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of
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Information**

VOLUME LII

NO. 2

JUNE 2006

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EDITORIAL NOTE

Article 87 (1) of the Constitution of India provides that the President shall, at the commencement of the first Session after each General Election to the House of the People and at the commencement of the first Session of each year, address both Houses of Parliament assembled together and inform Parliament of the causes of its summons. The Address by the President is a statement of policy of the Government. It contains a review of the activities and achievements of the Government during the previous year and sets out the policies, which it wishes to pursue with regard to important national and international issues.

On 16 February 2006, the President of India, Dr. A.P.J. Abdul Kalam addressed members of the two Houses of Parliament assembled together in the Central Hall of Parliament at the commencement of the first Session of Parliament in 2006. We reproduce in this issue of the *Journal* the text of the Address by the President.

On 23 December 2005, eleven members of Parliament—ten from the Lok Sabha and one from the Rajya Sabha, were expelled from the membership of their respective Houses on the ground of their improper conduct. The expelled members subsequently filed writ petitions in the High Court and the Supreme Court challenging their expulsion. The High Court and the Supreme Court reportedly directed that notices be issued to the parties, including the Speaker, Lok Sabha.

On 4 February 2006, the Lok Sabha Speaker, Shri Somnath Chatterjee called an Emergency Conference of the Presiding Officers of Legislative Bodies in India to deliberate on the issues arising out of and related to the judicial proceedings in respect of expulsion of the members of the two Houses. We include in this issue of the *Journal* the text of the Address delivered by the Speaker, Lok Sabha at the Conference and a brief resume of the Conference in the form of a Short Note.

The Bureau of Parliamentary Studies and Training of the Lok Sabha Secretariat, with its three decades of experience in conducting Training and Orientation Programmes in parliamentary procedures and practices, is widely recognized as a premier parliamentary training institute of the world. One of the important activities of the Bureau has been to provide a forum to the newly elected members of Lok Sabha as well as of the State Legislatures, to familiarize themselves with various parliamentary and procedural aspects and operational dynamics of our parliamentary institutions. With this objective in view, an Orientation Programme was

organized jointly by the Bureau and the Bihar Legislative Assembly Secretariat for the members of the Bihar Legislative Assembly on 6 and 7 February 2006 in Patna. This Programme provided an opportunity to the legislators to benefit from the rich and varied experience of some of our distinguished parliamentarians and also helped them in providing with a valuable insight into, and vital inputs on the crucial question of how to become an effective legislator. On 6 February 2006, the Speaker, Lok Sabha, Shri Somnath Chatterjee inaugurated the Programme. We reproduce in this issue of the *Journal* the text of the Inaugural Address delivered by the Speaker at the Programme.

Shri Raghbir Singh Kadiyan was unanimously elected as the Speaker of Haryana Vidhan Sabha on 13 January 2006. We extend our heartiest congratulations to Shri Kadiyan on his assumption of the Office.

We also carry in this issue the other regular features, viz. Parliamentary Events and Activities, Privilege Issues, Procedural Matters, Parliamentary and Constitutional Developments, Documents of Constitutional and Parliamentary Interest, Sessional Review, Recent Literature of Parliamentary 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 study of parliamentary democratic system.

—P.D.T.Achary
Editor

ADDRESS BY THE PRESIDENT TO PARLIAMENT

The Constitution of India provides for an Address by the President to either House of Parliament or both the Houses assembled together. The provision for an Address by the Head of State to the Parliament goes back to the year 1921 when the Central Legislature was set up for the first time under the Government of India Act, 1919. The President may address both the Houses of Parliament assembled together or either House of Parliament separately as per provisions of articles 86(1) and 87(1) of the Constitution. Under article 86(1), the President may address either House of Parliament or both the Houses assembled together, and for that purpose require attendance of members. Article 87(1) provides that at the commencement of the first Session after each General Election to the House of the People and at the commencement of the first Session each year, the President shall address both the Houses of Parliament assembled together and inform the Parliament of the causes of its summons.

The Address by the President is a statement of policy of the Government. It contains a review of the activities and achievements of the Government during the previous year and sets out the policies which it wishes to pursue with regard to important national and international issues. It also indicates the main items of legislative business which are proposed to be brought before Parliament during the sessions to be held that year.

On 16 February 2006, the President of India, Dr. A.P.J. Abdul Kalam, addressed members of the two Houses of Parliament assembled together in the Central Hall of Parliament House at the commencement of the First Session of Parliament in 2006.

We reproduce below the text of the Address.

—Editor

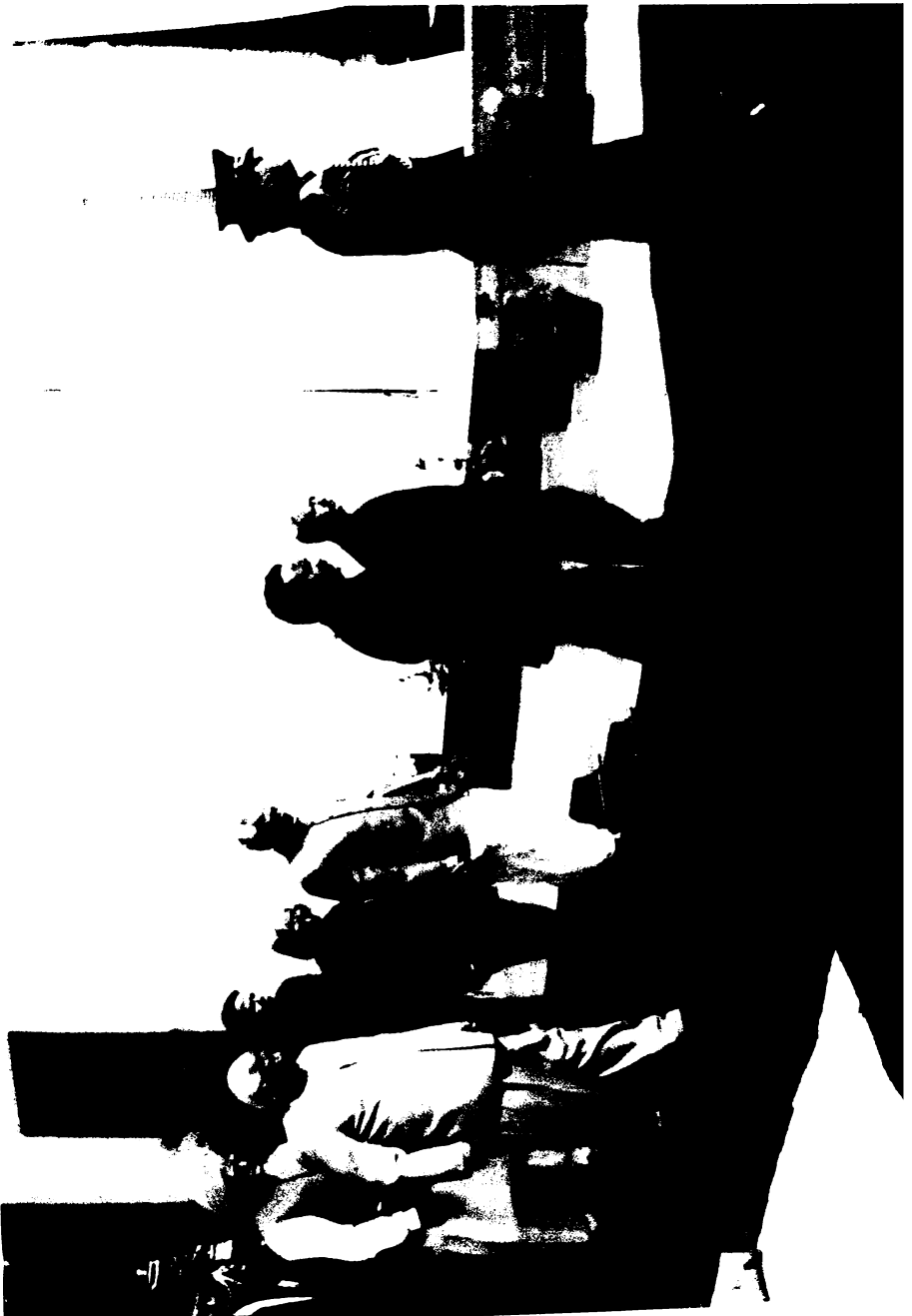
Honourable Members,

My greetings to you all. It is with a sense of optimism that we look forward to the New Year. A nation of a billion people rising to its potential is an exciting feeling. The feeling is palpable. It is not merely the statistics of economic growth or the enthusiasm that the world outside has shown for the Indian opportunity that makes these times so exciting. It is the fact that as a nation we have collectively decided to sink the differences of the past; that we have restored to our polity a sense of healing; that we have restored to our society a sense of inclusiveness; and that we have given our economy a sense of purpose.

Our economy is on the move and our people are on the march. After a period of none too exciting growth of around 5.0 per cent per annum during 1999-2003, the economy has bounced back, recording 7.5 per cent growth in 2004-05 and likely to cross 8.0 per cent in 2005-06. This is probably a precursor to better times to come in the future. Equally importantly, the rate of inflation has remained at modest levels despite a sharp increase in global energy prices. For the common man, for each of our families, the most important economic variable is the price of commodities. So it is a matter of immense satisfaction that even in the face of an unprecedented rise in global oil prices, the Indian economy has performed exceedingly well. My Government's prudent and judicious management of the economy has greatly helped in this. The renewed optimism of the people, whose creative energies are being unleashed, has also played its part. The optimism is visible in the savings rate which is now over 29 per cent and the investment rate which is near 31 per cent.

Confidence in India, in our democracy and in our economy, has never been higher. We have been able to restore the pluralistic ethos that is the essence of India. We have been able to reverse a dangerous trend of intolerance that had begun to eat into the vitals of our nation and restore pluralism, tolerance and compassion. We have been able to replace debates that sought to divide the nation with debates that matter to everyday living of the people, debates on issues of concern to the *aam aadmi*. It is heartening to see that there is active discussion in the Government, media and civil society about options for growth, poverty reduction, education, health, employment, basic facilities, infrastructure, empowering people and helping marginalized and weaker sections catch up. Such debates are the life-blood of our democracy. This Government was voted to office to effect this precise change. This has been accomplished. To inspire a new generation of Indians to celebrate the fruits of our freedom struggle, my Government is drawing up impressive plans to celebrate the 150th anniversary of the First War of Indian Independence next year.

My Government has been able to create a new architecture of inclusive development built on the foundation of five pillars. These are the **National Rural Employment Guarantee Act**, a historic piece of legislation to provide income security to the poor and bridge the rural poverty gap; **Bharat Nirman**, a time-bound plan to create better rural infrastructure; the **National Rural Health Mission**, to address gaps in basic health; the **Jawaharlal Nehru Mission for Urban Renewal**, to ensure a dynamic, visionary, inclusive and caring process of urbanization;



and, a strengthened **Sarva Shiksha Abhiyan with a universal mid-day meal programme.**

The National Rural Employment Guarantee Act marks a new beginning in our country towards guaranteeing the right to work. The Act, initially covering 200 less developed districts, holds revolutionary potential to alter the rural economy by providing a safety net to the poor. It will also enable creation of assets. It is for the first time in the world that a major employment programme is being undertaken on such a scale and its progress would be keenly watched by observers of development all over the world. The Union, State and local governments and *Panchayati Raj* Institutions need to work together for the success of this programme. A major-people's programme for water conservation will be linked to this programme.

Bharat Nirman is a time-bound plan for providing basic infrastructure in our rural areas. This flagship programme of my Government will, by the year 2009, seek to:

- Provide electricity connection to every village in the country;
- Provide an all-weather road to every habitation of over 1000 population and above, or 500 in hilly and tribal areas;
- Provide every habitation a safe source of drinking water;
- Provide every village a telephone connection;
- Create 1 crore hectares of additional irrigation capacity;
- Construct 60 lakh houses for the rural poor.

Building on the on-going schemes and large additional investments that are being channelised to this effort, *Bharat Nirman* will impart a sense of urgency to these goals by making the programme time-bound, transparent and accountable. These integrated investments in rural infrastructure will unlock the growth potential of rural India and Provide Urban Amenities in Rural Areas (PURA).

A National Rural Health Mission has been launched with the intention of providing universal basic health care to our people. The mission, based on contextual, district level plans based on local priorities, will enable health care delivery in a manner which meets local needs. It will also link action in health care with complementary efforts in areas such as safe drinking water, sanitation and nutrition. In addition to upgradation of all Primary Health Centres, two community health centers in each district will be improved in the first phase to a level as defined through Indian Public Health Standards.

The Jawaharlal Nehru National Urban Renewal Mission is the single

largest initiative since Independence for the development of our cities. The Mission, covering 63 cities, will enable their comprehensive development in the areas of urban infrastructure and basic services to the urban poor, linking new investment to governance reform. The successful implementation of the Delhi Metro project has generated demands for improved urban transport in many other cities. Plans for a Mumbai Metro and a Bangalore Metro are in the final stages of consideration.

Sarva Shiksha Abhiyan has been strengthened and combined with a programme for universalisation of the Mid-Day Meal programme, which now covers 12 crore children. These initiatives should have a positive impact on the enrolment and attendance at school and on the nutritional status of our children.

My Government has taken several other steps in the realm of education to widen access and ensure excellence. The liberal funding of scholarships for students hailing from the Scheduled Caste and Scheduled Tribe families, families of ex-servicemen and minorities will help improve the educational status of these disadvantaged groups. My Government has sanctioned creation of over 1000 *Kasturba Gandhi Balika Vidyalayas* in educationally backward blocks of 21 States to provide free residential education to underprivileged girls at the upper primary level.

Honourable Members,

My Government has given the highest priority to the welfare of our farmers and to the development of our rural economy. There has been a 60 per cent increase in credit to the agricultural sector. Long term measures for the revival of cooperative credit institutions, as recommended by the Vaidyanathan Committee, are being implemented. The Central and State Governments have arrived at a consensus on a revival package for the Short Term Rural Cooperative Credit Structure involving a financial package of about Rs.14,000 crore, and linked to reforms in the cooperative sector. A revival package for the Long Term Cooperative Credit Structure is also being studied. My Government is committed to having a common market for agricultural produce so that farmers get better farmgate prices. This is being done by making warehouse receipts negotiable instruments; amending the Essential Commodities Act; working with States to amend local Agriculture Produce Marketing Acts and expanding the food supply and storage chain.

With a view to cover the risks involved in agricultural operations,

the scope and coverage of the National Agricultural Insurance Scheme has been expanded. My Government is committed to doing all that is possible to protect the livelihoods of small and marginal farmers. Considering the agro-climatic variation and consequent advantage for production of different types of fruits and vegetables in the country, the Government is paying special attention towards the development of horticulture. With this objective, the Government has launched the National Horticulture Mission during 2005-06 with a total outlay of Rs. 2300 crore for the remaining period of the Tenth Five Year Plan.

Better water management holds the key to agricultural growth in the country. Water use efficiency can be greatly improved through the installation of drip, sprinkler and fertigation systems. There is also a need to address the needs of regions which are still dependent on rainfall. A National Rainfed Area Authority is being established which will look into all the dimensions of managing water resources in these areas. In addition to the one crore hectares being brought under irrigation under *Bharat Nirman*, my Government has also begun work on elements of the interlinking of peninsular rivers, beginning with work on two such links.

My Government is in the process of setting up of a National Biotechnology Regulatory Authority which will be the nodal authority for release, import and post-release monitoring of GM crops and seeds. The quality control of GM seeds is an important issue and it is proposed to strengthen the State Seed Testing Laboratories. To promote bio-fuel, a National Bio-Diesel Programme is proposed to be launched in 2006-07.

Honourable Members,

In order to accelerate economic growth, investment in world-class infrastructure to make our economy more competitive and to make every citizen feel proud. While the public sector will continue to play an important role, it is necessary to create a policy and regulatory environment that attracts long term private Investment in infrastructure. The Committee on Infrastructure under the Chairmanship of the Prime Minister, is vigorously pursuing this objective.

My Government has set up a Special Purpose Vehicle called the India Infrastructure Finance Corporation Limited to provide long term debt funds to commercially viable projects in infrastructure sectors. This will ensure that infrastructure projects which may be rendered unviable due to long gestation periods, are not ignored due to lack of long term debt in the financial markets.

The National Highways Development Project is being implemented as a national priority. The work of four-laning of the Golden Quadrilateral is nearing completion. An Action Plan for further development of the national highways network involving a total Investment of Rs.1,75,000 crore over the next seven years has been finalised. This Includes four laning of an additional 10,000 kilometres of national highways carrying high volume of traffic, and six-laning of the Golden Quadrilateral. A new Model Concession Agreement has been approved by the Government to facilitate public-private partnership in roads.

My Government intends to create world class airports in India. A comprehensive Civil Aviation Policy is on the anvil. The process of modernisation and expansion of the Delhi and Mumbai airports through public-private partnership has already commenced. Greenfield International Airports at Bangalore and Hyderabad have been approved. Plans are being made for the modernization and development of Kolkata and Chennai airports. A comprehensive plan for the planned development of other regional airports is under finalisation

Port infrastructure is critical to economic growth. It is essential to attract massive private investment for upgradation and modernisation of ports. The programme for allocation of berths at major Indian ports for construction through the public-private partnership route is being expanded. A Model Concession Agreement is being formulated for this purpose.

Our Railways have once again become a source of great pride with a perceptible improvement in their performance. Government has decided to build two dedicated high capacity freight corridors—the Eastern Corridor from Ludhiana to Sonnagar and the Western Corridor from Jawaharlal Nehru Port Trust to Dadri—with an investment of over Rs.20,000 crore. Preliminary work will commence on these projects within one year. Keeping in view the increasing demand for movement of cargo through containers, it has been decided that this sector, which was the monopoly of the public sector, will be thrown open to competition and the private sector would be eligible for running container trains.

My Government places special emphasis on improving the power situation in the country. The Dabhol Power Project is being revived and is expected to start generating power this year. The Ministry of Power is facilitating the setting up of five Ultra Mega Power Projects with a capacity of 4000 MW each through tariff based competitive bidding, three plants at coastal sites based on imported coal and the remaining two at pit head sites. More such power projects will be taken up to bridge the demand-supply gap.

The telecommunications and information technology revolution is one of the success stories in our reform programme. Owing to the effect of competition, telecom tariffs have continuously come down, and today we have among the lowest tariffs in the world. A milestone in this has been the announcement of the One India Plan by the public sector telecom service providers BSNL and MTNL recently. Keeping in view the problem of inadequate availability of spectrum for commercial use, the Government proposes to put in place a mechanism for vacation of spectrum by existing users in Government to make it available for commercial use in a time bound manner. My Government will ensure that manufacturing of electronic and telecom hardware in the country is given a big thrust. New initiatives are being taken to bring semi-conductor manufacturing to India and build a manufacturing hub.

The Special Economic Zones Act was notified in June, 2005. My Government will ensure creation of required infrastructure and an appropriate framework to facilitate rapid development of export oriented manufacturing and services in the country. Drawing on the ideas put forward by a group of dedicated Non-Resident Indians, the Government has constituted a Task Force on Petroleum, Chemicals and Petrochemicals Investment Regions. This Task Force will evolve a policy framework for development of sector specific investment regions involving world class developers which can attract investment upto \$10 billion in each location.

To attain rapid economic growth, it is essential that we step up investment in various sectors of the economy. My Government intends launching a Ten Year National Manufacturing Initiative to make the manufacturing sector the prime driving force for employment and economic growth. Emphasis will be placed on labour-intensive sectors such as textiles & garments, leather & leather goods, food processing, IT hardware & electronics and auto components. Focused attention will be given to the growth of our dynamic services sector including software, outsourcing, tourism, education and healthcare so as to create large employment opportunities. We will also create a policy framework that attracts Foreign Direct Investment keeping in view our overall national interest. My Government has taken appropriate decisions to rationalize the FDI policy with a view to removing unnecessary hurdles and outdated restrictions.

Honourable Members,

To ensure that every citizen of our Republic is empowered to know how Government programmes are being implemented, we brought

forward a path-breaking legislation to increase transparency in the functioning of Government at all levels. The Right to Information Act, 2005, is a historic piece of legislation. By ensuring greater transparency in the functioning of Government, it will help reduce corruption.

Reforming the instruments and processes of governance is an important element of my Government's reform agenda. We have taken several steps to begin this process from the very top. A new system of Performance Appraisal Reports and appraisal by an Eminent Persons Group has been put in place of the existing system of Annual Confidential Reports. My Government is introducing mid-career training systems, with promotions based on a new criteria and an accelerated empanelment procedure for senior civil servants. A voluntary retirement non-promotion system on the basis of mid-career screening will be put in place for the All India Services to ensure that the best and the brightest are rewarded for their performance and commitment to good governance. My Government has instituted the Prime Minister's Awards for Excellence in Public Administration to encourage initiative, efficiency, honesty and commitment to good governance among civil servants. Steps have been initiated for setting up the Sixth Pay Commission for Government employees.

My Government has set up an Administrative Reforms Commission to undertake a comprehensive review of governmental machinery at all levels and to end bureaucratism, thus fulfilling a commitment of the National Common Minimum Programme. The National Disaster Management Authority has been operationalised and is expected to play a fruitful role in coordinating and planning disaster mitigation and management efforts.

There is a need to pursue reform of our judicial system. There is a need to bring down pendency of cases in courts at all levels and reducing the time taken for deciding cases. There is also a pressing need to make justice accessible in an easy and comprehensible manner to all the citizens. My Government is working on proposals to address the issues through more courts, the use of technology and computerisation, improved procedures, and introduction of local courts.

Our electoral system has had an impeccable record and is the pride of our nation. However, there is always scope for improvement, particularly in decriminalizing the electoral process, reducing frivolous candidates and providing more teeth to electoral officers. My Government is working on proposals in all these areas.

A National e-Governance Plan, with 25 Mission Mode Projects, has been prepared. A National Institute of Smart Governance is being set

up and a State-wide Area Network will be created in all the States by 2007. A scheme for computerizing 13,348 District and Subordinate Courts has been separately launched under the overall directions of a Committee chaired by the Chief Justice of India. To make Indian firms globally competitive and enable easy compliance with Company law requirements, a pathbreaking e-governance programme known as MCA-21 is being launched this year.

My Government has recently amended the Constitution to facilitate reservations in private unaided educational institutions for the Scheduled Castes, Scheduled Tribes and other socially and educationally backward classes of citizens. Parliament is also considering several bills brought forward by my Government to socially and economically empower Scheduled Castes, Scheduled Tribes, Other Backward Classes and religious minorities. My Government has introduced a landmark legislation for providing rights to tribal people on the land that has been historically under their possession. The backlog of unfilled reserved posts in Government is being reduced speedily under a crash programme. To prepare Scheduled Caste and Scheduled Tribe candidates for selection to academic positions and for doctoral studies, my Government has launched the Rajiv Gandhi National Fellowship Scheme under which 2000 fellowships will be funded annually.

The National Rural Employment Guarantee Act provides for improvement of private farm lands of Scheduled Tribes and Scheduled Castes. The Ministry of Tribal Affairs has initiated a special programme to provide assistance to the States for taking up minor irrigation schemes for the land belonging to Scheduled Tribes.

My Government has created a new Ministry of Minority Affairs to focus concentrated attention on the problems of all minorities, including religious minorities. A National Commission for Minority Educational Institutions has been established. A Bill for providing Constitutional status to the Minorities Commission has been introduced in Parliament. A Committee under Justice Rajinder Sachar is studying in-depth the condition of minorities and is expected to recommend steps for their economic and social development and empowerment.

A new 15-point Programme for the Minorities is under preparation. This programme will aim at enhancing the social development of the minorities, especially the poor, modernize *Madarsa* education, and provide financial support for entrepreneurship development and self-employment. My Government intends to propose statutory measures to prevent and deal effectively with communal violence and communal offences and to enable rehabilitation of victims of communal riots.

Honourable Members,

My Government has taken a number of steps to ensure that the National Common Minimum Programme commitments regarding full equality to women is honoured. Amendments have been carried out in the Hindu Succession Act, 1956 to give equal inheritance rights to women in property. Government is also contemplating amendments to the Guardians and Wards Act 1890, the Hindu Adoption and Maintenance Act 1956 and the Hindu Minority and Guardianship Act 1956 to remove discriminatory provisions contained in them. A Bill for the compulsory registration of marriages is also under active consideration. My Government will make every effort to see that 33 per cent reservation for women in the Parliament and the State Legislatures is made possible in the near future.

A new Ministry of Women and Child Development has been created to have focused attention on the problems of women and children. A National Plan of Action for Children has been approved and a National Commission for the Protection of Child Rights is being established. Our goal is to ensure that all children have a secure, healthy and happy childhood with access to education and health care. The Rajiv Gandhi National Creche Scheme for children of working mothers has been approved recently. This envisages establishment of nearly 30,000 creches for children. The Integrated Child Development Services Scheme is being universalized with nearly 1.88 lakh additional *anganwadis* being sanctioned. With a comprehensive range of pre-natal and post-natal care services, immunization, nutrition and early childhood education services, the universalisation of this programme will be a great step forward in reducing infant and maternal mortality. We also need to take immediate steps to eliminate female foeticide and improve the juvenile sex ratio.

Honourable Members,

You have passed a comprehensive Bill to protect women from domestic violence. A Bill on protection against sexual harassment is shortly to be finalized. Suitable amendments to the Commission of Sati (Prevention) Act, 1987 will also be shortly made. The Immoral Traffic (Prevention) Act is proposed to be amended to strengthen provisions against trafficking in women and children.

The Criminal Procedure Code has been amended to ensure greater protection to women. These include prohibition of arrest of women after sunset and before sunrise except in unavoidable circumstances, a provision to ensure immediate medical examination of rape victims

within 24 hours, DNA profiling, and investigation by a judicial or Metropolitan Magistrate of incidents of rape in custody.

Honourable members are aware of my views on the importance of investing in the knowledge economy. Since ancient times, our society has greatly valued knowledge. Our democracy has enabled us to spread the benefits of knowledge more widely. Today we live in a knowledge era in which every social and economic activity is driven by knowledge.

My Government had constituted the National Knowledge Commission to seek expert advice on how we can empower our people with skills and capabilities relevant to the knowledge era. The Commission is also expected to examine how we can modernize our educational system in keeping with the emerging requirements of the future. The Commission's report is shortly awaited. My Government has in the meanwhile, decided to create new centers of excellence in basic sciences, on the lines of the Indian Institute of Science, in Kolkata, Pune and in Punjab. My Government is investing substantially in the Science and Technology field to promote domestic research and development, both public and private, so that India can emerge as a significant player in the knowledge era. We will work with partners across the world to promote the development and utilization of knowledge through collaborative efforts.

Last year Cartosat-1, the high resolution cartographic mapping satellite with a long track stereo imaging capability, the first of its kind in the world, was launched, along with HAMSAT, re-affirming India's excellence in remote sensing and amateur radio operation. The PSLV C6 was itself launched from the recently established state-of-the-art Second Launch Pad at Sriharikota. INSAT-4A, launched in December, will revolutionise the broadcasting infrastructure in our country, including DTH services. Our space scientists and telecommunications engineers have played a major role empowering our teachers, media personnel and creative professionals with the requisite technological means. This synergy has enabled India to emerge as a major knowledge, media and entertainment power. My Government will further strengthen our capabilities in this area of cultural and scientific development. The entertainment industry is getting linked to information technology. To explore ways and means of expanding our opportunities in this area, a Task Force on Information, Communication and Entertainment has recently been constituted. Given adequate attention, I am confident that our entertainment sector has the potential to be the world class and compete with the best. My Government will take steps to strengthen the Indian entertainment industry so that it can achieve global scale and realize its potential.

Our space programme has been beneficial beyond our borders. During the current financial year, we have begun work on creating a pan-African e-Network Project that will be bridging the digital divide in that continent. Indian expertise in IT, education and healthcare will eventually be available to 53 countries in Africa.

My Government is deeply committed to the protection and preservation of our environment, including all species of flora and fauna. A strategic programme to increase forest cover is proposed to be undertaken. The Tiger is our national animal and an endangered species. A Tiger Task Force was established last year on whose suggestions action is being taken. My Government proposes to create a National Tiger Conservation Authority for more effective management of our Tiger Reserves. Steps are also being taken to reduce poaching of these magnificent animals. For the first time, a draft National Environment Policy has been formulated to harmonize environmental, social and economic imperatives.

Honourable Members,

My Government has taken a number of measures for the welfare of the people in the North East. Almost Rs. 10,000 crore of investment is being made at Bongaigaon, Dibrugarh and in Tripura in thermal power projects using local coal and gas. Particular emphasis will be given to the border areas in this region, specially Arunachal Pradesh, for infrastructure and road development. The accelerated North-East Road Development project is under consideration, which will provide connectivity to the State capitals and district headquarters in the North-East and include upgradation of such other stretches of national and State highways which are critical for the economic development of the region.

My Government is actively engaged in reviewing and streamlining of procedures under the Non-lapsable Central Pool of Resources for the North East. A new industrial policy for the North East will be announced shortly. A North East health package is also being developed and will be put in place at the earliest. In order to address problems faced by students and working women from the North East while living in the national capital, a 500-bed girls' hostel in the Delhi University and a 500-bed hostel for working women have been approved. My Government will set up a National Institute of Technology in Tripura, a Central Institute of Technology at Kokrajhar, and an Indian Institute of Management in the North-East. The proposed North-Eastern Water Resources Authority is expected to ensure effective utilization of hydro-power generation capacity in the region, especially in Arunachal Pradesh. The North-Eastern Council has been revitalized and work on fencing along the India-Bangladesh border is being speeded up.

Honourable Members,

I am happy to inform you that the Rs.24,000 crore package for Jammu and Kashmir has been successfully launched and substantial progress has been made in several sectors. The response of the Central and State Government agencies and civil society at large to the unfortunate earthquake in the State was commendable. The Government's courageous decision to disburse financial assistance for rehabilitation directly to the affected persons has been appreciated by the people. According to the latest reports, most of the restoration work is nearly complete. Substantial help was received from other State Governments, public sector organizations and NGOs from all over the country. The Srinagar-Muzzafarabad bus service is operating normally and my Government's initiative in this regard has been universally acclaimed, most importantly by the people of Jammu and Kashmir. I pay tribute to the commitment of the people of the State to peace which has given an impetus to the peace process and normalization of the situation at the ground level.

Honourable Members,

My Government has remained deeply committed to national security and pursued a two-pronged approach of reaching out to disaffected sections of our society while dealing firmly with terrorists and other anti-national forces. There has been an improvement in the law and order situation across the country, especially in Jammu and Kashmir and the North-eastern States. The number of incidents of civilians killed and persons kidnapped in both Jammu and Kashmir and the North-East have registered a decline in the last year. Government is engaged in talks, including at the highest level, with a large number of political groups in both regions. These talks have progressed in a constructive manner and have contributed to relieving the sense of alienation among some of our people.

My Government has also expressed its willingness to talk to all political groups to address their grievances, real or imaginary. At the same time, my Government is steadfast in its resolve to combat terrorism, militancy and extremism and to uphold the rule of law. We acted swiftly to deal with terrorist attacks in various parts of the country, including in our national capital and in Bangalore, at the temple of learning, the Indian Institute of Science. I was deeply distressed and pained by the senseless killing of so many innocent citizens, including a distinguished scientist. Government will act without fear or favour in bringing the guilty to book and will wage a relentless war against

terrorism. We will work with all those committed to this battle from across the world.

Honourable Members,

The Nation is proud of our Armed Forces. My Government has paid renewed attention to the requirements of our national defence and the welfare of ex-servicemen. A Department of ex-Servicemen's Welfare has been created to focus on their issues and assist the families of our brave jawans. We have approved an improved pension scheme for our ex-servicemen who retired before 1996, particularly our jawans which will benefit over a million ex-servicemen. By pursuing defence modernization in a systematic manner, Government has strengthened our military capability. This approach, taking account of our strategic environment and drawing on our technological prowess will guide us in the coming years.

Honourable Members,

The foreign policy of my Government is, as has always been the case, guided by enlightened national interest. It has been oriented to enlarge our policy choice. My Government has made vigorous efforts to build friendly and cooperative ties with our neighbours and to strengthen SAARC. India regards SAARC as an important forum for regional cooperation and we look forward to Afghanistan joining SAARC as its eighth member. The entry into force of SAFTA on 1 January, 2006 was a landmark. India will have the privilege of hosting the next SAARC Summit and in that context the several initiatives we have proposed shall be pursued.

My Government has taken several steps to improve our relations with all our neighbours. The landmark visit of the Prime Minister to Afghanistan in August 2005 has reinforced our commitment to help in the reconstruction of Afghanistan. There has also been good progress in increased people to people contacts and bilateral trade with all our neighbours, including Pakistan. The spontaneous outpouring of sympathy and assistance from the people of India for the victims of the earthquake in Pakistan underlines the goodwill among the peoples of the two countries. While we remain concerned over infiltration and cross-border terrorism and expect Pakistan to fulfill its commitments in this regard, we reiterate our commitment to the composite dialogue process with Pakistan. The opening of new bus links between Amritsar and Lahore and Amritsar and Nankana Sahib and the opening up of the Khokrapar-Munabao rail link are further steps in promoting people to people contacts between our two countries.

We attach high importance to strengthening our relations with our global economic partners. Our relations with the United States underwent a substantial transformation in 2005 and we carry forward our strategic partnership based on the July 18 Joint Statement of the Prime Minister and the US President. Government expects that the country may gain access to international cooperation for enlargement of our civilian nuclear energy sector based on the reciprocal commitments of India and the US in the Joint Statement. Parliament will be apprised of the on-going discussions on this subject in this session. The India-US relationship also encompasses many more important issues. Major initiatives are underway to encourage the expansion of investment, trade and technology transfers, accelerate cooperation in agriculture, health and human resource development, in cooperation for energy security, a framework for defence cooperation and expanding cooperation on key global challenges.

My Government has continued to pursue the objective of a comprehensive re-engagement with Russia. Our time-tested friendship with Russia has led to the growth and development of extensive ties of cooperation in the fields of oil and gas, trade and investment, nuclear energy, space, high technology and defence. My State visit to Russia, the annual Summit level meeting between the Prime Minister and the Russian President and a large number of cabinet level exchanges will give impetus to this. Government hopes to further strengthen our relationship, specially in areas of strategic importance in the days to come.

We are working to build our relationship with China on the basis of our strategic and cooperative partnership, forged during the visit of Chinese Premier Wen Jiabao in April 2005. A positive start has been made in the second phase of discussions between the Special Representatives on the Boundary Question based on the Agreement on the Political Parameters and Guiding Principles signed in April 2005, and we are looking forward to this process gaining further momentum.

Our ties with the European Union and its 25 member states have expanded considerably. India maintains strategic partnerships with France, Germany and the UK, with regular interactions at the highest level. Prime Minister Blair had a fruitful visit last year which strengthened the relationship between our two countries. The forthcoming visit of the President of France is expected to give a new thrust to our relationship with this important and influential friend.

Our "Look East" policy was further strengthened with India's participation in the historic East Asia Summit held in Kuala Lumpur

which has the potential of defining the future regional architecture. The Prime Minister of Singapore H.E. Mr. Lee Hsien Loong paid a State Visit to India in June 2005 during which Singapore and India signed a Comprehensive Economic Cooperation Agreement which has become a benchmark. Our interaction with this region is active; we hosted the President of Indonesia and the Prime Minister of Thailand. Recently, I myself paid State Visits to Singapore, Philippines and the Republic of Korea which have strengthened our relationship with them.

Our relations with Japan have been reinforced by high level interaction and dialogue. The global partnership established between India and Japan acquired a fresh orientation during the visit in April 2005 of the Prime Minister of Japan and we look forward to a close and cooperative engagement on bilateral and global issues.

My Government is paying close attention to our ties with the countries of the Gulf region that has become home to over 4 million Indians and a major source of supplies of our oil and gas. We were privileged to receive His Majesty the King of Saudi Arabia, the Custodian of the Two Holy Mosques, as the Chief Guest at the Republic Day 2006. This visit has opened a new vista and enlarged our traditional ties. The Emir of Qatar visited India in April 2005 followed by the First Lady recently. We attach very high importance to West Asian issues and remain supportive of the efforts of the international community in finding a just and durable solution to the problems faced by the Palestinian people so that they may achieve a State of their own. At the same time we attach high importance to our friendly relations with Israel which we hope to strengthen and diversify.

This last year saw a marked change in the global perception of India as an influential actor on the international stage. This was a recognition of our emergence as a strong economy; of our ability to adjust to change—economic and social; and, of our capability to shoulder responsibilities—global and regional. Overseas Indians have contributed in a major way to this changed perception and my Government has recognized their contribution by launching the Overseas Citizenship Scheme for Persons of Indian Origin. We are also planning to grant voting rights to Non-Resident Indians. By hosting the 2010 Commonwealth Games and bidding for the 2012 Asian Games, we hope to enhance our global stature further.

