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EDITORIAL NOTE

The Commonwealth Parliamentary Association (CPA), has for over eight decades, been nurturing the ideals of parliamentary democracy, the Rule of Law and basic human rights and fundamental freedoms. The CPA, amongst its activities, encourages Regional Conferences among its Branches to devote special attention to matters of regional interest. Every year, starting from 1997, the CPA Branches of the Legislatures of the North-East Region of India, have been organising Regional Conferences of legislators from the North-East region. These Conferences have provided a forum for the legislators of the region to discuss issues of common concern insofar as the functioning of the Legislatures as also of the problems and prospects of parliamentary democracy in the region are concerned. The Fifth North-East Region CPA Conference was held in Gangtok, Sikkim from 21 to 25 May 2001. The Conference, inaugurated by the Speaker, Lok Sabha, Shri G.M.C. Balayogi, on 21 May 2001, deliberated upon the P.R. Kyndiyah Committee Report on development of the North-Eastern Region and also on the theme 'Parliamentary Democracy: in Retrospect and Prospect'. The text of the Inaugural Address by the Lok Sabha Speaker is included in this issue of the *Journal*.

The founding fathers of our Constitution opted for a parliamentary form of government for the country. The Constitution, which they bequeathed to us for the governance of our country, provides for the three organs of government, viz. the Legislature, Executive and Judiciary. Each of these organs draws its authority from the Constitution and is independent and supreme in its own sphere. What is, therefore, envisaged under the constitutional scheme is a harmonious relationship amongst these three organs for the smooth running of the affairs of the State.

In our parliamentary democracy, the civil servants play an important role through the Executive Branch of the Government. It is the responsibility of the civil servants to ensure the implementation of the policies drafted by the Executive and passed by the Parliament and it is again the responsibility of the civil servants to see that the money sanctioned by Parliament is expended the way it should be expended. That being so, it is essential that our civil servants are familiar with the operational dynamics of our parliamentary institutions. With this in view, the Bureau of Parliamentary Studies and Training (BPST) of the Lok Sabha Secretariat has been organising Appreciation Courses in Parliamentary Processes and Procedures for Probationers of the All India Services. One

such Appreciation Course was organised for the Probationers of the Indian Administrative Services (IAS) at the BPST from 26 February to 2 March 2001. The text of the Inaugural Address delivered by the Speaker, Lok Sabha, Shri G.M.C. Balayogi to the IAS Probationers also finds place in this issue of the *Journal*.

In India, the content and character of the Opposition has undergone drastic transformation in recent years which has cast on the Opposition a major responsibility in ensuring the smooth functioning of our legislative institutions in the larger interest of parliamentary democracy. Highlighting the role of the Opposition and its impact on the democratic system in India, the Editor, in his article 'Safeguarding Democracy: Role of Opposition in Indian Parliament', included in this issue of the *Journal*, examines in detail the positive, vigilant and constructive functioning of the Opposition in our country. The article further analyses the role of the Opposition in making and amending laws and also in ensuring Executive accountability to the Parliament. The effective role played by members of Opposition by initiating meaningful discussions in the House on matters of urgent public importance through various procedural devices, and by participating in the scrutiny of financial matters as members of various Committees, etc. have also been dealt with in this study.

Besides, we carry in this issue our other regular features, viz. Parliamentary Events and Activities, Privilege Issues, Procedural Matters, Parliamentary and Constitutional Developments, Sessional Review, Recent Literature of Parliament Interest and Appendices.

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

—G.C. Malhotra
Editor

INAUGURAL ADDRESS BY THE SPEAKER, LOK SABHA, SHRI G.M.C. BALAYOGI AT THE FIFTH NORTH-EAST REGION COMMONWEALTH PARLIAMENTARY ASSOCIATION CONFERENCE

The Fifth North-East Region Commonwealth Parliamentary Association Conference was held in Gangtok, Sikkim from 21 to 25 May 2001. The Conference was inaugurated by the Speaker, Lok Sabha, Shri G.M.C. Balayogi on 22 May 2001. We reproduce below the text of the Inaugural Address.

—Editor

Honourable Chief Minister of Sikkim, Shri Pawan Chamling, Honourable Speaker and Deputy Speakers of the North-East State Legislatures, Honourable Members of Parliament and Legislative Assemblies, Ladies and Gentlemen:

It is indeed a matter of great pleasure for me to associate myself once again with the North-East Region (CPA) Conference. As we all are aware, from a small discussion platform in 1997, the North-East Region Commonwealth Parliamentary Association (NERCPA) has today grown into one of the leading fora for further integrating the physical as well as emotional distance of the North-Eastern region with the rest of the country. During the past five years, it has been instrumental in enhancing planned economic development and cooperation in the various spheres of the region. It is undoubtedly a remarkable achievement for all concerned, especially the legislators and members of Parliament of the North-East, who have zealously made relentless efforts to highlight the issues of the North-East in a proper perspective.

I find from the Agenda of the Conference that we have two very important subjects to deliberate upon — a plenary session on 'Parliamentary Democracy — in Retrospect and Prospect' and a deliberative session on the P.R. Kyndiah Committee Report on 'Socio-economic Development in the North-East and Sikkim'.

Friends, it has been established, without doubt, that democracy is the most preferred system of governance with a universally accepted definition being a form of 'government of the people, by the people and for the people'. The credibility of a democratic institution and the integ-

riety of its members are the most important factors for the success of any democratic polity. In fact, the future of the democratic set-up itself depends largely upon how effectively the legislators discharge their duties and responsibilities.

We, in India, have a rich tradition of representative institutions dating back to the Vedic ages. The voice of the people has always been listened to with respect and understanding by those in positions of power. When we as a people fought against alien rulers and asserted our commitment to our inalienable fundamental rights, we were only emphasising the universality of the principle of the supremacy of the will of the people. In the years after Independence, we have further strengthened the roots of democratic governance in our country and in the process consolidated our primacy as the largest working democracy in the world. In spite of our many diversities, we have worked together as a nation, with the golden thread of unity in diversity characterizing the Indian people for the rest of the world. In this challenging task, every State of the Union has contributed in its own ways. The North-Eastern region, with its own amazing diversities, has also been a co-equal partner in this arduous exercise of nation-building.

The North-East is known for its beautiful amalgamation of different people and cultures. With one of the richest segments of natural resources coupled with a comparatively low population and unlimited industrial potential, the North-East accounts for about one-third of the member States in India. Yet, despite its rich natural and cultural resources, the region continues to suffer from acute economic stagnation. The partition of India had a two-fold impact on the socio-economic development of the region. Firstly, the region became geographically isolated and secondly it snapped all the traditional trade and communication links the region had with its neighbours. The Kyndiah Committee Report discusses various aspects related to all these, and I find it very valuable and useful, outlining as it does the problems facing the socio-economic sectors in the region and suggesting possible courses of action to address these challenges. May I take this opportunity to heartily compliment Shri Kyndiah and other members of the Committee for such a perceptive study brought out in a very short span of time?

As the Kyndiah Committee Report suggests, the problems of the North-East stem from lack of connectivity, dearth of basic needs of the people, inadequate infrastructure facilities, socio-economic backwardness and last, but not the least, insurgency, which has been the bane of the region for long. While all these factors have led to inhibited development of the region, perhaps the most crucial factor has been insurgency. On

the one hand, substantial allocation is required for maintaining peace and tranquility in the region, and on the other, the disturbed conditions in the region have adversely affected economic development. As you all would agree, development and insurgency are two inseparable issues that require a common and integrated approach for finding lasting solutions. The problem of insurgency, of course, cannot be resolved by force or by violence. It is only through talks and negotiations that we can find a permanent solution to insurgency so as to bring about peace, stability and development in the region.

The Central Government has been extending very gainful economic packages from time to time to give a fillip to the growth of the economy in the North-East. The increasing interest and concern shown by the Government, Parliament, and various other official and non-official agencies as regards the socio-economic development of the region only point to the special place this sensitive region occupies in the nation's consciousness.

It is time for a realistic appraisal of what we have been doing in the region and clearly document our successes and failures, with a view to identifying the fundamentals that must guide the future policies and initiatives in the North-East. The first step in finding a solution to the problems of this region, I believe, is to fully understand and appreciate the aspirations of the people and respect the cultural, economic and social uniqueness of the region. Another aspect to be considered is the psychological succour to the feelings of the people. The perceived frustration, discontent and insecurity for whatever reasons among some people needs immediate attention. Various peace proposals are being worked out by the Union Government and discussions at different levels are being held with different factions in several States. Let us all hope that the problem of insurgency will be rooted out soon and the Sunrise States will once again become an abode of peace and prosperity.

Inevitably, the legislators of the North-East, representing the people of the region, have a critical role to play in addressing the various problems confronting the region as a whole. You are undoubtedly better aware of the ground realities and are equally familiar with the myriad challenges before the polity and the society. Considering the fact that the problems confronting the States of the region are more or less similar, it will naturally be conducive if the solutions are also arrived at in a concerted manner. As elected representatives of the people, your united efforts in the larger interest of the region as a whole would have popular sanction. Such endeavours would make it easier for the State

Governments to take combined efforts in partnership with the Union Government to address common problems.

I am sure that this two-day Conference will contribute in its own ways in forging cooperation and understanding amongst the North-East States, leading to a better understanding of the region, the dimensions of its socio-economic and political life and the dynamics of democracy. I am confident that the nation as a whole will stand to benefit from the enlightened views emerging out of this assemblage of the elected representatives of the people of the North-East.

With these words, I have great pleasure in inaugurating this Conference.

Thank you.

**INAUGURAL ADDRESS BY THE SPEAKER, LOK SABHA,
SHRI G.M.C. BALAYOGI AT THE APPRECIATION COURSE
IN PARLIAMENTARY PROCESSES AND PROCEDURES
FOR THE PROBATIONERS OF THE INDIAN
ADMINISTRATIVE SERVICE**

An Appreciation Course in Parliamentary Processes and Procedures for the Probationers of the Indian Administrative Service (IAS) was organised by the Bureau of Parliamentary Studies and Training (BPST), Lok Sabha Secretariat in New Delhi from 26 February to 2 March 2001.

We reproduce below the text of the Inaugural Address delivered by the Speaker, Lok Sabha, Shri G.M.C. Balayogi, on 26 February 2001.

—Editor

Secretary-General, Lok Sabha, Shri G.C. Malhotra, Joint Secretary, Shri Rajgopalan Nair, the Director of the National Academy, Shri Habibullah, young Probationers and Friends:

Let me also join our Secretary-General, in welcoming you all to this Appreciation Course in Parliamentary Processes and Procedures here. For the past nearly two and a half decades, the Bureau of Parliamentary Studies and Training (BPST), has been organising such programmes for the benefit of every one from the members of our Parliament and State Legislatures, to the officers serving the various Departments of the government and even foreign parliamentary officials. These have been well received by all concerned all these years. The Bureau, thus, has been meeting an important requirement under our parliamentary democratic system. Besides their general educative value, the programmes of the Bureau are also expected to help in creating the right kind of understanding and appreciation of the role of our Parliament in our democratic polity and for developing the right degree of respect and sensitivity towards our representative institutions in all those who are involved in the processes of governance in our country.

I am told that a detailed programme is already drawn up for you for the next five days during which eminent parliamentarians will be sharing their ideas with you on the role of Parliament in our democratic set-up. I would restrict myself to sharing with you a few thoughts about our administrative machinery.

As you may be aware, our Parliament is not directly involved in the day-to-day administration of the country. But it certainly has an important responsibility to ensure that our administration is carried on in accordance with our Constitution and the laws passed by the Parliament and in conformity with the broad policy guidelines as enunciated in Parliament. The Parliament also has to ensure that the government of the day remains accountable to it all the time. Various parliamentary devices like the questions, different kinds of motions, the budgetary procedures, the broad committee network, etc., are provided for under the rules with a view to ensuring accountability of the government to our Parliament. This accountability to the people's representatives and through them to the people themselves is what distinguishes a democratic system of government from all other systems of government. The administration as a whole is expected to be sensitive to this basic principle of a democratic system. Being part of the administrative system, therefore, is not to be seen as an opportunity to wield power, but rather as an opportunity to serve the people. This explains why all the different categories of bureaucracy, including your own glamorous one, is called a Service. It is important for all of you to bear this fundamental fact in mind always.

Friends, it is said that every government is as good as its administration is. For the common people, 'administration' is a synonym for government. They get a feel of the processes of governance only through the administrative machinery of the State. The transition of the concept of the State from a merely policing one to that of an all-inclusive welfare-oriented one, actually pointed towards the increasing role of the State in the life of the individual. To begin with, the whole idea of the State identifying itself with all aspects of human life 'from the cradle to the grave' was well received by the people in most societies, and more so, in the developing ones. The rationale for this was that the individuals needed much more than mere policing by the State to be able to lead a comfortable life. Increasing State involvement was seen as the answer to the problems of under-

development, inequity, exploitation of the socially and economically weaker sections and for effectively defending the State against hostile elements. The administrative machinery of India was conceived from this perspective.

Unlike a highly developed society, which wants to limit State intervention to the minimum, a developing country like India, with its myriad problems, cannot hope to achieve an acceptable level of development without the active involvement of the State. Our administrative machinery's job, therefore, is not just that of a facilitator, but that of a harbinger of development and positive change in the society at large. The administration here is expected to play a proactive role, rather than an overseeing one. This is to be done not with an 'all-knowing' approach. In a complex social environment, the administrator's role becomes all the more complex. They are expected to help reconcile conflicting interests, and to help build cohesion in our society by neutralising all the divisive elements. This can be achieved only by an apolitical, objective, accountable and prudent administrator. This is what is expected of each one of you – to become an instrument of positive change in our society.

Friends, as I said in the beginning, our Parliament does not directly intervene in the day-to-day administration of the country. That is the exclusive privilege and the responsibility of the government in power. It may not be out of place if I say that, ultimately, it is your job. Howsoever well-conceived may be the policies presented to Parliament and left to the government to implement, their effectiveness would depend, to a considerable extent, on how seriously each one of you perceives your role in implementing them and on the degree of dedication and commitment you all show towards your responsibilities. As responsible officers of our government, you are expected to be the role models for the country at large. You are expected to be vigorously pursuing the policy lines evolved by the government and approved by the Parliament. For all your commissions and omissions, you are responsible to the government which, in turn, is accountable to our Parliament. This accountability is the most fundamental feature of our parliamentary democratic set-up. Wherever you may be in the years to come, always bear this fact in mind and conduct yourselves in a manner befitting the trust and confidence placed in you by the system.

I am sure, the coming few days at the Bureau are going to be a very rewarding time for you all. Make the best out of it. I wish you all a very bright career in the years to come.

With these words, it is my pleasure to inaugurate this Appreciation Programme today.

Thank you.

SAFEGUARDING DEMOCRACY: ROLE OF OPPOSITION IN INDIAN PARLIAMENT

G.C. MALHOTRA

In a parliamentary form of government, the concept of Opposition is one of paramount importance. From the time the electoral process is set in motion till the formation of a Government, there are ideological battles for achieving supremacy and the required majority in Parliament to form a government. With the formation of the Government, after the general elections, the concept and idea of Opposition gets crystallised and institutionalised in Parliament.

The effective and successful functioning of parliamentary democracy depends to a large extent on striking the right balance between the Treasury Benches and members of the Opposition within the Legislature. The Opposition keeps a constant watch on the actions and policies of the Government and by highlighting the acts of omission and commission, if any, of the Government, it keeps them on their toes in adopting the right course of action. As Benjamin Disraeli said in 1844, "no Government can be long secure without a formidable Opposition".

Theoretically as well as in practice, an effective Opposition generally performs two basic functions in a parliamentary polity. First, it provides constructive criticism to the policies and programmes of the party in power. Secondly, it is possible for an Opposition party or group of parties to form an alternative Government when the party in power is voted out of office, either on the floor of the House or in a general election. That being so, the function of the Opposition is not merely to criticise the Government and bring to the notice of the people its shortcomings, but also to induce it for modifying its policies and programmes in tune with the requirements and realities of the times. Thus, a responsible Opposition plays a very crucial role in the successful working of the parliamentary system.

Opposition in the British Parliament

The idea of a parliamentary Opposition began to evolve in the United Kingdom as early as the Glorious Revolution of 1688. Over the

centuries, parliamentary Opposition, as a necessary corollary of a successful parliamentary democracy, got concretised in the Westminster system. In the British House of Commons, the recognised Opposition has been accorded the status of "Her Majesty's Loyal Opposition". The Opposition has been so named since the members constituting it are as important and as loyal as those who govern the affairs of the country. In Britain, the Prime Minister and the Leader of the Opposition try to meet each other frequently to discuss issues both of national and international concern. In the British scheme of things, the task of the Leader of the Opposition is all the more challenging, since he has to maintain a 'Shadow Cabinet,' ready to form the Government whenever invited to do so. The Leader of the Opposition and the Opposition as such have thus a prominent position in the British parliamentary system which is based on mutual trust between the Opposition and the Government.

Position in India

The Indian parliamentary system, which has benefited from the Westminster experience, has bestowed an equally prestigious position on the Opposition. In our parliamentary system, the Opposition has important and direct functions to perform. It can exert considerable influence on the two most important functions of Parliament, namely, the framing of legislation and approving financial policy.

Legislation

The single most important function of a Legislature is to legislate and since laws made by Parliament have a direct bearing on the life of the people and the welfare of the nation, the Opposition has the responsibility of watching that laws made by Parliament are not faulty. Bills are subjected to close scrutiny in the House and in the Committees and the Opposition has the opportunity to suggest appropriate changes therein. There have been occasions, when the Opposition in India was able to successfully prevent the Government from enacting laws which were considered faulty or on which members had strong reservations.

Opposition at introduction stage of the Bill

In some cases, members belonging to the Opposition successfully opposed the Motions seeking leave to introduce the Bills and the Bills could not be introduced. For example, on 28 August 1978, the Motion for leave to introduce the Constitution (Forty-eighth Amendment) Bill,

1978 seeking to prevent defection was opposed by many members from the Opposition. Even though there was a general consensus for getting rid of defection, many members were opposed to the Bill on the ground of legislative competence to pass such a Bill while some other members were of the view that some of the clauses of the Bill were authoritarian in nature. There was also objection that the Leaders of Parties were not taken into confidence before bringing the Bill for introduction. Consequently, the concerned Minister withdrew the Motion with the permission of the House. Later, the Legislative proposals on the subject was modified and re-enacted as the Constitution (Fifty-second Amendment) Act, 1985.

The Constitution (Eighty-second Amendment) Bill, 1997 providing that the President shall not be bound by any opinion obtained on consultation with the Chief Justice of India with regard to the appointment of the Judges of the Supreme Court and High Courts, and also that matters relating to the strength, appointment or transfer of Judges of a High Court shall not be called in question in any court on any ground, was listed for introduction in the Lok Sabha on 18 March 1997. There was opposition to the Bill from members, including the Left Parties who were allies in the then ruling United Front Government. In view of this opposition, the Government did not move the Motion for seeking leave of the House to introduce the Bill on the ground that further consultations were to be made with the Opposition and the United Front partners. The notice of the Bill lapsed on the dissolution of the Eleventh Lok Sabha on 4 December 1997.

In yet another instance, in the Twelfth Lok Sabha, because of the protest by many members, the introduction of the Constitution (Eighty-fourth Amendment) Bill, 1998 seeking to provide not less than one-third of seats filled by direct election in the Lok Sabha and the Legislative Assemblies of the States for women and which was listed for introduction on 14 July 1998, was postponed to a future date. The Bill lapsed on the dissolution of the Twelfth Lok Sabha on 26 April 1999.

Introduction allowed after Ministers' Assurances

In some cases, Bills could be introduced only after the Minister concerned assured the members that certain objectionable provisions would be set right at the consideration stage of the Bill. For instance, on 3 June 1998, during the Twelfth Lok Sabha, the Motion for leave for introducing the Electricity Regulatory Commission Bill, 1998, seeking to provide for establishment of Electricity Regulatory Commissions at the Centre and in the States for rationalisation of electricity tariffs, etc. was

opposed by several members, including the All India Anna Dravida Munnetra Kazhagam (AIADMK) party, an ally of the Government. The Minister-in-charge of the Bill made a statement assuring that he would remove certain objectionable clauses of the Bill at the time of its consideration. Thereafter, the Motion was adopted and the Bill was introduced. At the consideration stage, the Minister-in-charge of the Bill moved official amendments removing the clauses opposed by the members. Later the Bill was passed on 9 June 1998.

Bills withdrawn at the consideration stage

The Insurance Regulatory Authority Bill, 1996 seeking to provide for the establishment of a Insurance Regulatory Authority was introduced in the Lok Sabha on 20 December 1996. It was referred by the Speaker on the same day to the Departmentally-related Standing Committee on Finance for examination and report. The Committee presented its report on 9 May 1997. When the Bill was being considered by the Lok Sabha on 6 August 1997, many Opposition members raised objections to several provisions of the Bill and demanded its withdrawal. Taking into consideration the mood of the Opposition, the concerned Minister withdrew the Bill the same day with the leave of the House.

Adjournment of debate

On several occasions, the debate on some Bills was also adjourned due to opposition protest. The Constitution (Eightieth Amendment) Bill, 1993 and The Representation of the People (Amendment) Bill, 1993 were introduced in the Lok Sabha on 29 July 1993. The Constitution (Eightieth Amendment) Bill sought to empower Parliament to make law for banning any association or body of individuals if it attempted to promote disharmony or feelings of enmity, hatred or ill-will between different classes of citizens of India on ground of religion or on ground of race, place of birth, residence, language, caste or community. The Representation of the People (Amendment) Bill, 1993 sought to separate religion from politics by providing that no group or association would be registered as political party which bears a religious name. Due to Opposition pressure, the combined debate on the two Bills was adjourned and both the Bills were referred to a Joint Committee of the two Houses on 3 August 1993. Reports on the two Bills were presented by the Committee on 20 August 1993. The Bills, as reported by the Joint Committee, were again opposed by the Opposition members at the consideration stage. Many members were of the view that the Government intended to debar some parties from contesting election while

some other members demanded more time so that they could have a clearer picture of the Bills. Taking into consideration the mood of the House, the Government deferred the consideration of both the Bills on 24 August 1993. The two Bills lapsed on the dissolution of the Lok Sabha.

Similarly, the Women's Reservation Bill could not be taken up for consideration on 21 December 2000 due to opposition by several members. While members of major political parties, including the ruling Bharatiya Janata Party (BJP), the Congress, and the Left Front wanted the Bill to be taken up for consideration immediately in its present form, members belonging to the Samajwadi Party (SP), Bahujan Samaj Party (BSP), the Rashtriya Janata Dal (RJD) and the Muslim League demanded reservation within reservation for women belonging to the Other Backward Classes (OBCs) and minorities. The Speaker, Lok Sabha, Shri G.M.C. Balayogi held a meeting with leaders of political parties on the issue but a consensus could not be evolved. The House could not take up the Bill for consideration on 22 December 2000 also, the concluding day of the Winter Session, as the House remained disrupted on the issue. The consideration of the Bill is still pending in the present Lok Sabha.

Passed in one House, not moved in the other

There have been occasions when Bills passed in one House were not moved in the other House due to opposition protest. For instance, the Defamation Bill, 1988 seeking to consolidate and amend the law relating to defamation and other incidental matters was introduced in the Lok Sabha on 29 August 1988 and was passed on 30 August 1988 despite strong opposition protest. The opposition to the Bill was on the ground that it intended to suppress any kind of criticism of the Government by the press, public and even the Opposition parties. The Opposition had its impact and the Bill was not moved in the Rajya Sabha. It later lapsed on the dissolution of the Eighth Lok Sabha. In another instance, the Patents (Amendment) Bill, 1995, seeking to amend the Patents Act, 1970, in consonance with the agreement under the GATT and WTO, was introduced in the Lok Sabha on 14 March 1995. The Bill faced severe opposition from members during the consideration stage. It was, however, passed by the Lok Sabha on 21 March 1995 and laid on the Table of the Rajya Sabha the same day. There was strong opposition to the Bill by the Rajya Sabha members as well, and the Bill was referred to a Select Committee of the House on 2 June 1995. While the Bill was in the Committee, the Lok Sabha

got dissolved and the Bill lapsed. As the Bill was not passed, the Patents (Amendment) Ordinance, 1994 promulgated on 31 December 1994 also lapsed.

Reference to Joint or Select Committees

Even when the Government was able to introduce Bills, the Opposition, considering some of these Bills to be hasty proposals, forced them to be referred to the Joint or Select Committees or for eliciting public opinion. For example, the Constitution (Seventy-second Amendment) Bill, 1991 and the Constitution (Seventy third Amendment) Bill, 1991 providing for the establishment of Panchayats and Nagarpalikas were referred by the Lok Sabha to the Joint Committees of the two Houses on 20 October 1991 for examination and report. The Government accepted many of the recommendations made by the Joint Committees on both the Bills. Accordingly, the Government accepted the recommendation for adoption of a common and uniform three-tier system of Panchayats throughout the country provided that Panchayats at the intermediate level may not be constituted in a State having a population not exceeding 20 lakhs. The Government also accepted the recommendation for providing a separate authority for the purpose of supervising and conducting elections to Panchayats. Both the Bills were passed by the Lok Sabha on 22 December 1992.

In the Thirteenth Lok Sabha, the Protection of Plant Varieties and Farmers' Rights Bill, 1999, providing for protection of the rights of plant breeders and farmers, and to encourage the development of new varieties of plants and to give effect to the provisions of the Agreement on Trade-Related Aspects of Intellectual Property Rights, was referred by the Lok Sabha to a Joint Committee on 21 December 1999. The Joint Committee revised the Bill in the light of its extensive interaction with the representatives of farmers, experts, individuals and organisations and submitted its report on 25 August 2000. The Government accepted most of the recommendations of the Committee and the Bill was passed by the Lok Sabha on 10 August 2001.

Another Bill, the Central Vigilance Commission Bill, 1999, was referred by the Lok Sabha on 21 December 1999 to a Joint Committee of the Houses for report. The Bill sought to provide for the constitution of a Central Vigilance Commission to inquire or cause inquiries to be conducted into offences alleged to have been committed under the Prevention of Corruption Act, 1988 by certain categories of public servants. The Committee submitted its report on the Bill on 22 November 2000 and the Bill is presently pending before the Lok Sabha.

Many Bills have been sent to Select Committees for presenting reports thereon. For example, the Constitution (Seventy-first Amendment) Bill, 1990, as passed by the Rajya Sabha, was referred to a Select Committee of the Lok Sabha on 7 May 1992 following reservations shown by several members. The Bill sought to delimit the constituencies on the basis of the 1981 census and provide for rotation of seats reserved for the Scheduled Castes and Scheduled Tribes. The Select Committee, in its report presented to the Lok Sabha on 18 December 1992, had recommended the passing of the Bill with some minor changes. The Bill was, however, withdrawn on 14 June 1994.

The Transplantation of Human Organs Bill, 1993, as passed by the Rajya Sabha, and providing for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs, etc. was referred to a Select Committee of the Lok Sabha on 11 December 1993. The Committee, in its report presented on 21 December 1993, proposed some changes in the Bill. However, on 14 June 1994, the Lok Sabha passed the Bill as passed by the Rajya Sabha.

Since the constitution of the First Lok Sabha till August 2001, as many as 111 Bills have been referred by the Lok Sabha to Joint Committees while 67 have been referred to its Select Committees.

Some Contentious Bills

Parliament has not been able to pass certain Bills due to stiff opposition and lack of consensus among political parties on these Bills. These Bills were referred to several Committees, yet these have not been enacted. One such Bill, popularly known as the Women's Reservation Bill has already been referred to in the preceding paragraphs. Two other Bills which have been referred to various Committees and are yet to be enacted are mentioned below.

The Delhi Rent (Amendment) Bill, 1997: The Delhi Rent Bill, 1995 passed by Parliament and assented to by the President of India on 23 August 1995 could not be brought into operation in view of the strong reservations expressed by various individuals and organisations. The Act was conceived as an attempt to promote private investment in rental housing by balancing the interests of the landlords and the tenants. In order to remove some distortions in the Act, the Government introduced The Delhi Rent (Amendment) Bill, 1997 in the Rajya Sabha on 28 July 1997. The Bill was referred to the DRSC on Urban and Rural Development on 5 August 1997. Due to the dissolution of the

Eleventh Lok Sabha, the Committee could not complete the examination of the Bill. The Bill was again referred to the Committee on 23 June 1998 after the constitution of the Twelfth Lok Sabha. However, the dissolution of the Twelfth Lok Sabha again prevented the Committee from completing its task. The Bill was referred once again to the Committee on 17 February 2000 after the constitution of the Thirteenth Lok Sabha. Finally, the Committee presented its report on the Bill on 21 December 2000. The Bill is yet to be passed.

The Lokpal Bill: So far, eight Bills have been introduced in the Lok Sabha with a view to establishing the institution of Lokpal (Ombudsman). The first Bill called The Lokpal and Lokayuktas Bill, 1968 was introduced in the Fourth Lok Sabha on 10 May 1968. It was referred to a Joint Committee of the two Houses which submitted its report on 26 March 1969. The Lok Sabha passed the Bill on 20 August 1969 but before the Rajya Sabha could pass it, the Lok Sabha got dissolved and the Bill lapsed.

The Bill, as passed by the Fourth Lok Sabha, was re-introduced in the Fifth Lok Sabha on 11 August 1971 as the Lokpal and Lokayuktas Bill, 1971. This Bill also lapsed on the dissolution of the Fifth Lok Sabha. The Lokpal Bill, 1977 was introduced in the Sixth Lok Sabha on 28 July 1977. This Bill was also referred to a Joint Committee of the two Houses which submitted its report on 20 July 1978. The Bill, as reported by the Joint Committee, also could not be enacted due to the dissolution of the House.

The Lokpal Bill, 1985 was introduced in the Eighth Lok Sabha on 26 August 1985 and was referred to the Joint Committee of the two Houses on 28 August 1985 to sort out some of the basic differences between the Government and the Opposition. The Committee presented its report on 6 December 1988. The Bill again lapsed on the dissolution of the Lok Sabha. The Lokpal Bill, 1989 was introduced in the Ninth Lok Sabha on 29 December 1989. This Bill also lapsed on the dissolution of the Ninth Lok Sabha. The Lokpal Bill, 1996 was once again introduced in the Eleventh Lok Sabha by the United Front Government on 13 September 1996. It was referred to the DRSC on Home Affairs for examination and report. The Committee presented its report on 9 May 1997 and before the Government could finalise its stand on the report the House was dissolved on 4 December 1997.

