

**The Journal
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Information**

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NO. 4

DECEMBER 2003

LOK SABHA SECRETARIAT
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THE JOURNAL OF PARLIAMENTARY INFORMATION

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EDITORIAL NOTE

The precincts of the magnificent Parliament House have statues and portraits of several national leaders who have contributed substantially to the national cause. In addition to the ones which are already adorning the complex, several more statues of stalwarts from our history have been installed from time to time, as a humble tribute to the sacrifices made by these leaders.

On 25 September 2003, the statue of the former Deputy Prime Minister of India, Chaudhary Devi Lal, was unveiled in the precincts of Parliament House by the Speaker, Lok Sabha, Shri Manohar Joshi. The statue of Chaudhary Devi Lal, 12½ feet in height and sculpted by the well-known sculptor Shri Rajesh Bhandari, was donated by the Chaudhary Devi Lal Memorial Trust, New Delhi.

The function unveiling the statue of Chaudhary Devi Lal was attended, among others, by the former Prime Ministers Sarvashri Chandra Shekhar and I.K. Gujral; Union Ministers; the Governor of Haryana, Shri Babu Parmanand; the Chief Minister of Haryana, Shri Om Prakash Chautala; Leaders of Parties in Parliament; members of Parliament; and former members of Parliament and many other dignitaries.

Earlier, the Speaker, Lok Sabha, Shri Manohar Joshi, inaugurated an Exhibition titled "The Glorious Saga of Jana Nayak Chaudhary Devi Lal". The Exhibition was put up by the Parliamentary Museum and Archives (PMA) of the Lok Sabha Secretariat in collaboration with the Directorate of Advertising and Visual Publicity (DAVP) in the Lawns near Iron Gate No.2 of Parliament House.

At the function, a publication titled 'Chaudhary Devi Lal' carrying his profile and some select photographs was brought out by the Research and Information Division of the Lok Sabha Secretariat.

We include in this issue a Short Note titled "Unveiling of the Statue of Chaudhary Devi Lal in Parliament Complex".

Besides, we carry in this issue our other regular features, viz. Parliamentary Events and Activities, 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 field of parliamentary political science.

—*G.C. Malhotra*
Editor

UNVEILING OF THE STATUE OF CHAUDHARY DEVI LAL IN PARLIAMENT COMPLEX

The statue of the former Deputy Prime Minister of India, Chaudhary Devi Lal, was unveiled in the precincts of Parliament House by the Speaker, Lok Sabha, Shri Manohar Joshi on 25 September 2003.

Chaudhary Devi Lal was a veteran freedom fighter, an esteemed *kisan* leader and a man of firm convictions. His simple lifestyle, straightforwardness and down-to-earth approach endeared him to all sections of national life. He was fondly revered as the *Tau* by the people, especially the farmers.

Hailing from an agriculturist family, Chaudhary Devi Lal was a firm believer in the Gandhian philosophy of uplifting the rural masses, the downtrodden and the oppressed. His long political career started with his participation in the Civil Disobedience Movement launched by the Father of the Nation, Mahatma Gandhi. He was sentenced to imprisonment thrice during India's struggle for freedom. He also ceaselessly espoused the cause of the farmers and during 1946-48 actively participated in an agitation of landless farmers.

Chaudhary Devi Lal was a seasoned national leader, who had an abiding faith in the democratic norms. He served three terms in the Punjab Legislative Assembly and five terms in the Haryana Legislative Assembly. He also had the honour of serving both the Houses of Parliament. He was twice elected as the Chief Minister of Haryana. During his tenure as the Chief Minister, he launched several self-employment and other schemes for the all round development of the rural areas. It was his unwavering commitment to the nation and its people that made him rise from a humble farmer to become the Deputy Prime Minister of India and serve the country with distinction.

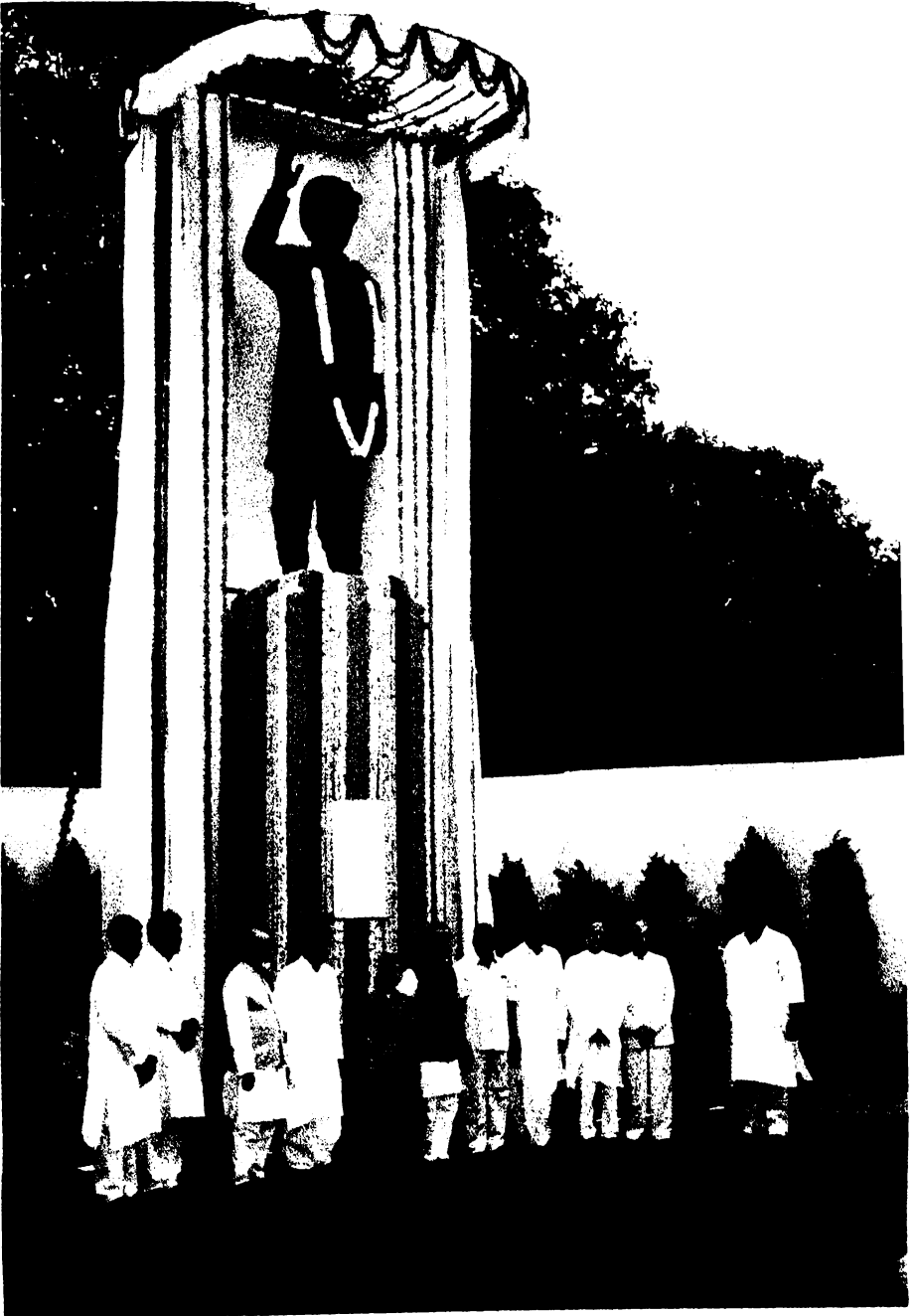
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Parmanand; the Chief Minister of Haryana, Shri Om Prakash Chautala; Leaders of Parties in Parliament; members of Parliament; and former members of Parliament and many other dignitaries.

Earlier, the Speaker, Lok Sabha, Shri Manohar Joshi, inaugurated an Exhibition titled "*The Glorious Saga of Jana Nayak Chaudhary Devi Lal*". The Exhibition was put up by the Parliamentary Museum and Archives (PMA) of the Lok Sabha Secretariat in collaboration with the Directorate of Advertising and Visual Publicity (DAVP) in the Lawns near Iron Gate No.2 of Parliament House.

At the function, a publication titled 'Chaudhary Devi Lal' carrying his profile and some select photographs was brought out by the Research and Information Division of the Lok Sabha Secretariat.



Dignitaries at the unveiling of the statue of Chaudhary Devi Lal



The Speaker, Lok Sabha, Shri Manohar Joshi inaugurating the Exhibition

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

Commonwealth Parliamentary Association Regional Seminar for Asian Parliamentarians on the "Budgetary Cycle, Oversight and Public Accounts Committees": The Commonwealth Parliamentary Association Regional Seminar for Asian Parliamentarians on the "Budgetary Cycle, Oversight and Public Accounts Committees" was held in Colombo, Sri Lanka, from 14 to 17 July 2003. Sarvashri M.O.H. Farook, Rupchand Pal, Lalitbhai Mehta and Dr. Alladi P. Raj Kumar, all members of Parliament, attended the Seminar from the India Union Branch of the CPA. Delegates from the State CPA Branches of Assam, Bihar, Gujarat, Karnataka, Maharashtra, Meghalaya, Rajasthan and West Bengal also attended the Seminar. Shri Kishan Lal, Director, Lok Sabha Secretariat was the Secretary to the Delegation.

The following topics were discussed at the Seminar:

- The Budgetary Cycle and the Budget Process: An Overview.
- The Process of Preparing the National Budget-Presentation: How Realistic is the Budget?
- Presentation and Process of the Budget through Parliament.
- Poverty Reduction Policies.
- Transparency and Accountability in the Budget Process: Disclosure to the Public and the Media.
- Oversight by the Legislature: Concept, Framework and Mechanism; Oversight in the Context of Poverty Reduction Strategies.
- The Relationship between Parliament and the Auditor-General.
- The Public Accounts Committee: Role, Status, Membership.
- The Public Accounts Committee: Comparative Practice in Set-up and Operations.
- Working Practices in Public Accounts Committees of the Region.
- Reporting and Follow-up of Reports.
- Future Action, especially the Potential for Regional Networking and Cooperation.

Post-Election Seminar for the Members of the National Assembly of Kenya in Nairobi: The Secretary-General, Lok Sabha, Shri G.C. Malhotra, attended the Post-Election Seminar for the members of the National Assembly of Kenya in Nairobi from 25 to 27 July 2003 as one of the four members of the International Resource Team. He was the moderator for the subject "Understanding the Standing Orders" and was the Discussion Leader in the Working Group on "Facilities for Members of Parliament".

15th Commonwealth Parliamentary Seminar in Cook Islands: Shri Mohan Rawale, MP (Lok Sabha) attended the 15th Commonwealth Parliamentary Seminar in Rarotonga, Cook Islands, from 16 to 23 August 2003 as the Delegate from the India Union Branch of the CPA.

The following subjects were discussed at the Seminar:

- The Parliamentary System in the Cook Islands.
- The Role of Opposition.
- Parliamentary Committees and Committee Systems.
- Accountability of Parliamentarians.
- The Role of the Speaker in Parliament.
- Conflict of Interest.
- Parliament, the Member and the Press.
- Parties in Parliament.
- The Role of the CPA.
- Code of Conduct for Members.