Honourable Members,

In conclusion, I return to the theme I began with. Our country is destined to regain its due place in the comity of nations in the 21st

century. However, there is much we must do at home to realize this potential and fulfill the aspirations of our people. My Government is committed to doing so through the National Common Minimum Programme.

Today the economy is poised for better performance. My Government believes that our people will respond handsomely if we pursue policies that invest in their capabilities and liberate their creativity and enterprise. This requires good governance. Good governance today implies more efficient use of public finances in sectors in which Government must invest, and less Government intervention in areas where individual initiative can achieve more. No country has prospered by printing money or incurring excessive debt. Only through hard work, higher productivity and prudent management of resources—human, natural and financial—can prosperity be achieved. My Government is committed to the judicious management of public finances, to the efficient management of public utilities and enterprises and to the pursuit of reform, in all its dimensions. At the same time, there is a need for maintaining communal harmony and promoting an inclusive society in which every section of society feels secure, empowered and confident about their future. My Government is committed towards creating such an environment so that the latent potential of our people can blossom and create a new India of our dreams.

Honourable Members,

This is an important session of Parliament. The people of our country, who have sent you here as their representatives, sincerely hope that you will make the best use of the time available to represent their interests. I urge you to devote your energies to a mature consideration of the business of both Houses of Parliament and act in the best interests of the country and our citizens. Time is precious, please do not waste it. You have my best wishes in all your noble endeavours in the service of our people. Jai Hind!

**ADDRESS BY THE SPEAKER, LOK SABHA,
SHRI SOMNATH CHATTERJEE AT THE
EMERGENCY CONFERENCE OF PRESIDING
OFFICERS OF LEGISLATIVE BODIES IN INDIA,
NEW DELHI, 4 FEBRUARY 2006**

We reproduce below the text of the Address delivered by the Speaker, Lok Sabha, Shri Somnath Chatterjee at the Emergency Conference of Presiding Officers of Legislative Bodies in India* held at New Delhi on 4 February 2006.

—Editor

Honourable Presiding Officers,

I have great pleasure in welcoming you to this Emergency Conference of Presiding Officers of Legislative Bodies in India. I am extremely thankful to all of you for having made it possible to attend this Conference at a very short notice.

As you may be aware, this Conference has been called in the wake of the judicial proceedings initiated by some former members of Parliament, who were expelled from the membership of the House of the People due to acts of improper conduct of accepting money for asking questions in the House. Taking cognizance of the expelled members' plea, the Delhi High Court and the honourable Supreme Court have issued notices *inter alia* against the Speaker of Lok Sabha and the Lok Sabha Secretariat. After considering all aspects, it was decided that I should not accept any such notice, far less respond to the same as I believe that there are no constitutional provisions under which a notice could be issued by the courts to the Speaker on matters involving voting by members and matters of discipline and as such strictly pertaining to the internal affairs of the House which are its own exclusive domain as per the Constitution. As the Speaker of Lok Sabha and as the Chairman of the Conference of Presiding Officers of Legislative Bodies, I considered it my bounden duty to call this

* For the details of the Conference, kindly refer to the feature Short Note on 'Emergency Conference of Presiding Officers of Legislative Bodies in India' at pp.194-195



भारत में विधायी निकायों के
पीठासीन अधिकारियों का आषाढ सम्मेलन
**Emergency Conference of
Presiding Officers of
Legislative Bodies in India**

4 फरवरी 2006, नई दिल्ली

4 February 2006, New Delhi



Emergency Conference as we are faced with a situation which seems to detract from the constitutional position and rights of the House and its members and the mandate of harmony between the Judiciary and the Legislature, the Speaker and the members of the Legislature.

Let me make it absolutely clear that it is farthest from our mind to have any confrontation with the Judiciary. The Legislatures have always recognised and respected the supremacy of the Judiciary in its assigned sphere. The Judiciary is an institution integral to our body politic. But, at the same time, the constitutional rights of the Legislature, the Speaker and the members of the Legislature are entitled to be respected by the other organs in a system governed by our Constitution. Our endeavour is to maintain the constitutional balance which is essential for the harmonious co-existence between the different organs of the Government and for the sustenance of democracy in this country.

It is not necessary for me to recapitulate the constitutional provisions, of which you are fully aware I have briefly referred to the same in my introductory submissions at the Leaders' Meeting held on 20 January 2006, a copy of which you will please find in the Background Papers. It has to be reiterated that all the constitutional provisions symbolize the supremacy of the Legislature and make it the master of its own privileges and procedures.

As a natural corollary to these provisions, there can be no authority other than the Legislature itself to look into the conduct of its members in the discharge of their duties. In the case of misconduct or contempt committed by its members, it is also well established that the House can impose punishments such as admonition, reprimand, withdrawal from the House, suspension from the service of the House, and imprisonment and expulsion from the House.

By and large, as per the constitutional mandate, the courts in India have exercised restraint and recognised the immunity of parliamentary proceedings from being called in question in the courts. Way back in 1954, in the case of *Raj Narain Singh v. Atmaram Govind Kher*, the Allahabad High Court had held:

“...this court is not, in any sense whatever, a court of appeal or revision against the Legislature or against the rulings of the Speaker who, as the holder of an office of the highest distinction, has the sole responsibility cast upon him of maintaining the prestige and dignity of the House.

...this court has no jurisdiction to issue a writ, direction or order relating to a matter which affected the internal affairs of the House.”

In the *M.S.M. Sharma Case* of 1960, the Apex Court had categorically upheld the sovereignty of the Legislature in matters pertaining to the power to conduct its own business. The Supreme Court held:

“...The validity of the proceedings inside the Legislature of a State cannot be called in question on the allegation that the procedure laid down by the law had not been strictly followed. No Court can go into the questions which are within the special jurisdiction of the Legislature itself, which has the power to conduct its own business.”

The Supreme Court held in the *Tej Kiran v. N. Sanjiva Reddy Case (AIR 1970 SC 1573)* that it is the essence of parliamentary system of Government that people's representatives should be free to express themselves without fear of legal consequences. What they say is only subject to the discipline of the rules of Parliament, the good sense of the members and the control of proceedings by the Speaker. The courts have no say in the matter and should really have none. In the *JMM Bribery Case*, the Supreme Court did not take any action against concerned members citing the immunity/protection that the members enjoy under article 105 (2) of the Constitution and observing that it is for the House to take action, if thought fit. Incidentally, a difference of opinion between the two High Courts, cannot distract from the rights, authority and the sole jurisdiction of the Legislature in this matter.

Under article 122 and 212 of the Constitution, the validity of any proceedings of the Legislature cannot be questioned on the ground of alleged irregularity of procedure. On this aspect also, in the case of *K. Anbazhagan v. Secretary, Tamil Nadu Legislature Assembly (AIR 1988 Madras 275)*, the Madras High Court held:

“...The Resolution of expulsion is not open to challenge on the ground that the concerned members were not heard as such a challenge would be a challenge on the ground of failure to follow a procedure which would amount to an ‘irregularity’ and not an ‘illegality’ having regard to provisions of article 212 of the Constitution of India ...”

There can be no authority other than the Parliament itself to look into the conduct of the members in the discharge of their duties and in the conduct of the business of the House. Therefore, no court can go into this question. Order of expulsion is one of the powers, which the Parliament can surely impose on any erring member. In any event, the members have not been expelled by any action of the Speaker but by the reason of the votes cast or decision taken by the honourable members of Parliament individually and if any action is resorted to

question the authority of Parliament in doing what it did, to my mind, it will be clearly violative of article 105 of the Constitution of India because that will be challenging the members' decision.

One may take note of Rule 389 of the Rules of Procedure and Conduct of Business in Lok Sabha which provides that all matters not specifically provided for in the rules and all questions relating to the detailed working of the rules shall be regulated in such manner as the Speaker may, from time to time, direct.

In the instant case, I had the privilege of discussing the matter of the issue of notice by the Courts to the Speaker and the Lok Sabha Secretariat with some of the most eminent lawyers of the country, including Shri Fali S. Nariman, Shri T.R. Andhyarujina, Shri Shanti Bhushan, Justice Sachar, Shri Rajeev Dhawan and Shri Kapil Sibal. Their considered opinion has been that I should not appear before any court of law even if any notice is issued. Dr. L.M. Singhvi, another distinguished lawyer, has also stated that the Speaker was well within his limit not to reply to the Supreme Court notice and that the courts could not intervene directly or indirectly in Parliament matters. Another eminent constitutional lawyer, Shri P.P. Rao, has stated that each House has exclusive jurisdiction over its own internal proceedings and has the right to commit and punish members for contempt and that courts do not interfere with the decision of the House concerning its recognized privileges, which include the right to expel members. Shri Fali S. Nariman has said and I quote:

“...That the Speaker is made a party in a private litigation concerning something that happened within the four walls of the House is a matter for the petitioner who makes the petition to the court. He can implead anybody; he can implead the President. But the fact that the court permits such a procedure with the name of the Speaker being there, is in my opinion, a matter on which there is strong exception to be taken, for this reason.”

Another leading lawyer, Shri T.R. Andhyarujina, has said, and I quote:

“...There is no doubt that every House of the Legislature should remain responsible for disciplining its own members. As recently as in 1997, the U.K. Joint Select Committee, with Lord Nicholls of Birkenhead as its Chairman, reported this as axiomatic. ‘It is inconceivable,’ it observed, ‘that power to suspend or expel a member of either House should be exercisable by the Courts or some other outside body. No suggestion has been made to the

Joint Committee that the Commons should lose its powers of suspension or expulsion, which are widely seen as essential for internal discipline.' In the U.K. expulsion of a member of the Commons creates a vacancy and his or her term comes to an end. The position is same in India."

I have been expressing my humble views that our Constitution does not contemplate the existence of a super organ or an organ having overriding authority over the others. What is essential is to have a harmonious relationship between the different organs and also respect for each other. Defending the rights of the Parliament, an All-Party Meeting, which I convened on 20 January 2006, in the wake of the developments in the instant case, unanimously felt that the Lok Sabha Speaker should neither accept the Supreme Court's notice nor appear before it on the issue of the expulsion of MPs. A summary of the proceedings of the said meeting is also available along with the Background Paper.

It appears that the honourable Supreme Court has decided to look into the question of Parliament's right to expel its members as a constitutional issue. With all respect to the honourable Court, I feel that it would have been proper if the Court had first decided as to whether the Court itself had the constitutional authority to look into the question and whether it had any right to issue notice to the Speaker of Lok Sabha on a matter clearly indicated by the Constitution as the exclusive domain of the Legislature. Until that is decided, the question of determination of the existence of the right of expulsion and for that purpose giving a notice to the Speaker are, if I may say so, not called for.

I submit that in our scheme of governance, such judicial proceedings are not maintainable as they lack the sanction of the Constitution. As the custodian of the powers, privileges and immunities of the Lok Sabha and of its Speaker and members, I cannot assent to make them a subject matter of judicial scrutiny, contrary to the constitutional provisions. It will seriously impair the prestige and dignity of the Legislature and will detract from the constitutional balance, undermining the principle of Separation of Powers, one of the basic features of our Constitution, as interpreted by the Supreme Court itself.

Let me hasten to add that there is no question of adopting an attitude of confrontation with the Court. The issue is of constitutional rights, propriety, and obligations of the Legislature, the Speaker and the members of the Legislature which cannot be compromised. It is worth emphasizing the observation of Dr. Alladi Krishnaswamy Ayyar, one of

the founding father of the Constitution, in the Constituent Assembly that the doctrine of judicial independence is not to enable the Judiciary to function as a kind of 'Super Legislature' or 'Super Executive'.

Honourable Presiding Officers, it is the collective responsibility of all the institutions of governance and of our democracy, including the civil society and the media, to ensure that the harmonious relationship between the different organs in the scheme of governance in our country, as thoughtfully provided in our Constitution, is scrupulously adhered to and that every organ of the State discharges its responsibilities effectively, within the ambit of the Constitution only. As you would recall, we have deliberated the issue of Legislature-Judiciary relationship in our Conferences on several occasions. The very fact that, as a body, we have repeatedly deliberated on this sensitive issue is a pointer to the seriousness, sincerity and the constitutional propriety with which we look at the issues involved. We have consistently asserted that we should maintain the constitutional balance and harmonious relationship between these two vital pillars of our parliamentary polity at all times. I am sure we will have meaningful discussions once again at the Emergency Conference and I seek your views on the matter.

Thank you.

**INAUGURAL ADDRESS BY THE SPEAKER,
LOK SABHA, SHRI SOMNATH CHATTERJEE AT
THE ORIENTATION PROGRAMME FOR THE
NEWLY-ELECTED MEMBERS OF THE
BIHAR LEGISLATIVE ASSEMBLY**

An Orientation Programme for the newly-elected members of the Bihar Legislative Assembly was held at Patna, Bihar from 6-7 February 2006. We reproduce below the text of the Inaugural Address delivered by the Speaker, Lok Sabha, Shri Somnath Chatterjee, at the Orientation Programme on 6 February 2006.

—Editor

Honourable Chief Minister of Bihar, Honourable Deputy Chief Minister, Honourable Speaker, Bihar Vidhan Sabha, Honourable Minister for Parliamentary Affairs, Honourable Members of the Bihar Vidhan Sabha, Honorary Adviser, Bureau of Parliamentary Studies and Training (BPST), Secretary-General, Lok Sabha, Secretary, Bihar Vidhan Sabha and Friends:

I am grateful to the Honourable Speaker for his kind invitation to be here this morning and for the opportunity to meet all of you and to take part in today's proceedings.

May I, at the outset, take this opportunity to congratulate all the honourable members of the Bihar Vidhan Sabha on their election to this august House. I am indeed happy to know that the present Assembly has as many as 25 women members, which is higher in percentage than that of the Fourteenth Lok Sabha.

The Bureau of Parliamentary Studies and Training of the Lok Sabha Secretariat, with three decades of experience in conducting Training and Orientation Programmes in parliamentary procedures and practices, is now widely recognised as one of the premier parliamentary training institutes of the world. One of the important activities of the Bureau has been to provide the members a forum to familiarise themselves with the various parliamentary and procedural aspects, the operational dynamics of our parliamentary institutions and also to learn from the rich and varied experience of some of our distinguished parliamentarians. As such, I am quite pleased to be part of the first ever Orientation Programme

being organised by the Bureau for the benefit of the members of the Bihar Vidhan Sabha.

Friends, Bihar has had a glorious past. Cities like Vaishali, Rajgiri, Bodhgaya and Nalanda occupy a pre-eminent position in Indian history. It was in Bodhgaya that Prince Siddhartha got enlightenment and became the Buddha, the Enlightened One. Rajgiri is the place where Lord Buddha lived in the 6th century B.C. and delivered some of his most enlightening sermons. It is also the place where Lord Mahavir had spent several years of his life. Vaishali is the birth place of Lord Mahavir while Nalanda had flourished as a centre of learning. Ancient Bihar was the centre of the mighty Mauryan Empire that had its sway over large parts of India.

In modern times too, Bihar has been playing an important role in our national affairs. It has produced some of our very illustrious national leaders who have left an indelible imprint of their personality on our national fabric. The first President of India, Dr. Rajendra Prasad, hailed from Bihar; so did Loknayak Jayaprakash Narayan and Babu Jagjivan Ram. Indeed, the list of eminent personalities from Bihar who have distinguished themselves in diverse sectors of our national life is a long one.

It is indeed a privilege and a great honour to be a people's representative. But this privilege carries with it onerous responsibilities as well. A legislator's primary duty is to be sensitive and responsive to the problems and concerns of his constituents. He has to give voice to their hardships and grievances by raising them on the floor of the Legislature so that the Government can take appropriate measures for their redressal. He is the link between the people who have elected him and the Legislature, of which he is a member and between the people and the Government on the other. It is the legislator to whom the ordinary citizen turns to for help in times of crisis; and it is he who has to often intercede on their behalf and has to bring people's problems directly before the policy planners and decision makers.

When one files a nomination paper in an election, be it for Parliament or Vidhan Sabha, one implicitly gives an undertaking to the people that if elected, he or she will try to be their worthy representative and will make endeavour to serve the cause of the people and the nation honestly, sincerely and to the best of his or her ability. When the voters cast their votes, they express their hopes and aspirations that through the electoral process, the country will make progress and the peoples' problems will be solved by their representatives. Thus, there is an express undertaking by an elected representative to his or her electorate and through them to the nation that he or she will discharge their duties to the best of his

or her ability. Membership of the House does not make the elected representative a superior class of person and his success depends on the assumption of responsibility to serve the people and the nation to the best of the member's capacity. To do so one has to be true and faithful to the principles of parliamentary democracy and has to be a committed and dedicated member of the House and the member will have to be an honest participant in the process of nation building.

The people choose their representatives not for enjoyment of perquisites only. The membership of the House and the status it confers cannot be and should not be used for personal benefit. Nothing should be done or said which may raise any suspicion about the *bonafides* of a member. We should similarly say or do nothing which raises a question mark about the efficacy of the system of parliamentary democracy. When we take oath or make affirmation under the Constitution, and enter the House, we take upon ourselves the responsibility of maintaining the basic structure of our Constitution, of which supremacy of the Parliament and of the Legislature is one of the most important ones. Total transparency and honesty of purpose in the discharge of the functions is the acid test for all legislators and I appeal to all of you to say or do nothing which will, in any way, impinge either on the dignity and standing of your House or in any way shake the people's confidence in their elected representatives or in the system of parliamentary democracy itself.

To play a meaningful role as legislators, we must understand the place of a Legislative Assembly in our polity. The Constitution of India contemplates it as an important instrument of socio-economic change. Besides being a representative of the party, a legislator represents the voice of the people on the floor of the House and it is his duty to intervene to speed up the implementation of policies and programmes meant for the welfare and betterment of the common masses. The Council of Ministers is accountable to the legislators, who on their turn are accountable to their electorates—the ultimate masters. Therefore, they must constantly relate to them and ascertain their urges and aspirations and endeavour to fulfil them. Gandhiji once said, and I quote:

It is an illusion to think that the MLAs are the guides of the voters. Voters do not send representatives to the Assemblies in order to be guided by them. On the contrary, they are sent there loyally to carry out the people's wishes. The people, are, therefore, the guides, not the MLAs. The latter are servants, the former masters. Unquote.

To be useful members of the Legislature, it is essential particularly for those elected for the first time, to familiarise themselves with the various parliamentary and procedural concepts, the operational dynamics

of our parliamentary institutions and also to learn from the rich and varied experience of some of our distinguished parliamentarians, who are here with you at this Programme.

Since a member enjoys the confidence of the constituency he represents, he should play an important role in creating positive public awareness on various problems being faced by his constituents. Members can play a positive role in mobilizing people on vitally important issues like illiteracy, water conservation, deforestation, child labour, female foeticide, child marriage, casteism and communalism, *etc.* Each one of you represent about two lakhs of voters and has the responsibility, individually and collectively with the other members of the Vidhan Sabha, to shape the destiny of the third most populous State of our country. Once elected, you do not only represent those who have seemingly voted for you but your entire constituency. Therefore, you have got the great honour and responsibility of representing the whole constituency. Of course, as politicians we are guided by our respective party's manifesto and policies but there are a large number of issues of development and public welfare, which transcend all political barriers and we should work jointly for the benefit of the people, the State and the country.

I would like to emphasize here that a legislator's performance in the House depends on how seriously he identifies various social and economic requirements of his constituents, what strategies he employs to reconcile individual aspirations with the wider goals of society and the nation, and how forcefully he articulates them on the floor of the House. It is his vision, initiative and expertise that would help him in harmonizing the varied urges and aspirations of his electorate in a purposive manner.

For being an effective legislator, you have to feel the pulse of the people. Not only a sound understanding of a wide range of issues is important, but you should also develop an aptitude to grasp and comprehend various issues that come up for deliberations on the floor of the House. It may not be possible for an individual member to intervene on every subject which comes before the House. You should be well-prepared before you participate in any debate. You should have the ability to forcefully and logically present the facts and figures in your speech and distinguish the relevant from the irrelevant. Avoid verbosity and make your presentation lucid and to the point. You needn't be an expert on all subjects or even on any subject, but a certain level of general awareness is expected of you and an in-depth knowledge of some subjects will certainly help you in making your contributions more effective. Developing some degree of expertise in subjects of your choice should, therefore, be pursued from the beginning.

It is essential for members to be well conversant with the Rules and Procedure of the House regarding conduct of business. Rules provide a number of procedural devices available to the members to raise various issues in the House. One has to be sincere and hard working and should also seek and utilise opportunity to raise issues in the House, for which it is essential to have a sound understanding of rules. It is only when members get well acquainted with the rules of procedure that members get confidence and their participation in the proceedings of the House become effective and meaningful.

The members should fully realise the importance of the Question Hour. It is one of the important privileges of a legislator to ask questions of the Executive for ensuring the accountability of the Executive to the Legislature. It is a sacred duty for the members not to barter away this privilege for any consideration other than the larger and transparent interest of the constituents and that of the State as a whole. It is of crucial importance that the legislators individually and the House collectively should be able to utilise the opportunity provided through the device of putting Questions to hold the Executive accountable to the people effectively. Members should desist from demanding the suspension of the Question Hour on frivolous grounds.

In addition to the business of the House, legislators get ample opportunities to participate effectively in the Committees. The Committee work offers scope for positive and meaningful contribution to an industrious member. The role of Committees is as important from the viewpoint of surveillance, as for the opportunity it provides for the individual legislator. Membership of the Committees calls for some degree of specialisation among members in areas of interest to them. Work in the Committees can also help them in developing expertise and proficiency in the techniques of inquiry into the complex working of the Government Departments. Therefore, members should fully involve themselves in the Committee work, and I can assure you that the experience in Committees will be highly satisfying and rewarding. In my experience, I have seen that the members generally act in a non-partisan manner while functioning in the Committees.

If I may suggest to the new members, it is always extremely helpful to watch the performance in the House of established Legislators. I remember as a new member in Lok Sabha, by sitting quietly in the House I tried to understand the nuances of the functioning of the Parliament and also tried to learn how to articulate one's views on different subjects and how rules can be utilized for ventilating the grievances of the people and to seek redressal of the same. Even if you are not able to participate,

it is always advisable to remain present in the House and watch the performance of well-known and leading members, which provides a lesson in itself.

It is important to remember that parliamentary practices, procedures and conventions are all meant to provide for orderly and expeditious transaction of business. The imperative of maintaining discipline and decorum in the House and the observance of rules, conventions and etiquette can hardly be over-emphasised. The greatness of our legislative institutions lies in the fact that they are representative bodies of the largest working democracy in the world. That being so, the content and the quality of debates that take place in the Parliament and the Legislative Assemblies should be of a high order befitting their status as people's institutions.

In a parliamentary democracy both the Ruling Party and the Opposition have important roles to play. The right to dissent is a cardinal principle of parliamentary democracy. That being so, discussions in the House should be well-reasoned and constructive. There may be issues that agitate the minds of the members and naturally they want to bring these to the notice of the House. Trying to raise matters without the permission of the Chair or interrupting the listed business of the House militates against accepted parliamentary norms. House proceedings cannot be conducted effectively, unless the members show due respect to the authority of the Chair and to his rulings. Frequent adjournments of the House and unruly behaviour by members create a negative impression in the minds of the people, particularly when proceedings in many Legislatures are now being telecast live. It does not behove a people's representative to indulge in unruly behaviour or to use unparliamentary language on the floor of the House. It would reflect badly, if the Legislature is not able to function for days together because of frequent adjournments. Such incidents create a wrong impression on the younger generation in particular, in the process, the image of the representative institution also suffers and ultimately, the people will lose faith in the system of parliamentary democracy itself. Dissent is a recognized democratic expression, but it should be expressed within the contours and parameters of parliamentary devices. Parliamentary democracy is based on the premise that the minority accepts the decisions of the majority while the majority respects the views of the minority.

As I mentioned, the Opposition has an important role to play in parliamentary democracy. As a matter of fact, parliamentary system operates better when there is a vigilant and responsible Opposition. The members of the Opposition should be astute enough to raise the issues

of the people, if any policy or action of the Government, according to them, is against the interest of the people but surely Opposition cannot be only for the sake of opposition. As it is said that in a parliamentary system an Opposition is a Government in waiting. It is entitled to articulate its programmes and policies as is the Government, but when national issues and issues of great importance come up, it is expected that the House as a whole should act in a non-partisan manner, if it is consistent with the people's rights and interest.

An important quality required in a Legislator is the habit of listening. Your willingness to listen to the others' point of view, especially that of your opponents is the best test case for your own democratic credentials. You listen to others' views without interruption and then refute them, if you want to, with cogent reasons. Don't ever forget that democracy is a system of alternatives—of alternative parties, alternative policies, alternative principles, alternative approaches and alternative leaders. Effective functioning of the parliamentary system enjoins upon us that we display a very high degree of tolerance of other peoples' and parties' views and principles. Tolerance is a basic tenet of democracy. Gandhiji once said, and I quote:

Evolution of democracy is not possible if we are not prepared to hear the other side. We shut the doors of reason when we refuse to listen to our opponents or, having listened, make fun of them. If intolerance becomes a habit, we run the risk of missing the truth. *Unquote.*

This holds especially true of our Legislatures in today's context when we have many political parties represented in the House, the compulsion of coalition politics and the like.

As you all know, the Presiding Officer is the custodian of the rights and privileges of the members. The Chair endeavours to transact the business of the House through the rules of procedure, established conventions, traditions, etc. The Chair represents the dignity of the House and that being so, it is imperative that members show utmost respect to the Presiding Officer. If the Legislature has to transact business in a smooth and efficient manner, the Chair needs unstinted cooperation from all sections of the House.

Friends, you are fully aware of the developmental challenges being faced by the State of Bihar. I am informed that Bihar Vidhan Sabha, on an average, meets for about 30 to 35 days in a year, and, as such, the time available to the members is very limited. Of course, it is for you to decide whether there should be sittings for longer periods. Therefore, all members should use the time of the House constructively and purposively

to highlight issues and areas that would provide the much-needed impetus to propel the State to the forefront of development. In order to transform Bihar's social and economic landscape, it is essential that developmental issues are brought to the centre stage of political discourse. This calls for moving away from a narrow focus on political gains to making development the yardstick and benchmark of good and responsive governance.

I am sure each one of you is fully conscious of your onerous responsibility and will strive to face the many challenges that confront the State of Bihar. In Shri Nitish Kumarji, you have a very committed and devoted Chief Minister, endowed with considerable administrative acumen. With the collective contributions from all of you, the State of Bihar can grow and succeed in providing an acceptable quality of living to the people. As people's representatives, each one of you has the responsibility to help realise the developmental potential of this wonderful State.

I understand that in the various Sessions that are to follow, you will have an opportunity to interact with eminent parliamentarians, legislators and parliamentary functionaries. I trust that this Orientation Programme will be of great help to all of you, especially the newly elected members. I wish you all the very best in all your endeavours.

Friends, recently the members of Lok Sabha had a very sad experience when they took the decision to expel ten of their colleagues for reasons you are fully aware of. I hope such occasion will not recur again. All elected members of either of the Parliament or the Assembly should strictly adhere to the norms of exemplary behaviour and no one should be able to point a finger at any elected member. We have chosen ourselves to be the servants of the people and thereby of the nation and we shall not only be untrue to the oath or affirmation to our Constitution but we would be acting against the people and the nation as a whole, if there is any questionable conduct on our part. Let the glory of our country and our Constitution be not sullied and let the responsibility imposed on us with great hopes and expectations by our great freedom fighters and our Leaders, most of whom suffered great hardships and many also gave up their lives so that we may enjoy the fruits of freedom, be fully and honestly discharged by us. That is the least we owe to our people and the nation. I am sure, all of you will discharge your duties and functions as legislators in a manner in which not only Bihar Vidhan Sabha but the whole country will be proud of.

With these words, I have great pleasure in inaugurating this Orientation Programme for the newly elected members of the Bihar Vidhan Sabha.

Thank you.

**EMERGENCY CONFERENCE OF PRESIDING
OFFICERS OF LEGISLATIVE BODIES IN INDIA,
NEW DELHI, 4 FEBRUARY 2006**

On 12 December 2005, the *Aaj Tak* TV News Channel, in their news bulletin, carried a video footage showing some members of Parliament allegedly accepting money for tabling Questions and raising other matters in the House. Keeping in view the seriousness of the matter, the Lok Sabha constituted an Inquiry Committee to inquire into the allegations of improper conduct of ten members. The Inquiry Committee in their Report laid on the Table of the House recommended the expulsion of ten members from the membership of the Fourteenth Lok Sabha. On 23 December 2005, the Lok Sabha adopted a motion agreeing with the recommendation of the Committee and resolving to expel the said ten members. Consequently, a Gazette notification was issued on the same day for the expulsion of the said ten members with effect from the afternoon of 23 December 2005.

The Rajya Sabha referred the matter to their Committee on Ethics, which recommended expulsion of one member from the membership of the House. The Rajya Sabha adopted a motion on 23 December 2005 accepting the recommendation of the Committee on Ethics and resolving to expel the said member. A Gazette notification was also issued by the Rajya Sabha Secretariat on the same day for the expulsion of the said member with effect from the afternoon of 23 December 2005.

Following their expulsion some of the expelled members filed writ petitions in the Delhi High Court and Supreme Court challenging their expulsion. Taking cognizance of the plea of the expelled members, the High Court and the Supreme Court directed that notices be issued to the parties, including the Speaker of the Lok Sabha. On 20 January 2006, the Speaker, Lok Sabha, Shri Somnath Chatterjee convened an All-Party Meeting of the Leaders in Lok Sabha to discuss the issues relating to and arising out of the said judicial proceedings. The Leaders unanimously endorsed the position taken by the Speaker not to accept or respond to the notices issued by the High Court and the Supreme Court. They were of the view that any action questioning Parliament regarding expulsion of their Members tends to violate the provisions of article 105 of the Constitution. Prof. Vijay Kumar Malhotra, Deputy

Leader of the Bharatiya Janata Party, however, was of the view that this provision should be communicated to the Court through some lawyer appearing in the matter.

On 4 February 2006, the Speaker Lok Sabha, called an Emergency Conference of the Presiding Officers of Legislative Bodies in India at New Delhi. The Conference was attended by 41 Presiding Officers of State Legislatures in India, besides Deputy Chairman of Rajya Sabha and Deputy Speaker of Lok Sabha. Shri P.D.T. Achary, Secretary-General, Lok Sabha was Secretary to the Conference. Dr. Yogendra Narain, Secretary-General, Rajya Sabha also attended the Conference.

In his opening Address at the Conference the Speaker, Lok Sabha, Shri Somnath Chatterjee asserted that all the constitutional provisions symbolize the supremacy of the Legislature and make it the master of its own privileges and procedures. The Speaker said that as the custodian of the powers, privileges and immunities of the Lok Sabha and of its Speaker and members, he cannot be a party to make them a subject matter of judicial scrutiny, contrary to the constitutional provisions.*

The following resolution, moved by Shri Inder Singh Namdhari, Speaker, Jharkhand Vidhan Sabha and seconded by Shri Mata Prasad Pandey, Speaker, Uttar Pradesh Vidhan Sabha, was unanimously adopted at the Conference:

“The Presiding Officers of Legislative Bodies in India, having assembled in their Emergency Conference in New Delhi on 4 February 2006 and having deliberated on the issues arising out of and related to proceedings initiated in Courts of Law challenging the expulsion of members of Parliament, unanimously endorse the decision taken by the Chairman, Rajya Sabha and the Speaker, Lok Sabha not to accept or respond to the notices issued by Courts of Law in the matter of expulsion of the members of the two Houses.”

* For the text of the Speaker's Address kindly refer to the feature "Address by the Speaker, Lok Sabha, Shri Somnath Chatterjee at the Emergency Conference of Presiding Officers of Legislative Bodies in India" at pp. 180-185

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

Regional Seminar on "Developing a Protective Framework for Children: The Role of Parliaments", at Hanoi, Vietnam: The Inter-Parliamentary Union (IPU) and the United Nations Children's Fund (UNICEF) organized a Regional Seminar for Parliaments of the Asia Pacific region and regional Inter-Parliamentary Organisations on "Developing a Protective Framework for Children: The Role of Parliaments" on the invitation of the National Assembly of Vietnam. The Seminar was held at Hanoi, Vietnam from 15 to 17 February 2006.

Smt. P. Satheedevi, MP and Shri P.K. Grover, Joint Secretary, Lok Sabha Secretariat attended the Seminar.

The following subjects were discussed at the Seminar:

- Parliament's Role in ensuring Child Protection
- Legislating for Child Protection
- Parliamentary Mechanisms and Need
- Trafficking of Children: What can Parliaments do?
- Violence against Children: What can Parliaments do?

The Seminar was aimed at facilitating debate amongst parliamentarians from the region on ways and means of developing a protective framework for children, with particular focus on parliamentary mechanisms. The purpose of the Seminar was to enable the parliamentarians and parliamentary staff involved in child protection issues to have a deeper understanding of the tools at their disposal to develop a protective environment for the children.

The Fourth Conference of the Association of SAARC Speakers and Parliamentarians: The 4th Conference of the Association of SAARC Speakers and Parliamentarians was held at Colombo, Sri Lanka from 28 March to 3 April 2006. An 8-member Indian Parliamentary Delegation led by the Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal attended the Conference. The other members of the Delegation were:

Shri Prasanna Kumar Acharya, Dr. K. Malaisamy, Dr. Karan Singh Yadav, all members of Parliament and Shri P.D.T. Achary, Secretary-General, Lok Sabha. Shri A. Louis Martin, Director, Lok Sabha Secretariat was Secretary to the Delegation.

The following subjects were discussed at the Conference:

- Public Duty and Private Interests of MP; and
- Promotion of the Inter-Parliamentary Relations among SAARC Countries.

Besides, two meetings of the Speakers' Council were also held on 29 and 30 March 2006 during the Conference. The Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal attended both the meetings.

The 18th Commonwealth Speakers and Presiding Officers Conference at Nairobi, Kenya: The 18th Commonwealth Speakers and Presiding Officers Conference (CSPO) was held at Nairobi, Kenya from 3 to 5 January 2006. The Speaker, Lok Sabha, Shri Somnath Chatterjee and the Secretary General, Lok Sabha, Shri P.D.T. Achary, attended the Conference.

The following topics were discussed at the Conference:

- Integrity and Security of Parliamentary Precincts
- The Relationship between Parliament and the Executive
- Capacity Building in Parliaments

The Speaker, Lok Sabha, Shri Somnath Chatterjee was one of the lead speakers on the topic, "Integrity and Security of Parliamentary Precincts". India will host the 20th CSPOs' Conference at New Delhi in 2010.

CPA UK Seminar on "Restoring Faith in the Political Process: Tackling Corruption, upholding Human Rights and the Role of the Media": The U.K. Branch of the CPA hosted a Seminar on 'Restoring Faith in the Political Process: Tackling Corruption, upholding Human Rights and the Role of the Media' from 22 to 28 January 2006.

Shri Nikhil Kumar, MP attended the Seminar from the India Union Branch of the CPA.

The following subjects were discussed in the Seminar:

- Restoring Faith in the Political Process
- Corruption: The Challenge of Eradication

- Human Rights: Terrorism and Civil Liberties
- The Role of the Media

Emergency Conference of Presiding Officers of Legislative Bodies in India: An Emergency Conference of Presiding Officers of Legislative Bodies in India was held on 4 February 2006 in the Main Committee Room, Parliament House Annexe, New Delhi to discuss the "issues arising out of and related to proceedings initiated in the Courts of Law challenging the expulsion of members of Lok Sabha on 23 December 2005". The Conference was attended by almost all the Presiding Officers of the Legislative Bodies in India. The following resolution, moved by Shri Inder Singh Namdhari, Speaker, Jharkhand Vidhan Sabha and seconded by Shri Mata Prasad Pandey, Speaker, Uttar Pradesh Vidhan Sabha, was unanimously adopted at the Conference:

"The Presiding Officers of Legislative Bodies in India, having assembled in their Emergency Conference in New Delhi on 4 February 2006 and having deliberated on the issues arising out of and related to proceedings initiated in Courts of Law challenging the expulsion of members of Parliament, unanimously endorse the decision taken by the Chairman, Rajya Sabha and the Speaker, Lok Sabha not to accept or respond to the notices issued by Courts of Law in the matter of expulsion of members of the two Houses."

BIRTH ANNIVERSARIES OF NATIONAL LEADERS

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

The birth anniversaries of the following leaders were celebrated during the period from 1 January to 31 March 2006.