The Lokpal Bill, 1998 providing for establishment of the institution of Lokpal to inquire into allegations of corruption against public functionaries, including the Prime Minister, Ministers of the Union or a member of either House of Parliament and for matters connected therewith, was

introduced in the Lok Sabha on 3 August 1998. It was referred to the DRSC on Home Affairs on 8 December 1998 by the Chairman, Rajya Sabha. The Report was laid on the Table of Lok Sabha on 25 February 1999. However, the Bill lapsed on the dissolution of the Twelfth Lok Sabha.

The Bill has once again been introduced in the Thirteenth Lok Sabha for the eighth time on 14 August 2001 as the Lokpal Bill, 2001.

Bill returned by President for reconsideration

Due to opposition protest, a Bill already passed by both the Houses of Parliament was not assented to by the President of India and was returned for reconsideration. The Indian Post Office (Amendment) Bill, 1986 seeking to amend the Indian Post Office Act of 1898 was introduced in the Lok Sabha on 10 November 1986. The Bill inter alia provided for search and seizure of packages containing letters posted in violation of the Act. The Bill also provided for interception of any postal article or class or description of postal articles in the course of transmission by post or its disposal in such matter as the authority issuing the order may direct in the interests of public safety or tranquility, the sovereignty and integrity of India, the security of the State, public order or for preventing incitement to the commission of any offence, etc. When the Bill was taken up for consideration, many members termed the Bill as anti-democratic and were apprehensive that the Government might use this measure to intercept the mails of political parties opposed to the Government. The Bill was, however, passed by the Lok Sabha on 18 November 1986 and the Rajya Sabha on 10 December 1986. The passage of the Bill was marked by uproarious scenes in both the Houses. The Opposition protest did have its impact and the Bill, as passed by the Houses of Parliament, was returned by the President for reconsideration. The President returned the Bill to the Rajya Sabha on 7 January 1990. The Bill has not been reconsidered by the Rajya Sabha in terms of Presidential message and it is still pending in that House.

Withholding of President's assent on a Bill

In another instance, The Salary, Allowances and Pension of Members of Parliament (Second Amendment) Bill, 1991, seeking to increase the pension and existing facilities of Members of Parliament was introduced in the Lok Sabha on 12 March 1991, the last sitting of the Ninth Lok Sabha. The Motion seeking the leave of the House to introduce the Bill was opposed, and only after a division of votes on the

issue, was the Bill introduced. When the Bill was being considered the same day, an amendment moved by the Janata Dal member, Dr. Venkatesh Kabde providing for pension to members who had served even for a year was adopted by the House. As per the existing provision, only those members who had served for a period of five years, whether continuous or not, were eligible for pension. The Bill, as amended and passed by the Lok Sabha, was also passed by the Rajya Sabha the same day and was presented to the President for his assent on 18 March 1991. There was widespread criticism of the Bill by the people and the press. Subsequently, the President of India withheld his assent to the Bill and an announcement in this regard was made in the Rajya Sabha by the Deputy Chairman on 9 March 1992.

Ordinances

Under article 123 of the Constitution, the President may, except when both the Houses of Parliament are in session, promulgate Ordinances if he is satisfied that circumstances exist for immediate action. Such Ordinances have the same force and effect as an Act of Parliament. An Ordinance has, however, to be laid before both Houses of Parliament and ceases to operate at the expiration of six weeks from the re-assembly of Parliament, or if resolutions disapproving it are passed by both Houses before the expiration of that period. Once the Parliament meets, Opposition members bring statutory resolutions disapproving such Ordinances when the Government brings corresponding Bills. Members from the Opposition quite often utilise this opportunity to criticize the Government's policy to rule by Ordinances.

Private Members' Bills

A large number of legislative proposals have been brought forward in Parliament by members belonging to various political parties. Of these, 14 Private Members' Bills - 9 introduced in the Lok Sabha and 5 in the Rajya Sabha¹ have been enacted so far. Two of these 14 Bills

1. **Bills introduced in the Lok Sabha:** The Muslim Wakfs Bill, 1952; (i) The Indian Registration (Amendment) Bill, 1955; (ii) The Proceedings of Parliament (Protection of Publication) Bill, 1956; (iv) The Code of Criminal Procedure (Amendment) Bill, 1953; (v) The Women's and Children's Institutions (Licensing) Bill, 1953; (vi) The Code of Criminal Procedure (Amendment) Bill, 1957; (vii) The Salaries and Allowances of Members of Parliament (Amendment) Bill, 1964; (viii) The Hindu Marriage (Amendment) Bill, 1964; and (ix) The Supreme Court (Enlargement of Criminal Appellate Jurisdiction) Bill, 1968. **Bills introduced in the Rajya Sabha:** (i) The Ancient and Historical Monuments and Archaeological Sites and Remains (Declaration of National Importance) Bill, 1956; (ii) The Hindu Marriage (Amendment) Bill, 1956; (iii) The Orphanages and Other Charitable Homes (Supervision and Control) Bill, 1960; (iv) The Marine Insurance Bill, 1963; and (v) The Indian Penal Code (Amendment) Bill, 1967

were from members other than the ruling party. In several other cases, private members' Bills from members of the Opposition parties, though not enacted, were withdrawn after debate consequent upon assurances from the Government to bring forward its own Bills. There have been some instances when consequently the Government was compelled to introduce similar Bills, with some modifications while in several other cases, the principle underlying the withdrawn Bills was accepted in future Government legislation. Consequent upon the initiative taken by Smt. Dil Kumari Bhandari of Sikkim Sangram Parishad by moving a Constitution (Amendment) Bill seeking to include the Manipuri and Nepali languages in the Eighth Schedule to the Constitution, the Constitution (Seventy-first Amendment) Bill, 1992 was enacted. Similarly, Sindhi was included in the Eighth Schedule to the Constitution by way of the Constitution (Twenty-first Amendment) Act, 1967 after Shri Atal Bihari Vajpayee, then in the Opposition and some other members had moved Bills to that effect. In another instance, after the Infant Foods and Feeding Bottles (Regulation of Production, Supply and Distribution) Bill, 1991 was moved by the BJP member Shri Ram Naik, then in the Opposition, the Government brought forward The Infant Milk Substitutes, Feeding Bottles and Infant Foods (Regulation of Production, Supply and Distribution) Bill, 1992 which was passed by Parliament.

In some other cases, the mere introduction of Bills by private members hastened the Government to bring forward its own Bills for necessary enactments. Some of these are: The Prevention of Food Adulteration Act, 1954; The Suppression of Immoral Traffic in Women and Girls Act, 1956; The Constitution (Twenty-ninth Amendment) Act, 1972, (seeking to provide constitutional protection to the Kerala Land Reforms (Amendment) Act, 1971); The Special Courts (Repeal) Act, 1982, seeking liquidation of the Special Courts constituted as a follow-up action on the Shah Commission Report); The Constitution (Sixty-first Amendment) Bill, 1988, reducing the voting age from 21 to 18; and The National Commission for Women Act, 1990.

Parliamentary Committees

The members from the Opposition parties do contribute in the legislative function of Parliament by their membership in the Committees. Bills may be sent to a Departmentally-Related Standing Committee by the Presiding Officer of the House or to a Select Committee or a Joint Committee on an appropriate motion moved and adopted by the House.

Membership of Committees is in proportion to the strength of

parties in Parliament. So also is generally the Chairmanship of these Committees. While appointing the Chairmen of the Committees, the Presiding Officers of both the Houses take into consideration the numerical strength of the parties in Parliament. Allocation of Chairmanships of the 17 DRSCs under the jurisdiction of the Lok Sabha (LS) and the Rajya Sabha (RS) since their constitution in 1993 is given below.

Chairmanship of DRSCs under the Lok Sabha and the Rajya Sabha

| Year | Major Ruling Party | | Allies in Government | | Allies supporting from outside | | Opposition Parties | | Total No. of Committees | |
|-----------|--------------------|------|----------------------|------|--------------------------------|------|--------------------|------|-------------------------|------|
| | L.S. | R.S. | L.S. | R.S. | L.S. | R.S. | L.S. | R.S. | L.S. | R.S. |
| 1993-94 | 6 | 3 | - | - | - | - | 5 | 3 | 11 | 6 |
| 1994-95 | 6 | 2 | - | - | - | - | 5 | 4 | 11 | 6 |
| 1995-96 | 5 | 2 | - | - | - | - | 6 | 4 | 11 | 6 |
| 1996-97 | 1 | 1 | - | - | 6 | 4 | 4 | 1 | 11 | 6 |
| 1997-98 | 2 | 1 | - | - | 3 | 4 | 6 | 1 | 11 | 6 |
| 1998-99 | 2 | 2 | - | - | 3 | - | 6 | 4 | 11 | 6 |
| 1999-2000 | 1 | 2 | 4 | - | 2 | - | 4 | 4 | 11 | 6 |
| 2000-01 | 1 | 2 | 4 | - | 2 | 1 | 4 | 3 | 11 | 6 |
| 2001-02 | 1 | 2 | 3 | - | 3 | 1 | 4 | 3 | 11 | 6 |

Though constituted on the basis of proportionate strength of parties in the House, the Committees tend to work on consensus. As a result, the views of Opposition members in the Committee are given great respect and often get translated into several recommendations.

Bills referred to DRSCs before introduction

Bills are generally referred to the DRSCs after they are introduced. However, in two cases, Bills were so referred, due to opposition protest, even before their introduction. The Trade Unions (Amendment) Bill, 1994 seeking to amend the Trade Unions Act, 1926 with a view to regulating the registration of Trade Unions and other incidental matters could not be introduced in the Rajya Sabha on 2 May 1994 due to objections by several members, and after extensive discussion, it was unanimously agreed to refer the Bill to the DRSC on Labour and Welfare for examination and report. The Bill was referred to the Committee on 9 May 1994 and the Committee presented its report on 8 August 1995.

The Bill was, however, not introduced. A new Bill, the Trade Unions (Amendment) Bill, 2000, suitably revised in the light of the suggestions of the Committee on Labour and Welfare made in its report of 1995 was introduced in the Rajya Sabha on 28 April 2000 and was once again referred to the same Committee for examination and report. In its report presented to the Lok Sabha on 29 November 2000, the Committee approved the Bill in its entirety and desired that the Bill should be enacted as early as possible. The Bill was passed by the Rajya Sabha on 2 August 2001 and by the Lok Sabha on 24 August 2001.

The Public Sector Iron and Steel Companies (Restructuring) and Miscellaneous Provisions (Amendment) Bill, 1993, providing for private sector participation through transfer of shares of the Indian Iron and Steel Company (IISCO) for modernization purpose, could not be introduced in the Lok Sabha due to protest of opposition members. The Bill was referred to the Committee on Industry on 5 January 1994 before its introduction. The Committee, in its report presented to the Rajya Sabha on 19 April 1994 gave many suggestions, including the re-drafting of the Bill. This Bill also was not introduced and the notice lapsed on dissolution of the Tenth Lok Sabha on 10 May 1996.

Bills withdrawn following the presentation of reports by DRSCs

The Human Rights Commissions Bill, 1993, introduced in the Lok Sabha on 14 May 1993, was referred to the DRSC on Home Affairs on 30 July 1993 for examination and report. The Committee, in its report presented on 6 December 1993, suggested principal changes in the Bill. On consideration of the report of the DRSC, the Bill was withdrawn by the Government on 7 December 1993 and later a new Bill, the Protection of Human Rights Bill, 1993 was introduced in the Lok Sabha on 9 December 1993 and was passed.

Similarly, the Insurance Regulatory Authority Bill, 1996 introduced in the Lok Sabha on 20 December 1996, was referred to the DRSC on Finance the same day for examination and report. After the presentation of the report by the Committee on 9 May 1997, the Bill was debated and considered in the House. After adoption of a few clauses, the Bill was withdrawn by the Government on 6 August 1997 due to stiff opposition by members. Later, the Insurance Regulatory Authority Bill, 1998 seeking to open up the insurance business to the private sector, including foreign companies, and setting up of an Insurance Regulatory Authority to protect the interests of insurance policy holders and to regulate, promote and ensure the growth of the insurance industry, listed

for introduction on 15 December 1998, was also met with stiff opposition from several members. As members kept on protesting, the Speaker announced that the Bill would be referred to a Joint Select Committee after its introduction. Since interruptions continued, the Minister of Parliamentary Affairs submitted that the Bill might be referred either to a Joint Committee or to a Standing Committee. The Bill was thereafter introduced and referred by the Speaker, Lok Sabha on 4 January 1999, to the DRSC on Finance. The Bill was thus referred to the DRSC on Finance for the second time; the Committee presented its report on 16 March 1999. The Bill lapsed on the dissolution of the Twelfth Lok Sabha. A new Bill, the Insurance Regulatory and Development Authority Bill, 1999, incorporating the provisions of the 1998 Bill and the suggestions of the DRSC on Finance, was introduced in the Thirteenth Lok Sabha in December 1999. The Government incorporated some amendments in the Bill suggested by the Congress, the main opposition party, and it was passed by the Lok Sabha on 2 December 1999. In the Rajya Sabha also, where the Government lacked majority, the Congress Party supported the Bill which was passed on 7 December 1999 by a division of votes.

In another instance, The Telecom Regulatory Authority of India Bill, 1996 was introduced in the Lok Sabha on 23 July 1996 and was referred to the DRSC on Communications on 25 August 1996 for examination and report. The Committee presented its report on 21 November 1996. The Bill was later withdrawn by the Government on 14 March 1997 and on 15 March 1997 another Bill, viz. the Telecom Regulatory Authority of India Bill, 1997, incorporating the recommendations of the DRSC, was introduced which was passed by both the Houses of Parliament.

The Urban Land (Ceiling and Regulation) Repeal Bill, 1998 was introduced in the Lok Sabha on 11 June 1998. On 26 June 1998, it was referred to the DRSC on Urban Affairs and Rural Development which presented its Report on 21 December 1998. Accepting the unanimous report of the Committee, the Government withdrew the Bill on 5 March 1999 and introduced a modified Bill the same day which was passed.

Financial Policy

The influence of Committees on financial policy is perhaps less direct and less substantial; for, though theoretically the Legislature has the right to cut or reject any demand for grant, it is seldom exercised in a drastic manner as it might drive the Government out of office. But, the curb on extravagant expenditure is nonetheless highly effective.

In the Public Accounts Committee (PAC), the function of which is

to bring to light the weaknesses of administration through searching examination of the administrative officers, the Opposition is given due weightage. As a matter of fact, the Chairman of the PAC is, by convention, drawn from the Opposition.

The DRSCs of Parliament consider the Demands for Grants of the concerned Ministries and Departments and make report on the same to the Houses. The Demands for Grants are considered by the House in the light of these reports. Even though the recommendations of these Committees are not binding in nature, these are given due weightage by the Government as the considered opinion of the Committees representing all sections of the House. An analysis of the action taken by the Government on the reports of the 11 DRSCs falling under the jurisdiction of the Lok Sabha on Demands for Grants for the period April 1993 to April 1999 shows that around 59 per cent of the recommendations of these Committees are accepted by the Government while 14 per cent of the recommendations are not pursued by the Committees due to satisfactory replies received from the Government.² Members belonging to the Opposition get plenty of opportunities in the Committees to scrutinise in depth the budgetary proposals of the Government.

Use of parliamentary devices

The forum of Parliament provides the Opposition with a mechanism to keep the Government on vigil all the time. The Opposition initiates discussions on issues that agitate the public mind and tries to bring to book the Government on those issues. Opposition members make use of various parliamentary methods such as questions, adjournment motions, calling attention notices, etc. to compel the Government to admit mistakes, if any, and adopt appropriate remedial measures. In the three important debates, viz. on the Motion of Thanks to the President for his Address, on the general discussion on Budget, and on the Demands for Grants of individual Ministries, the Opposition can select the subject of debate. In the 2001 Budget Session of Parliament, on 12 March 2001, the Opposition in the Rajya Sabha where it has a majority, succeeded in adopting an amendment to the Motion of Thanks to the Address by the President regretting that the Address did not contain the Government's decision to sell out the Public Sector Bharat

2. Paper on "Parliamentary Committees with special reference to Departmentally Related Standing Committees in India", presented by G.C. Malhotra at the Meeting of the Association of Secretaries-General of Parliaments, Havana, Cuba, April 2001

Aluminium Company Limited (BALCO) to a private sector company, the Sterlite Industries.

Generally, on crucial issues, the Opposition insists on discussion through devices providing for voting, e.g., on Motions under rule 184, Adjournment Motions, etc., while the Government prefers to have Short Duration Discussions under rule 193 that end in talking out specific matters and do not provide for voting. Since voting provides a transparent way of knowing the stand of an individual member or party on an issue being discussed, the Opposition is able to force the Government and the constituents of the Government in case of a coalition Government, to make its stand clear on that particular issue. The BALCO issue was discussed in the Lok Sabha under rule 184 on 1 March 2001 and since the motion provided for voting, every member was able to understand the position of various parties on the crucial issue of disinvestment. The motion was negated by the House. Similarly, the Lok Sabha had a discussion under rule 184 in December 2000 on a motion moved by the Opposition calling upon the Prime Minister to drop three Ministers for their alleged involvement in the demolition of the Babri Masjid on 6 December 1992. This motion was also negated by the House.

On another plane, the Opposition has a leading part in the matter of raising a discussion through an adjournment motion. The discussion on an adjournment motion, though specifically related to a matter in hand, could cover a substantially wide field of administration, so as to facilitate effective executive accountability. For instance, on 22 November 2000, the Leader of the Opposition in the Lok Sabha, Smt. Sonia Gandhi moved an adjournment motion on the severe crisis faced by the farming community due to burden of the increased cost of production and the crash in the agricultural commodity prices. Even though the motion was defeated, the House had a thorough and searching debate on the problems faced by farmers. Similarly, on 2 August 2001, the Lok Sabha debated an adjournment motion moved by Shri Priya Ranjan Dasmunsi, the Chief Whip of the Congress Party, regarding mismanagement of Unit Scheme-64 funds by the Unit Trust of India (UTI) adversely affecting the small investors and failure of the Government to take timely action to prevent it. The motion was negated by a voice vote. However, the Opposition Parties succeeded in having all issues relating to the UTI referred to the already existing Joint Parliamentary Committee probing the alleged irregularities and manipulation of the stock market.

Access to Government Documents

Under the Rules of Procedure and Conduct of Business, if a Minister quotes in the House a despatch or other State paper which has not been presented to the House, he is required, on demand, to lay the relevant paper on the Table. The rule, however, does not apply to a document which is stated by the Minister to be of such a nature that its disclosure would be inconsistent with public interest. It is entirely for the Government to decide what constitutes public interest. The privilege of refusal to lay on the Table a document on the ground of public interest should be claimed specifically by the Minister himself who quotes the document.

Where a Minister gives in his own words a summary or gist of such despatch or State paper and does not actually quote from it, it is not necessary for him to lay the relevant paper on the Table. Similarly, if a document is referred to casually, it need not be so laid.

There were, however, instances when Government had to yield to the pressure of members and lay the documents on the Table of the House. For instance, during the Monsoon Session of Parliament in 1974, members made persistent demand for tabling the CBI Report in the Import Licences Scandal Case relating to the alleged recommendations made by some members for giving import licences to certain firms. While the Government was reluctant to show the report, ultimately it had to make the report available to the members for inspection.

During the Winter Session of Parliament in 1994, members from the Opposition raised the matter regarding import of sugar and demanded that the Report of the Gian Prakash Committee relating to import of sugar should be laid on the Table of the House. Replying on behalf of the Government, the then Minister for Parliamentary Affairs submitted that laying of the Report on the Table of the House would amount to a departure from a well-established tradition that barred access to administrative reports. Instead, the Government would like to make a statement on the basis of the Report. The Minister further stated that a copy of the Report would be given to the Hon'ble Speaker and members could see the same in his Chamber. The Leader of the Opposition and several other members made submissions on laying of the Report. Proceedings of the House remained disrupted on the issue. The Report was finally placed in the Parliament Library on 16 December 1994 to enable the members to peruse it. This arrangement was made following an understanding between the Opposition and the Government.

Responsible Opposition

A vigilant and functioning Opposition has a positive and constructive role to play. Both the Government and the Opposition are equally aware that their authority rest on the electoral support. The effect of Opposition criticism is, therefore, to co-relate the Government policy and public opinion. However, while criticising the policies of the Government, the Opposition is expected to pursue a rational approach and extend its cooperation in carrying out those policies which are dictated by national interests and particularly those which involve the principle of continuity of policies. Therefore, on issues like foreign policy, defence, liberalisation of economy, uplift of the weaker sections of our society, etc., there has always been a national consensus though there might have been some differences in approach.

Special Session of Parliament

A Special Session of Parliament was held from 26 August 1997 to 1 September 1997 to commemorate the Golden Jubilee of India's Independence and to take stock of achievements made by the country since becoming free, introspect on inadequacies and set an agenda for future. At the end of the Special Session, both the Houses of Parliament adopted unanimously a Resolution setting an 'Agenda for India'. It was pledged by members, amongst others, to preserve and protect the prestige of Parliament by conscious and dignified conformity to the entire regime of Rules of Procedure and Conduct of Business of the Houses and Directions of the Presiding Officer relating to orderly conduct of business.

Passing the Budget

The annual financial statement, popularly known as the Budget, is presented by the Government every year for the approval of Parliament. The Budget is presented in two parts, viz. the Railway Budget and the General Budget. Immediately after the presentation of the General Budget to the Lok Sabha, the Finance Bill is introduced to give effect to the financial proposals of the Government for the following financial year.

The financial business culminating in the passing of the Appropriation and the Finance Bills has to be completed in time so as to enable the Government to run the affairs of the State without any financial hindrance. Normally, passing of the Budget takes a long time of about 75 days and, therefore, the Constitution provides for Vote on Account, i.e. for grants in advance to be made by the Parliament to enable the

Government to carry on until the voting of the Demands for Grants and the passing of the general Appropriation Bill. Normally the Vote on Account is taken for two months only. But, during an election year or when it is anticipated that the main Demands and the Appropriation Bill will take longer than two months to be passed by the House, the Vote on Account may be for a period exceeding two months.

The Chandra Shekhar Government had presented an 'Interim General Budget', instead of a regular one, on 4 March 1991 for the year 1991. The Interim Railway Budget for 1991-92 was presented on 25 February 1991. The resignation of Prime Minister Shri Chandra Shekhar on 6 March 1991 led to grave apprehensions as to its repercussion on the financial business. However, in a rare gesture, members belonging to all sections of the House agreed to pass the Vote on Account 1991-92 for four months, both in respect of the Railway and the General Budgets, the connected Appropriation Bills and the Finance Bill, without discussion.

The fall of the Vajpayee Government due to the defeat of the Confidence Motion on 17 April 1999 had also a bearing on the pending financial business. The Railway and General Budgets for the year 1999-2000 were yet to be passed by the House. At a meeting of Leaders of Parties and Groups convened on 19 April 1999 by the Speaker of Lok Sabha, Shri G.M.C. Balayogi, a consensus was arrived to pass all the pending financial business without any discussion. Accordingly, on 22 April 1999, the Lok Sabha passed the Railway and General Budgets for the year 1999-2000, the relevant Appropriation Bills and the Finance Bill by a voice vote without discussion.

As per rules, after the Budget is presented, a General Discussion takes place. After the General Discussion, the Houses adjourn for an agreed period and the DRSCs consider the Demands for Grants of the concerned Ministries during this period and make reports thereon. The Demands for Grants are later considered by the House in the light of these reports. However, the General Discussion on the Railway and General Budgets 2001-2002 presented on 26 and 28 February 2001, respectively could not take place due to continued interruptions and adjournments in the Lok Sabha. Therefore, the House agreed to suspend the relevant Rule so as to enable the DRSCs to consider the Demands for Grants. Later, when the House met after the interregnum, orderly debate on the Demands for Grants in respect of Railways for the year 2001-2002 and the connected Appropriation Bills could not take place because of disorder in the House and these had to be passed on 20 April 2001 without any discussion. Subsequently, as per the consen-

sus that emerged at the meeting of the Speaker with the Prime Minister and the Leader of the Opposition on 23 April 2000, the Demands for Grants of the Ministry of Rural Development and the Department of Disinvestment were discussed before being voted by the House on 24 April 2001. The outstanding Demands for Grants of other Ministries and Departments were guillotined the same day. The Finance Bill, 2001 was also debated before being passed on 25 April 2001.

Though the Government can always carry its policy if it insists, the existence of an effective Opposition provides a most valuable outlet for minority opinion. As is said, the real function of an Opposition is to oppose, but not to obstruct; it must be constructive, not disruptive. In a democracy, the Government enjoying parliamentary majority can have its way and must have it, but the Opposition also must have its say.

Opposition in the Second Chamber

The concurrence of both the Houses of Parliament of India is necessary for the passage of Bills. If the Government enjoys majority in both the Houses, it generally becomes a smooth sailing for the Government. But the situation may be somewhat different when the Government does not enjoy a majority in the other House. An Opposition dominated Rajya Sabha, if it decides to play an obstructionist role, can create problems for the Government. It may reject a Bill or any other proposal already passed by the Lok Sabha or may successfully bring amendments to it.

There have been occasions, as at present, when the party in power enjoyed majority in one House only and lacked it in the other and still the legislative business of Parliament by and large goes through smoothly. The close interaction among leaders of different parliamentary parties and the proper understanding of the issues by them in the two Houses bring about the most needed cooperation of the Opposition in the larger interests of the nation. This has made the task of the Government easier in getting through important pieces of legislation in Parliament, which is in the best traditions of parliamentary democracy.

Leader of the Opposition

One of the significant achievements in the process of development of parliamentary norms and conventions in India is that the role of the Opposition has been formally recognised and given a statutory status in our political system. Before the 1977 elections to the Lok Sabha, except for a brief period of one year from December 1969 to December 1970, there had been no official Opposition in Parliament in the sense

the term is used in a parliamentary form of Government. That was the first time since Independence when the Lok Sabha had a recognised Opposition party and a Leader of the Opposition. Consequent on the split in the ruling Congress Party in November 1969, the association of members disassociating themselves with the ruling party was given recognition as Opposition Party. The Parliamentary Party was called Congress Party (Organisation) and its leader Shri Ram Subhag Singh was accepted as the Leader of the Opposition. There was no official Opposition in the next (Fifth) Lok Sabha. It was only in 1977 that the Opposition attained a critical numerical strength in the Lok Sabha. With a view to enabling the Leader of the Opposition to discharge effectively his functions in Parliament, the Salary and Allowances of Leaders of Opposition in Parliament Act, 1977 was added to the statute book in 1977 by the Janata Party Government. The Leaders of the Opposition in both the Houses of Parliament now enjoy the status of a Union Cabinet Minister.³

Besides, the Leader of the Opposition is entitled to a seat in the Lok Sabha Chamber in the front row on the left of the Chair next to the seat of the Deputy Speaker and also a seat in the front row in the Central Hall at the time of the Address by the President to both the Houses of Parliament. The Leader of the Opposition is provided a room in Parliament House with secretarial and other facilities. The Leader of the Opposition also enjoys certain privileges on ceremonial occasions like conducting the Speaker-elect to the rostrum, etc. The Leaders, Deputy Leaders and Chief Whips of recognised Parties and Groups in Parliament are also provided with certain facilities like telephone and secretarial assistance.⁴

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3. Leaders of the Opposition since 1977: **Sixth Lok Sabha**—Shri Y.B. Chavan (25.3.1977 to 12.4.1978 and again from 10.7.1979 to 28.7.1979), Shri C.M. Stephen (12.4.1978 to 10.7.1979), Shri Jagjivan Ram (28.7.1979 to 22.8.1979); **Ninth Lok Sabha**—Shri Rajiv Gandhi (18.12.1989 to 24.12.1990), Shri L.K. Advani (24.12.1990 to 13.3.1991); **Tenth Lok Sabha** — Shri L.K. Advani (21.6.1991 to 25.7.1993), Shri A.B. Vajpayee (26.7.1993 to 10.5.1996); **Eleventh Lok Sabha** — Shri P.V. Narasimha Rao (16.5.1996 to 31.5.1996), Shri A.B. Vajpayee (1.6.1996 to 4.12.1997); **Twelfth Lok Sabha**—Shri Sharad Pawar (19.3.1998 to 26.4.1999); and **Thirteenth Lok Sabha**—Smt. Sonia Gandhi. There was no Leader of the Opposition in the **Seventh and Eighth Lok Sabhas** as no Group in the Opposition was accorded the requisite recognition
 4. In the 545-member Lok Sabha, every party having a strength of not less than 55 members is recognised as a Party while a party having strength of not less than thirty members and not more than fifty-four members is recognised as a Group. In the 250-member Rajya Sabha, every party having a strength of not less than 25 members is recognised as a party while a party having a strength of not less than 15 members and not more than 24 members is recognised as a Group. "See The Leaders and Chief Whips of Recognised Parties and Groups in Parliament (Facilities) Amendment Act, 2000".

In India, the content and character of the Opposition has undergone drastic transformation in recent years which has cast on the Opposition a major responsibility in ensuring the smooth functioning of our legislative institutions in the larger interests of parliamentary democracy. The times when the Congress Party was in power with hardly any Opposition to it, were more or less over, starting with 1968. Though the early 1970s witnessed substantial parliamentary majority for the Congress Party, 1977 saw the emergence of a new ruling dispensation at the Centre with the Congress sitting in the Opposition. The early 1980s once again saw the Congress returning with massive majorities but by late 1989, the Indian political system began to move in a new direction. The late 1980s and the 1990s witnessed coalition of parties forming Governments with the major political parties choosing to sit in the Opposition. Thus, in 1989, the Congress Party, though elected numerically the largest single party in the Lok Sabha, did not stake its claim to form the Government and instead preferred to sit in the Opposition. Again, with the Congress Party assuming office under the leadership of Shri P.V. Narasimha Rao, there came in 1991 a minority Government at the Centre though, later, during the course of its tenure, it mustered enough majority of its own. With the merger of split-away groups belonging to the Shiv Sena, Telugu Desam and Janata Dal, the Congress Party managed to have a working majority by January 1996. Subsequently also, the minority Governments under the leadership of Shri H.D. Deve Gowda and Shri I.K. Gujral, though short-lived, managed to obtain the cooperation of Opposition parties in the passage of essential legislation to bring about changes in the social and economic and various other spheres.

Deepening Democracy – the Role of the Opposition

Considering the importance and role of the Opposition in the parliamentary system of governance, the Commonwealth Parliamentary Association (CPA), in collaboration with the Commonwealth Secretariat, organised a Workshop in London in 1998 on the rights and responsibilities of the Opposition. Constitutional and parliamentary experts from Legislatures and academics deliberated on various aspects of the topic⁵. The Workshop deliberated on the growing recognition of the importance of the role of the Opposition in the democratic governance of the Commonwealth countries.

