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VOL. XXXVIII

DECEMBER 1992

No. 4

THE JOURNAL OF PARLIAMENTARY INFORMATION



LOK SABHA SECRETARIAT
NEW DELHI

THE JOURNAL OF PARLIAMENTARY INFORMATION

EDITOR: C.K. JAIN

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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Annual Subscription: 125.00

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Shri Banshi Dhar Pandey is former **Minister**, Uttar Pradesh.

LARRDIS stands for **Parliament Library and Reference, Research, Documentation and Information Service**.

EDITORIAL NOTE

The office of the Vice-President of India is one of utmost importance in our parliamentary democratic polity. Under the provisions of the Constitution, in the event of the occurrence of any vacancy in the office of the President, the Vice-President shall act as President until a new incumbent is elected. Again, when the President is unable to discharge his functions owing to absence, illness or any other cause, the Vice-President shall discharge his functions. During this period when the Vice-President is so acting as, or discharging the functions of, the President, he shall have all powers and immunities of the President. Under article 64 of the Constitution, the Vice-President shall also be the ex-officio Chairman of the Rajya Sabha.

In short, the office of the Vice-President of India is of vital significance in our setup. We have had a galaxy of eminent personalities who adorned this office. Naturally, the Vice-Presidential elections have always attracted considerable interest. This was equally true of the Tenth Vice-Presidential elections. As per convention, the Returning Officer for the Vice-Presidential election is either the Secretary-General, Lok Sabha or Secretary General of Rajya Sabha who are appointed by rotation. It was the turn of the Secretary-General of Lok Sabha this time as the Ninth Vice-Presidential election was conducted by his counterpart from Rajya Sabha. Accordingly, Shri C.K. Jain, Secretary-General of Lok Sabha was the Returning Officer for the election this year.

The Tenth Vice-Presidential election witnessed a straight contest though, as the results showed, for all practical purposes it was virtually a non-contest. In all, 711 electors out of the total 768 exercised their franchise, representing 92.4 per cent voting. The consensus candidate of all political parties, Shri K.R. Narayanan coasted to victory securing all but one of the votes polled. On behalf of the *Journal of Parliamentary Information* and its worldwide readership, we offer our heartiest felicitations to Shri Narayanan on his assumption of office as Vice-President.

Shri K.R. Narayanan, of course, needs no introduction, Veteran diplomat, eminent parliamentarian, renowned academic and efficient administrator, his has been verily a many splendoured personality. He brings his rich and varied experience to the office of the Vice-President. We include in this issue of the *Journal* an article entitled "The Tenth Vice-Presidential Election" by Shri C.K. Jain, Secretary-General, Lok Sabha who was the Returning Officer for this election. With his rich experience of

having been closely associated with the holding of the Presidential and Vice-Presidential elections in 1962, 1967, 1969, 1982, 1987 and now in 1992 Shri Jain, with his first-hand knowledge of the electoral process, discusses in detail the procedure of the Vice-Presidential election and the highlights of this years' election. The article also covers the felicitations extended to Shri Narayanan by the members of the Rajya Sabha on his assuming the charge of the Chairman of the House. Besides, it includes a profile of the new Vice-President.

Mahatma Gandhi, the Father of the Nation, was undoubtedly one of the noblest of souls who ever walked on this earth. He was not merely the most outstanding leader of our freedom struggle, more than that he was a champion of the poor, the downtrodden and the oppressed people the world over. Today, decades after his departing from amongst us, he is revered in India and abroad as a great human being whose ideals and principles continue to inspire nations and peoples. We have, in this issue, an article, "Mahatma Gandhi: The Greatest of Humanity" by Shri Banshi Dar Pandey, eminent Gandhian and a former Minister in Uttar Pradesh as our humble tribute to this great son of India, nay of the world, in this Golden Jubilee Year of the Quit India Movement. Quoting profusely from renowned personalities, Shri Pandey brings out vividly the greatness and relevance of Gandhiji today. As he rightly observes, when the world is beset with many problems—political, economic, social and even spiritual—we need a Gandhiji in our midst more than ever before.

The Quit India Movement was one of the most important landmarks in our freedom struggle. On 8 August, 1992, a meeting of members of both the Houses of Parliament was held in the Central Hall of Parliament to celebrate the 50th Anniversary of the Quit India Movement and to pay homage to the martyrs of the freedom struggle. The President of India, Dr. Shanker Dayal Sharma, the Prime Minister, Shri P.V. Narasimha Rao, the Speaker, Lok Sabha, Shri Shivraj V. Patil and the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla addressed the gathering. Later both Houses of Parliament met separately and adopted an identical Resolution paying homage to the martyrs and the freedom fighters. We reproduce in this issue the texts of the Addresses delivered by the dignitaries at the function in the Central Hall and the text of the Resolution adopted by the two Houses of Parliament.

An All-India Conference of Presiding Officers, Leaders of Parties, Minister of Parliamentary Affairs, Whips and Senior Officers of Parliament and State Legislatures was held in the Central Hall of Parliament on 23-24 September, 1992. The Conference was inaugurated by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan. The Conference, which deliberated on the subject "Discipline and Decorum in

the Parliament and the State Legislatures", was presided over by the Speaker, Lok Sabha, Shri Shivraj V. Patil. Over 300 delegates from all over India attended the Conference which was also addressed by the Prime Minister, Shri P.V. Narasimha Rao who gave away to veteran parliamentarian, Shri Indrajit Gupta the first Govind Ballabh Pant Memorial Society Award for the Outstanding Parliamentarian of the year. We heartily congratulate Shri Indrajit Gupta on his being chosen for this coveted Award. A Short Note on the Conference is included in this issue of the *Journal*.

On 20 August, 1992, a meeting of parliamentarians was organised under the auspices of the Indian Parliamentary Group (IPG) in the Main Committee Room of Parliament House Annexe to mark the 48th birth anniversary of the former Prime Minister, late Shri Rajiv Gandhi. The Speaker, Lok Sabha, Shri Shivraj V. Patil presided over the function which was also addressed by the Prime Minister, Shri P.V. Narasimha Rao, the Vice-President elect Shri K.R. Narayanan and the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla. The Prime Minister also released a book entitled *Rajiv Gandhi and Parliament* and a *Profile* on Shri Rajiv Gandhi, brought out by the Research and Information Division of the Lok Sabha Secretariat. Edited by Shri C.K. Jain, Secretary-General, Lok Sabha, the book carries a Foreword by the President of India and articles, among others, by the Vice-President, the Prime Minister and the Speaker, Lok Sabha. Another Short Note in this issue is on this function.

A one-day Workshop on "Library and Information Services to the Sansad" was jointly organised by the Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat and the Parliamentary Libraries' Section of the International Federation of Library Association and Institutions (IFLA) in the Main Committee Room of Parliament House Annexe on 3 September, 1992. The Workshop was inaugurated by the veteran parliamentarian, M.P. and former Union Minister, Shri Atal Bihari Vajpayee. Shri C.K. Jain, Secretary-General, Lok Sabha, delivered the Welcome Address. About 30 Parliamentary Librarians from overseas Parliaments and many other participants from the Parliament of India and the State Legislatures attended the Workshop. We have in this issue a Short Note on this Workshop.

This issue of the *Journal* also carries a special feature, a Short Note on the Nineteenth Report of the Estimates Committee of the Tenth Lok Sabha on the Ministry of Defence (Defence Force Levels, Manpower, Management and Policy). ✓

This issue carries the other regular Features, viz. Parliamentary Events and Activities, Privilege Issues, Procedural Matters, Parliamentary and

Constitutional Developments, Documents of Constitutional and Parliamentary Interest, a resume of Sessions of Lok Sabha, Rajya Sabha and State Legislatures, Book Reviews and Recent Literature of Parliamentary Interest. A comprehensive Index to Vol. XXXVIII of 1992 also finds place in this issue.

Our enlightened readership may be aware that India would be having the proud privilege and honour of hosting the 89th Inter-Parliamentary Conference in New Delhi in April 1993. To mark this historic occasion, the March 1993 issue (Vol XXXIX, No. 1) of the *Journal of Parliamentary Information* is, being brought out as a *Special Number*. The *Special Issue* would contain, *inter alia*, articles on various aspects of the working of parliamentary democracy in India and on constitutional and other subjects of contemporary interest, from eminent parliamentarians, distinguished academics and renowned journalists and others. We are hopeful that our readership will certainly welcome this *Special Number*. In view of this, the March 1993 issue will not be carrying the regular features which will appear in our June 1993 issue (Vol. XXXIX, No. 2).

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

—C.K. Jain

ADDRESSES AT THE CELEBRATION OF THE 50TH ANNIVERSARY OF THE QUIT INDIA MOVEMENT

A meeting of members of both the Houses of Parliament was held in the Central Hall of Parliament House on 8 August 1992 to celebrate the 50th Anniversary of the "Quit India Movement" and to pay homage to the martyrs of the freedom struggle. The President of India, Dr. Shanker Dayal Sharma, the Prime Minister, Shri P.V. Narasimha Rao, the Speaker, Lok Sabha, Shri Shivraj V. Patil and the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla addressed the gathering. A copy of the Book, *50th Anniversary of the Quit India Movement*, brought out by the Research and Information Division of the Lok Sabha Secretariat, was presented to the President, the Prime Minister and the Deputy Chairman, Rajya Sabha, on the occasion.

After the function was over, both Houses of Parliament met separately and adopted an identical Resolution paying homage to the martyrs and the freedom fighters of the Quit India Movement.

The texts of the Addresses delivered by the dignitaries at the function in the Central Hall and the text of the Resolution adopted by the two Houses of Parliament are reproduced below.

—Editor

ADDRESS BY THE DEPUTY CHAIRMAN, RAJYA SABHA, DR. (SMT.) NAJMA HEPTULLA

Honourable President of India, Dr. Shanker Dayal Sharma Ji,
Honourable Prime Minister, Shri P.V. Narasimha Rao Ji,
Honourable Speaker, Lok Sabha, Shri Shivraj Patil Ji,
Honourable Members of Parliament,

Today, when I stand here in this historic Central Hall of Parliament, to remember the leaders and martyrs of the Quit India Movement, the Golden Jubilee Celebrations of which commence from today, the words of Khalil Gibran come to mind:

"Dying for Freedom is nobler than living in
The shadow of weak submission, for
He who embraces death with the sword
Of Truth in his hand will eternalise
With the Eternity of Truth, for Life
Is weaker than Death and Death is
Weaker than Truth."

When the legitimate aspirations of the people of India for freedom were denied by the British, the Congress had no option but to launch a mass movement against the foreign rule. Much before the August 1942 session of the All India Congress Committee it was decided by the leaders to start

a full scale movement against the British rule. On April 26th in the Harlijan, Gandhiji exposed the British policy which involved India in the second World War much against her wishes. He said and I quote:

"I see no Indian freedom peeping through all this preparation for the so-called defence of India. It is a preparation, pure and simple for the defence of the British Empire, whatever may be asserted to the contrary."

The history of our struggle for freedom which began in 1857, gained momentum with the formation of the Congress Party in 1885 and our struggle for freedom moved from Swadeshi to Non-cooperation, from the Salt-Satyagraha to Quit India and finally to Free India.

In July 1942, the Congress Working Committee which met at Wardha, passed the historic resolution which clearly stated that:

"The events happening from day to day and the experience that the people of India are passing through, confirm the opinion of Congressmen that the British rule in India must end immediately."

The Working Committee of the Congress which met at Bombay in August 1942 prepared a draft resolution in almost identical terms, as the one which was passed at Wardha. The resolution was placed before the All India Congress Committee on August 7th by Pandit Jawaharlal Nehru. It declared that:

The peril of today, therefore, necessitates the independence of India and the ending of British domination. No future promises or guarantees can affect the present situation or meet that peril. They cannot produce the needed psychological effect on the mind of the masses. Only the glow of freedom now can release that energy and enthusiasm of millions of people which will immediately transform the nature of the war."

The resolution of the Congress Committee virtually electrified the atmosphere. Sensing the rebellious mood of the Indian people, the British government took pre-emptive measures and in the morning of August 9th 1942, most of the Indian leaders were arrested. Men and women, even children came out of their hearths and homes to create an increasingly powerful force in the struggle for freedom.

Gandhiji had already sensed that he, along with other leaders of the Congress, could be arrested at any time by the British. Therefore, he

had already told the people that he was giving them a Mantra and that Mantra was "Do or Die". He exhorted the people to:

"Take a pledge with God and your conscience as witness that you will no longer rest till freedom is achieved and will be prepared to lay down your lives in the attempt to achieve it. He who loses his life will gain it; he who will seek to save it shall lose it. Freedom is not for the coward or faint-hearted."

All historic movements have their own distinctive character and our movement in 1942 was no exception. When all the front rank leaders were incarcerated, the Movement threw up yet more leaders. Observing this phenomenon, Maulana Abul Kalam Azad mentions in "India Wins Freedom" and I quote:

"During this period, some new personalities appeared on the Indian scene. They were thrown up by the demand of the new situation. Among them was Mrs. Asaf Ali. After our arrest she toured all over the country and sought to organise resistance to the British war effort. After some time, the government began to notice her and attempts were made to arrest her".

It was the spirit of self-sacrifice which created unity from diversity, to mould together an overwhelming force for the cause of freedom. We must live up to the ideals of the few known and millions unknown who have made sacrifices for the cause of freedom. They gave us our freedom and it is for us to strengthen and consolidate it. We must not only remain alert, but it must be our constant endeavour to ensure that forces of disruption do not threaten our political, economic and social existence. Adequate safeguards against the forces of disruption must be built up and the example of mass participation seen during the Quit India Movement should serve as an inspiration — because freedom has not only to be won but guarded and maintained.

Today, as we look back with pride, we must also carry out a sincere self-introspection. We must try to see what we can do individually and collectively for the benefit of the nation and we will do this better if we can absorb the spirit of the freedom fighters, so movingly and powerfully captured by Rabindranath Tagore:

"Where the mind is without fear and the head is held high;
Where knowledge is free;
Where the world has not been broken up into fragments by narrow domestic walls;
Where words come out from the depth of truth;

Where tireless striving stretches its arms towards
perfection;
Where the clear stream of reason has not lost its way into the
dreary desert sand of dead habit;
Where the mind is led forward by thee into everwidening thought
and action.
Into that heaven of freedom, my Father, let my country awake."

With these words. I pay my respect and homage to the great leaders and martyrs of the Quit India Movement.

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

Honourable President, Honourable Smt. Sharma Ji, Honourable Prime Minister, Honourable Freedom Fighters, Honourable Ministers, Honourable Chief Justice and other Justices, Honourable Members of Parliament, Honourable Ambassadors and High Commissioners, Honourable Officers; Ladies and Gentlemen,

After taking the oath of the office of the President, the Honourable President, in the opening sentences of his very first address, had reverently remembered and paid his tributes to the freedom fighters and the martyrs of India's struggle for freedom.

It is indeed a matter of great pleasure for all of us and our fellow countrymen that today, coming for the first time to the precincts of the Parliament House in his capacity as the President of India, he is inaugurating the programmes for the Golden Jubilee Year of the Quit India Movement and paying his homage to the martyrs and freedom fighters of this movement.

In this inaugural function, the freedom fighters of India's struggle for freedom are present. We feel proud of it. We all offer our respectful regards to them.

It is an irony of fate that on the fifth of this month, a forceful leader of the Quit India Movement, Shri Achyut Patwardhan left for his heavenly abode. We all pay our homage to him.

"August 9, 1942" and "Quit India Movement" are events worthy of being written in golden letters in the annals of India's struggle for independence as they, at long, last culminated in the freedom of our country. We shall always remember these events [with] gratitude.

Mahatma Gandhi had asked the English imperialists to 'Quit India' and had exhorted the freedom fighters and others to 'Do or Die'. At that time, a unique awakening was noticeable in the minds of the Indian people. Indian brothers and sisters participating in the freedom struggle were fearless and were prepared to face all eventualities and sacrifice

*Original delivered in Hindi.



The Speaker, Lok Sabha, Shri Shivraj V. Patil addressing the function in the Central Hall on 8 August 1992 to mark the 50th Anniversary of the Quit India Movement. Also seen in the picture are the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla, the Prime Minister, Shri P.V. Narasimha Rao and the President, Dr. Shanker Dayal Sharma.

their all for the attainment of freedom for the country. Many people did lay down their lives in that movement. English imperialists then realised that ultimately they would have to quit India and give freedom to the people of this country.

The freedom fighters and our leaders used to proclaim that with the independence of India, the pace of attainment of independence in the whole world will be accelerated and many countries will become independent. And it was exactly what had followed. Barring one nation, all nations of the world have succeeded in achieving independence.

We wanted freedom so as to be able to contribute to the welfare of the humanity as a whole in cooperation with other countries. This is what we have been trying to do till date. We have all along been endeavouring to bring about awakening, peace, prosperity, equality and social justice for all and shall continue to do so in future as well.

Along with political freedom, we also wanted to usher in economic, social and cultural freedom. Till date, we have striven to make our political independence more meaningful and result-oriented. We have tried to ensure economic, social and cultural justice and intensify our efforts to achieve that end. Our efforts have proved fruitful. However, in certain areas, we have not achieved the desired results. Nevertheless, we have done a lot. But a lot still remains to be done. To make our mark in these fields, we will have to work hard with the same zeal and dedication and build the same psyche and atmosphere that characterised our struggle for political independence.

We will have to adopt a new approach imbued with the same spirit, determination and vision. This new approach must imbibe the quintessence of our past heritage.

We shall have to put in our best efforts by blending this new approach with that of the present-day world.

It was of utmost importance for us to make our country free. It is all the more important to protect and preserve the freedom of the country as also to maintain the unity of the country.

A firm resolve on our part to work tenaciously to achieve these ends will be our fitting tribute to our freedom fighters.

We all express our deep sense of gratitude to the martyrs, leaders and other brothers and sisters who contributed their mite in the Quit India Movement.

Thank You.

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

Revered Rashtrapatiji, Mr. Speaker, Deputy Chairman, Rajya Sabha, Beacon lights of the freedom struggle, colleagues and friends,

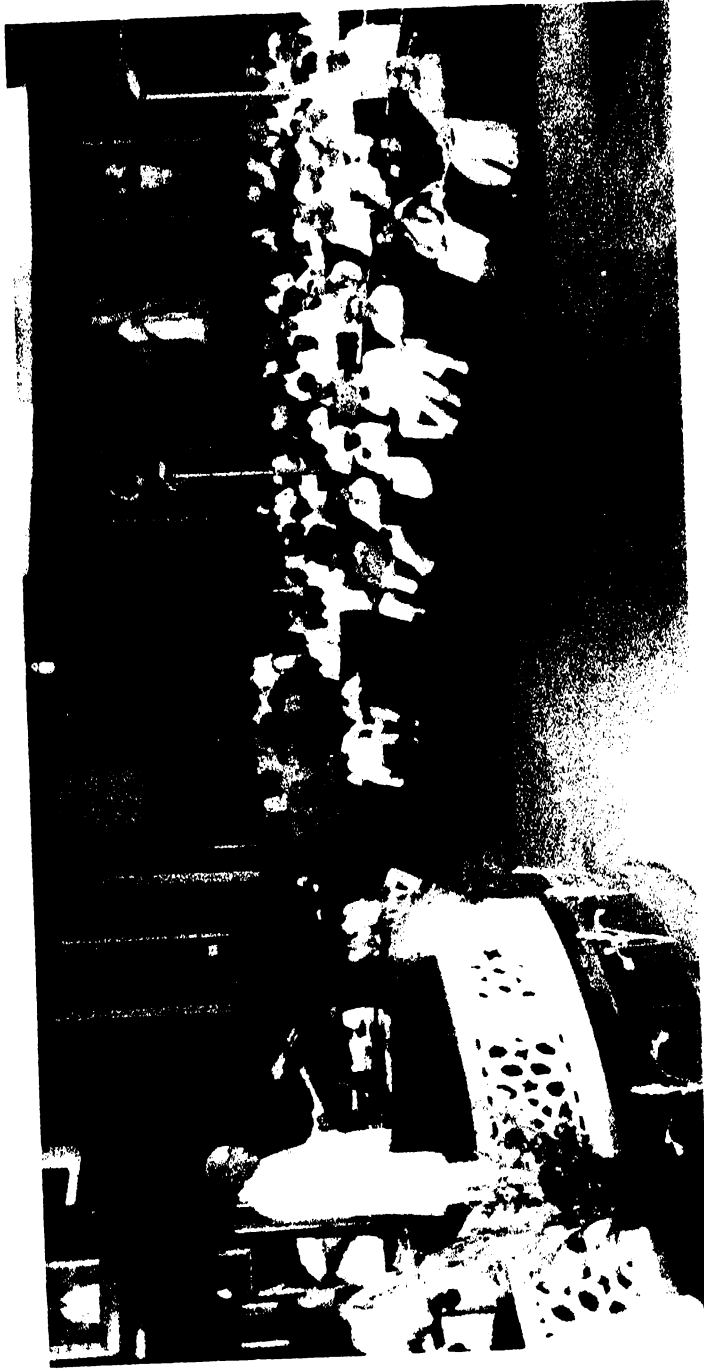
As I rise to speak on this momentous occasion, echoes of those great calls for unity and sacrifice to "Do or Die" for freedom still reverberate in my mind. Many of those voices have been hushed by the passage of time, but the call that unleashed the great forces of nationalism and brought an end to a mighty empire is still distinct and clear to those who will heed it. Those calls for freedom are as relevant to us today as they were in those eventful August days 50 years ago.

It is impossible to describe in words the immense debt of gratitude which the nation owes to those great sons and daughters of India whose daring and sacrifice resulted in our freedom. If we could emulate but a fraction of their great deeds today, and in all sincerity truly accept the noble ideas and vision of India that these great immortals perceived, we would have paid a fitting tribute to their memory. In the spirit of *Patram*, *Pushpam*, *Phalam*, *Toyam*, Shrimati Indira Gandhi as Prime Minister began the process of paying tribute to them in person and honouring them in a humble way. We would continue the process, indeed improve upon it to the best of our ability.

If those days of 1942 needed the unified force of our people to overcome the domination of an imperial power, the present times need the same strength of unity and purpose to defeat the evils of communalism, sectarianism and terrorism which are sapping the nation's energy. Just as the imperial power attempted to divide us and to prolong its rule, so also these evils do their worst to divide the nation and to divert it from its march to its destiny. To all these forces I have but one answer. Do not underestimate the wisdom and strength of our people. There is no adversity that they cannot overcome. They will not be misled twice.

A number of critical and major problems are confronting the nation in the social, political and economic fields today. The need of the hour is for the nation to utilise the great strengths it possesses towards fulfilling our common objectives. If we could revitalise those energies, I am sure we will be able to find solutions to our problems—all problems.

The Quit India Movement was not a movement of a few. It succeeded because it had the strength and force of the whole nation behind it. People from all walks of life and from all corners of the country, political leaders, students, workers, peasants and even children and housewives took part. From village and town alike, freedom fighters came out and joined the movement. There is need for such a response from every home of our country today. It is that spirit that needs to be re-kindled, particularly in the younger generation of our citizens. They must once again be in the vanguard of the movement for the nation's unity and prosperity.



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



Addressing the distinguished gathering.

The call had once gone out to every freedom fighter urging him on the "long hard road where there is no resting place" and which ultimately led to the independence of India. Let us pay homage today to those great leaders, by ourselves responding to the nation's call on this momentous occasion. The road to a truly prosperous India is still long and hard, but following in the hallowed footsteps of the stalwarts, we will succeed. JAI HIND.

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

Honourable Prime Minister, Shri P.V. Narasimha Rao, Honourable Speaker, Lok Sabha, Shri Shivraj V. Patil, Honourable Deputy Chairperson, Rajya Sabha, Dr. Najma Heptulla, Honourable Members of the Union Council of Ministers, Honourable Members of Parliament, Respected Freedom Fighters, Fellow citizens, Brothers and Sisters,

We have assembled here today in this Central Hall in Parliament House—the venue hallowed by the history of our Nation, our minds engrossed with the emotion, the rationale, and the spirit of 'Do or Die', which electrified the national atmosphere fifty years ago when the Father of our Nation, Mahatma Gandhi,—Bapu—as we in the struggle called him—launched the Quit India Movement. The movement had involved the people of India, the masses, men and women, youth and even children, in the cities of India, and perhaps, even more so : from the towns, villages and hamlets in the vast hinterland of our country.

Following the rejection of the proposals brought by Sir Stafford Cripps, in early 1942, a tremendous wave of public opinion had surcharged the national mood. Those in the vanguard of the struggle for freedom felt, with piercing intensity, the need to galvanize the people unitedly to liberate India from subjugation under foreign rule. There was a clear-sighted determination to confront the dominant authority with a total commitment of the power and resources of the masses and their fervent desire to win freedom.

It is important to remember that the Quit India Movement was an intrinsic manifestation of the yearning for human dignity that consistently inspired our struggle against the might of the most powerful empire on earth. The Quit India Movement should therefore be viewed, in the perspective of our history, in essence, as a movement for human dignity—a movement not limited merely to achieving India's Independence but as an endeavour for a better world for all.

Bapu, Pt. Jawaharlal Nehru, Sardar Vallabhbhai Patel, Maulana Abul Kalam Azad and other great national leaders consistently kept in view the larger significance of the task they had in hand to achieve the goal. Bapu selected political methods which : "will offer the most promise of achieving an ethical social goal for society." The aim was to remedy, in his words,

"The disproportion in power which lay at the root of all the evils of the world."...."Mere adjustments of social conflict caused by the disproportion of power in society," he said, "will hardly result in justice so long as the disproportion lasts." Thus the Resolution passed by the AICC on 8, August, 1942, in Bombay, said: "The freedom of India is necessary not only in the interest of India but also for the safety of the world, and for the ending of Nazism, Fascism, Imperialism and other forms of militarism and the aggression of one nation over another." It said : "By the freedom of India—the classical land of modern imperialism—the peoples of Asia and Africa will be filled with hope and enthusiasm...the freedom of India must be the symbol of the prelude to the freedom of all other nations under domination."

Sanctioning the commencement of the mass struggle, the leadership kept a clear focus on the vital importance of Non-Violence. Mahatma Gandhi said : "I ask for a bloodless end of an unnatural domination and for a new era." The AICC appealed to the people to remember that Non-Violence was the basis of the movement and warned that there would be risks involved in such a course. It was said : "Such risks, however, have to be faced by our country in order to achieve freedom and, more specially at the present critical juncture, in order to save the country and the larger cause of freedom of the world over from *far greater risks and perils.*" The word went out : "A time may come when it may not be possible to issue instructions or for instructions to reach our people, and when no Congress Committee can function. When this happens, every man and woman, who is participating in this movement must function for himself or herself...every Indian who desires freedom and strives for it *must be his own guide.*"

On 8 August 1942, the AICC adopted the historic Quit India Resolution moved by Pt. Jawaharlal Nehru and seconded by Sardar Vallabhbhai Patel. Babu said on this occasion : "I want freedom immediately, this very night, before dawn, if it can be had. Here is a Mantra, a short one, that I give you. You may imprint it on your hearts, and let every breath of yours give expression to it. The Mantra is : 'Do or Die'...take a pledge with God and your own conscience as witness, that you will no longer rest till freedom is achieved and will be prepared to lay down your lives in the attempt to achieve it...freedom is not for cowards or the faint-hearted."

The overwhelming moral and political force of this appeal evoked a nation-wide upsurge in which millions participated. Patriotic emotion swept across the land, firing the masses with the desire to contribute in the great cause. Babu had said his aim was—"Freedom for all and not for any particular community."

It is a fact, and we should recognize it, that the ardent sentiment for freedom suffused Indians in all parts of our country, in diverse walks of

life, welding a sense of national unity that alarmed the dominant authority of the time. On 31 August 1942, the then Viceroy, Lord Linlithgow, wrote to the Prime Minister, Sir Winston Churchill : "I am engaged here in meeting by far the most serious rebellion since that on 1857, the gravity and extent of which we have so far concealed from the world for reasons of military security." These authorities were also mindful of public opinion in the United States of America being consistently on the side of the freedom movement in India. Perceptive political analysts realised that the belief that sections of the Indian people favoured continuance of foreign rule was a delusion. After large scale strikes in mills in Kanpur, Jamshedpur and Ahmedabad, a despatch from Delhi dated 5 September 1942, to the Secretary of State, in London, reported about the Communist Party of India : "the behaviour of many of its members proves what has always been clear, namely, that it is composed of anti-British revolutionaries."

The authorities reacted swiftly with precision, effecting nation-wide arrests on the night of 8th August and a variety of meticulously coordinated regulatory measures were imposed, aimed at dislocating, dismembering and suppressing the Movement. Babu was imprisoned in Pune in the Aga Khan Palace. Pt. Jawaharlal Nehru, Sardar Vallabhbhai Patel, Maulana Abul Kalam Azad, Dr. Rajendra Prasad, Shri Asaf Ali, Pt. Gobind Ballabh Pant, Dr. Pattabhi Sitaramayya, Dr. Syed Mahmud, Acharya Kripalani, and Shri Shankar Rao Deo were interned in Ahmednagar Fort Jail. Lok Nayak Jai Prakash Narain was imprisoned in Hazaribagh Jail till he managed to escape.

The heroic image of Aruna Asaf Ali ji is vivid in our minds. At that fateful moment, when the tallest leadership of the country was in police custody, she mounted the rostrum at a public meeting on 9 August 1942 at Gowalia Tank Maidan, Bombay, to unfurl the flag of freedom. She exemplified the resolve of the people of India to fight on for the cause undaunted.

Happily, Arunaji, whose heroic exploits captured the imagination of the youth, is with us today. I should like to recall a reference to her in the Wickenden Report : "Perhaps no name appears more often than hers. In her headquarters at Delhi, she was the moving spirit, her activities spreading to the Punjab and the United Provinces. I am not much concerned with her revolutionary activities of which there is overwhelming evidence, but she was a member of the Central Directorate and continued in touch with other members. She is still out."

On 10 August 1942, the Congress bulletin carried Mahatma Gandhi's 'Call to the Nation': "KARENGE YA MARENGE". Babu had said : "Every man is free to go to the fullest length under Ahimsa. Bring about complete deadlock through strikes—Karengé Ya Marengé." The

Congress bulletin greeted the people of Bombay and India for their courageous response to the call. It said : "Every man, woman and child has pledged that this land is ours and we will fight for it...the martyrs who fell in the street barricades have written it in their blood. The workers, the masses the students of schools and colleges, the merchants who closed the markets, and the thousands who defied tyrant authority spoke with one voice...the voice of liberty." It also stressed, "Respect those who differ from you. Win them over by your love, sacrifice and deathless determination to be free. Gandhiji is behind the bars, but Mahatma Gandhi has nominated every man and woman as his successor. Carry on the struggle."

For months together, the people of India struggled against imperial might, facing the sternest repressive action, including detention, use of force, lathi charge, firing, and in Bihar, even aerial strafing. *Gallantly, fell the martyrs with the song of freedom on their lips.* A verse by Aman Lakhnavi comes to mind :

शहीदाने-वतन की क़ब्र से आवाज आई है,
वही हमसे मिले आकर जो अपनी जान से खेले।
उधर दुनिया की राहत है इधर लुत्फ़े-शाहादत है,
ये सौदा है तेरे आगे, जो तू चाहे वही ले ले।।

Subramaniam Bharati, in his poem 'Ode to Freedom', had sung:

"Although divorced from the joys of the hearth
and consigned to dungeons dark;
although forced to exchange
a time of cheer for days of gloom;
although ten million troubles rage
to consume me entire;
Freedom! Mother! I shall not forget to worship you."

So many made the supreme sacrifice, were maimed or injured, that it is not wonder that the veteran freedom fighter Achyut Patwardhan, who passed away a few days ago, recalled this period as one of suffering, pain and trauma. The Quit India Movement had become a baptism of fire for many who were then still in their youth, and were later to participate in the building of a new India.

In retrospect, it is not surprising that the colonial power of the time, engaged as it was in a desperate war around the world, used the most severe methods to paralyse the leadership and crush the Movement. But the Quit India Movement did not fail in securing a far-reaching and enduring success. It imprinted the future indelibly. The Constitution of India bears the impress of the thoughts and the values that fired the struggle. The AICC Resolution of 8 August 1942 had envisaged : "On the declaration of India's Independence, a Provisional Government will be formed and Free India will become an ally of the United Nations, sharing

with them in the trials and tribulations of the joint enterprise of the struggle for freedom...It will thus be a composite Government representative of all the people of India. The Provisional Government will evolve a scheme for a Constituent Assembly which will prepare a Constitution for the Government of India, acceptable to all sections of the people. This Constitution, according to the Congress view, should be a Federal one." This concept of the India of the future found practical materialisation in the years that followed. Who can then say that the struggle had been in vain?

Fellow citizens, today it is necessary to realise that freedom and the gains of freedom, so dearly won, must be safeguarded, and safeguarded by our commitment to the great values. These values are ours for centuries, and indeed are the values that would make a better world for all—a world where all humans can lead a life of dignity, peace and fulfilment.

In the fiftieth anniversary year of the Quit India Movement, it may be useful to make an effort, across the length and breadth of the country, to prepare local histories of the events at village, tehsil and district levels, of that glorious chapter in India's history, and thus enable the children and the youth of our Nation to learn of the contribution made by their own forebears in the service of the Motherland.

Freedom was won after great sacrifice. Freedom has to be defended and enlarged for the good of all. The younger generation has also to struggle for the Nation. The task now is to combat the ills that beset India. We have to labour to rid India of terrorism, communal feeling, caste and gender oppression, poverty, ignorance and disease. Only then would we, who enjoy the fruits of freedom, be worthy of those of the Movement of 1942.

I pay my respectful homage to the memory of the martyrs and freedom fighters who made the ultimate sacrifice in the great cause and enabled us to breathe and live and grow as a free people.

JAI HIND

**TEXT OF THE RESOLUTION ADOPTED BY BOTH THE HOUSES OF
PARLIAMENT**

This House, on this solemn occasion of the 50th Anniversary of the "Quit India Movement" led by Mahatma Gandhi, Father of the Nation,

RECALLS the clarion call he gave to his countrymen to unite and struggle with resolute determination and fearlessness, courage and sacrifice, to achieve freedom from foreign rule,

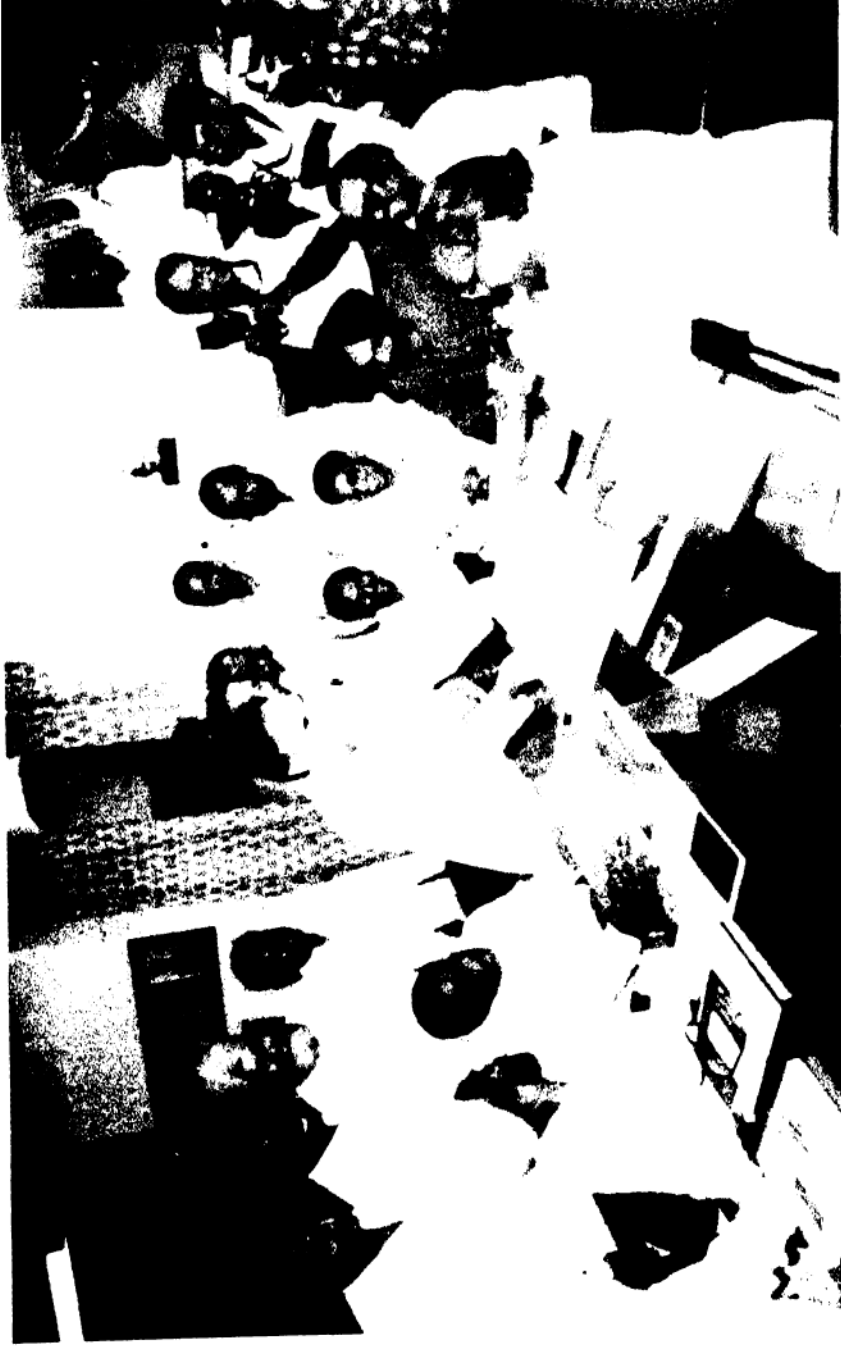
REMINDS us of our duty to complete his unfinished task of wiping out the tears of the poor, weak and down-trodden,

REMEMBERS with deep gratitude the sufferings and sacrifices made by millions from all walks of life irrespective of age, caste, creed or religion, in pursuit of the one and single goal of achieving freedom for the Motherland, and whose supreme endeavours gave us liberty and dignity.

PAYS deep and respectful homage to them,

RESOLVES to preserve the integrity of the country, and

REDEDICATES itself to the service of the people to build a peaceful, prosperous, vibrant and modern India, inspired by her ancient ethos of tolerance, harmony and non-violence, playing a positive and effective role for global peace, unity, cooperation and solidarity, and working for a world free from hatred, strife, hostility, oppression and exploitation.



Shri Ghulam Nabi Azad, Union Minister of Parliamentary Affairs filing the nomination papers on behalf of Shri K.R. Narayanan.

THE TENTH VICE-PRESIDENTIAL ELECTION

C.K. JAIN

The superintendence, direction and control of the preparation of the electoral rolls for, and the conduct of all elections to the Parliament and to the State Legislatures and also elections to the Office of the President and the Vice-President of India are vested in the Election Commission of India. The election and the manner of the election of the Vice-President of India are detailed in articles 66 and 68 of the Constitution of India. The Presidential and Vice-Presidential Elections Act, 1952 and the rules framed thereunder regulate all matters concerning the election to the Offices of the President and the Vice-President. The Act of 1952 was amended in 1974 to make certain changes in the light of the experience during the elections held previously.