Netaji Subhas Chandra Bose: On the occasion of the birth anniversary of Netaji Subhas Chandra Bose, a function was held on 23 January 2006. The Leader of the Opposition in Lok Sabha, Shri L.K. Advani; members of Parliament; and former members of Parliament and other dignitaries paid floral tributes to Netaji on the occasion.

Lala Lajpat Rai: On the occasion of the birth anniversary of Lala Lajpat Rai, a function was held on 28 January 2006. The Leader of the Opposition in Lok Sabha, Shri L.K. Advani; the Minister of State in the Ministry of Personnel, Public Grievances & Pensions and Minister of State in the Ministry of Parliamentary Affairs, Shri Suresh Pachauri; members of Parliament; former members of Parliament and other dignitaries paid floral tributes to Lalaji on the occasion.

Smt. Sarojini Naidu: On the occasion of the birth anniversary of Smt. Sarojini Naidu, a function was held on 13 February 2006. The Prime Minister, Dr. Manmohan Singh; the Speaker, Lok Sabha, Shri Somnath Chatterjee; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; the Minister of Parliamentary Affairs and Minister of Information & Broadcasting, Shri Priyaranjan Dasmunsi; the Minister of State in the Ministry of Personnel, Public Grievances & Pensions and Minister of State in the Ministry of Parliamentary Affairs, Shri Suresh Pachauri; the Minister of State in the Ministry of Chemicals & Fertilizers and Minister of State in the Ministry of Parliamentary Affairs, Shri B.K. Handique; the Minister of State in the Department of Commerce, Ministry of Commerce & Industry, Shri Jairam Ramesh; members of Parliament; former members of Parliament and other dignitaries paid floral tributes to Smt. Naidu on the occasion.

Shri Morarji Desai: On the occasion of the birth anniversary of Shri Morarji Desai, former Prime Minister of India, a function was held on 28 February 2006. The Speaker, Lok Sabha, Shri Somnath Chatterjee; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; the Leader of the Opposition in Rajya Sabha, Shri Jaswant Singh; the Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal; members of Parliament; former members of Parliament and other dignitaries paid floral tributes to Shri Desai on the occasion.

Dr. Ram Manohar Lohia: On the occasion of the birth anniversary of Dr. Ram Manohar Lohia, a function was held on 23 March 2006. The Speaker, Lok Sabha, Shri Somnath Chatterjee; members of Parliament; former members of Parliament and other dignitaries paid floral tributes to Dr. Lohia on the occasion.

EXCHANGE OF PARLIAMENTARY DELEGATIONS

FOREIGN PARLIAMENTARY DELEGATION VISITING INDIA

Chile: The Vice-President of Chilean Senate, Mr. Jaime Gazmuri visited India from 18 to 27 February 2006.

On 20 February 2006, the Chilean dignitary called on the Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat; the Speaker, Lok Sabha, Shri Somnath Chatterjee; the Leader of the Opposition in Lok Sabha, Shri L.K. Advani; and the Minister of Rural Development, Dr. Raghuvansh Prasad Singh. The Deputy Speaker, Lok Sabha, Sardar Charnjit Singh Atwal hosted a banquet in honour of the visiting dignitary the same evening.

On 21 February 2006, Mr. Jaime Gazmuri had a luncheon meeting with the members of the India-Chile Parliamentary Friendship Group. Later in the evening, he called on the Minister of State in the Ministry of External Affairs, Shri Anand Sharma.

Besides Delhi, the Chilean dignitary visited Chennai, Kolkata and Agra.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period from 1 January to 31 March 2006, the Bureau of Parliamentary Studies and Training (BPST) organised the following courses/programmes:

Lecture Series: As part of the Lecture Series for members of Parliament, which was started during the Fifth Session of the 14th Lok Sabha, a documentary film titled 'Water' by Ms. Urmi Chakraborty was screened on 9 March 2006. The session was attended by the Speaker, Lok Sabha, Shri Somnath Chatterjee and 45 members of Parliament.

Orientation Programme: An Orientation Programme was organised jointly by the BPST and the Bihar Legislative Assembly Secretariat for members of the Bihar Legislative Assembly from 6 to 7 February 2006 in Patna. The programme, attended by 203 members of Bihar Legislative Assembly, was inaugurated by the Speaker, Lok Sabha, Shri Somnath Chatterjee. The members of the Assembly were also addressed by the Chief Minister of Bihar, Shri Nitish Kumar; the Deputy Chief Minister of Bihar, Shri Sushil Kumar Modi; the Speaker, Bihar Legislative Assembly, Shri Uday Narayan Chaudhary; the Minister of Parliamentary Affairs of Bihar, Shri Ramashray Prasad Singh; the Energy Minister of Bihar, Shri Vijendra Prasad Yadav; the Chief Whip (Ruling Party), Bihar Legislative Assembly, Shri Shrawan Kumar; the Chief Whip (Opposition Party), Bihar Legislative Assembly, Dr. Ramchandra Purve; the Speaker, Rajasthan Legislative Assembly, Smt. Sumitra Singh; the Speaker, Jharkhand Legislative Assembly, Shri Inder Singh Namdhari; Shri Yashwant Sinha, MP and former Union Minister; Smt. Margaret

Alva, Honorary Advisor, BPST; and Shri P.D.T. Achary, Secretary-General, Lok Sabha.

International Training Programme: The 21st International Programme in Legislative Drafting was organized from 8 December 2005 to 10 February 2006. The Programme was attended by 26 participants from 16 countries and 10 participants from the Lok Sabha, Rajya Sabha and State Legislature Secretariats.

Appreciation Courses: During the period, the Bureau organized Appreciation Courses for the probationers of the following Central Services: (i) Indian Foreign Service (IFS) from 9 to 13 January 2006 attended by 16 participants; and (ii) Indian Audit and Accounts Service, Indian Postal Service (IPS), Indian Railway Service of Electrical Engineers, Indian Railway Traffic Service and Indian Defence Estate Service from 20 to 24 February 2006 attended by 42 participants.

Training Programmes: The following Training Programmes were organised during the period: (i) Foundation Training Programme for newly appointed officials of Lok Sabha TV Channel from 27 to 31 March 2006, attended by 32 participants; (ii) Training Course on Parliament Security for Watch & Ward officials of Lok Sabha and Rajya Sabha Secretariats from 27 to 31 March 2006, attended by 27 participants; (iii) Shorthand training classes for candidates appearing in Departmental Examination for the post of Junior Parliamentary Reporter from 6 to 24 March 2006. It was attended by 20 participants.

Computer Training Programme: A Computer Training Programme for conversion of word file into pdf/html and other related matters for staff of the Lok Sabha Secretariat was held from 28 to 29 March 2006, attended by 19 participants.

Study Visits: During the period, the following Study Visits were conducted by the Bureau: (i) Study Visit by a Delegation from National Defence College, Jordan on 25 January 2006, attended by 16 participants; (ii) Study Visit by Officers of National Assembly of Nigeria on 2 February 2006, attended by 9 Officers; and (iii) Ten other Study Visits for the benefit of students/officials of various schools/colleges/organisations, attended by a total of 408 participants.

PRIVILEGE ISSUES

LOK SABHA

During the period (1 January 2006 to 31 March 2006), one sitting of the Committee of Privileges and Ethics was held on 20 January 2006 to consider the question of privilege, notice of which was given by Shri Devendra Prasad Yadav, MP on 23 November 2005 against the District Magistrate, Superintendent of Police and Deputy Superintendent of Police, Madhubani, Bihar for allegedly detaining him without genuine grounds. The notice was earlier referred to the Committee of Privileges by the Speaker on 21 December 2005 under Rule 227 of Rules of Procedure and Conduct of Business in the Lok Sabha. The Committee is seized of the matter.

The Committee of Privileges and Ethics presented its second Report to the Speaker on 22 March 2006, regarding Question of Privilege against Shri Ajay Prasad, the SHO, Chainpur Police Station and Shri J.S. Gangwar, the Superintendent of Police, Kaimur, Bihar for allegedly obstructing Shri Lal Muni Chaubey, MP from attending the sitting of the House during the 13th Lok Sabha, a matter which was referred to the Committee of Privileges by the Speaker on 29 April 2003 (13th Lok Sabha). Before the Committee could finalise the Report, the 13th Lok Sabha was dissolved. During the 14th Lok Sabha, the matter was referred again to the Committee by the Speaker on 7 December 2004 on a request being made by the member.

The Committee, in its Report, presented to the Speaker on 22 March 2006, recommended that in view of the unconditional apology tendered by the then SHO, Chainpur Police Station and by the Superintendent of Police, Kaimur, Bihar, no further action need be taken in the matter and it may be dropped.

The Committee also recommended that the then SHO, Chainpur Police Station may be cautioned to be very careful and discreet while interacting with the elected representatives of the people and it may also be impressed upon him that he should scrupulously adhere to the guidelines/instructions with regard to extending due courtesies to the elected representatives of the people.

The Committee, while lamenting the declining adherence by the police officers to the basic courtesies which they are required to extend to the legislators, further recommended that the police officers need to be sensitized with regard to their duties and obligations in this regard.

The Committee desired that specific guidelines be issued by the Ministry of Home Affairs in this regard. The Committee also desired that the Ministry of Home Affairs may reiterate the guidelines/instructions regarding dealing with the members of Parliament issued earlier impressing upon the executive functionaries, in particular the police personnel, the need for strict compliance, of the guidelines/instructions on the subject with a view to ensuring that such incidents do not recur in future.

II

Committee to inquire into allegation of improper conduct on the part of some members in the matter of implementation of MPLAD Scheme.

On 19 December 2005, the *Star News Channel* in their Programme titled, "*Operation Chakravyuh*", showed some members, namely Sarvashri Alemao Churchill, Faggan Singh Kulaste, Ramswaroop Koli, Parasnath Yadav and Chandra Pratap Singh of the Lok Sabha allegedly indulging in improper conduct in the matter of implementation of MPLAD Scheme.

On 20 December 2005, the Speaker constituted an Inquiry Committee consisting of 7 members to look into the alleged improper conduct by some members in the matter of implementation of MPLAD Scheme.

The Inquiry Committee presented its report to the Speaker on 13 March 2006. The Report was laid on the Table of the House on 14 March 2006. A Motion was moved on 20 March 2006 by the Leader of the House, Shri Pranab Mukherjee resolving that all the concerned five members may be reprimanded and deemed to be suspended from the membership of the House and the Committee *w.e.f.* 20 December 2005 to 22 March 2006. Thereafter, the Speaker made the following observation:—

"Honourable members, I wish to express my sincere gratitude to the honourable Chairman and honourable members of the Committee for the very hard work that they put in and very comprehensive and unanimous Report. That shows how these matters are looked into above the party lines and not from any partisan point of view. This is only for maintaining the traditions and the glory of this great institution which has been given a pioneer role, the most important role under our Constitution.

Now I am confident that we shall not have any such painful experience in future and all of us will meet with the expectations of the people in the discharge of our obligations. My dream is, and all of you share that dream, that the people will feel proud of us.

It is our great honour that they have sent us here to look after

the problems of this country, to secure the development of this country, to remove the problems of the country and to solve them, and they are looking up to us.

There are many national issues. There may be differences of opinion but ultimately we shall all work together in a manner that will earn at least the support and confidence of the people. Let us remember that and I am sure that the hopes and the expectations that have been expressed by the honourable Leader of the House will be met, and I endorse them. They are shared by all sections of the House. That shows that we take these matters with the importance that they deserve.”

Thereafter, the motion moved by Shri Pranab Mukherjee, was adopted by the House on the same day.

PROCEDURAL MATTERS

Observation from the Chair regarding Notices directed to be issued by the Supreme Court and High Court inter alia to Speaker, Lok Sabha in response to writ petitions filed by expelled members:

On 17 February 2006, the Speaker made the following observation:

“As the honourable members are aware, ten members were expelled from the Lok Sabha on 23 December 2005. I have to inform the House that writ petitions have been filed in the Delhi High Court (since transferred to honourable Supreme Court) by the expelled members other than Shri Raja Ram Pal, who has filed a petition in the honourable Supreme Court challenging their expulsion. The High Court and the Supreme Court reportedly directed that notices be issued to the parties including the Speaker, Lok Sabha.

I decided that the Secretariat would not accept any such notice, far less respond to the same as in my view the issue was and is non-justiciable, as, *inter alia*, votes given by honourable members cannot be questioned in any judicial proceedings. In this connection, I convened a meeting of the Leaders of Parties in the Lok Sabha on 20 January 2006 to discuss the issues relating to and arising out of the said proceedings. Two eminent lawyers of our country, Shri Fali S. Nariman and Shri T.R. Andhyarujina also attended the meeting on my invitation. The Leaders unanimously endorsed the position taken by me not to accept and respond to the notices issued by the High Court and the Supreme Court or to enter appearance in the Court. Prof. Vijay Kumar Malhotra, honourable Deputy Leader of Bharatiya Janata Party, however, was of the further view that this position should be communicated to the Court through some lawyer appearing in the matter. I also called an Emergency Conference of Presiding Officers on 4 February 2006, where the Presiding Officers unanimously adopted the following Resolution:

‘The Presiding Officers of the Legislative Bodies in India, having assembled in their Emergency Conference in New Delhi on 4 February 2006, and having deliberated on the issues arising out of and related to the proceedings initiated in Courts of Law challenging the expulsion of members of Parliament,

unanimously endorsed the decision taken by the Chairman, Rajya Sabha and the Speaker, Lok Sabha not to accept or respond to the notices issued by Courts of Law in the matter of expulsion of the members of the two Houses.' ”

Committee to inquire into alleged improper conduct of some members in implementation of MPLAD Scheme-appointment of new Chairman and extension of time for Committee to present that report:

On 17 February 2006, the Speaker *inter alia* made the following observation:

“As the honourable members are aware, in the wake of News Bulletins telecast on Star News channel on 19 December 2005, regarding the MPLAD Scheme, on 20 December 2005, I constituted, after consultation with the Leaders of the Parties, a seven-member Inquiry Committee under the Chairmanship of Shri Pawan Kumar Bansal to inquire into the alleged improper conduct of some members of Lok Sabha in the matter of implementation of MPLAD Scheme.

The Committee was requested to present its report to me in the matter by 31 January 2006. Shri Bansal has since resigned from the Office of the Chairman and the membership of the Committee, which has been accepted by me with effect from 27 January 2006. On the same day, I have appointed Shri V. Kishore Chandra S. Deo as the new Chairman of the Committee. On 31 January 2006, Shri V. Kishore Chandra S. Deo made a request to me seeking extension of time up to 17 March 2006, for the Committee to present its report on the ground that the Committee needed some more time to consider the matter and it was not feasible for the Committee to give its report by 31 January 2006. I have accordingly granted time up to 17 March 2006 to the Committee to present its report.

Honourable members may also recall that on 20 December 2005 while announcing the constitution of the Inquiry Committee, I requested the members against whom allegations have been made, not to attend the Session of the House until the matter was looked into and a decision was taken. The issue as to whether the concerned members may be requested not to attend the sittings of the House even during the extended period or not, was briefly deliberated upon at the meeting with the Leaders of the Parties in the Lok Sabha held on 15 February 2006. The Inquiry Committee is having its next sitting today. Therefore, until a further decision is taken, I request the concerned members in relation to whose conduct the enquiry is being held, not to attend the Session of the House or the meeting of any Committee.”

Instance when the Chair allowed members, whose names were not in the List of Business, to ask clarificatory questions on the Calling Attention:

On 6 March 2006, the Chair allowed three members, Sarvashri C.K. Chandrappan, Sandeep Dikshit and Smt. Kfishna Tirath whose names were not in the List of Business, to ask clarificatory questions on the Calling Attention regarding problems being faced by the residents of Delhi due to massive demolition drive.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 JANUARY TO 31 MARCH 2006)

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

Budget Session of Parliament: The First Part of the Seventh Session of Fourteenth Lok Sabha and the Two Hundred and Seventh Session of the Rajya Sabha (the Budget Session of Parliament) commenced on 16 February 2006 with Address by the President, Dr. A.P.J. Abdul Kalam to members of both the Houses assembled together in the Central Hall of Parliament House. The two Houses were adjourned on 22 March 2006.

Expansion of Cabinet: On 29 January 2006, Prime Minister, Dr. Manmohan Singh inducted ten Cabinet Ministers (including elevation of three Ministers of State to the Cabinet rank), one Minister of State with Independent Charge and eleven Ministers of State.

The new Cabinet Ministers are: Sarvashri Sushil Kumar Shinde, A.R. Antulay, Murli Deora, Vayalar Ravi, Sontosh Mohan Dev, Prem Chand Gupta, Kapil Sibal, Shibu Soren, Prof. Saif-ud-din Soz and Smt. Ambika Soni.

Shri G.K. Vasani was inducted as the Minister of State with Independent Charge of the Ministry of Statistics and Programme Implementation.

The new Ministers of State are: Sarvashri Subbarami Reddy, Jairam Ramesh, Dinsha Patel, Anand Sharma, M. Pallam Raju, Pawan Kumar Bansal, Ajay Maken, Chandra Sekhar Sahu, Akhilesh Das, Ashwani Kumar and Smt. D. Purandeswari.

The Prime Minister also effected minor change in the portfolios of some of the Ministers.

The names of the members of the Council of Ministers* along with their portfolios is as follows: Dr. Manmohan Singh, *Prime Minister* and also in-charge of the Ministries/Departments not specifically allocated to the charge of any Minister, viz.: *Ministry of Personnel, Public Grievances & Pensions; Ministry of Planning; Department of Atomic Energy; Department of Space; and Ministry of External Affairs;* Sarvashri Pranab Mukherjee, *Defence;* Arjun Singh, *Human Resource Development;* Sharad Pawar, *Agriculture and Consumer Affairs, Food & Public Distribution;* Lalu Prasad, *Railways;* Shivraj V. Patil, *Home Affairs;* A.R. Antulay, *Minority Affairs;* Sushil Kumar Shinde, *Power;* Ram Vilas Paswan, *Chemicals & Fertilizers and Minister of Steel;* S. Jaipal Reddy, *Urban Development;* Sis Ram Ola, *Mines;* P. Chidambaram, *Finance;* Mahavir Prasad, *Small Scale Industries and Agro & Rural Industries;* P.R. Kyndiah, *Tribal Affairs and Development of North Eastern Region;* T.R. Baalu, *Shipping, Road Transport & Highways;* Shankersinh Vaghela, *Textiles;* Vayalar Ravi, *Overseas Indian Affairs;* Kamal Nath, *Commerce & Industry;* H.R. Bhardwaj, *Law & Justice;* Sontosh Mohan Dev, *Heavy Industries & Public Enterprises;* Priyaranjan Dasmunsi, *Parliamentary Affairs and Information & Broadcasting;* Mani Shankar Aiyar, *Panchayati Raj and Youth Affairs & Sports;* Murlu Deora, *Petroleum & Natural Gas;* K. Chandrashekharao, *Labour & Employment;* Shibu Soren, *Coal;* Andimuthu Raja, *Environment & Forests;* Dayanidhi Maran, *Communications & Information Technology;* Kapil Sibal, *Science & Technology and Earth Sciences;* Prem Chand Gupta, *Company Affairs;* Dr. Raghuvansh Prasad Singh, *Rural Development;* Dr. Anbumani Ramdoss, *Health & Family Welfare;* Prof. Saif-ud-din Soz, *Water Resources;* Smt. Meira Kumar, *Social Justice & Empowerment;* and Smt. Ambika Soni, *Tourism and Culture.*

The Ministers of State (Independent Charge) are: Sarvashri Oscar Fernandes, *Without Portfolio;* Subodh Kant Sahay, *Food Processing Industries;* Vilas Baburao Muttemwar, *Non-Conventional Energy Sources;* Praful Patel, *Civil Aviation;* G.K. Vasan, *Statistics & Programme Implementation;* Smt. Renuka Chowdhury, *Women & Child Development;* and Kumari Selja, *Housing and Urban Poverty Alleviation.*

The Ministers of State are: Sarvashri E. Ahamed, *External Affairs;* Suresh Pachauri, *Personnel, Public Grievances & Pensions and Parliamentary Affairs;* B.K. Handique, *Chemicals & Fertilizers and Parliamentary*

* As on 17 July 2006

Affairs; Rao Inderjit Singh, *Defence*; Naranbhai J. Rathwa, *Railways*; K.H. Muniyappa, *Shipping, Road Transport & Highways*; M.V. Rajasekharan, *Planning*; Kantilal Bhuria, *Agriculture and Consumer Affairs, Food & Public Distribution*; Manikrao H. Gavit, *Home Affairs*; Shriprakash Jaiswal, *Home Affairs*; Prithviraj Chavan, *Prime Minister's Office*; Taslimuddin, *Agriculture and Consumer Affairs, Food & Public Distribution*; Md. Ali Ashraf Fatmi, *Human Resource Development*; A. Narendra, *Rural Development*; R. Velu, *Railways*; S.S. Palanimanickam, *Finance*; S. Regupathy, *Home Affairs*; K. Venkatapathy, *Law & Justice*; E.V.K.S. Elangovan, *Textiles*; Namo Narain Meena, *Environment & Forests*; Pawan Kumar Bansal, *Finance*; Anand Sharma, *External Affairs*; Ajay Maken, *Urban Development*; Dinsha J. Patel, *Petroleum and Natural Gas*; M.M. Pallam Raju, *Defence*; Ashwani Kumar, *Department of Industrial Policy & Promotion, Commerce & Industry*; Jairam Ramesh, *Department of Commerce, Ministry of Commerce & Industry*; Chandra Sekhar Sahu, *Labour & Employment*; Dr. Akhilesh Prasad Singh, *Agriculture, Consumer Affairs, Food & Public Distribution*; Dr. Dasari Narayan Rao, *Coal*; Dr. Shakeel Ahmad, *Communications & Information Technology*; Dr. Akhilesh Das, *Steel*; Dr. T. Subbarami Reddy, *Mines*; Smt. Subbulakshmi Jagadeesan, *Social Justice & Empowerment*; Smt. Panabaka Lakshmi, *Health & Family Welfare*; Smt. D. Purandeswari, *Human Resource Development*; Smt. Kanti Singh *Department of Heavy Industry, Ministry of Heavy Industries & Public Enterprises*; and Smt. Suryakanta Patil, *Rural Development and Parliamentary Affairs*.

Lok Sabha By-election Results: Shri Pratik Prakashbapu Patil of the Indian National Congress (INC) and Shri Purno Agitok Sangma of the Nationalist Congress Party (NCP) were declared elected to the Lok Sabha from Sangli (Maharashtra) and Tura (Meghalaya) constituencies, respectively, bye-elections for which were held on 21 January and 16 February 2006. The results for the Sangli and Tura Lok Sabha constituencies were announced on 24 January and 19 February 2006, respectively.

Commencement of the term of Rajya Sabha members: The term of three elected Rajya Sabha members from National Capital Territory of Delhi, namely Sarvashri Janardan Dwivedi, Jai Prakash Agarwal, and Dr. Karan Singh, all from the Indian National Congress commenced on 28 January 2006.

The term of three nominated Rajya Sabha members, namely Shri Shyam Benegal, Shrimati Shobhana Bhartia, and Dr. (Smt.) Kapila Vatsyayan commenced on 16 February 2006.

The term of Shri O.T. Lepcha, an elected member from Sikkim

belonging to the Sikkim Democratic Front commenced on 24 February 2006.

The term of Shri Bhagirathi Majhi, an elected member from Orissa belonging to the Bharatiya Janata Party (BJP) commenced on 24 March 2006.

Disqualification from the Membership of Rajya Sabha: On 16 March 2006, the President of India Dr. A.P.J. Abdul Kalam disqualified Shrimati Jaya Bachchan, Samajwadi Party (SP) member from Uttar Pradesh, from the membership of the Rajya Sabha *w.e.f.* 14 July 2004, in terms of article 103 (1) of the Constitution for holding Office of Profit.

Termination of Membership of Rajya Sabha Member: On 21 March 2006, the Rajya Sabha while accepting the recommendation of the Eighth Report of the Rajya Sabha Ethics Committee, terminated the membership of Swami Sakshiji Maharaj, Samajwadi Party (SP) member from Uttar Pradesh. Swami Sakshiji Maharaj had featured in the “*Operation Chakravayuh*” on misuse of MPLAD funds telecast on the Star News Channel on 19 December 2005. The Rajya Sabha Ethics Committee had, in its Eighth Report presented to the House on 24 February 2006, held that Swami Sakshiji Maharaj had contravened the Code of Conduct and “since his conduct had brought the House to disrepute he had forfeited his right to continue as a member.”

Resignation of Lok Sabha Member: On 23 March 2006, Smt. Sonia Gandhi, of Indian National Congress (INC), a member of the Lok Sabha from Raebareilly (Uttar Pradesh) constituency resigned her seat.

Resignation of Rajya Sabha Members: On 24 March and 29 March 2006, Dr. (Smt.) Kapila Vatsyayan, a nominated member and Shri Anil Dhirubhai Ambani, Samajwadi Party member from Uttar Pradesh, respectively, resigned their Rajya Sabha seats.

AROUND THE STATES

ANDHRA PRADESH

Resignation of Governor: On 29 January 2006, Governor Shri Sushil Kumar Shinde resigned from his post. The Orissa Governor, Shri Rameshwar Thakur was given additional charge of Andhra Pradesh.

BIHAR

Resignation of Governor: On 26 January 2006, Governor Shri Buta Singh resigned from his post.

On 27 January 2006, the West Bengal Governor Shri Gopalkrishna Gandhi was given additional charge of Governor of Bihar.

HARYANA

Resignation of Speaker: On 12 January 2006, Speaker of the State Legislative Assembly, Shri Harmohinder Singh Chatha resigned from his post.

On 13 January 2006, Shri Raghubir Singh Kadiyan was unanimously elected as Speaker of the State Legislative Assembly.

Expansion of Cabinet: On 15 January 2006, Chief Minister Shri Bhupinder Singh Hooda expanded his Council of Ministers by inducting four Ministers into his Cabinet. The new Ministers are: Shri Harmohinder Singh Chatha (Agriculture); Smt. Kiran Chaudhary (Forests, Tourism and Cultural Affairs); Smt. Savitri Jindal (Urban Development and Housing); and Smt. Meena Rai (Archeology and Museum and Archives).

KARNATAKA

Withdrawal of Support: On 18 January 2006, 44 MLAs of the 59 member Janata Dal (Secular) decided to form a separate group and withdraw support to the Congress-led coalition Government.

Kumaraswamy recognized JD (S) leader: On 27 January 2006, Speaker Shri Krishna recognized Shri H.D. Kumaraswamy as Leader of the Janata Dal (Secular) Legislature Party.

Resignation of Chief Minister: On 28 January 2006, Chief Minister Shri Dharam Singh resigned from his post. Governor Shri T.N. Chaturvedi invited the leader of the joint Legislature Party of the JD (S) and the BJP, Shri H.D. Kumaraswamy to form the Government.

New Government Sworn in: On 3 February 2006, a JD (S)–BJP Coalition Government with Shri H.D. Kumaraswamy of the JD (S) as the Chief Minister was sworn in. Shri B.S Yediyurappa of the BJP was sworn in as the Deputy Chief Minister.

Vote of Confidence: On 8 February 2006, the BJP-JD (S) Government won the vote of confidence in the State Legislative Assembly by 138 votes in favour and 66 against.

Expansion of Cabinet: On 17 February 2006, Chief Minister Shri H.D. Kumaraswamy inducted 20 Cabinet Ministers into his Council of Ministers. They are: Sarvashri K. S. Eshwarappa, Jagadish Shettar,

D.H. Shankara Murthy, C. Ramachandra Gowda, V.S. Acharya, C.M. Udasi, Govind Karjol, R. Ashok, Katta Subramanya Naidu, D. Sriramlu, Nagaraja Shetty, Basavaraj Horatti, C. Chenigappa, D.T. Jayakumar, Cheluvarayawamy, Iqbal Ansari, Sharanabasappa Darshanapur, Bandeppa Kashampur, Hanumanthappa Yelappa Halkod and Balachandra Jharkiholi.

KERALA

Resignation of Minister: On 13 January 2006, Health Minister Shri K.K. Ramachandran resigned from the Cabinet.

MADHYA PRADESH

Suspension of four BJP MLAs: On 18 February 2006, the BJP suspended Sarvashri Sunil Naik, Jalim Singh Patel, Rasal Singh and Hakim Singh, all MLAs from the primary membership of the party for anti-party activities.

MAHARASHTRA

Resignation of Two Shiv Sena MLAs: On 6 January 2006, two Shiv Sena MLAs, Sarvashri Shyam Sawant and Kalidas Nilkanth Kolambkar resigned from the State Legislative Assembly and joined the Indian National Congress.

By-Election Results: The Indian National Congress (INC) won all the three Assembly seats, by-elections to which were held on 21 January 2006. The winners are: Sarvashri Shankar Shivram Kambli (Vengurla), Ganpat Daulat Kadam (Rajapur) and Subhash Shantaram Bane (Sangameshwar). Sarvashri Tukaram Surve of the Shiv Sena and Kalidas Nilkanth Kolambkar of the Indian National Congress were declared elected to State Legislative Assembly from Shrivardhan and Naigaon Assembly Constituencies, respectively, by-elections for which were held on 16 February 2006.

PONDICHERRY

Resignation of BJP MLA: On 9 March 2006, the lone BJP MLA, Shri A.M. Krishnamurthy resigned from the State Legislative Assembly.

TAMIL NADU

Resignation of Two PMK MLAs: On 16 January 2006, two PMK MLAs Sarvashri V. Sivakami and K. Murugavel Rajan resigned from the State Legislative Assembly and joined the AIADMK.

UTTAR PRADESH

Minister Inducted: On 21 January 2006, Shri Raghuraj Pratap Singh was inducted as Cabinet Minister in the Council of Ministers.

Resignation of Minister: On 21 February 2006, the Backward Classes Minister Shri Mehboob Ali resigned from the Council of Ministers.

By-Election Results: Smt. Alka Rai of the Bharatiya Janata Party and Shri Ram Bhuwal Nishad of the Samajwadi Party were declared elected to State Legislative Assembly from Mohammadabad and Kauriram constituencies, respectively. By-elections for these assembly constituencies were held on 16 February and 25 March 2006, respectively.

EVENTS ABROAD**BELARUS**

President Elected: Mr. Alyaksandr Lukashenka was elected as President of Belarus in the elections for the post held on 19 March 2006.

BENIN

President Elected: Mr. Yayi Boni was elected as the President of Benin in the elections for the post held on 5 and 19 March 2006.

BOLIVIA

President Sworn in: On 22 January 2006, Mr. Evo Morales was sworn in as the President of Bolivia.

CANADA

Election Results: The elections to the 308-seat House of Commons (Lower House of the Bicameral Legislature) were held on 23 January 2006. The party position following the elections is as follows: Conservative Party of Canada (CPC): 124; Liberal Party (LP): 103; Bloc Quebecois (BQ): 51; New Democratic Party (NDP): 29; and Independent: 1.

New Government: On 6 February 2006, a new Government with Mr. Stephen Harper of the Conservative Party of Canada, as Prime Minister was sworn in.

CAPE VERDE

President Re-elected: Mr. Pedro Pires was re-elected as the President of Cape Verde in the elections for the post held on 12 February 2006.

CHILE

New President: Ms. Michelle Bachelet was elected as the President of Chile on 15 January 2006. Ms. Michelle Bachelet was sworn in on 11 March 2006.

COLOMBIA

Election Results: The elections to the 163-member Chamber of Deputies and 102-member Senate were held on 12 March 2006.

The party position following the elections to the Chamber of Deputies is as follows: Liberal Party: 36; Party of the "U": 29; Colombian Conservative Party: 30; Radical Change: 20; Alternative Democratic Pole: 9; Civic Convergence: 8; Wings-Team Colombia Movement: 7; Mira Movement: 1; Democratic Party of Colombia: 2; Liberal Opening Movement: 5; National Movement: 2; United People's Movement: 2; For the Country of Our Dreams: 1; Regional Integration: 4; Huila New and Liberalism: 2; Social Action Party: 1; Renovation Movement Labour Action: 1; National Salvation Movement: 1; People's Participation Movement: 1; and Progressive National Movement: 1.

The party position following the elections to Senate is as follows: Party of the "U": 20; Colombian Conservative Party: 18; Liberal Party: 17; Radical Change: 15; Alternative Democratic Pole: 11; Civic Convergence: 7; Wings-Team Colombia Movement: 5; Democratic Party of Colombia: 3; Viva Colombia Movement: 2; Mira Movement: 2; and two additional Senators were elected from a list reserved for indigenous communities.

EL SALVADOR

Election Results: The elections to the 84-seat Legislative Assembly were held on 12 March 2006. The party position following the elections is as follows: Nationalist Republican Alliance: 33; Farabundo Marti Front for National Liberation: 32; National Conciliation Party: 11; Christian Democratic Party: 6; and United Democratic Centre-Revolutionary Democratic Front: 2.

FIJI

Reappointment of President and Vice-President: On 8 March 2006, the indigenous Great Council of Chiefs (GCC) voted to reappoint President Ratu Josefa Iloilo and Vice-President Ratu Joni Madraiwiwi for a further five-year term.

FINLAND

President Re-elected: Mr. Tarja Halonen was re-elected to the office

of President of Finland in the elections for the post held on 29 January 2006.

GABON

President Sworn in: On 19 January 2006, Mr. Omar Bongo was sworn in as the President of Gabon for another seven-year term.

HAITI

New President: On 16 February 2006, Mr. Rene Preval was declared elected to the office of President of Haiti in the elections for the position held on 7 February 2006.

HONDURAS

President Sworn in: On 27 January 2006, Mr. Jose Manuel Zelaya Rosales was sworn in as the President of Honduras.

IRAQ

Election Results: The elections to the 275-seat Council of Representatives (the unicameral Legislature) were held on 15 December 2005. The Independent Electoral Commission of Iraq announced the results on 20 January 2006. The party position following the elections is as follows: United Iraqi Alliance: 128; Kurdistan Alliance: 53; Iraqi Consensus Front: 44; Iraqi National List: 25; Iraqi National Dialogue Front: 11; Kurdistan Islamic Union: 5; Liberation and Reconciliation Gathering: 3; Upholders of the Message (Al-Risaliyum): 2; Mithal al-Alusi List for Iraqi Nation:1; Iraqi Turkman Front:1; Al Ezediah Movement for Progressing and Reforming:1; and Al Rafidain List: 1.

New Prime Minister: On 12 February 2006, the United Iraqi Alliance chose Mr. Ibrahim al-Jaafari to continue in his position as the Prime Minister.

ISRAEL

Election Results: The elections to the 120-seat *Knesset* (the unicameral Legislature) were held on 28 March 2006. The party position following the elections is as follows: Kadima: 29; Labour Party: 19; Sephardic Torah Guardians (Shas): 12; Likud: 12; Yisrael Beiteinu: 11; National Union-National Religious Party: 9; Pensioners of Israel to the Knesset (Gil): 7; United Torah Judaism: 6; Meretz-Yachad: 6; United Arab List-Arab Movement for Renewal (Ra'am Ta'al): 4; Democratic Front for Peace and Equality (Hadash): 3; and National Democratic Alliance (Balad):3.

KAZAKHSTAN

President Sworn in: On 11 January 2006, Mr. Nursultan Nazarbayev was sworn in as the President of Kazakhstan.

KYRGYZSTAN

Resignation of Speaker: On 27 February 2006, the Speaker of the Supreme Assembly (the unicameral Legislature) Mr. Omurbek Tekebayev resigned from his post.

LIBERIA

New President: On 16 January 2006, Mr. Ellen Johnson-Sirleaf was sworn in as the President of Liberia.

PALESTINE

Election Results: The elections to the 132-seat Palestine Legislative Council were held on 25 January 2006. The party position following the elections is as follows: Hamas: 74; Fatah: 45; Popular Front for the Liberation of Palestine (PFLP): 3; The Alternative: 2; Independent Palestine: 2; Third Way: 2; and Independents and others: 4.

PORTUGAL

New President: Mr. Anibal Cavaco Silva was elected President in the elections for the post held on 22 January 2006.

ROMANIA

Resignation of Speaker: On 15 March 2006, Speaker of the Chamber of Deputies (the lower house of the bicameral Legislature), Mr. Adrian Nastase, resigned from his post.

SAO TOME AND PRINCIPE

Election Results: The elections to the 55-seat National Assembly (the unicameral Legislature) were held on 26 March 2006. The party position following the elections is as follows: Democratic Movement Force for Change-Party of Democratic Governance: 23; Movement for the Liberation of Sao Tome and Principe-Social Democratic Party: 19; Independent Democratic Action: 12; and New Way Movement: 1.