The considered view of the experts who attended the Conference

5. From India, Shri P.A. Sangma, the former Speaker of Lok Sabha and Shri G.C. Malhotra, the Secretary-General of Lok Sabha participated in the Workshop

was that the Opposition had a constructive role to play in a parliamentary form of Government. It was also emphasised that for the Opposition to be effective, there needed to be acceptance on the part of both the Government and the wider society, of the essentials of parliamentary democracy. It also highlighted the impact of media coverage on the behaviour of the Opposition and stressed that access to resources was crucial if the Opposition was to perform its functions effectively.

The participants felt that mechanisms to promote accountability and commitment by Government as well as Opposition to the overall effectiveness of the parliamentary system could be effective only if there was a general culture of accountability. Where there is a formal Opposition, it should present itself as an alternative Government. It has, therefore, a particular responsibility to give attention to the development of policy and the presentation both of its leadership and its proposed measures. The constraints on the Opposition's access to the media, to funds and to sources of information were again referred to as constraints that would make the Opposition less effective in presenting itself as an alternative Government.

As far as the legislative function and Opposition are concerned, the participants felt that though members were increasingly concerned with constituency business, the work of making, amending and repealing laws was central to their task and that while the initiative of legislation was usually of the governing party, the Opposition could also have an important role.

Conclusion

A pre-requisite for the success of a parliamentary polity of the Westminster model is a system of two major parties built on some ideological basis. According to a study released by the Inter-Parliamentary Union (IPU) in June 1998, in as many as 29 countries, including Australia, Brazil, Egypt, Ireland, Italy, Luxembourg, Malta, Philippines, Republic of Korea, Senegal, South Africa and Thailand, it is a constraint of the system that every section of the House should have to take one side or the other whereby every party or group is either with the Government or in opposition to it. It is inconceivable in these countries that any party or group supports the Government and still claims to be in Opposition. In this matter, the position in India is somewhat different. Especially in recent times, with the advent of coalition Governments, there are parties which are not part of the coalition, but extend support to the Government from outside on the basis of specific issues. In fact, at times, the Government has to anticipate the reaction of supporting

parties on particular issues so that there is no divergence of views openly. The increasing resort to coalition Governments at the Centre and in many States has also facilitated the strengthening of the concept of parliamentary Opposition, particularly in view of the fact that very often the dividing line between a parliamentary majority and a parliamentary minority is indeed very thin.

In sum, a parliamentary Opposition is expected to act as the responsible outlet for criticism, the organised expression of legitimate grievances, and to act as a trained, responsible team prepared to take over the reigns of Government as and when the situation so warrants. Parliamentary experience proves that the Opposition can perform its role best when it is alert and vigilant and well-informed about the activities of the ruling party and keeps in touch with the electorate and with the party organisation outside the Legislature at all levels in order to be able to feel the pulse of the electorate. It is thus that the Opposition has come to play a very crucial role in our political system.

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

*Conference of Chairmen of Committees on Public Accounts of Parliament and State Legislatures**: The Conference of the Chairmen of Committees on Public Accounts of Parliament and State Legislatures was held from 17 to 18 January 2001 in the Main Committee Room, Parliament House Annexe, New Delhi. The Conference was inaugurated by the Speaker, Lok Sabha, Shri G.M.C. Balayogi. The Chairman, PAC, Shri Narayan Dutt Tiwari presided over the Conference. Among the other dignitaries who attended the function were the Chairmen of PACs of almost all the States/Union territories, the Comptroller and Auditor General of India, Shri V.K. Shunglu; the Secretary-General, Lok Sabha, Shri G.C. Malhotra; and the Secretary-General, Rajya Sabha, Shri R.C. Tripathi.

Video-Conference on 'Parliament and the Media': A Video-Conference on 'Parliament and the Media' was organised by the Commonwealth Parliamentary Association (CPA) and the World Bank Institute, on 1 March 2001. The Video-Conference was in continuation of the Conference on "Parliament and the Media: Building an Effective Relationship", held in New Delhi from 15 to 18 February 2000. Delegates from India, Bangladesh, Tanzania and Zambia participated in the Conference.

The following members and journalists from India participated in the Video-Conference: Sarvashri P.A. Sangma, MP and Kuldip Nayar, MP; Smt. Arathi Jerath, Chairperson, Press Advisory Committee of the Lok Sabha; and Shri Vijay Naik, Secretary, Press Advisory Committee of the Lok Sabha.

Mr. Rick Stapenhurst of the World Bank Institute made the introductory remarks and acted as the Moderator. Thereafter, the Secretary-General,

* For details see Feature, "Addresses at the Inauguration of the Conference of Committees on Public Accounts of Parliament and State Legislatures" and Short Note "The Ninth Conference of the Chairmen of Committees on Public Accounts of Parliament and State Legislatures", *The Journal of Parliamentary Information*, Vol. XLVII, No. 1, March 2001, pp. 29 and pp. 46, respectively.

CPA, Mr. Arthur R. Donahoe, talked of the genesis of the Video-Conference and invited the delegates to give their comments and suggestions on the recommendations made by the previous main Conference held in New Delhi in February 2000.

Meetings of the Standing Committee of the Commonwealth Speakers and Presiding Officers: The Speaker, Lok Sabha, Shri G.M.C. Balayogi attended the Meetings of the Standing Committee of the Commonwealth Speakers and Presiding Officers held in Dar-es-Salaam, Tanzania from 3 to 7 January 2001. Shri Balayogi represents the Asia Region on the Standing Committee. The Secretary-General, Lok Sabha, Shri G.C. Malhotra and the Secretary to Speaker, Lok Sabha, Shri Busi Sambob accompanied the Speaker.

The composition of the Standing Committee and the agenda for the next Conference of the Commonwealth Speakers and Presiding Officers to be held in Botswana in January 2002 were, *inter alia*, discussed at the meeting.

50th Parliamentary Seminar: The 50th Parliamentary Seminar on 'Practice and Procedure' was organised by the UK Branch of the Commonwealth Parliamentary Association at Westminster, London, from 6 to 17 March 2001. The following delegates from the States CPA Branches in India attended the Seminar: the Speaker, Andhra Pradesh Legislative Assembly, Smt. K. Pratibha Bharati; the Deputy Speaker, Meghalaya Legislative Assembly, Shri M.M. Danggo; and the Deputy Speaker, Tripura Legislative Assembly, Shri Subal Rudra.

Parliamentary Friendship Group: On 11 January 2001, the India-China Parliamentary Friendship Group under the Chairmanship of Shri Madan Lal Khurana, MP, was constituted and formally announced by the Speaker, Lok Sabha, Shri G.M.C. Balayogi during the visit of the Chinese Parliamentary Delegation to India.

BIRTH ANNIVERSARIES OF NATIONAL LEADERS

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

The birth anniversaries of the following leaders were celebrated during the period 1 January to 31 March 2001.

Netaji Subhas Chandra Bose: On the occasion of the birth anniversary of Netaji Subhas Chandra Bose, a function was held on 23 January 2001 wherein members of Parliament and former members of Parliament and others paid floral tributes to Netaji.

Lala Lajpat Rai: On the occasion of the birth anniversary of Lala Lajpat Rai, a function was held on 28 January 2001. The Union Minister of Home Affairs, Shri L.K. Advani; the Leader of the Opposition in the Rajya Sabha, Dr. Manmohan Singh, the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed; the Minister of State in the Ministry of Petroleum and Natural Gas, Shri E. Ponnuswamy; members of Parliament; and former members of Parliament and others paid floral tributes to Lala Lajpat Rai.

Sarojini Naidu: On the occasion of the birth anniversary of Smt. Sarojini Naidu, a function was held on 13 February 2001. The Leader of the Opposition in the Rajya Sabha, Dr. Manmohan Singh; members of Parliament; and former members of Parliament and others paid floral tributes to Smt. Sarojini Naidu.

Morarji Desai: On the occasion of the birth anniversary of Shri Morarji Desai, a function was held on 28 February 2001. The Speaker, Lok Sabha, Shri G.M.C. Balayogi; the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed; members of Parliament; and former members of Parliament and others paid floral tributes to Shri Morarji Desai.

Dr. Rammanohar Lohia: On the occasion of the birth anniversary of Dr. Rammanohar Lohia, a function was held on 23 March 2001. The Speaker, Lok Sabha, Shri G.M.C. Balayogi; the Minister of Labour, Dr. Satyanarayan Jatiya; the Minister of State in the Ministry of Agriculture, Shri Hukumdeo Narayana Yadav; the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed; members of Parliament; and former members of Parliament and others paid floral tributes to Dr. Lohia.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 January to 31 March 2001, the Bureau of Parliamentary Studies and Training (BPST) organised the following Courses/Programmes:

Computer Training Programme: A Computer Training Programme was organised for officers of the rank of Deputy Secretary and above of the Lok Sabha Secretariat from 29 January to 2 February 2001.

Appreciation Courses: Appreciation Courses in Parliamentary Processes and Procedures were organised for the following: (i) Probationers of Indian Audit and Accounts Service; and Indian Ordnance Factory Service (15 to 19 January 2001); (ii) Probationers of Indian Railways Traffic Service and Indian Railways Personnel Service (5 to 9 February 2001); (iii) Probationers of Indian Administrative Service (26 February to 2 March 2001); and (iv) Probationers of Indian Revenue Service and Indian Customs and Central Excise Services (19 to 23 March 2001).

Attachment Programmes: An Attachment Programme on computerisation of legislation work was organised for the officers of the Himachal Pradesh Vidhan Sabha and the Lok Sabha Secretariat from 4 to 5 January 2001. Another Attachment Programme for Reporters of the Himachal Pradesh Vidhan Sabha was organised from 5 to 7 February 2001.

Training Programmes: The following Training Courses were organised:

- (i) Two Training Programmes on Noting and Drafting and Office Procedure for officers and staff of the Lok Sabha Secretariat from 5 to 9 February 2001 and 12 to 15 February 2001.
- (ii) Training Programme in stenography for Senior Personal Assistants of the Lok Sabha Secretariat from 14 to 30 March 2001.
- (iii) An officer of the Lok Sabha Secretariat was deputed to conduct a Training Programme for officers working in the Demand-related *Ad hoc* Committees of the Goa Legislative Assembly from 14 to 16 March 2001 in Goa.

Study Visits: Twelve visits were organised for participants from various training/educational institutions.

PRIVILEGE ISSUES

LOK SABHA

*Alleged search in the room of Shri Sis Ram Ola, MP, ordered by the District Collector, Jhunjhunu, Rajasthan in Hotel 'Shekhawati', Jhunjhunu on 21 November 1998, with a view to maligning his reputation: On 8 December 1998, Shri Sis Ram Ola, a member, gave a notice of question of privilege against the District Collector, Jhunjhunu, Rajasthan for having allegedly ordered a search of his room in the Hotel *Shekhawati Heritage*, Jhunjhunu, with a view to maligning his reputation*

Shri Sis Ram Ola stated in his notice that on 21 November 1998, he had visited Jhunjhunu in connection with the election campaign of his party candidates, including his son Shri Brijendra Singh Ola, who was contesting the election from the Jhunjhunu Assembly constituency. During his visit, he stayed in Room No. 10 of Hotel *Shekhawati*.

Shri Ola further stated that while he was away on election campaign that day, a police team consisting of the Deputy Superintendent of Police and the Sub-Divisional Magistrate, Jhunjhunu, along with other revenue officers, conducted a search of his room. On his return, when the member enquired as to what was going on, the Deputy Superintendent of Police informed that on an intimation received by the police that certain objectionable and incriminatory items were kept in the room, a police search was conducted. He, thereupon, disclosed his identity and demanded an explanation from the police authorities as to why the search was conducted in his absence and without any prior intimation to him. The member also demanded production of a search warrant. The member was, thereupon, informed curtly that the search was conducted on oral orders of the Collector, Jhunjhunu. When the member was further informed that the police team found Rs. 4 lakh in the room, he demanded a receipt for the same. The police officers, thereupon, denied having found anything and expressed their regrets in a perfunctory manner.

Shri Sis Ram Ola mainly made the following two allegations in his notice of question of privilege:

- (i) The search in his room at Hotel *Shekhawati* was conducted by the said police team in his absence;
- (ii) The above search was conducted by the police with a view to maligning his reputation at a time when the campaign for the Assembly election was on.

Shri Ola while contending that this had amounted to a breach of his privilege/rights, sought requisite punitive action against Dr. Manjeet Singh, the then District Collector, Jhunjhunu.

On 14 December 1998, a copy of the notice given by Shri Sis Ram Ola was forwarded to the Ministry of Personnel, Public Grievances and Pensions for furnishing a factual note in the matter for consideration of the Honourable Speaker, Lok Sabha.

A factual note in the matter from the Government of Rajasthan, forwarded by the Ministry of Personnel, Public Grievances & Pensions (Department of Personnel and Training), was received on 10 February 1999. In their factual note, the Government of Rajasthan had *inter alia* stated that on 21 November 1998, a person informed the District Collector, Jhunjhunu, on phone that some persons had come from Delhi with 40 to 50 lakh rupees with them and were staying at Hotel *Shekhawati* and they proposed to spend this money in the elections in an illegal manner. To ensure that illegal money was not used in the elections, the District Collector asked the Returning Officer, Jhunjhunu, to enquire into the matter. The Returning Officer (who also happened to be the SDM, Jhunjhunu), along with the Deputy Superintendent of Police, Jhunjhunu and *Tehsildar*, Jhunjhunu, reached the Hotel and searched some of the rooms of the Hotel in the presence of the owner of the Hotel. During the search, Shri T.C. Bohra, the Returning Officer came to know that Shri Sis Ram Ola, MP, was also staying there, which they did not know earlier. After that, they did not make any search there. It had been further stated that the sole purpose of the search was only to ensure free and fair election and it was not with any malice towards the member. It had also been stated that the matter was separately being looked into by the Zonal Commissioner, Jaipur, in view of the written complaint made by the member.

After considering the factual note received from the Government of Rajasthan, the notice of question of privilege was disallowed by the Speaker (Twelfth Lok Sabha), Shri G.M.C. Balayogi. The member was informed about disallowance of his notice of question of privilege and given a copy of the factual note. Thereafter, the member gave another notice of question of privilege on 24 February 1999, which was identical

to the earlier notice. This notice too was disallowed by the Speaker in view of the above position.

During the Thirteenth Lok Sabha, Shri Sis Ram Ola gave another notice of question of privilege on 9 December 1999 in the matter wherein, while reiterating his earlier submissions, the member sought to revive the matter on the following grounds:

- (i) The factual report of the Rajasthan Government did not reflect the true picture;
- (ii) the State Government of Rajasthan was attempting to protect the erring officials. The lock of the member's room was broken and the room was searched; and
- (iii) he had always been held in high esteem in public life, but the non punishment of the erring officials had made him an object of ridicule.

Shri Ola, while stating that this matter needed to be probed into, requested that the matter may be referred to the Committee of Privileges.

Subsequently, on 16 December 1999, the member furnished a copy of the affidavit by Shri Vishambar Lal Sharma, the Manager of Hotel *Shekhawati*.

The main points made by Shri Sharma in his affidavit were as follows:

- (i) At the time of elections to the Rajasthan State Assembly in November 1998, Shri Sis Ram Ola, MP, stayed at Hotel *Shekhawati* in Room No. 10;
- (ii) On 21 November 1998, at about 11.15 hrs., Shri T.C. Bohra, the Sub-Divisional Magistrate, along with a contingent of police force came to the Hotel and checked the Hotel Register. Thereupon, they demanded the keys of Room No. 10 being occupied by the member. When the manager declined to hand over the same, since the member was not present at that time, they threatened him with dire consequences;
- (iii) Thereafter, the Sub-Divisional Magistrate stated that he had the orders of Dr. Manjit Singh, Collector, Jhunjhunu to search the room of the member. The lock of the member's room was then broken open and the room was searched. During the search, the Hotel Manager and other staff members were not allowed inside; and
- (iv) Apart from the member's room, the police team searched only

one other room, viz. Room No. 14, occupied by an acquaintance of the member.

It was then decided to take up the matter for reconsideration in view of the fact that the member had adduced further documentary evidence controverting the position taken by the State Government of Rajasthan in their factual report furnished earlier.

On 20 December 1999, the copies of Shri Sis Ram Ola's further notice of question of privilege dated 9 December 1999 and then affidavit by the Manager, Hotel *Shekhawati*, were forwarded to the Ministry of Personnel, Public Grievances and Pensions. It was requested that a factual report on the allegations made by the member in his further notice of question of privilege; the present status of inquiry being conducted by the Divisional Commissioner, Jhunjhunu, in the matter; and the progress made in the investigation case FIR No. 339/99 lodged at the Police Station, Jhunjhunu, on a complaint by the member might be obtained from the Government of Rajasthan and furnished to the Lok Sabha Secretariat.

The factual report in the matter from the State Government of Rajasthan, along with report of the Divisional Commissioner, Jaipur, forwarded by the Ministry of Personnel, Public Grievances and Pensions (Department Personnel & Training) vide their OM, was received on 21 March 2000.

The State Government of Rajasthan, in their factual report, stated *inter alia* as follows:

- (i) The Sub-Divisional Magistrate and the Deputy Superintendent of Police had gone to Hotel *Shekhawati* to enquire, when information was received that some people from Delhi had reached there with 40 to 50 lakh rupees with a view to influencing the election in Jhunjhunu. The allegation of the member that the happening of this incident had been denied by the State Government lacks factual basis;
- (ii) The above search was conducted on the night of 21 November 1998 by Shri T.C. Bohra, the then Returning Officer who was also SDM, Jhunjhunu, with the intention of tracing out black money which was apprehended to be used in the then Vidhan Sabha election;
- (iii) There was no *mala fide* intention on the part of the then Collector to instruct the SDM verbally to conduct this raid. Rather, the said action was *bona fide* in facilitating fair and free election in Jhunjhunu district, the search operation was organised to ensure

compliance of the model code of conduct as required under the Representation of People Act, 1951; and

- (iv) Shri Sis Ram Ola, MP, had also made a complaint to the Election Commission of India in this regard, the outcome of which might be ascertained from the Election Commission.

The Divisional Commissioner of Jaipur had mainly reiterated the same position in his report submitted to the Chief Secretary, Government of Rajasthan.

The Election Commission of India were subsequently requested to intimate to the Lok Sabha Secretariat about the outcome of the inquiry conducted by them on the complaint made by the member in the above matter or the present status of the inquiry, if it had not been completed till then.

The Election Commission of India *vide* their communication dated 25 April 2000, stated that the Commission had not conducted any separate enquiry into the matter in view of the fact that the question of jurisdiction of the Commission in such matters was pending decision of the Supreme Court of India.

After taking into account the points emerging from the factual reports, the Speaker disallowed the notice of question of privilege dated 9 December 1999 given by the member. The copies of the factual note furnished by the State Government of Rajasthan, the report of the Divisional Commissioner, Jaipur and the communication from the Election Commission of India were given to the member.

Shri Sis Ram Ola, however, expressed dissatisfaction over the facts furnished by the State Government of Rajasthan and the concerned Divisional Commissioner. He reasserted his position that the raid at his hotel room in his absence, was an assault on his dignity and prestige.

On reconsideration of the matter, the Speaker, Lok Sabha, Shri G.M.C. Balayogi, in exercise of his powers under Rule 227 of the Rules of Procedure and Conduct of Business in the Lok Sabha, referred the matter to the Committee of Privilege for examination, investigation and report, on 9 May 2000.

The Committee of Privilege after examining in person Shri Sis Ram Ola, MP, Shri Tikam Chand Bohra, the then Sub-Divisional Magistrate, Jhunjhunu, Shri Rajinder Kumar, the then Deputy Superintendent of Police, Jhunjhunu, Shri Paras Chand Jain, the then *Tehsildar*, Jhunjhunu, Shri Vishwamber Lal Sharma, Manager, Hotel *Shekhawati Heritage*, Jhunjhunu; Shri Dharm Singh Sagar, Divisional Commissioner, Jaipur, Shri Inderjit

Khanna, Chief Secretary, Government of Rajasthan and Dr. Manjit Singh, the then District Collector, Jhunjhunu, and other relevant documents on record presented their Second Report to the Speaker, Lok Sabha, on 16 March 2001. The Report was laid on the Table on 21 March 2001. The Committee, in its Report, felt that the two basic questions involved in this case were:

- (a) Whether a search was conducted in Shri Sis Ram Ola's room in Hotel *Shekhawati Heritage*, Jhunjhunu in his absence on 21 November 1998; and
- (b) If a search was conducted, whether it was a *bona fide* action for ensuring free and fair elections?"

The findings of the Committee on the above two questions have been detailed as under:-

(a) *Whether a search was conducted in Shri Sis Ram Ola's room in Hotel Shekhawati, Jhunjhunu, in his absence on 21 November 1998:*

The Committee critically examined the testimony of witnesses on this point. The Committee noted that Shri Ola and Shri Vishwamber Lal Sharma, Manager, Hotel *Shekhawati Heritage*, Jhunjhunu, had categorically stated that the lock of Room No. 10 in Hotel *Shekhawati*, was broken in Shri Ola's absence and a search was conducted by a team of district officers led by the Sub-Divisional Magistrate, Jhunjhunu. Barring a minor contradiction between Shri Sharma's evidence, tendered before the Committee, and the earlier affidavit sworn by him in 1999 as to the exact amount of cash recovered from the room of Shri Misrimal Jain, there were no inconsistencies between Shri Ola's and Shri Sharma's evidence;

In stark contrast to the unshakable testimony of Shri Ola and Shri Sharma, was the evidence on this point given by the officers of the Rajasthan Government, which was replete with inconsistencies, contradictions and evasive replies;

Shri Dharm Singh Sagar, the Divisional Commissioner, Jaipur, in his inquiry report dated 24 February 2000, had categorically stated that a search of rooms in Hotel *Shekhawati* was conducted. He also reiterated that fact when he appeared before the Committee;

Shri Tikam Chand Bohra, the then Sub-Divisional Magistrate, Jhunjhunu, on the other hand, stated that they neither opened the room of Shri Ola nor entered it. He also stated that "we only conducted inquiry and did not conduct any search operation."

Shri Rajinder Kumar, the then Deputy Superintendent of Police, Jhunjhunu, also denied having conduct any search of the rooms in Hotel *Shekhawatl*.

Shri Paras Chand Jain, the then *Tehsildar*, Jhunjhunu, however, state that "we all were standing outside the rooms and the search was conducted by the employees of the hotel;"

Dr. Manjit Singh, the then District Collector, Jhunjhunu, stated that he had asked the Returning Officer, Shri Bohra, to conduct an inquiry into the matter. He also stated, 'My officers did all this in over-enthusiasm....';

The Committee were at a loss to understand what really was meant by the then Collector when he ordered the Sub-Divisional Magistrate to "conduct an inquiry into the matter". Presuming for argument's sake, that big money was brought by somebody to influence the outcome of an election, how would a prudent officer proceed to enquire into such a vague allegation? The Committee felt that no officer could possibly think of ascertaining a fact of this kind without searching the room;

The Committee were of the view that the statements of the Sub-Divisional Magistrate and the Deputy Superintendent of Police that they neither entered the room of Shri Ola nor made any search there, projected them in a very poor light. If they were to be believed, they carried out the order of inquiring into the allegation of possession of money for the purpose of illegal distribution in the election by simply going to the hotel and asking a few questions. Their contention that the fact that they had not obtained search warrants, indicated that they had no intention to conduct search, has nothing but an afterthought;

Their testimony was also belied by the statement of the *Tehsildar* and the Collector. According to the *Tehsildar*, a search was conducted which was obviously what had been referred to by the Collector as "over-enthusiasm" on the part of his officers;

The Committee were of the view that secure in the knowledge that when the model code of conduct was in force, they were empowered to take any action, the Sub-Divisional Magistrate and the Deputy Superintendent of Police went to the room of Shri Ola on the basis of an anonymous telephone call received by the Collector. Since Shri Ola was not in the room at that time, they broke open his room and conducted search there. This sequence of event has, as a matter of fact, been corroborated by various newspaper reports about the incident furnished to the Committee by Shri Ola and also by a news report furnished by Dr. Manjit Singh at the Committee's instance, which carried

his statement that the action of the Sub-Divisional Magistrate of raiding and searching the room of Shri Ola was improper and for which he demanded a high level inquiry. However, since nothing was recovered from Shri Ola's room, the Sub-Divisional Magistrate and the Deputy Superintendent of Police, as an afterthought, took the untenable plea of making inquiries without entering any room and without making searches.

The Committee, thus, observed that both the news reports relied upon by Dr. Manjit Singh in his defence, far from supporting his case, had further weakened it. One of the news-reports quoted him as himself saying that he had ordered a raid in Hotel *Shekhawati* which was contradictory to his statement before the Committee that he did not order the raid and that he had merely asked the SDM to "look into the matter." The other news-report itself contradicts his clarifications by carrying the version of the Sub-Divisional Magistrate that he was ordered by the Collector to conduct a raid.

The Committee opined that they were not at all convinced by the self-explanatory statements and believed that Shri Ola's room was searched in his absence by a team of officers led by the Sub-Divisional Magistrate, Jhunjhunu.

(b) If a search was conducted, whether it was a bona fide action for ensuring free and fair elections?:

The Collector, Jhunjhunu, in his communication dated 29 December 1998, addressed to the Special Secretary, Home Department, Government of Rajasthan stated that Shri Ola had held out threats of getting him killed. Shri Ola on the other hand, stated before the Committee that the Collector, Jhunjhunu was bent upon tarnishing his image, harassing him and spoiling the election prospects of his son. As an illustration of this animosity, Shri Ola made a reference to two incidents. The first incident took place on 17 January 1998, in which Shri Ola was made to vacate the Circuit House at night on the plea that, under the model code of conduct which had come into operation, no candidate could stay in Circuit House/Government guest houses for more than three days. The second incident related to the cancellation of the visit of Shri H.D. Deve Gowda, the then Prime Minister to Jhunjhunu planned by Shri Ola in connection with his election campaign after the Collector threatened him that if the then Prime Minister visited Jhunjhunu, he would add an amount of Rs. 10 lakh to Shri Ola's election expenditure.

The Committee felt that the question whether the search was conducted in Shri Ola's room was *bona fide* or *mala fide* could

be settled only against the backdrop of the strained relations between Shri Ola and the then Collector, Jhunjhunu.

The question to be answered under the circumstances was whether the conduct of the Collector, Jhunjhunu, after he received the anonymous call (if there really was any call), could be justified as normal reaction or a reaction actuated by prejudice.

The Committee pointed out that there were many factors which emerged from the testimony of witnesses that had led the Committee to feel that the conduct of the Collector could not be said to be above board.

First, the Committee were not prepared to believe that the District administration was not aware about the place of stay of Shri Sis Ram Ola, who was also a former Union Minister. Given the fact that all the witnesses agreed that Jhunjhunu was a small place, the Committee felt it implausible that officers were unaware that Shri Ola was staying in Hotel *Shekhawati*, Jhunjhunu.

Secondly, knowing that Shri Ola was staying in Hotel *Shekhawati*, the Collector, on receiving an anonymous tip off to the effect that money had been brought for distribution, to Hotel *Shekhawati*, could have and should have immediately realized that the allegations, as well, relate to Shri Ola. Under the circumstances, it was his bounden duty, keeping in view the status of Shri Ola, to have given specific instructions, rather than vague orders like "kindly look into it" or "inquire into it".

Thirdly, the Committee opined that they were not convinced that on receiving a tip off of such nature any responsible officer would issue instruction that would not include authorisation to search the premises. If the team of officers led by the Sub-Divisional Magistrate had not gone to Hotel *Shekhawati* armed with search warrants, they were simply wasting their time and Government's money. The Committee were convinced that the stand taken by the Sub-Divisional Magistrate and the Deputy Superintendent of Police that they did not conduct any search was not credible.

Fourthly, the Committee were of the view that the Collector's communication addressed to the Special Secretary, Home Department, Government of Rajasthan a week after the incident alleging that Shri Ola had threatened to get him killed in the past, seemed to be nothing more than "childish behaviour", to put it in the words of Shri Dharm Singh Sagar, the Divisional Commissioner, Jaipur, who conducted an inquiry and made a report on the entire incident.

Lastly, the Committee noted a material contradiction in the report sent by Dr. Manjit Singh on 22 November 1998 and the one sent on 28 November 1998. In the first report, it was stated that the Collector had sent the Sub-Divisional Magistrate since the Additional Collector and the Superintendent of Police were not available, whereas, in the second report, it was stated that the Sub-Divisional Magistrate was asked to investigate as he was the Returning Officer. This only proved that Dr. Manjit Singh was taking conflicting positions to cover up his ill-considered act.

In the light of the above findings, the Committee were convinced that the Collector's action in the matter was not *bona fide* and also "immature and hasty", to put it again in the words of the Divisional Commissioner.

The Committee also took note of the communication dated 18 January 2001, sent by Shri Inderjit Khanna, Chief Secretary, Government of Rajasthan, wherein it had been intimated that case no. 339/98 under section 453 of Indian Penal Code lodged by Shri Sis Ram Ola against Shri T.C. Bohra, the then SDM, the Investigating Officer had found that a case under section 448 IPC (house trespass) was made out against Shri Bohra and the then Circle Officer, Police, Jhunjhunu. This demonstrated conclusively that the powers that be acted in a high handed manner. The Committee, nevertheless, found it intriguing that the police authorities took more than two years in completing the investigation on an FIR lodged by Shri Sis Ram Ola on 26 December 1998.

The Committee also lamented the fact that the action of Dr. Manjit Singh, the then Collector, Jhunjhunu led to besmirching the reputation of Shri Sis Ram Ola.

The Committee wished to emphasise that for a public figure like Shri Sis Ram Ola, who has been a legislator or parliamentarian since 1957 and a Minister in the Union Government and the State Government of Rajasthan, nothing could be worse than this wanton damage to his reputation.

The Committee, however, wished to record that Dr. Manjit Singh, when he appeared before the Committee, was contrite over his action and while owning full responsibility for this, repeatedly tendered his unconditional apologies. He also reiterated that he held the member in high esteem.

The Committee felt that this episode should act as an eye opener and should also prompt the Union Government to issue appropriate instructions to the executive functionaries to obviate recurrence of such incidents.

The Committee recommended that in view of the unconditional and repeated apologies tendered by Dr. Manjit Singh, the then District Collector, Jhunjhunu, no further action needed to be taken in the matter and it might be dropped. The Committee, nevertheless, recommended that in view of their above mentioned findings the Union Government issue suitable guidelines in this regard and ensure strict compliance therewith.