For each Vice-Presidential election, the Election Commission, in consultation with the Government of India, appoints a Returning Officer having office in New Delhi. By convention, the Secretary-General, Lok Sabha or Rajya Sabha is appointed in rotation as the Returning Officer to conduct such election. Accordingly, the Returning Officer for the First (1952), second (1957) and the Fourth (1967) Vice-Presidential elections was the Secretary of Lok Sabha; for the Sixth (1974) and the Eighth (1984) elections the Secretary-General of Lok Sabha; for the Third (1962) and the Fifth (1969) elections, the Secretary of Rajya Sabha; and for the Seventh (1979), and the Ninth (1987) elections the Secretary-General of Rajya Sabha. Since the Returning Officer for the Ninth Vice-Presidential election (1987) was the Secretary-General of Rajya Sabha, by convention, the Returning Officer for the Tenth Vice-Presidential election (1992) was the Secretary-General, Lok Sabha.

The Constitution of India envisages a pivotal position for the office of the Vice-President in our parliamentary democratic polity. Under article 64 of the Constitution, the Vice-President shall also be the *ex-officio* Chairman of the Rajya Sabha. Article 65(1) states that in the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or removal, or otherwise, the Vice-President shall act as President until a new President is elected. Under article 65(2), when

*Till 12 November 1973, the Secretary-General of Lok Sabha was designated as the Secretary, Lok Sabha and the Secretary-General of Rajya Sabha was designated as the Secretary, Rajya Sabha.

the President is unable to discharge his functions owing to absence, illness or any other cause, the Vice-President shall discharge his functions until the date on which the President resumes his duties. Article 65(3) also states clearly that the Vice-President shall, during, and in respect of the period while he is so acting as, or discharging the functions of the President, have all powers and immunities of the President and be entitled to such emoluments, allowances and privileges as may be determined by Parliament by law and, until provision in that behalf is so made, such emoluments, allowances and privileges as are specified in the Second Schedule.

In short, the office of the Vice-President of India is one of utmost importance in our polity. We have had a galaxy of eminent personalities who adorned this office. The first Vice-President of India, Dr. S. Radhakrishnan also had the unique distinction of being elected a second time. He remained in office during the period 1952-62. He was succeeded by Dr. Zakir Hussain (1962-1967); Shri V. V. Giri (1967-1969); Shri G. S. Pathak (1969-1974); Shri B. D. Jatti (1974-1979); Shri M. Hidayatullah (1979-1984); Shri R. Venkataraman (1984-1987); and Dr. Shanker Dayal Sharma (1987-1992); Interestingly, five of the Vice-Presidents went on to adorn the office of the President as well—Dr. S. Radhakrishnan, Dr. Zakir Hussain, Shri V. V. Giri, Shri R. Venkataraman and Dr. Shanker Dayal Sharma.

The Tenth Vice-Presidential election: Article 68(1) states that an election to fill a vacancy caused by the expiration of the term of the office of Vice-President shall be completed before the expiration of the term. Under article 68(2), an election to fill a vacancy in the Office of the Vice-President occurring by reason of his death, resignation or removal, or otherwise shall be held as soon as possible after the occurrence of the vacancy. Following the election of Dr. Shanker Dayal Sharma, the incumbent Vice-President, as the President of India, the office of Vice-President had fallen vacant, necessitating an election to the office.

Article 66(1) provides that the Vice-President shall be elected by the members of an electoral college consisting of members of both Houses of Parliament in accordance with the system of proportional representation by means of the single transferable vote and the voting at such election shall be by secret ballot, as prescribed in the Presidential and Vice-Presidential Elections Act, 1952 as revised in 1974, and the rules framed thereunder, the Election Commission issued a notification for the election to the office of the Vice-President of India on 17 July 1962. Earlier on 15 July 1992, Shri C. K. Jain, Secretary-General, Lok Sabha, was appointed the Returning Officer Shri T. S. Ahluwalia, Joint Secretary, Lok Sabha Secretariat, was appointed the Assistant Returning Officer. Under



Shri V.P. Singh, Leader of the Janata Dal Parliamentary Party filing nomination papers on behalf of Shri K.R. Narayanan to Shri C.K. Jain, Returning Officer



Former Prime Minister, Shri Chandra Shekhar presenting the nomination paper on behalf of Shri K. R. Narayanan to Shri C. K. Jain, Returning Officer for the Vice-Presidential Election, 1992

the election schedule announced on 17 July 1992, the last date for filing of nominations was 31 July 1992; scrutiny of nominations was to take place on 1 August 1992; the last date for withdrawal of candidature was August 1992; and a poll, if necessary, was to be held on 19 August 1992.

On 17 July 1992 itself, the Returning Officer also issued a Public Notice detailing the election schedule. The notification issued by the Election Commission and the Public Notice issued by the Returning Officer were also published in the Extraordinary issues of the Gazette of India and Gazettes of all States and Union Territories on 17 July 1992.

With the issuance of the notification, the election procedure was set in motion. In all, 47 nomination papers were filed in respect of 24 candidates before the expiry of the last date for filing nominations. 10 nomination papers were rejected by the Returning Officer in exercise of his powers under section 5(B)(4) of the Presidential and Vice-Presidential Elections Act, 1952, as the nomination papers were not accompanied by the certified copy of the entry relating to the candidate concerned in the electoral roll for the parliamentary constituency in which the candidate was registered as an elector. Among the candidates proposed was Shri K. R. Narayanan who was a consensus candidate supported by all the political parties. Four sets of nomination papers were filed on behalf of Shri Narayanan. The first set of nomination was filed by the former Prime Minister, Shri Chandra Shekhar; the second set by the Leader of the Opposition in the Lok Sabha, Shri L. K. Advani; the third set by the former Prime Minister Shri V. P. Singh; and the fourth set by the Union Minister of Parliamentary Affairs, Shri Ghulam Nabi Azad. On 1 August, 1992, 37 nomination papers were taken up for scrutiny. One nomination paper of Kaka Joginder Singh *Urf* Dhartipakad and all the four nomination papers of Shri K. R. Narayanan were accepted by the Returning Officer. The rest were rejected. After the last day for withdrawal of nominations on 3rd August, 1992, the two candidates whose nomination papers were accepted remained in the fray.

The polling was held on 19 August in Parliament House. Of the 768 electors—533 from Lok Sabha and 235 from Rajya Sabha—711 exercised their franchise, representing 92.4 per cent voting. Of the 711 votes, 10 were declared invalid. the consensus candidate Shri K. R. Narayanan emerged victorious winning 700 of the remaining 701 votes with his lone rival, Kaka Joginder Singh *Urf* Dhartipakad polling only one vote. Shri Narayanan was then declared duly elected the next Vice-President of India.

Shri Narayanan was sworn in as the Ninth Vice-President of India by the President, Dr. Shanker Dayal Sharma at a solemn function held in the Ashoka Hall of the Rashtrapati Bhavan on 21 August 1992.

Felicitations in Rajya Sabha: When the Rajya Sabha met on 25 November 1992, members belonging to all sections of the House extended a hearty welcome to the new Chairman. The Prime Minister, Shri P. V. Narasimha Rao, welcoming Shri K. R. Narayanan recalled his invaluable services to the country as a diplomat, academician and administrator. Referring to Shri Narayanan's persuasive capabilities, he said that the persuasiveness which he had displayed as a diplomat would be needed in greater measure in running the House. The Prime Minister added:

The rich experience in such diverse walks of life as journalism, academics, diplomacy and politics that you have brought with you will, I am confident, be of immense value to all of us. Your erudition and intimate knowledge of parliamentary procedures will be a source of inspiration and guidance. Your quite confident demeanour that endeared you to your colleagues in the other House will help this House in functioning smoothly. For our part, we assure you of our full cooperation.

Welcoming Shri Narayanan, the Leader of the House, Shri S. B. Chavan said that in his election to the exalted office, the Parliament had fulfilled the dream of Mahatma Gandhi and acted in consonance with the secular beliefs of Jawaharlal Nehru. He expressed confidence that Shri Narayanan's wide-ranging experience would stand him in good stead in the years ahead.

In her speech, the Deputy Chairman of Rajya Sabha, Dr. (Smt.) Najma Heptulla said that Shri Narayanan represented yet another jewel in the chain of illustrious personalities who chaired the House of Elders. Offering her fullest cooperation in conducting the proceedings of the House, she said that Shri Narayanan's very presence would bring grace and discipline to the functioning of Rajya Sabha.

Heartily welcoming the new Chairman, the Leader of the Opposition, Shri Sikander Bakht said that the very manner of Shri Narayanan's election was really worth appreciation. He expressed confidence that under the able Chairmanship of Shri Narayanan, the proceedings of the House would be conducted smoothly.

Felicitating the new Chairman, the Leader of the Janata Dal, Shri S. Jaipal Reddy said that Shri Narayanan's candidature for the office of the Vice-President had Commanded spontaneous support from all political parties across the board which was proof positive, if such proof was ever needed, of his multi-splendoured merit.

Shri Dipen Ghosh of the CPI(M) expressed confidence that the persuasiveness in Shri Narayanan would enable him to carry all sections of the House with him and thus take the nation to a better future and greater advancement.



Shri L. K. Advani, Leader of Opposition in Lok Sabha filing the nomination papers on behalf of Shri K. R. Narayanan



Shri C.K. Jain, Secretary-General, Lok Sabha and Returning Officer for the Tenth Vice-Presidential election making announcement declaring Shri K.R. Narayanan as duly elected to the office of the Vice-President of India.

The Leader of the Janata Dal(S), Shri Yashwant Sinha said that Shri Narayanan had many more miles to go before he rested. He observed that Shri Narayanan had always lent dignity to the various Chairs that he had occupied all through his career and felt that in his new role too, the Chair would get dignity from him.

Shri Murasoli Maran, the Leader of the DMK, described Shri Narayanan as the "Common Man's Vice-President" and said that his election at a critical juncture in the nation's history was an assertion of the sense of social justice.

The Leader of the AIADMK, Shri G. Swaminathan, while felicitating Shri Narayanan, expressed confidence that the new Vice-President would represent the poor people of India and help the House to voice their aspirations.

Shri N.E. Balaram of the CPI felt that Shri Narayanan's rich experience in different walks of life would definitely enrich the contribution of the House to the betterment of the society.

Shri Mentay Padmanabham of the Telugu Desam Party offered his sincere felicitations and full cooperation to the new Chairman.

Congratulating Shri Narayanan, Shri P. Upendra said that his election was a great tribute to the vibrant democracy which was available in his country. Prof. G.G. Swell observed that with his intellectuality and pleasant personality, Shri Narayanan should be able to control the House effectively. Felicitating the new Chairman, Shri H. Hanumanthappa thanked all those people who were responsible for redeeming the wishes of Mahatma Gandhi by electing Shri Narayanan to the august office. Shri Anand Prakash Gautam observed that with Shri Narayanan's intellectuality and experience, a new chapter would be added to our parliamentary history. Shri Vishvjit P. Singh expressed himself in agreement with the praises showered on Shri Narayanan by all sections of the House.

Replying to the felicitations, the new Chairman, Shri K.R. Narayanan said that he was moved by the "kind, warm and generous word" with which he was welcomed to the House. Shri Narayanan pointed out that the manner in which he was elected and the manner in which he was welcomed to the House made him a little bold to face the House. He also felt that his election was a very powerful expression of the sense of fairness and justice that resided deep down in our society. While referring to the illustrious personalities who had adorned the Chair earlier, he said:

It is not easy for me to rise up to the traditions set by these great Chairmen of this House. But I think these traditions will be an inspiration to me. At the same time, they make me feel very humble and they fill me with a sense of heavy responsibility. My only hope is that with your

goodwill, with your cooperation and with your generosity, it would be possible for me to fulfil the heavy responsibilities that have been placed on me.

Referring to the proceedings of the House, Shri Narayanan said that even tumultuous debates were not fruitless; they were ultimately productive because they were a substitute for non-peaceful action, non-peaceful interaction among the people. Shri Narayanan said that the nation was passing through a great crisis. Our values were being eroded from every side, by a kind of pervasive forces. There was a certain visible and invisible disintegration of values taking place which we could not face at one place at all. He emphasised that if we had to prevent this, the invisible eroding of the value systems in the country, we had to put the common man at the centre of things and direct our attention to that.

Thanking all sections of the House for the generous welcome extended to him Shri Narayanan added:

I think Parliament obviously has to be a very lively place. It cannot be a tame club. It has to be full of excitement, full of debates. Without it, I think, you do not run a Parliament but some other kind of a tame club.

...I can also assure you that it would be my endeavour, constant endeavour, to uphold the rights and privileges and the dignity of this House and every member of this House because if you do not uphold this dignity, the rights and privileges of this House, then there would not be any platform on which we can erect our edifice of democratic Government. And in this, I hope, you will lend me cooperation, support and goodwill in the same way you have offered me such overflowing goodwill and support when you elected me to this high office.

SHRI K.R. NARAYANAN: A PROFILE

Shri Kocheril Raman Narayanan was born in Uzhavoor in Kurichithanam village in Kottayam District of Kerala on 27 October 1920. An outstanding student all through his academic career, he had his schooling in Kurichithanam Lower Primary School and later at the St. Mary's High School in Kuravilangadu. Afterwards, he joined the CMS College in Kottayam for his Intermediate course. He completed his Graduation from the University College, Trivandrum securing first rank in the then Travancore University. After teaching for sometime in Trivandrum, he joined *The Hindu* in Madras as a sub-editor and later the *Times of India* in Bombay as a reporter. In between he was in Government service for a brief spell in Delhi.

While pursuing his journalistic career, Shri Narayanan won a Tata scholarship which took him to the London School of Economics where he was a favourite student of Prof. Harold Laski. On his return to India the then Prime Minister Jawaharlal Nehru who was impressed by Shri Narayanan's credentials, drafted him into the Indian Foreign Service in 1949.



Shri C. K. Jain, Returning Officer congratulating Vice-President-elect Shri K.R. Narayanan after the declaration of results.



Shri K.R. Narayanan being sworn in as the Vice-President of India by the President, Dr. Shanker Dayal Sharma.

In the years ahead, Shri Narayanan proved his diplomatic acumen in various capacities in different countries. After successful ambassadorial assignments in Thailand and Turkey, his crowning glory came in 1976 when he was sent to China as the first Ambassador after the India-China conflict of 1962. The tenure at Beijing brought out the best in him when he did an excellent service towards effecting a normalisation of relations between the two Asian neighbours.

After his retirement from the Indian Foreign Service, Shri Narayanan was appointed Vice-Chancellor of the prestigious Jawaharlal Nehru University in New Delhi in 1979. As Vice Chancellor, he turned out to be an excellent administrator as also academician, earning encomiums from far and wide.

The call of the nation came again when Smt. Indira Gandhi, on her return to power in 1980, appointed Shri Narayanan as Ambassador to the United States. His four year tenure in Washington saw an upswing in Indo-US relations.

Shri Narayanan's parliamentary career began in 1984 when he was elected to the Eighth Lok Sabha from the Ottappalam constituency in Kerala. He was returned to the Lok Sabha from the same constituency in 1989 and again in 1991.

Shri Narayanan became a Minister of State in the Rajiv Gandhi Government in December 1984 and held the portfolio of Planning. From September 1985 to October 1986, he held charge of the Minister of State for External Affairs and from October 1986 to December 1989, he was Minister of State for Science and Technology, Atomic Energy, Space, Electronics and Ocean Development. He left an indelible imprint on all the portfolios he held and was reputed to be an able and efficient administrator.

In the Tenth Lok Sabha, of which he was a member till his election as the Vice-President, he was a Member of the Consultative Committee of the Ministry of Information and Broadcasting (1990) and that of the Consultative Committee of the Ministry of External Affairs (1991). He was also Co-Chairman, Indo-US Sub-Commission on Education and Culture.

An erudite scholar, Shri Narayanan has delivered many lectures in Universities in India and abroad. He has also many articles and publications to his credit. Some of his publications include: *India and America—Essays in Understanding; Images and Insights;* and *Non-alignment in Contemporary International Relations* (Co-author). Shri Narayanan is an Honorary Fellow of the London School of Economics and the Centre for Development Studies, Trivandrum. He is also the recipient of Honorary Doctor of Science from the University of Toledo, USA.

Widely travelled all over the world, Shri Narayanan was a Member of the Indian Delegation to the United Nations in 1979. He was also a Member of the Indian Delegation to the Non-aligned Conference in Harare in 1986.

Welfare of the weaker sections of the society is one of Shri Narayanan's main pre-occupations. He takes special interest in literature, rural development and international affairs. Reading and walking are his favourite pastime and recreation.

Shri K.R. Narayanan is married to Smt. Usha Narayanan. They have two daughters.

MAHATMA GANDHI : THE GREATEST OF HUMANITY

BANSHI DHAR PANDEY

The inhabitants of our planet mother Earth are the people of the world. From time immemorial, the mode of living and thinking of the people of the whole world has a historical background. In our ancient and sacred books, we see that though the people are of one world, because of geographical, regional and natural forces, there is no similarity among the people. Their living, behaviour, culture, colours, and almost all the worldly things are dissimilar. As time elapsed people developed their language and script and soon were able to write extensively concerning all aspects of their life and surroundings. Now, they are of different nations, cultures, languages and traditions. They adhered to different beliefs and hence the emergence of different religions and customs in their societies. Irrespective of their divergent beliefs, they all confirmed the existence of God whom they revered as the Chief Controller of this Universe. All of them believe that at some intervals of time, God Himself or His messengers or prophets come to this world and purify the society, remove its wrongs to set an appropriate order and save them from the tyranny of those who oppress them. In the words of an eminent Philosopher, "In the world of darkness comes a man not of this world. He is not an active fighter contending in the struggle in the evil forces. Not a tragic hero challenging fate to combat. He does not judge and does not accuse, but his very appearance creates a tragic conflict. One personality is set in opposition to the entire world."

This means that the lives of such men are guided by an unseen force which is God or Nature. Such men, though they perform their acts as a man of this planet, are not of this world. Lord Rama, Lord Krishna, Jesus Christ, Prophet Mohammad, Gautama Buddha and in recent times, Mahatma Gandhi came as God or Messengers of God but as men, they performed such great noble deeds that we call them Avatars of God.

Of these great souls, Mahatma Gandhi came in the last and his life and times has moved the whole world as never before. We know much about the life, working, ideology and philosophy of Gandhiji who created a great storm in the minds and hearts of the people of the world over. As a poet said, "May it be life struggle or the tumult of resurrection, I shall be your fellow traveller of tempest of time." Mohandas Karamchand Gandhi was only 24 when, in South Africa, he showed the world that he could fight for the rights of the people against the might of the whole world. For the

first time in the history of mankind, a new weapon of truth and non-violence was applied by him against the traditional methods known to mankind.

The Times (London) once wrote that no country but India and no religion but Hinduism could have given birth to a Gandhi. He belonged by right to humanity's greatest of all times. India that is Bharat has been one of the cradles of civilization which has given its great messages to mankind from time immemorial and its living culture, society and people were looked up to for guidance by the rest of the comity of nations. Yet, in course of time, our beloved nation came under colonial subjugation. The arrival of the Mahatma on the Indian scene with his philosophy of a new life for our people based on truth and non-violence created a stir in the country. He started mobilising the people to be courageous, truthful and non-violent and fight for freedom from the clutches of the mightiest of the empires. Gandhiji travelled the length and breadth of the country meeting the people and exhorting them to struggle for their freedom. In 1922, when the Mahatma became the unchallenged and undisputed leader of Congress and the nation at large, he said:

When the non-violent State will be transformed into a pure democracy, it will be without seven evils: Politics without Principles; Wealth without Work; Pleasure without Conscience; Knowledge without character; Commerce without Morality; Science without Humanity and Worship without Sacrifice.

These words, never heard before, created a great respect for Mahatmaji not only in India but throughout the whole world.

During the first Round Table Conference in 1931, the King George V invited Gandhiji to the Buckingham Palace. The King told him that civil disobedience was a hopeless policy to which Gandhiji replied politely that he must, on no account, be drawn into an argument with his Majesty. On this inconclusive note, two great and different heads of state asserted their differences. As Frederick B. Fisher said, the soul of India was worshipping not Gandhi the man not merely Gandhi the patriot, but Gandhi the Indian ideal, the hero who had turned moral force into a weapon, a weapon at once spiritual and political. Khan Abdul Gaffar Khan, the Frontier Gandhi, when he was returning to his native province on 30 July 1947, was advised by Gandhiji that "his duty lay there to make Pakistan (Pure)". As Badshah Khan took leave he said to the Gandhiji's entourage that Mahatmaji had shown him the true path. "Long after we are no more, the coming generations of Hindus will remember him as an Avtar like Lord Krishna, Muslims as God' Messenger and Christians as another Prince of Peace. May God spare him for long to give us inspiration and strength to fight for truth and justice to the last". The two never met again. Thus, all through his life, Gandhiji fought incessantly with courage, love and determination and became the beloved of the nation, nay of humanity as a whole.

In far off USA, Martin Luther King became one of the greatest followers of Mahatma Gandhi. In his own words:

The intellectual and moral satisfaction that I failed to gain from Bentham and Mill, the revolutionary method of Marx and Lenin, and the social contracts theory of Hobbes, the 'back to nature' optimism of Rousseau and the superman philosophy of Nietzsche, I found in the non-violent resistance philosophy of Gandhi. I came to feel that this was the only sound method open to oppressed people in their struggle for freedom.

After meeting the Mahatma, Lenza Del Vasta, a French, became a great follower and said that "Gandhiji is the Captain of the Unarmed, the Father of the Pariahs, the King who reigns by the divine right of sainthood. He has come to show us the power over the earth of absolute innocence. He has come to prove that it can stop machines, hold its own against guns and defy the greatest Empire. Gandhi is not the head of state, he holds no government post, he is not a party leader—broke officially with Congress—nobody has elected him. He does not seek for support from an army or police or secret agents. He has not even a penny of his own and lives on a plot of land lent to him. He is indeed the mediator and the judge in this world, he who is not of this world."

Gandhiji had travelled widely all over India and mingled with the oppressed and the untouchables, the weak, the poor and the destitute. He considered himself to be a peasant and one of them. See the will of the God; Here was a man born in a respectable family where his grandfather and father were Prime Minister and he himself was prepared and trained for the same position and who eventually became the guide, leader and saviour of the masses and even identified himself as one of them. We will find it hard to trace any similarity like this in the whole history of mankind of all times. Louis Fischer has rightly said that "if a man is to survive and civilization is to survive and flower into freedom, truth and democracy, the remainder of the 20th Century and what lies beyond must belong not to Lenin or Trotsky, not to Marx or Mao, but to Mahatma Gandhi". The renowned scientist Albert Einstein, in a most prophetic voice, had said: "Generations to come it may be, will scarce believe that such a one as this ever in flesh and blood walked upon this earth."

To many men and women, Gandhiji reminded them of Jesus Christ. C.F. Andrews observed that "Gandhi is Indian Jesus. My pilgrimage will be to touch his feet." Mrs. Annie Besant, on seeing Gandhiji, said: "I looked into his eyes and for a moment I forgot that it was Mohandas Gandhi and saw through his eyes, Jesus of Nazareth of old who stooped down in order to lift others". George Bernard Shaw, in a similar vein, remarked: "Gandhiji, after seeing you, I have begun to believe that the birth of Jesus Christ was a reality on the earth". Many compared the historic trial of Mahatma Gandhi in March 1922 with the trial of Jesus

Christ. While in London, some people asked Gandhiji as to why a Saint like him was busy in politics. Gandhiji replied: "I am a politician and trying to be a saint. Victory should come through a comparatively small band of perfect warriors, even a single, if he acted at the right moment rather than an army of second raters". Like Abraham Lincoln, the Mahatma also felt that no man was good enough to rule another man and no nation was good enough to rule another nation. For a man to rule himself was liberty, for a nation to rule itself was liberty. But for either to rule another was tyranny.

Socrates once said that when the guardians of law and of Government were only seeming and not real guardians then one should see how they turned the state upside down. It is said that one of the tests of leadership is the ability to recognise a problem before it becomes an emergency. Thus, the imperative need for the right leadership at critical junctures in history is more than evident. The Communist leader Shri S.A. Dange said that "let us pledge to carry forward all that was revolutionary and democratic, progressive and unifying, human and selfless, defiant and courageous in Mahatma Gandhi". Thus, it is amply clear that no life like Mahatma Gandhi's ever became the beloved of the whole world. When the eyes of the mind becomes clear, then foresight grows into immediate future. What is the secret of this? Science has not been able to find out.

Mahatma Gandhi was captivated by the thoughts and life of some great men. Thoreau presented him with the gift of civil disobedience, Tolstoy with that of non-cooperation, Ruskin with that of economic equality, British law with that of a legal frame of mind and the Gospel with the most precious gift of all the soul of non violence. Gandhiji said that the true source of rights was duty. If we all discharged our duties, rights would not be far to seek. In his reply to a letter to H.G. Wells, he said: "Begin with a charter of duties of man and I promise the right will follow as spring follows winter. I began and I find today that I have greater rights perhaps than any living man I know".

Mahatma Gandhi was a born fighter, liberator and leader not only of India but of the whole humanity. He once said that "let others hail the rising sun but I bow to that whose race is run. The tyrant dies and his rule ends but the martyr dies and his rule begins". He also said:

I shall work for an India in which the poorest shall feel that it is their country in whose making they have an effective voice, an India in which there shall be no high class and low class of people, an India in which all communities shall live in perfect harmony.

There can be no room in such an India for the cause of untouchability or the curse of intoxicating drinks and drugs. Women will enjoy the same rights as men. This is the India of my dreams.

His ambition was to wipe every tear from every eye. George Slocombe said about Gandhiji: "I have never met any man more utterly honest, more transparently sincere, less given to egotism, self-conscious pride, opportunism and ambition which are found in great or less degree in all the other great political figures of the world."

On the values enshrined in nationalism also Gandhiji had clear-cut ideas. In his own words: "My idea of nationalism is that my country may become free, that if need be the whole of the country may die, so that the human may live. There is no room for race hatred. Let that be our nationalism. But I believe that non-violence is infinitely superior to violence, forgiveness is more manly than punishment." Gandhiji had the power of making heroes out of clay. As Pandit Jawaharlal Nehru observed: "I have watched the amazing energy and inner power of Gandhiji, coming out of some inexhaustible spiritual reservoir. He was obviously not of this world's ordinary coinage, he was minted of a different and rare variety and often the unknown stared at us through his eyes."

The Dandi March was one of the most electrifying moments in the annals of our freedom struggle. Pandit Motilal Nehru compared it to the march of Lord Ram to Lanka; C.F. Andrews regarded it as Moses leading the exodus of Israelites; for Italians, it was the sight of Caesar crossing the Rubicon and marching for the conquest of Gaul; Americans compared the historic march to Lincoln's decision to preserve the Union and his sending troops to the southern states. The life of Mahatma Gandhi shows what infinite patience, self-sacrifice and high principled living is required if we are to do something for our people. The Mahatma never tried to become a man of success but rather to become a man of values. He once said: "I have been known as a crank, faddist and mad man. Evidently, the reputation is well deserved. For wherever I go I draw to myself cranky, faddists and mad men."

The eminent writer and man of learning Stanley Jones has said: "Could I interpret that? It was like trying to interpret Mount Everest. It is many sided. It rises in simple grandeur and yet there are subsidiary peaks, crevices, depths, plateaux, all contributing in the sum total of the grandeur that is Everest." Every great liberator of humanity, every great leader and prophet has to suffer humiliation and ill-treatment, for the world dislikes greatness and can only admire it from a distance, the distance created by the lapse of time. Roy Walker, an eminent historian, in his book "Sword of Gold", quotes Albert Einstein on Gandhiji: "Mohandas Gandhi is a leader of his people, unsupported by any outward authority, a politician whose

success rests upon his simplicity and convincing power of personality. He is a victorious fighter who has always scorned the use of force, a man of wisdom and humility who has devoted all his strength to uplifting his people...a man who confronted the brutality of Europe with dignity has thus at all times risen superior to all the leaders of the world." Ho Chi Minh, the great Vietnamese leader said of Gandhiji: "I and others may be revolutionaries, but we are disciples of Mahatma Gandhi." Once Lord Mountbatten told Gandhiji, "so Mr. Gandhi, the Congress is no longer with you." Gandhiji's reply was characteristic: "But India is still with me." John Heynes Homes, a Minister in the City Church of New York, who has authored a book "My Gandhi" and also "Sermon on the Sea", an American version of Hind Swaraj has written that in the course of nearly three decades, he had found full affirmation of what he had declared in his sermon in 1921 that the greatest man in the world was Mahatma Gandhi.

A great poet once wrote about Gandhiji:

"God give us men
Men whom lust of office does not kill,
Men whom spoils of office can not buy,
Men who possess opinions and a will,
Men of honour,
Men who will not lie."

Mahatma Gandhi was a unique man, for he transformed a reformist organisation, the Indian National Congress founded in 1885 by an Englishman, into a movement for Indian independence. He was a moralist, politician and saint rolled into one. Romain Rolland, the great philosopher and man of high principles, and also close friend of Gandhiji, said:

The Mahatma is indeed wonderful. Wonderful a flame amid flickers, a beacon in stormy waters. His pacifism, non-violence, life of spotless purity, sincerity-well there is so much in him, in one man, a giant spirit in such a frail frame! Who would have believed such a flowering faith possible in our starless days of pettiness and selfish fears."

Mahatma Gandhi said time and again: "let hundreds like me perish but let truth prevail. You have to stand against the whole world although you may have to stand alone. My cry will rise to the throne of Almighty God. If no one responds to your call, walk alone." Gurudev Rabindra Nath Tagore wrote:

His soul is perpetually anxious to give and he expects absolutely nothing in return, not even thanks. This is no exaggeration for I know him well. His power of sacrifice becomes all the more irresistible, because it is wedded with his paramount fearlessness. Emperors and Maharajas, guns and bayonettes, imprisonment and tortures, insults and injuries, even death itself, can never daunt the spirit of Gandhi. He is a liberated soul.

E. Stanley Jones has quoted a beautiful poem on Gandhiji which says:

Devalera with green shirts, his back to the wall
Hitler with brown shirts, riding for a fall,
Mussolini with black shirts, lording it all.
Three cheers for Mahatma Gandhi, with no shirt at all.

Stephen Hobhouse England observed: "Of the historical light bearers, one of the greatest of all time, so it seems to me, is Mohandas Karamchand Gandhi, the prophet of Ahimsa-Satyagraha." Mary Bethune, a prominent American lady, has said:

"As we mothers of the Earth stand in awesome fear of the jet planes, the crash of atom bombs we must turn our eyes in the hope to the East where the sun of the Mahatma Gandhi blazes."

An American Bishop and a great friend of Gandhiji, Frederick B. Fisher wrote:

Gandhi's living philosophy of non-violence based on love, justice and truth was the greatest human attempt made in modern times to advance the kingdom of heaven on this Earth. Gandhi is more than an Indian patriot. He is the personification of a new era. Ancient India planted Ahimsa and reaped Gandhi. He was born in spirit some six thousand years ago when the history of the Aryan race began.

Leo Tolstoy once wrote to Gandhiji: "Your activity in the Transvaal, as it seems to us at this end of the world, is the most essential work, the most important of all the work now being done in the world and in which not only the Nations of Christian Europe, but of all the world will undoubtedly take part." Dr. Radhakrishnan said that Gandhiji belonged to the race of prophets, who had the courage of the heart, the courtesy of the spirit and laughter of the unafraid. His life and teaching bore testimony to the values for which our country has stood for ages—faith in spirit respect for its mysteries, the beauty of holiness, the validity of character, values which are neither national nor international but Universal. Way back in 1909, Gopal Krishna Gokhale said:

It is one of the privileges of my life that I know Mr. Gandhi intimately, and I can tell you that a purer, a nobler, a braver and a more exalted spirit has never moved on this earth. Mr. Gandhi is one of those men who touch the eyes of their weaker brethren as with magic and give them a new vision. He is a man among men, a hero amongst heroes, a patriot among patriots and we may well say that in him Indian humanity at the present time has really reached its high water mark.

Mahatma Gandhi had said that Satyagraha campaigns usually passed through five stages: indifference, ridicule, abuse, repression and respect and when the campaign survived repression, it invariably commanded

respect which was another name for success. As he once wrote: "see me please in the nakedness of my working and in my limitations, you will then know me. I have to tread on most delicate ground and my path is destined to be through jungles and temples." Mahatma Gandhi died a martyr at the black hands of dark forces that had struck down Jesus Christ, Joan of Arc, Socrates and Abraham Lincoln. They died so that mankind might live holding the flaming torch they had kindled with their glowing idealism. Lord Krishna died by a stray arrow. Socrates died by poison. Christ was crucified. Gandhiji died of bullet shots. All four masters met their death in an unnatural way. But perhaps it was an appropriate climax to an epic life. Mahatma Gandhi was killed by one of his own people for whose redemption he lived. This second crucifixion in the history of the world was also enacted on a Friday, the same day Jesus was done to death. God forgive us. Mary Bethune wrote:

A warm great light has been extinguished with the death of Gandhi. Gandhi died as he lived seeking through understanding and compassion, to absolve the ignorant and bigoted and self-seekers. His convincing gospel saved men in spite of themselves. The final blow freed the great soul of its last earthly and material restraints allowing it to see farther and wider and higher to exact the spirits of men everywhere.

Lord Rama ended his own life by walking into the deep waters of Sarayu to undergo *Jal Samadhi* after his mission had been fulfilled. In the West, Bruno was burnt, Socrates drank the cup of Hemlock. Gallileo was imprisoned and died under duress. Abraham Lincoln was shot. Gandhiji too was shot but he is the tenth Chiranjeevi even as he is the tenth Avatar.

O'God and Lord of this Universe, you have promised us that when there is unrighteousness and disorder on Earth, then you will send to us someone to take the command and set the things right. Lord, if you are short of such Avatars, then please send my Gandhi again.



Prime Minister, Shri P. V. Narasimha Rao releasing the book "Rajiv Gandhi and Parliament" at the function held on 20 August 1992 to celebrate Shri Rajiv Gandhi's birthday. Also seen in the picture are: Vice-President, Shri K. R. Narayanan, Speaker, Lok Sabha, Shri Shivraj V. Patil and Union Minister for Parliamentary Affairs, Shri Ghulam Nabi Azad

BIRTH ANNIVERSARY OF SHRI RAJIV GANDHI LARRDIS

On 20 August 1992, a meeting of parliamentarians was organised under the auspices of the Indian Parliamentary Group in the Main Committee Room of Parliament House Annexe to mark the 48th birth anniversary of former Prime Minister, late Shri Rajiv Gandhi. The Speaker, Lok Sabha, Shri Shivraj V. Patil presided over the function which was also addressed by the Prime Minister, Shri P.V. Narasimha Rao and the Vice-President elect, Shri K.R. Narayanan. The Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla also spoke on the occasion.

In his address, the Speaker, Lok Sabha, Shri Shivraj V. Patil said that Shri Rajiv Gandhi would always be remembered for his commitment and dedication to the task of nation-building. During the decade that he had been in Parliament, Shri Gandhi left an indelible mark, first as the Leader of the House and later as the Leader of Opposition in Lok Sabha. The young and dynamic leader had an abiding faith in the sanctity of Parliament and utmost respect for democratic institutions. Referring to his varied contributions to national and international life, Shri Patil observed that the real homage, true veneration, genuine love and admiration for Shri Rajiv Gandhi would be that we must fulfil the task he left unfulfilled—the task of making the country united, strong, prosperous and advanced and at the same time, free from hatred and violence.

Addressing the gathering, the Prime Minister Shri P.V. Narasimha Rao said that the era of Shri Rajiv Gandhi was an era of great activity and excitement, of new ideas and experimentation. He brought the freshness and vigour of youth and in the administration of the country generated a whole set of new ideas whose expression was being felt presently and would be an evidence for years to come. He initiated various programmes in the social, political and economic life of our country. The goal in all this was to eliminate inequalities and help the economically and socially weaker sections to gain upward mobility. His tenure as Prime Minister enhanced India's stature in international affairs. He brought his characteristic dynamism to bear on India's performance in the global arena. Shri Rajiv Gandhi was a great parliamentarian and a firm believer in the principles of democracy. In the true democratic traditions he served his role as the Leader of the ruling party and later as the Leader of the Opposition. In both capacities, he discharged his duties with utmost responsibility and proved himself as a great democrat and a parliamenta-

rian of unparalleled eminence. Shri Narasimha Rao observed that we owe a debt to this leader who meant so much for the country and who loved his country so much. Let us resolve to follow in his footsteps steadily and steadfastly, he added.

In his address, the Vice-President-elect, Shri K.R. Narayanan said that Shri Rajiv Gandhi was not just the Prime Minister and the leader of India, but someone who had entered our minds and hearts as part of ourselves. Shri Gandhi once said that we had to fuse the wisdom of India and the wisdom of the seers of India and the insights and artefacts of science and technology. This, Shri Narayanan observed, symbolised Shri Gandhi's entire approach. As a proud Indian, he wanted to put India in the centre of world politics. In his international activities, he really attracted the attention of the world. As the Leader of the Opposition, he held the attention of the entire India and also of the world. The quality of leadership and the initiative that he could take at every historic occasion was special genius of Shri Gandhi. It was his imagination and his initiative that produced a new epoch in our politics, which was presently opening up our society and our economy and energising our people. Apart from his great debating skill and his capacity for polemics, for mastering facts, he had a delightfully puckish sense of provacativeness which stirred Parliament from time to time. It endeared Shri Rajiv Gandhi to Parliament and he emerged as one of the greatest parliamentarians of our time, Shri Narayanan added.

Addressing the gathering, the Deputy Chairman of Rajya Sabha, Dr. (Smt.) Najma Heptulla said that Shri Rajiv Gandhi was a shining star on the Indian firmament. His whole life was a revolution in itself and was also permeated with our composite culture. During his short, yet eventful life, he painted a beautiful picture on our national canvass and also in our hearts and minds, which could rarely be picturised. If we could endeavour to achieve those goals for which Shri Rajiv Gandhi lived and laid down his life, that would perhaps be the best tribute and homage that we could offer to this great son of India, Smt. Heptulla added.

During the function, the Prime Minister, Shri P.V. Narasimha Rao also released a book entitled *Rajiv Gandhi and Parliament* and a *Profile* on Shri Rajiv Gandhi, brought out by the Research and Information Division of the Lok Sabha Secretariat. The Book, edited by Shri C.K. Jain, Secretary-General, Lok Sabha, carries a Foreword by the President of India, Dr. Shanker Dayal Sharma and articles, among others, by the Vice-President of India, Shri K.R. Narayanan, the Prime Minister, Shri P.V. Narasimha Rao and the Speaker, Lok Sabha, Shri Shivraj V. Patil. Impressions of distinguished personalities who worked with Shri Rajiv Gandhi are recorded in the Book for the benefit of posterity. It also contains all major speeches by Shri Gandhi in the two Houses of



A section of the viewers, including Smt. Sonia Gandhi at the function to mark the Birth Anniversary of Shri Rajiv Gandhi on 20 August 1992 on the occasion of the release of the book on "Rajiv Gandhi and Parliament"

Parliament on important issues, both national and international, and at other parliamentary functions. The homage paid to Shri Rajiv Gandhi in the Lok Sabha and Rajya Sabha, State Legislatures in India, foreign Parliaments, the Inter-Parliamentary Union (IPU) and the Commonwealth Parliamentary Association (CPA) also form part of this Volume. Some rare photographs included in the Book provide an insight into the various facets of Shri Rajiv Gandhi's personality.

Before the function commenced, the Speaker, Lok Sabha, Shri Shivraj V. Patil inaugurated an Exhibition of paintings on Shri Rajiv Gandhi by Miss Zeba Amrohi in the Parliament House Annexe.