SOUTH KOREA

Resignation of Prime Minister: On 14 March 2006, Mr. Lee Hai Chan resigned as Prime Minister of South Korea. Mr. Han Duk Soo

took over as the acting Prime Minister of South Korea on 15 March 2006.

TANZANIA

New Prime Minister: On 4 January 2006, the President Mr. Jakaya Kikwete appointed Mr. Edward Lowassa as Prime Minister of Tanzania.

TONGA

Resignation of Prime Minister: On 11 February 2006, Prime Minister Prince Ulukalala Lavaka Ata resigned. Mr. Feleti (Fred) Sevele was appointed as the acting Prime Minister on the same day.

UGANDA

President Re-elected: Mr. Yoweri Museveni was re-elected to the office of President of Uganda in the elections for the post held on 23 February 2006.

UKRAINE

Election Results: The elections to the 450-seat *Verkhovna Rada* (Supreme Council-the unicameral Legislature) were held on 26 March 2006. The party position following the elections is as follows: Party of Regions: 186; Yuliya Tymoshenko Bloc: 129; Our Ukraine Bloc: 81; Socialist Party of Ukraine: 33; and Communist Party of Ukraine: 21.

UNITED ARAB EMIRATES

Death of Vice-President and Prime Minister: On 4 January 2006, Shaikh Maktoum bin Rashid al-Maktoum, the Vice-President and the Prime Minister of United Arab Emirates passed away in Australia.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

Under article 169(1) of the Constitution, Parliament may, by law, provide for the creation of a Legislative Council in a State having no such Council, if the Legislative Assembly of the State passes a resolution to that effect by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the members of the Assembly present and voting. The Legislative Assembly of the State of Andhra Pradesh had passed a resolution on 8 July 2004 in terms of article 169(1) of the Constitution for the creation of Legislative Council in that State. It was accordingly proposed to provide for the creation of the Legislative Council for the State of Andhra Pradesh. The said Council would have the same number of seats as it had when it was abolished by the Andhra Pradesh Legislative Council (Abolition) Act, 1985, with effect from 1 June 1985.

The Andhra Pradesh Legislative Council Bill, 2005 which sought to achieve the above mentioned objectives also provided for matters supplemental, incidental and consequential to the creation of such Council. The Bill was passed by the Lok Sabha and the Rajya Sabha on 15 December and 20 December 2005, respectively. The President assented to it on 11 January 2006.

It was widely felt that the criminal cases in the courts failed because statements by witness(es) were reneged either out of fear or allurements. To prevent the witnesses turning hostile, it was proposed to amend sections 161, 162 and 344 of, and to insert new sections 164A and 344A in, the Code of Criminal Procedure, 1973. The amendments to the Code of Criminal Procedure, 1973 and the Indian Evidence Act, 1872 *inter alia* provided that (i) the statement made to Police by any person during investigation, if reduced to writing, was to be signed and quickly transmitted to the Magistrate; (ii) the recording of evidence of material witness by the Magistrate in all offences punishable with death or imprisonment for 7 years or more during investigation; (iii) the statement of the witness duly recorded before the Magistrate under oath, in the discretion of the court, be treated as evidence; and (iv) the summary trial for perjury and enhanced punishment awarded consequent to such summary trial.

The disposal of criminal trials in the courts had been taking considerable time and in many cases trials did not commence for as long a period as 3 to 5 years after the accused was remitted to judicial custody. Large number of persons accused of criminal offences were unable to secure bail, for one reason or the other, and had to languish in jail as under-trial prisoners for years. Though not recognized so far by the criminal jurisprudence, the Bill was seen as an alternative method to deal with huge arrears of criminal cases. To reduce the delay in the disposal of criminal trials and appeals as

also to alleviate the suffering of under-trial prisoners, it was proposed to introduce the concept of plea-bargaining as recommended by the Law Commission of India in its 154th Report on the Code of Criminal Procedure. The Committee on Criminal Justice System Reforms under the Chairmanship of Dr. (Justice) V.S. Malimath, formerly Chief Justice of the Kerala High Court, had also endorsed the Commission's recommendations. It meant pre-trial negotiations between the defendant and the prosecution during which the accused agreed to plead guilty in exchange for certain concessions by the prosecutor. The benefit of plea-bargaining would, however, not be admissible to habitual offenders. A Chapter on this was incorporated in the Code of Criminal Procedure, 1973.

Section 498A of Indian Penal Code provided punishment to husband or relatives of husband of a woman subjecting her to cruelty. It had been widely reported that this provision had been misused and was also harsh as it was non-compoundable. It was, therefore, proposed to make the offence a compoundable one.

Section 292 of the Code of Criminal Procedure, 1973, included only officers of the Mint or India Security Press, Nasik as experts for giving their opinion with regard to fake currency notes and coins. Expert opinion given by the officers of any other note printing press suffered from legal infirmity. Therefore, it was proposed to include in section 292 more scientific experts to give evidence in cases relating to fake currency notes.

It was also proposed to amend the Indian Penal Code to provide punishment for threatening or inducing any person to give false evidence.

The Criminal Law (Amendment) Bill, 2005 which sought to achieve the above-mentioned objectives was passed by the Rajya Sabha and the Lok Sabha on 13 and 22 December 2005, respectively. The President assented to it on 11 January 2006.

Greater access to higher education including professional education, to a larger number of students belonging to the socially and educationally backward classes of citizens or for the Scheduled Castes and Scheduled Tribes, had been a matter of major concern. The reservation of seats for the Scheduled Castes, the Scheduled Tribes and the Other Backward Classes (OBCs) of citizens in admission to educational institutions was derived from the provisions of clause (4) of article 15 of the Constitution. Presently, the number of seats available in aided or State maintained institutions, particularly in respect of professional education, was limited in comparison to those in private unaided institutions.

It was laid down in article 46, *i.e.* one of the Directive Principles of State Policy, that the State should promote with special care the educational and economic interests of the weaker sections of the people and protect them from social injustice. Access to education was important in order to ensure advancement of persons belonging to the Scheduled Castes, the Scheduled Tribes and the socially and educationally backward classes also referred to as the OBCs.

Clause (1) of article 30 provided the right to all minorities to establish and administer educational institutions of their choice. It was essential that the rights available to minorities were protected in regard to institutions established

and administered by them. Accordingly, institutions declared by the State to be minority institutions under clause (1) of article 30 were omitted from the operation of the proposed Bill.

To promote the educational advancement of the socially and educationally backward classes of citizens, *i.e.* the OBCs or of the Scheduled Castes and the Scheduled Tribes in matters of admission of students belonging to these categories in unaided educational institutions, other than the minority educational institutions referred to in clause (1) of article 30 of the Constitution, it was proposed to amplify article 15. The new clause (5) enabled the Parliament as well as the State Legislatures to make appropriate laws for the purposes mentioned above.

The Constitution (Ninety-third Amendment) Bill, 2005, which sought to achieve the above-mentioned objectives was passed by the Lok Sabha and the Rajya Sabha on 21 and 22 December 2005, respectively. It received the President's assent on 20 January 2006.

India has the largest child population in the world. The well-being of children is a universal aspiration. The Constitution of India guarantees several rights to the children including equality before law, free and compulsory primary education to all children of the age group of six to fourteen years, prohibition of trafficking and forced labour of children and prohibition of employment of children below the age of fourteen years in factories, mines or hazardous occupations. The Constitution enabled the State to make special provisions for children and directed that the policy of the State should be such that their tender age was not abused. The Government is committed to give children opportunities and facilities to develop in healthy atmosphere with required freedom and dignity, and to ensure that their constitutional and legal rights were protected.

In view of the national and international developments and concern for the children, the need for a National Commission for Protection of Child Rights had been articulated by many social scientists and non-governmental organizations. The Government had, accordingly, decided to set up National Commission for Protection of Child Rights for better protection of their rights.

It was proposed to make enabling provisions in the Bill authorizing the State Governments to set up State Commissions for Protection of Child Rights in their respective States on the lines of the said Commission.

The functions of the Commission, *inter alia*, would be as under:

- (a) To study and monitor all matters relating to constitutional and legal rights of children;
- (b) To examine and review the safeguards provided by any law for the protection of child rights and recommend measures for their effective implementation in the best interest of the children;
- (c) To review the existing laws and suggest amendments therein, if considered necessary;
- (d) To look into complaints or take *suo motu* notice of the cases involving violation of constitutional and legal rights of the children;
- (e) To monitor implementation of laws and programmes relating to the survival, welfare and development of children; and
- (f) To present reports to the Central Government upon the working of those safeguards.

The Commissions for Protection of Child Rights Bill, 2005 which sought

to achieve the above mentioned objectives was passed by the Lok Sabha and the Rajya Sabha on 21 and 22 December 2005, respectively. It received the President's assent on 20 January 2006.

Article 81 read with article 82 of the Constitution, *inter alia* provided that the allocation of seats in the House of the People to the States and the division of each State into territorial constituencies shall be readjusted by such authority and in such manner as Parliament may by law determine. Further, such readjustment of territorial constituencies was required to be done on the basis of 2001 census figures. The second proviso to article 82 of the Constitution provided that such readjustment shall take effect from such date as the President may by order specify and until such readjustment took effect, any election to the House of the People may be held on the basis of the territorial constituencies existing before such readjustment. Article 170 contained similar provisions in respect of readjustment of each State into territorial constituencies in respect of representation in the State Legislative Assemblies. However, there was no such enabling provision either in the Constitution or in the Government of Union Territories Act, 1963 or in the Government of National Capital Territory of Delhi Act, 1991 in respect of the Union territory of Pondicherry and the National Capital Territory of Delhi empowering the President or the Central Government to issue an order by means of which the coming into force of the readjustment of territorial constituencies in respect of the Union territory of Pondicherry and the National Capital Territory of Delhi could be specified. In other words, the delimitation orders issued by the Delimitation Commission constituted under the Delimitation Act, 2002 in respect of the aforesaid Union territories would be operative from the date of such order.

The second proviso to article 82 and the second proviso to clause (3) of article 170 of the Constitution provide that the readjustment after the delimitation exercise was over would take effect only from such date as the President might, by order, specify and until such readjustment took effect, any election to the House of the People or to the State Legislative Assemblies shall be held on the basis of the territorial constituencies existing before such readjustment. In other words, they would be on the basis of the 1971 census figures. This constitutional provision was also carried over to the Delimitation Act, 2002 by sub-sections (2) and (4) of section 10 thereof.

The delimitation exercise in respect of Union territory of Pondicherry and certain States were over but in case of the majority of States and the National Capital Territory of Delhi, the exercise was not over. Hence, an anomalous situation whereby elections may have to be conducted on the basis of two different census figures in respect of the Union territory of Pondicherry *vis a vis* the rest of the country would arise unless necessary provisions were made in the aforesaid Acts.

To rectify the aforesaid anomalous situation arising out of lack of a suitable enabling provision in the Government of Union Territories Act, 1963 and the Government of National Capital Territory of Delhi Act, 1991, a provision similar to the corresponding provisions under the second proviso to article 82 and the second proviso to clause (3) of article 170 of the Constitution was proposed to be made by amending the Government of Union Territories Act, 1963 with retrospective effect, *i.e.*, from 31 March 2005, and the Government

of National Capital Territory of Delhi Act, 1991 from the date of assent of the Bill.

The Government of Union Territories and the Government of National Capital Territory of Delhi (Amendment) Bill, 2006 which sought to achieve the above-mentioned objectives was passed by the Rajya Sabha and the Lok Sabha on 24 February and 1 March 2006, respectively. The President assented to it on 2 March 2006.

We reproduce here the texts of the above Acts.

— Editor

THE ANDHRA PRADESH LEGISLATIVE COUNCIL ACT, 2005

An Act to provide for the creation of Legislative Council for the State of Andhra Pradesh and for matters supplemental, incidental and consequential thereto.

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

1. *Short title:* This Act may be called the Andhra Pradesh Legislative Council Act, 2005.

2. *Definitions:* In this Act, unless the context otherwise requires, each of the words and expressions used herein and not defined but defined in the Representation of the People Act, 1950, shall have the same meaning as in that Act.

3. *Creation of Legislative Council for Andhra Pradesh:* (1) As from such date as the President may by order appoint, there shall be a Legislative Council for the State of Andhra Pradesh; and as from that date, in sub-clause (a) of clause (1) of article 168, after the words “States of”, the words “Andhra Pradesh,” shall be inserted.

(2) In the said Council, there shall be 90 seats of which—

- (a) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (a), (b) and (c) of clause (3) of article 171 shall be 31, 8 and 8 respectively;
- (b) the number to be filled by persons elected by the members of the Legislative Assembly of Andhra Pradesh in accordance with the provisions of sub-clause (d) of the said clause shall be 31; and
- (c) the number to be filled by persons nominated by the Governor of Andhra Pradesh in accordance with the provisions of sub-clause (e) of that clause shall be 12.

(3) As soon as may be after the commencement of this Act, the President, after consultation with the Election Commission, shall, by order, determine—

- (a) the constituencies into which the State of Andhra Pradesh shall be divided for the purpose of elections to the said Council under each of the sub-clauses (a), (b) and (c) of clause (3) of article 171;
- (b) the extent of each constituency; and
- (c) the number of seats to be allotted to each constituency.

(4) As soon as may be after such determination, steps shall be taken to constitute the said Council in accordance with the provisions of this Act, the Representation of the People Act, 1950 and the Representation of the People Act, 1951.

4. Amendment of Third Schedule and Fourth Schedule of Act 43 of 1950: In the Representation of the People Act, 1950,—

- (a) in the Third Schedule, before entry No. 2 relating to Bihar, the following entry shall be inserted, namely:—
“1. Andhra Pradesh 90 31 8 8 31 12”;
- (b) in the Fourth Schedule, before the heading “BIHAR”, the following heading and entries shall be inserted, namely:—

“ANDHRA PRADESH

1. Municipal Corporations.
2. Municipalities.
3. Nagar Panchayats.
4. Cantonment Boards.
5. Zila Praja Parishads.
6. Mandal Praja Parishads.”.

5. Amendment of section 15A of Act 43 of 1951: In section 15A of the Representation of the People Act, 1951, for the words and figures “under the Legislative Councils Act, 1957”, the words and figures “under the Andhra Pradesh Legislative Council Act, 2005” shall be substituted.

THE CRIMINAL LAWS (AMENDMENT) ACT, 2005

An act further to amend the Indian Penal Code, the Code of Criminal Procedure, 1973 and the Indian Evidence Act, 1872.

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

CHAPTER I

PRELIMINARY

1. *Short title and commencement.* (1) This Act may be called the Criminal Law (Amendment) Act, 2005.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint; and different dates may be appointed for different provisions of this Act.

CHAPTER II

AMENDMENT TO THE INDIAN PENAL CODE

2. *Insertion of new section 195A,* Threatening any person to give false evidence: After section 195 of the Indian Penal Code, the following section shall be inserted, namely:—

“195A. Whoever threatens another with any injury to his person, reputation or property or to the person or reputation of any one in whom that person is interested, with intent to cause that person to give false evidence shall be punished with imprisonment of either description for a term which may extend to seven years, or with fine, or with both;

and if innocent person is convicted and sentenced in consequence of such false evidence, with death or imprisonment for more than seven years, the person who threatens shall be punished the same punishment and sentence in the same manner and to the same extent such innocent person is punished and sentenced.”.

CHAPTER III

AMENDMENTS TO THE CODE OF CRIMINAL PROCEDURE, 1973

3. *Amendment of section 195.* In section 195 of the Code of Criminal Procedure, 1973 (hereafter in this Chapter referred to as the Code of Criminal Procedure), in sub-section (1), for the words “except on the complaint in writing of that Court, or of some other Court to which that Court is subordinate”, the words “except on the complaint in writing of that Court or by such officer of the Court as that Court may authorise in writing in this behalf, or of some other Court to which that Court is subordinate” shall be substituted.

4. *Insertion of new Chapter XXIA.* After Chapter XXI of the Code of Criminal Procedure, the following Chapter shall be inserted, namely:—

CHAPTER XXIA

PLEA BARGAINING

265A. *Application of the Chapter;* (1) This Chapter shall apply in respect of an accused against whom—

(a) the report has been forwarded by the officer in charge of the police station under section 173 alleging therein that an offence appears to have been committed by him other than an offence for which the punishment of death or of imprisonment for life or of imprisonment for a term exceeding seven years has been provided under the law for the time being in force; or

(b) a Magistrate has taken cognizance of an offence on complaint, other than an offence for which the punishment of death or of imprisonment for life or of imprisonment for a term exceeding seven years, has been provided under the law for the time being in force, and after examining complainant and witnesses under section 200, issued the process under section 204,

but does not apply where such offence affects the socio-economic condition of the country or has been committed against a woman, or a child below the age of fourteen years.

(2) For the purposes of sub-section (1), the Central Government shall, by notification determine the offences under the law for the time being in force which shall be offences affecting the socio-economic condition of the country.

265B. Application for plea bargaining: (1) A person accused of an offence may file an application for plea bargaining in the Court in which such offence is pending for trial.

(2) The application under sub-section (1) shall contain a brief description of the case relating to which the application is filed including the offence to which the case relates and shall be accompanied by an affidavit sworn by the accused stating therein that he has voluntarily preferred, after understanding the nature and extent of punishment provided under the law for the offence, the plea bargaining in his case and that he has not previously been convicted by a Court in a case in which he had been charged with the same offence.

(3) After receiving the application under sub-section (1), the Court shall issue notice to the Public Prosecutor or the complainant of the case, as the case may be, and to the accused to appear on the date fixed for the case.

(4) When the Public Prosecutor or the complainant of the case, as the case may be, and the accused appear on the date fixed under sub-section (3), the Court shall examine the accused *in camera*, where the other party in the case shall not be present, to satisfy itself that the accused has filed the application voluntarily and where—

(a) the Court is satisfied that the application has been filed by

the accused voluntarily, it shall provide time to the Public Prosecutor or the complainant of the case, as the case may be, and the accused to work out a mutually satisfactory disposition of the case which may include giving to the victim by the accused the compensation and other expenses during the case and thereafter fix the date for further hearing of the case;

(b) the Court finds that the application has been filed involuntarily by the accused or he has previously been convicted by a Court in a case in which he had been charged with the same offence, it shall proceed further in accordance with the provisions of this Code from the stage such application has been filed under sub-section (1).

265C. Guidelines for mutually satisfactory disposition: In working out a mutually satisfactory disposition under clause (a) of sub-section (4) of section 265B, the Court shall follow the following procedure, namely:—

(a) in a case instituted on a police report, the Court shall issue notice to the Public Prosecutor, the police officer who has investigated the case, the accused and the victim of the case to participate in the meeting to work out a satisfactory disposition of the case:

Provided that throughout such process of working out a satisfactory disposition of the case, it shall be the duty of the Court to ensure that the entire process is completed voluntarily by the parties participating in the meeting:

Provided further that the accused may, if he so desires, participate in such meeting with his pleader, if any, engaged in the case;

(b) in a case instituted otherwise than on police report, the Court shall issue notice to the accused and the victim of the case to participate in a meeting to work out a satisfactory disposition of the case:

Provided that it shall be the duty of the Court to ensure, throughout such process of working out a satisfactory disposition of the case, that it is completed voluntarily by the parties participating in the meeting:

Provided further that if the victim of the case or the accused, as the case may be, so desires, he may participate in such meeting with his pleader engaged in the case.

265D. Report of the mutually satisfactory disposition to be submitted before the Court. Where in a meeting under section 265C, a satisfactory disposition of the case has been worked out, the

Court shall prepare a report of such disposition which shall be signed by the presiding officer of the Court and all other persons who participated in the meeting and if no such disposition has been worked out, the Court shall record such observation and proceed further in accordance with the provisions of this Code from the stage the application under sub-section (1) of section 265B has been filed in such case.

265E. Disposal of the case. Where a satisfactory disposition of the case has been worked out under section 265D, the Court shall dispose of the case in the following manner, namely:—

(a) the Court shall award the compensation to the victim in accordance with the disposition under section 265D and hear the parties on the quantum of the punishment, releasing of the accused on probation of good conduct or after admonition under section 360 or for dealing with the accused under the provisions of the Probation of Offenders Act, 1958 or any other law for the time being in force and follow the procedure specified in the succeeding clauses for imposing the punishment on the accused;

(b) after hearing the parties under clause (a), if the Court is of the view that section 360 or the provisions of the Probation of Offenders Act, 1958 or any other law for the time being in force are attracted in the case of the accused, it may release the accused on probation or provide the benefit of any such law, as the case may be;

(c) after hearing the parties under clause (b), if the Court finds that minimum punishment has been provided under the law for the offence committed by the accused, it may sentence the accused to half of such minimum punishment;

(d) in case after hearing the parties under clause (b), the Court finds that the offence committed by the accused is not covered under clause (b) or clause (c), then, it may sentence the accused to one-fourth of the punishment provided or extendable, as the case may be, for such offence.

265F. Judgment of the Court. The Court shall deliver its judgment in terms of section 265E in the open Court and the same shall be signed by the presiding officer of the Court.

265G. Finality of the judgment. The judgment delivered by the Court under section 265G shall be final and no appeal (except the special leave petition under article 136 and writ petition under articles 226 and 227 of the Constitution) shall lie in any Court against such judgment.

265H. Power of the Court in plea bargaining. A Court shall have,

for the purposes of discharging its functions under this Chapter, all the powers vested in respect of bail, trial of offences and other matters relating to the disposal of a case in such Court under this Code.

265-I. *Period of detention undergone by the accused to be set off against the sentence of imprisonment.* The provisions of section 428 shall apply, for setting off the period of detention undergone by the accused against the sentence of imprisonment imposed under this Chapter, in the same manner as they apply in respect of the imprisonment under other provisions of this Code.

265J. *Savings.* The provisions of this Chapter shall have effect notwithstanding anything inconsistent therewith contained in any other provisions of this Code and nothing in such other provisions shall be construed to constrain the meaning of any provision of this Chapter.

Explanation.—For the purposes of this Chapter, the expression “Public Prosecutor” has the meaning assigned to it under clause (u) of section 2 and includes an Assistant Public Prosecutor appointed under section 25.

265K. *Statements of accused not to be used.* Notwithstanding anything contained in any law for the time being in force, the statements or facts stated by an accused in an application for plea bargaining filed under section 265B shall not be used for any other purpose except for the purpose of this Chapter.

265L. *Non-application of the Chapter.* Nothing in this Chapter shall apply to any juvenile or child as defined in clause (k) of section 2 of the Juvenile Justice (Care and Protection of Children) Act, 2000.”.

5: Amendment of section 292. In section 292 of the Code of Criminal Procedure,—

(a) in sub-section (1), for the portion beginning with the words “gazetted officer” and ending with the brackets and words “(including the officer of the Controller of Stamps and Stationery)”, the following shall be substituted, namely:—

“officer of any Mint or of any Note Printing Press or of any Security Printing Press (including the officer of the Controller of Stamps and Stationery) or of any Forensic Department or Division of Forensic Science Laboratory or any Government Examiner of Questioned Documents or any State Examiner of Questioned Documents, as the case may be,”;

(b) in sub-section (3), for the portion beginning with the words

“except with” and ending with the words “as the case may be,”, the following shall be substituted, namely:—

“except with the permission of the General Manager or any officer in charge of any Mint or of any Note Printing Press or of any Security Printing Press or of any Forensic Department or any officer in charge of the Forensic Science Laboratory or of the Government Examiner of Questioned Documents Organisation or of the State Examiner of Questioned Documents Organisation, as the case may be,”.

6. *Amendment of section 340.* In section 340 of the Code of Criminal Procedure, in sub-section (3), for clause (b), the following clause shall be substituted, namely:—

“(b) in any other case, by the presiding officer of the Court or by such officer of the Court as the Court may authorise in writing in this behalf.”.

7. *Amendment of the First Schedule.* In the First Schedule to the Code of Criminal Procedure, under the heading “I.—OFFENCES UNDER THE INDIAN PENAL CODE,”—

(a) after the entries relating to section 195, the following entries shall be inserted, namely:—

1	2	3	4	5	6
“195A	Threatening any person to give false evidence.	Imprisonment for 7 years, or fine, or both.	Cognizable	Non-bailable	Court by which offence of giving false evidence is triable.
	If innocent person is convicted and sentenced in consequence of false evidence with death, or imprisonment for more than seven years.	The same as for the offence.	Ditto	Ditto	Ditto.”.

(b) in the 4th column, in the entry relating to section 196, for the word “Ditto”, the word “Non-cognizable” shall be substituted.’.

8. *Omission of section 25 of Act 25 of 2005.* Section 25 of the Code of Criminal Procedure (Amendment) Act, 2005 shall be omitted.

CHAPTER IV

AMENDMENT TO THE INDIAN EVIDENCE ACT, 1872

9. *Amendment of section 154 of Act 1 of 1872.* In the Indian

Evidence Act, 1872, section 154 shall be numbered as sub-section (1) thereof and after sub-section (1) as so numbered, the following sub-section shall be inserted namely:—

“(2) Nothing in this section shall disentitle the person so permitted under sub-section (1), to rely on any part of the evidence of such witness.”.

THE CONSTITUTION (NINETY-THIRD AMENDMENT) ACT, 2005

An Act further to amend the Constitution of India.

BE It enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

1. *Short title and commencement.* (1) This Act may be called the Constitution (Ninety-third Amendment) Act, 2005.

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

2. *Amendment of article 15:* In article 15 of the Constitution, after clause (4), the following clause shall be inserted, namely:—

“(5) Nothing in this article or in sub-clause (g) of clause (1) of article 19 shall prevent the State from making any special provision, by law, for the advancement of any socially and educationally backward classes of citizens or for the Scheduled Caste or the Scheduled Tribes in so far as such special provisions relate to their admission to educational institutions including private educational institutions, whether aided or unaided by the State, other than the minority educational institutions referred to clause (1) of article 30.”.

THE COMMISSIONS FOR PROTECTION OF CHILD RIGHTS ACT, 2005

An Act to provide for the constitution of a National Commission and State Commissions for Protection of Child Rights and Children's Courts for providing speedy trial of offences against children or of violation of child rights and for matters connected therewith or incidental thereto.

WHEREAS India participated in the United Nations (UN) General Assembly Summit in 1990, which adopted a Declaration on Survival, Protection and Development of Children;

AND WHEREAS India has also acceded to the Convention on the Rights of the Child (CRC) on the 11th December, 1992;

AND WHEREAS CRC is an international treaty that makes it incumbent upon the signatory States to take all necessary steps to protect children's right enumerated in the Convention;

AND WHEREAS in order to ensure protection of rights of children one of the recent initiatives that the Government have taken for Children is the adoption of National Charter for Children, 2003;

AND WHEREAS the UN General Assembly Special Session on Children held in May, 2002 adopted an Outcome Document titled "A World Fit for Children" containing the goals, objectives, strategies and activities to be undertaken by the member countries for the current decade;

AND WHEREAS it is expedient to enact a law relating to children to give effect to the policies adopted by the Government in this regard, standards prescribed in the CRC, and all other relevant international instruments;

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

CHAPTER I

PRELIMINARY

1. *Short title, extent and commencement.* (1) This Act may be called the Commissions for Protection of Child Rights Act, 2005.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

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

2. *Definitions.* In this Act, unless the context otherwise requires,—

- (a) "Chairperson" means the Chairperson of the Commission or of the State Commission, as the case may be;
- (b) "child rights" includes the children's rights adopted in the United Nations convention on the Rights of the Child on the 20th November, 1989 and ratified by the Government of India on the 11th December, 1992;
- (c) "Commission" means the National Commission for Protection of Child Rights constituted under section 3;
- (d) "Member" means a Member of the Commission or of the State Commission, as the case may be, and includes the Chairperson;
- (e) "notification" means a notification published in the Official Gazette;

- (f) "prescribed" means prescribed by rules made under this Act;
- (g) "State Commission" means a State Commission for Protection of Child Rights constituted under section 17.

CHAPTER II

THE NATIONAL COMMISSION FOR PROTECTION OF CHILD RIGHTS

3. Constitution of National Commission for Protection of Child Rights. (1) The Central Government shall, by notification, constitute a body to be known as the National Commission for Protection of Child Rights to exercise the powers conferred on, and to perform the functions assigned to it, under this Act.

(2) The Commission shall consist of the following Members, namely:—

- (a) a Chairperson who is a person of eminence and has done outstanding work for promoting the welfare of children; and
- (b) six Members, out of which at least two shall be women, from the following fields, to be appointed by the Central Government from amongst persons of eminence, ability, integrity, standing and experience in,—
 - (i) education;
 - (ii) child health, care, welfare or child development;
 - (iii) juvenile justice or care of neglected or marginalized children or children with disabilities;
 - (iv) elimination of child labour or children in distress;
 - (v) child psychology or sociology; and
 - (vi) laws relating to children.

(3) The office of the Commission shall be at Delhi.

4. Appointment of Chairperson and Members. The Central Government shall, by notification, appoint the Chairperson and other Members:

Provided that the Chairperson shall be appointed on the recommendation of a three member Selection Committee constituted by the Central Government under the Chairmanship of the Minister in-charge of the Ministry of Human Resource Development.

5. Term of office and conditions of service of Chairperson and Members. (1) The Chairperson and every Member shall hold office as such for a term of three years from the date on which he assumes office:

Provided that no Chairperson or a Member shall hold the office for more than two terms:

Provided further that no Chairperson or any other Member shall hold office as such after he has attained—

(a) in the case of the Chairperson, the age of sixty-five years; and

(b) in the case of a Member, the age of sixty years.

(2) The Chairperson or a Member may, by writing under his hand addressed to the Central Government, resign his office at any time.

6. Salary and allowances of Chairperson and Members. The salary and allowances payable to, and other terms and conditions of service of, the Chairperson and Members, shall be such as may be prescribed by the Central Government:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairperson or a Member, as the case may be, shall be varied to his disadvantage after his appointment.

7. Removal from office. (1) Subject to the provisions of sub-section (2), the Chairperson may be removed from his office by an order of the Central Government on the ground of proved misbehaviour or incapacity.

(2) No withstanding anything contained in sub-section (1), the Central Government may by order remove from office the Chairperson or any other Member, if the Chairperson or, as the case may be, such other Member,—

(a) is adjudged an insolvent; or

(b) engages during his term of office in any paid employment outside the duties of his office; or

(c) refuses to act or becomes incapable of acting; or

(d) is of unsound mind and stands so declared by a competent court; or

(e) has so abused his office as to render his continuance in office detrimental to the public interest; or

(f) is convicted and sentenced to imprisonment for an offence which in the opinion of the Central Government involves moral turpitude; or

(g) is, without obtaining leave of absence from the Commission, absent from three consecutive meetings of the Commission.

(3) No person shall be removed under this section until that person has been given an opportunity of being heard in the matter.

8. Vacation of office by Chairperson or Member. (1) If the Chairperson or, as the case may be, a Member,—

- (a) becomes subject to any of the disqualifications mentioned in section 7; or
- (b) tenders his resignation under sub-section (2) of section 5, his seat shall thereupon become vacant.

(2) If a casual vacancy occurs in the office of the Chairperson or a Member, whether by reason of his death, resignation or otherwise, such vacancy shall be filled within a period of ninety days by making afresh appointment in accordance with the provisions of section 4 and the person so appointed shall hold office for the remainder of the term of office for which the Chairperson, or a Member, as the case may be, in whose place he is so appointed would have held that office.

9. Vacancies, etc. not to invalidate proceedings of Commission. No act or proceeding of the Commission shall be invalid merely by reason of—

- (a) any vacancy in, or any defect in the constitution of, the Commission; or
- (b) any defect in the appointment of a person as the Chairperson or a Member; or
- (c) any irregularity in the procedure of the Commission not affecting the merits of the case.

10. Procedure for transaction of business. (1) The Commission shall meet regularly at its office at such time as the Chairperson thinks fit, but three months shall not intervene between its last and the next meeting.

(2) All decisions at a meeting shall be taken by majority:

Provided that in the case of equality of votes, the Chairperson, or in his absence the person presiding, shall have and exercise to second or casting vote.

(3) If for any reason, the Chairperson, is unable to attend the meeting of the Commission, any Member chosen by the Members present from amongst themselves at the meeting, shall preside.

(4) The Commission shall observe such rules of procedure in the transaction or its business at a meeting, including the quorum at such meeting, as may be prescribed by the Central Government.

(5) All orders and decisions of the Commission shall be authenticated by the Member-Secretary or any other officer of the Commission duly authorised by Member-Secretary in this behalf.

11. Member-Secretary, officers and other employees of Commission.

(1) The Central Government shall, by notification, appoint an officer not below the rank of the Joint Secretary or the Additional Secretary to the Government of India as a Member-Secretary of the Commission and shall make available to the Commission such other officers and employees as may be necessary for the efficient performance of its functions.

(2) The Member-Secretary shall be responsible for the proper administration of the affairs of the Commission and its day-to-day management and shall exercise and discharge such other powers and perform such other duties as may be prescribed by the Central Government.

(3) The salary and allowances payable to, and the other terms and conditions of service of the Member-Secretary, other officers and employees, appointed for the purpose of the Commission shall be such as may be prescribed by the Central Government.

12. *Salaries and allowances to be paid out of grants.* The salaries and allowances payable to the Chairperson and Members and the administrative expenses, including salaries, allowances and pensions payable to the Member-Secretary, other officers and employees referred to in section 11, shall be paid out of the grants referred to in sub-section (1) of section 27.

CHAPTER III

FUNCTIONS AND POWERS OF THE COMMISSION

13. *Functions of Commission.* (1) The Commission shall perform all or any of the following functions, namely:—

- (a) examine and review the safeguards provided by or under any law for the time being in force for the protection of child rights and recommend measures for their effective implementation;
- (b) present to the Central Government, annually and at such other intervals, as the Commission may deem fit, reports upon the working of those safeguard;
- (c) enquire into violation of child rights and recommend initiation of proceedings in such cases;
- (d) examine all factors that inhibit the enjoyment of rights of children affected by terrorism, communal violence, riots, natural disaster, domestic violence, HIV/AIDS, trafficking, maltreatment, torture and exploitation, pornography and prostitution and recommend appropriate remedial measures;
- (e) look into the matters relating to children in need of special

- care and protection including children in distress, marginalized and disadvantaged children, children in conflict with law, juveniles, children without family and children of prisoners and recommend appropriate remedial measures;
- (f) study treaties and other international instruments and undertake periodical review of existing policies, programmes and other activities on child rights and make recommendations for their effective implementation in the best interest of children;
 - (g) undertake and promote research in the field of child rights;
 - (h) spread child rights literacy among various sections of the society and promote awareness of the safeguards available for protection of these rights through publications, the media, seminars and other available means;
 - (i) inspect or cause to be inspected any juvenile custodial home, or any other place of residence or institution meant for children, under the control of the Central Government or any State Government or any other authority, including any institution run by a social organisation; where children are detained or lodged for the purpose of treatment, reformation or protection and take up with these authorities for remedial action, if found necessary;
 - (j) inquire into complaints and take *suo motu* notice of matters relating to,—
 - (i) deprivation and violation of child rights;
 - (ii) non-implementation of laws providing for protection and development of children;
 - (iii) non-compliance of policy decisions, guidelines or instructions aimed at mitigating hardships to and ensuring welfare of the children and to provide relief to such children,or take up the issues arising out of such matters with appropriate authorities; and
 - (k) such other functions as it may consider necessary for the promotion of child rights and any other matter incidental to the above functions.

(2) The Commission shall not inquire into any matter which is pending before a State Commission or any other Commission duly constituted under any law for the time being in force.

14. *Powers relating to inquiries.* (1) The Commission shall, while inquiring into any matter referred to in clause (j) of sub-section (1) of section 13 have all the powers of a civil court trying a suit under the

Code of Civil Procedure, 1908 and, in particular, in respect of the following matters, namely:—

- (a) summoning and enforcing the attendance of any person and examining him on oath;
- (b) discovery and production of any document;
- (c) receiving evidence on affidavits;
- (d) requisitioning any public record or copy thereof from any court or office; and
- (e) issuing commissions for the examination of witnesses or documents.

(2) The Commission shall have the power to forward any case to a Magistrate having jurisdiction to try the same and the Magistrate to whom any such case is forwarded shall proceed to hear the complaint against the accused as if the case has been forwarded to him under section 346 of the Code of Criminal Procedure, 1973.

