, and in theory, the party can put forward as many candidates as are willing to stand for election in any one constituency. Since the establishment of a one-party state in Zambia, elections are peaceful. The issue during elections is who is most capable to represent the interests of the people as spelt out in policies formulated during the party congress. Those who are elected to Parliament work within the Westminster system to achieve the objectives set out at congress.

Whether or not the Westminster system should be adapted is a consideration for the future. It requires careful study and thought. If adopted it would be important to take into consideration the various peculiarities of different African and other cultures and traditions. It would be absurd to adapt it to suit the culture of one country. It is important to mention that the practice of the Westminster system is not identical in Canada, Australia and New Zealand but the difference is not all that is noticeable. The Westminster system is, therefore, like a university degree that one-party parliaments can easily graduate into.

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*Shri Somnath Chatterjee* : Yes; and we are thankful to you that you have seen reason today and because you have understood the feelings of the people outside.

*Professor Marhu Danduvate* : Hear, hear !

*Shri V. Sant Sarhe* : What a left-handed compliment !

(*L.S. Deb.*, 21 February, 1986)

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## REGISTRATION AND DECLARATION OF THE PECUNIARY INTERESTS OF MEMBERS IN AUSTRALIA \*

DR. H.A. JENKINS

The registration and declaration of the pecuniary interests of members of the Australian Commonwealth Parliament have been under consideration for a number of years. Four Australian State and Territory legislatures have enacted legislation requiring registration of the interests of their members but despite the adoption by the House of Representatives in October 1984 of resolutions requiring the registration of interests of its members, the register has not yet been established.

It should not be thought from these introductory words that problems of conflict of interest have arisen in the Commonwealth Parliament giving rise to a clamour for the registration of members' interests. On the contrary, the Parliament has been remarkably free of suggestions of impropriety or of members' actions or voting being influenced by personal interest. A requirement for introduction of a system of compulsory registration of interests of members is part of the policy of the present Government but its implementation has proved more difficult than anticipated.

There are existing constitutional and standing order provisions which are relevant to this matter and they are as follows :

### *Constitutional Provisions*

"44. Any person who—

\*                      \*                      \*                      \*                      \*

- (v) Has any direct or indirect pecuniary interest in any agreement with the Public Service of the Commonwealth otherwise than as a member and in common with the other members of an

\*Prepared by Dr. H.A. Jenkins, formerly Speaker of the House of Representatives; presented in his absence by Senator Douglas McClelland, President of the Senate, Australia at the Eighth Conference of Commonwealth Speakers and Presiding Officers held in New Delhi in January 1986.

incorporated company consisting of more than twenty-five persons :

shall be incapable of being chosen or of sitting as a senator or a member of the House of Representatives.”

“45. If a senator or member of the House of Representatives—

- (i) Becomes subject to any of the disabilities mentioned in the last preceding section ; or
- (ii) Takes the benefit, whether by assignment, composition, or otherwise, of any law relating to bankrupt or insolvent debtors; or
- (iii) Directly or indirectly takes or agrees to take any fee or honorarium for services rendered to the Commonwealth, or for services rendered in the Parliament to any person or State :

his place shall thereupon become vacant.”

*Standing Orders of the House of Representatives :*

“196. No Member shall be entitled to vote in any division upon a question (not being a matter of public policy) in which he has a direct pecuniary interest not held in common with the rest of the subjects of the Crown. The vote of a Member may not be challenged except on the substantive motion moved immediately after the division is completed, and the vote of a Member determined to be so interested shall be disallowed.”

“326. No member may sit on a committee if he is personally interested in the inquiry before such committee.”\*

There have been few occasions when matters have arisen in respect of these provisions. In 1938, a Minister resigned from the Ministry when it became apparent that his Department did, in the normal course of activity, by public tender, enter into contracts with a company of which he was a director. In 1977, a Minister resigned from the Ministry when his financial interests were brought into question but was re-appointed following the receipt of independent legal advice clearing him, and his family, of wrong-doing. There have also been occasions when members have not served on committees because of a personal interest in the inquiry. However, there has been no

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\* The Senate has a standing order 292 in identical terms to House of Representatives S.O. 326 but there is no Senate equivalent of S.O. 196.



occasion when a member has been found incapable of sitting as a member in accordance with the constitutional provisions.

In 1974, the Parliament established a joint committee to inquire into whether arrangements should be made relative to the declaration of the interests of members. The committee recommended a system of registration similar to that operating in the House of Commons at Westminster.

Notices of motion to give effect to the recommendations were given on two occasions but lapsed. Following the incident in 1977 concerning a Minister referred to earlier, the Prime Minister established a committee of inquiry into public duty and private interest chaired by a former Minister and later Chief Justice of the Federal Court of Australia. In its 1979 report the committee concluded that there was insufficient justification at that time to introduce a compulsory system of registration of interests. It did, however, recommend the adoption of a code of conduct which included a requirement for *ad hoc* declarations of interest by members. It further recommended that a system, whereby Ministers were required to supply the Prime Minister, on a confidential basis, with statements of their interests, should be continued. The Parliament took no action in respect of the committee's recommendations.

In line with his Party's policy, the newly-elected Prime Minister in 1983 tabled in the Parliament statements by Ministers of the pecuniary interests of themselves and their families. Further statements by Ministers declaring the actual values of those interests were retained by the Prime Minister on a confidential basis as had been the practice since 1973. In tabling the statements, the Prime Minister made it clear that the Government expected that the interests of other members of the Parliament should be similarly registered and available in a public register. Senior public servants and statutory office holders would be required to provide similar details on a confidential basis to the heads of their departments, or their Ministers, as appropriate, and this requirement was put into effect. However, the introduction of the registration requirements for members has not been so easy.

The matter was first referred to the Standing Orders Committees of the House of Representatives and the Senate in October 1983 for advice on the changes that would be necessary to the standing orders to give effect to the proposal. The House of Representatives Committee reported in June 1984 recommending (1) the establishment of a Committee of Members' Interests to oversight the registration requirements; and (2) that the requirements should be given effect by resolutions of the House rather than by amendment of the standing orders. A dissenting report attached to the committee's report objected to the inclusion in the requirements of the interests of a spouse and dependent children. The Senate Standing Orders Committee did not report on the matter,

In October 1984, the House of Representatives adopted a new standing order establishing the Committee of Members' Interests and the following resolutions to have effect from the commencement of the new Parliament :

*(1) Declaration of Members' Interests*

"That within 28 days of making and subscribing an oath or affirmation as a Member of the House of Representatives and within 28 days after the commencement of the first period of sittings in each subsequent calendar year while remaining a Member of the House of Representatives, each Member shall provide to the Registrar of Members' Interests, a statement of—

- (1) the Member's registrable interests, and
- (2) the registrable interests of which the Member is aware (a) of the Member's spouse, and (b) of any children who are wholly or mainly dependent on the Member for support,

in accordance with resolutions adopted by the House and in a form determined by the Committee of Members' Interests from time to time, and shall also notify any alteration of those interests to the Registrar within 28 days of that alteration occurring."

*(2) Registrable Interests*

"That the statement of a Member's registrable interests to be provided by a Member shall include the registrable interests of which the member is aware (1) of the Member's spouse and (2) of any children who are wholly or mainly dependent on the Member for support, and shall cover the following matters :

- (a) shareholdings in public and private companies (including holding companies) indicating the name of the company or companies;
- (b) family and business trusts and nominee companies—
  - (i) in which a beneficial interest is held, indicating the name of the trust, the nature of its operation and beneficial interest; and
  - (ii) in which the Member, the Member's spouse, or a child who is wholly or mainly dependent on the Member for support, is a trustee, indicating the name of the trust, the nature of its operation and the beneficiary of the trust;
- (c) real estate, including the location (suburb or area only) and the purpose for which it is owned;

- (d) interests in companies to be determined by the Committee of Members' Interests;
- (e) partnerships, indicating the nature of the interests, the activities of the partnership and the total amount of its assets and liabilities;
- (f) liabilities (excluding short-term credit arrangements) indicating the nature of the liability and the creditor concerned;
- (g) the nature of any bonds, debentures and like investments;
- (h) saving or investment accounts, indicating their nature and the name of the bank or other institutions concerned;
- (i) the nature of any other assets (including collections, but excluding house-hold and personal effects) each valued at over \$ 5000;
- (j) the nature of any other substantial sources of income;
- (k) gifts valued at more than \$250 received from official sources, or at more than \$100 where received from other than official sources;
- (l) any sponsored travel or hospitality received; and
- (m) any other interests, such as membership of organisations, where a conflict of interest with a Member's public duties could foreseeably arise or be seen to arise."

### **(3) *Register and Registrar of Members' Interests***

**"That—**

- (a) at the commencement of each Parliament, and at other times as necessary, Mr. Speaker shall appoint an officer of the Department of the House of Representatives as the Registrar of Members' Interests and that officer shall also be clerk to the Committee of Member's Interests;
- (b) the Registrar of Members' Interests shall, in accordance with procedures determined by the Committee of Members' Interests, maintain a Register of Member's Interest in a form to be determined by that committee from time to time;
- (c) as soon as possible after the commencement of each Parliament and in each subsequent calendar year during the life of that Parliament, chairman of the Committee of Members' Interests shall table in House a copy of the completed Register of Member's Interests and shall also table from time to time as required any notification by a Member of alteration of those interests; and

- (d) The Register of Members' Interests shall be available for inspection by any person under conditions to be laid down by the Committee of Members' Interests from time to time."

*(4) Declaration of Interests in Debate and Other Proceedings*

"That, notwithstanding the lodgement by a Member of a statement of the Member's registrable interests and the registrable interests of which the Member is aware (1) of the member's spouse, and (2) of any children who are wholly or mainly dependent on the Member for support, and the incorporation of that statement in a Register of Member's Interests, a Member shall declare any relevant interest—

- (a) at the beginning of his or her speech if the Member should participate in debate in the House, committee of the whole House, or a committee of the House (or of the House and the Senate); and
- (b) as soon as practicable after a division is called for in the House, committee of the whole House, or a committee of the House (or of the House and the Senate) if the Member proposes to vote in that division; and -

the declaration shall be recorded and indexed in the *Votes and Proceedings* or minutes of proceedings (as applicable) and in any *Hansard* report of those proceedings or that division :

Provided that it shall not be necessary for a Member to declare an interest when directing a question seeking information in accordance with standing order 142 or 143."

It will be noted that the resolutions required the registration of interests within 28 days of the making of an oath or affirmation in the next Parliament. However, the information was to be provided on a form to be determined by the Committee of Members' Interests. The membership of that committee was not established until the 28th day after the commencement of the new Parliament and on the following day the committee reported to the House that in the time available it had not been able to determine the form and recommended that members be granted a further period of time in which to comply with the registration requirements. The House agreed that this extension should be a period of 28 days from when the forms were sent to members by the Registrar of Members' Interests.

Since that time, the Committee of Members' Interests has been endeavouring to determine a form which can be sent to members by the Registrar. On 8 October 1985, it reported to the House that it had been unable to do so because of difficulties and uncertainties in the requirements contained in the House resolutions of October 1984. It also drew attention to "the inequitable and anomalous situations created by the requirement that members of the

House should register their interests while their Senate colleagues were not so required" and expressed some concern about the public availability of the register. It went on to seek advice whether the requirement was to stand and, if so, requested direction on a number of matters raised in the report.

In an interim response to the committee's report on 29 November 1985, the Leader of the House stated that the Government's view is very clear on the matter. Registration of Members' Interests is an important principle to which the Government has been formally and publicly committed for some years and it was the Government's view that the House of Representatives should proceed to implement the registration proposals notwithstanding the lack of action by the Senate. It was the Government's intention that there should be a public register of interests, including those of a member's spouse and dependent children of which the member was aware. Work would need to be done on the detail of other matters raised by the committee.

It will be obvious from the foregoing that there is a good deal of reluctance to the introduction of a public register of interests. In fact, a cynic might be forgiven for suggesting that if there was unanimous or near unanimous support for the proposal, the difficulties that have been advanced could have been resolved fairly quickly.

In all of the recent discussions in Australia on this issue, two aspects do not appear to have received sufficient attention. The first is the existence of standing order 169 of the House preventing a member from voting upon a question in respect of which that member has a direct pecuniary interest, and also providing for a vote of a member to be challenged on a substantive motion. The second is the assessment of the 1979 committee of inquiry<sup>1</sup> that—

"...in much of the public debate on the disclosure of interests, there has been confusion between declaration and registration. As a consequence, in the public mind, the advantages of registration have been overvalued and the benefits of declaration not sufficiently appreciated. It is not sufficiently recognised, as the Strauss Committee did in relation to members of Parliament, that a general register is directed to the contingency that an interest *might* affect an officeholder's actions<sup>2</sup>. The proper practice should be aimed at revealing an interest when it *does* so."

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1. Australia; *Parl. Paper* 353/1979.

2. U.K. House of Commons; *Select Committee on Members' Interests (Declaration)*, Report 1969-70, H.C. 57.

The committee went on to recommend the adoption by standing order or resolution of requirements along the lines of the United Kingdom House of Commons of 22 May 1974 :

“That, in any debate or proceedings of the House or its committees or transactions or communications which a member may have with other members or with Ministers or servants of the Crown, he shall disclose any relevant pecuniary interest or benefit of whatever nature, whether direct or indirect, that he may have had, may have or may be expecting to have”.

Perhaps the adoption of such a requirement would satisfy all sides of the Australian Parliament. Without it, the difficulties of implementing a compulsory system of registration, with a publicly available register, appear likely to remain.

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*Mr. Speaker* : Why it is always “under active consideration” and not “under consideration” alone ?.....

*Shri Dinesh Goswami* : Sir, you enquired about “consideration” and active consideration”. The question was asked once by a Minister Howker, in the ‘Yes, Minister’. The reply given by the Secretary was that “consideration” means that the file is lost and “active consideration” means that the Government is trying to get back the file.

*Mr. Speaker* : I was only worried about the active use of the ‘active consideration’.

(*L.S. Deb.*, 10 March, 1986)

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## EIGHTH CONFERENCE OF COMMONWEALTH SPEAKERS

SUBHASH C. KASHYAP

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Judging from the response and reactions of the participants, the Eighth Conference of the Commonwealth Speakers and Presiding Officers shall be long remembered. By general acclaim it was one of the most successful. "Its impeccable organisation," many participants have said in different words, "was marked by meticulous care and attention to details". As many as 35 Speakers and Presiding Officers from 25 countries of the Commonwealth accompanied by 27 Secretaries-General/Clerks of their respective Parliaments, assembled in New Delhi from 6 to 10 January, 1986. Nearly 50 Speakers and Presiding Officers and 27 Secretaries from the Legislatures of the States in India attended as observers. With the largest number of participating countries and Delegates this was the best attended Conference of its kind thus far.

The First Conference of Commonwealth Speakers and Presiding Officers was hosted by Canada in 1969. Subsequent Conferences were held in India (1970), Zambia (1973), U.K. (1976), Australia (1978), Canada (1981) and New Zealand (1984). It was thus the second time that India was hosting this Conference.

### *Conference arrangements*

In accordance with the Standing Rules of the Conference, the Speaker of Lok Sabha, Hon. Dr. Bal Ram Jakhar, was the Chairman of the Conference and the Secretary-General of Lok Sabha, Dr. Subhash C. Kashyap, the Secretary-General of the Conference. The secretariat for the Conference was provided by the Lok Sabha Secretariat.

Planning of various organisational arrangements and preparation of briefs, backgrounders and other research materials on the Agenda items was taken in hand several months in advance, resulting in a very smooth conduct of the Conference. No effort was spared to ensure that the distinguished guests received a warm welcome on arrival, had a comfortable stay in the

Capital during the Conference period and received every possible assistance in their work connected with the Conference.

The pace of the Conference activity was stepped up from the eve of the New Year when our guests from the U.K. and Canada arrived. The flights carrying other guests continued to land at Palam thereafter, mostly at unearthy hours of the chilly nights and foggy mornings, till the Conference actually began. Mr. Speaker and the Secretary-General, were at the airport to personally receive as many distinguished visitors as possible.

The notable guests from abroad included Lord Chancellor of the United Kingdom, Rt. Hon. Lord Hailsham; Speaker of the British House of Commons, Rt. Hon. Bernard Weatherill; Speaker of the National Assembly of Zambia, Dr. R.M. Nabulyato, who incidentally has the distinction of having attended all the eight Conferences held so far; Speaker of the Legislative Assembly of Saskatchewan (Canada) Mr. Herb Swan; and the Secretary-General of the Commonwealth Parliamentary Association, Sir Robin Vanderfelt. The Clerks included Sir Kenneth Bradshaw of the British House of Commons who was knighted by the Queen under the 1986 New Year's list of Honours.

### *Standing Committee Meets*

The Standing Committee of the Conference met on 5 January 1986 under the chairmanship of Dr. Jakhar to consider and finalize the Agenda for the Conference. The Committee also agreed to recommend to the main Conference the proposal received from Cyprus for an increase in the quorum of the Standing Committee meetings from 3 to 4 members.

### *The Ceremonial Inauguration*

India's Vice-President, Shri R. Venkataraman, who is also the *ex-officio* Chairman of Rajya Sabha, inaugurated the Conference on 6 January 1986 at a colourful function in the Central Hall of Parliament House, the venue of many a historic event in the annals of India's constitutional and parliamentary history. Many of the Delegates and Clerks from abroad came to the Central Hall wearing their official robes and wigs and thereby adding colour and splendour to the ceremonial.

In his address, Shri Venkataraman described the Presiding Officers as "the conscience-keepers of parliamentary democracy" and observed that while the finality of their decisions constituted an enormous power, it was equally an enormous responsibility. "Both sides, the Opposition as well as the treasury benches," he added, "repose implicit faith in the Presiding Officer's judgement and impartiality." Their affiliations are to the rules of parliamentary procedures and their energies are directed to the unbiased application of those rules to the proceedings, the Vice-President added. On this occasion, he



also expressed concern over the threat of a nuclear holocaust and the continuing menace of the *apartheid* policy of South Africa.

Earlier, in his welcome address, Dr. Bal Ram Jakhar, Speaker of Lok Sabha and the Chairman of the Conference, advised the Presiding Officers "to gear up the legislatures by way of devising and adopting...adequate procedures and working methods so that parliamentary institutions may be able to meet the emerging situations on national and international levels and justify themselves as instruments of peaceful socio-economic transformation."

The Vice-President of India also released a beautiful philatelic cover to commemorate the historic Conference.

### *The Business Sessions*

After the inauguration, the Conference moved over for its business sessions, to the Main Committee Room of the imposing Parliament House Annexe nearby.

Before the actual proceedings started, the Chairman, Dr. Jakhar, released amidst applause, an attractive and informative volume on *Parliaments of the Commonwealth* which was the result of cooperation between the Parliaments of the Commonwealth and pooling of their own resources together. Edited by the Secretary-General of Lok Sabha, the book profiles the organisation and functioning of as many as 42 Parliaments of Commonwealth and contains contributions from Clerks and Secretaries-General of various Parliaments. It has been widely welcomed as a very useful reference volume on Commonwealth Parliaments.

### *Discussions on Subjects*

The Conference had before it a ten-item agenda for discussions, which was spread over five business sessions. Some of them, like "The Declaration and Registration of Pecuniary Interests of Members," "Powers of Upper Houses and their Presiding Officers," "Facilities for Members of Parliament," "Problems of Parliamentary Privileges," "Are Parliamentary Committee systems fulfilling their functions?" "the One-Party Parliament and the Westminster System" and the "Political Position of the Presiding Officers", generated lively debates of a high order.

Initiating the discussion on Committee System, Mr. Speaker, Dr. Jakhar said he had been advocating the establishment of special committees in the Indian Parliament to take up budgetary demands of different ministries for more intensive discussions than is possible under the existing arrangement. The committee discussions, he felt, would avert the guillotining of the demands of several ministries which at present escaped parliamentary scrutiny because of lack of time. He disclosed that in pursuance of the above suggestion, a Memorandum proposing the setting up of *ad hoc* Budget Committees

for pre-voting scrutiny of the Demands for Grants of all Ministries/Departments of the Government of India, was prepared and placed before the Rules Committee for consideration. He was, he said, looking forward to some positive decision in this regard in the near future.

Presiding Officers from several African countries including those of Zimbabwe, Tanzania, Kenya, Malawi and Zambia defended the one-party system in their countries *vis-a-vis* the Westminster model. Hon. D.N.E. Mutasa, Speaker of Zimbabwe, considered one-party system to be more democratic than a multi-party system provided certain fundamental essentials of democracy were recognised and adhered to. These essentials, according to him, were free and periodic elections, discussion and communication at all levels, freedom to criticize the Government, maintenance of the rule of law and respect for human rights and dignity.

The discussion on the political position of the Presiding Officers threw up divergent views, with some Delegates, like Hon. T.R. Vakatora, Speaker of Fiji, suggesting that a Speaker was a politician first and the Speaker last and some others, like Mr. Speaker Bernard Weatherill of the United Kingdom, maintaining that a Speaker should always remain above party politics. The Chairman, Dr. Jakhar, was of the view that while inside the House, the Speaker should be impartial, he would certainly need support of a political party when he has to face the electorate outside. He felt that political parties could help a Speaker to remain impartial by not opposing him at the general elections.

At the final session, the question of throwing open the membership of the Conference to State or sub-national legislatures in future, a subject which had already been discussed a number of times in previous Conferences as well, was raised by Mr. Speaker Bosley of Canada. He desired that State and sub-national legislatures should be allowed to attend the future Conferences. His plea did not, however, find favour with Delegates from Zimbabwe, Australia, Fiji and Trinidad and Tobago for the reason that apart from making the Conferences too unwieldy, it would push enormously the cost factor. The Chairman wound up the discussion pointing out that under the Standing Rules, the host Speaker was already given the option to invite Speakers of State or provincial legislatures of his country as observers.

### *Wit and Humour*

During prolonged and serious discussions, the Conference had its lighter moments as well. Some of the speakers sent the Delegates and Observers into peels of laughter with their witty and humorous observations.

Thus, speaking on "Powers of Upper Houses and of their Presiding Officers" on 7 January 1986, Lord Hailsham, Lord Chancellor of Great Britain, referred to a debate some years ago about *Lady Chatterley's Lover* and added: "The very serious minded peer who was against the acquittal of

*Lady Chatterley's Lover*, said, 'My Lords, which of your Lordship would like to put this disgusting volume in the hands of your wife,' to which a very wise and erudite peer replied, 'I would not mind letting my wife see it but I will be damned if I gave it to my game-keeper'."

The same day, while intervening in the discussion on "The One-Party Parliament and Westminster System," Dr. Bal Ram Jakhar, Speaker, Lok Sabha narrated a joke. He said : "Once a State Secret was stolen and there was a great hue and cry and the police was let loose to find out who the culprit was. Somebody asked : "What is the State secret ?" The reply was that they could not divulge it because it was the election result of 1990.

On the following day, Dr. Jakhar had another hilarious anecdote to share with the Delegates when he told them : "You do not give any options. You know that there was a gentleman who approached a lady and gave her two options and asked her to have either of the two. She asked, 'What are the options ?' The gentleman said : 'Either you marry me or be my wife .'"

Speaking on the same subject, Dr. D.N.E. Mutasa, Speaker House of Assembly, Zimbabwe made this beautiful remark : "The Westminster System is like a university degree that one Party Parliaments can easily graduate into."

Addressing the Conference on 8 January 1986 on the "Political Position of Presiding Officers," Rt. Hon. Bernard Weatherill, Speaker of the British House of Commons, expressed his belief that "a Speaker should be a Speaker first and a politician second and not the other way round." He quoted an advice given to him after his election as Speaker by his distinguished predecessor, Mr. George Thomas who had said : "From now on, you will get whatever you ask for, so I advise you to be very careful about what you ask."

### *Tributes to Sir Robin*

Before the Conference concluded its deliberations, the Chairman paid eloquent tributes to Sir Robin Vanderfelt, the "guiding spirit" of the Commonwealth Parliamentary Association, who was shortly retiring from the office of Secretary-General after 25 years. Dr. Jakhar presented Sir Robin with a silver plaque and a rose-wood box with the emblem of Parliament House engraved on it, as mementos from the Indian Parliament and the India Branch of the Commonwealth Parliamentary Association.

### *Valedictory Address*

In his valedictory address, Dr. Jakhar expressed gratitude to the Delegates for their "kind co-operation and active participation in making the Conference successful". He expressed anxiety about some global problems of common concern faced by the member nations of the Commonwealth like

Namibia and the cancer of terrorism and exhorted them to find solutions to those problems.

Earlier, speaking on behalf of all the Delegates, the President of the Senate of Trinidad and Tobago, Dr. Wahid Ali, expressed his "warmest thanks for all the arrangements and the kind hospitality" extended to the Delegates. He assured that they would "treasure this experience and lay it among our most-prized possessions." Quoting from an article by the present author published some thirty years earlier (in 1955) in the *Islamic Quarterly*, Oxford he said that the message the Delegates would like to take back to their countries was aptly symbolised in what the great poet, Mohammad Iqbal, once wrote :

The life of the world consists in movement. This is the established law of the world. On this road, halt is out of place. A static condition means death. Those who are moving have gone ahead; those who tarry even a while get crushed. Life springs from perpetual movement. Motion constitutes the waves, the whole existence.

#### *New Standing Committee*

The following were elected as members of the new Standing Committee whose next meeting will be hosted by Malaysia : Mr. Y. B. Dato Mohamed Zahir, Speaker of the House of Representatives, Malaysia; Sen. D. McClelland, President of the Senate, Australia; Sir Clifford Darling, Speaker of the House of Assembly, Bahamas; Mr. T.R. Vakatora, Speaker of the House of Representatives, Fiji; Mr. John William Bosley, Speaker of the House of Commons, Canada; Dr. Wahid Ali, President of the Senate of Trinidad and Tobago; and Rt. Hon Bernard Weatherill, Speaker of the House of Commons, United Kingdom. Later at a meeting of the new Standing Committee, Dr. Bal Ram Jakhar, Speaker, Lok Sabha; Mr. D.N.E. Mutasa, Speaker of the House of Assembly, Zimbabwe; and Mr. Nelson Khonje, Speaker of Parliament, Malawi, were co-opted as members.

#### *London to host next Conference*

The Conference accepted an invitation from Rt. Hon. Bernard Weatherill, Speaker of the British House of Commons, to hold the next Conference in London in 1988.