CONFERENCE ON "DISCIPLINE AND DECORUM IN THE PARLIAMENT AND THE STATE LEGISLATURES"

LARRDIS

We, in India, opted for a parliamentary democratic system as it was considered best suited to our ethos and genius. Over the years, this system has struck deep roots in our soil. Through ten general elections to the Lok Sabha and many more elections to the State Legislatures and other representative bodies, the people of India have re-affirmed their commitment to a parliamentary polity. While the system as such has been working satisfactorily, we have, at different points of time, come across several attendant problems in its operational mechanics.

The need for decorum and discipline and orderly conduct of the business of the House can hardly be over-emphasised. Fully conscious of this, the annual Conferences of Presiding Officers of Legislative Bodies in India have, in the past, focussed attention on this issue. At the Gandhinagar Conference in May 1992, it was suggested that an all-India Conference of all those concerned with the business of the House should be convened to deliberate on the issues of discipline and decorum in the Legislatures.

Accordingly, a All-India Conference of Presiding Officers, Leaders of Parties, Ministers of Parliamentary Affairs, Whips and Senior Officers of Parliament and State Legislatures was held in the Central Hall of Parliament House in New Delhi on 23-24 September 1992. The Conference was inaugurated by the Vice-President of India and Chairman, Rajya Sabha, Shri K.R. Narayanan on 23 September 1992. The Conference, which deliberated on the subject 'Discipline and Decorum in the Parliament and the State Legislatures', was attended by over 300 delegates. The Conference was also addressed by the Prime Minister, Shri P.V. Narasimha Rao who gave away to veteran Parliamentarian Shri Indrajit Gupta the first Govind Ballabh Pant Memorial Society Award for the Outstanding Parliamentarian of the Year. Two comprehensive papers prepared by the Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat, viz. "Discipline and Decorum in the Parliament and the State Legislatures" and "Time spent on various kinds of Business in Lok Sabha: An Appraisal" were distributed among all participants in the Conference.

The Speaker, Lok Sabha, Shri Shivraj V. Patil, in his Welcome Address said that the idea of holding a Conference of this nature was floated outside and inside the Parliament, in the Conference of Presiding Officers



Prime Minister Shri P. V. Narasimha Rao, being received by Shri Shrivraj V. Patil Speaker, Lok Sabha at the Conference on "Discipline and Decorum in the Parliament and State Legislatures".



Vice-President, Shri K R Narayanan, Prime Minister, Shri P. V. Narasimha Rao and the Speaker, Lok Sabha, Shri Shivraj V. Patil at the Conference

held in Gandhinagar in May this year and also in the meetings of the Standing Committee of the Presiding Officers. It was suggested that in this Conference, a code of conduct could be evolved to maintain order and decorum in the Legislatures. The rules of procedure followed by the Legislatures did provide as to how everybody concerned was expected to conduct himself in the Legislatures. Shri Patil said that therefore it might not be necessary to have a separate code of conduct; if we all followed the rules properly, the purpose of having a code of conduct would be achieved.

Regarding parliamentary performance and functioning, the Lok Sabha Speaker observed that there was no need to feel frustrated about our achievements in the working of parliamentary democracy. There was, however, always scope for improvement and we would take steps to improve the system and raise our standards to higher levels.

Shri Patil pointed out that on some occasions, President's Address to the Parliament and Governors' Addresses to the State Legislatures had been obstructed and disturbed. He said that members might express their resentment or differing views when those Addresses were discussed in the House. In this context, he asked whether we could decide and agree to avoid disturbing these Addresses.

Regarding demands for suspension of Question Hour, Shri Patil said that only in very very exceptional situations like grave natural calamities or war, it might be done. On the so-called Zero Hour, he observed that only on some occasions some important issues were raised and discussed during this period. Asserting that the time of the House had to be very judiciously used, he suggested that we should have to master the art of using the available time in the most useful fashion and on the most significant and important issues only. He called upon the Executive, Leaders of Parties, Whips as also members, parties and officers to contribute in their own ways to ensure the judicious use of the time of the House. He urged the media to write forcefully, yet accurately, giving importance only to real issues and significant matters.

The Lok Sabha Speaker emphasised that to enable sufficient opportunities to legislators to discuss and debate on important issues, it was essential that the House should work for about 100 to 110 days in a year. He also announced that in the Parliament, it was proposed to strengthen the Committee System and have ten new Standing Committees. Besides, he emphasised the importance of adequate training of legislators and encouraging contacts and interaction among Legislatures.

In his Address, the Prime Minister, Shri P.V. Narasimha Rao said that there was an imperative need to review the situation based on actual experience. What was necessary was to follow the existing rules properly and if this was done, there was no need for a separate code of conduct. Observing that this Conference had not come a day too early, he suggested that when we say, decorum, it meant the respect parties showed to each other as also the respect shown to the Speaker. On the proposal for introducing Committee System in Parliament, the Prime Minister welcomed the initiative and offered whole-hearted cooperation in making it successful. Referring to demands for suspension of Question Hour, he pointed out that it was the Ministers who were the unintended beneficiaries if it actually happened.

Inaugurating the Conference, the Vice-President and Chairman, Rajya Sabha, Shri K.R. Narayanan described the Parliament and the Legislatures as the institutional embodiment to the audacious experiment in democracy launched by the founding fathers of our Republic. In order to meet the critical challenges faced by our country today parliamentary institutions had to be strengthened and had to adapt themselves creatively to new conditions and tasks. The first pre-requisite for this was to ensure their unobstructed, smooth and efficient functioning. Shri Narayanan expressed confidence that the current phenomenon of disorders and disturbances in Legislatures was not going to be a permanent thing or such as to subvert the system. They were bound to pass, but pass they must, otherwise the system would be in mortal danger, he added.

Pointing out that such disturbances were not peculiar to India but were a world phenomenon, Shri Narayanan, however, cautioned that this did not bring credit nor consolation for us. Every member ought to bear in mind the over-riding obligation to preserve our precious heritage when he rose to disturb the proceedings. The responsibility for orderly functioning of the House rested on all its three constituents—members, Ministers and Presiding Officers. Shri Narayanan asserted that respecting Parliament was an important intangible that contributed to the sustaining of our nation.

The Vice-President, the Prime Minister and the Speaker, Lok Sabha warmly congratulated Shri Indrajit Gupta on his being chosen for the coveted Govind Ballabh Pant Memorial Society Award for the Outstanding Parliamentarian for the year. Shri K.C. Pant, Secretary of the Govind Ballabh Pant Memorial Society, announcing the Award, described Shri Indrajit Gupta as a model of courtesy. Accepting the Award, Shri Indrajit Gupta expressed his profound gratitude to the Jury headed by the Speaker, Lok Sabha, for bestowing the honour on him.

Later, initiating the discussion, the Leader of Opposition in the Lok Sabha, Shri L.K. Advani said that although there might be moments of excitement in the House, the proceedings of the House should not be



Vice-President, Shri K.R. Narayanan addressing the Conference. Also seen in the picture are: Prime Minister, Shri P.V. Narasimha Rao and the Speaker Lok Sabha, Shri Shivraj V. Patil.



Shri Indrajit Gupta, MP receiving the Govind Ballabh Pant Memorial Society's Award for the Outstanding Parliamentarian of the Year from the Prime Minister, Shri P. V. Narasimha Rao

paralysed. At least the budget proposals and legislative proposals should be discussed in detail. In this context, he referred to the recent proposal for the setting up of Standing Committees. Referring to discipline and decorum in the House, Shri Advani observed that all political parties had a vested interest in the smooth conduct of the business in the House and urged the various political parties to evolve a code of conduct to be observed in the House by their members. The largest party had a major role in this regard, he added. Shri Advani also emphasised the need for a Committee to go into all these matters.

Participating in the discussion, former Union Minister Shri Ram Niwas Mirdha, MP said that in the post-independence era, our democratic system and parliamentary polity had functioned quite satisfactorily as compared to other countries. He referred particularly to some procedural innovations of the Indian Parliament in this regard. As for conduct of legislators, Shri Mirdha said that self-discipline was very important. He also emphasised the need for utmost responsibility on the part of the Press while highlighting the proceedings of the Legislatures.

Shri Hashim Abdul Halim, Speaker, West Bengal Legislative Assembly, said that the office of the Speaker should be non-political. He also urged political parties to train and orient their members for their smooth conduct in the Legislature.

Others who participated in the morning session were Shri Vijay More, MLA, Maharashtra and Shri Jagdish Nehra, Minister of Parliamentary Affairs and Irrigation, Haryana.

In the afternoon session, veteran parliamentarian Shri Atal Behari Vajpayee, speaking nostalgically and with deep emotion, recalled the high traditions of earlier Lok Sabhas and the contributions of eminent parliamentarians and referred to the immediate need to enforce discipline and maintain decorum in the Legislatures and make these institutions meaningful and effective. He made an impassioned appeal to evolve a consensus by all political parties to restrain from demanding suspension of the Question Hour and maintaining decorum at the time of Addresses of the President/Governors who were performing their constitutional duty. He suggested that there should be a sufficient number of sittings of the House to give adequate opportunities to members for taking part in the debates.

Others who participated in the discussion and made similar suggestions included Shri Rabi Ray, former Speaker of Lok Sabha and member of Parliament; Shri R.S. Gavai, Member, Maharashtra Legislative Council; Shri D. Sripada Rao, Speaker, Andhra Pradesh Legislative Assembly; Shri Ganpat Rao Deshmukh (Maharashtra); Dr. U.P. Verma, Chairman, Bihar Legislative Assembly; Shri K. Chandrasekharan, MLA (Kerala); Shri Chaturanan Mishra, MP; Shri K.M. Mani, Minister for Revenue and

Law (Kerala); Shri Yudhisthir Das, Speaker, Orissa Legislative Assembly; Shri Nihal Ahmad, MLA (Maharashtra); Shri Ramakant, MLA (Rajasthan); Shri Madhukarrao Chaudhari, Speaker, Maharashtra Legislative Assembly; and Shri Om Prakash Gupta, MLA (Rajasthan).

On the second day, participants, cutting across party affiliations, were unanimous in their view on the imperative need for maintaining discipline and decorum in the House during the President's/Governor's Address and also during the sittings of the Legislatures. Participating in the discussion, Shri Hari Shankar Bhabra, Speaker, Rajasthan Legislative Assembly, said that no outside power should interfere in the independent functioning of the Legislatures. Regarding discipline and decorum, he said that political parties and the Press had a great role to play in this matter. Shri Upendra Prasad Verma, Minister of Parliamentary Affairs, Bihar, observed that, lot of time was presently being wasted by the Presiding Officers in maintaining discipline in the House. Besides the Press, the Chief Whip and the Leader of the House also had great responsibility in maintaining order in the House, he added. Smt. Saroj Kashikar, MLA (Maharashtra) said that the viewpoints of the Opposition should also be reflected in the President's/Governor's Address and made a plea that information sought by the Members should be provided by the Government which might avoid disturbances in the House.

Prof. Brij Mohan Mishra, Speaker, Madhya Pradesh Assembly, said that the entire world was observing the functioning of the Indian Parliament. He also agreed that the Speaker should be above politics and that he should be elected unopposed.

Speaking on the occasion, Shri P. Upendra, former Union Minister and member of Rajya Sabha, said that the treasury benches and the Opposition were like two eyes of the Government and hence there should not be any attempt to conceal or hush up matters.

Smt. Chandravati, MLA (Haryana), in her speech, said that the Question Hour should not be suspended and regretted that the sittings of Legislatures were decreasing day by day. Shri Rajo Singh, MLA (Bihar) agreed with the view of Smt. Chandravati that the Speaker should not be influenced by the Chief Minister, Smt. Vidya Stokes, MLA (Himachal Pradesh) said that all of us were responsible for the present situation.

Shri Ghulam Sarwar, Speaker, Bihar Assembly, observed that President's/Governor's Address should not be disturbed and that political parties must caution their members in this regard. Participating in the discussion, former Union Minister, Shri Bansi Lal, said that the Presiding Officers should control themselves so that they could control the members in the Legislatures.

Shri Jaipal Reddy, MP, in his speech, said that when Ministers tend to conceal information, Opposition resorted to extra-Parliamentary tactics which they found effective in extracting information. Therefore, the



A view of delegates attending the Conference

treasury benches must be transparent in their conduct and behaviour. Shri Sikander Bakht, the Leader of the Opposition in the Rajya Sabha, said that the stature of the Speaker should be such that even the Prime Minister would respect him. Shri Kesari Nath Tripathi, Speaker, Uttar Pradesh Legislative Assembly observed that perhaps a Conference of newspaper editors and agencies, could also be organised to impress upon the mediemen of their responsibilities while reporting proceedings of the Legislatures.

Shri Ghulam Nabi Azad, Union Minister of Parliamentary Affairs, congratulated the Speaker, Lok Sabha for his efforts in bringing about various procedural changes in the Indian Parliament. He said that all political parties, whether they were in the Government or in the Opposition, had great responsibilities. He emphasised that besides the President's/Governor's Address, the speeches of the Leader of the House and the Leader of the Opposition should also be listened to by the legislators without interruption, notwithstanding whether they agreed with them or not. He also suggested that the proceedings of the State Legislatures could be telecast.

Shri Shyama Charan Shukla, Leader of the Opposition in the Madhya Pradesh Assembly, expressed the view that the President's/Governor's Address should not be obstructed. He also regretted that undesirable elements were now entering the Legislatures and urged upon political parties to discourage such trends.

Initiating the discussion in the post-lunch session, Shri T.S. Negi, Speaker, Himachal Pradesh Legislative Assembly, observed that the time had come to examine ways and means of making the Speaker a non-political functionary. He suggested that disrespect shown during the President's and Governor's Address should be treated as contempt of the House. In creating an orderly atmosphere in House the Press had a special duty. However, self-restraint was the best code of conduct, added Shri Negi.

Shri Indrajit Gupta, MP gave a dispassionate analysis of the problem. He said that legislative bodies should not be seen in isolation of the external environment which had an influence on all of us. He noted that there was a remarkable rise in the level of participation by members in the business. But as complexities got aggravated, these were obviously reflected in Parliament for, Parliament was no ivory tower. In order to save the President and Governors from the embarrassment of facing unruly scenes, Shri Gupta felt that the physical presence of these dignitaries could be dispensed with as the Address was ceremonial in nature.

The Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla was of the opinion that not only the Question Hour but no part of the proceedings

of the Legislatures should be suspended so that members got sufficient time to deliberate on important issues. What happened in the Legislatures generally were only reflections of whatever happened in the country at large, she added.

Others who participated in this session were: Sarvashri Gopinath Munde, Leader of the Opposition, Maharashtra Legislative Assembly; Sukomal Sen, MP; Habibulla Khan, Whip, Congress Legislature Party, Orissa; Jiba Kanta Gogoi, Speaker, Assam Legislative Assembly; Prabodh Chandra Sinha, Minister of Parliamentary Affairs, West Bengal; Ishwar Singh, Speaker, Haryana Legislative Assembly; Ajay Kumar Jena, Government Chief Whip, Orissa; Ramesh, MLA, Madhya Pradesh; Veerappa Moily, Minister of Parliamentary Affairs, Karnataka; R.P. Singh, Deputy Leader, Bihar Vidhan Parishad; P.P. Thankachan, Speaker, Kerala Legislative Assembly; Jayashree Banerji, MLA, Madhya Pradesh, Shankar Dayal Singh, MP; Ram Prakash Mahto, Chief Whip, Janata Dal, Bihar Vidhan Sabha; P.R. Kyndiah, Speaker, Meghalaya Legislative Assembly; Ramanand Singh, Leader, Janata Dal, Madhya Pradesh Vidhan Sabha; Simon Peter D'Souza, Deputy Speaker, Goa, Legislative Assembly; S.N. Tiwari, Deputy Speaker, Madhya Pradesh Vidhan Sabha; and Jagesh Desai, MP.

In his concluding remarks, the Speaker, Lok Sabha, Shri Shivraj Patil observed that there were certain deficiencies in the system and the Conference had thrown up some solutions. Shri Patil stressed that the President and the Governors personified the prestige and dignity of the nation and the States, respectively, and therefore, they should be respected. Secondly, the Question Hour should not be suspended save in extraordinary circumstances. Welcoming the suggestion made by Shri Ghulam Nabi Azad, Union Minister of Parliamentary Affairs that there should be four regional Conferences to discuss the issue at length with a greater involvement of the MLAs, Shri Patil assured that the suggestions would be given due consideration.

The other constructive suggestions made in the course of the Conference included evolving a Code of Conduct by the political parties themselves for their own members and strengthening the Committee System, besides introducing training facilities for the newly elected members. It was also agreed that there should be more sittings, at least 100 days a year in the case of Assemblies. The Speaker noted that a walk-out would be a decent way of expressing protest than rushing to the well.

The Conference concluded after unanimously adopting a resolution complimenting the people of India for their abiding faith in the principles and ideals of democracy.

The text of the Resolution is as under:

RESOLUTION

The Presiding Officers, Leaders of Parties, Ministers of Parliamentary Affairs and Party Whips in Parliament and State Legislatures and Senior Parliamentarians and Legislators, having met in a Conference in New Delhi on 23 and 24 September 1992, and deliberated on the need for a more meaningful, effective and orderly functioning of the Houses of Parliament and State Legislatures:

- (1) *Feel* greatly satisfied that the Parliamentary System has taken firm roots in the country notwithstanding the challenges from within and outside;
- (2) *Compliment* the People of India for their continued faith in the principles and ideals of democracy and reaffirmation of their allegiance to the Parliament and Parliamentary Institutions;
- (3) *Reiterate* their responsibilities and duties to protect and preserve the hard-won freedom, strengthen the unity of the people, defend the integrity of the country and achieve for the people a life of peace, prosperity and happiness;
- (4) *Agree* unanimously that with a view to preserving democratic and secular fabric and strengthening the Parliamentary Institutions, it is necessary that—
 - (i) At the time of Address by the President to the Members of both the Houses of Parliament and at the time of Address by the Governor to the Houses of Legislatures, decorum and dignity of the occasion be maintained fully and due respect be shown to the President and the Governor;
 - (ii) The Question time should be utilised fully and effectively as a well-established device to ensure accountability of the Administration and that the demand for the suspension of the Question Hour should not be made and acceded to except with the consensus in the House to discuss a matter of very urgent nature and exceptional importance;
 - (iii) The Legislatures should hold sufficient number of sittings in a year with a view to affording adequate opportunities to the Legislators to deliberate;
 - (iv) Members should scrupulously observe the Rules of Procedure in order to maintain order and decorum in the House; and
 - (v) The Committee System be strengthened in the Parliament and State Legislatures in order to enable in-depth study and closer scrutiny as well as to ensure accountability of the Executive to the Legislature.

- (5) *Suggest* that the political parties evolve a code of conduct for their Legislators and ensure its observance by them;
- (6) *Urge* that the political parties, Governments at the Centre and in the States, the Press and other concerned should help create a climate conducive to the healthy growth of Parliamentary System in the Country.



Veteran Parliamentarian, Shri A. B. Vajpayee offering floral tributes to Shri S. R. Ranganathan, father of Library Science at the workshop on "Library and Information Services to the Sansad".

**WORKSHOP ON
"LIBRARY AND INFORMATION SERVICES TO THE
SANSAD"**

LARRDIS

A one-day Workshop on "Library and Information Services to the Sansad" was jointly organised by the Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat and the Parliamentary Libraries' Section of the International Federation of Library Associations and Institutions (IFLA), in the Main Committee Room, Parliament House Annexe on 3 September 1992. The Workshop was inaugurated by the veteran parliamentarian and former Union Minister, Shri Atal Bihari Vajpayee. Shri C.K. Jain, Secretary-General, Lok Sabha delivered the Welcome Address. About 30 Parliamentary Librarians from Overseas Parliaments and several other participants from the State Legislatures in India attended the Workshop.

In his inaugural address, Shri Atal Bihari Vajpayee pointed out that the spectacular advancements in information and communication systems had propelled the Twentieth Century into an information society. Apart from their traditional legislative functions, legislators presently had to cope with newer problems and changing situations, both nationally and internationally. This being so, proper organisation and management of information followed by its selective dissemination had acquired added importance. On the evolution of India's Parliament Library since its setting up in 1921, Shri Vajpayee referred to the modernisation programmes, particularly computerisation, microfilming and the audio-video units.

Shri Vajpayee said that as we were nearing the dawn of the next Century, there was an urgent need for an international linkage of Parliamentary Libraries, so that each unit, regardless of its geographical location, might be in a position to consult and cooperate without the constraints of time-lags. Such a network would reduce the duplication of efforts and expenses incurred on providing coverage of the same material. In effect, the proposed resource sharing could eliminate size, distance, and even language limitation for legislative information, he felt. In this context, Shri Vajpayee referred to the proposal for linkage of Parliament Library with the Libraries of State Legislatures in India.

Shri Vajpayee observed that there was an imperative need for greater interaction among the Libraries and Librarians with a view to developing technologies to suit native requirements of individual countries, particularly for preservation of documents. Referring specifically to the developing

countries, he said that there was an urgent need to develop appropriate low-cost technology to preserve precious volumes in developing countries where atmospheric and climatic conditions posed a serious threat to their longevity.

Earlier, welcoming the participants, Shri C.K. Jain, Secretary-General, Lok Sabha, said that the study of the history of Libraries would show that the institution of Library was as old as civilization and human culture. It had been a special feature of Indian tradition that the quest for knowledge and endeavours for learning had always been imbued with a sense of respect for the living as well as non-living and with the object of bringing about good for all. Tracing the history of Libraries in India, he said that knowledge and its dissemination had always been accorded prime importance in the country. Referring to the modern-day developments in information technology, Shri Jain said that many countries of the world, particularly the developing countries, had difficulty in acquiring these technologies because of the high cost in-put. He expressed confidence that the exchange of information and linkage between all the Libraries would go a long way in helping the process of uniting the people all over the world and in this endeavour to work for achieving a new international order free from want and deprivations.

Dr. Ernst Kohl, Director, German Bundestag and Chairman, Parliamentary Libraries' Section of IFLA, proposed the vote of thanks.

The Workshop had two Sessions and four theme papers divided under two Sections. In the Parliamentary Section, two papers, one on 'Parliament of India and Information Management' by Shri C.K. Jain; Secretary-General, Lok Sabha and the other on "Library, Reference, Research and Documentation and Information Services to Members of Parliament of India" by Shri G.C. Malhotra, Director, Lok Sabha Secretariat were presented in the first Session.

In his paper, Shri C.K. Jain, Secretary-General, Lok Sabha, discussed the various aspects of information management in the Parliament of India. Laying particular emphasis on the modernisation programmes in the Parliament Library, he stressed the importance of closer interaction and exchange of information among Parliamentary Libraries. Shri Jain pointed out that utmost care had to be laid on collecting information. In this context, he said that knowledge was essentially different from information. Unless information was actuated with the ultimate public good and welfare, unless it was actuated with the universal objective of uniting the people, it would remain only information and not knowledge. Therefore, knowledge certainly was something superior, about which we must give a thought and we should also ensure that facts which were presented incorporated that aspect and thus enable to highlight the basic goodness of humanity. Shri Jain said that while we might try to pool our resources for modernisation using the latest information technology about collection



Veteran Parliamentarian, Shri A. B. Vajpayee, inaugurating the Workshop on "Library and Information Services to the Sansad" held on 3 September 1992. On his either side are Secretary-Generals of Lok Sabha and Rajya Sabha.

or storage or dissemination, we should not forget that man was the focal point. No machine could substitute the human mind. We had to realize that machines were the creations of the human mind and not *vice-versa*. However sophisticated machine or a technology we might invent, we had to give due importance to the human mind and therefore to human welfare, Shri Jain concluded.

In his paper on the Library and Information services to members of the Indian Parliament, Shri G.C. Malhotra, Director (LARRDIS) sought to analyse the information requirements of legislators in general, with particular reference to that of the members of the Parliament of India. After discussing the importance of objective information for legislators for their effective functioning, he delved deep into the information explosion which we were witnessing presently and how a modern-day Parliamentary Library had to function in the emerging scenario.

Coming specifically to the Indian context, Shri Malhotra discussed the evolution of the Parliament Library. The ever-growing information demands of the members were dealt with in the context of the expansion of Library facilities. He narrated in detail the varied activities of the Library, Reference and Research Services and various facilities extended to members. Emphasis was also laid on the proposed modernisation programmes. Shri Malhotra also discussed at length computerisation, microfilming, audio-video Library and the linkage of Parliament Library with other Legislative and Parliamentary Libraries in India and abroad.

The afternoon session was devoted to the State Legislatures. Two papers, *viz.* 'Library and Information Services in Andhra Pradesh Legislative Assembly' by Smt. S. Rajmani, Librarian, Andhra Pradesh Assembly and 'Library, Reference, and Research Services in Rajasthan Legislative Assembly' by Shri C.P. Gupta, Senior Library Officer, Rajasthan Assembly were presented followed by a discussion. Both papers discussed extensively the Library and Information Services extended to the members in the respective State Legislatures.

The participants later visited the Parliamentary Museum and Archives, the Lok Sabha and Rajya Sabha Chambers and the Parliament Library. This was followed by a cultural programme.

NINETEENTH REPORT OF THE ESTIMATES COMMITTEE ON THE MINISTRY OF DEFENCE—DEFENCE FORCE LEVELS, MANPOWER, MANAGEMENT AND POLICY.*

The Nineteenth Report of the Estimates Committee (10th Lok Sabha) on the Ministry of Defence—Defence Force Levels, Manpower, Management and Policy—was presented to the Lok Sabha on 20 August 1992 by its Chairman, Shri Manoranjan Bhakta.

The Report comprises four Chapters.

Chapter I entitled 'Defence Force/Manpower Levels—Policy: Institutional Aspects' has focused on the articulation of Policy, System for Higher Direction, Tasking of Defence Services, Decision Making Process, Defence Planning, Adequacy of Existing Force Levels and Cost-effectiveness of Force Level and Manpower Utilisation Policies.

In this context, the Committee felt that the existing statement on Defence Policy which is 'to defend the territorial integrity of the country' is a needless oversimplification. They also expressed dismay over the fact that suddenly emerging situations like the Gulf War of 1990 should have thrown the country's defence planning into disarray or that the country should have fought four wars and launched armed operations in and at the request of neighbouring countries without a clearly articulated and integrated defence policy. In this regard, the Committee stressed the need for a clear and comprehensive defence policy based on a viable national security doctrine. They also recommended a review and rationalisation of the Official Secrets Act to facilitate a more meaningful debate on national security affairs.

The Committee suggested revival of the dormant National Security Council for holistic direction of national security affairs at the highest level and desired that the defence policy makers should take a concerted note of the emerging threat to the country from the air and the sea.

With a view to stabilising defence plan expenditure, the Committee called for studying the feasibility of making the defence sector allocations for the entire plan period unalterable as this would make the defence planning exercise more realistic by correlating allocation of resources to the tasks entrusted to the Defence Services. On the efficacy of the decision-making process in the Ministry of Defence, the Committee observed that often proposals floated for fulfilling the tasks entrusted to Defence Services are subjected to a prolonged process of scrutiny and a

*Contributed by the Estimates Committee Branch:

series of clearance which assumes the form of a hurdle race. In the bargain, the Committee observed, the Services end up with a relatively larger share of anxiety. To mitigate this situation the Committee, while highlighting the need to reform the decision-making process in the Ministry of Defence, called for more powers to be delegated to the three Chiefs of Staff. Also, to ensure proper decentralisation coupled with rapid decision-making and corresponding accountability, the Committee recommended that Financial Advisers may be appointed in the respective Service Headquarters and at various Command/Formation levels. This measure, the Committee hoped, would to a large extent, save time and cost expended otherwise, on bridging the existing gaps between the Services and the civilian apparatus in the Ministry of Defence in regard to perception, specialization and familiarity. The Committee also desired that immediate attention should be paid to imparting greater specialisation to the civilian officers of the Ministry of Defence Secretariat.

While giving expression to their anxiety over the increasing use of Army in maintenance of internal security, the Committee suggested that to address this problem, Government should take both long-term and short-term measures which include modernisation and strengthening of paramilitary forces as well as State Police organisations, particularly in the border States.

The Second Chapter, 'Manpower Management and Policy for three Services' dwelt upon manpower management and policy for the three services, regulation of manpower strength, ceiling on manpower, combat to support force ratio, policies regarding recruitment/promotion/retirement, cadre review, age profile in the Armed Forces, induction of women in the Armed Forces and alternative models of manpower management.

The Committee recommended preparation of a long-term and cogent manpower management policy statement for proper direction of the manpower-related affairs in the Defence Services and a comprehensive review of the overall number of personnel in uniform as well as the civilian staff to judge the extent to which it could be pruned; determination of manpower ceiling for the three Services on a futuristic basis and meaningful enforcement of such ceilings to ensure that these are not exceeded under any circumstances; development, application and monitoring of a set of reliable indices at the higher echelons of the three Services in order to ascertain whether manpower is being optimally and productively utilised; tackling of shortages of Commissioned Officers in the three Services, particularly in the Army, by bringing of the existing package of incentives being offered to officers recruited under the Short Service Commission Scheme at par with what was being offered to officers recruited under Emergency Commission Scheme in 1962; introduction of attractive voluntary retirement scheme at appropriate levels in the Army in order to bring down the age profile of the unit commanders; targetting of recruitment effort at a wider social base by opening more

Sainik Schools in the rural areas; review of the terms of engagement in the three Services; and an appropriate scheme for lateral absorption of retiring Defence personnel in the civilian set-up. In this context, the Committee also recommended that the report of the Committee on Defence Expenditure be placed before the Parliament for a comprehensive debate on the subject.

Chapter III of the report deals with Manpower Management and Policy in Non-Combatant sections, viz. Ministry of Defence, AFHQ, Inter-Services Organisations, DRDO, Defence Production Units, Ordnance Factories, Base Repair Depots/EME Workshops/Dockyards. The Committee called for reorganisation of the Ministry of Defence and recommended that more officers from the Defence Services should be inducted in the Ministry of Defence. In regard to manpower utilization in Defence Production Units, with a view to addressing the problem of considerable idle manpower in these units, the Committee recommended that an in-depth exercise should be undertaken to identify Defence Production Units which can be modernised and diversified. They also suggested commercial exploitation of the idle assets such as land, building, etc. of Defence Production Units, wherever it is feasible to do so without disturbing the interests of Defence.

Chapter IV of the Report discussed the system of redressal of grievances in regard to promotion, recruitment and advancement policies, besides those aspects relating to discipline and welfare. The Committee observed that the existing system of grievance redressal in the three Services needs to be fine-tuned and called for all the necessary steps required to be taken to impart utmost objectivity to the existing institutions for redressal of grievances, internally. For this purpose, the Committee desired the setting up of statutory boards or tribunals exclusively for the Service personnel without any further loss of time.

The Committee also recommended the review of present scales of residential accommodation in respect of Service personnel with a view to optimising satisfaction from the existing housing facilities and ensuring greater availability of hired accommodation within the authorised scales of rent, particularly in the metropolitan cities.

The Committee urged the Government to review the proposed Siachen allowance and similar allowances admissible in similar areas after every five years so as to maintain the compensatory value of such allowances. It emphasized that greater attention should be paid to the welfare of Defence Civilians in terms of housing, educational and medical facilities. The Committee felt that the welfare of civilian employees should be considered an important part of the performance of the Officer-in-charge of a unit/establishment.

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

88th Inter-Parliamentary Conference: The 88th Inter-Parliamentary Conference was held in Stockholm (Sweden) from 7 to 12 September 1992. The Indian Delegation to the Conference was led by Shri Ghulam Nabi Azad, Minister of Parliamentary Affairs. Other members of the Delegation were: Sarvashri Somnath Chatterjee, Vilas Muttemwar, Ram Naik, M. Baga Reddy, Digvijay Singh and S. Viduthalai Virumbi, all members of Parliament. Shri C.K. Jain, Secretary-General, Lok Sabha was Secretary to the Delegation.

The Conference mainly discussed and adopted resolutions on the following subjects:

- (a) Contribution of Parliaments to enhancing the role of the United Nations and the strengthening of Parliaments' involvement in foreign policy through the development of Parliamentary diplomacy and closer collaboration between the executive and the legislature.
- (b) Need for a radical solution to the problem of debt in the Developing World. (The Indian Delegation to the Conference had stated that it did not wish to be part of the resolution because the resolution contained a suggestion that Government should follow the wishes of the International Monetary Fund and the World Bank on internal matters, including debtor countries' military budgets).
- (c) The international mass migration of people; its demographic, religious, ethnic and economic causes, its effects on source and receiving countries, its implications internationally and the rights of migrants and refugees.

(Placed on the Agenda as Supplementary Item)

- (d) Support to the recent international initiatives to halt the violence and put an end to the violations of human rights in Bosnia and Herzegovina.

(Placed on the Agenda as emergency Supplementary Item)

Besides the Conference devoted three sittings to the General Debate on the political, economic and social situation in the world in which 87 speakers took part.

Regional Parliamentary Seminar for Asia and South East Asia: A Regional Parliamentary Seminar for Asia and South East Asia was organised by the Sarawak Branch of the Commonwealth Parliamentary

Association in Kuching, Malaysia from 4 to 9 September 1992 in conjunction with the 125th anniversary of their State Assembly. Sarvashri Pawan Kumar Bansal and Ashis Sen, Members of Parliament, attended the Seminar from India.

International Symposium on Democracy: An International Symposium on Democracy was organised in Quebec, Canada, from 8 to 13 September 1992, to mark the Bicentennial of Parliamentary Institutions of Quebec. Shri Ram Niwas Mirdha, M.P., participated in the Symposium and delivered the Keynote address on the subject "Democracy and Culture" on behalf of the Commonwealth Parliamentary Association.

Conference on "Discipline and Decorum in the Parliament and State Legislatures": A Conference of Presiding Officers, Leaders of Parties/Groups, Ministers of Parliamentary Affairs, Whips, Secretaries and Senior Officials of Parliament and States was held in the Central Hall, Parliament House on 23 and 24 September 1992. Shri K.R. Narayanan, Vice-President of India and Chairman, Rajya Sabha inaugurated the Conference on 23 September 1992. Shri P.V. Narasimha Rao, Prime Minister and Shri Shivraj V. Patil, Speaker, Lok Sabha, also addressed the gathering.

Regional Conference of Presiding Officers, etc: A Regional Conference of Presiding Officers, Ministers, Members of Legislatures and Parliament from Gujarat, Goa and Maharashtra was held in Bombay on 29 and 30 October 1992. The Conference was inaugurated by the Governor of Maharashtra, Shri C. Subramaniam. The inaugural function was also addressed by the Speaker, Lok Sabha, Shri Shivraj V. Patil, the Chief Minister of Maharashtra, Shri Sudhakar Rao Naik, the Speaker, Maharashtra Legislative Assembly, Shri Madhukarrao Chaudhury and the Chairman, Maharashtra Legislative Council, Shri J. S. Tilak.

Workshop on 'Library and Information Services to the Sansad': A one-day Workshop on "Library and Information Services to the Sansad" was jointly organised by the Parliament Library and Reference, Research, Documentation and Information Service (LARRDIS) and the Parliamentary Libraries' Section of the International Federation of Library Associations and Institutions (IFLA) in the Main Committee Room of Parliament House Annexe on 3 September 1992. The Workshop was inaugurated by the veteran parliamentarian and former Union Minister, Shri Atal Behari Vajpayee. Shri C.K. Jain, Secretary-General, Lok Sabha, delivered the Welcome Address. About 30 Parliamentary Librarians from Overseas Parliaments and several other participants from the Parliament of India and the State Legislatures attended the Workshop.

Birth Anniversary of Dr. Syama Prasad Mookerjee: On the occasion of the birth anniversary of Dr. Syama Prasad Mookerjee, a function was held

*For details, see Short Note entitled "Conference on 'Discipline and Decorum in the Parliament and State Legislatures'."

For details, see Short Note entitled "Workshop on 'Library and Information Services to the Sansad'."

under the auspices of the Indian Parliamentary Group (IPG) on 6 July 1992 in the Central Hall of Parliament House where the portrait of Dr. Mookerjee is put up. Shri Shivraj V. Patil, Speaker, Lok Sabha; Shri L.K. Advani, Leader of the Opposition in Lok Sabha; Shri M.M. Jacob, Minister of State in the Ministry of Parliamentary Affairs and Minister of State in the Ministry of Home Affairs, Members of Parliament and former Members of Parliament and others paid floral tributes to Dr. Mookerjee. A Profile of Dr. Syama Prasad Mookerjee, prepared by LARRDIS, was also brought out on the occasion.

Birth Anniversary of Shri Bal Gangadhar Tilak: On the occasion of the birth anniversary of Shri Bal Gangadhar Tilak, a function was held under the auspices of the Indian Parliamentary Group (IPG) on 23 July 1992 in the Central Hall of Parliament House where the portrait of Shri Tilak is put up. Shri Shivraj V. Patil, Speaker, Lok Sabha; Shri S.B. Chavan, Minister of Home Affairs, Dr. (Smt.) Najma Heptulla, Deputy Chairman, Rajya Sabha; Shri Ashok Gehlot, Minister of State in the Ministry of Textiles; Shri M.M. Jacob, Minister of State in the Ministries of Parliamentary Affairs and Home Affairs; Shri R.L. Bhatia, Minister of State in the Ministry of External Affairs, Members of Parliament and former Members of Parliament and others paid floral tributes to Shri Tilak. A Profile of Shri Bal Gangadhar Tilak, prepared by LARRDIS, was also brought out on the occasion.

Birth Anniversary of Shri Rajiv Gandhi: To mark the birth anniversary of Shri Rajiv Gandhi, former Prime Minister of India, an exhibition of paintings by Miss Zeba Amrohi was organised in the Parliament House Annexe. The exhibition was inaugurated by Shri Shivraj V. Patil, Speaker, Lok Sabha on 20 August 1992. The inauguration of the exhibition was followed by a meeting of Parliamentarians in the Main Committee Room, Parliament House Annexe under the auspices of the Indian Parliamentary Group (IPG). Shri Shivraj V. Patil, Speaker, Lok Sabha presided over and addressed the meeting. Shri P.V. Narasimha Rao, Prime Minister of India and Shri K.R. Narayanan, Vice-President—elect also addressed the meeting. Vote of thanks was given by Dr. (Smt.) Najma Heptulla, Deputy Chairman, Rajya Sabha.

The Prime Minister also released a book "Rajiv Gandhi and Parliament" edited by Shri C.K. Jain, Secretary-General, Lok Sabha, and a 'Profile' on Shri Rajiv Gandhi.

Birth Anniversary of Shri Dadabhai Naoroji: On the occasion of the birth anniversary of Shri Dadabhai Naoroji, a function was held under the auspices of the Indian Parliamentary Group (IPG) on 4 September 1992 in the Central Hall of Parliament House where the portrait of Shri Naoroji is put up. Shri Shivraj V. Patil, Speaker, Lok Sabha; Shri S.B. Chavan, Minister of Home Affairs; Shri Ghulam Nabi Azad, Minister of Parliamentary Affairs; Smt. Sheila Kaul, Minister of Urban Development; Shri M.L. Fotedar, Minister of Health and Family Welfare; and Members of Parlia-

*For details, see Short Note entitled "Birth Anniversary of Shri Rajiv Gandhi".

ment and former Members of Parliament and others paid floral tributes to Shri Naoroji. A Profile of Shri Dadabhai Naoroji, prepared by LARRDIS, was also brought out on the occasion.