Meeting of the Secretaries of the Asia Region Constitution Review Committee: A Meeting of the Secretaries of the Asia Region Constitution Review Committee was held in Colombo, Sri Lanka, on 29 August 2003. The Regional Secretary and Chairman of the Review Committee and Secretary-General, Lok Sabha, Shri G.C. Malhotra, chaired the meeting to consider changes in the Constitution of the Asia Region. The Secretary-General, CPA Sri Lanka Branch, Mrs. Priyanee Wijesekera, and Shri Vilas Patil, Principal Secretary, Maharashtra Legislative Assembly, both members of the Review Committee, attended the meeting. Shri R.C. Ahuja, Joint Secretary; Shri U.S. Saxena, Deputy Secretary; and Shri K.L. Arora, Under Secretary from the Regional Secretariat, assisted at the meeting. Some suggestions were given at the meeting and it was decided to have another meeting of members of the Review Committee, to finalize the draft before it is placed before the Executive Committee for approval.

2nd Annual CPA Asia Regional Conference in Colombo, Sri Lanka: The 2nd Annual CPA Asia Regional Conference was held in Colombo, Sri Lanka, from 30 August to 4 September 2004. The Conference was ceremonially declared open by the Speaker of the Parliament of Sri Lanka and President of the Sri Lanka Union Branch of the CPA, Mr. Joseph Michael Perera, on 31 August.

The Deputy Speaker, Lok Sabha, Shri P.M. Sayeed was the leader of the Indian Parliamentary Delegation to the Conference. Sarvashri Prabhat Kumar Samantaray and B.J. Panda, members of Parliament, and the Secretary-General, Lok Sabha, Shri G.C. Malhotra were amongst the distinguished delegates who attended the Conference. Shri R.C. Ahuja, Joint Secretary, Lok Sabha Secretariat was the Secretary to the Delegation.

On the inaugural day of the Conference, the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed, conveyed the greetings and best wishes of the Chairman of the Executive Committee of the CPA Asia Region and the Speaker, Lok Sabha, Shri Manohar Joshi, and also congratulated the CPA Sri Lanka Branch for hosting the Conference. He lauded the role of the CPA for becoming a distinct platform for the parliamentarians to get together to further strengthen democracy. He also emphasized on the need to strengthen the Committee System to improve the overall functioning of Parliament; ensure harmonious relationship among the Legislature, the Executive and the Judiciary; involve both men and women in the political decision-making and use the latest technology for accessing information and effective discharge of parliamentary functions.

The Secretary-General, Lok Sabha, Shri G.C. Malhotra, in his overview of the activities of the CPA Asia Region, gave an account of the Executive Committee Meetings, Seminars, Training Programmes, Conferences, etc. held in the Region.

The Conference met for the plenary in the afternoon Session on 31 August 2003 to discuss the theme 'Strengthening Parliamentary Democracy in Asia Region'. The Deputy Speaker, Lok Sabha, Shri P.M. Sayeed, presided over the Session. He also addressed the delegates.

The next day, in the morning session of 1 September 2003, two panels ran concurrently on 'Strengthening the Committee System' and 'Parliamentary Sovereignty and Judicial Independence'. The Keynote Address on the first subject was delivered by the Speaker, Kerala Legislative Assembly, Shri Vakkom Purushothaman. The second panel was presided over by the Deputy Speaker, Lok Sabha, Shri P.M.

Sayeed, and the Keynote Address was delivered by Shri B.J. Panda, MP, Rajya Sabha.

On 3 September 2003, two panels for discussion ran concurrently on 'Increasing Women's Participation in South Asian Politics' and 'Technology and its use in Parliament—as a tool of Administration: As a Vehicle for Professional Development of Parliamentarians'.

The first panel was presided over by the Speaker, Maharashtra Legislative Assembly, Shri Arunbhai Gujarathi. The Keynote Address for the second panel was delivered by the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed.

In the afternoon session of 3 September 2003, speaking during the valedictory function, the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed said that the 2nd CPA Asia Regional Conference had provided a valuable opportunity for exchanging ideas and experiences on some subjects of great relevance to all the delegates and that it would go a long way in strengthening democracy in the Asia Region.

The Deputy Speaker, Andhra Pradesh Legislative Assembly, Shri K. Harishwar Reddy, on behalf of the Speaker and President of the Andhra Pradesh CPA Branch, extended an invitation to host the 3rd Annual CPA Asia Regional Conference in Hyderabad, Andhra Pradesh, in the year 2004.

Fourth General Assembly of the Association of Asian Parliaments for Peace (AAPP) at Manila, Philippines: The 4th General Assembly of the Association of the Asian Parliaments for Peace (AAPP) was held in Manila, Philippines, from 31 August to 4 September 2003.

An Indian Parliamentary Delegation led by Shri Vijay Kumar Khandelwal, and consisting of Prof. Ram Deo Bhandary and Shri Vinay Kumar Sorake, all members of Parliament, attended the General Assembly. Shri R.C. Gupta, Director, Lok Sabha Secretariat, was the Secretary to the Delegation.

The General Assembly which met on the main theme, 'Towards a Hundred Years of Peace in Asia' organized Workshops on the following four themes:

- Respect for Sovereignty and Independence of States to Achieve World Security and Stability.
- Policies and Strategies to Address Adverse Effects of Globalization.
- Combating International Terrorism and Addressing its Causes to Maintain International Peace and Security.

- Elimination of Violence, Commercial, Sexual and other forms of Exploitation of Women and Youth.

At the end, the Assembly unanimously adopted the 'Manila Declaration'.

Fifth Round Table of Parliamentarians on Desertification organized by the Secretariat of the United Nations Convention to Combat Desertification (UNCCD): The 5th Round Table of Parliamentarians on Desertification, organized by the Secretariat of the United Nations Convention to Combat Desertification (UNCCD) during the Annual Session of Parties to the Convention, was held in Havana, Cuba, from 3 to 4 September 2003. The Round Table was attended by Shri Madhusudan Mistry, MP.

The meeting focused on the general theme "The role of Members of Parliament in Promoting Sustainable Development at the National Level within the Framework of the Implementation of the UN Convention to Combat Desertification" and discussed the following sub-themes in the Agenda:

- The Role of Parliamentarians in Promoting the Effective Elaboration and Implementation of Policies to Address Desertification and Eradicate Poverty, especially in the Light of the Monterrey Consensus and the Recommendations of the World Summit on Sustainable Development.
- Support for the Members of Parliament at the National Level to Ensure the Elaboration and Adoption of Pertinent National Legislation to Facilitate the Effective Implementation of Sustainable Development Measures within the Framework of the Millennium Development Goals.
- Initiative by Members of Parliament to Seek the Full Support of the Global Environment Facility (GEF) in the Implementation of the UNCCD.

Cancun Session of the Parliamentary Conference on the WTO: The Cancun Session of the Parliamentary Conference on the WTO was held on the occasion of the Fifth WTO Ministerial Conference at Cancun on 9 and 12 September 2003. It was a joint undertaking of the Inter-Parliamentary Union (IPU) and the European Parliament, under the auspices of the Post-Doha Steering Committee, as a follow-up to the February 2003 Geneva Session of the Parliamentary Conference on the WTO.

Shri M.A. Kharabela Swain, MP, and member of the Steering Committee, attended the Session. At the end of its work, the Parliamen-

tary Session adopted a Declaration which was subsequently transmitted to the Chairman of the Fifth WTO Ministerial Conference.

109th Assembly of the Inter-Parliamentary Union at Geneva: The 109th Assembly of the Inter-Parliamentary Union was held in Geneva, Switzerland, from 28 September to 3 October 2003.

The Indian Parliamentary Delegation to the Conference was led by the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed, and consisted of Sarvashri S.S. Ahluwalia, Haribhai Chaudhary, Akhilesh Yadav, Col.(Retd.) Sona Ram Choudhary, Smt. Renu Kumari Singh and Smt. S.G. Indira, all members of Parliament and the Secretary-General, Lok Sabha, Shri G.C. Malhotra. Shri N.K. Sapra, Joint Secretary, Lok Sabha Secretariat, was the Secretary to the Delegation.

The Conference mainly discussed the following subjects and adopted Resolutions on them:

- The Role of Parliaments in Assisting Multilateral Organisations in Ensuring Peace and Security and in Building an International Coalition for Peace.
- Global Public Goods: A New Challenge for Parliaments.
- The Contribution of New Information and Communication Technologies to Good Governance, the Improvement of Parliamentary Democracy and the Management of Globalisation.
- Parliamentary Support for the Implementation of the Road Map for Peace in Putting an end to the Palestinian-Israeli Conflict and Achieving a Comprehensive Peace Process and Justice in the Middle East (Adopted as Emergency Item).

Besides, the Conference devoted half-a-day's sitting to hold a debate on the theme "Challenges facing the International Criminal Court".

Shri G.C. Malhotra elected to the Executive Committee of the Association of Secretaries General of Parliaments: During the 109th Assembly of the Inter-Parliamentary Union held in Geneva, Switzerland, from 28 September to 3 October 2003, the Secretary-General, Lok Sabha, Shri G.C. Malhotra was unanimously elected as a member of the Executive Committee of the Association of Secretaries-General of Parliaments (ASGP) for three years.

Unveiling of statues and portraits in the Parliament House Complex: On 1 October 2002, the President of India, Dr. A.P.J. Abdul Kalam, unveiled the statues of Shri Conjeevaram Natarajan Annadurai, Lokapriya Gopinath Bordoloi, Shri Pasumpon Muthuramalinga Thevar and Shri S.

Satyamurti* in the Parliament House. The statue of Shri Annadurai, a remarkable political leader and founder of the Dravida Munnetra Kazhagam party, was sculpted by eminent sculptor, Shri Mohandass, and donated by the Government of Tamil Nadu.

The statue of Shri Bordoloi, a visionary leader who played a momentous role in shaping the destiny of Assam and its merger with India, was sculpted by the eminent sculptor Shri Pranabendu B. Dhar and donated by the Government of Assam.

The statue of Shri Pasumpon Muthuramalinga Thevar, a renowned freedom fighter, political activist and socio-religious reformer of modern India, was sculpted by the eminent sculptor, Shri Kishore J. Nagappa, and was donated by the former Union Minister, Dr. Subramanian Swamy.

The statue of Shri S. Satyamurti, a valiant freedom fighter, eminent lawyer, educationist and outstanding parliamentarian, was also sculpted by Shri Kishore J. Nagappa and donated by the former Union Minister, Dr. Subramanian Swamy.

On the occasion, booklets containing profiles of these eminent leaders, brought out by the Research and Information Division of the Lok Sabha Secretariat, were released. An exhibition on the life and times of these leaders was also organized by the Parliamentary Museum and Archives (PMA) of the Lok Sabha Secretariat in the Parliament House.

On 26 February 2003, the President of India, Dr. A.P.J. Abdul Kalam, unveiled the portrait of the eminent political thinker, socio-religious reformer, revolutionary and freedom fighter, *Swatantryaveer* Vinayak Damodar Savarkar,** in the Central Hall of Parliament House. The portrait of *Veer* Savarkar was painted by Smt. Chandrakala K. Kadam and donated by *Swatantryaveer* Savarkar Rashtriya Samarak, Mumbai.

A booklet containing the profile and some select photographs of *Veer* Savarkar was also brought out by the Research and Information Division of the Lok Sabha Secretariat on the occasion. An Exhibition depicting the life and times of *Veer* Savarkar was also organised by the PMA.