#### *Informal Meeting of Clerks and Secretaries-General*

The Clerks, Secretaries and Secretaries-General, in an informal meeting, after the Conference, exchanged views on several issues including the need for separate staff for the Legislature Secretariats independent from the Executive, and the role of the Secretariat officials in drafting bills for private members. The Lok Sabha Secretary-General explained in detail the role which the Bureau of Parliamentary Studies and Training was playing in India in organising train-

ing and orientation programmes for members of Parliament and State Legislatures, officers of the Legislature Secretariats and senior officers of the Government. He also referred to the programmes of training in Parliamentary Procedures and Legislative Drafting for foreign parliamentary officials and the new scheme of Model Parliaments for university students in India started in 1985.

Referring to the Parliamentary Museum and Archives, being set up in the Indian Parliament, the Secretary General appealed to his colleagues to send models and blow-ups of colour photographs of the buildings of their Parliaments and Legislatures so that those could be located at one place for display and use by scholars and laymen alike. A similar appeal had already been made to the Commonwealth Speakers and Presiding officers by Dr. Jakhar at the inaugural function in the Central Hall.

#### SPECIAL FEATURES OF THE CONFERENCE

##### *Exhibition on "Parliament and the Commonwealth"*

On 5 January, Dr. Jakhar inaugurated an Exhibition on "Parliament and the Commonwealth" at the Parliament House Annexe. Among other things, the Exhibition displayed photographs connected with the Parliamentary and Commonwealth activities and colour photographs and models of the buildings of some of the Commonwealth Parliaments including the British House of Commons Chamber, and those of the Indian State Legislatures.

##### *Daily Bulletins*

A surprise awaiting the distinguished Delegates to the Conference soon after their arrival was the Daily Bulletin issued by the Conference Secretariat. The illustrated Bulletin, delivered to them every morning in their hotel rooms, kept them informed not only about the Conference programmes, the socio-cultural engagements for the day but also about some interesting sidelights.

##### *Special Publications*

Apart from the Bulletin, all the Delegates were presented with copies of the book, *Parliaments of the Commonwealth* and a special illustrated monograph tracing the history of the Commonwealth Speakers' Conference. A special issue of the *Journal of Parliamentary Information*, containing an article on the New Delhi Conference by the Secretary General who is also the editor of this periodical, was also released during the Conference and presented to the Delegates. Besides, several other useful publications like Biographies of Delegates, Parliamentary Procedure—Abstracts Series, an illustrated book on Parliament of India, colour folder on Mural Paintings in Parliament House, etc. were given to all the Delegates and guests.

*Media coverage*

Even though the Conference was open to the Press, adequate arrangements had been made to brief the media personnel on the deliberations of the Conference through regular press releases, in order to ensure maximum possible coverage. All India Radio and Delhi Doordars too had made special arrangements for audio-visual coverage of the Conference.

*Socio-cultural Schedule*

The Delegates had both a crowded working as well as socio-cultural schedule. They were guests of honour at receptions held, among others, by the Vice-President Shri R. Venkataraman, the Prime Minister Shri Rajiv Gandhi, the Speaker Dr. Bal Ram Jakhar, Cabinet Ministers incharge of External Affairs, Law and Parliamentary Affairs, the Mayor of Delhi and the Chairman of the Delhi Metropolitan Council. Cultural programmes and sight-seeing tours to places of historical and cultural importance were also arranged for the Delegates and their spouses in Delhi and around. The Speaker of Haryana Legislative Assembly arranged a cultural programme and lunch at the *Suraj Kund* where the Chief Minister of the State was also present. The Speaker of Uttar Pradesh Legislative Assembly hosted a lunch at Agra after the Delegates enjoyed their visit to Fatehpur Sikri and the Taj Mahal.

*Programmes for Spouses*

While the Delegates were attending to their official business, their spouses occupied themselves by witnessing films on India and going about interesting places in the city. Among the places they visited were the National Gallery of Modern Art, the National Museum and International Dolls Museum. The lady officers of the Lok Sabha Secretariat assisted them in shopping the local wares. They were taken to various emporia, where many an item caught their eye.

*The Campfire Dinner*

The Campfire Dinner, hosted by Secretary-General, Lok Sabha, at his residence, in honour of the Clerks and Secretaries-General of Commonwealth Parliaments on 10 January 1986 provided a grand finale to the Conference. Mr. Herb Swan, Speaker of the the Legislative Assembly of Saskatchewan (Canada), who had been specially invited to this function, was particularly taken by surprise on being publicly reminded that it was his birthday. He was presented with a gift by Dr. Jakhar and the guests present wished him many happy returns of the day.

*Delegates' Impressions*

We have been overwhelmed by numerous letters received from the distinguished Delegates on their return home conveying their impressions about the

Conference. Lord Chancellor of U.K., Rt. Hon. Lord Hailsham; Mr. Speaker Bernard Weatherill of the British House of Commons; and the President of the Senate of Australia, Hon. Douglas McClelland, refer to the "wise and courteous Chairmanship" of Dr. Bal Ram Jakhar who presided over the proceedings with "great dignity." The Speaker of the House of Representatives, Malaysia, Tan Sri Dato Mohamed Zahir comments that the success of the Conference was reflective of Dr. Jakhar's "outstanding leadership". From Lesotho, Speaker of the National Assembly, Dr. J.T. Kolane, writes that they have all "learned a lot" during the Conference and expresses the confidence that they will use that knowledge "in our difficult and onerous duties as Speakers".

The arrangements at the Conference have also come in for praise. The Speaker of the Senate of Canada, Hon. Guy Charbonneau, Mr. Speaker Matita Taniera of Kiribati and Mr. Speaker Daniel Micallef of Malta are all impressed by the "thoroughness of the organisation" and "smooth efficiency" with which the Conference was organised. Mr. Speaker Clifford Darling of Bahamas and Mr. Speaker M.B. Njie of Gambia have also written to express their appreciation for all the arrangements. The veteran of many Conferences, Mr. Speaker R.M. Nabulyato of Zambia feels it could not have been any better elsewhere.

Mr. Speaker Jim Haskins of Botswana and Hon. Chief A.S. Mkwawa of Tanzania have been overwhelmed by the warmth of hospitality extended to them in India. The Clerk of the Parliaments (House of Lords), Mr J.C. Sainty, Clerk of the House of Commons, Sir Kenneth Bradshaw and the Secretary-General of the Parliament of Sri Lanka, Mr. Nihal Seneviratne, and several other distinguished participants, have written of their wonderful experience in New Delhi. Sir Kenneth, particularly, had a special word of praise for the Daily Bulletins. Mr. Speaker Herb Swan of the Saskatchewan Legislative Assembly writes to commend the "bonfires, the wonderful dancers and the fireworks" at the Campfire Dinner. Sir Robin Vanderfelt, Secretary-General of the CPA, is delighted at the friendships he has cultivated while in New Delhi. Mr. Philip Laundry, Clerk Assistant to the House of Commons, Canada, who is also the Secretary to the Standing Committee, highly praising the overall arrangements, comments that no Conference he had ever attended has been "better organised and produced more stimulating discussions".

### *Conclusion*

The New Delhi meet gave yet another opportunity to the Presiding Officers to promote the ideals of consultation and co-operation, the twin watchwords of the Commonwealth Association. Besides commenting further the inter-parliamentary co-operation in more than one way, the Conference threw up some useful ideas for the strengthening of parliamentary institutions.

Conferences like these may not seem to have any quick pay-off potential in terms of concrete decisions or substantial benefits but they perform the most valuable role of making friendships, building bridges of international understanding, generating goodwill, creating a wider awareness and respect for national abilities, organisational competence and achievements. And, the present Conference has done all this in ample measure. It is not for nothing that the Conference inspired some half a dozen editorials in national dailies and numerous letters of sincere appreciation from the distinguished Delegates on their return home.

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The Westminster system is like a university degree that one-party parliaments can easily graduate into.

—*Hon. D.N.E. Mutasa*, Speaker, House of Assembly, Zimbabwe, while speaking on "The One Party Parliament and the Westminster System" at the Eighth Conference of Commonwealth Speakers and Presiding Officers on 7 January, 1986.

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## WIT AND HUMOUR IN PARLIAMENT

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The Houses of the Union Parliament and of the State Legislatures sometimes witness heated discussions. But, it is not all just heat; discussions shed light as well and there are also lighter interludes. Continuing this feature we have endeavoured to capture some moments of wit and humour experienced during the fourth session of the Eighth Lok Sabha and at the Eighth Conference of Commonwealth Speakers and Presiding Officers at New Delhi.

—Editor

### LOK SABHA

*Shri Vishwanath Pratap Singh* : The Bill will make us sit without lunch.

*Mr. Deputy Speaker* : No we will finish it. We will get good energy.

*Shri Vishwanath Pratap Singh* : But I am grateful that you are finishing it.

*Shri Ghulam Nabi Azad* : Sir, I have requested them either to eat clauses or lunch.

(L.S. Deb., 9 December, 1985)

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*Shrimati Geeta Mukherjee* :...Without going into all that, he should not apply cosmetics to the financial mismanagement.

*Mr. Speaker* : Send it to him.

*Shri Vasant Sathe* : I am not used to cosmetics...(Interruptions)... Normally it is the privilege of the ladies.

*Mr. Speaker* : If you do that, I will allow a privilege motion against you.

*Shri S. Juipal Reddy* : Now, Sir, the roles have been reversed.

(L.S. Deb., 17 December, 1985)

*Shrimati Geeta Mukherjee* : Since all lizards do not have heroin in their tails, I would like to know how that particular lizard could get the heroin.

*Shri S.B. Chavan* : Madam, I plead my ignorance.

*Professor Madhu Dandavate* : The lizard itself is the heroin.

(*L.S. Deb.*, 18 December, 1985)

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## PARLIAMENTARY EVENTS AND ACTIVITIES

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### CONFERENCE AND SYMPOSIA

*Eighth Conference of Commonwealth Speakers and Presiding Officers\** : The Eighth Conference of Commonwealth Speakers and Presiding Officers was held in New Delhi from 6 to 8 January 1986. Soon after its inauguration on 6 January by Shri R. Venkataraman, Vice-president of India, the Conference began its sittings in the Main Committee Room, Parliament House Annexe. The following subjects were discussed at the Conference :

1. Declaration and registration of the pecuniary interests of members.
2. Problems of parliamentary privilege with special reference to :
  - (a) use of parliamentary records before courts and tribunals,
  - (b) disclosure of information to members by their constituents.
3. Are parliamentary committee systems fulfilling their function ?
4. Facilities for members of Parliament.
5. Powers of Upper Houses and of their Presiding Officers.
6. Does a written or an unwritten constitution better protect the power of Parliament ?
7. The one-party Parliament and the Westminster system.
8. The political position of the Presiding Officer outside Parliament with special reference to general election.

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\*See article on "Eighth Conference of Commonwealth Speakers" by Dr. Subhash C. Kashyap in this issue for more details,

**Procedural Developments :**

- (a) The *sub judice* rule,
- (b) The Speaker and the Question period,
- (c) Methods of voting, including the manner of electing the Speaker,
- (d) Discretionary powers of the Chair, and
- (e) The Speaker and the use of precedent.

10. Participation of state or sub-national parliaments in the Conference of Commonwealth Speakers and Presiding Officers.

**INDIAN PARLIAMENTARY DELEGATIONS ABROAD**

*Parliamentary Delegation to Thailand :* On the invitation of the President of the Thai National Assembly, an Indian Parliamentary Delegation led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha visited Thailand from 30 January to 2 February 1986. Besides the leader, the Delegation consisted of Professor N.M. Kamble, Professor P.J. Kurien, Sarvashri Harish Rawat, P. Kolandai-velu, Rafique Alam, and Ram Prakash Chaudhury, all members of Parliament. Dr. Subhash C. Kashyap, Secretary General, Lok Sabha was Secretary to the Delegation.

*Parliamentary Delegation to Indonesia :* On the invitation of the Speaker of the *Dewan Perwakilan Rakyat* (The House of Representatives) of the Republic of Indonesia, an Indian Parliamentary Delegation led by Dr. Bal Ram Jakhar, Speaker Lok Sabha visited Indonesia from 3 to 8 February 1986. Besides the leader, the Delegation consisted of Shrimati Omem Moyong Deori, Sarvashri Dileep Singh Bhuria, Dipen Ghosh, V. Sobhanadreeswara Rao, Vijay N. Patil, and Aziz Qureshi, all members of Parliament. Dr. Subhash C. Kashyap, Secretary-General, Lok Sabha was Secretary to the Delegation.

**PARLIAMENTARY DELEGATIONS FROM ABROAD**

*Zimbabwe Parliamentary Delegation to India :* In response to an invitation from India, a Parliamentary Delegation led by Hon'ble Mr. Didymus N.E. Mutasa, Speaker of the House of Assembly visited India in January 1986.

On 13 January 1986, the Delegation called on Dr. Bal Ram Jakhar, Speaker, Lok Sabha, who hosted a banquet in their honour.

Besides Delhi, the Delegates visited some places of historical and cultural interest and some industrial centres, viz. Jaipur, Ajmer, Bangalore, Goa and Bombay.

*New Zealand's Parliamentary Delegation to India :* In response to an invitation from India, a Parliamentary Delegation led by His Excellency Dr.

G.A. Wall, Speaker of the House of Representatives of New Zealand, visited India in January 1986.

On 21 January 1986, the Delegation called on Dr. Bal Ram Jakhar, Speaker, Lok Sabha and a meeting between the visiting Delegation and members of our Parliament was also held. Dr. Jakhar hosted a banquet in their honour on the same day.

Besides Delhi, the Delegates visited some places of historical and cultural interest and some industrial centres viz. Goa, Bombay and Agra.

*Visit of USSR Supreme Soviet Delegation* : In response to an invitation from India, a U.S.S.R. Supreme Soviet Delegation led by His Excellency Mr. V.V. Kuznetsov, First Vice-Chairman of the Presidium of the Supreme Soviet of the U.S.S.R. and alternate member of the politbureau of the CPSU Central Committee visited India in January 1986.

The Delegation called on Dr. Bal Ram Jakhar, Speaker, Lok Sabha on 23 January 1986 and Shri R. Venkataraman, Vice-President of India and Chairman, Rajya Sabha on 24 January 1986. Shri Venkataraman, hosted a dinner in their honour on 23 January 1986. Dr. Jakhar hosted a banquet on 24 January 1986.

Besides Delhi, the Delegates visited some places of historical and cultural interest and industrial centres, viz. Agra and Bangalore.

#### BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 October 1985 to 21 February 1986, the following Programmes/Courses were organised by the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariat :

*Orientation Programme for new members of Eighth Lok Sabha* : An Orientation Programme for new members of Eighth Lok Sabha was organised at Gangtok from 5 to 9 November 1985. The Programme attended by 39 new members was inaugurated by Shri M. Thambi Durai, Deputy Speaker, Lok Sabha on 5 November 1986. The Exordial Address was delivered by Shri Nar Bahadur Bhandari, Chief Minister of Sikkim. Shri Om Mehta, Honorary Adviser made the opening remarks. Shri T.R. Sharma, Speaker, Sikkim Legislative Assembly welcomed the Delegates.

During the five-day programme, there were panel discussions on various subjects, such as "Relation of Parliament with the Executive," "Role and Functions of Legislators inside and outside Legislature," "Duties of members vis-a-vis the Speaker," "Role of the Leader of the House, Leader of the Opposition and Whips," "Parliamentary Questions," "The Legislative Busi-

ness," "Financial Business," "The Non-Legislative Business," "Financial Committees," "Privileges of Parliament and members," "Parliamentary Committees other than the Financial Committees," "Information Management for Legislators," "How to be an Effective Legislator?" and "Parliamentary Customs and Conventions."

The discussions were initiated by senior parliamentarians and former Deputy Speaker of Sikkim Legislative Assembly. The members actively took part in the deliberations and sought clarifications on various parliamentary processes and procedures from the panel speakers. Valedictory remarks were given by Sarvashri P. Upendra, Brahma Dutt, H A. Dora, Ganga Ram, Sriballav Panigrahi, Kamal Chaudhary and Shrimati D.K. Bhandari, all members of Parliament.

*Orientation Programme for new members of Assam Legislative Assembly :*  
An Orientation Programme for new members of Assam Legislative Assembly was organised from 11 to 13 February 1986 at Guwahati. It was attended by 105 new members of the Assembly including 18 Ministers.

The Programme was inaugurated by Shri Bhishma Narain Singh, Governor of Assam. Earlier, Shri N N. Mehra, Joint Secretary, Lok Sabha, welcomed the participants and apprised them about the objectives of the Programme and the activities of the Bureau. Welcome and Exordial Addresses were delivered by Shri Pulakesh Barua, Speaker, Assam Legislative Assembly and Shri P.K. Mahanta, Chief Minister of Assam, respectively. Shri Sarat Chandra Sinha, MLA proposed the vote of thanks on the Governor's Address. This was followed by panel discussions on various subjects, such as "Amentities, facilities and services available to Legislators," "Role and opportunities for a new legislator inside and outside the Legislature," "How to be an Effective Legislator?" "Do's and Don'ts for Members—Decorum, Etiquettes, Customs and Conventions," "Relation of Legislature with the Executive and of Legislature with the Government Officials," "Question Procedure," "Legislative and Non-Legislative Business," "Privileges of Legislatures," "Budgetary Process" and "Committee System".

The discussions were initiated by senior parliamentarians, viz. Sarvashri G.G. Swell, Chintamani Panigrahi, Dinesh Goswami, and senior members of Assam Legislative Assembly. Shri N.N. Mehra, Joint Secretary, Lok Sabha Secretariat also acted as a panel speaker. The members took active part in the deliberations and sought clarifications on various parliamentary processes and procedures from the panel speakers.

*Courses for Probationers/Officers of All India/Central Services :* Three Appreciation Courses on Parliamentary processes and procedures were organised by the Bureau, viz. Fifth Appreciation Course for IRAS, IRTS and IRPS Probationers—13 to 17 January 1986; Appreciation Course for IA&AS & ICAS Probationers—3 to 7 February 1986; and Seventeenth Course for IAS Probationers—17 to 21 February 1986.

*Parliamentary Internship Programme for foreign parliamentary officials :*

The first Parliamentary Internship Programme for foreign parliamentary officials was organised from 14 October to 6 December 1985. It was attended by 9 foreign participants.

Earlier, the Bureau had been organising Attachment Programmes for foreign parliamentary officials on an *ad hoc* basis. In 1985 it was decided to organise a regular parliamentary Internship Programme of eight weeks' duration for foreign parliamentary officials. The participants in this Programme were drawn from countries covered under the Colombo Plan, Special Commonwealth African Assistance Plan (SCAAP) and International Technical Economic Cooperation (ITEC).

The Programme was designed to meet the special needs of officials of foreign Parliaments sponsored by their Governments to study the working of parliamentary institutions, processes and procedures in India. The aim was to provide an opportunity to the participants to exchange ideas in the context of their own experiences in their legislatures and to acquaint themselves with the environment, culture, traditions and working of parliamentary institutions in India.

The Internship programme was inaugurated by Shri M. Thambi Durai, Deputy Speaker, Lok Sabha. The participants were addressed, among others, by Shri A.K. Sen, Minister of Law and Justice, Shri Shivraj V. Patil, Minister of State for Science and Technology etc., Shrimati Margaret Alva, Minister of State for Youth Affairs and Sports etc., Shri Pranab Kumar Mukherjee, M.P. and Shri P. Shiv Shankar, M.P.

Dr. Subhash C. Kashyap, Secretary-General Lok Sabha presided over the Question-Answer Session held on 22 October 1985 and clarified the doubts of the participants.

During the Course, the participants also had cross-country discussions regarding the working of their respective Parliaments. Each participant submitted a Project Paper, on a subject of parliamentary interest, indicating the position obtaining in that regard in India *vis-a-vis* his/her own country.

The participants were also attached with the Branches of Lok Sabha and Rajya Sabha Secretariats as part of the Programme. They also visited Secretariats of Kerala and Karnataka Legislative Assemblies with a view to study procedures obtaining there.

*International Programme in Legislative Drafting :* Another new International Programme, i.e. Training programme in Legislative Drafting was also launched in 1985. It was organised from 4 November 1985 to 31 January 1986. It was attended by nine participants (five participants from foreign countries covered under SCAAP, Colombo plan, ITEC, one each from Lok Sabha and Rajya Sabha Secretariats and two from State Legislatures).

The Programme was designed to meet the long-felt need of equipping the parliamentary officials with the basic concepts, skill and technique required for drafting of legislation so that they could render valuable assistance to legislators when called for to draft the Bills proposed to be brought forward before the Parliament.

Shri G.R. Rajagopaul, Former Secretary, Legislative Department acted as Honorary Course Director.

The Programme was inaugurated by Shri H.R. Bhardwaj, Minister of State for Law and Justice. The participants were also addressed, among others, by Shri R.S. Gae, former Law Secretary, Shri S. Ramaiah, Member Secretary, Law Commission, Justice H.R. Khanna, Shri Vepa P. Sarathy, Member, Law Commission, Shri P.M. Bakshi, Member, Law Commission, Shri R.V.S. Peri Sastry, Secretary, Legislative Department, Ministry of Law and Justice, Shri Soli J. Sorabjee, Senior Advocate, Supreme Court of India, Shri Srinivasa Moorthy, Former Member Secretary, Law Commission, Shri G.R. Rajagopaul, Shrimati V.S. Ramadevi, Special Secretary, Legislative Department.

As a part of the Programme, the participants attended practical drafting exercise sessions for four weeks under the guidance of Shri G.R. Rajagopaul. Thereafter, they were attached with Legislative Department of Government of India for on-the-job practical training. For one week they were attached with Legislative Branches of Lok Sabha and Rajya Sabha Secretariats to familiarise themselves with drafting of Private Members Bills.

*Attachment Programme for participants attending an International Programme on "Audit of Public Works"* : An Attachment Programme was organised from 23 to 24 January 1986 for a group of 23 participants from Afro-Asian countries who had been attending an International Programme on "Audit of Public Works" in the Office of the Comptroller and Auditor General of India.

The Programme was inaugurated by Dr. Subhash C. Kashyap, Secretary-General, Lok Sabha on 23 January 1986 with an address on "Parliament in the Indian Polity".

Shri Om Mehta, Honorary Adviser, Bureau of Parliamentary Studies and Training, presided over the Question-Answer Session held on 24 January 1986. The participants were also addressed by senior officers of Lok Sabha Secretariat on various subjects of parliamentary interest.

*Attachment programmes for officers of State Legislature Secretariats* : The following three Attachment Programmes were organised for : (i) Shri Vishwendra Mehta, Special Secretary and Shri Ashok Chaturvedi, Under Secretary of the Madhya Pradesh Vidhan Sabha Secretariat on 18 October 1985 who were attached with the Committee Branch-II to enable them to study the



working of the Committee on Papers Laid on the Table; (ii) Shri M.G. Gheevarghese, Committee Officer, Andaman and Nicobar Islands Pradesh Council who was attached with the Financial Committee Branches, Committee Branch-I Question Branch and Library (Acquisition Section) from 21 November to 4 Decemuer 1985; and (iii) Shri John Dewan, Editor of Debates, Sikkim Legislative Assembly Secretariat who was attached with Editorial and Translation Services, Interpreters Branch, Reporters Branch, and Rota Print Section from 20 to 31 January 1986. to enable him to study the procedure relating to the editing of Parliamentary Debates.

*Study visits* : The Bureau also organised 31 one-day Study visits for, among others, (i) Army Officers of the rank of Colonel to Brigadier; and (ii) Secretary and O.S.D. of Kerala Legislative Assembly.

*Seminar on "Nehru and Parliament"* : A Seminar on "Nehru and Parliament" was organised on 14 November 1985. The Bureau rendered assistance to Conference Branch and LARRDIS to organise the Seminar.

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## PRIVILEGE ISSUES

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### LOK SABHA

*Alleged casting of reflections on the members, the House and its proceedings* : On 2 December, 1985, Shri K.P. Unnikrishnan and Professor Madhu Dandavate gave two separate notices of question of Privilege against Shri R.N. Goenka, for allegedly casting reflections on members, the House and its proceedings of 26 November, 1985, relating to discussion on a motion under rule 184 about the removal of Shri Jagmohan from his office of Governor of Jammu and Kashmir, in an article published in the *Indian Express* in its issue of 30 November, 1985.

Shri K.P. Unnikrishnan, *inter alia* stated in his notice, that in the article in question, Shri Goenka had deliberately and wilfully attacked the Minister of State for Law, Shri H.R. Bhardwaj and the present Parliament. He had even made an insinuation about conduct of proceedings in Parliament which went far beyond the right of free comment, Shri Unnikrishnan added. Professor Madhu Dandavate, *inter alia* stated : "...it is not only showing contempt for the Minister but for Lok Sabha as well and that too deliberately." Both the members alleged that Shri R.N. Goenka had committed a breach of privilege and gross contempt of the House. The Speaker (Dr. Bal Ram Jakhar) then observed that he would look into the matter.

Giving his ruling in the matter on 3 December, 1985, the Speaker observed that he had carefully gone through the article by Shri R.N. Goenka published in the *Indian Express* of 30 November, 1985. He found that the tone and tenor in which the article was written was not becoming of a person who had himself been a member of Lok Sabha and was well aware of its rights and privileges. He further observed that in a democracy the Press had every right of fair criticism but that, however, should not be used in a manner so as to put the institution of Parliament and its members into disrepute or lower their dignity in the eyes of the public. The Speaker felt that in the heat of a controversy in which Shri Goenka, who himself was involved, had

over-reacted to the reply of the Minister of State in the Ministry of Law and Justice to the discussion on the motion. The Speaker noted that as the supreme representative institution of the people, the House had always shown its magnanimity and broad vision, particularly to the Press by not taking notice of critical comments made by them, in order that parliamentary privilege in no way fettered or discouraged the free expression of opinion or fair comments on the proceedings of the House. He felt that it added to the dignity of one and all if power in a democratic system was exercised with restraint and in the case of a more powerful body or institution, greater restraint was called for, particularly in exercising its penal jurisdiction. He opined that in keeping with such an approach and best traditions of the House, the House would best consult its own dignity by taking no further notice of the matter. He, therefore, did not accord his consent to the raising of the matter as a question of privilege.

*Non-intimation of the alleged arrest of a member to the Speaker and publication of a misleading news item in a newspaper in this regard:* On 3 December, 1985, the Speaker (Dr. Bal Ram Jakhar) observed that he had received notices of question of privilege from Shrimati Geeta Mukherjee and Shri S. Jaipal Reddy on 25 and 26 November, 1985, respectively, against the Commissioner of Police, Calcutta, for his failure to inform the Speaker about the alleged arrest of a member of the House in Calcutta on 19 September, 1985. He added that when some members sought to raise the matter in the House on 25 November 1985, he told them that he had not been intimated about any arrest. He said that he had got certain information which did not pertain and did not specifically mention about the arrest of any member of Parliament.