15. Steps after inquiry. The Commission may take any of the following steps upon the completion of an inquiry held under this Act, namely:—

- (i) where the inquiry discloses, the Commission of violation of child rights of a serious nature or contravention of provisions of any law for the time being in force, it may recommend to the concerned Government or authority the initiation of proceedings for prosecution or such other action as the Commission may deem fit against the concerned person or persons;
- (ii) approach the Supreme Court or the High Court concerned for such directions, orders or writs as that Court may deem necessary;
- (iii) recommend to the concerned Government or authority for the grant of such interim relief to the victim or the members of his family as the Commission may consider necessary.

16. Annual and special reports of Commission. (1) The Commission shall submit an annual report to the Central Government and to the State Government concerned and may at any time submit special reports on any matter which, in its opinion, is of such urgency or importance that it should not be deferred till submission of the annual report.

(2) The Central Government and the State Government concerned, as the case may be, shall cause the annual and special reports of the Commission to be laid before each House of Parliament or the State

Legislature respectively, as the case may be, along with a memorandum of action taken or proposed to be taken on the recommendations of the Commission and the reasons for non-acceptance of the recommendations, if any, within a period of one year from the date of receipt of such report.

(3) The annual report shall be prepared in such form, manner and contain such details as may be prescribed by the Central Government.

CHAPTER IV

STATE COMMISSIONS FOR PROTECTION OF CHILD RIGHTS

17. Constitution of State Commission for Protection of Child Rights.

(1) A State Government may constitute a body to be known as the (name of the State) Commission for Protection of Child Rights to exercise the powers conferred upon, and to perform the functions assigned to, a State Commission under this Chapter.

(2) The State Commission shall consist of the following Members, namely:—

- (a) a Chairperson who is a person of eminence and has done outstanding work for promoting the welfare of children; and
- (b) six Members, out of which at least two shall be women, from the following fields, to be appointed by the State Government from amongst persons of eminence, ability, integrity, standing and experience in,—
 - (i) education;
 - (ii) child health, care, welfare or child development;
 - (iii) juvenile justice or care of neglected or marginalized children or children with disabilities;
 - (iv) elimination of child labour or children in distress;
 - (v) child psychology or sociology; and
 - (vi) laws relating to children.

(3) The headquarter of the State Commission shall be at such place as the State Government may, by notification, specify.

18. Appointment of Chairperson and other Members. The State Government shall, by notification, appoint the Chairperson and other Members:

Provided that the Chairperson shall be appointed on the recommendation of a three Member Selection Committee constituted by the State

Government under the Chairmanship of the Minister in-charge of the Department dealing with children.

19. Term of office and conditions of service of Chairperson and Members. (1) The Chairperson and every Member shall hold office as such for a term of three years from the date on which he assumes office:

Provided that no Chairperson or a Member shall hold the office for more than two terms:

Provided further that no Chairperson or any other Member shall hold office as such after he has attained—

- (a) in the case of Chairperson, the age of sixty-five years; and
- (b) in the case of a Member, the age of sixty years.

(2) The Chairperson of a Member may, by writing under his hand addressed to the State Government, resign his office at any time.

20. Salary and allowances of Chairperson and Members. The salaries and allowances payable to, and other terms and conditions of service of, the Chairperson and Members shall be such as may be prescribed by the State Government:

Provided that neither the salary and allowances nor the other terms and conditions of service of the Chairperson or a Member, as the case may be, shall be varied to his disadvantage after his appointment.

21. Secretary, officers and other employees of the State Commission. (1) The State Government shall, by notification, appoint an officer not below the rank of the Secretary to the State Government as the Secretary of the State Commission and shall make available to the State Commission such other officers and employees as may be necessary for the efficient performance of its functions.

(2) The Secretary shall be responsible for the proper administration of the affairs of the State Commission and its day-to-day management and shall exercise and discharge such other powers and perform such other duties as may be prescribed by the State Government.

(3) The salary and allowances payable to, and the other terms and conditions of service of the Secretary, other officers and employees, appointed for the purpose of the State Commission shall be such as may be prescribed by the State Government.

22. Salaries and allowances to be paid out of grants. The salaries and allowances payable to the Chairperson and Members and the administrative expenses, including salaries, allowances and pensions

payable to the Secretary, other officers and employees referred to in section 21, shall be paid out of the grants referred to in sub-section (1) of section 28.

23. Annual and special reports of State Commission. (1) The State Commission shall submit an annual report to the State Government and may at any time submit special reports on any matter which, in its opinion, is of such urgency or importance that it should not be deferred till submission of the annual report.

(2) The State Government shall cause all the reports referred to in sub-section (1) to be laid before each House of State Legislature, where it consists of two Houses, or where such Legislature consists of one House, before that House along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the State and the reasons for the non-acceptance, if any, of any of such recommendations.

(3) The annual report shall be prepared in such form, manner and contain such details as may be prescribed by the State Government.

24. Application of certain provisions relating to National Commission for Protection of Child Rights to State Commissions. The provisions of sections 7, 8, 9, 10, sub-section (1) of section 13 and sections 14 and 15 shall apply to a State Commission and shall have effect, subject to the following modifications, namely:—

- (a) references to “Commission” shall be construed as references to “State Commission”;
- (b) references to “Central Government” shall be construed as references to “State Government”; and
- (c) references to “Member-Secretary” shall be construed as references to “Secretary”.

CHAPTER V

CHILDREN'S COURTS

25. Children's Courts. For the purpose of providing speedy trial of offences against children or of violation of child rights, the State Government may, with the concurrence of the Chief Justice of the High Court, by notification, specify at least a court in the State or specify, for each district, a Court of Session to be a Children's Court to try the said offences:

Provided that nothing in this section shall apply if—

- (a) a Court of Session is already specified as a special court; or

(b) a special court is already constituted,

for such offences under any other law for the time being in force.

26. *Special Public Prosecutor.* For every Children's Court, the State Government shall, by notification, specify a Public Prosecutor or appoint an advocate who has been in practice as an advocate for not less than seven years, as a Special Public Prosecutor for the purpose of conducting cases in that Court.

CHAPTER VI

FINANCE, ACCOUNTS AND AUDIT

27. *Grants by Central Government.* (1) The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Commission by way of grants such sums of money as the Central Government may think fit for being utilised for the purposes of this Act.

(2) The Commission may spend such sums of money as it thinks fit for performing the functions under this Act, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

28. *Grants by State Governments.* (1) The State Government shall after due appropriation made by Legislature by law in this behalf, pay to the State Commission by way of grants such sums of money as the State Government may think fit for being utilised for the purposes of this Act.

(2) The State Commission may spend such sums of money as it thinks fit for performing the functions under Chapter III of this Act, and such sums shall be treated as expenditure payable out of the grants referred to in sub-section (1).

29. *Accounts and audit of Commission.* (1) The Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the Central Government, in consultation with the Comptroller and Auditor-General of India.

(1) The accounts of the Commission shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the Commission to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the Commission

under this Act shall, have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the Commission.

(4) The accounts of the Commission as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the Central Government by the Commission and the Central Government shall cause the audit report to be laid, as soon as may be after it is received, before each House of Parliament.

30. *Accounts and audit of State Commission.* (1) The State Commission shall maintain proper accounts and other relevant records and prepare an annual statement of accounts in such form as may be prescribed by the State Government in consultation with the Comptroller and Auditor-General of India.

(2) The accounts of the State Commission shall be audited by the Comptroller and Auditor-General at such intervals as may be specified by him and any expenditure incurred in connection with such audit shall be payable by the State Commission to the Comptroller and Auditor-General.

(3) The Comptroller and Auditor-General and any person appointed by him in connection with the audit of the accounts of the State Commission under this Act shall, have the same rights and privileges and the authority in connection with such audit as the Comptroller and Auditor-General generally has in connection with the audit of Government accounts and, in particular, shall have the right to demand the production of books, accounts, connected vouchers and other documents and papers and to inspect any of the offices of the State Commission.

(4) The accounts of the State Commission as certified by the Comptroller and Auditor-General or any other person appointed by him in this behalf, together with the audit report thereon shall be forwarded annually to the State Government by the State Commission and the State Government shall cause the audit report to be laid, as soon as may be after it is received, before the State Legislature.

CHAPTER VII

MISCELLANEOUS

31. *Protection of action taken in good faith.* No suit, prosecution or

other legal proceeding shall lie against the Central Government, the State Government, the Commission, the State Commission, or any Member thereof or any person acting under the direction either of the Central Government, State Government, Commission or the State Commission, in respect of anything which is in good faith done or intended to be done in pursuance of this Act or of any rules made thereunder or in respect of the publication by or under the authority of the Central Government, State Government, Commission, or the State Commission of any report or paper.

32. Chairperson, Members and other officers to be public servant. Every Member of the Commission, State Commission and every officer appointed in the Commission or the State Commission to exercise functions under this Act shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code.

33. Directions by Central Government. (1) In the discharge of its functions under this Act, the Commission shall be guided by such directions on questions of policy relating to national purposes, as may be given to it by the Central Government.

(2) If any dispute arises between the Central Government and the Commission as to whether a question is or is not a question of policy relating to national purposes, the decision of the Central Government thereon shall be final.

34. Returns or information. The Commission shall furnish to the Central Government such returns or other information with respect to its activities as the Central Government may, from time to time, require.

35. Power of Central Government to make rules. (1) The Central Government may, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) terms and conditions of service of the Chairperson and Members of the Commission and their salaries and allowances under section 6;
- (b) the procedure to be followed by the Commission in the transaction of its business at a meeting under sub-section (4) of section 10;
- (c) the powers and duties which may be exercised and performed

by the Member-Secretary of the Commission under sub-section (2) of section 11;

- (d) the salary and allowances and other terms and conditions of service of officers and other employees of the Commission under sub-section (3) of section 11; and
- (e) form of the statement of accounts and other records to be prepared by the Commission under sub-section (1) of section 29.

(3) Every rule made under this Act shall be laid, as soon as may be after it is made, before each House of Parliament, while it is in session for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that rule.

36. Power of State Government to make rules. (1) The State Government may, by notification, make rules to carry out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, such rules may provide for all or any of the following matters, namely:—

- (a) terms and conditions of service of the Chairperson and Members of the State Commission and their salaries and allowances under section 20;
- (b) the procedure to be followed by the State Commission in the transaction of its business at a meeting under sub-section (4) of section 10 read with section 24;
- (c) the powers and duties which may be exercised and performed by the Secretary of the State Commission under sub-section (2) of section 21;
- (d) the salary and allowances and other terms and conditions of service of officers and other employees of the State Commission under sub-section (3) of section 21; and
- (e) form of the statement of accounts and other records to be prepared by the State Commission under sub-section (1) of section 30.

(3) Every rule made by the State Government under this section shall be laid, as soon as may be after it is made, before each House of the State Legislature where it consists of two Houses, or where such State Legislature consists of one House, before that House.

37. Power to remove difficulties. (1) If any difficulty arises in giving effect to the provisions of this Act, the Central Government may, by order published in the Official Gazette, make such provisions, not inconsistent with the provisions of this Act, as may appear to be necessary for removing the difficulty:

Provided that no order shall be made under this section after the expiry of the period of two years from the date of commencement of this Act.

(2) Every order made under this section shall be laid, as soon as may be after it is made, before each House of Parliament.

**THE GOVERNMENT OF UNION TERRITORIES AND THE
GOVERNMENT OF NATIONAL CAPITAL TERRITORY
OF DELHI (AMENDMENT) ACT, 2006**

*An Act further to amend the Government of Union Territories
Act, 1963 and the Government of National Capital
Territory of Delhi Act, 1991.*

BE it enacted by Parliament in the Fifty-seventh Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. Short title and commencement. (1) This Act may be called the Government of Union Territories and the Government of National Capital Territory of Delhi (Amendment) Act, 2006.

(2) Section 2 shall be deemed to have come into force on the 31st day of March, 2005.

CHAPTER II

AMENDMENT OF THE GOVERNMENT OF UNION TERRITORIES ACT, 1963

2. Insertion of new section 43F. After section 43E of the Government of Union Territories Act, 1963, the following section shall be inserted, namely:—

“43F. Special provision as to readjustment of territorial constituencies on the basis of 2001 census. Notwithstanding the publication of

orders under sub-section (1) of section 10 of the Delimitation Act, 2002 or anything contained in sub-section (2) or sub-section (4) of the said section, any readjustment in the division of Union territory into territorial constituencies by the Delimitation Commission under the said Act, on the basis of 2001 census shall take effect from such date as the Central Government may, by order, published in the Official Gazette, specify and until such readjustment takes effect, any election to the Legislative Assembly may be held on the basis of the territorial constituencies existing before such readjustment.”.

CHAPTER III

AMENDMENT OF THE GOVERNMENT OF NATIONAL CAPITAL TERRITORY OF DELHI ACT, 1991

3. *Amendment of section 3.* In section 3 of the Government of National Capital Territory of Delhi Act, 1991, in sub-section (3), after the proviso, the following proviso shall be inserted, namely:—

“Provided further that any readjustment in the division of the Capital into territorial constituencies by the Delimitation Commission under the Delimitation Act, 2002 on the basis of 2001 census shall take effect from such date as the Central Government may, by order, published in the Official Gazette, specify and until such readjustment takes effect, any election to the Legislative Assembly may be held on the basis of the territorial constituencies existing before such readjustment.”.

SESSIONAL REVIEW

FOURTEENTH LOK SABHA SEVENTH SESSION (PART I)

The First Part of the Seventh Session of the Fourteenth Lok Sabha commenced on 16 February 2006 and was adjourned *sine die* on 22 March 2006. In exercise of the powers conferred on him by rule 15 of the Rules of Procedure and Conduct of Business in Lok Sabha, the Speaker reconvened its sittings from 10 May 2006. The Second Part of the Session commenced from 10 May 2006 and adjourned *sine die* on 23 May 2006. The House was prorogued on 25 May 2006. In all, there were 25 sittings in the First Part of the Seventh Session.

A resume of some of the important discussions held and other business transacted during the First Part of the Session, from 16 February to 22 March 2006*, is given below.

A. DISCUSSIONS/STATEMENTS

Statement by the Prime Minister regarding India's vote in the IAEA on the issue of Iran's Nuclear Programme: Making a statement in the House on 17 February 2006, the Prime Minister, Dr. Manmohan Singh said he rose to apprise the august House of the facts of the matter regarding India's vote on the Iran nuclear issue at the meeting of the Government Board of the International Atomic Energy Agency (IAEA) in Vienna, on 5 February 2006. He said that India's vote on the IAEA resolution did not, in any way, detract from the traditionally close and friendly relations India enjoyed with Iran. India intended to further strengthen and expand its multifaceted ties with Iran to mutual benefit. India valued this relationship and intended to do what it could to nurture the bilateral ties. Dr. Singh reiterated that India was committed to the proposed Iran-Pakistan-India gas pipeline. The economics of the project

* Sessional Review of the Second Part of the Session, i.e. from 10 to 23 May 2006 will be carried in the September 2006 issue of the *JPI* (Vol. LII, No.3); complete details regarding Question Hour and Obituary References will also be carried in the said issue

was currently under professional investigation by internationally reputed consultants, a necessary step in taking the pipeline project forward.

On the specific issue of Iran's nuclear programme, the Prime Minister stated that as a signatory to the NPT, Iran has had the legal right to develop peaceful uses of nuclear energy consistent with its international commitments and obligations. It was incumbent upon Iran to exercise these rights in the context of safeguards that it had voluntarily accepted upon its nuclear programme under the IAEA. These rights and obligations must also be seen in the context of developments since 2003, when the IAEA began seeking answers to a number of questions arising from Iran's nuclear activities, some of which were undeclared to the IAEA in previous years. Subsequently, in the context of these demands, Iran did extend cooperation to the IAEA in investigations of some of its activities. In November 2004, Iran agreed with the European Union-3 (France, Germany and the UK) to voluntarily suspend all enrichment and reprocessing activities until questions relating to its past nuclear activities were clarified by the IAEA. However, since August last year, Iran had renewed production of uranium hexafluoride and thereafter, had also resumed uranium enrichment.

The Prime Minister said that the successive reports of the Director-General of the IAEA had noted that while Iran's cooperation had resulted in clarifying a number of questions, there remained many unresolved questions on key issues. These included the use of centrifuges imported from third world countries and designs relating to fabrication of metallic hemispheres. He further stated that members were aware that the source of such clandestine proliferation of sensitive technologies lay in India's own neighbourhood details of which had emerged from successive IAEA reports. India, he said, could not afford to turn a blind eye to security implications of such proliferation activities. The objectives of upholding Iran's rights and obligations and India's security concerns arising from proliferation activities in her extended neighbourhood had shaped India's position. Therefore, India's approach had been consistently in favour of promoting all efforts to find a solution based on acceptable mutual compromises, in which Iran's interests and the concerns of the international community would be addressed. India had consistently worked to promote a consensus in the IAEA towards this end. This had been the logic of India's stand at the IAEA Board of Governors Meetings both in September 2005 and earlier this month.

The Prime Minister reminded the members that it was only on those two occasions that the Resolution that resulted had not been a

consensual one, and a vote had been necessary. Despite that, in the latest vote this month, the Resolution not only had the support of all the P-5 countries including Russia and China, but also of important NAM and developing countries such as Argentina, Brazil, Egypt, Ghana, Singapore, Yemen and Sri Lanka. The resolutions passed in September last year and earlier this month underlined the need for time to be given for diplomatic efforts to continue. The recent resolution of 5 February asked the Director-General of IAEA to inform the UN Security Council of the status of negotiations with Iran, and the steps that Iran needed to take to address these questions. It called for continued diplomatic efforts including through exploration of the option provided by Russia, which India had supported.

The Prime Minister said that he had set out the background in which India had taken a position at the IAEA Board. He reiterated that India's conviction that sensitive issue like this, which concerned the rights and international obligations of a sovereign nation and a proud people could only be addressed through calm, reasoned diplomacy and the willingness on all sides to eschew confrontation and seek acceptable compromise solutions. India was, therefore, deeply concerned by escalating rhetoric and growing tensions and the possibility of a confrontation over this issue. This was a matter of concern for India as tensions in the region—where India's vital political, economic and security interests were involved—affected India directly. India, therefore, called upon all concerned to exercise restraint, demonstrate flexibility and continue with dialogue, to reach an amicable solution. Dr. Manmohan Singh informed the House that there would be another meeting of the IAEA Board in March this year at which a full and regular report would be presented by the Director-General of IAEA. In the days to come, India would support diplomatic efforts in this regard, drawing upon its friendly relations with all the key countries involved. In the overall context that he had outlined in detail, the Prime Minister said he was confident that the august House would agree that the stance taken by the Government had been consistent and in keeping with India's own well considered and independent judgment of its national interests. He expressed confidence that the policy would receive the support of the august House and the nation.

Statement by the Prime Minister regarding Civil Nuclear Energy Cooperation with the United States, in the context of the recent visit of the President of USA: Making a statement in the House in this regard on 7 March 2006, Prime Minister Dr. Manmohan Singh said that the President of the United States of America, His Excellency, Mr. George W. Bush visited India from 1 to 3 March 2006. The visit provided India

and U.S.A. an opportunity to review progress made in deepening strategic partnership since the Joint Statement issued during his visit to Washington last July. He said that their discussions covered the expansion of bilateral ties in the field of agriculture, economic and trade cooperation, energy security and clean environment, strengthening innovation and the knowledge economy, issues relating to global safety and security and on deepening democracy. He further stated that expanded cooperation in each of these areas would have a significant impact on India's social and economic development.

The Prime Minister informed the House that during President Bush's visit an agreement was reached between India and the United States on a Separation Plan. Accordingly, India would identify and offer for IAEA safeguards 14 thermal power reactors between 2006 and 2014. There were 22 thermal power reactors in operation or currently under construction in the country. Fourteen of these would be placed under safeguards by 2014 in a phased manner. This would raise the total installed thermal power capacity in Megawatts under safeguards from 19 per cent at present to 65 per cent by 2014. He emphasised that the choice of specific nuclear reactors and the phases in which they would be placed under safeguards was an Indian decision. India would not accept safeguards on the Prototype Fast Breeder Reactor (PFBR) and the Fast Breeder Test Reactor (FBTR), both located at Kalpakkam. The Fast Breeder Programme was at the R&D stage. The technology would take time to mature and reach an advanced stage of development. India did not wish to place any encumbrances on its Fast Breeder Programme, and this had been fully ensured in the Separation Plan. India had decided to place under safeguards all future civilian thermal power reactors and civilian breeder reactors, and the Government of India retained the sole right to determine such reactors as civilian. He said that reprocessing and enrichment capabilities and other facilities associated with the fuel cycle for India's strategic programme had been kept out of the Separation Plan.

The Prime Minister informed that one of the major points addressed in the Separation Plan was the need to ensure reliability of fuel supplies. The Government had received commitments from the United States for the reliable supply of fuel to India for reactors that would be offered for safeguards. The United States had also reaffirmed its assurance to create the necessary conditions for India to have assured and full access to fuel for such reactors. To guard against any disruption of fuel supplies for India, the United States was prepared to take other additional steps such as: incorporating assurances regarding

fuel supply in a bilateral U.S.-India agreement on peaceful uses of nuclear energy which would be negotiated; helping India in seeking to negotiate with the IAEA an India-specific fuel supply agreement; and supporting an Indian effort to develop a strategic reserve of nuclear fuel to guard against any disruption of supply over the lifetime of India's reactors.

In the light of the above understandings with the United States, the Prime Minister said that an India-specific safeguards agreement would be negotiated between India and the IAEA. In essence, an India-specific safeguards agreement would provide on the one hand, safeguards against withdrawal of safeguarded nuclear material from civilian use at any time, and on the other, permit India to take corrective measures to ensure uninterrupted operation of its civilian nuclear reactors in the event of disruption of foreign fuel supplies.

The Prime Minister said that the Separation Plan had been very carefully drawn up after an intensive internal consultation process overseen by his Office. The Department of Atomic Energy and India's nuclear scientific community had been associated with the preparation of the Separation Plan. He said that the significance of the 18 July 2005 Joint Statement was the prospect it offered for ending India's nuclear isolation. It would open up prospects for cooperation not only with the United States but with countries like Russia, France and other countries with advanced nuclear capabilities, including those from the Nuclear Suppliers Group. The scope for cooperation in the energy related research would vastly expand, so would the cooperation in nuclear research activities. India would be able to join the international mainstream and occupy its rightful place among the top countries of the nuclear community. There would be a quantum jump in its energy generating capacity with a consequential impact on the GDP growth.

The Prime Minister said that successful implementation of the 18 July Joint Statement required reciprocal actions by the United States as well as India. Steps to be taken by India would be contingent upon actions taken by the United States. For her part, India had prepared a Separation Plan that identified those civilian facilities that it was willing to offer for safeguards. The United States Government had accepted this Separation Plan. It now intended to approach the US Congress for amending its laws and the Nuclear Suppliers Group for adapting its guidelines to enable full civilian cooperation between India and the international community. At the appropriate stage, India would approach the IAEA to discuss and fashion an India-specific safeguards agreement, which would reflect the unique character of the arrangement.

The Prime Minister urged the members to look at the matter through the larger perspective of energy security. He said that India and the United States had much to gain from this new partnership. This was the main underlying theme of the discussions during the visit of President Bush. The resumption of civilian nuclear energy cooperation would demonstrate that India had entered a new and more positive phase of Indo-US ties, so that India could finally put behind her years of troubled relations in the nuclear field. He expressed the confidence that this was a worthy objective that would receive the full support of the House.

Motion of Thanks to the President for his Address: On 16 February 2006, the President of India, Dr. A.P.J. Abdul Kalam addressed the members of both the Houses of Parliament assembled together. The Motion of Thanks to the President for his Address was moved by Shri Madhusudan Mistry of the Indian National Congress on 20 February 2006. The discussion on the Motion took place on 20, 21, 22 and 23 February 2006.

Moving the Motion, Shri Madhusudan Mistry said that priorities and strategies of the Government were clearly reflected in the Address. The UPA Government had passed a law to provide employment to crores of people. This scheme was being implemented in 200 districts of the country and 200 more districts were likely to be included under the scheme in the current year. The Government was committed to the welfare of the poor, SCs, STs, OBCs, minorities, weaker sections, women and children. The Government had started a time-bound scheme (2005-09) which was called '*Bharat Nirman*' to provide telephones, roads, houses and power in the villages thereby providing employment to the people. The Government proposed to spend Rs.1,74,000 crore for this scheme. The UPA Government had made efforts to create urban infrastructure in view of the growing population in more than 65 cities under the Urban Renewal Mission. He said that the President had mentioned about the welfare of women and children and development in Jammu and Kashmir and the North-eastern States. He had also covered the issues of National Rural Health Mission, unorganized sector, rural development, food and nutrition and education.

Seconding the motion, Shri Jyotiraditya M. Scindia (INC) thanked the President for delivering an inspiring Address. He said that India today was moving very rapidly to take its rightful place in the comity of Nations. The UPA Government had accorded the highest priority to the rural areas and to farmers. The Address mentioned not only the economic reforms but reforms of the administrative, judicial and electoral system. This, along with the Right to Information Act, would transform

and make the Government much more transparent and accountable.

Participating in the discussion,* Shri Basudeb Acharia (CPI-M) spoke about the grim situation in the agriculture sector and said that the farmers of the country were committing suicide all because of the policy of liberalisation and globalisation. There had been reduction in the subsidy and the capital formation and public investment in agriculture had also declined gradually. He also said that the rise in the prices of essential commodities had adversely affected the poorer sections in the country and stressed the need to strengthen and universalize the public distribution system.

Shri Sukhdev Singh Dhindsa (SAD) said that the farmers were in a pitiable condition. As per the WTO regime, Indian farmers should not be given a Minimum Support Price and they should compete in the market. Under these circumstances, he said that there was no way to increase the productivity of foodgrains.

Shri Anant Gangaram Geete (Shiv Sena) said that poverty could not be alleviated merely by raising slogans or announcing programmes. To really go for '*Bharat Nirman*', he suggested that State Governments should not be given any right to change the schemes formulated by the Union Government.

Shri Prabhunath Singh (JD-U) said that mere formulation of schemes and allocation of money was not going to deliver things. A proper effective mechanism was required for translating promises into action.

Prof. M. Ramadass (PMK) said that in the last 20 months, the Government had implemented the NCMP very sincerely, seriously and faithfully. Inspired by the NCMP, the Government had taken a number of various measures which included more than 70 policy initiatives.

Prof. Ram Gopal Yadav (SP) pointed out that unless expenditure was raised on agriculture, the country's GDP and per capita income would not grow in the desired way.

* Others who participated in the discussion were: Sarvashri Ramji Lal Suman, Devendra Prasad Yadav, Ilyas Azmi, Bhartruhari Mahtab, Adhir Ranjan Chowdhury, Suravaram Sudhakar Reddy, Kishan Singh Sangwan, C.K. Chandrappan, Kirip Chaliha, Bachi Singh Rawat, N.N. Krishnadas, Shailendra Kumar, Khiren Rijiju, Sitaram Singh, Iqbal Ahmed Saradgi, Tek Lal Mahto, Ramchandra Paswan, Bhanwar Singh Dangawas, Dushyant Singh, S.K. Bwiswuthiary, Ganesh Singh, V.K. Thummar, Munshiram, Abdul Rashid Shaheen, Virendra Kumar, Tapir Gao, P. Mohan, Punnulal Mohale, Ram Kripal Yadav, Naveen Jindal, Harisingh Nasaru Rathod, Shafiqur Rahman Barq, Subrata Bose, Chaudhury Lal Singh, Prof. Vijay Kumar Malhotra, Prof. Mahadeorao Shiwankar, Dr. Laxminarayan Pandey, Dr. C. Krishnan, Dr. Sebastian Paul, Dr. K.S. Manoj, Dr. Thokchom Meinya, Smt. M.S.K. Bhavani Rajenthiran, Smt. Krishna Tirath, Smt. Neeta Pateriya and Smt. K. Rani

Shri K. Yerrannaidu (TDP) said that the poor-rich gap was increasing year by year. He urged the Government to see that the fruits of growth should trickle down to the common man, the farmers and the weaker sections.

Shri M.P. Veerendra Kumar (JD-S) said that the President had mentioned about better water management. However, for the WTO, World Bank and IMF, water was a commodity and they insisted on pricing water and that subsidy should not be given even for drinking water.

Shri P.C. Thomas (Kerala Congress) stated that as far as farmers were concerned, the National Agricultural Insurance Scheme should be given a better share.

Taking part in discussion, the Minister of State in the Ministry of Personnel, Public Grievances and Pensions and Minister of State in the Ministry of Parliamentary Affairs, Shri Suresh Pachauri said that the Government had kindled a new hope since it came into power in May 2004. It had taken several measures for the poor and the deprived. It had accorded priority to the problem of unemployment and the NREG Act had been passed. The National Rural Health Mission was set up for better health facilities to the common man. Besides these, 'Sarva Shiksha Abhiyan', 'Mid-Day Meal' programme and 'Antyodaya Yojana' had also been initiated. The Government had made provision in plan-items for 100 per cent road connectivity, 100 per cent telephone connectivity, power-connectivity and for additional housing too. The Right to Information Act had been passed. Many effective steps had been taken in the direction of the empowerment of women. The country's foreign policy had also been taken note of afresh. Terrorist activities were under constant monitoring and the process of dialogue was on in Jammu and Kashmir. The President's Address clearly underlined the Government's pledge to provide a transparent, corruption-free and accountable Government, he added.

Shri W. Wangyuh Konyak (Nagaland Peoples Front) said that the Government was telling to the people of the North-east that infrastructure and road development would be taken up. However, he pointed out that neither infrastructure nor project works had taken place.

Shri Asaduddin Owaisi (AIMIM) said that the President's Address, last year, promised that the Government would bring white paper on the condition of Muslims. But so far no such white paper had been issued.

Shri Ramdas Athawale (RPI-A) said that in the country, 26 per cent of the population lived below poverty line out of which, more than 50 per

cent belonged to the SCs and STs. He demanded that whenever the Government propose to privatize a public enterprise, it should take care to provide reservation for SCs and STs.

Replying to the discussion, Prime Minister Dr. Manmohan Singh said that the Rashtrapatiji had presented before the members an important statement that should make every Indian proud and reassured. He said that his Government had come to power on the pledge to care for the *aam aadmi*, and to make India shine for all. The Government had delivered 8 per cent growth with the highest savings rate of 29 per cent ever seen in the country's history and a record investment rate of 31 per cent. The Bill to give land rights to tribals in forest areas, the filling of the backlog of Government jobs for SCs and STs, the range of legal measures for women's rights were steps towards ensuring the empowerment of all the marginalized and weaker groups. The Government had given topmost priority to agriculture and farming and a number of steps had been taken which would show results in years to come. On pricing of petroleum products, the Prime Minister said that the Government would continue to pursue a judicious policy keeping in mind the needs of the consumer, the requirements of energy security and the health of the public sector oil companies. Regarding universalisation of the public distribution system, he said that it was the duty of any Government to ensure that the genuinely poor across the country benefit from the public distribution system. Regarding the measures being taken by the Government in Jammu and Kashmir and the North-east, he said that the Government was firm in its conviction that violence of any kind was not in consonance with the principles of Indian democracy and would be dealt with firmly.

The Prime Minister said that the President's Address gave a detailed account of the important steps taken by the Government to improve the quality of infrastructure in the country. Remarkable turnaround were achieved by the Indian Railways in the last two years. As far as unemployment was concerned, he said that the overall impact of all the Government's initiatives would be to generate more and more employment and to modernize the economy. The Government was also committed to one-third reservation for women in Parliament and State Legislatures. The Prime Minister stated that the world today viewed India with great regard and respect. This was because the people had demonstrated to the world that they were second to none. India stood tall and proud as an open society and an open economy. He expressed the hope that members would rejoice in this sense of self-confidence of the people.

All the amendments were negatived and the motion was adopted.

The Budget (Railways) 2006-2007: Presenting the Railway Budget for the year 2006-2007 on 24 February 2006, the Minister of Railways, Shri Lalu Prasad said that the Indian Railways had had an unprecedented achievement and its fund balances had grown to a historic Rs. 11,000 crore. The whole nation could see today that the image of the Indian Railways was aglow. This had been the result of the acumen, devotion and determination of lakhs of Railwaymen. The Minister informed that in the first nine months of the year 2005-2006, the Railways' output had been record-breaking. The growth in freight loading was 10 per cent and in freight revenues, it was over 18 per cent. Based on the present trends, the freight loading target was being increased from 635 million tonnes (MT) to 668 MT and the goods revenue target from Rs. 33,480 crore to Rs. 36,490 crore. The Railways would achieve incremental freight loading of 111 MT in two years itself which would be 133% higher as compared to the incremental loading of 83 MT of the entire Ninth Five Year Plan period. The Tenth Plan targets of 624 MT loading and 396 billion tonne kilometres had been surpassed one year in advance. The Passenger Earnings, Other Coaching Earnings and Sundry Other Earnings were likely to register growth of 7 per cent, 19 per cent and 56 per cent respectively. The Gross Traffic Revenues were expected to be Rs. 54,600 crore. The Revised Estimates of Ordinary Working Expenses had been kept at Rs. 35,184 crore, which were Rs. 416 crore lesser as compared to the Budget Estimates.

The Minister stated that technological upgradation in every field of Railway functioning would be given the utmost priority. Modern signaling and telecommunication means would be used for improving safety and enhancing line capacity on trunk and main routes. The complete computerization of Control Office, Coaching Operations Information System and interfacing of both these systems with National Train Enquiry System would directly benefit passengers and other rail users. He further stated that the Government would encourage public partnerships and public-private partnership schemes for effecting significant improvements in rail services and development and expansion of the rail network.

The Minister announced that the Government had decided that the year 2006 shall be the year of Passenger Service with a smile. With this, he also announced some measures to improve Railway services including the strategy to shrink queues at booking counters, improvement in passenger amenities and modern facilities in passenger trains. To improve Railway safety and security, the Minister said that overaged tracks and bridges and track circuiting works on all stations on A, B and

C routes would be completed by March 2007. On completion of these works, he said, light rails on golden quadrilateral and its diagonals would be replaced by heavy rails and the works of multi-aspect colour light signaling would be completed at all the stations located on A and C routes. The balance works under Special Railway Safety Fund (SRSF) would be completed by March 2008. Regarding security, he said that the Railway Protection Force (RPF) was deploying escort parties for about 1,000 passenger trains everyday. Besides, access control and security at about 600 stations was also being provided through the RPF. Announcing several measures for the improvement of Passenger services, he said that the Railways would introduce 55 new train services; 37 extensions of services, and increase frequency of 12 popular trains and re-route 2 train services during the year 2006-07.

Presenting the Annual Plan for 2006-07, the Minister said that the Plan outlay for 2006-07 kept at Rs.23,475 crore was the largest ever and was 32 per cent higher than the plan outlay for the current year, excluding outlay provided for national projects. He said that it was a matter of pride for every railway servant that more than two-thirds of the proposed plan outlay would be mobilized through internal generation and extra budgetary resources. The internal resources would contribute as much as 46 per cent. The Plan outlay included a provision of Rs. 1,720 crore towards payment of capital component of lease charges and an outlay of Rs. 2,240 crore on safety related works being carried out through the Special Railway Safety Fund (SRSF). For the year 2006-2007, the total funds received from General Exchequer were Rs. 7,511 crore, which included Rs.1,365 crore for SRSF, Rs. 711 crore from the Central Road Fund leaving a net budgetary support of Rs. 5,435 crore for distribution to different plan heads. In addition to the budgetary support, a provision of Rs.10,794 crore was proposed through internally generated resources. The total amount to be mobilized through extra-budgetary resources was Rs. 5,170 crore out of which Rs. 4,170 crore would come through market borrowing to be utilized for the procurement of rolling stock, Rs. 500 crore was expected to be raised by Rail Vikas Nigam Limited (RVNL) for investment in various railway projects and balance Rs. 500 crore would be raised through newly launched Wagon Investment Scheme.

The Minister said that early completion of throughput enhancement works, safety, development and expansion of the network to sustain higher growth rate in Railways were the thrust areas of the Annual Plan. In the current year, the total outlay for five major plan-heads had been kept at Rs.4,396 crore with Rs.1,510 crore on New Lines,

Rs.1,300 crore on Gauge Conversion, Rs.1,052 crore for Doubling, Rs.226 crore for Electrification and Rs.308 crore for Metropolitan Transport Projects. Apart from this, Rs.1,750 crore would be spent through RVNL for projects to be executed by them. The outlay on safety related plan heads, was Rs.2,922 crore for Track Renewals, Rs.590 crore for Bridges and Rs.1,518 crore for Signalling & Telecommunications, Rs.436 crore for construction of ROBs/RUBs and Rs.275 crore for manning of unmanned level crossings. An additional fund of Rs.2,092 crore had been sought from the Ministry of Finance for the national projects of Jammu and Kashmir and North-east region.