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

PROCEDURAL MATTERS

Instances when revised notice of the Motion of Thanks received through the Ministry of Parliamentary Affairs was published in Bulletin Part-II superseding the earlier one published in Bulletin Part-II: The Motion of Thanks to the President for his Address, published in Bulletin Part-II dated 23 February 1999, was to be moved by Prof. Rita Verma and seconded by Prof. Ajit Kumar Panja. On 27 February 1999, the revised notice of the Motion of Thanks on the Address by the President, to be moved by Smt. Sushma Swaraj and seconded by Prof. Ajit Kumar Panja, was received from the Ministry of Parliamentary Affairs. The revised notice was admitted and published in Bulletin Part-II on 5 March 1999 and included in the Revised List of Business on 9 March 1999. On 11 March 1999, the motion was moved by Smt. Sushma Swaraj and seconded by Prof. Ajit Kumar Panja.

The Motion of Thanks on the Address by the President, published in Bulletin Part-II on 26 February 2001, was to be moved by Prof. Vijay Kumar Malhotra and seconded by Shri K. Yerrannaidu. On 28 February 2001, the revised notice of the Motion of Thanks on the Address by the President, to be moved by Prof. Vijay Kumar Malhotra and seconded by Dr. S. Venugopal, was received from the Ministry of Parliamentary Affairs. The revised notice was admitted and published in Bulletin Part-II on 28 February 2001 and included in the Revised List of Business for 7 March 2001. On 7 March 2001, the motion was moved by Prof. Vijay Kumar Malhotra and seconded by Dr. S. Venugopal.

Instance when General Budget was presented at 11 am: On 17 January 2001, the Minister of Parliamentary Affairs requested the Speaker, Shri G.M.C. Balayogi that the Budget (General) for 2001-2002 might be presented at 11.00 hrs. on 28 February 2001. He also requested that the Question Hour might not be fixed on that day which might also be indicated in the Question Chart and the Provisional Calendar of Sittings. The Speaker acceded to the proposal of the Government. Accordingly, the Budget (General) for 2001-2002 was presented at 11.00 hrs. on 28 February 2001. The Question Hour was not fixed on that day and the fact was also indicated in the Question Chart and the Provisional Calendar of Sittings. No other business, including the laying of parliamentary papers, was included in the Order Paper of that date.

Instance when Rule 331G (a) was suspended to enable Standing Committees to consider the Demands for Grants without general discussion on Railway and General Budgets: Due to interruptions in the House since 13 March 2001 on the issue regarding the disclosure by *Tehelka.com* on the defence deals allegedly involving some top bureaucrats and politicians, the general discussion on the Railway and General Budgets for the year 2001-2002 could not be taken up in the House. On 20 March 2001, when the House reassembled at 12.00 hrs., after the papers, etc. were laid on the Table, the Speaker, Shri G.M.C. Balayogi, observed:

“Honourable Members, as per constitutional requirement, the Demands for Grants on Account in respect of the Railway and the General Budget and the connected Appropriation Bills have to be passed by both the Houses and assented to by the President by 31 March 2001.

As you are aware, rules require that the Standing Committees shall consider the Demands for Grants after the general discussion on the Budget in the House is over.

Since, under the prevailing circumstances, it does not appear possible to have a general discussion on the Railway and the General Budget for the year 2001-2002, Rule 331G(a) of the Rules of Procedure and Conduct of Business in the Lok Sabha has to be suspended. I hope the House agrees.

I would also appeal to the whole House to cooperate and facilitate the smooth passage of the essential financial business.”

Accordingly, amidst interruptions, the Demands for Grants on Account and the Supplementary Demands for Grants in respect of both Railway and General Budgets for the year 2001-2002 and 2000-2001, respectively, and the connected Appropriation Bills were passed by the House.

Instance when a member other than from the Panel of Chairmen presided over a sitting of the House: On 2 March 2001, during the discussion on the Electricity Regulatory Commission (Amendment) Bill, 1999, at 15.14 hrs., the Chairman, Shri P.H. Pandian, who was in the Chair, suggested that as no member of the Panel of Chairmen was available, Shri G.M. Banatwalla, member, might preside for some time. The House agreed. Accordingly, Shri G.M. Banatwalla presided from

15.14 hrs. till a member of the Panel of Chairmen, Dr. Laxminaryan Pandeya, relieved him at 15.48 hrs.

Instance when in the case of the death of sitting members, only the Speaker made references: On 19 February 2001, the Speaker, Shri G.M.C. Balayogi made references on the death of Shri Jitendra Prasada and Smt. Nisha Chaudhary sitting members, and no other member participated.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 JANUARY TO 31 MARCH 2001)

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

—Editor

INDIA

DEVELOPMENTS AT THE UNION

Split in Samata Party: On 3 January 2001, the Samata Party split with six of the twelve MPs taking a stand against their leader Shri Nitish Kumar on the issue of the merger of the Samata Party with Janata Dal (United) led by Shri Sharad Yadav.

Withdrawal of support to the NDA: On 5 February 2001, the five-member Pattali Makkal Katchi (PMK) withdrew its support to the ruling National Democratic Alliance (NDA) for a tie-up with the AIADMK in Tamil Nadu.

Death of members: On 16 January 2001, Shri Jitendra Prasada, a member of the Lok Sabha belonging to the Indian National Congress, passed away.

On 20 February 2001, Shri Indrajit Gupta, a Lok Sabha member belonging to the Communist Party of India (CPI), passed away.

Death of former member: On 25 January 2001, Smt. Vijayaraje Scindia, former member of the Lok Sabha belonging to the Bharatiya Janata Party, passed away.

Death of former Minister: On 6 February 2001, former Union Minister, Shri V.N. Gadgil, passed away.

Resignation of Ministers: On 5 February 2001, the Ministers of State, Shri N.T. Shanmugham and Shri E. Ponnuswamy, resigned from the Union Council of Ministers.

On 15 March 2001, the Defence Minister, Shri George Fernandes resigned from office. Following this, on 18 March 2001, the External Affairs Minister, Shri Jaswant Singh took over the charge of the Ministry of Defence. On 20 March 2001, the Union Agriculture Minister, Shri Nitish Kumar took over the charge of the Ministry of Railways.

Budget Session of Parliament: The Budget Session of Parliament commenced on 19 February 2001 with the Address by the President to members of both the Houses assembled together in the Central Hall. The Lok Sabha and the Rajya Sabha were adjourned on 23 March 2001 to facilitate the Departmentally related Standing Committees of Parliament to examine the Demands for Grants of the Union Ministries/Departments assigned to them and submit their reports to the House. Both the Houses reassembled on 16 April 2001 and were adjourned *sine die* on 27 April 2001. The two Houses were prorogued by the President on 3 May 2001.

Election to the Rajya Sabha: On 22 February 2001, Shri Sukhbir Singh Badal was declared elected to the Rajya Sabha from Punjab.

Resignation of Rajya Sabha Member: On 1 March 2001, Shri Raj Mohinder Singh, vacated his Rajya Sabha seat following his election to the Punjab Vidhan Sabha.

AROUND THE STATES

ANDHRA PRADESH

By-election results: The Telugu Desam Party (TDP) won both the seats in the State Legislative Assembly for which by-elections were held on 21 February 2001.

BIHAR

By-election result: The Samata Party won the lone seat in the State Legislative Assembly for which the by-election was held on 19 February 2001.

Resignation of Minister: On 12 March 2001, the Finance Minister, Shri Shankar Prasad Tekriwal resigned from the State Council of Ministers.

CHHATTISGARH

Resignation of MLA: On 3 January 2001, Shri Ram Dayal Vikey, belonging to the BJP, resigned from the State Legislative Assembly.

By-election to the Assembly: On 23 February 2001, the Chief Minister,

Shri Ajit Jogi of the Congress (I) was elected to the State Legislative Assembly from the Marwahi constituency for which the by-election was held on 19 February 2001.

JAMMU AND KASHMIR

Expansion of Cabinet: On 13 February 2001, the Chief Minister, Shri Farooq Abdullah expanded the State Council of Ministers by inducting Shri Harbans Singh as a Cabinet Minister.

Death of Minister: The Law and Parliamentary Affairs Minister, Shri P.L. Handoo, passed away on 27 February 2001.

JHARKHAND

By-election result: On 23 February 2001, the Chief Minister, Shri Babulal Marandi of the BJP was elected to the State Legislative Assembly from the Ramgarh constituency in a by-election held on 19 February 2001.

KARNATAKA

Resignation of Minister: On 31 January 2001, the Minister for Civil Aviation and Infrastructure Development, Shri T. John, resigned from office.

MAHARASHTRA

Resignation of Minister: On 8 January 2001, the Minister for Trade and Commerce, Prohibition, Propaganda and Animal Husbandry, Shri Makharam Pawar resigned from office.

Expansion of Cabinet: On 8 March 2001, the Chief Minister expanded the State Council of Ministers by inducting six Ministers. The Ministers are: Sarvashri Rajendra Shingne, Rajesh Tope, Hassan Mushrif, Satish Chaturvedi, Sayeed Ahmed and Dr. Vijaykumar Gavit.

The Chief Minister also elevated two Ministers of State—Shri Laxman Dhoble and Shri Anil Deshmukh—to the Cabinet rank.

The Chief Minister also dropped five Ministers from the Council of Ministers.

MANIPUR

Political developments: On 11 February 2001, the United Legislature Front (ULF) led by Shri W. Nipamacha Singh was reduced to a minority following a split in the coalition's Manipur State Legislature Party (MSLP).

Eight of the thirty-one members of the Manipur State Legislature Party withdrew their support to the Government.

On 13 February 2001, the Chief Minister, Shri W. Nipamacha Singh, resigned from office paving the way for a new coalition led by Shri Radhabinod Koijam of the Samata Party. Earlier, Shri Koijam broke away with the Opposition Manipur Democratic Front and joined hands with the MSLP.

On 16 February 2001, Shri Radhabinod Koijam was sworn in as the Chief Minister.

Resignation of Minister: On 25 February 2001, the Health Minister, Shri Luwang resigned from office.

Resignation of Deputy Speaker: On 26 February 2001, the Deputy Speaker of the State Legislative Assembly, Shri K. Raina resigned from office.

ORISSA

Death of MLA: Shri Brien Palei of the Congress (I) passed away in a road accident on 3 March 2001.

PUNJAB

Death of Minister: On 20 January 2001, the Minister without portfolio, Shri Parkash Singh Majithia, passed away.

TRIPURA

Death of MLA: Shri Madhusudan Saha, belonging to the Indian National Congress, was assassinated by unidentified gunmen on 12 February 2001.

UTTAR PRADESH

By-election results: In the by-elections to the State Legislative Assembly held on 21 February 2001, the Bhartiya Janata Party (BJP), the Bahujan Samaj Party (BSP) and the Samajwadi Party won one seat each.

Split in JBSP: On 22 February 2001, the nineteen-member Jantantrik Bahujan Samaj Party (JBSP) split with thirteen members founding a separate Jantantrik Bahujan Samaj Party (Markanday Chand).

WEST BENGAL

Political developments: On 4 March 2001, eight MLAs belonging to the Congress (I) joined the Trinamool Congress.

DEVELOPMENTS ABROAD**CONGO**

New President: On 19 January 2001, Mr. Joseph Kabila was sworn in as the President of Congo, succeeding his father, President Laurent Kabila who was killed on 17 January 2001.

FIJI

Political developments: On 7 March 2001, the interim Government headed by Mr. Liascniya Qarase, installed by the military after the May 2000 riots, resigned after the Court of Appeals declared the Government as illegal.

On 13 March 2001, the traditional chiefs, in a meeting at Suva, selected Mr. Ratu Josefa Iloilo as the new President.

On 14 March 2001, Mr. Ratu Tevila Momoeduru was appointed as the new Prime Minister by President Mr. Ratu Josefa Iloilo.

On 15 March 2001, the Prime Minister, Mr. Ratu Tevila Momoeduru resigned from office and Mr. Liascniya Qarase was appointed as the new caretaker Prime Minister.

ISRAEL

New Prime Minister: On 7 February 2001, Mr. Ariel Sharon was elected as the new Prime Minister.

JAPAN

No-confidence Motion defeated: On 5 March 2001, the Prime Minister, Mr. Yoshiro Mori survived the No-confidence Motion in the 480-member Lower House of Parliament.

PHILIPPINES

Resignation of President: On 20 January 2001, the President, Mr. Joseph Estrada resigned from Office and the Vice-President, Ms. Gloria Macapagal Arroyo was sworn in as the new President.

PORTUGAL

President re-elected: On 15 January 2001, Mr. Jorge Sampaio was re-elected as the President.

SESSIONAL REVIEW

THIRTEENTH LOK SABHA

SIXTH SESSION

The Sixth Session of the Thirteenth Lok Sabha, which commenced on 19 February 2001, was adjourned on 23 March till 16 April 2001, to enable the Departmentally-related Standing Committees of Parliament to examine the Demands for Grants of the Ministries/Departments assigned to them and report back to the House. The House, which reconvened on 16 April, was adjourned *sine die* on 27 April 2001. The House was later prorogued on 3 May 2001. In all, there were 31 sittings. A resume of some of the important discussions held and other business transacted during the period 23 February to 23 March 2001 is given below:

A. DISCUSSIONS/STATEMENTS

Statement by the Prime Minister regarding Jammu and Kashmir: Making a Statement in the House on 22 February 2001, the Prime Minister, Shri Atal Bihari Vajpayee said that the President of India, during his Address to members of both the Houses of Parliament assembled together, had given voice to the Government's approach to the whole question of Jammu and Kashmir. The President had then, amongst other things, shared with the members of Parliament that the Government was pursuing a multi-pronged strategy to bring peace and normalcy in Jammu and Kashmir. As part of this, it had launched a major peace mission on 19 November 2000, by announcing a unilateral non-initiation of combat operations in the State during the holy month of *Ramzan*. This bold initiative was extended twice up to 26 February 2001. As anticipated, this was warmly welcomed by the people of Jammu and Kashmir, who were longing for an end to militancy and violence. The international community had also given overwhelming support, because it saw in it yet another demonstration of India's sincere commitment to a peaceful and permanent solution to the Kashmir issue.

The Prime Minister said that the Government had seriously addressed the question of continuing with the peace process and further extending

the period of non-initiation of combat operation by our security forces. In this regard, the Government had benefited by the detailed briefing of and consultations with all political parties that it had on 21 February 2001. Having examined all aspects of the question in its totality, the Government had decided to further extend the period up till the end of May.

The Prime Minister said that he wanted to make it abundantly clear that the peace process was only for those who wished to benefit from it. We would not let this process to be derailed, diluted or misused. For such organizations or elements, as have vowed to disrupt the peace process, or intended to continue with violence and the killing of innocents in Jammu and Kashmir, the message was unequivocal and clear. If you afflict injury on any Indian citizen in the State of Jammu and Kashmir, or elsewhere, or commit any act of violence or terrorism, then the security forces had clear instructions to act decisively and to defeat such intentions.

The Prime Minister expressed the hope that Pakistan would act, even now, and abjure violence, give up their continuous hostile propaganda against India, stop promoting and aiding cross-border terrorism, take the path of peace through bilateral talks as enshrined in the Simla Agreement and the Lahore Declaration, thus creating a conducive atmosphere so that the comprehensive dialogue process could be resumed resulting in a lasting solution to the problems.

Statement by Minister on re-inundation of the Bagdigi Colliery of Bharat Coking Coal Ltd. on 2 February 2001: Making a statement in the House on 22 February 2001, the Minister of State of the Ministry of Coal, Shri Syed Shah Nawaz Hussain, said that around 12.15 P.M. on 2 February 2001, a sudden inrush of water was observed in Bagdigi VII Seam Development District. About 100 persons were deployed for various operations at the time of the accident. Seventy persons were able to escape while 30 persons, including the Manager and the Assistant Manager, were trapped underground.

Immediately on occurrence of the accident, the Director General, Mines Safety (DGMS) and the Mines Rescue Station, Dhansar of Bharat Coking Coal Limited (BCCL) were notified. The Rescue Team arrived at Joyrampur at 1.10 P.M. The Director (Technical), BCCL and DGMS officials arrived around 2.30 P.M. The Director (Technical), Coal India Limited and the Chairman cum Managing Director, BCCL rushed by air from Calcutta and reached the site around 6.30 P.M. The Rescue Team completed the first inspection around 3.00 P.M. on 2 February 2001 and

found that the area which was earlier water logged was filled with black damp and was unapproachable. Immediately thereafter, the Rescue Team resorted to coursing of ventilation to clear the black damp.

Simultaneously, action was taken to procure pumps and accessories from other mines of BCCL and also from the Eastern, Northern and Mahandi Coalfields and from TISCO mines on an emergency basis so as to augment the existing pumping capacity for dewatering the inundated district of Bagdigi on a war footing. Subsequently, four pumps were commissioned in Joyrampur colliery and eight pumps were commissioned in Bagdigi colliery.

Round the clock pumping, monitoring and underground inspection from both sides was maintained so that recovery operations of the trapped persons could be expedited. Simultaneously, three drill machines were also deployed to establish air contact and communication with possible survivors trapped in the inundated district.

Services of Indian Navy divers were requisitioned from Mumbai and Visakhapatnam. The first Navy team was air lifted from New Delhi on 4 February and reached the site around 12.30 PM. This diving team completed its first reconnaissance sortie at 10.00 PM. A second Navy team from Visakhapatnam supplemented the first Navy team. They completed the second sortie immediately after reaching the site. The Navy teams, however, could not locate any surviving victim. One worker was rescued alive on 8 February. The bodies of the other 29-trapped miners had been recovered and handed over to the next of kin.

The Minister said that he visited the site on 10 February 2001, after taking charge of the office of Minister of Coal. As there was a *prima facie* case against some officials he had ordered the immediate suspension of three executives of BCCL. The Internal Safety Organization of Coal India had been directed to hold an enquiry immediately. The Labour Ministry was appointing a Court of Inquiry headed by a High Court Judge under Section 24 of the Mines Act. While placing these facts before the House, the Minister assured the members that appropriate and exemplary action will be taken against all those held responsible for this accident.

The family members had been provided with *ex gratia* of Rs. 2,30,000 as well as other terminal benefits like gratuity, workmen's compensation, insurance, benevolent fund and provident fund. The next of kin would be provided with employment. Instructions had also been issued to the officials of CIL and BCCL to get a fresh survey done of all the underground mines. The Minister said that he had met the Union Offi-

cials and Officers' Association and had assured them that adequate steps would be taken to ensure proper working conditions in the mines. They had also been assured that no mining work would be done at the cost of human lives.

Statement by Minister regarding situation caused by severe earthquake of 26 January 2001 in Gujarat: The Minister of Agriculture, Shri Nitish Kumar, making a statement in this regard in the House on 26 February 2001, said that a severe earthquake of the magnitude of 6.9 on the Richter Scale occurred at 0846 hours on 26 January 2001 with epicenter at 20 kms. north-east of Bhuj. Its impact had been felt in various parts of the country. Gujarat had been affected very severely, causing colossal loss of human lives and property. The Government of Gujarat and the Central Government had responded immediately to this unprecedented disaster and, with the help of the armed and para-military forces and other concerned Departments and Authorities, NGOs, voluntary organizations and others, had launched massive emergency operations for rescue and relief. Over 23,500 Army troops and 3,000 para-military force personnel were deployed with the medical and engineering teams and equipment. The Air Force deployed 48 aircraft, including helicopters, and carried over 950 sorties for evacuating injured people and for carrying relief teams, equipment and material. The Indian Navy also made available 3 ships and 2 ships were converted into hospitals.

An *ad hoc* assistance of Rs. 500 crore, as announced by the Prime Minister, had been released to the Government of Gujarat on 30 January 2001. The Central Government also provided financial concessions and relaxation for relief. The Reserve Bank of India (RBI) relaxed over-draft norms, advised banks for conversion and rescheduling of loans and to provide additional need based crop loans, working capital and consumption loan. All relief material was exempted from customs/excise duty and 100 per cent Income Tax exemption on donations to charitable institutions and to the Relief Fund of the Prime Minister and the Chief Minister was announced. Inland air travel tax was exempted and the relief material was transported free of cost by the Air Force, the Indian Airlines and the Air India. The world community also offered their assistance as solidarity for the people affected by the earthquake. This assistance had been in cash, relief material, medicine, medical teams and search and rescue teams. The National Crisis Management Committee under the Chairmanship of the Union Cabinet Secretary, had been supervising and coordinating the relief activities with the Department of Agriculture and Cooperation as the nodal Department for the follow-up measures.

The Prime Minister, keeping in view the magnitude and impact of the calamity, and to further provide ministerial support and direction to the efforts at the official level, had set up an Empowered Group of Ministers. The Empowered Group of Ministers had held a number of meetings to review the situation. The Prime Minister also held a meeting with the Leaders of Parties and Groups in Parliament on 3 February 2001. In that meeting, a presentation was made on the intensity and impact of the earthquake, damage caused to life and property and the emergency relief and rescue operations launched by the Central Government in association with the State Government. As a follow-up of that meeting, an all-party National Committee on Disaster Management under the Chairmanship of the Prime Minister had been set up with a view to suggesting short-term, medium-term and long-term steps for relief, rehabilitation and reconstruction in the earthquake affected areas of Gujarat, deliberate on the necessary institutional and legislative measures needed for an effective and long-term strategy to deal with natural calamities and to look into the parameters for defining a "national calamity".

As per reports received from the State Government, more than 19,000 people had been declared dead and about 1.67 lakh had been injured. About 1.59 crore population in 7904 villages in 182 *talukas* spread over 21 districts had been affected by the earthquake. 1.6 lakh *pucca* houses, 1.63 lakh *kuchcha* houses, and about 16,000 huts had been fully destroyed and 4.60 lakh *pucca* houses and 3.15 lakh *kuchcha* houses and about 32,000 huts had been damaged. The survey of the damage was going on. The Government of Gujarat had reported that the damage to property and infrastructure was likely to be of the order of Rs.21,262 crore. Power, Telecommunication, Road and Railway infrastructure facilities had been restored. Water supply in the affected towns/villages had also been restored.

Relief operations in the wake of the Gujarat earthquake had been undertaken on a national scale. Steps had already been initiated for rehabilitation and reconstruction measures in the affected areas and these would be undertaken on a large scale, the Minister added.

On 26 February 2001, raising a discussion under Rule 193 on the Statement by the Minister, Shri Harin Pathak of the BJP said that the Government had tried its level best to extend all possible assistance to confront the challenges posed by the natural calamity. All assistance should be provided to the people to re-construct the destroyed houses. Loans already taken by the people for the construction of houses and industries should be waived in the quake affected areas. Relaxation in

excise and income tax should be given to the people to help them reconstruct their industries.

Taking part in the discussion*, the leader of the Opposition, Smt. Sonia Gandhi said that the Gujarat administration had been found wanting in a substantial way. There were complaints of discrimination in the distribution of relief which was linked to political affiliation, and worse still, to affiliations of caste and affiliations of religion. People also encountered typical examples of red-tapism. She added that there must be a new and strict system of accountability so that we could ensure that the relief which had reached Gujarat was distributed equitably among all affected people.

Shri G.M. Banatwalla of the Muslim League Kerala State Committee said that the Government had always been found wanting and lacking in effective disaster management and in full utilization of science and technology in order to mitigate the large-scale sufferings of the victims of the calamity.

Shri Anant Gangaram Geete of Shiv Sena wanted that we should fight such natural calamities unitedly as such calamities did not distinguish people on the basis of caste or religion.

Dr. Raghuvansh Prasad Singh of the Rashtriya Janata Dal wanted the Government to be more vigilant in taking measures to rehabilitate the earthquake victims. Necessary arrangements should be made to provide medical aid to victims who were suffering from various disabilities and other diseases.

Participating in the discussion on 27 February 2001, Shri Somnath Chatterjee of CPI-M stressed that relief and rehabilitation work should be done in a coordinated, efficient and transparent manner. When it comes to addressing calamities of such magnitude, there should not be any divide between the rich and the poor, between one State and another and between rural areas and urban areas.

Kumari Mayawati of the Bahujan Samaj Party wanted the Government to strictly monitor the relief and rescue operations in Gujarat. The

* Others who took part in the discussion were: Sarvashri Ramji Lal Suman, Kirit Somaiya, Shankersinh Vaghela, Pravin Rashtrapal, P.S. Gadhi, Trilochan Kanungo, Raju Rana, Shivraj V. Patil, V. Vetriselvan, Prabhunath Singh, Pawan Kumar Bansal, Chandresh Patel, Joachim Baxta, Haribhai Chaudhary, Bir Singh Mahato, Ramjiwan Singh, Ramdas Athawale, Savshibhai Makwana, Ratilal Kalidas Varma, K.P. Singh Deo, Prof. Ummareddy Venkateswarlu, Dr. D.V.G. Sankara Rao, Dr. Bolla Bulli Ramaiah and Smt. Bhavnaben Devrajbhai Chikhalla

money reaching the State should not be diverted to any other head, she stressed.

Shri Mulayam Singh Yadav of the Samajwadi Party pointed out that even upto six hours after the quake rocked the State, the Gujarat Government remained indecisive about what to do, how to provide relief assistance and how to formulate appropriate schemes; however, we could not find fault with them, because it was a natural calamity of a severe magnitude. Every effort should be made to extend relief to the needy and complaints regarding favouritism should be addressed.

Intervening in the discussion, the Prime Minister, Shri Atal Bihari Vajpayee said that the Government would set up a National Disaster Management Authority on the basis of recommendations made by some groups which had been constituted for the purpose. The Government would not allow paucity of funds to come in the way of the reconstruction of Gujarat. Such calamities were a testing time for the nation as a whole and we should be determined to overcome the tragedy, the Prime Minister added.

Shri Haribhau Shankar Mahale of the Shiv Sena expressed gratitude for all the assistance that was extended by everyone to the victims of the earthquake.

Replying to the discussion, the Minister of Agriculture, Shri Nitish Kumar said that every possible assistance was being extended to Gujarat to tide over the tragedy. As on date, a total cash payment of Rs. 41.2 crore had been made in respect of people who had died in the earthquake. Till date, various States in India had contributed Rs. 48.68 crore for relief assistance while assistance provided by foreign countries in material was worth Rs. 175 crore. The Minister also lauded the role of the defence and para-military forces in calamity relief.

Statement by the Minister of External Affairs on the Taliban move to destroy Buddhist relics in Afghanistan: Making a statement in the House on 2 March 2001 on the subject, the Minister of External Affairs, Shri Jaswant Singh said that in the face of universal concern and despite protests and cautions against taking any such step, the ruling Taliban in Afghanistan appeared bent upon committing a grave wrong, indeed, a sacrilege to humanity, to the civilisational and cultural inheritance of all mankind by wanting to destroy the incomparable and unique statues of the Buddha at Bamiyan. It was tragic that this act of vandalism, the most extreme amongst the many other acts of destruction of statues, artifacts and archaeological treasures of Afghanistan, was being pursued despite a global outcry against it.

This regression into medieval barbarism was precisely what India, amongst many other countries, had been cautioning the world against for so long. The international community had unequivocally condemned and rejected the Taliban's ideological orientations which had been responsible for the Taliban territories emerging as the world's principal centre of international terrorism, illicit drugs and violation of human rights, especially those of women.

The Minister said that even at this late stage, India would like to convey that the destruction of these precious manifestations of the cultural heritage of humankind should stop. If the Taliban did not wish to retain this inheritance, India would be happy to arrange for the transfer of all these artifacts to India where they would be kept safely and preserved for all mankind, in the full knowledge and clear understanding that they were, in the first place and above all, treasures of the Afghan people themselves.

Later in the day, the House adopted a Resolution on the subject moved by the Speaker, Lok Sabha, Shri G.M.C. Balayogi. The Resolution said:

Today, in this new millennium, when all civilizations are coming together through dialogue and shared values, we are shocked by the Taliban announcements of intended acts of religious fundamentalism and terrorism against human culture and civilization. They have moved tanks and guns to destroy one of the greatest examples of human creativity. This intent of destroying the two thousand year old statues of Buddha and the Buddhist shrines in Bamiyan would constitute an appalling act of cultural vandalism.

This House unanimously condemns the barbarism and anti-civilizational intent of the Taliban in Afghanistan in the strongest possible terms. We hope the world community and especially the United Nations will take note of this and prevail upon the Taliban regime in Afghanistan to desist from this senseless destructive act.

The Budget (Railways), 2001-2002: On 26 February 2001, presenting the Railway Budget for the year 2001-2002, the Minister of Railways, Kumari Mamta Banerjee said that the Indian Railways, being the largest railway system in the world under a single management, has enormous strength and potential. With its huge network spanning over 63,000 route kms., the Indian Railways are, in fact, the engine of growth for the national economy; as such, it is difficult to perceive growth of the Indian economy without a corresponding growth in the Railway infrastructure.

However, the Indian Railways, with all its inherent strengths and potentials, had not received the attention it deserved from the nation. With the increase in population, expectations of the countrymen from this system and the social responsibilities reposed in it, were continuously on the rise. On the contrary, the investments in this system had been almost continuously declining over the years. The capital support from the General Exchequer which reached a peak of 75 per cent in the Fifth Five Year Plan, fell to 42 per cent in the Seventh Five-Year Plan and skidded to a low level of 18 per cent in the last two years of the Eighth Plan. To fill-in the gaps, the Railways had been forced to resort to larger market borrowings with the attendant huge burden of interest liability. This had inflicted a long-term damage to the otherwise healthy Railway finances. As a consequence, the Railways' share in freight movement had also dropped from 89 per cent in 1950-51 to about 40 per cent as of now.

The Minister said that there were a large number of challenges which the Railways faced today. The dual roles of the Railways as a public utility and a commercial undertaking were at times conflicting while the sources for funding these two diverse activities were the same. The Railways also do not receive compensation for social service obligations. Whereas technological modernisation of Railways is critically required, the low investment over the last two decades had almost stopped this process. Unfortunately, the support from the General Exchequer also had been taking a downward trend right from Fifth Plan till the Eighth Plan, thus pushing the Railways on to borrowings at a high rate of interest causing permanent damage to its finances. Internal resources of the Railways had also suffered a severe and permanent jolt immediately after the implementation of the Fifth Pay Commission recommendations.

The Minister said that the Railways had initiated several measures to meet these challenges within the limited means. For the first time, the Railways seriously started pursuing the non-traditional sources of revenue generation. However, developing new sources, which are non-traditional, and tapping them takes time. The measures already taken were not adequate enough to meet the severest of challenges. As such, the Minister outlined various new steps to confront these challenges.

For financing socially relevant projects and for running train operations to meet socially desirable ends, outright grants without dividend liability should be provided by the State. Simultaneously, a special fund with a mix of specific contribution, borrowings and private sector participation should be created for funding remunerative and operationally

required projects. There was an urgent need to prioritize railway projects for speedy implementation. Cost-sharing of such prioritized projects with the State Governments, which had recently begun, should be further intensified. Railways have an enormous hidden wealth in the form of land, etc. which needed to be unlocked to augment its resource base.