PARLIAMENTARY DELEGATIONS VISITING INDIA

Russian Federation: On the invitation of the Parliament of India, a 13-member Parliamentary Delegation led by Mr. R.I. Khasbulatov, Chairman of the Supreme Soviet of the Russian Federation visited India from 3 to 10 August 1992. The Delegation called on Shri Shivraj V. Patil, Speaker, Lok Sabha on 3 August. Shri Ghulam Nabi Azad, the Minister of Parliamentary Affairs called on the Leader of the Delegation on the same day. The Speaker, Lok Sabha hosted a dinner in their honour later in the evening. The Minister of State for External Affairs called on the Leader of the Delegation on 4 August. The Delegation called on the President of India on the same evening. The Delegation called on the Deputy Chairman, Rajya Sabha on 5 August. A discussion between the Delegation and Members of our Parliament was also held on the same day.

Besides Delhi, the Delegation visited Agra, Bangalore and Bombay.

Uzbekistan: On the invitation of the Parliament of India, a 10-member Uzbek Parliamentary Delegation led by Mr. S.M. Yuldashev, Chairman of the Supreme Council of the Republic of Uzbekistan, visited India from 11 to 19 August 1992.

The Delegation called on Shri Shivraj V. Patil, Speaker, Lok Sabha and Shri Ghulam Nabi Azad, Minister of Parliamentary Affairs on 12 August. The Speaker, Lok Sabha hosted a dinner in their honour later in the evening. The Delegation called on Dr. (Shrimati) Najma Heptulla, Deputy Chairman, Rajya Sabha on 17 August. A discussion between the Delegation and Members of our Parliament was also held on the same day. They called on Dr. Shanker Dayal Sharma, President of India, Shri P.V. Narasimha Rao, Prime Minister, Shri S.B. Chavan, Minister of Home Affairs and Shri Eduardo Faleiro, Minister of State for External Affairs on 18 August. They also attended the Independence Day Celebrations on 15 August. Besides Delhi, the Delegation also visited Agra and Bombay.

INDIAN PARLIAMENTARY DELEGATION GOING ABROAD

Cyprus: On the invitation of the House of Representatives of Cyprus, an Indian Parliamentary Delegation led by Shri Shivraj V. Patil, Speaker, Lok Sabha visited Cyprus from 14 to 18 September 1992. The other Members of the Delegation were Shri Ghulam Nabi Azad, Minister of Parliamentary Affairs; Shri P.R. Kumaramangalam, Minister of State for Parliamentary Affairs and Science and Technology; and Shri B.K. Handique, Shri P.G. Narayanan, Shri Rajvir Singh and Shri C. Swaminathan, all members of Parliament. Shri R.C. Bhardwaj, Additional Secretary, Lok Sabha Secretariat was Secretary to the Delegation.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 July to 30 September 1992, the following Programmes/Courses were organised by the Bureau of Parliamentary Studies and Training:

Eighth Parliamentary Internship Programme for Foreign Parliamentary Officials: The Eighth Parliamentary Internship Programme for Foreign Parliamentary Officials is being organised from 25 September to 12 November 1992. The Programme is designed to meet the needs of Officers of foreign Parliaments and to enable them to study the working of parliamentary institutions in India and their processes and procedures. It also aims to provide an opportunity to the officers to exchange ideas in the context of their own experiences in their Legislatures.

The Programme is being attended by 19 Parliamentary Officials from various Afro-Asian countries including Ghana, Zambia, Zimbabwe, Sri Lanka and Nepal. Shri C.K. Jain, Secretary-General, Lok Sabha, inaugurated the programme on 30 September 1992.

Visit by the Members of the Nepalese Parliament: A Study Visit for 4 MPs and an officer of the Nepalese Parliament was organised from 23 to 25 September 1992 to familiarise them with the procedure of Parliamentary Questions, Committee System and Legislative Processes as practised in India.

Appreciation Courses in Parliamentary Processes and Procedures for Probationers of All-India/Central Services and Officers of Government of India, etc.: The following Appreciation Courses were also organised by the BPST: (i) Indian Forest Service Probationers (from 6 to 10 July 1992); (ii) Audit Officers, IRSS and IRSSE Probationers (from 20 to 24 July 1992); (iii) Officers of Public Undertakings (from 3 to 7 August 1992); (iv) Youth Coordinators of the Nehru Yuvak Kendra (from 10 to 14 August 1992); (v) Officers of Government of India (from 17 to 20 August 1992); (vi) Professors/Lecturers of Universities/Colleges (from 24 to 28 August 1992); and (vii) Probationers of Indian Revenue Service (Customs & Central Excise) and IRSME (from 14 to 18 September 1992).

Attachment Programme: An Attachment Programme for two Officers of the Rajasthan Vidhan Sabha Secretariat was organised from 1 to 11 September 1992.

In-service Course for Officers/Staff of Lok Sabha/Rajya Sabha and State Legislature Secretariats: A Training Course for Translators/Hindi Assistants of Lok Sabha, Rajya Sabha and State Legislature Secretariats was organised from 24 August to 4 September 1992.

Study Visits: At the request of various training and educational institutions, thirteen Study Visits were also organised during the period.

PRIVILEGE ISSUES

LOK SABHA

Alleged arrest of a member by police and non-intimation thereof to the Speaker: On 6 November 1991, a teleprinter message addressed to the Speaker, Lok Sabha, was received from the Personal Assistant to Kumari Frida Topno, MP, informing about her arrest at 4.30 P.M. on 2 November 1991 by the Orissa Police at Rourkela. As directed by the Speaker, Lok Sabha, the matter was referred to the Ministry of Home Affairs, for furnishing a factual note on the matter.

On 10 November 1991, Kumari Frida Topno, MP, gave notice of a question of privilege regarding her alleged arrest. On 22 November 1991, Kumari Frida Topno, MP, sought to raise the matter in the House. When Shri K.P. Singh Deo, MP, stated that it was a serious matter since Kumari Frida Topno was arrested and no intimation had been received about her arrest, the Speaker, Lok Sabha, observed that the letter which she had written to him was in his possession and that he would have to take a decision as to whether it constituted a breach of privilege or not, only after getting the information.

On 12 November 1991, Kumari Frida Topno, MP, sought to raise the matter again in the House and on consent being granted by the Speaker, Lok Sabha, stated as follows:

Sir, on the request of the Executive Officer of the Notified Area Council (Steel Township) I had gone to his office on 2.11.1991 at 2.30 P.M. for a discussion pertaining to change of the President of Sarla Mahila Samiti of Timber Colony, Rourkela. While the discussion was going on, some twenty hooligans forcibly entered the hall, misbehaved with the ladies and used filthy language against me and the ladies. They took away the Executive Officer.

Suddenly some more hooligans came at the gate and started throwing stones on us. They created law and order problem and demanded my arrest. Some 150 ladies and 100 men were arrested with me by Shri R.K. Biswal, DSP, on duty. We were taken in a police van to Sector 7 police station at 6.30 P.M. and were detained there till 4.30 A.M. of 3.11.1991.

It was raining throughout the night and we were kept sitting on the verandah of the Police Station. The District Civil and Police Administration did not care to come to the Police Station to solve the problem. The District Magistrate who was camping at Rourkela also did not come to the Police Station.

The Speaker, thereupon, observed that he had asked for the explanation on 8.11.91. Reminders were sent on 15.11.91, 19.11.91, 22.11.91 and 25.11.91. Then, the show cause notice as to why the privilege notice should not be admitted was given on 27.11.91 and 29.11.91. Again there were letters sent on 6.12.1991 and again on 12.12.91. In spite of so many letters, nothing had been done. The Speaker, then, referred the matter to the Privilege Committee.

The Committee of Privileges, after examining in person Kumari Frida Topno, MP, and the officers concerned in the Government of India and Government of Orissa, in their First Report presented to the House on 11 August 1992, reported *inter-alia*, as follows:

- (1) At the outset, the Committee felt that two issues were broadly involved in the case:
 - (a) Whether Kumari Frida Topno, MP, was detained on 2 November 1991 by Orissa Police at Sector 7 Police Station, Rourkela? If so, whether non-intimation thereof to the Speaker, Lok Sabha, amounted to a breach of privilege and contempt of the House; and
 - (b) Whether the instructions issued from time to time by the Government of India to the State Governments, Union Territories Administrations and others regarding (i) Official dealing between the Administration and Members of Parliament and State Legislatures; and (ii) immediate intimation required to be given to the Speaker, Lok Sabha/Chairman, Rajya Sabha, about arrest/detention/release, etc. of MPs, were comprehensive enough to leave no scope for non-compliance therewith? If not, whether any review of the said guidelines was called for with a view to suggesting suitable modifications in the guidelines to the Government of India to make them more broad-based and comprehensive?

The Committee decided to deal with both the issues separately. It noted that none of the officers of the Orissa Government examined by the Committee could give any plausible explanation for the act of removing Kumari Frida Topno, MP, and her supporters from the Notified Area Council Office where they were, as per the version of the Officers, holding a meeting with the Executive Officer, NAC (ST) peacefully. They also could not explain with any conviction, as to what promoted them to remove Kumari Frida Topno and her supporters from there instead of arresting and removing those persons who were threatening the member and from whom there was a genuine apprehension of breach of peace.

The Committee was also not inclined to believe the story put forth by the concerned police officers that after the removal from the Notified Area Council office of Kumari Frida Topno, MP, and her supporters, they were taken to the Sector 7 Police Station, Rourkela, out of their (Police officers') concern for the security of the member and her supporters.

The Committee also noted that two different versions had been given at two different places by Shri Jogendra Patnaik, Officer-in-charge, Sector 7 Police Station, Rourkela, in his evidence before the Committee about the reason behind Kumari Frida Topno's insistence to remain in Sector 7 Police Station, Rourkela. On the contrary, Shri Sushil Kumar Pradhan, Superintendent of Police, Rourkela, advanced an altogether different plea for Kumari Frida Topno's prolonged presence in the Police Station. This continuous shifting of the plea by the concerned police officers, when seen in the backdrop of the admission by the Chief Secretary, Government of Orissa that the Police officers made a mistake in bringing Kumari Frida Topno and her supporters in a Police van to the Police Station and a second mistake in not sending intimation to the Speaker, Lok Sabha, about the same, left the Committee in no manner of doubt that there could have been no other intention in taking Kumari Frida Topno to the Police Station but to detain or arrest her there.

The Committee, however, noted that whereas on the one hand Kumari Frida Topno, MP, repeatedly stated that it was Shri R.K. Biswal, DSP, Rourkela, who had ordered her arrest and also informed her that he was arresting her, Shri R.K. Biswal, on the other hand denied the allegation. After considering the contradictory statements made by Kumari Frida Topno, and Shri R.K. Biswal, the Committee felt that it had no reason to disbelieve the version of the hon. Member that she was arrested on 2 November 1991 at Rourkela. The Committee arrived at the conclusion that Shri R.K. Biswal did, in fact, verbally convey to Kumari Frida Topno that she was under arrest. This conclusion of the Committee was further fortified by subsequent events where Kumari Frida Topno was kept in Sector 7 Police Station, Rourkela, for about ten hours. It also felt that keeping Kumari Frida Topno at Sector 7 Police Station for about ten hours was an overt act, which though it might not have been a technical arrest, definitely amounted to putting her under detention or restraint. It, therefore, held that Shri R.K. Biswal was responsible for the detention of Kumari Frida Topno, MP. He should have ensured that the information relating to detention/restraint of Kumari Frida Topno was communicated to the Speaker, Lok Sabha promptly. Since non-intimation of arrest/detention, etc. of a member of Lok Sabha to the Speaker, Lok Sabha, amounted to a breach of privilege and contempt of the House, the Committee arrived at the conclusion that a gross breach of privilege and contempt of the House had been committed in not sending immediate intimation about the detention/restraint of Kumari Frida Topno, MP.

However, taking into consideration the totality of the circumstances and facts of the case and in view of the regret expressed by Shri R.K. Biswal, and other senior officers of the Orissa Government, the Committee felt that the House would best consult its own dignity by taking no further action in the matter.

The Committee also brought on record the apathy and total lack of concern shown by senior officers like the District Magistrate, Sundargarh, and Superintendent of Police, Rourkela, in not reacting to the situation with alacrity expected of such high ranking officers. They had failed to respond to Kumari Frida Topno's repeated requests on telephone to come to the Police Station and discuss the matter with her. Had these officers gone to the Police Station, the Committee felt, the situation could have been diffused on the spot and things would not have reached such a pass where a member of Parliament had to stay in a Police Station for the better part of a night.

The Committee expressed their extreme displeasure at the role of the Executive Officer, Notified Area Council (Steel Township), Rourkela (Shri Gunanidhi Jena) in this whole unhappy episode. Shri Jena, during his evidence before the Committee, seemed to be over-eager to use the word 'rescue' with regard to Kumari Frida Topno's removal from the premises of the Notified Area Council office. The Committee were also not satisfied with the unconvincing explanation given by Shri Gunanidhi Jena for the delay of about 10½ hours in lodging the First Information Report by him about the incident. It also deprecated the conduct of the Executive Officer in falsely implicating Kumari Frida Topno in the FIR, on the basis of hearsay information as having arrived in the Notified Area Council office with lathis and lethal weapons which was later on found to be unfounded and incorrect. The Committee observed that the conduct of the Executive Officer, Notified Area Council, was not at all in keeping with the standards expected of a responsible Government officer. It desired that suitable action be taken against him by the Government of Orissa for making false and baseless allegations, on the basis of hearsay information against Kumari Frida Topno, MP, in the FIR lodged by him in Sector 7 Police Station, Rourkela, on 2 November 1991 without bothering to first verify the veracity of those allegations.

The Committee noted that instructions had been issued from time to time by the Government of India to State Governments/Union Territories Administration regarding norms of official dealings between the Administration and members of Parliament. These instructions required the Government Officers to show all courtesies to members of Parliament. The Committee felt that in a democratic set up like ours, the Administration or the executive should not feel shy of giving the elected representatives of the people the respect and regard which they rightly deserved. They were of the opinion that the instructions regarding official dealings needed to be reiterated and brought to the notice of all concerned—particularly the police officers and officials at the lower level. It also felt that proper training needed to be imparted to the Government Officers to make them realise that their job was to serve people and they were, therefore, duty bound to show due courtesy and regard to the people's representatives. The Government might consider holding training

courses for its officers, particularly at the lower level, to impress upon them the need to show due courtesy and regard to the elected representatives of the people.

The Committee emphasised that no useful purpose was going to be served unless the instructions percolated down to the lower level in the administrative machinery so that the officers/officials who were directly responsible for dealing with members of Parliament became aware of the existence of these instructions. The Committee, therefore, felt that the instructions should be translated into all national languages so that these were properly understood and comprehended by the lower level staff. It said that the Government might also consider the feasibility of holding on a regular basis, conferences of the Chief Secretaries, etc. of the State Government to review the effectiveness of the instructions as well as for discussing proper follow-up and feed back aspects of the matter.

The Committee noted that the Secretary, Ministry of Home Affairs, Government of India stated during his evidence that a telex message sent by the Government of Orissa to the Ministry of Home Affairs, Government of India, on 27 November 1991, was not received by the Ministry of Home Affairs. They took a very serious note of such a lapse in communication whereby the House was denied access to important information which was meant to be communicated by the Government of Orissa to the House through the Ministry of Home Affairs, Government of India. The Committee would like the Ministry of Home Affairs, Government of India, to inquire into the matter with a view to ensuring that such lapses did not occur in future.

In view of the above, the Committee recommended that no further action needed to be taken by the House in the matter.

No further action was taken by the House in the matter.

RAJYA SABHA

Alleged obstructions to members in carrying out their parliamentary duties and alleged non-intimation of their arrest to Chairman, Rajya Sabha: On 6 July 1987, Shri P. Upendra, a member, gave notice of a question of privilege against Shri R.S. Kaushik, District Magistrate, Meerut, and Shri V.K.B. Nair, Senior Superintendent of Police, Meerut, for allegedly preventing a delegation of members of Parliament from visiting certain riot-affected areas of Meerut and also allegedly keeping them under arrest for 15 hours and non-intimation thereof to the Chairman, Rajya Sabha.

Shri Upendra, in his notice of question of privilege, stated *inter alia* that on 25 May 1987 he, along with some other members of Parliament, went to Meerut to make an on-the-spot study of the situation in the riot-stricken areas of the city. On their arrival at the Meerut Circuit House, the Chief Minister of Uttar Pradesh met them and asked the District Magistrate and

Senior Superintendent of Police to accompany the team when it left for Maliana village which was the worst riot-affected area. According to Shri Upendra, when they reached the outskirts of Maliana, they were stopped by the Provincial Armed Constabulary and the District administration and were asked to return to the Circuit House. On their refusal to do so, the Magistrate present there told them that they were under arrest. Shri Upendra further stated that they were then taken by the Police to the Transport Nagar Police Station and detained there for 15 hours. The Police officials present at the Police Station did not record their arrest and asked them to leave the Police Station. They were arrested and detained in the Police Station for the whole night. No intimation of Shri Upendra's arrest was sent to the Chairman, Rajya Sabha, as was required under the rules. Shri Upendra contended that the action of the authorities in preventing him and other members from visiting Maliana village and getting to know first hand the actual situation in the riot-hit areas had prevented them from doing their duty as members of Parliament. According to Shri Upendra, the matter involved serious question of privilege.

On 26 November 1987, the Chairman referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after examining in person Shri R.S. Kaushik, the then District Magistrate, Meerut, and Shri V.K.B. Nair, the then Senior Superintendent of Police, Meerut, and after considering the report furnished by the Government of Uttar Pradesh in the matter and all other relevant documents, in their Thirtieth Report presented to the House on 16 July 1992, reported *inter alia* that the State Home Department, in its report, gave a conflicting version of the incident inasmuch as they denied Shri Upendra's allegation that he was arrested along with other members of the delegation or they were prevented from visiting Maliana. On the other hand, it was mentioned that on the day, Shri Upendra and other members of the delegation were stopped at the outskirts of Maliana by the authorities present there and were repeatedly requested to go to the Circuit House for safety as also to enable the authorities to obtain permission of higher authorities for visit of the delegation to Maliana. The delegation, however, moved to the Transport Nagar Police Station asking to be placed under arrest. There also they were requested to move to the Circuit House but they remained sitting there and repeatedly insisted that they should be arrested although the Additional District Magistrate assured that in case members desired to go to Maliana during the night, arrangements could be made for them.

As regards the contention of Shri P. Upendra that on 25 May 1987 on the arrival of members at the Meerut Circuit House, the then Chief Minister of Uttar Pradesh had met them and had asked the District Magistrate and Senior Superintendent of Police to accompany the team to Maliana, the officials maintained that the Chief Minister had not asked them to take the members to Maliana at that moment but instead had left

it to them to take their own decision, considering the law and order situation and the security aspects. The officials then requested the members to have some rest in the Circuit House and allow them to make security arrangements for the team's visit. But the members did not accede to this request and proceeded to the spot where they were stopped by the officers then on duty and requested them to return to the Circuit House for safety reasons. But as per the reports supplied to them, the members moved to the Transport Nagar Police Station, remained sitting there and kept on insisting on their arrest. They were, however, not arrested. Since there was no arrest or detention of the members or for that matter, no restraint was placed on them, no report was sent to the Chairman, Rajya Sabha in the matter.

The Committee, after considering the report, felt that it would have been better if the authorities concerned had by way of abundant caution sent factual information about the circumstances under which the delegation was stopped from visiting the riot-affected areas of Maliana. They, however, recommended that the matter which had already become pretty old, need not be pursued further.

No further action was taken by the House in the matter.

Alleged misbehaviour with a member by police officials: On 28 February 1989, Shri Ram Awadhesh Singh, a member, gave notice of a question of privilege against the officials of the Central Jail, Buxur, Bihar, for allegedly ill-treating him during his detention in that Jail from 5 to 25 February 1989.

Shri Ram Awadhesh Singh, in his notice, *inter alia* stated that he was not only treated disrespectfully in utter disregard of his position as a member of Parliament but was also denied food and was not even allowed to have a bath for ten days. According to Shri Singh, the Jail Superintendent said, "You are a prisoner. Yours 'MP-Tem-Pee' status is worth nothing here. You can do whatever you like to do after going out from here. I will see the Parliament and of course, you too."

On 12 May 1989, the Chairman referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after considering the Report of the Government of Bihar in that regard and all other relevant documents, in their Thirtieth Report presented to the House on 16 July 1992, *inter alia* reported as follows:—

The Report of the Government of Bihar *inter alia* contained findings of an inquiry conducted by the Director of Probation Services, Government of Bihar into all the allegations levelled by Shri Singh not only in his notice of breach of privilege but also in some of the letters addressed by him from Jail to the then

Chief Minister of Bihar and to the Inspector General of Prisons, made in person. While most of the allegations of the member had been found to be unsubstantiated by the Inquiry Officer, some of the problems were stated to be of member's own making as he refused to cooperate with the jail staff.

The Committee feels that though the Government of Bihar had taken steps to look into the complaints made by Shri Ram Awadhesh Singh, much of what he complained in his notice of breach of privilege could have been avoided had the jail authorities paid due and timely attention to Shri Singh's complaints.

The Committee took a serious view of the perfunctory and casual manner in which the authorities dealt with Shri Singh's complaint sent to them through the Ministry of Home Affairs. The Committee observed that the Bihar Government took about three months to respond to Shri Singh's notice of breach of privilege. The Committee, therefore, emphasised that as and when members' complaints were referred to the various State Authorities they should be dealt with promptly and replies thereto be sent by them without delay. When the authorities felt that some more time was required to collect information or to conduct an inquiry, an interim reply should invariably be sent explaining the position. In the absence of any response from Shri Ram Awadhesh Singh rebutting the version of the Government of Bihar as contained in the Inquiry Report mentioned above, the Committee felt that no useful purpose would be served by pursuing the matter. The Committee, therefore, recommended that the matter be allowed to rest there.

No further action was taken by the House in the matter.

Alleged prevention of a member from performing his parliamentary duties: On 7 March 1989, Shri M.S. Gurupadaswamy and some other members raised a matter in the House regarding the alleged arrest of Shri Yashwant Sinha, a member, in Chandigarh on 4 March 1989 and expressed their concern at his detention in the Police Station for long hours without assigning any reasons therefor and without producing him before a magistrate. The members referred to Shri Sinha's judicial remand and his transfer to Patiala Jail which, in their view, constituted a deliberate act of intimidation and amounted to preventing him from discharging his parliamentary duties since the House was in session. They took serious note of the delay on the part of the authorities in sending intimation about Shri Sinha's arrest to the Chairman, Rajya Sabha, and demanded that stern action be taken against the concerned officials.

On 8 March 1989, the then Minister of Home Affairs (Shri Buta Singh) made a statement in the House informing about the circumstances leading to the arrest and subsequent release of Shri Sinha. In his statement, the Minister *inter alia* mentioned that on 4 March 1989, Shri Yashwant Sinha,

as part of a programme of courting arrest daily in protest against the action of the enforcement staff against encroachment by 'rehriwalas' in Sector 37 Market in Chandigarh, led a large number of demonstrators in Sector 17 Shopping Complex and raised slogans. They did not heed to the advice of the Police to disperse and not to disturb peace. Consequently, demonstrators numbering 103, including Shri Sinha, were arrested and taken to the Police Station where all facilities and due courtesies were extended to him in keeping with his status as member of Parliament. Shri Sinha and others were ordered to be released by the Sub-Divisional Magistrate on furnishing personal bonds without any surety and on their refusal to do so, they were remanded to judicial custody till 10 March 1989. As the District Jail in Chandigarh was already full and there was no other accommodation, the SDM ordered that Shri Sinha and others be lodged in the District Jail, Patiala. Following the Home Minister's talk with the Governor of Punjab, Shri Yashwant Sinha was eventually released on 8 March 1989.

On 9 March 1989, Shri Yashwant Sinha made a special Mention and informed the House about the ill-treatment meted out to him during his arrest and the misleading information furnished to the Minister of Home Affairs by the Chandigarh Administration in that regard. He denied the version as given to the House by the Minister of Home Affairs and maintained that no courtesy was extended to him as a member of Parliament at the Police Station.

The same day, Shri Yashwant Sinha gave a notice of question of privilege against the then Advisor to the Administrator, Chandigarh (Shri Ashok Pradhan), the Deputy Commissioner, Chandigarh, the Senior Superintendent of Police, Chandigarh and the Station House Officer, Central Police Station, Sector 17, Chandigarh for allegedly ill-treating him during his detention. Shri Sinha *inter alia* stated that the treatment meted out to him by the Police in Chandigarh was contrary to all norms of civilised behaviour and a gross violation of his honour and dignity as a Member of Rajya Sabha. According to Shri Sinha, the Chandigarh Administration had also committed a breach of privilege of the House by misinforming the Home Minister who had subsequently misled the House in regard to this case.

On 12 May 1989, the matter was again raised in the House and the Chairman referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after considering the report of the Chandigarh Administration and all other relevant documents, in their

Thirtieth Report presented to the House on 16 July 1992, *inter alia* reported as follows:—

In the report of the Chandigarh Administration as well as in the letter dated 12 March 1989 from the then Minister of Home Affairs, more or less the same version of the incident was given as mentioned by the Minister in his statement in the House on 8 March 1989. The only additional point made in the letter from the Minister was that the Senior Officers of the Chandigarh Administration who could not be present at the time of Shri Sinha's arrest because of their pre-occupation in connection with a religious procession which was to be taken out on the occasion of Maha Shivratri had been told to be careful in future. An almost identical reply was sent to Shri Yashwant Sinha by the then Minister in response to his Special Mention made on 9 March 1989.

In view of the fact that the officers concerned had been warned to be more careful in future, the Committee recommended that no further action be taken in the matter.

No further action was taken by the House in the matter.

Alleged intimidation of a member by an outsider: On 24 March 1992, Shri Viren J. Shah, a member, gave a notice of a question of privilege against Shri Bharat Vora, Managing Director, P.J. Pipes & Vessels Ltd., Bombay for allegedly intimidating him from performing his parliamentary duties. In his notice of question of privilege, Shri Shah stated that on 22 March 1992 Shri Bharat Vora had made two telephone calls on him and had also written a letter dated 21 March 1992 to him in connection with a matter involving Shri Vora's company raised by Shri Shah in the House on 17 March 1992, through Special Mention. Shri Shah contended that these telephone calls and the letter reflected an intention on the part of Shri Vora to intimidate and discourage him from performing his constitutional duties as a member of Parliament.

On 26 March 1992, Shri Shah raised the matter in the House and the Chairman referred it to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after examining in person Shri Bharat Vora, Managing Director, P.J. Pipes & Vessels Ltd., Bombay and after considering the written explanation of Shri Bharat Vora and letter dated 27 March 1992 from Shri Viren, J. Shah, MP, addressed to the Chairman, Committee of Privileges, in their Thirty-First Report presented to the House on 16 July 1992, *inter alia* reported as follows:

Shri Shah *inter alia* mentioned in his letter dated 24 March 1992 that in the course of his second telephonic call on 22 March 1992 Shri Bharat Vora told him that having been disturbed by his

statements in Parliament, he wanted to see him and that he should be careful about making such statements in Parliament. According to Shri Shah, he told Shri Vora that there was no point in meeting him and if there were any factual inaccuracies he could approach the Minister of Petroleum and Natural Gas to offer clarifications in Parliament, but Shri Vora not only kept on insisting on meeting him, his tone and tenor were also certainly intimidating.

Shri Bharat Vora (in his reply dated 9 April, 1992), clarified that the telephone calls were made by him only for obtaining an appointment with Shri Viren J. Shah for the purpose of bringing facts to his notice, much as he was concerned that any incorrect impression should not be created about his company and that the letter was written by him with the sole aim of seeking particulars of the charges made by Shri Shah against his company.... If he made the Hon'ble Member feel that any breach of privilege was committed, he would offer sincere and unconditional apology for the same.

Shri Viren J. Shah expressed his dissatisfaction with the explanation given by Shri Vora, reiterated his charges against him and asserted that the language in which Shri Vora expressed the regrets was highly objectionable and in fact further aggravated the matter.

The Committee noted that in the course of his submission before it on 5 May 1992 as well as in his letter of 5 May, Shri Bharat Vora had disclaimed any intention on his part to intimidate or discourage Shri Viren J. Shah from performing his parliamentary duties and tendered an unconditional and unqualified apology.

In view of the apology tendered by Shri Bharat Vora, the Committee recommended that the matter be not pursued further.

No further action was taken by the House in the matter.

STATE LEGISLATURES
GOA LEGISLATIVE ASSEMBLY

Alleged casting of aspersions on the members and the House by a Minister in a Press Conference: On 31 March 1992, the Speaker observed that he had received notices of an alleged breach of privilege and contempt of the House raised by Shri A.N. Naik, MLA against Shri Suresh Parulekar, Minister for Industries, arising out of a reported Press Conference (held by the Minister for Industries) as published in the Marathi daily *Gomantak* of 16.11.91.

Shri Naik, in his notice, said that at the said Press Conference, the Minister for Industries had announced that the Report of the House Committee on the proposed Nylon 6, 6 project would be discussed in the

forthcoming session of the Assembly and then went on to prejudge that the said report would be dismissed by the House.

Shri Naik added that since the Minister was repeating this again and again there could not be any doubt that he was doing so deliberately and hence he requested that punishment may be awarded to the Minister.

The Speaker then said that before giving the consent to the matter, as required under Rule 73, he wanted to hear the Minister and therefore his explanation was called before 20 December 1991.

The Minister in his explanation said as under:

I had discussed this issue and the points contained in the House Committee's Report on Nylon 6, 6 and assessed the opinion of many Members of the House in an informal manner and I am convinced that large section of the Members are in favour of the Nylon 6, 6 project to come up in Goa.

During the Press Conference, this subject cropped up and as in the past I have informed the Press that the Government may approve Nylon 6, 6 project after studying the various factors and safeguards. But as alleged in the complaint made by Shri A.N. Naik, I have not stated that the report would be thrown out. In the instant case there appears to be some misunderstanding on the part of particular Press reporter which has resulted in some inadvertent remarks.

I assure you, Sir, that in no case I will deliberately cast aspersions which will amount to bringing down the esteem and respect due to the Committee because I am aware that any Committee of the House is like a mini House having the same respect as due to the House itself.

I reiterate my sincere faith and high respect for democracy and the institutions of democracy.

The Speaker, then, observed that from the clarification given by Minister, it was clear that he had no intention to deliberately undermine the report of the Committee and it appeared that the issue arose out of misunderstanding at the Press Conference.

In view of this, the Speaker withheld consent to the raising of question of privilege and contempt of the House in the instance case.

Alleged unauthorised publication of the Report of a Parliamentary Committee: On 31 March 1992, the Speaker observed that he had received the notice of a question of privilege and contempt of the House given by Dr. Kashinath G. Jhalmi, MLA, against Dr. Claude Alvares, Editor of a book captioned 'Unwanted Guest' for having published *in toto* the House Committee Report on Nylon 6, 6 project in the said book.

Shri Jhalmi, in his notice, said that in the book in the body of the report some expert comments had been introduced as box items, which did not appear anywhere in the report as published under authority. The book was also having an American Distributor, which clearly meant that the Editor of the book was trying to make money out of the property of the House which was a matter highly objectionable. He concluded that the book also portrayed wrong image of the House and Goans at large and that this publication of the report in the book was without the authority of Speaker of the House.

The Speaker then observed that he wanted to hear the other party concerned. Dr. Claude Alvares, in his explanation, said that the Report of the Committee on Nylon 6, 6 project remained inaccessible to the public until the *Navhind Times*, Panaji, serialized the entire document. Since, for most persons, keeping a copy of this Report in newspaper format was found to be inconvenient, he decided to make a compilation of all the material available on Nylon 6, 6 including the full text of the Report as published and widely circulated by the *Navhind Times*. Dr. Alvares explained that he had reprinted the Report as it appeared in the original. No charge had been made that he had wilfully distorted the Report in any way. It was true that some quotes which did not form part of the House Committee Report were found in different sections of the Report as it appeared in the book. However, these quotes were clearly demarcated separately in boxes and were in any case taken from the verbatim record of the proceedings before the House Committee.

Regarding the allegation that an American distributor was mentioned in the book and that he was therefore attempting to make money out of the property of the House, Dr. Alvares said that there were several environmental groups in the USA (the home of Du Pont) who were very keen about being kept abreast about the public debate in the Du Pont Plant in Goa. Several of these organisations were low budget operations and it was thought to have a single distribution point in the USA from where they could procure copies of the document. Due to great demand in Goa itself, the limited edition printed was exhausted here itself and he had been unable to supply any copies outside.

Dr. Alvares denies that making a House Committee Report available to the public for its information, discussion and debate was a malicious purpose, or that he had painted a wrong image of the House and Goans at large. He said that he published the book with the sole purpose of stimulating public reflection on the House Committee's deliberations, and that money was the last thing he hoped to make from the book as it was available in Goa at cost. Dr. Alvares pointed out that instead of soiling the image of the House he had put the Goa Assembly on the world map and helped enhance its reputation. In the introduction, he had drawn considerable attention to the fact that the Goa Assembly was unique in this pioneering effort to hold public

meetings on a vital industrial project. He had also suggested such hearings could become a model for similar initiatives in other parts of the country.

The Speaker then observed that the House Committee Report on Nylon 6, 6 was published and distributed in the House to its members and the press under the authority and order of the Speaker. The *Navhind Times*, Panaji, published this entire report in a serialised form. At that juncture, the members did not take cognizance of the publication of the report.

In the instant case, Dr. Claude Alvares had stated that he felt that this report was of great public attention and maintain the entire document in a serialised form was inconvenient for the public; so he compiled this entire document, earlier published by *The Navhind Times* in his book 'Unwanted Guest' for its information, discussion and debate and money was the last thing he hoped to make from the book as alleged by Dr. K. Jhalmi.

It had been noted that in the body of the report some expert comments were introduced as box items which did not appear anywhere in the report as published under the authority of the Speaker. Dr. Alvares had made a mention in his reply that those quotes were clearly demarcated separately in boxes and were taken from the verbatim record of the proceedings before the House Committee.

Any document, paper or report which had to be published required the authority of the House. But it was noticed that the House Committee Report on Nylon 6, 6 was earlier published by *The Navhind Times* in serialised form and the House did not take cognizance of it from the privilege angle. Of course, there were no complaints received from any quarters.

However, according to Kaul & Shakhder:

Publication by any person in a newspaper of a substantially true report of any proceedings of either House of Parliament is protected under the Constitution from civil or criminal proceedings in Court unless the publication is proved to have been made with malice. Statutory protection has also been given by Parliamentary Proceedings (Protection of Publication) Act, 1977 to publication in newspapers or broadcasts by wireless telegraphy, of substantially true reports of proceedings in Parliament. Normally, no restrictions are imposed on reporting the proceedings of the House. But, when debates or proceedings of the House or its Committees are reported *mala fide* or there is wilful misrepresentation or suppression of speeches of particular members, it is a breach of privilege and contempt of the House and the offender is liable for punishment.

The Speaker then observed that in this case, he felt that apparently

there was no *mala fide* intention on the part of Dr. Claude Alvares while publishing the report in his publication. He, however, said that in future if anybody wished to publish any report of the Committee of the House *in extenso*, he should take care to take prior permission from the Speaker. With this note of caution, the Speaker withheld consent to raising the issue of the breach of privilege and contempt of the House.

Alleged arrest of a member by police officer on a fictitious complaint:

On 24 March 1992, Shrimati Farrel Gracias, a member, gave notice of question of privilege against a police officer who had allegedly arrested Shri Churchill Alemao, another member, without proper investigation and on fictitious complaint filed in the name of Shri Timotio Pereira.

On 31 March 1992, the Speaker (Shri S.H. Haroon) observed in the House that it appeared that an incident of arrest of (Shri Churchill Alemao) occurred on 24.1.92 and subsequently he was released. The intimation of arrest and release was intimated to him *vide* letter dated 24.1.1992. The Speaker said that the member had every privilege of freedom from arrest in civil cases for the duration of the session and for a period of 40 days before and after session. It was granted to members of Parliament in order that they may be able to perform their duties in Parliament without let or hindrance. This showed that the object of the said privilege was to secure safe arrival and regular attendance of members and to enable them to perform their parliamentary duties. However, this privilege could not be extended or contended to operate where a member of Parliament was charged with an indictable offence which meant that the member could not claim freedom from arrest in a criminal offence.

The Speaker pointed out that in the Dasratha Deb Case (1952), the Committee of Privileges of Lok Sabha *inter alia* had held that the arrest of a member of Parliament in the course of administration of criminal justice did not constitute a breach of privilege. He also drew attention to another case of alleged illegal arrest and remand to judicial custody of a member (Shri Madhu Limaye), when the Committee of Privileges, Lok Sabha, had *inter alia* observed:

The Committee are of the view that for the grave breach of requirements of the law committed by the authorities concerned while arresting or remanding him to custody, the proper forum for Shri Madhu Limaye to seek the remedy for the wrong, if any done to him is a court of law and not the Committee of Privileges. In the matter of criminal proceedings of the Code of Criminal Procedure, 1898, all citizens, including members of Parliament, have to be treated equally in the eyes of law.

In the case of alleged arrest of a member (Shri Krishnachandra Halder) and misbehaviour with him by a police officer, the Speaker, Lok Sabha had observed :

A member is at par with any other citizen when there is a breach of the law...It is only when he has a privilege not to be obstructed from coming to this House that the position is different...There is no question of privilege...

A member is like any other citizen. He cannot claim protection like this...If a member commits a crime, he cannot come here and say that he has the privilege not to be arrested...If the police arrest without any justification, you raise it in the Court, not in this House.

The Speaker, Shri S.H. Haroon then observed that in view of the cases cited above, it might be noted that if the police arrested a member without any justification or proper investigation and on a fictitious complaint, it was for the member to seek recourse in a court of law and not to raise the issue of breach of privilege in the House. It was not a subject matter of breach of privilege.

In the instant case, the member concerned (aggrieved party) had the course open to him to sue in the court of law for legal damage or illegal detention, if any, caused to him.

The Speaker then held that there was no *prima facie* case of breach of privilege and contempt of the House and withheld consent.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

Alleged publication of a false and misleading news item about a member by a newspaper: On 18 March, 1991, Kanwar Durga Chand, a member, gave notice of a question of privilege regarding publication of an allegedly false and misleading news item captioned 'Kotkhai Bus Accident—Demand for Judicial Enquiry—Janata Dal (S)' appeared in *Hind Samachar*, and *Urdu Daily* of 11 and 12 March, 1991, published from Jalandhar and Chandigarh, respectively. The news item *inter alia* stated that Kanwar Durga Chand was one of the passengers killed in Kotkhai bus accident. According to Kanwar Durga Chand, this news created sensation amongst the public in general although it was absolutely wrong, baseless and irresponsible.

On 21 March, 1991, the Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after considering the written explanation of the Editor, *Hind Samachar* and all other relevant documents, in their Second Report presented to the House on 10 September, 1991, reported that it found that no question of privilege was involved in the matter as neither the words 'MLA' nor 'Ex-MP', nor the 'Leader, Janata Dal' were

prefixed or suffixed to the name of Kanwar Durga Chand in the said news item. In the opinion of the Committee, there could be any person by the name of Kanwar Durga Chand. The Committee noted that the Editor of *Hind Samachar* had categorically stated in his comments that he had due regards for the members of the Himachal Pradesh Vidhan Sabha. Moreover, the comments of the Editor contained a statement made by Kanwar Durga Chand, Leader of Janata Dal (S) on the said bus accident which was published in the *Dainik Punjab Kesari*, a sister publication of the *Hind Samachar* on the same date i.e., 11 March, 1991. In his statement, Kanwar Durga Chand, Leader of Janata Dal (S), had demanded a judicial inquiry into the said accident.