Coming to the Budget Estimates for 2006-2007, the Minister said that the freight loading target had been set at 726 MT and freight output at 479 billion tonne kms. Continuing the double digit growth in freight, passenger and parcel businesses, a growth target of 11 per cent was set for the freight and passenger revenues and 19 per cent in the other coaching segment. The Revenues in freight, passenger, other coaching and sundry other earning segments were expected to be Rs.40,320 crore, Rs.16,800 crore, Rs.1,400 crore and Rs.1,308 crore respectively. On the basis of these assumptions and considering the various rationalization measures proposed in the Budget, the Gross Traffic Receipts (GTR) were estimated at Rs.59,978 crore. These were Rs.5,278 crore higher than the Revised Estimates of the current financial year.

The Minister stated that the Ordinary Working Expenses were estimated to be Rs.38,300 crore, around 9% more than the Revised Estimates of the current year. It was proposed to appropriate Rs.7,790 crore and Rs.4,307 crore respectively to the Pension Fund and the Depreciation Reserve Fund. The Total Working Expenses would, thus, amount to Rs.50,397 crore leading to Net Traffic Receipts of Rs.9,581 crore. As per the Budget Estimates, the internal generation before dividend would be Rs.14,293 crore and the operating ratio was expected to be 84.3% in 2006-07. At the end of next year, fund balances were expected to be at a level of Rs.12,819 crore.

Concluding his speech, the Minister of Railways stated that the excellent performance of Railways had been possible only due to the able guidance of the Prime Minister, who had always encouraged them and provided constructive assistance. On behalf of the entire Railway family, he expressed gratitude to the Prime Minister and also thanked all the railwaymen who, working as an excellent team, had completed the given tasks with dedication and devotion. He assured the House that Railways would be continuously striving to meet the expectations of the public by constantly improving railway services.

The combined discussion on the Budget (Railways), 2006-2007; the Demands for Grants on Account (Railways), 2006-2007; the Supplementary Demands for Grants (Railways), 2005-2006; and the Demands for Excess Grants (Railways), 2003-2004 took place on 1, 2 and 3 March 2006.

Initiating the discussion on 1 March 2006, Shri Ananth Kumar of the Bharatiya Janata Party said that the Railway Budget should be driven by a vision statement and vision document. However, the present Railway Budget was being driven by politics and had no direction of overall development. He said that the Budget did not come out with any proposal for improving amenities and facilities for the vast majority of ordinary second-class passengers. He wanted that several measures contemplated by the Government for improvement of the Railways, including improvement of the aesthetics of the railway stations, ultra modern coaches, cyber cafes, information technology and e-governance should reach more and more people. He felt that the introduction of new train services without the growth in infrastructure would lead to more traffic congestion. Overall, he felt that the Budget was off the track. There was no commitment for the *aam* and *garib aadmi*. It was only for *khas aadmi*.

Participating in the discussion*, Shri Joachim Baxla (RSP) said that the gauge conversion between Alipurduar Junction and Cooch Behar

* Others who participated in the discussion were: Sarvashri Girdhari Lal Bhargav, Chandra Bhan Singh, Santasri Chatterjee, Ramji Lal Suman, P. Karunakaran, Prasanna Acharya, Shrinivas Dadasaheb Patil, Raghunath Jha, Chandrakant Khaire, Kailash Baitha, Ram Singh Kaswan, Bhubneshwar Prasad Mehta, Kashiram Rana, Gauri Shankar Chaturbhuj Bisen, Harisinh Chavda, Bijendra Singh, S.P.Y. Reddy, Dahyabhai V. Patel, Ram Kripal Yadav, A.P. Abdullakutty, Rajnarayan Budholiya, Anirudh Prasad *alias* Sadhu Yadav, T.K. Hamza, Lonappan Nambadan, Rupchand Pal, Surendra Prakash Goyal, Shailendra Kumar, Santosh Gangwar, Jaysingrao Gaikwad Patil, Ganesh Singh, Ram Kripal Yadav, Tek Lal Mahto, P. Mohan, M. Shivanna, Srichand Kripalani, S.K. Kharventhan, Hiten Barman, A.V. Bellarmin, Manjunath Kunnur, Prahlad Joshi, Nikhil Kumar Choudhary, Kishan Singh Sangwan, Nihal Chand, Virendra Kumar, Devidas Pingle, G. Karunakara Reddy, Ravichandran Sippiparai, Babu Hari Chaure, Sitaram Singh, Ratilal Kalidas Varma, Ashok Argal, Sanat Kumar Mandal, S. Mallikarjunaiah, Lalit Mohan Suklabaidya, Rajiv Ranjan Singh 'Lalan', M. Appadurai, Sunil Khan, Vikrambhai Arjanbhai Maadam, Ilyas Azmi, Munshiram, Hansraj G. Ahir, Madhusudan Reddy, Bikram Keshari Deo, Avinash Rai Khanna, Chandramani Tripathi, Sita Ram Yadav, Ganesh Prasad Singh, Madhusudan Mistry, N.S.V. Chitthan, Y.S. Vivekanand Reddy, Sugrib Singh, Prabodh Panda, P.C. Gaddigoudar, Alok Kumar Mehta, Vijay Krishna, Dharmendra Pradhan, V.K. Thummar, Mitrasen Yadav, Anandrao Vithoba Adsul, Sai Prathap Annayyagari, Bhanwar Singh Dangawas, Gurjeet Singh Rana, Tufani Saroj, Tapir Gao, Chandra Shekhar Dubey, Sunil Kumar Mahato, Ashok Kumar Pradhan, M. Raja Mohan Reddy, Haribhau Rathod, Anantha Venkatarami Reddy, Tathagata Satpathy, Virchandra Paswan, B. Mahtab, Brahmananda Panda, Mohan Jena, G.M. Siddeswara, Dhanuskodi Athithan, Mahesh Kumar Kanodia, Dushyant Singh, Abdul Rashid Shaheen, Krishna

should be expedited. He urged the Government to give momentum to the construction of new railway line from New Moinaguri to Jogighopa via Changrabandha, Boxirhat and to establish link between Guwahati and Siliguri by providing inter-city train.

Shri Bir Sing Mahato (AIFB) urged the Government to introduce Super fast AC Garib Rath between Delhi and Kolkata, to construct a new broad gauge line in between Jhargram and Purulia under the South-Eastern Railway and to construct a level crossing near Kat Sila junction in Adra Division.

Shri Nakul Das Rai (Sikkim Democratic Front) stated that all the developments in the North including new links had either started from Bihar or ended in Bihar, thereby neglecting the hill areas of Sikkim and Darjeeling. He urged upon the Government to take up augmentation and upgradation of Darjeeling and Shimla hill stations.

Shri W. Wangyuh Konyak (Nagaland Peoples Front) said that the development of Railways in the North-eastern Region was not taken seriously. He urged that the 'Gareeb Rath' trains for the poor people, should cover the entire country, particularly, the tribal and backward areas of the country.

Shri M.P. Veerendra Kumar (JD-S) alleged that the Budget totally neglected Kerala. The Railway Minister had announced 55 new trains but hardly any one would go to Kerala. Among others, he urged the Government to introduce a daily train from Ernakulam to Bangalore, an express train or a Garib Rath from Delhi to Thiruvananthapuram, a train between Goa and Ernakulam, etc..

Shri Braja Kishore Tripathy (BJD) suggested that since Sundargarh district had tremendous potential for iron ore and other mineral based

Murari Moghe, Sathyanarayana Sarvey, Francis Fanthome, P.S. Gadhavi, Vijay Kumar Khandelwal, K.C. Singh, Shripad Yasso Naik, Naveen Jindal, Sukdeo Paswan, Rakesh Singh, P. Rajendran, Punnulal Mohale, Mohan Rawale, Bhanu Pratap Singh Verma, Chaudhary Lal Singh, Sardar Rattan Singh Ajnala, Maj. Gen (Retd.) B.C. Khanduri, Prof. S.P. Singh Baghel, Prof. Chander Kumar, Prof. Basudeb Barman, Prof. Rasa Singh Rawat, Dr. Sebastian Paul, Dr. Arvind Kumar Sharma, Dr. Karan Singh Yadav, Dr. Vallabhbai Kathiria, Dr. Prasanna Kumar Patasani, Dr. Ramkrishna Kusmaria, Dr. M. Jagannath, Dr. C. Krishnan, Dr. K.S. Manoj, Dr. Rajesh Mishra, Dr. Ram Laxhan Singh, Dr. R. Senthil, Dr. Rameshwar Oraon, Dr. Col. (Retd.) Dhani Ram Shandil, Dr. Sujana Chakraborty, Dr. Laxminarayan Pandey, Smt. P. Sathedevi, Smt. Susmita Bauri, Smt. Ranjeet Ranjan, Smt. Sumitra Mahajan, Smt. Kiran Maheshwari, Smt. Kalpana Ramesh Narhire, Smt. C.S. Sujatha, Smt. Karuna Shukla, Smt. Paramjit Kaur Gulshan, Smt. Krishna Tirath, Smt. Jayaben B. Thakkar, Smt. Manorama Madhawraj, Smt. Tejaswini Seeramesh, Smt. Bhavana Pundlikrao Gawali, Smt. M.S.K. Bhavani Rajenthiran and Smt. Minati Sen

industries, the Ministry of Railways should consider the creation of a new division, with Headquarter either at Rourkela or at Jharsuguda.

Shri Basudeb Acharia (CPI-M) thanked the Railway Minister for declaring 2006 as the Year of Passengers. He also highlighted the need for another terminal in Kolkata and enquired about the status of the proposal for a new terminal at Majerhat.

Shri Ramdas Athawale (RPI-A) said that more funds should be allotted for Latur-Miraj broad gauge line. He urged that the number of local trains in Mumbai should be increased and all the stations there should be modernized.

Replying to the discussion on 3 March 2006, the Minister of Railways, Shri Lalú Prasad said that the Indian Railways had set sail on the tract of profit. The country would develop with the development of infrastructure of Indian Railways, which were committed to connect the inaccessible places by rail. Without increasing passenger fares the Railways had earned profit. He assured the House that there was no intention to privatize the railways and to make any retrenchment of employees. To bring about equality in society, he said that the Government announced fully AC Garib Rath trains. These trains would have fares within the reach of the common man, thus enabling them to fulfill their dream of travelling in AC trains. In the current Budget, 55 pairs of new trains had been announced. Out of these, 20 would be for the Northern Zone; 24 for the Southern Zone; 39 for the Eastern Zone; 14 for the Western Zone and 13 for the Central Zone. He said that the frequency of 24 trains had been increased which would benefit all areas of the country. The Government had tried to make Railways affordable for all. The Minister assured the House that there would be no shortage of funds for carrying out works like passenger amenities and necessary additional funds would be released as per the progress of the schemes during a year.

In the year 2006-2007, the Minister said that the Railways had decided to start 40 new sub-urban trains and also to increase the number of coaches in approximately 70 trains from 9 to 12. Under the 'Look East Policy' of the Government, the Railways had decided to build necessary infrastructure and freight corridor near the ports in Kolkata. He also apprised that a new train between Motihari, the *Karambhoomi* of Mahatma Gandhi and Porbandar would be started in honour of the Father of the Nation. He requested that the Railway Budget be passed and assured that whatever work was left would be definitely completed.

All the Demands for Grants on Accounts (Railways); all the Supplementary Demands for Grants (Railways); and all the Demands for Excess Grants (Railways) were voted in full. The Appropriation (Railways) Vote on Account Bill, 2006; the Appropriation (Railways) Bill, 2006; and the Appropriation (Railways) No. 2 Bill, 2006 were also passed.

The Budget (General), 2006-2007: Presenting the Budget (General), 2006-2007 on 28 February 2006, the Minister of Finance, Shri P. Chidambaram said that the final report card on the first year of the UPA Government was out and there were reasons to celebrate. According to the Central Statistical Organization (CSO), the growth rate in 2004-2005 was 7.5 per cent, with the manufacturing sector growing at 8.1 per cent. The gross domestic savings, at current market prices, increased to 29.1 per cent of GDP and the rate of gross capital formation increased to 30.1 per cent of GDP. He said that these results were due to the political message conveyed by the National Common Minimum Programme (NCMP); the perceptive leadership of the Prime Minister, Dr. Manmohan Singh; the policy changes made by the Government; and the palpable confidence of the Indian people that their future was in safe hands.

The Minister said that the current year could be characterized as the best and the worst of times. On the one hand, natural calamities took a heavy toll on human lives besides causing extensive damage to crops, roads, houses and the infrastructure. The Government provided immediate interim relief followed by releases from the Calamity Relief Fund (CRF) and the National Calamity Contingency Fund (NCCF) totalling Rs. 5,145.37 crore. On the other hand, the Government had been able to fulfil the first NCMP obligation of ensuring a high growth rate. According to CSO's advance estimates, GDP growth was likely to be 8.1 per cent in the current year, with the manufacturing sector expected to grow at 9.4 per cent. Agricultural growth had bounced back to 2.3 per cent and, barring mining, all other sectors were performing satisfactorily. Inflation, as on 11 February 2006 was 4.02 per cent. Non-food credit was growing by over 25 per cent. A large part of the credit went to the farmers, workers, service providers, traders and business persons.

Shri Chidambaram stated that the success in the current year was due to the unrelenting emphasis on fiscal prudence through enhanced revenues and expenditure control, monetary stability and management of the external debt. One of the important NCMP obligations was to focus on agriculture and the Government had done so. The output of foodgrains was expected to be 209.3 million tonnes (MT), which was about 5 MT more than in the previous year. The Minister said that the

NCMP mandated the Government to promote employment, enhance investment and to augment infrastructure. Thus, the National Rural Employment Guarantee Scheme was launched on 2 February 2006 for providing immediate relief to the poor while the Government was creating permanent and quality jobs in the productive sectors. In the current year, under a clutch of schemes including the Food for Work Programme, a sum of Rs.11,700 crore was expected to be spent on rural employment. The Minister said that the investment rate had also increased steadily from 25.3 per cent in 2002-2003 to 30.1 per cent in 2004-2005. Several indicators point to continued buoyancy of capital formation in the economy. Regarding infrastructure, the Minister said that 5,083 MW of capacity would be added to power generation in 2005-2006, and for the Tenth Plan period, the total addition was estimated at 34,000 MW. Until December 2005, under the *Rajiv Gandhi Grameen Vidyutikaran Yojana*, contracts had been placed for projects spanning 95 Districts and covering 41,461 un-electrified and 9,379 electrified villages. The Minister informed that the work was on in full swing on the Golden Quadrilateral (GQ) and North-South, East-West corridors. 96 per cent of the GQ would be completed by June 2006 and the corridors would be completed by end 2008.

The Minister of Finance made special mention of *Bharat Nirman*. He said that it epitomized the UPA's approach to governance by using the resources thrown up by the engine of growth for building infrastructure and bringing basic amenities to rural India. In the first year of its implementation, 2005-2006, among others, Rs.944.18 crore had been released so far as grant under the Accelerated Irrigation Benefit Programme (AIBP). Against the physical target of 56,270 habitations, 47,546 had been covered until January 2006 under the Accelerated Rural Water Supply Project (ARWSP); 5,337 habitations were connected under the rural roads programme by September 2005 and Rs.3,749 crore had been released so far. 8,70,000 rural houses have been constructed and a sum of Rs. 2,260 crore had been released till January 2006. The entire allocation for rural electrification of Rs.1,100 crore had been released and the target of covering 10,366 villages was expected to be achieved in the current fiscal. 17,182 villages had been provided with telephones till December 2005 in the first year of the three year programme. The Minister said that since the implementation of *Bharat Nirman* had gathered pace, he proposed to extend larger budgetary support to the programme from Rs.12,160 crore in the current year to Rs.18,696 crore in 2006-2007, an increase of 54 per cent.

Presenting an overview of the Budget, the Minister said that the

bulk of the resources must go to the UPA Government's eight flagship programmes: Sarva Shiksha Abhiyan (SSA), Mid-day Meal Scheme, Rajiv Gandhi Drinking Water Mission, Total Sanitation Campaign, National Rural Health Mission, Integrated Child Development Services, National Rural Employment Guarantee Scheme and Jawaharlal Nehru National Urban Renewal Mission. For these programmes, the total allocation was Rs.34,927 crore in 2005-06. In the ensuing fiscal year, the total allocation would be Rs. 50,015 crore, an increase of Rs.15,088 crore or 43.2 per cent over previous year's allocation.

The Minister said that education and health would continue to enjoy primacy. For 2006-2007, the allocation for education had been enhanced by 31.5 per cent to Rs. 24,115 crore and for health and family welfare by 22.0 per cent to Rs. 12,546 crore. The Minister proposed to increase the outlay for SSA from Rs.7,156 crore to Rs.10,041 in 2006-2007. The allocation for the Mid-day Meal Scheme, which now covered 12 crore children, had been proposed to be enhanced from Rs.3,010 crore to Rs.4,813 crore. The provision for the Rajiv Gandhi National Drinking Water Mission had been proposed to be increased from Rs.3,645 crore to Rs.4,680 crore. The outlay for the Rural Sanitation Campaign had been sought to be increased from Rs.630 crore to Rs.720 crore. The Minister increased the allocation for National Rural Health Mission from Rs.6,553 crore to Rs.8,207 crore for the next year. On Rural Employment Scheme, he said that the total allocation for 2006-2007 would be Rs.14,300 crore of which Rs.11,300 crore (including NER component) would be under the NREG Act and Rs.3,000 crore (including NER component) would be under *Sampoorna Grameen Rozgar Yojana* (SGRY). The allocations for the schemes benefiting SCs and STs had been enhanced by 14.5 per cent to Rs. 2,902 crore.

The Finance Minister said that there was an investment boom in the country and it was necessary to maintain the confidence of investors. The Foreign Direct Investment (FDI) continued to play an important role. There was the opportunity to make India a manufacturing hub for textiles, automobiles, steel, metals, petroleum products, etc. for the world market. For the year 2005, upto November 2005, the FDI was estimated at \$4 billion, without counting reinvested earnings and other capital. Regarding the productive sectors of the economy, the Minister said that the Government's focus was on agriculture. Assured irrigation, credit, diversification and creating a market for agricultural products were the thrust areas.

Shri Chidambaram further said that two sectors which had the potential to create a large number of jobs were manufacturing and

services. In manufacturing, the Government had identified some industries which, with appropriate incentives, could throw up huge job opportunities. These included textiles, food processing, petroleum, chemicals and petro-chemicals, leather and automobiles. In services, tourism and software could offer a large number of jobs. In this regard, the Minister said that the last two budgets had created an enabling environment for the growth of the textile industry, especially cotton textiles. There had been an encouraging response to the Technology Upgradation Fund (TUF) Scheme. He proposed to enhance the allocation from Rs.435 crore to Rs.535 crore in 2006-07. The Scheme for Integrated Textile Parks (SITP) was launched in October 2005, with the intention of creating 25 textile parks. As on date, the Minister said that 7 parks had been sanctioned and 10 parks had been identified for development. Petroleum, Chemicals and Petro-Chemicals (PC&P) was a sector with potential for large investment and employment. In order to promote investment in this sector, he said that the Government had set up a Task Force to facilitate the development of large PC&P Investment Regions. With the spread of Information Technology (IT) and IT Enabled Services (ITES), he said that the time was ripe to make India a preferred destination for the manufacture of semi-conductors and other high technology IT products including wafer; assemble, test and manufacture of semi-conductors; flat LCD/OLED/Plasma Panel Display; and storage devices. To achieve this goal, he said that the Ministry of Information Technology would announce a policy shortly.

Coming to the Budget Estimates for the year 2006-2007, the Minister said that Plan expenditure was estimated at Rs.1,72,728 crore, up by 20.4 per cent. As a portion of total expenditure, Plan expenditure had increased from 26.6 per cent in 2004-2005 to 28.3 per cent in 2005-2006 (RE) and to 30.6 per cent in 2006-2007 (BE). He said that this pointed to the improvement in the quality of Government expenditure. He said that the non-Plan expenditure in 2006-2007 was estimated to be Rs.3,91,263 crore. The increase of 5.5 per cent over non-Plan expenditure in 2005-2006 (BE) was due to normal growth and was one of the smallest in recent years.

In the Budget Estimates for 2006-2007, the Minister stated that the total expenditure was estimated at Rs.5,63,991 crore. The Total revenue receipts of the Central Government was estimated at Rs.4,03,465 crore and the Revenue Expenditure at Rs.4,88,192 crore. The revenue deficit was estimated at Rs.84,727 crore which was 2.1 per cent of the GDP. The fiscal deficit was estimated at Rs.1,48,686 crore, which was 3.8 per

cent of the GDP. The Minister expressed his belief that he had redeemed his promise that the process of fiscal correction would be resumed in 2006-2007.

Presenting his tax proposals, the Minister of Finance said that in the UPA Government's first Budget, and more so in the second, he had attempted significant tax reforms. The results were encouraging. In 2004-2005, Gross Tax Revenues (Provisional Actuals) increased by 19.9 per cent over the actuals of the previous year and according to Revised Estimates, in 2005-2006, they were expected to increase by 21.4 per cent over the Provisional Actuals of the previous years. The Minister said that his tax proposals on Direct Taxes were estimated to yield a gain of about Rs.4,000 crore. On the Indirect Taxes side, the gain was estimated at Rs. 2,000 crore.

Shri Chidambaram stated that the world had recognized the potential of India. It was now for the present generation—to whom had been given the privilege of carrying the torch—to rediscover the greatness of this country and the potential of its people. He said that it was the duty of the present generation to put the foundations on which the young could build their future. The UPA Government had pledged itself to that task. With these words, he commended the Budget to the House.

The general and combined discussion on the Budget (General), 2006-2007; on the Supplementary Demands for Grants (General), 2005-2006; and on the Demands for Excess Grants (General), 2003-2004 took place on 7, 9 and 10 March 2006. Initiating the discussion on 7 March 2006, Smt. Sumitra Mahajan of the Bharatiya Janata Party said that during the tenure of the present Government prices had been ever on the increase and had never come down. The farmers were forced to commit suicide. Merely providing loans to them or reducing the interest rate was not enough to bring qualitative improvement in agriculture. They needed advanced farming and technology. The Government had introduced the NERF programme but the Budget allocation made for this programme was too meagre. She said that the Government should keep in mind the circumstances and the atmosphere of the country while preparing the Budget.

* Others who participated in the discussion were: Sarvashri K.S. Rao, Rupchand Pal, Bhanwar Singh Dangawas, Shailendra Kumar, Ganesh Prasad Singh, Anand Rao Vithoba Adsul, Bhartruhari Mahtab, Lakshman Singh, Sandeep Dikshit, Rahul Gandhi, Sanat Kumar Mandal, Jivabhai A. Patel, Avinash Rai Khanna, Mohan Singh, S.K.

Participating in the discussion*, Shri Rajesh Verma (BSP) suggested that there should be a monitoring committee for the *Sarva Shiksha Abhiyan* programme to ensure that schools were opened only at places which needed them most. Also, attention should be given to higher education in rural areas. Stating that allocations for the welfare of the SCs and STs were very low in the Budget, he urged the Government to increase the allocation.

Prof. M. Ramadass (PMK) said that the Budget translated the commitments given in the NCMP. It combined both growth and justice. He, however, said that the growth rate of 8.1 per cent in terms of income was not the real indicator of the growth of the economy since the poverty ratio had increased and all kinds of socio-economic problems persisted.

Shri K. Yerrannaidu (TDP) said that there would be no meaning of the growth in the GDP unless the per capita income of the people was improved. That was why he wanted the Government of India to think of major policies so that the wealth could be passed on to the common man.

Shri M.P. Veerendra Kumar (JD-S) said that inequality was growing and malnutrition and illiteracy continued to persist. He alleged that the budget had a hidden agenda to press for more liberalization of the economy.

Shri W. Wangyuh Konyak (NPF) suggested that DONER Ministry should be allowed to prepare Project Report and select the schemes in

Kharventhan, E.G. Sugavanam, J.M. Aaron Rashid, Raghunath Jha, D. Narbula, Ratilal Kalidas Varma, Sitaram Singh, Virchandra Paswan, Brajesh Pathak, Nikhil Kumar, Alok Kumar Mehta, Suravaram Sudhakar Reddy, Sharanjit Singh Dhillon, Ilyas Azmi, D.V. Sadananda Gowda, Bikram Keshari Deo, Munshiram, M. Shivanna, L. Rajagopal, Bir Sing Mahato, Vijay Krishna, S. Mallikarjunaiah, Khiren Rijiju, Krishna Murari Moghe, Deepender Singh Hooda, Naveen Jindal, Francis Fanthome, Tathagata Satpathy, Manjunath Kunnur, Kharabela Swain, Ramji Lal Suman, V.K. Thummar, Ram Kripal Yadav, Rajnarayan Budholiya, Sugrib Singh, Brahmananda Panda, Karunakara G. Reddy, R.L. Jalappa, Sitaram Yadav, Ravichandran Sippiparai, Jai Prakash, A.R. Shaheen, Gurjeet Singh Rana, Vinod Kumar Boianapalli, Raghuraj Singh Shakya, A.V. Bellarmin, Manvendra Singh, Mani Charenamei, Tapir Gao, Harisinh Chavda, Shafiqur Rahman Barq, Dhanuskodi Athithan, Girdhari Lal Bhargav, Ganesh Singh, Hansraj Gangaramji Ahir, Rewati Raman Singh, Sambasiva Rayapati Rao, Subrata Bose, Prof. Chander Kumar, Dr. P.P. Koya, Dr. Ram Laxhan Singh, Dr. C. Krishnan, Dr. Thokchom Meinya, Dr. Babu Rao Mediyam, Dr. Vallabhbai Kathiria, Dr. K.S. Manoj, Dr. Arvind Sharma, Dr. Laxminarayan Pandey, Smt. Sumitra Mahajan, Smt. Kiran Maheshwari, Smt. P. Satheedevi, Smt. Preneet Kaur and Smt. Manorama Madhwaraj, Ms. Mehbooba Mufti

consultation with the allied Ministries. In order to avoid delay/failure in implementation of the schemes in North-east announced by the Government, he suggested that unspent amount should be credited to the DONER Ministry directly.

Shri Asaduddin Owaisi (AIMIM) wanted that more allocation should be made for the minority welfare schemes. He congratulated the Government for achieving economic growth of seven to eight per cent. However, he said that unemployment of both males and females had increased.

Replying to the discussion, the Minister of Finance, Shri P. Chidambaram said that the philosophy behind the Budget was enshrined in the NCMP. The NCMP was a sound charter for governance for five years which underscored the fact that India must have growth. The present Budget announced a series of steps to ensure that the growth momentum was maintained. He said that growth was coming from industry and services. With the rebound in agriculture, growth was expected from agriculture from the next fiscal year. Every effort was being made to make agriculture less monsoon-dependent. The Minister said that he had identified industries where India must acquire world leadership. In the automobile industry there was a revolution today and India was among the world's most efficient producers of automobiles. He said that such opportunities existed in textiles, leather, food processing, petroleum products, handicrafts and handmade products. These were areas where the whole world recognized the potential of India.

Regarding subsidies, the Minister said that it must be targeted to the poor and the truly needy, and that was the mandate. The Government was maintaining food subsidies at Rs.24,200 crore. Agricultural Insurance Scheme had been continued year after year, both for Kharif and Rabi. In agriculture, the largest package in recent years had been announced this year and the most important was the matter of credit. The Government had now taken a step to ensure that a significant portion of the credit went to farmers who organized themselves as Self-Help Groups and as Joint Liability Group.

Coming to the issue of unemployment, the Minister said that when growth rates were seven to eight per cent, jobs were created. Further, the Government in its wisdom had introduced the NREGP, which was a revolutionary Act with a guarantee of employment of one person in a household for 100 days in 200 Districts across the country. He said that

the Central Government was taking greater and greater responsibilities on many matters today. It took responsibilities in the areas of primary education, Mid-Day Meal Scheme, primary health care, Urban Renewal Mission and even rural roads.

All the Demands for Grants on Account (General) and all the Supplementary Demands for Grants (General) were voted in full. The Appropriation Bill, 2006; and the Appropriation (No. 2) Bill, 2006 were also passed.

Discussion under rule 193 regarding Statement made by the Prime Minister on 17 February 2006 regarding India's vote in the IAEA on the issue of Iran's nuclear programme: The discussion in this regard took place in the House on 27 February and 6 March 2006. Initiating the discussion, Shri C.K. Chandrappan of the Communist Party of India (CPI) expressed his agreement with the Prime Minister that India and Iran were a part of ancient civilization and that both countries took more or less similar stand on many critical issues on which India was interested. He said that Iran always took a position in favour of India on issues which were confronted by India's enemies abroad, and it was to Iran that India had done injustice. He said that a voting was coming again on this issue in the first week of March. He suggested that India should vote, not for the Motion nor vote with Iran, but should abstain to show the world that it was not supporting those who were twisting its hands.

Participating in the discussion*, the Minister of Defence, Shri Pranab Mukherjee said that an impression was being created that India had entered into some sort of hostile relationship with Iran. He said that this was not factually correct and the policies pursued by India were in the enlightened national interest. India had explained her position in a very clear term that Iran has had the legal right to develop peaceful uses of nuclear energy consistent with its international commitments and obligations. India believed, in letter and spirit, in the peaceful co-existence of each and every State. In IAEA, India would continue to pursue to evolve a consensus, which would be applicable and acceptable to all the concerned countries. India felt that

* Others who participated in the discussion were: Sarvashri Rupchand Pal, Mohan Singh, Devendra Prasad Yadav, Brajesh Pathak, Suresh Prabhakar Prabhu, B. Mahtab, Sachin Pilot, Kharabela Swain, Subrata Bose, Bikram Keshari Deo, Dushyant Singh, Vijayendra Pal Singh, Tathagata Satpathy, Suravaram Sudhakar Reddy and Maj. Gen. (Retd.) B. C. Khanduri

in a sensitive matter like this, it should have more time, more patience and more talks.

Shri Gurudas Dasgupta (CPI) said that India was distancing itself from Non-Aligned Movement and questioned the need for India to vote for the resolution when it could have remained neutral. By doing so, he felt that India was abetting the policy of the American imperialism. Living in a uni-polar world, he said that India must stand on its own feet to speak firmly and take a stand.

Shri Asaduddin Owaisi (AIMIM) said that Iran's nuclear programme started under the auspices of the US. After the Islamic Revolution of 1979, America developed cold feet. Iran had a right to go for civilian nuclear energy programme.

Prof. M. Ramadass (PMK) said that India had not succumbed to any pressure. By voting against Iran, the Government had not sacrificed any national interest.

Shri K. Yerranaidu (TDP) said that it was testing time for India, whether to follow the path of Non-Aligned Movement and independent policy or to succumb to the pressure of a few developed countries. He said that his Party was against the Government's action for support in the IAEA against Iran.

Shri Ramdas Athawale (RPI-A) said that all the political parties were of the view that there must be consensus on foreign policy. He submitted that his party supported the stand taken by the Prime Minister and the UPA Government.

Replying to the discussion, Prime Minister Dr. Manmohan Singh said that Iran had the legal right to develop peaceful uses of nuclear energy, but it also had certain obligations and responsibilities, based on the Safeguards Agreement. It was in recognition of the existence of several unanswered questions that Iran agreed to start the process of assisting the IAEA with investigations into several past activities. Unresolved questions regarding centrifuge imports and designs to make Uranium metallic hemispheres remained.

The Prime Minister said that the Government was committed to widening, deepening and expanding its diverse and mutually beneficial ties with Iran. Only recently, the Minister of State for External Affairs, Shri E. Ahamed, visited Tehran. He met the President of Iran, as well as several Ministers of the Government of the Islamic Republic of Iran.

Shri Ahamed emphasized India's desire to remain engaged with Iran on all issues of mutual interest. India's desire to further deepen the friendly and productive ties between the two countries was fully reciprocated. He said that the Government would continue to monitor the situation closely, and would deal with the Iran issue with the seriousness that it merited. In dealing with the issue, India would pay due attention to its relationship with Iran, the need to maintain peace and stability in the Gulf region and safeguarding its own security.

B. LEGISLATIVE BUSINESS

*The Khadi and Village Industries Commission (Amendment) Bill, 2005**: Moving the motion for consideration of the Bill on 27 February 2006, the Minister of Small Scale Industries and Minister of Agro and Rural Industries, Shri Mahavir Prasad stated that there had been sharp decline in employment opportunities in the Khadi sector and that the sale of khadi products since 1997-1998 had been more or less stagnant.

The Khadi and Village Industries Commission (KVIC) was a statutory body established under the Khadi and Village Industries Commission Act, 1956 to provide for the establishment of a Commission for the development of khadi and village industries and matters connected therewith. Consequent upon certain administrative and financial difficulties in the working of the Commission and decline in the sales and employment in the khadi sector, the Central Government dissolved the Commission and constituted an Expert Committee in December 2004 to examine the structure, functioning and performance of the Commission and recommended measures to revamp the Commission and launch new programmes. The Expert Committee submitted its report on 6 April 2005.

The Minister said that the Central Government proposed to amend the Khadi and Village Industries Commission Act, 1956 incorporating therein the accepted recommendations of the Expert Committee and, *inter alia*, sought to include two more part-time members in the Commission; confer voting rights upon the *ex officio* members of the Commission; provide requirement of ten years of experience in appropriate fields for appointment as a member of the Commission and also widen

* The Bill was introduced in the Lok Sabha on 22 August 2005

the field of expertise for appointment as a member of the Commission; provide for constitution of Zonal Committees, its functions and meetings; and confer power upon the Central Government to re-establish the Commission after its dissolution, etc.

Shri Prasad said that the proposed amendments in the present Khadi and Village Industries Commission Act would not effect any change in its basic aims, rights and functioning. In fact, it would help the Khadi and Village Industries Commission to be more professional in the discharge of its functions. The role of Commission would be more important and effective in creating continuous and wider employment opportunities in the rural areas of the country.

Replying to the discussion*, the Minister of Small Scale Industries and Minister of Agro and Rural Industries, Shri Mahavir Prasad said that the Bill was a revolutionary one as its objective was to percolate its benefit to the grassroot level where it had not reached. The Bill sought to propagate the uses of khadi among the weaker sections of the society and also the unemployed people. The Minister said that in the KVIC Act enacted in 1956, there were some lacunae. In the present Bill, he had included the scientists and the experts in the Commission and had divided the country in six different parts which would further the interest of khadi by bringing coordination between the State Khadi Boards and KVIC. He assured the members that he would look into the suggestions forwarded by them.

The Bill, as amended, was passed.

*Statutory Resolution regarding Disapproval of the National Commission for Minority Educational Institutions (Amendment) Ordinance, 2006 and The National Commission for Minority Educational Institutions (Amendment) Bill, 2006**:* Moving the Statutory Resolution that the House disapproves of the National Commission for Minority Educational Institutions (Amendment) Ordinance, 2006 on 10 March 2006, Shri Prabodh Panda of the Communist Party of India said that some amendments were required as regards the right to establish a new minority educational

* Those who participated in the discussion were: Sarvashri Khiren Rijju, Ganesh Prasad Singh, Chandrakant Khaire, Bhartruhari Mahtab, M. Appadurai, Ravichandran Sippiparai, Alok Kumar Mehta, Dr. Thokchom Meinya, Smt. V. Radhika Selvi and Smt. Jayaben B. Thakkar

** The Bill as passed by the Rajya Sabha was laid on the Table of the House on 7 March 2006

institution, the right of the institutions and the power of the National Commission. He said that he agreed with the amendments proposed in the Bill and was in favour of the Bill. However, he stated that he was opposed to the route of ordinance taken by the Government and expressed his disapproval for issuing the ordinance.

The Minister of State in the Ministry of Human Resource Development, Shri M.A.A. Fatmi moved the motion that the Bill to amend the National Commission for Minority Educational Institutions Act, 2004, as passed by the Rajya Sabha be taken into consideration. Giving the background of the Bill, the Minister said that the National Commission for Minority Educational Institutions Act, 2004 was enacted to constitute a Commission for Minority Educational Institution. The Act, among others, provided right of a Minority Educational Institution to seek affiliation to any of six Scheduled Universities, namely, University of Delhi, North-Eastern Hill University, Pondicherry University, Assam University, Nagaland University and Mizoram University. Based on the experience of the functioning of the Commission, it was felt that by limiting the scope of affiliation only to the said six Scheduled Universities, the applicability of the Act had been severely restricted. The Commission as well as the Government received several representations and suggestions for a more proactive role for the Commission in order to enable it to be more effective in deciding on matters of deprivation or violation of the educational rights of the minorities guaranteed under article 30 of the Constitution. The majority of the representations were on the problems faced by minority communities in obtaining no objection certificate for establishing an educational institution and, for such eligible institutions from obtaining the status of being a minority institution.

