

THE JOURNAL OF PARLIAMENTARY INFORMATION

NEHRU—A TRUE DEMOCRAT

—R. Venkataraman

THE SPEAKER AND THE QUESTION PERIOD

—Tan Sri Dato Mohamed Zahir

**ESTIMATES COMMITTEE IN RETROSPECT :
NEED FOR PROCEDURAL REFORMS**

—B. K. Mukherjee



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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.

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

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EDITORIAL NOTE

The first article published in the present issue of the *Journal* is on "Nehru—a True Democrat" by Shri R. Venkataraman, Vice-President of India and Chairman of Rajya Sabha. Sharing his thoughts on the unique bonds which united Jawaharlal Nehru with the people of India, the author recalls that it was in Jawaharlal Nehru that the past, present and future had mingled so elegantly and to such fine purpose. According to Shri Venkataraman, Nehru's true democratic temperament was reflected in the philosophy of evolving a national consensus on basic issues and implementation of agreed proposals. He calls Nehru a "democrat of democrats, socialist of Socialists and a unique phenomenon, an answer to the challenge of our times". In conclusion he wishes: "May Nehru's path of working not just for but *with* the people of India be our path always. And may the Years of the Rose be not just a memory but a living inspiration."

In the second article on "The Speaker and the Question Period", Mr. Speaker Tan Sri Dato Mohamed Zahir of Malaysia recounts the gradual growth of the Question period as an institution common to all parliaments of the Commonwealth. Referring to the problems faced by a Speaker during the Question period, Mr. Zahir makes a particular mention of the discretionary powers of the Speaker with regard to inadmissibility of Questions in various parliaments in general and with special reference to the Malaysian Parliament. The distinguished author notes the increasing tendency of supplementary questions becoming longer and longer and narrates his experiences of using his discretion to allow only precise and specific supplementaries.

The third article on "Estimates Committee in Retrospect: Need for Procedural Reforms" by Shri B. K. Mukherjee, traces the development of precedents or conventions and expertise pertaining to the Estimates Committee of Lok Sabha which fashioned it into a powerful instrument for financial control. Referring to the debate for making innovations in the Committee procedure, the author says that the procedure as evolved so far has stood the test of time. He, however, feels that the Parliament may, if it thinks fit; constitute a Select Committee on Procedure on the lines of the House of

Commons Committee appointed in 1976, to have a closer look into the structure and functioning of committees. Since the existing Rules of Procedure and Conduct of Business in Lok Sabha do not permit any such part of the proceedings to be made public which are not laid on the Table of the House, he suggests for a relaxation of the rules so that "the verbatim proceedings may be considered as declassified documents after the expiry of a stretch of time, which may be ten years, or the life-time of two Lok Sabhas."

We congratulate and extend our heartiest felicitations to Shri M. M. Jacob on his election as Deputy Chairman of the Rajya Sabha. A feature on the election held on 25 February, 1986 has been included in this issue.

We also felicitate Shri Surjit Singh Minhas on his election as Speaker of the Punjab Legislative Assembly, and Sarvashri Bhadrishwar Baragohain, Dev Raj Negi and Jaswant Singh on their election as Deputy Speakers of the Legislative Assemblies of Assam, Himachal Pradesh and Punjab respectively.

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

—Subhash C. Kashyap

NEHRU—A TRUE DEMOCRAT*

R. VENKATARAMAN

Indexed

Twenty-two years ago, this day, a wonderful being passed away. A numbness crept over us. I, with countless others had looked upon Jawaharlal Nehru as a leader and a lodestar. Jawaharlal Nehru was impatient with anything that was not rationally explicable. But the fact that on the day his remains were consigned to the flames the earth shook twice in Delhi could not be ignored. We did not seek to interpret the natural phenomenon too much. It sufficed us to feel that the soil of India, which Nehru had served so truly and well, trembled with the rest of us. On the anniversary each year of that day of infinite sadness, the people of India offer to Jawaharlal Nehru reverence and tribute. Though reverence and tribute are offered to many, the people of India offer him something more, something special. They offer him flowers of adoration.

“Many have been admired,” wrote Jawaharlal Nehru in his *Will and Testament*, “some have been revered, but the affection of all classes of Indian people has come to me in such abundant measure that I have been overwhelmed by it.”

It is difficult to say who overwhelmed whom, Nehru or India. If Nehru could feel palpably the love that the people of India bore for him, the reverse was equally true. The people of India were affected by him in a manner that was altogether unique. One might in fact say that India was in love with him. Not for nothing did Gandhiji write a few days before his assassination:

बहुत वर्ष जियो और हिन्द के जवाहर बने रहो।

*Adapted from the Address delivered by the author at a meeting organised under the auspices of the Indian Parliamentary Group on the 22nd Death Anniversary of Shri Jawaharlal Nehru, on 27 May, 1986 in Parliament House Annex, New Delhi.

Man is mortal and Gandhiji could not have wished for Jawaharlal eternal life but Man's spirit is undying and so Gandhiji wished for him a permanence as the Jewel of India. He was a Bharat Ratna in every sense of the term.

I would like to share some thoughts on Nehru as the architect of Modern India and on the unique bond that linked Jawaharlal Nehru with the people of India, its evolution from incipient beginnings in England, through perceptions of human history into confidence in the potential greatness of India. This evolution is indeed a saga, one that is not merely of interest but of eternal relevance to India. It is of infinite appeal to all those who believe that the people of India do matter.

The past, present and future have rarely co-mingled so elegantly and to such fine purpose, as in Jawaharlal Nehru. If his upbringing at Anand Bhawan in Allahabad had given Jawaharlal an anchorage in conservative tradition, his exposure as a student in England to the bracing winds of Fabian Socialism had given young Nehru a vision of the future. Having gone to England to do his Tripos and to study Law, Jawaharlal found that his real interests inclined to political economy. Fabian Socialism dominated the intellectual scene in England at that time. No one interested in political thought could have failed to take notice of the style of thinking that came, in time, to be associated with the name of Harold Laski. Jawaharlal joined the London School of Economics and was drawn to this system of ideas. His introduction to the basic principles of Marxist thought, as Nehru said, lighted many a corner of his mind. The following classic observation of Laski's, for instance, could not but go home with a person of Jawaharlal's sensitivity:

"Law, like life, has its periods of change and its periods of conservation. It is not a closed system of eternal rules elevated above time and place. The respect it can win is measured by the justice it embodies, and its power to embody justice depends upon its efficiency to meet the demands it encounters."

Nehru saw at once that in India, the Rule of Law meant the law of British Rule. He saw too that neither this law nor this rule was doing any good to the millions of his country. The Raj embodied no justice; on the contrary it masked the deepest injustice. Nehru realised that Law which he was studying had to be regarded as a part of life and must relate to all the other contours of existence, social, political and above all, economic. No two persons

have been more different from each other than Harold Laski and Motilal Nehru. And yet they thought alike. Motilal Nehru, at this time, writing to his son said "Politics are inseparable from law, and economics are the soul of politics." Nehru saw, with clarity and conviction, the truth of his father's advice and Laski's contention that no man can understand law who lacks an intimate acquaintance with economics. And here it was, at this stage, that a path began to open up before Nehru, a path that beckoned him irresistibly.

Back in India in 1912, his life in the upper-middle class society in Allahabad, did not prevent Jawaharlal Nehru from watching world events with keenness and understanding. What was even more important, Jawaharlal was able to relate world events and trends to the Indian situation with a clarity that was unique. For instance, 1917 saw the Russian Revolution and 1917 was also the year of the activity for Home Rule, under the leadership of Dr. Annie Besant. Expelled from Bombay and then from the Central Provinces, she was finally interned. Jawaharlal signed up as one of the Joint Secretaries of the Home Rule League in U.P., with Motilal Nehru as President. "Home Rule has come and we have but to take it if we stand up like men and falter not", so wrote Nehru, in a letter to *The Leader*. Even in his twenties, Jawaharlal had found a cause. What was required, at that stage, was for him to find a medium. It came to him almost adventitiously. What knowledge of the indigo workers of Champaran had done to Gandhiji in 1916, an encounter with the peasantry of Pratapgarh did to Panditji four years later in 1929. This encounter, according to Panditji's distinguished biographer Professor S. Gopal, "gave a new and permanent dimension to his outlook". It also brought Gandhiji and Nehru together. If Laski and Fabian Socialism gave Nehru a certain goal and an end, Nehru's encounter with the Pratapgarh peasantry gave him an idea of the means to be adopted to reach that end. Chalapati Rau, in his incisive biography of Nehru, says:

As he wandered from village to village, especially in the districts of Rae Bareli, Pratapgarh, and Sultanpur, he saw a new aspect of India, the terrifying aspect of peasant India to revolt. This was also the real India; the veil was lifted. And among the peasants, Jawaharlal found articulation and discovered not only the vitality of the people of India but his own abundant vitality and capacity for hard, unrelenting work.

Nehru saw that the Company's rule was followed by the British Government had brought a many-sided deprivation to the countryside. A new class of rural capitalists and landlords which rack-rented the cultivator had come in. So had a new class of extortionist middle-men which lived usuriously on the interest on agricultural debts. And, like a superstructure on this misery was the fact of the exploitation of the countryside by what has been described as "the trade capital of the mother country". Famines visited India with a deadly regularity. It was obvious that nature or the failure of rains alone could not have accounted for all this misery. And, to cap it all, there was taxation. It was in this environment that Dadabhai Naoroji wrote his memorable chastisement—*Poverty and Un-British Rule in India*. Fabian Socialism gave Nehru's ideology its bricks, and enlightened Indian opinion gave it the cement. He found corroboration of his own first-hand knowledge of the conditions of the peasantry in Dadabhai's following unforgettable words.

And is it not a great condemnation of the present British administration of Indian expenditure that the people of India cannot make any wealth—worse than that, they must die off by millions, and be underfed by scores of millions. produce a wretched produce, and of that even somebody else must deprive them of a portion?

Plunging into the non-co-operation movement of the Congress under Gandhiji's leadership, Jawaharlal Nehru accepted the non-violent method not so much as an all-time principle but as the only practicable method that was then available. Its practice also appeared to suit the national genius. If he accepted non-violence, it was largely because of the explanation Gandhiji himself had offered for it.

He wrote : Abstinence (from violence) is forgiveness only when there is power to punish; it is meaningless when it pretends to proceed from a helpless creature.

And, Nehru was not one of these helpless creatures of any kind. It was the bravery, and even romance, implicit in Satyagraha that appealed to him. And more than anything else he was convinced that the Indian farmer desired a non-violent revolution.

He was absolutely convinced of the fact that a revolution was desired: Nehru like a well-trained political scientist, tried always to find a practical correlative to establish theory and, conversely, to find a theoretical basis to his real-life observations. If he found the rural peasant of India becoming increasingly restive, he also noted

that this was because the country itself was becoming progressively more and more dependent on land. It is an incredible fact that in the middle of the nineteenth century, only 55 per cent of the population was dependent on agriculture, while at the beginning of the twentieth century, nearly 74 per cent of the population had become dependent on the land. Britain desired that India should become a rural vassalage with no chance of standing on its own legs. Britain, in other words, so manoeuvred that during the greater part of that crucial century, its colonies would miss the industrial revolution while it itself would industrialise and remain without a competitor. But Britain was being very naive. Already seasoned in the theory of Fabian Socialism and in the practice of revolutionary work, Jawaharlal was now poised for another ideological graduation. In 1927, he visited Moscow along with his father and was greeted by *Pravda* as a "leader of the left wing of the Congress."

Nehru saw in the Soviet Union a process in operation which his sense of justice and his sense of history told him, needed to be adapted in India. He was only too aware that there can be no such thing as replication of a revolution; a revolution must strike roots and grow indigenously. But then, if history had prepared the soil for a revolution in India, could not the seeds for it be taken from another nursery of proven quality? India's political revolution, he knew, was taking its own shape in the extraordinary hands of Mahatma Gandhi. And yet, at the same time, more than any other political leader in India, Jawaharlal saw the need for an economic revolution in India. That revolution would have to redeem India from the backwardness of its agrarian structure and in fact, from its dependence on agriculture itself. In the Soviet Union he saw the sinews of industrial growth taking shape. There is a lyricism in the following description given by Nehru of the Soviet endeavour at planning for both its agriculture and its industry.

The peasant was to be brought near to industry by means of enormous model State farms and collective farms; and the whole country was to be industrialised by the erection of huge factories, hydro-electric power works, the working of mines, and the like; and side by side with this, a host of other activities relating to education, science, co-operative buying and selling building houses for millions of workers and generally raising their standards of living, were to be undertaken.

It was on this visit that the concept of Five Year Plans, the famous 'Piatiletka' as the Russians called it, caught the imagination

of Nehru. Apart from Russia, Nehru had also attended in Brussels the International Congress against Colonial Oppression and Imperialism as representative of the Indian National Congress. He met there some of the leading leftists of the world like George Lansbury, Ellen Wilkinson, Fenner Brockway, Harry Pollitt, Ernst Toller, Mohammed Hatta, Roger Baldwin, besides a large number of delegates from China, Africa, Mexico and Latin America. But it would be important for us to remember that if Nehru became convinced that the solution to India's socio-economic problems lay in socialism it was "not in a vague humanitarian way, but in the scientific economic sense." Nehru saw the Planning was part of socialism. And so it was that the Congress set up the National Planning Committee with Jawaharlal Nehru as its Chairman. Jawaharlal Nehru included in it—farsightedly—not just politicians but scientists, economists, businessmen and industrialists. There were reservations and even criticisms as that time. The word "Socialism" was anathema to many and to some even within the Congress Working Committee. But Nehru's socialism had been launched. It was at about this time that he wrote :

The argument about success or otherwise of the Five Year Plan is rather a pointless one. Everybody talks of 'planning' now, and of Five-Year Plans. The Soviets have put magic into those words.

But it needs, however, to be understood that for him the road to economic democracy in India had to be laid by Indians, with Indians and through Indians, though it had to be the socialist road. This meant that India's socialism would not be authoritarian. Nehru became clear on that, very early. Violence whether by or against the State held no appeal to him. And hence Indian socialism had to live and breathe in freedom, in decency and dignity.

Nehru foresaw in the Spanish Civil War of the thirties of this century, the beginnings of Fascism in Europe and it is with pride that we look back on the Congress Working Committee resolution condemning the emergency of dictatorships. It is also noteworthy to recall that Nehru declined an invitation from Hitler during one of his visits to Europe. This amounted to a remarkable prognostication of the fate that awaited Hitler's National Socialism.

India then had to find its own way to socialism. It was after all, on Indian soil that Gautama the Buddha had spoken of the Middle Path. And it was again, India's great fortune to have had another *messiah* in our midst, who had sought to balance rights and duties and show equal importance of means and ends. Could democracy and socialism not blend? Democracy by itself, as a purely political

need could not have served India. Socialism as exemplified by its existing models could not, by itself, have sufficed for India. But Nehru found Democratic Socialism to be eminently feasible, both as a goal and as a way. The great planner, statistician and economic philosopher, P. C. Mahalanobis has in fact said "The Nehru approach to planning may perhaps be called the Middle Way or the Middle Path" Nehru explained the concept of democratic socialism in the following words :

In the past, democracy has been taken chiefly to mean political democracy, roughly represented by the idea of every person having a vote. It is obvious that a vote by itself does not mean very much to a person who is down and starving. . . . Therefore, political democracy by itself is **not enough** except that it may be used to obtain a gradually increasing measure of economic democracy.

He made his basic recommendation in clear terms: the problems of poverty and unemployment, of national defence and the economic regeneration were not to be solved without industrialisation. And Industrialisation was not to be achieved without science and technology.

It was only natural that when history placed Jawaharlal Nehru at the helm of the new nation State he should have regarded the opportunity as a "tryst with destiny". Looking upon Parliament as the agency that would secure political democracy, he set up the Planning Commission as the agency that would secure an economic democracy. The first Plan's stress was on agriculture. In the Second Plan, it was industry's turn to receive priority. Emphasis came to be placed on the development of heavy machine building, heavy electricals, steel and non-ferrous metals and on energy. There was to be provision for three steel plants, at Bhilai, Rourkela and Durgapur, to be started with Soviet, German and British collaboration.

It was at the historic Avadi Session of the Indian National Congress in 1955, when, after the new democracy had stabilized, that the Congress gave itself, formally, the creed of a socialistic pattern of society. It is significant that the Avadi Session took place in the first years of the Second Plan. Nehru had already oriented the country to the socialist path by enacting the Directive Principles of State Policy, at the inception of the Constitution. But it was from Avadi and the Second Plan onwards that a more vigorous utilization of our resources, a rapid industrialisation and, most

important an equitable distribution of the resources of the community, became the country's formally declared charter and course. The Mixed Economy and a Welfare State emerged as a viable concept. Legislation acquired a nation-building dimension and phrases such as 'the commanding heights of the economy' entered not just our political lexicon but, in fact, that of the entire developing world. The emergence of the public sector, of land ceiling, of regulations on industrial monopoly, of state trading, are all facets of this same policy.

Great changes were taking place at the same time, in the world of science and technology which could not but affect the ways of living and thinking in India. Always interested in scientific research and in the progress of science and technology as such, it was at Nehru's initiative that a large number of national laboratories came into existence to do research in diverse fields. It was again due to his initiative that the resources were made available for the development of atomic energy and the exploration of our oil and mineral resources through the Public Sector. But as in the case of his socialism, his scientific temper also required that India's science be adapted in a manner and style suited to our genius and our traditions.

India, with its many stages of development and problems of great complexity required the State to be not merely a balanced one, but one in fact, itself a balancer, a holder and promoter of shared interests.

Nehru perceived these interests as being basically regional and denominational. To overcome these, he devised the technique of attaining a national consensus on national issues. He tried to obtain a broad-based agreement on basic principles and then proceeded to implement the agreed proposals. Nehru thought of the institution of the National Development Council which was able to secure an inter-regional consensus on programmes. This Council represented true federalism in action. Even the States reorganisation on the basis of regional languages was in essence a democratic exercise, intended to fulfil sub-national aspirations. Nehru's assurance to non-Hindi speaking States about the use of English falls in the same category and has to be seen as an action in the best traditions of democratic federalism.

The concern Nehru showed for the tribal people demonstrates his approach to the needs of backward regions and of minority communities. He has said:

"I approached them in a spirit of comradeship and not like someone aloof who had come to look at them, examine

them, weigh them, measure them and report about them or to try to make them conform to another form of life."

His inviting the tribals to the Annual Congress Sessions and the Republic Day celebrations reflected this approach. More tangibly, his ensuring that tribal rights in land and forests be respected, did the same.

Again, Nehru's concern for the religious minorities in India showed the same liberal attitude. A good socialist had to be a good democrat and a good democrat, necessary, had to be secular. Khan Abdul Ghaffar Khan, Maulana Azad, Rafi Ahmed Kidwai, Sheikh Abdullah and Dr. Zakir Husain were some of those for whom Panditji had always the highest regard and esteem. They represented, for Nehru, the truth that India has been and is intended to be a secular nation.

For Nehru, the exploitation of any one or any group by another was unpardonable. He was equally concerned about the underprivileged or disadvantaged people such as the women of India. The national movement had thrown up a number of patriotic women with dedication and sacrifice into the struggle in spite of the shackles that bound women by customs, inhibitions and social obloquy. Panditji afforded them status and position by choosing consciously women as legislators, Ministers, Ambassadors and Governors. He used to insist on the inclusion of women in the State Cabinets and in the Legislatures. The Nehru era saw many women blossom into stalwarts. Nehru's role in the matter of women's rights can only be called pioneering. The subject of marriage, divorce and maintenance had been very much on the public mind of late. I am, therefore, tempted to refer to an episode when the Special Marriage Bill of 1954 was under consideration. I moved an amendment to the Bill to the effect that a petition for divorce may be presented to the district court by both the parties together on the ground that they have been living separately for a period of one year or more, that they have not been able to live together and that they must have a mutually-agreed dissolution. The district court was to be empowered to declare the marriage dissolved after stipulated period. There was a great deal of discussion and opposition to this. Speaking on the proposal, Panditji, had this to say:

The question that ultimately arises is the question that when two people find it impossible to get on together whatever the cause, what is to be done about it? I am prepared, if I may say so, to forgive not one lapse but many, but I am not prepared to forgive the intolerable position of

two persons who hate each other being tied up to each other. Therefore, I welcome this clause here. I welcome particularly the amendment that my colleague, Mr. Venkataraman, is moving on it in regard to divorce by mutual consent.

This is yet another example of Nehru's progressive and modern thinking.

A tree, they say, is best measured when it is down. How right he was, how wise were his various emphases, became clear on the 27th May, 1964. Professor Ranga had not always agreed with Panditji and yet he said of him :

Many things we have to say, and we had to say, in criticism of his policies; they are there on record. He had many things to say about us and to us also, they are also on record. These records could not have been there if it had not been for his loyalty to the cause of democracy. That stands to his eternal credit.

At the other end of the pole, Shri Bhupesh Gupta, a doyen of Communists, said of Nehru something; that too was extremely significant:

He understood more than any other leader in power the essential impulses of human progress. He gave our nation an orientation so that it could manfully meet the challenge of poverty, backwardness and social injustice....

Democrat of democrats, socialist of socialists, Jawaharlal Nehru was a unique phenomenon, an answer to the challenge of our times.

The arithmetic of numbers in Parliament did not require him to make compromises with any other group or party. But, nonetheless, he liked to carry with him the country and the Parliament and all reasonable points of view by painstakingly explaining, justifying and removing doubts and persuading others.

To sum up, Nehru was an architect who transformed a mediaeval India into a modern State, and brought it abreast of the modern States of the world.

Nehru loved India for what it was, but fought to make it what it is meant to be. The then Chairman of the Rajya Sabha, Dr. Zakir Husain, said movingly on the occasion of Panditji's demise :

We shall ever miss his personality and be the poorer—**very** much the poorer—for the loss. But the values to which

that personality was committed will live and will demand commitment from us. As an English poet has said: 'To us he is no more a person now, but a whole climate of opinion.' The tasks—many and difficult—of growing national life do not stop with the passing away of one great person. They press for completion, they demand fresh commitment, they call for renewed dedication.

Let us rededicate ourselves to that climate of opinion, treading the path of democratic socialism, the Middle Way, that he showed us.

May Nehru's path of working not just for but with the people of India be our path always. And may be the Years of the Rose be not just a memory but a living inspiration.

THE SPEAKER AND THE QUESTION PERIOD***TAN SRI DATO MOHAMED ZAHIR**

It was Speaker Cornwell, I believe, who said in the first ever-recorded ruling on questions in Parliament in 1783:

“Any member has, in my opinion, a right to put a question to a Minister or a person in office, and that person has a right to answer or not to answer as he thinks proper”.

That was ruled sixty-two years after a question was asked for the first time ever in Parliament in 1721.

The practice of asking questions in Parliament was to remain a novelty for another fifty years till 1835 when the first printed notice of Questions in the business of parliament appeared; yet another fifty years was to elapse, until the 1880's, when questions in Parliament began to be asked at the prescribed time and according to prescribed rules. Since then the practice has grown to assume, in the words of Sir Ivor Jennings, “the utmost constitutional importance, its recent origins notwithstanding.”

Many factors have been cited to account for its slow growth as a parliamentary institution. Amongst these are the conservatism of procedure; Westminster's lack of control over many aspects of administration; the knowledge that Government did not have the means to provide much in the way of information; the relative calm of the political scene then and the lack of means for publicity to be given to proceedings in Parliament. Nevertheless, it has grown

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

to be an institution common to all parliaments of the Commonwealth today. Firstly, its appearance on the Order Papers is inevitable, I believe, in all our Assemblies. Secondly, it has become the liveliest part of the parliamentary day. And thirdly, if I may add, also the most taxing on the Presiding Officer's wits if not his wisdom.

It has also evolved to be many things. It has become a test of a Government's accountability; an indispensable part of the art of opposition; and an impetus to bureaucratic inertia. It has also become the most important opportunity for the ventilation of grievances; a sparring ground for testing the worth of a Minister or member. It has not only become the expression of the desire for redressal but also the desire to embarrass. It has also at times become the forum wherein an individual's complaint may yet be heard, through his representative, by an increasingly deaf and impersonal Government. All these over and above its original intent of providing information as well as providing the opportunity to press for action.

Perhaps the Question Period would not have grown to assume such importance had there been no corresponding growth in the practice of allowing supplementary questions. Surely instances are few and far between in our respective parliaments where the main question is not followed quickly by a multitude of supplementary questions, limited only by the Speaker's discretion.

At this point, it would be enlightening for us to look at the following two rulings in the matter of the supplementary question. In 1901, Speaker Cully ruled:

"Strictly speaking, a supplementary question is only in order when it is asked in order to elucidate some ambiguity or to supply some omission in the original answer."

As late as 1958, Speaker Morrison ruled on what had by then already become an accepted practice, yet not enjoyed by members as a matter of right:

"It is a matter of discretion and judgement in each case, and no doubt, when it is a matter of discretion, there is a difference of opinion. Discretion is a matter of opinion. There is no such right."

Yet today supplementary questions are surely the essence of the Question period in all our respective parliaments.

I have tried to show in the preceding paragraphs how decisions from the Chair at Westminster have shaped the Question Period

to be as we recognise it today. So, also, have our own rulings determined its character in our own respective Assemblies. We have much in common in the way of the broad principles, determining admissibility, or rather, inadmissibility, of questions. Yet, each of our respective legislatures must of necessity respond to different circumstances and evolve in different, though not necessarily divergent, directions in so far as the preservation of Parliamentary democracy is concerned. Genuine considerations of internal security might make a question inadmissible in one parliament whilst being very much admissible judged by the Standing Orders of another, in letter and in spirit. I for one, make no apology for the continued existence of Standing Order 23(2) of the Malaysian House of Representatives which deals in part with the inadmissibility of questions which tend to promote feelings of ill-will or hostility between different communities in the country or infringes any of the provisions of our Sedition Act, which incidentally was enacted in 1948, nine years before we became an independent nation.

Again, on the point of differences I do not know how many of the parliaments share with Malaysia the dubious distinction of not having a well developed rota system in the tabling of questions.

I note with admiration how the Lok Sabha Secretariat in India have published a guide, as to which Minister is responsible for what, in order that members may direct their questions correctly, rather than cope with the awkwardness of transferred questions. This must surely be an innovation borne out of necessity, for a Parliament and a nation as large and as complex as India.

All in all, perhaps the only principle that will not be subject to innovation is the one that makes the Speaker the sole arbiter of the admissibility of questions.

Whilst on the subject of the Speaker's discretionary powers with regard to the admissibility of questions, I take the opportunity of humbly making some comment on Mr. Philip Laundy's perception of some of the powers vested in the Malaysian Speaker as elaborated in his magnificent book, *"The Office of Speaker in the Parliaments of the Commonwealth"*, wherein he writes:

"Some of the powers vested in the Malaysian Speaker are somewhat unusual. In certain circumstances he can oblige a minister to answer a question, although this is a power which is rarely invoked. Standing Order 23(4) gives a minister the right to refuse to answer a question on the ground of public interest 'with the approval of Tuan Yang di-Pertua'. If a minister refused to answer a question

without giving a reason it is likely that the Speaker would ask him to provide a reason. If, for example, a minister declined to answer a supplementary question on the ground that it was irrelevant to the main question, the Speaker, if he thought otherwise, might rule that it was relevant"*

Mr. Laundry's interpretation of the said Standing Order may be entirely correct in a peculiar situation where any edge Speaker vents his petulance on a young, arrogant junior minister as may have actually happened on occasions. However, in my opinion, it should not be the correct perception of the spirit and intent of Standing Order 23(4). The qualification, "with the approval of the Tuan Yang di-Pertua," in the said Standing Order is merely symbolic, somewhat analogous in spirit to the spirit of Royal Assent; included perhaps to merely reiterate that in matters relating to Questions, the Speaker shall always be the unquestioned arbiter—well, almost always that is, for truly, the Malaysian Parliament included, if a Minister refuses to answer a supplementary, the Speaker would best be advised to call out the next name on the Order Paper.

Somebody once wrote that the Question Period has the characteristics of parliamentary proceedings in microcosm. I am in agreement with this view except for the stress factor, which contrary to undergoing diminution, actually becomes amplified many times over during Question time. I have no doubt that the Question Period is detrimental to a Speaker's health.

Personally, I am inclined to view Question Period in two aspects. The first is that which includes all the ingredients that go into it before the cooking actually begins. They relate entirely to the main questions and involve principally considerations of admissibility and propriety. This is the lighter and more comfortable aspect. One is accorded the luxury of anticipation as well as deliberation; consultation as well as reference, not to mention the benefit of meticulous prior scrutiny by those zealous guardians of parliamentary tradition, the Clerks. One decides comfortably from the cosiness of one's Chamber, confident in the knowledge that one's decision has been based on clear principles and precedents. Sadly, this first aspect does not amount, by any stretch of imagination, to an equivalent of a dress rehearsal; one can never really prepare oneself for the real performance, which is the Question Period itself. From the moment the words, "Mr. Speaker, Sir,

*Philip Laundry, *The Office of the Speaker in the Parliaments of the Commonwealth* (London, 1984), p. 226.

Question Number One," are uttered, conditioned reflexes are triggered; vague fears assume frightful coherence.

"What is the mood today? Will it be frivolous? Will it be combative? Will there be mud? Will blood be drawn? Those school children in the gallery, will they see the best traditions of Parliament? That ruling yesterday on relevance, I was right? Here's that show-off again with another supplementary," such are the thoughts that may cross Mr. Speaker's mind in those critical minutes before he gathers himself into his robes in spirit.

What about Mr. Speaker's mood and disposition? Will he be detached and consistent today? Will his own political belief colour his rulings? Will he be obviously harsh with some and unduly ingreting with others? Just as a Speaker could share the Question Period so would it show him up—more so than any other proceeding—due to its spontaneity.

The Question Period really belongs to the supplementary question, notwithstanding its being only a member's privilege, not a right, to ask. A Speaker may easily ignore this at his own peril. I believe it helps to keep one's instincts at bay, about motive and purpose of questions, when monitoring supplementaries.

On the other hand, because the rules that apply to the main question are also that apply to the supplementary, the only difference being that they have to be applied almost instinctively, the Chair can be a very lonely place, especially so when the Leader of the Opposition throws a barbed supplementary of questionable admissibility and doubtful relevance at the Prime Minister on a day when the public gallery is overflowing.

In conclusion, I would like to mention in passing a particular problem in my experience in the Malaysian House of Representatives. There is an increasing tendency for supplementary questions to not only become longer and longer but also to assume the nature of stacked or composite questions, some parts clearly admissible, some parts doubtful. I have tried to cope with this problem by only allowing the clearly admissible parts. As for checking this tendency in general so that the entire Question Period may not be exhausted by the House ultimately being able to deal with only two or three main questions, I have in brave moments dared to instruct that supplementaries be precise and specific. In the latter I cannot take comfort from any Standing Order as at present. Perhaps it is time for yet another amendment in the Standing Orders.

ESTIMATES COMMITTEE IN RETROSPECT : NEED FOR PROCEDURAL REFORMS

B. K. MUKHERJEE

Indexed

More than 35 years have elapsed since the setting up of the first Estimates Committee after the inauguration of the Constitution in 1950. It was on 10 April, 1950 that the Committee came into being under the Rules of Procedure and Conduct of Business of the House. During its early years the Committee had to cross several hurdles, negotiate many a difficult turns and build up the foundations on which the present Committee rests. Many rules have been laid down and conventions developed. New grounds have been explored. More and more subjects, which heretofore were never taken up for examination, have been brought under the Committee's purview. What a transformation it is from the earlier hesitant days when the Committee embarked on their task without any precedent or expertise or a properly constituted Secretariat of its own. With the efflux of time the Committee has fashioned itself into a powerful instrument for financial control and built up a reservoir of trained manpower.

The Secretariat assists the Committee in sifting a voluminous mass of material, calling out important points for eliciting information from the witnesses and preparing draft reports on the lines indicated by the Chairman or the Committee. The Secretariat functions as the eyes and ears of the Committee. It has to feel the pulse of the Committee. It has to faithfully bring out the conclusions which become apparent in the course of deliberations. The task of a Secretariat official is at once exacting and responsible. Looking back over the years one is filled with amazement how the Committee with the help of just one or two assistants and an equal number of supervisory officers could bring out as many as 68 reports during the period 1950 to 1957. Out of these, 11 reports were on

action taken by Government on the reports of the Committee. Of the remaining 57 original reports, 11 reports related to public undertakings which then were being scrutinised by a sub-committee of the Estimates Committee. The figures speak volumes about the enthusiasm of the Committee members as also the sense of dedication of the Secretariat officials. They were truly the torch-bearers and path finders and they deserve a salute.

If one looks at the composition of the first Estimates Committee one cannot but marvel at the talents with which the Committee were packed: Shri M. Ananthasaynam Ayyangar (Chairman), Shri Satyanarain Sinha, Shri Harihar Nath Shastri, Shri Khandubhai K. Desai, Dr. B. Pattabhi Sitaramayya, Shri Ramnath Goenka, Shri Syed Nausherali, Shri Raj Bahadur, Shri Upendranath Burman, Pandit Balkrishna Sharma, Shrimati Renuka Ray, Shri Arun Chandra Guha, Shrimati G. Durgabai, Shri B. Shiva Rao, Shri Hari Vishnu Kamath, Shri Mahavir Tyagi, Shri Banarsi Prasad Jhunjhunwala, Shri Ajit Prasad Jain, Sardar Hukam Singh, Shri Sarangdhar Das, Shri V. C. Kesava Rao, Shri Biswanath Das, Shri R. K. Sidhva, Professor N. G. Ranga and Shri Mohanlal Gautam. Some of these members later became Chairmen of the Estimates Committee and the Public Accounts Committee.

While one talks about the Estimates Committee one cannot fail to pay tributes to Shri G. V. Mavalankar, who was the first Speaker of independent India's elected Parliament. It was he who initiated reforms in the Rules of Procedure and Conduct of Business to provide for a system of committees. To effectuate his ideas, the then Secretary of the Legislature, Shri M. N. Kaul, prepared a Memorandum in February 1949 calling upon "certain broad features of modern parliamentary procedure....(to)....be considered for adoption in India." Earlier, he had visited the British Parliament and held detailed discussions with the Clerk of the House of Commons on the functioning of committees in the two Houses of British Parliament. He was convinced that with the steady growth of public expenditure, both in volume and complexity, and with the increasing pressure on parliamentary time exerted by legislative proposals, policy discussions and *ad hoc* debates on topical issues of public importance, Parliament could hardly find time for detailed examination and scrutiny of expenditure and achievements. Shri Kaul, therefore, suggested in his Memorandum that the existing Public Accounts Committee and the Standing Finance Committee be replaced by a new Public Expenditure Committee with a non-official Chairman and a Secretariat of its own drawn from the Assembly Secretariat which might function through sub-committees as Public

Accounts Committee and the Estimates Committee. Shri Kaul's Memorandum, which included other matters like Vote on Account, Finance Bill, etc., was commended by the Speaker, Shri G. V. Mavalankar and examined in depth by the Comptroller and Auditor General and the Minister of Finance. On 7 December 1949, the Minister of Finance, Dr. John Matthai, said in his answer to a Question that the proposal for setting up an Estimates Committee was under consideration of the Government¹.

On 28 February 1950, while presenting the annual Budget for the year 1950-51, the Finance Minister, Dr. John Matthai, referred to the proposal to set up an Estimates Committee which had been accepted by the Government². Earlier on 1 February, 1950 during the First Session of the Provisional Parliament, the Speaker, Shri Mavalankar had informed the House as under:

"Consequent upon the provisions of Article 116, as also independently thereof, it was felt necessary to constitute a Committee on Estimates for better financial control of the House over expenditure by the executive. Provision has, therefore, been made for a separate Committee on the lines of a similar Committee in the House of Commons called the 'Committee on Estimates'³

It is interesting to note that the methodology of work of the Estimates Committee as envisaged by Dr. Matthai has, over the years, undergone a sea-change. During the course of his speech on the motion to elect the first Estimates Committee on 3 April, 1950, Dr. Matthai had said:

"I presume the way in which the Committee would work would be something like this. They will select about three or four Ministries for this year and will go in detail into the estimated expenditure in the Budget of 1950-51 and make a report on the expenditure proposed for each of the Ministries. The result of their report will not be that for 1950-51. Government will alter the expenditure which has been proposed, or the expenditure which has been accepted by the House already. The real importance of the report is that it will provide guide to the Treasury and the Ministry concerned with regard to the basis on which proposals for expenditure should be framed for

¹ *Constituent Assembly of India (Legislative) Debates*; Vol. IV, Part I, 28 November-24 December, 1949: p. 278.

² *Parliamentary Debates*: Vol. II, Part II, 1950; 24 February-14 March, 1950; p. 1002-1003.

³ *Ibid.*; Vol. I, Part II, 1950; 28 January-23 February, 1950; p. 30.

next year. In other words, the reports of the Estimates Committee would form the basis on which proposals for expenditure in future years would be framed.... In fact the Estimates Committee will work as an Economy Committee, in continuous session. They are not concerned with the policy of Government, but within the framework of the policy laid down by Government, the Estimates Committee's business is to see that only the minimum expenditure is incurred for the purpose of fulfilling the policy of Government. That really is the position."

The first Estimates Committee was set up on 10 April, 1950. It is clear that Dr. John Matthai preferred to consider the Estimates Committee as an Economy Committee. While initially the Committee took up for examination, the estimates of a complete Ministry, namely, the Ministry of Industry and Supply and its Attached and Subordinate Offices (*vide* First Report, December, 1950) and attempted to compute the savings likely to accrue as a result of the recommendations made; later however, it abandoned the practice of quantifying the likely savings. The Committee also departed from the practice of conducting the scrutiny of the entire estimates of a Ministry or a group of Ministries, as Dr. Matthai had envisaged, and instead adopted a selective approach. Even during the seven-year period 1950 to 1957, the Committee had selected certain topics which were very much in the news then or some subjects which had become matters of public debates. Some such subjects were the Central Tractor Organisation (7th Report, May 1954), Community Projects Administration (38th Report, December 1956), Stores, Plant, Machinery and Production of Ordnance Stores (68th Report, March 1957), etc.

Dr. Matthai had stated: "They (the Committee) are not concerned with the policy of the Government. Rule 310, *inter alia* states that one of the functions of the Committee is to suggest alternative policies in order to bring about efficiency and economy in administration." In order to remove any ambiguity that might arise regarding the scope of the term 'policy' referred to, the Speaker, Lok Sabha, issued a Direction (Direction No. 98) which stipulates that the term 'policy' referred to in rule 310 relates only to policies laid down by Parliament, either by means of statutes or by specific resolutions passed by it from time to time and it is open to the Committee to examine any matter which may have been settled as a matter of policy by the Government in the discharge of its executive functions. The Direction further states that "...Com-

* *Parliamentary Debates*, Vol. IV, Part II, 1950; 1-20 April, 1950; pp. 2464-2465.

mittee shall not go against the policy approved by Parliament; but where it is established on evidence that a particular policy is not leading to the expected or desired results or is leading to waste, it is the duty of the Committee to bring to the notice of the House that a change in policy is called for"⁵

Doubts have been expressed whether the Estimates Committee is performing the functions expected of it. A former Chairman of the Committee, Shri Arun Chandra Guha was of the view that the Estimates Committee should function as an effective instrument for controlling the administration and finances of the Government in all their aspects. He felt that the Committee being a representative body consisting of members of all the parties and of all the States should have the power to examine the draft Five Year Plans. "The Committee" he said, "can examine to what extent the advice given by the Ministry of Finance or the Reserve Bank has been accepted in actual practice and whether the proposals included in Plan frame are based on the resources position of the Government and not merely on the enthusiastic assessment of needs by the Planning Commission, the relevant Ministries or the States"⁶. Another subject which Shri Guha felt, the Committee could take up for examination was the Supplementary Budget of the Government since a supplementary demand did not involve any taxation proposal, it could very well be within the ambit of Committee's work. This aspect was considered by the Government but its reactions were not favourable⁷.

Speaking at a Seminar, another former Chairman of the Estimates Committee, Shri Satyendra Narayan Sinha, expressed his doubt "whether the Estimates Committee is performing the functions expected of it, or whether we should have another Committee to examine the Budget estimates of Government, because the Committee only selects a few subjects from different Ministries."⁸ The fact, however, remains that all its Chairmen have been unanimously of the opinion that the Committee is serving a very useful purpose. In this regard Shri Guha had said: "The real importance of

⁵ *Directions by the Speaker Lok Sabha*: (New Delhi, 1985), Third Ed. pp. 57-58.

⁶ Arun Chandra Guha; 'Estimates Committee of the Lok Sabha', *Journal of Constitutional and Parliamentary Studies*, January-March 1967, Vol. I, No. 1, p. 14.

⁷ *Ibid.*, p. 15.

⁸ Seminar for Members of Parliament on "Parliament at Work; The Financial Committees" conducted by the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariat on 18 March, 1978.

the reports of the Committee is that they serve as a guidance to the Treasury and the Ministry concerned with regard to the basis on which proposals of expenditure should be framed for the future'⁹

Support for the Committee's work has also come from the Treasury Benches. Speaking in the Lok Sabha on 11 March 1955, Dr. B. V. Keskar, Minister of Information and Broadcasting, said: "I might express here my appreciation of the way in which the Estimates Committee has gone into this matter, and I am also grateful for its appreciation of the working of the A.I.R. in general. It is the duty of the Committee to suggest improvement."¹⁰

While the constructive approach of the Estimates Committee has been generally appreciated by different Ministries, it cannot be gain said that there has been in the past an allergy—if not total indifference—on the part of the Ministries and Departments in the matter of implementing the Committee's recommendations. Shri Arun Chandra Guha has, thus, observed: "Previously, the percentage of recommendations accepted by the Government was not very high being about 50 per cent or so; but later the percentage of accepted recommendations indicated an upward trend."¹¹ In a letter to the Minister of Parliamentary Affairs, Shri Satya Narayan Sinha on 18 December, 1956, the Speaker of the Lok Sabha, Shri M. Ananthasayanam Ayyangar also reminded the Minister that "although technically the recommendations of a parliamentary committee are not formally described as Directions by the House, they are in practice regarded as such by convention."¹² Speaking at the Valedictory Meeting of the Estimates Committee held on 30 April, 1969, Shri P. Venkatasubbiah, who was the Chairman, said that "the percentage of the recommendations accepted by the Government is more than 80 per cent which indicates the fruitfulness of the Committee's labour."

The system of processing the replies of the Government on the recommendations of the Committee is made through an Action Taken Study Group. This Study Group is an innovation which did not exist in the British House of Commons before. It may be questioned whether the Government in fact implements the recommendations which it says it has accepted. Acceptance is one thing and implementation is another thing. At least one Chairman,

⁹ Arun Chandra Guha, *op. cit.* p. 8.

¹⁰ *L. S. Debates*; Vol. I, Part II, 1955, 21 February to 12 March, 1955; cc. 1761.

¹¹ Arun Chandra Guha, *op. cit.*, p. 12.

¹² D. O. Letter, dated 18 December, 1956.

Shri Satyendra Narayan Sinha, has voiced this feeling: "... Sometimes we get the report that the recommendations have been accepted. But a kind of feeling has been created that even after the acceptance of the recommendations, sometimes an on-the-spot study or check is necessary to find out to what extent these recommendations have been implemented. . . . I think the Committee can usefully undertake a study even in regard to Action Taken Reports."¹⁸

In the United Kingdom, the Expenditure Committee was set up in 1970-71 in replacement of the former Estimates Committee. The change was introduced in pursuance of the recommendations made by the Select Committee on Procedure (1968-69) for more efficient scrutiny of the expenditure. The Expenditure Committee consists of 49 members. Its main function is to examine the estimates and other papers such as the White Paper on Expenditure Plan of the Government in order to evaluate the quality of Government administration and financial control. The Committee works through six sub-committees each consisting of eight members together with the Chairman of the main Committee as an *ex officio* member of each. The sub-committees are functional in nature rather than departmental or subject-oriented. They are invested with power to send for persons, papers and records, and to adjourn from place to place. Thus the sub-committees can and do take evidence even at places outside Westminster or abroad. The Committee/sub-committees are given the power to appoint specialist advisers. The examination of the witnesses by them is generally in public and the Press is allowed to report the proceedings. They can do and examine Ministers of the Government. They are authorised to report evidence before them from time to time. Reports of the Expenditure Committee can be discussed in the House during Supply Days.

In India, the position is markedly different. While the rules provide that the committees can appoint sub-committees, they are, however, rarely appointed. Before the constitution of the Public Undertakings Committee, the Estimates Committee used to examine the estimates of public undertakings through a nominated sub-committee. This sub-committee also examined witnesses and reported to the main Committee. For examination of Defence estimates, the Estimates Committee appoints a sub-committee which is generally headed by the Chairman himself. A special procedure has been laid down for examination of Defence estimates and presentation of reports on secret Defence matters. The Committee appoints several study groups for intensive study of the subjects selected by it for

¹⁸ Seminar on "Parliament at Work: The Financial Committees", *op. cit.*

examination. Occasionally the Estimates Committee appoints sub-committees to examine non-Defence matters. During 1968-69, a sub-committee was constituted to consider the question of import and distribution of wool, nylon, etc., which took evidence and submitted its report to the main Committee. It was headed by Shri Chintamani Panigrahi, the present Chairman of the Estimates Committee. Shri Satyendra Narayan Sinha, a former Chairman of the Estimates Committee has supported the sub-committee procedure in the following words:

"I think it is better that we should have more of sub-committees and the sub-committees could work simultaneously, with the conveners actively involved with the job, which will make for expeditious disposal of work in their hands."¹⁴

A convention has been established that the reports of the Estimates Committee as also of the two other Financial Committees, viz. the Public Accounts Committee and the Public Undertakings Committee, are not discussed on the floor of the House. It has been felt that if reports are discussed in the House, the discussion may be on party lines thus disturbing the healthy tradition of the Estimates Committee where decisions are taken unanimously. With regard to Public Accounts Committee reports, Professor H. N. Mukerjee, a former Chairman of the Committee has said: "Discussion in the House soon after the Original Report is presented by a Financial Committee, may lead, it is feared, to avoidable controversy and may even split the members on party lines and prove counter-productive."¹⁵

Shri C. M. Stephen, who succeeded Professor Mukerjee as Chairman of the Public Accounts Committee in 1977, pleaded for a discussion of Financial Committee Reports in the House. Speaking at the Seminar on Financial Committees held in March 1978, he said: "If the Committee feels that a matter should go to the House, the parties should agree to give complete freedom to the members to vote as they choose rather than issue a whip on that. . . . The reports must become the property of the House and the House must have an opportunity to pick up some reports if they so choose and discuss them. One or two days in every session must be allotted for

¹⁴ *Ibid.*

¹⁵ H. N. Mukherjee; *The Public Accounts Committee*, in S. L. Shakhder, ed.; *The Constitution and the Parliament of India*, 1975; p. 396.

this purpose¹⁶ Shri Jyotirmoy Bosu, a former Chairman of the Public Accounts Committee and the Public Undertakings Committee was of the opinion that Press should be allowed to report the proceedings of the Financial Committees when they were taking evidence of the witnesses. He also pleaded that the Financial Committees should have the assistance of specialists in addition to the Secretariat staff.¹⁷

Thus the debate for making innovations in Committee procedure has been going on for a number of years. The procedure as evolved so far has stood the test of time. Whether or not new lines of inquiries should be undertaken by the Committee, whether the evidence should be printed and published, whether there should be discussion of reports on the floor of the House, whether the Committee proceedings should be open to the Press and whether the sub-committee procedure as has been in vogue in the British House of Commons should be introduced—these are the matters for the Parliament to decide. Parliament representing the collective will of the people, can, if it thinks fit, constitute a Select Committee on Procedure on the lines of the House of Commons Committee appointed in 1976, to have a closer look into the structure and functioning of committees.