The Speaker further observed that on 25 November, 1985, he had received another notice of question of privilege signed jointly by Sarvashri Basudeb Acharia, Saifuddin Chaudhury, Ajit Kumar Saha, Ananda Pathak and Anil Basu, against *The Telegraph* for publishing a news item to the effect that the Speaker had been duly informed about the arrest of the member. Since the Speaker had denied receipt of such information, the members alleged that *The Telegraph* had committed a breach of privilege of the House. The Speaker observed that on 25 November, 1985 itself, he had referred the matter to the Ministry of Home Affairs for facts.

On 26 November, 1985, when the matter was again sought to be raised in the House by some members, the Speaker observed that he had informed the House that he had received an ambiguous communication, on 18 November 1985 no notice of which could be taken as that was unsigned. No official intimation by phone, telegram, telex or letter was received by him, he added. At 5.20 p. m. on 26 November, 1985, he had also received a copy of a crash teleprinter message dated 17 November, 1985, from the Deputy Secretary to the Government of West Bengal, Home (Political) Department, through the

Ministry of Home Affairs, which also did not contain any specific and categorical statement regarding the arrest of a member of Parliament. To quote, it said, "........The arrested person appears to be identical with Shri Prakash Chandra, M.P. from Bihar....." The message also referred to the tallying of signatures, identification of photographs, etc.

The Speaker noted that on 2 Decemder, 1985, he had received a communication dated 29 November, 1985 from the Commissioner of Police, Calcutta, intimating, *inter alia* that—

"Shri Prakash Chandra was arrested in connection with Park Street PS case No. 579 dated 19-9-85 under Sections 3, 4, 5, 6 and 7 of Suppression of Immoral Traffic in Women and Girls Act, 1956.....It was given out by Shri Prakash Chandra that he was a resident of 11 Dacres Lane, P. S. Hare Street, Calcutta. It was not divulged by him at the Police Station that he was an M. P. at any point of time.....A photograph of Shri Prakash Chandra, M. P. of Bihar was published in the weekly *Sunday* dated 10.11.1985. The officers who had conducted raids on 19.9.85 could identify the said photograph as that of the person Prakash Chandra who was arrested on 19.9.85.....It appears from the facts ascertained during investigation that the arrested person who gave out his name as Prakash Chandra, S/o Prabir Chandra was in fact Shri Prakash Chandra, MP of Bihar.....The report of the Director, Questioned Document Examination Bureau, CID, West Bengal, was received on 17.11.85 which for the first time confirmed that the arrested person was Shri Prakash Chandra, MP and the same evening (17.11.85) a report was sent addressed to the Hon'ble Speaker, Lok Sabha through the quickest possible means—the teleprinter service of Subsidiary Intelligence Bureau, Calcutta. Shri D. C. Nath, Deputy Director, SIB, Calcutta, later informed that as the teleprinter service was closed at the time when the message was received, the message was sent through telephone on 17.11.85 to Control Room, Intelligence Bureau, Ministry of Home Affairs, New Delhi, for transmission to you It was sent again through teleprinter the next morning (18.11.85) at 09.20 hours vide TPM No. 1329 dated 18.11.85 to Control Room of Intelligence Bureau, Ministry of Home Affairs, New Delhi."

The Speaker observed that even the communication of 2 December, 1985 was not unequivocal in stating that the person arrested was a member of Parliament inasmuch as it used the language, "It appears.....etc." He reiterated that he did not take any note of the unsigned communication and said that in the absence of any further authentic/official information, he had referred the matter to the Ministry of Home Affairs as soon as the question was raised in the House. He felt that if the teleprinter service was not working, the local authorities should have found it possible to send the

communication directly to him or to his office through telephone or telegram, which was not done.

The Speaker noted that the member, Shri Prakash Chandra, had also written to him on 2 December, categorically denying his involvement in the alleged incident in Calcutta and questioning the veracity of the statements in the Police Commissioner's Report. The Speaker observed that as the whole matter, including that of the identity of the person involved in the incident was *sub judice*, he felt that as per well-established practice, no further action was called for at that stage. He, therefore, did not give his consent to the questions of privilege given notice of by Shrimati Geeta Mukherjee, Shri Jaipal Reddy, Shri Basudeb Acharia and others.

*Casting of aspersions on the Speaker by a member in the House :* On 10 December, 1985, Servashri V. Kishore Chandra S. Deo and K.P. Unnikrishnan, members sought to raise the matter of sealing of certain rooms in the Parliament House. Those rooms were allotted to parties for being used as party offices and were still being retained by those parties even after the numerical strength in the present Lok Sabha had fallen short of the minimum ten as required under the rules for allotment of rooms. While raising the matter, Shri K.P. Unnikrishnan uttered some insinuatory remarks to which umbrage was taken by the Speaker (Dr. Bal Ram Jakhar). On being asked to withdraw the same, Shri Unnikrishnan wanted to know what the insinuation was. The Speaker observed, *inter alia* that he (Shri Unnikrishnan) had said that he (the Speaker) had been showing all the discourtesy. He added that he had been showing all the courtesy all the time. He told Shri Unnikrishnan first to withdraw his insinuation and then he would listen to him. Shri K.P. Unnikrishnan then stated that he was neither going to withdraw nor be cowed down.

The Speaker then observed that he had to do certain things as entrusted to him by the rules and regulations laid down by the members and in such process there might be unsavoury things which were not likeable for some people. According to him, during the last one year he had been trying for an amicable solution among all the parties and that he was not against any party. If they had lost at the polls, that was the business of the people or the luck they had... He added that for the last so many months he had to face the problem of offices. He had met leaders of all the groups many times and everybody wanted an office. But, he reiterated, he had to act according to the rules. He also told Shri Unnikrishnan that the latter himself had been with him so many times regarding the same issue and he had tried to solve that according to the rules, but when the things came to a pass he had no option... The Speaker then asked Shri Unnikrishnan to withdraw his insinuation or withdraw from the House.

Shri Unnikrishnan, thereupon, left the House regretting that he could not comply with the Speaker's instructions. Some other members also then walked out of the House.

The Speaker then observed, *inter alia* that there were limited number of rooms and a room was not allotted to a party having less than 10 members. He further observed that there were 5 or 6 such parties which had 5 or 6 members. He added that he had told them not once but on a number of occasion that he could not give rooms to all of them. After that he had no other alternative, since party members were asking him as to why was he not locking the rooms, he added.

The Minister of State in the Ministry of Parliamentary Affairs (Shri Ghulam Nabi Azad), thereafter, moved the following motion which was adopted by the House : "That Shri K.P. Unnikrishnan, a member of the House, be suspended from the service of the House for today on account of his insulting conduct towards the Chair."

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*Shri Basud. b Acharia* : .....Young bushes in the age group 5 to 30 bearing full leaves represent only 25 per cent.

*Mr. Speaker* : He is not beating about the bush; he is trying to root out the bush.

(*L.S. Deb.*, 7 March, 1986)

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## PROCEDURAL MATTERS

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### LOK SABHA

*Restriction of time taken on Calling Attention :* On 18 November 1985, the Speaker made an announcement in the House that the Rules Committee at its sitting held on 28 August had come to the conclusion that the time taken on Calling Attention might be restricted to about half-an-hour to 45 minutes. He said that after the Minister's statement, the five members whose names were listed on the item might ask clarificatory questions one after another and the Minister might reply to all the points raised by the members only at the end. The Speaker added that the Committee had also recommended that the initiator of the discussion might be given about ten minutes and other members not more than five minutes each.

*Raising of matters relating to State Legislatures :* On 25 November 1985, soon after the Question Hour, a member (Shri Basudev Acharia) sought to refer to the notice of adjournment motion tabled by him regarding Supreme Court's judgment on the detention of Shri Bhim Singh, member, Legislative Assembly, Jammu and Kashmir, in violation of his constitutional rights. Disallowing the member the Speaker, *inter alia* observed : "..... This is a case concerning an independent State Assembly. They can take care of it. We have got nothing to do with it .. . I cannot interfere with the State Assembly at all."

*Member suspended on refusal to withdraw derogatory insinuations :* On 10 December 1985, soon after the Question Hour, Sarvashri K.P. Unnikrishnan, V. Kishore Chandra Deo and some other members sought to raise the question of sealing of room allotted to certain Groups in the Parliament House. When the Speaker disallowed them, Shri Unnikrishnan made certain derogatory insinuations against the Speaker. Several members, including Ministers, took objection to such insinuations. The Speaker thereupon directed the member to withdraw those remarks and apologise to the House. When the member refused to abide, the Chair directed him to withdraw from the House. The member then left the House.

Soon after the member had left the House, the Minister of State for Parliamentary Affairs, with the permission of the Chair, moved the motion, "that Shri K.P. Unnikrishnan, a member of the House, be suspended from the service of the House for today on account of his insulting conduct towards the Chair," which was adopted amidst objections from the Opposition members, who then staged a walk-out.

Consequently, Shri Unnikrishnan was debarred from entering Chamber, Inner Lobby and Galleries during the period of his suspension from the service of the House.

*No discussion permissible before Question Hour* : On 11 December 1985, immediately after the sitting commenced, several Opposition members sought to make submissions regarding sealing of party offices allotted to certain Groups in the Parliament House. The Speaker observed : "...There is no rule under which before the Question Hour, I can take up this discussion..... This is Question Hour. I will not allow any discussion on it."

## STATE LEGISLATURES

### MADHYA PRADESH VIDHAN SABHA

*Consideration of a Bill on the day it is introduced* : On 10 December 1985, when Shri Jaipal Singh, Minister of State was introducing Madhya Pradesh Kolahal Niyanttran Vidheyak in the House, an objection was raised by a member (Shri R.H. Gupta), as to whether a Bill could be considered the same day on which it was introduced in the House. The Speaker, Shri R.P. Shukla, observed that rule 65 of Rules of Procedure and Conduct of Business in the Madhya Pradesh Vidhan Sabha provided that a motion for the consideration of the Bill might be moved just after its introduction, if the copies of the Bill had been circulated to the members two days prior to the motion for consideration. He further observed that a motion for consideration could be objected to, only when the copies of the Bill had not been distributed to the members two days in advance. Since in the instant case the copies of the Bill had been provided to the members two days before the motion for consideration, he disallowed the objection raised by Shri R.H. Gupta.

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## PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 October to 31 December 1985)

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### INDIA

#### DEVELOPMENTS AT THE CENTRE

*New Minister* : Shri Arjun Singh, who relinquished the office of Governor of Punjab, was sworn in as Cabinet minister by President Giani Zail Singh on 15 November and was given the portfolio of Commerce.<sup>1</sup>

*Elections to Rajya Sabha* : On 25 November, the Union Industry Minister, Shri Narayan Datt Tiwari and Forward Bloc leader, Shri Chitta Basu were elected unopposed to the Rajya Sabha from the States of Uttar Pradesh and West Bengal respectively.

The Congress (I) candidate, Shri Tirath Ram Amla was elected to Rajya Sabha from Jammu and Kashmir on 3 December.<sup>2</sup>

*Elections to Lok Sabha* : The elections to the 14 Parliamentary seats in Assam were held on 16 December. The Assam Gana Parishad Secured 7 seats followed by the Congress (I) with 4. The Congress (S), the United Minorities Front and the Plains Tribals Council of Assam secured one seat each.

In the by-election held on 16 December for Lok Sabha, the Union Minister and the Congress (I) candidate, Shri Arjun Singh was declared elected from the South Delhi parliamentary seat. Former Chief Minister of Bihar, Shri Chandra Shekher Singh, Shri Narendra Kumar Budharia and Shrimati Meera Kumar, all from the Congress (I), were declared elected from Banka, Churu and Bijnore parliamentary constituencies respectively. Sarvashri Sayed Shahabuddin and Sarat Kumar Deb, both of the Janata Party were elected from the Kishanganj and Kendrapara parliamentary coustituencies

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<sup>1</sup> *Times of India*, 16 November 1985

<sup>2</sup> *Ibid*, 26 November 1985; and *Hindu*, 4 December 1985.

respectively. The CPI (M) nominee, Shri Somnath Chatterjee won the Bolpur Lok Sabha seat.<sup>3</sup>

*New Chief Election Commissioner* : Shri R. V. S. Peri Sastri, Secretary, Legislative Affairs in the Ministry of Law and Justice, was appointed new Chief Election Commissioner on 31 December, succeeding Shri R. K. Trivedi. Shri Sastri took over as the eighth Chief Election Commissioner on 1 January from Shri Trivedi who retired.<sup>4</sup>

## AROUND THE STATES

### ANDHRA PRADESH

*New Governor* : Kumari Kumudben Manishankar Joshi was appointed Governor on 14 November in place of Dr. Shankar Dayal Sharma. She was sworn in on 26 November.<sup>5</sup>

### ASSAM

*General elections* : The elections for the 126-member Legislative Assembly were held on 16 December. The newly-formed Assam Gana Parishad secured an absolute majority by winning 64 seats as against 25 seats won by the Congress (I). The seats secured by other parties were as follows : United Minorities Front—17; Congress (S)—4; Plains Tribals Council of Assam—3; CPI (M)—2 and Independents—10. The polling in one constituency was countermanded.<sup>6</sup>

*New Ministry* : Governor. Shri Bhishma Narayan Singh appointed Shri Prafulla Kumar Mahanta, on 22 December as the Chief Minister. A two-tier ministry, consisting of 14 Cabinet Ministers and seven Ministers of State was sworn in on 24 December. The allocation of portfolios among the Ministers was as follows :

#### *Cabinet Ministers :*

Shri Prafulla Kumar Mahanta, Chief Minister : *Personnel, Finance, Accord Implementation, Administration, Forest, Health, Election, Planning and Development, Cultural Affairs, Sports and Youth Welfare and other departments not allotted specifically*; Shri Bhriku Kumar Phukan : *Home, Political, General, Administration, Publicity, Jails, Printing and Stationery, Excise and Tourism*; Shri Lalit Chandra Rajkhowa : *Food and Civil Supplies, Transport Corporation and Rural Development* ; Shri Atul Bora : *Public Works Department, Town and Country Planning*; Shri Brindaban Goswami : *Education, Science, Technology and Environment*; Shri Thansewar Boro : *Revenue, Registration, Stamps,*

<sup>3</sup> *Indian Express*, 18 and 23 December 1985; *Free Press Journal*, 18 and 19 December 1985; and *Times of India*, 17 and 18 December 1985.

<sup>4</sup> *Tribune*, 1 January 1986; and *Telegraph*, 2 January 1986.

<sup>5</sup> *Times of India*, 15 November 1985 ; and *Hindu*, 21 November 1985.

<sup>6</sup> *Times of India*, 17 December 1985; and *Free Press Journal*, 22 December 1985,

*Relief and Rehabilitation; Shri Bharat Narah : Flood Control, Irrigation, Welfare of Plains and Tribal Areas; Shri Digen Bora : Industry, Power, Mines and Minerals and Public Health Engineering; Shri Surendra Nath Medhi : Law and Justice, Legislative and Judicial; Shri Nagen Sarma : Veterinary, Handloom, Textiles, Sericulture and Weaving; Shri Bargi Prasad Telenga ; Labour and Employment; Shri Sahidul Alam Choudhury : Administration, Waqf Properties and Haj Committee; Shri Chandra Arandhara : Panchayat and Community Development; Shri Nilamani Das : Agriculture and Fisheries.*

#### *Ministers of State :*

Shri Dipen Tanti : *Transport and Labour; Shri Pradip Gogoi : Parliamentary Affairs; Shri Anirudha Singh Choudhury : Relief and Rehabilitation and Backward Classes; Kumari Rekharani Das Boro : Women and Social Welfare, Handloom, Textile, Sericulture and Weaving; Shri Jatın Mali : Health, Family and Child Welfare; Shri Padmeshwar Doley ; Industries, Power, Mines and Minerals; Shri Moti Das : Agriculture and Fisheries.*<sup>7</sup>

#### **HIMACHAL PRADESH,**

*Resignation by Minister :* Transport Minister, Shri Sat Mahajan resigned on 7 November, owing moral responsibility for the bus accident near Bandlidhar.<sup>8</sup>

#### **JAMMU AND KASHMIR**

*Resignation by Deputy Speaker :* Shri Malik Ghulam-ud-Din, Deputy Speaker of the Legislative Assembly, resigned from his office on 1 October.<sup>9</sup>

#### **PUNJAB**

*New Speaker :* Shri Ravi Inder Singh was unanimously elected Speaker of the Legislative Assembly on 15 October.<sup>10</sup>

*New Deputy Speaker :* Shri Nirmal Singh Kahlon of Akali Dal was unanimously elected Deputy Speaker of the Legislative Assembly on 5 November.<sup>11</sup>

*New Governor :* Dr. Shankar Dayal Sharma, Governor of Andhra Pradesh was appointed Governor of Punjab on 14 November, replacing Shri Arjun Singh. He was sworn in by the Chief Justice of the Punjab and Haryana High Court, Justice P.C. Jain on 26 November.<sup>12</sup>

<sup>7</sup> *Statesman*, 23 and 25 December 1985.

<sup>8</sup> *Indian Express*, 8 November 1985.

<sup>9</sup> *Free Press Journal*, 2 October, 1985.

<sup>10</sup> *Indian Express*, 16 October 1985.

<sup>11</sup> *Ibid.*, 6 November 1985.

<sup>12</sup> *Times of India*, 15 November 1985; and *Hindu*, 27 November 1985,

## RAJASTHAN

*Expansion of Ministry* : The Council of Ministers was expanded on 16 October with the induction of 10 new Ministers. Those included were Sarva-shri Hira Lal Deopura, Ram Singh Bishnoi, Hiralal Indora, Damodar Acharya, Mool Chand Meena, Mahindra Kumar Parmar, Ram Kishan Verma, Sujan Singh Yadav, Shrimati Zakhya Inam and Shrimati Beena Kak.<sup>13</sup>

*New Governor* : The former Chief Minister of Maharashtra, Shri Vasantdada Patil was appointed Governor on 14 November replacing Air Chief Marshal, Shri O.P. Mehra who completed his five-year term on 3 November. Shri Patil was sworn in on 20 November. Earlier, Acting Chief Justice of Rajasthan High Court was sworn in on 4 November to discharge the functions of the Governor.<sup>14</sup>

## SIKKIM

*New Governor* : Lt. Governor of Arunachal Pradesh, Shri T.V. Rajeswar was appointed Governor on 13 November. He was sworn in on 21 November.<sup>15</sup>

## TRIPURA

*New Minister* : Shri Purna Mohan Tripura was inducted into the Ministry on 9 October.<sup>16</sup>

## WEST BENGAL

*Resignation by Ministers* : Labour Minister, Shri Krishnapada Ghosh and Shri Provash Roy, Minister for Sunderban Development submitted their resignation on 4 October to the Chief Minister, Shri Jyoti Basu on "health grounds".<sup>17</sup>

## UNION TERRITORIES

### ANDAMAN AND NICOBAR ISLANDS

*New Lt. Governor* : Lt. Gen. Tarath Singh Oberoi was appointed new Lt. Governor on 21 November.<sup>18</sup>

### ARUNACHAL PRADESH

*New Lt. Governor* : Shri Shiv Swaroop, formerly Director-General of

<sup>13</sup> *Statesman*, 17 October, 1985.

<sup>14</sup> *Ibid.* 4 November 1985; and *Hindu*, 5 November, 1985, *Times of India*, 15 November, 1985; and *Tribune*, 21 November 1985.

<sup>15</sup> *Times of India*, 14 November, 1985; and *Hindustan Times*, 22 November, 1985.

<sup>16</sup> *Statesman*, 10 October 1985.

<sup>17</sup> *Tribune*, 5 October 1985.

<sup>18</sup> *Ibid.* 22 November, 1985.

Central Reserve Police Force, was appointed Lt. Governor on 13 November. He was sworn in on 21 November.<sup>19</sup>

#### DELHI

*New Lt. Governor* : The retired Air Vice Marshal, Shri H.L. Kapur, nominated member of Rajya Sabha, was appointed Lt. Governor on 14 November. Shri Kapur was administered the oath of office and secrecy on 16 November by the Chief Justice of the Delhi High Court, Justice Rajinder Sachar.<sup>20</sup>

### DEVELOPMENTS ABROAD

#### AFGHANISTAN

*New Deputy Prime Minister* : Former Deputy Minister in the Light Industry and Food Stuffs Department, Mr. Amanuddin Amin was appointed, on 27 December, as the new Deputy Prime Minister.<sup>21</sup>

#### ANGOLA -

*Election of President* : On 9 December, Mr. Jose Eduardo Dos Santos was unanimously re-elected as party leader which automatically makes him the Head of State for a second five-year term.<sup>22</sup>

#### ARGENTINA

*Declaration of emergency* : A state of emergency was declared on 24 October for 60 days to deal with a wave of political bombings and threats which swept the country in the run up to the Congressional elections in November 1985. The emergency was lifted on 9 December.<sup>23</sup>

*General elections* : On 4 November, President Rule Alfonsín's Radical Party got a clear majority in the legislative elections by securing 45.3 per cent votes as against 25.5 per cent of their main rivals, the Peronists.<sup>24</sup>

#### BELGIUM

*General elections* : In the general elections held on 13 October, the Christian Social parties won the polls by capturing 69 seats as against 67 secured by the Socialists parties. The seats won by other parties were : the Ecologist parties—9; the Liberal parties—46; the Flemish Regional parties—17 and the French Regional parties—4.<sup>25</sup>

<sup>19</sup> *Times of India*, 14 November 1985; and *Indian Express*, 22 November, 1985.

<sup>20</sup> *Times of India*, 15 November 1985; and *Statesman*, 17 November 1985.

<sup>21</sup> *Hindustan Time*, 28 December, 1985.

<sup>22</sup> *Hindu*, 11 December, 1985.

<sup>23</sup> *The Time*, 26 October 1986; and *Hindu*, 11 December, 1985.

<sup>24</sup> *Statesman*, 5 November, 1985.

<sup>25</sup> *Keesing's Contemporary Archives*, Vol. XXXI, 1985, No. 11.

**BOLIVIA**

*Emergency lifted* : The state of emergency, imposed three months ago was lifted on 18 December.<sup>26</sup>

**BURMA**

*General elections* : On 7 October, President Mr. San Yu and Prime Minister Mr. Maung Maung Kha were re-elected to Parliament for a four-year term in the general elections held on 6 October.<sup>27</sup>

*Election of President* : President San Yu was re-elected on 4 November as the President for the second four-year-term.<sup>28</sup>

**COLOMBIA**

*Declaration of emergency* : A state of national emergency was declared on 24 November in the aftermath of volcanic eruption of Nevado del Ruiz on 13 November that caused an estimated 25,000 deaths.<sup>29</sup>

**GUATEMALA**

*General elections* : In the parliamentary elections held on 3 November the Christian Democratic Party won 51 seats out of 100.

In the presidential election held simultaneously, the Christian Democrat candidate, Mr. Vinicio Cerezo polled 39 per cent of the votes as against 21 per cent, polled by Mr. Jorge Garpio Nicolle of the National Central Union.<sup>30</sup>

*Election of President* : The Christian Democrat candidate, Mr. Vinicio Cerezo was declared victorious on 9 December in the presidential election, bringing an end to 31 years of military-dominated rule.<sup>31</sup>

**GUYANA**

*Swearing-in of President* : On 12 December, Mr. Desmond Hoyte was sworn-in as the President for a five year term after his People's National Congress was declared the winner of the general elections.<sup>32</sup>

**PAKISTAN**

*Lifting of Martial law* : On 30 December, President Zia-ul-Haq announced in the Parliament the lifting of eight-year old martial law.<sup>33</sup>

<sup>26</sup> *Tribune*, 20 December, 1985.

<sup>27</sup> *Indian Express*, 8 October, 1985.

<sup>28</sup> *Hindustan Times*, 5 November, 1985.

<sup>29</sup> *Keesing's Contemporary Archives*, Vol. XXXI, 1985, No. 12

<sup>30</sup> *Hindu*, 20 November, 1985.

<sup>31</sup> *Hindustan Times*, 10 December, 1985.

<sup>32</sup> *Indian Express*, 14 December, 1985.

<sup>33</sup> *Hindustan Times*, 31 December, 1985.

## PAPUA NEW GUINEA

*No-confidence in prime Minister* : On 21 November, Prime Minister, Mr. Michael Somare was ousted from office in a no-confidence vote in Parliament. He lost the motion in the 109-seat Chamber by 57 votes to 51. The Opposition leader, Mr. Paia Wingti succeeded Mr. Somare.<sup>34</sup>

## POLAND

*General elections* : The elections to the *Sejm* (Parliament) were held on 13 October. These were the first elections to the *Sejm* to be conducted under two sets of new voting regulations. Earlier, the *Sejm* had approved regulations, providing for a choice between two candidates. The turnout of electorate in the elections were put at 78.86 per cent.<sup>35</sup>

*New Speaker and Deputy Speakers* : On 6 November, the *Sejm* elected Mr. Malinowski as Speaker and Mrs. Jadwiga Biedrzycka, Mr. Jerzy Ozdowski, Mr. Marek Wieczorek and Mr. Mieczysław Rekowski as Deputy Speakers.<sup>36</sup>

*New President* : The Polish leader Gen. Wojciech Jaruzelski who stepped down as Prime Minister, was elected Chairman of the Council of the State, the ceremonial post of State President on 6 November.

The same day, the politburo member, Mr. Zbigniew Messner was elected as the new Prime Minister.<sup>37</sup>

## PORTUGAL

*New Prime Minister* : The Social Democratic leader, Mr. Anibal Cavaco Silve was sworn in as the Prime Minister on 6 November.<sup>38</sup>

## SWITZERLAND

*New President* : On 12 December, the Interior Minister, Mr. Alphons Egli was elected President of the Federal Assembly, which elects its President every year.<sup>39</sup>

## TANZANIA

*New President* : Mr. Ali Hassan Mwinyi was elected as the President on 1 November, and was sworn in on 5 November in succession to Mr. Julius Nyerere who retired.<sup>40</sup>

<sup>34</sup> *Free Press Journal*, 22 November, 1985.

<sup>35</sup> *Keesing's Contemporary Archive*, Vol. XXXI, 1985, No. 12.

<sup>36</sup> *Ibid.*,

<sup>37</sup> *Times of India*, 7 November, 1985.