* For details, see Feature, "Short Note: Unveiling of Statues in Parliament Complex", the *Journal of Parliamentary Information*, Vol.XLVIII, No.4, December 2002, pp.446-49

** For details, see Feature, "Short Note: Unveiling of the Portrait of Swatantryaveer Vinayak Damodar Savarkar", the *Journal of Parliamentary Information*, Vol.XLIX, No.2, June 2003, pp. 279

On 28 April 2003, the President of India, Dr. A.P.J. Abdul Kalam unveiled the statue of Chhatrapati Shivaji Maharaj,* in the Parliament House precincts. The statue of Chhatrapati Shivaji was sculpted by the eminent sculptor Shri Ram Sutar and donated by the Government of Maharashtra.

On the same day, the President Dr. A.P.J. Abdul Kalam also unveiled the statue of Mahatma Basaveshwara* in the Parliament House precincts. The statue of Mahatma Basaveshwara, a mystic saint, poet-philosopher and socio-religious reformer of India was sculpted by the eminent sculptor Shri Sham Sarang and donated by Dr. Sharanabasawappa Appa, Mahadasoha Peethadhipati Poojya Sharanabasaveshwar Sansthan, Gulbarga.

On the occasion, booklets containing the profiles and select photographs of Chhatrapati Shivaji and Mahatma Basaveshwara were also brought out by the Research and Information Division of the Lok Sabha Secretariat. An Exhibition on the life and times of these leaders was also organized by the PMA.

On 21 August 2003, the Prime Minister of India, Shri Atal Bihari Vajpayee unveiled the statues of Maharaja Ranjit Singh and *Shaheed* Hemu Kalani** in the precincts of Parliament House. The statue of Maharaja Ranjit Singh, popularly known as the "Lion of Punjab" and renowned for his military prowess and fighting skills in Indian history, was sculpted by Shri Ram Sutar and donated by the Maharaja Ranjit Singh Trust, New Delhi.

The statue of Hemu Kalani, a great revolutionary and young martyr of India's Freedom Movement, was also sculpted by Shri Ram Sutar and donated by Shri Suresh A. Keshwani, former member of Rajya Sabha and the National President, Sindhi Council of India.

An Exhibition on the Life and Times of both the personalities was organised by the PMA in the VIP Foyer of the Parliament Library Building. The Research and Information Division of the Lok Sabha Secretariat brought out booklets containing the profiles and select photographs of the personalities.

* For details, see Feature, "Short Note: Unveiling of Statues of Chhatrapati Shivaji Maharaj and Mahatma Basaveshwara in Parliament Complex", the *Journal of Parliamentary Information*, Vol.XLIX, No.2, June 2003, pp. 281

** For details, see Feature, "Short Note: Unveiling of Statues and Portraits in Parliament Complex" in the *Journal of Parliamentary Information*, Vol.XLIX, No.3, September 2003, pp. 461

Earlier, on the same day, the Prime Minister, Shri Atal Bihari Vajpayee, also unveiled the portraits of Shri Bankim Chandra Chattopadhyay, Kazi Nazrul Islam, Baba Kharak Singh, Dr. K.M. Munshi, Dr. B. Pattabhi Sitaramaiah Pantulu and Master Tara Singh* in the Central Hall of Parliament House.

The portrait of Shri Bankim Chandra Chattopadhyay, a renowned writer, poet and composer of the National Song, *Bande Mataram*, was painted by Shri Isha Mahammad and donated by Km. Mamata Banerjee, MP, Lok Sabha.

The portrait of Kazi Nazrul Islam, a renowned poet, was painted by Shri Shantanu Mitra and donated by Shri Robin Mookerji on behalf of the Poets Organization of Kolkata.

The portraits of Baba Kharak Singh, an eminent political leader of modern India, and Master Tara Singh, a freedom fighter and a forceful journalist, were painted by Smt. Phulan Rani and donated by Shri Tarlochan Singh, Chairman, National Commission for Minorities.

The portrait of Dr. K.M. Munshi, a social reformer, freedom fighter and a renowned academician, was painted by Shri R.D. Pareekh and donated by Dr. L.M. Singhvi, MP, Rajya Sabha.

The portrait of Dr. B. Pattabhi Sitaramaiah Pantulu, a freedom fighter and a pioneer of the Cooperative Movement in modern India, was painted by Shri Mohemmed Haji and donated by Dr. B. Vasanthan.

On 25 September 2003, the Speaker, Lok Sabha, Shri Manohar Joshi unveiled the statue of Chaudhary Devi Lal,** a veteran freedom fighter, former Deputy Prime Minister, renowned *Kisan* leader and eminent parliamentarian, in the Parliament House precincts coinciding with his 89th birth anniversary. The statue of Chaudhary Devi Lal was sculpted by the well known sculptor Shri Rajesh Bhandari and donated by the Chaudhary Devi Lal Memorial Trust, New Delhi.

On the occasion, a booklet containing a profile of Chaudhary Devi Lal and a few of his selected photographs, compiled by the Research and Information Division of the Lok Sabha Secretariat was released. An Exhibition titled 'The Glorious Saga of Jana Nayak Chaudhary Devi Lal'

* For details, see Feature, "Short Note: Unveiling of Statues and Portraits in Parliament Complex" in the *Journal of Parliamentary Information*, Vol.XLIX, No.3, September 2003, pp. 461

** For details, see Feature, "Short Note: Unveiling of the Statue of Chaudhary Devi Lal in Parliament Complex" the *Journal of Parliamentary Information*, Vol.XLIX, No.4, December 2003, pp. 559

was also organised by the PMA in co-operation with the Directorate of Advertising and Visual Publicity (DAVP).

BIRTH ANNIVERSARIES OF NATIONAL LEADERS

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

The birth anniversaries of the following leaders were celebrated during the period 1 July to 30 September 2003.

Dr. Syama Prasad Mookerjee: On the occasion of the birth anniversary of Dr. Syama Prasad Mookerjee, a function was held on 6 July 2003. The Minister of Finance, Shri Jaswant Singh; the Minister of Parliamentary Affairs and Health and Family Welfare, Smt. Sushma Swaraj; the Minister of Road Transport and Highways, Maj. Gen. (Retd.) B.C. Khanduri; the Minister of State in the Ministry of Youth Affairs and Sports, Shri Vijay Goel; members of Parliament; and former members of Parliament and others paid floral tributes.

Lokmanya Bal Gangadhar Tilak: On the occasion of the birth anniversary of Lokmanya Bal Gangadhar Tilak, a function was held on 23 July 2003. The Speaker, Lok Sabha, Shri Manohar Joshi; the Minister of Parliamentary Affairs and Health and Family Welfare, Smt. Sushma Swaraj; the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla; the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed; the Minister of State (Independent Charge) for Agro and Rural Industries, Shri Sangh Priya Gautam; the Minister of State in the Ministry of Home Affairs, Shri I.D. Swami; members of Parliament; and former Members of Parliament and others paid floral tributes.

Shri Rajiv Gandhi: On the occasion of the birth anniversary of Shri Rajiv Gandhi, a function was held on 20 August 2003. The Speaker, Lok Sabha, Shri Manohar Joshi; the Minister of Parliamentary Affairs and Health and Family Welfare, Smt. Sushma Swaraj; the Leader of Opposition in the Rajya Sabha, Dr. Manmohan Singh; the Leader of Opposition in the Lok Sabha, Smt. Sonia Gandhi; the Deputy Chairman, Rajya Sabha, Dr. (Smt.) Najma Heptulla; the Deputy Speaker, Lok Sabha, Shri P.M. Sayeed; members of Parliament; and former members of Parliament and others paid floral tributes.

Dadabhai Naoroji: On the occasion of the birth anniversary of Dadabhai Naoroji, a function was held on 4 September 2003. The Leader of Opposition in the Rajya Sabha, Dr. Manmohan Singh; the Deputy Chairman, Rajya Sabha, Dr.(Smt.) Najma Heptulla; the Minister of State (Independent Charge) for Agro and Rural Industries, Shri Sangh Priya Gautam; the Minister of State in the Ministry of Defence and in the Ministry of Parliamentary Affairs, Shri O. Rajagopal; members of Parliament; and former members of Parliament and others paid floral tributes.

EXCHANGE OF PARLIAMENTARY DELEGATIONS

PARLIAMENTARY DELEGATION VISITING INDIA

Laos: A Parliamentary Delegation from the Lao People's Democratic Republic, led by the President of the National Assembly of Lao PDR, Mr. Samane Vignaketh, visited India from 21 to 25 July 2003.

On 22 July 2003, the Delegation called on the President of India, Dr. A.P.J. Abdul Kalam and the Speaker, Lok Sabha, Shri Manohar Joshi. Shri Manohar Joshi hosted a Banquet in honour of the Delegation the same evening. On 23 July 2003, the Delegation had a meeting with the Minister of Parliamentary Affairs and Health and Family Welfare, Smt. Sushma Swaraj. On 25 July 2003, the Delegation called on the Vice-President of India and Chairman, Rajya Sabha, Shri Bhairon Singh Shekhawat, and also had meetings with the Minister of External Affairs, Shri Yashwant Sinha and members of the Standing Committee on External Affairs.

Besides Delhi, the Delegation visited Agra.

INDIAN PARLIAMENTARY DELEGATIONS GOING ABROAD

Panama: An Indian Parliamentary Delegation, led by the Speaker, Lok Sabha, Shri Manohar Joshi, visited Panama from 5 to 9 July 2003. The other members of the Delegation were: Sarvashri Anantrao Gudhe, Kantilal Bhuria, Prof. Rasa Singh Rawat, all members of Parliament, and the Secretary-General, Lok Sabha, Shri G.C. Malhotra. Shri Anand B. Kulkarni, Joint Secretary, Lok Sabha Secretariat, was the Secretary to the Delegation.

Russia: An Indian Parliamentary Delegation, led by the Speaker, Lok Sabha, Shri Manohar Joshi, visited the Russian Federation from 15 to 20 September 2003. The other members of the Delegation were: Sarvashri Balasaheb Vikhe Patil, Gajendra Singh Rajukhedi, Holkhomang Haokip, Dr. Raghuvansh Prasad Singh and Dr. Ashok Kumar Patel, all

members of Parliament, and the Secretary-General, Lok Sabha, Shri G.C. Malhotra. Shri P.K. Bhandari, Director, Lok Sabha Secretariat, was the Secretary to the Delegation.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

During the period 1 July to 30 September 2003, the Bureau of Parliamentary Studies and Training (BPST) organised the following Courses/Programmes.

Computer Training Programme for Members of Lok Sabha: A Computer Training Programme was organised by the Bureau for the members of Lok Sabha on 21 and 22 August 2003. The Programme consisted of interactive sessions to enable members to resolve their queries regarding the use of Desk-top and Palm-top computers.

Orientation Programme for Members of the Meghalaya Legislative Assembly: An Orientation Programme was organised for the members of the Meghalaya Legislative Assembly from 5 to 7 August 2003. The Programme was inaugurated by the Speaker, Lok Sabha, Shri Manohar Joshi. The Secretary-General, Lok Sabha, Shri G.C. Malhotra, delivered the Welcome Address while Prof. Ram Kapse, Hony. Advisor, BPST delivered the Vote of Thanks. The Speaker, Meghalaya Legislative Assembly, Shri M.M. Danggo, was also present on the occasion. Sixteen members of the Meghalaya Legislative Assembly attended the Programme organized in the Parliament Library Building.