The Minister observed that due to the concerted hard work of the Railway family, the Railways had achieved an all-time record of incremental freight loading of 35 million tonnes, surpassing the target of 450 million tonnes by 6.42 million tonnes in the year 1999-2000, which was, indeed, a remarkable achievement. Even the passenger earnings registered an impressive growth of 12 per cent, and surpassed the budgeted target by Rs. 132 crore.

Despite various difficulties, gross earnings increased from Rs. 33,021 crore in Revised Estimates to Rs. 33,125 crore in the actuals. The Total Working Expenses which stood at Rs. 30,909 crore in the Revised Estimates were also contained at Rs. 30,844 crore. Pensionary liabilities, budgeted at Rs. 4,094 crore in the Revised Estimates finally came down to Rs. 4,022 crore. The Plan expenditure stood at Rs. 9,057 crore as against Rs. 8,965 crore in the Revised Estimates. The market borrowings, however, were reduced from Rs. 3,000 crore in the Revised Estimates to Rs. 2,919 crore.

There had been a high growth in passenger earnings, which reached about Rs. 8,552 crore by the end of January 2001. This marked an increase of Rs. 740 crore over the previous year's earnings during the corresponding period. Other coaching and sundry earnings also had been quite encouraging compared to the previous year's performance.

The Minister said that within its limited means, the Railways were committed to accord the highest priority to safety. Despite the financial constraints being faced by the Indian Railways, it was trying to ensure that the level of outlay on safety related works was maintained. Track renewal works were receiving priority. It was, therefore, proposed to enhance the outlay for this crucial activity taking it to Rs. 2,050 crore, marking an increase of almost 26 per cent over the revised outlay for the current year. The induction of modern technology into the signaling and telecommunication system was also equally important. This had the added benefit of progressively reducing dependence on human intervention, thus leading to an improved safety environment. That is why, it was decided to enhance the outlay on signaling and telecom in the next financial year by as much as 25 per cent over the revised outlay in the current financial year. In order to ensure that safety requirements are strictly followed at all levels, the Chairman, Railway Board, was

made in charge of safety on the Indian Railways. This would facilitate better co-ordination on all safety related activities at the highest official level.

The freight traffic target for the budget year 2001-2002 had been fixed at 500 million tonnes, an increment of 25 million tonnes over the current year's target of 475 million tonnes.

For passenger traffic, 9 per cent increase had been provided in keeping with the long-term growth in passenger traffic. With these projections, the goods earnings were assessed at Rs. 24,735 crore and passenger earnings at Rs. 11,387 crore.

Ordinary Working Expenses at Rs. 30,190 crore provided for a minimal increase over the current year, resulting in a total variation of 8.53 per cent over the Revised Estimates for 2000-2001. Appropriation to the Pension Fund was placed at Rs. 5,790 crore and the Depreciation Reserve Fund at Rs. 2,704 crore based upon the actual requirement for Plan resources.

The Total Working Expenses would, thus, amount to Rs. 38,684 crore leading to Net Traffic Receipts of Rs. 755 crore. The Net Miscellaneous Receipts were estimated at Rs. 928 crore. This also took into account Rs.300 crore proposed to be received from the General Revenues for Railway Safety Works. Thus, the Net Revenue worked out to Rs. 1,683 crore.

The Budget (General), 2001-2002: The Minister of Finance, Shri Yashwant Sinha, presenting the budget for the year 2001-2002, on 28 February 2001, said that the Indian economy had continued to exhibit both growth and resilience that had characterized its performance in the past few years. The overall economic growth this year was expected to be about 6 per cent, despite a series of unexpected setbacks. We have had a second successive year of irregular monsoon, resulting in low agricultural growth. The world petroleum prices had continued to stay at high levels, placing strains on the economy as a whole, and had led to a significant increase in inflation over the past year. Fortunately, despite the increase in energy prices, the prices of essential commodities, and of manufactured products as a whole, had remained stable. Inflation, excluding energy, was around 4 per cent during the year. The economy remained secure with record levels of foreign exchange reserves and food stocks. The creditable export performance recorded last year improved further, and exports grew by over 20 per cent in dollar terms in April-December 2000.

The Minister said that it was now 10 years since economic reforms

began in 1991. During this period, the economy had grown at an average rate of 6.4 per cent per year since 1992-93 compared to 5.8 per cent recorded in the 1980s. Poverty had fallen from 36 per cent in 1993-94 to 26 per cent or less now. Despite the many achievements of economic reforms over the past decade, much more remained to be done if we had to achieve our full potential. There was an urgent need to further deepen reforms to set the stage for a higher growth over the next decade. We had to intensify our effort in fiscal adjustment so that the generations to come were not burdened by our borrowing excesses. The economy had achieved significant acceleration in growth over the last 20 years. Our aspiration must be to achieve still higher growth in the next 20 years.

The Minister observed that the broad strategy of the budget, therefore, with this objective of growth in mind, was to ensure:

- Speeding up of agricultural sector reforms and better management of the food economy.
- Intensification of infrastructure investment, continued reform in the financial sector and capital markets, and deepening of structural reforms through removal of the remaining tiresome controls constraining economic activity.
- Human development through better educational opportunities and programmes of social security.
- Stringent expenditure control of non-productive expenditure, rationalisation of subsidies and improvement in the quality of Government expenditure.
- Acceleration of the privatisation process and restructuring of public enterprises.
- Revenue enhancement through widening of the tax base and administration of a fair and equitable tax regime.

The Minister said that reforms in the agriculture sector had been inadequate and must be speeded up. The Government had already announced the first ever National Policy on Agriculture. The provision of adequate credit flow was critical for agricultural production. The total credit flow to agriculture through institutional channels of commercial banks, cooperative banks and regional rural banks was estimated to have reached a level of Rs 51,500 crore this year, an increase of about 15 per cent over the last year. It was expected to increase to Rs. 64,000 crore in 2001-2002, representing an increase of 24 per cent.

The *Pradhan Mantri Gramodaya Yojana* was launched during the

previous Budget with the objective of undertaking time-bound programmes to fulfill the critical needs of the rural people. As a follow-up, particularly with the objective of achieving rural connectivity, the *Pradhan Mantri Gram Sadak Yojana* had been launched by the Prime Minister on 25 December 2000. A Central allocation of Rs. 2500 crore was provided for 2000-01. Another allocation of Rs. 2500 crore for the coming year was being facilitated now.

The Minister pointed out that increased production and rising productivity made the proper management of the food economy more critical than ever before. He also proposed to give an enlarged role to the State Governments in both procurement and distribution of food grains for the Public Distribution System in the respective States. Instead of providing subsidised food grains, financial assistance would be provided to State Governments to enable them to procure and distribute food grains to the below poverty line families at subsidised rates. The Food Corporation of India would continue to procure food grains for maintaining food security reserves and for such State Governments who would assign it this task on their behalf. Rapid development of the economy depended on adequate investment in infrastructure. A key issue here was imposition of appropriate user charges necessary to provide adequate returns on investment.

The challenge was to achieve a consensus on the imposition of appropriate user charges in such a manner that the poor were protected while those who could pay were made to do so. Only then would we be able to accelerate investment in these essential services in both the public and private sectors. A prime example of this was the power sector. The importance of power in fuelling economic growth could not be over-emphasised. The most vital element of the reform process was the restoration of financial viability of the State Electricity Board. The Plan outlay for central sector power utilities was being raised from Rs. 9,194 crore this year to Rs. 10,030 crore for 2001-02. This demonstrated the commitment of the Central Government to accelerate public sector power investment, along with power sector reforms.

Another area of success was in the telecommunications sector. Almost all the policy measures announced in the New Telecom Policy of 1999 regarding basic and cellular services, national long distance, internet services, and corporatisation of Department of Telecom Services had been implemented. Competition was being introduced in all service segments.

In order to further develop a transparent and active debt market in

general, and the Government securities market in particular, the Budget proposed the following measures:

- A Clearing Corporation would be set up under the active encouragement of the Reserve Bank of India (RBI), with the State Bank of India as the chief promoter, and was expected to be in place by June 2001. It would also enable settlement of forex transactions.
- Trading of Government Securities, through order-driven screen-based system would be implemented.
- An electronic Negotiated Dealing System would be set up by the RBI by June 2001 to facilitate transparent electronic bidding in auctions and dealings in Government securities on a real time basis.
- In order to ensure smooth and quick movement of funds, the Electronic Fund Transfer and Real Time Gross Settlement Systems were being put in place by the RBI within the next year.
- Clarifications are being issued by Central Board of Direct Taxes to promote the issuance of zero coupon bonds, deep discount bonds, and the like.
- The old Public Debt Act would be replaced by a Government Securities Act.
- Comprehensive legislation would be introduced on securitization.

The banking sector reforms had proceeded apace in a phased manner over the past decade. However, the problem of non-performing assets with banks had continued. In the light of new competition in the banking industry, it was necessary to strengthen the management of the public sector banks. Thus, it was proposed to provide greater autonomy to bank managements. It was also essential to provide greater independence to the bank management in forming their own recruitment strategy and in implementing it.

Progressive liberalization had taken place in the provisions relating to foreign investment. The Minister proposed to take the following further measures:

- Foreign Institutional Investors could invest in a company under the portfolio investment route up to 24 per cent of the paid up capital of the company. This could be increased to 40 per cent with the approval of the General Body of the shareholders by a special resolution. It was proposed to increase this limit to 49 per cent.

- Foreign Direct Investment (FDI) in Non-Banking Financial Companies (NBFCs) was being permitted on a case-by-case basis upto 100 per cent but with a condition that a minimum of 25 per cent of their holding was divested in the domestic market. This condition was being removed, provided the foreign investors bring in a minimum of US \$50 million. FDI in NBFCs would now be put on the automatic route, subject to RBI guidelines.

The Minister stressed that in order to accelerate growth in the Indian economy, we now had to address some of the difficult areas of reform that have not been tackled so far. Recognizing the need for increasing investments in social sectors, the Plan allocation for the Ministry of Health and Family Welfare had been stepped up from Rs. 4,920 crore to Rs. 5,780 crore. This includes an allocation of Rs. 180 crore for HIV/Aids Control Programme.

The year 2001 being observed as the Women's Empowerment Year, it was proposed to:

- Strengthen the *Rashtriya Mahila Kosh* for providing micro credit to poor asset-less women through NGOs.
- Launch an integrated scheme for women's empowerment in 650 blocks through women's self help groups.
- Start a new scheme for women in difficult circumstances like the widows of Vrindavan, Kashi and other places, destitute women and other disadvantaged women groups.

In keeping with the Government's commitment to improve the welfare of the Scheduled Tribes, a separate National Scheduled Tribes Finance and Development Corporation with an authorised share capital of Rs. 500 crore had been set up. The allocation for the schemes for welfare of the Scheduled Tribes in the Ministry of Tribal Affairs had been enhanced from Rs. 786 crore this year to Rs. 986 crore in the coming year.

Similarly, the allocation for the schemes for the welfare and uplift of Scheduled Castes in the Ministry of Social Justice and Empowerment had been enhanced from Rs. 709 crore this year to Rs. 790 crore in the coming year.

The Minister said that along with fiscal consolidation at the Centre, it would be our endeavour to work jointly with the States to reform their finances. Pursuant to the recommendations of the Eleventh Finance Commission, an Incentive Fund of Rs. 10,607 crore had been earmarked for the next five years to encourage States to implement monitorable fiscal reforms. These reforms would essentially be the States'

own programmes and considerable flexibility had been provided for individual States to design their programmes. In the fiscal year 2001-02, an amount of Rs. 4,243 crore had been set aside towards this Incentive Fund.

The Minister stated that we had been able to adhere to the Budget target of fiscal deficit despite pressures on public finances on account of deceleration in disinvestment programme, natural calamities and the relief to consumers of petroleum products. The revised estimates for the current fiscal year showed a marginal decrease in expenditure of Rs. 2,965 crore as compared to the Budget estimates.

Net tax revenues for the Centre were estimated to be Rs. 1,44,403 crore compared to the Budget estimates of Rs. 1,46,209 crore, thereby reflecting a shortfall of Rs. 1,806 crore. Non-tax revenue was estimated at Rs. 61,763 crore, Rs. 4,299 crore more than the estimated level of Rs. 57,464 crore. However, disinvestment receipts were expected to be lower at Rs. 2,500 crore against the Budget target of Rs. 10,000 crore.

The fiscal deficit as a percentage of the GDP was expected to be on target at 5.1 per cent. In the budget estimates for 2001-2002, the total expenditure was estimated at Rs. 3,75,223 crore, of which Rs. 1,00,100 crore was for Plan and Rs. 2,75,123 crore for non-Plan expenditure.

The budget support for Central, State and UT Plans had been placed at Rs. 1,00,100 crore, an increase of Rs. 13,862 crore over the revised estimates for 2000-2001. This amounted to an increase of 16 per cent. Gross budgetary support for the Central Plan was being enhanced from Rs. 48,269 crore in the revised estimates 2000-2001 to Rs. 59,456 crore in 2001-2002. Central Plan assistance to States and Union Territories in 2001-2002 was also proposed to be increased to Rs. 40,644 crore from Rs. 37,969 crore in the revised estimates 2000-2001.

Non-Plan expenditure in 2001-2002 was estimated to be Rs. 2,75,123 crore compared to Rs. 2,49,284 crore in revised estimates for 2000-2001. The increase in non-Plan expenditure was mainly in interest payments (Rs. 11,633 crore), defence (Rs. 7,539 crore) and Grants to State Governments (Rs. 2,221 crore). To sum up, the proposals made in this Budget on the Direct Taxes would result in a revenue loss of Rs. 5,500 crore, which was proposed to be made up with tax buoyancy and increased voluntary compliance. It was estimated that the direct tax revenue in 2001-2002 would be Rs. 84,800 crore. With these proposals the total tax revenue receipts for the Centre was estimated at

Rs. 1,63,031 crore and the fiscal deficit at Rs. 1,16,314 crore or 4.7 per cent of the GDP. The Minister said that he could have managed a lesser fiscal deficit but that would have been possible only at the cost of growth, which was unacceptable. This was a budget for carrying forward the second generation of economic reforms. This was a budget for growth, for equity with efficiency, and for a new deal to the people of India in the new millennium, he added.

The General Discussion slated for both the Railway and the General Budgets could not be taken up as the proceedings of the House remained paralysed since the evening of 13 March 2001, due to continued interruptions and adjournments. Besides, the Demands for Grants on Account for both the Railway and the General Budgets and the connected Appropriation Bills had to be passed in Parliament and assented to by the President by 31 March 2001.

Since it did not appear possible to have a General Discussion on the Railway and the General Budgets under the prevailing circumstances, the Speaker, Lok Sabha, on 20 March 2001, asked for the consent of the House to suspend the relevant Rule 331G(a) and appealed to the whole House to cooperate in facilitating the smooth passage of the essential financial business. (The Rule requires that the Standing Committees shall consider Demands for Grants after the General Discussion on the Budget in the House is over). The House agreed to the proposal and amidst interruptions, the Demands for Grants on Account and Supplementary Demands for Grants in respect of both the Railway and the General Budgets for the year 2001-2002 and 2000-2001, respectively, and the connected Appropriation Bills were passed by the House.

On 20 April 2001, all the Demands for Grants in respect of Railways for the year 2001-2002 and the connected Appropriation Bills were passed without any discussion.

Subsequently, as per consensus that emerged at the meeting of the Speaker with the Prime Minister and the Leader of the Opposition on 23 April 2001, the Demands for Grants of the Ministry of Rural Development and Department of Disinvestment were discussed and passed by the House on 24 April 2001. The outstanding Demands for Grants in respect of the other Ministries and Departments were guillotined the same day. On 25 April 2001, the Finance Bill, 2001 was passed by the House.

*Motion of Thanks to the President for his Address**: On 7 March

* For the text of the Address, see Feature "Address by the President to Parliament", *The Journal of Parliamentary Information*, Vol. XLVII, No. 1, March 2001, pp. 4

2001, moving the Motion of Thanks to the President for his Address to members of both the Houses of Parliament, Prof. Vijay Kumar Malhotra of the BJP said that the NDA Government had successfully managed various issues facing the country ever since it assumed power. Despite economic sanctions imposed in the wake of the nuclear tests, India had achieved excellence in various fields. The foreign exchange reserves were quite strong. The agricultural stock was more than 40 million tonnes. India had also become one of the highest producers of milk, rice, wheat and vegetables. The work on exploration for petrol was being done in 25 more locations. A scheme for total literacy had been launched. Over 1,700 more courts would be set up to reduce the number of cases in courts and for early disposal of pending cases. Various new schemes and projects had also been launched. He expressed confidence that with these and other initiatives, we could make our country strong.

Seconding the motion, Dr. S. Venugopal Chary of the Telugu Desam Party drew attention of the Government on the stress laid by the President in his Address on the welfare and development of the Scheduled Castes and Scheduled Tribes and the other poorer sections of the society. He urged the Government to look into the problems faced by the freedom fighters and do the needful in that regard. The Government also had to critically analyse the implications of the WTO regime in areas like agriculture, small scale industries, pharmaceuticals, etc. and come up with viable, practical and positive solutions to sort out various problems.

Taking part in the discussion*, Shri P.H. Pandian of the All India Anna Dravida Munnetra Kazhagam said that there was no reference in the Address by the President to the problems faced by the farmers, regarding the demand for setting up of a Bench of the Supreme Court in South India and on reservation for women in the Lok Sabha and the State Legislative Assemblies.

Dr. Raghuvansh Prasad Singh of the Rashtriya Janata Dal said that

* Others who took part in the discussion were Sarvashri Sushil Kumar Shinde, Maheshwar Singh, Anant Gudhe, Pawan Kumar Bansal, Adhi Shankar, Sansuma Khunggur Bwismuthiary, Prabhunath Singh, Prasanna Acharya, M.V.V.S. Murthi, Satyavrat Chaturvedi, Anadi Charan Sahu, Balkrishan Chauhan, Abdul Rashid Shaheen, Ramjiwan Singh, K.P. Singh Deo, S.D.N.R. Wadiyar, Ramdas Athawale, Paban Singh Ghatowar, P.R. Kyndiah, N.N. Krishnadas, Vijay Goel, Dr. Bikram Sankar and Smt. Jayashree Banerjee

while the GDP of the country was declining, the fiscal deficit was increasing. There was no mention in the Address about the Government's initiatives to tackle unemployment.

Shri Haribhau Shankar Mahale of Janata Dal (Secular) wanted the Government to take action to root out unemployment. He also demanded that the agriculture policy be revised.

Participating in the discussion on 8 March 2001, Shri Somnath Chatterjee of the CPI-M said that the Address by the President was a contrived compilation of the so-called achievements of different Ministries without any content. The economic reforms had brought havoc to the teeming millions of the country, especially for the vulnerable sections. Unemployment had also reached alarming proportions.

Shri Mulayam Singh Yadav of the Samajwadi Party said that the Government was directionless in its approach to national issues. The economic reforms being implemented by the Government would lead to the economic slavery of the country. There was no specific proposal to tackle the rising unemployment.

Shri Chandra Shekhar of the Samajwadi Janata Party (Rashtriya) said that no economic or political policy could be effective without protecting the dignity and honour of the nation. The Government had said that the process of disinvestment would be speeded up and in the process, the industries which people had built with their hard labour were being closed down one by one. Injustice was being done to the industrial workers and government employees.

Shri Sanat Kumar Mandal of the Revolutionary Socialist Party pointed out that the country was passing through a critical phase. There was an industrial recession in the country; unemployment was staring us at our face; there was lay-off and retrenchment in factories; there was also an alarming rise in caste conflicts, atrocities on women and in the crime rates. The Address by the President had not addressed any of these issues.

Dr. Sushil Kumar Indora of the Indian National Lok Dal observed that national development should be accompanied by a sense of social equality. Also, the country could not develop unless an awareness was created about the importance of education.

Taking part in the discussion on 12 March 2001, the Leader of the Opposition, Smt. Sonia Gandhi pointed out that the national economy was in a deep crisis. With costs rising and prices not keeping pace, the burden on the farmers was increasing with every passing day. There

were no specific governmental initiatives for any job creating policies or programmes. In every sector of rural development, there was a huge gap between promise and performance. The rights guaranteed to the tribal people in the Constitution and upheld by the Supreme Court were now clearly under threat.

Replying to the discussion, the Prime Minister, Shri Atal Bihari Vajpayee said that the NDA Government was quite strong and there was now political stability in the country. India's was a rapidly progressing economy. We had ample food grain stocks and had achieved self sufficiency in food grains production, the credit for which should go to the farmers. The notion that economic reforms would lead to unemployment in the country was unfounded. The Address by the President had referred to the situation prevailing in the country and the problems faced by it and what initiatives the Government was taking to tackle the challenges. This was the time to work unitedly and endeavour to strengthen our democratic institutions, the Prime Minister added.

All the amendments were negated and the Motion was adopted.

Discussion under Rule 184 on the proposed disinvestment of the Bharat Aluminium Company Ltd. (BALCO): On 1 March 2001, moving the motion that the House disapproves the proposed disinvestment of BALCO, Shri Rupchand Pal of the CPI-M said that Parliament had every right to look into the vital developments that were taking place involving the economic and other sovereign rights of the people of the country.

The Public Sector Undertakings were set up with public money, and the Government had no right to sell out a valuable, promising, profit making undertaking like the BALCO. The member pointed out that the BALCO disinvestment was going to be a precedent. Never before had it so happened that someone got an asset of no less than Rs. 5,000 crore at a value of Rs. 550 crore. The Government was going on a wrong track; the deal could still be cancelled and reviewed.

Taking part in the discussion*, the Minister of Law, Justice and Company Affairs and Minister of Shipping, Shri Arun Jaitley said that the precise rationale which was given for the policy of disinvestment was not a new rationale. This was the rationale being given right since

* Others who took part in the discussion were: Sarvashri Priya Ranjan Dasmuni, M.V.V.S. Murthi, Kunwar Akhilesh Singh, Rajiv Pratap Rudy, T.M. Selvaganapathi, Prabhunath Singh, Sudip Bandyopadhyay, Shyama Charan Shukla, Ramjiwan Singh and Dr. Charan Das Mahant

1991 when economic reforms were ushered in. Every decision with regard to BALCO was taken by a transparent bidding process.

Shri Anant Gangaram Geete of the Shiv Sena stressed that there should be transparency while taking decisions on disinvestments. While making disinvestments in the BALCO, the Government should ensure that the workers were not rendered jobless.

Kumari Mayawati of the Bahujan Samaj Party said that BALCO was situated on the land belonging to the tribal people. The Constitution clearly says that land belonging to the tribal people could not be sold to private entrepreneurs. The Government should reconsider the decision and constitute a Committee to look into the entire issue.

Participating in the discussion, Dr. Raghuvansh Prasad Singh of the Rashtriya Janata Dal pointed out that there appeared to be several irregularities in the deal. A Parliamentary Committee should be constituted to enquire into the deal, he suggested.

Shri Somnath Chatterjee of the CPI-M wondered as to why a profit-making PSU should have been sold at all. The Government owed an obligation to tell the people through the Parliament and after a proper enquiry through a Joint Parliamentary Committee as to what was the real state of affairs in regard to the BALCO deal.

The Minister of State in the Department of Disinvestment, Shri Arun Shourie said that there could not have been a more transparent policy in the matter. The Office of the Comptroller and Auditor General had been approached and the C&AG had said that his office would prepare a report on each and every such transaction and submit it directly to the Parliament.

Replying to the debate, Shri Rupchand Pal wanted that all documents relating to the cost audit of the project should be placed on the Table of the House.

The motion was negatived.

Problems being faced by farmers: Initiating a discussion under Rule 193 on the subject on 12 March 2001, Shri Ramji Lal Suman of the Samajwadi Party said that the contribution of the agriculture sector was to the tune of 55 per cent of our GDP in 1950. However, it had since come down to 24 per cent of our GDP now. The agriculture sector and our farmers had been entirely neglected in this year's budget. The prices of diesel and fertilizers had been hiked and the electricity rates were also being sought to be hiked. If the Government wanted to put the Indian economy on the right track, there was no other way but to ameliorate the conditions of the farmers of our country.

Participating in the discussion*, Shri Anant Gangaram Geete of the Shiv Sena said that unless the Government was going to give appropriate support price for the crops, the farmers would continue to face problems and suffer losses.

Taking part in the discussion on 13 March 2001, Shri Mulayam Singh Yadav of the Samajwadi Party said that even though there had been positive developments in the country, we still had to contend with starvation; farmers were reeling under a heavy debt and the latest Budget had only added to their problems.

Shri P.H. Pandian of the All India Anna Dravida Munnetra Kazhagam said that the Government had a constitutional and bounden duty and a moral obligation to protect the farming community.

Shri Devendra Prasad Yadav of Janata Dal (United) called upon the Government to urgently address the problems faced by the farmers of the country.

Participating in the discussion on 26 April 2001, Dr. Raghuvansh Prasad Singh of the Rashtriya Janata Dal said that the cost of cultivation was increasing too much due to the increase in the prices of diesel, agriculture implements, electricity, fertilizers and pesticides, etc. On the other hand, the Government was fixing less support price for agricultural produce.

Shri Haribhau Shankar Mahale of the Janata Dal (Secular) observed that the farmers of the country had helped immensely to achieve progress in the country. As such, there was a need to address the problems faced by them.

Replying to the discussion, the Minister of Agriculture, Shri Nitish Kumar said that no Government could ignore the agriculture sector. The interests of the farmers would not be allowed to suffer under the WTO regime. The Government was seriously promoting animal husbandry. Efforts were being made to provide marketing facilities to the farmers by setting up cooperatives in all villages. A scheme had been launched

* Others who took part in the discussion were: Sarvashri Sahib Singh Varma, Satyavrat Chaturvedi, Mahboob Tahedi, A.K.S. Vijayan, Raghunath Jha, Ratan Lal Kataria, Jagannath Mallik, Shivraj Singh Chouhan, Anadi Charan Sahu, Jagmeet Singh Brar, Ambati Brahmaniah, Chandrabhushan Singh, A.P. Jithender Reddy, Tilakdhari Prasad Singh, Arun Kumar, Subodh Roy, Avtar Singh Bhadana, Vivekanand Reddy, Ramdas Athawale, Prof. Ummareddy Venkateswarlu, Dr. Jaswant Singh Bishnoi, Dr. Ramkrishna Kusmaria, Smt. Rama Pilot, Smt. Renuka Chowdhury, Smt. Margaret Alva and Ms. Prabha Rau

to provide improved breeds of live stock. The Government was also very serious about implementing land reforms, he added.

B. LEGISLATIVE BUSINESS

*The Electricity Regulatory Commission (Amendment) Bill, 1999**: On 2 March 2001, moving that the Bill be taken into consideration, the Minister of Power, Shri Suresh Prabhu said that under the Electricity Regulatory Commission Bill, passed by Parliament in 1998, each State had to set up a Regulatory Commission. Accordingly, several States had set up their own Regulatory Commissions. The Union Government had received several representations from some State Governments saying that it would not be operationally very effective to set up such Commissions in the smaller States. So, the Union Government had decided to bring in a law permitting smaller States to set up Joint Regulatory Commission. The Bill was referred to the concerned Standing Committee whose recommendations had been incorporated in the proposed Bill.

Participating in the discussion**, Dr. Raghuvansh Prasad Singh of the Rashtriya Janata Dal pointed out that the entire country was experiencing a power shortage. However, there was no mention about any specific policy in this regard in the Union Budget of 2001-2002.

The Minister of Power, Shri Suresh Prabhu replied to the discussion.

The Motion was adopted and the Bill, as amended, was passed.

*The Narcotic Drugs and Psychotropic Substances (Amendment) Bill, 2000****: Moving the motion that the Bill be taken into consideration, the Minister of Finance, Shri Yashwant Sinha said on 7 March 2001 that the Bill sought to remove the deficiencies noticed in the parent Act passed by Parliament in 1985. There was a criticism that the punishments prescribed under the Act were harsh and disproportionate at times to the gravity of the offences involved. Recognizing the need to rationalize the sentence structure, it was proposed to introduce the principle of graded punishment on the basis of the quantity of drugs involved in the offence. The Bill was first introduced in the Rajya Sabha

* The Bill was introduced in the Lok Sabha on 23 December 1999

** Others who took part in the discussion were: Sarvashri Vijayendra Pal Singh Badnore, Pawan Kumar Bansal, Ramesh Chennithala, Varkala Radhakrishnan, Prof. Ummareddy Venkateswarlu and Prof. Rasa Singh Rawat

*** The Bill, as passed by the Rajya Sabha, was laid on the Table of the Lok Sabha on 29 November 2000

and then referred to the Standing Committee on Finance. The major amendments suggested by the Committee had been accepted by the Finance Ministry.

Participating in the discussion*, Dr. Raghuvansh Prasad Singh of the Rashtriya Janata Dal said that in our country, the use of drugs was continuously increasing and we were not in a position to check it. We had to bring in a comprehensive and strict law for this purpose which could prove beneficial to the country.

Shri P.H. Pandian of the All India Anna Dravida Munnetra Kazhagam said that India had been used as a transit point for illegally transporting drugs, especially from Myanmar and other neighbouring countries. Drug trafficking was a menace to the country and some stringent measures had to be incorporated in the bill to counter this situation.

Replying to the discussion, the Minister of Finance, Shri Yashwant Sinha said that the Government would try to check drug abuse and ensure that those involved in trafficking would get strict punishment. But, we must take a lenient view of those who were victims so as to facilitate their de-addiction, he added.

The Bill, as amended, was passed.

C. OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Shri Jitendra Prasada, Shri Indrajit Gupta and Smt. Nisha Chaudhary, all sitting members; Shri Devi Lal, former Deputy Prime Minister; and Sarvashri Yashwant Singh Kushwah, Ram Kanwar Berwa, G. Lakshmanan, V.N. Gadgil, Manubhai Shah, Purna Sinha, K.R. Natarajan, Roop Nath Singh Yadav, C.D. Patel, Jagdish Bhattacharya, P. Kolandaivelu, D.K. Naikar, O. Bharathan, Kunwar Mahmood Ali Khan, Dr. Hira Lal Roy, Prof. Narain Chand Parasher, Dr. Sushila Nayar and Smt. Vijaya Raje Scindia, all former members.

During the Session, the Speaker, Lok Sabha also made a reference to the loss of thousands of lives and disruption of property in the earthquake of an unprecedented intensity which took place in Gujarat on 26 January 2001.

* Others who took part in the discussion were: Sarvashri Priya Ranjan Dasmuni, Maheshwar Singh, Sudarsana E.M. Natchiappan, Anadi Charan Sahu, Shrichand Kriplani, Prof. Ummareddy Venkateswarlu, Dr. Laxminarayan Pandeya and Dr. Jaswant Singh Bishnoi

RAJYA SABHA**ONE HUNDRED AND NINETY-SECOND SESSION***

The Rajya Sabha, which met for its One Hundred and Ninety-second Session on 19 February 2001, was adjourned *sine die* on 27 April 2001, and was then prorogued by the President on 3 May 2001.