Under the existing Rules of Procedure and Conduct of Business in Lok Sabha, no part of the proceedings which are not laid on the Table of the House are to be made public. Verbatim proceedings of the Committee are, therefore, not made available to research scholars interested in making a deeper study of the subjects which had been examined by the Committee in the past. Perhaps a relaxation of the rules may be made, subject to the concurrence of the Rules Committee, so as to make available the verbatim proceedings of the Financial Committees to research scholars for perusal. In other words, the verbatim proceedings may be considered as de-classified documents after the expiry of a stretch of time, which may be ten years, or the life-time of two Lok Sabhas.

In the end, I would like to quote from an article written by Shri S. S. Kothari, a former Member of the Public Undertakings Committee:

“Parliamentary Committees should act as watchdogs of democracy and not as blood-hounds. If their powers and functions are enlarged, it would become even more incumbent upon such Committees to exercise restraint and not

¹⁶ Seminar on “Parliament at Work: The Financial Committees”, *op. cit.*

¹⁷ *Ibid.*

to act as prosecutor and judge but as friend, philosopher and guide to the Ministries concerned. Then only the Committee system would be consummated and the purpose of its reform fulfilled.'¹⁸

¹⁸ S. S. Kothari; *Parliamentary Committees: Constellations of Power*, in S. L. Shakhder. ed.; *The Constitution and the Parliament of India*, 1975; p. 385.

ELECTION OF DEPUTY CHAIRMAN OF THE RAJYA SABHA

Article 89(2) of the Constitution of India provides that the Council of States shall, as soon as may be, choose a member of the Council to be Deputy Chairman thereof and, so often as the office of Deputy Chairman becomes vacant, the Council shall choose another member to be the Deputy Chairman.

Dr. (Shrimati) Najma Heptulla, who was elected Deputy Chairman of the Rajya Sabha on 25 January 1985, resigned her office with effect from 20 January 1986. The office of the Deputy Chairman of Rajya Sabha having thus fallen vacant, the Chairman, under rule 7 of the Rules of Procedure and Conduct of Business in the Rajya Sabha fixed 26 February 1986, as the date for holding the election to the said office.

Through a notice issued to all members of the Rajya Sabha by the Secretary-General on 20 February 1986, members were requested to give notice of the motion for election of Deputy Chairman up to 12 noon on 25 February 1986. A para in Bulletin Part II of the House was also issued in this regard on the same day. Accordingly, seven notices of motions for election to the office of Deputy Chairman were received proposing the name of Shri M. M. Jacob, member of Rajya Sabha belonging to the ruling party. These notices were proposed and seconded as follows:

<i>Name of the Proposer</i>	<i>Name of the Secunder</i>
1. Shri Vishwanath Pratap Singh	Shri N. K. P. Salve
2. Shri P. N. Sukul	Shri Pawan Kumar Bansal
3. Shri R. Mohanarangam	Shri Sitaram Kesri
4. Shri Vishwa Bandhu Gupta	Shri Bhuvnesh Chaturvedi
5. Shri Darbara Singh	Shri Rafique Alam
6. Shri Santosh Kumar Sahu	Shri Syed Rahmat Ali
7. Shri P. Shiv Shanker	Shri Sultan Singh.

Seven other notices were received proposing the name of Shri S. W. Dhabe, another member belonging to the Opposition party. These notices were proposed by Sarvashri Parvathaneni Upendra, Dipen Ghosh, Lal K. Advani, Virendra Verma, M. S. Gurupadaswamy, Chitta Basu and Khushwant Singh and seconded by Sarvashri Ghulam Rasool Matto, Murasoli Maran, Sushil Chand Mohunta, B. Satyanarayan Reddy, Satya Prakash Malaviya, Gurudas Das Gupta and Dharam Chander Prashant.

The first motion moved by Shri Vishwanath Pratap Singh and seconded by Shri N. K. P. Salve was put to the House and was carried. Shri M. M. Jacob was, therefore, declared elected to the office of Deputy Chairman.

Congratulating Shri Jacob on his election as Deputy Chairman, the Leader of the House, Shri Vishwanath Pratap Singh said that friendliness was something which was not an art with Shri Jacob; it was a quality which was ingrained in him. But beneath his calm and composure, there was a personality which had weathered many storms. From the struggle for freedom to this office, his life had been a life of commitment, of toil and of perseverance. On behalf of the members, Shri V. P. Singh assured the newly-elected Deputy Chairman that they would always follow his directions.

Shri Dipen Ghosh [C.P.I. (M)], on behalf of the Opposition and on his own behalf, offered all cooperation to Shri Jacob and hoped that he would protect their rights and privileges.

Shri R. Mohanarangam (AIADMK) congratulated Shri Jacob on his elevation to the position of Deputy Chairman of the House and hoped that he would take the responsibility of pleasing almost all members of the House irrespective of the parties to which they belonged.

Expressing his happiness over the fact that Shri Jacob was from South India, Shri M. S. Gurupadaswamy (Janata) hoped that he would hold the balance of justice evenly and show more indulgence to the Opposition in the House while he presided.

Joining in the felicitations to Shri Jacob, Shri Lal K. Advani (BJP) stated that Shri Jacob might have been elected unanimously had the Opposition been consulted in the matter of selection of a candidate for the office of the Deputy Chairman.

Shri Indradeep Sinha (CPI) wished that Shri Jacob would not be shunted to the organisational side before the end of his term as

it was done in the case of the previous Deputy Chairman, Dr. (Shrimati) Najma Heptulla.

Shri Virendra Verma (Lok Dal) expressed the hope that Shri Jacob would treat both the sides of the House with strict impartiality and rise to his full stature in conducting the proceedings of the House.

Shri Parvathaneni Upendra (Telugu Desam) on behalf of the Opposition and on his own behalf, assured full cooperation to Shri Jacob provided he emulated the example of the Hon'ble Chairman and maintained impartiality.

Shri S. W. Dhabe Cong. (S), while congratulating Shri Jacob, also thanked the Opposition parties proposing his (Shri Dhabe's) name for the post of Deputy Chairman. He hoped that Shri Jacob would see to it that all points of view were given opportunity to be placed before the House.

Shri Murasoli Maran (DMK), offered all cooperation to Shri Jacob, on behalf of his party.

Shri Ghulam Rasool Matto (National Conference), being a member from up North (Kashmir), deemed it a proud privilege to congratulate a member from down South (Kerala).

Shri Chitta Basu (Forward Bloc) offering his felicitations to Shri Jacob hoped that he would not be miserly in showing indulgence to the members belonging to the Opposition.

The Minister of State in the Department of Parliamentary Affairs, Shri Sitaram Kesri said that he was sure that Shri Jacob would conduct the proceedings of the House in a just and impartial manner.

The Chairman, Rajya Sabha, Shri R. Venkataraman, offering his heartiest congratulation on Shri Jacob's election as the Deputy Chairman, said:

"Shri Jacob brings to bear to this office a great deal of erudition as well as experience. He is a Master's degree holder in Political Science. He is a lawyer by qualification. He has studied Sociology in the United States. He represented India in several international conference and has acquitted himself creditably in all of them. Besides, he is full of human qualities. He is associated with labour movement, the cooperative movement in the Bharat Sevak Samaj and every one of those things which bring to bear a measure of humanism in dealing with people. I, therefore, think that he is eminently qualified to be the

Deputy Chairman of this House. I am quite sure that he will acquit himself wonderfully in this House."

Shri M. M. Jacob—A life Sketch

Shri M. M. Jacob, son of Shri Mathew Mundaikal, was born at Ramapuram, Kerala on 9 August 1928. He received his education at University College, Trivandrum, H. H. College Thevara, Loyola College, Madras, Lucknow University and the University of Chicago, U.S.A. Married to Shrimati Achamma, he has four daughters.

An advocate and political worker, Shri Jacob joined politics as an active worker of the Indian National Congress in 1952. He had held various organisational positions in the Congress Party and served on the governing Board of various cooperative institutions at District and State level. He had also held positions as Chairman and Director of Public Sector Undertakings.

In 1954, Shri Jacob joined Bharat Sevak Samaj (BSS) as Zonal Organiser for students and youth camps for South India and served as Chief Camp Officer in the National Training Camps held in Delhi, Bangalore and other centres and actively worked in BSS for about ten years. He participated in the Sixth World Youth Festival held in Moscow in 1957 and visited countries like China and Vietnam as a member of India's Youth delegations in 1957. He participated in a training programme for youth leaders in Chicago, U.S.A. in 1963, in an International Seminar on Voluntary Social Work held at Bonn, West Germany in 1968 and in an International Rubber Conference held in Malaysia in 1976. In 1980, he led the Indian delegation to Sri Lanka for the International Seminar of Natural Rubber Producing Countries. He represented the Parliament of India at the Inter-Parliamentary Symposium on World Disarmament held in Mexico in May 1985 and also at the 40th anniversary of the United Nations as a member of Indian delegation from September to December 1985 at New York. Shri Jacob was elected to the Rajya Sabha in July 1982. He was a member of General Purposes Committee for 1984-85 and served as the Chairman of the Committee on Subordinate Legislation of the House for the years 1984-85 and 1985-86.

With a keen interest in journalism, Shri M. M. Jacob has actively associated himself as the Managing Director of *Veekshanam*, a national daily published from Cochin, and as the Chief Editor and Publisher of *Congress Review*, a fortnightly published from Trivandrum. He has widely travelled in India and abroad.

**DISMISSAL/REMOVAL OF CIVIL SERVANTS WITHOUT
INQUIRY**

**(SUPREME COURT JUDGEMENT IN UNION OF INDIA
Vs. TULSIRAM PATEL*)**

In the instant case some Government servants had been either dismissed or removed from service without holding any inquiry. They were not informed of the charges against them, nor given any opportunity of being heard in respect of those charges. The penalty of dismissal or removal, as the case may be, had been imposed upon them under one or the other of the three clauses of the second proviso to article 311(2) of the Constitution of India or under similar provisions in rules made under the proviso to article 309 or in rules made under an Act referable to article 309.

The issue came up before the Supreme Court by way of appeals by special leave, writ petitions and transferred cases. The substantial question of law involved was the interpretation of article 311(2), as amended by the Constitution (Forty-Second Amendment) Act, 1976.

On 11 July, 1985, a five-member Bench of the Supreme Court consisting of Chief Justice Y. V. Chandrachud, Justice M. P. Thakkar, Justice D. P. Madon, Justice Tulzapurkar and Justice R. S. Pathak ruled by a majority of 4 : 1 (with Justice Thakkar dissenting) that a Government servant could be dismissed, removed or reduced in rank without an inquiry as envisaged under article 311(2) of the Constitution in "public interest" and for "public good" where (i) the Government servant is dismissed on his being convicted by a Court on a criminal charge; or (ii) the authority empowered to dismiss him has recorded its reasons that it is not reasonably practicable to hold an enquiry; or (iii) on the satisfaction of the President/

*AIR 1985 SC 1416.

Governor that it is not expedient to hold such inquiry in the interest of the security of the State.

Majority judgment

Pleasure Doctrine : According to the majority opinion of the Court, the pleasure doctrine (i.e. holding office during the pleasure of the President/Governor) embodied in article 310(1), the protection afforded to civil servants by clauses (1) and (2) of article 311 and the withdrawal of the protection by the second proviso to clause (2) of the same article, are all provided in the Constitution on the ground of public policy and in the public interest and for the public good. The Court held that Ministers frame policies and legislatures enact laws and lay down the mode in which such policies are to be carried out and the object of the legislation achieved. In many cases, in a Welfare State such as ours, such policies and statutes are intended to bring about socio-economic reforms and the uplift of the poor and disadvantaged classes. From the nature of things the task of efficiently and effectively implementing these policies and enactments, however, rests with the civil services. The public is, therefore, vitally interested in the efficiency and integrity of such services. Government servants are after all paid from the public exchequer to which everyone contributes either by way of direct or indirect taxes. Those who are paid by the public and are charged with public administration for public good must therefore, in their turn bring to the discharge of their duties a sense of responsibility. The efficiency of public administration does not depend only upon the top echelons of these services. It depends as much upon all the other members of such services, even on those in the most subordinate posts.

For a service to run efficiently there must, therefore, be a collective sense of responsibility. But for the Government servant to discharge his duties faithfully and conscientiously, he must have a feeling of security of tenure. Under our Constitution, this is provided for by the Acts and rules made under article 309 as also by the safeguards in respect of the punishments of dismissal, removal or reduction in rank provided in clauses (1) and (2) of article 311. It is however, as much in public interest and for public good that Government servants who are inefficient, dishonest or corrupt or have become a security risk should not continue in service and that the protection afforded to them by the Acts and rules made under article 309 and by article 311 be not abused by them to the detriment of public interest and public good. When a situation as envisaged in one of the three clauses of the second proviso to clause (2) of article 311 arises and the relevant clause is properly applied and

the disciplinary inquiry dispensed with, the concerned Government servant cannot be heard to complain that he is deprived of his livelihood. The court expressed the view that the livelihood of an individual is a matter of great concern to him and his family but this is a matter of his private interest and where such livelihood is provided by the public exchequer and the taking away of such livelihood is in the public interest and for public good, the former must yield to the latter. These consequences follow not because the pleasure doctrine is a special prerogative of the British Crown which has been inherited by India and transposed into our Constitution adapted to suit the constitutional set up of our Republic, but because public policy requires, public interest needs and public good demands that there should be such a doctrine felt the Court.

Powers of President/Governor : According to the Court the pleasure of the President or the Governor is not required to be exercised by either of them personally, and that is indeed obvious from the language of article 311. Under clause (1) of that article a Government servant cannot be dismissed or removed by an authority subordinate to that by which he was appointed. The question of an authority equal or superior in rank to the appointing authority cannot arise if the power to dismiss or remove is to be exercised by the President or the Governor personally. Clause (b) of the second proviso to article 311 equally makes this clear when the power to dispense with an inquiry is conferred by it upon the authority empowered to dismiss, remove or reduce in rank a Government servant in a case where such authority is satisfied that for some reason, to be recorded by that authority in writing, it is not reasonably practicable to hold such inquiry, because if it was the personal satisfaction of the President or the Governor, the question of the satisfaction of any authority empowered to dismiss or remove or reduce in rank a Government servant would not arise. Thus, though under article 310(1) the tenure of a Government servant is at the pleasure of the President or the Governor, the exercise of such pleasure can be either by the President or the Governor acting with the aid and on the advice of the Council of Ministers or by the authority specified in Acts made under article 309 or in rules made under such Acts or made under the proviso to article 309; and in the case of clause (c) of the second proviso to article 311(2), the inquiry is to be dispensed with not on the personal satisfaction of the President or the Governor but on his satisfaction arrived at with the aid and on the advice of the Council of Ministers.

Opportunity to Government servants : According to the Court, the language of the second proviso to article 311(2) is plain

and unambiguous. The keywords in the second proviso are "this clause shall not apply". By "this clause" is meant clause (2) of article 311. As clause (2) requires an inquiry to be held against a Government servant, the only meaning attributable to these words is that this inquiry shall not be held. There is no scope for any ambiguity in these words and there is no reason to give them any meaning different from the plain and ordinary meaning which they bear. The resultant effect of these words is that when a situation envisaged in any of the three clauses of the proviso arises and that clause becomes applicable, the safeguard provided to a Government servant by clause (2) is taken away. This provision is as much in public interest and for public good and a matter of public policy as the pleasure doctrine and the safeguards with respect to security of tenure contained in clauses (1) and (2) of article 311. In the Court's view the language of the second proviso to article 311(2) read in the light of the interpretation placed upon clause (2) of article 311 as originally enacted and the legislative history of that clause wholly rule out the giving of any opportunity.

The position which emerges is that the keywords of second proviso govern each and every clause of that proviso and leave no scope for any kind of opportunity to be given to a Government servant. The phrase "this clause shall not apply" is mandatory and not directory. It is in the nature of a constitutional prohibitory injunction restraining the disciplinary authority from holding an inquiry under article 311(2) or from giving any kind of opportunity to the concerned Government servant. There is thus no scope for introducing to the second proviso some kind of inquiry or opportunity by a process of inference or implication. In the Court's opinion, sympathy and commiseration cannot be allowed to outweigh considerations of public policy, concern for public interest, regard for public good and peremptory dictate of a constitutional prohibition.

The Court held that the second proviso will apply only where the conduct of a Government servant is such as he deserves the punishment of dismissal, removal or reduction in rank. If the conduct is such as to deserve a punishment different from these, the second proviso cannot come into play at all, because article 311(2) is itself confined only to these three penalties. Therefore, before denying a Government servant his constitutional right to an inquiry, the first consideration would be whether the conduct of the concerned Government servant is such as justifies the penalty of dismissal, removal or reduction in rank. Once that conclusion is reached and the condition specified in the relevant clause of the second proviso is satisfied, that proviso becomes applicable and the Government servant is not entitled to an enquiry.

Contrasting the provisions of article 311(2)(b) vis-a-vis article 14, the Court opined that so far as the *audi alteram partem* ('hear the otherside') rule is concerned, both in England and in India, it is well established that where a right to a prior notice and an opportunity to be heard before an order is passed would obstruct the taking of prompt action, such a right can be excluded. This right can also be excluded where the nature of the action to be taken, its object and purpose and the scheme of the relevant statutory provisions warrant its exclusion; nor can the *audi alteram partem* rule be invoked if importing it would have the effect of paralysing the administrative process or where the need for promptitude or the urgency of taking action so demands. If legislation and the necessities of a situation can exclude the principles of natural justice including the *audi alteram partem* rule, a *fortiori*, so can a provision of the Constitution, for a constitutional provision has a far greater and all-pervading sanctity than a statutory provision.

In the present case, the Court had, clause (2) of article 311 is expressly excluded by the opening words of the second proviso and particularly its keywords, "this clause shall not apply". As pointed out above, clause (2) of article 311 embodies in express words the *audi alteram partem* rule. This principle of natural justice having been expressly excluded by a constitutional provision, namely, the second proviso to clause (2) of article 311, there is no scope for reintroducing it by a side-door to provide once again the same inquiry which the constitutional provision has expressly prohibited. In the opinion of the Court, where a clause of the second proviso is applied on an extraneous ground or a ground having no relation to the situation envisaged in that clause, the action in so applying it would be *mala fide*, and, therefore, void. In such a case the invalidating factor may be referable to article 14. This is, however, the only scope which article 14 can have in relation to the second proviso, but to hold that once the second proviso is properly applied and clause (2) of article 311 excluded, article 14 that will step in to take the place of clause (2) would be to nullify the effect of the opening words of the second proviso and thus frustrate the intention of the makers of the Constitution. The second proviso is based on public policy and is in public interest and for public good and the Constitution-makers who inserted it in article 311(2) were the best persons to decide whether such an exclusionary provision should be there and the situations in which this provision should apply.

Remedies available : The Court felt that a Government servant is not wholly without any opportunity. Rules made under the proviso to article 309 or under Acts referable to that article generally provide for a right of appeal except in those cases where the order

of dismissal, removal or reduction in rank is passed by the President or Governor of a State, because they being the highest constitutional functionaries, there can be no higher authority to which an appeal can lie from an order passed by one of them. Thus, where the second proviso applies, though there is no prior opportunity to a Government servant to defend himself against the charges made against him, he has the opportunity to show in an appeal filed by him that the charges made against him are not true. Examining the case of *Divisional Personnel Officer, Southern Railway Vs. T. R. Challappan*,* the Court pointed out that in that case the disciplinary authority had proceeded under rule 14 of the Railway Servants (Discipline & Appeal) Rules, 1968 [analogous to article 311(2)] to pass the order of removal of service straightaway on the basis of the conviction of the delinquent employees by the criminal courts. Rule 14, *inter alia* provides that in the event of being decided to take an action under it, the disciplinary authority may "consider" the circumstances of the case and make such order thereon as it deems fit.

The Court held that the decision in the *Challappan* case is not correct with respect to the interpretation placed by it upon rule 14 of the Railway Servants Rules and particularly upon the word "consider" occurring in the rule and in interpreting rule 14 by itself and not in conjunction with the second proviso to Article 311(2).

The consideration under rule 14 of what penalty should be imposed upon a delinquent Railway servant must, therefore, be *ex parte* and where the disciplinary authority comes to the conclusion that the penalty which the facts and circumstances of the case warrant is either of dismissal or removal or reduction in rank, no opportunity of showing cause against such penalty proposed to be imposed upon him can be afforded to the delinquent Government servant. The correctness of *Challappan* case was, therefore, doubted from the very beginning.

Reasons for dispensation of inquiry:

The Court held that the disciplinary authority should record in writing its reason for its satisfaction that it was not reasonably practicable to hold the inquiry contemplated by article 311 (2). That is a constitutional obligation and if such reason is not recorded in writing, the order dispensing with the inquiry and the order of penalty following thereupon would both be void and unconstitutional. In the Court's opinion, it would be better for the disciplinary

*AIR 1975 SC 2216.

authority to communicate to the Government servant its reason for dispensing with the inquiry because such communication would eliminate the possibility of an allegation being made that the reasons have been subsequently fabricated. It would also enable the Government servant to approach the High Court under article 226 or, in a fit case, Supreme Court under article 32. If the reasons are not communicated to the Government servant and the matter comes to the court, the latter can direct the reasons to be produced, and furnished to the Government servant and if still not produced, a presumption should be drawn that the reasons were not recorded in writing and the impugned order would then stand invalidated. Such presumption can, however, be rebutted by a satisfactory explanation for the non-production of the written reasons.

Compulsory retirement:

The Court prohibited and it is now well settled by decisions of the Supreme Court that where an order of compulsory retirement is imposed by way of penalty, it amounts to removal from service and the provisions of article 311 are attracted.

Minority Opinion:

In his dissenting judgement Justice Thakkar said that the *Challappan* case has been rightly decided. And there is no compulsion to overrule it—even if the other point of view appears to be more 'attractive'—it is neither a good nor a sufficient ground to overrule *Challappan*. After all what does *Challappan* do? It does not more than enjoin in the context of rule 14(1)(a) [and therefore, as a logical corollary, also in the context of rule 14(1)(b)] of the Railway Servants (Discipline and Appeal) Rules, 1968, that an employee must at least be heard on the question of quantum of punishment before he is dismissed or removed from service without holding any inquiry. The ratio of the decision is so innocuous that there is hardly any need to overturn it.

WIT AND HUMOUR IN PARLIAMENT

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 fifth session of the Eighth Lok Sabha.

—Editor

LOK SABHA

Shri Dinesh Goswami: At least follow the convention of not interrupting a maiden speech.

Mr. Speaker: Let the maiden be a maiden!

Shri Balkavi Bairagi अध्यक्ष महोदय, ये दिनेश भाई कितने साल तक मेहनत स्पीच देत रहेगे, हर बार ये मेहनत स्पीच देते हैं ।

(Mr. Speaker for how long Dineshbhai will continue delivering maiden speech; every time he delivers maiden speech).

Shri Bhagwat Jha Azad: He is an old madam.

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

Mr. Deputy Speaker: If you have many points you can write and send.

Professor Madhu Dandavate: Sir, the written word he is not compelled to read whereas spoken word he is compelled to hear.

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

Srimati Mohsina Kidwai : हमने यह तय किया है ज्यादातर दवाईयाँ पैकेज वालों को जहाँ जिस पर टेबलेट का एक्सपयरी डेट बगैरह हो ।

(We have decided that mostly the packaged medicines should be provided where the expiry date of tablet etc. mentioned.)

Professor Madhu Dandavate : एक्सपयरी डेट टेबलेट की या पेशेन्ट की ।
(Expiry date of the tablet or the patient?)

(L.S. Deb., 13 March 1986)

Shri Vishwanath Pratap Singh:.....In spite of all teeth smashing the only epithets that could be found from that side to the Budget were that it is a cosmetic, it is a trick and it is populist. When you fail to see any flaw then it is cosmetics. When after all the efforts you are unable to uncover any fault then it is a trick and when you are convinced in your heart of hearts.....

Professor Madhu Dandavate: Next year it will be a hat trick!

Shri Vishwanath Pratap Singh: What matters is not the hat but what is beneath the hat.

Mr. Speaker: And what really comes out of the hat also.

(L.S. Deb., 13 March 1986)

Mr. Speaker: Does not matter. A quality film is never old.....
(Interruptions)

Professor Madhu Dandavate: There is no age for the film.

Mr. Speaker: A thing of beauty is a joy for ever.

Shri Suresh Kurup: What is this, Sir? I want to get an answer for my question. My question was.... (Interruptions)

Professor Madhu Dandavate: There is no retirement age for beauty.

(L.S. Deb., 24 March, 1986)

Mr. Speaker: Film is a feminine gender and you cannot ask for its age.

An hon. Member: Just like a lady.

Shri Suresh Kurup: If you are satisfied, then I am also satisfied.....

(L.S. Deb., 24 March, 1986)

Shri Somnath Chatterjee : What about cardamom?

Shri P. Shiv Shankar: I will come to that. How Bengal is interested in cardamom, I cannot understand?

(Interruptions)

Shri V. Sobhanadreeswara Rao: They have very close relations.

Shri P. Shiv Shankar: Because my hon. friend chews a lot of....

Shri Somnath Chatterjee: Adrak.

Shri P. Shiv Shankar: You chew a lot of paan, perhaps, that may be the reason.

(L.S. Deb., 1 April, 1986)

Shri Narayan Choubey: What is the hectare metre?

Shri B. Shankaranand: Do you know hectare?

Shri Narayan Choubey: I know.

Shri B. Shankaranand: Do you know metre? What is the metre?

Shri Narayan Choubey: Yes, I know.

Shri B. Shankaranand: If a metre depth of water is spread over an hectare of land, that is called the hectare metre. I hope you understand.

Shri Narayan Choubey: Now, you must be a professor.

Shri B. Shankaranand: I don't want a student like you.

Shri Narayan Choubey: But somebody must teach me also.

(L.S. Deb., 9 April, 1986)

Shri A. Charles: Sir, from 1957 onwards every member of Parliament who got elected from Trivandrum was subsequently defeated because of this specific issue. So, my main concern is this.

Mr. Speaker: It is a question of survival!

An hon. member: I hope, you do not want him to be defeated!

(L.S. Deb., 15 April, 1986)

Mr. Deputy Speaker: Mr. Dighe.

Professor Madhu Dandavate: What about Mr. Tewary?

Mr. Deputy Speaker: Mr. Tewary will reply to all.

Professor K. K. Tewary: On popular demand I should be allowed to speak.

(L.S. Deb., 15 April, 1986)

Dr. Vijaya Rama Rao: In this connection, I would like to know whether the broadcasting officials are acting and dancing according to the guidance of the Congress Party.

Mr. Speaker: This should be directed somewhere.

Shri V. N. Gadgil: Dancing is left to the other side.

(L.S. Deb., 21 April, 1986)

Shri G. M. Banatwalla: Mr. Speaker, Sir, we have now the Appropriation Bill before us. At the stroke of six, you applied the guillotine and there was a general massacre.

Mr. Speaker: Unfortunately from such a man who is just non-violent himself!

(L.S. Deb., 23 April, 1986)

Shri Vishwanath Pratap Singh: ... One point was made about Peerless. That matter is under consideration and...

Mr. Speaker. नाम बड़ा सोच कर रखा है।

(It has been named after great consideration)

Shri Vishwanath Pratap Singh: Yes, it is not cheerless.

(L.S. Deb., 23 April, 1986)

Shri A. K. Sen: There are only two categories of women in Islam, those who are married and those who are unmarried. If a married woman enters a new family, she becomes the wife of the husband.

Professor Madhu Dandavate: Which is the third category?

Shri A. K. Sen: There are only two categories of women in the Muslim community.

Professor Madhu Dandavate: I am asking about the third category.

Shri A. K. Sen: Your category is the third category, Professor Dandavate.

Professor Madhu Dandavate: Sir, let him not utilise this debate to create disturbance in my family!

(L.S. Deb., 5 May, 1986)

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

75th Inter-Parliamentary Conference: The 75th Inter-Parliamentary Conference was held in Mexico City (Mexico) from 7 to 12 April 1986. The Indian Delegation to the Conference was led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha and consisted of Lt. Col. Ajay Mushran, Shri G. Varadaraj, Shri M. P. Kaushik, Professor Saifuddin Soz, Shri Syed Shahabuddin and Shri Uttam Rathod, all members of Parliament. Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha was Secretary to the Delegation.

The Conference discussed and adopted resolutions on the following subjects:

- (i) The contribution of Parliaments:
 - (a) to the halting of the arms race and to effective disarmament with special regard to the militarization of outer space, nuclear and conventional weapons and chemical weapons;
 - (b) to the effective combating of international terrorism; and
 - (c) to the elimination of hotbeds of tension in the world, and in particular, to the efforts of the Contadora Group.
- (ii) The contribution of Parliaments to the acceleration of the economic advancement of developing countries by the improvement in the terms of international trade and by using science and technology to advance the welfare of mankind in general and, in particular, the health and well being of the elderly.

The following supplementary item of the Agenda was discussed and resolution adopted:

“The implementation of the resolutions adopted by the United Nations General Assembly and Security Council and by the Inter-Parliamentary Union on the Palestinian question, Lebanon, the occupied Arab territories and the Iraq-Iran War, as a means of strengthening international peace and security.”

Besides, the Conference devoted two sittings to the General Debate on the political, economic and social situation of the world.

During the Conference period, meetings of the Executive Committee, Inter-Parliamentary Council and Standing Study Committees of the Inter-Parliamentary Union were also held. The Association of Secretaries-General also met in Mexico during that period.

A meeting of women parliamentarians in attendance at Mexico City was held on 9 April 1986, which discussed various questions regarding the emancipation of women in the world of work, prospects for meetings of women parliamentarians in the I.P.U., etc. It was decided that numerous proposals put forward on all these questions would be amplified at the next meeting to be held in Buenos Aires in October 1986.

22nd Death Anniversary of Shri Jawaharlal Nehru: A meeting on the occasion of 22nd Death Anniversary of Shri Jawaharlal Nehru, first Prime Minister of India, was held under the auspices of the Indian Parliamentary Group on 27 May 1986 in Parliament House Annexe, New Delhi. Shri R. Venkataraman, Vice-President of India and Chairman, Rajya Sabha opened an exhibition on ‘Nehru and Parliament’, released the book entitled ‘Nehru and Parliament’, and thereafter addressed the gathering.

INDIAN PARLIAMENTARY DELEGATIONS ABROAD

Parliamentary Delegation to Sweden: On the invitation of the Parliament of Sweden, an Indian Parliamentary Delegation led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha visited Sweden from 19 to 25 May 1986. Besides the leader, the Delegation consisted of Shri Ghulam Nabi Azad, Minister of State in the Ministry of Home Affairs, Shri Mool Chand Daga, Shrimati Bibha Ghosh Goswami, Dr. Bapu Kaldate, Shri Sriballav Panigrahi and Shri Bir Bhadra Pratap Singh, all members of Parliament. Dr. Subhash C. Kashyap, Secretary-General Lok Sabha was Secretary to the Delegation.

Parliamentary Delegation to Yugoslavia: On the invitation of the Assembly of the Socialist Federal Republic of Yugoslavia, an Indian Parliamentary Delegation led by Shri H. K. L. Bhagat, Minister of Parliamentary Affairs visited Yugoslavia from 10 to 15 June 1986. Besides the leader, the Delegation consisted of Shri Radhakishan Malviya, Shrimati Ramaben R. Mavani, Shri Sri Hari Rao, Dr. H. P. Sharma, Professor K. V. Thomas and Shri Bal Ram Singh Yadav, all members of Parliament. Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha was Secretary to the Delegation.

Parliamentary Delegation to Democratic People's Republic of Korea: On the invitation of the Chairman of the Standing Committee of the Supreme People's Assembly of Democratic People's Republic of Korea (North Korea), an Indian Parliamentary Delegation led by Shri Shivraj V. Patil, Minister of State in the Ministry of Science and Technology and Department of Ocean Development, Atomic Energy, Electronics and Space, visited North Korea from 20 to 27 June 1986. Besides the leader, the Delegation consisted of Shri T. Basheer, Shri Thindivanam K. Ramamurthy, Kumari D. K. Tharadevi, Shri Shankar Sinh Vaghela, and Shri Kailash Yadav, all members of Parliament. Dr. Subhash C. Kashyap, Secretary-General, Lok Sabha was Secretary to the Delegation.

Parliamentary Delegation to Venezuela: On the invitation of the Parliament of Venezuela, an Indian Parliamentary Delegation led by Dr. Bal Ram Jakhar, Speaker, Lok Sabha visited Venezuela from 29 June to 6 July, 1986. Besides the leader, the Delegation consisted of Shri Sarat Kumar Deb, Kumari Kamla Kumari, Shri P. R. Kumaramangalam, Shri Rajni Ranjan Sahu, and Shri P. Upendra, all members of Parliament. Shri Sudarshan Agarwal, Secretary-General, Rajya Sabha was Secretary to the Delegation.

PARLIAMENTARY DELEGATION FROM ABROAD

Hungarian Parliamentary Delegation to India: In response to an invitation from India, a Hungarian Parliamentary Delegation led by His Excellency Mr. Istvan Sarlos, President of the National Assembly of the Hungarian People's Republic visited India in March 1986.

On 11 March 1986, the Delegation called on Dr. Bal Ram Jakhar, Speaker, Lok Sabha who later hosted a banquet in their honour. A meeting between the Delegation and members of our Parliament was also held same day. On 12 March 1986, the Delegation called on Shri R. Venkataraman, Vice-President of India and Chairman, Rajya Sabha.

Besides Delhi, the Delegation visited Jaipur.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 22 February to 13 August 1986, the following Programmes/Courses were organised by the Bureau of Parliamentary Studies and Training, Lok Sabha Secretariat.

Appreciation Courses for Probationers/Officers of All India/Central Services: Twelve Appreciation Courses on parliamentary processes and procedures were organised by the Bureau, viz. Tenth Appreciation Course for Indian Foreign Service Probationers—24 February to 4 March 1986; Eighth Appreciation Course for IDAS and IDES Probationers—10 to 14 March 1986; Third Appreciation Course for Indian Economic Service Probationers—31 March to 4 April 1986. Second Appreciation Course for Officers of Public Enterprises—14 to 18 April 1986; Fourth Appreciation Course for IPS Probationers—12 to 16 May 1986; Appreciation Course for Senior Deputy, Accountant Generals/Deputy Accountant Generals from Office of the C&AG—19 to 26 May 1986; Appreciation Course for Officers nominated by Indian Postal Staff College—28 to 29 May 1986; Appreciation Course for Audit Officers (Report) nominated by office of the C&AG—2 to 6 June 1986; Appreciation Course for Probationers of Indian Railway Signal Engineers and Indian Railways Electrical Engineers Services—16 to 20 June 1986; Eighth Appreciation Course for Section Officers/Desk Officers of the Government of India—30 June to 4 July 1986; Appreciation Course for Probationers of Indian Railway Stores Service—21 to 25 July 1986 and Tenth Appreciation Course for Probationers of Indian Customs and Central Excise Service—4 to 8 August 1986.

Appreciation Courses for Professors/Lecturers of various Universities/Colleges and Youth Coordinators of Nehru Yuvak Kendras for organising Model Parliaments: The Bureau conducted four Appreciation Courses for organising Model Parliaments; Fourth Appreciation Course for Professors and Lecturers of Universities and Colleges—23 to 25 July 1986; Fifth Appreciation Course for Professors/Lecturers of Universities/Colleges—29 July to 1 August 1986; Seventh Appreciation Course for Professors/Lecturers of Universities/Colleges—3 to 8 August 1986; and Second Appreciation Course for Youth Coordinators of Nehru Yuvak Kendras—11 to 14 August 1986.

Attachment of Parliamentary Fellows of Institute of Constitutional and Parliamentary Studies with Lok Sabha Secretariat: The Bureau organised an 'Attachment' Programme of five days' duration for nine Parliamentary Fellows of the Institute of Constitutional and Parliamentary Studies (including four from Afro-Asian

Countries) from 10 to 14 March 1986. The participants were attached with various Officers/Branches of Lok Sabha Secretariat for study of parliamentary processes and procedures.

Attachment of Officers of Orissa Legislative Assembly with Lok Sabha Secretariat: At the request of the Orissa Legislative Assembly Secretariat, the Bureau organised an 'Attachment' Programme for five officers of Orissa Legislative Assembly from 19 May to 2 June 1986 to enable them to study the working of Editorial and Translation Service and Parliamentary Reporting Service.

Training Courses for Officers of State Legislatures: The Bureau organised the following training courses, for Officers of State Legislature Secretariats in the working of: Branches dealing with Legislative and Non-Legislative Business including Committees other than the Financial Committees—21 April to 2 May 1986; and Library and Research, Reference, Documentation and Information Service (LARRDIS)—5 May to 16 May 1986.

Study Visits: At the request of various training institutions in the capital and various educational institutions, the Bureau also organised 24 one-day Study Visits for, among others, (i) Hon'ble Speaker and Secretary including five other officers of Rajasthan Vidhan Sabha from 30 April to 2 May 1986; (ii) study team consisting of nine officers of the National Institute of Public Administration, Karachi, Pakistan; (iii) a student (Mr. David Wagner) from University of Melbourne, Australia; and (iv) a group of probationers of Indian Statistical Service.

PRIVILEGE ISSUES

LOK SABHA

Alleged violation of article 75(3) of the Constitution by two Ministers: On 25 February 1986, the Speaker (Dr. Bal Ram Jakhar) observed that on 30 January 1986, Professor Madhu Dandavate had given notice of a question of privilege against Shri Arif Mohammad Khan, the then Minister of State in the Department of Power and Shri Z. R. Ansari, Minister of State in the Ministry of Environment and Forests for violating article 75(3) of the Constitution by expressing totally opposite views on a private member's Bill, viz. the Code of Criminal Procedure (Amendment) Bill, 1985 by Shri G. M. Banatwalla, M.P. He further observed that the contention of Professor Dandavate was that while participating in the debate on the above Bill, Shri Arif Mohammad Khan and Shri Z. R. Ansari both members of Council of Ministers then, had vehemently expressed diametrically opposite views on the Supreme Court judgement in the 'Shah Bano Case'; the former defended the judgement while the latter attacked it in no uncertain terms. Thus both the Ministers had violated the principle of collective responsibility and thereby committed a breach of privilege and contempt of the House.

The Speaker noted that since the House was aware. the Code of Criminal Procedure (Amendment) Bill, 1985, seeking to amend sections 125 and 127 of the said Code dealing with maintenance allowance to wives, children and parents, was a private member's Bill and was at the stage of general discussion. The concerned Minister who would spell out Government's considered views/decision in the matter had yet to reply to the debate.* He added that as such the

*Position as on 30 January 1986. The Bill has since been withdrawn.

policy decision of the Government on the Bill had not been placed before the House*.

The Speaker, therefore, ruled that a contempt of the House could generally arise only when something was done which directly or indirectly caused or tended to cause obstruction in the functioning of the House, members, officers or committees and that he did not find any of the aforesaid ingredients in the speeches made by Shri Arif Mohammad Khan and Shri Z. R. Ansari. Moreover, he added, the alleged violation of any constitutional or statutory provision was a matter to be decided by courts and no parliamentary privilege would arise in such cases. Accordingly, he withheld his consent under rule 222 to the raising of the matter in the House as a question of privilege.

Alleged releasing to the Press estimates of the projected revenue and expenditure of the Central Government for 1986-87 by the Finance Minister: On 28 February 1986, the Speaker (Dr. Bal Ram Jakhar) observed that Sarvashri S. M. Bhattam, V. Sobhanadreeswara Rao, Thampan Thomas, M. Raghuma Reddy and Professor Madhu Dandavate had given separate notices of question of privilege against Shri Vishwanath Pratap Singh, Minister of Finance for allegedly releasing to the Press on 10 February 1986 estimates of the projected revenue and expenditure of the Central Government for 1986-87, while addressing a Press Conference. He further observed that the members in their notices had referred to the following news report published in the *Hindustan Times* dated 11 February 1986, under the heading '86-87 revenue estimates released':

"Breaking all conventions, Union Finance Minister, V. P. Singh today released ahead of the Budget, estimates of the projected revenue and expenditure of the Central Government for 1986-87 as per the long-term fiscal policy, which place the revenue to be raised from public enterprises at Rs. 4,704 crore more than the current year's Rs. 6,753 crore to finance the Annual Plan of Rs. 19,845 crore.

Mr. Singh made it plain at a Press Conference that there was hardly any escape from increase in administered prices as a resource raising measure. The other alternative was to cut down the plan itself. He did not say what will be his own preference which will be known when he presents the Budget."

*Meanwhile, the Muslim Women (Protection of Rights on Divorce) Bill, 1986, was introduced in Lok Sabha by the Minister of Law and Justice on 25 February, 1986.

The Speaker noted that the members had contended that by releasing those figures to the Press before presenting the Budget to the House, the Finance Minister had violated all established norms and conventions and had committed contempt of the House.

The Speaker further noted that the notices of the members were sent to the Minister of Finance for his comments, who in his reply dated 20 February 1986, had denied that the figures relating to the 1986-87 Budget were released to the Press. The Minister had *inter alia* stated that it was not a fact that the revenue estimates for 1986-87 were released to the Press; the figures furnished to the Press were the results of a shadow exercise presented to the members of the Consultative Committee to estimate the receipts and expenditure for 1986-87 on the basis of a Central Plan outlay of Rs. 19,845 crores equivalent to Rs. 18,000 crores at 1984-85 prices as projected for the year in the long term fiscal policy. The Minister had clarified that those figures were based on the Seventh Plan, which had already been released to the public. The exercise was to work out the various estimates of receipts and expenditure, including the contributions required to be made by the public enterprises, on the basis of the relative percentages of different resources and plan and non-plan expenditures assumed in the Seventh Plan document. He further stated that in view of the resource requirements for financing the Seventh Plan, it was useful to have a wider debate in the Press and the public on the avenues of raising resources, the priorities in allocating resources and the efficiency levels which were required to be achieved by all, including the public enterprises.... Such a debate would go to strengthen the democratic institutions in the country...; no figures relating to the 1986-87 Budget were given either to the Consultative Committee or to the Press.

The Speaker felt that firstly, according to the Categorical statement of the Finance Minister the newspaper report had no factual basis and there had been no release of the revenue estimates for 1986-87 to the Press, and secondly, it was well established and had been held repeatedly by himself and by his distinguished predecessors that leakage of budget proposals could not form any basis for a breach of privilege as the financial proposals were an official secret, until they were placed before the House. He, therefore, did not give his consent for raising the matter in the House as a question of privilege under rule 222.

Announcing exemptions from customs duty on certain luxury goods a week before presentation of the Budget: On 28 February

1986, the Speaker (Dr. Bal Ram Jakhar) observed that on 27 February 1986, Professor Madhu Dandavate had given notice of a question of privilege against Shri Janardhana Poojary, Minister of State in the Ministry of Finance for allegedly announcing exemptions from customs duty on certain luxury goods a week before the presentation of the Budget by issuing certain notifications under the Customs Act, 1962. Professor Dandavate had contended that the announcement of those exemptions from customs duties only a week before the presentation of Budget was a mockery of the budgetary process and contempt of the House and a breach of privilege of the House.

The Speaker further observed that on a perusal of those notifications, which were laid on the Table of the House on 21 February 1986, he found that most of them had been issued under subsection (1) of section 25 of the Customs Act, 1962, which provided as under:

"If the Central Government is satisfied that it is necessary in the public interest so to do it may, by notification in the Official Gazette, exempt generally either absolutely or subject to such conditions (to be fulfilled before or after clearance) as may be specified in the notification goods of any specified description from the whole or any part of duty of customs leviable thereon."

The Speaker noted that the Central Government was thus empowered under the said Act to issue such notifications in the public interest and there was, therefore, no irregularity involved in it. He added that moreover, as many as 25 of the notifications referred to by Professor Madhu Dandavate in his notice, were published in the Gazette of India on varying dates during the period 19 December 1985 to 30 January 1986, and one on 7 February 1986, i.e. much before the commencement of the Budget Session. In pursuance of section 159 of the Customs Act 1962, the notifications were laid on the Table of the House at the earliest opportunity, i.e. on 21 February 1986.

The Speaker felt that it was not, therefore, correct to say, as contended by Professor Madhu Dandavate, that those exemptions were announced "only a week before the presentation of the Budget". He ruled that no question of privilege was involved in the matter and he, therefore, did not accord the consent under rule 222 of the raising of the matter in the House as a question of privilege.

Alleged attempt to malign some members by mentioning their names in a charge-sheet filed in Court by the police under the Official Secrets Act: On 19 March 1986, the Speaker (Dr. Bal Ram Jakhar) observed that on 13 February 1986, he had received identical notices of question of privilege given by the Sarvashri V. Sobhanadreeswara Rao and S. M. Bhattam against the then Minister of Home Affairs, Shri S. B. Chavan, for allegedly defaming some members of Parliament by insinuating that they had some association or links with the alleged spy Ram Swaroop, in the charge-sheet filed by the police in the Court, under the Official Secrets Act. He added that they had also stated that a wide publicity was given in the Press to the names of members of Parliament mentioned in the charge-sheet as was evident from the news reports published in the *Times of India* dated 28 January 1986, and other national dailies of 29 January 1986. The members had further pointed out that according to the impugned news report, Ram Swaroop mentioned to the police the names of some Opposition leaders and members of Parliament stating that they were "sympathetic to him at one stage or the other". They added that it was well known that in public life members of Parliament came in touch with many people on various occasions and to say that they were 'sympathetic' to Ram Swaroop, was "a motivated and mischievous effort to malign them and to lower the dignity of Parliament".

The Speaker further observed that Shri M. Raghuma Reddy had also given an identical notice earlier on 19 February 1986.

The Speaker said that he appreciated the strong feeling of the members whose names had figured in newspaper reports in connection with the espionage case and, therefore, when on 25 February 1986, Shri V. Sobhanadreeswara Rao sought to raise the matter in the House, he had observed: "If the name of any member from this House has been mentioned, I will allow him (to make personal explanation)".

The Speaker informed the House that on 5 March, Sarvashri K. P. Singh Deo, D. P. Jadeja and Arvind Netam were afforded a special opportunity to make personal explanations in the House clarifying their position in the matter. They stated *inter alia*, that their names had been mentioned in the charge-sheet neither as accused nor as witnesses. A similar statement was made by Shri Chandulal Chandrakar on 11 March, 1986.

He further added that on 13 March 1986, Professor Madhu Dandavate had given a notice of question of privilege against the

Privilege Issues

Minister of State in the Department of Internal Security, Shri Arun Nehru, for allegedly mentioning the names of Sarvashri K. P. Singh Deo, D. P. Jadeja, Arvind Netam and Chandulal Chandrakar in the charge-sheet filed against Ram Swaroop for his alleged espionage activities. Professor Dandavate had contended that though the names of the said members were associated neither as witnesses nor as accused in the espionage case, "the manner in which their names were mentioned in the charge-sheet...has sought to tarnish the patriotic image of these members".