Appreciation Courses for Probationers of Central Services, etc.: Four Appreciation Courses in Parliamentary Processes and procedures were organised covering Probationers of four Central Services and Senior Audit/Accounts Officers from the Office of the Comptroller and Auditor-General of India:

- (i) Senior Audit/Accounts Officers from the Office of the Comptroller & Auditor-General of India (30 June to 4 July 2003);
- (ii) Indian Forest Service (28 July to 1 August 2003);
- (iii) (a) Indian Revenue Service and (b) Indian Economic Service (4 to 8 August 2003); and
- (iv) Indian Railway Service of Mechanical Engineers (25 to 29 August 2003).

Training Courses for Officers of Lok Sabha Secretariat and State Legislature Secretariats: Three Training Courses for the Officers of Lok Sabha Secretariat and State Legislature Secretariats were organised by the Bureau:

(i) A Training Course for Hindi Editors/Assistant Editors/Translators/Hindi Assistants of Lok Sabha and State Legislature Secretariats was organized from 21 to 25 July 2003. Thirty participants from 13 State Legislature Secretariats, viz. Andhra Pradesh, Assam, Bihar, Chhattisgarh, Haryana, Himachal Pradesh, Jammu and Kashmir, Karnataka, Madhya Pradesh, Mizoram, Punjab, Rajasthan and Sikkim and nine officials from the Lok Sabha Secretariat attended the Programme.

(ii) A Training Programme for Officers working in Financial Committees of Parliament and the State Legislature Secretariats was organised from 25 to 29 August 2003. Forty-eight participants from 23 State Legislature Secretariats, viz. Andhra Pradesh, Arunachal Pradesh, Assam, Chhattisgarh, Delhi, Gujarat, Haryana, Himachal Pradesh, Jammu and Kashmir, Jharkhand, Karnataka, Madhya Pradesh, Manipur, Maharashtra, Meghalaya, Mizoram, Orissa, Rajasthan, Sikkim, Tamil Nadu, Tripura, Uttaranchal and West Bengal; two officers from the Rajya Sabha Secretariat; and three officers from the Lok Sabha Secretariat attended the Programme.

(iii) A Training Programme for Limited Departmental Examination against Promotion Quota for the Post of Senior Assistants and Research/Reference Assistants in the Lok Sabha Secretariat was organised by the Bureau from 24 to 25 September 2003.

Study visits: Five Study Visits were organised for participants from various training and educational institutions.

PROCEDURAL MATTERS

Instances when members were permitted to lay their written speeches on the Table of the House: On 24 July 2003, during the discussion on the Motion regarding consideration of progress of implementation of Part IX and Part IX-A of the Constitution (dealing with Panchayats and Municipalities as institutions of self-government) during the last ten years, the Chairman, Dr. Raghuvansh Prasad Singh, permitted members to lay their written speeches on the Table of the House. Accordingly, two members laid their written speeches on the Table.

On 25 July 2003, during the discussion on the same Motion, the Deputy Speaker, who was in the Chair, permitted members to lay their written speeches on the Table of the House. Accordingly, one member laid his written speech on the Table.

Instance when members were allowed to seek clarifications on the Minister's Statement and the Minister replied thereto: On 21 August 2003, on a statement made by the Minister of Health and Family Welfare and Parliamentary Affairs, Smt. Sushma Swaraj, regarding the "reported detection of pesticides in soft drinks", some members were allowed to seek clarifications and the Minister replied thereto.

Instance when members whose names were not in the List of Business were allowed to ask clarificatory questions: On 22 August 2003, the Deputy Speaker allowed ten members, Saravashri Devendra Prasad Yadav, Raghunath Jha, Adhir Ranjan Chowdhury, Prabhunath Singh, Dinesh Chandra Yadav, Nikhil Kumar Chowdhary, Dr. Raghuvansh Prasad Singh, Dr. Nitish Sengupta, Kunwar Akhilesh Singh and Smt. Renu Kumari, whose names were not in the List of Business, to ask clarificatory questions on the Calling Attention regarding the situation arising due to the floods in Bihar.

Resolution condemning terrorist attack on pilgrims at Ban Ganga near Katra in Jammu on 21 July 2003: On 22 July 2003, immediately after the Deputy Prime Minister responded to submissions made by some members on the above issue, the Speaker placed the following Resolution before the House:-

"That this House condemns the killing of innocent pilgrims in

the two powerful grenade explosions set off by militants at Ban Ganga near Katra in Jammu on 21 July 2003 and killing of security personnel in the Army Camp at Akhnoor.

This House strongly deplores the barbaric and inhuman acts of militants which are indicative of their desperation at the ongoing process to restore peace in the State.

The House deeply mourns the loss of lives of these innocent people. The House places on record its profound sense of grief on these tragedies".

The Resolution was adopted.

Observation from the Chair: Notice of suspension of Question Hour on a subject based on incorrect information is not admitted: On 21 July 2003, after Obituary References, Sarvashri Priya Ranjan Dasmunsi, Ramji Lal Suman, G.M. Banatwalla and Dr. Raghuvansh Prasad Singh made submissions regarding the reported misuse of the Central Bureau of Investigation (CBI) in dropping the charges against three Union Ministers in the Babri Masjid demolition case. They also demanded that their notices for suspension of Question Hour on the issue be admitted. Thereupon, the Speaker observed:-

"Hon'ble Members, I referred the notices of Adjournment Motion immediately on their receipt today, to the Government for their comments. Shri Arun Jaitley, Hon'ble Law Minister, has sent me just now a letter, in response to this, which is as under:

'The Government has received notices of Adjournment Motion filed by several members of this House on the alleged abuse of power by the CBI and the Government in relation to the charge-sheet in the Ayodhya case.

Besides dealing with a subject matter, which is *sub judice*, the CBI has not diluted any case, dropped any charge against any accused person. Section 120 B was never a charge in the Rae Bareli charge-sheet, and the question of dropping it does not arise'

Since the matter has not been dropped by the Government, the information with the members is not correct. Therefore, I do not agree to suspend the Question Hour".

Decision from the Chair: Press reports, unless admitted by the Government, cannot be accepted as authoritative for the purpose of an Adjournment Motion: On 23 July 2003, after the Question Hour, the Speaker allowed members to make submissions on the admissibility of

notices of Adjournment Motion regarding the reported dropping of charges against some Union Ministers by the CBI in the Babri Masjid demolition case. Accordingly, Sarvashri Priya Ranjan Dasmunsi, Vijay Kumar Malhotra, Somnath Chatterjee, Ramji Lal Suman, Ram Vilas Paswan, Ajay Chakraborty, Sudip Bandyopadhyay, G.M. Banatwalla, Anil Basu, Dr. Raghuvansh Prasad Singh, Shri Arun Jaitley, Minister of Law and Justice and Smt. Sushma Swaraj, Minister of Parliamentary Affairs, made submissions. Thereupon, the Speaker gave the following ruling:-

"Hon'ble members, Rule 58 of the *Rules of Procedure and Conduct of Business in Lok Sabha* provides that the motion for Adjournment of the House shall be 'restricted to a specific matter of recent occurrence involving responsibility of the Government of India'. The rule also provides that 'the motion shall not deal with any matter which is under adjudication by a court of law having jurisdiction in any part of India.'

As the Hon'ble members are aware, the matter sought to be raised by a Motion of Adjournment should, *inter alia*, be definite, it should be of urgent public importance, it should relate to a specific matter of recent development and it should have factual basis.

Kaul and Shakhder have further stated that, "There is no objection per se to the notice of an adjournment motion being given simply because it happens to be based on a newspaper report, but the Speaker before accepting the motion must be in possession of further facts. Press reports unless admitted by Government cannot be accepted as authoritative for the purpose of an adjournment motion... An Adjournment Motion does not lie when facts are in dispute, or before they are available. When Government dispute the facts stated in the notice of the Adjournment Motion, the Speaker accepts the Government version of the facts.

The notices given by the Hon'ble members today, of course, relate to a specific matter of recent occurrence involving the responsibility of the Government of India. The notices are based on Press reports. The notices of Adjournment Motion received on 21 July 2003 on the same subject were referred by me to the Government for facts and since the Government had disputed the factual basis of the notices, I had disallowed them. The notices of Adjournment Motion received today have also been referred to the Government for facts. The comments of the Government are awaited.

I have also now heard the members from the Opposition and the Government side.

The contention of the Opposition side, stated very briefly, is that the charge of conspiracy has been dropped from the charge sheet filed by the CBI in Rae Bareilly Court against some Union Ministers and others. The Government have disputed this contention.

It is a fact that the matter is presently pending before a court in Rae Bareilly and arguments on framing of charges are being heard. The issue of framing charges under specific offences ought to be decided by the court and not by this House. If a discussion takes place in the House on this matter by way of an Adjournment Motion culminating in a decision by the House, the possibility of the court being influenced thereby cannot be ruled out.

As I said, the Government have disputed the facts on which the notices are based. There are numerous rulings of my worthy predecessors where the notices of Adjournment Motion were disallowed since the Government had disputed the facts given in the Adjournment Motion.

I am, therefore, inclined to disallow the notices of Adjournment Motion.

I am, however, prepared, if the House agrees, if the Business Advisory Committee agrees, to allow a Short Duration Discussion on the matter as it would not culminate in a decision from the House.

During the discussion, whenever it takes place, the members would, however, not say anything which would influence the court in its consideration of the matter'.

Observation from the Chair: Documents pertaining to Leaders' Meeting should not be produced in the House as they are confidential: On 18 August 2003, while participating in the discussion on the Motion of No-confidence in the Council of Ministers, Shri Vijay Kumar Malhotra, member, made some reference to an observation made by the Speaker earlier in his meeting with the Leaders of Parties in the Lok Sabha. Thereupon, rising on a point of order, Shri Rupchand Pal, member, submitted that the observation made by the Speaker in his meeting with the Leaders of Parties should not be referred in the House. The Deputy Speaker, who was in the Chair, then observed:-

'Let me clarify Dir. 55(1) of Directions by the Speaker. It reads:

The proceedings of a Committee shall be treated as confidential and it shall not be permissible for a member of the Committee or any one who has access to its proceedings to communicate, directly or indirectly,

to the Press any information regarding its proceedings, including its report or any conclusions arrived at, finally or tentatively, before the report has been presented to the House.

Now Dir. 55(1A) is exactly the relevant provision. It says:

'The provisions of clause (1) shall also mutatis mutandis apply to the proceedings of meetings held by the Speaker with the Leaders of Parties and Groups in Lok Sabha'.

On 19 August 2003, Shri Vijay Kumar Malhotra again referred to the same observation made by the Speaker in his meeting with the Leaders of Parties in the Lok Sabha. Thereupon, the Speaker observed:

"... I know that the Hon'ble Deputy Speaker has given a ruling that the documents pertaining to the Leaders' Meeting are always treated as confidential and therefore such documents could not be produced in the House, unless permitted by the Speaker. This was the ruling given by the Hon'ble Deputy Speaker yesterday. Therefore, a reference to that should not be made in the House and that has been the convention.

Apart from that, I had also said during the meeting that if both sides of the House—Ruling Party and the Opposition—want, I was even prepared to allow a debate on the issue in the larger interest of democracy.

Therefore, though a reference has been made, I am not prepared to accept it as a document unless it is authenticated. If it is not authenticated in a proper manner, I will expunge the relevant words which have been spoken in the House."