The Committee came to the conclusion after going through the comments of the *Hind Samachar* that there could be any particular person by the name of Kanwar Durga Chand and it could not be assumed that the said newspaper had deliberately or maliciously published defamatory and false news against Kanwar Durga Chand, MLA. There could be similarity of names. However, had the name of the complainant been qualified with the words 'MLA' or 'Ex-MP' or 'Leader of Janata Dal (S)', then this would be a false news and certainly come under the purview of defamation. But, no such title was attached with the name that appeared in the newspaper in connection with the Kotkhai bus accident.

The Committee opined that the matter did not come under the definition of privilege and there was no need to take any action in this regard.

The report of the Committee was adopted by the House without any amendment.

NAGALAND LEGISLATIVE ASSEMBLY

Alleged rejection of proposals submitted by members by a Government officer: On 20 September, 1986, Shri Vamuzo, Leader of the Opposition and 16 other members, gave a joint notice of question of privilege against the Deputy Commissioner and *ex-officio* Chairman of the District Planning Board, Tuensang (Shri S.S. Rai) for allegedly rejecting the proposals submitted by Sarvashri K. Zungkum, Horangse and Pongom, members, under the Backward Area Fund Scheme. In their notice of question of privilege, Shri Vamuzo and other members stated *inter alia* that at the meeting of the MLAs of Backward Areas under the Chairmanship of the Planning Minister on 17 September, 1985, it was decided that the MLAs would submit proposals which would be forwarded to the Government by the District Planning Board for according sanction. This decision was reiterated by the Speaker through a ruling in the House. The Chief Minister had also assured the House that the above decision would be honoured. Later, it was found that the proposals/schemes submitted by Sarvashri K. Zungkum, Pongom and Horangse, MLAs of Shamator

Chessor, Thonokyu and Lonkhim-Chare constituencies, were not forwarded to the Government by the Chairman of the District Planning Board. The members contented that this action of the Chairman of the Tuensang District Planning Board amounted to a breach of privilege of the House.

On 20 September, 1986, the Deputy Speaker referred the matter to the Committee of Privileges for examination, investigation and report.

The Committee of Privileges, after considering the written explanation of the Chairman, District Planning Board, Tuensang (Shri S.S. Rai), and after obtaining detailed information from the Government, in their Fourth Report, reported *inter alia* that it was a fact that the schemes submitted by Shri Zungkum, Shri Horangse and Shri Pongom were not recommended as alleged. Instead, schemes submitted by some other public leaders who were not sitting members were included and recommended to the Government for sanction. Thus, the members were deprived of the opportunity of having their schemes recommended and sanctioned as sitting members of the backward tribes. When this matter was brought to the notice of the Government, the Government immediately kept the sanctioned schemes in those constituencies in abeyance. The matter was then reviewed by the Government and it directed the Chairman, District Planning Board to select the schemes for sanction by the Government. Accordingly, the Chairman, in consultation with Sarvashri Zungkum, Horangse and Pongom selected the schemes and recommended the same for sanction by the Government. A report was received by the Committee before the finalisation of this Report that Government had already sanctioned the schemes for Rs. 2.50 lakhs each to the three constituencies.

The Committee said that an act or conduct to constitute a breach of privilege as provided in the Constitution, it should have to be something that was done which directly or indirectly caused or intended to cause obstruction in the functioning of the House. It also quoted a ruling given by the Speaker, Lok Sabha, as follows:

'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.'

The Committee felt that it was evident from the facts that the matter regarding non-inclusion of schemes submitted by 3 members was an administrative matter and would not relate to any business of the House. Therefore, there was no breach of privilege or contempt of the House involved in the matter. They, however, noted that the Chairman of the District Planning Board, Tuensang, had flouted the directives issued by the Government in regard to selection of schemes in consultation with the sitting members. This kind of action on the part of the officer was highly improper and he should be cautioned. They further suggested that the Government should give due regard to the members

keeping in view their dignity. In view of the circumstances of the case, the Committee recommended that the case might be dropped and no further action might be taken by the House.

No further action was taken by the House in the matter.

RAJASTHAN LEGISLATIVE ASSEMBLY

Alleged refusal by a Government servant to accept important Assembly dak: On 23 July, 1990, Shri Rasik Bihari Meena, Despatch Rider (an employee of the Rajasthan Legislative Assembly Secretariat) went to the residence of the Administrative Secretary, Department of Education, Government of Rajasthan (Miss A.K. Ahuja), for delivering important Assembly dak. She allegedly refused to receive the same and misbehaved with the despatch rider. Thereafter, on 24 July 1990, Shri Rasik Bihari Meena addressed a letter to the Secretary, Rajasthan Legislative Assembly Secretariat, complaining *inter alia* about the alleged refusal in accepting the important Assembly dak by Miss A.K. Ahuja. Shri Meena also stated that Miss Ahuja had misbehaved with him and asked him to tell the Secretary, Rajasthan Legislative Assembly Secretariat, that she would not receive any mail at night and if it was delivered at night, she would tear the same. Shri Meena requested that either Miss Ahuja be directed to receive the mail at night or instructions not to deliver the dak at night be issued.

The matter was then referred by the Speaker to the Committee of Privileges under Rule 162 of the Rules of Procedure and Conduct of Business in Rajasthan Legislative Assembly for examination, investigation and report.

The Committee of Privileges, after considering all the documents and the written submissions of Miss A.K. Ahuja, and after examining her in person, in their First Report presented to the Speaker on 18 January, 1992 reported *inter alia* that it was not satisfied with the written submission of Miss A.K. Ahuja and directed her to appear in person, before the Committee on 4.10.91 to put up her case. On 4.10.91, Miss A.K. Ahuja appeared before the Committee and stated that she had pain in her knee and was not feeling well on that night. She had no intention to refuse to accept the important Assembly dak or to obstruct the proceedings of the House. When the attention of the Administrative Secretary was invited to the directions contained in the Circular dated 24 July, 1989 of the Chief Secretary that dak must be received at whatever time it was delivered, she replied in affirmative and stated that she had simply asked the despatch rider to bring the mail in the morning as she was out of sorts at that time. In reply to another question, the Administrative Secretary reiterated that she had no intention to obstruct the proceedings of the Legislative Assembly. If, however, any such impression had been created she was sorry for that, she added.

The Committee took a serious view of the matter. Non-acceptance of dak by the Administrative Secretary, Department of Education, Government of Rajasthan, misbehaving with the despatch rider and threatening him to tear the mail and non-furnishing of factual information to the Committee in time might very well fall within the purview of breach of privilege of the Assembly, any of its Committees or members. Even so, it felt that the following statement of Miss A.K. Ahuja had to be kept in mind:

'I had no intention to obstruct the proceedings of the Legislative Assembly. If however, any such impression had been created, I apologise for the same.'

The Committee therefore, did not consider it appropriate to recommend further action in the matter. It, however, considered it improper on the part of Miss Ahuja that she refused to receive the dak relating to the Assembly Session, misbehaved with the despatch rider, and asked him to tell the Secretary that she would not receive any mail in night and if it was delivered at night, she would tear the same and that she was unable to furnish relevant information to the Committee in time. Keeping in view the dignity of the House and the apology tendered by Miss Ahuja, the Committee recommended that no further action might be taken in the matter.

No further action was taken in the matter.

WEST BENGAL LEGISLATIVE ASSEMBLY

Alleged casting of aspersions on the Governor of a State and on the Legislative Assembly by an officer of the Assembly Secretariat: On 10 March, 1992 Shri Subrata Mukherjee, a member, gave notice of a question of privilege against Dr. Ranjit Basu, an officer of the West Bengal Legislative Assembly Secretariat, for allegedly casting aspersions on the Governor of West Bengal and the House in his book entitled "A Legislature Secretariat at Work."

Shri Mukherjee, in his notice of question of privilege, *inter alia* stated that Dr. Ranjit Basu, claiming to be a Class I officer of the West Bengal Legislative Assembly Secretariat, had cast libellous aspersion upon the character, conduct and performances and of all sections of the members of the House, particularly the Congress Party, and the Governor of West Bengal in his book entitled "A Legislature Secretariat at Work". Shri Mukherjee, in particular, took objection to the following portions of the work:

The most unconstitutional and undignified action of the Governor of West Bengal was that the Governor appointed Shri K.K. Maitra, Secretary, Legislative Department of the Government, also Secretary, West Bengal Legislative Assembly in addition to his own duties. Shri Maitra was put under the dual disciplinary control of the Executive as also of the Legislature. In

West Bengal in 1972, the Secretary of the Legislative Department of Government was made Secretary, Assembly and in 1974 an amendment of the Rule was made in a high-handed manner providing for the induction of officers from the Executive Government and this was made possible by the absence of effective check from the Legislators.

On 10 March, 1992, Shri Subrata Mukherjee raised the matter in the House and described the publication as illegal, indecent and a heinous attack on the Assembly as a whole. He requested the Speaker to allow the House to discuss the matter and come to a decision without referring it to the Committee of Privileges. The Speaker thereupon observed *inter alia* that the subject would be taken up later on and that he would go through the book before that. On 13 March, 1992, the Speaker observed that the book was intended to be a work relating to the Secretariat of the West Bengal Legislative Assembly, in which Dr. R. Basu had attempted to state how the Secretariat had developed and its method of functioning. He had given certain opinions and comments which were not directly related to or connected with the affairs of the Secretariat of the Assembly; or it could also be stated that some comments were uncalled for.

Referring to the portion dealing with the appointment of Shri K.K. Maitra, the Speaker said that it was a fact of history that at one point of time Shri K.K. Maitra, Secretary, Legislature Department was appointed Secretary of the Legislative Assembly Secretariat with dual control of the Assembly Secretariat and the Legislature Department of the Government of West Bengal. We, who believed in parliamentary democracy, had always opposed the intermingling of Government and Parliamentary Secretariat and dual control of one officer of these two Secretariats—Government and Parliament. We had always fought for the independence of Parliament and Parliamentary Secretariat. It was criticised at that time also in the Press and other forums when this thing was done.

The Speaker, then, observed:

The question is that whether the language of Dr. R. Basu in making his comments is intended to denigrate the office of the Governor or not? You must keep it in mind that the Book is a treatise on the affairs of the working of the Legislature and the Secretariat. This portion is ancillary to the functioning of the Secretariat. It relates to an incident at a point of time of history when a certain incident took place. He intends to say that this thing should not take place and the Secretariat should function independently of Government control or of Government departments. I cannot agree with this that this is intended to denigrate the office of the Governor. He says it is unconstitutional and undignified. It is a matter of opinion. It can also be a matter of fair criticism. This portion of the publication does not attract the

provisions of the violation of any privilege of any Member nor does it intend to denigrate the sanctity or prestige of this House. It can be treated in the category of fair criticism and opinion which any democratic society should respect and recognise.

Dealing with the other portion of the book wherein Dr. Basu had said that "the role of the present Congress Opposition is disgusting", the Speaker referred to Page 61 of the book reading as under:

The role played by the Opposition led by Shri Jyoti Basu checked the tendency of the Government, if any, to curb the independent position of the Secretariat. The present Congress Opposition has disintegrated, lacks knowledge of parliamentary affairs and interest in the Legislature Secretariat affairs, and the will to prevent the growing tendency of the Government to curb the independent position of the Secretariat and the attitude of the present Left Front Government has been turning this parliamentary institution into a mockery of Parliamentary democracy. The Opposition is expected and ought to be eternally vigilant but no one can expect any sort of vigilance from the Congress Opposition against the encroachment on the independence of the Legislature Secretariat. With the Treasury Bench enjoying a steady and comfortable majority the part played by the Opposition is not very enviable.

In this context, the Speaker said that in a treatise which primarily dealt with the working of the Assembly Secretariat, the opinion relating to the functioning of the Opposition Party was entirely uncalled for. The comment that 'the role of the present Congress Opposition is disgusting' was uncharitable and very unfortunate. It should never have been made in this form because the functioning of the Opposition inside a Parliament had no relation to the functioning of Secretariat of the Parliament. There was no nexus between these two. The Speaker observed as under:

The function of the Government inside the Parliament has no connection with the functioning of the Secretariat. A person has the right to criticise in a democratic society. A person has the right to form an opinion. The media, press, and every sector has the right to review and to give opinion and criticise. But, when a senior member of the staff of this Secretariat through his writings discusses the working of the Secretariat and criticises the Opposition in very uncharitable terms, then it proves that he has the intention to deal with the affairs of the Secretariat. But, dealing with politics and giving opinion relating to politics is unfortunate. It should never be done because a member of the staff of the Assembly Secretariat has to be neutral and independent to all political parties as long as he works in the Secretariat. If he expresses any opinion, biased or unbiased, towards any political party, then the very neutrality of the Assembly Secretariat comes into doubt. If a staff of the Assembly Secretariat expresses his opinion about political

parties in the Assembly, then the neutrality and independence of the Assembly Secretariat comes into question. It is a very serious matter. We have to be very cautious about all these things. This is unfortunate and it should never be done. I do not intend to send this matter to the Privileges Committee. But, I do issue serious caution to Dr. R. Basu that he should be very careful in future. He is free to write as many books as he desires to write. But, he should know to what extent he can go and to what extent he cannot go.

After he retires from the service, he is free to write and he is free to make comments. But, as long as he remains in service in the Assembly Secretariat, he must not express his opinion either in favour of or against any political party or any member of the House. If he acts in such a manner, that will go to the root of neutrality of the Assembly Secretariat, and that creates a serious problem in the functioning of the Assembly Secretariat. It should never be done. I hope he will behave himself with caution in future. With these words, I would say that I do not like to send this matter to the Privileges Committee. It is disposed of accordingly. It may be noted in his service record. I would expect all Assembly Secretariat Staff to maintain the conduct and behaviour because the Assembly Secretariat has to be very neutral and independent. All political parties have their personal views and have their political views. Everybody has the right to maintain political views. But, working in the Assembly Secretariat, they cannot express it. It is not fair.

FOREIGN LEGISLATURES

SENATE (AUSTRALIA)

Alleged threatening of a witness for giving evidence before a Parliamentary Committee: On 17 October 1990, a report of the Environment, Recreation and the Arts Committee, entitled *Report on the Harassment of a Witness—Drugs in Sport Inquiry*: was tabled in the House. The report gave details of a complaint by Mr. Glen Jones, National Drug Testing Officer of the Australian Drug Free Powerlifting Federation (ADFPF), that Mr. Chris Turner, another member of the Federation, sent to Mr. Jones a letter containing an implied threat that if Mr. Jones did not withdraw from a contest for an office in the Federation, Mr. Turner would publish to members of that organisation certain documents containing certain allegations against Mr. Jones. One of those documents contained the allegation that Mr. Jones gave false evidence to the Standing Committee during its inquiry into drugs in sport.

On the same day, Mr. Bjelke-Petersen, Acting Deputy President made the following observations in the House on the Report by the Standing

Committee on Environment, Recreation and Arts on Harassment of a Witness:

I read the following statement on behalf of the President. The Standing Committee on Environment, Recreation and the Arts was kind enough to provide me with an advance copy of this report, so that I could consider the matter raised by the Committee and make a determination under the Privilege Procedures as soon as the report was presented. The Committee reports that it considers that a witness has been harassed in respect of the witness's evidence.

Under the procedures provided by the Privilege Resolutions of 25 February 1988, I am required to determine whether a motion to refer the matter to the Committee of Privileges should have precedence over other business having regard to the criteria laid down in the Senate's resolution. I have explained to the Senate in previous statements the effects of the criteria and the way in which I make the required determinations. The matter raised by the Committee clearly meets the prescribed criteria and I therefore determine that a notice of motion to refer the matter to the Committee of Privileges should have precedence.

On 18 October 1990, Mr. Crowley, a member moved the following motion in the House:

Having regard to the report of the Standing Committee on Environment, Recreation and Arts presented on 17 October 1990, whether an attempt was made improperly to influence a witness in respect of the witness's evidence, or to penalise a witness in respect of the witness's evidence, and whether any contempt was committed.

The motion was adopted and the matter stood referred to the Committee of Privileges.

The Committee of Privileges, after considering all the relevant documents and written submissions made to the Committee by Mr. Glen Jones, National Drug Testing Officer of the Australian Drug Free Powerlifting Federation (ADFPF) and Mr. Chris Turner, a member of ADFPF, in their Thirtieth Report (March 1991), reported *inter alia* that Mr. Turner had indicated in his submission that he had no intention of interfering with Mr. Jones on account of his having given evidence before the Senate Committee. As both the reports of the Environment, Recreation and the Arts Committee and the submissions indicated, it was clear that there was significant differences of opinion, and significant rivalries between members of the organisation, focussed upon the conflict and antagonism between the persons who were the subject of privileges Committee inquiry.

The Committee noted a similarity between the present case and the matter on which it reported in its 18th Report, concerning possible interference with witnesses before the Senate Select Committee on Administration of Aboriginal Affairs. In that case, the Committee had cause to point out the turbulent circumstances surrounding the internal operations of the Aboriginal Development Commission and drew attention, in particular, to the use by certain people at that time of any weapon at their disposal to pursue their particular ends. A majority of the Committee found in that case that the reference in a motion of no-confidence to a witness appearing before a Senate Committee was not sufficient evidence of the required intention to interfere with that witness in consequence of giving evidence to the Committee. The minority found that although a technical breach of privilege was committed, the circumstances in which this occurred, and the background of conflict and antagonism which had existed in that organisation, raised the question whether the Senate should exercise its power to deal with a contempt in the particular circumstances of that case. The minority decided that it was not necessary to do so.

In the instant case, all members of the Committee concluded that the proposal to publish a document claiming that false evidence had been given to a Senate Committee was not sufficient evidence and the required intention to interfere with a witness on account of his having given evidence to a Senate Committee. Besides, they concluded that even if the Committee had decided that a technical breach of privilege had been committed, it would have recommended to the Senate in these circumstances that it should not exercise its power to deal with the matter as a contempt. The Committee concluded that no contempt of the Senate had been committed.

PROCEDURAL MATTERS

LOK SABHA

A member ceases to remain in the panel of Chairmen if appointed a Minister: On 2 July 1992, Col. Rao Ram Singh, a member of the Panel of Chairmen, was appointed as a Minister of State in the Union Council of Ministers. Accordingly, he ceased to be a member of the Panel of Chairmen. Later, on 14 July 1992, the Speaker nominated Shri Peter G. Marbaniang on the Panel of Chairmen, in Col. Singh's place.

Members not to talk with Officers sitting in the Official Gallery: On 14 July 1992, during the discussion on the Jammu and Kashmir State Legislature (Delegation of Powers) Bill, 1992, a member Shri Nirmal Kanti Chatterjoe objected to another member speaking to some Officer in the Official Gallery. Thereupon, Shri Sharad Dighe, who was in the Chair, observed:

"This is not proper please,
Nobody should do it".

Delay caused in laying of notifications should not be raised in the House: On 27 July 1992, when the Minister of State for Communications was called to lay the papers listed against his name, a member (Shri Ram Naik) objected to the undue delay caused in laying of notifications regarding the Indian Telegraph (Amendment) Rules, 1992 and the Indian Telegraph (Second Amendment) Rules, 1992. The Deputy Speaker, thereupon, drew the attention of the member to Rule 305C* and observed that such matter should not be raised in the House.

*305A. (1) There shall be a Committee on Papers laid on the Table consisting of not more than 15 members.

(2) The Committee shall be nominated by the Speaker and shall hold office for a term not exceeding one year.

305B. (1) The functions of the Committee shall be to examine all papers laid on the Table of the House by Ministers and to report to the House on—

(a) Whether there has been compliance of the provisions of the Constitution, Act, rule or regulation under which the paper has been laid;

(b) Whether there has been any unreasonable delay in laying the paper;

(c) If there has been such delay, whether a statement explaining the reasons for delay has been laid on the Table of the House and whether those reasons are satisfactory;

(d) Whether both the Hindi and English versions of the paper have been laid on the Table; and

(e) Whether a statement explaining the reasons for not laying the Hindi version has been given and whether such reasons are satisfactory.

(2) The Committee shall perform such other functions in respect of the papers laid on the Table as may be assigned to it by the Speaker from time to time.

305C. A member wishing to raise any of the matters referred to in sub-rule (1) of rule 305B shall refer it to the Committee and not raise it in the House.

Reference to Chief Minister of a State by name: On 7 August 1992, during the discussion on the Constitution (Scheduled Tribes) Uttar Pradesh Order (Amendment) Bill, a member, Shri Harchand Singh referred to Shri Bhairon Singh Shekhawat, Chief Minister of Rajasthan and made certain allegations against him. On objection being taken by another member (Prof. Prem Dhupal), the Chairman, observed that the name of the Chief Minister would not go on record.

Instance of the House being presided over by a member who was not on the Panel of Chairmen: On 10 August 1992, during the combined discussion on the Demands for Supplementary Grants (Railways) and Demands for Excess Grants (Railways), when no member on the Panel of Chairmen was available, Shri Nirmal Kanti Chatterjee relieved Chairperson (Smt. Malini Bhattacharya) who had taken permission of the House as she had to attend a meeting of the General Purposes Committee. Shri Chatterjee then took the Chair till the House was adjourned for the day.

Speaker can allow a discussion on a statement made by a Minister: On 11 August 1992, when the Minister of State in the Ministry of Textiles (Shri Ashok Gehlot) made a statement regarding the turn-around strategy for the National Textiles Corporation and British India Corporation, several members sought clarifications. The Chairman (Shri Sharad Dighe) did not allow clarifications and asked members to give notices for discussion. Thereafter, a member (Shri Somnath Chatterjee) and several other members pointed out that neither there was any indication about the statement in the List of Business nor Supplementary List of Business was circulated. Due to interruptions, the Chairman (Shri Sharad Dighe) adjourned the House. Later when the House reassembled, the Chairman informed the House that the Speaker had agreed to allow a discussion on the matter.

Statement by a Minister on a particular issue: On 13 July 1992, as soon as the House met, several members raised the 'Ram Janam Bhoomi-Babri Masjid' issue. A member (Shri Saifuddin Choudhury) demanded a statement by Minister of Home Affairs. Thereafter, Shri Rajnath Sonker Shastri and some other members came to the well of the House. Then, the Minister of Parliamentary Affairs (Shri Ghulam Nabi Azad) informed the House that the Home Minister would make a statement that day. In view of interruptions, the Speaker adjourned the House. When the House reassembled, several members demanded that the Home Minister should make a statement on the issue. The Minister of Parliamentary Affairs (Shri Ghulam Nabi Azad) said that the statement would be made. Thereafter, Shri Mumtaz Ansari and some other members came to the pit of the House. As interruptions continued, the Speaker again adjourned the House. When the House reassembled, the Minister of Home Affairs made a statement regarding developments in Ayodhya.

STATE LEGISLATURES

MADHYA PRADESH LEGISLATIVE ASSEMBLY

Initiating and closing of Proceedings with National Song and National Anthem, respectively: The proceedings of the Eighth Session of the Ninth Vidhan Sabha was initiated with the recital of Vande Mataram and closed with Jana Gana Mana.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 July to 30 September 1992)

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

—Editor

INDIA

DEVELOPMENTS AT THE UNION

Cabinet Expanded: The Union Council of Ministers was expanded on 2 July with the induction of six Ministers of State and one Deputy Minister. The new Ministers of State are: Shri Sukh Ram, Shri R.L. Bhatia, Col. Ram Singh, Smt. Krishna Sahi and Smt. Sukhbuns Kaur. The new Deputy Minister is Km. Shelja. The Prime Minister Shri P.V. Narasimha Rao also effected a minor reshuffle of portfolios.

The Union Council of Ministers and their portfolios following the induction of the new Ministers and the reshuffle is as under: Shri P.V. Narasimha Rao (Prime Minister): *Personnel, Public Grievances, Science and Technology, Rural Development, Electronics, Atomic Energy, Space, Chemicals and Fertilizers, Civil Supplies and Public Distribution, Industry and Labour.* Cabinet Ministers: Dr. Balram Jaxhar: *Agriculture*; Dr. Manmohan Singh: *Finance*; Shri Arjun Singh: *Human Resource Development*; Smt. Sheila Kaul: *Urban Development*; Shri C.K. Jaffer Sharief: *Railways*; Shri B. Shankaranand: *Petroleum and Natural Gas*; Shri K. Vijaya Bhaskara Reddy: *Law, Justice and Company Affairs*; Shri Sitaram Kesri: *Welfare*; Shri M.L. Fotedar: *Health and Family Welfare*; Shri Sharad Pawar: *Defence*; Shri S.B. Chavan: *Home*; Shri V.C. Shukla: *Water Resources*; Shri Madhavrao Scindia: *Civil Aviation and Tourism*; and Shri Ghulam Nabi Azad: *Parliamentary Affairs*.

Ministers of State (Independent Charge): Shri P. Chidambaram: *Commerce*; Shri Sontosh Mohan Dev: *Steel*; Shri Ajit Kumar Panja: *Information and Broadcasting*; Shri Ashok Gehlot: *Textiles*; Shri Rajesh Pilot: *Communications*; Shri Kamal Nath: *Environment and Forests*; Shri Jagdish Tytler: *Surface Transport*; Shri Kalpnath Rai: *Power and Non-Conventional Energy Sources*; Shri Sukh Ram: *Planning, Programme Implementation and Non-Conventional Energy Resources*; Shri Balram Singh Yadava: *Mines*; Shri P.A. Sangma: *Coal and*

additional charge of Labour; Shri Tarun Gogoi: Food; and Shri Giridhar Gomango: Food Processing Industries;

Ministers of State: Shri R.L. Bhatia: External Affairs; Smt. Krishna Sahi: Industrial Development; Col. Ram Singh: Wasteland Development in the Rural Development Ministry; Smt. Sukhbans Kaur: Tourism; Shri Kamaluddin Ahmed: Civil Supplies and Public Distribution; Smt. Margaret Alva: Personnel and Public Grievances; Shri M. Arunachalam: Urban Development; Shri Mamata Banerjee: Human Resource Development; Shri Eduardo Faleiro: External Affairs; Shri M.O.H. Farooq: Civil Aviation; Shri M.M. Jacob: Parliamentary Affairs and Home; Shri R. Kumaramangalam: Parliamentary Affairs and additional charge of Science and Technology; Shri S. Krishna Kumar: Petroleum, Natural Gas and Defence; Prof. P.J. Kurien: Small Scale Industries and Agro-Industries; Shri M. Mallikarjun: Railways; Shri H.R. Bhardwaj: Law, Justice and Company Affairs; Shri Rameshwar Thakur: Finance; Smt. D.K. Thara Devi Siddhartha: Health and Family Welfare; Shri K.C. Lenka: Agriculture; Shri Chinta Mohan: Chemicals and Fertilisers; Shri Uttambhai H. Patel: Rural Development; Shri Shantaram Potdukhe: Finance; Shri Mullappally Ramachandran: Agriculture; Shri Dalbir Singh: Finance; Shri G. Venkat Swamy: Rural Development; and Shri P.K. Thungon: Industry.

Deputy Ministers: Shri Paban Singh Ghatowar: Labour; Shri Ram Lal Rahi: Home; Shrimati Kamala Kumari: Welfare; Shri Salman Khursheed: Commerce; Shri P.V. Rangayya Naidu: Communications; Km. Girija Vyas: Information and Broadcasting; Km. Shelja: Education and Culture; and Shri S. B. Nyamagoudar: Coal.

Monsoon Session of Parliament: The Monsoon Session of Parliament began on 8 July. The two Houses were adjourned sine die on 20 August and the President prorogued them on 25 August.

Resignation of Minister: The Minister of State for Commerce, Shri P. Chidambaram resigned from the Union Cabinet on 9 July, after he made public the investments made by him and his wife in a company under investigation for alleged involvement in the securities scandal.

Bihar RS Poll: On 1 July 1992, the Election Commission cancelled the 25 June poll to seven Rajya Sabha and 11 Legislative Council seats from Bihar saying that "The secrecy of the vote was violated due to open voting, snatching of ballot papers and their forcible marking". In the repoll held on 7 July, the following were declared elected to the Rajya Sabha: Sarvashri I.K. Gujral, Anil Kumar, Ravindra Kumar Yadav and Ram Deo Bhandari (Janata Dal); S.S. Ahluwalia (Congress-I); Gaya Singh (CPI); and P.K. Agarwal (BJP).

RS elections from Haryana: Congress(I) nominees Shri Shamsher Singh Surjewala (who is also the Minister for Animal Husbandry in Haryana) and Shri Ramji Lal were declared elected to the Rajya Sabha from the Haryana Assembly constituency on 27 July.

Leader of the Opposition in Rajya Sabha: Shri Sikander Bakht of the BJP was recognised as the new Leader of the Opposition in Rajya Sabha by the Chairman, Rajya Sabha, with effect from 7 July.

Deputy Chairman of Rajya Sabha: Congress(I) nominee Dr. (Smt.) Najma Heptulla was re-elected Deputy Chairman of Rajya Sabha on 10 July defeating Smt. Renuka Chowdhury of the Telugu Desam by 128 votes to 95. (For details, see *The Journal of Parliamentary Information*, Vol. XXXVIII, No. 3, September 1992)

No-Confidence motion defeated: On 17 July, the Lok Sabha rejected an Opposition-sponsored no-confidence motion against the Narasimha Rao Government with 215 voting in favour of the motion and 267 against it.

Presidential elections: An estimated 95 per cent of the 4600-strong electoral college voted in the Presidential Elections held on 13 July. On 16 July, Dr. Shanker Dayal Sharma was declared elected the next President of India by polling about 65 per cent of the valid votes in the electoral college. Dr. Sharma was sworn in as the ninth President on 25 July. (For details, see article *The Tenth Presidential Elections* by Shri C.K. Jain, Secretary-General, Lok Sabha in *The Journal of Parliamentary Information*, Vol. XXXVIII, No. 3, September, 1992).

Plea against Presidential election dismissed: On 17 September, the Supreme Court dismissed two petitions challenging the elections of Dr. Shanker Dayal Sharma as the ninth President of India and recommended screening of such petitions before consideration by a Constitution Bench.

Vice-Presidential Election: On 15 July, the Election Commission announced the schedule for the 10th Vice-Presidential Election to be held on 19 August. Shri C.K. Jain, Secretary-General, Lok Sabha, was appointed the Returning Officer for the Election. On 31 July, four sets of nomination papers were filed on behalf of Shri K.R. Narayanan as the candidate supported by the Congress(I) and major Opposition parties.

When the scrutiny of nominations was taken up on 1 August, the nomination papers of only two candidates were found valid—those of Shri K.R. Narayanan and Kaka Joginder Singh *alias* Dhartipakad. On 3 August, the last day for withdrawal of nomination, these two candidates still remained in the fray. Shri K.R. Narayanan was declared elected the ninth Vice-President on 19 August winning 700 votes in the electoral college as against one vote by Kaka Joginder Singh *alias* Dhartipakad. Shri Narayanan was sworn in as the Vice-President on 21 August. (For details, see article *The Tenth Vice-Presidential Election* by Shri C.K. Jain, Secretary-General, Lok Sabha).

JPC constituted: On 6 August, the Lok Sabha adopted a motion constituting a Joint Parliamentary Committee (JPC) and naming 20 of its members to the 30-member body to probe the securities scam. It was asked to submit its report to the House by the end of the next Winter

Session of Parliament. The 20 members of the JPC from the Lok Sabha are: Sarvashri Mani Shankar Aiyar, Smt. Basavarajeswari, P.C. Chacko, Kamal Chaudhary, Murlī Deora, Ram Niwas Mirdha, Dr. Debi Prasad Pal, Sriballav Panigrahi, Swaran Kumar Patel and P.M. Sayeed (all from Congress-I); Bhupatiraju Vijayakumar Raju (Telugu Desam-V.); P.G. Narayanan (AIADMK); Nirmal Chatterjee (CPI-M); Jaswant Singh, Ram Naik, Harin Pathak and Sushil Chandra Verma (BJP); George Fernandes and Rabi Ray (Janata Dal); and K.P. Unnikrishnan (Congress-S).

On 7 August, the Rajya Sabha nominated the following ten members to the JPC: Sarvashri S.S. Ahluwalia, Ram Naresh Yadav, Jagdish Desai and H. Hanumanthappa (all Congress-I); T.N. Chaturvedi (BJP); S. Jaipal Reddy (Janata Dal); Yashwant Sinha (Janata Dal-S); Gurudas Das Gupta (CPA); Dipen Ghosh (CPI-M); and Murasoli Maran (DMK). On 11 August, the Speaker, Lok Sabha, Shri Shivraj V. Patil nominated Shri Ram Niwas Mirdha as Chairman of the JPC.

Celebration of the 50th anniversary of Quit India Movement: On 8 August, a special function was held in the Central Hall of Parliament to celebrate the 50th anniversary of the Quit India Movement. (For details, see feature on Addresses)

Developments in Janata Dal in Lok Sabha: An intimation regarding the expulsion of Sarvashri Shivsharan Verma, Ram Awadh, Rajnath Sonker Shastri and Ramnihore Rai, members of Lok Sabha, from the primary membership of the Janata Dal for six years was received by the Speaker, Lok Sabha from Shri S.R. Bommali, President of the Janata Dal, on 19 July and from Shri Vishwanath Pratap Singh, Leader of the Janata Dal Parliamentary Party in Lok Sabha, on 20 July. As per past practice and precedents, the Speaker, Lok Sabha seated all the four members outside the Janata Dal block in Lok Sabha with effect from 7 August.

Earlier, Shri Ajit Singh, member of Lok Sabha, who was expelled from the Janata Dal in December 1991 and Sarvashri Rasheed Masood, Harpal Panwar and Satya Pal Singh Yadav, members of Lok Sabha, who were expelled from the Janata Dal in January 1992, were also seated separately by the Speaker, Lok Sabha outside the Janata Dal Block of seats in Lok Sabha.

On 7 August, twenty members of Lok Sabha who included 12 members belonging to the Janata Dal and all the aforesaid 8 members expelled from the Janata Dal, met the Speaker, Lok Sabha and gave him a letter. The letter bore the signatures of those twenty members and the alleged signatures of four others. All the twenty members who appeared before the Speaker signed the letter again in affirmation of its contents. The twenty members were: Sarvashri Ram Lakhani Singh Yadav, Ram Sharan Yadav, Ram Sundar Dass, Upendranath Verma, Suryanarayan Yadav, Govinda Chandra Munda, Anadi Charan Das, Ajit Singh, Rasheed Masood, Harpal Panwar, Abhay Pratap Singh, Ghulam Mohammed Khan,

Ramnihore Rai, Ram Badan, Ram Awadh, Rajnath Sonker Shastri, Shiv Sharan Verma, Satya Pal Singh Yadav, Arjun Singh Yadav and Roshan Lal. These members requested the Speaker to recognise them and allocate separate seats to them in Lok Sabha. Sarvashri Ram Prasad Singh, Ram Naresh Singh and Harikewal Prasad, MPs whose signatures were alleged to appear on the letter, met the Speaker, Lok Sabha and denied having signed the letter. Shri Sripal Singh Yadav, MP whose signature was also alleged to appear on the letter, however, did not turn up either to confirm or deny his signature on the letter.

On 11 August, Shri Vishwanath Pratap Singh, MP and Leader of the Janata Dal Parliamentary Party in Lok Sabha, gave four petitions under the Tenth Schedule to the Constitution for disqualification of Sarvashri Ram Sundar Dass, Govinda Chandra Munda, Ghulam Mohammed Khan and Ram Badan, MPs for violation of the whip on the no-confidence motion voted by Lok Sabha on 17 July.

On 12 August, the Speaker, Lok Sabha passed an Interim Order permitting the twenty members who signed the letter dated 7 August in his presence, to be seated separately from the other members of the Janata Dal Parliamentary Party, for the purposes of functioning in House, for the interim period, until the matter was finally disposed of. Accordingly, all the twenty members were seated separately in Lok Sabha.

At a meeting held by the Speaker, Lok Sabha with leaders and members of various parties/groups in Lok Sabha on 19 August, to discuss the matters arising out of the letter dated 7 August, the Speaker, Lok Sabha decided to hear the parties to the letter and others concerned on points of facts and law. The Speaker, Lok Sabha, also proposed that the hearing might be open to the Press.

On 22 August, eight petitions under the Tenth Schedule to the Constitution for disqualification of Sarvashri Ram Sharan Yadav, Abhay Pratap Singh, Ram Lakhan Singh Yadav, Anadi Charan Das, Roshan Lal, Arjun Singh Yadav, Upendranath Verma and Suryanarayan Yadav, MPs were received from Shri Vishwanath Pratap Singh, MP and Leader of the Janata Dal Parliamentary Party in Lok Sabha.

Twelve petitions for disqualification had, thus, been filed by Shri Vishwanath Pratap Singh. All the petitions were against those twelve members belonging to the Janata Dal in Lok Sabha who were also signatories to the letter dated 7 August.

The hearings on the letter dated 7 August and the twelve petitions for disqualification filed by Shri Vishwanath Pratap Singh were held on 4 and 28 September. Both the hearings were open to the Press. At the hearing on 28 September, the parties concerned were asked to file their tentative issues, list of documents and list of witnesses. The hearing was adjourned to 23 October.

TD(V) MPs join Congress (I): On 27 August, the Speaker, Lok Sabha, agreed to the request of six members of the Telugu Desam (V) to merge with the Congress (I). The six members were: Sarvashri B. Vijaya Kumar Raju, Allola Indrakaran Reddy, Ganga Reddy, S.Thota Subba Rao, K.P. Reddaiah Yadav and K.V.R. Chowdary.

AROUND THE STATES

ANDHRA PRADESH

Resignation of Chief Minister: The Chief Minister, Shri N. Janardhan Reddy resigned from office on 29 September. The Governor, Shri Krishna Kant asked him to continue in office till alternate arrangements were made.

BIHAR

Legislative Council elections: On 1 July, the Election Commission cancelled the 25 June poll to 11 Legislative Council seats from Bihar. In the re-polling held on 21 July, the following were declared elected: Sarvashri Ajay Almast, Gautam Sagar Rana, Mangni Lal Mandal, Ram Kripal Yadav and Ram Chandra Purbe (Janata Dal); Tara Kant Jha (BJP); Vijay Shankar Mishra, Luxmi Devi and Sylvia Bage (Congress-I); Raj Mangal Mishra (SJP); and Badri Narayan (CPI).

Developments in JMM: The Jharkhand Mukti Morcha split on 5 August with the group led by Shri Shibu Soren, Shri Suraj Mandal and Shri Shallendra Mahto withdrawing its support to the Laloo Prasad Yadav Government while the faction led by Shri Krishna Mardi declaring to continue its support to the Chief Minister.

On 6 August, the Speaker, Shri Ghulam Sarwar recognised the nine-member breakaway faction of the JMM (Mardi) as a separate group in the State Legislative Assembly with Shri Tek Lal Mahto as its Leader.

On 9 August, the JMM (Soren faction) decided to expel the nine MLAs of the Mardi faction and two MPs—Shri Krishna Mardi and Shri R.K. Mahto—from the party. (While four MPs and 10 MLAs are on the Soren side, two MPs and nine MLAs are with the Mardi faction). On 24 August, the Mardi faction expelled the MPs and MLAs belonging to the rival group from the party.