The Speaker noted that another honourable member, Shri Jitendra Prasad, had also written to him on 31 January, 1986, drawing his attention to a report appearing in the *Statesman* dated 29 January 1986 which falsely mentioned his name among those figuring in the charge-sheet filed by the police in the Ram Swaroop case. The report claimed that the charge-sheet had mentioned his name as "the Chairman of the Indo-Federal Republic of Germany Parliamentary Body". His denial in this regard was published by the news paper in its issue of 1 February 1986. He added that Shri Jitendra Prasada had again written to him on 9 March 1986, saying that the *Illustrated Weekly* in its issue of 2 March 1986, had carried an interview with the said Ram Swaroop in which he was quoted as saying that he (Shri Jitendra Prasada) also was a Convenor of the Indo-German Parliamentary Group. Shri Jitendra Prasada had pointed out that it was impossible for any member to keep track of all such news items and to issue contradictions in respect of each of them. Shri Prasada had, however, enclosed a copy of the letter which he had sent to the Editor of the *Illustrated Weekly* denying that he had ever been Convenor of the said Indo-German Parliamentary Group or that he had ever attended any of its meetings. The Speaker regretted very much that such reports kept on appearing in the Press even after they had been contradicted and hoped that the Press would be more cautious in this respect in future so that the names of members of Parliament were not unnecessarily dragged into controversial matters.

The Speaker noted that it was well established that in order to constitute a breach of privilege any libel or charge against a member of Parliament must concern his character or conduct in his capacity as a member of the House and must be "based on matters arising in the actual transaction of the business of the House". Moreover, he felt, that the only accused persons in the case were Shri Ram Swaroop Sabharwal and Shri Javed Siddiqui

and no charges had been made against any other person. He was, therefore, of the opinion that the mere mention of names of members in the charge-sheet did not involve any breach of privilege or contempt of the House either on the part of the then Minister of Home Affairs or the Minister of State in the Department of Internal Security. Accordingly he withheld his consent to the raising of the matter in the House under rule 222.

The Speaker reiterated what he had told the House on 5 March 1986 that he was one with all the members of the House in upholding the honour, respect and dignity of the House and its members. As public men, members of Parliament were required to meet a large number of people either individually or at public functions, and it was obviously impossible for them to check the antecedents of every individual or organisation that they came into contact with. To impute motives or *mala fides* to any such casual meeting, without sufficient proof, was reprehensible. The Speaker felt that it was still more reprehensible to give publicity to unfounded allegations, and cautioned that in the interest of clean public life, it was necessary that such tendencies were firmly curbed. As upholders of public causes, the Press was "our best ally and we cherish their freedom as much as we are zealous of our own rights as members of this August House." He, therefore, hoped that the Press would function with caution and full sense of responsibility in such matters so that the prestige and dignity of this House and its members as also of the Press itself were maintained.

With those words of caution and in the context of the fact that the members concerned had already fully clarified their position on the floor of the House by way of personal explanation statements, he ruled that the matter be treated as closed.

On 20 March 1986, the Executive Committee of the Press Association adopted a resolution expressing their 'anguish' and 'distress' over certain observations about the Press made by the Speaker in his ruling on 19 March 1986. The resolution termed the Speaker's observations as 'unfortunate' and 'sweeping'. The General Secretary of the Press Association forwarded a copy of the resolution to the Speaker with a request to give them some time to meet him so that they could put forth their views in the matter. The Speaker accordingly met them on 20 March 1986 itself and allayed their misgiving in the matter.

On 21 March 1986, a news item appearing in the *Statesman*, *inter-alia* stated :

“The Lok Sabha Speaker, Mr. Balram Jakhar, meanwhile, clarified to a Press Association delegation that he had no intention of condemning or maligning the Press in his ruling on Wednesday. He reiterated that he had stated in the House itself that ‘the Press is a part of us’.

He said the only references to the Press were in the context of Mr. Jitendra Prasad’s case wherein some allegations had been reprinted even after denial. In the concluding paragraph, he had referred to the reprehensible nature of giving publicity to unfounded allegations related to Mr. Prasad.”

On the same day, Shri K. P. Unnikrishnan, a member, had given notice of a question of privilege against the President and the General Secretary of the Press Association and other members of the Executive Committee of the Press Association for allegedly commenting upon the ruling of the Speaker in their resolution which, according to the member, amounted to a breach of privilege and contempt of the House. Shri Unnikrishnan and some other members later sought to raise the matter in the House. Objection was also taken by Professor Madhu Dandavate to the reported clarification given by the Speaker to the Press which, he said, should have been given, if at all, inside the House and not outside the House. The Speaker then observed as follows:

“As you know, being the Speaker, I am accessible to every person and when any hon. member or public or even the Press come to me, I have to see them and I must see them... It was a question raised in good faith. Everything was said on the floor of the House and at your intervention, I said that Press is one of us. There was no question at any time in my mind to malign it... The Press and ourselves... we have to work hand in hand. We have always worked like that.... So many things have been said certain times and we have overlooked everything... But, when people come to me, naturally I have to see them... they come and I must listen and talk and then everything is clarified. There is nothing wrong about it.”

The matter was, thereafter, treated as closed.

RAJYA SABHA

Announcing exemptions from customs duty on various items by issuing notifications on the eve of the Budget session: On 4 March 1986, the Chairman (Shri R. Venkataraman) observed that on 25 February 1986, when a set of 42 Notifications under the Customs Act, 1962, was sought to be laid on the Table of the House, Shri Lal K. Advani and others had raised a matter regarding the propriety of exempting various items from payment of customs duty just on the eve of the Budget. On 27 February also, the matter was raised by the members in the context of two other Notifications which were being laid on that day. The Chairman further observed that so far as the two Notifications were concerned, the Minister of Finance had contended that one of them was for continuing the existing concession and another related to exemption of commercial samples of a certain value having no revenue implications. He said that two issues appeared to be involved in that. First was the legality and the other one was propriety.

He noted that so far as the legality of the matter was concerned, that had not been questioned and that he had already mentioned the same on 27 February. He added that under sections 25 and 66 of the Customs Act under which the Notifications had been issued, power had been conferred on the Central Government to exempt items from duty of customs. Under that delegation of power the Central Government had been issuing such Notifications from time to time. This was not the first time that had been done. In the past also, on several occasions such Notifications had been issued when Parliament was not in session. Those Notifications were sensitive Notifications and under the recommendation of the Committee on Subordinate Legislation of the Lok Sabha, they were required to be laid on the Table of the House within seven days of the commencement of the session if such Notifications were issued when Parliament was not in session, and if issued when Parliament was in session, on the same day or on the next day. It was in compliance with that recommendation that many times sensitive Notifications were laid on the Table even at the very end of the day. He also pointed out that those Notifications were laid on the Table under section 159 of the Customs Act under which power had been given to Parliament to annul those Notifications or modify them in any respect as the Parliament might deem necessary.

The Chairman noted that what had agitated the members was the propriety of issuing those Notifications on the eve

of the Budget. Those Notifications fell into three groups. Twelve Notifications were issued in December 1985, 23 Notifications had been issued in January 1986; and the remaining 7 notifications had been issued upto 18 February 1986. Barring the last group of 7 Notifications, all had been issued much earlier than on the eve of the Budget.

The Chairman further noted that the Finance Minister had contended that some of the Notifications were merely the extension and/or continuation of existing exemptions or duty rates which would be expiring if no such notification was made. The Chairman felt that if the contention was factually correct, there would be no breach of propriety in such cases, but if on the other hand, those Notifications had revenue implications, such as increasing or decreasing the levy, such Notifications on the eve of the Budget would offend the canons of parliamentary propriety.

He, therefore, ruled that (a) Notifications issued in pursuance of the powers vested in Government under the Customs Act were legal; (b) Notifications issued when the Parliament was not in session and placed on the Table of the House within seven days of the session in accordance with the recommendations of the Committee on Subordinate Legislation were both valid and proper; (c) Notifications of a formal nature extending the life of an existing duty rate and which did not have a fresh or new revenue implications were valid and proper; and (d) Notifications with revenue implications such as increasing or decreasing the duty structure on the eve of the Budget were contrary to parliamentary propriety.

The Chairman noted that the ruling in (d) above followed the observations of his predecessor Shri Hidayatullah in respect of increase in postal rates made in 1983.

He further noted that at that stage, it was not possible for him to comment on the merits or the contents of particular Notifications, that is, whether the exemptions had been given properly or in normal circumstances. He felt that that was a matter which could be looked into by the Committee on Public Accounts which had already done so in 1981. The Committee, in fact, had observed as follows:

"The Committee feel that the power to grant exemption is an unusual, extra-ordinary and exceptional power given to the executive and it is imperative that adequate safeguard should be there to ensure that the powers are used sparingly and there are no chances of their being misused.

Further, the Committee expect that occasions on which powers under section 25(2) have to be exercised will be rare and stand the test of these being in the public interest and satisfy the circumstances of an exceptional nature as intended by Parliament."

The Chairman felt that the Notifications placed on the Table of Rajya Sabha on 25 and 27 February by the Finance Minister might be gone into by the Public Accounts Committee to assess whether they stood the tests laid down by it. He, therefore, proposed to forward the proceedings of the House relating to that matter to the Committee on Public Accounts.

Alleged attempt to defame some members by mentioning their names in a charge-sheet filed in Court by police: On 18 March 1986, the Chairman (Shri R. Venkataraman) observed that just before the current session commenced, he had received privilege notices given by Sarvashri P. Upendra, M. S. Gurupadaswamy, Pyarelal Khandelwal and S. P. Malaviya pointing out that their names were mentioned in the charge-sheet in the Ram Swaroop espionage case which had been given wide publicity thereby tarnishing their public image and deterring them from discharging their duties as members of Parliament. He further observed that referring to certain excerpts from the chargesheet, Sarvashri Khandelwal and Malaviya had stated that their conduct as members was sought to be questioned by implying in the charge-sheet that they had been putting questions in Parliament at the behest of certain foreign powers and had thus succumbed to extraneous influences in the discharge of their parliamentary duties. He added that Sarvashri Upendra and Gurupadaswamy had contended that there was 'a clear motive to defame and bring down their reputation' which had 'adversely affected their rights and privileges'. Professor C. Lakshmanan and Shri B. Satyanarayana Reddy also supported the contention of those members in their separate notices.

The Chairman after having given most anxious consideration to the matter said that it was well settled that in order to constitute a breach of privilege any libel or charge against a member of Parliament must concern his character or conduct in his capacity as a member of the House and must be 'based on matters arising in the actual transaction of the business of the House'. Similarly, vague charges against members without imputing any *mala fide* were not treated by the House as a contempt or breach of privilege. In that context he felt that the mere mention of names of members in the charge-sheet in the Ram Swaroop Espionage case explaining the

modus operandi adopted by the accused Ram Swaroop for establishing contacts for furtherance of his dubious pursuits *per se* did not involve any *mala fide* on the part of the members concerned.

The Chairman noted that moreover, those members had neither been implicated as co-accused persons nor even cited as witnesses.

He referred to what the Prime Minister himself was reported to have stated on such issue:

“One point to bear in mind regarding . . . (I am omitting reference to members of the other House) all those whose names have been mentioned in the case is that none of these people have been charged with anything. There is no charge as such.”

The Chairman also observed that the Home Minister in a communication addressed to himself (the Chairman) had confirmed that in the relevant case the only accused persons were Shri Ram Swaroop Sabharwal and Shri Javed Siddiqui and that no charges had been laid against any other person.

The Chairman noted that since it was apparent that no charges had been made against the members of that House, no question of breach of privilege arose and he, therefore, withheld his consent to raise the matter as an issue of breach of privilege either of the House or of its members.

The Chairman, however, added that though he had withheld his consent to the raising of the issue either as question of privilege or otherwise, he was not oblivious to the feelings of the concerned members in the matter. As public men and political leaders, they were quite naturally exercised and concerned over the newspaper reports about them. He had, therefore, afforded them an opportunity to make personal explanations in the House which was the highest forum available to its members. The members concerned had clarified their positions before the Parliament and the country. He felt that the matter would be allowed to rest with those remarks.

PROCEDURAL MATTERS

LOK SABHA

Discussion on Adjournment Motion: On 21 February 1986, immediately after the Question Hour, the Speaker gave his consent to adjournment motion given notice of by Professor Madhu Dandavate and 39 other members regarding steep rise in prices of fertilizers and petroleum products announced on the eve of the Budget Session of Parliament thereby destroying the sanctity of the budgetary processes. As leave of the House asked for by Professor Dandavate whose notice was first in point of time was opposed, the Speaker asked members who were in favour of the motion to rise in their places. Since more than fifty members rose, the Speaker informed the House that leave was granted.

The Speaker further observed that under rule 61 of the Rules of Procedure and Conduct of Business in Lok Sabha, an adjournment motion had to be taken up at 16.00 hours or earlier and 2-1/2 hours would be available for discussion thereof and efforts be accordingly made to complete the discussion within that period. The Speaker, then placed before the House following three alternatives, either (i) to take up the discussion at 16.00 hours in accordance with rule 61 by interrupting private members' business; or (ii) to take up the discussion immediately after the formal business and conclude it before 15.30 hours; or, (iii) to take up the discussion at 18.00 hours, on that day or at the next sitting, i.e. on 25 February 1986.

When various Opposition members made their submissions with regard to the alternatives, the Speaker observed that once discussion on the motion "That the House do now adjourn" commenced, it had to be concluded and decision arrived at without interrupting

the debate, irrespective of the fact whether official or non-official business was scheduled to be taken up in between.

After a brief discussion, it was decided that discussion on the adjournment motion might be taken up at 16.00 hours by interrupting private members' business. Accordingly, the discussion commenced at 16.00 hours and continued till 22.34 hours. After the motion was negatived, the Eighteenth Report of Business Advisory Committee was presented in the House by the Minister of Parliamentary Affairs. The private members' business was not resumed.

Reference to President : On 26 February 1986, when a member (Shri Somnath Chatterjee) during his speech on Motion of Thanks on President's Address stated that the Bills passed by the State Legislatures run by Opposition parties were not assented to by the President for several years, another member (Shri Priya Ranjan Das Munsri) raised a point of order as to whether members were entitled to discuss the rights and prerogatives of the President during discussion on the Motion of Thanks on President's Address. The Chairman (Shri Sharad Dighe) thereupon observed: "It can be discussed. He acts on the advice of the Government always."

Member's discretion to make statement after resignation from the Council of Ministers: On 27 February 1986, soon after the Question Hour, some members referred to Press reports about the resignation of a member from the Council of Ministers during session time and demanded that apart from asking the member to make a statement in the House, the Government should confirm whether he had resigned or not. The Speaker, after reading out rule 199(1) of the Rules of Procedure and Conduct of Business in Lok Sabha, *inter alia* observed that it was common knowledge that the resignation had been accepted by the President and it was the option of the member to make or not to make a statement in the House. There was no rule to compel him. The Speaker further observed that confirmation of resignation was done by a Government notification. He had never seen anybody confirming or denying that on the floor of the House so far.

Change in timing of private members' business: On 28 February 1986, soon after papers laid on the Table, the Speaker announced that as was customary the House would adjourn for half-an-hour at 1630 hours that day to re-assemble at 1700 hours for presentation of General Budget. Accordingly, private members' business,

which is normally taken up at 1530 hours, would be taken up at 1400 hours and conclude at 1630 hours that day to enable presentation of the General Budget at 1700 hours. The House was, therefore, adjourned for half-an-hour at 1630 hours and it reassembled at 1700 hours.

Ruling by the Chair : On 6 March 1986, soon after the Question Hour, a member (Professor Madhu Dandavate) sought to raise the question of breach of privilege given notice of by him against the Prime Minister for certain remarks made by him against the Opposition parties/groups. The Speaker, disallowing the member, *inter alia* observed: "I have disallowed it. After my ruling there is nothing; there can be no discussion on that subject....., I have not allowed any question of privilege. That is my ruling; it cannot be reversed and it cannot be challenged." On 7 March 1986, immediately after the Question Hour, another member (Shri Saifuddin Chowdhary) sought to raise a question of breach of privilege given notice of by him against certain journalists. Disallowing the member, the Speaker reiterated his ruling to this effect given the previous day.

Matters relating to State Legislatures: On 13 March 1986, immediately after the Question Hour, a member (Shri Thampan Thomas) raised the question of "a fraud" played by a State Government on the Constitution. The Speaker, did not allow the member to raise the question since the State Assembly was functioning.

Later, on 4 April 1986, soon after the Question Hour, a member (Shri Mohammed Mahfooz Ali Khan) sought to raise in the House the matter of a recent Madhya Pradesh High Court judgment relating to the former Chief Minister of Madhya Pradesh, Shri Arjun Singh. Not allowing the member to raise the matter, the Deputy Speaker *inter alia* observed that the matter being a State subject, he could not allow that.

Another member (Shri Basudev Acharia), submitted that on the previous day, the Chair had allowed a member (Shri Manoranjan Haldar) to read out a statement. The Deputy Speaker, thereupon, observed further: "Yesterday, a member was the affected person. That is why I allowed him.....That member was affected..... This is not like that....You are not the aggrieved person in this matter. Why are you raising it here? I will not allow."

Statements by Ministers: On 13 March 1986, immediately after the Question Hour, when a member (Professor K. K. Tewari) sought to raise the question of a conspiracy being hatched in some foreign countries to assassinate the Prime Minister of India and demanded a statement from the Minister of External Affairs, the Speaker asked the member to table a notice so that he could ask for fact from the Government. When Professor Tewari and some other members persisted that Speaker might direct the Minister to make a statement on the subject, the Speaker observed: "I cannot direct anybody... If I have got anything in writing, I will enquire into it, collect the facts and then come before the House..."

When another member (Shri Amal Datta) submitted that the Speaker was very reluctant to direct the Government to do anything, the Speaker further observed: "I cannot. You have not empowered me to do that. If you give me those powers, I will do that."

Allegatory remarks against persons: On 21 March 1986, while speaking on the Demands for Grants relating to Ministry of External Affairs, a member (Shri A. Kalanidhi) referring to a Press report stated that the Foreign Secretary, Shri Romesh Bhandari had allegedly received a diamond necklace from President Jayawardene of Sri Lanka. The Minister of External Affairs took objection to the allegatory remarks. The Chairman (Shrimati Basavarajeswari), thereupon, observed that as the person referred to was not in a position to defend himself, the allegatory remarks made against him might be expunged from the proceedings.

Reference to the galleries: On 2 April 1986, when a member (Shri Kamal Chaudhry), while speaking during discussion under rule 193 regarding growing threat of terrorism and its implications referred to the galleries, the Speaker observed that the member should address the Chair and not make any reference to the galleries.

Points of order: On 4 April 1986, immediately after the Question Hour, when some members had made their submissions and the Deputy Speaker had called the next item, viz. calling attention, a member (Shri Mohd. Mahfooz Ali Khan) tried to raise a matter which was a State subject On Chair's refusal to allow the member to speak, another member (Professor Madhu Dandavate) sought to raise a point of order and submitted that while it was the inherent right of the Chair to give a ruling on a matter sought to be raised by a member, the Chair should hear the member before doing so. The Deputy Speaker, thereupon, observed that he had already

taken up the calling attention which was going on in the House and he did not want any discussion other than that one.

When another member (Shri Bhagwat Jha Azad) pointed out that the business before the House was calling attention and that a point of order relating to that item alone could be raised by the member, Professor Dandavate submitted that point of order could be raised not only when a particular issue was taken up but the Chair could also allow it to be raised during interregnum between two items. The Deputy Speaker, thereupon observed that he had already gone over to the next item and that there was no question of once again going back.

STATE LEGISLATURES

GUJARAT LEGISLATIVE ASSEMBLY*

Speaker's jurisdiction over precincts of the House and its estate: On 13 March 1986, a member raised a point of propriety that the Family Welfare Department of the State Government had committed a breach of propriety of the House by hanging a family planning propaganda banner on the entrance of the Vithalbhai Patel Bhavan without the permission of the Speaker. After hearing the members, the Speaker gave the ruling that rule 282 of the Gujarat Legislative Assembly Rules provide that admission to the precincts of the House and its estate during the sitting of the House or otherwise shall be regulated in accordance with the regulations or orders made by the Speaker who has control over the whole building. He further observed that the object of the family welfare propaganda was no doubt good but merely because the object was good the Assembly building could not be used as a place of exhibition. He also observed that what had been done was not proper and ordered that those who were responsible for putting the banner should immediately remove it.

Minister's statement on delay in laying annual reports: On 14 March 1986, when the Minister for Gujarat Rural Housing Board rose to lay on the Table of the House audit reports on the accounts of the Board for the years 1979-80, 1980-81 and 1981-82 and the Budget and the programme of work for the year 1984-85 and a statement explaining the reasons for the delay in laying the documents on the Table of the House, a member raised a point of order and *inter alia* referred to an earlier ruling by the Speaker that whenever the annual administrative reports, audit reports, etc. of the

*Contributed by Gujarat Legislature Secretariat.

Statutory Boards were not laid on the Table of the House in time, the Minister should also explain the reasons for the delay while laying the documents on the Table of the House. The member added that in the instant case, the Minister simply laid such a statement on the Table of the House, with the result that the members did neither know the contents of the statement nor the reasons for the delay. The Speaker, thereupon, asked the Minister to read the statement to the House who accordingly did likewise. The Speaker, however, ruled that in future the Minister would lay a statement explaining the reasons for delay in laying a document on the Table of the House and copies of such statement would be put in the pigeon-holes of the members beforehand so that they could know the reasons for delay in laying the documents on the Table of the House.

TRIPURÀ LEGISLATIVE ASSEMBLY*

Time gap between presentation and discussion of Budget: On 21 January 1986, referring to the general discussion on the Supplementary Budget listed for that day, the Leader of the Opposition raised a procedural lacuna that general discussion as per provisions of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly could not be held earlier than two days subsequent to the day on which the Budget was presented to the House. The Chief Minister also agreed to the point raised by the Leader of the Opposition as the period of two days had not been provided between the date of presentation of the Budget and the date of starting the general discussion. The Speaker then adjourned the House for half an hour and requested the members of the Business Advisory Committee to meet in his Chamber to examine the point raised by the Leader of the Opposition. The House reassembled at 16-30 hours that day and the Speaker announced that the general discussion on the Supplementary Budget would be held on 22 January 1986 as per recommendation of the Business Advisory Committee to which the House agreed.

UTTAR PRADESH LEGISLATIVE ASSEMBLY**

Minister's statement—Chair's propriety to decide relevance: On 17 February 1986, the question of admissibility of an adjournment

*Contributed by Tripura Legislative Assembly Secretariat.

**Contributed by Uttar Pradesh Legislative Assembly Secretariat.

motion regarding the arrest of a member, Shri Hari Shanke. Tewari in district Gorakhpur and discussed. The motion was disallowed but the Government was required to make a statement on the incident. When the Minister of State for Home stood up on 1 March 1986 to read his statement, an objection was raised that the proposed statement contained allegations which were irrelevant to the subject matter under reference and hence the same could not be allowed to be read in the House. The Deputy Speaker reserved his ruling on that day but held on 11 March 1986 that it was neither possible nor proper for the Chair to decide whether any part of the Minister's statement proposed to be delivered in the House was irrelevant. But once the statement formed part of the proceedings of the House, the words or expressions covered by rule 304 of the Rules of Procedure and Conduct of Business in the Uttar Pradesh Legislative Assembly might be expunged from the records.

Notice for adjournment motions: On 6 March 1986, notice for an adjournment motion regarding a specified incident was given by a member which was rejected by the Chair. On 7 March 1986, another notice for adjournment motion was given by another member regarding the same subject-matter. It was contended by a member of the ruling party that if notice for adjournment motion had been rejected on the preceding day, it could not again be moved on the subsequent days. Giving his ruling on 11 March 1986, the Deputy Speaker held that a summary rejection of a notice of an adjournment motion does not operate as a bar to a similar notice being given on a subsequent occasion.

Shri B. Shankaranand:...A case was being argued before a court by a lawyer. The lawyer on the other side was arguing the case. You know how? He was shouting, thumping the bench, kicking the ground, blowing in the air and still at the same time shouting... Then the turn came of the other side. Do you know what the other side lawyer did? He just closed his mouth. He was kicking the ground, thumping the bench but without speaking a word. The judge asked the advocate, "what my friend, are you doing?" He said, "I am replying to the major part of the argument of the other side."

(*L.S. Deb.*, 9 April, 1986)

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 January to 30 June 1986)

INDIA

DEVELOPMENTS AT THE CENTRE

Election to Rajya Sabha : Youth Congress (I) leader, Sagar Raika, was declared elected to Rajya Sabha unopposed on 17 January to fill up the vacancy caused by the resignation of Kumudben Joshi following her appointment as the Governor of Andhra Pradesh.¹

Resignation by Ministers : Minister of Commerce, Shri Arjun Singh, Minister of Labour, Shri T. Anjiah and Minister of Petroleum, Shri Nawal Kishore Sharma submitted their resignations on 19 January following their selection for the Congress (I) organisational posts.²

Cabinet reshuffled: In a minor reshuffle of his Council of Ministers on 20 January, Prime Minister, Shri Rajiv Gandhi appointed Shri P. Shiv Shankar as the new Minister of Commerce in place of Shri Arjun Singh and Shri Chandra Shekhar Singh as Minister of State for Petroleum with independent charge. Shri P. Chidambaram, who was Deputy Minister in the Department of Personnel and Administrative Reforms, was promoted as the Minister of State. The Minister of State in the Department of States, Shri P. A. Sangma, was given independent charge of Labour in place of Shri T. Anjiah.³

¹ *Indian Express*, 18 January, 1986.

² *Times of India*, 20 January, 1986.

³ *Telegraph*, 21 January, 1986.

Resignation by Ministers : Minister of State in the Ministry of Food and Civil Supplies, Shri K. P. Singh Deo and Minister of State in the Department of Rural Development, Shri Chandulal Chandra-
kar resigned from their posts on 27 January, as they had been named in the charge sheet framed in the Ram Swarup espionage case.⁴

Biennial elections to Rajya Sabha : The Election Commission recommended to the President on 14 February to issue two notifications on 13 March calling upon the MLAs of eight State legislatures to elect 19 members to the Rajya Sabha on 20 March to fill the seats which would fall vacant on the retirement of the incumbents in April.⁵

Minister resigns : Minister of State for Energy, Shri Arif Mohammed Khan, resigned from the Council of Ministers on 26 February on the issue of the introduction of the Muslim Women (Protection of Rights on Divorce) Bill, 1986 in the Lok Sabha.⁶

New Deputy Chairman of Rajya Sabha : Shri M. M. Jacob of the Congress (I) was elected as the new Deputy Chairman of Rajya Sabha by a voice vote on 26 February.⁷

Elections to Rajya Sabha : Nine candidates were elected unopposed to the Rajya Sabha on 13 March 1986. While Congress (I) and Janata Party won 3 seats each, CPI (M) secured two and Muslim League one.⁸

Ministers given additional charge : On 14 March, Minister for Human Resource Development, Shri P. V. Narasimha Rao was given additional charge of the Ministry of Home Affairs following Shri S. B. Chavan assuming charge as the Chief Minister of Maharashtra. Minister of State for Communications, Shri Ram Niwas Mirdha, who was holding independent charge of his Ministry was given additional charge as a Minister of State in the Ministry of Home Affairs.⁹

Cabinet Reshuffled: Prime Minister, Shri Rajiv Gandhi expanded and reshuffled his Council of Ministers on 12 May, by inducting

⁴ *Times of India*, 28 January, 1986.

⁵ *Hindu*, 15 February, 1986.

⁶ *Hindustan Times*, 27 February, 1986.

⁷ *Hindustan Times*, 27, February, 1986.

⁸ *Hindustan Times*, 14 March, 1986.

⁹ *Hindu*, 15 March, 1986.

12 new members—two of Cabinet rank, nine Ministers of State and one Deputy Minister, raising its strength to 58 and providing representation to Punjab, Assam and Jammu and Kashmir.

The External Affairs Minister Shri Bali Ram Bhagat was dropped from the Cabinet in the reshuffle. He was replaced by Shri P. Shiv Shankar who was asked to hold additional charge of Ministry of Commerce. Shri Buta Singh, hitherto Minister of Agriculture was made the new Home Minister. Shri Gurdial Singh Dhillon, former Lok Sabha Speaker was made the new Minister of Agriculture and Rural Development and Shri Mufti Mohammed Syed, Jammu and Kashmir PCC (I) President was made the Minister of Tourism. Shri H. K. L. Bhagat, Parliamentary Affairs Minister, was given additional charge of Food and Civil Supplies.

The allocation of portfolios among Ministers of State were : Shri Eduardo Faleiro : *External Affairs*; Shri K. K. Tewari : *Department of Public Enterprises in the Ministry of Industry*; Shri Brahma Dutt : *Commerce*; Shrimati Krishna Sahi : *Education and Culture*; Shri B. K. Gadhvi : *Expenditure*; Shri Ramanand Yadav : *Rural Development*; Shri Santosh Mohan Dev : *Tourism*; Shrimati Sheela Dixit : *Parliamentary Affairs*; Shrimati Saroj Khaparde : *Health*; Shri Ghulam Nabi Azad and Shrimati Sushila Rohatgi : *Minister of State for Power*.

Shri B.S. Engti was made Deputy Minister in the Department of Personnel.¹⁰

Nominations to Rajya Sabha : President, Shri Zail Singh nominated internationally-renowned sitarist Shri Ravi Shankar; noted novelist Shri R. K. Narayan; distinguished painter Shri M. F. Husain, poetess Shrimati Amrita Pritam and Shrimati Ila Ramesh Bhatt, a Magsaysay Award Winner for her social work, to the Rajya Sabha on 12 May.¹¹

Resignation by Minister: Minister of Transport, Shri Bansilal resigned from the Council of Ministers on 4 June.¹² He later took over as Chief Minister of Haryana.

Elections to Rajya Sabha : BJP leader Shri Atal Behari Vajpayee and Seven Congress (I) candidates were declared elected unopposed

¹⁰ *Tribune*, 13 May, 1986.

¹¹ *Hindu*, 13 May, 1986.

¹² *Statesman*, 5 June, 1986.

to Rajya Sabha as the deadline for the withdrawal of nominations ended on 21 June.¹³

Cabinet reshuffled : In a minor reshuffle of his Cabinet on 24 June, Prime Minister, Shri Rajiv Gandhi appointed the Minister for Health and Family Welfare, Shrimati Mohsina Kidwai as the new Minister of Transport, in place of Shri Bansi Lal who took over as Chief Minister of Haryana. Shri P. V. Narasimha Rao was also given charge of the Health and Family Welfare in addition to his present assignment of Human Resource Development.

The Minister of Industry, Shri N. D. Tiwari was also given temporary charge of the Ministry of Petroleum and Natural Gas.

The Minister of State for Personnel, Public Grievances and Pensions, Shri P. Chidambaram would work as the Minister of State for Internal Security in addition to his own duties, until Shri Arun Nehru resumed work. Shrimati Sushila Rohatgi, Minister of State in the Department of Power was also made Minister of State in the Petroleum and Natural Gas Ministry.¹⁴

Biennial elections to Rajya Sabha : Congress (I) won 30 out of 45 seats in the biennial elections to Rajya Sabha. The remaining 15 seats were shared by the Opposition as follows: Lok Dal and BJP 4 each, AIADMK 3, Janata, Congress (S), DMK and Akali Dal, one each.¹⁵

AROUND THE STATES

ASSAM

Pro-tem Speaker : Former Chief Minister, Shri Sarat Chandra Sinha who had been appointed as *pro-tem* Speaker was sworn in on 8 January.¹⁶

New Speaker elected : The ruling AGP nominee, Shri Pulakesh Baruah was unanimously elected Speaker of the eighth State Legislative Assembly on 9 January.¹⁷

¹³ *Times of India*, 22 June, 1986.

¹⁴ *Statesman*, 25 June, 1986.

¹⁵ *Indian Express*, 29, June, 1986.

¹⁶ *Indian Express*, 9 January, 1986.

¹⁷ *Telegraph*, 10 January, 1986.

Bye-election results : AGP won two bye-elections from Kalibor and Golakganj Assembly constituencies on 3 March thus raising the strength of the Party to 68 in 126-member Assembly.¹⁸

New Deputy Speaker elected : Shri Bhadreswar Baragohain of AGP was elected unopposed as Deputy Speaker of the Legislative Assembly on 1 April.¹⁹

BIHAR

Cabinet expanded : Chief Minister Shri Bindeswari Dubey expanded his Council of Ministers on 4 February by inducting two new Cabinet Ministers and seven Ministers of State, thus raising its strength to 34. The Cabinet Ministers were Shri Lokesh Nath Jha and Shri Bhukla Bhagat. Seven new Ministers of State were Sarvashri Yamuna Prasad Ram, Vijay Shankar Dubey, Ishwar Chandra Pandey, Rajendra Prasad Yadav, Sanatan Sardar, Vishwa Mohan Sharma and Surindra Prasad Tarun. The Minister of State for Revenue, Mahavir Paswan was elevated to Cabinet rank.

The Chief Minister also dropped the Urban Development and Housing Minister, Shri Mahabir Choudhary, Excise and Forest Minister, Shri Indranath Bhagat and Minister of State for Roads, Shri Amrendra Mishra. Anugarh Narain Singh was sworn in as Minister of State without portfolio on 5 February.²⁰

Election to Legislative Council : All the seven Congress (I) nominees were elected to the Legislative Council in the biennial elections. They were: Sarvashri Khalid Rashid Saba, Vijay Shankar K. Mishra, Nageshwar Prasad Singh, Braj Kishore Singh, Raj Kishore Prasad, Shrimati Laxmi Devi and Shrimati Sylvia Bage. Sarvashri Magani Lal Mandal and Ramchandra Purbe of Lok Dal and Shri Tirpurari Prasad Singh of Janata Party were also declared elected to the Council.²¹

GUJARAT

New Governor : Former Chief Election Commissioner, Shri R. K. Trivedi was appointed new Governor of the State replacing Shri B. K. Nehru on 25 February.²²

¹⁸ *Indian Express*, 4 March, 1986.

¹⁹ *Free Press Journal*, 2 April, 1986.

²⁰ *Hindu*, 5 February, 1986; and *Telegraph*, 6 February, 1986.

²¹ *Tribune*, 1 June, 1986.

²² *Times of India*, 26 February, 1986.

HARYANA

New Ministry sworn in : A 13-member two-tier Ministry, headed by Shri Bansi Lal was sworn in on 5 June.²³

Chief Minister Bansi Lal allocated portfolios to his Council of Ministers on 6 June. The allocation of portfolios was as follows:

Cabinet Ministers:

Shri Shamsher Singh Surjewala: *Irrigation and Power, Parliamentary Affairs and Elections*; Shri Ram Singh: *Transport and Wakf*; Shrimati Prasanni Devi: *Agriculture and Wild Life Preservation*; Shri Kartar Singh: *Finance, Institutional Finance and Credit Control, Planning, Environment and Science and Technology*; Shrimati Sharda Rani: *Education, Languages, Archaeology, including Archives, and Cultural Affairs*; Shri Phul Chand Malkana: *Public Works (Buildings and Roads), Architecture, Social Welfare, Welfare of Scheduled Castes and Backward Classes*; Shri Krishan Dass: *Excise and Taxation, Industries, Industrial Training and Vocational Education* and Shri Goverdhan Dass Chauhan: *Health including Aryurveda*.

Ministers of State:

All Ministers of State were given independent charge of their departments: Shri Piara Singh: *Cooperation*; Shri Nirmal Singh: *Revenue, Rehabilitation, Forests and Consolidation*; Rao Inderjit Singh: *Food and Supplies, and Printing and Stationery*; and Shri A. C. Chaudhary: *Local Government and Jails*.

Shri Rajesh Sharma was sworn in as Minister of State for Labour and Employment on 10 June, with additional charge of the newly created Department of Electronics.²⁴

HIMACHAL PRADESH

New Deputy Speaker: Congress (I) MLA, Shri Dev Raj Negi, was elected Deputy Speaker of the Legislative Assembly on 7 March.²⁵

New Governor : Vice- Admiral R. K. S. Gandhi (Rtd.) was appointed as the Governor of Himachal Pradesh in succession to Shri Hokishe Sema.²⁶

²³ *The Indian Express*, 6 June, 1986.

²⁴ *Indian Express*, 6 June, 1986; *Tribune*, 7 June, 1986; and *Times of India*, 11 June, 1986.

²⁵ *Times of India*, 8 March, 1986.

²⁶ *Indian Express*, 2 April, 1986.

KARNATAKA

CLP (I) leader resigns: Congress (I) Legislature Party leader, Shri S. Bangarappa, announced on 9 June his decision to resign as Leader of the Opposition in the State Assembly in the wake of High Court stricture against him in a land deal case. The post of the CLP(I) leader would remain vacant until Bangarappa's appeal was adjudicated upon.²⁸

Biennial elections to Legislative Council: Janata Party candidates and independents supported by it won all the four seats in the biennial elections to the State Legislative Council, polling for which was held on 22 June.²⁹

Resignation of Ministers: Except one Minister who was away in Belgium, all Ministers submitted their resignations to the Chief Minister Shri Ramakrishna Hegde on 25 June on the eve of the impending recomposition of the Ministry.³⁰

Cabinet reshuffled : On 29 June, Chief Minister, Shri Ramakrishna Hegde reshuffled his Ministry after dropping three Cabinet Ministers and all but one of the 15 Ministers of State and by inducting two new Cabinet Ministers, Shri H. T. Krishnappa and Shri K. M. Krishna Reddy and a Minister of State, Shri Basavaraj. Patel Anwari. The Cabinet Ministers who were dropped were: Dr. H. L. Thimme Gowda, M. Raghupathy and Dr. Byre Gowda. The Ministers of State dropped were: Sarvashri B. A. Jivijaya, M. P. Prakash, P. G. R. Sindhia, Jeevaraj Alva, Ramesh Jigajinigi, B. R. Yavagul, Siddharamaiah, D. B. Inamdar, B. Somashekhar, Y. K. Ramaiah, H. G. Govinde Gowda. R. V. Deshpande, Basavaraj Patil Attur and Dr. A. Pushpavathi. Three more ministers were inducted into the State Cabinet on 30 June. They were: Shri H. T. Krishnappa and Shri M. K. Krishna both of Cabinet rank and Shri Basavaraj Patil Anwari, Minister of State.

The following portfolios were allocated to the Cabinet Ministers of the reconstituted Ministry: Shri B. Rachaiah: *Home*; Shri Abdul Nazeer Sab : *Rural Development*; Shri S. R. Bommai : *Revenue and Labour*, Shri H. D. Deve Gowda: *Public Works*; Shri J. H. Patel: *Industry and Power*; Shri V. L. Patil: *Urban Development*; Shri

²⁷ *Telegraph*, 10 June, 1986.

²⁸ *Statesman*, 1 June, 1986.

²⁹ *Hindustan Times*, 24 June, 1986.

³⁰ *Hindu*, 26 June, 1986.

A. Lakshmisagar: *Food and Civil Supplies and Law*; Shri R. L. Jalappa: *Cooperation*; Shri Manjunath: *Education*; Shri J. S. Deshmukh: *Forests, Mines and Geology* Shri Basavannappa: *Social Welfare*; Shri H. T. Krishnappa: *Health Family Welfare and Excise*; Shri Krishna Reddy: *Sericulture, Animal Husbandry and Fisheries*.

The portfolios of the Ministers of State were: Shri Sasavaraj Patil Anwari: *Agriculture* and Shri C. Veeranna: *Small Savings and Transport*.³¹

KERALA

Cabinet reshuffled : Home Minister Shri Vayalar Ravi resigned from the Cabinet and Shri Oommen Chandy, Deputy Leader of the Congress (I) Legislature Party quit as the Convenor of the ruling front's liaison Committee on 16 May in protest against the manner in which Chief Minister Shri K. Karunakaran had reallocated the portfolios of his Cabinet Ministers.³²

New Minister : Kerala Congress leader and former State Electricity Minister, Shri R. Balakrishna Pillai, was reinducted into the Karunakaran Ministry on 25 May.³³

Minister resigns: Excise Minister Shri N. Srinivasan, representing the Socialist Republican Party in the Congress (I)-led United Democratic Front, resigned from the Ministry following alleged *prima facie* cases of corruption against him.³⁴

Two new Ministers sworn in: Vice-President of the PCC(I) Shri Thachadi Prabhakaran and President of the State Youth Congress(I), Shri Ramesh Chennithala, were sworn in, on 5 June as Cabinet Ministers by Governor Shri P. Ramachandran. While the former was given charge of Finance portfolio and the latter was given Rural Development portfolio. Shri Sunderan Nadar was given charge of Agriculture and Animal Husbandry.³⁵

MADHYA PRADESH

MLA resigns: Congress (I) MLA, Jaswant Singh resigned from the Vidhan Sabha on 7 February after his election had been set aside by the High Court earlier on 17 January.³⁶

³¹ *Telegraph*, 30 June, 1986; and *Hindustan Times*, 1 July, 1986.

³² *Hindu*, 17 May, 1986.

³³ *Telegraph*, 26 May, 1986.

³⁴ *Telegraph*, 31 May, 1986.

³⁵ *Indian Express*, 6 June, 1986.

³⁶ *Indian Express*, 8 February, 1986.

Minister, M.L.A dead: Public Health Engineering Minister, Shri Revnath Chaure and Congress-I MLA Shri Tribhuvan Yadav passed away on 20 and 21 May, respectively.³⁷

MAHARASHTRA

Bye-election results: While Janata Party candidate Shri Sambhaji Pawar, won the Sangli Assembly constituency seat defeating his Congress (I) rival Shri V. S. Patil, Congress (I) however, retained the Jawali Assembly seat, when its candidate defeated Babanrao Badadare of Congress (S).³⁸

MLC dead : Congress (I) MLC, Kantaben Rao passed away on 28 February.³⁹

Resignation of Chief Minister: Chief Minister Shri Shivajirao Patil Nilangekar tendered his resignation on 7 March, following the Bombay High Court Judgement in the M.D. Marks scandal case involving his daughter.⁴⁰

New Cabinet formed: A 20-member Cabinet, headed by Shri S. B. Chavan was sworn in by Governor Shri Kona Prabhakar Rao on 14 March.

The Chief Minister, Shri S. B. Chavan, allocated the portfolios of his Ministers as follows:

Cabinet Ministers:

Shri S. B. Chavan: *Chief Minister; General Administration, Home, Jails, Irrigation, Urban Land Ceiling and Information and Public Relations;* Shri Bhagwantrao Gaikwad: *Agriculture, Horticulture, CADA, Rehabilitation and Labour;* Shri Vilasrao Deshmukh: *Revenue, Cooperation, Public Works, Transport and Legislative Affairs;* Shri Sushil Kumar Shinde: *Finance, Planning and Law and Judiciary and Industrial Affairs and Transport;* Shri Ram Meghe: *Education and Technical Education, Sports, Youth Welfare, Cultural Affairs and Employment and Tourism;* Shri Bhai Sawant: *Prohibition, Employment Guarantee Scheme, Fisheries and Ports, Public Health, Medical Education and Drugs, Family Planning and Rural*

³⁷ *Hindustan Times*, 21 and 22 May, 1986.

³⁸ *Indian Express*, 4 February 1986; and *Telegraph*, 5 February 1986.

³⁹ *Free Press Journal*, 1 March, 1986.

⁴⁰ *Times of India*, 8 March, 1986.

Development; and Dr. V. Subramanian: *Energy, Housing, Urban Development, Food and Civil Supplies, Environment and Slum Improvement.*

Ministers of State:

Shri Sayyed Ahmed: *Housing, Slum Improvement, House Repairs, Reconstruction, Environment and Wakf;*
 Shri Vasantrao Dhotre: *Forest, Cooperation, Employment;*
 Shri Balasaheb Jadhav: *Rural Development, Special Assistance, Jails, Dairy Development and Animal Husbandry;* Dr. Shrikant Jichkar: *General Administration, Information and Public Relations, Energy, Finance, and Protocol;* Kumari Chandrika Kenia: *Law and Judiciary, Education, Technical Education and Employment;* Shri J. T. Mahajan: *Home Legislative Affairs, Transport and Prohibition;* Shri Annasaheb Mhaske: *Irrigation, Horticulture, Social Forestry and Agriculture;* Shri Ashok Patil: *Public Works, Youth Welfare, Sports, Cultural Affairs and Tourism;* Shri Rohidas Patil: *Revenue;*
 Shri Bapusaheb Prabhugaonkar: *Planning, Industry, CADA, Ports, Fishery, Rehabilitation and Khar Lands;*
 Shrimati Rajani Satav: *Public Health, Medical Education, Drugs, Family Welfare, Social Welfare and Tribal Welfare;* and Shri Vilas Sawant: *Food and Civil Supplies, Urban Development and Labour.*⁴¹

New Governor appointed : On 1 April 1986, Governor of Punjab Shri Shankar Dayal Sharma was appointed Governor of Maharashtra in place of Shri Kona Prabhakar Rao who had resigned on 27 March on "health grounds."⁴²

Deputy Speaker resigns: On 4 June, the Speaker Shri Shankarrao Jagtap accepted the resignation of Deputy Speaker, Shri Kamal Kishore Kadam who was found guilty by an enquiry committee of misappropriation of funds when he was honorary Director of the Madhadrub Centre of Marathwada University.⁴³

New Deputy Speaker: Dr. Padamsinh Patil of the Congress (S) was elected unopposed as the Deputy Speaker of the Assembly.⁴⁴

⁴¹ *Free Press Journal and Hindu*, 16 March, 1986.

⁴² *Times of India*, 28 March, 1986 and *Indian Express*, 2 April, 1986.

⁴³ *Indian Express*, 5 June, 1986.

⁴⁴ *Hindustan Times*, 25 June, 1986.

MEGHALAYA

Resignation of Ministers: On 10 February all the 12 Cabinet Ministers and 4 Ministers of State of the 17-member Council of Ministers submitted their resignations to Chief Minister, Captain W. Sangma following the decision of PCC(I) to rejuvenate the party and the administration.⁴⁵

Cabinet reshuffled : In the reshuffle affected by the Chief Minister on 21 February, Shri Salseng Marok and Shri H. E. Pohshna were given Cabinet rank. Two Ministers of State, Shri Mekenson Sangma and Shri Robin Nongkysrih were dropped.⁴⁶

NAGALAND

Minister dead: Minister of State for Transport and Cooperation Shri Mohammed Anwar Hussein passed away following a heart attack on 22 February.⁴⁷

Minister resigns: The Minister for Information, Publicity and Tourism, Shri Puse Zhotso, tendered his resignation from the Cabinet on 21 March in protest against police firing in Kohima which had killed two students on 20 February. Following him, Medical Minister, Shri V. H. Sakhril resigned on 22 March and Finance Minister, Shri T. A. Nugullie, Agriculture Minister, Shri I. K. Sema; Minister of State for Printing and Stationery and Agriculture, Shri Nocklem Konyak, and the Minister of State for Jail, Industry, Relief and Rehabilitation, Shri H. L. Singson resigned on 23 March.⁴⁸

PUNJAB

Cabinet expanded: Chief Minister, Shri Surjeet Singh Barnala expanded his Council of Ministers by inducting five new Ministers of State on 2 March. The portfolios allocated to the new Ministers on 3 March were as follows: Shri Natha Singh Dalam: Public Relations Department; Shri Kasturi Lal: Labour and Employment Departments; Shri Sashpal Singh: Animal Husbandry and Fisheries Departments; Shri Harbhajan Singh Sandhu: Technical Education and Industrial Training Departments; and Shri Sucha Singh Chhotepur: Tourism Department.⁴⁹

⁴⁵ *Times of India*, 11 February, 1986.