Observation from the Chair: Allegations which affect the dignity of the House are expunged from the records: On 19 August 2003, while participating in the discussion on the Motion of No-confidence in the Council of Ministers, Shri Prabhunath Singh, a member, made some allegations against the Leader of the Opposition, Smt. Sonia Gandhi, former Prime Minister, late Shri Rajiv Gandhi, and others. Thereupon, rising on a point of order, Shri Shivraj V. Patil, member, submitted that under Rules 352 and 353, no allegation of a defamatory or incriminatory nature should be made by a member against any person unless he had given adequate advance notice and obtained permission from the Speaker. He requested that the allegations made by Shri Prabhunath Singh be expunged from the records. The Minister of Law and Justice, Shri Arun Jaitley, Sarvashri Priya Ranjan Dasmunsi and Vijay Kumar Malhotra also made submissions on the point of order raised by Shri Shivraj V. Patil. Thereafter, the Speaker observed:-

"Hon'ble members, rule 352(ii) provides that a member, while speaking, shall not make personal reference by way of making an allegation imputing motive to or questioning the *bona fides* of any other member of the House unless it is imperatively necessary for the purpose of the debate being itself a matter in issue or relevant thereto. So, the first condition is, whether it is relevant or not. If the Hon'ble members want to examine the whole thing, it should be examined impassionately and without taking any side. Rule 353, which Shri Arun Jaitley also referred to, provides that no allegation of a defamatory or incriminatory nature shall be made by a member against any person unless the member has given adequate advance notice to the Speaker and also to the Minister concerned so that the Minister may be able to make an investigation into the matter for the purpose of a reply. Therefore, it is necessary that the notice has to be given in advance, and the notice has been given to me.

...Proviso to rule 353 provides that the Speaker may, at any time, prohibit any member from making any such allegation if he is of the opinion that such allegation is derogatory to the dignity of the House or that no public interest is served by making such allegation.

Hon'ble members, this may kindly be noted that in this House all those who are members of the House have their own dignity, and it is for every member to maintain the dignity of all the members in the House...

I am convinced that the allegations made from both the sides are not at all imperatively necessary for the purpose of the debate nor are these relevant to the discussion before the House. The matter of these allegations is also not a matter in issue which is under consideration of the House.

I am convinced that no public interest is going to be served by making of these allegations. In view of the above, I direct that if the allegatory references, which are in the nature of matters which I have said, are going to affect the dignity of the House, I think such matters can be expunged from the records. I will go through the records and thereafter I will decide whether these matters should stand or they should be removed from the records..."

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 JULY TO 30 SEPTEMBER 2003)

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

Resignation of Union Minister: On 12 July 2003, the Union Minister for Urban Development and Poverty Alleviation, Shri Anant Kumar resigned from the Council of Ministers. The Minister for Road Transport and Highways Shri B.C. Khanduri was assigned additional charge of the Ministry of Urban Development and Poverty Alleviation.

National Conference withdraws support to NDA: On 12 July 2003, the Jammu and Kashmir National Conference withdrew its support to the National Democratic Alliance Government. The NC has six members in Parliament—five in the Lok Sabha and one in the Rajya Sabha.

MPs' expulsion from party revoked: On 17 July 2003, the Biju Janata Dal President, Shri Naveen Patnaik, revoked the expulsion of Party MP Shri Jagannath Mallick from the primary membership of the Party.

No-confidence Motion defeated: On 19 August 2003, the Congress sponsored No-confidence Motion against the Vajpayee Government was defeated by 312 to 186 votes in the Lok Sabha.

Expansion of the Union Cabinet: On 8 September 2003, the Prime Minister, Shri Atal Bihari Vajpayee, expanded the Union Council of Ministers by inducting Sushri Mamata Banerjee as the Cabinet Minister without Portfolio and Shri Ginge N. Ramachandran as Minister of State (Textiles).

The Prime Minister also re-allocated portfolios of some Ministers which are as follows:

Shri Bandaru Dattatreya relinquished the charge of Minister of State (Railways) and assumed the charge of Minister of State in the Ministry of Urban Development and Poverty alleviation.

Shri Santosh Gangwar relinquished the charge of Minister of State (Labour) and assumed the charge of Minister of State in the Ministry of Heavy Industries and Public Enterprises.

Shri Shripad Yasso Naik relinquished the charge of Minister of State (Road Transport and Highways) and assumed the charge of Minister of State in the Ministry of Finance.

Shri Basangouda Patil relinquished the charge of Minister of State (Textiles) and assumed the charge of Minister of State in the Ministry of Labour.

Shri P. Radhakrishnan relinquished the charge of Minister of State (Sports and Youth Affairs) and assumed the charge of Minister of State of Road Transport and Highways.

Lok Sabha by-election results: On 29 September 2003, Shri Sebastian Paul (Independent) was declared elected from the Eranakulam Lok Sabha constituency (Kerala). Shri Pratapsinh Mohite-Patil of the BJP was declared elected from the Solapur Lok Sabha constituency (Maharashtra). By-elections for the two constituencies were held on 26 September 2003.

AROUND THE STATES

ANDHRA PRADESH

TDP MLA suspended: On 7 September 2003, the Telugu Desam Party (TDP) suspended Shri L. Krishna Yadav, MLA, from the Party in the wake of his arrest by the Pune Police for his alleged involvement in the fake stamp paper racket.

By-election result: On 29 September 2003, Mohammed Moqtada Khan of the Majlis-e-Ittehadul Muslimeen was declared elected to the State Legislative Assembly from the Karwan Assembly constituency, by-election for which was held on 26 September 2003.

ARUNACHAL PRADESH

Congress Government reduced to minority: On 27 July 2003, the Congress Government was reduced to a minority when 35 MLAs broke away from the parent party and formed the Congress (Dolo) and joined

Shri Gegong Apang. The breakaway Congress group, two Independents, an Unattached member and Shri Apang then formed the United Democratic Front (UDF). On 28 July, three more Congress MLAs joined the UDF. On the same day, the UDF unanimously elected Shri Apang as the UDF Legislature Party Leader.

On 29 July 2003, the Speaker of the State Legislative Assembly recognised the UDF led by Shri Apang.

Congress Government voted out: On 2 August 2003, the Chief Minister, Shri Mukut Mithi, lost the Confidence Motion in the State Legislative Assembly by a voice vote.

New Chief Minister sworn in: On 3 August 2003, Shri Gegong Apang of the UDF was sworn in as the Chief Minister. Shri Kameng Dolo was sworn in as the Deputy Chief Minister. Along with them, 32 Ministers of Cabinet rank and three Ministers of State were also sworn in.

Vote of Confidence: On 18 August 2003, the Chief Minister, Shri Gegong Apang, moved a Motion of Confidence in the State Legislative Assembly which was adopted by the House.

Election of Speaker and Deputy Speaker: On 18 August 2003, Shri Setong Sena and Shri Ninong Ering of the Congress (D) were unanimously elected as the Speaker and the Deputy Speaker, respectively, of the State Legislative Assembly.

Change of Party Affiliation: On 30 August 2003, the Chief Minister Shri Gegong Apang joined the BJP.

ASSAM

No-trust Motion defeated: On 8 August 2003, the Asom Gana Parishad (AGP) sponsored No-confidence Motion against the Congress Government was defeated in the State Legislative Assembly by a voice-vote.

BIHAR

Resignation of Minister: On 8 August 2003, the Minister of State for Primary and Adult Education, Shri Birendra Prasad, resigned from the Council of Ministers. His resignation was accepted by the Governor Shri M. Rama Jois.

DELHI

New Speaker: On 3 July 2003, Shri Subhash Chopra of the Indian National Congress (INC) was elected as the Speaker of the State Legislative Assembly.

Death of Minister: On 17 September 2003, the Industry Minister, Shri Deep Chand Bandhu, passed away in New Delhi. He was 72.

JAMMU AND KASHMIR

Resignation of Minister: On 11 September 2003, the Agriculture Minister, Shri Abdul Aziz Zargar, resigned from the Council of Ministers in the wake of the allegation that the Akshar Dham Temple attack was planned in his house in his native village.

KARNATAKA

By-election results: On 29 September 2003, Smt. Gauramma of the Indian National Congress (INC) was declared elected from the Humgund Assembly constituency. Shri M.S. Patil of the All India Progressive Janata Dal (AIPJD) was elected from the Vamagal Assembly constituency. The by-elections for the two constituencies were held on 26 September 2003.

MADHYA PRADESH

Change of Party Affiliation: On 9 August 2003, Congress MLA from Mahidpur in Ujjain district, Smt. Kalpana Parulekar, resigned from the Congress and joined the Nationalist Congress Party.

MEGHALAYA

By-election result: On 29 September 2003, Shri Jopsimon Phanbun of the BJP was declared elected to the State Legislative Assembly from the Laban Assembly constituency, by-election for which was held on 26 September 2003.

ORISSA

By-election result: Shri Sanjib Sahu of the Bharatiya Janata Party (BJP) was declared elected to the State Legislative Assembly from Birmaharajpur Assembly constituency, by-election for which was held on 26 September 2003.

PUNJAB

Minister removed: On 7 July 2003, the Governor, Justice D.P. Verma (Retd.) removed the Minister of State for Forest Shri Harbans Lal from the Council of Ministers on the recommendation of the Chief Minister.

RAJASTHAN

Death of Governor: On 22 September 2003, the State Governor Justice (Retd.) Shri N.C. Jain passed away following a heart attack.

TAMIL NADU

Expansion of Cabinet: On 4 September 2003, the Chief Minister, Sushri Jayalalithaa, dropped Labour Minister, Shri A. Anwar Rhazza, from the Council of Ministers and inducted Va. Thu. Natarajan in his place.

UTTAR PRADESH

Political developments: On 25 August 2003, the Chief Minister and Bahujan Samaj Party (BSP) leader Kumari Mayawati recommended the dissolution of the State Legislative Assembly and severed ties with the BJP, her party's coalition partner.

On 26 August 2003, the Chief Minister, Kumari Mayawati, submitted her resignation to the Governor. Meanwhile, the Samajwadi Party Chief Shri Mulayam Singh Yadav staked claim to form the Government.

On 27 August 2003, Shri Mulayam Singh Yadav submitted a list of 212 MLAs supporting his claim to form the Government to the Governor. The list included: Samajwadi Party-142; Congress-16, Rashtriya Lok Dal (RLD)-14, Rashtriya Kranti Party (RKP)-4, Communist Party of India (Marxist)-2, Loktantrik Congress Party (LCP)-2, BSP-13 and Independent/others-19.

New Chief Minister sworn in: On 29 August 2003, Shri Mulayam Singh Yadav was sworn in as the Chief Minister. The Governor gave him 14 days to prove his majority on the floor of the House.

BSP splits: On 6 September 2003, 37 MLAs of the BSP broke away from the parent party and merged with the Samajwadi Party. The Speaker, Shri Keshari Nath Tripathy, recognised the merger of the breakaway BSP group with the Samajwadi Party.

Vote of Confidence: On 8 September 2003, Shri Mulayam Singh Yadav won the vote of confidence with 244 votes in favour and 154 against in the State Legislative Assembly.

WEST BENGAL

MLA suspended: On 30 June 2003, the Trinamool Congress suspended party MLA Shri Deepak Ghosh for anti-party activities.

On 10 July 2003, the Trinamool Congress suspended Shri Shibdas Mukherjee, MLA for anti-party activities.

By-election result: On 29 September 2003, Shri Jyotikrishna Chatterjee of the CPI was declared elected to the State Legislative Assembly from

the Uttarapara Assembly constituency, by-election for which was held on 26 September 2003.