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

A. STATEMENTS/DISCUSSIONS

Motion of Thanks to the President for his Address to Members of Parliament: On 19 February 2001, the President of India, Shri K.R. Narayanan addressed the members of both Houses of Parliament assembled together in the Central Hall of Parliament.**

The Motion of Thanks to the President for his Address in the Rajya Sabha was moved by Shri T.N. Chaturvedi on 1 March 2001. The discussion took place on 1, 7, 8 and 12 March 2001. Moving the motion, Shri T.N. Chaturvedi said that the President, through his Address, had helped in removing a lot of cobwebs on many of the issues, policies and programmes by taking a synoptic view of the changes that had taken place in the social, political, international, economic, scientific and educational areas. The Address had referred to the devastation caused by the earthquake in Gujarat and contained an expression of the nation's gratefulness to the humanitarian aid received from various countries and agencies abroad. It had appreciated the service rendered by the Armed Forces, NGOs and other philanthropic organizations. Emphasis was laid on the need for a comprehensive disaster management plan at the Centre and in the States. The Address also noted that the Maha Kumbh celebrations demonstrated the continuity of the Indian civilization and culture. The whole event, it was stated, had been an example of management at its best. Referring to the responsibility of the members, the President had said that the respect of the people for public representatives depended on parliamentary and legislative behaviour within the House and conduct outside.

Seconding the motion, Shri Sharief-ud-din Shariq appreciated the way the Government started the work of rehabilitation in Gujarat after

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

** For the text of the Address, see Feature "Address by the President to Parliament", *The Journal of Parliamentary Information*, Vol. XLVII, No. 1, March 2001, pp. 4

the devastating earthquake, taking aid and assistance from other countries. He commended the announcement of the constitution of the National Commission for Education for All. He also stressed the need for better facilities and more houses for the *jhuggi* dwellers for achieving urban development. Besides, he called for expediting the disposal of cases pending before the courts.

Participating in the discussion*, Shri S. Ramachandran Pillai said that the Government's current economic policy could not solve the country's problems. There was a decline in the growth of industries, the service sector and the agricultural sector in the last two years.

On 7 March 2001, Shri Shankar Roy Chowdhury said that the Government's approach to the basic problem of Jammu and Kashmir and the North-East had to be inter-linked. The terms and conditions of the negotiations had to be roughly the same while dealing with separatist organizations in Jammu and Kashmir and the North-East. He regretted that the Government had taken no step with regard to land reforms which was the basic requirement in agriculture.

Highlighting the problems of Bihar, Prof. Ram Deo Bhandary said that after the bifurcation of the State, the socio-economic situation of Bihar had deteriorated further. He said that the economy of the State today was based largely on agriculture. Low productivity, lack of marketing facilities, the limited income from agriculture, etc. have actually become hurdles in the path of development of Bihar. He requested the Central Government to grant an economic package to the post-bifurcated State of Bihar for progress and development of its economy.

Taking part in the discussion, Shri Satish Pradhan called attention to the heavy loss of crop production in Maharashtra in the current year, the border dispute between Maharashtra and Karnataka for the last 30 years and the problems of fishermen in the country and appealed to the Government to take necessary steps in this regard.

* Others who took part in the discussion were: Sarvashri Pranab Mukherjee, K. Rahman Khan, Rumandla Ramachandraiah, V.P. Duraisamy, Eduardo Faleiro, B.P. Apte, Arjun Singh, Rajnath Singh 'Surya', Janeshwar Mishra, S.B. Chavan, V.V. Raghavan, Man Mohan Samal, P. Soundararajan, B.P. Singhal, D.P. Yadav, Gandhi Azad, C. Apok Jamir, Sangh Priya Gautam, Ram Jethmalani, C. Ramachandraiah, Ravi Shankar Prasad, Moolchand Meena, R.S. Gavai, Manoj Bhattacharya, W. Angou Singh, Rajiv Ranjan Singh 'Lalan', Rajeev Shukla, B.J.Panda, H.K. Javare Gowda, R.N. Arya, Maulana Obaidullah Khan Azmi, Mirza Abdul Rashid and Dr. M.N. Das

On 8 March 2001, Shri S. Viduthalai Virumbi supported the move for reservation of seats for women in the Lok Sabha and the State Legislative Assemblies. Regarding Centre-State fiscal relations, he said that the Eleventh Finance Commission had earmarked an amount of Rs. 35,000 crore for the backward States. But, the word 'backward' had to be clearly defined.

Dr. Arun Kumar Sarma welcomed the Government's plan to set up a permanent National Disaster Management Authority and said that it was time to create an exclusive and well-equipped rescue battalion. Regarding security, he decried the absence of a clear indication about a political settlement through negotiations with militants and the inadequate pressure on the neighbouring countries for their active support to curb terrorists operating and crossing borders from their territories. He also stressed the need for a revision of the entire concept of education and a review of the entire system of disinvestment and called for another Constituent Assembly to restructure the Constitution.

Replying to the debate on 12 March 2001, the Prime Minister, Shri Atal Bihari Vajpayee said that the Government had come forward with a five point programme for bringing about reforms in the Judiciary. The Civil Procedure Code was being amended. A National Judicial Commission would also be set up. Regarding the agricultural sector, he said that the loan amount for farmers had been increased by 24 per cent *vis-à-vis* that of last year. Under the Rural Infrastructure Development Fund, the interest rate on loans given by NABARD to the States had also been lowered by 1 per cent. Till date, 1.10 crore farmers had been provided with credit cards for availing the loan facility. While taking note of the fact that we are bound by the agreements under the WTO, the Prime Minister said that the need of the hour was to face up to the challenge of the times and enhance production, while improving the quality of our products. The Government had taken a number of steps for safeguarding the interests of farmers and the protection of small-scale industries. Concrete steps had been taken to store foodgrains, fruits and vegetables. Attractive terms had been extended in the Budget to invite investment in the foodgrain management area. Excise duty on food processing had been totally removed. He added that a decision had been taken to hold a meeting of the Chief Ministers for further discussing the steps to be taken to protect the interests of the farmers with regard to the new issues and situations emerging in the wake of the WTO agreements.

The three new States of Uttaranchal, Jharkhand and Chhattisgarh had been constituted successfully. The State of Uttaranchal would be

given a special status. Also, special plans are being made for Kutch and other earthquake affected districts in Gujarat and an agenda was being prepared to chalk out plans for the development of the affected areas.

Regarding Jammu and Kashmir, the Prime Minister said that there was no other way but to solve the issue through dialogue. It was a national and political issue connected with the unity and integrity of the country. He added that the Opposition had always been apprised on the steps that had been taken in this regard and that the Government worked with transparency and there were no facts to hide.

The motion was adopted.

The extreme volatility in the stock markets which had led to a climate of uncertainty and instability for investment and remedial measures taken by Government with regard thereto: On 13 March 2001, Dr. Manmohan Singh called the attention of the Minister of Finance in this regard.

Replying to the Calling Attention, the Minister of Finance, Shri Yashwant Sinha said that the downward trend of the stock markets worldwide, particularly technology stocks for the last one year, had also affected the Indian markets. He informed that though the downward movement and volatility of the Indian stock market had not been unusual compared to the international markets, the Securities and Exchange Board of India (SEBI) had received information that stock prices were being manipulated. Investigations were initiated on 2 March 2001 in coordination with the National Stock Exchange, Bombay Stock Exchange and Calcutta Stock Exchange, against 20 brokerage entities. Certain remedial measures were being taken by SEBI for enhancing market safety after its meeting held with the Stock Exchanges in Mumbai on 5, 11 and 12 March 2001.

As far as bank advances against shares and guarantees to stock brokers by the banking system was concerned, the Minister said that the RBI had intimated that as of 31 December 2001, it was less than 2 per cent of the total advances and there had been no violation of its prudential norms. SEBI had assured that there was no systemic risk to the market and no danger of a payment crisis. The Minister proposed certain measures towards improving institutional mechanisms and trading practices in the stock markets, including corporatisation of stock exchanges by which ownership, management, and trading membership would be segregated from each other. Administrative steps and legislative changes, if required, would be proposed and taken accordingly. The

Government, in cooperation with the SEBI, would continue to make every effort to ensure that capital markets operated in an orderly, transparent, safe and fair manner for all investors.

Regarding the delay in SEBI's investigations, the Finance Minister said that SEBI acted under the Securities and Exchange Act, and was not allowed to do anything that could not stand judicial scrutiny. A complete ban had been put on SEBI employees trading in the market. He clarified the position regarding stock lending, stating that it was a legitimate activity carried on in every stock market throughout the world. The Stock Holding Corporations, being custodians on behalf of the Unit Trust of India (UTI), the Life Insurance Corporation of India (LIC), the General Insurance Corporation (GIC), etc., were authorized by the SEBI under its rules to carry out lending operations, under strictly prescribed norms. He said that investigations were on to find out whether there were any violation, of the prescribed norms by any of the Stock Holding or lending bodies.

Short Duration Discussion on the situation caused by the severe earthquake in Gujarat on 26 January 2001: The Minister of Agriculture, Shri Nitish Kumar made a statement on 26 February 2001 on the severe earthquake in Gujarat on 26 January 2001 causing colossal loss of human lives and property. He said that the Government of Gujarat and the Central Government had responded immediately with the help of armed and paramilitary forces and other concerned departments and launched massive emergency operations for rescue and relief. Over 23,500 Army troops and 3,000 paramilitary forces personnel had been deployed along with the medical and engineering teams and equipment. The Air Force had deployed 48 aircraft, including helicopters and the Navy had made available three ships, out of which two were converted into hospitals. An ad hoc assistance of Rs. 500 crore announced by the Prime Minister had been released to the Government of Gujarat on 30 January 2001. All relief materials were exempted from customs/excise duty and 100 per cent income tax exemption on donations to charitable institutions and the Relief Funds of the Prime Minister and the Chief Minister had been announced. The National Crisis Management Committee under the Chairmanship of the Union Cabinet Secretary had been supervising and coordinating the relief activities, with the Department of Agriculture and Cooperation as the nodal Department for the follow-up. As per reports received from the State Government, more than 19,000 people had been declared dead and 1.67 lakh injured. About 1.59 crore population in 7,904 villages in 182 talukas spread over 21 districts had been affected by the earthquake.

The damage to property and infrastructure was likely to be of the order of Rs. 21,262 crore.

Participating in the discussion, Shri R. Margabandu requested the Government to constitute block-level committees for the relief and rehabilitation work. Shri Suresh A. Keswani said that if the Government was serious about rehabilitating the affected areas, it had to rehabilitate the economy of that area, create incomes and offer incentives to people who were capable of creating incomes. The first incentive would be to declare a total tax holiday for five years for the industries which were to be set up there, the member added.

Replying to the discussion*, the Minister said that a National Committee for Disaster Management had been set up consisting of the representatives of all parties as well as the Chief Minister of Gujarat. Allegations levelled against the Gujarat Government that it had not taken immediate steps to initiate relief work in the earthquake hit areas were not correct. The National Crisis Management Committee and the Cabinet had held meetings the same day on which the earthquake took place. The Union Home Minister had made a visit and a team of doctors and relief material had also been sent immediately. The Minister stated that any complaint of discrimination in the distribution of relief material had to be brought to the notice of the National Committee for Disaster Management. He further said that anybody found guilty of any kind of discrimination would be punished.

Sale of BALCO at an abnormally low price and the questionable method of valuation of its assets: On 27 February 2001, Shri Pranab Mukherjee called the attention of the Minister of Disinvestment in this regard.

Replying to the Calling Attention, the Minister of State of the Department of Disinvestment, Shri Arun Shourie, said that out of 58 units which were recommended for disinvestment by the Disinvestment Commission, the Bharat Aluminium Company (BALCO) was one of the profit making units. In its report submitted in April 1997, the Disinvestment Commission had recommended that the Government immediately disinvest

* Others who participated in the discussion were: Sarvashri Ahmed Patel, Anantray Devshanker Dave, Brahmakumar Bhatt, Solipeta Ramachandra Reddy, Lalitbhai Mehta, Ka.Ra. Subbian, Nagendra Nath Ojha, Raju Parmar, Sanjay Nirupam, R.S.Gavai, Manoj Bhattacharya, R.N. Arya, S.S. Ahluwalia, Maulana Obaidullah Khan Azmi, Shrimati Sarita Maheshwari and Shrimati Kum Kum Rai

its holding in the Company by offering 40 per cent share of the equity to a strategic partner, either domestic or foreign, through a transparent and competitive global bidding process. The Government had to bring down its holding to 26.1 per cent within two years. Thereafter, it had to keep the company under an "on going review" and disinvest its balance 26 per cent equity at an appropriate time. In June 1998, the Chairman of the Disinvestment Commission recommended that the Government consider selling 51 per cent of the equity along with management control to a strategic partner, which would enable smooth transaction with the participation of more bidders and better price for the shares. Accordingly, the process of disinvestment in BALCO began almost four years ago. The entire process of disinvestment had been conducted in public knowledge. Open competitive bidding had been the essential ingredient of the entire process. Meetings and consultations were held with representatives of employees and the Government had ensured that clauses were included in the share holders agreement to safeguard the interest of the workers.

In the ensuing discussion*, several points were raised and the Minister, in his reply, stated that earlier BALCO was regarded as a core enterprise and later in April 1997, it was classified as a non-core enterprise. This shifting of BALCO from core to non-core was done as the report of the Disinvestment Commission stated that by classifying it as belonging to the core group of PSUs would set a limit on the disinvestment at 49 per cent.

On the question as to why a profit making enterprise was being disinvested the Minister said that the answer could be had in the report of the Disinvestment Commission which had said that BALCO had obsolete technology and inadequate supply of ore and depleting resources. It was stated that BALCO as a PSU had suffered from procedural bottlenecks and lack of managerial autonomy. Moreover, only half of its profits came from its own business and the rest came from interest in fixed deposits.

Clarifying the position on the statement that profits of the company had fallen as a result of the announcement of the decision on disinvestment,

* Others who participated in the discussion were: Sarvaashri Dipankar Mukherjee, Sanjay Nirupam, Suresh A. Keswani, R. Margabandu, Gandhi Azad, Rama Shanker Kaushik, C. Ramachandraiah, Prem Chand Gupta, Ram Jethmalani, Kapil Sibal, Ramdas Agarwal, J. Chitharanjan, S. S. Ahluwalia, R.K. Anand and Manoj Bhattacharya

the Minister stated that the aluminium prices had suddenly shot up in 1995 and 1996, and, therefore, all aluminium companies in India had made a lot of money. So as to realise a good value for the shares of the Government, the Disinvestment Commission suggested the disinvestment of BALCO. But it took four years and in the meantime the aluminium prices also came down affecting profits. There would be no retrenchment at all of any part of the labour force for one year; the Company would offer a generous voluntary retirement scheme if the labour was thinned out.

Regarding the question as to what precautions were taken to ensure that the person who won the contract did not back out later, the Minister replied that the Government had ensured that the partner would give a bank guarantee for Rs. 50 crore and anyone bidding and backing out would have to forfeit that amount. Secondly, the final bid had to come with a banker's guarantee that the person had the money. Thirdly, full payment would have to be made in one go when the document was finally required. The Minister stated further that the strategic partner could not sell any assets exceeding 20 per cent of the net fixed assets of the Company without the affirmative vote of the Government nominees. If there was any evidence of asset's stripping, the strategic partner would have to sell its shares at 50 per cent discount to the Government.

Regarding the demand for a Parliamentary Standing Committee for the Ministry of Disinvestment, the Minister clarified that as per a decision taken by the Speaker, Lok Sabha, the Standing Committee overseeing the Ministry of Finance would oversee the Ministry of Disinvestment as well.

Statement by the Minister of External Affairs regarding recent incidents at the India-Bangladesh Border: On 23 April 2001, the Minister of External Affairs, Shri Jaswant Singh made a statement regarding incidents at the Indo-Bangladesh border during 16-19 April 2001, caused by the unwarranted and unprovoked intrusion by the Bangladesh Rifles (BDR) forces into the village of Pyriduwah in the East Khasi Hills District of Meghalaya. Consequent to that intrusion, tension had spread to other sectors, including in Assam where there was heavy exchange of fire between the Border Security Force (BSF) and the BDR in Borabari, on the night of 17-18 April 2001. On 18 April morning, one of the BSF patrol parties went missing and, thereafter, the Government learnt that the Bangladesh media had reported a statement made by the Director-General, BDR that 16 BSF personnel had been killed in an encounter. The matter had been taken up immediately through the regular channel

of the BSF as also through the diplomatic channel, calling for immediate cessation of firing, withdrawal of BDR and restoration of the *status quo ante*. Confirmation was received the same night from the Bangladesh Government that necessary instructions were being issued for withdrawal of BDR. The Bangladesh Government confirmed the complete withdrawal of the BDR forces by the night of 19 April 2001. The bodies of the BSF personnel, returned on demand, on 20 April evening showed shocking marks of mutilation and injury. A strong protest was lodged with the Bangladesh Government in this regard. The Bangladesh Government, while regretting the BDR action, assured an investigation into all aspects of the incident. The Minister added that such heinous acts would not be permitted to loosen the strong friendship ties which existed between the two countries.

Replying to the points raised by members during the discussion*, the Minister said that three aspects had emerged from the discussion: that of border transgression, intelligence failure and the indignity inflicted upon the uniformed personnel of India. Throwing light on the question of transgression of border, he informed the members that India and Bangladesh shared 4096 kms long border, out of which 6 kms remained to be demarcated and identified. There were several Indian enclaves in Bangladesh and Bangladeshi enclaves in India and the issue was only of those enclaves which were in adverse possession. He said that the citizens of one country had moved into the territory or enclave not belonging to that country because of the nature of the terrain and was, as a consequence, in adverse possession of that particular country. Under the 1974 land boundary agreement, these adverse possessions were to be transferred after completion of demarcation and ratification of the land boundary agreement. The question of adverse possession was one of the pending issues which had to be addressed by the Joint Boundary Working Group and the Government had already proposed the draft terms of reference for it in March 2001.

The BSF border observation Post at Pyriduwah was situated on land under adverse possession of India. The land boundary kept shifting

* Others who participated in the discussion were: Sarvashri S. S. Ahluwalia, Satish Pradhan, Abani Roy, V.P. Duraisamy, Amar Singh, Ram Jethmalani, Rajiv Shukla, Jibon Roy, Prem Chand Gupta, Swaraj Kaushal, J. Chitharanjan, Shankar Roy Chowdhury, Sardar Balwinder Singh Bhundar, C. Ramachandraiah, R. S. Gavai, Rajiv Ranjan Singh 'Lalan', K. Rahman Khan, T.N. Chaturvedi, K.M. Saifullah, Sanjay Nirupam, Rama Shanker Kaushik and Dr. Manmohan Singh

because of the riverine nature of the terrain and that was why India was in adverse possession of 320 yards of land claimed by Bangladesh. The Minister assured the House that the treatment, and, thereafter, the defilement of the uniformed personnel of India, was not a matter that would be taken lightly and appealed to the members to see the whole incident in its total perspective.

B. LEGISLATIVE BUSINESS

*The Salaries, Allowances, Leave and Pensions of the Officers and Servants of the Delhi High Court Bill, 2001**: Moving the Motion for consideration of the Bill on 12 March 2001, the Minister of Law, Justice and Company Affairs, Shri Arun Jaitley said that the Bill would enable the regulation of the salaries, allowances, leave and pensions of the officers and servants of the Delhi High Court. It was a consequence of anomalies created by a series of judicial pronouncements made by the Delhi High Court which refixed the salaries of the staff of the High Court. The salaries, in a large number of categories were much more than the equivalent categories in other Government services. A group of Ministers appointed to look into the disparities had suggested the legislation, because under the provisions of article 146 (2), the salaries could normally be fixed by the Chief Justice, unless there is a legislation which provides for them. The Bill also provided a protection scheme for those whose pay scales had been increased whereby the salaries of a Court servant would not come down but be frozen at the highest point till he would be entitled to get a higher scale and was entitled for a promotion. The Schedule could be amended, from time to time, on the recommendations and decision of the Chief Justice of the High Court, or any other Judge appointed for the purpose so that anomalies did not arise.

Replying to the discussion**, the Minister said that fixation of pay scales was not a judicial function but an executive function whether it was the executive or the Chief Justice of High Court in his executive capacity which framed the pay scales. The pay scales were introduced by the High Court in its judicial capacity and a strange anomaly was created in the process. In 1988, when the question was raised by employees of the Delhi Government and the Central Government as to why they should get a salary or a scale which was less than that of an

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

** Those who took part in the discussion were: Sarvashri Narendra Mohan, R. Margabandu, Ram Jethmalani, R.K. Anand and Shrimati Sarla Maheshwari

employee in the High Court holding a similar post, a serious issue was created. It was not a question of interference in the financial autonomy of the courts. It was a matter of concern, if in pursuance of a judicial decision, disparities in salary occurred and government employees created serious unrest in the Central and State Governments. The anomaly had to be corrected and the pay scales brought at par.

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

*The Salaries, Allowances, Leave and Pensions of the Officers and Servants of the Supreme Court Bill, 2001**: Moving the motion for consideration of the Bill on 12 March 2001, the Minister of Law, Justice and Company Affairs, Shri Arun Jaitley said that the Bill would provide for the regulation of the salaries, allowances, leave and pensions of the officers and servants of the Supreme Court of India.

When the Delhi High Court enhanced the pay scales of its staff, similar judgments, were then, passed by the Supreme Court, whereby the salaries of its staff were also increased, resulting in serious disparities. This Bill was proposed in 1994 to make the salaries of the Staff of the Supreme Court on par with what the corresponding scales in Government services would be otherwise.

In the scheme of the Bill, no employee would get a salary less than what he was drawing. His existing pay would be protected as personal pay and flexibility would be given to the Chief Justice of India to amend the Schedule, provided such amendments were approved by the President.

Replying to the discussion**, the Minister said that the Bill corrected the disparities which came about by virtue of certain judgments of the Courts.

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

*The Vaccination (Repeal) Bill, 2000****: Moving the motion for

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

** Those who took part in the discussion were: Sarvashri Ravi Shanker Prasad, Solipeta Ramachandra Reddy, Kapil Sibal and Rajnath Singh 'Surya'

*** The Bill was introduced in the Rajya Sabha on 15 December 2000

consideration of the Bill on 12 March 2001, the Minister of Health and Family Welfare, Dr. C.P. Thakur said that the Bill sought to repeal the Vaccination Act, 1880. The Act dealt with small-pox vaccination, restriction on movement of non-vaccinated persons and also punishment. As small-pox had been globally eradicated in 1980, the Committee on Administrative Laws had suggested the repeal of the redundant Bill.

Replying to the points raised by the Members* the Minister agreed that consensus should be created among the people regarding vaccination and said that certain vaccination programmes were still being taken up. The Government would look into the matter of inferior quality vaccines being used and also pay attention to the quality of vaccines supplied in far-off places. It would also look into the vaccine institutes under the State Governments which had either been closed or were not functioning properly. The Haffkins Institute at Kasauli was being improved so that all vaccinations could be manufactured there.

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

*The Post-Graduate Institute of Medical Education and Research, Chandigarh (Amendment) Bill, 2000***: Moving the motion for consideration of the Bill on 12 March 2001, the Minister of Health and Family Welfare, Dr. C.P. Thakur said that the Bill dealt with any Member of the House, either elected or nominated, becoming a Member of the Governing Body of the Institute. If the Member got elevated to the post of Deputy Chairman, Chairman, Deputy Speaker, Speaker, Minister, State Minister or Cabinet Minister or Minister of any rank, that Member would cease to be a Member of the Governing Body. A similar Bill regarding the All India Institute of Medical Sciences (AIIMS) had already been passed.

Replying to the discussion,*** the Minister said that all the Post Graduate Research Institutes were doing good research. Regarding dispersal of research institutes, he said that research activities would be

* Those who took part in the discussion were: Dr. Y. Radhakrishna Murty and Shrimati Savita Sharda

** The Bill was introduced in the Rajya Sabha on 20 December 2000

*** Those who took part in the discussion were: Sarvashri Rajnath Singh 'Surya', Manoj Bhattacharya and Dr. Y. Radhakrishna Murty

dispersed to other parts of India as well. He informed that the Indian Council of Medical Research (ICMR) had got its centres in almost all the states.

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

C. QUESTION HOUR

During the One Hundred and Ninety-second Session of the Rajya Sabha, 12682 notices of questions (11616 Starred and 1066 Unstarred) were received. Out of these, 620 questions were admitted as Starred and 4718 as Unstarred. The total number of notices of questions received in Hindi was 2322. (Notices of questions received for the sittings of Rajya Sabha scheduled after 27 April 2001 were treated as lapsed due to cancellation of the sittings thereafter).

Daily average of Questions: For all days, the list of Starred Questions contained 20 questions. On an average, 3.33 questions were orally answered per sitting. The maximum number of questions orally answered on a particular day was 6 on 18 April 2001. The minimum number of questions orally answered was 1 on 19 and 21 March 2001. On the first two days of the sittings, i.e. on 20 and 22 February, 2001, the list of Unstarred Questions contained 87 and 136 Questions, respectively, and on rest of the days, it contained 155 Questions each.

Half-an-Hour Discussion: Seven notices of Half-an-Hour Discussion were received, out of which two notices were admitted jointly but none were discussed in the House.

Short Notice Questions: Out of the three Short Notice Questions received, only one notice was admitted and answered in the House on 15 March 2001.

D. OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Shri Devi Lal, sitting member of the Rajya Sabha; Shri Indrajit Gupta, a sitting member of the Lok Sabha; and Sarvashri Manubhai Shah, G. Lakshmanan, Jitendra Prasad, M. Anandam, V.N. Gadgil, Shanti Tyagi, Sadiq Ali, J.S. Tilak and Shrimati Vijaya Raje Scindia, all former members. Members stood in silence as a mark of respect to the deceased.

STATE LEGISLATURES

KARNATAKA LEGISLATIVE ASSEMBLY*

The Eleventh Karnataka Legislative Assembly, which commenced its Third Session on 26 February 2001, was adjourned *sine die* on 31 March 2001. There were twenty-one sittings in all.

Address by the Governor: The Governor of Karnataka, Smt. V.S. Ramadevi addressed members of both the Houses on 26 February 2001. The Motion of Thanks to the Governor for her Address was discussed by the House in which twelve members participated. The Motion was adopted after a reply by the Chief Minister on 23 March 2001.

Legislative business: During the Session, fourteen Bills were passed by the House.

Financial business: On 26 March 2001, the Chief Minister, Shri S.M. Krishna, who is also in charge of the Ministry of Finance, presented the State Budget. Later, the General Discussion on the Budget took place in which twenty-four members participated. The Chief Minister replied to the General Discussion on the Budget on 30 March 2001. The Appropriation (Vote on account) Bill for four months and the Supplementary Estimates for the year up to 31 March 2001 were passed on the same day.

Obituary references: During the Session, obituary references were made on the passing away of former Chief Minister, Shri J.H. Patel, some other personalities and those who lost their lives in the Gujarat earthquake.

KARNATAKA LEGISLATIVE COUNCIL**

The Ninety-fourth Session of the Karnataka Legislative Council commenced on 26 February 2001. The House took a recess from 14 March to 20 March 2001. The House, which reconvened on 21 March 2001, was adjourned *sine die* on 31 March 2001. In all, 20 sittings were held.

Address by the Governor: The Governor of Karnataka, Smt. V.S. Ramadevi addressed members of both the Houses assembled together on 26 February 2001.

* Material contributed by the Karnataka Legislative Assembly Secretariat

** Material contributed by the Karnataka Legislative Council Secretariat

Legislative business: During the Session, fourteen Bills received from the Legislative Assembly were passed by the House.

Financial business: During the Session, the Budget Estimates for the year 2001-2002 were presented to the House on 26 March 2001. The Supplementary Estimates for the year 2001-2002 were presented on 29 March 2001. The Appropriation Bill was ratified on 30 March 2001.

Obituary references: During the Session, obituary references were made on the passing away of some eminent personalities.

MADHYA PRADESH VIDHAN SABHA*

The Eleventh Madhya Pradesh Vidhan Sabha held its Sixth Session in two phases. The first phase was for two days – 19 and 20 October 2000. The House, which reconvened on 6 November 2000, was adjourned *sine die* on 8 December 2000. There were 26 sittings in all.

Legislative business: During the Session, twelve Bills were passed by the House. The following are some of the important Bills passed by the House : (i) The Madhya Pradesh Vishesh Kshetra Suraksha Vidheyak, 2000; (ii) The Madhya Pradesh Vidyut Sudhar Vidheyak, 2001; (iii) The Madhya Pradesh Sah-Chikitsiya Parishad Vidheyak, 2000; and (iv) The Madhya Pradesh Nikshepakon Ke Hiton Ka Sanrakshan Vidheyak, 2000.

Financial business: On 29 November 2000, the Finance Minister, Shri Ajai Mushran introduced the Second Supplementary Demands for the year 2000-2001, which were granted by the House on 30 November 2000 after a brief discussion.

Obituary references: During the Session, obituary references were made on the passing away of the former Governor of Maharashtra, Shri C. Subramaniam; Union Minister, Shri P.R. Kumaramanglam; former Speaker of the Madhya Pradesh Vidhan Sabha, Shri Mukund Sakharam Newalkar; Shri Narayan Krishna Shejawalkar and Shri Gurudeo Gupta, former members of Parliament; Sarvashri Barku Bhai Chauhan, Narayanrao Panchharam, Sukhdeo Ram, Lakhan Jai Singh, Mandu Singh Marsekole, Raja Lalit Kumar Singh, Gyanendra Singh Judeo, Dr. Rajendra Jain, and Dr. B.B. Rai, all former members of the Assembly; Shri Sitaram Kesri former President of Indian National Congress, veteran revolutionary and freedom fighter Shri Manmathnath Gupta; and the well known literary personality, Shri Naresh Mehta. Obituary references were also made in memory of those who lost their lives in the train mishap which occurred

* Material contributed by the Madhya Pradesh Vidhan Sabha Secretariat

on the Ambala-Sarhind rail track in Punjab and the victims of the bus accident near Shahdol District of Madhya Pradesh.

MANIPUR LEGISLATIVE ASSEMBLY*

A one-day Session of the State Legislative Assembly was convened on 14 February 2001 to discuss the No-confidence Motion against the Council of Ministers led by Shri W. Nipamacha Singh. There was no discussion on the Motion as the Chief Minister Shri W. Nipamacha Singh resigned before the motion could be discussed. Subsequently, the House was adjourned *sine die* the same day.