In keeping with the commitment of the Government in the NCMP, it was further proposed to empower the Commission to make its functioning more effective and purposive in meeting the aspirations of minority communities in regard to their educational rights under the Constitution. Among others, the Bill provided for the right to establish a Minority Educational Institution and also provided that wherever no objection certificate for establishing a Minority Educational Institution was either not granted within a period of sixty days or where a decision in this regard was not communicated within such period, the Minority Educational Institution would proceed with the establishment of the institution as if the no objection certificate had been granted to it. The Bill provided for the right of Minority Educational Institutions to seek affiliation to any University of their choice subject to the Acts, Statutes,

Ordinances, Rules and Regulations of the concerned University. It also proposed to give appellate jurisdiction to the Commission in the matters of refusal to grant no objection certificate for establishing a Minority Educational Institution. The Bill enabled the Commission to enquire into and investigate complaints regarding deprivation or violation of rights of minorities to establish and administer educational institutions of their choice and, also to decide on disputes relating to affiliation of Minority Educational Institutions to a University.

Participating in the discussion*, Shri Asaduddin Owaisi (AIMIM) said that the way the present Bill had been drafted, was very wrong in law. It would have been really good if the Bill was tabled by the present Minister of Minority Welfare. Regarding the view that this was minority appeasement, he said that it was not good to give communal colour to any positive step that the Government had taken.

Replying to the discussion, the Minister of State in the Ministry of Human Resource Development, Shri M.A.A. Fatmi said that, as per the Bill, whenever anybody applies for opening of school or colleges, medical or engineering colleges, then the State would give permission within 90 days of the application made. In case they fail to do so or did not reply to the request made, then it would be presumed that NOC had been granted. He said that the instruction and guidelines of University Grants Commission, All India Council for Technical Education, Medical Council of India, Dental Council of India and other similar institutions would be applicable on these minority institutions. All care had been taken to provide quality education in these minority institutions. On the question of definition of minority, the Minister informed that on all India basis, Muslims, Christians, Sikhs, Buddhists and Zoroastrians had been notified as minorities. However, he said that if a Hindu live in Punjab, he would be treated as minority there. Similarly, a Hindu or Buddhist in Kashmir would be treated as minority there.

The Resolution was negated and the Bill was passed.

* Others who participated in the discussion were: Sarvashri Bachi Singh Rawat, Madhusudan Mistry, Ramji Lal Suman, Vijay Krishna, Ilyas Azmi, B. Mahtab, J.M. Aaron Rashid, T.K. Hamza, Shailendra Kumar, Francis Fanthome, Varkala Radhakrishnan, S.K. Kharventhan, Shafiqur Rehman Berq, Iqbal Ahmed Saradgi, Kharabela Swain, N.Y. Hanumanthappa, Alok Kumar Mehta, Braja Kishore Tripathy, Mohammad Salim, Mohammed Shahid and Prof. Rasa Singh Rawat

STATE LEGISLATURES**ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY***

The Fourth Arunachal Pradesh Legislative Assembly commenced its Fourth Session on 21 March 2006 and was adjourned *sine die* on 25 March 2006. There were five sittings in all.

Address by the Governor: The Governor of Arunachal Pradesh Shri S.K. Singh addressed the House on 21 March 2006. The Motion of Thanks to the Governor for his Address was moved by Shri Omak Apang and seconded by Shri Kamlung Mossang. The discussion on the Motion took place on 22 March 2006 in which 18 members participated. The Chief Minister Shri Gegong Apang replied to the debate. The Motion was unanimously adopted by the House.

Legislative business: During the Session, the following Bills were discussed, considered and passed by the House: (i) Arunachal Pradesh Fisheries Bill, 2006; (ii) Arunachal Pradesh Agricultural Produce Marketing (Regulation) Amendment Bill, 2006; (iii) Arunachal Pradesh Local Authorities (Prohibition of Defection) (Amendment) Bill, 2006; (iv) Arunachal Pradesh Goods Tax (Amendment) Bill, 2006; and (v) The Arunachal Pradesh Fiscal Responsibility Bill, 2006.

Financial business: On 22 March 2006, the Finance Minister Shri Kalikho Pul presented the Annual Financial Statement (Budget Estimates) for the year 2006-2007. He also presented the Supplementary Demands for Grants for the year 2005-2006.

The General Discussion on the Budget was held on 24 March 2006 in which nine members participated. The Chief Minister and the Finance Minister replied to the debate. The Demands for Grants for the year 2006-2007 and the Supplementary Demands for Grants for the year 2005-2006, relating to various Departments were moved and accepted in full. Thereafter, the relevant Appropriation Bills were also introduced, considered and passed.

Obituary references: During the Session, obituary references were made on the passing away of Shri K.R. Narayanan, former President of India; Shri P.M. Sayeed, former Union Minister; and Shri C.P. Namchoom, former Minister of Arunachal Pradesh.

* Material contributed by the Arunachal Pradesh Legislative Assembly Secretariat

ASSAM LEGISLATIVE ASSEMBLY*

The Eleventh Assam Legislative Assembly commenced its Fourteenth Session on 1 February 2006, and was adjourned *sine die* on 8 February 2006. There were six sittings in all.

Address by the Governor: The Governor of Assam addressed the House on 1 February 2006. The Motion of Thanks on the Governor's Address was moved and passed after debate in the House.

Financial business: On 1 February 2006, the List of Supplementary Demands for Grants and the Supplementary Appropriations for the year 2005-2006 was presented to the House. The House passed the Supplementary Budget on 6 February 2006. The Assam Appropriation Bill, 2006 relating to the Supplementary Budget for the year 2005-2006 was introduced and passed by the House after discussion.

Although this being the Budget Session for the year 2006-2007, the main Budget was not presented in the House. Instead, the Vote on Account 2006-2007 was presented to the House on 7 February 2006 and the voting on Demands for Advanced Grants for the year 2006-2007 to defray the charges in respect of different Departments during the first four months of the financial year. The Vote on Account Budget was passed by the House and the Assam Appropriation (Vote on Account) Bill, 2006 was passed by the House on 8 February 2006.

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

DELHI LEGISLATIVE ASSEMBLY**

The Third Delhi Legislative Assembly, which commenced its Seventh Session on 1 March 2006, was adjourned *sine die* on 17 March 2006. There were 12 sittings in all.

Address by the Lieutenant Governor: This being the First Session of the year, the Lieutenant Governor of Delhi, Shri B.L. Joshi addressed the House on 1 March 2006. The Motion of Thanks on the Lieutenant Governor's Address was moved on 2 March 2006 and adopted on 8 March 2006. Fourteen members participated in the debate which was replied to by the Chief Minister.

Legislative business: During the Session, (i) The Wakf (Delhi Amendment) Bill, 2006; (ii) The Appropriation (No.1) Bill, 2006; and

* Material contributed by the Assam Legislative Assembly Secretariat

** Material contributed by the Delhi Legislative Assembly Secretariat

(iii) The Appropriation (No.2) Bill, 2006; were considered and passed by the House.

Financial business: On 9 March 2006, the Finance Minister Shri A.K. Walia presented the Annual Budget. The discussion on the Annual Budget commenced on 13 March 2006 in which 16 members participated. It concluded on 16 March 2006 with the reply by the Finance Minister. The Budget was passed on the same day.

Obituary references: During the Session, obituary references were made on the passing away of Shri Dharam Dass Shastri, former member of Parliament and former member of Delhi Metropolitan Council; Choudhary Mange Ram, former Executive Councilor of Delhi Metropolitan Council; and Choudhary Rizak Ram, Pradhan of Sarv Khap Panchayat of 360 villages of Delhi. Tributes were also paid to the people who lost their lives in the bomb blasts in Varanasi.

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY*

The Tenth Himachal Pradesh Legislative Assembly, which commenced its Tenth Session on 21 February 2006, was adjourned *sine die* on 7 April 2006. The Governor prorogued the House on 10 April 2006. There were 25 sittings in all.

Obituary references: During the Session, obituary references were made on the passing away of Shri Bansi Lal, former Chief Minister of Haryana; Justice V.M. Jain, a sitting Judge of Himachal Pradesh High Court; and Shri Sunder Singh, a former member of the State Legislative Assembly.

MAHARASHTRA LEGISLATIVE COUNCIL**

The Maharashtra Legislative Council, which commenced its First Session of the year 2006 on 13 March 2006 was prorogued by the Governor on 21 April 2006. There were 23 sittings in all.

Address by the Governor: The Governor of Maharashtra Shri S.M. Krishna addressed the Joint Sitting of both the Houses on 13 March 2006. The Motion of Thanks to the Governor for his Address was adopted by the House without any amendment.

Legislative business: During the Session, the following Bills were introduced, considered and passed by the House: (i) The Factories (Maharashtra Amendment) Bill, 2006; (ii) The Maharashtra Self-Financed

* Material contributed by the Himachal Pradesh Legislative Assembly Secretariat

** Material contributed by the Maharashtra Legislative Council Secretariat

Universities (Establishment and Regulation) Bill, 2006; (iii) The Maharashtra State Enterprises (Restructuring and Other Special Provisions) (Amendment) Bill, 2006; (iv) The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Bill, 2003 (As submitted by the Joint Committee); (v) The Prevention of Food Adulteration (Maharashtra Amendment) Bill, 2006; and (vi) The Maharashtra Co-operative Societies (Amendment) Bill, 2006.

The following Bills, as passed by the State Legislative Assembly, were considered and passed by the House: (i) The Regularisation of Unauthorised Developments in the City of Ulhasnagar Bill, 2006; (ii) The Maharashtra Non-biodegradable Garbage (Control) Bill, 2006; (iii) The Maharashtra Agricultural Land (Ceiling on Holdings) (Amendment) Bill, 2006; (iv) The Bombay Stamp (Amendment) Bill, 2006; (v) The Maharashtra Agricultural Produce Marketing Committee (Development and Regulation) (Amendment) Bill, 2006; (vi) The Maharashtra Municipal Corporation (Amendment) Bill, 2006; and (vii) The Maharashtra Legislature Members' Pension (Amendment) Bill, 2006.

Financial business: The Minister of State for Finance Shri Sunil Punjabrao Deshmukh presented the Supplementary Statement of Expenditure for the year 2005-2006 to the House on 16 March 2006. The discussion on the Supplementary Demands for the year 2005-2006 was held on 22 and 23 March 2006.

The Minister of State for Finance presented the Budget for the year 2006-2007 on 21 March 2006. The General Discussion on the Budget was held on 27, 28 and 29 March 2006.

Obituary references: During the Session, obituary references were made on the passing away of Shri Vasant Shankarrao Kale, a sitting member of the House; Sarvashri Ishwar Bagaji Deshmukh, Devidas Namdeo Bhole and Ramchandra Sovar *alias* Bhai Bandarkar, all former members of the State Legislative Council. Tributes were also paid to freedom fighters Bhagat Singh, Sukh Dev and Rajguru, on the occasion of seventy-fifth (75th) anniversary of their martyrdom.

MAHARASHTRA LEGISLATIVE ASSEMBLY*

The Maharashtra Legislative Assembly commenced its First Session of the year 2006 on 13 March 2006. The Governor prorogued the House on 21 April 2006. There were 23 sittings in all.

* Material contributed by the Maharashtra Legislative Assembly Secretariat

Address by the Governor: The Governor of Maharashtra addressed members of both the Houses on 13 March 2006. The Motion of Thanks to the Governor for his Address was moved in the House on the same day. The discussion on the Motion was held on 16 and 20 March 2006. The House adopted the Motion without any amendment on 20 March 2006.

Legislative business: During the Session, the following 20 Bills were considered and passed by the House: (i) The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Bill, 2006; (ii) The Maharashtra Municipal Corporations (Amendment) Bill, 2006; (iii) The Maharashtra Non-biodegradable Garbage (Control) Bill, 2006; (iv) The Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Bill, 2006; (v) The Bombay Motor Vehicles Tax (Amendment) Bill, 2006; (vi) The Maharashtra (Supplementary) Appropriation Bill, 2006; (vii) The Regularisation of Unauthorised Developments in the City of Ulhasnagar Bill, 2006; (viii) The Maharashtra Appropriation (Vote on Account) Bill, 2006; (ix) The Bombay Stamp (Amendment) Bill, 2006; (x) The Bombay Motor Vehicles Tax (Second Amendment) Bill, 2006; (xi) The Maharashtra Legislature Members' Pension (Amendment) Bill, 2006; (xii) The Maharashtra Appropriation Bill, 2006; (xiii) The Bombay Entertainments Duty (Amendment) Bill, 2006; (xiv) The Maharashtra State Tax on Professions, Trades, Callings and Employments (Amendment) Bill, 2006; (xv) The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Bill, 2003; (xvi) The Maharashtra Devdasi System (Abolition) Bill, 2005; (xvii) The Factories (Maharashtra Amendment) Bill, 2006; (xviii) The Maharashtra State Enterprises (Restructuring and Other Special Provisions) (Amendment) Bill, 2006; (xix) The Prevention of Food Adulteration (Maharashtra Amendment) Bill, 2006; and (xx) The Maharashtra Co-operative Societies (Amendment) Bill, 2006.

Financial business: The Minister of Finance presented the Supplementary Demands for the year 2005-2006 on 13 March 2006. The discussion and voting on the Supplementary Demands of five Departments was held on 22 and 23 March 2006.

A total of 104 Cut Motions were received, out of which 54 were admitted, while 50 were disallowed. No Cut Motion was moved in the House.

The Maharashtra (Supplementary) Appropriation Bill, 2006 was passed by the House on 24 March 2006.

The Minister of Finance presented to the House the Budget for the

year 2006-2007 on 21 March 2006. The general discussion on the Budget was held on 27 and 29 March 2006. The Minister replied to the discussion on 29 March 2006.

On 29 March 2006, the Minister of Finance moved the Motion on Vote on Account for the year 2006-2007. On the same day, the House passed the Maharashtra Appropriation (Vote on Account) Bill, 2006.

The discussion and voting on the Demands for Grants was held on 3, 4, 5, 10, 12, 13, and 18 April 2006. In all 170 Demands for Grants of the Budget were passed by the House. The Maharashtra Appropriation Bill, 2006 was passed by the House on 19 April 2006.

A total of 3,763 Cut-Motions were received, out of which 3531 were admitted, while the rest were disallowed. No Cut Motion was moved in the House.

Obituary references: During the Session, obituary references were made on the passing away of Shri Digambarrao Murlidhar Bagal and Dr. Anil Gopalrao Warhade, both former Ministers; Sarvashri Vasanttrao Abasaheb Desai, Vishwambharrao Shamrao Musande, Krishnarao Madhavrao Patil, Devidas Namdeo Bhole, Shamrao Bhivaji Patil, Purushottam Kashirao Deshmukh, Rajendrakumar Baburao Gholap, Shankar Fugra Jadhav, Dadaji Sitaram Nandekar, Bhaiyalal Lalnaji Patle, Deorao Laxman Anande, Abhimanyu Nurji Valvi and, Smt. Vimlabai Vasant Bagal, all former members of the State Legislative Assembly. Tributes were also paid to freedom fighters, Sarvashri Bhagat Singh, Sukh Dev and Rajguru, on the 75th anniversary of their martyrdom.

NAGALAND LEGISLATIVE ASSEMBLY*

The Tenth Nagaland Legislative Assembly, which commenced its Tenth Session on 16 March 2006 was adjourned *sine die* on 23 March 2006. The Governor prorogued the House on the same day. There were six sittings in all.

Address by the Governor: The Governor of Nagaland Shri Shymal Datta addressed the House on 16 March 2006. The Motion of Thanks to the Governor for his Address was moved by Shri K. Naiba and seconded by Shri T. Torechu. Eighteen members participated in the discussion on the Motion of Thanks which was replied to by the Chief Minister. Thereafter the House adopted the Motion.

Legislative business: During the Session, the following Bills were

* Material contributed by the Nagaland Legislative Assembly Secretariat

considered and passed by the House: (i) The Nagaland Co-operative Societies (Amendment) Bill, 2005; (ii) The Global Open University of Nagaland Bill, 2005; and (iii) The Institute of Chartered Financial Analysts of India University in Nagaland Bill, 2005.

Financial business: The Chief Minister, Shri Neiphiu Rio who also holds the Finance Portfolio presented the Supplementary Demands for Grants for the year 2005-2006. The discussion and voting on the Supplementary Demands for Grants for the year 2005-2006 was taken up and the Demands for Grants Nos. 1-78 (barring Demands Nos. 2, 10, 23, 24, 27, 57, 66, 73 and 75) were passed by a voice vote. The Nagaland Appropriation (No.1) Bill, 2006 was passed by voice vote.

The Chief Minister presented the Budget for the year 2006-2007. Shri H. Chuba Chang initiated the general discussion on the Budget in which nine members participated. The Chief Minister replied to the discussion. During the discussion and voting on the Supplementary Demands for Grants for the year 2006-2007, the Leader of the Opposition Shri I. Imkong and rest of the 15 members of the Opposition tabled 42 Cut Motions. Out of the 42 Cut Motions listed, Cut Motion to Demand No. 22 Civil Supplies, No. 27 Planning Machinery and No. 36 Urban Development, after having been discussed were voted out after being put to vote. The rest of the Cut Motions were withdrawn by the members after clarifications were given by the Ministers of the concerned Departments. The House passed Demands No. 1 to 79 (except Demands No. 2, 10 and 75), by a voice vote. The Nagaland Appropriation (No.2) Bill, 2006 was passed by a voice vote.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri P.M. Sayeed, former Union Minister; Horangse Sangtam, former Deputy Speaker; Tsubongse Sangtam, former Parliamentary Secretary; and Yupangnenba, former member of the State Legislative Assembly.

RECENT LITERATURE OF PARLIAMENTARY INTEREST

I. BOOKS

Abdul Kalam, A.P.J. and Tiwari, Arun K., *Guiding Souls: Dialogues On The Purpose of Life* (New Delhi: Ocean Books), 2005

Adeney, Katharine, ed., *Coalition Politics and Hindu Nationalism* (London: Routledge), 2005

Ahmed, Imtiaz, ed., *State, Society And Displaced People In South Asia* (Dhaka: The University Press), 2004

Chakravarty, P., *Fifth And Sixth Schedules To The Constitution of India: Updated And Annotated* (Delhi: Capital Law House), 2005

Chandra Sekhar, V., *Other Backward Classes In India: Recognition And Reservation* (New Delhi: Raj Publications), 2006

Chatterjee, Biswajit, ed., *Perspectives On Socialism* (Kolkata: Progressive Publishers), 2004

Crotty, William J., ed., *A Defining Moment: The Presidential Election of 2004* (New York: M.E. Sharpe), 2004

Dass, Tania, *Beyond Cold War: Security Council and International Politics* (Kolkata: Minerva Associates), 2004

Désai, Meghnad, ed., *Divided By Democracy* (New Delhi: The Lotus Collection), 2005

Eriksen, Erik Oddvar, ed., *Developing A Constitution for Europe* (London: Routledge), 2004

Fabbrini, Sergio, ed., *Democracy And Federalism in the European Union and the United States: Exploring Post-national Governance* (London and New York: Routledge), 2005

Galligan, Yvonne, *Sharing Power: Women, Parliament, Democracy* (Aldershot: Ashgate Publishing), 2005

Gastil, John, ed., *The Deliberative Democracy Handbook: Strategies For Effective Civic Engagement in the Twenty-First Century* (San Francisco: Jossey-Bass), 2005

Ghosh, Archana, *Democratization In Progress: Women and Local Politics in Urban India* (New Delhi: Tulika), 2005

Ghosh, Swagata, *Subhas Chandra Bose: A Psycho-analytical Study* (Kolkata: Minerva Associates), 2004

Giddings, Philip, ed., *The Future of Parliament: Issues For A New Century* (New York: Palgrave Macmillan), 2005

Gopa Kumar, G., ed., *Iraq War and The Future World Order* (New Delhi: Icon Publications), 2006

Halperin, Morton H., ed., *The Democracy Advantage : How Democracies Promote Prosperity And Peace* (New York: Routledge), 2005

Hildebrandt, Reinhard, *Globalization: Its Influence on State and Society* (New Delhi: Mosaic Books), 2005

Horiuchi, Yusaku, *Institutions, Incentives and Electoral Participation In Japan: Cross-Level And Cross-National Perspectives* (London: Routledge Curzon), 2005

India, Lok Sabha Secretariat, *Who's Who: Fourteenth Lok Sabha* (New Delhi: Lok Sabha Secretariat), 2005

Jawed, Ajeet, *Jinnah: Secular And Nationalist (2nd Edition)* (New Delhi: Faizbooks), 2005

Khan, M. Asghar, *We've Learnt Nothing From History: Pakistan, Politics And Military Power* (New Delhi: Oxford University Press), 2005

Kothari, Rajni, *Rethinking Democracy* (Hyderabad: Orient Longman), 2005

Krishna, B., *Sardar Vallabhbhai Patel: India's Iron Man* (New Delhi: Rupa Publications), 2005

Majumdar, Uma, *Gandhi's Pilgrimage of Faith: From Darkness To Light* (Albany: State University of New York Press), 2005

Norton, Philip, *Parliament In British Politics* (New York: Palgrave Macmillan), 2005

Prasad, Lal Bahadur, *Indian Political System and Law* (New Delhi: Shree Publishers), 2005

Rao, M. Koteswara, ed., *Empowerment of Women in India* (New Delhi: Discovery Publishing House), 2005

Rathod, P.B., *Modern Indian Political Thinkers* (New Delhi: Commonwealth Publishers), 2005

Ravindra Kumar, *Sardar Vallabhbhai Patel: Life, Work and Views* (New Delhi: Gyan Publishing House), 2005

Ravindra Kumar, ed. *Sardar Vallabhbhai Patel: The Maker of United India* (New Delhi: Gyan Publishing House), 2005

Ray, Asok Kumar, *Contemporary Discourses on Democracy* (New Delhi: Om Publications), 2005

Saha, K.C., *Elections: Model Code Of Conduct: A Reference Handbook* (Delhi: Shipra Publications), 2005

Saroj Kumari, *Role of Women In The Freedom Movement in Bihar (1912-1947)* (Patna: Janaki Prakashan), 2005

Sharma, Ravindra, ed., *Grass-Root Governance: Changes and Challenges In Rural India* (Jaipur: Aalekh Publishers), 2005

Shimko, Keith L., *International Relations: Perspectives and Controversies* (Boston: Houghton Mifflin), 2005

Singh, D.P., ed., *Women And Empowerment: Experiences from Some Asian Countries* (Chandigarh: Unistar Books), 2005

Singh, M.P., *Indian Political System* (New Delhi: Manak Publications), 2005

Sinha, Harishankar Prasad, *The Government of Bihar: A Study of The Secretariat* (Patna: Janaki Prakashan), 2005

Smith, Paul J., ed., *Terrorism And Violence in Southeast Asia: Transnational Challenges to States and Regional Stability* (New Delhi: Pentagon Press), 2005

Swift, Richard, *The No-Nonsense Guide to Democracy* (Jaipur: Rawat Publications), 2005

Syed, M.H., *Encyclopedia of Modern Governments* (New Delhi: Anmol Publications), 2005

Tandon, Bishan Narain, *PMO Diary-II: The Emergency* (Delhi: Konark Publishers), 2006

Varma, Vandita, *From Marxism to Democratic Socialism: Deeper Roots of Affinity* (New Delhi: Books India International), 2005

Vas, Eric A., *Subhas Chandra Bose: The Man and His Times* (New Delhi: Lancer Publishers), 2005

Verma, Ram Mohan, *Democracy and Governance in A Changing World* (Delhi: Vista International Publishing House), 2005

White, Brian, *Issues in World Politics* (Hampshire: Palgrave Macmillan), 2005

II. ARTICLES

Akbar Zaidi, S., "State, Military And Social Transition: Improbable Future of Democracy In Pakistan", *Economic And Political Weekly*, Vol. 40, No. 49, 3 December 2005, pp. 5173-5181

Arshi Khan, "Volcker Report on The Oil-For-Food Programme: A Critical Analysis", *Mainstream*, Vol. 43, No. 47, 12 November 2005, pp. 3-4

Beierlein, Doreen and Voll Klaus, "Germany 2005: Elections and Government Formation", *Mainstream*, Vol. 43, No. 46, 5 November 2005, pp. 9-11

Chatterjee, P.K., "Article 356 Must Be Removed", *Mainstream*, Vol.43, No.48, 19 November 2005, pp. 12-13

Chitra Ranjan, C.N., "Communists, Gandhiji And Revolution", *Mainstream*, Vol. 43, No.41, 1 October 2005, pp. 21-23

Gill, Mehar Singh and Tejinder Kumar, "Indo-Bhutan Relations: An Evolutionary Perspective", *Man & Development*, Vol. 27, No. 4, December 2005, pp. 45-46

Heberlig, Eric S., "Redistributing Campaign Funds by US House Members: The Spiraling Costs of The Permanent Campaign", *Legislative Studies Quarterly*, Vol. 30, No. 4, November 2005, pp. 597-621

Hempson-Jones, Justin S., "The Evolution Of China's Engagement With International Governmental Organizations: Toward A Liberal Foreign Policy?", *Asian Survey*, Vol. 45, No. 5, September-October 2005, pp. 702-721

Jayal, Niraja Gopal, "Democratic Dogmas And Disquiets", *Seminar*, No.557, January 2006, pp. 30-34

Kejriwal, Arvind, "RTI: Aspirations and Challenges", *Yojana*, Vol. 50, January 2006, pp. 22-25

Kurian, N.J., "K.R. Narayanan: Making of A President", *Economic And Political Weekly*, Vol. 40, No. 51, 17 December 2005, pp. 5386-5387

Liow, Joseph, "The Politics Behind Malaysia's Eleventh General Election", *Asian Survey*, Vol.55, No. 6, November-December 2005, pp. 907-930

Malhotra, Inder, "Missing Coalition Culture", *Nation & The World*, Vol.14, No.340, 1 January 2006, pp. 5-6

Manvendra Singh, "Politics and Progress", *Seminar*, No.556, December 2005, pp. 30-33

McDermott Monika, L. and Jones, David R., "Congressional Performance, Incumbent Behaviour And Voting In Senate Elections", *Legislative Studies Quarterly*, Vol. 30, No. 2, May 2005, pp. 235-256

Mehta, Pratap Bhanu, "Of Law And Politicians", *Seminar*, No.557, January 2006, pp. 35-39

Mukul Kumar, "Perils Of Participatory Democracy", *Economic And Political Weekly*, Vol. 40, No. 46, 12 November 2005, pp. 4857, 4859

Mustafa, Barghouthi, "Situation On The Ground In Palestine", *Nation & The World*, Vol.14, No.340, 1 January 2006, pp. 28-30

Narayanan, K.R., "Our Concept of Globalisation", *Mainstream*, Vol. 43, No. 48, 19 November 2005, pp. 15-17

Palekar, S.A., "Lobbying In American Political System", *Indian Journal Of Public Administration*, Vol. 51, No. 4, October-November 2005, pp. 826-829

Pathak Sukumar, M.A., "Jinnah: Father Of Pakistan: Atheist Who Divided India For Religion", *Mainstream*, Vol. 43, No.45, 29 October 2005, pp. 28-30

Ranjan, Sudhanshu, "President's Rule In States: How To Tackle The Problem At The Center", *Mainstream*, Vol.43, No.38, 10 September 2005, pp. 29-30

Reynolds, Andrew, "Reserved Seats In National Legislatures", *Legislative Studies Quarterly*, Vol. 30, No. 2, May 2005, pp. 301-309

Roy, Aruna and Kidambi, Sowmya, "Secret Ballots And Transparent Campaigns", *Yojana*, Vol. 50, January 2006, pp. 26-31

Sezhiyan, Era, "Political And Judicial Contradictions of Bihar Elections", *Mainstream*, Vol. 43, No. 44, 22 October 2005, pp. 9-10

Sezhiyan, Era, "Political Parties in Federal India", *Mainstream*, Vol. 42, No.34, 13 August 2005, pp. 15-17, 27

Shekhar Singh and Mishra Singh, "Changing Governance Forever", *Yojana*, Vol. 50, January 2006, pp. 33,35,52

Shinoda, Tomohito, "Japan's Cabinet Secretariat And Its Emergence

As Core Executive", *Asian Survey*, Vol. 45, No. 5, September-October 2005, pp. 800-821

Subrahmaniam, Vidya, "Governance And Politics", *Seminar*, No. 557, January 2006, pp. 52-55

Venkateshwaran, L., "Indo-US Relations: An Overview of A Strategic Partnership", *Mainstream*, Vol.43, No.38, 10 September 2005, pp. 27-29

Vijaya Natharaj, P.S., "Right To Know And Indian Electoral Reform", *Mainstream*, Vol.43, No.43, 15 September 2005, pp. 23-27

Zogby, James J., "Has The Bush Second-Term Slide Begun?", *Nation and The World*, Vol. 14, No. 337, 16 November 2005, pp. 28-29

APPENDIX I

**STATEMENT SHOWING THE WORK TRANSACTED
DURING THE SEVENTH SESSION (BOTH I AND II
PARTS) OF THE FOURTEENTH LOK SABHA**

1. PERIOD OF THE SESSION	16 February to 22 March 2006 and 10 May to 23 May 2006 (Recess from 23 March 2006 to 9 May 2006)	
2. NUMBER OF SITTINGS HELD		35
3. TOTAL NUMBER OF SITTING HOURS		194 hours, 38 minutes
4. NUMBER OF DIVISIONS HELD		03 on 22 May 2006 [on Constitution 105th Amendment Bill, 2006]
5. GOVERNMENT BILLS		
(i) Pending at the commencement of the Session		22
(ii) Introduced		22
(iii) Laid on the Table as passed by Rajya Sabha		08
(iv) Returned by the Rajya Sabha with any amendment/recommendation and laid on the Table		03
(v) Reported by Standing Committee		10
(vi) Referred to Departmentally related Standing Committee by Speaker/Chairman, Rajya Sabha		01
(vii) Discussed		29
(viii) Passed		28
(ix) Part-discussed		01
(x) Returned by Rajya Sabha without any recommendation		08
(xi) Pending at the end of the Session		25
6. PRIVATE MEMBERS' BILLS		
(i) Pending at the commencement of the Session		156
(ii) Introduced		24
(iii) Discussed		03
(iv) Withdrawn		02
(v) Part-discussed		01
(vii) Removed from the Register of pending bills		10
(vii) Pending at the end of the Session		168
7. NUMBER OF DISCUSSION HELD UNDER RULE 184		
(i) Notices received		387
(ii) Admitted		166
(iii) Discussed		02

8. NUMBER OF MATTERS RAISED UNDER RULE 377	415
9. NUMBER OF MATTERS RAISED ON URGENT PUBLIC IMPORTANCE DURING ZERO HOUR	349
10. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)	
(i) Notices received	487
(ii) Admitted	09
(iii) Discussions held	06
(iv) Part-discussed	01
11. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling Attention to Matters of Urgent Public Importance)	06
12. STATEMENTS MADE BY MINISTERS UNDER RULE 372	63
13. STATUTORY RESOLUTIONS	
(i) Notices received	7
(ii) Admitted	1
(iii) Moved	1
(iv) Negatived	1
14. GOVERNMENT RESOLUTIONS	
(i) Notices received	3
(ii) Admitted	3
15. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	06
(ii) Admitted	06
(iii) Discussed	01
(iv) Part-discussed	01
16. MOTION REGARDING MODIFICATION OF STATUTORY RULES	
(i) Received	01
(ii) Admitted	01
17. NUMBER OF ADJOURNMENT MOTIONS	
(i) Total No. of Notices received	25
(ii) Admitted	01
(iii) Consent withheld by the Speaker, Lok Sabha outside the House	24
18. NUMBER OF PARLIAMENTARY COMMITTEE(S) CONSTITUTED, IF ANY, DURING THE SESSION	04 (EC, PAC, PU and SCTC)
19. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION	17,020
20. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND THE DATE ON WHICH ISSUED	803 passes issued on 10 March 2006

21.	TOTAL NUMBER OF QUESTIONS ADMITTED	
	(i) Starred	560
	(ii) Starred Questions answered orally	85
	(iii) Un-starred	4933
	(iv) Half-an-Hour discussions	01
22.	NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE	04
23.	NUMBER OF NEW MEMBERS SWORN-IN, WITH DATE	Three members (sworn-in on 16, 23 February and 15 May 2006)
24.	NUMBER OF PRIVILEGE MOTIONS	
	(i) Notices received	09
25.	WORKING OF PARLIAMENTARY COMMITTEES	

Sl. No.	Name of the Committee	No. of sittings held during the period 1 January to 31 March 2006	No. of Reports presented
1	2	3	4
	i) Business Advisory Committee	—	—
	ii) Committee on Absence of Members from the Sittings of the House	—	—
	iii) Committee on Empowerment of women	2	—
	iv) Committee on Estimates	5	1
	v) Committee on Ethics	—	—
	vi) Committee on Government Assurances	2	1
	vii) Committee on Member of Parliament Local Area Development Scheme (MPLADS)	—	—
	viii) Committee on Papers Laid on the Table	—	—
	ix) Committee on Petitions	8	1
	x) Committee on Private Members' Bills and Resolutions	2	2
	xi) Committee of Privileges	—	—
	xii) Committee on Public Accounts	4	2 (Original) 2 (Action taken)
	xiii) Committee on Public Undertakings	2	1 (Original) 2 (Action taken)
	xiv) Committee on Subordinate Legislation	—	—
	xv) Committee on the Welfare of Scheduled Castes and Scheduled Tribes	2	1
	xvi) General Purposes Committee	—	—
	xvii) House Committee	—	—
	a) Accommodation Sub-Committee	—	—
	b) Sub-Committee on Amenities	—	—

xviii) Library Committee	—	—
xix) Railway Convention Committee	1	—
xx) Rules Committee	—	—

JOINT/SELECT COMMITTEES

i) Joint Committee on Offices of Profit	—	—
ii) Joint Committee on Salaries and Allowances of Members of Parliament	—	—

DEPARTMENTALLY-RELATED STANDING COMMITTEES

i) Committee on Agriculture	—	—
ii) Committee on Chemicals and Fertilizers	3	—
iii) Committee on Coal & Steel	—	—
iv) Committee on Defence	—	—
v) Committee on Energy	9	2
vi) Committee on External Affairs	1	—
vii) Committee on Finance	8	1
viii) Committee on Food, Consumer Affairs and Public Distribution	—	—
ix) Committee on Information Technology	1	—
x) Committee on Labour	5	2
xi) Committee on Petroleum and Natural Gas	2	1
xii) Committee on Railways	7	1 (Original) 1 (Action Taken)
xiii) Committee on Rural Development	5	—
xiv) Committee on Social Justice and Empowerment	—	—
xv) Committee on Urban Development	—	—
xvi) Committee on Water Resources	2	—

26. CELL ON PARLIAMENTARY FORUM

Sl. No.	Name of Forum	No. of Meetings held during the period 1 January to 31 March 2006	No. of Lectures held
1.	Parliamentary Forum on Children	1	—
2.	Parliamentary Forum on Water Conservation and Management	1	—
3.	Parliamentary Forum on Youth	1	—

APPENDIX II

**STATEMENT SHOWING THE WORK TRANSACTED
DURING THE TWO HUNDRED AND SEVENTH
SESSION OF THE RAJYA SABHA**

1. WORKING OF PARLIAMENTARY COMMITTEES

Sl. No.	Name of the Committee	No. of meetings held during the period 1 January to 31 March 2006	No. of Reports presented
1	2	3	4
(i)	Business Advisory Committee	05	Nil
(ii)	Committee on Subordinate Legislation	04	01
(iii)	Committee on Petitions	03	01
(iv)	Committee of Privileges	C1	Nil
(v)	Committee on Rules	Nil	Nil
(vi)	Committee on Government Assurances	02	Nil
(vii)	Committee on Papers Laid on the Table	01	Nil
(viii)	General Purposes Committee	Nil	Nil
(ix)	House Committee	02	Nil
Department-Related Standing Committees:			
(x)	Commerce	02	Nil
(xi)	Home Affairs	05	01
(xii)	Human Resource Development	04	Nil
(xiii)	Industry	07	01
(xiv)	Science and Technology, Environment and Forests	09	02
(xv)	Transport, Tourism and Culture	05	10
(xvi)	Health and Family Welfare	02	Nil
(xvii)	Personnel, Public Grievances, Law and Justice	01	Nil
Other Committees			
(xviii)	Committee on Ethics	06	01
(xix)	Committee on Provision of Computers to Members of Rajya Sabha	02	Nil
(xx)	Committee on Members of Parliament Local Area Development Scheme	02	Nil
(xxi)	Joint Parliamentary Committee on Wakf Board	01	Nil