DEVELOPMENTS ABROAD

AUSTRALIA

New Governor-General: On 11 August 2003, Maj. Gen. Michael Jeffery was sworn in as the 24th Governor-General of Australia.

AZERBAIJAN

New Prime Minister: On 4 August 2003, the Milli Majlis (the unicameral Legislature) approved the appointment of Mr. Ilham Aliyev as the Prime Minister, replacing Mr. Artur Rasizade.

BELARUS

New Prime Minister: On 10 July 2003, President Mr. Alexander Lukashenka removed Prime Minister Mr. Henadz Navitsky from his post and appointed the First Deputy Prime Minister, Mr. Syarhey Sidorski, in his place.

New Speaker: On 28 July 2003, Mr. Henadz Navitsky was elected as the Speaker of the 64-seat Council of the Republic (the Upper Chamber of the bicameral Legislature).

BELGIUM

New Government: After 50 days of negotiations, on 14 July 2003, a new four party coalition Government with Mr. Guy Verhofstadt as the Prime Minister was sworn in. (The Legislative Elections were held on 18 May 2003).

BERMUDA

Election results: Elections for the 36-seat House of Assembly (lower House of the bicameral Legislature) were held on 24 July 2003. The Progressive Labour Party (PLP) won 22 seats while the United Bermuda Party (UBP) secured 14 seats. Mr. Jennifer Smith (PLP) was sworn in as the Prime Minister. Subsequently, eleven PLP members revolted against Mr. Smith's leadership. On 27 July 2003, Mr. Alex Scott was sworn in as the new Prime Minister.

BHUTAN

New Prime Minister: On 1 September 2003, the Home Affairs Minister, Mr. Lyonpo Jigme Yoser Thinley, took over as the Prime

Minister from the Works and Human Settlements Minister, Mr. Lyonpo Kinzang Dorji. (The post of Prime Minister rotates regularly amongst the Cabinet Ministers).

CAMBODIA

Election results: In the elections held on 24 July 2003 for the 123-seat National Assembly (the Lower House of the bicameral Legislature), the ruling Cambodian People's Party secured 73 seats. The Funcinpec (United National Front for an Independent, Neutral, Peaceful and Co-operative Cambodia) and the Sam Rangsi Party won 26 and 24 seats, respectively.

GUINEA-BISSAU

Resignation of President: On 17 September 2003, the President, Mr. Kumba Yalla, resigned from his post. On 28 September 2003, Mr. Henrique Rosa was sworn in as the interim President.

JORDAN

New Speaker: On 16 July 2003, Mr. Sa'd Hayil al-Surur was elected as the Speaker of the House of Representatives (the Lower Chamber of the bicameral Legislature).

New Prime Minister: On 20 July 2003, King Abdullah II issued a royal decree appointing a new Cabinet headed by Mr. Ali Abu al-Rageb as the Prime Minister.

KENYA

Death of Vice-President: On 23 August 2003, the Vice-President, Mr. Michael Kijana Wamalwa, died in a London hospital after a prolonged illness.

LIBERIA

Resignation of President: On 11 August 2003, the President, Mr. Charles Taylor, resigned from his post and handed over power to Vice-President, Mr. Moses Blah.

MAURITIUS

New Prime Minister: On 30 September 2003, the Prime Minister, Mr. Anirudh Jagannath, resigned. Subsequently, Mr. Paul Berenger was sworn in as the new Prime Minister.

PALESTINE

New Prime Minister: On 6 September 2003, the Prime Minister, Mr. Mahmoud Abbas, resigned from his post.

On 7 September 2003, Mr. Ahmed Qurie was appointed as the new Prime Minister.

PARAGUAY

President sworn in: On 15 August 2003, Mr. Nicanor Duarte Frutos and Mr. Luis Castiglioni of the Colorado Party were sworn in as the President and the Vice-President, respectively, of Paraguay.

RWANDA

President re-elected: Incumbent President Mr. Paul Kagame of the ruling Rwandan Patriotic Front (RPF) was re-elected as the President of Rwanda, elections for which were held on 25 August 2003.

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

Section 3 of the Representation of the People Act, 1951 prescribed residential qualification for contesting elections to the Council of States. There had been numerous instances where the persons who were normally not residing in a particular State had got themselves registered as voters in that State, simply to contest an election to the Council of States. At an all party meeting held on 29 April 2000, the Chief Election Commissioner was of the view that a precise definition of 'ordinarily resident' was very difficult and emphasized that it was for the political parties, acting through the Parliament, to carry out what, in their judgment, might be the best possible solution in the light of the experience of the past fifty years.

The Ethics Committee of the Rajya Sabha, in its First Report presented to the Rajya Sabha on 8 December 1998, had recommended that the issue relating to open-ballot system for elections to the Rajya Sabha be examined. The issue had again given rise to concerns in the wake of the allegations of money power made in the media in respect of the biennial elections to the Council of States held in March-April 2000.

In the light of the above, the aforesaid issues were examined in depth by the Government and it was decided to do away with the requirement of residence of a particular State or Union territory for contesting election to the Council of States from that State or Union territory and also to introduce open-ballot system for elections to the Council of States. Accordingly, suitable amendments were proposed in certain sections of the Representation of the People Act, 1951 relating to qualification for membership of the Council of States, the manner of voting in the elections, secrecy of voting and maintenance of secrecy of voting by the officers, clerks, agents or other persons performing the election duty.

The Representation of the People (Amendment) Bill, 2003, which sought to achieve the above objects, was passed by the Rajya Sabha and the Lok Sabha on 8 July and 18 August 2003, respectively. It received the President's assent on 28 August 2003.

The provisions of the Sixth Schedule to the Constitution had evolved a separate scheme for the governance of the tribal areas in the States of Assam, Meghalaya, Mizoram and Tripura through the District Councils or the Regional Councils. There were three parts in the Table appended to the Schedule which were so divided in order to distinguish the Areas. The Areas in Part I represented the Tribal Areas of Assam. Each of these Areas constituted an "autonomous district". The provisions in paragraphs 1 to 17 of the Sixth Schedule related to the administration of these autonomous districts. The Councils were vested with legislative powers on specified subjects and were

allotted sources of taxation. They had also been given powers to set up and administer their system of justice and maintain administrative and welfare services in respect of land, revenue, forests, education, public health, etc.

The Bodo Accord was signed on 20 February 1993 with the All Bodo Students Union and Bodo People's Action Committee, with the objective to provide maximum autonomy to the Bodos within the framework of the Constitution for their social, economic, educational and cultural advancement. In pursuance of the Bodo Accord, an Interim Bodoland Autonomous Council (BAC) was constituted by the Government of Assam by enacting a State legislation. The Bodo groups were of the view that the Bodo Accord had become unworkable due to the non-implementation of the Accord in letter and spirit. Based on the tripartite talks, a Memorandum of Settlement (MOS) was signed among the Union Government, the Government of Assam and the Bodo Liberation Tigers (BLT) on 10 February 2003 for a durable solution to the Bodo issues. In order to meet the aspirations of the Bodos in Assam and in pursuance of the MOS, it was proposed to create an autonomous self-governing body to be known as the Bodoland Territorial Council (BTC) within the State of Assam, which shall have legislative, administrative and financial powers in respect of specified subjects; and to provide for adequate safeguards for the non-tribals in the BTC area to ensure that they were not put to any disadvantage in relation to any rights and privileges, including land rights presently enjoyed by them at the commencement of the BTC.

The Sixth Schedule to the Constitution (Amendment) Bill, 2003, which sought to achieve the above objects was passed by the Lok Sabha and the Rajya Sabha on 6 and 19 August 2003, respectively. It received the President's assent on 7 September 2003.

The necessary Bills to amend the Sixth Schedule to the Constitution and article 332(6) of the Constitution were introduced in the Parliament with a view to implementing the Memorandum of Settlement signed by the Union Government, the Government of Assam and the Bodo Liberation Tigers, on 10 February 2003, after tripartite talks, to bring about a durable solution to the Bodo issues. Under the Constitution (Scheduled Tribes) Order, 1950, State of Assam included Scheduled Tribes belonging to the Autonomous Districts and Scheduled Tribes of areas other than Autonomous Districts. The Boros and Borokacharis had been included in the List of Scheduled Tribes of areas other than Autonomous Districts. With the creation of the proposed Bodoland Territorial Council (BTC) Areas District, it was necessary to amend the Constitution (Scheduled Tribes) Order, 1950 so that the Autonomous Districts were clearly indicated; and the Boros and Borokacharis were classified as Scheduled Tribes in the State of Assam, including the BTC Areas District but excluding the Autonomous Districts of Karbi Anglong and North Cachar Hills. If this was not done, the Boros and Borokacharis residing in the proposed BTC Areas District would stand disqualified from the Scheduled Tribes' status.

The proposed amendment to the Constitution (Scheduled Tribes) Order, 1950 would entitle the Boros and Borokacharis residing in the State of Assam, including the proposed BTC Areas District, to the benefits of the Scheduled Tribes' status.

The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2003, which sought to achieve the above objects, was passed by the Lok Sabha and the Rajya Sabha on 18 and 21 August 2003, respectively. It received the President's assent on 19 September 2003.

Article 332 of the Constitution provided for reservation of seats for the Scheduled Castes and the Scheduled Tribes in the Legislative Assemblies of the States. Clause (6) of article 332 stipulated that no person who was not a member of a Scheduled Tribe of any Autonomous District of the State of Assam shall be eligible for election to the Legislative Assembly of the State from any constituency of that District.

In pursuance of the Memorandum of Settlement signed on 10 February 2003 among the Government of India, the Government of Assam and the Bodo Liberation Tigers, and to protect the rights of the non-tribals, the existing representation of the Scheduled Tribes and non-Scheduled Tribes in the Legislative Assembly of the State of Assam from the Bodoland Territorial Council Areas District was proposed to be kept intact. It was, therefore, proposed to insert a proviso in clause (6) of article 332 of the Constitution.

The Constitution (Ninetyth Amendment) Bill, 2003, which sought to achieve the above objects, was passed by the Lok Sabha and the Rajya Sabha on 8 and 19 August 2003, respectively. It received the President's assent on 28 September 2003. (The Bill was introduced in the Lok Sabha as 'The Constitution (Ninety-ninth Amendment) Bill, 2003'. The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1.)