Obituary references: During the Session, obituary references were made on passing away of a former member of Legislative Assembly, Shri Basant Kumar Wangkhem and also on those who lost their lives in the Gujarat earthquake.

The Seventh Manipur Legislative Assembly commenced its Fourth Session (Budget Session) on 19 March 2001 and concluded on 23 March 2001. The House was subsequently adjourned *sine die*. There were five sittings in all.

Address by the Governor: The Governor of Manipur, Shri Ved Prakash Marwah addressed the House on 19 March 2001. The Motion of Thanks to the Governor for his Address was moved by Shri L. Jatra Singh and seconded by Shri Z. Mangaibou.

Election of Deputy Speaker: On 23 March 2001, Shri Z. Mangaibou was elected uncontested as the Deputy Speaker of the Manipur Legislative Assembly.

Legislative business: During the Session, the following Bills were passed by the House: (i) The Manipur Appropriation (No.1) Bill, 2001; and the Manipur Appropriation (No.2) Bill, 2001.

Financial business: During the Session, the Chief Minister, Shri Radhabinod Koijam presented the Supplementary Demands on Grants for the year 2000-2001, which were subsequently passed after discussion. The Chief Minister also presented the Budget Estimates for the year 2001-2002 and the Motion for Vote on Accounts, 2001 for 4 months. The discussion on the Motion for Vote on Accounts took place and it was passed unanimously by the House on 20 March 2001. The same day, the Minister of State for Finance, Dr. Kh. Loken Singh moved for

* Material contributed by the Manipur Legislative Assembly Secretariat

leave to introduce the Manipur Appropriation (No. 1) Bill, 2001 and the Minister of State for Finance, Shri A. Biren Singh moved for leave to introduce the Manipur Appropriation (No. 2) Bill, 2000. Both the Bills were passed unanimously by the House on 23 March 2001.

Obituary references: During the Session, obituary reference was made on the passing away of a former member of the Legislative Assembly, Shri Oinam Tomba Singh.

MEGHALAYA LEGISLATIVE ASSEMBLY*

The Sixth Meghalaya Legislative Assembly, which commenced its Eleventh Session (Budget Session) on 16 March 2001, was adjourned *sine die* on 2 April 2001. The House was later prorogued. There were twelve sittings in all.

Address by the Governor: The Governor of Meghalaya addressed the House on 16 March 2001. The Motion of Thanks to the Governor for his Address was moved, discussed and adopted by the House after a reply by the Chief Minister.

Legislative business: During the Session, the following Bills were passed by the House: (i) The Meghalaya Commercial Crops Development Board (Amendment) Bill, 2001; (ii) The Meghalaya Prohibition of Manufacturers' Sale, Use and Throwing of Low Density Plastic Bags Bill, 2001; (iii) The Meghalaya Appropriation (No. 1) Bill, 2000; and the Meghalaya Appropriation (Vote on Account) Bill, 2001.

Financial business: On 19 March 2001, the Minister-in-charge, Finance presented the Supplementary Demands for Grants and Supplementary Appropriation for the year 2000-2001. The discussion and voting on the Supplementary Demands for Grants were held on 21, 23 and 26 March 2001. On 26 March 2001, the Minister-in-charge, Finance, introduced the Meghalaya Appropriation (No.1) Bill, 2000 which was subsequently considered and passed by the House the same day. On 27 March 2001, the Minister-in-charge, Finance, presented the Budget Estimates for the year 2001-2002 and the Vote-on-Accounts Budget for the first quarter of the Financial year 2001-2002. Along with these, subsequently, the Meghalaya Appropriation (Vote-on-Account) Bill 2001 was also passed the same day.

Obituary references: During the Session, obituary references were made on the passing away of former Union Minister, Shri V.N. Gadgil,

* Material contributed by the Meghalaya Legislative Assembly Secretariat

Shri Indrajit Gupta, member of Lok Sabha, Smt. Vijayaraje Scindia, former member of Parliament and Shri LehinSan Sangma and Shri Ohiwot Khonglah, both former members of the Legislative Assembly, and also on those who lost their lives in the Gujarat earthquake.

TRIPURA LEGISLATIVE ASSEMBLY*

The Eighth Tripura Legislative Assembly, which commenced its Ninth Session on 23 February 2001, was adjourned *sine die* on 16 March 2001. There were fourteen sittings in all.

Address by the Governor: The Governor of Tripura, Lt. Gen. (Retd.) K.M. Seth addressed the House on 23 February 2001.

Legislative business: During the Session, the following Bills were passed by the House: (i) The Salary, Allowance and Pension of Members of the Legislative Assembly (Tripura) (16th Amendment) Bill, 2001; (ii) The Tripura Appropriation Bill, 2001; and (iii) The Tripura Appropriation (No.2) Bill, 2001.

Financial business: On 5 March 2001, the Finance Minister, Shri Badal Choudhury presented the supplementary Demands for Grants for the year 2000-2001 and the Budget Estimates for the year 2001-2002. The discussion and voting on the Supplementary Demands for Grants took place on 8 and 12 March 2001 and the same were later passed.

Obituary references: During the Session, obituary references were made on the passing away of the first Chief Minister of Tripura, and veteran freedom fighter, Shri Sachindra Lal Singha; Shri J.H. Patel, former Chief Minister of Karnataka; Shri Jitendra Prasad, MP; Shri Indrajit Gupta, MP; Shri V.N. Gadgil, ex-MP; former President of the Indian National Congress, Shri Sitaram Kesri; member of Legislative Assembly, Shri Madhu Sudhan Saha. Obituary references were also made on the passing away of those who lost their lives in the Gujarat earthquake and in respect of the 13 CRPF personnel who died in an extremist attack on 3 March 2001 at Bampur, Amarpur sub-division of the State.

WEST BENGAL LEGISLATIVE ASSEMBLY**

The Twelfth West Bengal Legislative Assembly, which commenced

* Material contributed by the Tripura Legislative Assembly Secretariat

** Material contributed by the West Bengal Legislative Assembly Secretariat

its Tenth Session on 22 January 2001, was adjourned *sine die* on 24 February 2001. The House was prorogued on 26 February 2001. There were eighteen sittings in all.

Address by the Governor: The Governor of West Bengal, Shri Viren J. Shah addressed the House on 22 January 2001. The Motion of Thanks to the Governor for his Address was moved on the same day. The Motion of Thanks to the Governor for his Address was discussed for four days, *i.e.* on 6, 7, 8 and 9 February 2001, and was adopted on 9 February 2001.

Legislative business: During the Session, eighteen Bills were introduced in the House and later passed.

Financial business: On 16 February 2001, the Minister-in-charge of Finance, Dr. Asim Kumar Dasgupta presented the Budget for the year 2001-2002. The General Discussion on the Budget took place for four days, *i.e.* on 19, 20, 21 and 22 February 2001 and the Minister-in-charge, Finance replied to the debate on 22 February 2001. The Motion for Vote on Account was also moved and later passed by the House on the same day. The Supplementary Demands for Grants for the year 2000-2001 were presented on 20 February 2001. The Discussion on the Supplementary Estimates was held on 22 February 2001 and the Estimates were passed on the same day. On 23 February 2001, the West Bengal Appropriation Bill, 2001 and the West Bengal Appropriation (Vote on Account) Bill, 2001 were introduced in the House and later passed the same day.

Obituary references: During the Session, obituary references were made on the passing away of the former Prime Minister of Sri Lanka, Smt. Sirimavo R.D. Bandaranaike; former Governor of West Bengal, Punjab and Karnataka, Shri Dharam Vira; former Speaker of the West Bengal Legislative Assembly, Shri Apurbalal Majumder; former Union Minister, Shri V.N. Gadgil, sitting Member of Parliament, Shri Indrajit Gupta; sitting members of the Assembly, Sarvashri Chittaranjan Biswas and Deoki Nandan Poddar; former Minister, Shri Subodh Choudhuri; former members of the Assembly, Sarvashri Tarapada Banerjee, Monoranjan Borral, Nani Kar, Gandadhar Naskar, Surajit Saran Bagchi, Laxmi Charan Sen and Dr. Sisir Kumar Bose; and renowned cricketers Lala Amarnath and Shri Pankaj Roy. Obituary references were also made on the passing away of some other veteran personalities and on those who lost their lives in the floods in West Bengal and in the Gujarat earthquake.

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APPENDIX I

**STATEMENT SHOWING THE WORK
TRANSACTIONED DURING THE SIXTH SESSION
OF THE THIRTEENTH LOK SABHA**

| | | |
|---|--|--------------------------|
| 1. PERIOD OF THE SESSION | 19 February 2001 to 27 April 2001 | |
| 2. NUMBER OF SITTINGS HELD | 31 (recess from 24 March 2001 to 15 April 2001) | |
| 3. TOTAL NUMBER OF SITTING HOURS | | 186 Hours |
| 3a. ACTUAL TIME OF SITTING | | 109 Hours and 09 minutes |
| 4. NUMBER OF DIVISIONS HELD | | 1 (1.3.2001) |
| 5. GOVERNMENT BILLS | | |
| (i) Pending at the commencement of the Session | | 27 |
| (ii) Introduced | | 12 |
| (iii) Laid on the Table as passed by the Rajya Sabha | | 4 |
| (iv) Reported by Standing Committees | | 2 |
| (v) Discussed | | 18 |
| (vi) Passed | | 17 |
| (vii) Part-discussed | | 1 |
| (viii) Pending at the end of the Session | | 28 |
| 6. PRIVATE MEMBERS' BILLS | | |
| (i) Pending at the commencement of the Session | | 149 |
| (ii) Introduced | | 20 |
| (iii) Discussed | | 1 |
| (iv) Part-discussed | | 1 |
| (v) Pending at the end of the Session | | 169 |
| 7. NUMBER OF DISCUSSIONS HELD UNDER RULE 184 | | |
| (i) Notices received | | 659 |
| (ii) Admitted | | 81 |
| (iii) Discussed | | 1 |
| 8. NUMBER OF MATTERS RAISED LAID UNDER RULE 377 | | 249 |
| 9. NUMBER OF MATTERS RAISED ON URGENT PUBLIC IMPORTANCE DURING 'ZERO HOUR' | | 145 |
| 10. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance) | | |
| (i) Notices received | | 186 |
| (ii) Admitted | | 3 |
| (iii) Discussions held | | 2 |

| | |
|--|--------------------------|
| 11. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling Attention of Matters of Urgent Public Importance) | Nil |
| 12. STATEMENTS MADE BY MINISTERS UNDER RULE 372 | 15 |
| 13. STATUTORY RESOLUTIONS | |
| (i) Notices received | 10 |
| (ii) Admitted | 2 |
| (iii) Moved | 1 |
| (iv) Withdrawn | 1 |
| 14. GOVERNMENT RESOLUTIONS | |
| (i) Notices received | 3 |
| (ii) Admitted | 3 |
| (iii) Moved | Nil |
| 15. PRIVATE MEMBERS' RESOLUTIONS | |
| (i) Received | 11 |
| (ii) Admitted | 11 |
| (iii) Discussed | 2 |
| (iv) Withdrawn | 1 |
| (vii) Part-discussed | 1 |
| 16. GOVERNMENT MOTIONS | |
| (i) Notices received | 2 |
| (ii) Admitted | 2 |
| (iii) Adopted | 1 |
| 17. NUMBER OF ADJOURNMENT MOTIONS | |
| (i) Total No. of Notices received | 53 |
| (ii) Brought before the House | 2 |
| (iii) Admitted | Nil |
| (iv) Consent withheld by Speaker outside the House | 51 |
| 18. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION | 12,763 |
| 19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND THE DATE ON WHICH ISSUED | 777 on 1.3.2001 |
| 20. TOTAL NUMBER OF QUESTIONS ADMITTED | |
| (i) Starred | 600 (66 answered orally) |
| (ii) Unstarred | 6,214 |
| 21. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE | 7 |
| 22. PETITIONS PRESENTED | 4 |
| 23. NUMBER OF PRIVILEGE MOTIONS | |
| (i) Notices received | 11 |
| (ii) Brought before the House | Nil |

24. WORKING OF PARLIAMENTARY COMMITTEES

| Sl. No. | Name of the Committee | No. of sittings held during the period 1 January to 31 March 2001 | No. of reports presented |
|---------|---|---|-------------------------------|
| 1 | 2 | 3 | 4 |
| i) | Business Advisory Committee | 2 | 2 |
| ii) | Committee on Absence of Members | 1 | 1 |
| iii) | Committee on Public Undertakings | 3 | 1 (1 Action Taken Statements) |
| iv) | Committee on Papers Laid on the Table | — | — |
| v) | Committee on Petitions | 5 | 2 |
| vi) | Committee on Private Members' Bills and Resolutions | 2 | 2 |
| vii) | Committee on the Welfare of Scheduled Castes and Scheduled Tribes | 3 | — |
| viii) | Committee on Privileges | — | — |
| ix) | Committee on Government Assurances | 3 | — |
| x) | Committee on Subordinate Legislation | — | — |
| xi) | Estimates Committee | 2 | — |
| xii) | General Purposes Committee | 1 | — |
| xiii) | House Committee | — | — |
| | a) Accommodation Sub-Committee | — | — |
| | b) Sub-Committee on Amenities | — | — |
| xiv) | Public Accounts Committee | — | — |
| xv) | Railway Convention Committee | 10 | 2 (6 Action Taken Statements) |
| xvi) | Rules Committee | — | — |

JOINT/SELECT COMMITTEES

| | | | |
|----|--------------------------------------|---|---|
| i) | Joint Committee on Offices of Profit | — | — |
|----|--------------------------------------|---|---|

STANDING COMMITTEES

| | | | |
|-------|---|----|--------------------------|
| i) | Committee on Agriculture | — | — |
| ii) | Committee on Communications | 20 | 2(1 Action taken Report) |
| iii) | Committee on Defence | 5 | 1 (Action taken Report) |
| iv) | Committee on Energy | 11 | 4 (Action taken Report) |
| v) | Committee on External Affairs | — | — |
| vi) | Committee on Finance | — | — |
| vii) | Committee on Food, Civil Supplies and Public Distribution | 5 | 2 |
| viii) | Committee on Labour and Welfare | — | — |
| ix) | Committee on Petroleum and Chemicals | 4 | 1 |
| x) | Committee on Railways | — | — |
| xi) | Committee on Urban and Rural Development | — | — |
| xii) | Committee on the Empowerment of Women | 5 | — |

APPENDIX II

**STATEMENT SHOWING THE WORK TRANSACTED
DURING THE ONE HUNDRED AND NINETY-SECOND
SESSION OF THE RAJYA SABHA**

| | | |
|--|---|------|
| 1. PERIOD OF THE SESSION | 19 February to 23 March 2001 and 16 April to 27 April 2001 | |
| 2. NUMBER OF SITTINGS HELD | | 31 |
| 3. TOTAL NUMBER OF SITTINGS HOURS | 90 Hours and 22 minutes | |
| 4. NUMBER OF DIVISIONS HELD | | 1 |
| 5. GOVERNMENT BILLS | | |
| (i) Pending at the commencement of the Session | | 43 |
| (ii) Introduced | | 8 |
| (iii) Laid on the Table as passed by the Lok Sabha | | 17 |
| (iv) Returned by the Lok Sabha with any amendment | | 4 |
| (v) Referred to Select Committee by the Rajya Sabha | | Nil |
| (vi) Referred to Joint Committee by the Rajya Sabha | | Nil |
| (vii) Referred to the Departmentally- related Standing Committees | | 9* |
| (viii) Reported by Select Committee | | Nil |
| (ix) Reported by Joint Committee | | Nil |
| (x) Reported by the Departmentally- related Standing Committees | | 2 |
| (xi) Discussed | 19 (includes one part-discussed Bill) | |
| (xii) Passed | | 18** |
| (xiii) Withdrawn | | Nil |
| (xiv) Negatived | | Nil |
| (xv) Part-discussed | | 1 |
| (xvi) Returned by the Rajya Sabha without any recommendation | | 8 |
| (xvii) Discussion postponed | | 1 |
| (xviii) Pending at the end of the Session | | 50 |
| 6. PRIVATE MEMBERS' BILLS | | |
| (i) Pending at the commencement of the Session | | 127 |

* The figure includes the Bills referred to the Parliamentary Standing Committees since January 2001 till the date.

** Including 8 Money Bills returned by the Rajya Sabha to the Lok Sabha.

| | |
|--|------------|
| (ii) Introduced | 4 |
| (iii) Laid on the Table as passed by the Lok Sabha | Nil |
| (iv) Returned by the Lok Sabha with any amendment and laid on the Table | Nil |
| (v) Reported by Joint Committee | Nil |
| (vi) Discussed | 3 |
| (vii) Withdrawn | 3 |
| (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 | 128 |
| 7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of Urgent Public Importance) | |
| (i) Notices received | 97 |
| (ii) Admitted | Nil |
| (iii) Discussions held | Nil |
| NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling Attention to Matters of Urgent Public Importance) | |
| 8. STATEMENT MADE BY MINISTERS | 2 |
| 9. HALF-AN-HOUR DISCUSSIONS HELD | Nil |
| 10. STATUTORY RESOLUTIONS | |
| (i) Notices received | 4 |
| (ii) Admitted | 4 |
| (iii) Moved | 1 |
| (iv) Adopted | Nil |
| (v) Negatived | 1 |
| (vi) Withdrawn | Nil |
| 11. GOVERNMENT RESOLUTIONS | |
| (i) Notices received | 4 |
| (ii) Admitted | 4 |
| (iii) Moved | Nil |
| (iv) Adopted | Nil |
| 12. PRIVATE MEMBERS' RESOLUTIONS | |
| (i) Received | 15 |
| (ii) Admitted | 15 |
| (iii) Discussed | Nil |
| (iv) Withdrawn | Nil |
| (v) Negatived | Nil |

| | |
|--|----------------------|
| (vi) Adopted | Nil |
| (vii) Part-discussed | 1 |
| (viii) Discussion postponed | Nil |
| 13. GOVERNMENT MOTIONS | |
| (i) Notices received | Nil |
| (ii) Admitted | Nil |
| (iii) Moved | Nil |
| (iv) Adopted | Nil |
| (v) Part-discussed | Nil |
| 14. PRIVATE MEMBERS' MOTIONS | |
| (i) Received | 174 |
| (ii) Admitted | 167 |
| (iii) Moved | Nil |
| (iv) Adopted | Nil |
| (v) Part-discussed | Nil |
| (vi) Negatived | Nil |
| (vii) Withdrawn | Nil |
| 15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE | |
| (i) Received | 1 |
| (ii) Admitted | 1 |
| (iii) Moved | Nil |
| (iv) Adopted | Nil |
| (v) Negatived | Nil |
| (vi) Withdrawn | Nil |
| (vii) Part-discussed | Nil |
| (viii) Lapsed | 1 |
| 16. NUMBER, NAME AND DATE OF PARLIAMENTARY COMMITTEE CREATED, IF ANY | Nil |
| 17. TOTAL NUMBER OF VISITORS' PASSES ISSUED | 993 |
| 18. TOTAL NUMBER OF VISITORS | 1,932 |
| 19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED | 67 (on 27.2.2001) |
| 20. MAXIMUM NUMBER OF VISITORS ON ANY SINGLE DAY AND DATE | 143 (on 8.3.2001) |
| 21. TOTAL NUMBER OF QUESTIONS ADMITTED | |
| (i) Starred | 620 |
| (ii) Unstarred | 4,718 |
| (iii) Short-Notice Questions | 1 |
| 22. DISCUSSIONS ON THE WORKING OF THE MINISTRIES | Nil |
| 23. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE | 5 |
| 24. PETITIONS PRESENTED | Nil |

25. WORKING OF PARLIAMENTARY COMMITTEES

| Sl No. | Name of the Committee | No. of meetings held during the period January–March 2001 | No. of Reports presented |
|--|--|---|--------------------------|
| 1 | 2 | 3 | 4 |
| i) | Business Advisory Committee | 6 | Nil |
| ii) | Committee on Subordinate Legislation | 2 | 3 |
| iii) | Committee on Petitions | 2 | Nil |
| iv) | Committee on Privileges | 1 | Nil |
| v) | Committee on Rules | Nil | Nil |
| vi) | Committee on Government Assurances | 4 | Nil |
| vii) | Committee on Papers Laid on the Table | 2 | Nil |
| viii) | General Purposes Committee | 1 | Nil |
| ix) | House Committee | 1 | Nil |
| DEPARTMENTALLY-RELATED STANDING COMMITTEES: | | | |
| x) | Commerce | 7 | 3 |
| xi) | Home Affairs | 11 | 8 |
| xii) | Human Resource Development | 5 | 2 |
| xiii) | Industry | 3 | Nil |
| xiv) | Science & Technology, Environment & Forests | 10 | Nil |
| xv) | Transport and Tourism | 7 | 1 |
| OTHER COMMITTEES | | | |
| xvi) | Ethics Committee | 2 | Nil |
| xvii) | Committee on Provision of Computers to Members of Rajya Sabha | 6 | Nil |
| xviii) | Committee on Members of Parliament Local Area Development Scheme | 2 | Nil |
| xix) | Joint Parliamentary Committee on the functioning of Wakf Boards | 1 | Nil |
| xx) | Joint Parliamentary Committee to look into the question of jurisdictional overlap between Parliamentary Committees | 3 | Nil |

26. OBITUARY REFERENCES

| S.No. | Name | Sitting member/ Ex-member/Dignitary |
|-------|------------------------------|--|
| 1. | Shri Manubhai Shah | Ex-member |
| 2. | Shri G. Lakshmanan | -do- |
| 3. | Shri Jitendra Prasada | -do- |
| 4. | Shri M. Anandam | -do- |
| 5. | Shrimati Vijaya Raje Scindia | -do- |
| 6. | Shri V.N. Gadgil | -do- |
| 7. | Shri Shanti Tyagi | -do- |
| 8. | Shri Sadiq Ali | -do- |
| 9. | Shri J.S. Tilak | -do- |
| 10. | Shri Indrajit Gupta | Sitting Member, Lok Sabha |
| 11. | Shri Devi Lal | Sitting Member, Rajya Sabha |

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD 1 JANUARY TO 31 MARCH 2001

| Legislature | Duration | Sittings | Govt. Bills | Private Bills | Starred Questions | Unstarred Questions | Short Notice Questions |
|------------------------|-------------------------|----------|-----------------------|---------------|-------------------|------------------------|------------------------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| STATES | | | | | | | |
| Andhra Pradesh L.A.** | — | — | — | — | — | — | — |
| Andhra Pradesh L.A. | 20.12.2000 | 1 | — | — | — | — | — |
| Assam L.A.* | — | — | — | — | — | — | — |
| Bihar L.A.** | — | — | — | — | — | — | — |
| Bihar L.C. | 23.2.2001 to 31.3.2001 | 17 | 7 | — | 1,601(1,469) | (14) | 510(469) |
| Delhi L.A. | 23.3.2001 to 9.4.2001 | 11 | 8(7) | — | 1,149(200) | (741) | — |
| Goa L.A. | 9.11.2000 | 1 | — | — | — | — | — |
| Gujarat L.A. | 19.3.2001 to 29.3.2001 | 8 | 12(11) | — | — | 329(200) | 85(17) |
| Haryana L.A.** | — | — | — | — | — | — | — |
| Himachal Pradesh L.A. | 1.3.2001 to 20.4.2001 | 26 | 11(11) | — | 871(597) | 105(75) ^(a) | — |
| Jammu & Kashmir L.A.** | — | — | — | — | — | — | — |
| Jammu & Kashmir L.C.** | — | — | — | — | — | — | — |
| Karnataka L.A.** | — | — | — | — | — | — | — |
| Karnataka L.C.** | — | — | — | — | — | — | — |
| Kerala L.A.** | — | — | — | — | — | — | — |
| Madhya Pradesh L.A. | 18.10.2000 to 8.12.2000 | 26 | 11(12) ^(a) | — | 4,332(3,045) | 2,463(2,381) | 5 |

| | | | | | | | | | | | | |
|----------------------|--------------------------|-------------------|-------|---|---|---|---|---|----------|---|----------|----------|
| Maharashtra L.A.** | — | — | — | — | — | — | — | — | — | — | — | — |
| Maharashtra L.C.** | — | — | — | — | — | — | — | — | — | — | — | — |
| Manipur L.A.** | — | — | — | — | — | — | — | — | — | — | — | — |
| Meghalaya L.A.** | — | — | — | — | — | — | — | — | — | — | — | — |
| Mizoram L.A. | 16.1.2001 to 20.3.2001 | 19 ^(a) | 4(4) | — | — | — | — | — | 571(561) | — | 186(185) | — |
| Nagaland L.A. | 13.3.2001 to 26.3.2001 | 6 | 8(7) | — | — | — | — | — | 49(49) | — | 10(10) | — |
| Orissa L.A. | — | — | — | — | — | — | — | — | — | — | — | — |
| Punjab L.A. | — | — | — | — | — | — | — | — | 30(11) | — | 13(6) | — |
| Rajasthan L.A. | 31.10.2000 to 6.11.2000 | 6 | 9(10) | — | — | — | — | — | 550(124) | — | 728(255) | — |
| Sikkim L.A.** | — | — | — | — | — | — | — | — | — | — | — | — |
| Tamil Nadu L.A.** | — | — | — | — | — | — | — | — | — | — | — | — |
| Tripura L.A.* | — | — | — | — | — | — | — | — | — | — | — | — |
| Uttar Pradesh L.A. | 19.10.2000 to 24.10.2000 | 4 | 9(9) | — | — | — | — | — | 990(592) | — | 705(512) | 217(137) |
| Uttar Pradesh L.C.** | — | — | — | — | — | — | — | — | — | — | — | — |
| West Bengal L.A.* | — | — | — | — | — | — | — | — | — | — | — | — |
| UNION TERRITORIES | | | | | | | | | | | | |
| Pondicherry L.A.** | — | — | — | — | — | — | — | — | — | — | — | — |

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

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

Notes: a) Plus 53 notices by starred Questions were classified as unstarred

b) Including one pending Bill from the Previous Session

c) Two Sessions were held, 4 sittings in the first Session and fifteen sittings in the Second Session

**APPENDIX III (Contd.)
COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED
DURING THE PERIOD 1 JANUARY TO 31 MARCH 2001**

| | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
|--|---|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|
| Business Advisory Committee | | | | | | | | | | | | | | | | |
| Committee on Govt. Assurances | | | | | | | | | | | | | | | | |
| Committee on Petitions | | | | | | | | | | | | | | | | |
| Committee on Private Members Bills and Resolutions | | | | | | | | | | | | | | | | |
| Committee on Privileges | | | | | | | | | | | | | | | | |
| Committee on Public Undertakings | | | | | | | | | | | | | | | | |
| Committee on Subordinate Legislation | | | | | | | | | | | | | | | | |
| Committee on the Welfare of SC and ST | | | | | | | | | | | | | | | | |
| Estimates Committee | | | | | | | | | | | | | | | | |
| General Purposes Committee | | | | | | | | | | | | | | | | |
| House/Accommodation Committee | | | | | | | | | | | | | | | | |
| Library Committee | | | | | | | | | | | | | | | | |
| Public Accounts Committee | | | | | | | | | | | | | | | | |
| Rules Committee | | | | | | | | | | | | | | | | |
| Joint Select Committee | | | | | | | | | | | | | | | | |
| Other Committees | | | | | | | | | | | | | | | | |
| STATES | | | | | | | | | | | | | | | | |
| Andhra Pradesh L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Arunachal Pradesh L.A.** | — | — | — | — | 1 | — | — | — | — | — | 1 | — | — | — | — | 1 |

| | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
|------------------------|------|------|------|------|----|-------|------------------|------|------|----|----|----|-------|------|----|-----------------------|
| Assam L.A. | — | 2 | 6 | — | — | — | — | — | 3 | — | — | — | 6 | — | — | 4 ^(a) |
| Bihar L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Bihar L.C. | 2(2) | 33 | 8 | 10 | 9 | + | 6 | 8 | + | 7 | 7 | 20 | + | — | — | 53(8) ^(a) |
| Delhi L.A. | 1(1) | 4(1) | — | 1(1) | 1 | — | 1 | 2 | 4(1) | — | — | — | 3(1) | — | — | 2(1) ^(a) |
| Goa L.A. | — | 2 | 4 | — | — | 1 | 1 ^(a) | — | 2 | — | — | 1 | 4(1) | 1(1) | — | — |
| Gujarat L.A. | 2(1) | 3 | — | 2(2) | 1 | 3(1) | 2 | 2(1) | — | — | 1 | — | 3 | — | — | 5(2) ^(a) |
| Haryana L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Himachal Pradesh L.A. | 2(2) | — | — | — | 1 | 9(10) | — | 8(3) | — | — | — | — | 9(13) | — | 1 | 35(32) ^(a) |
| Jammu & Kashmir L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Jammu & Kashmir L.C.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Karnataka L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Karnataka L.C.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Kerala L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Madhya Pradesh L.A. | 5(5) | — | 1(3) | 3(3) | 4 | 1(24) | 2 | 1 | 3 | — | — | 1 | 5(7) | 3(1) | — | 3(1) ^(a) |
| Maharashtra L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Maharashtra L.C.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Manipur L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Meghalaya L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Mizoram L.A. | 2(2) | 1 | 1(1) | — | — | 7(1) | — | — | 3(1) | — | 3 | — | 8(4) | — | — | 1 ^(a) |
| Nagaland L.A. | 1 | 10 | — | — | — | — | 2 | — | 3 | — | — | — | 1 | — | — | — |
| Orissa L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Punjab L.A. | — | 13 | 10 | — | 10 | 15 | 14 | 14 | 22 | — | 2 | 15 | 19 | — | — | 23 ^(a) |

| | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
|------------------------|------|-------|-------|----|------|-------|----|----|-------|----|----|----|-------|----|----|------------------|
| Rajasthan L.A. | 2(2) | 22 | 15 | — | 31 | 24(5) | 17 | 32 | 51(2) | — | 9 | 22 | 16 | 17 | — | 36 ^a |
| Sikkim L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Tamil Nadu L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Tripura L.A. | — | 1 | 7 | — | 3 | — | 5 | 5 | 6(1) | — | 2 | — | 10 | 3 | — | — |
| Uttar Pradesh L.A. | 4(4) | 10(1) | 10(1) | — | 7(2) | 4 | 3 | 3 | 9 | — | — | — | 22(2) | 3 | — | 15 ^a |
| Uttar Pradesh L.C.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| West Bengal L.A. | 8(7) | 14 | 6 | — | 4 | 10 | 9 | 10 | 9 | — | 11 | 3 | 16 | 2 | 1 | 123 ^b |
| UNION TERRITORY | | | | | | | | | | | | | | | | |
| Pondicherry L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |

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

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

+ Joint Committee (information not received from the Bihar Legislative Assembly)

Notes:

- (a) Committee on Empowerment of Women-2; and Employment Review Committee-2
- (b) Question and Call Attention Committee-13(1); Nivedan Committee-20; Implementation Committee-9; and Committee on District Board Panchayati Raj-11(1)
- (c) Committee on Papers Laid on the Table-2(1)
- (d) Committee on Delegated Legislation
- (e) Committee on Panchayati Raj-3(1); Committee on Welfare of Socially and Educationally Backward Classes-1; and Committee on Absence of Members-1(1)
- (f) Agriculture and Horticulture Committee-7(7); Public Works and Tourism Committee-6(4); Forest and Excise Committee-6(5); Education and Finance Committee-7(7); Health and Rural Development Committee-3(5); and Revenue and Administrative Committee-6(4)
- (g) Committee on examine the Papers tabled in the House-1; Committee on Welfare of Women and Children-1(1); and Committee of Question Reference-1

- (h) Committee on Papers Laid on the Table-1
- (i) Committee on Papers Laid/to be Laid on the Table-15; Committee of the House to Enquire into Recruitment of Teachers by the Previous Government-1; and Committee of the House on Starred Question No. 2154-7
- (j) Women and Child Welfare Committee-19; and Question and Reference Committee-17
- (k) Question and Reference Committee-15
- (l) Committee on Health and Family Welfare-8; Committee on Environment and Cooperation-8; Committee on Panchayat, Rural Development, Land Reform and Animal Resources Development-10; Committee on Education and Information and Cultural Affairs and Sports and Youth Services-10; Committee on Transport and Public Health Engineering-10; Committee on Irrigation and Waterways and Water Investigation and Development-11; Committee on Social Welfare-9; Committee on Power and Commerce and Industries, Science and Technology and Non-Conventional Energy Sources-7; Committee on Agriculture, Agriculture (Marketing Food and Supplies, Food Processing, Horticulture and Fisheries-11; Committee on Urban Development, Municipal Affairs, Housing and Public Works and Tourism-11; Committee on Labour-9(2); Committee on Relief, Refugee Relief and Rehabilitation and Forests-11; and Committee on Industrial Reconstruction, Cottage and Small Scale Industries-9.