<sup>38</sup> *Keesing's Contemporary Archives*. Vol. XXXI, 1985, No. 12.

<sup>39</sup> *Hindu*, 13 December, 1985.

<sup>40</sup> *Tribune*, 3 November, 1985; and *Hindustan Times*, 6 November, 1985.

**USSR**

***Appointment of Deputy Prime Ministers*** : Mr. Vsevolod Murakhovski was appointed as the first Deputy Prime Minister on 1 November, succeeding Mr. Ziya Nuriev. On 22 December, Mr. Yuri Batarin was appointed another Deputy Prime Minister in place of Mr. Venianin Dymshits.<sup>41</sup>

***New Vice-Presidents*** : On 26 November, the Supreme Soviet elected Mr. Valentine Shevchenko of Ukraine, Mr. Salamat Mukashev of Kazakhstan and Mr. Ringaudas Songayla of Lithuania as new Vice-Presidents.<sup>42</sup>

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<sup>41</sup> *Hindu*, 3 November, 1985; and *Free Press Journal*, 23 December, 1985,

<sup>42</sup> *Hindu*, 27 November, 1985.



## DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

Five Bills amending the provisions of the principal Acts providing for the salaries, allowances and other facilities to Members of Parliament, Ministers, President, Officers of Parliament, and the Leaders of Opposition were passed by Lok Sabha and Rajya Sabha on 19 and 20 December, 1985 respectively. They received President's assent on 26 December, 1985. We reproduce below the texts of these Acts.

—Editor

### THE SALARY, ALLOWANCES AND PENSION OF MEMBERS OF PARLIAMENT (AMENDMENT) ACT, 1985

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

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

1. *Short title* : This Act may be called the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985.

2. *Amendment of section 3* : In section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 (hereinafter referred to as the principal Act). for the words “seven hundred and fifty rupees”, the words “one thousand rupees” shall be substituted.

3. *Amendment of section 5* : In section 5 of the principal Act,—

(a) in sub-section (1), —

(i) in clause (b), for the words “if the journey”, the words “if the journey, being a journey, during a sitting of the Committee,” shall be substituted;

(ii) for the second proviso and the *Explanation*, the following proviso shall be substituted, namely :—

“Provided further that nothing in the first proviso shall apply, if the member performs the journey by air for visiting any Place in India not more than once during a sitting of the Committee.”

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

“(2) Every member shall be entitled to an amount equal to the fare by air for each single journey by air (other than a journey referred to in section 4 or the second proviso to sub-section (1) of this section or section 6C) performed by him from any place in India to any other place in India during his term of office as such member :

Provided that no member shall be entitled to any payment under this sub-section in respect of any journeys in excess of sixteen performed by him during any year.

*Explanation I.*—The provisions of clause (c) of sub-section (1) and of sub-section (2) of section 4 shall, so far as may be, apply to travelling allowances payable under this section as they apply to travelling allowances payable under that section.

*Explanation II.*—For the purposes of this section, “year” means—

(i) in the case of a person who is a member at the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985, the year beginning with such commencement and each of the subsequent years;

(ii) in the case of a person who becomes a member after such commencement, the year beginning with the date on which his term of office as such member commences and each of the subsequent years’.

4. *Amendment of section 6D* : In section 6D of the principal Act, for the words, brackets and figures “sub-section (1) of section 5”, the words, brackets and figures “sub-section (1) or sub-section (2) of section 5” shall be substituted.

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

“8. *Constituency allowance and amenities* : A member shall be entitled to such constituency allowance and to such medical facilities for himself and for members of his family and to such housing, telephone, water, electricity facilities or such amount in cash in lieu of all or any of such facilities, as may be prescribed by rules under section 9”,

6. *Amendment of section 8 A* : In section 8 A of the principal Act, in sub-section (1)—,

(a) for the words “three hundred rupees”, at both the places where they occur, the words “five hundred rupees” shall be substituted;

(b) in the second proviso, the words “so, however, that in no case the pension payable to such person shall exceed five hundred rupees per mensem” shall be omitted.

(c) after the second proviso, the following proviso shall be added, namely :—

“Provided also that every person, who has served for any period as a member of the Provisional Parliament and who is not entitled to any pension under the foregoing provisions of this sub-section, shall, with effect from the commencement of the Salary, Allowances and Pension of Members of Parliament (Amendment) Act, 1985, be entitled to a pension of five hundred rupees per mensem.”;

(d) the *Explanation* shall be renumbered as *Explanation 1* and in the *Explanation* as so renumbered, for the words, brackets and figures “clauses (iv) and (v) of sub-section (1)”, the words “this sub-section” shall be substituted;

(e) after *Explanation 1* as so renumbered, the following *Explanation* shall be inserted, namely :—

“*Explanation 2*—Where in any General Election held for the purpose of constituting a new House of the People, poll could not be taken in any Parliamentary constituency or any part thereof on the date originally fixed under clause (d) of section 30 of the Representation of the People Act, 1951 on account of snow-falls or other weather conditions of an extreme nature in such constituency or part thereof or on account of such constituency or part thereof being inaccessible for any reason, the member elected to such House from such constituency shall be deemed, for the purposes of this sub-section, to have served as a member of such House from the date of publication, under section 73 of the said Act, of the notification relating to such House”.

7. *Insertion of new section 8B* : After section 8A, the following section shall be inserted, namely :—

“8B *Advances for purchase of conveyance* : There may be paid to a member by way of a repayable advance such sum of money not exceeding twenty thousand rupees as may be determined by rules made in this behalf under section 9 for the purchase of a conveyance”.

8. *Amendment of section 9* : In section 9 of the principal Act, in sub-section (3), for clause (f), the following clauses shall be substituted, namely :—

“(f) the constituency allowance and medical and other facilities mentioned in section 8 and the amount to be paid in cash in lieu of such facilities;

(ff) the amount which may be paid by way of repayable advance for the purchase of conveyance; the rate of interests thereon and the mode of recovery of such amount and interest thereon; and.”

### THE SALARIES AND ALLOWANCES OF MINISTERS (AMENDMENT) ACT, 1985

*An act further to amend the Salaries and Allowances of Ministers Act, 1952.*

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

1. *Short title and commencement* ; (1) This Act may be called the Salaries and Allowances of Ministers (Amendment) Act, 1985.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Substitution of new section for section 3* : For section 3 of the Salaries and Allowances of Ministers Act, 1952 (hereinafter referred to as the principal Act) the following section shall be substituted, namely :—

“3. *Salaries and daily and constituency allowances*”. (1) Each Minister shall be entitled to receive a salary per mensem, and an allowance for each day during the whole of his term as such Minister at the same rates as are specified in section 3 of the Salaries, Allowances and Pension of Members of Parliament Act, 1954 with respect to members of Parliament.

(2) Each Minister shall be entitled to receive a constituency allowance at the same rate as is specified under section 8 of the said Act with respect to members of Parliament.”

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

“5. *Sumptuary allowance to Ministers*” : There shall be paid a sumptuary allowance to each Minister at the following rates, namely :—

(a) the Prime Minister

Rupees one thousand five hundred per mensem;

(b) every other Minister who is a member of the Cabinet	Rupees one thousand per mensem;
(c) a Minister of State	Rupees five hundred per mensem;
(d) a Deputy Minister	Rupees three hundred per mensem”.

4. *Amendment of section 6* : In section 6 of the principal Act, after sub-section (1) the following sub-section shall be inserted, namely :—

‘(1A) A Minister and any one member of his family accompanying him shall be entitled to travelling allowances in respect of not more than six return journeys performed, during each year, within India, at the same rates at which travelling allowances are payable to such Minister under clause (b) of sub-section (1) in respect of tours referred to in that clause.

*Explanation*—For the purposes of this sub-section, “return journey” means a journey from one place to another place and the return journey from such other place to the first mentioned place.

5. *Insertion of new section 10A* : In the principal Act, after section 10 the following section shall be inserted namely :—

‘10A. *Exemption from liability to pay income-tax on certain perquisites received by a Minister* : Notwithstanding anything contained in the Income-tax Act, 1961, the value of rent free furnished residence (including maintenance thereof) provided to a Minister under sub-section (1) of section 4 shall not be included in the computation of his income chargeable under the head “Salaries” under section 15 of the Income-tax Act, 1961.’

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## THE PRESIDENT'S PENSION (AMENDMENT) ACT, 1985

*An act further to amend the President's Pension Act, 1951.*

Be it enacted by Parliament in the Thirty-sixth Year of the Republic of India as follow :—

1. *Short title and commencement* : (1) This Act may be called the President's Pension (Amendment) Act, 1985.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazettee, appoint.

2. *Amendment of long title* : In the long title to the President's Pension Act, 1951 (hereinafter referred to as the principal Act), for the words "for the payment of", the words "for the emoluments of the President and for" shall be substituted.

3. *Amendment of section 1* : In section 1 of the principal Act, for the word "Pension", the words "Emoluments and Pension" shall be substituted

4. *Insertion of new section 1A* : In the principal Act, after section 1, the following section shall be inserted, namely :—

*"Emoluments of the President* : "1A. There shall be paid to the President by way of emoluments fifteen thousand rupees per mensem".

5. *Amendment of section 2* : In section 2 of the principal Act, in subsection (1), for the words "fifteen thousand rupees", the words "thirty thousand rupees", shall be substituted.

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## THE SALARIES AND ALLOWANCES OF OFFICERS OF PARLIAMENT (AMENDMENT) ACT, 1985

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

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

1. *Short title and commencement* : (1) This Act may be called the Salaries and Allowances of Officers of Parliament (Amendment) Act, 1985.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Substitution of new section for section 3* : For section 3 of the Salaries and Allowances of Officers of Parliament Act, 1953 (hereinafter referred to as the principal Act), the following section shall be substituted, namely :—

*"3. Salaries, etc., of Officers of Parliament* : (1) There shall be paid to the Chairman of the Council of States a salary of seven thousand five hundred rupees per mensem.

(2) Each officer of Parliament, other than the Chairman of the Council of States shall be entitled to receive a salary per mensem and an allowance for each day during the whole of his term as such officer at the same rates as are specified in section 3 of the Salaries, Allowances and Pension of Members of Parliament Act, 1954 with respect to members of Parliament.

(3) Each officer of Parliament, other than the Chairman of the Council of States, shall be entitled to receive a constituency allowance at the same rate as is specified under section 8 of the said Act with respect to members of Parliament”.

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

“5. *Sumptuary allowance* : There shall be paid to the Chairman of the Council of States and the Speaker of the House of the People a sumptuary allowance of one thousand rupees per mensem and to the Deputy Chairman and the Deputy Speaker a sumptuary allowance of five hundred rupees per mensem”.

4. *Amerdment of section 6* : In section 6 of the principal Act, after sub-section (1), the following sub-section shall be inserted, namely :—

‘(1A) An officer of Parliament and any one member of his family accompanying him shall be entitled to travelling allowances in respect of not more than six return journeys performed, during each year within India, at the same rates at which travelling allowances are payable to such officer under clause (b) of sub-section (1) in respect of tours referred to in that clause.

*Explanation.*—For the purposes of this sub-section, “return journey” means a journey from one place to another place and the return journey from such other place to the first mentioned place”.

5. *Insertion of new section 10A* : In the principal Act, after section 10, the following section shall be inserted, namely :—

‘10A. *Exemption from liability to pay income tax on certain perquisites received by an officer of Parliament* : Notwithstanding anything contained in the Income-tax Act, 1961, the value of rent free furnished residence (including maintenance thereof) provided to an officer of Parliament under sub-section (1) of section 4 shall not be included in computation of his income chargeable under the head “Salaries” under section 15 of the Income-tax Act, 1961’.

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**THE SALARY AND ALLOWANCES OF LEADERS OF  
OPPOSITION IN PARLIAMENT (AMENDMENT) ACT, 1985**

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

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

1. *Short title and commencement* : (1) This Act may be called the Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Act, 1985.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

2. *Substitution of new section for section 3* : For section 3 of the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 (hereinafter referred to as the principal Act), the following section shall be substituted, namely :—

“3. *Salary and daily, constituency and sumptuary allowances* :  
(1) Each Leader of the Opposition shall, so long as he continues as such Leader, be entitled to receive a salary per mensem and allowance for each day at the same rates as are specified in section 3 of the Salary, Allowances and Pension of Members of Parliament Act, 1954 with respect to members of Parliament.

(2) Each Leader of the Opposition shall also be entitled to receive a constituency allowance at the same rate as is for the time being specified under section 8 of the said Act with respect to members of Parliament.

(3) There shall be paid to each Leader of the Opposition a sumptuary allowance of one thousand rupees per mensem.”

3. *Amendment of section 5* : Section 5 of the principal Act shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely :—

(2) A Leader of the Opposition and any one member of his family accompanying him shall be entitled to travelling allowances in respect of not more than six return journeys performed, during each year, within India at the same rates at which travelling allowances are payable to such Leader under clause (b) of sub-section (1) in respect of tours referred to in that clause,



*Explanation.*—For the purposes of this sub-section, “return journey” means a journey from one place to another place and the return journey from such other place to the first mentioned place.’

4. *Insertion of new section 9A:* In the principal Act, after section 9, the following section shall be inserted, namely :—

‘9A. *Exemption from liability to pay income-tax on certain perquisites received by a Leader of the Opposition:* Notwithstanding anything contained in the Income-tax Act, 1961, the value of rent free furnished residence (including maintenance thereof) provided to a Leader of the Opposition under sub-section (1) of section 4 shall not be included in the computation of his income chargeable under the heading “Salaries” under section 15 of the Income-tax Act, 1961’.

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## SESSIONAL REVIEW

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### EIGHTH LOK SABHA

#### FOURTH SESSION

The Eighth Lok Sabha which commenced its Fourth Session (Winter Session) on 18 November, 1985 was adjourned *sine die* on 20 December, 1985. A brief resume' of the important discussions held and other business transacted during this period is given below.

#### A. DISCUSSIONS

*Natural calamities in the country* : Raising a discussion on 18 November 1985, Shri B. V. Desai said that the aid given to the drought-affected areas should be at par with the aid given to the flood-affected areas since both of them were natural calamities. He demanded formulation of an All-India water grid to tackle the flood and drought situation in the country and amendment of the Famine Code.

Participating in the discussion, Shri P. Kolandaivelu asked the Government to appoint an Expert Committee for the assessment of the damages caused by the floods in Tamil Nadu.

Replying to the discussion on 19 November 1985, in which 36 other members \*participated, the Minister of Agriculture, Shri Buta Singh, at the

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\* Other members who took part in the discussion were : Sarvashri M. Raghuma Reddy, Virdhi Chander Jain, Ram Pyare Panika, Suresh Kurup, Braja Mohan Mohanty, C. K. Kuppaswamy, G. S. Rajhans, C. P. Thakur, V. S. Krishna Iyer, Bal Ram Singh Yadav, M. V. Chandrasekhara Murthy, Narayan Choubey, K. S. Rao, N. V. N. Somu, Jujhar Singh, C. Sambu, Chintamani Jena, S. Jagathrakshakan, Balasaheb Vikhe Patil, G. S. Basavaraju, K. Mohandas, D. P. Yadav, P. R. S. Venkatesan, Daulatsinhji Jadeja, Dilcep Singh Bhuria, Prabhu Lal Rawat, Manikrao Hodlya Gavit, Harish Rawat, Girdhari Lal Vyas, Mool Chand Daga and Shrimati Jayanti Patnaik, Shrimati Phulrenu Guha, Shrimati Ramaben Ramjibhai Mavani Patel, Shrimati Basavarajeswari, Shrimati Usha Thakkar and Shrimati Nirmala Kumari Shaktawat,

outset observed that natural calamities were human problems and the Government would have no other consideration than meeting the situations created by such calamities. The Government were releasing huge sums every year under various schemes to the State Governments for meeting situations in the affected areas so that the impact of drought or flood could be reduced. Some of the long-term measures such as irrigation, spreading dryland farming, drought-prone area programme, Desert Development Programmes had reduced to a considerable extent the damage caused by frequently visiting droughts, the Minister added.

Shri Buta Singh informed the House that the Department of Irrigation had prepared some master plans for reducing the fury of floods in areas falling under the course of Ganga and Brahmaputra rivers.

*Crash in prices of Agricultural Commodities* : Raising a discussion on 21 November 1985, Shri V. Sobhanadreeswara Rao expressed grave concern over the steep fall in the prices of agricultural commodities like cotton and jute and sought Government's intervention to mitigate the plight of the farmers. He said that the Cotton Corporation of India should enter the market to ensure better prices to the cotton growers.

Participating in the discussion, Shri Indrajit Gupta pointed out that the crash in the prices of agricultural produce on the one hand and rise in the prices of essential commodities on the other was a serious malady.

Replying to a two-day discussion on 25 November, 1985 in which 36 other members\* participated, the Minister of Agriculture, Shri Buta Singh said that the policy of the Government was to assure remunerative prices to the producers so that they got reasonable return and were also motivated to increase their production and productivity and at the same time enable the consumers to get essential commodities at reasonable price. The Government, he pointed out, had introduced the procurement price policy and also the support price to protect the interest of the producers. Most of the commodities in agricultural sector were covered by support price. The Government had now decided that all the coarse grains and coconut would also be covered by the support price, so that the growers were not made to suffer. However, to help the small and marginal farmers, he said, a national net-work of rural storage facilities would have to be built up by State Governments.

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\* Other members who took part in the discussion were : Sarvashri Mullappally Ramachandran, Zainul Basher, T. Basheer, V. S. Krishna Iyer, Digvijaya Singh, N. Tombi Singh, Balwant Singh Ramoowalia, Somnath Rath, Bharat Singh, P. J. Kurien, G. S. Basavaraju, George Joseph Mundaackal, V. S. Vijayaraghavan, Kali Prasad Pandey, E. Ayyapu Reddy, K. Kunjambu, V. Kishore Chandra S. Deo, K. S. Rao, Uttam Rathod, C. Janga Reddy, Prakash V. Patil, Amar Roypradhan, K.V. Thomas, M. subha Reddy, C. P. Thakur, Thampan Thomas, A. Charles, Ramashary Prasad Singh, Kammodilal Jatav, A. K. Patel, K. Mohandas, Manoj Pandey, Shrimati Basavarajeswari, Shrimati Bibha Ghosh Goswami, Shrimati Sheila Dikshit and Dr. K. G. Adiyodji.

Shri Buta Singh further said that the primary function of the Cotton Corporation of India was to purchase cotton both on commercial account as well as a price support measure with a view to meet the raw material requirements of the National Textiles Corporation and other mills and that from next year, cotton would be covered under the crop insurance scheme.

The Minister informed the House that the textile department had already taken steps to see that most of the closed units were allowed to function so as to see that the quantity of jute procured by them would also help the growers. Jute Corporation of India had already purchased 16 lakh bales of raw jute, the highest ever procurement made by them. The Ministry of Agriculture, Shri Buta Singh added, was very keen to see that the farmers were not allowed to sell their commodities in distress. Adequate steps were taken through the State Cooperative Marketing Federation, NAFED and other Government agencies, to see that the farmer was not cheated and fleeced by the middleman and the money-lender, the Minister concluded.

*Prime Minister's Visits abroad :* The Prime Minister Shri Rajiv Gandhi paid an official visit to Bhutan from 29 September to 1 October, Britain, Cuba, Netherlands and Soviet Union from 14 to 27 October 1985 and attended the Commonwealth Heads of Government Meeting in the Bahamas from 16 to 21 October and 40th Anniversary of the United Nations in New York from 21 to 24 October and also participated in the celebrations of the 15th Anniversary of Oman's National Day on 18 November 1985.

Making a statement on 26 November 1985, Shri Rajiv Gandhi informed the House that his visit to Bhutan had greatly strengthened India's existing excellent relations with that country and on behalf of his mother, he accepted the Druk Wangyal, Bhutan's highest award. In Britain, he had very useful talks with Prime Minister, Mrs. Margaret Thatcher and her Cabinet colleagues and his visit led to a better comprehension of India's concern arising from the anti-Indian extremist activity on the British territory, the imbalance in economic exchanges, and the consular and immigration problems faced by Indian nationals.

Shri Gandhi stated that at the Commonwealth Summit in the Bahamas, India had, consistent with her position, called for comprehensive mandatory sanctions against South Africa. The Commonwealth Accord on South Africa was adopted, which for the first time, committed Britain to specific and closely-monitored economic measures against South Africa. The CHOGM also adopted a Declaration on World Order which was essentially based on a draft submitted by the Indian Delegation.

The Prime Minister further stated that besides addressing the United Nations General Assembly, special meetings of the Non-aligned Group and of the Special Committee against Apartheid, he also held a meeting of the leaders of the six countries in New York which had jointly launched the Delhi

Declaration for Nuclear Disarmament and sent an appeal to U.S. President Ronald Reagan and U.S.S.R. General-Secretary Mikhail Gorbachev.

Shri Gandhi said that being the first Indian Prime Minister to Visit Cuba, his discussions with President Castro on issues of bilateral and international interest were most useful. He accepted, on behalf of his mother, the Jose Marti Award, posthumously bestowed on her by the Government of Cuba as a tribute to her stature 'as a world leader'. In Netherlands, he had very useful talks with Prime Minister Lubbers and expressed appreciation over Netherlands very positive stand towards the developing countries and North-South dialogue.

The Prime Minister added that on his return journey, he paid a brief visit to the USSR and had an extensive and very useful exchange of views with General Secretary Gorbachev, which carried forward the discussions that he had held during his visit there in May 1985. His visit to Oman was in response to a personal and cordial invitation from His Majesty, Sulian Qaboos.

Later, making a statement on 3 December 1985 on the Prime Minister's visit to Vietnam and Japan, the Minister of External Affairs, Shri B.R. Bhagat informed the House that the official talks of the Prime Minister with Mr. Le Duan, General Secretary of the Communist Party of Vietnam and Mr Pham Van Dong, Chairman of the Council of Ministers were held in an atmosphere of great cordiality and friendship. Vietnam and India shared identical or similar views on a number of important international issues. On Kampuchea the Vietnamese leaders emphasised their commitment to withdraw Vietnamese troops by 1990 or even earlier in the event of an acceptable political solution being found. The Prime Minister accepted the "Gold Star Order", from the Vietnamese President, conferred posthumously on Shrimati Indira Gandhi in recognition of her great contributions, as an "indefatigable fighter for the cause of National Independence, Peace, Solidarity and Cooperation amongst Nations, as well as the growth of the Non-Aligned Movement", the Minister added.

Shri Bhagat stated that during the Prime Minister's visit to Japan, besides meeting the Emperor and holding extensive talks with Prime Minister, Yasuhiro Nakasone; his programme included among other things, an address to the Japanese Diet (Parliament) and Keidanren the main grouping of Japanese Economic Organisation and visit to Kyoto, the ancient capital of Japan. An agreement between the Government of India and the Government of Japan on cooperation in the field of Science and Technology was also signed there. In addition to the annual yen credit of 39 billion yen, the Japanese Government had agreed to extend a 30 billion yen (about Rs. 160 crores), special credit for a Gas-based power Plant in Assam. The Prime Minister's visit to Japan, following the visit of Prime Minister Nakasone to India in May 1984, could be considered as marking a new stage in the consolidation and development of bilateral relations, not only for the mutual benefit but also for strengthening peace and prosperity in Asia and in the world, the Minister concluded.

**International Situation :** On 9 December 1985, moving a motion on the “present international situation and the policy of the Government of India in relation thereto” the Minister of External Affairs, Shri B.R. Bhagat said that formation of South Asian Association for Regional Cooperation (SAARC) was a historic event which would usher in a new era of cooperation among the member countries. The first Conference of South Asian countries held in Dhaka, he said, had adopted a Charter and a Declaration and issued a Joint Press Statement containing certain important decisions. He told the House that India would host the next SAARC summit. Prime Minister, Shri Rajiv Gandhi, during the Dhaka Summit, had discussions with other leaders on both bilateral and multi-national issues. The decision of the Conference to have more frequent meetings by SAARC countries at very high levels had created a much-needed forum for regional consultations. While the Summit Conference had ushered in a new era of cooperation among the South Asian countries, bitterness of the past had to be overcome and some of the current problems in relation to India had to be resolved satisfactorily. There were also, inevitably, differences in perception of both national interests and global issues. SAARC provided ‘both as a challenge as well as an opportunity to overcome these difficulties’, he added.

Participating in the discussion, Shri P. Kolandai velu demanded that Sri Lanka’s problem should be solved at the earliest. Shri Indrajit Gupta wanted the Government to mobilise some other Commonwealth countries for putting pressure on British Government not to implement their decisions to withdraw from the UNESCO and to participate in the Star War Programme of the United States of America.

Replying to the discussion in which 16 other members\* participated, the Minister of External Affairs, Shri B.R. Bhagat informed the House that India along with other Non-aligned countries was taking initiative on the very issues on which the Geneva Summit had taken place. India’s foreign policy, he pointed out, was the product of her long freedom struggle and there would be no compromise on the country’s traditional policy of self-reliance and in her struggle against imperialism and colonialism.

Regarding Indo-Pakistan relations and on the question of nuclear weapons, Shri Bhagat clarified that India was not indulging in any clandestine operations. President Zia had been invited to visit Kalpakkam. His visit would be good for discussing some of the new economic, trade and other matters between the two countries.

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\*Other members who took part in the discussion were ; Sarvashri N. Venkata Ratnam, Dinesh Singh, Eduardo Faleiro, Amal Datta, N.G. Ranga, Naresh Chandra Chaturvedi, Surendra Pal Singh, T. Bashcer, S. Jaipal Reddy, P.R. Kumaramangalam, Mewa Singh Gill, Shanti Dhariwal, Sharad Dighe, Abdul Rashid Kabuli, Vijay N. Patil and E. Ayyapu Reddy.

Referring to the problem of Tamils in Sri Lanka, Shri Bhagat said that India had pointed out to the Sri Lankan authorities about the futility and the enormous cost in terms of human lives and human sufferings for any attempt to seek a military solution. India, he added, continued to work towards negotiated political settlement.

Dealing with South Africa, Shri Bhagat said that Indian stand was to give all help to the struggle for freedom there. Regarding Afghanistan, India wanted a political solution of the issue.

Shri Bhagat reaffirmed that the whole of Jammu and Kashmir was an integral part of India, though there was the line of actual control for military purposes. The matter had not been discussed recently with President Zia-ul-Haq.

*Status paper on Education :* On 10 December 1985, the Minister of Human Resources Development, Shri P.V. Narasimha Rao, moved a resolution for approval of the status paper entitled "Challenge of Education—A Policy Perspective", laid on the Table of the House on 20 August 1985.