APPENDIX III
STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD 1 JANUARY TO 31 MARCH 2006

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Question	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.*	—	—	—	—	—	—	—
Andhra Pradesh L.A.	21.3.2006 to 25.3.2006	5	7(7)	—	104(83)	85(85)	18(5)
Assam L.A.	1.2.2006 to 8.2.2006	6	5(5)	—	164(80)	50(126)*	29(27)
Bihar L.A.**	—	—	—	—	—	—	—
Bihar L.CA.**	—	—	—	—	—	—	—
Chhattisgarh L.A.	13.2.2006 to 30.3.2006	30	9(9)	—	1823(725)	833(533)	—
Goa L.A.	13.2.2006 to 17.2.2006	5	5(5)	—	253(180)	127(117)	—
Gujarat L.A.	23.2.2006 to 29.3.2006	27	25(25)	1	4404(2942)	251(237)	20(4)
Haryana L.A.**	—	—	—	—	—	—	—
Himachal Pradesh L.A.	21.2.2006 to 7.4.2006	25	14(13)	—	1420(841)	130(89)	—
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—
Jharkhand L.A.	28.2.2006 to 24.3.2006	15	4(4)	—	672(550)	-(206)	220(136)
Karnataka L.A.	19.1.2006 to 6.4.2006	23	13(7)	—	120(120)	395(395)	—
Karnataka L.C.	19.1.2006 to 6.4.2006	21	10	—	409(120)	140(429)*	—
Kerala L.A.	—	—	—	—	—	—	—
Madhya Pradesh L.A.**	—	—	—	—	—	—	—

Maharashtra L.A.	13.3.2006 to 21.4.2006	23	15(15)	26	10,687(1360)	14(2308)*	2
Maharashtra L.C.	13.3.2006 to 21.4.2006	21	6(19)	10	4574(1173)	5(873)*	57(46)
Manipur L.A.**	—	—	—	—	—	—	—
Meghalaya L.A.	17.3.2006 to 28.4.2006	8	4(6)	—	-(153)	-(37)	—
Mizoram L.A.**	—	—	—	—	—	—	—
Nagaland J.A.	16.3.2006 to 23.3.2006	6	5(5)	—	83(82)	20(16)	—
Orissa L.A.	3.2.2006 to 5.4.2006	32	4(2)	—	3851(2947)	4259(5334)*	10(1)
Punjab L.A.	20.2.2006 to 17.3.2006	14	16(15)	—	494(294)	52(34)	—
Rajasthan L.A.	28.2.2006 to 7.4.2006	25	15(13)	—	2031(1797)	1812(1626)	33(30)
Sikkim L.A.	20.2.2006 to 25.2.2006	6	8(8)	—	8(8)	3	—
Tamil Nadu L.A.	13.1.2006 to 27.1.2006	10	10	—	-(60)	-(557)	5
Tripura L.A.**	—	—	—	—	—	—	—
Uttaranchal L.A.	22.3.2006 to 20.4.2006	11	10(10)	—	646(109)	-(424)	85(26)
Uttar Pradesh L.A.**	—	—	—	—	—	—	—
Uttar Pradesh L.C.	21.11.2005 to 29.3.2006	19	-(19)	—	213(163)	107(98)	117(100)
West Bengal L.A.**	—	—	—	—	—	—	—
UNION TERRITORIES							
Delhi L.A.	1.3.2006 to 17.3.2006	12	3(3)	1	-(220)	-(427)	—
Pondicherry L.A.**	—	—	—	—	—	—	—

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

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

@ Starred Questions and Short Notices admitted as Unstarred

APPENDIX III (Contd.)
COMMITTEES AT WORK / NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED
DURING THE PERIOD 1 JANUARY TO 31 MARCH 2006

	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 of Privileges																
Committee on Public Undertakings																
Committee on Subordinate Legislation																
Committee on the Welfare of SCs and STs																
Committee on Estimates																
General Purposes Committee																
House/Accommodation Committee																
Library Committee																
Public Accounts Committee																
Rules Committee																
Joint/Select Committee																
Other Committees																1 ^(a)
STATES																
Andhra Pradesh L.A.*	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Assam Pradesh L.A.	1	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Uttaranchal L.A.	6(6)	2	—	—	—	—	—	—	3	—	1	—	3	—	—	—
Uttar Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.C.	17	3	—	—	3(1)	—	—	—	—	—	—	—	—	3	—	10(1) ^(o)
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
UNION TERRITORY																
Delhi L.A.	1(1)	4(1)	—	1(1)	—	—	—	—	—	—	—	—	6(2)	—	4(3)	—
Pondicherry L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

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

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

- (a) Committee on Justice Delivery System prevalent in Traditional Method of the Institution of GBS-1
- (b) Employment Review Committee-1(1); and Act Implementation Committee-3(1)
- (c) Question and Reference Committee-2(2)
- (d) Members' Pay and Allowance Rules Committee-3; Panchayati Raj Committee-5(1); Welfare of Socially and Educationally Backward Classes Committee-2; and Absence of Members Committee-1(1)
- (e) Public Administration Committee-8(8); Human Development Committee-5(6); General Development Committee-4(8); Rural Planning Committee-4(4); and Ethics Committee-1(1)
- (f) Zila Panchayati/ Zila Parishad Committee-5; Vidheyak Nidhi and Anushrawan Committee-7; and Youth, Sports and Cultural Committee-5
- (g) Committee on Backward Classes and Minorities-1(1); Committee on Welfare of Women & Children-4(1); and Committee on Papers Laid on the Table-3(2)
- (h) Ethics Committee-1
- (i) Committee on Welfare of Vimukta Jatis and Nomadic Tribes-10(1); Committee on Employment Guarantee Scheme-12(2); Panchayati Raj Committee-12(4); Catering Committee-2; Women Rights and Welfare Committee-9; Committee on Maharashtra Legislature Members' Salaries and Allowances-1; and Other Backward Classes Committee-11
- (l) Committee on Welfare of Vimukta Jatis and Nomadic Tribes-10(1); Committee on Employment Guarantee Scheme-12(2); Panchayati Raj Committee-12(4); Catering Committee-2; Women Rights and Welfare Committee-9; Committee on Maharashtra Legislature Members' Salaries and Allowances-1; and Other Backward Classes Committee-11

- (k) Ethics Committee-5; House Committee on Women and Child Welfare-3; House Committee on Forests-2; House Committee on Co-operatives-5; House Committee on Environment-2; House Committee on Linguistic Minorities-3; House Committee on Power Generation-3; House Committee on NGOs-2; and House Committee on Sarva Shiksha Abhiyan-2
- (l) Committee on Papers Laid/ to be Laid on the Table-7; Committee on Questions and References-7(1); and Committee on Local Bodies and Panchayati Raj Institutions-11(1)
- (m) Committee on Welfare of Woman and Child-9(4); Committee on Welfare of Backward Classes-12(1); and Question and Reference Committee-15(1)
- (n) Committee on Papers Laid on the Table-1(2)
- (o) Committee on Equal Rights of Legislature-1; Committee on Reference & Question-4; Committee on Financial and Administrative Delay-3(1); Committee on Parliamentary Study-1; and Committee on Enquiry of Housing Complaints of U.P. Legislature-1

APPENDIX IV**LIST OF BILLS PASSED BY THE HOUSES OF
PARLIAMENT AND ASSENTED TO BY THE
PRESIDENT DURING THE PERIOD FROM****1 JANUARY TO 31 MARCH 2006**

Sl. No.	Title of the Bill	Date of Assent
1	2	3
1.	The Andhra Pradesh Legislative Council Bill, 2005	11.1.2006
2.	The Criminal Law (Amendment) Bill, 2005	11.1.2006
3.	The Central Sales Tax (Amendment) Bill, 2005	16.1.2006
4.	The Constitution (Ninety-third Amendment) Bill, 2005	20.1.2006
5.	The Commissions for Protection of Child Rights Bill, 2005	20.1.2006
6.	The Government of Union Territories and the Government of National Capital Territory of Delhi (Amendment) Bill, 2006	2.3.2006
7.	The Contempt of Courts (Amendment) Bill, 2006	17.3.2006
8.	The Cost and Works Accountants (Amendment) Bill, 2006	17.3.2006
9.	The Company Secretaries (Amendment) Bill, 2006	17.3.2006
10.	The Chartered Accountants (Amendment) Bill, 2006	22.3.2006
11.	The Khadi and Village Industries Commission (Amendment) Bill, 2006	22.3.2006
12.	The Appropriation (Railways) Vote on Account Bill, 2006	22.3.2006
13.	The Appropriation (Railways) Bill, 2006	22.3.2006
14.	The Appropriation (Railways) No.2 Bill, 2006	22.3.2006
15.	The Appropriation Bill, 2006	22.3.2006
16.	The Appropriation (No.2) Bill, 2006	22.3.2006
17.	The Appropriation (Railways) No.3 Bill, 2006	24.3.2006
18.	The Appropriation (No.3) Bill, 2006	28.3.2006
19.	The National Commission for Minority Educational Institutions (Amendment) Bill, 2006	28.3.2006
20.	The Petroleum and Natural Gas Regulatory Board Bill, 2006	31.3.2006

APPENDIX V**LIST OF BILLS PASSED BY THE LEGISLATURES OF
THE STATES AND THE UNION TERRITORIES DURING
THE PERIOD 1 JANUARY TO 31 MARCH 2006**

ARUNACHAL PRADESH

1. The Arunachal Pradesh Goods Tax (Amendment) Bill, 2006
2. The Arunachal Pradesh Fisheries Bill, 2006
3. The Arunachal Pradesh Agricultural Produce Marketing (Regulation) (Amendment) Bill, 2006
4. The Arunachal Pradesh Local Authorities Prohibition of Defection (Amendment) Bill, 2006
5. The Arunachal Pradesh Appropriation (No.1) Bill, 2006
6. The Arunachal Pradesh Appropriation (No.2) Bill, 2006
7. The Arunachal Pradesh Fiscal Responsibility Bill, 2006

ASSAM LEGISLATIVE ASSEMBLY

1. The Assam Appropriation (No.1) Bill, 2006
2. The Assam Appropriation (Liquidation of Arrear Dues) (Amendment) Bill, 2006
3. The Guwahati Municipal Corporation (Amendment) Bill, 2006
4. The Assam Lift And Escalators Bill, 2006
5. The Assam Appropriation (Vote on Account) Bill, 2006

CHHATTISGARH LEGISLATIVE ASSEMBLY

1. The Chhattisgarh Viniyog ((Kramank-1) Vidheyak, 2006
2. The Chhattisgarh Rajkoshiya Uttardayatva aur Budget Prabandh (Sanshodhan) Vidheyak, 2006
3. The Chhattisgarh Viniyog ((Kramank-2) Vidheyak, 2006
4. The Chhattisgarh Brittikar (Sanshodhan) Vidheyak, 2006
5. The Chhattisgarh Hotel tathe Vasagriha main Vilas Vastuo par Kar (Sanshodhan) Vidheyak, 2006
6. The Chhattisgarh Sthaniya kshetra main maal ke pravesh par kar (Sanshodhan) Vidheyak, 2006
7. The Chhattisgarh Sinchai Prabandhan main Krishako ki Bhagida'i Vidheyak, 2006
8. The Chhattisgarh Ashasakia Mahavidyalaya aur Sanstha (Sthapana evam Viniyaman) Vidheyak, 2006
9. The Chhattisgarh Sarkari Society Vidheyak, 2006

DELHI LEGISLATIVE ASSEMBLY

1. The Wakf (Delhi Amendment) Bill, 2006
2. The Appropriation (No.1) Bill, 2006

3. The Appropriation (No.2) Bill, 2006

GOA LEGISLATIVE ASSEMBLY

1. The Goa Appropriation Bill, 2006
2. The City of Panaji Corporation (Amendment) Bill, 2006
3. The Goa Electricity Duty (Amendment) Bill, 2006
4. The Goa Buildings (Lease, Rent and Eviction) Control (Amendment) Bill, 2006
5. The Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Amendment) Bill, 2006

GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Cinemas (Regulation) (Amendment) Bill, 2006
2. The Gujarat Repealing Bill, 2006
3. The Gujarat Purchase Tax on Sugarcane (Amendment and Validation) Bill, 2006
4. The Bombay Police (Gujarat Amendment and Validation) Bill, 2006
5. The Gujarat Motor Spirit Cess (Amendment) Bill, 2006
6. The Gujarat Tax on Entry of Specified Goods into Local Areas (Amendment) Bill, 2006
7. The Gujarat Value Added Tax (Amendment) Bill, 2006
8. The Gujarat Khadi and Village Industries Bill, 2006
9. The Gujarat Warehouses Bill, 2006
10. The Gujarat Educational Institutions Services Tribunal Bill, 2006
11. The Gujarat Supplementary Appropriation Bill, 2006
12. The Bombay Motor Vehicles Tax (Gujarat Amendment) Bill, 2006
13. The Gujarat Education Cess (Amendment) Bill, 2006
14. The Gujarat Registration of Marriages Bill, 2006
15. The Bombay Electricity Duty (Gujarat Amendment) Bill, 2006
16. The Gujarat Entertainments Tax (Amendment) Bill, 2006
17. The Gujarat Tax on Luxuries (Hotels and Lodging Houses) (Amendment) Bill, 2006
18. The Gujarat Tax on Luxuries Commodities (Repeal) Bill, 2006
19. The Bombay Stamp (Gujarat Amendment) Bill, 2006
20. The Gujarat infrastructure Development (Amendment) Bill, 2006
21. The Bombay Relief Undertaking (Special Provisions) (Gujarat Repeal) Bill, 2006
22. The Gujarat Agricultural Produce Markets (Amendment) Bill, 2006
23. The Gujarat Professional Civil Engineers Bill, 2006
24. The Gujarat Appropriation Bill, 2006
25. The Gujarat State Tax on Professions, Trades, Callings and Employments (Amendment) Bill, 2006

HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

1. The Himachal Pradesh Appropriation Bill, 2006
2. The Himachal Pradesh Private Unaided Dental Colleges (Regulation of Admission

and Fixation of Fee for Academic year 2003-04) Bill, 2006

3. The Himachal Pradesh Registration of Marriages (Amendment) Bill, 2006
4. The Criminal Law (Himachal Pradesh Amendment) Bill, 2006
5. The Himachal Pradesh Appropriation (No.2) Bill, 2006
6. The Himachal Pradesh Passengers and Goods Taxation (Amendment) Bill, 2006
7. The Himachal Pradesh Private Universities (Establishment and Regulation) Bill, 2006
8. The Himachal Pradesh Appropriation Bill, 2006
9. The Himachal Pradesh Road Infrastructure Protection (Amendment) Bill, 2006
10. The Salaries and Allowances of Minister (Himachal Pradesh) Amendment Bill, 2006
11. The Himachal Pradesh Speaker's and Deputy Speaker's Salaries (Amendment) Bill, 2006
12. The Himachal Pradesh Legislative Assembly (Allowances and Pension of Members) Amendment Bill, 2006
13. The Himachal Pradesh Courts (Amendment) Bill, 2006

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Appropriation Bill, 2006
2. The Karnataka Value Added Tax (Amendment) Bill, 2006
3. The Karnataka Taxation Laws (Amendment) Bill, 2006
4. The Karnataka Appropriation (No.2) Bill, 2006
5. The Karnataka Appropriation (Vote on Account) Bill, 2006
6. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 2006
7. The Karnataka Stamp (Amendment) Bill, 2006

KARNATAKA LEGISLATIVE COUNCIL

1. The Mysore (Religious and Charitable) Inams Abolition (Karnataka Amendment) Bill, 2005
2. The Karnataka Professional Educational Institutions (Regulation of Admission and Determination of Fee) Bill, 2006
3. The Visveswaraiiah Technological University (Amendment) Bill, 2006
4. The Karnataka Secondary Education Examination Board (Amendment) Bill, 2006
5. The Karnataka Taxation Laws (Amendment) Bill, 2006
6. The Karnataka Value Added Tax (Amendment) Bill, 2006
7. The Karnataka Appropriation (Vote on Account) Bill, 2006
8. The Karnataka Appropriation (No.2) Bill, 2006
9. The Karnataka Motor Vehicles Taxation (Amendment) Bill, 2006
10. The Karnataka Stamps (Amendment) Bill, 2006

MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Bill, 2006
2. The Maharashtra Municipal Corporation (Amendment) Bill, 2006
3. The Maharashtra Non-biodegradable Garbage (Control) Bill, 2006

4. The Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Bill, 2006
5. The Bombay Motor Vehicles Tax (Amendment) Bill, 2006
6. The Maharashtra (Supplementary) Appropriation Bill, 2006
7. The Regularisation of Unauthorised Developments in the city of Ulhasnagar Bill, 2006
8. The Maharashtra Appropriation (Vote on Account) Bill, 2006
9. The Bombay Stamp (Amendment) Bill, 2006
10. The Bombay Motor Vehicles Tax (Second Amendment) Bill, 2006
11. The Maharashtra Legislature Members' Pension (Amendment) Bill, 2006
12. The Maharashtra Appropriation Bill, 2006
13. The Bombay Entertainments Duty (Amendment) Bill, 2006
14. The Maharashtra State Tax on Professions, Trades, Callings and Employments (Amendment) Bill, 2006
15. The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Bill, 2003
16. The Maharashtra Devdasi System (Abolition) Bill, 2005
17. The Factories (Maharashtra Amendment) Bill, 2006
18. The Maharashtra State Enterprises (Restructuring and Other Special Provisions) (Amendment) Bill, 2006
19. The Prevention of Food Adulteration (Maharashtra Amendment) Bill, 2006
20. The Maharashtra Co-operative Societies (Amendment) Bill, 2006

MAHARASHTRA LEGISLATIVE COUNCIL

1. The Factories (Maharashtra Amendment) Bill, 2006
2. The Maharashtra Self-Financed Universities (Establishment and Regulation) Bill, 2006
3. The Maharashtra State Enterprises (Restructuring and Other Special Provisions) (Amendment) Bill, 2006
4. The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Bill, 2003
5. The Prevention of Food Adulteration (Maharashtra Amendment) Bill, 2006
6. The Maharashtra Co-operative Societies (Amendment) Bill, 2006
7. The Regularisation of Unauthorised Developments in the city of Ulhasnagar Bill, 2006
8. The Maharashtra Non-biodegradable Garbage (Control) Bill, 2006
9. The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Bill, 2006
10. The Bombay Stamp (Amendment) Bill, 2006
11. The Maharashtra Agricultural Produce Marketing Committee (Development and Regulation) (Amendment) Bill, 2006
12. The Maharashtra Municipal Corporation (Amendment) Bill, 2006
13. The Maharashtra Legislature Members' Pension (Amendment) Bill, 2006
14. The Maharashtra (Supplementary) Appropriation Bill, 2006
15. The Maharashtra Appropriation (Vote on Account) Bill, 2006

16. The Maharashtra Appropriation Bill, 2006
17. The Bombay Motor Vehicles Tax (Second Amendment) Bill, 2006
18. The Bombay Entertainments Duty (Amendment) Bill, 2006
19. The Maharashtra State Tax on Professions, Trades, Callings and Employments (Amendment) Bill, 2006

MEGHALAYA LEGISLATIVE ASSEMBLY

1. The Meghalaya Appropriation (No.1) Bill, 2006
2. The Meghalaya Appropriation (Vote on Account) Bill, 2006
3. The Meghalaya (Members Pension) Amendment Bill, 2005
4. The Meghalaya Board of School Education (Amendment) Bill, 2006
5. The Meghalaya Fiscal Responsibility and Budget Management Bill, 2006
6. The Meghalaya Protection of Depositors (In Financial Establishments) Bill, 2006

NAGALAND LEGISLATIVE ASSEMBLY

1. The Nagaland Co-operative Societies (Amendment) Bill, 2005
2. The Global Open University of Nagaland Bill, 2005
3. The Institute of Chartered Financial Analysts of India University in Nagaland, 2005
4. The Nagaland Appropriation (No.1) Bill, 2006
5. The Nagaland Appropriation (No.2) Bill, 2006

ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Co-operative Societies (Amendment) Bill, 2006
2. The Orissa Appropriation Bill, 2006

PUNJAB LEGISLATIVE ASSEMBLY

1. The Baba Farid University of Health Sciences (Amendment) Bill, 2006
2. The Punjab Agricultural Produce Markets (Amendment) Bill, 2006
3. The Punjab Entertainments Tax (Cinematograph Shows) Amendment Bill, 2006
4. The Punjab Value Added Tax (Amendment) Bill, 2006
5. The Punjab Self-Supporting Co-operative Societies Bill, 2006
6. The Punjab Appropriation Bill, 2006
7. The Punjab Lokpal (Amendment) Bill, 2006
8. The Motor Vehicles (Punjab Amendment) Bill, 2006
9. The Punjab State Legislature Members (Pension and Medical Facilities Regulation) Amendment Bill, 2006
10. The Salaries and Allowances of Deputy Ministers, Punjab (Amendment) Bill, 2006
11. The Punjab Appropriation (No.2) Bill, 2006
12. The East Punjab War Awards (Amendment) Bill, 2006
13. The Punjab Nurses Registration (Amendment) Bill, 2006
14. The Punjab Private Health Sciences Educational Institutions (Regulation of Admission, Fixation of Fee and Making of Reservation) Bill, 2006
15. The Rajiv Gandhi National University of Law, Punjab Bill, 2006

RAJASTHAN LEGISLATIVE ASSEMBLY

- *1. The Rajasthan Appropriation (No.1) Bill, 2006
- *2. The Rajasthan Appropriation (No.2) Bill, 2006
- *3. The Rajasthan Right to Information (Repeal) Bill, 2006
- *4. The Rajasthan Finance Bill, 2006
- *5. The Rajasthan University (Change of Name) Bill, 2006
- *6. The Rajasthan Monuments, Archaeological Sites & Antiquities (Amendment) Bill, 2006
- *7. The Rajasthan Municipalities (Amendment) Bill, 2006
- *8. The Rajasthan Prevention of Defacement of Property Bill, 2006
- *9. The Rajasthan Technical University Bill, 2006
- *10. The Rajasthan Public Libraries Bill, 2006
- *11. The Rajasthan Dharma Swatantrya Bill, 2006
- *12. The Rajasthan Legislative Assembly (Officers & Members Emoluments & Pension) (Amendment) Bill, 2006
- *13. The Rajasthan Ministers' Salaries (Amendment) Bill, 2006

SIKKIM LEGISLATIVE ASSEMBLY

- 1. The Sikkim Co-operative Societies (Amendment) Bill, 2006
- 2. The Sikkim Anti-Drugs Bill, 2006
- 3. The Sikkim Transport Infrastructure Development Fund (Amendment) Bill, 2006
- 4. The Eastern Institute for Integrated Learning in Management Bill, 2006
- 5. The Sikkim Tax on Professions, Trades, Callings and Employment Bill, 2006
- 6. The Sikkim Manipal University of Health, Medical and Technological Sciences (Amendment) Bill, 2006
- 7. The Sikkim Appropriation Bill, 2006
- 8. The Sikkim Appropriation Bill, 2006

TAMIL NADU LEGISLATIVE ASSEMBLY

- 1. The Tamil Nadu Hindu Religious and Charitable Endowments (Amendment) Bill, 2006
- 2. The Tamil Nadu Regulation of Admission in Professional Courses Bill, 2006
- 3. The Thiruvalluvar University (Amendment) Bill, 2006
- 4. The Tamil Nadu Open University (Amendment) Bill, 2006
- 5. The Tamil Nadu General Sales Tax (Amendment) Bill, 2006
- 6. The Tamil Nadu Acquisition, Transfer and Taking Over of the Administration of Cable Television Network (Including Multiple Service Optical Transport System) Bill, 2006
- 7. The Tamil Nadu Panchayats (Amendment) Bill, 2006
- 8. The Tamil Nadu Panchayats (Second Amendment) Bill, 2006
- 9. The Tamil Nadu Appropriation Bill, 2006

* Bills awaiting assent

10. The Tamil Nadu Appropriation (Vote on Account) Bill, 2006

UTTARANCHAL LEGISLATIVE ASSEMBLY

1. The Uttaranchal State Commission for Other Backward Classes (Third Amendment) Bill, 2005
2. The Uttaranchal Appropriation (Votes on Account) Bill, 2006
3. The University of Patanjali Bill, 2006
4. The Uttaranchal (The Uttar Pradesh Krishi Utpadan Mandi Adhiniyam, 1964) Adaptation & Modification order, 2002 (Amendment) Bill, 2006
5. The Uttaranchal (The Uttar Pradesh Tax on Entry of Goods Act, 2000) Adaptation and Modification Order, 2002 (Amendment) Bill, 2006
6. The Uttaranchal (The Uttar Pradesh State Legislature Prevention of Disqualification) Act, 1971) (Amendment) Bill, 2006
7. The Uttaranchal School Education Bill, 2006
8. The Uttaranchal (Emoluments and Pension of the State Assembly Members, Ministers and Officers) (First Amendment) Bill, 2006
9. The Uttaranchal Appropriation Bill, 2006
10. The Revenue Recovery (Uttaranchal Amendment) Bill, 2006

APPENDIX VI
ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS
DURING THE PERIOD 1 JANUARY TO 31 MARCH 2006

Sl. No.	Title of Ordinance	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
UNION GOVERNMENT					
1.	The National Commission for Minority Educational Institutions (Amendment) Ordinance, 2006	23.01.2006	16.02.2006	—	Replaced by an Act of Parliament
GOA					
1.	The City of Panaji Corporation (Amendment) Ordinance, 2005	05.10.2005	16.2.2006	16.2.2006	Replaced by Legislation
2.	The Goa Town and Country Planning (Amendment) Ordinance, 2005	29.09.2005	15.02.2006	—	—
3.	The Goa Electricity Duty (Amendment) Ordinance, 2005	12.01.2006	15.02.2006	15.02.2006	Replaced by Legislation

	KARNATAKA				
1.	The Karnataka Food Security Ordinance, 2006	12.01.2006	—	—	—
	MAHARASHTRA				
1.	The Regularisation of Unauthorised Developments in the City of Ulhasnagar Ordinance, 2006	14.01.2006	13.03.2006	23.04.2006	Replaced by Legislation
2.	The Maharashtra Contingency Fund (Amendment) Ordinance, 2006	15.02.2006	13.03.2006	23.04.2006	—
3.	The Maharashtra Agricultural Lands (Ceiling on Holdings) (Amendment) Ordinance, 2006	17.02.2006	13.03.2006	23.04.2006	Replaced by Legislation
4.	The Maharashtra non-Biodegradable Garbage (Control) Ordinance, 2006	27.02.2006	13.03.2006	23.04.2006	Replaced by Legislation
	MEGHALAYA				
1.	The Meghalaya Board of School Education (Second Amendment) Ordinance, 2005	25.11.2005	17.03.2006	—	Replaced by Legislation
	ORISSA				
1.	The Orissa Co-operative Societies (Amendment) Ordinance, 2005	31.12.2005	14.02.2006	—	Replaced by Legislation

APPENDIX VII
A. PARTY POSITION IN 14TH LOK SABHA (STATEWISE) AS ON 30 MAY 2006

States	Seats	INC	BUP	CPI (M)	SP	RJD	DMK	BSP	SS	BJD	CPI	NCP	JD (U)	SAD	PMK	JMM	TRS	TDP	MD MK	LJ SP	AIFB
Andhra Pradesh	42	29	—	1	—	—	—	—	—	—	—	1	—	—	—	—	5	5	—	—	—
Assam	14	9	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Bihar	40	3	4	—	22	—	—	—	—	—	—	—	5	—	—	—	—	—	—	4	—
Chhattisgarh	11	1	9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Goa	2	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Gujarat	26	12	14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Haryana	10	9	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Himachal Pradesh	4	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir	6	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jharkhand	14	6	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Karnataka	28	9	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Kerala	20	—	—	12	—	—	—	—	—	—	—	3	—	—	—	—	—	—	—	—	—
Madhya Pradesh	29	3	23	—	—	—	—	12	—	—	—	—	9	—	—	—	—	—	—	—	—
Maharashtra	48	13	11	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Manipur	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Meghalaya	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Nagaland	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Orissa	21	2	7	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Punjab	13	2	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Rajasthan	25	4	21	—	—	—	—	—	—	—	—	—	—	8	—	—	—	—	—	—	—
Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tamil Nadu	39	10	—	2	—	—	16	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tripura	2	—	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttaranchal	5	1	3	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh	80	9	10	—	36	—	—	15	—	—	—	—	—	—	—	—	—	—	—	—	—
West Bengal	42	5	—	25	—	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	2
Nominated	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
UNION TERRITORIES																					
A. & N Islands	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Chandigarh	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Dadra & Nagar Haveli	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daman and Diu	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
The NCT of Delhi	7	6	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Lakshadweep	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Pondicherry	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	545	146	128	42	38	23	16	15	12	11	10	10	7	8	6	5	5	5	4	4	2

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

AGP-Asom Gana Parishad; AIFB-All India Forward Bloc; AIMIM-All India Majlis-e-Ittehadul Muslimeen; AITC-All India Trinamool Congress; BJD-Biju Janata Dal; BJP-Bharatiya Janata Party; BNP-Bharatiya Navshakti Party; BSP-Bahujan Samaj Party; CPI(M)-Communist Party of India (Marxist); CPI-Communist Party of India; DMK-Dravida Munnetra Kazhagam; INC-Indian National Congress; IND-Independents; J&KPDP-Jammu & Kashmir Peoples Democratic Party; J&KNC-Jammu & Kashmir National Conference; JD(S)-Janata Dal (Secular); JD(U)-Janata Dal (United); JMM-Jharkhand Mukti Morcha; KC-Kerala Congress; LJSP-Lok Jan Shakti Party; MDMK-Marumalarchi Dravida Munnetra Kazhagam; MLKSC-Muslim League Kerala State Committee; MNF-Mizo National Front; NCP-Nationalist Congress Party; NLP-National Loktantrik Party; NPF-Nagaland Peoples Front; PMK-Pattali Makkal Katchi; RJD-Rashtriya Janata Dal; RLD-Rashtriya Lok Dal; RPI(A)-Republican Party of India(A); RSP-Revolutionary Socialist Party; SAD-Shiromani Akali Dal; SDF-Sikkim Democratic Front; SJP(R)-Samajwadi Janata Party (Rashtriya); SP-Samajwadi Party; SS-Shiv Sena; TDP-Telugu Desam Party; TRS-Telangana Rashtra Samithi.

B. PARTY POSITION IN THE RAJYA SABHA (AS ON 26 JUNE 2006)

Sl. No.	State/Union Territories	Seats	INC	BJP	CPI (M)	AIA-DMK	SP	TDP	RJD	BSP	BJD	NCP	JD(U)	*Others	IND	Total	Vacancies	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	
STATES																		
1.	Andhra Pradesh	18	10	—	1	—	—	6	—	—	—	—	—	1 ^(a)	—	18	—	
2.	Arunachal Pradesh	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
3.	Assam	7	5	1	—	—	—	—	—	—	—	—	—	—	1	7	—	
4.	Bihar	16	1	3	—	—	—	—	7	—	—	—	4	1 ^(b)	—	16	—	
5.	Chhattisgarh	5	3	2	—	—	—	—	—	—	—	—	—	—	—	5	—	
6.	Goa	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
7.	Gujarat	11	3	8	—	—	—	—	—	—	—	—	—	—	—	11	—	
8.	Haryana	5	1	—	—	—	—	—	—	—	—	—	—	3 ^(c)	1	5	—	
9.	Himachal Pradesh	3	2	1	—	—	—	—	—	—	—	—	—	—	—	3	—	
10.	Jammu & Kashmir	4	2	—	—	—	—	—	—	—	—	—	—	2 ^(d)	—	4	—	
11.	Jharkhand	6	1	4	—	—	—	—	—	—	—	—	1	—	—	6	—	
12.	Karnataka	12	6	2	—	—	—	—	—	—	—	—	—	2 ^(e)	2	12	—	
13.	Kerala	9	4	—	2	—	—	—	—	—	—	—	—	2 ^(f)	—	8	1	
14.	Madhya Pradesh	11	3	8	—	—	—	—	—	—	—	—	—	—	—	11	—	
15.	Maharashtra	19	6	2	—	—	—	—	—	—	—	4	—	5 ^(g)	2	19	—	
16.	Manipur	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
17.	Meghalaya	1	—	—	—	—	—	—	—	—	—	1	—	—	—	1	—	
18.	Mizoram	1	—	—	—	—	—	—	—	—	—	—	—	1 ^(h)	—	1	—	
19.	Nagaland	1	—	—	—	—	—	—	—	—	—	—	—	1 ⁽ⁱ⁾	—	1	—	
20.	Orissa	10	2	3	—	—	—	—	—	—	4	—	—	—	1	10	—	
21.	Punjab	7	5	—	—	—	—	—	—	—	—	—	—	2 ^(j)	—	7	—	
22.	Rajasthan	10	4	6	—	—	—	—	—	—	—	—	—	—	—	10	—	
23.	Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	1 ^(k)	—	1	—	

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18
24.	Tamil Nadu	18	3	—	—	12	—	—	—	—	—	—	—	2 ^(a)	—	17	1
25.	Tripura	1	—	—	1	—	—	—	—	—	—	—	—	—	—	1	—
26.	Uttaranchal	3	3	—	—	—	—	—	—	—	—	—	—	—	—	3	—
27.	Uttar Pradesh	31	1	6	—	—	15	—	—	7	—	—	—	1 ^(m)	1	31	—
28.	West Bengal	16	—	—	9	—	—	—	—	—	—	—	—	6 ⁽ⁿ⁾	1	16	—
UNION TERRITORIES																	
29.	NCT of Delhi	3	3	—	—	—	—	—	—	—	—	—	—	—	—	3	—
30.	Pondicherry	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—
31.	Nominated	12	—	3	—	—	—	—	—	—	—	—	—	7 ^(o)	—	10	2
TOTAL		245	72	49	13	12	15	6	7	7	4	5	5	37	9	241	4

OTHERS

(Break-up of Parties/Groups)

- (a) Communist Party of India-1
- (b) Samata Party-1
- (c) Indian National Lok Dal-3
- (d) Jammu and Kashmir National Conference-1; and Peoples' Democratic Party-1
- (e) Janata Dal (Secular)-2
- (f) Muslim League-2
- (g) Shiv Sena-4; and Sadbhavna Party-1
- (h) Mizo National Front-1
- (i) Nagaland Peoples Front-1
- (j) Shiromani Akali Dal-2
- (k) Sikkim Democratic Front-1
- (l) Dravida Munnetra Kazhagam-2; and Pattali Makkal Katchi-1
- (m) Rashtriya Lok Dal-1
- (n) All India Trinamool Congress-3; Forward Bloc-2; and Revolutionary Socialist Party-1
- (o) Nominated-7

- Information received from the State/Union territory Legislatures contained NIL report
- ** Information not received from the State/Union territory Legislatures
- ⑥ Excluding Speaker/Chairman
- a) Arunachal Congress-2
- b) Asom Gana Parishad-20; Autonomous State Demand Committee (United)-2; Samata Party-1 Samajwadi Party-1; and All India Trinamool Congress-1
- c) Nominated-1
- d) United Goans Democratic Party-1; and Maharashtrawadi Gomantak Party-1
- e) Lok Jan Shakti Party-1
- f) Kannada Chalavali Vatal Paksha-1; Kannada Naadu Paksha-1; Republican Party of India-1; and Nominated-1
- g) Shiv Sena-58; Jan Surajya Shakti-4; Peasants and Workers' Party-2; Bharip Bahujan Mahasangh-1; Republican Party of India (A)-1; Swatantra Bharat Paksha-1; Aakhil Bharatiya Sena-1; and Nominated-1
- h) Shiv Sena-10; Peasants and Workers' Party-1; and Peoples' Republican Party-1
- i) Biju Janata Dal-61; Jharkhand Mukti Morcha-4; and Orissa Gana Parishad-2
- j) Shiromani Akali Dal-40
- k) Indian National Lok Dal-4; Rajasthan Samajic Nayaya Manch-1; and Lok Jan Shakti Party-1
- l) Sikkim Democratic Front Party-31
- m) All India Anna Dravida Munnetra Kazhagam-140; Dravida Munnetra Kazhagam-30; Pattali Makkal Katchi-16; All India Forward Bloc-1; Unattached-1; and Nominated-1
- n) Uttarakhand Party-4; Nominated-1; and Others-3
- o) Samajwadi Party-39; Rashtriya Lok Dal-6; Samajwadi Janata Dal (Rashtriya)-1; and Sikhshak Dal (Non-Political)-10