⁴⁶ *National Herald*, 22 February, 1986.

⁴⁷ *Indian Express*, 23 February, 1986.

⁴⁸ *National Herald*, 22 March, 1986; *Telegraph*, 23 March, 1986; and *Indian Express* 24 March, 1986.

⁴⁹ *Statesman*, 3 March, 1986 and *Times of India*, 4 March, 1986.

New Governor: Former Chief Minister of West Bengal Dr. Siddhartha Shankar Ray was appointed Governor of Punjab on 1 April.⁵⁰

Congress (I) MLA shot dead: Shri Sant Singh, sitting MLA from Beas Assembly constituency was shot dead by terrorists at his native village, Ljdhara on 28 April. He was the first Legislator in the State to be killed by terrorists in five years of violence.⁵¹

Cabinet expanded: Chief Minister Shri Surjit Singh Barnala expanded his eight-member Ministry on 6 May by inducting 21 new Ministers at three levels, i.e. one Cabinet Minister, 18 Ministers of State and two Deputy Ministers. Two Ministers of State were promoted to the cabinet rank. The oath of office to the new Ministers was administered by Governor, Shri Siddhartha Shankar Ray at Raj Bhawan.

On 18 May, the Chief Minister announced the allocation of portfolios to the members of his expanded Council of Ministers. The allocation of portfolios was as under:

Cabinet Ministers:

Chief Minister Shri Surjit Singh Barnala: *General Administration, Home, Justice, Law and Order Coordination, Irrigation and Power, Food and Supplies, Elections, Personnel and Administrative Reforms, Women, Social Welfare and Vigilance*; **Shri Balwant Singh:** *Finance, Industry, Excise and Taxation*; **Shri Basant Singh Khalsa:** *Education and Languages*; **Shri Major Singh Uboke:** *Revenue and Rehabilitation*; **Shri Harbhajan Singh Sandhu:** *Agriculture and Horticulture*; **Shri Natha Singh Dalam:** *Information and Public Relations Medical Research and Education*; and **Shri Prem Singh Chandu-majra:** *Cooperation*.⁵²

Ministers of State:

Shri Sheshpal Singh: *Public Health*; **Shri Tara Singh Loyalpuri:** *Independent charge of Colonisation and attached to Shri Major Singh for Revenue*; **Shri Baldev Singh Khiala:** *Independent charge of Rural Development and Panchayats*; **Shri Kasturi Lal:** *Independent charge of Printing & Stationery and Tourism*; **Shri Sukhdev Singh Dhillon:** *Independent charge of Health and Family Welfare*; **Shri Hardipinder Singh:** *Independent charge of Transport*; **Shri Malkiat Singh Sidhu:** *Independent charge of Planning and attached to Shri Prem Singh for Cooperation*; **Shri Hari Singh Zira:** *Independent charge of Housing and*

⁵⁰ *Indian Express*, 2 April, 1986.

⁵¹ *Telegraph*, 29 April, 1986.

⁵² *Telegraph*, 7 May, 1986; and *Indian Express*, 17 May, 1986.

Urban Development; Shri Mohinder Singh Saianwala: *Independent charge of Local Self Government*; Shri Nirmal Singh Kahlon: *Independent charge of Technical Education and Industrial Training and attached to Shri Basant Singh for education*; Shri Upkar Singh Randhawa: *Independent charge of Economic Coordination and 20-Point Programme and attached to Mr. Balwant Singh for Excise and Taxation*; Shri Surinderpal Singh Gill: *Independent charge of Forests, Soil Conservation and Wild Life and attached to Shri Harbhanjan Singh for Agriculture and Horticulture*; Shri Surjeet Singh Minhas: *Independent charge of Parliamentary Affairs and attached to Chief Minister for Irrigation and Power*; Shri Jagdev Singh Tajpuri: *Independent charge of Animal Husbandry, Dairy Development and Fisheries*; Shri Rajendra Singh Dhaliwal: *Independent charge of P.W.D. (B&R)*; Captain Kanwaljit Singh: *Independent charge of Sports and Youth Welfare and attached to the Chief Minister for Home*; Shri Baldev Singh Mann: *Attached to the Chief Minister for Food and Supplies*; Shri Nusrat Ali Khan: *Independent Charge of Jails, Civil Defence and Cultural Affairs*; Shri Dalip Singh Pandhi: *Independent charge of Welfare of Scheduled Castes and Backward Classes*; Shri Prem Gupta: *Independent charge of Labour and Employment.*

Deputy Ministers:

Shri Kundan Singh Patang: *Attached to Health Minister*;
Shri Swaran Singh Phillar: *Attached to Minister for P.W.D. (B&R).*⁵³

Parliamentary Secretaries sworn in: Sarvashri Surinder Singh and Gobind Singh Kanjla were sworn in as Parliamentary Secretaries by Chief Minister Surjeet Singh Barnala.⁵⁴

Speaker resigns: The Speaker, Shri Ravi Inder Singh, resigned from his office on 27 May.⁵⁵

New Speaker, Deputy Speaker elected: Shri Surjit Singh Minhas and Shri Jaswant Singh of ruling Akali Dal were elected Speaker and Deputy Speaker, respectively on 2 June. The post of Deputy Speaker was vacant since the induction of Shri Nirmal Singh Kahlon into Barnala Ministry on 6 May.⁵⁶

MLA dead: Shri Manmohan Kalia, BJP MLA passed away on 3 June.⁵⁷

⁵³ *Tribune*, 17 May, 1986.

⁵⁴ *Telegraph*, 8 May, 1986.

⁵⁵ *Free Press Journal*, 28 May, 1986.

⁵⁶ *Statesman*, 3 June, 1986.

⁵⁷ *Times of India*, 4 June, 1986.

RAJASTHAN

Resignation of Ministers: The Governor, Shri Vasant Rao Patil accepted the resignations of the Minister for Indira Gandhi Canal, Shri Narendra Singh Bhat and the Minister of State for Animal Husbandry, Shri Ram Singh Bishnoi on the advice of the Chief Minister, Shri Harideo Joshi on 7 February. The two departments were transferred to the Revenue Minister, Shrimati Kamla and the Minister for Cooperatives, Shri Ramdeo Singh respectively.⁵⁸

Cabinet reshuffled: On 9 April, Chief Minister, Shri Harideo Joshi carried out a minor reshuffle of portfolios in his Council of Ministers.

The Chief Minister took away the Urban Development and Town Planning departments from his Cabinet Colleague Shri Chogaram Bakolia and allotted him the portfolios of Food and Civil Supplies, which were hitherto held by the Education Minister, Shri Heera Lal Devpura.

The Chief Minister also allocated independent charges to some of the Ministers of State. Shri Ram Kishan Verma was given the independent charge of *Economics, Statistics, Stationery and Printing*; Shri Jakia Inam was given independent charge of *Family Welfare*. Shri Heera Lal Indora was given independent charge of *Jails and Motor Garage*. Shri Damodar Acharya was given *Rehabilitation, Linguistic Minorities and Election*. Shri Mool Chand Meena was allotted *Civil Defence and Home Guards*. Shri Mahendra Kumar Bheel got independent charge of *Sports*.⁵⁹

TAMIL NADU

Reshuffle in portfolios: On 24 January, the Chief Minister, Shri M. G. Ramachandran allocated some of the subjects held by him among three of his Cabinet colleagues. While the Finance Minister, Shri V. R. Nedunchazhian got General Administration, the Minister for Tourism and Religious Endowments, Shri R. N. Veerappan was given Public Relations District Revenue Offices, Information and Publicity and Film Technology. The subjects relating to "Deputy Collectors and Molasses" were transferred to the Law Minister, Shri C. Ponnaiyan.⁶⁰

⁵⁸ *Statesman*, 8 February, 1986.

⁵⁹ *Hindustan Times*, 10 April, 1986.

⁶⁰ *Hindu*, 25 January, 1986.

MLA resigns: Shri V. Balachander, MLA, of the 'Hindu Munnani' resigned his membership on 1 March following the defeat of two of his party candidates in the local bodies elections in the State.⁶¹

Minister resigns: The Minister for Labour, Dairy Development, Animal Husbandry and Registration, Shri K. A. Krishnaswamy tendered his resignation from the State Cabinet on 7 April, after he was divested of Labour portfolio.⁶²

MLA dead: AIADMK MLA Shri A. Pitchai, representing the Aruppukottai constituency was killed in a van accident on 28 April. Another AIADMK MLA P. S. Narayanan passed away on 11 May.⁶³

Abolition of Legislative Council: The State Assembly passed a resolution by 136 to 25 votes for the abolition of State Legislative Council on 14 May 1986.⁶⁴

UTTAR PRADESH

Cabinet expanded: Chief Minister, Shri Vir Bahadur Singh expanded his four-month-old Ministry with the induction of following 10 Ministers of State on 21 January: Sarvashri Promod Kumar Tewari, Bhole Shankar Maurya, Nisar Ahmed Ansari, Ram Avtar Dixit, Surendra Singh Chauhan, Chetram Gangwar, Ram Naresh Shukla, Sitaram Nishad, Saraswati Ammal and Sankata Prasad Shastri.⁶⁵

Biennial elections to Legislative Council: All the nine candidates of the Congress(I), two of the Lok Dal and one each of the BJP and the CPI were declared elected unopposed in the biennial elections to the Legislative Council on 21 June, 1986.⁶⁶

WEST BENGAL

Minister resigns: On 17 January, Finance Minister Dr. Ashok Mitra resigned from the Cabinet on health grounds.⁶⁷

MLA resigns: On 3 March, Congress(I) MLA from Uleberia constituency, Shri Shaikh Anwar Ali, resigned from the Assembly

⁶¹ *Times of India*, 2 March, 1986.

⁶² *Times of India*, 8 April, 1986.

⁶³ *Hindu*, 29 April, 1986; and *Times of India*, 12 May, 1986.

⁶⁴ *Hindu*, 15 May, 1986.

⁶⁵ *Times of India*, 22 January, 1986.

⁶⁶ *Statesman*, 22 June, 1986.

⁶⁷ *Telegraph*, 18 January, 1986.

on the ground that he could not do justice to the people of his constituency.⁶⁸

Minister dead: The Minister for High Education Shri Sambhu Ghosh passed away on 15 June.⁶⁹

UNION TERRITORIES

ARUNACHAL PRADESH

Ministry reshuffled: The Chief Minister, Shri Gegong Apong reshuffled his 13-month old Ministry on 30 January in which Health, Information and Public Relations Minister, Shri Khapriso Krong was shifted to Education, Supply and Transport Departments, while the Supply and the Transport Minister, Shri Tadak Dolui was allotted the Public Works Department including Power Sector. Finance Minister, Shri S. Tashi was shifted to the Rural Works Department and was also given the portfolio of Culture and Tourism.⁷⁰

DEVELOPMENTS ABROAD

AFGHANISTAN

Re-election of President: Mr. Babrak Karmal was re-elected President of Afghanistan on 19 January.⁷¹

ALGERIA

Cabinet reshuffled: President Mr. Chadli Benjedid reshuffled his Cabinet on 9 February by appointing three new Ministers—General Rashid Benyelles (Transport), Mr. Boualem Bessaich (Culture and Tourism), and Mr. Boubaker Belkaid (Training and Labour). Three other Ministers—Mr. Salah Gonjil, Mr. Abdelmajid Mezian and Mr. Mohamed Nabiare were appointed to unspecified posts.⁷²

ARGENTINA

Death of Defence Minister: Defence Minister, Mr. Roque Caranza, passed away on 8 February.⁷³

⁶⁸ *Indian Express*, 4 March, 1986.

⁶⁹ *Telegraph*, 16 June, 1986.

⁷⁰ *Times of India*, 31 January, 1986.

⁷¹ *Indian Express*, 20 January, 1986.

⁷² *Hindu*, 11 February, 1986.

⁷³ *Times of India*, 10 February, 1986.

AUSTRIA

New Foreign Minister: Mr. Peter Jankowitsch was named as the Foreign Minister on 13 June in succession to Mr. Leopold Gratz who had resigned on 10 June.⁷⁴

BANGLADESH

Cabinet reshuffled: On 16 February, President H. M. Ershad appointed Major-General Mohmudul Hasan as Interior (Home) Minister in place of Major-General Abdul Mannan Siddiky who became Minister for Relief and Rehabilitation. General Hasan's former portfolio, Local Government and Cooperatives, was given to Mr. A. K. M. Aminul Islam who was the Religious Minister. Works Minister Mr. M. A. Matin became the new Education Minister and was replaced by the Relief and Rehabilitation Minister, Mr. Sala-huddin Quader Choudhury. The post of Religious Minister went to Education Minister Mr. Shamsul Huda Choudhury.

The State Minister for Labour and Manpower, Mr. Mustafa Jamal Haidar was made State Minister for Local Government assisting Mr. Aminul Islam.⁷⁵

Resignation of Ministers: On 23 March, 19 Ministers resigned from the Cabinet of President, General H. M. Ershad to contest the general elections set for 7 May.⁷⁶

General elections: In the general elections held on 7 May, the Jatiya Party attained majority by securing 152 seats out of 299 seats declared so far to the 300-seat Assembly, The Awami League and its allies won total 96 seats, whose break-up is as follows: Awami League—75, Communists—5, two factions of National Awami Party—7, Bangladesh Krishak Shramik Awami League—4, Jatiya Samajtantrik Dal (led by Sahjahan Siraj)—3, and Workers' Party—2.

The break-up of seats won by other Opposition parties is as follows: Jamaat Islami—10 Muslim League—4, and Jatiya Samajtantrik Dal (led by Abdur Rab)—4. The independent candidates won 33 seats.⁷⁷

⁷⁴ *Hindustan Times*, 14 June, 1986.

⁷⁵ *Times of India*, 17 February, 1986.

⁷⁶ *Free Press Journal*, 24 March, 1986.

⁷⁷ *Indian Express*, 25 May, 1986.

BARBADOS

General elections: The Opposition Democratic Labour Party led by Mr. Errol Barrow, came out victorious in the general elections on 28 May 1986 by capturing 17 of the seats declared so far in the 27-member House of Assembly.⁷⁸

BOLIVIA

Resignation of Cabinet: Foreign Minister Mr. Gaston Traoz announced the collective resignation of the Cabinet on 21 January.⁷⁹

New Cabinet : President, Mr. Victor Paz Estenssoro named a new 18-member cabinet on 23 January. The major cabinet changes involved the appointment of Mr. Jnan Caraaga, a prominent banker as Finance Minister and Senate President, Mr. Gonzalo Sanchez de Lozada as Planning Minister.⁸⁰

BULGARIA

New Prime Minister : Bulgarian Parliament elected Mr. Georg Afanassov, member of the Communist Party Politburo, as the Prime Minister of the country replacing Mr. Girisha Filipov on 2 March.⁸¹

President re-elected : Communist Party leader, Mr. Todor Zhivkov was re-elected President of the Bulgarian Council of States for the fourth successive term on 17 June.⁸²

CANADA

Cabinet reshuffled: Prime Minister Mr. Brian Mulroney made sweeping changes in his Cabinet, including the appointment of a new Deputy Prime Minister on 30 June. Mulroney dropped six Ministers, including Deputy Prime Minister, Mr. Enik Nielsen and added eight new faces to the Cabinet. Transport Minister Mr. Don Mazankowski took over as Deputy Prime Minister and Leader in the House of Commons.⁸³

⁷⁸ *Statesman*, 30 May, 1986.

⁷⁹ *Indian Express*, 23 January, 1986.

⁸⁰ *Hindu*, 24 January, 1986.

⁸¹ *Times of India*, 22 March, 1986.

⁸² *Hindu*, 19 June, 1986.

⁸³ *Satesman*, 1 July, 1986.

CHINA

Two Ministers removed : Two Deputy Foreign Trade Ministers Mr. Jia Shi and Mr. Wei Yuming, were removed on 17 January, and were succeeded by Mr. Lu Uejian and Mr. Wang Pinoing.⁸⁴

New Vice-Premier : Mr. Qiao Shi, a member of the Politburo and Secretariat of the ruling Communist Party became China's fifth Vice-Premier on 13 April 1985.⁸⁵

New Minister : Novelist Wang Meng was appointed Culture Minister, replacing Zhu Muzhi on 25 June 1986.⁸⁶

COLOMBIA

Election of President : Liberal Party candidate Mr. Virgilio Barco was elected President defeating his Conservative rival, Mr. Alvaro Gomez Hartado on 25 May.⁸⁷

COSTA RICA

New Cabinet : President, Mr. Oscar Arias Sanchez announced his new Cabinet on 27 February which included Minister of Presidency Mr. Rodrigo Arian Sanchez, Foreign Minister Mr. Rodnigo Madrigal Nieto, Minister of Interior, Mr. Guido Fernandex and Minister of Public Security, Mr. Hernan Gairon.⁸⁸

EGYPT

New Minister : President, Mr. Hosni Mubarak appointed a new Interior Minister, Major-General Zaki-Badr, in place of Mr. Ahmed Rushdi following riots by security forces.⁸⁹

FRANCE

General elections : The French Right led by the Gaullist Party (RPR) and the Union for French Democracy (UDF) secured 291 seats for the 577-member National Assembly elections for which were held on 16 March. The ruling Socialist Party obtaining 216 seats or 32 per cent of the votes emerged as the largest single Party. The Communist Party secured a bare 9.8 per cent of the vote.⁹⁰

⁸⁴ *Telegraph*, 19 January, 1986.

⁸⁵ *Hindu*, 15 April, 1986.

⁸⁶ *Tribune*, 27 June, 1986.

⁸⁷ *Hindustan Times*, 27 May, 1986.

⁸⁸ *National Herald*, 2 March, 1986.

⁸⁹ *Statesman*, 1 March, 1986.

⁹⁰ *Statesman*, and *Telegraph*, 18 March, 1986.

New Prime Minister : President, Mr. Francois Mitterand named on 20 March conservative leader, Mr. Jacques Chirac, to be the new Prime Minister of the country.⁹¹

GERMAN DEMOCRATIC REPUBLIC

Deputy PM dead: Deputy Prime Minister, Mr. Gerhard Weiss passed away on 7 January.⁹²

GREAT BRITAIN

Defence Minister resigns: Defence Minister, Mr. Michael Heseltine who had been fighting a lone battle over the future of Westland resigned from the Cabinet on 9 January.⁹³

Cabinet reshuffled: On 2 May Prime Minister, Mrs. Margaret Thatcher dropped Education Secretary Sir Keith Joseph from her Cabinet and appointed the Minister of Environment Mr. Kenneth Baker in his place. Transport Minister Mr. Nicholas Ridley took over Environment, while Treasury Secretary of State Mr. John Moore was given the Transport portfolio with a Cabinet rank.⁹⁴

GUATEMALA

New President : Mr. Vinicio Cerezo was sworn in on 14 January as Guatemala's first civilian President in 16 years.⁹⁵

HONDURAS

New President: Mr. Jose Azoona was sworn in as the new President on 27 January.⁹⁶

ITALY

Prime Minister resigns : Socialist Premier, Mr. Bettino Craxi submitted his Government's resignation to President Francesco Cossiga on 27 June 1986.⁹⁷

LESOTHO

Prime Minister ousted in coup : Prime Minister, Mr. Leabua Jonathan, was ousted from office in a bloodless coup engineered by

⁹¹ *Free Press Journal*, 21 March, 1986.

⁹² *Indian Express*, 8 January, 1986.

⁹³ *Telegraph*, 10 January, 1986.

⁹⁴ *Tribune*, 23 May, 1986.

⁹⁵ *Hindustan Times*, 16 January, 1986.

⁹⁶ *Telegraph*, 29 January, 1986.

⁹⁷ *Hindustan Times*, 28 June, 1986.

a pro-South African army commander, General Justin Lekhanya on 20 January.⁹⁸

LIBERIA

New President : Former military leader, Mr. Samuel Doe, was sworn in as President on 7 January for a six-year term following widely-contested national elections in October 1985.⁹⁹

MALAWI

Cabinet dissolved: President Kamuzu Banda dissolved his Cabinet and personally took charge of the Government on 2 January.¹⁰⁰

MALAYASIA

Cabinet reshuffled: Prime Minister, Dr. Mahathir Mohammed reshuffled his Cabinet on 4 January upgrading three Deputy Ministers as full Ministers.¹⁰¹

Deputy Prime Minister resigns: The Deputy Prime Minister, Mr. Musa Hitam resigned on 28 February following differences with Prime Minister Mr. Mahathir Mohammed.¹⁰²

Cabinet reshuffled: Prime Minister Dr. Mahathir Mohammad reshuffled his cabinet on 7 May by appointing Mr. Ghafar Baba as Deputy Prime Minister and Rural Development Minister. Mr. Anwar Ibrahim was shifted from Agriculture to Education Ministry.¹⁰³

MALI

Cabinet reshuffled: President, Mr. Moussa Traore carried out a major government reshuffle, relinquishing the posts of Premier and Defence Minister held by him on 7 June. He named the former Health Minister, Mr. Momadou Dembele as Prime Minister, while himself retaining the position as Head of the Government.¹⁰⁴

⁹⁸ *Times of India*, 21 January, 1986.

⁹⁹ *Hindu*, 8 January, 1986.

¹⁰⁰ *Times of India*, 3 January, 1986.

¹⁰¹ *Telegraph*, 5 January, 1986.

¹⁰² *Tribune*, 1 March, 1986.

¹⁰³ *Hindu*, 8 May, 1986.

¹⁰⁴ *Times of India*, 8 June, 1986.

MAURITIUS

New Governor General: Sir Veerasamy Ringadoo was appointed Governor General of Mauritius on 8 January succeeding Sir Seewoosagar Ramgoolam, who had passed away in December 1985.¹⁰⁵

Cabinet reshuffled: Prime Minister Aneerood Jagnauth reshuffled his Cabinet on 14 January following resignation of the ruling coalition's Chief Party Whip, Harish Boodhoo, and the four Cabinet Ministers—External Affairs Minister, Mr. Anil Gayana, Trade and Shipping Minister, Mr. Kadar Bhagat, Commerce Minister Mr. Kadres Pillay and Health Minister Mr. Kailash Purryag earlier on 7 January. Four new persons included in the Cabinet were: Mr. Madun Dulloo as Minister of External Affairs, Mr. Jagdish Goburdhun as Minister of Health, Mr. Rashid Soovadar as Minister of Local self-Government and Mr. Iswardeo Seetaram as Minister of Cooperatives.¹⁰⁶

NEPAL

Prime Minister resigns: Prime Minister Mr. Lokendra Bahadur Chand resigned on 20 March.¹⁰⁷

Caretaker Prime Minister: Former Prime Minister Mr. Nagendra Prasad Rajal was sworn in on 21 March as the Caretaker Prime Minister till Rashtriya Panchayat elections were over.¹⁰⁸

General elections: In the election for 108 seats to the 140-member National Panchayat held on 12 May, 69 of the winning candidates were newcomers and the remaining 39 were sitting or former members of Parliament.¹⁰⁹

New Prime Minister: Former Speaker of the Rashtriya Panchayat, Mr. Marrichman Singh Shreshtha was elected unopposed as the Sixth Prime Minister on 13 June.¹¹⁰

New Cabinet: A 17-member Ministry comprising ten Cabinet Ministers, four Ministers of State and three Assistant Ministers was sworn in on 15 June.¹¹¹

¹⁰⁵ *Telegraph*, 9 January, 1986.

¹⁰⁶ *Hindu*, 8 January, 1986; and *Times of India*, 15 January 1986.

¹⁰⁷ *Hindustan Times*, 21 March, 1986.

¹⁰⁸ *Indian Express*, and *Tribune*, 22 March, 1986.

¹⁰⁹ *Hindustan Times*, 24 May, 1986.

¹¹⁰ *Telegraph*, 14 June, 1986.

¹¹¹ *Indian Express*, 17 June, 1986.

NETHERLANDS

General elections: Prime Minister Rund Lubbers led his Centre-Right coalition to an election victory in the General elections held on 21 May.¹¹²

NORWAY

Defeat of Government: Prime Minister Mr. Kaare Willoch's coalition Government resigned on 30 April after losing a vote of confidence he had demanded from Parliament.¹¹³

New Government: Labour Party Leader, Mr. M. S. Grohartem Brundtland formed a new Government on 10 May.¹¹⁴

PAKISTAN

Cabinet reshuffled: Prime Minister Mr. Mohammed Khan Junejo reshuffled the 35-member federal Cabinet on 28 January by retaining himself the Defence portfolio and Mr Sahabzada Yaqub Khan remaining the Foreign Minister. Finance and Planning Minister Dr. Mahhubul Haq was replaced by Mr. Mohammed Yasin Wattoo, Education Minister in the outgoing Cabinet.

Other prominent members of Cabinet were: Mr. Mohammed Anwar Aziz Chaudhary (Local Government), Mr. Nasir Ahmed Aheer (Education) and Mr. Nawab Moqsoom Ahmed Lagari (Labour and Manpower).

On 12 February, Dr. Mahhubul Haq was re-inducted in the Cabinet as Planning and Development Minister.¹¹⁵

New Speaker: Science and Technology Minister Mr. Hamid Nasir Chattha was elected Speaker of the National Assembly on 21 May.¹¹⁶

PHILIPPINES

New Cabinet: After her declaration as the President. Mrs. Corazon Aquino formed her Cabinet on 26 February. Vice-President Mr. Salvador H. Laurel was appointed as Foreign Minister. Defence Minister Mr. Juan Ponce Enrile was retained and Lt. Gen. Fidel

¹¹² *Statesman*, 23 May, 1986.

¹¹³ *Telegraph*, 1 May, 1986.

¹¹⁴ *Times of India*, 11 May, 1986.

¹¹⁵ *Hindustan Times*, 29 January, 1986; and *Telegraph*, 13 February 1986.

¹¹⁶ *Indian Express*, 1 June, 1986.

Ramos was promoted as the Chief of Staff. Others inducted into the Cabinet were Mr. Jamine Ongpin as Finance Minister, Mr. Jose Concepcion as Tourism Minister and Mr. Aquilino promoted as Minister for Local Government.¹¹⁷

PORTUGAL

New President: Socialist leader Mr. Mario Soares was elected as the first civilian President in 60 years in a closely-contested poll on 16 February.¹¹⁸

REPUBLIC OF KOREA

Cabinet reshuffled: President, Mr. Chun Doo Hwan carried out a major Cabinet reshuffle on 7 January affecting eight Ministers of his 22-member State Council. The Prime Minister, Mr. Lho Shin Yong was retained but the Deputy Prime Minister Mr. Shin Byong-Hyun was replaced with Finance Minister Mr. Kim Mohn-Je.¹¹⁹

DEMOCRATIC REPUBLIC OF YEMEN

New President: Former Prime Minister Mr. Haider Abubakar-al-Attas was named as the new President on 8 February.¹²⁰

SUDAN

New Prime Minister: Umma Party candidate Mr. Sadiq-ol-Mehdi was sworn in as the Prime Minister on 6 May.¹²¹

SWEDEN

Prime Minister assassinated: Prime Minister Mr. Olof Palme was shot dead in Stockholm on 28 February.¹²²

New Prime Minister: Mr. Ingvar Carlsson (Social Democrat) was elected unopposed as Prime Minister on 12 March 1986.¹²³

THAILAND

Cabinet reshuffled: Prime Minister, General Prem Tinsulanonda, reshuffled his Cabinet on 16 January following resignations and

¹¹⁷ *National Herald*, 27 February, 1986.

¹¹⁸ *National Herald*, 18 February, 1986.

¹¹⁹ *Telegraph*, 8 January, 1986.

¹²⁰ *Times of India*, 9 February, 1986.

¹²¹ *Hindu*, 8 May, 1986.

¹²² *Hindustan Times*, 2 March, 1986.

¹²³ *Indian Express*, 13 March, 1986.

dismissals of five Ministers. Foreign Minister Mr. Sitthi Savetsila was named as new Deputy Prime Minister replacing Mr. Boonthen Thongsawasdi, who was dismissed.¹²⁴

Dissolution of Parliament: Prime Minister General Prem Tinsulanonda dissolved the Parliament on 1 May and called for general elections on 7 July.¹²⁵

UGANDA

New President: The rebel leader, Commander Yoweri Museveni was sworn in as the new President on 29 January. In his first Cabinet appointments announced on 30 January, he himself retained the Defence portfolio, named Mr. Samson Kisekka as the Prime Minister and Professor Pontiano Mulema as the Finance Minister.¹²⁶

New Cabinet: President Commander Yoweri Museveni announced a new Cabinet on 5 February drawing members from political parties and guerilla organisations. The new Cabinet includes Minister of Foreign Affairs Mr. Ibrahim Mukiibi and President of Democratic Party, Mr. Paul Kawanga, as Minister of Internal Affairs who had also served as Minister of Internal Affairs under the deposed Government of General Okelo. Eighteen others were also inducted into the Cabinet.¹²⁷

USSR

New Ministers: In a major reshuffle, while Mr. Anatoly Lasov was appointed Minister of Internal Affairs in place of Mr. Fyodor-chuk, Mr. Vladimir Heshetilov was appointed as Minister of Construction in place of Mr. Georgi Garavaev.¹²⁸

CPSU General Secretary: The Plenum of the newly-elected CPSU re-elected Mr. Mikhail S. Gorbachov on 5 March as General Secretary of the CPSU for the next five years.¹²⁹

New first Vice-President: Culture Minister Mr. Pyotr Demichev was named first Vice-President on 18 June 1986.¹³⁰

¹²⁴ *Hindu*, 17 January, 1986.

¹²⁵ *Hindu*, 2 May 1986.

¹²⁶ *Statesman*, 30 January, 1986; and *Telegraph*, 1 February, 1986.

¹²⁷ *Times of India*, 8 February, 1986.

¹²⁸ *Telegraph*, 27 January, 1986.

¹²⁹ *Hindustan Times*, 7 March, 1986.

¹³⁰ *Times of India*, 19 June, 1986.

VIETNAM

Deputy Premier removed: Vietnam's Deputy Prime Minister, Mr. Tran Phoung was removed from his office on 1 February.¹³¹

YUGOSLAVIA

New President and Vice-President: Mr. Sinan Hasani and Mr. Lazar Majsovy took office as President and Vice-President, respectively, for a period of one year on 14 May.¹³²

ZAMBIA

Cabinet reshuffled: President, Mr. Kenneth Kaunda announced a major reshuffle of his Cabinet, replacing seven Ministers and his entire team of special advisers on 5 April.

Former Finance Minister Mr. M. Luke Mwananshiku was appointed as the new Minister for Foreign Affairs. The UN Ambassador Mr. Paul Lusaka was named as the Special Assistant and Political Advisor.¹³³

ZIMBABWE

President re-elected: Mr. Canaan Banana was re-elected President of the country for the second term on 17 April.¹³⁴

¹³¹ *Indian Express*, 2 February, 1986.

¹³² *Hindu*, 16 May, 1986.

¹³³ *Telegraph*, 6 April, 1986.

¹³⁴ *Tribune*, 19 April, 1986.

DOCUMENTS OF CONSTITUTIONAL AND
PARLIAMENTARY INTEREST

The Constitution (Fifty-Second Amendment Act, 1985 and the Representation of the People (Amendment) Act, 1985 provided for framing of rules pertaining to members of Parliament disqualifying them on ground of defection. The Rules were framed in 1985 by the Speaker, House of the People (Lok Sabha) and Chairman, Council of the States (Rajya Sabha) for the members of their respective Houses. We reproduce below the text of the rules pertaining to members of Lok Sabha.

—Editor

THE MEMBERS OF LOK SABHA (DISQUALIFICATION
ON GROUND OF DEFECTION) RULES, 1985

In exercise of the powers conferred by paragraph 8 of the Tenth Schedule to the Constitution of India, the Speaker, Lok Sabha, hereby makes the following rules, namely:—

1. *Short Title* : These rules may be called the Members of Lok Sabha (Disqualification on ground of Defection) Rules, 1985.

2. *Definitions*: In these rules, unless the context otherwise requires,—

- (a) 'Bulletin' means the Bulletin of the House of the People (Lok Sabha);
- (b) 'Committee' means the Committee of Privileges of the House of the People (Lok Sabha);
- (c) 'Form' means a form appended to these rules;

- (d) 'date of commencement', in relation to these rules means the date on which these rules take effect under subparagraph (2) of paragraph 8 of the Tenth Schedule;
- (e) 'House' means the House of the People (Lok Sabha);
- (f) 'leader', in relation to a legislature party, means a member of the party chosen by it as its leader and includes any other member of the party authorised by the party to act, in the absence of the leader as, or discharge the functions of, the leader of the party for the purposes of these rules;
- (g) 'member' means a member of the House of the People (Lok Sabha);
- (h) 'Tenth Schedule' means the Tenth Schedule to the Constitution of India;
- (i) 'Secretary-General' means the Secretary-General to the House of the People (Lok Sabha) and includes any person for the time being performing the duties of the Secretary-General.

3. Information to be furnished by leader of a legislature party:

(1) The leader of each legislature party (other than a legislature party consisting of only one member) shall, within thirty days after the first sitting of the House, or, where such legislature party is formed after the first sitting, within thirty days after its formation, or, in either case within such further period as the Speaker may for sufficient cause allow, furnish the following to the Speaker namely:—

- (a) a statement (in writing) containing the names of members of such legislature party together with other particulars regarding such members as in Form I and the names and designations of the members of such party who have been authorised by it for communicating with the Speaker for purposes of these rules;
- (b) a copy of the rules and regulations (whether known as such or as constitution or by any other name) of the political party concerned; and
- (c) where such legislature party has any separate set of rules and regulations (whether known as such or as constitution or by any other name), also a copy of such rules and regulations.

(2) Where a legislature party consists of only one member, such member shall furnish a copy of the rules and regulations mentioned in clause (b) of sub-rule (1) to the Speaker, within thirty days after the first sitting of the House or, where he has become a member of the House after the first sitting, within thirty days after he has taken his seat in the House, or, in either case within such further period as the Speaker may for sufficient cause allow.

(3) In the event of any increase in the strength of a legislature party consisting of only one member, the provisions of sub-rule (1) shall apply in relation to such legislature party as if such legislature party had been formed on the first date on which its strength increased.

(4) Whenever any change takes place in the information furnished by the leader of a legislature party under sub-rule (1) or by a member under sub-rule (2), he shall, within thirty days thereafter, or, within such further period as the Speaker may for sufficient cause allow furnish in writing information to the Speaker with respect to such change.

(5) In the case of the House in existence on the date of commencement of these rules, the reference in sub-rules (1) and (2) to the date of the first sitting of the House shall be construed as a reference to the date of commencement of these rules.

(6) Where a member belonging to any political party votes or abstains from voting in the House contrary to any direction issued by such political party or by any person or authority authorised by it in this behalf, without obtaining, in either case, the prior permission of such political party, person or authority, the leader of the legislature party concerned or where such member is the leader, or as the case may be, the sole member of such legislature party, such member, shall, as soon as may be after the expiry of fifteen days from the date of such voting or abstention, and in any case within thirty days from the date of such voting or abstention, inform the Speaker as in Form II whether such voting or abstention has or has not been condoned by such political party, person or authority.

Explanation : A member may be regarded as having abstained from voting only when he, being entitled to vote, voluntarily refrained from voting.

4. *Information etc. to be furnished by members* : (1) Every member who has taken his seat in the House before the date of

commencement of these rules shall furnish to the Secretary-General, within thirty days from such date or within such further period as the Speaker may for sufficient cause allow, a statement of particulars and declaration as in Form III.

(2) Every member who takes his seat in the House after the commencement of these rules shall, before making and subscribing an oath or affirmation under article 99 of the Constitution and taking his seat in the House, deposit with the Secretary-General, his election certificate or, as the case may be, a certified copy of the notification nominating him as a member and also furnish to the Secretary-General a statement of particulars and declaration as in Form III.

Explanation—For the purpose of this sub rule “Election Certificate” means the certificate of election issued under the Representation of the People Act, 1951 (43 of 1951) and the rules made thereunder.

(3) A summary of the information furnished by the members under this rule shall be published in the Bulletin and if any discrepancy therein is pointed out to the satisfaction of the Speaker, necessary corrigendum shall be published in the Bulletin.

5. *Register of information as to members* : (1) The Secretary-General shall maintain, as in Form IV, a register based on the information furnished under rules 3 and 4 in relation to the members.

(2) The information in relation to each member shall be recorded on a separate page in the Register.

6. *References to be by petitions* : (1) No reference of any question as to whether a member has become subject to disqualification under the Tenth Schedule shall be made except by a petition in relation to such member made in accordance with the provisions of this rule.

(2) A petition in relation to a member may be made in writing to the Speaker by any other member.

Provided that a petition in relation to the Speaker shall be addressed to the Secretary-General.

(3) The Secretary-General shall,—

(a) as soon as may be after the receipt of a petition under the proviso to sub-rule (2) make a report in respect thereof to the House; and

(b) as soon as may be after the House has elected a member in pursuance of the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule place the petition before such member.

(4) Before making any petition in relation to any member, the petitioner shall satisfy himself that there are reasonable grounds for believing that a question has arisen as to whether such member has become subject to disqualification under the Tenth Schedule.

(5) Every petition—

(a) shall contain a concise statement of the material facts on which the petitioner relies; and

(b) shall be accompanied by copies of the documentary evidence, if any, on which the petitioner relies and where the petitioner relies on any information furnished to him by any person, a statement containing the names and addresses of such persons and the gist of such information as furnished by each such person.

(6) Every petition shall be signed by the petitioner and verified in the manner laid down in the Code of Civil Procedure, 1908 (5 of 1908), for the verification of pleadings.

(7) Every annexure to the petition shall also be signed by the petitioner and verified in the same manner as the petition.

7. *Procedure* : (1) On receipt of a petition under rule 6, the Speaker shall consider whether the petition complies with the requirements of that rule.

(2) If the petition does not comply with the requirements of rule 6, the Speaker shall dismiss the petition and intimate the petitioner accordingly.

(3) If the petition complies with the requirements of rule 6, the Speaker shall cause copies of the petition and of the annexures thereto to be forwarded—

(a) to the member in relation to whom the petition has been made; and

(b) where such member belongs to any legislature party and such petition has not been made by the leader thereof, also to such leader, and such member or leader shall, within seven days of the receipt of such copies, or within

such further period as the Speaker may for sufficient cause allow, forward his comments in writing thereon to the Speaker.

(4) After considering the comments, if any, in relation to the petition, received under sub-rule (3) within the period allowed (whether originally or on extension under that sub-rule) the Speaker may either proceed to determine the question or, if he is satisfied, having regard to the nature and circumstances of the case that it is necessary or expedient so to do, refer the petition to the Committee for making a preliminary inquiry and submitting a report to him.

(5) The Speaker shall, as soon as may be after referring a petition to the Committee under sub-rule (4), intimate the petitioner accordingly and make an announcement with respect to such reference in the House or, if the House is not then in session, cause the information as to the reference to be published in the Bulletin.

(6) Where the Speaker makes a reference under sub-rule (4) to the Committee, he shall proceed to determine the question as soon as may be after receipt of the report from the Committee.

(7) The procedure which shall be followed by the Speaker for determining any question and the procedure which shall be followed by the Committee for the purpose of making a preliminary inquiry under sub-rule (4) shall be, so far as may be the same as the procedure for inquiry and determination by the Committee of any question as to breach of privilege of the House by a member, and neither the Speaker nor the Committee shall come to any finding that a member has become subject to disqualification under the Tenth Schedule without affording a reasonable opportunity to such member to represent his case and to be heard in person.

(8) The provisions of sub-rules (1) to (7) shall apply with respect to a petition in relation to the Speaker as they apply with respect to a petition in relation to any other member and for this purpose, reference to the Speaker in these sub-rules shall be construed as including references to the member elected by the House under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule.

8. *Decision on petitions* : (1) At the conclusion of the consideration of the petition, the Speaker or, as the case may be, the member

elected under the proviso to sub-paragraph (1) of paragraph 6 of the Tenth Schedule shall by order in writing,—

- (a) dismiss the petition, or
- (b) declare that the member in relation to whom the petition has been made has become subject to disqualification under the Tenth Schedule, and cause copies of the order to be delivered or forwarded to the petitioner, the member in relation to whom the petition has been made and to the leader of the legislature party, if any, concerned.

(2) Every decision declaring a member to have become subject to disqualification under the Tenth Schedule shall be reported to the House forthwith if the House is in session, and if the House is not in session, immediately after the House reassembles.

(3) Every decision referred to in sub-rule (1) shall be published in the Bulletin and notified in the Official Gazette and copies of such decision forwarded by the Secretary-General to the Election Commission of India and the Central Government.

9. *Directions as to detailed working of these rules:* The Speaker may, from time to time, issue such directions as he may consider necessary in regard to the detailed working of these rules.

FORM I

[See Rule 3(1) (a)]

Name of the Legislature Party :

Name of the corresponding political party :

S.No.	Name of the Member (in block letters)	Father's/husband's name	Permanent Address	Name of the State from which elected	Name of the Cons- tituency from which elected
(1)	(2)	(3)	(4)	(5)	(6)

Date :

Signature of the leader
of the legislature party.

FORM II

[See Rule 3 (6)]

To

The Speaker,
Lok Sabha.

Sir,

At the sitting of the House held on.....(date)
during voting on.....(subject-matter).....

†Shri.....M.P.
(Division No.....)
member of.....
(name of political party), and
member of.....
(name of legislature party) had
voted/abstained from voting,

†I.....(name of
the member) M.P., (Divi-
sion No.....), member of
.....(name of the
political party) and leader
of/sole member of.....
(name of legislature party) voted/
abstained from voting,

contrary to the direction issued by.....*(†Person/author-
ity/party) without obtaining the prior permission of the said *person/
authority/party.

2. On (date).....the aforesaid matter was considered
by.....*(†person/authority/party) and the said
†voting/abstention was †condoned/was not condoned by †him/it.

Yours faithfully,

Date :

(Signature)

†Strike out inappropriate words/portions.

*(Here mention the name of the person/authority/party, as the case
may be, who had issued the direction).

FORM III

(See Rule 4)

1. Name of the member (in block letters) :
2. Father's/husband's name :
3. Permanent Address :
4. Delhi Address :
5. Date of election/nomination :
6. Party affiliation as on—
 - (i) Date of election/nomination :
 - (ii) The *28th February, 1985 :
 - (iii) Date of signing this form :

DECLARATION

I.....hereby declare that the information given above is true and correct.

In the event of any change in the information above, I undertake to intimate the Speaker immediately.

Signature/thumb
impression of member

Date :

*To be filled in only by member elected or nominated before the 1st March, 1985, being the date of commencement of the Constitution (52nd Amendment) Act, 1985.

FORM IV

[See Rule 5 (1)]

Name of the member (in block letters)	Father's/ husband's name	Permanent Address	Delhi Address	Name of the State from which elected	Date of election/nomination	Name of political party to which he belongs	Name of legislature to which he belongs	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)

SESSIONAL REVIEW

EIGHTH LOK SABHA

FIFTH SESSION

The fifth Session (Budget Session) of the Eighth Lok Sabha which commenced on 20 February 1986 was adjourned *sine die* on 8 May 1986. A brief resume of the discussions held and other business transacted is given below.

A. DISCUSSIONS

President's Address : The President addressed the members of the two Houses assembled together on 20 February 1986 and extended his felicitations to the new members from Punjab and Assam. He recalled the initiatives taken by the Government to resolve the complex and difficult problems in Punjab and said that their supreme task was to isolate those who were resorting to violence to disturb communal harmony and peace. He called upon all secular and democratic forces to join hands to safeguard the values enshrined in the Constitution—nationalism, secularism, democracy and socialism—the bedrock of India's unity. The President also affirmed that the Government were "committed to the fullest implementation of Punjab and Assam Accords".

Referring to major trends in the economy, the President said that the basic strategy of the Seventh Five Year Plan was cast on a longer term perspective of eradication of poverty and building a strong, self-reliant and modern economy. A long-term fiscal policy co-terminous with the Five Year Plan announced by the Government would ensure economic growth and speedier expansion of productive investment with employment opportunities.

In his reference to international affairs, the President welcomed the resumption of high-level dialogue between USSR and USA to bring about a freeze in the nuclear arms race and a comprehensive nuclear-weapon test ban treaty. The Delhi Declaration of January 1985 had a good impact on public opinion throughout the world. The atmosphere in the sub-continent, he pointed out, had distinctly improved and India had succeeded in making progress in relations with her neighbours in many fields. India, however, remained concerned about the ethnic situation in Sri Lanka and Pakistan's continued pursuit of a nuclear-weapon capability and was convinced that the situation in Sri Lanka could be settled only through political means. The Government, he added, had made untiring efforts towards the resolution of the major areas of tension and continued to demand comprehensive mandatory sanctions against the racist regime in South Africa and support international efforts to combat international terrorism, while recognising the rights of people under colonial occupation to use all means to attain their just objectives. The Government welcomed the establishment of South Asian Association for Regional Cooperation launched in Dhaka in December 1985.

Outlining the tasks during 1986-87, the President stressed that the need of the hour was to enable the poor to better their lives. To this end, Government were 'mounting technology missions' in areas like drinking water for all villages, eradication of illiteracy, vaccination and immunisation of children, improved communications etc. A more effective strategy for family planning and a new programme based on the success achieved by the revised 20-Point Programme would be announced soon. Besides, Government would also hold consultations with the leaders of political parties with a view to formulating concrete proposals to ensure cleaner public life, he added.

In conclusion, he appealed to peoples' representatives and organisations to work together for strengthening the secular and democratic foundations of society.

The President's Address was discussed for three days, i.e. on 25, 26 and 27 February 1986 on a Motion of Thanks moved by Shri Eduardo Faleiro. Initiating the discussion Shri Faleiro said that India's responses and initiatives in the Indo-Pakistan dialogue should be corresponding to that of the statements and deeds of Pakistan's leaders. Shri Zainul Basher who seconded the motion stressed the need to contain anti-national forces and to maintain law and order in the country.

Participating in the resumed discussion on 26 February 1986, while Shri C. Madhav Reddy wanted an open enquiry into the Ram Swarup case and the Government coming to a working understanding with the regional parties. Shri P. Kolandaivelu sought the Government to elaborate some of the new schemes before the presentation of General Budget.

Participating in the resumed discussion on 27 February 1986, while Shri Dinesh Goswami urged the Government to take immediate steps to ensure the full implementation of the Assam Accord, Shrimati Dil Kumari Bhandari urged the Centre to encourage entrepreneurs for setting up industries in Sikkim and demanded removal of existing restrictions on the movement of tourists in the State.

Winding up the discussion in which 41 other members participated, Prime Minister Shri Rajiv Gandhi said that in pursuance of commitment made during the election campaign and in the Presidential Address, the Government had resolved the problems of both Punjab and Assam. While the Assam Accord was going well, there had been certain setbacks on the Punjab Accord. One of the clauses of the Accord required a Commission to be set up to look for the villages which would be exchanged in lieu of Chandigarh. He said that the report of the Commission was such that the Government could not take any action. The question of mutual settlement between the Chief Ministers of Punjab and Haryana as suggested by the Commission or setting up another commission to go into the question of the villages which would be exchanged in lieu of Chandigarh was being looked into, he added.