Initiating the discussion, Shri Rao said that education had to play a catalyst role in the process of human resource development. It should equip the individual and the society to face confidently the challenges of the future. The paper circulated by the Government was intended to provide the basis for an in-depth debate which would facilitate the formulation of the new education policy. Government considered it necessary to strengthen existing institutions and, where necessary, to establish new institutions of excellence for R & D and Man-power Development for the future scenario of economic progress and provide vocational thrust to education, to fulfil developmental needs as well as enhancing employability. Government also wanted to take up a massive long term, nation-wide programme of school improvement and to support and stimulate it by starting a fair number of quality institutions which endeavoured to serve as the catalysis of the above-mentioned long-term programme. It was also the endeavour of the Government to delink degrees from jobs where possible and establish greater relevance and complementarity between the content and processes of education, on the one hand, and the requirements of different client groups on the other. The Education Policy also aimed at enhancing general access to education through use of mass media and setting up institutions for Open and Continuing Systems of Education.

Participating in the discussion, Shri P. Kolandaivelu opposed the three-language formula in the education policy. Shri A.E.T. Barrow suggested a special tax on commercial houses and multinationals which could be used for expanding education.

Intervening in the discussion, the Minister of State in the Departments of Education and Culture, Shrimati Sushila Rohatgi said that model schools

would be set up at the district level so that children from rural areas got more and more opportunities to get quality and uniform education. A common curriculam in these schools would go a long way to foster feelings of national unity. She also informed the House that about Rs. 80 crore would be spent on the education of girls.

Participating in the resumed discussion on 12 December 1985, Shri Sultan Salahuddin Owaisi said that besides opening model schools, efforts should be made to improve the conditions in the existing schools in the coun try.

Replying to a three-day discussion, in which 36 other members\* participated, Shri P.V. Narasimha Rao, said that the document was a document on education *per se*, although it did have in it, 'the wide programme of human resources development'. The Ministry of Human Resources Development, that came into being for the first time, would go into the micro-planning process of education starting with the child, with the parent, with the family and the school. Shri Rao informed the House that for the first time, in the Seventh Plan, Government had decided to shoulder substantial financial responsibilities for meeting the facilities in schools which would bring the much-needed improvement in the standard of school education. Elementary education would receive due priority. Vocational education he assured, would not be ignored and it would be implemented to the extent feasible under overall constrain. The programme of adult education, he added, would have to be a massive programme and should be kept going, on a commensurate scale and at a level of high efficiency.

Allaying the apprehensions that model schools would benefit the upper classes only, Shri Rao pointed out that analysis of the entrance tests in the two model schools, one in Haryana and the other in Maharashtra had shown that one fourth of students belonged to scheduled castes and scheduled tribes.

Referring to the prevailing practice of capitation fee in the technical education, Shri Rao assured the House that the Government would do something to solve the problem.

Denying the charge that Universities in the South were getting a raw deal in the matter of grants, Shri Rao pointed out that Universities in the

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\*Other members who took part in the discussion were: Sarvashri D.P. Yadav, Jagannath Rao, Dharm Pal Singh Malik, Mahendra Singh, Balasaheb Vikhe Patil Girdhari Lal Vyas, Madhusudan Vairala, Ananda Gajapathi Raju, A Charles, Sudhir Roy, V.S. Krishna Iyer, Virdhi Chander Jain, Eduardo Faleiro, Saif-ud-Din Soz, R. Jeevarathinam, Shyam Lal Yadav, G.M. Banatwalla, P.J. Kurien, Shantaram Naik, K. Ramachandra Reddy, Rana Vir Singh, Mool Chand Daga, K.N. Pradhan, M.R. Janarthanan, K.S. Rao, Manoj Pandey, S. Jaipal Reddy, Ram Nagina Mishra, Ram Swarup Ram, Umakant Mishra, G.S. Basavaraju, Shrimati Krishna Sahi, Shrimati Basavarajswari, Shrimati Paulrean Guha, Shrimati Geeta Mukherjee and Shrimati Nirmala Kumari Shaktawat.



South had got the highest grants from the University Grants Commission in the Sixth plan.

*Seventh Five Year Plan, 1985-90* : On 16 December 1985, the Minister of State in the Ministry of Planning, Shri A.K. Panja, moving a motion for consideration on the 'Seventh Five Year Plan, 1985-90', laid on the Table of the House on 4 December 1985 said that in formulating the Plan, the Government had kept in view the mandate given by the National Development Council. The Plan had been formulated on the basic priorities of food, work and productivity. The total public sector outlay was placed at Rs. 1,80,000 crores, out of which the outlays of the Centre, the States and the Union Territories were expected to be Rs. 95,534 crores, Rs. 80,698 crores and Rs. 3,768 crores respectively. The gross domestic product was projected to increase at 5 per cent per annum, with value of gross output of agriculture increasing at 4 per cent per annum and that of mining and manufacturing was expected to grow at 8.3 per cent.

Commending the plan proposals, Shri Panja stated that 30.45 per cent of the total outlays of the Centre, the States and the Union Territories was devoted to Energy, 22 per cent to Agriculture, Rural Development and Irrigation, 16.31 per cent to Social Services and 12.76 per cent to Transport. The allocation for human resource development had been stepped up from Rs. 14,035 crores in the Sixth Plan to Rs. 29,350 crores in the Seventh plan. The per capita consumption of foodgrains, he said, would go up from 178 kg. per capita per annum in 1984-85 to 193 kg. by the end of the Seventh Plan. Employment opportunities would grow at 4 per cent per annum and the number of people crossing the poverty line would be about 62 million at the end of the Plan period.

Shri Panja pointed out that financing of the massive outlay of the Plan required determined and more intense efforts for the resource mobilisation. There must be a major improvement in the productivity, the efficiency and the internal resource generation of the public sector enterprises of the Central and the State Governments.

Intervening in the discussion on 18 December, 1985, Prime Minister, Shri Rajiv Gandhi observed that the thrust of the Seventh plan had been that the poorest man had to become self-reliant and our goal must be a growth with social justice. He hoped that with the anti-poverty programmes and with the major development projects in the Seventh Plan, the poverty line would drop down to 25 per cent at the end of the Seventh Plan.

For lifting people up to better living conditions, Shri Gandhi said that there was a need for technology, starting with the farmer, from simple things to the most sophisticated things for better utilisation of water, fertilizers etc. It should then go on to small scale sector employing next largest number of people.

Defending highest allocation to the public sector, the Prime Minister said that it had been a key to "our development" as an industrialised nation and it would be 'a path-finder in taking India's Industry into next generation of industrialisation'. But the public sector, he pointed out, was not to make losses and the money of poorest was not meant to be squandered.

Referring to mobilisation of resources, Shri Gandhi said that it would be the biggest problem and maximum efforts would be required in that direction. It was a task which had to be discharged by the cooperative endeavour of all.

Participating in the resumed discussion on 19 December, 1985, Professor Madhu Dandavate felt that certain structural changes were necessary to achieve the national goals of planning. Shri Balwant Singh Ramoowalia demanded allocation of sufficient funds to meet the problems of border areas of Punjab.

Replying to a four-day discussion on 20 December 1985, in which 31 other members\* participated, Shri A.K. Panja said that the whole approach to the Plan was on a national consensus. He reiterated that the main thrust of the Plan was poverty alleviation and to bring down the number of people under the poverty line to 25 per cent. The Government were also determined that there must be eradication of illiteracy because it was the education and literacy percentage which was the main factor to be considered for controlling population, ill-health, disease and other things. He hoped that targets set for various programmes in the Plan would not only be achieved but would even exceed.

*Summit meeting between the President of Pakistan and the Prime Minister of India :* Making a statement on 17 December 1985, the Minister of External Affairs, Shri B.R. Bhagat informed the House that President of Pakistan, His Excellency General Mohammad Zia-ul-Haq, paid a brief visit to New Delhi on that day and held talks with the Indian Prime Minister on various matters of mutual interest. The two leaders had reaffirmed their determination to move rapidly towards complete normalisation of relations between the two countries and take positive and constructive action in coming weeks to this end.

Shri Bhagat informed the House that the two sides had agreed to work out an agreement whereby each would undertake not to attack the nuclear installations of the other. Other important decisions taken in the course of discussion included signing of a cultural agreement between the two countries,

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\* Other members who took part in the discussion were : Sarvashri Ananda Gajapathi Raju, Satvendra Narayan Sinha : D.P. Yadav, Somnath Rath, Saifuddin Chowdhary, Brahma Dutt, G.L. Dogra, Y.S. Mahajan, Balasaheb Vikhe Patil, G.S. Rajhans, N.G. Ranga, M.R. Janarthanan, Mohd. Ayub Khan, Sriballav Panigrahi, Asutosh Law, Manvendra Singh, Vijay Kumar Yadav, Raj Kumar Rai, Salahuddin, Kamal Prasad Singh, Piyus Tirkey, C.K. Kuppaswamy, Narain Chand Parashar, K.N. Pradhan, Jaffer Sharief, A. Kalanidhi, Ram Pyare Panika, Dr. K.G. Adiyodi Shrimati Phulrenu Guha, Shrimati Krishna Sahi and Kumari Mamta Banerjee.

meeting of Finance Ministers of two countries in Islamabad in January 1986 to consider agreements on expansion of trade and economic relations followed by a meeting of Foreign Secretaries of two countries in Islamabad to continue discussions on a comprehensive treaty and meeting of four sub-commissions set up under the Indo-Pakistan Joint Commission towards the end of January early February, 1986 to finalise their work and culmination of all the above measures in the Prime Minister's visit to Pakistan during the first half of 1986.

*Long-term fiscal Policy* : Making a statement on 19 December 1985, the Minister of Finance, Shri Vishwanath Pratap Singh recalled that in his Budget speech made earlier in the year, he had indicated that the Government would be moving towards the formulation of a long-term fiscal policy co-terminus with the Plan. Placing the Government's paper on long-term fiscal policy before the House, Shri Singh said that the basic purpose of the document was to impart a perspective to the annual exercises of Budget making and added that he looked forward to a full and vigorous debate on the subject in Parliament and in the country.

## B. LEGISLATIVE BUSINESS

*Citizenship (Amendment) Bill, 1985\** : On 20 November 1985, moving that the Bill be taken into consideration, the Minister of Home Affairs, Shri S.B. Chavan said that the legislation was to give effect to the Assam Accord signed on 15 August 1985. It sought to insert a new section, 6-A in the principal Act which dealt with two categories of persons of Indian origin who came from erstwhile East Pakistan, now Bangladesh, to Assam, *i.e.* prior to 1 January 1966 and those who came between 1 January 1966 to 24 March 1971. The Bill, among other things, stipulated that persons of Indian origin who came to Assam between 1 January 1966 to 24 March, 1971 would be detected in accordance with the provisions of Foreigners Act and Foreigners (Tribunals) Order, 1964 and those persons would have to be registered as per the rules to be made by the Central Government in that behalf.

Participating in the discussion, Shri Kali Prasad Pandey said that all people had welcomed the Assam Accord. Shri Inderjit Gupta said that under the provisions of the Accord, the people who came from 1966 to 1971 were not being treated as foreigners at all. Ten years of disenfranchisement, in their case, he felt was nothing but a concession. Shri Balwant Singh Ramoovalia held that disenfranchisement of certain people for 10 years was not proper.

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\* The Bill was introduced by the Minister of Home Affairs, Shri S.B. Chavan on 18 November, 1985.

Winding up the discussion in which 13 other members\* participated, Shri S B. Chavan said that the Bill was nothing but a total translation of the provisions of the Assam Accord in a legal shape and there was neither infringement nor violation of the international agreements or of any assurance given by the late Prime Minister Shrimati Indira Gandhi. It had been clearly laid down in Article 11 of the Constitution that Government was within its powers to enact legislation conferring or terminating any of the rights which a citizen could possibly have. The best course, he added, was to find solutions by a spirit of give-and-take and the sentiment of the Assamese people had been taken into account.

The Bill was passed

*Salary, Allowances and pension of Members of Parliament (Amendment) Bill, 1985\*\** : On 19 December 1985, moving that the Bill be taken into consideration, the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat said that the Joint Committee on Salaries and Allowances of Members of Parliament had made certain recommendations to extend certain facilities to the members of Parliament. Taking into account the recommendations of the Committee and other relevant factors, it was proposed to amend the provisions of the Act.

Shri Bhagat stated that there were certain other facilities which were also proposed to be extended to the members of Parliament by necessary amendments to the relevant rules made under the Act, which included, raising the maximum ceiling of free local telephone calls from 15,000 to 30,000 per annum, provision of rent-free flat accommodation to members of Parliament except in case of those who were in occupation of bungalows would have to pay full rent, and provision of free water and electricity to members of Parliament up to Rs. 300 per month.

The Bill was passed.

*Salaries and Allowances of Ministers (Amendment) Bill, 1985\*\*\** : On 19 December 1985, moving that the Bill be taken into consideration, the Minister of Home Affairs, Shri S.B. Chavan said that all the Ministers were members of Parliament and whatever facilities provided to members of Parliament were extended to the Council of Ministers. Therefore, it was

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\* Other members who took Part in the discussion were : Sarvashri H.A. Dora, Bhola-nath Sen, Abdul Hannan Ansari, Saifuddin Chowdhary, P. Namgyal, G.S. Rajhans, Vijay N. Patil, Manvendra Singh, S.M. Bhattam, Piyus Tirkey, G.M. Banatwalla, Amar Roy Pradhan and C. Janga Reddy.

\*\* The Bill was introduced by the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat on 19 December 1985.

\*\*\* The Bill was introduced by the Minister of Home Affairs, Shri S.B. Chavan on 91 December 1985.

proposed to provide that Ministers would be entitled to a salary, daily allowance and constituency allowance at the same rates as a member of Parliament and to increase the amount payable to Ministers by way of sumptuary allowance and exempt from income-tax the value of the official residence provided to a Minister; and also to extend the facility of free travel in respect of six return journeys per year within India to one member of the family of a minister accompanying him on such journeys.

The Bill was passed.

*President's Pension (Amendment) Bill, 1985\** : On 19 December 1985 moving that the Bill be taken into consideration, the Minister of Home Affairs, Shri S.B. Chavan said that so far as the Bill was concerned, the emoluments of the President were being increased from Rs. 10,000 to Rs. 15,000 per mensem and the pension of a retiring President was being increased from Rs. 1,250 to Rs. 2,500 per mensem.

The Bill was passed.

*Salaries and Allowances of Officers of Parliament (Amendment) Bill, 1985\*\** : On 19 December 1985, moving that the Bill be taken into consideration, the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat said that as a sequel to the amendment to the Salaries and Allowances of Ministers Act, 1953, it was proposed to bring an amendment to the Salaries and Allowances of Officers of Parliament Act. However, a distinction had been made in the case of Chairman of the Rajya Sabha who was not a member of Parliament. It was, therefore, proposed to give him a salary of Rs. 7,500 per month. Both the Speaker and the Chairman of the Rajya Sabha would be paid sumptuary allowance of Rs. 1,000 per month whereas the Deputy Chairman and the Deputy Speaker would be entitled for sumptuary allowance of Rs. 500.

The Bill was passed.

*Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Bill, 1985\*\*\** : On 19 December 1985, moving that the Bill be taken into consideration, the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat said that it was sequel to the Bills already passed in regard to members of Parliament and Ministers and was also a consequential one.

The Bill was passed.

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\* The Bill was introduced by the Minister of Home Affairs, Shri S.B. Chavan on 19 December 1985.

\*\* The Bill was introduced by the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat on 19 December 1985.

\*\*\* The Bill was introduced by the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat on 19 December 1985.

### C. QUESTION HOUR

In all, 14,529 notices of Questions (10,528 Starred, 3,954 Unstarred and 47 Short Notice Questions) were received during the Session. Out of these, 489 Questions were admitted as Starred and 5,089 as Unstarred (including 11 Questions which appeared in Supplementary List of Questions). 12 Starred and 96 Unstarred Questions were deleted/postponed/transferred from one Ministry to another.

*Daily Average of Questions* : Each Starred List contained 20 Questions except that of 2, 4, 10, 13 and 19 December 1985 which contained 21 Questions each and that of 6 and 11 December 1985 which contained 22 and 23 Questions, respectively. The Questions in excess of 20 in these Lists were either postponed from earlier dates or transferred Questions. On an average, 8 Questions per sitting were orally answered on the floor of the House. The maximum number of Starred Questions orally answered was 13 on 21 November 1985 and minimum number was 5 on 18 and 19 November and 13 December 1985.

*Half-an-Hour Discussions* : In all, 38 Notices of Half an-Hour Discussions were received during the Session. Out of these 10 Notices were admitted and 5 were discussed on the floor of the House.

### D. OBITUARY REFERENCES

During the Session obituary references were made to the passing away of Sarvashri Amar Nath Vidyalankar, Ponnapati Antony Reddi, Parimal Ghosh, Chandrabhan Balaji Athare Patil, Baburao Jangluji Kale, Lalit Sen, Shibban Lal Saksena, Rajesh Kumar Singh, Virendra Agarwal, Kanhaiya Lal Balmiki, Dr. Chelikani Venkata Rama Rao, Pandit Chatur Narain Malviya. Shrimati Jayashri Raji, all ex-members and Sir Seewoosagur Ramgoolam, Governor-General of Mauritius. Members stood in silence for a short while as a mark of respect to the deceased.

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## RAJYA SABHA

### HUNDRED AND THIRTY-SIXTH SESSION\*

The Rajya Sabha met for its Hundred and Thirty-Sixth Session on 18 November 1985 and adjourned *sine die* on 20 December 1985. A resume of

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

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

#### A. DISCUSSIONS

*Steep rise in prices of essential commodities* : On 20 November 1985, Shri Chaturanan Mishra raised a discussion on the situation arising out of the steep rise in prices of essential commodities and the steps taken by Government in this regard.

Making a statement on the subject, the Minister of State in the Ministry of Food and Civil Supplies, Shri K.P. Singh Deo stated that there was some improvement in the overall price situation in 1984-85. The annual rate of inflation had declined from 9.2 per cent in March 1984 to 6 per cent in March 1985. It declined further to 4.8 per cent in the first week of November 1985. During the first seven months of the current financial year the Wholesale Price Index had moved up by less than 4 per cent. During the past 13 weeks ending 2 November 1985, the Wholesale Price Index had moved down by 2 per cent.

The availability of essential commodities had been generally satisfactory. During the lean period and the festival season the supply position of various essential commodities including edible oils and sugar had been by and large satisfactory. Self-sufficiency in foodgrains had been attained which provided much needed food security, the Minister said.

The Government was exercising constant surveillance to keep the prices of essential commodities in check and efforts were being made to ensure their availability throughout the country. The main thrust of Government's policy was to increase the production of essential commodities, particularly those in short supply. The export of essential commodities was regulated keeping in view the domestic requirements. The public distribution system was being expanded and improved. The State Governments were enforcing the Essential Commodities Act and similar legislations, the Minister assured the House.

Replying to the discussion\*, Shri K.P. Singh Deo reiterated that there had been improvement in the price situation in 1984-85 over 1983-84. He added that at a time when there were foodgrains in plenty, he did not think there was any artificial scarcity.

The Minister stressed that in the Seventh Plan, adequate provision had been made for not only strengthening the public distribution system but also augmenting it to have a wider coverage. He also informed the House that

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\* Other members who took part in the discussion were : Shrimati Kanak Mukherjee, Shrimati Shanti Pahadia, Sarvashri Mukhtiar Singh Malik, M.S. Gurupadaswamy, Rameshwar Thakur, Ashwani Kumar, Vithalbai Motiram Patel, J.P. Goyal, Rafique Alam, Murlidhar Chandrakant Bhandare, V. Narayanasamy, S. W. Dhabe, V. Ramanathan and Ram Chandra Vikal, Dr. Shyam Sunder Mohapatra and Professor C. Lakshmanan.

emphasis had been laid on the twin objectives of self-sufficiency and self-reliance in all the plans as far as food was concerned.

*Supreme Court Judgement on the Indian Express Building Case :* On 28 November 1985, Shri Lal K. Advani, raising a short duration discussion on the action taken or proposed to be taken by the Government on the Supreme Court judgement delivered on 7 October 1985 relating to the Indian Express building case, said that after the judgement Shri Jagmohan, Governor of Jammu and Kashmir should have voluntarily tendered his resignation. Even verdicts and pronouncements of judicial commissions had been respected in the past by Ministers and by senior functionaries of the Government, not to speak of the court verdicts, he added.

Shri Advani observed that under article 121 of the Constitution, a judge had been given complete immunity from any discussion, criticism or any attack on his conduct as judge in Parliament. From the reports which had appeared in the Press, the Minister had not been very particular and scrupulous in respecting article 121 when he had replied to the debate in the other House where he was reported to have said that the Supreme Court Judges seemed to have been very keen in defending Shri Sikandar Bakht (who was the Minister in 1977-79). Shri Advani emphasised that the immunity provided to the speeches made within the walls of the Chamber should not be abused by any member, much less by the Minister, to denigrate the judiciary.

Shri Advani cautioned the ruling party that if hereafter they continued to defend Shri Jagmohan who had been found guilty by the highest tribunal in the country, it was not merely Shri Jagmohan who would be in the dock but the entire ruling party and the Government.

Replying to the debate\*, the Minister of State in the Ministry of Law and Justice, Shri H.R. Bhardwaj said that the Government never wanted to discuss the Judges in the House, but to discuss the judgment without the Judge was not possible. He said that the whole issue had been twisted and an attempt had been made to use the judiciary to the prejudice of the present Government and the party in power. Since the action of Shri Jagmohan was not tainted with any selfish motive, as was that of Shri Sikandar Bakht, the Government had not thought it fit to take any action. Besides, Shri Jagmohan had acted in the best interests of Delhi and had acted quite efficiently, the Minister concluded.

*Unemployment in the country :* On 5 December 1985, Shri Suresh Kalmadi called the attention of the Minister of Labour to the mounting

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\* Other members who took part in the discussion were : Sarvaswari N.K.P. Salve, K. Mohanan, J.K. Jain, P. Babul Reddy, Laxmi Narain, Satya Prakash Malaviya, Parvathaneni Upendra, Khushwant Singh, Madan Bhatia, Ghulam Rasool Mattoo and Murlidhar Chandrakant Bhandare,



unemployment in the country and the steps taken by the Government in this regard.

Making a statement on the subject, the Minister of State in the Department of Rural Development, Shri Chandulal Chandrakar said that the Government were fully aware of the unemployment situation in the country. Recognising the fact that meaningful solution to the problem of poverty, unemployment and under-employment could be found only within the framework of rapidly expanding economy, the Minister said that the Sixth Five Year Plan had envisaged an annual rate of growth of the economy at 5.2 per cent. He felt that even this rate of growth would require to be supplemented by more direct means of reducing poverty, specially in the rural areas, and therefore, envisaged programmes of direct productive benefits to the poor, involving transfer of assets and generation of wage employment through special programmes, like National Rural Employment Programme, Integrated Rural Development Programme, Scheme for Training of Rural Youth for Self-Employment, Rural Landless Employment Guarantee Programme, etc. and provision of Social Services through the Minimum Needs Programmes.

Replying to the points raised by hon. members, the Minister said that the nation had been facing the problem of unemployment since independence and the Government had been taking steps to solve it. In all the Five Year Plans, great stress had been laid on tackling the problem of unemployment. The Government had established 720 Employment Exchanges and Vocational Training Centres throughout the country. Besides, Employment Bureaus had also been set up in 80 universities to help the educated unemployed for securing suitable jobs. The statistics in this respect did not depict the real picture as a lot of under-employed persons also got their names registered with Employment Exchanges for better jobs and most of the unemployed persons in rural areas did not get their names registered with the employment exchanges due to certain reasons.

The Government had imparted training to ten lakh rural young people through TRYSEM and provided stipend to them. Out of them five lakh had undertaken self-employment and five lakh had got other jobs, the Minister informed the House.

Allaying the members' fears on the use of computers, the Minister assured that computerisation would not increase unemployment, as care would be taken to absorb the resultant retrenched persons in other jobs. Increase in the generation of power had resulted in the increase in agricultural production, and the use of computers would help in enhancing the power generation. Thus more and more jobs would be created. Computers would revolutionise the working in the field of transportation, commerce and agriculture which would create more job opportunities.

There was no blanket ban on the recruitment in the Government services. Wherever it was thought to be necessary, new posts could be created with the approval of the Cabinet, the Minister concluded.

*Current International Situation :* On 10 December 1985, the Minister of External Affairs, Shri B.R. Bhagat moved the following motion : "That the present international situation and the policy of the Government of India in relation thereto be taken into consideration." Speaking on the motion\*, the Minister said that the first Summit Conference of South Asian countries was held in Dhaka on 7-8 December, 1985. Prior to the Summit, a meeting of the Standing Committee, comprising the Foreign Secretaries followed by a meeting of the Foreign Ministers of the seven countries were held on 4-5 December, 1985 to prepare for the Summit. The Heads of the States of South Asian countries adopted a Charter and a Declaration and issued a Joint Press Statement containing certain important decisions on the last day of the Summit. Prime Minister Shri Rajiv Gandhi was unanimously requested to convene the next Summit Meeting in India. The Prime Minister's offer for convening a Ministerial meeting on the participation of women in activities at regional level within the framework of SAARC had also been accepted.

The Minister further informed the House that Prime Minister Rajiv Gandhi met all participating Heads of States and Governments and discussed both bilateral and multilateral issues of mutual interest. An understanding had been reached that India and Bangladesh would jointly deal with the Mizo, Chakma and TNLF insurgencies. With the King of Bhutan the two leaders carried forward the discussions held only a few months ago when the Prime Minister had visited the Kingdom of Bhutan. The President of Maldives extended an invitation to Prime Minister to visit his country, which had been accepted. King Birendra of Nepal and the Prime Minister reviewed the development of relations since the King's visit to India. It had been agreed that President Zia of Pakistan would come to New Delhi for a day on 17 December, 1985 when discussions on bilateral matters would be continued. The Prime Minister exchanged views with President Jayewardene of Sri Lanka on the Sri Lanka ethnic problem.