Janata Dal expels two MLAs: On 28 August, Shri Narendra Kumar Singh and Shri Dasrath Prasad Singh, both MLAs, were expelled from the Janata Dal for anti-party activities.

HARYANA

No-trust move rejected: On 13 July, the State Legislative Assembly rejected an Opposition-sponsored no-confidence motion against the Bhajan Lal Government with 30 member voting in favour and 56 against.

KARNATAKA

Minister divested of portfolio: On 25 August, the Chief Minister, Shri S. Bangarappa divested Shri Veerappa Mally of the Education portfolio, leaving him with the charge of only Parliamentary Affairs.

Hegde reinstated as MLA: On 17 September, the Karnataka High Court quashed the State Governor's order of 6 August 1991 disqualifying Shri Ramakrishna Hegde of the Janata Dal as a Member of the State Legislative Assembly. The High Court allowed a writ petition filed by Shri Hegde and quashed the Governor's order on the ground that the post of the Planning Commission's Deputy Chairman, also held by him, did not amount to an office of profit.

KERALA

MLA's election held null and void: On 14 August, the Kerala High Court declared Shri K. Sudhakaran of the Congress(I) elected to the State Legislative Assembly from the Edakkal constituency in the 1991 Assembly elections, after nullifying the election of Shri O. Bharathan of the CPI (M).

MADHYA PRADESH

Death of MLA: BJP MLA, Shri Jhingalal Patel, who represented the Dharmapuri constituency, passed away on 2 July.

Rejection of no-confidence motion: On 11 September, the State Legislative Assembly rejected by a voice vote a no-confidence motion sponsored by the Congress(I) against the Sunderlal Patwa Government.

MAHARASHTRA

Resignation of Minister: On 1 September, the Minister for Cooperation, Parliamentary Affairs, Information and Public Relations, Shri Shivajirao Deshmukh resigned from the Council of Ministers. His resignation was to take effect from 3 September. On 7 September, PWD Minister Shri Vijaysinh Mohite-Patil was entrusted with the additional charge of the Parliamentary Affairs portfolio.

MANIPUR

SC order on Speaker: On 25 August, a Constitution Bench of the Supreme Court directed the Speaker and Deputy Speaker of the Manipur Legislative Assembly and the Chief Secretary of Manipur to be present in the Court on 8 September when it would hear the petition

by Shri I. Manilal Singh, (earlier Secretary of the Manipur Legislative Assembly) who had been denied salary and promotion despite a Court order five months ago.

On 8 September, the Supreme Court directed the Additional Solicitor General of India to tell them as to whether coercive process could be issued against a Speaker while the Legislative Assembly was in session in the context of the Manipur Assembly Speaker not turning up in the Court in spite of its directive to do so. On 9 September, the Supreme Court gave another opportunity to the Speaker to appear before the Court on 25 September falling which it would be constrained to ask the Union Government to secure his arrest and production before it. On 25 September, the Supreme Court directed the Union Government to take necessary steps to ensure the attendance of the Speaker before it on 20 October, in case he did not give a written statement to the Union Home Secretary latest by 30 September that after the Commonwealth Parliamentary Associations' Conference in Bahamas was over on 16 October, he would present himself before the Court.

MEGHALAYA

Reshuffle of portfolios: On 30 August, the Chief Minister, Shri D.D. Lapang re-allocated the portfolios of 13 Ministers. The New portfolios are as under:

Shri D.D. Lapang (Chief Minister): *Cabinet Affairs, Finance, Personnel, Programme Implementation, Electronics and Subjects not allotted to any Minister and General Coordination of all Departments.* Shri J.K. Pohrmen (Deputy Chief Minister): *Secretariat Administration, Law, Parliamentary Affairs, Primary Education, Planning, Public Works (Buildings).*

Cabinet Ministers: Shri Atul C. Marak: *Public Health Engineering, Geology and Mining and Trade;* Dr. R.C. Laloo: *Industries, Administrative Reforms and Excise;* Shri H.B. Dan: *Soil Conservation, District Council Affairs, General Administration and Taxation;* Shri H. Suchians: *Power, Information and Public Relations and Revenue;* Shri Friday Lyngdoh: *Urban Affairs, Community and Rural Development;* Shri Sherjee M. Sangma: *Public Works (Roads) Border Trade;* Shri Dhabal Ch. Barman: *Sericulture, Weaving and Communication;* and Shri H.S. Shylla: *Food and Civil Supplies and Home (Passport).*

Ministers of State: Shri Mountbatten Sangma: *Weights and Measures (Independent Charge);* Shri Mohan Roy Kharkongor: *Housing (Independent Charge);* and Shri Lot Singh A. Sangma: *Labour and Evaluation (Independent Charge).*

TAMIL NADU

MLA joins AIADMK: On 30 July, the lone MLA of the Indian Human Rights Party, Shri N.R. Rajendran, joined the AIADMK.

TRIPURA

No-confidence motion rejected: On 18 September, the State Legislative Assembly rejected by 25 votes to 30, an Opposition-sponsored no-confidence motion against the Samir Ranjan Burman Government.

UTTAR PRADESH

Cabinet reshuffled: On 16 August, the Chief Minister Shri Kalyan Singh reshuffled his Cabinet, dropping four Ministers, promoting four Ministers and inducting nine new Ministers. The four Ministers of State who were dropped are: Shri Chandra Shekhar Singh, Shri Masta Ram, Shri Mahavir Singh and Shri Hardwari Dubey. The three Ministers of State who were promoted to the Cabinet rank are: Shri Surya Pratap Shahi (Health); Shri Ram Kumar Verma (PWD); and Shri Balchandra Mishra (Food and Civil Supplies); Besides, Deputy Minister Shri Munnu Lal Kureel was promoted as Minister of State with the charge of PWD. The new Cabinet Ministers are: Shri Girish Narain Pandey (Law); and Shri Daulat Ram (Adult Education). The new Ministers of State are: Shri Vasudev Singh (Rural Development); Shri Ravindra Shukla (Agriculture); Shri Ambika Singh (Sugarcane Development); and Shri Bhagwati Prasad Shukla (Cooperation). The new Deputy Ministers are: Sarvashri Bachchi Singh Rawat (Revenue); Baijnath Rawat (Energy); and Rajendra Singh (Cultural Affairs).

In the reshuffle of portfolios, the Ministers given new portfolios are: Smt. Premlata Katiyar (Women's Welfare); Shri Aijaz Rizvi (Jail); Dr. Sarjet Singh Dang (Forests and Environment); Shri Brahm Dutta Dwivedi (Energy); and Shri Rajnath Singh (Additional charge of Basic Education).

The Ministers of State given independent charge are: Shri Umanath Singh (Dairy and Livestock); Shri Krishna Swaroop Vaish (Panchayati Raj); Shri Shiv Pratap Shukla (Youth Welfare); Shri Pooran Chandra Sharma (Uttaranchal); and Shri Babu Ram (Excise).

Developments in SJP: On 29 September, the Samajwadi Janata Party, split with the president of the State unit of the Party, Shri Mulayam Singh Yadav setting up a new Samajwadi Party. Later, 23 MLAs and 13 MLCs owing allegiance to Shri Yadav presented themselves before the Presiding Officers of the two Houses of the State Legislature who recognised the new Party and allotted them separate seats.

Meanwhile, four MPs—Sarvashri Uday Pratap Singh, Chhote Singh Yadav and Ramsagar Rawat (all from Lok Sabha) and Ram Gopal Yadav (Rajya Sabha)—requested the Presiding Officers of the two Houses of Parliament to recognise them as members of the new Party and to allot them separate seats.

Death of MLA: Shri Mahinder Singh Bhatti, Janata Dal MLA representing the Dadri constituency, was shot dead near NOIDA on 13 September.

WEST BENGAL

Minister sworn in: CPI MLA Shri Madan Bouri was sworn in on 9 July as a Minister of State with the portfolio of Civil Defence.

DEVELOPMENTS ABROAD

ALGERIA

New President: On 2 July the military-dominated ruling National Council nominated Mr. Ali Kafi in place of President Mr. Mohammed Boudiaf who was assassinated on 29 June. On 8 July, the Presidency appointed Mr. Belaid Abdesselam as the new Prime Minister replacing Mr. Sid Ahmed Ghazali.

AUSTRIA

President sworn in: Mr. Thomas Klestil was sworn in as President of Austria on 8 July in succession to Mr. Kurt Waldheim who stepped down at the end of his six-year tenure.

BAHAMAS

Election results: The Free National Movement led by Mr. Hubert Ingraham won a majority of seats in the Parliamentary elections held on 19 August edging out the ruling progressive Liberal Party of Prime Minister Mr. Lynden Pindling.

BANGLADESH

Defeat of no-confidence motion: On 12 August, the Jatiya Sansad rejected an Awami League-led Opposition no-confidence motion against the Khaleda Zia Government by 168 votes to 122.

BRAZIL

Political developments: On 29 September, the Lower House of Parliament voted to impeach President Mr. Fernando Collor de Mello on charges that he accepted illegal contributions while in office.

CONGO

New President: Mr. Pascal Lissouba was declared elected the new President of Congo on 21 August winning 61.3 per cent of the votes in the elections held on 16 August.

New Prime Minister: On 2 September, President Lissouba named Mr. Stephana Bongho-Nouarro as Prime Minister in succession to Mr. Andre Mllange who headed a transitional Government responsible for introducing democratic reforms in the country.

CZECHOSLOVAKIA

Constitutional development: On 3 July, Slovak parliamentarians voted to remove President Mr. Vaclav Havel from office. He, however, secured the necessary majority among Czech deputies in the second round of voting. On 17 July, the Slovak Parliament declared sovereignty by 113 to 24

votes. Later, President Mr. Havel announced his resignation which would become effective from 20 July. On 23 July, the Prime Minister of the Czech and Slovak regions signed an agreement to carry out a "calm, civilized and non-chaotic split" of Czechoslovakia.

MAURITIUS

President sworn in : On 1 July, Mr. Cassam Utem was sworn in as President of Mauritius in place of Sir Veerasmy Ringadoo.

MOROCCO

New PM: On 10 August, King Hassan dismissed the Centrist Government headed by Prime Minister Mr. Azeddine Laraki. The King named Mr. Mohamed Karim Lamrani as the new Prime Minister on 11 August.

NEPAL

Minister removed: On 26 July, Agriculture Minister Miss Shailaja Acharya was removed from the Council of Minister on charges of "breach of discipline".

POLAND

New Prime Minister: Ms. Hanna Suchocka of the Centre-Left Democratic Union was approved as the new Prime Minister by the Lower House of Parliament on 11 July.

SEYCHELLES

Election results: In the general elections held on 27 July, President Mr. Albert Rene's Seychelles People's Progressive Party secured over 58 percent of the votes cast.

TAJIKISTAN

Political developments: On 5 September, President Mr. Rakhmon Nablyev declared emergency in the Kurgan-Tyubinsky region following largescale violence between his supporters and opponents. President Nablyev resigned on 7 September after being detained at the Dushanbe airport by armed anti-Government militants.

THAILAND

Political developments: In the elections to the 360-member House of Representatives held on 13 September, four pro-democracy parties led by the Democratic party won 185 seats. On 23 September, the Democratic Party Leader Mr. Chuan Leekpai was officially nominated as the new Prime Minister.

U.K.

Resignation of Minister: On 24 September, the Secretary of National Heritage, Mr. David Mellor resigned from the post. Mr. Peter Brooke was appointed to succeed Mr. Mellor on 25 September.

Parliamentary and Constitutional Developments

VIETNAM

Prime Minister re-elected: On 24 September, Mr. Vo Van Kiet was re-elected Prime Minister.

ZAIRE

New PM: Prime Minister Mr. Nguz Bond resigned from office following the election of Mr. Etienna Tshisekedi as the new Prime Minister on 17 August.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMEN- TARY INTEREST

The Constitution (Seventieth Amendment) Bill,* 1992 sought to include the elected members of the Legislative Assemblies of Union territories in the electoral college for the election of the President under article 54 of the Constitution, which at present provides for an electoral college consisting of only the elected Members of the Parliament as well as the Legislative Assemblies of the States. Article 55 which provides for the manner of such election also speaks of the Legislative Assemblies of the States. The Bill sought to insert in article 54 the National Capital Territory of Delhi and the Union Territory of Pondicherry for constituting the electoral college for the election of the President. The Bill was passed by Rajya Sabha and Lok Sabha on 29 April and 7 May 1992, respectively, and received President's assent on 12 August 1992.

The Jammu and Kashmir State Legislature (Delegation of Powers) Bill, 1992 sought to confer on the President the powers of the State Legislature to make laws in respect of the State. The Bill was passed by Lok Sabha and Rajya Sabha on 14 July and 15 July 1992, respectively, and received President's assent on 16 July 1992.

The Constitution (Seventy-first Amendment) Bill, 1992, sought to include Konkani, Manipuri and Nepali Languages in the Eighth Schedule to the Constitution. The Bill was passed by the Lok Sabha and Rajya Sabha on 20 August 1992 and received President's assent on 31 August 1992.

THE CONSTITUTION (SEVENTIETH AMENDMENT) ACT, 1992

An Act further to amend the Constitution of India.

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

1. *Short title and commencement.* (1) This Act may be called the Constitution (Seventieth Amendment) Act, 1992.

(2) Section 3 of this Act shall be deemed to have come into force on the 21st day of December, 1991 and section 2 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

*The Bill which was introduced in Rajya Sabha as "The Constitution (Seventy-Sixth Amendment) Bill, 1992" was passed as "The Constitution (Seventy-First Amendment) Bill, 1992". The Short title of the Bill was changed to "The Constitution (Seventieth Amendment) Bill, 1992" by Lok Sabha through an amendment to Clause 1.

**The Bill was introduced in Lok Sabha as "The Constitution (Seventy-eighth Amendment) Bill, 1992." The Short title of the Bill was changed through an amendment to Clause 1.

2. *Amendment of article 54.* In article 54 of the Constitution, the following *Explanation* shall be inserted at the end, namely:—

Explanation:— In this article A and in article 55, "State" includes the National Capital Territory of Delhi and the Union territory of Pondicherry:.

3. *Amendment of article 239AA.* In article 239AA of the Constitution,—

(i) in clause (7), for the brackets and figure "(7)", the brackets, figure and letter "(7)(a)" shall be substituted;

(ii) in clause (7) as so amended, the following sub-clause shall be inserted, namely:—

"(b) Any such law as is referred to in sub-clause (a) shall not be deemed to be an amendment of this Constitution for the purposes of article 368 notwithstanding that it contains any provision which amends or has the effect of amending, this Constitution."

THE JAMMU AND KASHMIR STATE LEGISLATURE (DELEGATION OF POWERS) ACT, 1992

An Act further to confer on the President the power of the Legislature of the State of Jammu and Kashmir to make laws.

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

1. *Short title.* This Act may be called the Jammu and Kashmir State Legislature (Delegation of Powers) Act, 1992.

2. *Definition.* In this Act, "Proclamation" means the Proclamation issued on the 18th day of July, 1990, under article 356 of the Constitution, by the President, and published with the notification of the Government of India in the Ministry of Home Affairs No. G.S.R. 647(E) of the said date.

3. *Conferment on the President of the power of the State Legislature to make laws.* (1) The power of the Legislature of the State of Jammu and Kashmir to make laws, which has been declared by the Proclamation to be exercisable by or under the authority of Parliament, is hereby conferred on the President.

(2) In exercise of the said power, the President may, from time to time, whether Parliament is or is not in session, enact, as a President's Act, a Bill containing such provisions as he considers necessary:

Provided that before enacting any such Act, the President shall whenever he considers it practicable to do so, consult a Committee constituted for the purpose, consisting of ten members of the House of the People nominated by the Speaker and five members of the Council of States nominated by the Chairman.

(3) Every Act enacted by the President under sub-section (2) shall, as soon as may be after enactment, be laid before each House of Parliament.

(4) Either House of Parliament may, by resolution passed within thirty days from the date on which the Act has been laid before it under sub-section (3), which period may be comprised in one session or in two successive sessions, direct any modifications to be made in the Act and if the modifications are agreed to by the other House of Parliament during the session in which the Act has been so laid before it or the session succeeding, such modifications shall be given effect to by the President by enacting an amending Act under sub-section (2):

Provided that nothing in this sub-section shall affect the validity of the Act or of any action taken thereunder before it is so amended.

THE CONSTITUTION (SEVENTY-FIRST AMENDMENT) ACT, 1992

An Act further to amend the Constitution of India.

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

1. *Short title.* This Act may be called the Constitution (Seventy-eighth Amendment) Act, 1992.

2. *Amendment of Eighth Schedule.* In the Eighth Schedule to the Constitution,—

(a) existing entry 7 shall be re-numbered as entry 8, and before entry 8 as so re-numbered, the entry "7. Konkani." shall be inserted;

(b) existing entry 8 shall be re-numbered, as entry 10, and before entry 10 as so re-numbered, the entry "9. Manipuri." shall be inserted;

(c) existing entries 9 to 15 shall be re-numbered as entries 12 to 18 respectively, and before entry 12 as so re-numbered, the entry "11. Nepali." shall be inserted.

SESSIONAL REVIEW

TENTH LOK SABHA

FOURTH SESSION

The Monsoon Session (Fourth Session) of the Tenth Lok Sabha, which commenced on 8 July 1992, was adjourned *sine die* on 20 August 1992. The House was prorogued by the President of India on 25 August 1992. The House had 31 sittings in all. A brief resume of the important business transacted during this period is given below.

A. DISCUSSIONS/STATEMENTS/ANNOUNCEMENTS

Irregularities and Fraudulent Transactions in Banks and Other Financial Institutions: Making a statement in the House on 8 July 1992, the Finance Minister, Shri Manmohan Singh said that the Reserve Bank of India (RBI) had appointed a Committee under the RBI Deputy Governor Shri R. Janakiraman to inquire into the irregularities and fraudulent transactions in banks and other financial institutions to inquire into the matter. The Committee submitted two reports which were made public. The findings of the Committee confirmed that unscrupulous brokers, in collusion with certain bank officials, had manipulated securities' transactions of banks and other financial institutions, violating the established rules and guide lines. Credit had been extended to the brokers through transactions engineered to represent discounting of bills, etc.

The Finance Minister said that there had been a serious failure of internal control systems in the banks involved. The Government would be giving top priority to recovering the amounts, punishing the guilty and restoring confidence in the basic integrity of the financial system. Before the submission of the RBI report, the case had been referred to the CBI by the Government. The CBI had been investigating the matter and administrative action had already been taken on the basis of preliminary investigation against officials directly or indirectly involved. After the first report of the Janakiraman Committee was received, the Government had promulgated an Ordinance to set up a Special Court for trying offences relating to the security transactions and appointed a custodian for attaching the assets of individuals and organisations.

The Ministry of Finance had also taken up the issue with the Securities and Exchange Board of India (SEBI) regarding the action to be taken against brokers found guilty of stock exchange irregularities.

The Finance Minister informed the House that the managements of the banks had taken corrective measures for gearing up internal control

machinery and for streamlining fund management operations. The SEBI was given statutory powers to cater to that end. The Government had also decided to set up a new Stock Exchange at New Bombay which would act as a model Stock Exchange, and to set up a National Clearing and Settlement System with a Central Depository Trust and a Securities Facilities Support Corporation which would be entrusted with the task of establishing and maintaining the network among exchanges.

The Government had appointed the Narasimham Committee to look into various aspects of the financial system. The Committee had made a number of recommendations for reform of policy and procedures in the banking sector which were aimed at creating a more efficient banking system. It had also recommended the creation of a separate supervisory authority under the aegis of the RBI. The Government was determined to take all steps necessary to preserve the integrity of the banking system, the Finance Minister added.

Making a statement in the House on 9 July 1992 on the irregularities and fraudulent transactions in banks and other financial institutions, the Prime Minister, Shri P.V. Narasimha Rao said that the ramifications of the issue would have to be thoroughly probed and effective measures taken so that the basic integrity of the financial institutions of the country would not be jeopardised and the new economic initiatives taken by the Government to strengthen and accelerate the economic growth would not be inhibited. The Prime Minister also requested the Speaker for the constitution of a Joint Parliamentary Committee (JPC) in this regard.

Initiating a discussion in the House on 9 July 1992, on the scam involving operations in Government securities running into thousands of crores of rupees, Shri Jaswant Singh said that it was the duty and the function of the Government of India to encourage all inward remittance investment and moneys that could come in from all legal sources. The country was faced with a very serious balance of payments problem.

Participating in the discussion, Shri Indrajit Gupta stated that the JPC should go deep into the role of statutory auditors of the banks. The JPC would have to make thorough probe into the accountability of individuals either for their dereliction of duty or their collusion in the whole affair.

Replying to the debate, the Finance Minister, Shri Manmohan Singh stated that the Government had offered its fullest cooperation in finding out the truth. The scandal was not due to a single factor. There had been a collusion between certain functionaries in the banking system as well as stock market operators. There were three aspects of the problem—banking system, stock market problem and a management of the public sector and

*Others who took part in the discussions were: Sarvashri Shanker Singh Vaghela, K.P. Reddaiah Yadav, George Fernandes, Mani Shankar Aiyar, S.M. Laljan Basha, K.P. Singh Deo, Nirmal Kanti Chatterjee, Prithviraj D. Chavan, Rabi Ray, Chetan P.S. Chauhan and Dr. (Shrimati) K.S. Soundaram.

public sector disinvestment. The Janakiraman Committee had brought out that the Allahabad Bank and the SBI Capital sold the shares in violation of the guidelines that were laid down at the time of bidding.

The Finance Minister stated that there would be a strong supervisory agency to look into the functioning of the banking system. The Government would provide every possible assistance to unravel the truth and the guilty would not be spared, he added.

Ram Janmabhoomi-Babri Masjid Issue: Making a statement in the House on 8 July 1992, the Minister of Home Affairs, Shri S.B. Chavan stated that from December 1991 onwards, several of the security installations in the Ram Janmabhoomi-Babri Masjid Complex had been dismantled and some of the other security arrangements had not been working satisfactorily, which had been brought to the notice of the Uttar Pradesh Government. The State authorities had constructed a wall enclosing a large area around the Ram Janmabhoomi-Babri Masjid, in accordance with the recommendations of the Central expert team.

Later, in March 1992, the State Government undertook demolition of additional structures in the complex. A Delegation comprising members of the Standing Committee of the National Integration Council and Parliament had also visited Ayodhya.

A number of Court cases relating to the Ayodhya issue were pending before the Lucknow Bench of the Allahabad High Court. Apart from that, two contempt petitions and a public interest litigation were filed before the Supreme Court. One of the contempt petitions alleged that the demolition of structures at Ayodhya and the clearing of the debris were violative of the Supreme Court order of 15 November 1991, whereas the other petition alleged that the acquisition of land at Ayodhya, the handing over of possession of land to the Ram Janmabhoomi Nyas, the demolition of structures and the construction of the wall were violative of the Supreme Court's order of 15 November 1991. Some further developments and construction work were being planned in the Ram Janmabhoomi-Babri Masjid complex at Ayodhya.

On 13 July 1992, the Minister stated that the need for augmenting the security arrangements was also highlighted. The Chief Minister of Uttar Pradesh was requested to suspend the construction work till such time as the issue was resolved either amicably or through a Court verdict. The issue had acquired national significance with larger ramifications and the State Government should consult the Government of India before permitting any construction activities in the Complex. The Chief Minister had assured that all necessary steps would be taken by the State Government to supplement and strengthen the security arrangements suggested by the Union Government.

Raising a discussion on 14 July 1992, Shri P.C. Thomas stated that the very question was as to whether the construction should be made at the

fag end of the stage when the case was going to be decided. In regard to certain developments in Ayodhya on 20 July 1992, the Home Minister, Shri S.B. Chavan said that the Chief Minister had taken the responsibility of protecting the disputed structure of Ram Janmabhoomi-Babri Masjid. He also stated that in furtherance of its responsibility, the Union Government was ready for any kind of contingency plan.

Making a statement in the House on 27 July 1992, the Prime Minister, Shri P.V. Narasimha Rao stated that the Allahabad High Court, in its interim order, had restrained the parties from undertaking any construction activities on the 2.77 acres of land which had been notified by the Government of Uttar Pradesh for acquisition. In view of the critical situation in Ayodhya, he had discussed the issue with the religious leaders. He appealed to all political parties and all sections of the people to help in strengthening the traditional values of religious tolerance and in maintaining peace and communal harmony.

Participating in a discussion* under Rule 193 on 28 July 1992 on the statement made by the Prime Minister, Shri Narasimha Rao, Shri Ebrahim Sulaiman Sait stated that they would cooperate with the Prime Minister for finding a solution which would be acceptable to all and also for the integrity of the nation.

United Nations Conference on Environment and Development: Making a statement in the House on 15 July 1992, the Minister of State in the Ministry of Environment and Forests, Shri Kamal Nath stated that the United Nations Conference on Environment and Development (UNCED) was held in June 1992 at Rio de Janeiro, Brazil. An important feature of the Conference had been the involvement of Non-Governmental Organisations (NGOs).

The agenda of UNCED reflected the interests of both the developing and developed countries with their varied environmental concerns. The discussions covered programme areas related to local and global environmental problems as well as the mechanisms and modalities for implementing the measures. The negotiations also focussed on the production and consumption pattern in the developed countries which were the major causes of environmental degradation. There was agreement on the special responsibility of the developed countries to tackle the problems as they originated in those countries.

The negotiations also identified the constraints and obstacles faced by the developing countries in their pursuit of development. In an effort to maintain the quality of the environment for the present and future generations and to achieve environmentally sound and sustain-

*Others who took part in the discussion were: Sarvashri Saifuddin Choudhury, A. Charles, Sharad Yadav, Chinmayanand Swami and P.M. Sayeed.

able development in all countries, the Conference addressed sectoral issues such as the atmosphere, land resources, soil loss, etc.

The Rio Conference had served to generate an awareness about the inter-related concerns of environment and development. There was appreciation of the linkages between poverty, environment and development. The 'Right to Development' had been reaffirmed. There was commitment by the developed countries to increase development assistance, on grant and on concessional terms.

The Minister informed the House that the Indian Delegation to UNCED had played an active role in mobilising opinion, both among countries of the Group of 77 and others, on various important issues, particularly in regard to the Rio Declaration on Environment and Development.

The Government had planned to disseminate the decisions taken at the Conference for general awareness and fostering better understanding of the relevant issues and coordinate action in regard to programmes of action outlined at the Conference, he added.

The Status of Implementation of the Mandal Commission Recommendations regarding Reservations: Making a statement in the House on 10 August 1992, the Minister of Welfare, Shri Sitaram Kesri stated that within the 27 per cent of the vacancies in civil posts and services under the Government of India reserved for the Socially and Educationally Backward Classes (SEBCs), preference should be given to the poorer sections among the SEBCs. If candidates were not available from the poorer sections, the benefit should go to other members within the SEBCs. 10 per cent of the vacancies should be reserved for other economically backward sections of the people who were not covered by any of the existing schemes of reservation.

Shri Kesri further stated that the technical issues relating to the determination of economic criteria arising out of the deliberations of the Conference of Chief Ministers/Governors/Lt. Governors had been examined and it was proposed to consult the political parties at the national level in order to seek their views on the subject.

Sixth round of Foreign Secretary-level talks between India and Pakistan: Making a statement in the House on 19 August 1992 on the sixth round of Foreign Secretary-level talks between India and Pakistan in New Delhi, the Minister of State in the Ministry of External Affairs, Shri R.L. Bhatia stated that the Prime Ministers of India and Pakistan, during their meeting at Rio de Janeiro in June 1992, had agreed that it was necessary to reduce tensions and set the bilateral dialogue back on track. During the course of the meeting, India had reiterated that Pakistan's continued support to terrorism and subversion and interference in India's external affairs must be stopped. The two Foreign Secretaries exchanged the Instruments of Ratification of the Agreements on Prevention of Air Space Violations and the Agreement on Advance Notice of Military Exercises,

Manoeuvres and Troop Movements which were signed in New Delhi in 1991 and subsequently ratified by the two Governments. The Foreign Secretaries had also signed a Joint Declaration on Complete Prohibition of Chemical Weapons and a Code of Conduct for Treatment of Diplomatic/ Consular Personnel of India and Pakistan. All these documents signified a step forward in the pursuance of confidence-building measures. The Minister said that the Government of India was committed to normalise relations with Pakistan and to resolve all issues peacefully through bilateral negotiations.

Motion of No-Confidence in the Council of Ministers: Moving the motion of no-confidence in the Council of Ministers in the House on 15 July 1992, Shri Jaswant Singh stated that the Government had replaced consensus by cleverness. Instead of joint participation, the ruling party wanted blind conformity. He said that he had been persuaded to move the motion of no-confidence on four grounds—economic policies of the Government, corruption, management of internal and such external matters as infringing upon national security and collapse of the system.

Participating in the discussion, the Minister of Human Resource Development, Shri Arjun Singh stated that when the Prime Minister assumed office, his first concern was to maintain the financial equilibrium of the country and the steps taken by the Government had saved the country from a grim situation.

Supporting the motion, Shri Somnath Chatterjee said that the common people's problems and miseries had accentuated over the years. More and more people had gone below the poverty line and become unemployed in the country. Above all corruption had engulfed the country and become institutionalised. He further stated that there were threats to national unity and integrity of the country, and also to democratic rights and economic sovereignty.

Intervening in the discussion, the Minister of State in the Ministry of Steel, Shri Sontosh Mohan Dev said that the only alternative to the present Government was a mid-term poll. Regarding Public Sector Undertakings, he said that Private Sector would be welcomed to invest where the activities of the Public Sector Undertakings were not of a sensitive nature.

Supporting the motion, Shri Chandra Shekhar said that the much publicised new economic policy would lead to the path of destruction. A Government which could not check prices of essential commodities could not claim to be a Government for the poor, he added.

* Other members who took part in the discussion were: Sarvashri Ram Vilas Paswan, P. Chidambaram, Bata Singh, George Fernandes, Piyus Tirkey, Maj. Gen. Bhuwan Chandra Khanduri, K.P. Reddaiah Yadav, Bhogendra Jha, Mukul Bal Krishna Wasnik, P.C. Thomas, Tej Narayan Singh and Shrimati Geeta Mukherjee.

Supporting the motion, Shri Indrajit Gupta said that the Government had crippled and destroyed public confidence. He further stated that the Government wanted to de-bureaucratise the economy without having any control over it and without any rigid discipline being enforced.

Participating in the discussion, the Minister of Agriculture, Shri Balram Jakhar said that the Government had allotted 30 lakh tonnes of food-grains for the Public Distribution System. He informed the House that a diversification plan had been prepared for agricultural research.

Intervening in the discussion, the Minister of Finance, Shri Manmohan Singh said that collective wisdom would have to be applied to find meaningful solutions to the problems of unemployment and rising prices. The basic thrust of the Government policy was to work towards self-reliance and stressed that the public enterprises would be strengthened to become self-sustaining.

Participating in the discussion, Shri Ebrahim Sulaiman Sait stated that the Government should act courageously, swiftly and effectively to uphold the judicial verdicts, rule of law and to fulfil constitutional obligations.

Opposing the motion, Shri P.G. Narayanan said that the Government had made considerable improvement in the Indian economy, politics, foreign affairs and social services.

Supporting the motion, Shri Sobhanadreeswara Rao Vadde stated that in the industrial and trade front, the Government had not brought about any change. The Government had also failed to bring out an Agriculture Policy.

Participating in the discussion, Shri Chitta Basu said that the Government had dismally failed to protect and preserve the Sovereignty of the country—economic and political.

Intervening in the discussion, the Prime Minister Shri P.V. Narasimha Rao stated that the thrust of the Government had been emphasis on economic programmes, greater attention to people's problems and development aspects and keeping issues of tension in a low profile. In the Eighth Five-Year Plan, the Government wanted massive augmentation of the outlays for rural development. Specific steps had been taken to encourage investment in important infrastructural areas like hydrocarbons, telecommunications and power.

As regards Ayodhya issue, the Prime Minister said that the Government had on many occasions expressed the view that a negotiated solution of the dispute should be found. As for the Bofors case the Government would pursue diligently and without any hindrance to unearth the truth, he added.

Concluding the discussion, Shri Jaswant Singh stated that in policy-making there continued to be a lack of direction and in policy implementation there continued to be inefficiency and corruption. Unless

the Government addressed itself to the cancer of corruption, the management of economic change would not take place, he added.

The motion was negatived.

Statutory Resolution regarding Approval of continuance in force of the Presidential Proclamation in respect of Nagaland: Moving the Statutory Resolution on 12 August 1992, the Minister of Parliamentary Affairs, Shri Ghulam Nabi Azad stated that President's rule was promulgated in the State of Nagaland on 2 April 1992. As regards holding of elections in the State, intensive revision of electoral rolls was being undertaken. Keeping in view the prevailing situation in the State and the difficulties in holding elections, it was proposed to extend the President's rule for a further period of six months with effect from 2 October 1992.

Replying to the debate,* the Minister of State in the Ministries of Parliamentary Affairs and Home Affairs, Shri M.M. Jacob said that serious efforts would have to be made to contain the insurgency in Nagaland. The Government would have to find more work, more employment and more opportunities for the people to improve their purchasing capacity. The Government would also see to it that the people of Nagaland must enjoy the fruits of democracy and freedom.

The Resolution was adopted.

Statutory Resolution regarding Approval of continuance in force of Proclamation in respect of Jammu and Kashmir and Demands for Grants (Jammu and Kashmir) 1992-93: Moving the Statutory Resolution on 11 August 1992, the Minister of Home Affairs, Shri S.B. Chavan stated that in view of the then prevailing situation in Jammu and Kashmir, a proclamation under Article 356 of the Constitution in relation to the State of Jammu and Kashmir was issued by the President on 18 July 1990 on the recommendations of the Governor.

Earlier, on 19 January 1990, the Governor of Jammu & Kashmir assumed the executive and legislative powers of the State, placing the Legislative Assembly under suspension. On 19 February 1990, the State Assembly was dissolved by the Governor. As the law and order and security situation in the State continued to remain grim, approval of both the Houses of Parliament was obtained for continuance in force of the Proclamation dated 18 July 1990 in relation to Jammu and Kashmir for a further period of six months, three times with effect from 3 March 1991. Keeping in view the prevailing situation in the State, the report of the Governor of Jammu and Kashmir and taking into consideration all the relevant factors, President's Rule in Jammu & Kashmir had to be extended for a further period of six months with effect from 3 September 1992.

* Other members who took part in the discussion were: Sarvashri Uddab Barman, Hari Kishore Singh, Tej Narayan Singh, Yaima Singh Yumnam, Girdhari Lal Bhargava, Dr. Jayanta Rongpi and Prof. Rasa Singh Rawat.

Supporting the motion,* Shri Sobhanadreeswara Rao Vadde stated that the Government should continue its efforts to curtail the activities of the militants by further strengthening the para-military forces in the Valley and should create positive circumstances in Jammu and Kashmir to hold elections.

Participating in the discussion, Shri Chitta Basu stated that our policy should be based on two fundamentals—on the one hand to win the mind and heart of the Kashmiri people and on the other to consider the Kashmir problem in the context of its international ramifications.

Replying to the discussion, the Home Minister Shri S. B. Chavan stated that there had been a qualitative change in the situation in Jammu and Kashmir. All the political parties should create a congenial atmosphere so that elections could be held, he added. The Resolution was adopted.

Earlier, intervening in the discussion, the Minister of State in the Ministry of Finance, Shri Shantaram Potdukhe stated that Jammu and Kashmir had come under the Special Category since 1991-92. The Central grant was 90 per cent and the loan portion was to the tune of 10 per cent.

All the Demands for Grants in respect of the Budget of Jammu and Kashmir for 1992-93 were voted in full. The Jammu and Kashmir Appropriation (No. 2) Bill, 1992 was passed.

B. LEGISLATIVE BUSINESS

Jammu and Kashmir State Legislatures (Delegation of Powers) Bill, 1992": Moving that the Bill be taken into consideration on 14 July 1992, the Minister of State in the Ministries of Parliamentary Affairs and Home Affairs, Shri M.M. Jacob*** stated that the Bill sought to confer on the President the powers of the State Legislature to make laws in respect of the State. Provisions had been made in the Bill for the constitution of a Consultative Committee in that regard.

It had been the normal practice to undertake such legislation in relation to the States under President's Rule. Provisions had also been made to empower Parliament to direct modifications in laws made by the President, if considered necessary.

Participating in the discussion, Shri Chitta Basu stated that a solution to the Kashmir problem should be sought from the national point of view, without resorting to any partisan approach.

* Others who took part in the discussion were: Sarvashri Madan Lal Khurana, Ramesh Chennithala, Mumtaz Ansari, Syed Masudal Hossain, Loknath Choudhury, Ayub Khan, B. Raja Ravi Verma, Piyus Tirkey, E. Ahamed, Chhedi Paswan, Ramashray Prasad Singh and Prof. Prem Dhupal.

** The Bill was introduced on 8 July 1992 by the Minister of State in the Ministries of Parliamentary Affairs and Home Affairs, Shri M.M. Jacob.

*** Other members who took part in the discussion were: Sarvashri Mani Shankar Aiyar, Hari Kishore Singh, Sharad Dighe, Saifuddin Choudhury, Bhogendra Jha, K.P. Singh Deo, Girdhari Lal Bhargava, E. Ahamad, C. Sreenivasan, Sudhir Sawant, Syed Shahabuddin, George Fernandes, Ram Naik, Prof. Prem Dhupal, Prof. Ummareddy Venkateswari and Prof. K.V. Thomas.

Winding up the discussion, Shri M.M. Jacob stated that ways would have to be found to improve the economy of Kashmir and to bring confidence in the minds of the people.

The Bill was passed.

*Special Court (Trial of Offences relating to Transactions in Securities) Bill, 1992**: Moving that the Bill be taken into consideration on 21 July 1992, the Minister of Finance, Shri Manmohan Singh stated that serious irregularities had been noticed in the securities transactions of certain banks and financial institutions in collusion with brokers in May 1992. Soon after the submission of the interim report of the Committee of RBI, the Government took prompt action against the persons and institutions involved in the irregularities. The Special Court (Trial of Offences relating to Transactions in Securities) Ordinance 1992 was promulgated by the President on 6 June which provided for the establishment of a Special Court for the trial of offences relating to transactions in securities. The Government was committed to take prompt action against the offenders and to prevent the recurrence of such irregularities, he added.

Participating in the discussion**, Shri Somnath Chatterjee stated that nobody should get themselves absolved because of any lacuna in the Act or in the procedure that might be followed.

Shri Sobhanadreeswara Rao Vadde said that the amount involved in the irregularities should be recovered from the persons who were found responsible for swindling away the money or who had officially colluded with the broker or some other person.

Winding up the discussion, the Minister of Finance, Shri Manmohan Singh stated that effective and prompt action would be taken to bring the guilty to book.

The Bill was passed.

*The Constitution (Seventy-Eighth Amendment) Bill, 1992****: Moving that the Bill be taken into consideration on 20 August 1992, the Minister of Home Affairs, Shri S.B. Chavan**** stated that the Bill sought to include Konkani, Manipuri and Nepali languages in the Eighth Schedule to the Constitution. The Constitution contained a number of provisions for

*The Bill was introduced on 11 August 1992 by the Minister of Finance, Shri Manmohan Singh.

**Others who took part in the discussion were: Sarvashri Syed Masudal Hossain, Pawan Kumar Bansal, Tej Narayan Singh, Satyanarain Jatiya and Prof. Rasa Singh Rawat.