Shri Gandhi observed that the 'core of the problem' in the development process was the gap between what the country could

*Other Members who participated in the discussion were: Sarvashri Mewa Singh Gill, Anadi Charan Das, Sharad Dighe, A. Kalanidhi, P. Namgyal, C. P. Thakur, Shripati Mishra, Mahabir Prasad Yadav, Somnath Chatterjee, Vakkom Purushothaman, Mukul Wasnik, Chintamani Panigrahi, Syed Shahabuddin, Ajay Mushran, D. P. Yadav, Chiranjil Lal Sharma, S. B. Sidnal, Shantaram Neik, Madan Pandey, Balasaheb Vikhe Patil, Santosh Mohan Dev, Jagannath Rao, Narayan Choubey, Mool Chand Daga, J. Chokka Rao, Ram Swarup Ram, Saif-ud-Din Soz, Pipin Pal Das, Sriballav Panikrahi, G. M. Banatwala, T. Basheer, K. P. Unnikrishnan, Banwari Lal Purohit, B. N. Reddy, Raj Kumar Rai, Saleem I. Shervani, Mohd. Mahfooz Ali Khan, Jagan Nath Kaushal, Dr. G. S. Rajhans, Shrimati Nirmala Kumari Shaktawat and Kumari Mamata Banerjee.

do and what it was doing. The plan framed by the Government, he said, required 'seva and tyaga' (service and sacrifice) of the people. He asserted that prime thrust for development must come from the public sector. The need of a strong and vibrant public sector, he asserted, would require efficiency, better management, more output from labour in the public sector.

Defending the Muslim Women (Protection of Rights on Divorce) Bill 1986, the Prime Minister maintained that it in no way diluted the rights of women given under sections 125 and 127 of the Criminal Procedure Code. He assured the House that if any substantive issues raised were found convincing they would be re-looked into by the Government.

Dealing with the question of normalisation of relations with Pakistan, Shri Gandhi said that not much progress had been made on the border issue. In Sri Lanka, he added, there had been a spurt of violence recently and the Government had been in touch with the Sri Lankan Government.

The motion was adopted.

Steep rise in prices of petroleum products, essential commodities etc. : Moving an Adjournment Motion on 21 February 1986, Professor Madhu Dandavate said that the rise in prices of commodities on the eve of Budget Session not only imposed burden on the common man but undermined the authority of Parliament. The indiscriminate deficit financing badly administered public sector and impact of black money, he held, were responsible for the inflationary pressure on the economy. Some of the commodities selected for the hikes were the common inputs for agricultural and industrial production and would result in the finished products becoming extremely costlier.

Participating in the discussion, Shri C. Madhav Reddy said that any increase in the administered prices un-related to the cost of production of the commodities was a tax and their increase on the eve of session was improper and irregular. Shri P. Kolandaivelu suggested that price rise should always be linked with the wages and Shri Balwant Singh Ramoowalia sought a review of the increase made in the prices of fertilizers and diesel. While Shri

Dinesh Goswami felt that the objectives which had compelled the Government to raise the prices had got no rational basis, Shri Indrajit Gupta suggested introduction of rationing on the consumption of petrol and use of more gas for domestic fuel consumption.

Intervening in the discussion in which 17 other members* participated, the Minister of Finance, Shri Vishwanath Pratap Singh said that two basic reasons for the hike were balance of payment scenario and a greater thrust towards development. Defending the Government's action, Shri Singh said that IMF loans were due and payments had started from the current year. Concessional flows were drying away and there was much pressure on commercial borrowings. The Government had two options either to give a price signal or to resort to rationing. The Government thought it better to give a price signal rather than taking drastic action of rationing. On its part, the Government would undertake massive drive for conservation of energy, the Minister added.

Referring to the subsidy on petroleum, Shri Singh stated that L.P.G. still carried a subsidy of Rs. 13 per cylinder. In the case of subsidy on kerosene, it was, however understandable as it was meant for poor people tribals and other weaker sections. Even after price rise the kerosene prices, he contended was lowest as compared to its prices as existed in Paksitan and Bangladesh.

The Minister denied that by raising the administered prices the Government were fuelling inflation. He contended that total impact of the rise that had been made on the wholesale price index would be about 7 per cent. He added that the Government had taken a positive step in mobilising resources for more growth and greater development.

In a brief intervention, the Minister of Agriculture, Shri Buta Singh said that the decision taken by the Government for mobilisation of resources through internal resources was meant for the welfare of the poor. The Government, he added, proposed to pay greater

*Other members who took part in the discussion were: Sarvasbri Bhagwat Jha Azad, Vidyacharan Shukla, Somnath Chatterjee, Priya Ranjan Das Munshi, G. G. Swell, Brahma Dutt, V. Kishore Chandra S. Deo, Shyam Lal Yadav, Ananda Gajapathi Raju, P. R. Kumaramangalam, Palas Barman, Ram Pavre Panika, Mohd. Mahfooz Ali Khan, Haroobhai Mehta, Abdul Rashid Kabuli, R. L. Bhatia and Shrimati Krishna Sahi.

attention for providing drinking water and irrigation facilities to the rural areas in the coming years.

After Professor Madhu Dandavate replied to the debate, the motion was negatived.

Statement by the official spokesman of Pakistan re: disturbances in India : Making a statement on 25 February 1986 in response to a Calling Attention Notice the Minister of External Affairs, Shri B. R. Bhagat informed the House that Government of India noted with concern the tendency of Government of Pakistan in recent years to make unwarranted references to and take an unhealthy interest in the minority communities in India. While professing adherence to the principle of non-interference those references could not but regarded as a blatant interference in India's internal affairs and contrary to the Simla Agreement. At the same time, India, on her part, had refrained from commenting on reports of sectarian riots, denial of democratic rights and restriction on freedom of religious worship to minority communities including Ahmediyas in Pakistan even though there had been public concern voiced on those developments in India and elsewhere.

Shri Bhagat ruled out an early visit of the Prime Minister Shri Rajiv Gandhi to Pakistan since his visit was conceived as a culmination of the entire process in finalisation of Peace and Friendship Treaty and the Non-Aggression Pact proposed by Pakistan. He added that a lot of things were yet to be done in that direction. As regards Pakistan encouraging terrorists, Shri Bhagat observed that the Government had got hard evidence about Pakistan training terrorists and providing arms and other facilities. India had protested that Pakistan's hand in Punjab happenings was a serious matter and was going to adversely affect relationship between the two countries. Expressing concern over the covert operations of CIA with 40 million-dollar support for training of Sikh terrorists and Mujahidin, Shri Bhagat assured the House that the Government were alert on that point.

Railway Budget : Presenting the Railway Budget for the year 1986-87, on 26 February 1986, the Minister of Transport, Shri Bansi Lal informed the House that the Railways would end the year

1985-86, ahead of the target of 250 million tonnes for revenue earning originating tonnage and of 277 million tonnes for the total originating tonnage, including Railways own traffic of coal and other material. The Railways were also well-poised to lift 294 million tonnes of traffic including 267 million tonnes of revenue earning traffic and envisaged a growth of 4 per cent to 5 per cent in suburban and non-suburban passenger traffic.

The gross traffic receipts at existing level of fares and freight rates for 1986-87 were estimated at Rs. 6,743 crores and the total working expenses including contributions to Depreciation Reserve Fund and to the Pension Fund were estimated at Rs. 6,230 crores. As the net revenue was insufficient for meeting dividend, liability of Rs. 590 crores and to finance works chargeable to Development Fund, the Minister proposed an additional revenue of Rs. 76 crores to meet the liability by a modest increase in passenger fares of Second Class Mail and Express and of upper classes. In framing the proposals, the Minister said that he had two-pronged thrust in his mind, i.e. to contribute to the national economic effort in terms of growth with price stability and alleviation of the burden of common man through reasonable passenger traffic.

The Railway Budget was discussed in the House on 4, 5 and 6 March 1986. Initiating the discussion, Shri V. Sobhanadreeswara Rao expressed concern over the increase in expenditure on Railways and urged the Government to take steps to improve its working. Shri Basudeb Acharia said that hike in passenger fare had been done without improving corresponding facilities. Shri P. Kolandai-velu demanded that surplus amount in the Budget should be allocated to the southern parts of the country. Shri Dinesh Goswami urged the Government to make adequate provision of funds for the north-eastern region. Shri George Joseph Mundackal asked the Government to electrify railway lines in Kerala and provide double lines for smooth rail traffic. Shri Balwant Singh Ramoowalia suggested construction of fly-overs at railway crossings and manning the unmanned railway crossings in Punjab. Begum Akbar Jahan Abdullah demanded early completion of construction of Railway line from Jammu to Udhampur. Shri Datta Samant pleaded that Dadar be made an originating and terminal station for more trains.

Winding up the discussion, in which 94 other members* participated, the Minister of Transport, Shri Bansi Lal said that in view of the resource constraint and the requirements of additional capacity for freight traffic, it was difficult to add more passenger trains for the time being. He, however, assured the House that some of the important trains would be made faster and the number of coaches on trains would be increased. He also announced introduction of new superfast trains during the financial year.

Referring to the track renewals, the Minister said that a plan had been drawn for accelerating the pace with a target of 3,800 kms. in 1986-87. The Minister claimed that the number of train accidents, during the last eleven months had recorded a drop of 9 per cent compared to the period in the previous year. The Government were also taking steps to minimise corruption in reservation.

Denying the allegation that the Railways or the Central Government were ignoring Karnataka, the Minister pointed out that Wheel and Axle Plant and the Inland Container Depot had been established in Bangalore. The proposed outlay for Southern and South Central Railways in 1986-87 for the new lines had been Rs. 20.2 crores out of a total of Rs. 100 crores for the entire country, he added.

*Other members who participated in the discussion were: Sarvashri Braja Mohan Mohanty, Narain Chand Parashar, G. S. Mishra, K. V. Thomas, V. S. Krishna Iyer, Ram Pal Singh, Nirmal Khatri, Girdhari Lal Vyas, R. Jeevarathinam, Kali Prasad Pandey, Virdhi Chander Jain, Dal Chander Jain, Vakkom Purushothaman, Sharad Dighe, Kamla Prasad Singh, Aslam Sher Khan, Kailash Yadav, G. L. Dogra, Yogeshwar Prasad Yogesh, Manvendra Singh, Ram Nagina Mishra, Sarfaraz Ahmad, Bapulal Malviya, Narain Choubey, Mullappally Ramachandran, Janak Raj Gupta, Santosh Kumar Singh, R. S. Khirhar, Mohd. Mahfooz Ali Khan, Mahendra Singh, G. S. Basavaraju, Uttam Rathod, R. P. Suman, S. G. Gholap, Mohd. Ayub Khan, A. Kalanidhi, Sunder Singh, Kammodilal Jatav, I. Rama Rai, N. Dennis, Ram Pyare Panika, Gopala Krishna Thota, C. P. Thakur, Manoj Pandey, Kadambur M. R. Janarthanan, Lal Vijay Pratap Singh, Ram Parkash, Shiv Parsad Sahu, Suresh Kurup, Rameshwar Nikhara, Motilal Singh, Banwari Lal Purohit, V. Kishore Chandra, S. Deo, Jagannath Prasad, V. Krishna Rao, Thampan Thomas, Chintamani Jena, Mool Chand Daga, Aatur Rahman, Chandra Kishore Pathak, Mankuram Sodi, Jagannath Patnaik, Raj Kumar Rai, P. Appalarasmham, Lachchi Ram, Balasaheb Vikhe Patil, Chandra Shekhar Tripathi, Ramashray Prasad Singh, Nihal Singh, K. J. Abbasi, Tilakdhari Singh, K. Mohandas, Jagannath Choudhary, M. Subha Reddy, Piyus Tirakv, C. Janga Reddy, Manikrao Hodlva Gavit, R. Annambi, Ramdeo Rai, Tanti Bhadreshwar, Bhola Raut, Keyur Bhushan, Ajay Mushran, Dr. G. S. Rajhans, Professor Nirmala Kumari Shaktawat, Shrimati Javanti Patnaik, Shrimati Kishori Sinha, Shrimati Phulrenu Guba, Shrimati Vidyavati Chaturvedi, Shrimati Kesharabai Kshirsagar, Shrimati Usha Verma, Shrimati Basavarajeswari and Shrimati Usha Ran. Tomar.

Ethnic problems of Tamils in Sri Lanka and attacks on Indian fishing boats by Sri Lankan Navy : Making a statement on 26 February 1986, in response to a Calling Attention Notice, the Minister of External Affairs, Shri B. R. Bhagat expressed Government's concern over the most serious crisis in Sri Lanka, the distressing result of which was the cycle of violence which had taken a heavy toll of the lives and property of innocent Sri Lankan civilians. The crisis had severe repercussions in India, as 1,25,000 refugees had sought sanctuary in the country.

Shri Bhagat stated that there had been reports of attacks on Indian fishing boats by the Sri Lankan navy recently. The coast guard and naval authorities had been given clear instructions to ensure the safety of Indian fishermen operating in Indian waters and to prevent intrusions into Indian waters. The Government had also conveyed to Sri Lankan authorities that in case of inadvertent crossing of the maritime boundary, Indian fishermen should be dealt with in a human manner.

Shri Bhagat reiterated that the Sri Lankan crisis was a political one and that it should be solved through constructive political negotiations and that conditions should be reached that would permit the early return of the refugees to Sri Lanka with honour and safety. The Government of India had extended her good offices to the Government of Sri Lanka to assist in the negotiations between the parties to the dispute. In spite of many difficulties and obstacles the negotiations were continuing.

Answering questions, Shri Bhagat said that Sri Lankan Government had been professing peace, political solution and peaceful negotiations but in fact were practising and going in for a military solution. The Thimpu agreement was 'observed more in violence than in observance'. The security forces there had gone much beyond any civilised action and recently workers, including women and children, harvesting in the fields in some villages had been killed.

General Budget: Presenting the General Budget for the year 1986-87 on 28 February 1986, the Finance Minister, Shri Vishwanath Pratap Singh said that the principal priorities in the Budget were to strengthen the public sector, to provide a further thrust to the anti-poverty programmes, to promote self reliance and to provide relief to the common man. Despite severe constraints, the Plan outlay for 1986-87 had been raised by 20.5 per cent higher than the

last year and the outlay of the States had been increased by 21 per cent. The allocation for major anti-poverty programmes had been increased by nearly 65 per cent and new schemes were being introduced for the benefit of rickshaw pullers, cobblers, sweepers, porters and others among the urban disadvantaged groups.

The Minister stated that priority had also been accorded in the Budget for provision of drinking water to the problem villages, development of agriculture and allied sectors, fertilizers and human resources. The Budget, among other things, included introduction of a series of Public Sector bonds with a tax free return to tap people's savings, setting up of a separate special fund called Small Industries Development Fund for coordinating financial assistance to that sector, a Power Finance Corporation to augment resources for financing the power projects and a public sector corporation to improve the operational efficiency of telecommunication network in metropolitan cities and bringing up of a policy paper on administered prices and a comprehensive new Direct Taxes Code by June 1986. To tackle the problems created by the taxation of inputs and cascading effect it had on the value of final product, the Minister said that Modified Value Added Tax (MODVAT) Scheme was being brought into force from 1 March, 1986 which would allow the manufacturers to obtain instant and complete reimbursement of excise duty on components and raw materials thus decreasing the cost of final product considerably.

The Budget provided the estimated total receipts for 1986-87 at Rs. 48,767 crores as against the total expenditure of Rs. 52,862 crores leaving a gap of Rs. 4,095 crores at the existing level of taxation. The various tax measures together with reliefs and concessions proposed in the Budget would yield in additional net revenue of Rs. 445 crores to the Centre. The Budget would leave an uncovered deficit of Rs. 3,650 crores, which in relation to the size of the economy and stock of money was reasonable and non-inflationary and was also significantly lower than that of last year.

The general discussion on the Budget was held on 7, 10, 11, 12 and 13 March 1986. Initiating the discussion, Shri C. Madhav Reddy welcomed Government's renewed interest in weaker sections. He, however, felt that MODVAT Scheme would benefit the bigger ones in small-scale industry and by increasing the administered prices, the Government had flouted the recommendation of the Eighth Finance Commission. Dr. Datta Samant said that the benefits of anti-poverty programmes would reach a small section

of the population and pleaded that Government should implement minimum wages for majority of the unorganized labour which comprised fifty per cent of the people living below the poverty line.

Replying to the discussion in which 90 other members* participated, the Minister of Finance, Shri Vishwanath Pratap Singh maintained that the budget document was the redemption of pledges to the poor and were aimed at removing the inequalities. The Government was sharing the burden of the poor by providing them essential commodities at subsidised rates. Greater allocations had also been made for employment scheme and for the poor.

As regards the cost of governance, the Minister said that the Government would be coming with a paper to the Parliament on the expenditure.

Referring to the balance of payment position, Shri Singh admitted that there was a pressure on commercial borrowings and a strategy had to be evolved to become economically independent and self-reliant.

Referring to the total revenue of Centre and States having gone up, the Minister pointed out that there was no problem of shortage of resources but the problem of the States were that of erosion of resources. Regarding tax evasion, Shri Singh stressed that it was the share of the poor and the Government would get it even if it was in lockers.

*Other members who took part in the discussion were: Sarvashri C. K. Jaffar Sharief, A. C. Shanmugam, Shyam Lal Yadav, Brahma Dutt, Umakant Mishra, Prabhat Kumar Mishra, Ranjit Singh Gaekwad, Amal Datta, H. M. Patel, Dharam Pal Singh Malik, Y. S. Mahajan, K. N. Pradhan, Ram Pujan Patel, H. A. Dora, Anoopchand Shah, Lal Vijay Pratap Singh, Muhiram Saikia, K. V. Thomas, Anadi Charan Das, Somnath Rath, Piyus Tiraky, Naresh Chandra Chaturvedi, R. Jeevarathinam, Sunil Dutt, Charanjit Singh Walia, Tariq Anwar, Jagannath Rao, K. Mohandas, P. A. Antony, Ananta Prasad Sethi, Digvijay Singh, Pratap Bhanu Sharma, Ram Samujhawan, R. Annanambi, Sankta Prasad, Shanti Dhariwal, Parag Chaliha, R. P. Suman, Bharat Singh, Sultan Salahuddin Owaisi, Jufhar Singh, V. S. Vijayaraghavan, N. V. N. Somu, Jai Prakash Agarwal, Salahuddin, Mankuram Sodi, V. S. Krishna Iyer, Ram Rattan Ram, A. Jayamohan, Ramashray Prasad Singh, Madan Pandey, Harish Rawat, K. P. Unnikrishnan, R. Prabhu, P. R. Kumaramangalam, A. J. V. B. Maheswara Rao, V. Krishna Rao, Zainul Basher, A. K. Patel, Amitabh Bachchan, G. L. Dogra, Saif-ud-Din Soz, K. G. Adiyodi, Wangpha Lowang, K. S. Rao, Hannan Mollah, Saleem I. Shervani, T. Basheer, Digvijay Singh, Mohd. Mahfooz Ali Khan, Narendra Budania, Rahim Khan, Sunder Singh, Ganga Ram, Kammodilal Jatav, Gopeshwar, K. Ramachandra Reddy, Abdul Hannan Ansari, C. P. Thakur, Kailash Yadav, Kamla Prasad Singh, Sri Hari Rao, Mool Chand Daga, Shrimati Geeta Mukherjee, Shrimati Basavarajeswari, Shrimati Madhuree Singh, Shrimati Sheila Dikshit, Shrimati Usha Thakkar, Shrimati Meira Kumar and Shrimati Prabhawati Gupta.

All the Demands for Grants on Account (General) for 1986-87 were voted in full.

Situation in Nicaragua: Raising a discussion on 7 March 1986, Shri Ajay Mushran voiced his concern over American Government's imposition of various types of intervention on the small country of Nicaragua for many years. He urged the Government, as leader of the Third World, to support Nicaragua politically and for her economic resurrection.

Participating in the discussion, Shri Basudeb Acharia advocated firm support by the Government of India to Nicaragua. The threat to Nicaragua, Shri Indrajit Gupta observed, would extend all over the world if not countered in time. He suggested the setting up of a Committee of Parliamentarians for aid to Nicaragua.

Winding up a brief discussion in which 8 other members* participated, the Minister of External Affairs, Shri B. R. Bhagat said that India extended solidarity and support to the Government and people of Nicaragua in their struggle for independence. India, he added, had been trying to give all possible assistance and would be sending a techno-economic team there. He hoped that the current deadlock in the peace process could be solved through the joint efforts of the concerned countries. Failure to do so would not only have tragic consequences for the people of Central America but also carry dangerous portents of global peace and security.

Dealing with the question of opening a Mission in Nicaragua, Shri Bhagat informed the House that the matter was under consideration. He added that the Government would try to do all that was possible to help Nicaragua's Embassy function in India in an effective manner.

Failure of constitutional machinery in Jammu and Kashmir: Making a statement on 10 March 1986, the Minister of Human Resource Development, Shri P. V. Narasimha Rao informed the House that on 7 March, the President of India had received a report from the Governor of Jammu and Kashmir informing him of certain political developments in the State whereby the Government of Shri G. M. Shah was reduced to utter minority. The Governor had also conveyed that the law and order and security of the State was under serious threat further compounded by the grave political instability. He added that in the circumstances the Governor was

*Other members, who took part in the discussion were: Sarvashri N. Venkata Ratnam, Eduardo Faleiro, K. K. Tewary, Saifuddin Chowdhary, Narain Chand Parashar, S. Jaipal Reddy, Harish Rawat and Dr. G. S. Rajhans.

satisfied that a situation had arisen in which the Government of the State could not be carried on in accordance with the provisions of the Constitution and he wanted to issue a Proclamation immediately under Section 92 of the Constitution of Jammu and Kashmir relating to failure of constitutional machinery in the State and solicited the President's concurrence which was given on the same day.

Growing threat of terrorism and its implications: Raising a discussion on 2 April 1986, Shri V. Sobhanadreeswara Rao demanded speedy implementation of Punjab Accord, fullest support to Barnala Government and supply of latest arms to prevent terrorist activities there. He also urged the Government to expose the nefarious activities of Pakistan in international forums.

Intervening in the discussion, the Minister of State in the Department of Internal Security, Shri Arun Nehru assured full support of the Central Government to the Chief Minister in his fight against terrorism. Under the instructions of the Chief Minister, various plans were being chalked out for reorganising the Punjab police and making it more effective. The Government, he said, had shared 'total information' with Shri Barnala and had brought to his attention the provocative and anti-national utterances made by various Ragis and Dagis in many villages of Punjab and requested the State Government to take a serious view of the matter. The Government had also asked the Punjab Government to be extremely careful in terms of hasty releases of the detenues and to exercise extreme caution.

The Central Government on its part, Shri Nehru said, had sanctioned very large expansion schemes both for the western and eastern borders and would be doubling the current strength, border outposts, observation posts and had also provided to them most up-to-date equipment. The Government, he pointed out, had caught nearly 20—30 terrorists during the last six months and their 'clear links with Pakistan' had been established. The External Affairs Ministry had also been asked to take up this matter strongly with the Pakistan authorities.

Participating in the discussion, while Professor Madhu Dandavate said that Akali factions should be brought together in the interest of Punjab as well as to the unity and integrity of the country, Shri P. Kolandaivelu wanted an integrated solution to the entire complex issue of Punjab.

In a brief intervention, the Minister of Agriculture Shri S. Buta Singh assured the House that the Central Government would give

all possible help and support to Punjab Government in dealing with the problem. Condemning the heinous activities taking place in the name of Sikh religion in Punjab, he said, an increase in the terrorist activities in the border States of Punjab, Jammu and Kashmir, Tripura and Mizoram had proved that Punjab had been made by foreign powers, 'the base' from where anti-national activities could be spread to divide the country into pieces.

Taking part in the discussion, Shri Balwant Singh Ramoowalia pleaded for liberal support to Akali Dal for discharging its responsibility honestly in its fight against terrorism. Shri Dinesh Goswami said that 'communal divide' should not spill from Punjab to the neighbouring States and other regions of the country. Shri Indrajit Gupta wanted the Government to take stern measures in curbing such activities.

In his brief intervention, the Prime Minister, Shri Rajiv Gandhi reiterated that the Government was committed to implement the Punjab Accord in letter and spirit and it would be implemented as a whole and not by bits.

Replying to the discussion, in which 13 other members* participated, the Minister of Human Resource Development and Home Affairs, Shri P. V. Narasimha Rao told the House that fullest support of the people of India had been assured to all the measures taken or to be taken by the Central and State Government to root out terrorism in Punjab. Shri Rao contended that the Accord was a sacrosanct document and all were committed to its implementation in toto, in letter and spirit. The Government after taking into account the recommendations of Justice Mathew had decided to appoint another Commission, which would determine and specify the other Hindi speaking areas of Punjab which should go to Haryana in lieu of Chandigarh, and would make its recommendations by 31 May 1986. The settlement, he added, was an Integral whole and its implementation had to be in its totality and not piecemeal. He expressed the hope that with unity and determination, the problem of terrorism would be solved at the earliest.

In another statement regarding development in Punjab made on 30 April 1986, Shri P. V. Narasimha Rao informed the House that a

*Other members who took part in the discussion were: Sarvashri K. K. Tewari, Saifuddin Chowdhary, Chiranji Lal Sharma, Arjun Singh, Shyam Lal Yadav, Kamal Chaudhry, Sunil Dutt, V. Kishore Chandra S. Deo, Abdul Rashid Kabuli, C. Janga Reddy, Datta Samant, Dr. G. S. Dhillon and Professor Nirmala Kumari Shaktawat.

small group of persons, styling themselves as 5-member Panthic Committee, made an announcement of so-called 'Khalistan' from the Golden Temple Complex, Amritsar on 29 April 1986. Shri Rao termed the matter as grave and declared that the Government were determined to deal with it sternly and "no part of the territory" would be allowed to be used for secessionist activity. The Government of Punjab was pursuing firm action to deal with the situation. The Central Government were also in constant touch with the State Government and were extending them all the assistance and support they required, he added.

The statement of the Ministry was discussed in the House the same day. Initiating the debate, Shri Indrajit Gupta pleaded for police action by the State Government. Shri C. Madhav Reddy urged the Government to check separatist tendency prevailing in the country. Shri Basudeb Acharia suggested that both Central and State Governments should jointly take firm stand to flush out the extremists from the Golden Temple and ensure that in future, the Gurudwaras and other religious places were not utilised for anti-national activities and as centres of armed rebellion.

Participating in the discussion, Shri P. Kolandaivelu asserted that those involved in terrorism should be severely dealt with. Shri Balwant Singh Ramoowalia assured that Akali Dal was fully committed to the unity and integrity of the country and people who were trying to divide the country while sitting in the Golden Temple were traitors. Shri Dinesh Goswami wanted Pakistan and the United States of America to be told that 'India would not tolerate such interference' in her internal affairs. Shri Ebrahm Suleman Sait said that so-called declaration regarding 'Khalistan' was a conspiracy to destabilise the country and had to be dealt with adequately, effectively and swiftly.

Replying to the discussion in which 12 other members* participated, the Minister of Human Resource Development and Home Affairs, Shri P. V. Narasimha Rao said that the operation which had been undertaken by the Government of Punjab had received all-round support from both the Houses and the people of India. The use of 'holy places for unholy purposes'. He pointed out was serious matter. It had happened before, it happened again and Government would not allow it to happen again.

*Other members who took part in the discussion were: Sarvashri R. S. Sparrow, Arjun Singh, K. K. Tewari, Sarat Kumar Deb, Shyam Lal Yadav, Priya Ranjan Das Munsli, Dharam Pal Singh Malik, K. P. Unnikrishnan, Sharad Dighe, Abdul Rashid Kabuli, Piyus Tiraky and Amar Roypradhan.

Shri Rao informed the House that after receiving the news, Prime Minister contacted all the Chief Ministers who incidentally happened to be in Delhi, and spoke to them personally about taking vigilant measures in their respective States. Shri Barnala followed it up by giving clear-cut instructions. The whole country, Parliament, all parties and communities were solidly behind the Government of Punjab in all the steps that they had taken within the last few days to meet the challenge and menace of terrorism. He assured the House that Government would certainly exercise all the vigilance at her command and would act in time.

Bombing of Tripoli and Benghazi by U.S. aircraft: Making a statement on 15 April 1986, the Minister of External Affairs, Shri B. R. Bhagat contended that the recent bombing of Tripoli, Benghazi and other centres by US aircraft was a clear act of aggression against the sovereignty and territorial integrity of Libya in which a member of the family of President Gaddafi had also been wounded. It placed regional security and international peace in grave jeopardy.

The Minister recalled that Government had, over the last three months, repeatedly urged that precipitate action should be avoided and the problems in the areas should be resolved through dialogue and not through pressure. It was most deplorable that the appeals had been ignored and a permanent member of the Security Council had taken law into its own hands and resorted to measures contrary to all norms of international conduct and the principles of UN Charter.

Shri Bhagat further stated that NAM had consistently condemned all forms of terrorism either committed by individuals or organised by States. Shri Bhagat added that the Prime Minister as Chairman of NAM had called upon the US and all others to exercise the utmost restraint and not to do anything to further aggravate the already tense situation in the region. The Non-Aligned Movement, the Minister declared, extended 'its firm support and solidarity to Libya' at the critical hour.

The statement of the Minister was a matter of discussion in the House on 16 March, 1986. Raising the discussion, Professor Madhu Dandavate said that European allies of U.S. were also not happy about the U.S. action and the latter stood totally isolated today. Shri P. Kolandaivelu condemning U.S. military attack on Libya said that it was an outrageous act of international illegality. Shri Balwant Singh Ramoowalia felt that attack on Libya by U.S.A. was

a serious threat to the ideology of co-existence and the philosophy of 'live and let live'. While Shri Dinesh Goswami termed the U.S. attack on Libya as an attack on the non-aligned movement and as a challenge to the peace-loving people of the world, Shri Indrajit Gupta called the U.S. attack a challenge to the conscience of the Non-Aligned Movement and the United Nations.

Replying to the discussion in which 12 other members* participated, the Minister of External Affairs, Shri B. R. Bhagat said that the House had not only unanimously condemned the aggression against Libya but had also expressed its solidarity with the people and the Government of the Libyan Arab Jamahurya and such a voice would have its effect in the world as a whole.

Shri Bhagat informed the House that Non-Aligned Coordinating Bureau, in an emergency session, had strongly condemned U.S. action and demanded immediate halt to its military operations and payment of full compensation to Libya. In addition,, it urged upon the Security Council to take urgent action to condemn the act of aggression and to prevent the repetition of such acts.

The following Resolution placed before the House by the Speaker, Dr. Bal Ram Jakhar was unanimously adopted:

"The House

Noting with deep shock and indignation the recent bombing raids by U.S.A. on the territory of Libyan Arab Jamahurya; Convinced that this action of the U.S.A. constitutes a flagrant violation of the sovereignty and territorial integrity of Libya as well as gravely threatens regional and global peace and security:

- (1) Unequivocally condemns the U.S. action which is in total disregard of international law and constitutes nothing less than a clear act of aggression;
- (2) Expresses complete support or the solidarity with the Libyan Arab Jamahurya in this hour of trial;
- (3) Demands the immediate cessation of provocative and hostile acts against a non-aligned country;

*Other members who took part in the discussion were: Sarvashri G. G. Swell, Ananda Gajapathi Raju, R. S. Sparrow, Saifuddin Chowdhary, K. K. Tewari, Eduardo Falcão, Bipin Pal Das, Sharad Dighe, Braja Mohan Mohanty, Abdul Rasheed Kabuli, G. M. Banatwalla and Piyus Tiraky.

- (4) Earnestly calls upon U.S.A. and all others to exercise the utmost restraint and not do anything to further aggravate the already tense situation in the region;
- (5) Endorses the collective stand taken by the non-aligned movement at the Emergency Session of Foreign Ministers and Heads of Delegations at the Ministerial level meeting of the Coordinating Bureau in New Delhi on April 15, 1986; and
- (6) Calls upon the U.N. Security Council to take urgent action to condemn aggression and to prevent the repetition of such acts which violate the International Order and U.N. Charter."

In pursuance of the mandate given by the Ministerial Meeting of the Coordinating Bureau of Non-Aligned Countries held in New Delhi on 16-19 April 1986, the NAM Ministerial Group consisting of Foreign Ministers of India, Yugoslavia and Cuba and Ambassadors of Ghana, Congo and Senegal representing their Foreign Ministers visited Tripoli (Libya) on 20-21 April, 1986 and the UN Headquarters in New York on 23-25 April, 1986. On 2 May 1986, the Minister of External Affairs, Shri B. R. Bhagat informed the House that H. E. Col. Muammar El Gaddafi had conveyed his profound thanks and deep appreciation of the authorities and the people of the Libyan Arab Jamahurya for the firm support and solidarity extended by the Non-Aligned Movement at such critical juncture. Disclaiming any terrorist action on his part, he maintained that the main reason for tension in the region was the denial of the legitimate rights of the Palestinians who had been forced to resort to violent methods to achieve their goals.

At the U.N. Headquarters in New York, Shri Bhagat added, the Group called on the Secretary-General of the UN and the President of the Security Council and handed over to them the communique adopted at the emergency Meeting of the Non-Aligned Foreign Ministers and Heads of Delegations on 15 April on the Libyan issue.

On his part, Shri Bhagat said that in his statement in the Security Council, he had reiterated India's opposition to all forms of terrorism whether committed by individuals, group of individuals or organised by States. Similarly at the meeting of Security Council convened at the request of the Group on 24 April, he had stressed the imperative necessity of restraint being exercised at such a critical juncture and urged the Secretary-General particularly, since the Council had been paralysed by the triple veto to continue his peace efforts. The Secretary-General of U.N., Shri Bhagat added, had

appreciated the strength and support given by the Movement and assured that he would continue to do all he could.

National Education Policy, 1986: On 6 May 1986, the Minister of Human Resource Development and Home Affairs, Shri P. V. Narasimha Rao moved a Resolution seeking the approval of the House on the Draft National Policy on Education 1986, laid on the Table of the House on 2 May, 1986.

Initiating the discussion, Shri Bhattam Sriramamurthy, suggested that adequate resources should be made available to the Ministry of Human Resource Development for eradication of illiteracy. The service conditions of the teachers should be adequately and satisfactorily improved and the best talent should be recruited.

Intervening in the discussion on 7 May 1986, the Minister of State in the Departments of Culture and Education, Shrimati Sushila Rohatgi informed the House that under the new education policy all people in different parts of the country would get equal opportunity to get education and to develop their talent. Efforts would be made to ensure that all enrolled students would not only continue their education but would get full benefits of the new education system. The vocational education would be imparted to those who needed it. The delinking of degree from the job, she indicated, was a very bold and revolutionary step. Shrimati Rohatgi said that new Education Policy would be implemented with the cooperation of States and would be reviewed from time to time through the Committees appointed for the purpose.

Replying to the discussion on 8 May, 1986 in which 63 other members* participated, Shri P. V. Narasimha Rao assured the Members that no financial constraints would be allowed to come in the

*Other members who took part in the discussion were: Sarvashri D. P. Yadav, Narain Chand Parashar, Satyendra Narayan Sinha, Sudhir Roy, Balasaheb Vikhe Patil, S. B. Sinal, K. V. Shankara Gowda, Priya Ranjan Das Muni, A. C. Shanmugam, Chandulal Chandrakar, Somnath Rath, Parag Chalaha, Yogeshwar Prasad Yogesh, K. S. Rao, Mool Chand Daga, Anoopchand Shah, Sunil Dutt, Keyur Bhushan, Rameshwar Nikhara, V. Kishore Chandra S. Deo, V. S. Vijayaraghavan, P. J. Kurien, Abdul Rashid Kabuli, Ram Pyare Panika, Pratap Bhanu Sharma, Bipin Pal Das, Chitta Mahata, R. Jeevarathinam, Girdhari Lal Vyas, Manvendra Singh, Lal Vijay Pratap Singh, Sanat Kumar Mandal, Ram Singh, Yadav, Aslam Sher Khan, G. L. Dogra, N. V. N. Somu, P. M. Sayeed, Anadi Charan Das, Kali Prasad Pandey, G. G. Swell, Mukul Wamnik, Ram Swarup Ram, Sarfaraz Ahmad, D. B. Patil, C. Janga Reddy, Mohd. Mahfooz Ali Khan, Raj Kumar Rai, K. Ramachandra Reddy, Viridhi Chander Jain, Chintamani Jena, Syed Shahabuddin, Dileep Singh Bhuria, Mohan Lal Jhikram, Saif-ud-Din Soz, G. S. Basavaraju, P. Namgyal, Sarat Kumar Deb, Shrimati Basavara-Jeswari, Shrimati Geeta Mukherjee, Shrimati Jayanti Patnaik, Shrimati Prabhawati Gupta, Shrimati Sunderwati Nawal Prabhakar, and Shrimati Phulrenu Guha.

way of implementation of the new Education Policy. Without claiming 'any perfection' in the document, Shri Rao said that it was only a policy which would be translated into a strategy and plan of action and the line of implementation and details would follow. It would also be subjected to constant monitoring and review by the National Development Council during the next year.

Shri Rao informed the House that Central Advisory Board on Education, a fully representative body, would have the responsibility in the educational field henceforth. It could work through Committees and review the policy from time to time.

Commending the Education policy, Shri Rao said that education had to be made an effective instrument in bringing out equalisation and equality. The policy laid stress on integration of culture in education and would make sports education an integral part of the assessment. About 'continuing education', Shri Rao said that it was comparatively a new concept and the Government had started a programme of training 5 lakh teachers during the current summer season. Shri Rao added that the idea of setting up of *Navodaya Vidyalayas* was to bring 'national integration in action' and there would be three-language formula in these schools.

The Resolution was adopted.

Use of Hindi as the official language of the Union: Making a statement on 7 May 1986, in response to a Calling Attention Notice, the Minister of State in the Ministries of Communications and Home Affairs, Shri Ram Niwas Mirdha informed the House that Committees had been formed at various levels to monitor the progress on use of Hindi in various Ministries, Departments and Public Undertakings. The apex body Kendriya Hindi Samiti headed by the Hon'ble Prime Minister had been giving important guidelines regarding the implementation of the official language policy in the country and the Sansadiya Rajbhasha Samiti consisting of members of Parliament had been visiting various Central Government offices to oversee the progress in general.

Giving details of improvement in the implementation of provisions of the Official Language Act, Shri Mirdha said that while in 1983, 84.40 per cent general orders were issued bilingually, the figure went up to 95.16 per cent in 1985. The number of employees trained at the 155 centres run all over the country by the Department of Official Language in the working knowledge of Hindi in 1985 was 25,000 as against 22,000 in 1983. Almost all the manuals

and codes in official use had been translated in Hindi by the Central Translation Bureau. Besides, to remove the hesitation of the employees to do noting and drafting in Hindi, 514 workshops were conducted during 1984-85 as compared to 94 in 1982-83. The policy of the Government, Shri Mirdha added, had all along been to provide 'incentives and encouragement' for accelerating the progressive use of Hindi for official purposes, as any other method would be counter-productive in the long run.

Answering questions Shri Mirdha said the question of imposition of Hindi on anybody did not arise. He, however, agreed with the members that the present position of Hindi could not be termed as respectable and much had yet to be done in this regard.

B. LEGISLATIVE BUSINESS

Administrative Tribunals (Amendment) Bill, 1986: On 17 March, 1986, moving that the Bill as passed by Rajya Sabha be taken into consideration, the Minister of State in Ministry of Personnel, Public Grievances and Pensions, Shri P. Chidambaram said that in view of cumbersome procedure for getting a reference of a dispute to the Labour Court or the Industrial Tribunal, the Government had provided an additional forum by which a Government servant who was also a workman could take his dispute to the Tribunal as a matter of right. Commending the Bill, the Minister said that it was a far reaching provision and a tremendous improvement on the parent Act.

Earlier, moving a Statutory Resolution regarding disapproval of the *Administrative Tribunals (Amendment) Ordinance, 1986*, Shri Ajoy Biswas felt that the *Administrative Tribunal* could not be an alternative to Judicial system but would restrain the jurisdiction of the courts under *Industrial Disputes Act*.

Winding up the combined discussion, in which 21 members participated, the Minister of State, Shri P. Chidambaram said that since most service cases being about dismissal, retrenchment, removal, seniority, promotion and supersession, it was not necessary

*Members who took part in the discussion were : Sarvashri Shantaram Naik, K. N. Pradhan, Rajmangal Pande, Mool Chand Daga, Thampan Thomas, Zainul Basher, Haroobhaj Mehta, Bhattam Sriramamurthy, Raj Kumar Rai, A. Charles, Ajay Mushran, Sriballav Panigrahi, Bholanath Sen, P. R. Kumaramangalam, Hussain Dalwai, P. Namgyal, Ram Pyare Panika, Harish Rawat, Sunder Singh, Dr. G. S. Rajhans and Kumari Mamata Banerjee.

at this point of time to take away the jurisdiction of the Supreme Court. The tribunals, he said, would have all the powers of the High Court under article 226 of the Constitution.

Allaying the apprehensions expressed by members about the scope of amending Bill, the Minister said that it conferred additional right upon the individual workman who could now go to the Tribunal without obtaining a reference from the appropriate Government. In order to ensure proper mix up and proper balance, the Tribunal would have one judicial member and one administrative member. The Tribunal, he hoped, would be able to deliver speedy and effective justice and the superintendence of Supreme Court would be an adequate check on its proper functioning.

The Statutory Resolution was negatived and the Bill was passed.

Inter-State Water Disputes (Amendment) Bill 1986: On 24 March, 1986, moving that the Bill as passed by Rajya Sabha be taken into consideration, the Minister of Water Resources, Shri B. Shankaranand said that the Bill was one of the major steps towards the implementation of historic accord of July 1985 signed between the Prime Minister and late Sant Harchand Singh Longowal. The Ravi Beas Waters Tribunal would be a 3-Member Tribunal consisting of a Judge of the Supreme Court as its Chairman and two other members nominated by the Chief Justice of India.

Earlier, moving a motion for disapproval of Ravi-Beas Waters Tribunal Ordinance 1986, Shrimati Geeta Mukherjee felt that the Bill should have been brought earlier. She urged upon the Government to take prompt measures to implement the Punjab Accord and the Akali Dal Government should guarantee that the Satluj-Yamuna-Link (SYL) Canal Construction did not suffer.

Participating in the resumed discussion on 25 March, 1986, Shri P. Kolandaivelu suggested that the Constitution should be suitably amended so as to make the inter-state waters a property of the nation.

Resuming the discussion on 31 March, 1986, Shri Indrajit Gupta said that Government of Punjab should come out against the people who obstructing the digging up of Canal.

Replying to the combined discussion in which 23 other members participated, the Minister of Water Resources, Shri B. Shankaranand reiterated that the Bill was concerned only with the implementation of para 9(1) and 9(2) of the Punjab Accord assuring the farmers of three concerned States the same quantity of water as on 1 July, 1985, and a reference for adjudication of claims of Punjab and Haryana regarding the shares in their remaining waters to a Tribunal, respectively.

Explaining the delay caused in bringing forward the legislation or Ordinance, the Minister said that the Accord could not be implemented under provisions of existing Inter-State Water Disputes Act, 1956. The Government, therefore, had to bring forward some measure for getting the authority from the Parliament to ensure that the Accord was implemented. The decision of the Tribunal to be rendered within six months would be binding on both parties, he added.

Shri Shankaranand informed the House that the Government had appointed an Expert Committee and a national perspective had been framed, whose concept was to transfer water from the surplus area to the deficit area and with that spirit Government wanted to solve the Ravi-Beas Water problem between Haryana and Punjab.

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

*Finance Bill, 1986*** On 24 April 1986, moving that the Bill be taken into consideration, the Minister of Finance, Shri Vishwanath Pratap Singh announced concessions in the tax proposals amounting to Rs. 81.90 crores. The Bill, he added, proposed to treat gold, bullion and jewellery at par with buildings and lands for capital gains.

The discussion on the Bill was held on 24, 25 and 28 April, 1986. Participating in the discussion, Shri C. Madhav Reddi welcomed.

*Other members who took part in the discussion were : Sarvashri K. Ramachandra Reddy, Birendra Singh Rao, Virndhi Chander Jain, Birinder Singh, Saifuddin Chowdhary, K. S. Rao, Chiranji Lal Sharma, Vishnu Modi, Hardwai Lal V. S. Krishna Iyer, Dharam Pal Singh Malik, Chaudhary Ram Prakash, Charanjit Singh Athwal, G. S. Dhillon, Sunder Singh, Mool Chand Daga, Abdul Rashid Kabuli, G. L. Dogra, C. Janga Reddy, Birbal, Shanti Dhariwal, V. Sobhanadreeswara Rao and Professor Nirmala Kumari Shaktawat.

**The Bill was introduced by the Minister of Finance, Shri Vishwanath Pratap Singh on 28 February, 1986.

the reliefs given to small scale sector in funding scheme. The income tax raids, he added, would be continued to unearth black money. Professor Madhu Dandavate cautioned the Government against the adverse balance of payment position with the repayment schedule of IMF imposing constraints on the economy. While Dr. Datta Samant wanted economic offenders to be dealt with firmly, Shri Indrajit Gupta urged upon the Government to bring a comprehensive law to plug the loopholes in the existing law and also a national credit policy for utilising the huge bank resources for planned development.

Winding up the discussion on 28 April, 1986, in which 46 other members* participated, Shri Vishwanath Pratap Singh announced that the Public Provident Fund facility which was available only to individuals and Hindu Undivided Families so far had been thrown open to all categories of subscribers. He assured the House that there would be no let up in the fight against economic offences and Government would also do its best to slash a lot of overheads in the various corporations and expenditures.

As regards MODVAT, Shri Singh observed that much of the problem was solved within two months. He looked ahead in the next year to cover the remaining items under MODVAT. He also maintained that it was not correct that prices of some commodities had gone up due to MODVAT.

Allaying apprehensions about large deficit, Shri Singh pointed out that it was only 1.9 per cent of the Gross Domestic Product in 1985-86 as against 2.3 per cent in 1979-80. The performance of Indian economy between 1981-85, he claimed, was 5 per cent as compared to annual average growth rate of 2.37 per cent of the world economy and 2.19 per cent of that of developing countries.

The Bill, as amended, was passed.

*Other members who took part in the discussion were : Sarvashri Veerendra Patil, Y. S. Mahajan, Somnath Chatterjee, Balasaheb Vikhe Patil, K. D. Sultanpuri, A. C. Shanmugam, Anadi Charan Das, N. V. N. Somu, P. Namgyal, Mool Chand Daga, Shantaram Naik, Banwari Lal Purohit, Sontosh Mohan Dev, Bipin Pal Das, Shanti Dhariwal, Manoj Pandey, Bhadreshwar Tanti, Chintamani Panigrahi, Dileep Singh Bhuria, Ram Pyare Panika, V. Kishore Chandra S. Deo, Chandra Shekhar Tripathi, Girdhari Lal Vvas, K. S. Rao, Manvendra Singh, Raj Kumar Rai, Bazawada, Papi Reddy, G. L. Dogra, Jujhar Singh, Murli Deora, K. P. Singh Deo, Piyus Tiraky, Viridhi Chander Jain, Chandulal Chandrakar, Zainul Basher, R. Jeevarathnam, Jai Prakash Agarwal, Sriballav Panigrahi, C. Janga Reddy, Ram Singh Yadav, V. S. Vijayaraghavan, Shrimati Krishna Sahi, Shrimati Usha Verma, Shrimati Usha Choudhary, Kumari Mamata Banerjee and Dr. G. S. Rajhans.