The Minister said that the decision at the Conference to have more frequent meetings of the Heads of State of Governments and of the Foreign Ministers of the member-countries had created a much-needed forum for regional consultations at a very high level. From then onwards, the activities

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\* Other members who took part in the discussion were : Sarvashri Sukomal Sen, Shrikant Verma, Valampuri John, Madan Bhatia, M.S. Gurupadaswamy, Vishwa Bandhu Gupta, Jaswant Singh, Murlidhar Chandrakant Bhandare, M. Kalyanasundaram, Satya Pal Malik, Sushil Chand Mohunta, B. Satyanarayan Reddy, Santosh Kumar Sahu, Vithalrao Madhavrao Jadhav, Gulam Rasool Maitto, Dr. Shyam Sunder, Mohapatra and Shrimati Usha Mahotra,

under SAARC would be vested with the authority of the political will and determination of the member-Governments at the highest level.

Under the leadership of Prime Minister Shri Rajiv Gandhi, India played an important role at the Summit Conference which was well appreciated and widely recognized, the Minister remarked.

Replying to the debate, Shri Bhagat said that the challenges made by international situations and conduct of the foreign policy by the Prime Minister had been very well appreciated.

On Prime Minister's visits abroad, the Minister said that they included as many as seven developing countries of the third world like Egypt, Algeria, Bangladesh, Bhutan, Cuba, Oman and Vietnam. He had also visited the Soviet Union, France, USA, UK, Holland and Japan. There were very important multilateral visits too including the visit to the Commonwealth Heads of Government Meeting in Bahamas. The Prime Minister's visit to New York in connection with the 40th Anniversary of the United Nations was also very important.

The Non-Aligned Movement under India's leadership had assumed a dynamic role. There was a special responsibility cast on the Prime Minister as the Chairman of the Non-Aligned Movement. The questions of nuclear disarmament and peace and the new international economic order had been the main issues before the NAM since 1983. The Delhi Summit of the NAM had pinpointed the serious economic crisis being faced by both the developed and the developing countries in the world. The Declaration had said that the two (super) powers must meet and decide about the disaster that the world was facing and which might end the life on this planet itself many times over. The lead had been taken by the then Chairperson of the NAM and then it had been followed by the Six-Nation appeal in which they had asked for a moratorium. As a result of this pressure, the Geneva Summit had taken place, the Minister added. The outcome of the US-USSR Summit at Geneva in regard to the non-use of nuclear weapons indicated that the Soviet Union's position was that of 'no first use of nuclear weapons'; the U.S. and their allies did not however accept the non-use proposal.

The Minister said that the Government of India was not insensitive to the human sufferings in Sri Lanka or anywhere else. The setting up of the cease-fire Monitoring Committee was an effort in that direction.

As regards the India-China border talks and India's relations with China, they were more relaxed at present and there were exchanges at all levels, the Minister concluded,

**Seventh Five Year Plan, 1985-90 :** On 17 December, 1985 the Minister of State in the Ministry of Planning, Shri Ajit Panja moved the following motion :

“That the ‘Seventh Five Year Plan, 1985-90’ laid on the Table of the Rajya Sabha on the 4th December, 1985 be taken into consideration.”

Speaking on the Motion, the Minister said that the Seventh Five-Year Plan had been formulated on the basic priorities of food, work and productivity. These had found acceptance and endorsement by the National Development Council. Particular attention had been paid to development of resources and of raising the capability of infrastructure.

The total public sector outlay was placed at Rs. 180,000 crores spread over the Seventh Plan, and of this amount, Rs. 95,534 crores was the Centre's outlay, while the outlays of the States and Union Territories were expected to be Rs. 80,698 crores and Rs. 3,768 crores respectively.

The consolidation of holdings and land reforms were important not only for social justice but were equally important for agricultural growth. Thirteen million hectares of irrigation potential would be created as part of the ongoing development as an essential input like water for agriculture. The gross cropped area would go up from 180 million hectares in 1980-85 to 190 million hectares in 1985-90. The newly-established National Waste Land Development Board had been charged with the responsibility of drawing up a plan for the development of waste land through a massive programmes of afforestation and tree planting. The employment-oriented programmes such as National Rural Employment Programme, the Rural Landless Employment Guarantee Programme would also be undertaken which would contribute significantly to the generation of additional employment opportunities in the rural areas. The third element of Governments' strategy, according to the Minister, for tackling unemployment in the economy was by having a faster rate of growth for industry and a considerable expanded housing programme in the private sector. Rise in the agricultural production and productivity, employment generation programme and income generation programmes like National Rural Employment Programme and Integrated Rural Development Programme and faster industrial growth, all taken together, would generate a larger volume of employment both in the agricultural and in the non-agricultural sectors than in the past. Employment opportunities would grow at 4 per cent per annum as against a growth of 2.5 per cent of the labour force during the Plan period. The Seventh Plan was an employment-oriented plan, the Minister said.

The overall strategy in the Seventh Plan was aimed at reducing the poverty levels from around 37 per cent of the total population in 1984-85 to around 26 per cent in 1989-90. For human resources development Rs. 29,350 crores had been allocated in the Seventh Plan, the Minister said.

The immunisation programme to protect young children and women, and the programme to ensure safe drinking water supply to all the population were two of the major welfare measures to be undertaken in the Seventh Plan. It was also proposed to undertake major initiatives to reduce the rate of population growth. Programmes for housing for rural families, and for improving the lot of urban slum dwellers and for the development of medium and small towns were also part of the general programme for improving social service in the country.

The public sector enterprises of the Central and the State Governments would also have to reduce their cost of production and to increase their margins so as to generate larger internal resources of their own for financing additional investment, the Minister concluded.

Intervening in the discussion, the Prime Minister, Shri Rajiv Gandhi observed that the basic approach of the Government to planning had been to remove poverty from the country. Planning was an expression of the collective effort of all the Chief Ministers and of the Central Government to bring about the removal of poverty. But poverty could only be removed if productivity went up. The 20-point programme and the antipoverty programmes were the key methods of helping those people who were too poor to get the sort of trickling down benefits from the larger plans and these programmes would continue with greater vigour. The Plan was a cooperative endeavour for the whole country. The Swadeshi spirit that was generated by Gandhiji must not be forgotten, the Prime Minister concluded.

Replying to the discussion\* on 18 December, 1985 the Minister of State in the Ministry of Planning, Shri Ajit Panja said that the points mentioned by some of the hon. members had been taken note of and would certainly be discussed with the advisors concerned. He added that an Approach paper had been prepared first. A full Planning Commission meeting had considered it on 4 June 1984, which was considered by the Cabinet on the 20 June 1984 and later by the Consultative Committee of the members of Parliament on 7 July 1984. It had come up before the National Development Council in July 1984. Thereafter, it had been laid on the Table of the House.

During the Sixth Plan period, targets in agricultural and industrial sectors had been achieved. The remarkable achievement of target was in the sectors of machine tools, production of automobiles, two seaters and cars and some other electronics and communication equipments. The overall growth of 5 per cent target had been achieved.

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\* Other members who took part in the discussion were : Sarvashri Nirmal Chatterjee, Pranab Mukherjee, R. Mohanaragam, Santosh Kumar Sahu, Kailash Pati Mishra, Chaturanan Mishra, Vithalrao Madhavrao Jadhav, Sankar Prasad Mitra, Ram Chandra Vikal, Saty, Prakash Malaviya, K. Vasudeva Panicker, Parvathaneni Upendra, Kulpnath Raj, S.W. Dhabe, Rameshwar Thakur, P.N. Sukul, Dr. Shanti G. Patel, Kumari Saroj Khaparde and Shrimati Pratibha Devi Singh Patil.

Allaying any apprehension regarding the subsidy covering dry land farming, the Minister said that that would continue.

The allocation for horticulture in the Seventh Plan was Rs. 25 crores from the Centre in addition to provision from the State Plan under sub-head called 'Crop facilities.'

Khadi production in the Seventh Plan would increase from 127.82 million sq. metres to 180 million sq. metres and the employment would also automatically increase from 14.58 lakhs to 20 lakhs, both full time and part time.

In the end, the Minister sought the cooperation of the hon. members as well as of the people at large for the successful implementation of the Plan.

*Challenge of Education—A Policy Perspective* : On 19 December 1985, the Minister of Human Resources Development, Shri P.V. Narasimha Rao, moved the following motion :

“That the status paper entitled ‘Challenge of Education—a policy perspective’ laid on the Table of the Rajya Sabha on the 20th August, 1985, be taken into consideration.”

Speaking on the motion, the Minister said that education had to play a catalyst role in the process of human resources development. It was Government's endeavour that the product of our education system would be a self-confident individual with a strong commitment to democratic values and secularism.

Keeping in view the priorities in national development, all educational programmes were suitably coordinated such as agricultural education, medical education, education of para-medical and health workers and workers' education with a principal focus on the clientele groups up to 35 years of age. Investment in female literacy was the best way of improving quality of life.

Finally, the Minister outlined some initiatives and priorities which Government considered necessary to achieve within a realisable time-frame as follows : (i) universalisation of free elementary education; women's education to be free upto and including higher secondary ; (ii) widespread dissemination of knowledge of India's history: culture and destiny and inculcation of values underlying the Indian Constitution; (iii) providing a vocational thrust to education to fulfil developmental needs as well as enhancing employability; and (iv) taking up a massive, long-term, nation-wide programme of school improvement and to support and stimulate it by starting a fair number of quality institutions which endeavour to serve as catalysts of the above-mentioned long-term programme.

Replying to the discussion\*, Shri P.V. Narasimha Rao said that the Government still felt that the Kothari Commission's report could be taken, in many respects, as the last word. The Government did not consider it necessary to appoint another commission for any purpose in regard to education.

All the activities regarding sports, games, physical culture, etc. had been brought under one umbrella of the Ministry of Human Resource Development. It had become easier for the Government to pay the required attention to these matters at the school level right from the grassroot level upwards.

The Minister said that certain aspects had come out very prominently during the debate. Firstly, whatever had happened in the past, members of Parliament, educationists and everyone in this country would like elementary education to receive first priority in future. Then, there were some inhibitions which came in the way of the Scheduled Caste boys or girls getting admitted to the schools or remaining in the schools. The Government was aiming at a core curriculum at the national level, giving the necessary flexibility to build into it whatever was necessary according to the local conditions.

The Kothari Commission Report itself had said that it would not be possible, for lack of resources, to raise all the schools to a higher level within a short period. It had further said that the highest priority in the programme should be given to the creation of a minimum number of quality schools at every stage. It was precisely what the Government was doing. The National Core Curriculum was in the making and the Government was going to introduce it. The Government wanted to start a mass movement for national literacy. It would also go in for delinking of degrees with jobs. However, it did not want to delink degrees from all jobs, but would do it selectively. There was the National Merits Programme also because of disparity between the degrees of different Universities, the Minister concluded.

*Long Term Fiscal Policy :* On 19 December 1985, The Minister of Finance, Shri Vishwanath Pratap Singh stated that in the Budget Speech earlier it had been indicated that the Government would be moving towards the formulation of a long-term fiscal policy co-terminous with the Seventh Plan. The Seventh Plan had been placed in the House a few days ago. It was his

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\* Other members who took part in the discussion were : Dr. Rudra Pratap Singh, Dr. Moh. Hashim Kidwai, Dr. Bapu Kaldate, Dr. R.K. Poddar, Dr. Lokesh Chandra, Sarvashri Aladi Aruna alias V. Arunachalam, M. P. Kaushik, Sudhaker Pande, Virendra Verma, Murlidhar Chandrakant Bhandare, Jaswant Singh, Anand Sharma, S. W. Dhabe, Pawan Kumar Bansal, Sankar Prasad Mitra, Suresh Pachouri, Valampuri John, Parvathaneni Upendra, Thindivanan K. Ramamurthy, Kalpnath Rai, P. N. Sukul, Madan Bhatia, Rameshwar Thakur, Professor (Shrimati) Asima Chatterjee and Shrimati Krishna Kaul.

privilege to place the Government's paper on Long Term Fiscal Policy before the House on that day. The basic purpose of the document was to impart a perspective to annual exercises of Budget Making. The Government's view on the matter were before the House. The Minister looked forward to a full and vigorous debate on the subject in Parliament and in the country.

## B. LEGISLATIVE BUSINESS

*The Citizenship (Amendment) Bill, 1985\** : On 2 December 1985, the Minister of State in the Ministry of Home Affairs, Shri P.A. Sangma, moving the motion for consideration of the Bill, said that Assam accord was a political settlement the core of which was the clauses relating to the foreigners issue. Accordingly, it was proposed to enact the Citizenship (Amendment) Bill, 1985 to give a legal shape to clauses 5.1 to 5.4, 5.6 and 5.7 of the Accord relating to the foreigners issue. The proposed legislation sought mainly to insert a new section 6.A in the Principal Act and dealt with the following two categories of persons of Indian origin who had come from erstwhile East Pakistan, now Bangladesh, to Assam :

- (i) who had come prior to 1 January 1966 and
- (ii) who had come between 1 January 1966 to 24 March 1971 (both days inclusive).

The Bill provided that all persons of Indian origin who had come before 1 January 1966 to Assam from Bangladesh would be deemed to be citizens of India as from 1 January. Every person of Indian origin who had come to Assam between 1 January 1966 and 24 March 1971 from Bangladesh had been detected to be a foreigner and would register himself in accordance with the rules framed for the purpose. Every person so registered would have all rights and obligations as a citizen of India. But he would not be entitled to have his name included in any electoral roll before the expiry of a period of ten years from the date of his detection as a foreigner. After the expiry of the said period, every person so registered would be deemed to be citizen of India for all purposes, the Minister stated.

Replying to the debate, Shri Sangma, said that the Bill did not deal with the minorities of any kind but dealt purely with the matter relating to the foreigners. The Bill dealt with two categories of people and the allegation made that the Bill was creating two types of citizenship, was not true.

Another point was made that the Agreement had been reached in spite of the international commitment under the Liaquat-Nehru Pact and the Mujib-Indira understanding. As a matter of fact all these aspects had been fully taken care of before the Agreement had been reached, the Minister informed

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\* The Bill, as passed by the Lok Sabha, was laid on the Table on 21 November 1985.



the House. He assured the House and the people of Assam that the Government was committed to the all-round development of Assam.

The motion for consideration of the Bill was adopted, the clauses etc. were adopted and the Bill was passed on 3 December 1985.

*The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1985\** ; On 20 December 1985, the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat moving the motion for consideration of the Bill, said that the Lok Sabha, at its sitting held on the previous day, had unanimously passed the Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1985.

The broad features of the present amending Bill were to increase the salary of members from Rs. 750 to Rs. 1,000, extend the facility of eight to and fro intermediate journeys by air to sixteen single air journeys throughout the year and to increase the amount of minimum pension of retired members of Parliament from Rs. 300 to 500 without the maximum ceiling of pension payable to them. This had been done with a view to giving due recognition to long years of service by the members of Parliament. It was also proposed to cover former members of the Constituent Assembly by giving them minimum pension of Rs. 500 per month.

A sum of Rs. 20,000 was proposed to be granted to the members of Parliament for purchase of conveyance, which would be recoverable within a period of five years. Also, the members would get a constituency allowance of Rs. 1,250 per month instead of the present additional facility allowance of Rs. 1,000 per month.

The maximum ceiling of local telephone calls to which a member of Parliament was entitled presently was 15,000. It was being increased to 30,000 with the advantage of trunk-call bills being adjusted within the monetary equivalent of the ceiling of 30,000 free local calls per annum.

It was also proposed to provide only rent-free flat accommodation to the members of Parliament. However, if any member of Parliament was in occupation of a bungalow, he would have to pay the full rent. Over and above these facilities: it was proposed to provide free water and electricity to members of Parliament upto Rs. 300 per month, the Minister concluded.

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

*The Salaries and Allowances of Ministers (Amendment) Bill, 1985\** : On 20 December 1985, the Minister of Home Affairs, Shri S.B. Chavan, moving

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\* The Bill, as passed by the Lok Sabha was laid on the Table on 19 December 1985,

the motion for consideration of the Bill, said that under the amending Bill, the Ministers would, *inter alia* be entitled to a salary and daily and constituency allowances at the rate admissible to members of Parliament besides increase in their sumptuary allowances.

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

*The Salary and Allowances of leaders of Opposition in Parliament (Amendment) Bill, 1985\**: On 20 December 1985, the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat, moving the motion for consideration of the Bill, said that the Bill was a sequel to the amendment to the Salaries and Allowances of Ministers Act, 1952, which had been passed by the Lok Sabha.

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

*The Salaries and Allowances of Officers of Parliament (Amendment) Bill, 1985\** : On 20 December 1985, the Minister of Parliamentary Affairs and Tourism, Shri H.K.L. Bhagat, moving the motion for consideration of the Bill, said that the Bill was adopted by the other House unanimously without discussion. It was a sequel to the amendment to the Salaries and Allowances of Ministers Act, 1952.

*The President's Pension (Amendment) Bill, 1985\** : On 20 December 1985, the Minister of Home Affairs, Shri S.B. Chavani moving the motion for consideration of the Bill, said that there were only two provisions in the Bill. One was to increase the salary of the President from Rs. 10,000 to Rs. 15,000 per mensem and the other was to increase the pension from Rs. 15,000 to Rs. 30,000 per annum.

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

### C. THE QUESTION HOUR

During the Session, 7,036 notices of questions (6,411 Starred and 625 Unstarred) and 2 Short Notice questions were received. Out of these 467 Starred Questions and 3,224 Unstarred Questions were admitted. No Short Notice Question was admitted. After the lists of Questions were printed 26 Starred and 99 Unstarred Questions were transferred from one Ministry to another.

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\* The Bills, as passed by the Lok Sabha were laid on the Table on 19 December 1985.

*Daily Average of Questions* : Each of the lists of Starred Questions contained 18 to 21 Questions. On an average 6.3, Questions were orally answered on the floor of the House, per sitting. The maximum number of Questions orally answered was 10 on 11 December, 1985 and the minimum number of Questions orally answered was 3 on the 18 and 21 November, 1985.

The minimum number of Questions admitted in the Unstarred Questions lists was 71 on the 12 December, 1985 and their maximum number was 211 on the 18 November, 1985. Their average came to 134.2.

*Half-an-Hour Discussion* : In all five notices of Hal-an-Hour Discussion were received during the Session and one was admitted.

*Statements correcting answers to Questions* : In all eight statements correcting answers to Questions answered in the House were made/laid by the Minister concerned.

#### D. OBITUARY REFERENCES

During the Session the Chairman made reference to the passing away of Sarvashri Shankarlal Tiwari and Benoy Kumar Mohanti, both ex-members, and Shri Amarprosad Chakraborty, a sitting member and Sir Seewoosagur Ramgoolam, Governor-General of Mauritius. Members stood in silence for a thort while as a mark of respect to the deceased.

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*Shri Rajiv Gandhi* : .....One other friend talked about a prince charming.

*Professor Madhu Dandavate* : That is aesthetic appreciation.

*Shri Rajiv Gandhi* : Let me remind you that there is no prince charming and there is no magic wand even if there are some nobgoblins at the bottom of the garden.

(*L.S. Deb.*, 28 February, 1986)

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## BOOK SUMMARY

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Laundy, Philip : *Parliamentary Librarianship in the English Speaking World*, (London, 1980).

Most parliamentary libraries began their existence as very traditional libraries indeed, reflecting the nature of the society of which they formed a part. The custodian of the parliamentary libraries in the past were, however, collectors of books rather than purveyors of information. The fact is that parliamentary libraries were not conceived as dynamic institutions having the supply of information as their prime function. Many parliamentarians regarded them as havens of refuge from the political turmoil of the debating chamber. It was after the second world war that a more widespread realization of what parliamentary librarians should be doing began to stir in the minds of those involved both as users and practitioners. It has become more than a library in the sense that the stock and reference service in its conventional form, while remaining important elements of the overall entity, have ceased to be the dominant element. It has become an organisation whose prime function is the provision of information, consultation and research services in multifarious forms. Thus, the parliamentary library is no longer a "book-man's" library of the conventional mould but a many-faceted complex of information processing operations offering everything from current awareness services to indepth research.

The librarians, role in this dynamic process is an essential one. Librarianship is a research-oriented profession. The art of research lies in analysis, synthesis and the evaluation of data. The librarian's training, with its emphasis on the use of books and other materials as tools, the location of information both in likely and unlikely places, and the evaluation of the reliability of sources provides a sound foundation for the professional researcher. Librarianship is a specialisation in itself and one which no research organisation can afford to be without.

Most parliamentary librarians serve a limited clientele. The needs of members must be guaranteed priority at all times if the library is to fulfil its

functions with maximum effectiveness. The parliamentary library faces a very special challenge because parliamentarians probably feel the pressure of the information explosion more keenly than any other single profession. There are few areas of public activity which do not claim the attention of members of Parliament because of the ever-widening range of government responsibilities. If members of Parliament are to perform their function of scrutiny and criticism effectively and to make intelligent evaluations of government measures and policies, they frequently need it as a matter of urgency; and they require it in a variety of different and sometimes sophisticated forms. That is why if a parliamentary library is to perform its functions in a meaningful way it must extend the facilities it offers beyond traditional concepts of library service. The Parliament can be effective only to the extent to which its members are well-informed. Locating fugitive material against a very close deadline and assembling complex information on an urgent basis are part of the routine work of a parliamentary library. Requests frequently have to be satisfied on the basis of imprecise guide lines because the member is not always himself sure of the information he should be seeking. The staff of the parliamentary library must identify with the member of Parliament in the problems he faces in order to serve him with the maximum effectiveness.

The parliamentary library must serve the member not only in his capacity as legislator and critic of the government. It must serve him as the representative of a constituency, as a member of any committee or other investigatory body to which he may belong, as a delegate to national and international conferences and as a person involved in a wide range of public affairs. It is obvious that any parliamentary library worth its salt must have collections as exhaustive as possible on the institution which it serves and the country to which it belongs. Moreover, the increasing preoccupation of government with science policy and the promotion of culture calls for reasonably extensive holdings of material in the fields of science and technology and the fine arts, subjects which some years ago would have been of only peripheral interest to Parliament.

The research service of the library is desired to expand the range and depth of the library's capacity to provide information. It is staffed principally and sometimes exclusively by non-librarians, some of them highly specialised and highly paid. There is a certain glamour surrounding this new service because it offers something quite different what the library was able to offer before. It seems to overshadow the rest of the library. If we take Ottawa by way of example, the professional staff in 1979 included forty-five research officers and thirty-nine librarians, whereas at the beginning of 1965 it consisted exclusively of librarians. Some of the research officers join the staff with an inadequate appreciation of the science of librarianship and the expertise of librarians. Small wonder that they should be resented by a profession which has long endured the indignity of being underestimated.

The research officer's function, depending on the nature of the request with which he is dealing, is to organise, analyze, evaluate, interpret and

summarize the available material; to draw such conclusion as may be justified by the available facts : to present the pros and cons of an issue when requested to do so and to assemble such authoritative opinions as may be available in respect of the question under consideration...The reference service includes the answering of questions of factual nature, the selection and assembling of material in a specific subject area; the location of information and sources of information; the provision of specific publications and other reference materials; the compilation of bibliographies, abstracts, annotated accessions lists, etc.; and other related functions.

Based on Canadian and Australian experience, the research staff are divided broadly into two categories which, for want of better descriptive terminology, may be characterised as 'specialists' and 'generalists'. The specialists are primarily lawyers, economists and natural scientists. The generalists are those officers having an academic background in such areas as political science, sociology, and history, and formidable degree of versatility is expected from them. Many of them have specializations of their own, for example, the Canadian team includes officers who can justly be considered as experts in such areas as transportation, urban affairs, defence, broadcasting, international aid, the natives peoples of socially underprivileged groups. In most cases it would not be possible to keep these officers fully occupied in their area of specialization and they therefore work as generalists. The specialists are regarded as such in the sense that they work within the broadest limits of a major field. For example, the Canadian research officer who is legally trained is expected to deal with requests in any area of law, from constitutional law to criminal law, from family law to mercantile law. Similarly, the economist is required to direct his research abilities into subjects as far a field from each other as public finance, trade, labour, economics and banking. The Service has not yet developed to the point where, as in the Congressional Research Service, one officer could be exclusively occupied in a single narrowly specialised field. Thus, in general terms it would be true to say that the specialists operate within one broad subject area, while the generalists handle any request which does not call for the expertise of an economist, lawyer or natural scientist, leaving them with a very broad range of current affairs and non-technical fields to deal with.

It is likely for the foreseeable future that the main thrust of parliamentary information services will continue to be documentary, although oral consultation will always have an indispensable part to play. A library with lawyers, economists, scientists and other specialists on its staff is able to offer an oral service of inestimable value and this is certainly one of the advantages associated with a research arm.

Of course, oral communication has its shortcomings as a means of conveying information. It leaves more room for misunderstanding than the written word, and the transmission of information in writing enables records to be kept for purposes of verification. Although some communicate better

orally than in writing, the reverse is also true in some cases. The level of articulateness, or the degree of facility with which one expresses oneself will determine the extent to which the message is understood or misunderstood.

If a research service is to be of the maximum utility to the parliamentarians it serves, it must be prepared to assist them in preparing the policies, arguments and points of view they wish to promote. It is legitimate to assist a member to develop a partisan position provided that this form of assistance is available to any other member who requires it. Essentially non-partisanship means that the service must be equally available to members of all parties, back-benchers and front-benchers alike, and to members of both Houses in cases where the one library services the bicameral Parliament.

The parliamentary research officer needs to have an unprecedented mind, or at least to be able to recognise his personal prejudices for what they are. He must be emotionally stable, politically tolerant, moderate and rational in his views and judgements, and content to serve in a back-room capacity. He must accept that his role is not to educate members but respond to their needs as they themselves see those needs. When he does good work he must be content to see the member gets the credit for it. A flamboyant personality and a desire for personal recognition are not assets in a parliamentary research officer. To be a success, the research officer must believe in the parliamentary system and dedicate himself to its service. He must recognise that in helping the individual member to become more efficient, regardless of the issue and regardless of the member's views, he is helping to promote the efficiency of Parliament as a whole.

The service to committees is a very important aspect of a parliamentary research operation. Committee work tends to be of a more on-going and in-depth nature than that prepared for individual members and is usually very time-consuming in consequence. It can take various forms, including the preparation of specific projects or background material, the evaluation, analysis and summarizing of briefs and oral evidence and the provision of advisory services. The work often involves the attendance of the officers concerned at committee meetings, and if the committees travel the officers occasionally travel with them. Officers assigned to committees are normally those with considerable experience or exceptional ability. The role of the research officer is to offer constructive assistance, not to show the committees the error of their ways or to confound them with expertise. Identifying the heart and core of the matter is exactly the function of the parliamentary research service.