The Election and Other Related Laws (Amendment) Bill, 2002 was introduced in the Lok Sabha on 19 March 2002. The said Bill, *inter alia*, provided for donations to the political parties, report thereof to the Election Commission, the audit of the accounts of donation as reported, allocation of equitable sharing of time to the political parties, free supply of copies of electoral rolls to the candidates of recognized political parties, supply of identity slips of electors to candidates, and amendment of section 13A of the Income-tax Act, 1961 to raise the limit of voluntary contribution in respect of which no record was required to be maintained by a political party from Rs.10,000/- to Rs.20,000/- (which was not to be liable to be included in the total income of the previous year of such political party). The Bill also provided for income-tax relief in relation to donation given by companies or individuals to the political parties. The aforesaid Bill was referred to the Departmentally-related Standing Committee on Home Affairs and the Committee presented its report on the Bill to both the Houses of Parliament on 18 December 2002. Since some recommendations made by the said Standing Committee were substantive in nature, it had been considered appropriate by the Government to withdraw the said Bill and to introduce a fresh Bill on the lines recommended by the said Parliamentary Standing Committee. The salient feature of the proposed Bill, *inter alia*, were as follows:

(a) It provided for contributions from companies and individuals to the political parties and the declaration thereof by the political parties to the Election Commission of India where the contribution received was in excess of Rs.20,000/-. Such declaration shall be submitted by the treasurer of the

political party or any other person authorized by a political party in this behalf; (b) It contained provision for equitable sharing of time by the recognized political parties on the cable television network and other electronic media; (c) It substituted Explanations 1 and 3 to Section 77 of the Representation of the People Act, 1951 by new Explanations which elaborated the expression "leaders of the political parties" and contained provisions for not including the travelling expenses of such leaders in connection with the election and the expenditure incurred by the Government officials in respect of safety arrangements in the election expenditure; (d) It contained provisions for free supply of copies of electoral rolls by the Government to the candidates of recognized political parties. It also contained provisions for supply of such items by the Election Commission as were decided in consultation with it by the Central Government, to the electors or to the candidates set up by the recognized political parties; (e) It was proposed to amend section 13A of the Income-tax Act, 1961 to raise to Rs.20,000/- voluntary contribution in respect of which no record was to be maintained by the political parties. It also contained provisions to provide income-tax relief in relation to the contribution given by the companies and individuals to political parties; and (f) certain consequential amendments had been made in these provisions to align them with other provisions of the Bill and the provisions of the Income-tax Act, 1961.

The Election and Other Related Laws (Amendment) Bill, 2003, which sought to achieve the above objects, was passed by the Lok Sabha and the Rajya Sabha on 30 July and 4 August 2003, respectively. It received the President's assent on 11 September 2003.

The National Commission for the Scheduled Castes and Scheduled Tribes came into being consequent upon passing of the Constitution (Sixty-fifth Amendment) Act, 1990. The said Commission was constituted on 12 March 1992, replacing the Commission for the Scheduled Castes and Scheduled Tribes set up under the Resolution of 1987. Under article 338 of the Constitution, the National Commission for the Scheduled Castes and Scheduled Tribes was established with the objective of monitoring all the safeguards provided for the Scheduled Castes and the Scheduled Tribes under the Constitution or other laws. Geographically and culturally, the Scheduled Tribes were different from the Scheduled Castes and their problems were also different from thereof the Scheduled Castes. In October 1999, a new Ministry of Tribal Affairs was created to provide a sharper focus to the welfare and development of the Scheduled Tribes. It was felt necessary that the Ministry of Tribal Affairs should co-ordinate all activities relating to the Scheduled Tribes as it would not be administratively feasible for the Ministry of Social Justice and Empowerment to perform this role. In order to safeguard the interests of the Scheduled Tribes more effectively, it was also proposed to set up a separate National Commission for the Scheduled Tribes by bifurcating the existing National Commission for the Scheduled Castes and Scheduled Tribes. The new Commission for the Scheduled Tribes shall consist of a Chairperson and two other members and the National Commission for the Scheduled Castes shall consist of a Chairperson, a Vice-Chairperson and three other members. Accordingly, article 338 of the Constitution was required to be modified by amending the article and inserting the new article 338A.

The Constitution (Eighty-ninth) Amendment Bill, 2003 which sought to

achieve the above objects was passed by the Lok Sabha and the Rajya Sabha on 8 and 19 August 2003, respectively. It received the President's assent on 28 September 2003. (The Bill was introduced in the Lok Sabha as 'The Constitution (Ninety-fourth Amendment) Bill, 2002'. The Short Title of the Bill was changed by the Lok Sabha through an amendment to clause 1).

We reproduce here the texts of the above Acts.

—Editor

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2003

*An Act further to amend the Representation
of the People Act, 1951.*

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

1. *Short title:* This Act may be called the Representation of the People (Amendment) Act, 2003.

2. *Amendment of section 3 :* In the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), in section 3, for the words “in that State or territory”, the words “in India” shall be substituted.

3. *Amendment of section 59 :* In section 59 of the principal Act, the following proviso shall be inserted at the end, namely:—

“Provided that the votes at every election to fill a seat or seats in the Council of States shall be given by open ballot”.

4. *Amendment of section 94:* In section 94 of the principal Act, the following proviso shall be inserted at the end, namely:—

“Provided that this section shall not apply to such witness or other person where he has voted by open ballot”.

5. *Amendment of section 128:* In section 128 of the principal Act, in sub-section (1), the following proviso shall be inserted at the end, namely:—

“Provided that the provisions of this sub-section shall not apply to such officer, clerk, agent or other person who performs any such duty at an election to fill a seat or seats in the Council of States”.

**THE SIXTH SCHEDULE TO THE CONSTITUTION
(AMENDMENT) ACT, 2003**

An Act further to amend the Constitution of India in its application to the State of Assam.

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

1. *Short title:* This Act may be called the Sixth Schedule to the Constitution (Amendment) Act, 2003.

2. *Amendment of Sixth Schedule to the Constitution:* The Sixth Schedule to the Constitution shall, in its application to the State of Assam, have effect subject to the following modifications, namely:—

(1) In paragraph 1, after sub-paragraph (2), the following proviso shall be inserted, namely:—

“Provided that nothing in this sub-paragraph shall apply to the Bodoland Territorial Areas District.”;

(2) In paragraph 2, after sub-paragraph (1), the following proviso shall be inserted, namely:—

“Provided that the Bodoland Territorial Council shall consist of not more than forty-six members of whom forty shall be elected on the basis of adult suffrage, of whom thirty shall be reserved for the Scheduled Tribes, five for non-tribal communities, five open for all communities and the remaining six shall be nominated by the Governor having same rights and privileges as other members, including voting rights, from amongst the un-represented communities of the Bodoland Territorial Areas District, of which at least two shall be women.”;

(3) In paragraph 2, in sub-paragraph (3), after the proviso, the following proviso shall be inserted, namely:—

“Provided further that the District Council constituted for the Bodoland Territorial Areas District shall be called the Bodoland Territorial Council.”;

(4) In paragraph 3, for sub-paragraph (3), the following sub-paragraph shall be substituted, namely:—

“(3) Save as otherwise provided in sub-paragraph (2) of paragraph 3A or sub-paragraph (2) of paragraph 3B, all laws made under this paragraph or sub-paragraph (1) of paragraph 3A or sub-paragraph (1) of paragraph 3B shall be submitted forthwith to the Governor and, until assented to by him, shall have no effect.”;

(5) After paragraph 3A, the following paragraph shall be inserted, namely:—

“3B. Additional powers of the Bodoland Territorial Council to make laws.— (1) Without prejudice to the provisions of paragraph 3, the Bodoland Territorial Council within its areas shall have power to make laws with respect to:—

- (i) Agriculture, including agricultural education and research, protection against pests and prevention of plant diseases;
- (ii) Animal husbandry and veterinary that is to say, preservation, protection and improvement of stock and prevention of animal diseases, veterinary training and practice, cattle pounds;
- (iii) Co-operation; (iv) Cultural affairs; (v) Education, that is to say, primary education, higher secondary including vocational training, adult education, college education (general); (vi) Fisheries;
- (vii) Flood control for protection of village, paddy fields, markets and towns (not of technical nature); (viii) Food and civil supply; (ix) Forests (other than reserved forests); (x) Handloom and textile; (xi) Health and family welfare; (xii) Intoxicating liquors, opium and derivatives, subject to the provisions of entry 84 of List I of the Seventh Schedule; (xiii) Irrigation;
- (xiv) Labour and employment; (xv) Land and Revenue; (xvi) Library services (financed and controlled by the State Government); (xvii) Lotteries (subject to the provisions of entry 40 of List I of the Seventy Schedule), theatres, dramatic performances and cinemas (subject to the provisions of entry 60 of List I of the Seventy Schedule); (xviii) Markets and fairs; (xix) Municipal corporation, improvement trust, district boards and other local authorities; (xx) Museum and archaeology institutions controlled or financed by the State, ancient and historical monuments and records other than those declared by or under any law made by Parliament to be of national importance; (xxi) Panchayat and rural development; (xxii) Planning and development; (xxiii) Printing and stationery; (xxiv) Public health engineering; (xxv) Public works department; (xxvi) Publicity and public relations; (xxvii) Registration of births and deaths; (xxviii) Relief and rehabilitation; (xxix) Sericulture; (xxx) Small, cottage and rural industry subject to the provisions of entries 7 and 52 of List I of the Seventh Schedule; (xxxi) Social welfare; (xxxii) Soil conservation; (xxxiii) Sports and youth welfare; (xxxiv) Statistics; (xxxv) Tourism; (xxxvi) Transport (road, bridges, ferries and other means of communications not specified in List I of the Seventh Schedule, municipal tramways, ropeways, inland waterways and traffic thereon subject to the provision of List I and List III of the Seventh Schedule with regard to such waterways, vehicles other than mechanically propelled vehicles);

(xxxvii) Tribal research institute controlled and financed by the State Government; (xxxviii) Urban development—town and country planning; (xxxix) Weights and measures subject to the provisions of entry 50 of List I of the Seventh Schedule; and (xl) Welfare of plain tribes and backward classes:

Provided that nothing in such laws shall—

(a) extinguish or modify the existing rights and privileges of any citizen in respect of his land at the date of commencement of this Act; and

(b) disallow any citizen from acquiring land either by way of inheritance, allotment, settlement or by any other way of transfer if such citizen is otherwise eligible for such acquisition of land within the Bodoland Territorial Areas District.

(2) All laws made under paragraph 3 or under this paragraph shall in so far as they relate to matters specified in List III of the Seventh Schedule, be submitted forthwith to the governor who shall reserve the same for the consideration of the President.

(3) When a law is reserved for the consideration of the President, the President shall declare either that he assents to the said law or that he withholds assent therefrom:

Provided that the President may direct the Governor to return the law to the Bodoland Territorial Council, together with the message requesting that the said Council will reconsider the law or any specified provisions thereof and, in particular, will consider the desirability of introducing any such amendments as he may recommend in his message and, when the law is so returned, the said Council shall consider the law accordingly within a period of six months from the date of receipt of such message and, if the law is again passed by the said Council with or without amendment it shall be presented again to the President for his consideration.”;

(6) In paragraph 4, after sub-paragraph (5), the following sub-paragraph shall be inserted, namely:—

“(6) Nothing in this paragraph shall apply to the Bodoland Territorial Council constituted under the proviso to sub-paragraph (3) of paragraph 2 of this Schedule.”;

(7) In paragraph 10, after sub-paragraph (3), the following sub-paragraph shall be inserted, namely:—

“(4) Nothing in this paragraph shall apply to the Bodoland

Territorial Council constituted under the proviso to sub-paragraph (3) of paragraph 2 of this Schedule.”;

(8) In paragraph 12, in sub-paragraph (1), in clause (a), for the words, figures and letter “matters specified in paragraph 3 or paragraph 3A of this Schedule”, the words, figures and letters “matters specified in paragraph 3 or paragraph 3A or paragraph 3B of this Schedule” shall be substituted;

(9) In paragraph 17, the following proviso shall be inserted, namely:—

“Provided that nothing in this paragraph shall apply to the Bodoland Territorial Areas District.”;

(10) In paragraph 19, after sub-paragraph (3), the following sub-paragraph shall be inserted, namely:—

“(4) As soon as possible after the commencement of this Act, an Interim Executive Council for Bodoland Territorial Areas District in Assam shall be formed by the Governor from amongst leaders of the Bodo movement, including the signatories to the Memorandum of Settlement, and shall provide adequate representation to the non-tribal communities in that area:

Provided that the Interim Council shall be for a period of six months during which endeavour to hold the election to the Council shall be made.