*Muslim Women (Protection of Rights on Divorce) Bill, 1986**: On 5 May 1986, moving that the Bill be taken into consideration, the Minister of Law and Justice, Shri A. K. Sen said that the observation of Supreme Court in Shah Bano's case that "where the wife was indigent at the time of divorce the Muslim law did not conflict with Section 125 of the Criminal Procedure Code", had created a great apprehension in the minds of the Muslims. The Government, he added, could not possibly ignore the apprehensions of the largest minority community in India, "that if section 125 was given this meaning, then the husband becomes liable beyond the *iddat* period for the maintenance of wife and her relations were completely relieved of that liability, something which, according to them is completely repugnant to Muslim Personal Law in the Shariat".

Commending the Bill to the House for acceptance as a proper and most fair measure, Shri Sen said that that reflected the proper personal law of the Muslims. So far as Muslims were concerned, Section 125 would apply for obliging the husband to maintain his divorced wife upto *iddat* and after the *iddat* she would be under the charge of father, brother, mother and other relations enjoined by the Koran. In the event of father, brother and mother being indigent, she could be looked after by the Wakf Boards he added.

Participating in the discussion, Professor Madhu Dandavate said that the Bill would be struck down in judicial scrutiny, as it was against the provisions of article 13(2) of the Constitution.

In a brief intervention, the Minister of Steel and Mines, Shri K. C. Pant expressed the hope that the Bill would engender a feeling of trust and confidence in the minorities.

Lending moral support to the Bill, Shri P. Kolandaivelu, however, observed that the Bill was un-Islamic and against the principle of equality besides being detrimental to the interest of Muslim women and that the Government should not submit itself to the pressure of communal and sectarian forces.

Intervening in the discussion, the Minister of State in the Department of Internal Security, Shri Arun Nehru said that if the majority of Muslim community felt that the Bill was in their interest, then 'we should not impose our views on them'.

*The Bill was introduced by the Minister of Law and Justice, Shri A. K. Sen on 25 February, 1986.

The Minister of State for Welfare, Dr. Rajendra Kumari Bajpai said that the Bill fulfilled two objectives, namely, conformity with the principles of secularism and the welfare of women.

The Bill according to the Minister of State in the Ministries of Communications and Home Affairs, Shri Ram Niwas Mirdha, was intended to correct the wrong impression created by the Supreme Court judgement.

The Minister of State in the Ministry of Law and Justice, Shri H. R. Bhardwaj said that laws regarding marriage, divorce and maintenance of the Muslims had to be according to their personal law protected by Section 2 of the Shariat Act.

Replying to the discussion in which 37 other members* took part, Shri A. K. Sen said that the Supreme Court judgement was not in consonance with the tenets of Islam. Disagreeing with the views expressed by some members that the Bill would throw the Muslim divorced women on the street, Shri Sen maintained that while Section 125 excluded infirm and insolvent husbands from obligation of maintenance, the Muslim Law made it obligatory on the father to look after the daughter, who came back to the family on divorce and reverted to the status of spinster till she was married again. The husband was also charged with the obligation of seeing that the wife got married after divorce.

Dealing with a suggestion of uniform Civil Code, Shri Sen maintained that uniform civil code did not mean enforcing civil code without the consent of the persons concerned of all the communities. It would, however, be possible to bring soon a uniform civil code giving an option for the Civil Marriage Act or Special Civil Marriage Act, where anyone whether married according to Hindu Law, Muslim Law or Christian Law could opt. to be bound by the injunctions of that Act.

The motion for consideration was adopted and the Bill, as amended, was passed.

*Other members who took part in the discussion were : Sarvashri H. A. Dora, Eduardo Faleiro, K. K. Tewari, Saifuddin Chowdhary, N. G. Ranga, C. K. Jaffar Sharief, Frank Anthony, Dinesh Singh, Arjun Singh, Jagan Nath Kaushal, Saifuddin Ahmed, Nawal Kishore Sharma, Shyam Lal Yadav, K. P. Unnikrishnan, Saif-ud-Din Soz, Naresh Chandra Chaturvedi, Zainul Basher, Piyus Tiraky, Tariq Anwar, Mohd. Mahfooz Ali Khan, Sontosh Mohan Dev, Rai Kumar Rai, P. M. Saye-d, C. Janga Reddy, Ebrahim Sulaiman Sait, Aziz Qureshi, Amar Roypradhan, Syed Shahabuddin, Priya Ranjan Das Munsi, K. N. Pradhan, Sultan Salahuddin Owaisi, Shrimati Abida Ahmed, Shrimati Geeta Mukherjee, Shrimati Krishna Sahi, Professor Nirmala Kumari Shaktawat, Dr. Rajendra Kumari Bajpai and Dr. Datta Samant.

C. QUESTION HOUR

In all 24,594 notices of Questions (17,747 Starred, 6,764 Unstarred and 83 Short Notice Questions) were received during the Session. Out of these 968 Questions were admitted as Starred, 9,336 as Unstarred and 2 as Short Notice Questions (including 3 Unstarred Questions which appeared in Supplementary List of Questions). 30 Starred and 146 Unstarred Questions were deleted/postponed/transferred from one Ministry to another.

Daily Average of Questions: Each List of Questions for oral answers contained 20 questions except that of 3, 5, 13, 18, 19 and 25 March 1986, 1, 2, 4, 7, 8, 9, 15; 25 and 30 April 1986, 5 and 6 May 1986 which contained 21 Questions each and that of 17 and 21 March 1986 and 21 April 1986 which contained 22 Questions each and 27 March 1986 and 25 April, 1986 which contained 23 Questions each. The questions in excess of 20 in these lists were either postponed or transferred from earlier dates. 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 12 on 2 May 1986 and minimum number was 5 on 9 April, 1986.

The average number of Questions in the Unstarred List came to 204 as against the prescribed limit of 230 Questions.

Half-an-Hour Discussions : In all 82 notices of Half-an-Hour Discussions were received during the Session. Out of these, 40 notices were admitted and 5 were discussed on the floor of the House, 6 lapsed and the remaining 36 were disallowed.

D. OBITUARY REFERENCES

During the Session obituary references were made to the passing away of Shri B. V. Desai, sitting member and Sarvashri Doongar Singh, Fulsinhji Bharatsinhji Dabhi, Kanwar Lal Gupta, M. S. K. Sathiyendran, Prabodh Chandra, T. C. N. Menon Maheshwar Naik Jagjivanrao Ganpatrao Kadam, Lalit Kumar Doley, C. Krishnan Nair, Atulya Ghosh and Prafulla Chandra Borooah, all ex-members and Mr. Olof Palme, Prime Minister of Sweden. Members stood in silence for a short while as a mark of respect to the deceased.

RAJYA SABHA

HUNDRED AND THIRTY-SEVENTH SESSION*

The Rajya Sabha met for its Hundred and Thirty-Seventh Session on 20 February 1986 and was adjourned *sine die* on 20 March

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

1986. A resume of some of the important discussions held and other business transacted during the Session is given below in brief.

A. DISCUSSIONS

Rise in prices of several essential commodities : On 25 February 1986, Shri Kailash Pati Mishra, initiating the short-duration discussion, said that the imposition of heavy taxes even before the Commencement of the Budget Session, had raised the prices of almost all essential commodities. He added that the Government had not been able to control the black money, non-plan expenditure and deficit financing and was taking steps which affected the common man adversely. As a result of price hike, Shri Mishra said that the products on which taxes had been increased would in turn become costlier and that there would be a demand from the Government employees to increase the dearness allowance.

The Minister of Finance, Shri Vishwanath Pratap Singh, replying to the discussion* said that the economy in the current year had shown buoyancy. The industrial growth had picked up and performance in power, railways etc. had improved. There had been a buoyancy not only in the indirect tax collections but also in the direct taxes, and this buoyancy in tax realisation had gone to the States.

The Minister noted that resource raising should not be through prices but should be through efficiency. India had to come to low-cost economy from high-cost economy and there was no option. The workers, the Government and the Management had to come together.

The Minister added that in respect of administered prices the Government had to strike a balance. The main problem was that the capital investment was going down and all the resources were being pumped into subsidies. The real way of tackling the problem was producing cheaper grain and making it available to the poor. Greater productivity was the answer. The Government wanted to introduce improved technology in agriculture, the Minister informed the House.

On the balance of payments, the Minister said that India had the responsibility of payment of the IMF loans. Oil would not be

*The other members who took part in the discussion were : Sarvashri N. K. P. Salve, Nirmal Chatterjee, P. N. Sukul, N. Rajangam, Chandra Shekhar Singh, M. S. Gurupadaswamy, Murlidhar Chandrakant Bhandare, Gurudas Das Gupta, Deba Prasad Ray, Virendra Verma, Chitta Basu, Rajesh Pilot, Rameshwar Thakur, Ghulam Rasool Matto and Professor C. Lakshmanan.

available to the same extent in the Seventh Plan as it was available in the Sixth Plan. In the current year the exports had not picked up at the rate which was expected. So the Government had given a signal to the country that the people had to be cautious. The higher prices of petroleum products would certainly check the increase in consumption, the Minister felt. The Government being answerable to the future generation would not hesitate to take hard measures when the interests of the country were concerned, the Minister asserted.

Motion of thanks on the President's Address : On 26 February 1986, Shri N. K. P. Salve moved that an Address be presented to the President in the following terms :

“That the Members of the Rajya Sabha assembled in this Session are deeply grateful to the President for the Address which he has been pleased to deliver to both Houses of Parliament assembled together on the 20th February, 1986.”

Speaking on the Motion, the member said that the Prime Minister Shri Rajiv Gandhi had taken reigns of the Government when nation's unity and integrity were being threatened perilously and that the forces of disintegration were consolidating their position. Assassination of the late Prime Minister, Shrimati Indira Gandhi, had given a big shock to the nation as well as to the world at large.

The member noted that as a result of the Punjab Accord, there were elections in Punjab in spite of opposition from certain quarters. It was a victory of the democratic processes over those of terrorism, disruption and disintegration.

In the context of the settlement on Assam, the member made it clear that the Congress Party did not put its politics ahead of national interest. The Party paid the price; it lost. The Government ardently hoped that the new Government of young people in Assam would do well the growth and betterment of the State.

Shri Salve observed that time had come when electoral reforms should be brought about and the menace of money power from the elections removed which could only be done if the Government was going to take up the major burden. It was the right time to ensure greater political cohesion so that the battle against poverty and backwardness could be won, the Member concluded.

The Prime Minister Shri Rajiv Gandhi, replying to the debate*, said that the Government had made many promises last year, which had been accomplished very substantially. He added that two Accords signed on Assam and Punjab had brought about a change in both the States. Assam was progressing well. In Punjab, since the speed of improvement had not been to the desirable extent, the Government might take some steps once more to bring about improvement.

The Prime Minister noted that the Government had promised a clean public life and had taken a number of steps in the direction of administrative reforms, viz. enactment of anti-defection law and a law in regard to company donations. The machinery for redressal of grievances had been set up at all levels. Personnel policies were being reviewed. The efficiency of the Government machinery was being improved.

The Prime Minister informed the House that a new education policy was on the anvil. The Government had produced the status paper in August and a national debate had ensued. A new department in the Human Resource Development Ministry had been formed to look at the total development of youth, women and children.

The Government had promised to give a new look to the judicial system. Administrative Tribunals and Lok Adalats had come up and benefited thousands of people. The Government had formed an Urban Development Commission to look into the directions of urban development in India over the next 15 years. The Government looked forward to cleaning the waters of the Ganga very rapidly, the Prime Minister assured the House.

*The other members who took part in the discussion were : Sarvashri Pipen Ghosh, Anand Sharma, R. Mohanaragam, Santosh Kumar Sahu, Biswa Goswami, Jaswant Singh, Kalpnath Rai, Sushil Chand Mohunta, Parvathaneni Upendra, Chimanbhai Mehta, Dinkarrao Govindrao Patil, Khushwant Singh, Satya Pal Malik, Asad Madni, Indradeep Sinha, H. Hanumanthappa, V. Gopalsamy, Bhadra Pratap Singh, Kishor Mehta, Ramachandra Bharadwaj, M. S. Ramachandran, Gulam Mohi-ud-Din Shawl, Ram Chandra Vikal, Suresh Pachouri, Krishna Kumar Birla, Mirza Irshadbaig Aiyubbaig, Akshay Panda, Hukmdeo Narayan Yadav, Shankarrao Narayanrao Deshmukh, Pawan Kumar Bansal, S. W. Dhabe, Vishwa, Bandhu Gupta, Sagar Rayka, Hashim Raza Abidi Allahabadi, Sukomal Sen, V. Narayanasamy, Mahendra Prasad, Anand Prakash Gautam, Adinaravana Reddy, Jagesh Desai, Thakur Jagatpal Singh, Dr. Rudra Protak Singh, Shrimati Pratibha Singh, Shrimati Pratibha Devi Singh Patil, Shrimati Kanak Mukherjee, Shrimati Sudha Vijay Singh and Kumari Saroj Khaparde.

Shri Rajiv Gandhi noted that the Seventh Plan had three basic thrusts—food, work and productivity. The priorities had not really changed and that India's unity, independence, democratic structure, secularism socialist thrust, non-alignment and self-reliance were not compromised in any way. The core of the development problems did lay not in potential or in capability but more in what the country was actually able to achieve the Prime Minister asserted.

The Prime Minister informed that India had taken a number of steps to develop its scientific research and technology as self-reliant and indigenous. India's defence research and development was rising to new heights and its defence production was looking ahead to much greater and much bigger areas and greater production, and, most of all, towards indigenous design of very sophisticated equipment.

He added that an Association had been formed for South Asian Regional Cooperation which was perhaps a major step in bringing about a new atmosphere of co-operation in the region. In this region, there were two areas, i.e. Pakistan and Sri Lanka where there was still tension. Pakistan had been a traditional tension area. India had made efforts to reduce that tension. In some areas India had made headway; in others, it had been much slower; and, in some, not at all. Referring to Sri Lanka, he regretted that the killings of civilians was going on there and felt that there could be a political solution of that problem. The Sri Lankan Government also said that they were for a political solution. He called as absolutely baseless the Sri Lankan charge levelled against India that it was having an involvement there. Shri Gandhi expressed India's worry on the number of refugees who were coming into India and felt that the situation in Sri Lanka should be normalised so that those refugees might be able to go back in honour and safety.

All the amendments moved were negatived and the Motion of Thanks was adopted on 5 March 1986.

*The Budget (Railways) 1986-87**: Initiating the discussion on Railway Budget on 5 March 1986 Shri Sukomal Sen said that the Budget was stale and colourless, which hardly promised any development of the railways in spite of the claims made in the Budget speech of the honourable Minister. The member refuted the claim

*Laid on the Table of the House on 26 February, 1986.

in the Budget speech that 90 per cent of the total number of passengers travelling on the Indian Railways had been spared from increase in the fares, and said that more than 80 to 85 per cent of the people had been adversely affected by the hike since most of the travelling people travelled in the Second Class of the Mail and Express trains. The member, therefore, requested the Government to reconsider the decision.

Shri Sen added that the Railways were under the dictates of the World Bank and the International Monetary Fund. Many developing countries had suffered because of the dictates of these two organisations. The Government should try to avoid those dictates and they should follow an independent policy, he recommended.

On 11 March 1986, the Minister of State in the Department of Railways, Shri Madhavrao Scindia, replying to the debate,* appreciated the large number of valuable suggestions received during the discussion and said that the Indian Railways were the second largest in the world covering a network of 61,000 kilometres approximately. The total track kilometre it criss-crossed the subcontinent was approximately 1.06 lakh and in 1984-85 this massive network carried 3,333 million passengers, and 236.4 million tonnes of revenue earning traffic.

Under the experienced captaincy of Shri Bansi Lal and due to the hard work put in by railwaymen all over the country, there had been remarkable improvement in freight performance, the Minister observed.

Referring to the suggestions made by some members that priority should be given to track renewals and reconditioning and reprofiling of rails, he observed that there was an accumulated backlog of 19,500 kilometers of sick track at the end of the Sixth Plan. It

*Other members who took part in the discussion were: Sarvashri P. N. Sukul, Vithalrao Madhavrao Jadhav, Parvathaneni Upendra, Kamalendu Bhattacharjee, V. Gopalsamy, Chandrika Prasad Tripathi, R. Mohanarangam, Subas Monhanty, Sohan Lal Dhusiya, Nand Kishore Bhatt, K. Vasudeva Panicker, Kailash Pati Mishra, Mahendra Mohan Mishra, M. Kalyanasundaram, Chowdhary Ram Sewak, Satya Prakash Malaviya, Pravin Kumar Prajapati, Ghan Shyam Singh, R. Ramakrishnan, S. B. Ramesh Babu, Ghulam Rasool Kar, Dharam Chander Prashant, Krishna Kumar Birla, S. W. Dhabe, Thangabalu, B. L. Panwar, Jagadish Jani, Jagdambi Prasad Yadav, V. Narayanasamy, Mirza Irshadbaig Aiyubbaig, Hashim Raza Abidi Allahabadi, Shrimati Ratan Kumari, Shrimati Monika Das, Shrimati Krishna Kaul and Dr. Shanti G. Patel.

was the Government's endeavour to wipe out the arrears in approximately ten years time. During the period April 1984 to February 1985, 2,250 kilometres of track was renewed. It is hoped to achieve over 3,200 kms. of track renewal by the end of this financial year, the Minister assured the House.

The original target for phasing out steam engine was 2,013 A.D. which had, however, been revised and the Railways hoped to achieve this by the year 2,000. It was widely accepted that electrification became remunerative on high-density lines. In the Seventh Plan period the electrification of Delhi-Bombay, Delhi-Madras and Bombay-Calcutta lines would be completed. With the Delhi-Howrah Grand Cord Line already being fully electrified this would mean the completion of the electrification of all lines with highest traffic density, the Minister informed the House.

The Minister assured that the safety aspect was uppermost in the mind of the Government and that a number of steps had already been taken to prevent accidents. After many years, the number of accidents had actually come down. Safety measures would be more vigorously implemented to further minimise the number of accidents, the Minister concluded.

*The Budget (General), 1986-87**: On 12 March 1986, Shri Nirmal Chatterjee, initiating the discussion, observed that while the per capita gross domestic product in India grew at the rate of 1.2 per cent between 1950 and 1980 the annual percentage of per capita growth in the developing countries was 3.8 per cent and that in the world as a whole was 3.1 per cent. In terms of exports the growth in India was 1.4 per cent, in the developing countries it was 4.4 per cent and in the world as a whole it was 5.1 per cent.

The member noted that the annual rate of increase in the assets of the top 20 houses had been 40.5 per cent, whereas the rate of growth in the national income was less than 5 per cent. The assets of those top houses came to Rs. 12,261 crores, whereas the total assets of the public sector enterprises amounted to Rs. 40,000 crores. Despite this fact the Government claimed that they intended to have development with social justice and equity, the member commented.

Shri Chatterjee admitted that the Budget had some redeeming features, welcoming excise duties on motor cars, air conditioners and refrigerators and also the increase in the interest rates on provident fund of the employees.

*Laid on the Table of the House on 28 February, 1986.

On 18 March 1986, the Minister of Finance, Shri Vishwanath Pratap Singh replying to the discussion*, said that it was heartening to see in Budget debate that the Part-A of the Budget, which was "people's part," had come in full focus of debate by the hon. members in both the Houses. The Government had given Ministry-wise allocation that what should be according to the Seventh Plan. The Government had also decided to conduct post-Budget discussions. This was an attempt to continue the philosophy of open-budgeting. In the process if the Government felt that there was need for amendment or improvement, the necessary amendment would be made, the Minister added.

Shri Vishwanath Pratap Singh observed that the small-scale sector had been India's strength in regard to employment. A separate special fund in the IDBI was being created for the sector. As far as the limit was concerned, the small scale industries could go up to Rs. 1.5 crores instead of Rs. 75 lakhs. MODVAT would also benefit them. The Government had also raised the exemption limit of the aggregate value of machinery and plant for Income-tax purposes from Rs. 20 lakhs to Rs. 35 lakhs. In the case of the handloom sector, the Government had got positive proposal of exemption of excise duty on blended polyester cotton and polyester viscose yarn. The Government had also removed the excise duty on the processing of certain blended fabrics by the handloom organisations.

The Finance Minister expressed Government's belief in the theory of reasonable tax,, trust in the tax-payers and firm implementation. Government had reduced the benefits of evasion and increased the cost of evasion.

Other members who took part in the discussion were : Sarvashri Pranab Mukherjee, K. L. N. Prasad, Aladi Aruna alias V. Arunachalam, Raoof Valiullah, Bhuvnesh Chaturvedi, M. S. Gurupadaswamy, Kapil Verma, Syed Ahmad Hashmi, Kailash Pati Mishra, Achohhey Lal Balmik, Sankar Prasad Mitra, Hayat Ulla Ansari, Darbara Singh, Rameshwar Thakur, Sudhakar Pandey, Krishna Kumar Birla, M.P. Kaushik, Virendra Verma, Sat Paul Mittal, Ramsingbhai Pataliyabhai Rathvakoli, V. Gopalsamy, Bandhu Mahto, Kalpmath Rai, Hari Singh Nalwa, Ghulam Rasool Matto, Dharanidhar Basumatari, Chitta Bassu, Molana Asrarul Haq, Shanti Tyagi, Valampuri John, Prithibi Majhi, Pawan Kumar Bansal, K. Vasudeva Panicker, Thindivanam K. Ramamurthy, S. W. Dhabe, Tirath Ram Amla, Ghan Shyam Singh, Thangabalu, Akshay Panday, Kishore Mehta, Shankarro Narayanrao Deshmukh, Jagesh Desai, V. Narayanasamy, Ram Chandra Vikal, Mahendra Prasad, Dr. Mohd. Hashim Kidwai, Dr. H. P. Sharma, Dr. Govind Das Dichhariya, Professor C. Lakshmana, Professor (Shrimati) Asima Chatterjee, Shrimati Kailashpati, Shrimati Sudha Vijay Joshi, Shrimati Omen Noyong Deori and Shrimati Manorama Pandey.

So far as the growth of indirect taxes was concerned, the Minister said that it was linked with industrialisation. Customs duty protected indigenous industries apart from giving revenue. Still the indirect taxes were progressive and the Government gave subsidies on food, common cloth, etc.

The Minister concluded by saying that there might be many failings in the Budget because nothing was perfect but it had shown that the planning process was alive in India and that it was committed to the objectives of growth with equity.

B. LEGISLATIVE BUSINESS

*The Administrative Tribunals (Amendment) Bill, 1986** : On 11 March 1986, Shri Kailash Pati Mishra moved the following Resolution :

"That this House disapproves of the Administrative Tribunals (Amendment) Ordinance, 1986 (No. 1 of 1986) promulgated by the President on the 2nd January, 1986."

Speaking on the Resolution, the Member said that it was not clear as to what were the reasons for introducing the amending Bill. He asserted that the amendment was incomplete as it had been said that there would be one judicial member and one administrative member in the Tribunal; but it was not clear whether they would award their judgement jointly or individually.

The member also wanted to know whether the tribunals would be in Delhi or at the seats of the High Courts or at the district level. He suggested that free legal aid should be provided to the concerned employees and that they should also get the travelling expenses. He added that the whole burden of the case should be borne by the Government or by the companies of the private or public sector. Whatever Act was enacted should also be implemented properly, the member concluded.

The Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Shri P. Chidambaram moving the motion for consideration of the Bill said that the Parliament had already debated at great length and passed the Administrative Tribunals Act, 1985, which was challenged in various High Courts and in the Supreme Court.

*The Bill was introduced on 10 March, 1986.

After considering the suggestions made by the Supreme Court and after pondering over some other aspects of the Act, the Government instructed the Attorney-General to make a statement in the Supreme Court that necessary amendments would be made in the Act to give effect to those suggestions. It was in that background that the President promulgated the Ordinance on 22 January 1986 and the Bill was being introduced to replace the Ordinance and to amend the Act.

While replying to the debate, the Minister said that the Central Administrative Tribunal had been established on 1 November 1985. The Government had established Benches at New Delhi, Allahabad, Calcutta, Madras, New Bombay, Chandigarh, Bangalore and Gauhati. The Government would establish more Benches at Jodhpur, Jabalpur, Ernakulam, Hyderabad, Ahmedabad, Patna and Cuttack.

The Minister asserted that the Government as well as the Government servants were happy with the speed and effectiveness with which the Tribunals were dispensing justice. Many cases had been transferred from the High Courts. In the month of February alone the five Benches of the Tribunal had disposed of 266 cases. With the passage of time, he hoped, the Government servants would find this experiment to be beneficial to them.

The purpose of the Tribunals, the Minister said, was to sort out service matters. The service law had been complicated and many Judges were totally unfamiliar with it. The Government had so far appointed a distinguished Chief Justice as a Chairman and senior civil servants as members of the Tribunal, the Minister informed the House.

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

*The Inter-State Water Disputes (Amendment) Bill, 1986** : On 20 March 1986, Shri Jaswant Singh moved the following Resolution:

“That this House disapproves of the Ravi and Beas Waters Tribunal Ordinance, 1986 (No. 2 of 1986) promulgated by the President on the 24th January, 1986.”

Speaking on the Resolution, the member said that since the rivers under consideration were interstate neither in a physical nor

*The Bill was introduced on 19 March, 1986.

a geographical sense, the Ordinance was, therefore, violative of article 262 of the Constitution. The member added that he had been given to understand that the need for the Ordinance had arisen because of the inter-state disputes between two States; one State coming as a disputant and claiming that they had a problem with another State. This gave occasion for that particular tribunal to come into existence and determine the dispute itself. None of the States concerned, including Rajasthan which had not been a party to the dispute but had been made so, were ready to come forward with a complaint and yet a dispute was created. The Central Government then took upon itself to establish a tribunal on its own to adjudicate and determine whether there was a dispute and then judge upon them. After having judged upon them, the dispute would be placed outside the purview of the Supreme Court, the member added.

The member observed that the Bill debarred the State of Rajasthan from going to the Supreme Court after the adjudication of a Tribunal. As a representative of Rajasthan, the member said, he could not accept and support the Bill.

The Minister of Water Resources Shri B. Shankaranand, moving the motion for consideration of the Bill said that the Punjab Accord was signed on 24 July 1985. Keeping in view the overall national interest, the Chief Ministers of Punjab, Haryana and Rajasthan had reached an agreement on 31st December, 1981 on sharing of Ravi-Beas Waters. The Akali Dal, however, wanted to reopen the issue, which had been one of the elements in the discussions between the Prime Minister of India and the late Sant Harchand Singh Longowal culminating in the historic Accord on Punjab.

The Central Government was taking all necessary steps to implement the provisions of para 9 of the Punjab Memorandum of Settlement of 24 July 1985. In justice to any State was not the intention of the Union Government and it was the nation's interests that had compelled the Government to come before the House to establish a tribunal, the Minister assured.

The basic purpose of the national water policy was to make the best use of water resources in the interest of the nation, the Minister added.

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

C. THE QUESTION HOUR

During the Session 6,184 notices of Questions (5,859 Starred and 325 Unstarred) and 6 Short Notice Questions were received. Out of these 348 Starred Questions and 2,398 Unstarred Questions were admitted. No Short Notice Question was admitted. After the Lists of Questions were printed, 19 Starred and 77 Unstarred Questions were transferred from one Ministry to another.

Daily Average of Questions : Each of the lists of Starred Questions contained 18 to 21 Questions. On an average 5.6 Questions were orally answered on the floor of the House, per sitting. The maximum number of Questions orally answered was 8 on 14 and 18 March 1986 and the minimum number of Questions orally answered was 4 on 28 February 1986.

The minimum number of Questions admitted in the Unstarred Questions lists was 81 on 14 March 1986 and their maximum number was 267 on 3 March 1986. Their average came to 133.22.

Half-an-Hour Discussion: In all 4 notices of Half-an-Hour Discussion were received during the Session and 1 was admitted.

D. OBITUARY REFERENCES

During the Session, the Chairman made referenees to the passing away of Sarvashri R. T. Parthasarathy, Maheswar Naik, N. Ramakrishna Iyer, K. K. Shah and Shrimati Rukmini Devi Arundale, all ex-members, and Mr. Olof Palme, Prime Minister of Sweden. Members stood in silence for a short while as a mark of respect to the deceased.

HUNDRED AND THIRTY-EIGHTH SESSION*

The Rajya Sabha met for its Hundred and Thirty-Eighth Session on 21 April, 1986 and was adjourned *sine die* on 14 May 1986. A resume of some of the important discussions and other business transacted during the Session is given below in brief:

A. DISCUSSIONS

Recent bombing raids on Libya: On 24 April, 1986, Shri Virendra Verma called the attention of the Minister of External Affairs to the situation arising out of the recent bombing raids on Libya by the U.S. Forces.

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

Making a statement on the subject, the Minister of State in the Ministry of External Affairs, Shri K. R. Narayanan said that the Government of India had been deeply shocked at the recent bombing raids on Tripoli and Benghazi by US aircraft. The Government had strongly deplored and condemned such action since it was in total disregard of international law and constituted an act of aggression against the sovereignty and territorial integrity of Libya. Besides, it placed regional security and international peace in grave jeopardy.

The Minister observed that immediately after the attack, the Prime Minister had made a statement on 15 April, 1986 strongly deploring the US action and extending NAM's full support to and solidarity with Libya. The Minister of External Affairs had also made a statement on the subject. Shri Narayanan added that the NAM Coordinating Bureau held an emergency meeting in New Delhi on 15 April, 1986, under the Chairmanship of the External Affairs Minister which strongly condemned the US action. The Bureau had demanded the United States to put an immediate halt to its military operations and pay full and prompt compensation to Libya. In addition, it called on the Security Council to take urgent action to condemn such act of aggression and to prevent its repetition. It also affirmed its full support to and solidarity with Libya, the Minister informed the House.

Replying to the points raised by hon. members, the Minister said that India had always stood not only for peace but for fight against colonialism and imperialism and for the rights of small nations which are also the basis of non-alignment.

The Minister observed that the idea of punishing a nation was a new concept which had cropped up recently in international relations. India had been one of those countries which had given utterance in a forthright manner on the danger involved in what was coming in this crisis over Libya.

The Deputy Chairman placed before the House the following Resolution which was unanimously adopted.

"THE HOUSE—

DEEPLY shocked at the recent bombing raids on Libya by U.S. aircraft and the attempt to bomb the Headquarters of the Head of the State;

Convinced that this U.S. action is an act of aggression against the sovereignty and territorial integrity of Libya that it poses a serious threat to regional security and international peace;

NOTING that the Government of India and Non-aligned movement have repeatedly been urging over the last few months that precipitate action should be avoided and that the situation should be resolved through dialogue and not through threat or pressure: Now, therefore,

- (1) **UNEQUIVOCALLY CONDEMNES** the U.S. bombing which is in complete disregard of the norms of international conduct and constitutes a breach of international law;
- (2) **DEMANDS** that the USA desist from a repetition of such violent and hostile acts against Libya;
- (3) **REGRETS** that the U.K. has chosen to abet this act of aggression by allowing the USA to use its airforce bases for the attack;
- (4) **DEPLORES** the votes of resolution presented on this issue to the U.N. Security Council by the Non-aligned Members;
- (5) **EXPRESSES** complete support for, and solidarity with Libya in its hour of trial;
- (6) **ENDORSES** the collective stand taken by the Non-aligned Movement at the Emergency Session of Foreign Ministers and Heads of Delegations at the Ministerial level meeting of the Coordinating Bureau in New Delhi on April 15, 1986.
- (7) **CALLS UPON** the United Nations to make sustained efforts to prevent the repetition of such acts which violate the U.N. Charter and endanger international peace and security; and
- (8) **APPEAL** to world public opinion to mobilise itself against such actions."

Draft National Policy on Education, 1986 : On 12 May 1986, the Minister of Human Resource Development, Shri P. V. Narasimha Rao moved the Resolution for approval of the Draft National Policy on Education, 1986, laid on the Table of the House on 2 May 1986.

Replying to the discussion* on 13 May, 1986, Shri Rao said that a nation-wide debate had been going on for the last eight months

*Other members who took part in the discussion were : Sarvashri S. W. Dhabe, Nepaldev Bhattacharjee, Chitta Basu, Satya Prakash Malaviya, Parvathaneni Upendra, M. P. Kaushik, R. Mohanarangam, Anand Sharma, D. B. Chandra Gowda, Vishwa Bandhu Gupta, Kamlendu Bhattacharjee, Ram Naresh Kushawaha, Vithalrao Madhavrao Jadhav, Rafique Alam, Hokishe Sema, Darbara Singh, Pawan Kumar Bansal, H. Hanumanthappa, Jaswant Singh, Suresh Pachouri, Sankar Prasad Mitra, Professor (Shrimati) Asima Chatterjee, Professor C. Lakshmana, Professor B. Ramachandra Rao, Ghulam Rasool Matto, Dr. H. P. Sharma, Dr. R. K. Poddar, Dr. Shyam Sundar Mohapatra, Dr. Shanti G. Patel, Shrimati Sudha Vijay Joshi, Shrimati Amarjit Kaur, Shrimati Vijaya Chakravarti.

on the facts revealed in the Document which was released by the Government in August 1985 and the Government while formulating the Draft National Policy on Education had taken note of the various suggestions.

The Minister noted that the educational standard has fallen in this country primarily because the demands for expansion were so great in the 1950s that the Government could not even train teachers. There were certain areas where consolidation and expansion were needed. According to him the main thrust of the policy was equalisation.

The Minister also observed that the policy of the Government had dealt with vocationalisation in detail. A Committee of Ministers from some States and other experts had prepared a useful and practical Document which aimed at a modest coverage of about 10 per cent in the Seventh Plan and 25 per cent in the Eighth Plan, to be given to vocational training.

All the amendments moved were negatived by the House and the Resolution was adopted on 13 May, 1986.

B. LEGISLATIVE BUSINESS

*The Supreme Court (Number of Judges) Amendment Bill, 1985**: On 21 April 1986, the Minister of Law and Justice, Shri Asoke Kumar Sen, moving the motion for consideration of the Bill said that the strength of 18 Judges in the Supreme Court was fixed in 1977. Since then, there had been a terrific increase in the number of fresh filings. At the end of 1985, the number of fresh filings has reached a figure of 87,000 and the pendency had increased to nearly 1,20,000. As a result, the Supreme Court itself had requested that the strength of Judges be increased to 26 and the Government had, accordingly, brought the Bill before Parliament.

The motion for consideration of the Bill was adopted, the clauses etc. were adopted and the Bill, as amended, was passed on 23 April 1986

*The Appropriation (No. 3) Bill, 1986*** On 28 April 1986; the Minister of State in the Ministry of Finance, Shri Janardhana Poojari, moving the motion for consideration of the Bill, said that the

*The Bill as passed by the Lok Sabha was laid on the Table on 22 August, 1985.

**The Bill as passed by the Lok Sabha was laid on the Table on 24 April, 1986.

Bill provided for withdrawal of the amounts out of the Consolidated Fund of India required to meet the expenditure for the year 1986-87 charged on the Fund as well as the Grants voted by the Lok Sabha. The net provisions aggregated to Rs. 52,862 crores. Of this Rs. 24,175 crores were for development expenditure, including Rs. 20,995 crores for Central, States and Union Territories Plan. The provisions for Defence expenditure was Rs. 8,728 crores, for interest payments Rs. 8,750 crores and major subsidies Rs. 4,741 crores. Other non-Plan grants and loans to States and Union Territory Governments accounted for Rs. 1,892 crores and the balance Rs. 4,576 crores was for other expenditure.

The amounts provided in the Bill were inclusive of the sums already authorised in the Appropriation (Vote on Account) Act, 1986, the Minister explained.

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

The Finance Bill, 1986: On 5 May 1986, the Minister of Finance, Shri Vishwanath Pratap Singh, moving the motion for consideration of the Bill, said that the salient features of the important proposals contained in the Bill had been explained in his Budget speech. During the general discussion on the Budget and thereafter, hon. members from both the Houses made useful suggestions in regard to the provisions contained in the Bill. After a careful consideration of these suggestions the Minister had moved certain amendments to the Bill in the Lok Sabha which had been accepted and incorporated in the Bill, the Minister informed the House.

The Minister announced full exemption from excise duty in the case of mohair yarn and tops, carded wool, paper splints for matches, paper labels, bamboo, ice, jute bags made from duty paid jute fabrics, fishing nets, hair fixers, ropes, twine, cordage etc. made from duty paid yarn; resin and turpentine made without the aid of power; rubber balloons, 'made up' article produced on weft pile knitting machines, cotton belting of width not exceeding 15 cms. and not containing any plastic materials, and textured soya protein and soya milk. He also said that excise duty on wooden furniture had been reduced from 25 per cent to 15 per cent and that on kerosene pressure lanterns and their parts from 35 per cent to 15 per cent. The exemption limit for making out a Central Excise Licence

*The Bill, as passed by the Lok Sabha, was laid on the Table on 30 April, 1986.

by small scale units had been raised from Rs. 5 lakhs to Rs. 10 lakhs, he said.

He assured that the power of income-tax authorities to collect prescribed information for purposes of survey was to be restricted to business premises only. In respect of self-occupied property which had been acquired or constructed with borrowed funds, deduction of interest upto Rs. 5,000 was proposed to be made available. The proposal to delete Section 80M of the Income-Tax Act relating to deduction in respect of inter-corporate dividends was to be withdrawn, the Minister announced.

The Minister said that three amendment bills would be brought forward in due course for giving incentives for development of exports in the area of Direct Taxes.

The Minister noted that steps were being taken to ensure that subsidies received from various Governmental agencies by persons who carried on the business of growing and manufacturing rubber, coffee and cardamom were exempted from tax as was the case with growers and manufacturers of tea.

The motion for consideration of the Bill was adopted, clauses etc. were adopted and the Bill was returned on 6 May 1986.

*The Muslim Women (Protection of Rights on Divorce) Bill, 1986**: On 8 May 1986, the Minister of Law and Justice, Shri Asoke Kumar Sen, moving the motion for consideration of the Bill, said that the object of the Bill was fairly set out in the statement of objects and reasons. When the Criminal Procedure Code of 1973 was enacted, the 1898 Code was in operation. According to section 488 of the 1898 Code, wives and children were included for the purpose of maintenance being given by a magistrate. But, 'wife' did not include a divorced wife. Shri Sen added that when the Code of 1898 was enacted, the Hindu society knew of no divorce. Only Christians knew of divorce, and Muslims had their own system of 'talaaq'. So the obligation of the husband was also laid down for maintenance. Therefore, divorced wives were not included for benefits under section 488.

When the Act of 1973 was passed, an Explanation was put in section 125, to the effect that 'wife' would include wives who had been divorced. Objections were raised on behalf of the Muslims, that if

*The Bill, as passed by the Lok Sabha, was laid on the Table on 6 May, 1986

maintenance was to be provided by ex-husband beyond the period of *iddat* that would conflict with their personal law guaranteed under the Constitution. An assurance was given by the then Minister of State for Home Affairs that if a Muslim discharged his obligations to his ex-wife according to his own personal law, he would not be liable to pay maintenance under section 125.

The Minister noted that there was no controversy till Shah Bano's case came up before the Supreme Court. When the judgement of the Supreme Court in this case came along with the observation that the Muslim Personal Law also provided for maintenance beyond the *Iddat* from the former husband of a divorced wife, widespread feelings of apprehension were expressed from all over the country from the Muslim community. In Government's opinion the Supreme Court only interpreted the personal law of Muslims and did not intend to interfere with the personal laws of any community.

The Minister hoped that the House would support the legislation which was based on the study of the Muslim Personal Law, in which there were two categories of women—the married ones and the unmarried ones. The moment a woman became divorced, she reverted to her unmarried status. And the unmarried daughter was always a charge on the father. If the family was either not there or unable to maintain her due to various causes, then the community had to look after her. It was on such basis that the Government had framed the law and it was according to the understanding of the subject by the community for which this law was meant, the Minister said in conclusion.

All the amendments for reference of the Bill to a Select Committee were negatived. The motion for consideration of the Bill was adopted and the clauses etc. were adopted and the Bill was passed the same day.

C. THE QUESTION HOUR

During the Session, 3,458 notices of Questions (3,229 Starred and 229 Unstarred) and 16 Short Notice Questions were received. Out of these, 258 Starred Questions and 1,523 Unstarred Questions, were admitted. No Short Notice Question was admitted. After the lists of Questions were printed 3 Starred and 43 Unstarred Questions were transferred from one Ministry to another.

Daily Average of Questions: Each of the lists of Starred Questions contained 19 to 20 Questions. On an average 4.7 Questions were

orally answered on the floor of the House, per sitting. The maximum number of Questions orally answered was 8 on 5 May 1986 and the minimum number of Questions orally answered was 3 on 21 April 1986.

The minimum number of Questions admitted in the Unstarred Questions lists was 70 on 30 April 1986 and their maximum number was 175 on 5 May 1986. Their average came to 117.15.

Half-an-Hour Discussion: In all 2 notices of Half-an-Hour Discussion were received during the Session and none was admitted.

Statements correcting answers to questions: In all one statement correcting answer to a Question answered in the House was made by the Minister concerned.

D. OBITUARY REFERENCES

During the Session, the Chairman made references to the passing away of Sarvashri Omprakash Tyagi and Narinder Singh Brar, both ex-members and Shri Tenzing Norgay, who along with Sir Edward Hillary of New Zealand, was the first person to scale Mount Everest. The Members stood in silence for a short while as a mark of respect to the deceased.

STATE LEGISLATURES

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Fourth Session of the Himachal Pradesh Legislative Assembly commenced on 5 March 1986 with the Address by the Governor. The House which adjourned *sine die* on 27 March 1986 was prorogued the same day.

Financial Business: The Chief Minister, Shri Virbhadra Singh, who also holds the Finance portfolio presented the Budget Estimates for 1986-87 on 14 March 1986. The Budget was discussed for 4 days, from 17 to 20 March 1986, and passed on 24 March 1986. The necessary Appropriation Bill was introduced and passed on 24 March, 1986.

Election of Deputy Speaker: On 7 March 1986, Shri Dev Raj Negi was unanimously elected as Deputy Speaker of the Assembly.

Anti-Defection Rules: On 6 March 1986, the Minister of State for Parliamentary Affairs laid on the Table a copy of the Members

*Contributed by the Himachal Pradesh Legislative Assembly Secretariat.

of Himachal Pradesh Legislative Assembly (Disqualification on Ground of Defection) Rules, 1986 which had been framed by the Speaker under sub-paragraph (1) of paragraph 8 of the Tenth Schedule to the Constitution of India. The House approved the Rules on 27 March 1986.

Obituary Reference: The House paid homage to late Shri Bhagmal Sauta, ex-member of Territorial Council and a veteran freedom fighter.

SIKKIM LEGISLATIVE ASSEMBLY*

The Fourth Session (Budget Session) of Sikkim Legislative Assembly commenced on 17 March 1986 with the Address by the Governor and continued upto 21 March 1986. A Motion of Thanks on Governor's Address was moved same day by the Chief Minister, Shri N. B. Bhandari and was adopted unanimously by the House on 18 March 1986.

Financial Business: The Finance Minister, Shri Chamla Tshering, presented the Budget for 1986-87 on 17 March 1986. The Budget, amounting to Rs. 1,24,0568.000 was discussed on 18 March 1986 and was passed unanimously by the House on 21 March 1986. The Appropriation Bill for the Budget was also passed by the House the same day.

TAMIL NADU LEGISLATIVE ASSEMBLY**

The Budget Session of the Tamil Nadu Legislative Assembly commenced on 17 March 1986 and continued upto 15 May 1986.

Abolition of Legislative Council: On 14 May 1986, Dr. V. R. Nedunchazhiyan, Minister for Finance and Leader of the House moved on behalf of Dr. M. G. Ramachandran, Chief Minister, the following Resolution:

"In terms of clause (1) of article 169 of the Constitution, the Tamil Nadu Legislative Assembly hereby resolves that the Legislative Council of the State of Tamil Nadu be abolished."

After the debate was over, a division was taken as required under article 169(1) of the Constitution of India read with rule 100(5) of the Tamil Nadu Legislative Assembly Rules and the Resolution was passed by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting.

*Contributed by the Sikkim Legislative Assembly Secretariat.

**Contributed by the Tamil Nadu Legislative Assembly Secretariat.

BOOK REVIEW

PARLIAMENTARY PRIVILEGES IN INDIA. By Dr. Ranjana Arora. Published by Deep & Deep Publications, New Delhi, 1986, pages 268, Rs. 175.

The book is of respectable size. But the first 45 pages are devoted to the description of the historical background of parliamentary privileges of various legislatures and of the provisions of rules and procedures. The description could have been profitably shortened for this would have enabled the various aspects of the subject to get more space. Another 30 pages have been devoted to the summary of cases of breach of privileges, referred to the Privileges Committees of Lok Sabha from 1952 to 1984. This section of the book forms Appendix-I about which it may be pointed out, at once, that there should have been a fourth column indicating the action taken by the House, in each case, on the recommendations of the Privileges Committees, made from time to time. Thirty pages of the book have been devoted to "Privileges Committee" which is highly disproportionate to the actual importance of the body.

As to parliamentary privileges, the privilege of individual members concerning freedom of speech has been dealt with quite adequately, from pages 46 to 73. The next 25 pages have been devoted to members' privilege of freedom from arrest and molestation. These two privileges could have, however, been discussed quite briefly, to the advantage of the reader.

The difference between the concept of breach of privilege and contempt of the House has been certainly underlined in the opening paragraphs of Chapter V of the book. But in the discussion that follows, the difference gets almost obliterated and the two aspects of the rights of the House have been confused with each other.

The rationale of the action taken by the Lok Sabha and the Rajya Sabha against certain members, who have been prominently mentioned by the author, has not been correctly understood. The cases are those of Shri H. G. Mudgal, Shri Subramaniam Swami and of Shrimati Indira Gandhi. Now, the members in question were expelled from the House—the first and the third from the Lok Sabha and the second from the Rajya Sabha—in the mistaken belief that the power of the British House of Commons to expel any one of its members, for good reasons or without any reason, belonged to Indian legislatures also. The author thinks that the three members in question had committed contempt of the Lok Sabha/Rajya Sabha and they were expelled in consequence. Judging from this conclusion of the author, the central point concerning parliamentary privileges available to Indian legislatures has just not been grasped at all.

What the Indian legislatures can claim by way of privileges or penal powers are precisely such as the House of Commons had in 1950, minus, of course, the powers and privileges which it had by reason of its peculiar history and composition. There are, for example, a few rights or privileges which the House of Commons had in 1950 and still has, but which are not available to Indian legislatures. The principal among such rights is the right of the House of Commons to expel any member. The House of Commons has this right because, historically, it has been the master of its own constitution. As regards Indian legislatures, their constitution is determined by the provisions of the Indian Constitution and any privilege or power repugnant to the provisions of the Constitution will not belong to Indian Legislatures, even though the House of Commons might have had them in 1950.