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## RECENT LITERATURE OF PARLIAMENTARY INTEREST

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### I. BOOKS

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## APPENDIX I

### STATEMENT SHOWING THE WORK TRANSACTED DURING THE FOURTH SESSION OF THE EIGHTH LOK SABHA

1. PERIOD OF THE SESSION	18 November to 20 December, 1985	
2. NUMBER OF SITTINGS HELD	..	24
3. TOTAL NUMBER OF SITTING HOURS	.. 159 hours and 09 minutes	
4. NUMBER OF DIVISIONS HELD	..	3
5. GOVERNMENT BILLS :		
(i) Pending at the commencement of the Session	...	7
(ii) Introduced .. ...	..	24
(iii) Laid on the Table as passed by Rajya Sabha	...	4
(iv) Returned by Rajya Sabha with any amendment/ recommendation and laid on the Table	..	Nil
(v) Referred to Select Committee	...	Nil
(vi) Referred to Joint Committee	...	Nil
(vii) Reported by select Committee		Nil
(viii) Reported by Joint Committee	...	Nil
(ix) Discussed	...	30
(x) Passed	..	30
(xi) Withdrawn	..	Nil
(xii) Negatived	...	Nil
(xiii) Part-discussed	...	Nil
(xiv) Discussion postponed	...	Nil
(xv) Returned by Rajya Sabha without any recommendation.		11
(xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	..	Nil
(xvii) Pending at the end of Session	...	5
6. PRIVATE MEMBERS' BILLS :		
(i) Pending at the commencement of Session	...	100
(ii) Introduced	...	24



(iii)	Laid on the Table as passed by Rajya Sabha	...	Nil
(iv)	Returned by Rajya Sabha with any amendment and laid on the Table.		Nil
(v)	Reported by Select Committee	...	Nil
(vi)	Discussed	..	2
(vii)	Passed	...	Nil
(viii)	Withdrawn	...	Nil
(ix)	Negatived		Nil
(x)	Circulated for eliciting opinion	...	Nil
(xi)	Part-discussed	...	2
(xii)	Discussion postponed	..	Nil
(xiii)	Motion for circulation of Bill negatived	..	Nil
(xiv)	Referred to Select Committee		Nil
(xv)	Removed from the Register of Pending Bills		1
(xvi)	Pending at the end of the Session	...	123

#### 7. NUMBERS OF DISCUSSIONS HELD UNDER RULE 193 :

(Matters of Urgent Public Importance)

(i)	Notices received	...	167
(ii)	Admitted	..	2
(iii)	Discussion held	...	2

#### 8. NUMBER OF STATEMENTS MADE UNDER RULE 197 :

(Calling-attention to matters of Urgent Public Importance.  
Statements made by Ministers)

.. 7

#### 9. MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS :

(i)	Notices received	..	Nil
(ii)	Admitted and Discussed	...	Nil
(iii)	Barred	..	Nil

#### 10. HALF AN-HOUR DISCUSSIONS HELD : 5

#### 11. STATUTORY RESOLUTIONS :

(i)	Notices received	..	17
(ii)	Admitted	..	4
(iii)	Moved	..	3

(iv)	Adopted	...	Nil
(v)	Negatived	...	2
(vi)	Withdrawn	...	1

**12. GOVERNMENT RESOLUTIONS :**

(i)	Notices received	...	4
(ii)	Admitted	...	4
(iii)	Moved	..	4
(iv)	Adopted	..	4

**13. PRIVATE MEMBERS' RESOLUTIONS :**

(i)	Received		5
(ii)	Admitted	...	5
(iii)	Discussed	..	1
(iv)	Adopted	..	Nil
(v)	Negatived	...	Nil
(vi)	Withdrawn	...	Nil
(vii)	Part-discussed	..	1
(viii)	Discussions postponed		Nil

**14. GOVERNMENT MOTIONS :**

(i)	Notices received	..	4
(ii)	Admitted	...	4
(iii)	Discussed	..	4
(iv)	Adopted	...	Nil
(v)	Part-discussed	..	Nil

**15. PRIVATE MEMBERS MOTIONS :**

(i)	Notices received	...	527
(ii)	Admitted	...	185
(iii)	Moved		1
(iv)	Discussed	...	1
(v)	Adopted	..	Nil
(vi)	Negatived	..	1
(vii)	Withdrawn	...	Nil
(viii)	Part-discussed	...	Nil

**16. MOTIONS RE-MODIFICATION OF STATUTORY RULE :**

(i) Received	...	Nil
(ii) Admitted	...	Nil
(iii) Moved	..	Nil
(iv) Discussed	...	Nil
(v) Adopted	...	Nil
(vi) Negatived	...	Nil
(vii) Withdrawn	...	Nil
(viii) Part-discussed	...	Nil

**17. NUMBER OF PARLIAMENTARY COMMITTEE CREATED, IF ANY, .. Nil**  
DURING THE SESSION :

**18. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING .. 19,665**  
THE SESSION,

**19. MAXIMUM NUMBER OF VISITORS PASSES ISSUED ON .. 1,298**  
ANY SINGLE DAY AND DATE ON WHICH ISSUED. .. 20 December,  
1,985

**20. NUMBER OF ADJOURNMENT MOTIONS :**

(i) Brought before the House	...	Nil
(ii) Admitted and discussed	...	Nil
(iii) Barred in view of adjournment motion admitted on the subject.		Nil
(iv) Consent withheld by Speaker outside the House		93
(v) Consent given by Speaker but leave not granted by the House.		Nil

**21. TOTAL NUMBER OF QUESTIONS ADMITTED : ..**

(i) Starred	...	489
(ii) Unstarred	...	5,089
(iii) Short-Notice Questions	...	Nil

**22. WORKING OF PARLIAMENTARY COMMITTEES**

Sl. No.	Name of the Committee	No. of sittings held during the period 1 October to 31 December 1985.	No. of Reports presented to the House during the Session
1	2	3	4
(i)	Business Advisory Committee	5	5

1	2	3	4
(ii)	Committee on Absence of Members	1	1
(iii)	Committee on Public Undertakings	20	...
(iv)	Committee on Papers Laid on the Table	2	2
(v)	Committee on Petitions	5	1
(vi)	Committee on Private Members' Bills and Resolutions	5	5
(vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	11	4
(viii)	Committee of Privileges	---	---
(ix)	Committee on Government Assurances	3	1
(x)	Committee on Subordinate Legislation	4	2
(xi)	Estimates Committee	24	10
(xii)	General Purposes Committee	2	...
(xiii)	House Committee	3	...
	(a) Accommodation Sub-committee of House Committee	1	...
	(b) Sub-committee on Amenities	1	...
	(c) Sub-committee on Furnishing	1	...
(xiv)	Public Accounts Committee	14	9
(xv)	Railway Convention Committee	1	1
(xvi)	Rules Committee	...	...

**JOINT/SELECT COMMITTEES**

(i)	Joint Committee on Offices of Profit	3	1
(ii)	Joint Committee on Salaries and Allowances of Members of Parliament	2	..
(iii)	Joint Committee of Chairmen, House Committees of both the Houses of Parliament	1	...

23. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE 9

24. PETITIONS PRESENTED 1

25. NUMBER OF NEW MEMBERS SWORN WITH DATE

No. of Members sworn	Date on which sworn
11	18.11.85
1	19.11.85
1	20.11.85
2	18.12.85
4	19.12.85
1	20.12.85

## APPENDIX II

### STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND THIRTY-SIXTH SESSION OF RAJYA SABHA

1. PERIOD OF THE SESSION	18 November to 30 December 1985	
2. NUMBER OF SITTINGS HELD	..	24
3. TOTAL NUMBER OF SITTING HOURS	150 hours and 34 minutes	
4. NUMBER OF DIVISIONS HELD	—	Nil
5. GOVERNMENT BILLS		
(i) Pending at the Commencement of the Session	...	7
(ii) Introduced	..	3
(iii) Laid on the Table as passed by Lok Sabha	...	27*
(iv) Returned by Lok Sabha with any amendment	...	1
(v) Referred to Select Committee by Rajya Sabha	..	Nil
(vi) Referred to Joint Committee by Rajya Sabha	...	Nil
(vii) Reported by Select Committee	...	Nil
(viii) Reported by Joint Committee	...	Nil
(ix) Discussed	...	30
(x) Passed	...	30
(xi) Withdrawn	...	Nil
(xii) Negatived	...	Nil
(xiii) Part-discussed	...	Nil
(xiv) Returned by Rajya Sabha without any recommendation	..	11
(xv) Discussion postponed	...	Nil
(xvi) Pending at the end of the Session	...	7
6. PRIVATE MEMBERS' BILLS		
(i) Pending at the commencement of the Session	..	29
(ii) Introduced	...	2
(iii) Laid on the Table as passed by Lok Sabha	...	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table	...	Nil
(v) Reported by Joint Committee	...	Nil

\*This includes one Bill returned by Lok Sabha with amendments.

(vi) Discussed	...	2
(vii) Withdrawn	...	2
(viii) Passed	..	Nil
(ix) Negatived	...	Nil
(x) Circulated for eliciting opinion	...	Nil
(xi) Part-discussed	..	Nil
(xii) Discussion postponed	...	Nil
(xiii) Motion for circulation of Bill negatived	...	Nil
(xiv) Referred to Select Committee	..	Nil
(xv) Lapsed due to retirement/death of member in-charge of the Bill...	...	Nil
(xvi) Pending at the end of the Session	...	29

#### 7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176

##### (Matters of Urgent Public Importance)

(i) Notices received	...	3
(ii) Admitted	...	3
(iii) Discussion held	...	3

#### 8. NUMBER OF STATEMENTS MADE UNDER RULE 180

##### (Calling Attention to Matter of Urgent Public Importance)

Statements made by Ministers	..	6
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9. HALF-AN HOUR DISCUSSION HELD	1
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#### 10. STATUTORY RESOLUTIONS

(i) Notices received	..	4
(ii) Admitted	..	4
(iii) Moved	..	2
(iv) Adopted	..	Nil
(v) Negatived	..	2
(vi) Withdrawn	..	Nil

#### 11. GOVERNMENT RESOLUTIONS

(i) Notices received	..	Nil
(ii) Admitted	..	Nil
(iii) Moved	..	Nil
(iv) Adopted	..	Nil

#### 12. PRIVATE MEMBERS RESOLUTIONS

(i) Received	..	9
(ii) Admitted	..	9

(iii) Discussed	..	2
(iv) Withdrawn	..	2
(v) Negatived	..	Nil
(vi) Adopted	..	Nil
(vii) Part-discussed	..	Nil
(viii) Discussion postponed	..	Nil

**13. GOVERNMENT MOTIONS**

(i) Notices received	..	4
(ii) Admitted	..	4
(iii) Moved	..	4
(iv) Adopted	..	4
(v) Part-discussed	..	Nil

**14. PRIVATE MEMBERS' MOTIONS**

(i) Received	..	334
(ii) Admitted	..	334
(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	..	1
(ii) Admitted	..	Nil
(iii) Moved	..	Nil
(iv) Adopted	..	Nil
(v) Negatived	..	Nil
(vi) Withdrawn	..	Nil
(vii) Part-discussed	..	Nil
(viii) Pending	..	1

**16. NUMBER OF PARLIAMENTARY COMMITTEES, CREATED, IF ANY DURING THE SESSION**

.. Nil

17. TOTAL NUMBER OF VISITOR'S PASSES ISSUED .. 2,378

18. TOTAL NUMBER OF PERSONS VISITED .. 3,222

19. MAXIMUM NUMBER OF VISITORS PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED 226 on 19 December, 1985



20. MAXIMUM NUMBER OF PERSONS VISITED ON ANY SINGLE DAY AND DATE ON WHICH VISITED 526 on .. 19 December 1985

21. TOTAL NUMBER OF QUESTIONS ADMITTED

(i) Starred .. 467  
 (ii) Unstarred .. 3,224  
 (iii) Short-Notice Questions .. Nil

22. DISCUSSION ON THE WORKING OF THE MINISTRIES .. Nil

23. WORKING OF PARLIAMENTARY COMMITTEES

Name of Committee	No. of meetings held during the period 1st October to 31 December 1985	No. of Reports presented during the Session
(i) Business Advisory Committee	6	..
(ii) Committee on Subordinate Legislation	4	..
(iii) Committee on Petitions	5	2
(iv) Committee of Privileges	..	..
(v) Committee on Rules	1	..
(vi) Committee on Government Assurances	5	..
(vii) Committee on Papers Laid on the Table	4	2
(viii) General Purposes Committee	1	..
(ix) Joint Committee on the Mental Health Bill, 1981	5	..

24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE .. 4

25. PETITION PRESENTED

26. NAME OF NEW MEMBERS SWORN WITH DATES

S.No.	Name of members sworn	Date on which sworn
1	2	3
1.	Shri Salim Ali (Nominated)	18.11.85
2.	Shri Narayan Datt Tiwari	2.12.85
3.	Shri Chitta Basu	2.12.85
4.	Shri Tirath Ram Amla	12.12.85

27. OBITUARY REFERENCES

S.No.	Name	Sitting member/ Ex-member
1.	Shri Shankarlal Tiwari	Ex-member
2.	Shri Amarprosad Chakraborty	Sitting member
3.	Shri Benoy Kumar Mohanti	Ex-member
4.	Sir Seewoosagur Ramgoolam	Governor-General of Mauritius.

## APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER 1985

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.	—	—	—	—	1,57: (273)	(743)	—
Assam L.A.	—	—	—	—	—	—	—
Bihar L.A.	5.11.85 to 13.11.85	6	3(3)	—	1,572(487)	(605)	(74)
Bihar L.C.	5.11.85 to 15.12.85	6	1(4)	—	445(476)	(3)	115(36)
Gujarat L.A.	—	—	—	—	—	442(234)	—
Haryana L.A.	—	—	—	—	—	1(1)	—
Himachal Pradesh L.A.	18.12.85 to 24.12.85	5	1(8)	—	435(270)(a)	31(14)(6)	7(6)
Jammu & Kashmir L.A.	—	—	—	—	—	—	—
Jammu & Kashmir L.C.	—	—	—	—	—	—	—
Karnataka L.A.	—	—	—	—	179(178)	—	—
Karnataka L.C.	—	—	—	—	22	—	—

Kerala L.A.	—	—	—	—	—	—	—	—
Madhya Pradesh L.A.	9.12.85 to 17.12.85	7	10(10)	—	591(281)	515(637)	6	—
Maharashtra L.A.	—	—	—	—	—	—	—	—
Maharashtra L.C.	—	—	—	—	—	—	—	—
Manipur L.A.	16.12.85 to 19.12.95	4	1(2)	—	16(1127)	(4)(c)	11(5)	—
Meghalaya L.A.	—	—	—	—	—	—	—	—
Nagaland L.A.	10.12.85 to 12.12.85	2	2(2)	1(1)	43(4)	1 (12)	—	—
Orissa L.A.	—	—	—	—	—	—	—	—
Punjab L.A.	14.10.85 to 5.11.85	11	6(6)	—	138(63)	49(18)	17(4)	—
Rajasthan L.A.	..	..	..	..	..	..	..	..
Sikkim L.A.	..	..	..	..	..	..	..	..
Tamil Nadu L.A.	..	..	..	..	..	..	..	..
Tamil Nadu L.C.	..	..	..	..	157(70)	2(2)	..	..
Tripura L.A.	25.9.85 to 3.10.85	5	3(3)	..	..	..	..	..
Uttar Pradesh L.A.	..	..	..	..	1983 (1693)(d)	1615(1432)	535(451)(e)	—
Uttar Pradesh L.C.	..	..	..	..	758(688)(f)	..	3(3)(g)	—
West Bengal L.A.	..	..	..	..	..	..	..	..

1	2	3	4	5	6	7	8
UNION TERRITORIES							
Arunachal Pradesh L.A.	...	..	...	...	...	...	...
Delhi Metropolitan Council	...	...	..	...	..	..	...
Goa, Daman and Diu L.A.	...	...	...	..	...	..	...
Mizoram L.A.	25.9.85 to 8.10.85	9	5	...	67(66)	1(1)	10(?)
Pondicherry L.A.	23.10.85 to 24.10.85	2	1(1)	..	...	...	...

Notes : (i) Figures in Cols. 4 and 5 indicate the number, respectively, of Government and Private Members' Bills introduced with the number of Bills passed in brackets.

(ii) Figures in Cols. 6, 7 and 8 indicate the number of notices received followed by the number of notices admitted in brackets.

(a) Postponed from the previous Session - 6

(b) Postponed from the previous Session - 9.

(c) The 4 notices were received as Starred Questions.

(d) The figure 1,693 includes 811 notices received as Unstarred Questions.

(e) The figure 451 includes 242 notices received as Starred Questions and 207 notices received as Unstarred Questions.

(f) The figure 648 includes 145 notices received as Unstarred Questions.

(g) The 3 notices were received as Starred Questions.

### APPENDIX III (contd.)

COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED

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

#### STATES

Andhra Pradesh L.A.	..	9	6	..	..	2	11	8	26(a)	10	..	..	3	19	..	1(b)	8(c)
Assam L.A.	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Bihar L.A.	1	55	104	45	1	141	26	44	..	108	..	74	30	85	34	1	263(d)
Bihar L.C.	2(2)	36	19	3	16	..	12	..	..	..	21	21	25	..	..	..	32(e)
Gujarat L.A.,	...	5	2	..	2	6	4	9(f)	2	..	..	6	..	11	1	..	17(g)

[illegible]

Tamil Nadu L.C.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Tripura L.A.	...	3	...	...	..	1	2	...	5(r)	3	...	1	1	2	...	2	1(s)	...
Uttar Pradesh L.A.	...	14	3	...	1	..	16	11	24	..	...	2	18	1	15(t)	6(u)	...	...
Uttar Pradesh L.C.	...	34	42	..	32	..	..	..	..	..	..	...	...	...	2(v)	88(w)	...	...
West Bengal L.A.	..	6	8	...	7	8	4	5	7	...	4	2	4	...	2(x)	..	...	...
<b>UNION TERRITORIES</b>																		
Arunachal Pradesh L.A.	...	...	...	..	...	..	..	...	...	...	...	..	...	...	...	...	...	...
Delhi Metropolitan Council	...	...	...	...	...	...	...	...	...	...	..	..	...	..	..	..	..	..
Goa, Daman & Diu L.A.	...	...	...	...	...	..	...	..	..	..	...	..	...	..	...	...	...	...
Mizoram L.A.	..	..	..	...	1	..	2	...	..	..	..	...	1	9	..	...	...	...
Pondicherry L.A.	...	..	...	...	...	..	...	..	..	...	...	..	..	..	..	...	...	...

**Notes:** Figures in the brackets indicate the number of reports presented to the House.

- (a) Committee on the Welfare of Scheduled Castes — 15 sittings and Committee on the Welfare of Scheduled Tribes — 11 sittings.
- (b) House Committee on Sale of Bachelor Quarters — 1 sitting.
- (c) Amenities Committee — 1 sitting, Committee on C.I. Wells — 1 sitting and Committee on the Welfare of Backward Classes — 6 sittings.
- (d) Nivedan Committee — 113 sittings, Question and Calling Attention Committees — 88 sittings and Panchayat Raj Committee — 62 sittings.



- (e) Question and Calling Attention Committee—32 sittings.
- (f) Committee on the Welfare of Scheduled Castes—2 sittings; Committee on the Welfare of Scheduled Tribes—4 sittings, and Committee on the Welfare of Socially and Educationally Backward Classes, Nomadic Tribes and Denotified Tribes—3 sittings.
- (g) Committee on Panchayati Raj — 13 sittings, and Members' Allowances Rules Committee — 4 sittings.
- (h) Sub-Committee of Rules Committee —4 sittings.
- (i) Committee on Papers Laid on the Table of the House—6 sittings.
- (j) Committee on Welfare of Backward Classes —19 sittings.
- (k) Subject Committees I to + — 26.
- (l) Committee relating to Examination of the Papers laid on the Table of the House —2 sittings.
- (m) Select Committee on the Assa Motor Vehicle Taxation (Manipur Second Amendment) Bill, 1985—5 sittings.
- (n) Pay Committee of the Manipur Legislature—14 (1),
- (o) Committee on Welfare of Scheduled Castes—34 sittings, and Committee on Welfare of Scheduled Tribes—11 sittings.
- (p) Estimates Committee (A) — 28 sittings and Estimates Committee (B) — 34 sittings.
- (q) Rules Sub-Committee—18 sittings.
- (r) Committee on Welfare of Scheduled Castes — 2 sittings, and Committee on Welfare of Scheduled Tribes—3 sittings.
- (s) Committee on Delegated Legislation—1 sitting.
- (t) Joint Committee on Public Undertakings — 10 sittings, Joint Committee on Accommodation—3 sittings, and Select Committee on the Journalists Welfare and Pension Fund Bill, 1985 — 2 sittings.

- (u) Questions and Reference Committee — 5 sittings, and Parliamentary Research, Reference and Study Committee — 1 sitting.
- (v) Rules Revision Committee — 22 sittings.
- (w) Questions and Reference Committee — 11 sittings, Parliamentary Studies Committee — 22 sittings, Parliamentary and Social Goodwill Committee — 10 sittings, Financial and Administrative Delays Committee — 23 sittings, and Compilation of Rules Committee — 22 sittings.
- (x) Select Committee on the West Bengal Open University Bill, 1985 — 2 sittings.

## APPENDIX IV

### LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER 1985

S. No.	Title of the Bill	Date of assent by the President
1	2	3
1.	The Employment of Children (Amendment) Bill, 1985	.. 4.12.85
2.	The Unit Trust of India (Amendment) Bill, 1985	.. 7.12.85
3.	The National Airports Authority Bill, 1985	.. 7.12.85
4.	The Citizenship (Amendment) Bill, 1985	.. 7.12.85
5.	The Lighthouse (Amendment) Bill, 1985	.. 7.12.85
6.	The Payment of Bonus (Second Amendment) Bill, 1985	.. 18.12.85
7.	The Appropriation (No. 6) Bill, 1985	.. 18.12.85
8.	The Aircraft (Amendment) Bill, 1985	.. 20.12.85
9.	The University Grants Commission (Amendment) Bill, 1985	.. 20.12.85
10.	The Appropriation (Railways) No. 5 Bill, 1985	.. 20.12.85
11.	The International Airports Authority (Amendment) Bill, 1985	.. 20.12.85
12.	The Bonded Labour System (Abolition) Amendment Bill, 1985	.. 24.12.85
13.	The Salary, Allowances and Pension of Members of Parliament (Amendment) Bill, 1985	.. 26.12.85
14.	The Salaries and Allowances of Officers of Parliament (Amendment) Bill, 1985	.. 26.12.85
15.	The Salaries and Allowances of Ministers (Amendment) Bill, 19. 5	.. 26.12.85
16.	The President's Pension (Amendment) Bill, 1985	.. 26.12.85
17.	The Salary and Allowances of Leaders of Opposition in Parliament (Amendment) Bill, 1985	.. 26.12.85

1	2	3
18.	The Central Excises and Salt (Amendment) Bill, 1985	.. 27.12.85
19.	The Customs (Amendment) Bill, 1985	.. 27.12.85
20.	The Banking Laws (Amendment) Bill, 1985	.. 27.12.85
21.	The Inland Waterways Authority of India Bill. 1985	.. 30.12.85
22.	The Futwah Islampur Light Railway Line (Nationalisation) Bill, 1985.	.. 30.12.85

## **APPENDIX V**

### **LIST OF BILLS PASSED BY THE STATE LEGISLATURES DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER 1985**

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#### **STATES**

##### **BIHAR VIDHAN SABHA**

1. **The Bihar Private Practice (Indian Medical System) College (Adoption) Bill, 1985.**
2. **The Bihar Sugar Undertaking (Acquisition) Bill, 1985.**
3. **The Bihar Appropriation (No. 3) Bill, 1985.**

##### **BIHAR LEGISLATIVE COUNCIL**

1. **The Bihar Private Practice (Indian Medical System) College (Acquisition) Bill, 1985.**
2. **The Bihar Sugar Undertaking (Acquisition) Bill, 1985.**
3. **The Bihar Appropriation (No. 3) Bill, 1985.**

##### **HIMACHAL PRADESH LEGISLATIVE ASSEMBLY**

1. **The Himachal Pradesh Appropriation (No. 3) Bill, 1985.**
2. **The Himachal Pradesh Lokayukta (Amendment) Bill, 1985.**
3. **The Himachal Pradesh University (Amendment) Bill, 1985.**
4. **The Himachal Pradesh Board of School Education (Amendment) Bill, 1985.**
5. **The Himachal Pradesh Municipal Corporation (Amendment) Bill, 1985.**
6. **The Himachal Pradesh Legislators (Modifications of Certain Amenities) Bill, 1985.**
7. **Dr. Yashwant Singh Parmar University of Horticulture and Forestry, Solan Bill, 1985.**
8. **The Himachal Pradesh Tax on Entry of Goods into Local Area (Amendment) Bill, 1985.**

##### **MADHYA PRADESH LEGISLATIVE ASSEMBLY**

1. **The Madhya Pradesh Kolahal Niyantran Vidheyak, 1985.**
2. **Bharatiya Stamp (Madhya Pradesh Sanshodhan) Vidheyak, 1985.**
3. **Karagar (Madhya Pradesh Sanshodhan) Vidheyak, 1985.**

4. **The Madhya Pradesh Sahayata Upkram (Vishesh Upbandh) Sanshodhan Vidheyak, 1985,**
5. **The Madhya Pradesh Upkar (Sanshodhan) Vidheyak, 1985.**
6. **The Madhya Pradesh Krishi Upaj Mandi (Tritiya Sanshodhan) Vidheyak, 1985,**
7. **The Madhya Pradesh Rajya Matsya Vikas Nigam (Sanshodhan) Vidheyak, 1985,**
8. **The Madhya Pradesh Aabkari (Sanshodhan) Vidheyak, 1985,**
- 9- **The Madhya Pradesh Samanya Vikraya Kar (Dwitya Sanshodhan) Vidheyak, 1985,**
10. **The Madhya Pradesh Viniyog (No. 5) Bill, 1985,**

**MANIPUR LEGISLATIVE ASSEMBLY**

- \*1. **The Assam Motor Vehicles Taxation (Manipur Second Amendment) Bill 1985.**
- \*2. **The Manipur Local Funds (Accounts and Audit) (Amendment) Bill, 1985**

**PUNJAB LEGISLATIVE ASSEMBLY**

1. **Punjab Appropriation (No. 4) Bill, 1985.**
2. **Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Amendment Bill, 1985.**
3. **Punjab Agricultural Produce Markets (Amendment) Bill, 1985.**
4. **Punjab Municipal (Second Amendment) Bill, 1985.**
5. **The East Punjab Urban Restriction (Amendment) Bill, 1985.**
6. **The Punjab Appropriation (No. 5) Bill, 1985.**

**TRIPURA LEGISLATIVE ASSEMBLY**

- \*1. **The Tripura Shops and Establishment (Second Amendment) Bill, 1985.**
- \*2. **The Salary, Allowances and Pension of Members of the Legislative Assembly (Tripura) (Fifth Amendment) Bill, 1985.**
- \*3. **The Salaries and Allowances of Ministers (Tripura) (Third Amendment) Bill, 1985.**

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\*Awaiting assent.