***The Bill was introduced on 20 August 1992, by the Minister of Home Affairs Shri S.B. Chavan.

****The other member who took part in the discussion was Shri Inderjit.

safeguarding the interests of linguistic minorities. After taking into consideration all aspects, including the consensus arrived at in the deliberations with the leaders of political parties, it was proposed to include Konkani, Manipuri and Nepali languages in the Eighth Schedule, he added.

The Bill, as amended, was passed.

C. THE QUESTION HOUR

During the Session, 23,527 notices of Questions (18,616 Starred, 4,869 Unstarred and 42 Short Notice Questions) were received. Out of these, 532 Starred Questions and 5,587 Unstarred and 42 Short Notices Questions were admitted. 12 Starred and 86 Unstarred Questions were deleted / postponed / transferred from one Ministry to another.

Daily average of Questions: Each List of Starred Questions contained 20 Questions except those of 15, 16, 21, 23, and 31 July and 5, 7 and 12 August which contained 21 Questions each; and 30 July and 6 August which contained 22 Questions each.

The average number of Starred Questions orally answered on the floor of the House during the Session was 3. The maximum number of Starred Questions answered on a day was six on 4 August 1992 and the minimum number was one on 8 July 1992.

The Average number of Questions in the Unstarred List was 215 against the prescribed limit of 230 Questions, the minimum being 173 questions on 28 July 1992 and maximum being 241 on 12 August 1992.

Half-an-hour Discussion: In all, 57 Notices of Half-an-Hour Discussion were received during the Session. Out of these, three notices were admitted and discussed on the floor of the House.

D. OBITUARY REFERENCES

During the Session, References were made to the passing away of Sarvashri Yash (sitting member) and C.M. Kedaria, Hakam Singh, Sachindra Chaudhuri, D. Pattuswamy, Kalyan Singh Kalvi, and M. Gulam Mohideen (all former members) and Achyut Patwardhan, eminent freedom fighter. Members stood in silence for a short while as a mark of respect to the deceased.

RAJYA SABHA

HUNDRED AND SIXTY-FOURTH SESSION*

The Rajya Sabha met for its Hundred and Sixty-Fourth Session on 8 July 1992 and adjourned *sine die* on 20 August 1992. A resume of

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

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

A. DISCUSSIONS

Statement on irregularities and fraudulent transactions in banks and other Financial Institutions: A short duration discussion on the statement of the Finance Minister Dr. Manmohan Singh, on irregularities and fraudulent transactions in banks and other financial institutions, took place in the House on 9, 14 and 15 July 1992. Initiating the discussion on 9 July 1992, Dr. Murli Manohar Joshi said that the statement of the Finance Minister did not reveal the actual amount and persons involved in the scandal. He asked that when the objective of the National Housing Bank (NHB) was to help the people to build their own houses, then how was it that the Reserve Bank of India (RBI) allowed it to enter into share market to earn profit by illegal means. The member further wanted to know whether the RBI had permitted the foreign banks for transactions in respect of units of the Unit Trust of India and the securities of the Government of India. Four foreign banks alone accounted for transactions of an aggregate value of Rs. 6,30,000 crore and they earned Rs. 3,000 crore as brokerage. The RBI should have monitored as to why the banking transactions were going into the hands of foreign banks instead of that of Indian banks. Thus, bank frauds had brought to the fore a new perspective of the new economic policies of the Government before the country. The member said that the Public Accounts Committee should monitor the functioning of the Banks. It should also be looked into as to how much amount had been contributed to various trusts by persons involved in the share scam. A Joint Parliamentary Committee (JPC) should be constituted to look into the scam and it should be empowered to obtain the services of Chartered Accountants and legal advisers, he added.

Replying to the discussion* on 15 July 1992, the Minister of Finance, Shri Manmohan Singh said that the Government would punish all those who were guilty of having perpetrated the fraud and would take steps to recover the money. The Government did not directly supervise the banks. They were supervised by the RBI. Most of the credit decisions of the banks were taken in the management committees of those banks.

The Minister said that the Governor of RBI reviewed the transaction made by certain individuals with a particular bank and he came to the conclusion that the securities market was being misused. The starting point was the State Bank of India (SBI). The RBI further pursued the matter and traced it to the NHB and the A.N.Z. Grindlays Bank. When the RBI came to know that three particular banks were not obeying the instructions it asked for a special report. In fact, action was contemplated

* Other members who took part in the discussion were: Sarvashri R.K. Dhawan, S. Jaipal Reddy, Murlidhar Chandrakant Bhandare, Ashis Sen, Jagesh Desai, Kamal Morarka, H. Hanumanthappa, Murasoli Maran, Surinder Kumar Stngla, G. Swaminathan, Madan Bhatia, Gurudas Das Gupta, Subramanian Swamy, Viren J. Shah, Dr. Yelamanchili Sivaji and Prof. Saurin Bhattacharya.

against these banks. But after discussions with the officials it was decided that this action should be postponed until the credit policy meeting was convened. The Minister said that the RBI was a great national institution and if anything wrong done by it was discovered nobody would be shielded.

The Minister said that there were weaknesses in the system, in the management structure and in the banking services. Supervision system of the RBI needed to be strengthened. The Minister further informed that the Government had set up the Narasimham Committee to look into the supervisory system. So far as the foreign banks were concerned, the RBI had ordered a special audit of the transactions of the foreign banks. If any irregularity was committed by them, the facts would be revealed by the audit. If any foreign bank was found guilty of having violated the rules and regulations, Government would take the strictest possible action against them. So far as links between certain officials and the foreign banks were concerned, the Government had asked the Cabinet Secretary to look into the matter, he added.

Ram Janma Bhoomi-Babri Masjid dispute: Making a statement on 27 July 1992, the Prime Minister, Shri P.V. Narasimha Rao said that the Ram Janma Bhoomi-Babri Masjid dispute had been agitating the minds of all those who believed in the values of secularism and governance based upon constitutional principles. During the preceding few weeks, the developments at Ram Janma Bhoomi-Babri Masjid complex had been unfolding rapidly. He said that the order of the Lucknow Bench of the Allahabad High Court dated 15 July was a watershed in the series of recent developments. The High Court, in its interim order, had restrained the parties from undertaking or continuing any construction activity on the 2.77 acres of land which had been notified by the Government of Uttar Pradesh for acquisition. The Court had also directed that if it was necessary to do any construction on the land, prior permission from the court would have to be obtained.

The Prime Minister said that while the Government of Uttar Pradesh repeatedly assured the Government of India as also the National Integration Council that they would undertake to have the orders of the High Court implemented, the construction activity at the Ram Janma Bhoomi-Babri Masjid complex continued. The non-implementation of the High Court orders created misgivings among the people. The matter came up for consideration before the Supreme court in a writ petition. During the hearing of the petition on 22 July 1992, the Supreme Court called for suspension of the construction work of any kind on the acquired land.

The Prime Minister pointed out that it was the responsibility of the Government of Uttar Pradesh to ensure that the orders of the Court were implemented and the construction activity on the acquired land was stopped. The Prime Minister said that in view of the critical situation which

had come about at Ayodhya, he had a meeting with religious leaders on 23 July 1992. During the discussion, he drew attention to the serious situation created by the non-compliance of the Court orders by the Government of Uttar Pradesh. The Prime Minister also requested the religious leaders to see that the construction works was stopped so that efforts to solve the Ram Janma Bhoomi-Babri Masjid dispute, could thereafter be proceeded within a time-bound manner. He said that the purpose of the exercise was to bring about an amicable settlement through negotiations. In case it became necessary, litigation pending in various Courts on the subjects could be consolidated and considered by one judicial authority, whose decision would be binding on all parties. That would require a fairly elaborate exercise at Government level and appropriate submissions to the Courts for their consideration.

The Prime Minister appealed to all political parties and all sections of the people to help in strengthening the traditional values of religious tolerance and in maintaining peace, tranquility and communal harmony.

Commercial exploitation and encroachment of Railway land: Raising a half-an-hour discussion on 30 July 1992, on points arising out of answer to Starred Question No. 202 given in the Rajya Sabha on the 22 July 1992, Shri Suresh Kalmadi said that due to the dwindling budgetary support to the Railways, the Railways had decided to exploit commercially the unutilised land. That was an excellent idea because the money raised was expected to go to projects like conversion of narrow gauge to broad gauge and for new railway lines. It had been decided to construct commercial complexes in big cities like Bombay, Delhi, Calcutta, Ahmedabad, etc. A three-member land committee had identified sixty-one locations in major cities. He said that sixty thousand hectares of surplus land was available for commercial exploitation. *Jhuggi-Jhopris* and *Jopad Pattis* worked out at only two per cent of the total surplus land. The people of *Jhuggis-Jhopris* and *Jhopad Pattis* were mainly railway labourers. They had no accommodation and the Government should consider such cases sympathetically. The Central Government should make low-cost house available to those people out of the amount earned through commercial exploitation of land. A part of the land should be reserved for constructing low-cost houses for them, he added.

Replying to the discussion on the same day, the Minister of State in the Ministry of Railways, Shri Mallikarjun said that the Railways could neither compensate the evicted persons nor rehabilitate them. The Government had constituted an expert committee to identify the areas where the possibility of commercial exploitation was there. The pilot project at Bandra was going to be placed before the Cabinet for its clearance. The Minister said that no action had yet been taken about 61 location identified by the expert committee. About 1,70,000 encroachments were there. Eviction orders had been passed in 14,169 cases. The Railways needed the co-operation of the local civil and police authorities to evict them. The

Government was not selling an inch of land. The land would be utilised for Railway development only, he informed.

AIDS holocaust in India : Raising a half-an-hour discussion on 5 August 1992, on points arising out of answer to Starred Question No. 102 given in the Rajya Sabha on 15 July 1992, Shri Pramod Mahajan said that problem of Acquired Immuno Deficiency Syndrome (AIDS) was matter of concern throughout the world. In 1986, only one case of AIDS was detected though at that time there could have been many such cases which remained unidentified. During the past 6 years, about 200 cases were found and some 8000 persons had been found to be HIV positive. The number of AIDS patients was likely to reach 10 lakhs by the end of the century in India.

The member said that according to a survey conducted by the Tata Institute of Social Sciences, there were nearly 18 lakh prostitutes in 12 States. Though prostitution was legally banned in the country, unfortunately lakhs of women were engaged in that profession and lakhs of people came in their contact and thereby were doing the job of AIDS carriers. The member said that the Government should consider the issue on moral grounds. It should provide educational and medical facilities in red light areas. A health scheme should also be formulated in that regard. Blood should be tested before use in the hospitals. Certain drug companies were manufacturing blood-based medicines. They should be brought under the purview of law. The cases of AIDS detected in the eastern parts of the country were mostly due to the use of drugs. Government should consider the fact that women suffering from AIDS were not allowed to give birth to a child and a suitable legislation should be brought in that regard. Concluding, the member said that the Union Government should launch a constructive campaign on a large scale. Laws should be formulated with regard to blood donation and drugs, he added.

Replying to the discussion on the same day, the Minister of Health and Family Welfare, Shri M.L. Fotedar said that the Government did not want to create an atmosphere or a situation where people might feel panicky about AIDS. In the existing circumstances, prevention was the most feasible and cost-effective strategy in combating the spread of AIDS. The World Bank had provided the financial aid for that purpose. Public awareness had to be created extensively in all parts of the country. The Minister informed that at the Central level, an agency called AIDS Control Board had been created which would have all the financial and administrative powers for combating the menace of AIDS. There was also a Technical Advisory Committee headed by the Director-General of Health Services.

Stating several measures initiated by the Government against AIDS the Minister said that the State Governments had been directed to set up an

Empowered Committee and AIDS Cell at their level. He also announced that the entire programme of checking AIDS menace would be hundred per cent Centrally-aided. The States would not have to pay for it. The State of Maharashtra had already appointed an Empowered Committee in that regard. A two crore rupee project had been sanctioned for the purpose which would be taken up immediately in Bombay city. He said that all the 1,018 blood banks in the country were being modernised. Kits and all other necessary testing equipment would be provided free of cost to all the 616 public sector blood banks. Central Government hospitals had been issued directions that they should use disposable needles which should be destroyed immediately after use. The latest number of HIV-positive cases in India was 8,309. It had been made mandatory that before blood was to be transfused, it was to be checked whether it was HIV-positive or not. HIV-positive testing facilities had also been created in 112 cities in the country, he added.

Performance of the Indian contingent in the Barcelona Olympics : On 11 August 1992, Dr. Jinendra Kumar Jain called the attention of the Minister of Human Resource Development, to the performance of the Indian contingent in the Barcelona Olympics and the action taken by the Government in regard thereto.

Replying to the calling attention on the same day, the Minister of State in the Ministry of Human Resource Development (Department of Youth Affairs and Sports) Km. Mamata Banerjee said that much of the media criticism, as also observations in the House, had been on the misplaced premise that a number of medals were expected when the Indian contingent was cleared for participation in the Barcelona Olympics. She clarified that selection of the contingent was based on a joint decision taken in consultation with the Indian Olympic Association and the concerned National Federations and that all those who qualified as per the format laid by the concerned International Federation should be allowed to participate in the Olympics. There was no doubt hope of a couple of medals in Hockey or Archery or Shooting. But as regards the other disciplines, especially Boxing, Wrestling and Judo, it was known that there was a gap between our standards and the highest international class.

While giving details regarding the measures taken to improve the standards of sports, the Minister said that the Sports Authority of India had introduced various schemes for promotion of sports, such as N.S.T.C. scheme, Special Areas Game Centres scheme and the Special Project Development Area scheme. Government had also requested various industrialists to contribute for promoting sports by setting up academies for various disciplines of sports and also by giving employment to indigent players belonging to backward areas. A meeting was held with the Minister of Finance regarding grant of income tax rebates for such contributions. The Minister also said that sports, which was a State subject, should be brought in the Concurrent List, so that the Union

Government might make necessary legislation in that regard. The National Federations should be headed by sports persons and not by bureaucrats and politicians, she added.

Enhancement in the pension of freedom fighters: Making a statement on 12 August 1992, the Prime Minister Shri P.V. Narasimha Rao said that freedom fighters under the Swatantrata Sainik Samman Pension Scheme were getting a pension of Rs. 750/- per month. Ex-Andaman and Nicobar Islands freedom fighters received a pension of Rs. 1,000/- per month. In addition to that pension, freedom fighters were also eligible for certain other facilities, including Railway passes and free medical facilities.

In the Golden Jubilee Year of the Quit India Movement, the Government had decided to increase the monthly pension of freedom fighters by two hundred and fifty rupees. This would mean; (i) in the case of freedom fighters under the Swatantrata Sainik Samman Pension Scheme from Rs. 750/- to Rs. 1000/- per month; (ii) in the case of Ex-Andaman and Nicobar Islands freedom fighters, from Rs. 1,000/- to Rs. 1250/- per month; and (iii) in the case of widows of freedom fighters (in both categories) from Rs. 750/- to Rs. 1000/- per month.

It was proposed that the increase be effected immediately. By that small token, the nation had renewed its gratitude and respect to those who dedicated and consecrated their lives to the cause of achieving India's freedom, the Prime Minister added.

Foreign Secretary-level talks between India and Pakistan : Raising a half-an-hour discussion on 12 August 1992, on points arising out of the answer to Starred Question No. 422 given in the Rajya Sabha on 6 August 1992, Dr. Abrar Ahmed said that from the past experience based on the developments which took place immediately after the earlier talks between India and Pakistan, it could be inferred without any doubt that the intention of Pakistan had never been sincere. Pakistan wanted to entangle India in the mesh of talks only to serve its sole purpose of disintegrating the country.

The member said that twenty thousand persons had been trained in Pakistan and they were trying to enter India through different borders. Government should be more alert to counter this situation. Pakistan had been interfering in the internal affairs of India. One thousand Afghan-Mujahideens were also trying to enter India with sophisticated arms.

Replying to the discussion on the same day, the Minister of State in the Ministry of External Affairs, Shri R.L. Bhatia said that though there was no agenda for the talks at the Foreign Secretary-level, yet it was an open agenda and the Government of India would raise issues and seek answers from Pakistan. Pakistan Government had suggested that a code with regard to diplomats should be formulated. India's policy was to solve the issues through negotiations. The Minister stated that during the previous talks, India had signed two agreements. One was to the effect that if any military exercise was conducted either by Pakistan or

India, information to the other country should be given in that regard. The other was that the Air Force aeroplanes of the two countries should not violate the air space of the other country.

As regards the activities of Pakistan in Jammu and Kashmir and Punjab, Indian Government had created world public opinion and countries like America and U.K. were favouring India's cause. The Minister said that India would abide by the Shimla Agreement. India's policy was to continue to keep the channels of communication open with Pakistan and try to solve all the issues peacefully through bilateral negotiations.

Concluding the discussion, the Minister emphasised that Kashmir was an integral part of India and no compromise would be made with the integrity and unity of the country.

B. LEGISLATIVE BUSINESS

*The Public Premises (Eviction of Unauthorised Occupants) Amendment Bill, 1992** : Moving the motion for consideration of the Bill on 16 July 1992, the Minister of Urban Development, Shrimati Sheila Kaul said that various State Governments had approached the Government of India for bringing their premises situated within Delhi and other Union Territory limits also within the purview of this Act since they had been finding it difficult to evict unauthorised occupants from their premises. Government of India had also experienced difficulties in evicting temporary allottees in guest houses, hostels, etc. under its purview.

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

*The Rehabilitation Council of India Bill, 1992*** : Moving the motion for consideration of the Bill on 21 July 1992, the Deputy Minister in the Ministry of Welfare, Shrimati K. Kamala Kumari said that through an executive order dated 31 January 1986, the Government had set up the Rehabilitation Council to enforce standards of training of rehabilitation professionals. The Council prescribed minimum standards of education and recognised certain institutions for conducting training programmes leading to degrees or diplomas. The Council also recognised foreign degrees or diplomas or certificates on a reciprocal basis and maintained a Central Rehabilitation Register of persons who were allowed to practice or seek employment in rehabilitation services of the handicapped.

In the absence of statutory powers, the Council was finding it difficult to enforce standards of training and to regulate the functioning of the rehabilitation professionals. The Rehabilitation Council was proposed to be vested with statutory powers to prescribe norms and standards for rehabilitation professionals and to regulate their training.

* The Bill was introduced in the Rajya Sabha on 27 March, 1992.

** The Bill was introduced in the Rajya Sabha on 6 March, 1992.

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

*The Capital Issues (Control) Repeal Bill, 1992** : Moving the motion for consideration of the Bill on 10 August 1992, the Minister of State in the Ministry of Finance, Shri Rameshwar Thakur said that the Capital Issues Control Act was introduced in 1947. Under the Act, companies in India needed Government's approval to raise capital from the public. Government had established the Securities and Exchange Board of India (SEBI) and it had been vested with statutory powers. In view of the imperatives of liberalisation of the economy, it had become necessary to replace the above Ordinance. The guidelines for disclosure and investors' protection were issued by SEBI on 11 June 1992 and the various clarifications of SEBI would take adequate care of the investors' protection.

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

*The Foreign Exchange Conservation (Travel) Tax Abolition Bill,***: Moving the motion for consideration of the Bill on 17 August 1992, the Minister of State in the Ministry of Finance, Shri Rameshwar Thakur said that with the introduction of Liberalised Exchange Rate Management System/partial convertibility of Indian Rupee, the foreign exchange for travel abroad was now required to be obtained at the market rate. The levy of 15 per cent tax on foreign exchange obtained at market rate made the effective cost of the foreign exchange so obtained quite high. It was, therefore, considered necessary in the general public interest and in line with the new economic policies of the Government to abolish the levy of travel on foreign exchange releases for all types of travel with effect from 1 June, 1992. Since Parliament was not in Session, the President had promulgated the Foreign Exchange Conservation (Travel) Tax Abolition Ordinance, 1992. The Bill sought to replace the said Ordinance.

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

*The Constitution (Seventy-eighth Amendment) Bill, 1992****: Moving the motion for consideration of the Bill on 20 August 1992, the Minister of Home Affairs, Shri S.B. Chavan said the Bill sought the inclusion of Konkani, Manipuri and Nepali languages in the Eighth Schedule to the Constitution. The Government had taken a number of steps to develop the cultural and literary heritage of all languages, irrespective of their being included in the Eighth Schedule or not. The Government had carefully considered the demands for inclusion of various languages in the Eighth Schedule. After taking all aspects into consideration, including the

*The Bill, as passed by Lok Sabha, was laid on the Table on 6 August, 1992.

**The Bill, as passed by Lok Sabha, was laid on the Table on 12 August, 1992.

***The Bill, as passed by Lok Sabha, was laid on the Table on 20 August, 1992.

consensus arrived at in the deliberations with the leaders of political parties, it was proposed that Konkani, Manipuri and Nepali languages be included in the Eighth Schedule.

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

C. The QUESTION HOUR

During the 164th Session of Rajya Sabha, 10,934 notices of Questions (10,341 Starred and 593 Unstarred) were received. Out of these, 591 Starred Questions and 4,705 Unstarred Questions were admitted. Of the 16 Short Notices Questions received, one was admitted. After Lists of Questions were printed, 12 Starred and 114 Unstarred Questions were transferred from one Ministry to another.

Daily Average of Questions : Each of the Lists of Starred Questions contained 18 to 20 Questions. On an average, 3 Questions were orally answered per sitting. The maximum number of Questions orally answered was 6 on 14, 20 and 28 July 1992 and the minimum number of Questions orally answered was 3 on 9 and 17 July and 6, 19 and 20 August 1992.

The minimum number of Questions admitted in Unstarred Lists was 66 on 13 July 1992 and their maximum number was 276 on 20 August 1992. Their average came to 157.

Half-an-Hour Discussion : 43 notices of Half-an-Hour Discussion were received and 7 were admitted.

Statement correcting answers to Questions : 3 Statements correcting answers to Questions answered in the House were made by the Ministers concerned.

D. OBITUARY REFERENCES

During the Session, references were made to the passing away of Sarvashri Ganesh Lal Mali, Manoranjan Roy, Molana Asrarul Haq and Manmath Nath Misra, all ex-members and Shri Achyuta Patwardhan, an eminent freedom fighter. Members stood in silence for a while as a mark of respect to the deceased.

STATE LEGISLATURES

GUJARAT LEGISLATIVE ASSEMBLY*

The Gujarat Legislative Assembly, which commenced on 13 July, 1992 was prorogued on 16 July 1992.

Obituary references : On the opening day of the Session, i.e. 13 July 1992, obituary references were made on the passing away of

*Material contributed by the Gujarat Legislative Assembly Secretariat.

Shri Poojabhai Mori and Shri Maganbhai Ranava, sitting members of the Legislative Assembly. On 15 July 1992, four more obituary references were made on the passing away of former members of the Bombay Legislative Council and Assembly and former members of the Gujarat Legislative Assembly.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Seventh Himachal Pradesh Legislative Assembly commenced its Seventh Session on 13 July 1992, and was adjourned *sine die* on 15 July 1992. Later, the House was prorogued by the Governor on the same day.

Legislative Business: During the Session, two Bills, viz. (i) The Himachal Pradesh Motor Vehicles Taxation (Amendment) Bill, 1992; and (ii) The Himachal Pradesh Lokayukta (Fourth Amendment) Bill, 1992 were introduced, considered and passed by the House.

Obituary reference: On the first day of the Session, obituary reference was made on the passing away of Shri Hem Raj, former member of Parliament.

MADHYA PRADESH LEGISLATIVE ASSEMBLY**

The Eighth Session of the Ninth Madhya Pradesh Legislative Assembly commenced on 2 September 1992 and adjourned *sine die* on 11 September 1992.

Financial Business: The Supplementary Budgetary Demands were passed by the House during this Session.

Obituary references: On the opening day of the Session, obituary references were made on the passing away of noted film director Shri Satyajit Ray, eminent freedom fighter Shri Achyuta Patwardhan, a sitting member of the Legislative Assembly Shri Jhinga Lal Patel and ten former members of the State Legislative Assembly.

ORISSA LEGISLATIVE ASSEMBLY***

The Tenth Orissa Legislative Assembly, which commenced its Eighth Session on 10 July 1992, was adjourned *sine die* on 13 July 1992. The House was prorogued by the Governor, the next day.

Legislative Business: During the Session, six Bills, viz. (i) The Orissa Administrative Service, class II (Appointment of Officers Validation) (Amendment) Bill, 1992; (ii) The Orissa Municipal (amendment) Bill, 1992; (iii) The Orissa Gram Panchayats (Amendment) Bill, 1992; (iv) The Orissa Panchayat Samiti (Amendment) Bill, 1992; (v) The Orissa Gram Panchay-

*Material contributed by the Himachal Pradesh Legislative Assembly Secretariat.

**Material contributed by the Madhya Pradesh Legislative Assembly Secretariat.

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

ats (Postponement of Election) (Second Amendment) Bill, 1992; and (vi) The Orissa Panchayat Samitis (Postponement of Election) (Second Amendment) Bill, 1992, were introduced, considered and passed by the House.

BOOK REVIEW

**COMMONWEALTH PARLIAMENTS—A COMMEMORATIVE SOUVENIR
37TH COMMONWEALTH PARLIAMENTARY CONFERENCE, NEW
DELHI, SEPTEMBER 1991 (NEW DELHI, LOK SABHA SECRETARIAT),
1991 PAGES 296, PRICE RS. 500/-**

The Commonwealth Parliamentary Association (CPA), since its very inception, has vigorously espoused the cause of democracy, parliamentary institutions, rule of law, individual liberty and human dignity. As Shri Rabi Ray, the former Speaker of the Lok Sabha, says in his article 'India and the Commonwealth', its member-States with more than 120 branches and 10,000 individual parliamentarians span over one billion citizens. Its periodic Conferences have brought together parliamentarians and legislators representing many races, cultures and socio-economic systems and this beautiful Commemorative Souvenir has been brought out on the 37th occasion of the Conference. Shri Ray also refers to the steps taken in furtherance of the Singapore Declaration of Commonwealth Principles of 1971, the Langkawi Declaration on Environment of 1989 and the Fund for Technical Cooperation as also in the fields of trade and economic development.

Apart from continuing the existing practice of holding Conferences, arranging visits of Delegations and discussions on topics of concern to the international community with a view to influencing, subconsciously may be, the moulders of policies in the Commonwealth, Shri Shivraj V. Patil, Speaker, Lok Sabha, in his article, pleads for greater cooperation in the future through the use of computers, satellites and communication devices among the legislature libraries the world over so that records of information could be exchanged within minutes—by establishing links between the headquarters of the Inter-Parliamentary Union (IPU) the CPA on the one hand and the latter's national legislatures and centres on the other.

A reviewer of a voluminous compilation of articles by eminent parliamentarians and officials having to contend with space constraints, can hardly do much more than introduce the relevant topics. We learn from 'The United Kingdom Parliamentary System' by Mr. Peter Cobb (Clerk, House of Commons) that the public are mostly allowed to all the meetings of the Standing Committees of the Commons while evidence is taken; and the departmental Select Committees rely on part-time advisers for specialist assistance and have a full time staff of just two graduates and two others. Readers would have been thankful if information on (a) whether

the absence of fixity of strength of the House of Lords has not created any problem; and (b) the concept of back-benchers as a distinct category (apart from the Government and the Opposition) which was responsible for their choosing 22% of the business transacted in the House of Commons in 1988-89, had been given.

In 'Why the Westminster System?', Mr. Ken Coghill (Speaker, Parliament of Victoria, Australia) quotes Mr. D. Menhennet to say that "Parliament has never been a seminar of distinguished political philosophers intent on perfecting a planned and logical parliamentary system". Mr. Coghill discusses the merits of some form of proportional representation, as also a combination of single-member constituencies and proportional representation on the one hand, and the Westminster System on the other. After noting the experience of Germany, Denmark, Israel and the Netherlands following the combined or pure proportional representation system, it seems to the author that the stability of a government in a parliamentary system is determined by a much more complex range of factors than whether it produces a simple two-party system.

Incidentally, a former Irish Prime Minister, Mr. Garret Fitzgerald does not seem to think that the two-party system largely brought about in the U.K. is really a blessing, compared to the coalition governments elsewhere in Europe (*The Statesman*, New Delhi, 23.10.1992). According to him, the polarized structure in Britain resulting in persistent cycles of policy reversals has brought about a relative decline in economic growth in the U.K.

Speaker Dr. Howard Fergus of Montserrat (an Anglo-Irish colony with a population of 12,000) says in a lengthy article that effective democracy in the last decade of the 20th century needs a new breed of politicians who should be 'mentally on top of policies' and able to conceptualise solutions or at least understand the option presented to them, and make reasonable decisions. Shri H.S. Bhabhra, Speaker, Rajasthan Legislative Assembly, in 'Functions of Parliament and State Legislatures' does not seem to agree with this plea for mixing of politics and intellectualism. He says that elitist politics is "... gradually giving way to a healthy ruralized politics".

Now, about the institution of the Speaker, Mr. Matasa, Senior Minister of Political Affairs in the Prime Minister's office in Zimbabwe, expects the Westminster model presently followed there to be modified before long, to reflect and project its own culture. In the pre-colonial times, its kings functioned as Prime Minister as occasion demanded and also as Speaker while sitting in *Dare Bandla* (equivalent to Parliament).

Shri Purushottam Goyel, Chairman, Delhi Metropolitan Council, in 'The Man in the Cockpit: the Speaker-Myths and Reality' raises certain important questions; for example, (a) whether it is the Chief Minister, Minister, Governor or the Speaker, the selection for each post is considered an honour bestowed, and the party decides it on political

considerations; and (b) many incumbents being back-benchers and younger politicians, how can they renounce political ambitions when everyone knows that their re-election and chances for further rise depend on their equation with the party high-ups?

Now, about reforms in the Committee System. According to Mr. Wasim Sajjad, Chairman of the Senate of Pakistan, there is a Functional Committee in his Parliament—Committee on Problems of Less Developed Areas—to help identify the areas of difficulties and bottlenecks and bring about a balanced development among the different parts of the country.

Mr. Jack Stilborn of the Research Branch of the Parliament of Canada says that after the adoption of the McGraith Committee's recommendations, Standing Committees in his Parliament were structured to make them more closely parallel to the government departments and furnishing Committees with independent budgets and the authority to hire specialized staff. Shri Varkala Radhakrishnan, former Speaker, says that in Kerala despite defects and deficiencies (e.g. the Ministers being the Chairmen and the short durations of their meetings), the ten Subject Committees have set an example to other States in India and even to Parliament. They deal with subjects assigned to different Ministries and the departments under them, consider Demands for Grants, Bills (other than Money Bills), as also rules covered by subordinate legislation, reports of statutory bodies and of commissions of inquiry.

As for our Parliament, one finds from the paper of the Lok Sabha Secretariat that the reform of the Committee System is the sequel to the decisions of the Conferences of Presiding Officers in 1978 and 1985. No doubt, three Standing Committees were constituted (in 1989), for Agriculture; Environment and Forests; and Science and Technology. But the question is was there any constitutional/procedural principle involved in the non-inclusion in their functions of Demands for Grants relating to these subjects.

The working of the Indian Constitution and Centre-State relations are handled quite competently, by Shri M.C. Bhandare (Member, Rajya Sabha) and Sardar Surjit Singh Minhas of Punjab in their articles. Quite a few suggestions have been made. However, is the suggestion of the former relating to appointment of Governors practical—viz. to involve the President (presumably as an independent entity) when the President of India has necessarily to act, under the Constitution, in accordance with the will of the Council of Ministers? Similarly, Shri Minhas' statement that the Concurrent List enables both the Centre and the States to meet the exigencies *without transgressing boundaries of each other* (emphasis added) is only partly true, since the scales are heavily tilted, under our Constitution, in favour of the Union. He quotes certain features of the Anandpur Sahib Resolution (without indicating his responses to them), including the one calling for adequate 'reflection in the composition of the

Rajya Sabha' of the diversities of nationalities, religious, linguistic, cultural and ethnic minorities, and stresses that 'we should see the happenings around us in the right perspective.'

Now, a few words about 'Parliamentary System of Government in Sri Lanka' by Mr. S.N. Seneviratne, Secretary-General of Parliament. The country's President is the head of the Cabinet, which may consist also of Ministers who may not be its members. A great majority of Members of Parliament (unicameral) are elected by a proportional system of representation. There is provision for a Parliamentary Commissioner for Administration (Ombudsman) to look into complaints relating to "injustice of mal-administration" and infringement of Fundamental Rights which interestingly include, *inter alia*, freedom from torture, as also from arbitrary arrest, detention and punishment.

Mr. K.R. Rozzoli (Speaker, Parliament of New South Wales, Australia) cites the work done in the European Parliament and on the continent in the field of computer networking. He says that having access to electronic data bases of parliamentary material such as the Hansard, precedents and reports of Committees among Parliaments will be of great help. These should be made greater use of in the India context as well not only among Legislatures at the Union and in the States, but also by the Press, economists, industrialists and researchers.

The attractiveness of such compilations of articles would be greatly enhanced if, on future occasions, a world map in colour showing the geographical location of different member-States with brief notes indicating the distinctive feature of parliamentary system followed, where necessary, could be included.

— V. Subramaniam

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APPENDIX I

STATEMENT SHOWING THE WORK TRANSACTED DURING THE FOURTH SESSION OF THE TENTH LOK SABHA

1. PERIOD OF THE SESSION	8 July to 20 August 1962
2. NUMBER OF SITTINGS HELD	31
3. TOTAL NUMBER OF SITTING HOURS	163 hours and 54 minutes
4. NUMBER OF DIVISIONS HELD	5
5. GOVERNMENT BILLS	
i) Pending at the commencement of the Session	22
ii) Introduced	19
iii) Laid on the Table as passed by Rajya Sabha	5
iv) Returned by Rajya Sabha with any amendment/ recommendation and Laid on the Table	Nil
v) Referred to Select Committee	Nil
vi) Referred to Joint Committee	1
vii) Reported by Select Committee	Nil
viii) Reported by Joint Committee	2
ix) Discussed	21
x) Passed	20
xi) Withdrawn	Nil
xii) Negatived	Nil
xiii) Part-discussed	Nil
xiv) Discussion postponed	1
xv) Returned by Rajya Sabha without any recommendation	7
xvi) Motion for concurrence to refer the Bill to Joint Committee adopted	Nil
xvii) Pending at the end of the Session	26
6. PRIVATE MEMBERS' BILLS	
i) Pending at the commencement of the Session	173
ii) Introduced	19
iii) Motion for leave to introduce negatived	Nil
iv) Laid on the Table as passed by Rajya Sabha	Nil
v) Returned by Rajya Sabha with any amendment and laid on the Table	Nil
vi) Reported by Select Committee	Nil
vii) Discussed	2
viii) Passed	Nil
ix) Withdrawn	1
x) Negatived	Nil
xi) Circulated for eliciting opinion	Nil
xii) Part-discussed	1
xiii) Discussion postponed	Nil
xiv) Motion for circulation of Bill negatived	Nil
xv) Referred to Select Committee	Nil
xvi) Removed from Register of Pending Bills	3
xvii) Pending at the end of the Session	168

Includes one Bill on which debate was postponed till next session.

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 193	
(Matters of Urgent Public Importance)	
i) Notices received	247
ii) Admitted	11
iii) Discussion held	4
iv) Part discussed	1
8. NUMBER OF STATEMENTS MADE UNDER RULE 197	
(Calling-attention to matters of urgent Public Importance)	
Statement made by Minister	1
9. MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS	
i) Notices received	28
ii) Admitted and discussed	1
iii) Barred	25
iv) Withdrawn	Nil
10. Half-an-Hour discussions held	3
11. STATUTORY RESOLUTIONS	
i) Notices received	6
ii) Admitted	6
iii) Moved	5
iv) Adopted	2
v) Negatived	2
vi) Withdrawn	1
12. GOVERNMENT RESOLUTIONS	
i) Notices received	1
ii) Admitted	1
iii) Moved	Nil
iv) Adopted	Nil
13. PRIVATE MEMBERS' RESOLUTIONS	
i) Received	6
ii) Admitted	6
iii) Discussed	2
iv) Adopted	Nil
v) Negatived	Nil
vi) Withdrawn	1
vii) Part-discussed	1
viii) Discussions postponed	Nil
14. GOVERNMENT MOTIONS	
i) Notices received	5
ii) Admitted	5
iii) Discussed	Nil
iv) Adopted	Nil
v) Part discussed	Nil
15. PRIVATE MEMBERS' MOTIONS	
i) Notices received	419
ii) Admitted	127
iii) Moved	Nil
iv) Discussed	Nil
v) Adopted	Nil
vi) Negatived	Nil

vii) Withdrawn	Nil
viii) Part discussed	Nil
16. MOTIONS REG: MODIFICATION OF STATUTORY RULE	
i) Received	2
ii) Admitted	2
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	21051
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON A SINGLE DAY, AND DATE ON WHICH ISSUED	1034 on 20.8.1992
20. NUMBER OF ADJOURNMENT MOTIONS	
i) Brought before the House	Nil
ii) Admitted	Nil
iii) Barred in view of adjournment motion admitted on the subject	Nil
iv) Consent withheld by Speaker outside the House	65
v) Consent given by Speaker but leave not asked for by members concerned	Nil
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
i) Starred	532
ii) Unstarred	5585
iii) Short Notice Questions	Nil

22. WORKING OF PARLIAMENTARY COMMITTEES :

Sl. No.	Name of the Committee	No. of sittings held during the period 1 July to 30 September 1992	No. of Reports presented to the House
1	2	3	4
(i)	Business Advisory Committee	6	6
(ii)	Committee of Absence of Members	1	1
(iii)	Committee on Public Undertakings	14	2
(iv)	Committee on Papers laid on the Table	4	2
(v)	Committee on Petitions	3	—
(vi)	Committee on Private Members' Bills and Resolutions	—	—
(vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	14	—
(viii)	Committee of Privileges	1	1

1	2	3	4
(ix)	Committee on Government Assurances	—	—
(x)	Committee on Subordinate Legislation	3	2
(xi)	Estimates Committee	—	3
(xii)	General Purposes Committee	2	—
(xiii)	House Committee		
	(a) Accommodation Sub-Committee	—	—
	(b) Sub-Committee on Amenities	—	—
	(c) Sub-Committee on Furnishing	—	—
(xiv)	Public Accounts Committee	10	4
(xv)	Railway Convention Committee	14	—
(xvi)	Rules Committee	1	1
JOINT/SELECT COMMITTEES			
(i)	Joint Committee on Offices of Profit	4	1
(ii)	Joint Committee on Salaries and Allowances of Members of Parliament	—	—
(iii)	Joint Committee on Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Bill, 1991	2	—
(iv)	Joint Committee on the Constitution (Seventy-Third) Amendment Bill, 1991	1	1
(v)	Joint Committee on the Copyright (Second Amendment) Bill, 1992	1	—
(vi)	Joint Committee on the Constitution (Seventy-Second) Amendment Bill, 1991	—	1
(vii)	Select Committee on the Constitution (Seventy-first) Amendment Bill, 1990	2	—
SUBJECT COMMITTEES			
(i)	Subject Committee on Environment and Forests	1	—
(ii)	Subject Committee on Agriculture	12	2
(iii)	Subject Committee on Science and Technology	12	—
23.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE	2	3
24.	PETITIONS PRESENTED		3
25.	NUMBER OF THE NEW MEMBERS SWORN IN WITH DATE		
	<i>No. of Members sworn in</i>		<i>Date on which sworn in</i>
	2		8.7.1992

APPENDIX II

STATEMENT SHOWING THE WORK TRANSACTED DURING THE HUNDRED AND SIXTY-FOURTH SESSION OF RAJYA SABHA

1. PERIOD OF THE SESSION	8 JULY TO 20 AUGUST 1992
2. NUMBER OF SITTINGS HELD	31
3. TOTAL NUMBER OF SITTING HOURS	181 HRS. AND 30 MINUTES
4. NUMBER OF DIVISIONS HELD	6
5. GOVERNMENT BILLS	
(i) Pending at the Commencement of the Session	20
(ii) Introduced	6
(iii) Laid on the Table as passed by Lok Sabha	18
(iv) Returned by Lok Sabha with any amendment	1
(v) Referred to Select Committee by Rajya Sabha	Nil
(vi) Referred to Joint Committee by Rajya Sabha	Nil
(vii) Reported by Select Committee	Nil
(viii) Reported by Joint Committee	Nil
(ix) Discussed	22
(x) Passed	22
(xi) Withdrawn	1
(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	21
6. Private Members Bills	
(i) Pending at the commencement of the Session	75
(ii) Introduced	22
(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	1
(viii) Passed	Nil
(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	Nil
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement/death of Member-in-charge of the Bill	Nil
(xvi) Pending at the end of the Session	96

7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176

(MATTERS OF URGENT PUBLIC IMPORTANCE).