In fact, the point concerning expulsion of members, though mentioned in relation to certain cases has not been discussed at all in the book. This is a grave omission. Certain State legislatures and the two Houses of the Parliament have dealt with the question of expulsion, on occasion. A couple of decisions taken by Indian legislatures, in this connection, have also been the subject of judicial verdicts. In one case, the Madhya Pradesh High Court held that an Indian legislature has the right to expel any of its members. But in another case, the High Court for Punjab and Haryana has firmly ruled that the Indian legislatures do not have the right to expel any

duly elected member in view of the various provisions of the Constitution. This raises the question regarding the status of Indian legislatures in comparison to that of the British House of Commons.

It is a mistaken belief, in certain quarters, that the Indian Parliament is supreme like the British House of Commons. The latter is certainly supreme so far as the governance of the United Kingdom is concerned. It has been aptly said that the British Parliament can do anything except to make man a woman, and woman a man. The Indian Parliament, however, is a creature of the written Indian Constitution which is to be interpreted by the superior judiciary of the country. A law made by the Indian Parliament can be struck down by the superior judiciary if in its view it is not in consonance with the provisions of the Constitution. Parliamentary privileges in India, therefore, have to be consistent with the other provisions of the Constitution.

The author here, and many others, seem to imagine that there is a continuing conflict between the principal parliamentary privilege, i.e. the privilege of freedom of speech in the House, and the fundamental right of freedom of speech. This conflict came to the surface in the *Searchlight* case of Patna mentioned but not understood by the author. But the conflict was instantly resolved by the Supreme Court which held that the freedom of speech guaranteed in Part III of the Constitution, concerning fundamental rights was a general provision and the freedom of speech mentioned in articles 105 and 194 of the Constitution which deal with parliamentary privileges was a specific right guaranteed by the Constitution and there was, therefore, no conflict between the two. The Supreme Court ruled that the specific right would prevail over the general.

The author is unduly concerned with the codification of parliamentary privileges. The question of codification was discussed at length in the Constituent Assembly. The matter was deliberately left where it was, by the framers of the Constitution. In any case, codification of parliamentary privileges does not seem to be an issue any longer. The real important privileges are not in dispute. What is in dispute is only the right of Indian legislatures to expel any of its members. The question might go up some day to the Supreme Court for decision.

The author is also excessively concerned with the narration of cases of parliamentary privileges handled and decided by the Lok Sabha, to the exclusion of discussion of the principles. If the

principles of parliamentary privileges are to be discovered, one will have to go in quest of British precedents and not of those relating to the Lok Sabha. If the author had adopted a proper approach in this connection, she would not have said that Indian legislatures have the right to impose fine for breach of parliamentary privileges. The right to impose fines has long been in desuetude even in the United Kingdom and the House of Commons just could not think of fining anybody in 1950.

Appendix-I to the narration in the book catalogues matters raised as matters of privilege and referred to or handled by the Privileges Committee of the Lok Sabha. For a proper understanding of the principles and rationale of parliamentary privileges, available to Indian legislatures, it is necessary that we go in quest of the relevant cases handled and decided by the British House of Commons during the decades immediately preceding 1950.

The post Second World War years have seen a radical change in the approach of British House of Commons, deeply influenced by the public opinion and particularly by the opinion of the Press, as regards the validity and exercise of parliamentary privileges by that House. The change needs to be noted by all those who embark on a discussion of parliamentary privileges to be exercised by Indian legislatures. Two points repeatedly and forcibly made by various committees of the House of Commons regarding parliamentary privileges are: (i) that the House should take notice only of such things as may actually obstruct or may tend to obstruct, directly or indirectly, the proper functioning of the House; and (ii) the parliamentary privileges belong not really to the members of the House, but ultimately and essentially to their constituents. The system of broadcast of parliamentary proceedings in the United Kingdom is at once the reason and the consequence of the altered approach in Britain to the whole question of parliamentary privileges.

The Index is a very short affair and, therefore, not of much help to the reader. Then, the book is marked by mistakes of printing and spellings which, despite the proliferation in the publishing world in India, has come to be a usual feature of publications. The main fault, however, is that about half of the book has been filled with the matter which should not have occupied more than 25 pages, in all.

—Professor Hardwari Lal, M.P.

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE FIFTH SESSION OF THE EIGHTH LOK SABHA

1. PERIOD OF THE SESSION	20 February to 8 May, 1986
2. NUMBER OF SITTINGS HELD	48
3. TOTAL NUMBER OF SITTING HOURS	359 hours and 18 minutes
4. NUMBER OF DIVISIONS HELD	5
5. GOVERNMENT BILLS:	
(i) Pending at the commencement of the Session	5
(ii) Introduced	20
(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	1
(v) Referred to Select Committee	Nil
(vi) Referred to Joint Committee	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	26
(x) Passed	24
(xi) Withdrawn	1
(xii) Negatived	Nil
(xiii) Part-discussed	1
(xiv) Discussion postponed	Nil
(xv) Returned by Rajya Sabha without any recommendation	10
(xvi) Motion for concurrence to refer to the Bill to Joint Committee adopted	Nil
(xvii) Pending at the end of the Session	5
6. PRIVATE MEMBERS BILLS	
(i) Pending at the commencement of the Session	122
(ii) Introduced	33
(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	4
(vii)	Passed	Nil
(viii)	Withdrawn	2
(ix)	Negated	1
(x)	Circulated for eliciting opinion	Nil
(xi)	Part-discussed	1
(xii)	Discussion postponed	Nil
(xiii)	Motion for circulation of Bill negated	Nil
(xiv)	Referred to Select Committee	Nil
(xv)	Removed from the Register of Pending Bills	8
(xvi)	Pending at the end of the Session	145

**7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193:
(Matters of Urgent Public Importance)**

(i)	Notices received	320
(ii)	Admitted	8
(iii)	Discussion held	7

**8. NUMBER OF STATEMENTS MADE UNDER RULE 197:
(Calling attention to matters of Urgent Public Importance)**

Statement made by Minister	10
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9. MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS:

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

10. HALF-AND-HOUR DISCUSSIONS HELD 5

11. STATUTORY RESOLUTIONS:

(i)	Notices received	38
(ii)	Admitted	6
(iii)	Moved	5
(iv)	Adopted	1
(v)	Negated	3
(vi)	Withdrawn	1

12. GOVERNMENT RESOLUTIONS:

(i)	Notices received	
(ii)	Admitted	

(iii)	Moved	3
(iv)	Adopted	3

13. PRIVATE MEMBERS RESOLUTIONS:

(i)	Received	14
(ii)	Admitted	14
(iii)	Discussed	3
(iv)	Adopted	Nil
(v)	Negatived	1
(vi)	Withdrawn	1
(vii)	Part-discussed	1
(viii)	Discussions postponed	Nil

14. GOVERNMENT MOTIONS:

(i)	Notices received	1
(ii)	Admitted	1
(iii)	Discussed	Nil
(iv)	Adopted	Nil
(v)	Part-discussed	Nil

15. PRIVATE MEMBERS MOTIONS :

(i)	Notices received	664
(ii)	Admitted	249
(iii)	Moved	Nil
(iv)	Discussed	Nil
(v)	Adopted	Nil
(vi)	Negatived	Nil
(vii)	Withdrawn	Nil
(viii)	Part-discussed	Nil

16. MOTIONS RE: MODIFICATION OF STATUTORY RULE:

(i)	Received	6
(ii)	Admitted	3
(iii)	Moved	Nil
(iv)	Discussed	Nil
(v)	Adopted	Nil
(vi)	Negatived	Nil
(vii)	Withdrawn	Nil
(viii)	Part-discussed	Nil

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

Nil

18. TOTAL NUMBER OF VISITORS, Passes ISSUED DURING THE SESSION	34,486
19. MAXIMUM NUMBER OF VISITORS, PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	1,758 on 2 April, 1986
20. NUMBER OF ADJOURNMENT MOTIONS	
(i) Brought before the House	40
Admitted and discussed	1
(iii) Barred in view of adjournment motion admitted on the subject	39
(iv) Consent withheld by Speaker outside the House	157
(v) Consent given by Speaker but leave not granted by the House	Nil
21. TOTAL NUMBER OF QUESTIONS ADMITTED :	
(i) Starred	968
(ii) Unstarred (including Starred Questions converted as Unstarred Questions)	9,326
(iii) Short Notice Questions—	2
22. WORKING OF PARLIAMENTARY COMMITTEES	

Sl. No.	Name of the Committee	No. of sittings held during the period 1 January to 30 June 1986	No. of Reports presented to the House during the Session
1	2	3	4
	(i) Business Advisory Committee	6	6
	(ii) Committee on Absence of Members	2	2
	(iii) Committee on Public Undertakings	32	6
	(iv) Committee on Papers Laid on the Table	7	4
	(v) Committee on Petitions	9	1
	(vi) Committee on Private Members, Bills and Resolutions	9	9
	(vii) Committee on the Welfare of Scheduled Castes and Scheduled Tribes	20	10
	(viii) Committee of Privileges	6	
	(ix) Committee on Government Assurances	4	2
	(x) Committee on Subordinate Legislation	17	4
	(xi) Estimates Committee	16	11
	(xii) General Purposes Committee	1	

1	2	3	4
	(xiii) House Committee	3	
	(a) Accommodation Sub-committee of House Committee	5	
	(b) Sub-committee on Amenities . . . . .	..
	(c) Sub-committee on Furnishing . . . . .	..
	(xiv) Public Accounts Committee	29	24
	(xv) Railway Convention Committee	11	..
	(xvi) Rules Committee	1	
	JOINT/SELECT COMMITTEES		
	(i) Joint Committee on Offices of profit	10	1
	(ii) Joint Committee on Salaries and Allowances of Member of Parliament	1	
	(iii) Joint Committee of Chairmen, House Committees of both the Houses of parliament		
	(iv) Joint Committée on Lok Pal Bill . . . . .	..	..
23.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE . . . . .	..	18
24.	PETITIONS PRESENTED		2
25.	NUMBER OF NEW MEMBERS SWORN WITH DATE		
	<i>No. of Members sworn</i>		<i>Date on which sworn</i>

APPENDIX II

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

1. PERIOD OF THE SESSION	20 February to 20 March, 1986.
2. NUMBER OF SITTINGS HELD	20
3. TOTAL NUMBER OF SITTING HOURS	123 hours and 15 minutes
4. NUMBER OF DIVISIONS HELD	Nil
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	7
(ii) Introduced	5
(iii) Laid on the Table as passed by Lok Sabha	9
(iv) Returned by Lok Sabha with any amendment	Nil
(v) Referred to Select Committee by Rajya Sabha	Nil
(vi) Referred to Joint Committee by Rajya Sabha	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	12
(x) Passed	5
(xi) Withdrawn	Nil
(xii) Negatived	Nil
(xiii) Part-discussed	Nil
(xiv) Returned by Rajya Sabha without any recommendation	7
(xv) Discussion postponed	Nil
(xvi) Pending at the end of the Session	9
6. PRIVATE MEMBERS' BILLS	
(i) Pending at the commencement of the Session	29
(ii) Introduced	7
(iii) Laid on the Table as passed by Lok Sabha	Nil
(iv) Returned by Lok Sabha with any amendment and laid on the Table	Nil

(v) Reported by Joint Committee	Nil
(vi) Discussed	3
(vii) Withdrawn	2
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement/death of member-in-charge of the Bill	3*
(xvi) Pending at the end of the Session	31
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matter of urgent Public Importance)	
(i) Notices received	2
(ii) Admitted	2
(iii) Discussion held	2
8. NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling-Attention to Matters of Urgent Public Importance).	
Statement made by Ministers	4
9. HALF-AN-HOUR DISCUSSIONS HELD	4 Notices received and 1 was admitted
10. STATUTORY RESOLUTIONS	
(i) Notices received	4
(ii) Admitted	4
(iii) Moved	4
(iv) Adopted	Nil
(v) Negatived	3
(vi) Withdrawn	1
11. GOVERNMENT RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	1

* 3 Bills including one part discussed, lapsed on 2 April, 1986 due to retirement of members-in-charge of Bills.

12. PRIVATE MEMBERS RESOLUTIONS

(i) Received	8
(ii) Admitted	8
(iii) Discussed	1
(iv) Withdrawn	1
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	Nil
(viii) Discussion postponed	Nil

13. GOVERNMENT MOTIONS

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

14. PRIVATE MEMBERS MOTIONS

(i) Received	541
(ii) Admitted	541
(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	4
(ii) Admitted	4
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	Nil
(vii) Part-discussed	Nil

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

17. TOTAL NUMBER OF VISITORS' PASSES ISSUED 2004

18. TOTAL NUMBER OF PERSONS VISITED	2,997
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	216 on 6 March 1986
20. MAXIMUM NUMBER OF PERSONS VISITED ON ANY SINGLE DAY AND DATE ON WHICH VISITED	275 on 6 March 1986
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	348
(ii) Unstarred	2,398
(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 1 January to 31 March 1986	No. of Reports presented during the Session
(i) Business Advisory Committee	4	—
(ii) Committee on Subordinate Legislation	8	—
(iii) Committee on Petitions	7	2
(iv) Committee of Privileges	—	—
(v) Committee on Rules	1	1
(vi) Committee on Government Assurances	7	1
(vii) Committee on Papers Laid on the Table	1	1
(viii) General Purposes Committee	—	—
(ix) Joint Committee on Mental Health Bill, 1981	5	—

24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE	2
25. PETITIONS PRESENTED	Nil

26. NAME OF NEW MEMBERS SWORN WITH DATES

S.No.	Name of members sworn	Date on which sworn
1	2	3
1	Shri Sagar Rayka	20-2-1986
2.	Shri T.S. Gurung	17-3-1986

27. OBITUARY REFERENCE

S.No.	Name	Sitting member/ Ex-member/other Dignitaries
1.	Shri R.T. Parthasarathy	Ex-member
2.	Shri Maheswar Naik	Ex-member
3.	Shrimati Rukmini Devi Arundale	Ex-member
4.	Shri N. Ramakrishna Iyer	Ex-member
5.	Shri K.K. Shah	Ex-member
6.	Mr. Olof Palme	Prime Minister, Sweden

APPENDIX II (Contd.)

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

1. PERIOD OF THE SESSION	21 April to 14 May 1986
2. NUMBER OF SITTINGS HELD	15
3. TOTAL NUMBER OF SITTING HOURS	111 hours and 22 minutes
4. NUMBER OF DIVISIONS HELD	7
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	9
(ii) Introduced	2
(iii) Laid on the Table as passed by Lok Sabha	10
(iv) Returned by Lok Sabha with any amendment	Nil
(v) Referred to Select Committee by Rajya Sabha	Nil
(vi) Referred to Joint Committee by Rajya Sabha	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	1
(ix) Discussed	10
(x) Passed	6
(xi) Withdrawn	Nil
(xii) Negatived	Nil
(xiii) Part-discussed	Nil
(xiv) Returned by Rajya Sabha without any recommendation	4
(xv) Discussion postponed	Nil
(xvi) Pending at the end of the Session	11

6. PRIVATE MEMBERS' BILLS

(i) Pending at the commencement of the Session	31
(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
(vi) Discussed	1
(vii) Withdrawn	Nil
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement/death of member-in-charge of the Bill.	Nil
(xvi) Pending at the end of the Session	33

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (MATTERS OF URGENT PUBLIC IMPORTANCE)

(i) Notices received	1
(ii) Admitted	1
(iii) Discussion held	1

8. NUMBER OF STATEMENTS MADE UNDER RULE 180

(Calling-Attention to Matters of Urgent Public Importance).

Statements made by Ministers	4
--	---

9. HALF-AN-HOUR DISCUSSION HELD Nil

10. STATUTORY RESOLUTIONS

(i) Notices received	1
(ii) Admitted	1
(iii) Moved	1
(iv) Adopted	Nil
(v) Negatived	1
(vi) Withdrawn	Nil

11. GOVERNMENT RESOLUTIONS

(i) Notices received	2
(ii) Admitted	2
(iii) Moved	2
(iv) Adopted	2

12. PRIVATE MEMBERS' RESOLUTIONS

(i) Received	4
(ii) Admitted	4
(iii) Discussed	1
(iv) Withdrawn	1
(v) Negatived	Nil
(vi) Adopted	Nil
(vii) Part-discussed	Nil
(viii) Discussion postponed	Nil

13. GOVERNMENT MOTIONS

(i) Notices received	1
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil

14. PRIVATE MEMBERS' MOTIONS

(i) Received	101
(ii) Admitted	101
(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	3
(ii) Admitted	3
(iii) Moved	1

(iv) Adopted	Nil
(v) Negatived	1
(vi) Withdrawn	Nil
(vii) Part-discussed	Nil
16. NUMBER OF PARLIAMENTARY COMMITTEES CREATED, IF ANY, DURING THE SESSION	Nil
17. TOTAL NUMBER OF VISITOR PASSES ISSUED	2,156
18. TOTAL NUMBER OF PERSONS VISITED	2,963
19. MAXIMUM NUMBER OF VISITOR PASSES ISSUED ON ANY SINGLE DAY AND DATE ON WHICH ISSUED	432 on 8 May, 1986
20. MAXIMUM NUMBER OF PERSONS VISITED ON ANY SINGLE DAY AND DATE ON WHICH VISITED	532 on 8 May, 1986
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	258
(ii) Unstarred	1,523
(iii) Short-Notice Questions	Nil
22. DISCUSSION ON THE WORKING OF THE MINISTRIES	
(i) Ministry of Water Resources	
(ii) Ministry of Labour	
(iii) Ministry of Information and Broadcasting	
23. WORKING OF PARLIAMENTARY COMMITTEES	

Name of Committee	No. of meetings held during the period 1 April to 30 June, 1986.	No. of Reports presented during the Session.
(i) Business Advisory Committee	4	No report of the Committee is presented to the House
(ii) Committee on Subordinate Legislation	4	2
(iii) Committee on Petitions	2	1
(iv) Committee of Privileges	—	..
(v) Committee on Rules	—	1 (on 19-3-86)
(vi) Committee on Government Assurances	—	..
(vii) Committee on Papers Laid on the Table	7	1

1	2	3
(viii) General Purposes Committee	1	

24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE 3

25. PETITIONS PRESENTED Nil

26. NAME OF NEW MEMBERS SWORN WITH DATES

Sl. No.	Name of members sworn	Date on which sworn
1	2	3
1	Shrimati Renuka Chowdhury	21-4-1986
2	Shri Prabhakar Rao Kalvala	Do.
3	Shri G. Swamy Naik	Do.
4	Shri Gopala Rao Rao	Do.
5	Shri Vijaya Mohana Reddy	Do.
6	Shri Talari Manohar	Do.
7	Shrimati Bijoya Chakravarty	Do.
8	Shri Nagen Saikia	Do.
9	Shri Chandan Sharma	Do.
10	Shri D.B. Chandra Gowda	Do.
11	Shri K.G. Maheswarappa	Do.
12	Shrimati Margaret Alva	Do.
13	Shri Naik Ramayya Shivappa	Do.
14	Shri M.A. Baby	Do.
15	Shri B.V. Abdulla Koya	Do.
16	Shri T.K.C. Vaduthala	Do.
17	Shri Hokishe Sema	Do.
18	Shri Narayan Kar	Do.
19	Shrimati Amrita Pritam (Nominated)	14-5-1986

27. OBITUARY REFERENCES

Sl. No.	Name	Sitting member/ Ex-member/Other Dignataries
1	Shri Omprakash Tyagi	Ex-member
2	Shri Narinder Singh Brar	Ex-member
3	Shri Tenzing Norgay	Renowned Indian Mountaineer

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 JANUARY TO 30 JUNE, 1986.

Legislature	1	2	3	4	5	6	7	8
	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions	
STATES								
Andhra Pradesh L. A.	19-2-86 to 3-4-86	30	15	—	514(80)(a)	(145) (b)	669(56)	
Assam L. A.	—	—	—	—	—	—	—	
Bihar L. A.	27-2-86 to 12-3-86	10	2(2)	—	(1600)	(1138)	(52)	
Bihar L. C.	27-2-86 to 13-3-86	11	2(2)	—	590(641)	(16)	293(101)	
Gujarat L. A.	16-1-86 to 25-3-86	42	21(17)	24	3930(1912)	256(34)	121(15)	
Haryana L. A.	17-2-86 to 28-2-86	10	15(15)	—	132(113)	26(16)	—	
	21-6-86 (adjourned on the same day)	1	—	—	19(1)	—	—	
Himachal Pradesh L. A.	5-3-86 to 27-3-86	15	9(9)	—	1101(561)(c)	195(401)(d)	7(2)	
Jammu & Kashmir L. A.	—	—	—	—	—	—	—	
Jammu & Kashmir L. C.	—	—	—	—	—	—	—	
Karnataka L. A.	20-1-86 to 13-2-86 and 20-2-86 to 20-3-86	41	28(27)	—	2033(831)	711(711)	45(15)	
Karnataka L. C.	20-1-86 to 22-3-86	37	27(27)	1	975(809)	4257(e)	23(3)	

1	2	3	4	5	6	7	8
Kerala L. A.	14-3-86 to 31-3-86 and 21-6-86 to 31-7-86	10 21	6(5)	—	2065(506)(f) 6263(1634) (g)	(1222) (3542)	5(3)
Madhya Pradesh L. A.	25-2-86 to 25-4-86 and	32	12(12)	1	8346(1325)	(2320)	11(3)
Madhya Pradesh L. C.	16-6-86 to 23-6-86	6	9(8)	1	867(241)(i)	(292)	6(3)
Maharashtra L. A.	6-1-86 to 24-1-86 and 17-3-86 to 25-3-86	15 7	13(3)	13	10,196(722)	751(146)	570(110)
Maharashtra L. C.	—	—	—	—	—	—	—
Manipur L. A.	10-3-86 to 17-3-86 and 2-6-86 to 30-6-86	6 20	4(4) 5(4)	—	161(111)	4(4)	2(2)
McG'halaya L. A.	28-2-86 to 16-4-86	31	4(3)	—	346(276)	73(13) 402(395)	21(11)
Nagaland L. A.	6-3-86 to 21-3-86	10	2(2)	—	76(76)	27(27)	—
Orissa L. A.	—	—	—	—	—	—	—
Punjab L. A.	3-3-86 to 31-3-86	19	14(14)	1	647(325)	94(51)	25(10)
Rajasthan L. A.	20-1-86 to 2-4-86	29	26(15)	—	3,402(839)	3,216(1,140)	41
Sikkim L. A.	17-3-86 to 21-3-86	5	4(4)	—	—	—	—
Tamil Nadu L. A.	8-1-86 to 29-1-86 17-3-86 to 15-5-86	11 41	30(24) 33(37)	—	1488(465) 1,326(460)	436(436) 318(318)	73(64) 102(95)
Tamil Nadu L. C.	8-1-86 to 16-5-86	37	(59)	1	311(167)	21(21)	—
Tripura L. A.	17-1-86 to 27-1-86 and 17-3-86 to 31-3-86	6 12	2(2) 3(3)	—	461(287) 630(460)	18(10) 14(93)	(1) (1)

Uttar Pradesh L. A.	6-2-86 to 2-4-86	37	13(13)	...	2,668(1,339) (U)	1,468(3,692) (K)	2,835(487)
Uttar Pradesh L. C.	6-2-86 to 2-4-86	28	5(14)	—	243(296)(I)	23(54)(m)	271(106)
West Bengal L. A.	3-3-86 to 7-5-86	39	22(22)	—	1,763(1,307)	736(559)	12(11)
UNION TERRITORIES							
Arunachal Pradesh L. A.	24-3-86 to 28-3-86	4	2(2)	—	132(116)	58(58)	—
Delhi Metropolitan Council	—	—	—	—	—	—	—
Goa, Daman & Diu L. A.	20-1-86 to 21-1-86 and 24-3-86 to 1-4-86	2 4	2(1) 4(2)	—	259(228)	2(247)(n)	1
Mizoram L. A.	10-3-86 to 31-3-86	14	6(6)	—	119(118)	1(1)	—
Pondicherry L. A.	24-3-86 to 23-4-86	—	2(2)	—	864(864)	614(614)	—

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) The figure 80 includes 2 Short Notice Questions admitted as Starred Questions.

(b) All the 145 Notices were received as Starred Notices and admitted as Unstarred.

(c) The figure 561 includes 14 notices postponed from previous session.

(d) The figure 401 includes 178 notices postponed from previous Session and 110 Starred Notices classified as Unstarred.

(e) The figure 257 includes 253 Starred Question Notices treated as Unstarred.

(f) The figure 2,065 includes the total number of notices of Questions received during the Session.

(g) The figure 6,263 includes the total number of notices of questions received during the Session.

(h) The figure 8,346 includes the total number of Starred and Unstarred notices received.

(i) The figure 867 includes the total number of Starred and Unstarred notices received.

(j) The figure 1,339 includes 860 Short Notice Questions admitted as Starred Questions.

(k) The figure 3,692 includes 1,562 notices received as Starred and 995 notices received as Short Notice Questions.

(l) The figure 296 includes 121 Short Notice Questions admitted as Starred.

(m) The figure 54 includes 24 notices received as Starred and 7 Notices received as Short Notice Questions.

(n) The figure 247 includes 245 Starred Questions treated as Unstarred.

- (b) House Committee on Sale of Bachelor Quarters—2 sittings, House Committee on C. I. Wells—5 sittings, House Committee on Mining Corporations—3 sittings; House Committee on A. P. Carbides—1 sitting; and House Committee on marketed—1 sitting.
- (c) Amnities Committee—2 sittings; and Committee on Welfare of Backward Classes—16 sittings.
- (d) Known as Miscellaneous Committee.
- (e) Committee on the Welfare of Scheduled Castes—9 sittings and 4 reports; and Committee on the Welfare of Scheduled tribes—9 sittings and 7 reports.
- (f) Committee on Panohayati Raj—21 sittings and 2 reports; Committee on Socially and Educationally Backward Classes, Nomadic Tribes and D-notified Tribes—3 sittings and 1 report; Members Allowances Rules Committee—2 sittings; Committee on Absence of Members—2 sittings and 2 reports; and Committee of the House appointed to inquire into the incident of mass killing of 4 Vankars at Village Golana (Distt. Kaira)—5 sittings and 1 report.
- (g) Committee on Papers laid on the Table of the House—5 sittings and 1 report; and Official Language Implementation Committee—2 sittings.
- (h) Select Committee on L.A. Bill No. 4 of 1984 (Salaries and Allowances/Amendment Bill)—2 sittings; Select Committee on General Sales Tax (L.A. Bill PM No. 1 of 1985)—3 sittings; Select Committee on a Bill further to amend the CPC Samrat (L.A. Bill No. 18 of 1985)—1 sitting; Select Committee on Members' Pension Bill (L.A. Bill No. 19 of 1985)—1 sitting; Select Committee on J & K Public Premises Act (L.A. Bill No. 20 of 1984)—2 sittings; and Select Committee on J & K Development (Amendment) Bill (L.A. Bill No. 6 of 1984)—1 sitting.
- (i) Committee of the House constituted to look into the matters connected with the Distribution of timber and firewood in the concessional Zones in the State.
- (j) Welfare of Backward Classes Committee.
- (k) Subject Committee-I : Agriculture and Integrated Rural Development—10 sittings and 1 report; Subject Committee-II : Law, Revenue, Forests and Fisheries—4 sittings and 1 report; Subject Committee -III : Irrigation and Power—3 sittings and 1 report; Subject Committee-IV: Public Works, Transport and Communications—5 sittings and 1 report; Subject Committee-V : Public Works, Transport and Communication 5 sittings and 1 report; subject Committee-VI: Social Services—4 sittings and 1 report; Subject Committee-VII: Food, Housing and Labour—6 sittings and 1 report; Subject Committee VIII : Economic Affairs—4 sittings and 1 report; Subject Committee-IX : Local Administration and Cooperation—10 sittings and 1 report; and Subject Committee-X Home Affairs—4 sittings and 1 report.
- (l) Committee on Papers laid on the Table of the House.
- (m) Committee on Welfare of Scheduled Castes—7 sittings and 4 reports; and Committee on Welfare of Scheduled Tribes—13 sittings and 1 report.
- (n) Committee on Papers Laid on the Table.

- (o) Committee on Welfare of Scheduled Castes—33 sittings; and Committee on Welfare of Scheduled Tribes—36 sittings.
- (p) Rules Committee—2 sittings and Rules Sub-Committee—33 sittings.
- (q) Committee on Welfare of Scheduled Castes—4 sittings and 1 report and Committee on Welfare of ST—6 Sittings and 1 report.
- (r) Committee on Absence of Members from the Sittings of the House—2 sittings; and Committee on Delegated Legislation—4 sittings.
- (s) Select Committee of the House on "The Uttar Pradesh Journalists Welfare and Pension Fund Bill, 1985"—6 sittings; and Joint Committee relating to Accommodation—3 sittings.
- (t) Committee on Questions and References—15 sittings and 1 report; and Committee on Parliamentary Research, Reference and Studies—2 sittings.
- (u) Select Committee on U.P. Krishi Evam Pradyogik Vishwa-Vidyalaya (Sanshodhan) Vidheyak., 1981.
- (v) Financial and Administrative Delays Committee—256 sittings; Compilation of Ruling Committee—36 sittings; Parliamentary Studies Committee—17 sittings; Sansadiya Evan Samajik Sadbhav Committee—23 sittings, and Questions and References Committee—24 sittings.
- (w) Select Committee on the West Bengal Open University Bill, 1985.
- (x) Committee on Papers Laid on the Table.

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD 1 JANUARY TO 30 JUNE, 1986

S. No.	Title of the Bill	Date of assent by the Presi- dent
1	2	3
1.	The Sick Industrial Companies (Special Provisions) Bill, 1985.	8-1-1986
2.	The Agricultural and Processed Food Products Export Development Authority Bill, 1985	8-1-1986
3.	The Agricultural and Processed Food Products Cess Bill, 1985.	8-1-1986
4.	The Delegated Legislation Provisions (Amendment) Bill, 1985.	14-1-1986
5.	The Central Excise Tariff Bill, 1985.	19-1-1986
6.	The Additional Duties of Excise (Textiles and Textile Articles) Amendment Bill, 1985.	20-1-1986
7.	The Additional Duties of Excise (Goods of Special Importance) Amendmnet Bill, 1985.	20-1-1986
8.	The Customs Tariff (Amendment) Bill, 11985.	24-1-1986
9.	The Motor Vehicles (Amendment) Bill, 1985.	13-3-1986
10.	The Spices Board Bill, 1986.	20-3-1986
11.	The Spices Cess Bill, 1986.	20-3-1986
12.	The Appropriation (Vote on Account) Bill, 1986.	22-3-1986
13.	The Appropriation Bill, 1986.	25-3-1986
14.	The Contract Labour (Regulation and Abolition) Amendment Bill, 1986.	25-3-1986
15.	The Appropriation (Railways) Bill, 1986.	25-3-1986
16.	The Appropriation (Railways) No. 2 Bill, 1986.	25-3-1986
17.	The Appropriation (Railways) No. 3 Bill, 1986.	25-3-1986
18.	The Appropriation (No.2) Bill, 1986.	25-3-1986
19.	The Administrative Tribunals (Amendment) Bill, 1986.	25-3-1986
20.	The Inter-State Water Disputes (Amendment) Bill, 1986.	2-4-1986
21.	The Appropriation (No. 3) Bill, 1986.	3-5-1986

1	2	3
22.	The Supreme Court (Number of Judges) Amendment Bill, 1986.	9-5-1986
23.	The Finance Bill, 1986.	13-5-1986
24.	The Tea (Amendment) Bill, 1986.	14-5-1986
25.	The Muslim Women (Protection of Rights on Divorce) Bill, 1986.	19-5-1986
26.	The Income-tax (Amendment) Bill, 1986.	21-5-1986
27.	The Coal Mines Labour Welfare Fund (Repeal) Bill, 1986.	23-5-1986
28.	The Wild Life (Protection) Amendment Bill, 1986.	23-5-1986
29.	The Environment (Protection) Bill, 1986.	23-5-1986
30.	The Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Bill, 1986.	30-5-1986

APPENDIX V

LIST OF BILLS PASSED BY THE STATE LEGISLATURES DURING THE PERIOD 1 JANUARY TO 30 JUNE, 1986.

STATES

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

1. The Andhra Pradesh Appropriation Bill, 1986.
2. The Andhra Pradesh Appropriation (No.2) Bill, 1986.
3. The Andhra Pradesh Gram Panchayats and Panchayat Samithis and Zila Parishads (Amendment) Amending Bill, 1986.
4. The Andhra Pradesh Entertainments Tax (Amendment) Bill, 1986.
5. The Andhra Pradesh Gram Panchayats (Amendment) Bill, 1986.
6. The Andhra Pradesh (Andhra Area) Drugs (Control) Repeal Bill, 1985.
- *7. The Andhra Pradesh Government Lands and Buildings (Termination of Leases) Bill, 1985.
- *8. The Andhra Pradesh Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1985.
- *9. The Andhra Pradesh Tenants and Ryots Protection (Amendment) Bill, 1985.
- *10. The Andhra Pradesh (Telangana Area) Abolition of Inams (Amendment) Bill, 1986.
11. The Vishakhapatnam Municipal Corporation (Amendment) Bill, 1986.
12. The Universities Health Sciences Bill, 1986.
13. The Andhra Pradesh Payment of Salaries and Pension and Removal of Disqualifications (Amendment) Bill, 1986.
- *14. The Andhra Pradesh Land Revenue (Additional Wet Assessment) Amendment Bill, 1986.
- *15. The Indian Stamp (A. P. Amendment) Bill, 1986.
16. The Andhra Pradesh Corneal Grafting (Amendment) Bill, 1986.

BIHAR LEGISLATIVE ASSEMBLY

1. The Bihar Appropriation (Vote on Account) Bill, 1986.
2. The Bihar Appropriation Bill, 1986.

BIHAR LEGISLATIVE COUNCIL

1. Bihar Viniyog Vidheyak, 1986.
2. Bihar Viniyog (Lekhanudan) Vidheyak, 1986.

*Awaiting assent

GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Carriage of Goods Taxation (Amendment) Bill, 1986.
2. The Gujarat Legislative Assembly (Removal of Disqualifications) (Amendment) Bill, 1986.
3. The Gujarat Sales Tax (Amendment) Bill, 1986.
4. The Gujarat Town Planning and Urban Development (Amendment) Bill, 1986.
5. The Bombay Provincial Municipal Corporations (Gujarat Amendment) Bill, 1986.
6. The Gujarat Contingency Fund (Temporary Increase) Bill, 1986.
7. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Bill, 1986.
8. The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Bill, 1986.
9. The Gujarat Closed Textile Undertakings (Nationalisation) Bill, 1986.
10. The Gujarat University (Extension of Term of Executive Council) Bill, 1986.
11. The Gujarat Industrial Development (Amendment) Bill, 1986.
12. The Gujarat (Supplementary) Appropriation Bill, 1986.
13. The Gujarat Entertainments Tax (Amendment) Bill, 1986.
14. The Gujarat Sales Tax (Second Amendment) Bill, 1986.
15. The Gujarat Sales Tax (Third Amendment) Bill, 1986.
16. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 1986.
17. The Gujarat Appropriation Bill, 1986.

HARYANA LEGISLATIVE ASSEMBLY

1. The Haryana Cooperative Societies (Amendment) Bill, 1986.
2. The Haryana General Sales Tax (Amendment and Validation) Bill, 1986.
3. The Haryana Public Service Commission (Additional Function) Amendment Bill, 1986.
4. The Maharshi Dayanand University (Amendment) Bill, 1986.
5. The Haryana Public Premises and Land (Eviction and Rent Recovery) Amendment Bill, 1986.
6. The Haryana Village Common Lands (Regulation) Haryana Amendment Bill, 1986.
7. The Haryana Rural Development Bill, 1986.
8. The Haryana Appropriation (No. 1) Bill, 1986.
9. The Haryana Cooperative Societies (Second Amendment) Bill, 1986.
10. The Haryana Urban (Control of Rent and Eviction) Amendment Bill, 1986.
11. The Haryana Housing Board (Amendment) Bill, 1986.
12. The Haryana Municipal (Amendment and Validation) Bill, 1986.
13. The Haryana General Sales Tax (Second Amendment) Bill, 1986.

14. **The Haryana Appropriation (No. 2) Bill, 1986.**
15. **The Haryana Legislative Assembly (Allowances and Pension of Members) Amendment Bill, 1986.**

KARNATAKA LEGISLATIVE ASSEMBLY

1. **The Karnataka Zilla Parishads, Taluk Panchayat Samithis, Mandal Panchayats & Nyaya Panchayats (Amendment) Bill, 1986.**
2. **The Karnataka Land Revenue (Amendment) Bill, 1986.**
3. **The Karnataka Slum Areas (Improvement and Clearance) (Amendment) Bill, 1986.**
4. **The Karnataka Lokayuktha (Amendment) Bill, 1986.**
5. **The Karnataka Industrial Establishments (National and Festival Holidays) (Amendment) Bill, 1986.**
6. **The Karnataka Marine Fishing (Regulation) Bill, 1986.**
7. **The Karnataka Municipal Corporations (Amendment) Bill, 1986.**
8. **The Cotton Ginning and Pressing Factories (Karnataka Amendment) Bill, 1986.**
9. **The Karnataka Traffic Control (Amendment) Bill, 1986.**
10. **The Motor Vehicles (Karnataka Amendment) Bill, 1986.**
11. **The Karnataka State Universities (Amendment) Bill, 1986.**
12. **The Karnataka Land Reforms (Amendment) Bill, 1986.**
13. **The Karnataka Civil Services (Exclusion of Services rendered by the Government Servants as local candidates computing the services for promotion to selection time scale of pay) Bill, 1986.**
14. **The Karnataka Shops & Commercial Establishments (Amendment) Bill, 1986.**
15. **The Karnataka Land Revenue (Second Amendment) Bill, 1986.**
16. **The Karnataka Harbour Terminal Authority Bill, 1986.**
17. **The Karnataka Appropriation Bill, 1986.**
18. **The Karnataka Appropriation (No. 2) Bill, 1986.**
19. **The Karnataka Appropriation (No. 3) Bill, 1986.**
20. **The Karnataka Appropriation (No. 4) Bill, 1986.**
21. **The Karnataka Tax on Entry of Goods into Local Areas for Consumption, Use or Sale therein (Amendment) Bill, 1986.**
22. **The Karnataka Agricultural Income Tax (Amendment) Bill, 1986.**
23. **The Karnataka Sales Tax (Amendment) Bill, 1986.**
24. **The Karnataka Tax on Professions, Trades, Callings and Employments (Amendment) Bill, 1986.**
25. **The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1986.**
26. **The University of Agricultural Sciences (Amendment) Bill, 1986.**

27. The Karnataka Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Bill, 1986.
28. The National Law School of India Bill, 1986.

KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Zilla Parishads, Taluk Panchayat Samitis, Mandal Panchayats and Nyaya Panchayats (Amendment) Bill, 1986.
2. The Karnataka Appropriation Bill, 1986.
3. The Karnataka Appropriation (No. 2) Bill, 1986.
4. The Karnataka Appropriation (No. 3) Bill, 1986.
5. The Karnataka Appropriation (No. 4) Bill, 1986.
6. The Karnataka Tax on Entry of Goods, into Local areas for Consumption, Use or Sale therein (Amendment) Bill, 1986.
7. The Karnataka Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Bill, 1986.
8. The Karnataka Agricultural Income Tax (Amendment) Bill, 1986.
9. The Karnataka Sales Tax (Amendment) Bill, 1986.
10. The Karnataka Tax on Professions, Trades, Callings and Employments (Amendment) Bill, 1986.
11. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 1986.
12. The Karnataka Lokayukta (Amendment) Bill, 1986.
13. The University of Agricultural Sciences (Amendment) Bill, 1986.
14. The Karnataka Land Revenue (Amendment) Bill, 1986.
15. The Karnataka Slum Areas (Improvement & Clearance) (Amendment) Bill, 1986.
16. The Karnataka Municipal Corporation (Amendment) Bill, 1986.
17. The Karnataka Traffic Control (Amendment) Bill, 1986.
18. The Motor Vehicles (Karnataka Amendment) Bill, 1986.
19. The Karnataka Marine Fishing (Regulation) Bill, 1986.
20. The Karnataka Harbour Terminal Authority Bill, 1986.
21. The Karnataka Industrial Establishments (National and Festival Holidays) (Amendment) Bill, 1986.
22. The Karnataka Civil Services (Exclusion of Services rendered by the Government Servants as local candidates computing the services for promotion to selection time scale of pay) Bill, 1986.
23. The National Law School of India Bill, 1986.
24. The Cotton Ginning and Pressing Factories (Karnataka Amendment) Bill, 1986.
25. The Karnataka Shops & Commercial Establishments (Amendment) Bill, 1986.
26. The Karnataka Land Reforms (Amendment) Bill, 1986.
27. The Karnataka State Universities (Amendment) Bill, 1986.

KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Appropriation Bill, 1986.
2. The Kerala Appropriation (No. 2) Bill, 1986.
3. The Kerala Appropriation (No. 3) Bill, 1986.
4. The Kerala Appropriation (No. 4) Bill, 1986.
5. The Kerala Appropriation (Vote on Account) Bill, 1986.

MADHYA PRADESH VIDHAN SABHA

1. The Madhya Pradesh Karadhan (Sanshodhan) Vidheyak, 1986.
2. The Madhya Pradesh Audyogik Sambandh (Sanshodhan) Vidheyak, 1986.
3. The Madhya Pradesh Viniyog (No.1) Vidheyak, 1986.
4. The Madhya Pradesh Vishwavidyalaya (Sanshodhan) Vidheyak, 1986.
5. The Indore Textiles Limited (Upkram Ka Arjan Aur Antaran) Vidheyak, 1986.
6. The Madhya Pradesh Viniyog (Lekhanudan) Vidheyak, 1986.
7. The Madhya Pradesh Lok Seva Ayog (Prakriya Ka Viniyaman) Nirsen Vidheyak, 1986.
8. The Madhya Pradesh Motor Vehicles Taxation (Amendment) Bill, 1986.
9. The Madhya Pradesh Vidhan Sabha Sadasya Vetan Bhatta Tatha Pension (Sanshodhan) Vidheyak, 1986.
10. The Madhya Pradesh Viniyog (No. 2) Vidheyak, 1986.
11. The Madhya Pradesh Sthaniya Chhetra Me Mal Ke Pravesh Par Kar (Sanshodhan) Vidheyak, 1986.
12. The Madhya Pradesh Samanya Vikraya-Kar (Sanshodhan) Vidheyak, 1986.
13. The Madhya Pradesh Cooperative Societies (Amendment) Bill, 1986.
14. The Madhya Pradesh Samaj Ke Kamjor Vargon Ke Liye Vidhik Sahayata Tatha Vidhik Salah (Sanshodhan) Vidheyak, 1986.
15. The Madhya Pradesh Krishi Upaj Mandi (Sanshodhan) Vidheyak, 1986.
16. The Madhya Pradesh Electricity Duty (Amendment) Bill, 1986.
17. The Madhya Pradesh Municipal Corporation (Amendment) Bill, 1986.
18. The Madhya Pradesh Prashasnik Adhikaran (Nirsan) Vidheyak, 1986.
19. Indian Partnership (Madhya Pradesh Amendment) Bill, 1986.
20. The Madhya Pradesh General Sales Tax (Second) (Amendment) Bill, 1986.

MAHARASHTRA LEGISLATIVE ASSEMBLY

- *1. The Maharashtra Co-operative Societies (Second Amendment) Bill, 1985.
2. The Bombay Homoeopathic and Biochemic Practitioners' (Amendment) Bill, 1986.
3. The Maharashtra Secondary and Higher Secondary Education Boards (Amendment) Bill, 1986.

*Awaiting assent

4. The Bombay Electricity Duty (Amendment) Bill, 1986.
5. The Bombay Municipal Corporation (Amendment) Bill, 1986.
6. The Maharashtra Zilla Parishads and Panchayat Samitis and the Dissolution of Osmanabad and Parbhani Zilla Parishads and Temporary Postponement of Elections (Amendment) Bill, 1986.
7. The Bombay Municipal Corporation, Bombay Provincial Municipal Corporations, City of Nagpur Corporation, Nagpur Improvement Trust and Maharashtra Municipalities (Amendment) Bill, 1986.
8. The Maharashtra Housing and Area Development (Amendment) Bill, 1986.
9. The Maharashtra (Supplementary) Appropriation Bill, 1986.
10. The Maharashtra Appropriation (Excess Expenditure) Bill, 1986.
- *11. The Maharashtra Housing and Area Development (Second Amendment) Bill, 1986.
12. The Maharashtra (Second Supplementary) Appropriation Bill, 1986.
13. The Maharashtra Appropriation (Vote on Account) Bill, 1986.
- *14. The Bombay City Civil Court and Bombay Court of Small Causes (Enhancement of Pecuniary Jurisdiction and Amendment) Bill, 1986.
15. The Maharashtra High Court (Hearing of Writ Petitions by Division Bench and Abolition of letters Patent Appeals) Bill, 1986.
16. The Maharashtra Co-operative Societies (Amendment) Bill, 1986.
17. The Maharashtra Ministers' Salaries and Allowances (Amendment) Bill, 1986.
18. The Maharashtra Legislative Council (Chairman and Deputy Speaker) Salaries and Allowances (Amendment) Bill, 1986.
19. The Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Bill, 1986.
20. The Maharashtra Apartment Ownership (Amendment) Bill, 1986.
21. The Maharashtra Ownership Flats (Regulation of the Promotion of construction, sale, Management and Transfer) (Amendment) Bill, 1986.
22. The Bombay Rents, Hotel and Lodging House Rates Control (Extension of Duration) Bill, 1986.

MANIPUR LEGISLATIVE ASSEMBLY

1. Manipur Appropriation (No.1) Bill, 1986.
2. Manipur Appropriation (No.2) Bill 1986.
3. Manipur Appropriation (No.3) Bill, 1986.
4. Manipur Appropriation (No.4) Bill, 1986.
- *5. The Manipur Appropriation (No.5) Bill, 1986.
- *6. The Manipur Land Revenue and Land Reforms (Fifth Amendment) Bill, 1986.
- *7. The Salaries and Allowances of Members of the Legislative Assembly (Manipur) (Tenth Amendment) Bill, 1986.
- *8. The Assam Sales Tax (Manipur Third Amendment) Bill, 1986.

*Awaiting assent

MEGHALAYA LEGISLATIVE ASSEMBLY

1. The Meghalaya Appropriation (No.1) Bill, 1986.
2. The Meghalaya Appropriation (Vote-on-Account) Bill, 1986.
3. The Meghalaya Appropriation (No.II) Bill, 1986. .
- *4. The Meghalaya State Housing Bill, 1986.

NAGALAND LEGISLATIVE ASSEMBLY

- *1. The Nagaland Cattle Trespass Bill, 1985.
- *2. The Nagaland Agricultural Produce Marketing Regulation Bill, 1985,

PUNJAB VIDHAN SABHA

1. The Punjab Municipal (Executive Officer) Amendment-Bill, 1986.
2. The Punjab Appropriation (No. 1) Bill, 1986.
3. The Punjab Cooperative Land Mortgage Banks (Amendment) Bill, 1986.
4. The Punjab Agricultural Produce Markets (Amendment) Bill, 1986.
5. The Punjab Appropriation (No. 2) Bill, 1986.
6. The Punjab Contingency Fund (Amendment) Bill, 1986.
7. The Code of Criminal Procedure (Punjab Amendment) Repeal and Miscellaneous Provisions Bill, 1986.
8. The Punjab Passengers and Goods Taxation (Amendment) Bill, 1986.
9. The Punjab General Sales Tax (Amendment) Bill, 1986.
10. The Punjab Legislative Assembly (Allowances of Members) Amendment Bill, 1986.
11. The Punjab Entertainments Duty (Amendment) Bill, 1986.
12. The Punjab State Legislature Members (Pension and Medical Facilities Regulation) Amendment Bill, 1986.
13. The Punjab Motor Spirit (Taxation of Sales) Amendment Bill, 1986.
14. The Punjab Gram Panchayat (Amendment) Bill, 1986.