**UNION TERRITORIES****MIZORAM LEGISLATIVE ASSEMBLY**

1. **The Mizoram Home Guards Bill, 1985.**
2. **The Lushai Hills District (Jhumming) (Amendment) Regulation, 1985.**
3. **The Mizo District (Forests) Amendment (Bill, 1985.**
4. **The Mizoram Salaries, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 1985.**
5. **The Lushai Hills District (Village Councils (Amendment) Bill, 1985.**

**PONDICHERRY LEGISLATIVE ASSEMBLY**

1. **The Pondicherry Contingency Fund (Amendment) Bill, 1985.**

# APPENDIX VI

ORDINANCES ISSUED BY THE CENTRAL AND STATE GOVERNMENTS DURING THE PERIOD 1 OCTOBER TO 31 DECEMBER, 1985

Sl. No.	Subject	Date of promulgation	Date on which laid before the House	Date of cessation	Remarks
1	2	3	4	5	6
CENTRAL GOVERNMENT					
1.	The Aircraft (Amendment) Ordinance, 1985.	16.10.85	10.11.85	—	Replaced by Legislation.
2.	The Payment of Bonus (Second Amendment) Ordinance, 1985.	7.11.85	18.11.85	—	Do.
STATE GOVERNMENTS					
ANDHRA PRADESH					
1.	The Andhra Pradesh Gram Panchayats and Panchayat Samithis and Zila Parishads (Amendment) Amending Ordinance, 1985.	31.12.85	—	—	—
BIHAR					
1.	The Bihar Contingency Fund (Amendment) Third Ordinance, 1985.	—	5.11.85	—	—
2.	The Bihar State Universities (Constituent College) Service Commission (Third) Ordinance, 1985.	—	Do.	—	—
3.	The Bihar Intermediate Education (Second) Ordinance, 1985.	—	Do.	—	—



1	2	3	4	5	6
4.	The Patna University (Amendment) (Third) Ordinance, 1985.	—	Do.	—	—
5.	The Bihar Non-Government Secondary Schools (Management and Taking Over) (Amendment) (Third) Ordinance, 1985.	—	Do.	—	—
6.	The Bihar State University (Amendment) (Third) Ordinance, 1985.	—	Do.	—	—
7.	The Bihar Private (Indian Medical System) College Adoption Fourth Ordinance, 1985.	—	Do.	—	—
8.	The Bihar Coal Mines Regional Development Authority Third Ordinance, 1985.	—	Do.	—	—
9.	The Bihar Panchayati Raj (Amendment) Ordinance, 1985.	—	Do.	—	—
10.	The Patna University (Amendment) Fourth Ordinance, 1985.	—	Do.	—	—
11.	The Bihar State University (Amendment) Fourth Ordinance, 1985.	—	—	—	—
12.	The Bihar State Non-Government Secondary School (Management & Control) (Amendment) Fourth Ordinance, 1985.	—	—	—	—
13.	The Bihar Sugar Undertaking (Acquisition) Ordinance, 1985.	—	—	—	—
GUJARAT					
1.	The Gujarat Legislative Assembly Members (Removal of Disqualifications) (Amendment) Ordinance, 1985.	18.10.85	16.1.86	28.2.86	Replaced by legislation.
2.	The Gujarat Carriage of Goods Taxation (Amendment) Ordinance, 1985.	23.10.85	Do.	Do.	Do.

3. The Gujarat Closed Textile Undertakings (Nationalisation) Ordinance, 1985.	7.11.85	Do.	Do.	—
4. The Gujarat Contingency Fund (Temporary increase) Ordinance, 1985.	3.12.85	Do.	Do.	—
5. The Gujarat Sales Tax (Amendment) Ordinance, 1985.	5.12.85	Do.	Do.	Replaced by legislation.
6. The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Ordinance, 1985.	31.12.85	Do.	Do.	—
7. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Ordinance, 1985.	Do.	Do.	Do.	—
8. The Gujarat University (Extension of Term of Executive Council) Ordinance, 1986.	2.1.86	Do.	Do.	—

HIMACHAL PRADESH

1. The Himachal Pradesh Lokayukta (Amendment) Ordinance, 1985.	23.8.85	18.12.85	29.1.86	Replaced by Legislation.
2. The Himachal Pradesh Municipal Corporation (Amendment) Ordinance, 1985.	30.8.85	Do.	Do.	Do.
3. Dr. Yashwant Singh Parmar University of Horticulture and Forestry Solan Ordinance, 1985.	13.11.85	Do.	Do.	Do.
4. The Himachal Pradesh University (Amendment) Ordinance, 1985.	26.11.84	Do.	Do.	Do.
5. The Himachal Pradesh Board of School Education (Amendment) Ordinance, 1985.	Do.	Do.	Do.	Do.

1	2	3	4	5	6
KARNATAKA					
1.	The Karnataka Zila Parishads, Taluk Panchayat Samithis, Mandal Panchayats and Nyaya Panchayats (Amendment) Ordinance, 1985,	4.10.85	—	—	—
2.	The Cotton Ginning and Pressing Factories (Karnataka Amendment) Ordinance, 1985,	21.10.85	—	—	—
3.	The Karnataka Land Reforms (Amendment) Ordinance, 1985,	6.12.85	—	—	—
4.	The Karnataka Zila Parishads, Taluk Panchayat Samithis Mandal Panchayats and Nyaya Panchayats (Second Amendment) Ordinance, 1985,	19.12.85	—	—	—
5.	The Karnataka Lokayukta (Amendment) Ordinance, 1985,	24.12.85	—	—	—
KERALA					
1.	The Town Planning Laws (Amendment) Ordinance, 1985,	7.10.85	—	—	—
2.	The Kerala Marine Fishing Regulation (Second Amendment) Ordinance, 1985,	11.10.85	—	—	—
3.	The Travancore-Cochin Hindu Religious Institutions (Amendment) Ordinance, 1985,	14.10.85	—	—	—
4.	The Kerala Survey and Boundaries (Amendment) Ordinance, 1985,	Do.	—	—	—
5.	The Kerala Forest (Amendment) Ordinance, 1985,	Do.	—	—	—
6.	The Kerala Civil Court (Amendment) Ordinance, 1985,	Do.	—	—	—
7.	The Kerala General Sales Tax (Amendment) Ordinance, 1985,	Do.	—	—	—
8.	The Kerala Fishermen Welfare Societies (Second Amendment) Ordinance, 1985,	Do.	—	—	—
9.	The Kerala Marine Fishing Regulation (Amendment) Ordinance, 1985,	Do.	—	—	—

10.	The Kerala Tolls (Amendment) Ordinance, 1985,	Do.	—	—	—
11.	The Kerala Motor Vehicles Taxation (Amendment) Ordinance, 1985.	Do.	—	—	—
12.	The Kerala Public Buildings (Eviction of Unauthorised Occupants) Amendment Ordinance, 1985.	Do.	—	—	—
13.	The Irrigation Laws (Amendment) Ordinance, 1985.	14.14.85	—	—	—
14.	The Kerala Agricultural University (Amendment) Ordinance, 1985.	Do.	—	—	—
15.	The Kerala Command Areas Development Ordinance, 1985.	Do.	—	—	—
16.	The Kerala Advocates Welfare Fund (Amendment) Ordinance, 1985.	Do.	—	—	—
17.	The Kerala Co-operative Societies (Amendment) Ordinance, 1985.	Do.	—	—	—
18.	The University Laws (Second Amendment) Ordinance, 1985,	Do.	—	—	—
19.	The Kerala Grandhasala Sangham (Taking Over of Management) Amendment Ordinance, 1985.	Do.	—	—	—
20.	The Gandhiji University (Amendment) Ordinance, 1985.	Do.	—	—	—
21.	The Kerala Labour Welfare Fund (Amendment) Ordinance, 1985.	Do.	—	—	—
22.	The Kerala Essential Articles Control Ordinance, 1985.	Do.	—	—	—
23.	The Kerala Money Lenders (Amendment) Ordinance, 1985.	14.10.85	—	—	—
24.	The Kerala Panchayats (Amendment) Ordinance, 1985.	14.10.85	—	—	—
25.	The Kerala Municipalities (Second Amendment) Ordinance, 1985.	Do.	—	—	—
26.	The Kerala Municipal Corporations (Amendment) Ordinance, 1985.	Do.	—	—	—
27.	The Kerala Private Forests' (Vesting and Assignment) Amendment) Ordinance, 1985.	15.10.85	—	—	—
28.	The Kerala Preservation of Trees Ordinance, 1985.	Do.	—	—	—

1	2	3	4	5	6
29	The Kerala Water and Waste Water Ordinance, 1985,	15.10.85	—	—	—
MADHYA PRADESH					
1	The Madhya Pradesh Samaneya Vikraya-Kar (Dwitiya Sanshodhan) Adhyadesh, 1985.	7.10.85	10.12.85	—	—
2	The Madhya Pradesh Aabkari (Sanshodhan) Adhyadesh, 1985.	11.11.85	Do.	—	—
3	The Madhya Pradesh Samaneya Vikraya-Kar (Tritiya Sanshodhan) Adhyadesh, 1985.	31.12.85	—	—	—
PUNJAB					
1	The Punjab Panchayat Samitis and Zila Parishads (Temporary Supersession) Amendment Ordinance, 1985.	11.10.85	5.11.85	..	Replaced by Legislation.
RAJASTHAN					
1	The Rajasthan Excise (Second Amendment) Ordinance, 1985.	9.11.85	—	—	—
2	The Rajasthan Anatomy Ordinance, 1985.	18.11.85	—	—	—
3	The Rajasthan Law and Building Tax (Second Amendment) Ordinance, 1985.	25.12.85	—	—	—
4	The Rajasthan Sales Tax (Amendment) Ordinance, 1985.	Do.	—	—	—

5	The Rajasthan Disciplinary Proceeding (Summoning of Witness and Production of Documents) (Amendment) Ordinance, 1985.	28.12.85	—	—	—
6	The Rajasthan Tenancy (Amendment) Ordinance, 1985.	Do.	—	—	—
7	The Rajasthan Money Lenders (Amendment) Ordinance, 1985.	Do.	—	—	—
TAMIL NADU					
1.	The Tamil Nadu Prohibition (Second Amendment) Ordinance, 1985.	8.10.85	10.1.86	—	—
2.	The Madras City Municipal Corporation (Second Amendment) Ordinance, 1985.	23.11.85	Do.	—	—
3.	The Coimbatore City Municipal Corporation (Second Amendment) Ordinance, 1985.	Do.	Do.	—	—
4.	The Madurai City Municipal Corporation (Third Amendment) Ordinance, 1985.	Do.	Do.	—	—
5.	The Tamil Nadu Municipal Councils (Appointment of Special Officers) Second Amendment Ordinance, 1985.	Do.	Do.	—	—
6.	The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Market (Amendment and Special Provision) Second Amendment Ordinance, 1985.	3.12.85	Do.	—	—
7.	The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Third Amendment Ordinance, 1985.	5.12.85	Do.	—	—
8.	The Pachaiyappa's Trust (Taking over of Management) Second Amendment Ordinance, 1985.	21.12.85	Do.	—	—

1	2	3	4	5	6
9	The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Fourth Amendment Ordinance, 1985.	23.12.85	19.1.86	—	—
10	The Tamil Nadu Panchayats (Appointment of Special Officers) Fourth Amendment Ordinance, 1985.	Do.	Do.	—	—
11	The Tamil Nadu Panchayats (Fifth Amendment) Ordinance, 1985.	Do.	Do.	—	—
12	The Tamil Nadu Agricultural Services Co-operative Societies (Appointment of Special Officers) (Amendment) Ordinance, 1985.	25.12.85	Do.	—	—
UTTAR PRADESH					
1	Uttar Pradesh Besash Chatra Vikash Pradhikaran Adhyadesh, 1985.	3.10.85	—	—	—
2	Uttar Pradesh Vishesh Kshetriya Vikas Pradhikaran Adhyadesh, 1985.	8.10.85	—	—	—
3	Uttar Pradesh Akasmikata Nidhi (Sanshodhan) Adhyadesh, 1985.	14.10.85	—	—	—
4	Uttar Pradesh Sheera Niyantran (Sanshodhan) Adhyadesh, 1985.	30.11.85	—	—	—
5	Uttar Pradesh Motor Spirit, Diesel Oil Tatha Alcohol Bikri Karadhan (Sanshodhan) Adhyadesh, 1985.	Do.	—	—	—
6	Uttar Pradesh Akasmikata Nidhi (Dwitiya Sanshodhan) Adhyadesh, 1985.	23.12.85	—	—	—
7	Uttar Pradesh Sahkari Samiti (Sanshodhan) Adhyadesh, 1985.	31.12.85	—	—	—

8. Uttar Pradesh Nagar Swayatta Shasan Vidhi (Dwitiya Sanshodhan) Adhyadesh, 1985.	Do.	—	—	—
9. Bhartiya Vidyut (Uttar Pradesh Sanshodhan) Adhyadesh, 1986.	4.1.86	—	—	—
10. Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya (Sanshodhan) Adhyadesh, 1986.	Do.	—	—	—
11. Uttar Pradesh Adhikram Jut Seema Aropan (Sanshodhan) Adhyadesh, 1986.	13.1.86	—	—	—

WEST BENGAL

1. The Bidhan Chandra Krishi Viswavidyalaya (Amendment) Ordinance, 1985.	19.19.85	—	—	—
2. The Rabindra Bharati (Amendment) Ordinance, 1985.	18.10.85	—	—	—
3. The Calcutta Hackney Carriage (Amendment) Ordinance, 1985.	13.12.85	—	—	—

UNION TERRITORIES

PONDICHERRY

1. The Anglo-French Textiles Limited (Acquisition and Transfer of Textile Undertaking) Ordinance, 1985.	24.12.85	—	—	—
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## APPENDIX VII

## A. PARTY POSITION IN LOK SABHA (As on 19 February, 1986)

Sl. No.	Name of State/ Union Territory	Seats	Congress (I)	Telugu Desam	CPI (M)	Other Parties	Unattached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10
STATES									
1.	Andhra Pradesh	42	6	30	1	4(a)	1	42	—
2.	Assam	14	4	—	—	8(b)	2	14	—
3.	Bihar	54	47	—	—	5(c)	2	54	—
4.	Gujarat	26	24	—	—	2(d)	—	26	—
5.	Haryana	10	10	—	—	—	—	10	—
6.	Himachal Pradesh	4	4	—	—	—	—	4	—
7.	Jammu and Kashmir	6	3	—	—	3(e)	—	6	—
8.	Karnataka	28	24	—	—	4(f)	—	28	—
9.	Kerala	20	13	—	1	6(g)	—	20	—
10.	Madhya Pradesh	40	40	—	—	—	—	40	—
11.	Maharashtra	48	43	—	—	3(h)	2	48	—
12.	Manipur	2	2	—	—	—	—	2	—
13.	Meghalaya	2	2	—	—	—	—	2	—
14.	Nagaland	1	1	—	—	—	—	1	—
15.	Orissa	21	20	—	—	1(i)	—	21	—
16.	Punjab	13	6	—	—	7(j)	—	13	—
17.	Rajasthan	25	24	—	—	—	—	24*	—
18.	Sikkim	1	—	—	—	—	—	1	—
19.	Tamil Nadu	39	25	—	—	14(k)	1	39	—
20.	Tripura	2	—	—	2	—	—	2	—

21. Uttar Pradesh	85	83	—	—	20(1)	—	85	—
22. West Bengal	42	16	—	18	8(m)	—	42	—
UNION TERRITORIES								
23. Andaman & Nicobar	1	1	—	—	—	—	1	—
24. Arunachal Pradesh	2	2	—	—	—	—	2	—
25. Chandigarh	1	1	—	—	—	—	1	—
26. Dadra & Nagar Haveli	1 /	1	—	—	—	1	1	—
27. Delhi	7	7	—	—	—	—	7	—
28. Goa, Daman and Diu	2	2	—	—	—	—	2	—
29. Lakshadweep	1	1	—	—	—	—	1	—
30. Mizoram	1	1	—	—	7	—	1	—
31. Pondicherry	1	1	—	—	—	—	1	—
32. Nominated (Anglo-Indian)	2	—	—	—	—	2	2	—
	544	413	30	22	67	11	543*	—

\*Excluding the Speaker,

- (a) Janta—1; CPI—1; Cong (S)—1; and BJP—1,
- (b) AGP—7; and Congress (S)—1.
- (c) Janata—3; and CPI—2.
- (d) Janata—1; and BJP—1.
- (e) J & K National Conference—3.
- (f) Janata—4.
- (g) Janata—1; Cong (S)—1; Muslim League—2; and Kerala Congress—2.
- (h) Janata—2; and Cong. (S)—1.
- (i) Janata—1.
- (j) Akali Dal—7.
- (k) AIADMK—12; and DMK—2.
- (l) Lok Dal—2.
- (m) CPI—3; RSP—3; and Forward Bloc—2.

## B. PARTY POSITION IN RAJYA SABHA (As on 1 February, 1986)

Sl. No.	States/Union Territories	Seats	Cong. (I)	Janata	C.P.I. (M)	BJP	Other parties	Unattached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
STATES										
1.	Andhra Pradesh	18	11	1	—	—	6 (a)	—	18	—
2.	Assam	7	6	1	—	—	—	—	7	—
3.	Bihar	22	15	1	—	3	3 (b)	—	22	—
4.	Gujarat	11	9	—	—	1	—	1	11	—
5.	Haryana	5	4	—	—	—	1 (c)	—	5	—
6.	Himachal Pradesh	3	3	—	—	—	—	—	3	—
7.	Jammu and Kashmir	4	1	—	—	—	2 (d)	1	4	—
8.	Karnataka	12	8	3	—	—	—	1	12	—
9.	Kerala	9	3	—	2	—	4 (e)	—	9	—
10.	Madhya Pradesh	16	13	—	—	3	—	—	16	—
11.	Maharashtra	19	15	2	—	—	2 (f)	—	19	—
12.	Manipur	1	1	—	—	—	—	—	1	—
13.	Meghalaya	1	1	—	—	—	—	—	1	—
14.	Nagaland	1	—	—	—	—	1 (g)	—	1	—
15.	Orissa	10	8	1	—	—	—	1	10	—
16.	Punjab	7	5	—	—	—	2 (h)	—	7	—
17.	Rajasthan	10	8	—	—	1	—	1	10	—
18.	Sikkim	1	1	—	—	—	—	—	1	—
19.	Tamil Nadu	18	3	—	—	—	15 (i)	—	18	—
20.	Tripura	1	—	—	1	—	—	—	1	—

21. Uttar Pradesh	34	29	—	—	—	5 (i)	—	34	—
22. West Bengal	16	1	—	9	—	4 (k)	1	15	1
UNION TERRITORIES									
23. Arunachal Pradesh	1	1	—	—	—	—	—	1	—
24. Delhi	3	3	—	—	—	—	—	3	—
25. Mizoram	1	1	—	—	—	—	—	1	—
26. Pondicherry	1	1	—	—	—	—	—	1	—
27. Nominated	12	8	—	—	—	—	3	11	1
	244	159	9	12	8	45	9	242	2

(a) Telugu Desam—5 ; and National Democratic Party of India—1.

(b) C.P.I.—3.

(c) Lok Dal—1.

(d) National Conference—2.

(e) Kerala Congress—1 ; Muslim league—1 ; Janata (G)—1 ; and CPI—1.

(f) Congress (S)—2.

(g) Naga National Democratic Party—1.

(h) Akali Dal—7.

(i) C.P.I.—1 ; AIADMK—11 ; and DMK—3.

(j) Janawadi—1 ; and Lok Dal (C)—4.

(k) Forward Bloc—2 ; R.S.P.—1 ; and CPI—1.

## C. PARTY POSITION IN LEGISLATURES OF STATES AND UNION TERRITORIES

State/Union Territory	Seats	Cong. (I)	Janata	Lok Dal	BJP	Cong. (S)	CPI (M)	CPI	Other Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13
STATES												
Andhra Pradesh L.A. (As on 1.1.86)	295	50	3	—	8	—	11	11	207(a)	5	295	—
Assam L.A.**	—	—	—	—	—	—	—	—	—	—	—	—
Bihar L.A. (As on 1.12.85)	325*	192	13	47	16	1	1	12	11(b)	29	322	3
Bihar L.C. (As on 1.1.86)	59	44	3	1	—	—	—	7	4(c)	—	59	—
Gujarat L.A. (As on 1.1.86)	182	148	44	—	11	—	—	—	—	9	182	—
Haryana L.A. (As on 31.12.85)	90	61	8	10	4	—	—	—	2(d)	1	86	3(e)
Himachal Pradesh L.A. (As on 1.1.86)	68	58	—	1	7	—	—	—	—	2	68	—
Jammu & Kashmir L.A. (As on 1.1.86)	78	26	—	—	—	—	—	—	50(f)	1	77	1
Jammu & Kashmir L.C. (As on 1.1.86)	36	2	—	—	—	—	—	—	23(g)	1	26	10

Karnataka L.A. (As on 1.1.86)	225	66	137	—	2	—	2	4	—	11	222*	2
Karnataka L.C. (As on 1.1.86)	63	18	11	—	6	—	—	—	—	6	41*	21
Kerala L.A. (As on 1.1.86)	14	31	4	—	—	8	30	12	42(h)	12	139*	1
Madhya Pradesh L.A. (As on 1.1.86)	321	249	5	—	58	1	—	—	—	10	6	320*
Manipur L.A. (As on 1.1.86)	60	35	4	—	—	—	—	1	2(i)	18	60	—
Meghalaya L.A. (As on 1.0.85)	60	39	—	—	—	—	—	—	—	19(k)	1	—
Nagaland L.A. (As on 1.1.86)	60	41	—	—	—	—	—	—	—	17(l)	2	—
Punjab L.A. (As on 1.1.86)	117	32	1	—	6	—	—	1	73(m)	4	117	—
Rajasthan L.A. (As on 1.1.86)	200	115	10	27	38	—	1	—	—	9	200	—
Sikkim L.A. (As on 1.10.85)	32	1	—	—	—	—	—	—	—	30(n)	32	—
Tamil Nadu L.A. (As on 30.9.85)	235	62	3	—	—	—	5	2	160(o)	1	233*	—
Tamil Nadu L.C. (As on 31.12.85)	63	5	—	—	—	—	—	1	22(p)	2	40*	22

1	2	3	4	5	6	7	8	9	10	11	12	13
Tripura L.C. (As on 1.1.86)	59	11	—	—	—	—	37	—	8(q)	3	59	—
Uttar Pradesh L.A. (As on 1.1.86)	426	268	20	84	16	—	2	6	6(r)	23	425	1
Uttar Pradesh L.C. (As on 1.1.86)	108	39	—	5	1	—	—	2	10(s)	3	60	48
West Bengal L.A. (As on 1.1.86)	298	57	—	—	—	—	170	7	58(t)	3	295	—
UNION TERRITORIES												
Andhra Pradesh L.A. (As on 1.1.86)	33	30	—	—	—	—	—	—	2(u)	1	33	—
Delhi Metropolitan Council (As on 11.11.85)	61	38	1	1	19	—	—	—	—	—	59	2
Goa, Daman and Diu (As on 1.10.85)	33	22	—	—	—	—	—	—	9(v)	2	33	—
Mizoram L.A. (As on 1.10.85)	33	23	—	—	—	—	—	—	9(w)	1	33	—
Pondicherry L.A. (As on 1.1.86)	33	18	1	—	—	—	—	—	14(x)	2	32	1

\* Excluding Speaker/Chairman.

\*\* No information so far received from Assam Legislative Assembly.

(a) Telugu Desam Party—202; Majlis-Ittehad-ul-Muslimeen—4; and Marxists Communist Party of India—1.

(b) Socialist Unity Centre of India—1; Jharkhand Mukti Morcha—9; and Nominated—1

(c) Dalit Mazdoor Kisan Party—3; and Jharkhand Mukti Morcha—1.

(d) Indian National Congress (I)—2.

- (e) A newly elected member have not taken oath/affirmation so far.
- (f) National Conference (F)—32; National Conference (k)—16; Panthers Party—1; and People's Party—1.
- (g) National Conference (F)—9 ; and National Conference (k)—14.
- (h) Indian Union Muslim League —18; Kerala Congress —15; Revolutionary Socialist Party—4; National Democratic Party—3; and Socialist Republican Party—2.
- (i) Nominated—1.
- (j) Manipur People's Party—1; and K.N.A.—1.
- (k) Hills State People Democratic Party—10 and All Party Hills Leaders Conference—9
- (l) Nagaland National Democratic Party 17
- (m) Shiromani Akali Dal—73
- (n) Sikkim Sangharsh parishad—30.
- (o) Union Muslim league—2; Gandhi—Kamraj National Congress—2.
- (p) All India Anna Dravida Munnetra Kahagam —131, Dravida Munnetra Karhagaum— 22, All India Forward Bloct—2 ; and Republican Party of India (Khodergade)—1
- (q) All India Anna Dravida Munnetra Kazhagam—23; Dravida Munnetra Kazhagam —5; Teachers—Graduates Progressive Front—3; and Gandhi Kamraj National Congress—1.
- (r) Revolutionary Socialist Party—2; and Tripura Upjati Juba Samiti—6.
- (s) Congress (J)—5; and Nominated—1.
- (t) Rashtriya Shikshak Dal—2; Shikshak Manch—1; and Shikshak Dal—7.
- (u) Forward Bloc—28; Revolutionary Socialist Party —18; West Bengal Socialist Party —3; Democratic Socialist Party —2; } Revolutionary Communist Party of India — ; Forward Bloc (Marxist —2; Socialist Unity Centre of India —2; and nominated. —1.
- (v) People's Party of Arunachal Pradesh—2.
- (v) Maharashtrawadi gomantak Party (MJB) 8, and Goa Congress—1.
- (w) People's Conference—8 and Mizo Convetion—1.
- (x) All India Anna Dravida Munnetra Kazhagam—6; and Dravida Munnetra Kazhagam.