(i) Notice received	105
(ii) Admitted	19 (on 3 subjects)
(iii) Discussions held	4

8. NUMBER OF STATEMENT MADE UNDER RULE 180

(CALLING-ATTENTION TO MATTERS OF URGENT PUBLIC IMPORTANCE).

Statements made by Ministers	2
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9. HALF AN-HOUR DISCUSSIONS HELD	7
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10. STATUTORY RESOLUTIONS

(i) Notices received	24
(ii) Admitted	5
(iii) Moved	5
(iv) Adopted	2
(v) Negatived	Nil
(vi) Withdrawn	3

11. GOVERNMENT RESOLUTIONS

(i) Noticed received	1
(ii) Admitted	1
(iii) Moved	Nil
(iv) Adopted	Nil

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	1
(xii) Discussion postponed	Nil

13. GOVERNMENT MOTIONS

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

14. PRIVATE MEMBERS' MOTIONS

(i) Received	151
(ii) Admitted	139**
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-discussed	Nil

* Includes *suo motu* discussion by the House on a Ministerial statement.

** 12 notices on same subjects were clubbed together and admitted.

(vi) Negatived		Nil
(vii) Withdrawn		Nil
15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE		
(i) Received		Nil
(ii) Admitted		Nil
(iii) Moved		Nil
(iv) Adopted		Nil
(v) Negatived		Nil
(vi) Withdrawn		Nil
(vii) Part-discussed		Nil
16. NUMBER OF PARLIAMENTARY COMMITTEES CREATED, IF ANY DURING THE SESSION AND THE NAME OF THE CREATED COMMITTEE		Nil
17. TOTAL NUMBER OF VISITORS' PASSES ISSUED		3326
18. TOTAL NUMBER OF PERSONS VISITED		5558
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND DATE ON WHICH ISSUED		290 (ON 8.7.1992)
20. MAXIMUM NUMBER OF PERSONS VISITED ON ANY SINGLE DAY AND DATE ON WHICH VISITED		369 (ON 8.7.1992)
21. TOTAL NUMBER OF QUESTIONS ADMITTED		
(i) Starred		591
(ii) Unstarred		4705
(iii) Short Notice Questions		1
22. DISCUSSION ON THE WORKING OF THE MINISTRIES		Nil
23. WORKING OF PARLIAMENTARY COMMITTEES		
<hr/>		
Name of Committee	No. of meetings held during the period from 1 April to 30 June 1992	No. of Reports presented during 164th Session
(i) Business Advisory Committee	6	Nil
(ii) Committee on Subordinate Legislation	7	1
(iii) Committee on Petitions	1	Nil
(iv) Committee on Privileges	4	Nil
(v) Committee on Rules	Nil	Nil
(vi) Committee on Government Assurances	8	Nil
(vii) Committee on Papers Laid on the Table	10	1
24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE		5
25. PETITIONS PRESENTED		Nil

26. NAME OF NEW MEMBERS SWORN-IN WITH DATES

S. No.	Name of Members sworn-in	Date on which sworn-in
1	2	3
1.	Shri Narain Prasad Gupta	8.7.1992
2.	Shri Jagannath Singh	-do-
3.	Shri Shri Ajit P.K. Jogi	-do-
4.	Shri Dilip Singh Judev	-do-
5.	Dr. (Shrimati) Najma Heptulla	-do-
6.	Dr. Shrikant Ramchandra Jichkar	-do-
7.	Shri Pramod Mahajan	-do-
8.	Shri Shivajirao Giridhar Patil	-do-
9.	Shri Satish Pradhan	-do-
10.	Shri Sushilkumar Sambhajirao Shinde	-do-
11.	Shri Somappa R. Bommai	-do-
12.	Shri Narendra Pradhan	-do-
13.	Shri Mohinder Singh Kalyan	-do-
14.	Shri Virendra Kataria	-do-
15.	Shri Sunder Singh Bhandari	-do-
16.	Shri Moolchand Meena	-do-
17.	Shri Rajendra Prasad Mody	-do-
18.	Shri Shibcharan Singh	-do-
19.	Shri S. Austin	-do-
20.	Shri V. Rajan Chellappa	-do-
21.	Shri Shri S. Muthu Mani	-do-
22.	Shrimati Jayanthi Natarajan	-do-
23.	Shri N. Thangaraj Pandian	-do-
24.	Shri G. Swaminathan	-do-
25.	Dr. Baldev Prakash	-do-
26.	Shri Trikoti Nath Chaturvedi	-do-
27.	Dr. Ishwar Chandra Gupta	-do-
28.	Dr. Muri Manohar Joshi	-do-
29.	Shri Muhammad Masood Khan	-do-
30.	Dr. Naunihal Singh	-do-
31.	Shri Ram Ratan Ram	-do-
32.	Shri Syed Sibley Razi	-do-
33.	Mufti Mohd. Sayeed	-do-
34.	Shri Vishnu Kant Shastri	-do-
35.	Shri Ram Gopal Yadav	-do-
36.	Shri Parmeshwar Kumar Agarwalla	9.7.1992
37.	Shri S.S. Ahluwalia	-do-
38.	Shri Ram Deo Bhandari	-do-
39.	Shri Gaya Singh	-do-
40.	Shri Inder Kumar Gujaral	-do-
41.	Shri Ramendra Kumar Yadav 'Ravi'	-do-
42.	Shri Anil Kumar	10.7.1992
43.	Shri O. Rajgopal	-do-
44.	Shrimati Ila Panda	13.7.1992
45.	Shri Som Pal	-do-
46.	Shri Ramji Lal	3.8.1992
47.	Shri S.S. Surjewala	-do-

27. OBITUARY REFERENCES

S.No.	Name	Sitting Member/ Ex-Member
1.	Shri Ganesh Lal Mall	Ex-Member
2.	Shri Manoranjan Roy	-do-
3.	Molana Asrarul Haq	-do-
4.	Shri Manmath Nath Misra	-do-
5.	Shri Achyut Patwardhan	Important National personality

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 1992

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Question
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.	19.8.92 to 28.9.92	27	13(7)	—	568(123)	46(137)	195(11)
Arunachal Pradesh L.A.	2.7.92	1	—	—	—	—	—
Assam L.A.*	—	—	—	—	—	—	—
Bihar L.A.	25.6.92 to 31.7.92	26	19(20)	—	5852(3321)	72(601)	735(158)
Bihar L.C.*	—	—	—	—	—	—	—
Gujarat L.A.	13.7.92 to 16.7.92	3	—	2	—	882(367)	117(17)
Goa L.A.	13.7.92 to 31.7.92	15	7(6)	3	486(2)	3(291)	5(3)
Haryana L.A.	13.7.92	1	1(1)	—	187(36)	19(5)	—
Himachal Pradesh L.A.	13.7.92 to 15.7.92	3	2(2)	—	161(29)	7(42)(a)	—
Jammu & Kashmir L.A.®	—	—	—	—	—	—	—
Jammu & Kashmir L.C.	—	—	—	—	—	—	—

Karnataka L.A.	10.7.92 to 13.7.92	2	3(1)	—	—	—	—	—	—
Karnataka L.C.	10.7.92 to 13.7.92	—	—	—	—	—	—	—	—
Kerala L.A.	29.6.92 to 28.7.92	21	3(4)	—	1550(1147)	10105(9961)	—	—	19(14)
Madhya Pradesh L.A.	2.9.92 to 11.9.92	8	17(17)	—	2121(775)(b)	(595)	—	—	—
Maharashtra L.A.*	—	—	—	—	—	—	—	—	—
Maharashtra L.C.*	—	—	—	—	—	—	—	—	—
Manipur L.A.*	—	—	—	—	—	—	—	—	—
Meghalaya L.A.*	—	—	—	—	—	—	—	—	—
Mizoram L.A.*	—	—	—	—	—	—	—	—	—
Nagaland L.A.@	—	—	—	—	—	—	—	—	—
Orissa L.A.*	—	—	—	—	—	—	—	—	—
Punjab L.A.	13.7.92 to 15.7.92	3	2(2)	—	135(70)	48(17)	—	—	1
Rajasthan L.A.*	—	—	—	—	—	—	—	—	—
Sikkim L.A.	9.9.92	1	3(3)	—	25	—	—	—	—
Tamil Nadu L.A.*	—	—	—	—	—	—	—	—	—
Tripura L.A.	17.9.92 to 18.9.92	2	2(2)	—	160(122)	35(46)(c)	—	—	1

	4	5	6	7	8
Uttar Pradesh L.A.	—	—	2519(234)	834(628)	436
Uttar Pradesh L.C.*	—	—	—	—	—
West Bengal L.A.**	—	—	—	—	—
Union Territories	—	—	—	—	—
Delhi Metropolitan Council@@@	—	—	—	—	—
Pondicherry L.A.**	—	—	—	—	—

* Information not received from the State/Union Territory Legislatures.

** Information received from the State Legislature contained Nil report.

@ During Governor's rule, the Assembly was dissolved on 19.2.90 and the State was brought under President's rule from 19.7.1990.

@@ The Nagaland Legislative Assembly was dissolved on 27.3.92 and the State was brought under President's rule from 2.4.1992.

@@@ The Delhi Metropolitan Council stands dissolved since 13.1.90.

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 42 includes 33 Starred Notices admitted as Unstarred and 4 Notices postponed from the previous Session.

(b) The figure 2121 includes both Starred and Unstarred Notices received.

(c) The figure 46 includes 11 Starred Notices admitted as Unstarred.

APPENDIX—III (Contd.)
COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Business Advisory Committee	3(3)	5(1)	1(1)	—	7(3)	17(3)	23(1)	37	21	—	—	10(1)	20(3)	—	—	23(a)
Committee on Govt. Assurances																
Committee on Petitions																
Committee on Private Members' Bills and Resolutions																
Committee of Privileges																
Committee on Public Undertakings																
Committee on Subordinate Legislation																
Committee on the Welfare of SC and ST																
Estimates Committee																
General Purposes Committee																
House/Accommodation Committee																
Library Committee																
Public Accounts Committee																
Rules Committee																
Joint/Select Committee																
Other Committees																

STATES

Andhra Pradesh L.A.

Tripura L.A.	1(1)	—	3(1)	—	4	—	1	2	—	—	2(1)	—	—
Uttar Pradesh L.A.	—	9	17	—	6	18	22	4	30	—	9	3	29
West Bengal L.A.	—	10	3	—	2	10	6	11	10	—	7	1	12
UNION TERRITORIES													
Delhi Metropolitan Council@#@	—	—	—	—	—	—	—	—	—	—	—	—	—
Pondicherry L.A.	—	2	—	—	2	—	—	—	34	—	—	—	37

* Information not received from the State/Union Territory Legislatures

** Information received from the State Legislature contained NIL report

@ Disolved since 19-2-1990

@@ Disolved since 27.3.1992

@@@ Disolved since 13-1-1990

Notes:

(i) Figures in bracket indicate the number of Reports presented to the House.

(e) Committee on Backward Classes—23 sittings

(b) Question and Calling Attention Committee—80 sittings; Nvedan Committee—42 sittings and 2 reports; Zila Panchayat and Zila Parishad Committee—53 sittings.

(c) Committee on Welfare of the Socially and Educationally Backward Classes—2 sittings.
Committee on Panchayati Raj—10 sittings, and Members Allowances Rules Committee—1 sitting.

(d) Select Committee on the Goa Advocates Welfare Fund Bill, 1992.—1 sitting; Select Committee on the Goa Legislative (Amendment) Bill, 1992-1 sitting; and House Committee on Higher Central Assistance—1 sitting.

(e) Committee on Forests and Environment—5 sittings and 2 reports; Committee on Tourism and Allied Matters—5 sittings and 2 reports; Committee on Agriculture, Horticulture and other matters—9 sittings and 2 reports; Committee on Papers Laid on the Table of the House—1 sitting; and Official Language Implementation Committee—2 sittings.

(f) Committee on Welfare of Backward Classes—10 sittings; Committee on Papers Laid on the Table—9 sittings and 1 report; Joint Select Committee on Hindu Succession (Karnataka Amendment) Bill, 1990-4 sittings and 1 report; Joint Select Committee on Administrative Procedure Bill, 1991-1 sitting; and Joint Select Committee on Karnataka State Open University Bill, 1992-3 sittings.

(g) Subject Committee (I)—1 sitting; Subject Committee (II)—1 sitting; Subject Committee (III)—1 sitting; Subject Committee (IV)—1 sitting; Subject Committee (V)—1 sitting; Subject Committee (VI)—1 sitting; Subject Committee (VII)—1 sitting; Subject Committee (VIII)—3 sittings and 1 report; Subject Committee (IX)—1 sitting; and Subject Committee(X)—1 sitting.

- (h) Women and Children's Welfare Committee—5 sittings and 1 report; Rules Reviewing Sub-Committee—2 sittings; Committee on Papers Laid on the Table—2 sittings; and Question and Reference Committee—4 sittings.
- (i) Committee on Papers Laid on the Table—10 sittings.
- (j) Parliamentary Research, Reference and Studies Committee—3 sittings; and Question and Reference Committee—14 sittings.
- (k) Subject Committee on Health and Family Welfare—5 sittings; Subject Committee on Environment—4 sittings; Subject Committee on Panchayat—4 sittings; Subject Committee on Education and Information and Cultural Affairs—5 sittings; Subject Committee on Transport—5 sittings; Subject Committee on Irrigation and Waterways—6 sittings; Subject Committee on Welfare, Tourism and Sports and Youth Services—4 sittings; Ad-hoc Committee on the Questions of Subject Committee—5 sittings; Subject Committee on Public Works—7 sittings; Subject Committee on Agriculture and Food and Supplies—8 sittings; and Subject Committee on Power and Commerce and Industries—11 sittings.

APPENDIX IV

LIST OF BILLS PASSED BY THE HOUSES OF PARLIAMENT AND ASSENTED TO BY THE PRESIDENT DURING THE PERIOD FROM 1ST JULY TO 30TH SEPTEMBER, 1992

Sl. No.	Title of the Bill	Date of assent by the President
1	2	3
1.	The Jammu and Kashmir State Legislatures (Delegation of Powers) Bill, 1992	16-7-92
2.	The Foreign Trade (Development and Regulation) Bill, 1992	7-8-92
*3.	The Constitution (Seventieth Amendment) Bill, 1992	12-8-92
4.	The Indian Ports (Amendment) Bill, 1992	12-8-92
5.	The Bhopal Gas Leak Disaster (Processing of Claims) Amendment Bill, 1992	12-8-92
6.	The National Waterway (Kollam-Kottapuram Stretch of West Coast Canal and Champakara and Udyogmandal Canals) Bill, 1992	18-8-92
7.	The Capital Issues (Control) Repeal Bill, 1992	18-8-92
8.	The Special Court (Trial of Offences Relating to Transactions in Securities) Bill, 1992	18-8-92
9.	The Foreign Exchange Conservation (Travel) Tax Abolition Bill, 1992	18-8-92
10.	The Appropriation (Railways) No. 3 Bill, 1992	19-8-92
11.	The Appropriation (Railways) No. 4 Bill, 1992	19-8-92
12.	The Jammu and Kashmir Appropriation (No. 2) Bill, 1992	24-8-92
13.	The Appropriation (No. 3) Bill, 1992	24-8-92
14.	The Appropriation (No. 4) Bill, 1992	24-8-92
@15.	The Constitution (Seventy-first Amendment) Bill, 1992	31-8-92
16.	The Rehabilitation Council of India Bill, 1992	1-9-92
17.	The Indo-Tibetan Border Police Force Bill, 1992	1-9-92
18.	The Banking Companies (Acquisition and Transfer of Undertakings) Amendment Bill, 1992	1-9-92
19.	The Army (Amendment) Bill, 1992	6-9-92

*The Bill which was introduced in Rajya Sabha as "The Constitution (Seventy-Sixth Amendment) Bill, 1992" was passed as "The Constitution (Seventy-First Amendment) Bill, 1992". The short title of the Bill was changed to "The Constitution (Seventieth Amendment) Bill, 1992" by Lok Sabha through an amendment to clause 1.

@The Bill was introduced in Lok Sabha as "The Constitution (Seventy-eighth Amendment) Bill, 1992. The short title of the Bill was changed by Lok Sabha through an amendment to clause 1.

APPENDIX V

LIST OF BILLS PASSED BY THE LEGISLATURES OF STATES AND UNION TERRITORIES DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 1992

STATES

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

1. The Andhra Pradesh Mandala Praja Parishads, Zilla Praja Parishads and Zilla Pranalika and Abhivrudhi Sameeksha Mandals (Amendment) Act, 1992.
2. The Andhra Pradesh Court Fees and Suits Valuation (Amendment) Act, 1992.
3. The Jawaharlal Nehru Technological University (Amendment) Act, 1992.
4. The Andhra Pradesh Municipal Laws (Second Amendment) Act, 1992.
5. The Andhra Pradesh Advocates' Welfare Fund and the Andhra Pradesh Advocates' Clerks Welfare Funds Acts (Amendment) Act, 1992.
6. The Andhra Pradesh Public Security Act, 1992.
7. The Andhra Pradesh Appropriation (No. 2) Act, 1992.

BIHAR LEGISLATIVE ASSEMBLY

1. The Bihar Appropriation (No. 2) Bill, 1992.
2. The Kosi Sufferer Development Authority (Amendment) Bill, 1992.
3. The Bihar Reconstruction and Development of reorientation—the forest land Erosion Taxation Bill, 1992.
4. The Bihar District Bill, 1992.
5. The Patna Corporation (Amendment & Validation) (Amendment) Bill, 1992.
6. The Bihar Motor Vehicle Road Taxation Bill, 1992.
7. The Bihar Cinema (Regulation) (Amendment) Bill, 1992.
8. The Bihar Cold Storage Regulation Bill, 1992.
9. The Bihar Coalmines Regional Development Authority (Amendment) Bill, 1992.
10. The Bihar Motor Vehicle Taxation (Amendment) Bill, 1992.
11. The Bihar Land Cess (Recess from Payment) (Amendment) Bill, 1992.
12. The Chhotanagpur and Santhal Pargana Autonomous Development Authority (Amendment) Bill, 1992.

13. The Bihar Hindu Religious Trust (Amendment) Bill, 1992.
14. The Bihar Agriculture Produce Market (Amendment) Bill, 1992.
15. The Bihar State University (Constituent College) Service Commission (Amendment) Bill, 1992.
16. The Bihar Intermediate Education Council Bill, 1992.
- *17. The Bihar Legislatures (Members Salaries, Pension and Allowances) (Amendment) Bill, 1992.
- *18. The Bihar Legislature (Members' Salaries, Pension and Allowances) (Second Amendment) Bill, 1992.
- *19. The Bihar Legislature (Officers' Salaries and Allowances) (Amendment) Bill, 1992.
- *20. The Bihar Minister Salaries and Allowances (Amendment) Bill, 1992.

GOA LEGISLATIVE ASSEMBLY

1. The Goa Appropriation Bill, 1992.
2. The Goa Public Gambling (Amendment) Bill, 1992.
3. The Town and Country Planning (Amendment) Bill, 1992.
4. The Maharashtra Co-operative Societies (Goa Amendment) Bill, 1992.
5. The Goa Buildings (Lease, Rent and Erection) Control (Amendment) Bill, 1992.
6. The Goa Public Men's Corruption (Investigation) and Inquiries (Amendment) Bill, 1992.

HARYANA LEGISLATIVE ASSEMBLY

1. The Haryana Co-operative Societies (Amendment) Bill, 1992.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The H.P. Motor Vehicles Taxation (Amendment) Bill, 1992.
2. The H.P. Lokayukta (Fourth Amendment) Bill, 1992.

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Appropriation (No. 3) Bill, 1992.

KERALA LEGISLATIVE ASSEMBLY

1. The Kerala Appropriation (No. 2) Bill, 1992.
2. The Kerala Appropriation (No. 3) Bill, 1992.
3. The Payment of Salaries and Allowances (Amendment) Bill, 1992.
4. The Kerala Finance Bill, 1992.

*Awaiting assent

MADHYA PRADESH LEGISLATIVE ASSEMBLY

- *1. Madhya Pradesh Bhudan-Yagya (Nirsan) Vidheyak, 1992.
- *2. Bhartiya Pathkar (M.P. Sanshodhan) Vidheyak, 1992.
3. Madhya Pradesh Lok Aayukta & Up-Lokayukta (Sanshodhan) Vidheyak, 1992.
4. Madhya Pradesh Vinirdishta Bharshita Aacharan Nivaran (Sanshodhan) Vidheyak, 1992.
5. Madhya Pradesh Samanya Vikrya-Kar (Sanshodhan) Vidheyak, 1992.
6. M.P. Aabkari (Sanshodhan) Vidheyak, 1992.
7. M.P. Panchayat Raj (Sanshodhan) Vidheyak, 1992.
- *8. M.P. Gramdan (Nirsan) Vidheyak, 1992.
9. M.P. Bhoj Vishwa Vidyalaya (Sanshodhan) Vidheyak, 1992.
- *10. Registrikan (M.P. Sanshodhan) Vidheyak, 1992.
11. M.P. Nagar Tatha Gram Nivesh Sanshodhan Vidheyak, 1992.
12. Indira Gandhi Kirshi Vishwa Vidyalaya (Sanshodhan) Vidheyak, 1992.
13. M.P. Avyaparik Nigam (Sanshodhan) Vidheyak, 1992.
- *14. M.P. Bhu Rajsva Sanhita (Sanshodhan) Vidheyak, 1992.
15. M.P. Viniyog (No. 3) Vidheyak 1992.
- *16. M.P. Vidhan Sabha Sadasya Vetan, Bhatta tatha Pension (Sanshodhan) Vidheyak, 1992.
- *17. M.P. Mantri (Vetan tatha Bhatta) Sanshodhan Vidheyak, 1992.

PUNJAB LEGISLATIVE ASSEMBLY

1. The Punjab Panchayat Samities and Zila Parishads (Temporary Supersession) Second Amendment Bill, 1992.
2. The Punjab State Legislature Officers, Ministers and Members Salaries, Allowances and Facilities Laws (Amendment) Bill, 1992.

SIKKIM LEGISLATIVE ASSEMBLY

1. The Sikkim Cooperative Societies (Amendment) Bill, 1992.
2. The Sikkim Sales Tax (Amendment) Bill, 1992.
3. The Sikkim Appropriation Bill, 1992.

TRIPURA LEGISLATIVE ASSEMBLY

1. The Tripura Professions, Trades, Callings and Employment Taxation (Third Amendment) Bill, 1992.
2. The Salary, Allowances and Pension of Members of the Legislative Assembly (Tripura) (Tenth Amendment) Bill, 1992.

*Awaiting assent

APPENDIX VI

ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD FROM
1 JULY TO 30 SEPTEMBER 1992

Sl. No.	Subject	Date of promulgation	Date on which laid before the House	Date of Cessation	Remarks
1	2	3	4	5	6
UNION GOVERNMENT					
1.	The Essential Commodities (Special Provisions) Amendment Ordinance, 1992	27.8.1992	24.11.92	—	—
2.	The Indian Medical Council (Amendment) Ordinance, 1992.	-do-	-do-	—	—
3.	The Dentists (Amendment) Ordinance, 1992	-do-	-do-	—	—
4.	The Interest on Delayed Payments to Small Scale and Ancillary Industrial Undertakings Ordinance, 1992	23.9.92	-do-	—	—
5.	The Delhi Development (Amendment) Ordinance, 1992	24.9.92	-do-	—	—
ANDHRA PRADESH					
1.	The Andhra Pradesh Vaidya Vidhana Parishad (Amendment) Ordinance, 1992	6.7.1992	20.8.92	—	Replaced by Legislation
2.	The Jawaharlal Nehru Technological University (Amendment) Ordinance, 1992	16.7.1992	-do-	—	—

1	2	3	4	5	6
		Bihar			
1.	The Bihar Reconstruction and Development of the Forest Land Erosion Taxation Second Ordinance, 1992	1.5.92	25.6.92	16.8.92	—
2.	The Bihar Panchayati Raj (Amendment & Validation) Second Ordinance, 1992	-do-	-do-	-do-	—
3.	The Bihar Motor Vehicle Taxation (Amendment) Ordinance, 1992	-do-	-do-	-do-	—
4.	The Bihar Weaker Section Legal Aid (Amendment) Second Ordinance, 1992	-do-	-do-	-do-	—
5.	The Patna University (Amendment) Second Amendment Ordinance, 1992	-do-	-do-	-do-	—
6.	The Kosi Sufferer Development Authority Second Ordinance, 1992	-do-	-do-	-do-	—
7.	The Patna Corporation (Amendment & Validation) (Amendment) Ordinance, 1992	8.5.1992	-do-	-do-	—
8.	The Chhotanagpur and Santhal Pargana Autonomous Development Authority (Amendment) Ordinance, 1992	2.6.92	25.6.92	18.6.92	—
9.	The Bihar Agriculture Produce Market (Amendment) Ordinance, 1992	-do-	-do-	-do-	—
10.	The Bihar State Cold Storage Regulation Ordinance, 1992	-do-	-do-	-do-	—
11.	The Bihar Motor Vehicle Taxation (Second Amendment) Ordinance, 1992	-do-	-do-	-do-	—

		HIMACHAL PRADESH	
1.	The H.P. Electricity (Duty) (Second Amendment) Ordinance, 1982	—	3.8.92
2.	The H.P. Industrial Establishments (National and Festival Holidays and Casual and Sick Leave) (Amendment) Ordinance, 1982	—	15.9.92
3.	The H.P. Shops and Commercial Establishments (Amendment) Ordinance, 1982	—	15.9.92
KARNATAKA			
1.	The Karnataka Essential Service Maintenance Ordinance, 1982	—	4.7.92
2.	The Bangalore Development Authority (Amendment) Ordinance, 1982	—	24.7.92
3.	The Karnataka Regularisation of Un-authorised Constructions in Urban Areas (Amendment) Ordinance, 1982	—	7.8.92
4.	The National Law School of India (Amendment) No. 2, Ordinance, 1982	—	19.8.92
5.	The Karnataka Tax on Entry of Goods (Amendment) (No. 2) Ordinance, 1982	—	20.8.92
6.	The Karnataka Prohibition of Admission of Students to the Un-recognised & Un-affiliated Educational Institutions (No. 2) Ordinance, 1982	—	21.8.92
KERALA			
1.	The Kerala Industrial Infrastructural Development Ordinance, 1982	—	26.8.92

1	2	3	4	5	6
		UTTAR PRADESH			
1.	The Uttar Pradesh Secondary Education Services Commission and Selection Boards (Amendment) Ordinance, 1992	14.7.92	—	—	—
2.	The Uttar Pradesh Sales Tax (Amendment) Ordinance, 1992	20.7.92	—	—	—
3.	The Uttar Pradesh Urban Local Self-Government Laws (Amendment) Ordinance, 1992	25.7.92	—	—	—
4.	The Uttar Pradesh Sales Tax (Second Amendment) Ordinance, 1992	11.8.92	—	—	—
5.	The Uttar Pradesh Land Revenue (Amendment) Ordinance, 1992	24.9.92	—	—	—

APPENDIX VII

A. PARTY POSITION IN LOK SABHA (As on 26 October, 1992)

Sl. No.	Name of State/ Union Territories	Seats	Cong.(I)	BJP	J.D.	CPI(M)	CPI	Others	IND/ Normi- nated	Total	Vacancy
1	2	3	4	5	6	7	8	9	10	11	12
I. STATES											
1.	Andhra Pradesh	42	31	1	—	1	1	8(a)	—	42	—
2.	Arunachal Pradesh	2	2	—	—	—	—	—	—	2	—
3.	Assam	14	8	2	—	1	—	2(b)	1	14	—
4.	Bihar	54	1	5	31	1	8	6(c)	—	52	2
5.	Goa	2	2	—	—	—	—	—	—	2	—
6.	Gujarat	26	6	20	—	—	—	—	—	26	—
7.	Haryana	10	9	—	—	—	—	1(d)	—	10	—
8.	Himachal Pradesh	4	2	2	—	—	—	—	—	4	—
9.	Karnataka	28	23	4	—	—	—	1(e)	—	28	—
10.	Kerala	20	12	—	—	3	—	4(f)	—	19	1
11.	Madhya Pradesh	40	27	12	—	—	—	1(g)	—	40	—
12.	Maharashtra	48	40	5	—	1	—	2(h)	—	48	—
13.	Manipur	2	1	—	—	—	—	1(i)	—	2	—
14.	Meghalaya	2	2	—	—	—	—	—	—	2	—
15.	Mizoram	1	1	—	—	—	—	—	—	1	—
16.	Nagaland	1	1	—	—	—	—	—	—	1	—
17.	Orissa	21	13	—	6	1	1	—	—	21	—
18.	Punjab	13	11	—	—	—	—	10	—	12	1
19.	Rajasthan	25	13	12	—	—	—	—	—	25	—
20.	Sikkim	1	—	—	—	—	—	1(k)	—	1	—
21.	Tamil Nadu	39	27	—	—	—	—	11(l)	—	38	1

1	2	3	4	5	6	7	8	9	10	11	12
22.	Tripura	2	2	—	—	—	—	—	—	2	—
23.	Uttar Pradesh	85	5	51	22	—	1	5(m)**	—	84	1
24.	West Bengal	42	5	—	—	27	3	7(n)	—	42	—
II. UNION TERRITORIES											
25.	Andaman & Nicobar Islands	1	1	—	—	—	—	—	—	1	—
26.	Chandigarh	1	1	—	—	—	—	—	—	1	—
27.	Dadra & Nagar Haveli	1	1	—	—	—	—	—	—	1	—
28.	Daman & Diu	1	—	1	—	—	—	—	—	1	—
29.	Delhi	7	3	4	—	—	—	—	—	7	—
30.	Lakshadweep	1	1	—	—	—	—	—	—	1	—
31.	Pondicherry	1	1	—	—	—	—	—	—	1	—
32.	Nominated	2	—	—	—	—	—	—	2	2	—
Total =		539	252	119	59	35	14	44	3	533	6

**20 Members sitting separately consequent on receipt of intimation from them.

**3 Members (Janata Party) sitting separately consequent on receipt of intimation from them.

(a) All India Majlis Ittehadul Muslimeen—1.

(b) Autonomous State Demand Committee—1; Asom Gana Parishad—1.

(c) Jharkhand Mukti Morcha—6.

(d) Haryana Vikas Party—1.

(e) Janata Party—1.

(f) Indian Congress (Socialist—Sarat Chandra Sinha)—1;

Muslim League—2; Kerala Congress(Mani)—1.

(g) Bahujan Samaj Party—1.

(h) Shiv Sena—2.

(i) Manipur People's Party—1.

(j) Bahujan Samaj Party—1.

(k) Saksham Sangram Parishad—1.

(l) All India Anna Dravida Munnetra Kazhagam—11.

(m) Janata Party—4; Bahujan Samaj Party—1.

(n) All India Forward Block—3; Revolutionary Socialist Party—4.

B. PARTY POSITION IN RAJYA SABHA (AS ON NOVEMBER 27, 1992)

Sl. No.	Name of State/ Union Territories	Seats	Cong.(I)	J.D.	CPI(M)	BJP	J.D. (S)	Others	Un-attached	Total Vacancies	
1	2	3	4	5	6	7	8	9	10	11	12
STATES											
1.	Andhra Pradesh	18	9	1	1	—	—	6(a)	1	18	—
2.	Assam	7	5	—	—	—	—	1(b)	—	7	—
3.	Bihar	22	9	7	—	2	2	2(c)	1	22	—
4.	Goa	1	1	—	—	—	—	—	—	1	—
5.	Gujarat	11	7	1	—	2	—	—	1	11	—
6.	Haryana	5	2	—	—	1	2	—	—	5	—
7.	Himachal Pradesh	3	1	—	—	2	—	—	—	3	—
8.	Jammu & Kashmir	4	—	—	—	—	—	1(d)	—	4	3
9.	Karnataka	12	9	3	—	—	—	—	—	12	—
10.	Kerala	9	3	1	3	—	—	2(e)	—	9	—
11.	Madhya Pradesh	16	7	—	—	9	—	—	—	16	—
12.	Maharashtra	19	14	1	—	2	1	1(f)	—	19	—
13.	Manipur	1	—	1	—	—	—	—	—	1	—
14.	Meghalaya	1	—	—	—	—	—	1(g)	—	1	—
15.	Mizoram	1	1	—	—	—	—	—	—	1	—
16.	Nagaland	1	—	—	—	—	—	1(h)	—	1	—
17.	Orissa	10	3	6	—	—	1	—	—	10	—
18.	Punjab	7	7	—	—	—	—	—	—	7	—
19.	Rajasthan	10	4	1	—	3	1	—	1	10	—
20.	Sikkim	1	—	—	—	—	—	1(i)	—	1	—
21.	Tamil Nadu	18	2	—	1	—	—	15(j)	—	18	—

1	2	3	4	5	6	7	8	9	10	11	12
23.	Tripura	1	1	—	—	—	—	—	—	—	—
24.	Uttar Pradesh	34	11	4	—	8	5	3(K)	2	33	1
25.	West Bengal	18	—	—	11	—	1	4(I)	—	16	—
	UNION TERRITORIES										
26.	Delhi	3	—	—	—	—	—	—	—	—	3
27.	Pondicherry	1	1	—	—	—	—	—	—	1	—
28.	Nominated	12	3	—	—	—	—	—	4	7	5
	Total =	245	101	26	16	29	13	38	10	233	12

Telugu Desam—5; C.P.I.—1.

(b) Asom Gana Parishad—1.

(c) C.P.I.—2.

(d) National Conference—1.

(e) M.L.—1; C.P.I.—1.

(f) Shiv Sena—1.

(g) Hill State People's Democratic Party—1.

(h) Nagaland People's Council—1.

(i) Sikkim Sangram Parishad—1.

(j) AIADMK—6; D.M.K.—9.

(k) Janata Party—2; C.P.I.—1.

(l) R.S.P.—2; C.P.I.—1; F.B.—1.

1	2	3	4	5	6	7	8	9	10	11	12
Karnataka L.C. (As on 6.8.92)	75	28	25	—	7	—	—	5(g)	9	74	1
Kerala L.A. (As on 1.10.92)	141	56	2	—	—	28	12	40(h)	2	140*	—
Madhya Pradesh L.A. (As on 30.9.92)	321	54	17	—	219	—	3	9(f)	10	312*	8
Maharashtra L.A.* (As on)	—	—	—	—	—	—	—	—	—	—	—
Maharashtra L.C.* (As on)	—	—	—	—	—	—	—	—	—	—	—
Manipur L.A.* (As on)	—	—	—	—	—	—	—	—	—	—	—
Meghalaya L.A.* (As on)	—	—	—	—	—	—	—	—	—	—	—
Mizoram L.A.* (As on)	—	—	—	—	—	—	—	—	—	—	—
Nagaland L.A. @@@ (As on)	—	—	—	—	—	—	—	—	—	—	—
Orissa L.A.* (As on)	—	—	—	—	—	—	—	—	—	—	—
Punjab L.A. (As on 1.10.92)	117	87	1	—	6	1	4	14(f)	4	117	—
Rajasthan L.A.* (As on)	—	—	—	—	—	—	—	—	—	—	—
Sikkim L.A. (As on 1.10.92)	32	—	—	—	—	—	—	32(k)	—	—	—
Tamil Nadu L.A.* (As on)	—	—	—	—	—	—	—	—	—	—	—
Tripura L.A. (As on 1.10.92)	60	23	—	—	—	25	—	10(f)	—	56	2

Uttar Pradesh L.A. (As on 1.10.92)	426	47	—	—	221	1	4	146(m)	7	426	—
Uttar Pradesh L.C.* (As on)	—	—	—	—	—	—	—	—	—	—	—
West Bengal L.A. (As on 1.10.92)	295	43	1	—	—	188	6	54(n)	1	293	2
UNION TERRITORIES											
Delhi Metropolitan Council @@@	—	—	—	—	—	—	—	—	—	—	—
(As on)	—	—	—	—	—	—	—	—	—	—	—
Pondicherry L.A. (As on 1.10.92)	30	15	1	—	—	—	1	10(o)	3	30	—

* Excluding Speaker

** Information not received from State Legislature

@ Dissolved since 19.2.90

@@ Dissolved since 27.3.92

@@@ Dissolved since 13.1.90

(a) Telugu Desam Party—73; All India Milli-Itehad-Ul-Muslimeen—4; Marxist Communist Party—of India—1; Democratic People's Front (Independent Group)—10; and Nominated—1.

(b) Jharkhand Mukti Morcha—18; Indian People's Front—7; Socialist Party (Lohia)—1; Marxist Co-ordination Party—2; Jharkhand Party—1; Unattached—8; and Nominated—1.

(c) Lok Swaraj Manch—1; and the Member elected on Janata Dal ticket, whose petition against the decision of the Speaker regarding disqualification on ground of defection is pending before the Supreme Court of India—1.

(d) Maharashtrawadi Gomantak Party—11; and Goan People Party—6.

(e) Haryana Vikas Party—12; Janata Party—16; and Bahujan Samaj Party—1.

(f) Himachal Congress—3; and Janata Dal (S)—3

(g) Janata Party—5.

- (h) Muslim League—19; Kerala Congress (M)—10; Indian Congress (Socialist)—3; Revolutionary Socialist Party—2; National Democratic Party—2; Kerala Congress (B)—2; Kerala Congress—1; and CMP—1.
- (i) Janata Dal (S)—5; Bahujan Samaj Party—2; Kranikani Samajvadi Manch—1; and Nominated—1.
- (j) Bahujan Samaj Party—9; Shiromani Akali Dal (Kabul)—3; Indian People's Front—1; and United Communist Party of India—1.
- (k) Sitabim Sangram Parishad—31; and Unattached—1.
- (l) Tripura Upajati Juba Samiti—8; and Revolutionary Socialist Party—2.
- (m) Janata Dal (A)—34; Janata Dal(B)—56; Samajvadi Party—23; Janata Party—10; Bahujan Samaj Dal—12; Soshit Samaj Dal—1; Shiv Sena—1; and Unattached—9.
- (n) All India Forward Bloc—29; Revolutionary Socialist Party—18; Democratic Socialist Party—1; Marxist Forward Bloc—1; Revolutionary Communist Party of India—1; Socialist Unity Centre of India—2; Jharkhand Party—1; and Nominated—1.
- (o) All India Anna Dravida Munnetra Kazhagam—6; and Dravida Munnetra Kazhagam—4.

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