APPENDIX IV
LIST OF BILLS PASSED BY THE HOUSES OF
PARLIAMENT AND ASSENTED TO BY THE
PRESIDENT DURING THE PERIOD
1 JANUARY TO 31 MARCH 2001

| Sl. No. | Title of the Bill | Date of assent by the President |
|---------|---|---------------------------------|
| 1 | 2 | 3 |
| 1. | The Taxation Laws (Amendment) Bill, 2000 | 4.1.2001 |
| 2. | The Appropriation (No. 5) Bill, 2000 | 4.1.2001 |
| 3. | The Appropriation (Railways) No. 5 Bill, 2001 | 4.1.2001 |
| 4. | The Taxation Laws (Amendment) Bill, 2001 | 20.3.2001 |
| 5. | The Appropriation (Railways) Vote on Account Bill, 2001 | 24.3.2001 |
| 6. | The Appropriation (Railways) Bill, 2001 | 24.3.2001 |
| 7. | The Appropriation (Vote on Account) Bill, 2001 | 24.3.2001 |
| 8. | The Appropriation Bill, 2001 | 24.3.2001 |

APPENDIX V

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

1 JANUARY TO 31 MARCH 2001

BIHAR LEGISLATIVE COUNCIL

1. The Bihar Vitiya Vidheyak, 2001
2. The Bihar Viniyog (Sankhya-2), Vidheyak, 2001
3. The Bihar Viniyog Vidheyak, 2001
4. The Bihar Rajya Sarkari Karamchari Pension, Parivarik Pension awam Mrityu Seh Seva Nivrtili Updan Punrikshan (Vidhi-Manyakaran awam Parivartan) Vidheyak, 2001
5. The Patna Vishwavidyalaya (Sanshodhan) Vidheyak, 2001
6. The Bihar Vidhan Mandal (Sadasyo ka Vetan, Bhatha aur Pension) (Sanshodhan) Vidheyak, 2001
7. The Bihar Vidhan Mandal (Neta Virodhi Dal ka Vetan Aur Bhatha) (Sanshodhan) Vidheyak, 2001

DELHI LEGISLATIVE ASSEMBLY

1. The Indian Stamp (Delhi Amendment) Bill, 2001
2. The Appropriation (No. 1) Bill, 2001
3. The Delhi Protection of Interests of Depositors (in Financial Establishments) Bill, 2001
4. The Delhi Sales Tax on Works Contract (Amendment) Bill, 2001
5. The Appropriation (No. 2) Bill, 2001
6. The Delhi Luxuries Tax on Commodities Bill, 2001
7. The Delhi Right to Information Bill, 2001

GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Development Corporation Laws (Amendment) Bill, 2001
2. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 2001
3. The Bombay Tenancy and Agricultural Lands (Gujarat Amendment) Bill, 2001
4. The Gujarat Sales Tax (Amendment) Bill, 2001
5. The Gujarat State Guarantee (Amendment) Bill, 2001
6. The Gujarat Panchayats (Amendment) Bill, 2001
7. The Gujarat Gas (Regulation of Transmission Supply and Distribution) Bill, 2001
8. The Gujarat (Supplementary) Appropriation Bill, 2001

9. The Gujarat Appropriation (Vote on Account) Bill, 2001
10. The Gujarat Appropriation (Excess Expenditure) Bill, 2001
11. The Gujarat Appropriation (Excess Expenditure) (Second) Bill, 2001

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Himachal Pradesh Appropriation Bill, 2001
- *2. The Punjab Excise (H.P.) Amendment Bill, 2001
3. The Himachal Pradesh Appropriation (No. 2) Bill, 2001
4. The H.P. Universities of Agriculture, Horticulture and Forestry (Amendment) Bill, 2001
- *5. The H.P. General Sales Tax (Amendment) Bill, 2001
- *6. The H.P. Town and Country Planning (Amendment) Bill, 2001
7. The H.P. Legislative Assembly Speaker's and Deputy Speaker's Salaries (Amendment) Bill, 2001
8. The H.P. Legislative Assembly (Allowances and Pension of Members) Amendment Bill, 2001
9. The Salaries and Allowances of Ministers (H.P.) Amendment Bill, 2001
- *10. The H.P. Tolls (Amendment) Bill, 2001
- *11. The H.P. Maintenance of Parents (Amendment) Bill, 2001

MADHYA PRADESH VIDHAN SABHA

1. The Madhya Pradesh Sarvjanik Upkramon ke Karmachariyon ka Lok Seva mein Sarviliyan Pratishedha Vidheyak, 2000
- *2. The Madhya Pradesh Prakoshtha Swamitva Vidheyak, 2000
- *3. The Madhya Pradesh Vishesha Kshetra Suraksha Vidheyak, 2000
4. The Madhya Pradesh Vidyut Sudhar Vidheyak, 2000
5. The Madhya Pradesh Seh Chikitseeya Parishad Vidheyak, 2000
6. The Madhya Pradesh Sahakari Society (Punargathan aur Nirman) Vidheyak, 2000
7. The Indira Gandhi Krishi Vishwavidyalaya (Sanshodhan) Vidheyak, 2000
8. The Jawahar Lal Nehru Krishi Vishwavidyalaya (Sanshodhan) Vidheyak, 2000
9. The Madhya Pradesh Sahakari Society (Dwitiya Sanshodhan) Vidheyak, 2000
10. The Madhya Pradesh Karadhan (Sanshodhan) Vidheyak, 2000
11. The Madhya Pradesh Viniyog (No.4) Vidheyak, 2000
- *12. The Madhya Pradesh NikshepakOn ke Hito Ka Saurakshan Vidheyak, 2000

MIZORAM LEGISLATIVE ASSEMBLY

1. The Mizoram Land Holding and Settlement Bill, 2000

NAGALAND LEGISLATIVE ASSEMBLY

1. The Nagaland Amusement Tax (Amendment) Bill, 2001

2. The Nagaland Sales Tax (Amendment) Bill, 2001
3. The Nagaland Professions, Trades, Callings and Employment Taxation (Amendment) Bill, 2001
4. The Nagaland Work Charged and Casual Employees Regulation Bill, 2000
5. The Nagaland Appropriation (No. 1) Bill, 2001
6. The Nagaland Appropriation (No. 2) Bill, 2001
7. The Nagaland Appropriation (No. 3) Bill, 2001

RAJASTHAN LEGISLATIVE ASSEMBLY

1. The Rajasthan Urban Improvement (Amendment) Bill, 2000
2. The Rajasthan Appropriation (No. 4) Bill, 2000
3. The Rajasthan Appropriation (No. 5) Bill, 2000
4. The Rajasthan Legislative Assembly (Officers and Members Emoluments and Pension) (Amendment) Bill, 2000
5. The Agricultural University Udaipur (Change of Name) Bill, 2000
6. The Rajasthan Farmers Participation in Management of Irrigation System Bill, 2000
7. The Rajasthan Municipalities (Amendment and Validation) Bill, 2000
8. The Rajasthan Municipalities (Second Amendment) Bill, 2000
9. The Rajasthan Municipalities (Third Amendment) Bill, 2000

UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The Indian Forest (Uttar Pradesh Amendment) Bill, 2000
2. The Uttar Pradesh Entertainment and Betting Tax (Third Amendment) Bill, 2000
3. The Uttar Pradesh Appropriation (Supplementary 2000-2001) Bill, 2000
4. The Uttar Pradesh Junior High Schools (Payment of Salaries of Teachers and Other Employees (Amendment) Bill, 2000
5. The Uttar Pradesh Board of Secondary Sanskrit Education Bill, 2000
6. The Uttar Pradesh Trade Tax (Second Amendment) Bill, 2000
7. The Uttar Pradesh Plastic and Other Biodegradable Garbage (Regulation of use and Disposal) Bill, 2000
8. The Uttar Pradesh Hindu Religious Institutions (Prevention of Dissipation of Properties) (Repeal) Bill, 2000
9. The Uttar Pradesh Co-operative Societies (Second Amendment) Bill, 2000

APPENDIX VI
ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD
1 JANUARY TO 31 MARCH 2001

| Sl. No. | Subject | Date of Promulgation | Date on which Laid Before the House | Date of cessation | Remarks |
|----------------------------------|--|----------------------|-------------------------------------|-------------------|-------------------------|
| UNION GOVERNMENT | | | | | |
| 1. | The Indian Council of World Affairs Ordinance, 2001 | 5.1.2001 | 22.2.2001 | 2.4.2001 | |
| 2. | The Taxation Laws (Amendment) Ordinance, 2001 | 3.2.2001 | 22.2.2001 | 2.4.2001 | Replaced by legislation |
| STATE GOVERNMENTS | | | | | |
| BIHAR LEGISLATIVE COUNCIL | | | | | |
| 1. | The Bihar Rajya Sarkar Karamchahi Pension, Parivarik Pension awam Mitue-seh Seva Nivriti Updan Punirikshan (Vidhimanyakaran awam Parivartan) Adhyadesh, 2000 | — | — | — | — |

| | | | | | | |
|-----------------------|---|------------|-----------|------------|---|-------------------------------|
| 2. | Patna Vishwavidyalaya (Sanshodhan) Adhyadesh, 2000 | — | — | — | — | Replaced by legislation |
| MADHYA PRADESH | | | | | | |
| 1. | M.P. Karadhan (Sanshodhan) Adhyadesh, 2000 | 10.10.2000 | 6.11.2000 | 29.11.2000 | | |
| 2. | M.P. Sahakari Society (Punargathan aur Nirman) Adhyadesh, 2000 | 18.10.2000 | 6.11.2000 | 29.11.2000 | | -do- |
| 3. | Jawaharlal Nehru Krishi Vishwavidyalaya (Sanshodhan) Adhyadesh, 2000 | 18.10.2000 | 6.11.2000 | 29.11.2000 | | -do- |
| 4. | Indira Gandhi Krishi Vishwavidyalaya (Sanshodhan) Adhyadesh, 2000 | 18.10.2000 | 6.11.2000 | 29.11.2000 | | -do- |
| GUJARAT | | | | | | |
| 1. | The Bombay Rents, Hotels and Lodging Houses Rates Control (Gujarat Amendment), 2001 | 30.3.2001 | — | — | | — |

RAJASTHAN

| | | | | |
|--|-----------|---|------------|---|
| The Rajasthan Farmer's Participation in Management of Irrigation Systems Ordinance, 2000 | 18.7.2000 | — | 30.10.2000 | — |
| The Rajasthan Municipalities (Second Amendment) Ordinance, 2000 | 21.7.2000 | — | 30.10.2000 | — |

UTTAR PRADESH

| | | | | |
|--|------------|---|------------|---|
| The Uttar Pradesh Amod Aur Pankar (Dwitiya Sanshodhan) Adhyadesh, 2000 | 4.10.2000 | — | 20.10.2000 | — |
| The Uttar Pradesh Krishi Utpadhan Mandi Samitis (Alpakalik Vyavastha) (Sanshodhan) Adhyadesh, 2000 | 27.12.2000 | — | 20.3.2001 | — |
| Bhartiya Stamp (Uttar Pradesh Sanshodhan) Adhyadesh, 2000 | 29.12.2000 | — | 20.3.2001 | — |
| The Uttar Pradesh Madyamik Shiksha Seva Chayan Board (Sanshodhan) Adhyadesh, 2000 | 30.12.2000 | — | 20.3.2001 | — |

APPENDIX VII
A. PARTY POSITION IN LOK SABHA (AS ON 25.5.2001)

| States | Seats | INC | AIADMK | SP | CPI(M) | CPI | CPIM(L) | RJD | RSP | BSP | EIM | AIM | MUL | KOM | RLD | KC | SJP(R) | AIFB | TDP | BJP | JQ(U) | SAD | BJD | AITC | JD (Samata) | |
|---------------------------|-------|-----|--------|-----|--------|-----|---------|-----|-----|-----|-----|-----|-----|-----|-----|----|--------|------|-----|-----|-------|-----|-----|------|-------------|----|
| Andhra Pradesh | 42 | 5 | | | | | | | | | 1 | | | | | | | | 29 | 7 | | | | | | |
| Assam | 2 | 2 | | | | | | | | | | | | | | | | | | | 2 | | | | | |
| Bihar | 14 | 10 | | | | 1 | | | | | | | | | | | | | | | 22 | 5 | | | | 10 |
| Goa | 54 | 4 | | | 1 | | 7 | | | | | | | | | | | | | | 2 | | | | | |
| Gujarat | 2 | | | | | | | | | | | | | | | | | | | | 20 | | | | | |
| Haryana | 26 | 5 | | | | | | | | | | | | | | | | | | | 5 | | | | | |
| Himachal Pradesh | 10 | | | | | | | | | | | | | | | | | | | | 3 | | | | | |
| Jammu & Kashmir | 4 | | | | | | | | | | | | | | | | | | | | 2 | | | | | |
| Karnataka | 6 | | | | | | | | | | | | | | | | | | | | 7 | 1 | | | | 1 |
| Kerala | 28 | 18 | | | | | | | | | 2 | 1 | | | | | | | | | 29 | | | | | |
| Madhya Pradesh | 20 | 8 | | | 8 | | | | | | | | | | | | | | | | 13 | | | | | |
| Maharashtra | 40 | 11 | | | | | | | | | | | | | | | | | | | 29 | | | | | |
| Manipur | 48 | 10 | | | | | | | | | | | | | | | | | | | 13 | | | | | |
| Meghalaya | 2 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Mizoram | 2 | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| Nagaland | 1 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Orissa | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| Punjab | 21 | 2 | | | | | | | | | | | | | | | | | | | 9 | | | | | |
| Rajasthan | 13 | 8 | | | | 1 | | | | | | | | | | | | | | | 1 | 2 | | | | |
| Sikkim | 25 | 9 | | | | | | | | | | | | | | | | | | | 16 | | | | | |
| Tamil Nadu | 1 | | | | | | | | | | | | | | | | | | | | 3 | | | | | |
| Tripura | 39 | 2 | 11 | | | | | | | | | | | | | | | | | | | | | | | |
| Uttar Pradesh | 2 | | | | 2 | | | | | | | | | | | | | | | | | | | | | |
| West Bengal | 85 | 9 | | 27* | | | | | 14 | | | | | | 2 | | 1 | 2 | | | 29 | | | | 9 | |
| Nominated | 42 | 3 | | | 2 | | | 3 | | | | | | | | | | | | | 2 | | | | | |
| UNION TERRITORIES | 2 | | | | | | | | | | | | | | | | | | | | 1 | | | | | 1 |
| Andaman & Nicobar Islands | 1 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Chandigarh | 1 | | | | | | | | | | | | | | | | | | | | 1 | | | | | |
| Dadra & Nagar Haveli | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| Daman and Diu | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| The NCT of Delhi | 7 | | | | | | | | | | | | | | | | | | | | | | | | | |
| Lakshadweep | 1 | 1 | | | | | | | | | | | | | | | | | | | 7 | | | | | |
| Pondicherry | 1 | 1 | | | | | | | | | | | | | | | | | | | | | | | | |
| Total | 545 | 112 | 11 | 27* | 33 | 3 | 1 | 7 | 3 | 14 | 1 | 2 | 1 | 2 | 1 | 1 | 2 | | 29 | 181 | 6 | 2 | 10 | 9 | 12 | |

* Includes one member (Kunwar Sarv Raj Singh) expelled from Samajwadi Party and sitting separately w.e.f. 6.2.2001

APPENDIX VII (CONTD.)
A. PARTY POSITION IN LOK SABHA (AS ON 25.5.2001)

| States | SS | SAD(M) | INDL | JD(S) | DMK | MGRADMK | LSP | PMK | MDMK | HMC | BEM | JUKNC | SDF | NOP | MSOP | PMP | ABLTC | IND | TOTAL | VACANCES |
|-----------------------------|----|--------|------|-------|-----|---------|-----|-----|------|-----|-----|-------|-----|-----|------|-----|-------|-----|-------|----------|
| Andhra Pradesh | | | | | | | | | | | | | | | | | | | 42 | |
| Assam | | | | | | | | | | | | | | | | | | | 2 | |
| Bihar | | | | | | | | | | | | | | | | | | 1 | 14 | |
| Goa | | | | | | | 3 | | | | | | | | | | | 1 | 53 | 1 |
| Gujarat | | | | | | | | | | | | | | | | | | | 2 | |
| Haryana | | | | 5 | | | | | | | | | | | | | | | 25 | 1 |
| Himachal Pradesh | | | | | | | | | | 1 | | | | | | | | | 10 | |
| Jammu & Kashmir | | | | | | | | | | | | 4 | | | | | | | 4 | |
| Karnataka | | | | | | | 1 | | | | | | | | | | | | 6 | |
| Kerala | | | | | | | | | | | | | | | | | | | 28 | |
| Madhya Pradesh | | | | | | | | | | | | | | | | | | | 20 | |
| Maharashtra | 15 | | | 1 | | | | | 1 | | | | 6 | | 1 | | | 1 | 40 | |
| Manipur | | | | | | | | | | | | | 1 | 1 | | | | | 48 | |
| Meghalaya | | | | | | | | | | | | | | | | | | | 2 | |
| Mizoram | | | | | | | | | | | | | | | | | | | 2 | |
| Nagaland | | | | | | | | | | | | | | | | | | 1 | 1 | |
| Orissa | | | | | | | | | | | | | | | | | | | 1 | |
| Punjab | | | | | | | | | | | | | | | | | | | 21 | |
| Rajasthan | | 1 | | | | | | | | | | | | | | | | | 13 | |
| Uttar Pradesh | | | | | | | | | | | | | | | | | | | 25 | |
| West Bengal | | | | | | | | | | | | | 1 | | | | | | 1 | |
| Tamil Nadu | | | | | | | | | 5 | 4 | | | | | | | | | 38 | |
| Tripura | | | | | | 12 | | | | | | | | | | | | | 2 | |
| Union Territories | | | | | | | | | | | | | | | | | | 2 | 64 | |
| Andaman and Nicobar Islands | | | | | | | | | | | | | | | | | | | 41 | |
| Chandigarh | | | | | | | | | | | | | | | | | | | 2 | |
| Dadra & Nagar Haveli | | | | | | | | | | | | | | | | | | | 1 | |
| Daman and Diu | | | | | | | | | | | | | | | | | | | 1 | |
| The NCT of Delhi | | | | | | | | | | | | | | | | | | | 7 | |
| Lakshadweep | | | | | | | | | | | | | | | | | | | 1 | |
| Pondicherry | | | | | | | | | | | | | | | | | | | 1 | |
| Total | 15 | 1 | 5 | 1 | 12 | 1 | 4 | 5 | 4 | 1 | 1 | 4 | 1 | 8 | 1 | 1 | 2 | 6 | 543 | 2 |

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

BJP—Bharatiya Janata Party; INC—Indian National Congress; CPI(M)—Communist Party of India (Marxist); TDP—Telugu Desam Party; SP—Samajwadi Party; SS—Shiv Sena; BSP—Bahujan Samaj Party; DMK—Dravida Munnetra Kazhagam; JD(Samata)—Janata Dal (Samata); AIADMK—All India Anna Dravida Munnetra Kazhagam; BJD—Biju Janata Dal; AITC—All India Trinamool Congress; NCP—Nationalist Congress Party; RJD—Rashtriya Janata Dal; JD(U)—Janata Dal (United); INLD—Indian National Lok Dal; PMK—Pattali Makkal Katchi; MDMK—Marumalarchi Dravida Munnetra Kazhagam; J&K NC—Jammu and Kashmir National Conference; LJSP—Lok Jan Shakti Party; RSP—Revolutionary Socialist Party; CPI—Community Party of India; ABLTC—Akhil Bharatiya Lok Tantrik Congress; AIFB—All India Forward Bloc; MUL—Muslim League Kerala State Committee; RLD—Rashtriya Lok Dal; SAD—Shiromani Akali Dal; AIMEIM—All India Majlis-e-itehadul Muslimeen; BBM—Bharipa Bahujan Mahasangh; CPI(ML)—Communist Party of India (Marxist Leninist) Liberation; HVC—Himachal Vikas Congress; JD(S)—Janata Dal (Secular); KC—Kerala Congress; KCM—Kerala Congress (M); MSCP—Manipur State Congress Party; MGRADMK—MGR Anna Dravida Munnetra Kazhagam; PWP—Peasants and Workers Party of India; SAD(M)—Shiromani Akali Dal (SS Mann); SDF—Sikkim Democratic Front; SJP(R)—Samajwadi Janata Party (Rashtriya); IND—Independents

**B. PARTY POSITION IN RAJYA SABHA
(AS ON 1 MAY 2001)**

| Sl. No. | State/Union Territories | Seats | INC | BJP | CPI(M) | TDP | RJD | DMK | SP | JD | CPI | AIA-DMK | Shiv Sena | SAD | Others* | Indep- endents | Total | Vacancies | |
|---------------|-------------------------|-------|-----|-----|--------|-----|-----|-----|----|----|-----|---------|-----------|-----|---------|-------------------|-------|-----------|--|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | |
| STATES | | | | | | | | | | | | | | | | | | | |
| 1. | Andhra Pradesh | 18 | 2 | 1 | 1 | 13 | — | — | — | — | 1 | — | — | — | — | — | 18 | — | |
| 2. | Andhra Pradesh | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | 1 | 1 | — | |
| 3. | Assam | 7 | 3 | — | — | — | — | — | — | — | 1 | — | — | — | 3(a) | — | 7 | — | |
| 4. | Bihar | 16 | 2 | 2 | — | — | 9 | — | — | — | 2 | — | — | — | 1(b) | — | 16 | — | |
| 5. | Chattisgarh | 5 | 3 | 2 | — | — | — | — | — | — | — | — | — | — | — | — | 5 | — | |
| 6. | Goa | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | 1 | — | |
| 7. | Gujarat | 11 | 3 | 8 | — | — | — | — | — | — | — | — | — | — | — | — | 11 | — | |
| 8. | Haryana | 5 | 2 | — | — | — | — | — | — | — | — | — | — | — | 2(c) | — | 5 | 1 | |
| 9. | Himachal Pradesh | 3 | 1 | 1 | — | — | — | — | — | — | — | — | — | — | 1(d) | — | 3 | — | |
| 10. | Jammu & Kashmir | 4 | 1 | — | — | — | — | — | — | — | — | — | — | — | 3(e) | — | 4 | — | |
| 11. | Jharkhand | 6 | — | 2 | — | — | 1 | — | — | 1 | — | — | — | — | 2(m) | — | 6 | — | |
| 12. | Karnataka | 12 | 5 | 2 | — | — | — | — | — | 5 | — | — | — | — | — | — | 12 | — | |
| 13. | Kerala | 9 | — | — | 3 | — | — | — | — | — | 2 | — | — | — | 4(f) | — | 9 | — | |
| 14. | Madhya Pradesh | 11 | 7 | 4 | — | — | — | — | — | — | — | — | — | — | — | — | 11 | — | |
| 15. | Maharashtra | 19 | 5 | 4 | — | — | — | — | — | — | — | — | 5 | — | 2(g) | 3 | 19 | — | |
| 16. | Manipur | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | 1 | — | |
| 17. | Meghalaya | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | 1 | — | |
| 18. | Mizoram | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | 1 | — | |
| 19. | Nagaland | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | 1 | — | |
| 20. | Orissa | 10 | 6 | 1 | — | — | — | — | — | — | — | — | — | — | 3(h) | — | 10 | — | |

| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | |
|--------------------------|---------------|-----|----|----|----|----|----|---|----|----|----|----|----|----|------|----|-----|----|--|
| 21. | Punjab | 7 | — | 1 | — | — | — | — | — | — | — | — | — | 5 | — | — | 6 | 1 | |
| 22. | Rajasthan | 10 | 6 | 4 | — | — | — | — | — | — | — | — | — | — | — | — | 10 | — | |
| 23. | Sikkim | 1 | — | — | — | — | — | — | — | — | — | — | — | — | 1(i) | — | 1 | — | |
| 24. | Tamil Nadu | 18 | — | — | — | — | — | 8 | — | — | — | 5 | — | — | 3(j) | 2 | 18 | — | |
| 25. | Tripura | 1 | — | — | 1 | — | — | — | — | — | — | — | — | — | — | — | 1 | — | |
| 26. | Uttaranchal | 3 | — | 3 | — | — | — | — | — | — | — | — | — | — | — | — | 3 | — | |
| 27. | Uttar Pradesh | 31 | 2 | 11 | — | — | — | — | 8 | — | — | — | — | — | 5(k) | 4 | 30 | 1 | |
| 28. | West Bengal | 16 | 1 | — | 10 | — | — | — | — | — | — | — | — | — | 3(f) | 2 | 16 | — | |
| UNION TERRITORIES | | | | | | | | | | | | | | | | | | | |
| 29. | Delhi | 3 | 3 | — | — | — | — | — | — | — | — | — | — | — | — | — | 3 | — | |
| 30. | Pondicherry | 1 | — | — | — | — | — | 1 | — | — | — | — | — | — | — | — | 1 | — | |
| 31. | Nominated | 12 | — | — | — | — | — | — | 1 | — | — | — | — | — | — | 11 | 12 | — | |
| TOTAL | | 245 | 57 | 46 | 15 | 13 | 10 | 9 | 9 | 6 | 6 | 5 | 5 | 5 | 33 | 23 | 243 | 3 | |

* As per list attached

- (a) Asom Gana Parishad-2; Autonomous State Demand Committee-1
 (b) Samata Party-1
 (c) Indian National Lok Dal-2; Haryana Vikas Party-1
 (d) Himachal Vikas Congress-1
 (e) J&K National Conference-3
 (f) Muslim League-2; Kerala Congress-1; Revolutionary Socialist Party-1
 (g) Republican Party of India-1; Nationalist Congress Party-1
 (h) Biju Janata Dal-3
 (i) Sikkim Democratic Front-1
 (j) Tamil Maanila Congress (Moopanaar)-3
 (k) Bahujan Samaj Party-4; Akhil Bhartiya Loktantrik Congress-1
 (l) All India Forward Bloc-1; Revolutionary Socialist Party-2
 (m) Jharkhand Mukti Morcha-2

- Information received from the State/Union territories Legislatures contained NIL report
 - ** Information not received from the State/Union territories Legislatures
 - + Two members of this Party have intimated the Speaker of their joining the Congress Party and one member has intimated his resignation from the Janata Dal. In this regard, petitions filed under the Tenth Schedule to the Constitution of India, are pending
 - Three members of the Socialist Party, Two Members of the Democratic Socialist Party and Two Members of Marxist Forward Bloc contested with the symbol of Communist Party of India (Marxist). One Member of the Biplabi Bangla Congress and Two Members of the Socialist Unity Centre of India contested as Independent Candidates
- a) Arunachal Congress-1
 - b) Asom Gana Parishad-63; Autonomous State Demand Committee-5; and U.M.F.-1
 - c) Rashtriya Janata Dal-26; Janata Dal (U)-3; Samata Party-1; Lok Janshakti Party-1; and Unattached-1
 - d) Unattached-1
 - e) Goan People's Congress Party-3; Maharashtrawadi Gomantak Party-2; Nationalist Congress Party-1; Indian National Congress (Shaikh Hassan Group)-1; and Goan People's Congress Party (Venkatesh Dessai Group)-2
 - f) Himachal Vikas Congress-2; and Unattached-2 (including Hon'ble Speaker)
 - g) Bhartiya Rashtriya Congress-126; Bahujan Samaj Party-4; Samajwadi Party-4; Republican Party of India-1; Janata Party-1; Ajay Bharat Party-1; Nominated-1
 - h) MNF-21; and MPC-12
 - i) Shiromani Akali Dal-63; Unattached-13; Shiromani Akali Dal (Mann)-1; and Bahujan Samaj Party-1
 - j) BSP-2; RJD-1; and Independent (Rashtriya Loktantrik Vidhaya Dal Group)-5
 - k) R.S.P.-2; T.U.J.S.-4
 - l) Samajwadi Party-101; Bahujan Samaj Party-49; Uttar Pradesh Loktantrik Congress-19; Jantantrik Bahujan Samaj Party-19; Janshakti Party-3; Samata Party-2; Samajwadi Janata Party (Rashtriya)-1; Apna Dal-1; Rashtriya Lok Dal-1; Rashtriya Kranti Party-1; Nominated-1; and Unattached-4
 - m) Revolutionary Socialist Party-18; All India Forward Bloc-21; Democratic Socialist Party-2; Marxist Forward Bloc-2; Biplabi Bangla Congress-1; Socialist Party-3; Socialist Unity Centre of India-2; Gorkha National Liberation Front-3; Forward Bloc(S)-1; West Bengal Trinamool Congress-3; Jharkhand Party(N)-1; and Nominated-1