RAJASTHAN LEGISLATIVE ASSEMBLY

1. The Rajasthan Appropriation (No. 1) Bill, 1986.
2. The Rajasthan Appropriation (No. 2) Bill, 1986.
3. The Rajasthan Finance Bill, 1986.
4. The Rajasthan Money and Lenders (Amendment) Bill, 1986.
5. The Rajasthan Excise (Amendment) Bill, 1986.
6. The Rajasthan Tenancy (Amendment) Bill, 1986.
7. The Rajasthan Nurses, Midwives, Health Visitors and Auxiliary Nurse-Midwives Registration (Amendment) Bill, 1986.

*Awaiting assent

8. The Rajasthan Agricultural Produce Markets (Amendment) Bill, 1986.
9. The Rajasthan Lands and Buildings Tax (Amendment) Bill, 1986.
10. The Rajasthan Disciplinary Proceedings (Summoning of Witnesses and Production of Documents) (Amendment) Bill, 1986.
11. The Rajasthan Sales Tax (Amendment) Bill, 1986.
12. The Rajasthan Anatomy Bill, 1986.
13. The Rajasthan Dacoity-Affected Areas Bill, 1986.
14. The Rajasthan Ministers' Salaries (Amendment) Bill, 1986.
15. The Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) (Amendment) Bill, 1986.

SIKKIM LEGISLATIVE ASSEMBLY

1. The Sikkim Sales Tax (Amendment) Bill, No. 1 of 1986.
2. The Sikkim Appropriation Bill, No. 2 of 1986.
3. The Sikkim Appropriation Bill, No. 3 of 1986.
4. The Sikkim Appropriation Bill, No. 4 of 1986.

TAMIL NADU LEGISLATIVE ASSEMBLY

1. The Tamil Nadu District Municipalities (Amendment) Bill, 1986.
2. The Tamil Nadu Panchayats (Amendment) Bill, 1986.
3. The Madras City Municipal Corporation (Amendment) Bill, 1986.
4. The Coimbatore City Municipal Corporation (Amendment) Bill, 1986.
5. The Madurai City Municipal Corporation (Amendment) Bill, 1986.
6. The Tamil Nadu Municipal Councils (Appointment of Special Officers) Amendment Bill, 1986.
7. The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Bill, 1986.
8. The Tamil Nadu Panchayats (Appointment of Special Officers) Amendment Bill, 1986.
9. The Tamil Nadu Panchayats (Second Amendment) Bill, 1986.
10. The Tamil Nadu Prohibition (Amendment) Bill, 1986.
- *11. The Payment of Wages (Tamil Nadu Amendment) Bill, 1986.
12. The Pachaiyappa's Trust (Taking over of Management) Amendment Bill, 1986.
13. The Anna University (Amendment) Bill, 1986.
14. The Tamil University (Amendment) Bill, 1986.

*Awaiting assent.

15. The Bharathiar University and the Bharathidasan University (Amendment) Bill, 1986.
16. The Madras Race Club (Acquisition and Transfer of Undertaking) Bill, 1986.
17. The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural Produce Markets (Amendment and Special Provisions) Amendment Bill, 1986.
18. The Tamil Nadu Payment of Salaries (Amendment) Bill, 1986.
19. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Bill, 1986.
20. The Tamil Nadu Agricultural Service Co-operative Societies (Appointment of Special Officers) Bill, 1986.
21. The Tamil Nadu Appropriation Bill, 1986.
22. The Tamil Nadu Appropriation (No. 2) Bill, 1986.
23. The Tamil Nadu Appropriation (Vote on Account) Bill, 1986.
24. The Tamil Nadu Appropriation (No. 3) Bill, 1986.
25. The Tamil Nadu Inam Abolition Laws (Validation of Proceedings) Bill, 1986.
26. The Tamil Nadu Survey and Boundaries (Amendment) Bill, 1986.
27. The Tamil Nadu Debt Relief (Amendment) Bill, 1986.
28. The Tamil Nadu Legislature (Prevention of Disqualification) Amendment Bill, 1986.
29. The Tamil Nadu Panchayats (Third Amendment) Bill, 1986.
30. The Tamil Nadu Appropriation (Vote on Account) Bill, 1986
31. The Tamil Nadu Appropriation (No. 3) Bill, 1986.
32. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Bill, 1986.
- *33. The Tamil Nadu Urban Land Tax (Amendment) Bill, 1986.
34. The Tamil Nadu General Sales Tax (Amendment) Bill, 1986.
35. The Tamil Nadu Entertainments Tax (Amendment) Bill, 1986.
36. The Tamil Nadu Agricultural Produce Markets (Amendment) Bill, 1986.
- *37. The Tamil Nadu Recognised Private Schools (Regulation) Amendment Bill, 1986.
38. The Tamil Nadu Appropriation (No. 4) Bill, 1986.
- *39. The Tamil Nadu Cyclone and Flood Affected Area Cultivating Tenants (Special Provisions) Bill, 1986.
- *40. The Tamil Nadu Flood Affected Area Cultivating Tenants (Temporary Relief) Bill, 1986.
41. The Tamil Nadu Open Place (Prevention of Disfigurement) Amendment Bill, 1986.
42. The Tamil Nadu Motor Vehicles Taxation (Amendment) Bill, 1986.
43. The Tamil Nadu Prohibition (Second Amendment) Bill, 1986.

*Awaiting assent.

44. The Tamil Nadu Entertainments Tax (Second Amendment) Bill, 1986.
45. The Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders Goondas, Immoral Traffic Offenders and Slum-grabbers (Amendment) Bill, 1986.
- *46. The Madras Race Club (Acquisition and Transfer of Undertaking) (Amendment) Bill, 1986.
- *47. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment (Amendment) Bill, 1986.
48. The Tamil Nadu Cinemas (Regulation) Amendment Bill, 1986.
49. The Tamil Nadu Municipal Laws (Amendment) Bill, 1986.
50. The Tamil Nadu Panchayats (Fourth Amendment) Bill, 1986.
51. The Tamil Nadu Entertainments Tax (Third Amendment) Bill, 1986.
52. The Tamil Nadu Entertainments Tax (Fourth Amendment) Bill, 1986.
- *53. The Tamil Nadu Khadi and Village Industries (Amendment) Bill, 1986.
54. The Tamil Nadu General Sales Tax (Second Amendment) Bill, 1986.
55. The Tamil Nadu General Sales Tax (Third Amendment) Bill, 1986.
56. The Tamil Nadu General Sales Tax (Fourth Amendment) Bill, 1986.
57. The Tamil Nadu General Sales Tax (Fifth Amendment) Bill, 1986.
58. The Tamil Nadu General Sales Tax (Sixth Amendment) Bill, 1986.
59. The Tamil Nadu General Sales Tax (Seventh Amendment) Bill, 1986.
60. The Tamil Nadu Additional Sales Tax (Amendment) Bill, 1986.
61. The Tamil Nadu Tax on Luxuries in Hotels and Lodging Houses (Amendment) Bill, 1986.

TAMIL NADU LEGISLATIVE COUNCIL

1. The Tamil Nadu District Municipalities (Amendment) Bill, 1986.
2. The Tamil Nadu Panchayats (Amendment) Bill, 1986.
3. The Madras Race Club (Acquisition and Transfer of Undertaking) Bill, 1986.
4. The Madras City Municipal Corporation (Amendment) Bill, 1986.
5. The Coimbatore City Municipal Corporation (Amendment) Bill, 1986.
6. The Madurai City Municipal Corporation (Amendment) Bill, 1986.
7. The Tamil Nadu Councils (Appointment of Special Officers) Amendment Bill, 1986.
8. The Tamil Nadu Panchayat Union Councils (Appointment of Special Officers) Amendment Bill, 1986.
9. The Tamil Nadu Panchayats (Appointment of Special Officers) Amendment Bill, 1986.
10. The Tamil Nadu Panchayats (Second Amendment) Bill, 1986.

*Awaiting assent.

11. The Tamil Nadu Prohibition (Amendment) Bill, 1986.
12. The Pachaiyappa's Trust (Taking over of Management) Amendment Bill, 1986.
13. The Anna University (Amendment) Bill, 1986.
14. The Tamil University (Amendment) Bill, 1986.
15. The Bharathiar University and the Bharathidasan University (Amendment) Bill, 1986.
16. The Tamil Nadu Appropriation Bill, 1986.
17. The Tamil Nadu Appropriation (No. 2) Bill, 1986.
18. The Tamil Nadu Agricultural Produce Markets and the Tamil Nadu Agricultural produce Markets (Amendment and Special Provisions) Amendment Bill, 1986.
19. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Bill, 1986.
20. The Tamil Nadu Agricultural Service Co-operative Societies (Appointment of Special Officers) Bill, 1986.
21. The Tamil Nadu Payment of Salaries (Amendment) Bill, 1986.
22. The Tamil Nadu Appropriation (Vote on Account) Bill, 1986.
23. The Tamil Nadu Appropriation (No. 3) Bill, 1986.
- *24. The payment of wages (Tamil Nadu Amendment) Bill, 1986.
- *25. The Tamil Nadu Drugs and other Stores (unlawful Possession) Bill, 1986.
- *26. The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Second Amendment Bill, 1986.
27. The Tamil Nadu Panchayats (Third Amendment) Bill, 1986.
28. The Tamil Nadu Appropriation (No. 4) Bill, 1986.
29. The Tamil Nadu Recognised Private Schools (Regulations) Amendment Bill, 1986.
30. The Tamil Nadu Agricultural Produce Markets (Amendments) Bill, 1986.
- *31. The Tamil Nadu Inam Abolition Laws (Validation of Proceedings) Bill, 1986.
- *32. The Tamil Nadu Survey and Boundaries (Amendment) Bill, 1986.
33. The Tamil Nadu Legislature (Prevention of Disqualification) Amendment Bill, 1986.
- *34. The Tamil Nadu Urban Land Tax (Amendment) Bill, 1986.
- *35. The Tamil Nadu Cyclone and Flood Affected Areas Cultivating Tenant (Temporary Relief) Bill, 1986.
36. The Tamil Nadu Debt Relief (Amendment) Bill, 1986.
- *37. The Tamil Nadu Land Reforms (Fixation of Ceiling on Land) Amendment (Amendment) Bill, 1986.
38. The Tamil Nadu Open Places (Prevention of Disfigurement) Amendment Bill, 1986.
39. The Tamil Nadu Cinemas (Regulation) Amendment Bill, 1986.
- *40. The Tamil Nadu Motor Vehicles Taxation (Amendment) Bill, 1986.

*Awaiting assent.

- *41. The Tamil Nadu Prevention of Dangerous Activities of Bootleggers, Drug Offenders, Goondas, Immoral Traffic Offenders and Slumgrabbers (Amendment) Bill, 1986.
- *42. The Madras Race Club (Acquisition and Transfer of Undertakings) Amendment Bill, 1986.
- 43. The Tamil Nadu Municipal Law (Amendment) Bill, 1986.
- 44. The Tamil Nadu Panchayats (Fourth Amendment) Bill, 1986.
- 45. The Tamil Nadu Prohibition (Second Amendment) Bill, 1986.
- *46. The Tamil Nadu Khadi and Village Industries Board (Amendment) Bill, 1986.
- 47. The Tamil Nadu Entertainments Tax (Amendment) Bill, 1986.
- 48. The Tamil Nadu Entertainments Tax (Second Amendment) Bill, 1986.
- 49. The Tamil Nadu Entertainment Tax (Third Amendment) Bill, 1986.
- 50. The Tamil Nadu Entertainments Tax (Fourth Amendment) Bill, 1986.
- 51. The Tamil Nadu General Sales Tax (Amendment) Bill, 1986.
- 52. The Tamil Nadu General Sales Tax (Second Amendment) Bill, 1986.
- 53. The Tamil Nadu General Sales Tax (Third Amendment) Bill, 1986.
- 54. The Tamil Nadu General Sales Tax (Fourth Amendment) Bill, 1986.
- 55. The Tamil Nadu General Sales Tax (Fifth Amendment) Bill, 1986.
- 56. The Tamil Nadu General Sales Tax (Sixth Amendment) Bill, 1986.
- 57. The Tamil Nadu General Sales Tax (Seventh Amendment) Bill, 1986.
- 58. The Tamil Nadu Additional Sales Tax (Amendment) Bill, 1986.
- 59. The Tamil Nadu Tax on Luxuries in Hotels and Lodging Houses (Amendment) Bill, 1986.

TRIPURA LEGISLATIVE ASSEMBLY

- 1. The Tripura Appropriation Bill, 1986.
- 2. The Tripura Appropriation (No. 2) Bill, 1986.
- 3. The Tripura Appropriation (No. 3) Bill, 1986.
- 4. The Tripura Panchayats (Amendment) Bill, 1986.
- 5. The Tripura Educational Institutions (Acquisition of Right, Title and Interest) (Second Amendment) Bill, 1986.

UTTAR PRADESH LEGISLATIVE ASSEMBLY

- 1. The Indian Electricity (Uttar Pradesh Amendment) Bill, 1986.
- 2. The Uttar Pradesh Appropriation (Supplementary 1985-86) Bill, 1986.
- 3. The Uttar Pradesh Co-operative Societies (Amendment) Bill, 1986.

*Awaiting assent.

4. The Uttar Pradesh Imposition of Ceiling on Land Holding (Amendment) Bill, 1986.
5. The Uttar Pradesh Shiksha Niyamtran (Sanshodhan) Vidheyak, 1986.
6. The Uttar Pradesh Special Area Development Authorities Bill, 1986.
7. The Uttar Pradesh Sales of Motor Spirit Diesel Oil and Alcohol Taxation (Amendment) Bill, 1986.
8. The Uttar Pradesh Urban Local Self-Government Laws (Amendment) Bill, 1986.
9. The Uttar Pradesh Gangsters and Anti-Social Activities (Prevention) Bill, 1986.
10. The Uttar Pradesh Zila Parishads (Alpakalik Vyawastha) (Sanshodhan) Vidheyak, 1986.
11. The Uttar Pradesh Appropriation (Second Supplementary 1985-86) Bill, 1986.
12. The Uttar Pradesh Appropriation Bill, 1986.
13. The Uttar Pradesh State Legislative (Members' Emoluments and Pension) (Amendment) Bill, 1986.

UTTAR PRADESH LEGISLATIVE COUNCIL

1. Uttar Pradesh Viniyog (1985-86 Ka Anupurak) Vidheyak, 1986.
2. Bhartiya Vidyut (Uttar Pradesh Sanshodhan) Vidheyak, 1986.
3. The Uttar Pradesh Vishesh Kshetra Vikas Pradhikaran Vidheyak, 1986.
4. The Uttar Pradesh Shiksha Niyamtran (Sanshodhan) Vidheyak, 1986.
5. The Uttar Pradesh Motor Spirit, Diesel Oil Tatha Alcohol Bikri Karadhan (Sanshodhan) Vidheyak, 1986.
6. The Uttar Pradesh Girohaband Aur Samaj Virodhi Kriyakalap (Nivaran) Vidheyak, 1986.
7. The Uttar Pradesh Viniyog (1985-86 Ka Dwitiya Anupurak) Vidheyak, 1986.
8. The Uttar Pradesh Viniyog Vidheyak, 1986.
9. The Uttar Pradesh Vidhan Mandal (Sadasyon Ki Uplabdhhiyan Aur Pension) Sanshodhan) Vidheyak, 1986.
10. The Uttar Pradesh Sahkari Samiti (Sanshodhan) Vidheyak, 1986.
11. The Uttar Pradesh Adhiktam Jot Seema Aropan (Sanshodhan) Vidheyak, 1986.
12. The Uttar Pradesh Nagar Swyatta Shasan Vidhi (Sanshodhan) Vidheyak, 1986.
13. The Uttar Pradesh Zilla Parishad (Alpakalik Vyavastha) (Sanshodhan) Vidheyak 1986.
14. Kushat Rogi (Uttar Pradesh Nirvan) Vidheyak, 1986.

WEST BENGAL LEGISLATIVE ASSEMBLY

1. The West Bengal Land Reforms (Amendment) Bill, 1986.
2. The West Bengal Premises Tenancy (Amendment) Bill, 1986.

3. The West Bengal Premises Requisition and Control (Temporary Provisions) (Amendment) Bill, 1986.
4. The Louis Jubilee Sanatorium (Acquisition) Bill, 1986.
5. The West Bengal Appropriation (Vote on Account) Bill, 1986.
6. The West Bengal Appropriation Bill, 1986.
7. The West Bengal Taxation Laws (Amendment) Bill, 1986.
8. The Calcutta Hackney-Carriage (Amendment) Bill, 1986.
9. The Bidhan Chandra Krishi Viswa Vidyalaya (Amendment) Bill, 1986.
10. The Rabindra Bharati (Amendment) Bill, 1986.
- *11. The West Bengal Land Reforms (Second Amendment) Bill, 1986.
12. The West Bengal Motor Vehicles Tax (Amendment) Bill, 1986.
13. The Bengal Municipal (Amendment) Bill, 1986.
14. The West Bengal Local Bodies (Electoral Offences and Miscellaneous Provisions) (Amendment) Bill, 1986.
- *15. The West Bengal Non-Agricultural Tenancy (Amendment) Bill, 1986.
16. The Calcutta Municipal Corporation (Amendment) Bill, 1986.
- *17. The Industrial Disputes (West Bengal Amendment) Bill, 1986.
- *18. The Industrial Disputes (West Bengal Second Amendment) Bill, 1986.
19. The West Bengal Appropriation (No. 2) Bill, 1986.
20. The West Bengal Board of Secondary Education (Amendment) Bill, 1986
- *21. The West Bengal Legislature (Members' Pension) Bill, 1986.
- *22. The West Bengal Legislative Assembly (Members' Emoluments) (Amendment) Bill, 1986.

UNION TERRITORIES

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Arunachal Pradesh Appropriation Bill, 1986.
2. The Arunachal Pradesh Appropriation (No.2) Bill, 1986.

GOA, DAMAN & DIU LEGISLATIVE ASSEMBLY

1. The Cinematographic (Goa, Daman & Diu Amendment) Bill, 1986.
2. The Goa, Daman & Diu Labour Welfare Fund Bill, 1986.
3. The Goa, Daman & Diu Supplementary Appropriation Bill, 1986.
4. The Goa, Daman & Diu Appropriation (Vote on Account) Bill, 1986.
- *5. The Goa, Daman & Diu Toddy Tappers Welfare Fund (Amendment) Bill, 1986.
- *6. The Goa, Daman & Diu Prevention of Defacement of Property Bill, 1986.

*Awaiting assent.

MIZORAM LEGISLATIVE ASSEMBLY

- 1. The Mizoram Union Territory Legislature Members' (Removal of Disqualification) Amendment Bill, 1986
2. The Mizoram Appropriation Bill, 1986.
- 3. The Lushai Hills District (Village Councils) (Amendment) Bill, 1986.
4. The Mizoram Appropriation (No.2) Bill, 1986.
- 5. The Mizoram Khadi and Village Industries Board (Amendment) Bill, 1986.
- 6. The Mizoram Housing Development Board Bill, 1986.

PONDICHERRY LEGISLATIVE ASSEMBLY

1. The Appropriation (Vote on Account) Bill, 1986.
2. The Appropriation Bill, 1986.
- 3. The Pondicherry Civil Courts (Amendment) Bill, 1986.
- 4. The Slum Areas (Improvement and Clearance) (Pondicherry Amendment) Bill (No. 4 1986.
5. The Pondicherry Non-Agricultural Kuidiyiruppudars (Stay of Eviction Proceedings) (Amendment) Bill (No. 5) 1986.
6. The Appropriation (No. II) Bill (No. 6) 1986.
- 7. The Pondicherry General Sales Tax (Amendment) Bill (No. 7) 1986.
- 8. The Pondicherry Excise (Amendment) Bill, 1986.
- 9. The Pondicherry Motor Vehicles Taxation (Amendment) Bill, 1986.
10. The Anglo-French Textiles Limited (Acquisition and Transfer of Textile Undertakings) Bill, 1986.

APPENDIX—VI
ORDINANCES ISSUED BY THE CENTRAL AND STATE GOVERNMENTS DURING THE PERIOD 1 JANUARY TO 30 JUNE, 1986

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 Administrative Tribunals (Amendment) Ordinance, 1986 (No. 1 of 1986)	22-1-86	20-2-86		Replaced by Legislation
2.	The Ravi and Beas Waters Tribunal Ordinance, 1986 (No. 2 of 1986)	24-1-86	20-2-86	3-4-86	
3.	The Contract Labour (Regulation and Abolition) Amendment Ordinance, 1986 (No. 3 of 1986)	28-1-86	20-2-86		Replaced by Legislation
4.	The Motor Vehicles (Amendment) Ordinance, 1986 (No. 4 of 1986)	28-1-86	20-2-86		Do.
5.	The Swadeshi Cotton Mills Company Limited (Acquisition and Transfer of Undertakings) Ordinance, 1986 (No. 5 of 1986)	19-4-86	23-4-86		Do.
6.	The Commissions of Inquiry (Amendment) Ordinance, 1986 (No. 6 of 1986)	14-5-86	17-7-86	28-8-86	
STATE GOVERNMENTS					
ANDHRA PRADESH					
1.	The Andhra Pradesh Gram Panchayats and Panchayat Samitis and Zilla Parishads (Amendment) Amending Ordinance, 1985.	31-12-85	20-2-86		Replaced by legislation.
2.	The Andhra Pradesh Entertainment Tax (Amendment) Ordinance, 1986	2-1-86	Do.		Do.

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BIHAR

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|-----|--|----|----|----|----|
| 1. | The Bihar Contingency Fund (Amendment) Fourth Ordinance, 1983. | .. | .. | .. | .. |
| 2. | The Bihar Intermediate Education Third Ordinance, 1985. | .. | .. | .. | .. |
| 3. | The Bihar State University (Constituent College) Services Commission Fourth Ordinance, 1985. | .. | .. | .. | .. |
| 4. | The Patna University (Amendment) Fifth Ordinance, 1988. | .. | .. | .. | .. |
| 5. | The Bihar State University (Amendment) Fifth Ordinance, 1985. | .. | .. | .. | .. |
| 6. | The Bihar Non-Government Secondary School (Management and Control Adoption) (Amendment) Fifth Ordinance, 1985. | .. | .. | .. | .. |
| 7. | The Bihar Coal Mines Regional Development Authority Fourth Ordinance 1985. | .. | .. | .. | .. |
| 8. | The Bihar Sugarcane (Supply and Purchase Regulation) (Amendment) Ordinance, 1985. | .. | .. | .. | .. |
| 9. | The Public Waqf (Delimitation Extension) (Bihar Amendment) Ordinance, 1985. | .. | .. | .. | .. |
| 10. | The Patna University (Amendment) Ordinance, 1986. | .. | .. | .. | .. |
| 11. | The Bihar State University (Amendment) Ordinance, 1986. | .. | .. | .. | .. |

GUJARAT

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|---|--|----------|---------|---------|---------------------------|
| 1 | The Gujarat Legislative Assembly Members (Removal of Dis-qualifications) (Amendment) Ordinance 1985. | 18-10-85 | 16-1-86 | 28-2-86 | Replaced by legis-lation. |
|---|--|----------|---------|---------|---------------------------|

	25-10-85	16-1-86	28-2-86	Replaced by Legislation.
2. The Gujarat Carriage of Goods Taxation (Amendment) Ordinance, 1985.		Do.	Do.	Do.
3. The Gujarat Closed Textile Undertakings (Nationalisation) Ordinance, 1985.	7-11-85	Do.	Do.	Do.
4. The Gujarat Contingency fund (Temporary Increase) Ordinance, 1985.	3-12-85	Do.	Do.	Do.
5. The Gujarat Sales Tax (Amendment) Ordinance, 1985.	5-12-85	Do.	Do.	Do.
6. The Bombay Inams (Kutch Area) Abolition (Gujarat Amendment) Ordinance 1985.	31-12-85	Do.	Do.	Do.
7. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Ordinance, 1985.	Do.	Do.	Do.	Do.
8. The Gujarat University (Extension of Term of Executive Council, Ordinance, 1986.	2-1-86	Do.	Do.	Do.
9. The Gujarat Contingency Fund (Temporary Increase) Ordinance, 1986.	1-4-86	—	—	Do.
10. The Bombay Provincial Municipal Corporations (Gujarat Amendment) Ordinance, 1986.	9-4-86	—	—	—
11. The Gujarat Contingency Fund (Temporary Increase)(Second) Ordinance, 1986.	7-5-86	—	—	—
12. The North Gujarat University Ordinance, 1986.	17-5-86	—	—	—
13. The Bombay Primary Education (Gujarat Amendment) Ordinance, 1986	22-5-86	—	—	—
14. The Gujarat Sick Textile Undertakings (Nationalisation) Ordinance, 1986.	30-6-86	—	—	—
HIMACHAL PRADESH				
15. The Himachal Pradesh Scheduled Castes and Scheduled Tribes Development Corporation (Amendment) Ordinance, 1986.	7-5-86	—	6-11-86	—

1	2	3	4	5	6
		KARNATAKA			
1.	The National Law Schools of India Ordinance, 1986.	8-1-86	23-1-86	--	Replaced Legislation by
2.	Karnataka Improvement Board (Amendment) Ordinance 1986.	6-6-86	--	--	--
3.	The Karnataka Departmental Enquiries (Enforcement of Attendance of Witnesses, Production of Documents and Miscellaneous Provisions) (Amendment) Ordinance, 1986.	-do-	--	--	--
4.	The Bangalore Development Authority (Amendment) Ordinance, 1986.	-do-	--	--	--
5.	The Karnataka Kidney Transplantation Ordinance, 1986.	-do-	--	--	--
6.	The Karnataka Agricultural Produce Marketing (Regulation) (Amendment) Ordinance, 1986.	17-6-86	--	--	--
7.	The Karnataka Corneal Grafting (Amendment) Ordinance, 1986.	6-6-86	--	--	--
8.	The Karnataka Municipal Corporations (Amendment) Ordinance, 1986.	27-6-86	--	--	--
9.	The Karnataka Co-operative Textile Mills Acquisition and Transfer Ordinance 1986.		do-		
		KERALA			
1.	The Kerala Co-operative Societies (Amendment) Ordinance, 1986.	14-2-86	17-3-86	--	--
2.	The Cochin University of Science and Technology Ordinance, 1986.	23-2-86	-do-	--	--
3.	The Kerala Municipalities (Amendment) Ordinance, 1986.	28-2-86	-do-	--	--
4.	The Kerala Panchayats (Amendment) Ordinance, 1986.	31-3-86	23-6-86	--	--

5	The Kerala Municipalities (Second Amendment) Ordinance, 1986.	-do-	-do-	-
6	The Kerala Municipal Corporations (Amendment) Ordinance, 1986.	-do-	-do-	-
7	The Kerala Civil Courts (Amendment) Ordinance, 1986.	5-4-86	-do-	-
8	The Kerala Tolls (Amendment) Ordinance, 1986.	19-4-86	-do-	-
9	The Kerala Motor Vehicles Taxation (Amendment) Ordinance, 1986.	-do-	-do-	-
10	The Kerala Fishermen Welfare Societies (Amendment) Ordinance, 1986.	-do-	-do-	-
11	The Kerala Marine Fishing Regulation (Amendment) Ordinance, 1986.	-do-	-do-	-
12	The Kerala Public Buildings (Eviction of Unauthorised Occupants) Amendment Ordinance, 1986.	-do-	-do-	-
13	The Kerala Advocates Welfare Fund (Amendment) Ordinance, 1986.	19-4-86	23-6-86	-
14	The Kerala Co-operative Societies (Amendment) Ordinance, 1986.	-do-	-do-	-
15	The Kerala Agricultural University (Amendment) Ordinance, 1986.	-do-	-do-	-
16	The Irrigation Laws (Amendment) Ordinance, 1986.	-do-	-do-	-
17	The Kerala Forest (Amendment) Ordinance, 1986.	-do-	-do-	-
18	The Kerala Co-operative Societies Ordinance, 1986.	-do-	-do-	-
19	The Travancore Cochin Hindu Religious Institutions (Amendment) Ordinance, 1986.	-do-	-do-	-
20	The Kerala Survey and Boundaries (Amendment) Ordinance, 1986.	-do-	-do-	-
21	The Gandhiji University (Amendment) Ordinance, 1986.	-do-	-do-	-
22	The University Laws (Amendment) Ordinance, 1986.	-d-	-do-	-
23	The Kerala Labour Welfare Fund (Amendment) Ordinance, 1986.	-d-	-do-	-

1	2	3	4	5	6
24	The Kerala Municipalities (Amendment) Ordinance, 1986.	19-4-86	23-6-86	—	—
25	The Town Planning Laws (Amendment) Ordinance, 1986.	-do-	-do-	—	—
26	The Kerala General Sales Tax (Amendment) Ordinance, 1986	21-4-86	-do-	—	—
27	The Kerala Water and Waste Water Ordinance, 1986.	26-4-86	-do-	—	—
28	The Kerala Money-Lenders (Amendment) Ordinance, 1986.	-do-	-do-	—	—
29	The Kerala Essential Articles Control Ordinance, 1986.	-do-	-do-	—	—
30	The Kerala Cochin University of Science and Technology Ordinance, 1986	-do-	-do-	—	—
31	The Kerala Grandhasala Sangham (Taking Over of Management) Amendment Ordinance, 1986.	-do-	-do-	—	—
32	The Kerala Marine Fishing Regulation (Second Amendment) Ordinance, 1986.	-do-	-do-	—	—
33	The Kerala Command Areas Development Ordinance, 1986.	26-4-86	23-6-86	—	—
34	The Kerala Private Forests (Vesting and Assignment) Amendment Ordinance, 1986	-do-	-do-	—	—
35	The Kerala Preservation of Trees Ordinance, 1986	-do-	-do-	—	—
36	The Kerala Essential Services Maintenance Ordinance, 1986	5-6-86	-do-	—	—
37	The Gandhiji University (Second Amendment) Ordinance, 1986	12-6-86	-do-	—	—

MAHARASHTRA

				Replaced Legislation.	by
1	The Bombay Homoeopathic and Biochemic Practitioners' (Amendment) Ordinance, 1985.	28-10-85	6-1-86	29-1-86	
2	The Maharashtra Secondary and Higher Secondary Education Boards (Amendment) Ordinance, 1985.	6-11-85	-do-	30-1-86	-do-
3	The Bombay Electricity Duty (Amendment) Ordinance, 1985.	8-11-85	-do-	-do-	-do-
4	The Bombay Municipal Corporation (Amendment) Ordinance, 1985.	29-11-85	-do-	28-1-86	-do-
5	The Maharashtra Contingency Fund (Amendment) Ordinance, 1985.	6-12-85	-do-	17-2-86	Cease to operate.

6 The Maharashtra Zilla Parishads and Panchayat Samitis and the Dissolution of Osmanabad and Purbhani Zilla Parishads and Temporary Postponement of Elections (Amendment) Ordinance, 1985.

7 The Bombay Municipal Corporation, Bombay Provincial Municipal Corporations, City of Nagpur Corporation, Nagpur Improvement Trust and Maharashtra Municipalities (Amendment) Ordinance, 1985.

8. The Maharashtra Housing & Area Development (Second Amendment) Ordinance, 1985.

9 The Maharashtra Housing and Area Development (Amendment) Ordinance, 1986.

MEGHALAYA

1 The Meghalaya State Housing Board Ordinance, 1986.

TAMIL NADU

1 The Madras City Municipal Corporation (Second Amendment) Ordinance, 1986.

				Replaced Legislation.	by
		-do-	-do-	28-1-86	
		20-12-85	-do-	29-1-86	-do-
		31-12-85	-do-	15-2-86	-do-
		26-2-86	17-3-86	30-4-86	-do-
		—	28-2-86	—	-do-
		30-5-86	5-6-86	—	—

1	2	3	4	5	6
2	The Coimbatore City Municipal Corporation (Second Amendment) Ordinance, 1986.	30-5-86	5-6-86	—	—
3	The Tamil Nadu Municipal Laws (Second Amendment) Ordinance, 1986.	25-6-86	1-7-86	—	—
4	The Tamil Nadu Agricultural Services Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 1986.	26-6-86	2-7-86	—	—
TRIPURA					
1	The Tripura Panchayats (Amendment) Ordinance, 1985.	31-10-85	20-1-86	—	—
UTTAR PRADESH					
1	The Indian Electricity (U.P. Amendment) Ordinance, 1986.	4-1-86	6-2-86	19-3-86	Replaced by Legislation.
2	The Uttar Pradesh Krishi Evam Podyogik Vihwar-Vidyalyaya (Sanshodhan) Adhyadesh, 1986.	-do-	-do-	21-3-86	—
3	The Uttar Pradesh Imposition of Ceiling on Land Holding (Amendment) Ordinance, 1986.	13-1-86	-do-	11-3-86	-do-
4	The Uttar Pradesh Gangsters and Anti Social Activities (Prevention) Ordinance, 1986.	15-1-86	-do-	19-3-86	-do-
5	The Uttar Pradesh Excise (Amendment) Ordinance, 1986.	26-4-86	—	—	—
6	The Uttar Pradesh State Universities (Amendment) Ordinance, 1986.	21-5-86	—	—	—
7	The Uttar Pradesh Krishi Utpadan Mandi Samitis (Alpakalik Vyavastha) (Sanshodhan) Adhyadesh, 1986.	-do-	—	—	—

					Replaced Legislation.	by
8	The Uttar Pradesh Sium Areas (Improvement and Clearance) (Amendment) Ordinance, 1986.	11-6-86	—	—	—	—
9	The Uttar Pradesh Co-operative Societies (Amendment) Ordinance, 1986.	21-6-86	—	—	—	—
10	The Uttar Pradesh Akasmikta Nidhi (Sanshodhan) Adhyadesh, 1985.	14-10-85	6-2-86	20-3-86	—	—
11	The Uttar Pradesh Vishesh Kshetra Vikas Pradhikaran Adhyadesh, 1985.	8-10-85	-do-	—	-do-	—
12	The Uttar Pradesh Motor Spirit Diesel Oil Tatha Alcohol Bikri Karadhan (Sanshodhan) Adhyadesh, 1985.	30-11-85	-do-	—	-do-	—
13	The Uttar Pradesh Sheera Niyantran (Sanshodhan) Adhyadesh, 1985.	-do-	-do-	—	-do-	—
14	The Uttar Pradesh Akasmikta Nidhi (Dwitiya Sanshodhan) Adhyadesh, 1985.	23-12-85	-do-	20-3-86	—	—
15	Bhartiya Vidyut (Uttar Pradesh Sanshodhan) Adhyadesh, 1986.	4-1-86	-do-	—	-do-	—
16	The Uttar Pradesh Krishi Evam Prodyogik Vishwavidyalaya (Sanshodhan) Adhyadesh, 1986.	-do-	-do-	20-3-86	—	—
17	The Uttar Pradesh Sahakari Samiti (Sanshodhan) Adhyadesh, 1985.	31-12-85	-do-	—	-do-	—
18	The Uttar Pradesh Nagar Swyattashasan Vidhi (Dwitiya Sansodhan) Adhyadesh, 1985.	-do-	-do-	—	-do-	—
19	The Uttar Pradesh Girohband Aur Samaj Virodhi Kriyakalap (Nivaran) Adhyadesh, 1986.	15-1-86	-do-	—	-do-	—
20	The Uttar Pradesh Adhikram Jot Seema Aropan (Sanshodhan) Adhyadesh, 1986.	13-1-86	-do-	—	-do-	—
WEST BENGAL						
1	The Bengal Municipal (Amendment) Ordinance, 1986.	31-1-86	5-3-86	13-4-86	-do-	-do-
2	The West Bengal Local Bodies (Electoral Offences and Miscellaneous Provisions) (Amendment) Ordinance, 1986.	-do-	-do-	-do-	-do-	-do-
3	The Lowis Jubilee Sanitorium (Acquisition) Ordinance, 1986.	16-2-86	-do-	-do-	-do-	-do-

APPENDIX VII
A PARTY POSITION IN LOE SABHA (As on 31 October, 1966)

Sl. No.	Name of State/Union Territory	STATES										Vacancies
		1	2	3	4	5	6	7	8	9	10	
		Seats	Congress (I)	Telugu Desam	CPI(M)	Other Parties	Unattached	Total				
1.	Andhra Pradesh	42	5	30	1	4(a)	1	41			1	
2.	Assam	14	4	..	..	7(b)	3	14			..
3.	Bihar	54	46	..	..	5(c)	1	52			2
4.	Gujarat	26	24	..	..	2(d)	..	26			..
5.	Haryana	10	10	..	..	..	..	10			..
6.	Himachal Pradesh	4	4	..	..	..	..	4			..
7.	Jammu & Kashmir	6	3	..	..	3(e)	..	6			..
8.	Karnataka	28	23	..	..	4(f)]	..	27			1
9.	Kerala	20	13	..	1	6(g)	..	20			..	
10.	Madhya Pradesh	40	40	..	..	..	..	40			..
11.	Maharashtra	48	42	..	..	3(h)	2	47			1
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	1			..
19.	Tamil Nadu	39	25	..	..	13(k)	1	39			..
20.	Tripura	2	..	..	2	..	..	2			..
21.	Uttar Pradesh	65	83	..	..	2(l)	..	85			..
22.	West Bengal	42	16	..	18	8(m)	..	42			..	

UNION TERRITORIES

23. Andaman & Nicobar	1	..	..	..	..	..	..	..	..	1	..	..
24. Arunachal Pradesh	2	..	..	..	..	..	..	..	..	2	..	..
25. Chandigarh	1	..	..	..	..	..	..	..	..	1	..	..
26. Dadra & Nagar Haveli	1	..	..	..	..	..	..	..	..	1	..	..
27. Delhi	7	..	..	..	..	..	..	..	..	7	..	..
28. Goa, Daman and Diu	2	..	..	..	..	..	..	..	..	2	..	..
29. Lakshadweep	1	..	..	..	..	..	..	..	..	1	..	..
30. Mizoram	1	..	..	..	..	..	..	..	..	1	..	..
31. Pondicherry	1	..	..	..	..	..	..	..	..	1	..	..
32. Nominated (Anglo-Indian)	2	..	..	..	..	..	..	..	..	2	..	..
	544	409	30	22	65	12	538*	5				

* Excluding the Speaker.

(a) Janata - 1; CPI(M) 1; Congress(S) - 1; and BJP - 1.

(b) AGP - 6; 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) Muslim League - 2; Kerala Congress - 2; Janata - 1; and Congress(S) - 1.

(h) Janata - 2; and Congress (S) - 1.

(i) Janata - 1.

(j) Akali Dal - 7.

(k) AIADMK - 11; and DMK - 2.

(l) Lok Dal - 2.

(m) CPI - 3; RSP - 3, and Forward Block - 2.

B. PARTY POSITION IN RAJYA SABHA (As on 18 November, 1986)

Sl. No.	States/Union	Seats	Cong(I)	Janata	CPI(M)	BJP	Other parties	unattached	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
STATES										
1.	Andhra Pradesh	18	7	1	—	—	10(a)	—	18	—
2.	Assam	7	5	—	—	—	2(b)	—	7	—
3.	Bihar	22	16	—	—	3	3(c)	—	22	—
4.	Gujarat	11	8	—	—	1	—	2	11	—
5.	Haryana	5	5	—	—	—	—	—	5	—
6.	Himachal Pradesh	3	3	—	—	—	—	—	3	—
7.	Jammu and Kashmir	4	2	—	—	—	1(d)	1	4	—
8.	Karnataka	12	5	6	—	—	—	1	12	—
9.	Kerala	9	3	—	2	—	4(e)	—	9	—
10.	Madhya Pradesh	16	13	—	—	3	—	—	16	—
11.	Maharashtra	19	15	1	—	1	2(f)	—	19	—
12.	Manipur	1	1	—	—	—	—	—	1	—
13.	Meghalaya	1	1	—	—	—	—	—	1	—
14.	Nagaland	1	1	—	—	—	—	—	1	—

15. Orissa	10	9	1	—	—	—	—	10	—
16. Punjab	7	5	—	—	—	—	2(g)	7	—
17. Rajasthan	10	8	—	—	—	1	—	10	1
18. Sikkim	1	1	—	—	—	—	—	1	—
19. Tamil Nadu	18	4	—	—	—	—	14(h)	18	—
20. Tripura	1	—	—	—	—	1	—	1	—
21. Uttar Pradesh	34	26	1	—	—	—	7(i)	34	—
22. West Bengal	16	1	—	—	—	10	4(j)	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	5	—	—	—	—	—	12	—

- (a) Telugu Desam—10.
 (b) Assam Gana Parishad (AGP)—2.
 (c) CPI —2; and Lok Dal—1.
 (d) National Conference—1.
 (e) Kerala Congress—1; Muslim League—1; Janata (G)—1; and CPI—1
 (f) Congress(S)—2.
 (g) Akali Dal—2.
 (h) AIADMK—11; and DMK—3.
 (i) Lok Dal—7.
 (j) 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
Andhra Pradesh L.A. (As on 1-4-86)	295	50	3	..	8	..	11	11	206(a)	5	294	1
Assam L.A. (As on 1-10-1986)	126	25	..	..	..	4	2	..	91(b)	4	126	..
Bihar L.A. (As on 30-6-86)	325	193	13	46	16	1	1	12	12(c)	29	322*	2
Bihar L.C. (As on 1-7-86)	96	42	2	4	..	..	..	7	2(d)	1	58	38
Gujarat L.A. (As on 1-7-86)	182	148	14	..	11	..	..	..	..	9	182	..
Haryana L.A. (As on 3-6-86)	90	61	8	10	4	..	..	..	3 (e)	1	87*	2
Himachal Pradesh L.A. (As on 1-4-86)	68	58	..	1	7	..	..	..	..	2	68	..
Jammu & Kashmir L.A. (As on 11-7-86)	78	26	..	..	..	..	..	..	36(f)	15	77	1
Jammu & Kashmir L.C. (As on 1-7-86)	36	2	..	..	..	..	..	..	16(g)	1	19	17

Karnataka L.A. (As on 1-7-86)	225	66	136	..	2	..	2	4	..	11	221*	3
Karnataka L.C. (As on 1-7-86)	63	12	15	..	6	..	..	..	..	5	38*	24
Kerala L.A. (As on 1-7-86)	141	31	4	..	..	9	29	12	42(h)	13	140*	..
Madhya Pradesh L.A. (As on 1-7-86)	321	246	5	..	58	1	..	..	1(i)	5	316*	4
Maharashtra L.C. (As on 1-4-86)	64	33	1	..	6	3	..	..	12(j)	9	64	..
Manipur L.A. (As on 1-7-86)	60	39	..	..	..	..	..	1	12(k)	8	60	..
Mizhalaya L.A. (As on 1-7-86)	60	38	..	..	..	..	..	..	20(l)	1	59*	..
Nagaland L.A. (As on 1-7-86)	60	40	..	..	..	..	..	..	17(m)	2	59	1
Punjab L.A. (As on 1-4-86)	117	32	1	..	6	..	..	1	73(n)	4	117	..
Rajasthan L.A. (As on 1-7-86)	200	115	10	27	38	..	1	..	..	9	200	..
Sikkim L.A. (As on 1-7-86)	32	1	..	..	..	..	..	..	30(o)	1	32	..
Tamil Nadu L.A. (As on 1-6-86)	235	62	3	..	..	..	5	2	161(p)	1	234*	..
Tamil Nadu L.C. (As on 30-6-86)	63	2	..	..	..	..	..	1	25(q)	4	32*	30
Tripura L.A. (As on 1-7-86)	59	11	..	..	..	..	37	..	8(r)	3	59	..

	1	2	3	4	5	6	7	8	9	10	11	12	13
Uttar Pradesh L.A. (As on 1-7-86)		426	267	20	84	16		2	6	6(s)	23	424	2
Uttar Pradesh L.C. (As on 1-7-86)		108	36	..	7	2	..	..	2	13(t)	..	60	48
West Bengal L.A. (As on 1-7-86)		295	57	..	..	..		168	7	57(u)	4	293	2
UNION TERRITORIES													
Arunachal Pradesh L.A. (As on 1-4-86)		33	31				..	..		2(v)	..	33	
Delhi Metropolitan Council (As on 20-11-86)		61	39	1	1	19				..		60	1
Goa, Daman & Diu L.A. (As on 1-4-86)		33	22				..	..		9(w)	2	33	
Mizoram L.A. (As on 1-7-86)		33	22							9(x)	2	33	..
Pondicherry L.A. (As on 1-7-86)		33	18	1	..	..	..	..	..	12(y)	1	32	1

*Excluding the Speaker.

- (a) Tājgu D'sam -20; Majlis Ittehadul-Muslimon -4; and Marxist Communist Party of India-1.
 (b) Asom Gana Parishad -71 United Minority Front-17; and Plains Tribal Council of Assam-3.

- (e) Indian Congress (Socialist)—1; Jharkhand Mukti Morecha—9 SUCI—1; and Nominated—1.
- (f) Rashtriya Lok Dal 1; and Jharkhand Mukti Morecha—1.
- (g) Indian National Congress(J)—2; and Member not taken oath—1.
- (h) National Conference(F)—33; National Conference(K)—1; Panthers Party—1; and People's Conference—1.
- (i) National Conference(K)—9; and National Conference(F)—7.
- (j) Indian Union Muslim League—18; Kerala Congress—15; RSP—4; National Democratic Party—3; and Socialist Republican Party—2.
- (k) Nominated—1.
- (l) Peasants and Workers Party—2; Shivsena—4; Republican (Gawai Group)—1; and Bharatiya Congress—5.
- (m) Manipur People's Party—1; U.D.F.—10; and K.N.A.—1.
- (n) Hills State People, Democratic Party—3; and Hills State People Democratic Party (L)—1.
- (o) Nagaland National Democratic Party—17.
- (p) Shromani Akali Dal—7.
- (q) Shikim Sangram Parishad—3.
- (r) AIADMK—132; DMK—22; Indian Union Muslim League—2; Gandhi Kamraj National Congress—2; All India Forward Bloc—2; and Republican Party of India (Khobargade)—1.
- (s) AIADMK—15; DMK—7; and Teachers Graduates Progressive Front—3.
- (t) Tripura Upajati Juba Samiti—6; and RSP—2.
- (u) Congress (I)—5; and Nominated—1.
- (v) Shikshak Dal—7; Nirdaliya Vidhyak Dal—3; Rashtriya Shikshak Dal—2; and Shikshak Manch—1.
- (w) Forward Bloc—27; RSP—18; West Bengal Socialist Party—3; Revolutionary Communist Party of India—2; Forward Block Marxist—2; Democratic Socialist Party—2; Socialist Unity Centre of India—2; and Nominated—1.
- (x) People's Party of Arunachal Pradesh—2.
- (y) Maharashtrawadi Gomantak Party—8; and Goa Congress—1.
- (z) People's Conference—8; and Mizo Convention—1.
- (aa) AIADMK—6; DMK—5; and Pondicherry Maanila Makkal Munai—1.

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