Explanation.—For the purposes of this sub-paragraph, the expression “Memorandum of Settlement” means the Memorandum signed on the 10th day of February, 2003 between Government of India, Government of Assam and Bodo Liberation Tigers.”;

(11) In paragraph 20, in Part I of the Table, after entry 2, the following entry shall be inserted, namely:—

“3. The Bodoland Territorial Areas District.”.

THE CONSTITUTION (SCHEDULED TRIBES) ORDER (AMENDMENT) ACT, 2003

An Act further to amend the Constitution (Scheduled Tribes) Order, 1950 to modify the list of Scheduled Tribes in the State of Assam.

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

1. *Short title:* This Act may be called the Constitution (Scheduled Tribes) Order (Amendment) Act, 2003.

2. *Amendment of the Constitution (Scheduled Tribes) Order, 1950:* In

the Schedule to the Constitution (Scheduled Tribes) Order, 1950, in Part II.—*Assam*,—

(i) for the sub-part heading “I. In the autonomous districts”, the following shall be substituted, namely:—

“I. In the autonomous districts of Karbi Anglong and North Cachar Hills”;

(ii) for the sub-part heading “II. In the State of Assam excluding the autonomous districts”, the following shall be substituted, namely:—

“II. In the State of Assam including the Bodoland Territorial Areas District and excluding the autonomous districts of Karbi Anglong and North Cachar Hills.”.

THE CONSTITUTION (NINETIETH AMENDMENT) ACT, 2003

An Act further to amend the Constitution of India.

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

1. *Short title:* This Act may be called the Constitution (Ninetyeth Amendment) Act, 2003.

2. *Amendment of article 332:* In article 332 of the Constitution, in clause (6), the following proviso shall be inserted, namely:—

“Provided that the elections to the Legislative Assembly of the State of Assam, the representation of the Scheduled Tribes and non-Scheduled Tribes in the constituencies included in the Bodoland Territorial Areas District, so notified, and existing prior to the constitution of the Bodoland Territorial Areas District, shall be maintained.”.

THE ELECTION AND OTHER RELATED LAWS (AMENDMENT) ACT, 2003

An Act further to amend the Representation of the People Act, 1951, the Companies Act, 1956 and the Income-tax Act, 1961

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

CHAPTER I

PRELIMINARY

1. *Short title:* This Act may be called the Election and Other Related Laws (Amendment) Act, 2003

CHAPTER II

AMENDMENTS OF THE REPRESENTATION OF THE PEOPLE ACT, 1951

2. *Insertion of new sections 29B and 29C:* After section 29A of the Representation of the People Act, 1951 (hereafter in this Chapter referred to as the principal Act), the following sections shall be inserted, namely:—

29B. Political parties entitled to accept contribution: Subject to the provisions of the Companies Act, 1956, every political party may accept any amount of contribution voluntarily offered to it by any person or company other than a Government company:

Provided that no political party shall be eligible to accept any contribution from any foreign source defined under clause (e) of section 2 of the Foreign Contribution (Regulation) Act, 1976.

Explanation.—For the purposes of this section and section 29C,—

- (a) “company” means a company as defined in section 3;
- (b) “Government company” means a company within the meaning of section 617; and
- (c) “contribution” has the meaning assigned to it under section 293A, of the Companies Act, 1956 and includes any donation or subscription offered by any person to a political party; and
- (d) “person” has the meaning assigned to it under clause (31) of section 2 of the Income-tax Act, 1961, but does not include Government company, local authority and every artificial juridical person wholly or partially funded by the Government.

29C. Declaration of donation received by the political parties: The treasurer of a political party or any other person authorised by the political party in this behalf shall, in each financial year, prepare a report in respect of the following, namely:-

- (a) the contribution in excess of twenty thousand rupees received by such political party from any person in that financial year;
- (b) the contribution in excess of twenty thousand rupees received by such political party from companies other than Government companies in that financial year.

(2) The report under sub-section (1) shall be in such form as may be prescribed.

(3) The report for a financial year under sub-section (1) shall be submitted by the treasurer of a political party or any other person authorised by the political party in this behalf before the due date for furnishing a return of its income of that financial year under section 139 of the Income-tax Act, 1961 to the Election Commission.

(4) Where the treasurer of any political party or any other person authorised by the political party in this behalf fails to submit a report under sub-section (3), then, notwithstanding anything contained in the Income-tax Act, 1961, such political party shall not be entitled to any tax relief under that Act.

3. *Insertion of new section 39A:* After section 39 of the principal Act, the following section shall be inserted, namely:-

'39A. Allocation of equitable sharing of time: (1) Notwithstanding anything contained in any other law for the time being in force, the Election Commission shall, on the basis of the past performance of a recognised political party, during elections, allocate equitable sharing of time on the cable television network and other electronic media in such manner as may be prescribed to display or propagate any election matter or to address public in connection with an election.

(2) The allocation of equitable sharing of time under sub-section (1), in respect of an election shall be made after the publication of list of contesting candidates under section 38 for the election and shall be valid till forty-eight hours before the hour fixed for poll for such election.

(3) The allocation of equitable sharing of time under sub-section (1) shall be binding on all political parties concerned.

(4) The Election Commission may, for the purposes of this section, make code of conduct for cable operators and electronic media and the cable operators and every person managing or responsible for the management of the electronic media shall abide by such code of conduct.

Explanation.—For the purposes of this section,—

- (a) "electronic media" includes radio and any other broadcasting media notified by the Central Government in the Official Gazette;
- (b) "cable television network" and "cable operator" have the meanings respectively assigned to them under the Cable Television Networks (Regulation) Act, 1995.

4. *Amendment of section 77:* In section 77 of the principal Act, in sub-section (1) for *Explanations 1 and 3* the following *Explanations* shall be substituted, namely:-

Explanation 1.—For the removal of doubts, it is hereby declared that-

- (a) the expenditure incurred by leaders of a political party on account of travel by air or by any other means of transport for propagating programme of the political party shall not be deemed to be the expenditure in connection with the election incurred or authorised by a candidate of that political party or his election agent for the purposes of this sub-section;
- (b) any expenditure incurred in respect of any arrangements made, facilities provided or any other act or thing done by any person in the service of the Government and belonging to any of the classes mentioned in clause (7) of section 123 in the discharge or purported discharge of his official duty as mentioned in the proviso to that clause shall not be deemed to be expenditure in connection with the election incurred or authorised by a candidate or by his election agent for the purposes of this sub-section.

Explanation 2.—For the purposes of clause (a) of *Explanation 1*, the expression “leaders of a political party”, in respect of any election, means,—

- (i) where such political party is a recognised political party, such persons not exceeding forty in number, and
- (ii) where such political party is other than a recognised political party, such persons not exceeding twenty in number,

whose names have been communicated to the Election Commission and the Chief Electoral Officers of the States by the political party to be leaders for the purposes of such election, within a period of seven days from the date of the notification for such election published in the Gazette of India or Official Gazette of the State, as the case may be, under this Act:

Provided that a political party may, in the case where any of the persons referred to in clause (i) or, as the case may be, in clause (ii) dies or ceases to be a member of such political party, by further communication to the Election Commission and the Chief Electoral Officers of the States, substitute new name, during the period ending immediately before forty-eight hours ending with the hour fixed for the conclusion of the last

poll for such election, for the name of such person died or ceased to be a member, for the purposes of designating the new leader in his place.’.

5. *Insertion of new Part VA:* After Part V of the principal Act, the following Part shall be inserted, namely:-

‘PART VA

FREE SUPPLY OF CERTAIN MATERIAL TO CANDIDATES OF RECOGNISED POLITICAL PARTIES

78A. *Free supply of copies of electoral rolls:* (1) The Government shall, at any election to be held for the purposes of constituting the House of the People or the Legislative Assembly of a State, supply, free of cost, to the candidates of recognised political parties such number of copies of the electoral roll, as finally published under the Representation of the People Act, 1950 and such other material as may be prescribed.

(2) The material referred to in sub-section (1) shall be supplied,—

- (i) subject to such conditions as may be imposed by the Central Government in consultation with the Election Commission with respect to the reduction of the maximum expenditure which may be incurred by the candidate under section 77; and
- (ii) through such officers as may be specified by the Election Commission who shall act in accordance with such general or special directions as may be given by the Election Commission.

78B. *Supply of certain items to candidates, etc.:* (1) The Election Commission shall, at any time between the date of publication of the notification calling the election for the purposes of constituting the House of the People or the Legislative Assembly of a State and the date on which the poll is to be taken, supply or cause to be supplied, such items as the Central Government may, by order, determine in consultation with the Election Commission, to the electors in the constituencies concerned or to the candidates set up by the recognised political parties.

(2) Where the Election Commission supplies the items to the candidates under sub-section (1), the Central Government may, in consultation with the Election Commission, impose conditions with respect to the reduction of the maximum expenditure

which may be incurred by the candidate under section 77.

Explanation.—For the purposes of section 39A, this Chapter and clause (hh) of sub-section (2) of section 169, the expression “recognised political party”, has the meaning assigned to it in the Election Symbols (Reservation and Allotment) Order, 1968’.

6. *Amendment of section 169:* In section 169 of the principal Act, in sub-section (2),—

- (i) after clause (aa), the following clause shall be inserted, namely:—
“(aaa) the form of contribution report;”;
- (ii) after clause (b), the following clause shall be inserted, namely:—
“(bb) the manner of allocation of equitable sharing of time on the cable television network and other electronic media;”;
- (iii) after clause (h), the following clause shall be inserted, namely:—
“(hh) the material to be supplied by the Government to the candidates of recognised political parties at any election to be held for the purposes of constituting the House of the People or the Legislative Assembly of a State;”.

CHAPTER III

AMENDMENT OF THE COMPANIES ACT, 1956

7. *Amendment of section 293A of Act 1 of 1956:* In section 293A of the Companies Act, 1956, after sub-section (5), the following *Explanation* shall be inserted, namely:—

‘*Explanation.*—For the purposes of this section, “political party” means a political party registered under section 29A of the Representation of the People Act, 1951.’.

CHAPTER IV

AMENDMENT OF THE INCOME-TAX ACT, 1961

8. *Amendment of section 13A:* In section 13A of the Income-tax Act, 1961 (hereafter in this Chapter referred to as the Income-tax Act),—

- (i) in the proviso, in clause (b), for the words “ten thousand rupees”, the words “twenty thousand rupees” shall be substituted;
- (ii) after the proviso and before the *Explanation*, the following proviso shall be inserted, namely:—
“Provided further that if the treasurer of such political party or any other person authorised by that political party in this

behalf fails to submit a report under sub-section (3) of section 29C of the Representation of the People Act, 1951 for a financial year, no exemption under this section shall be available for that political party for such financial year;”;

(iii) for the *Explanation*, the following *Explanation* shall be substituted, namely:-

*‘Explanation.—*For the purposes of this section, “political party means a political party” registered under section 29A of the Representation of the People Act, 1951.’.

9. Amendment of section 80A: In section 80A of the Income-tax Act, in sub-section (3), for the word, figures and letters “section 80GGA”, the words, figures and letters “section 80GGA or section 80GGC” shall be substituted.

10. Insertion of new sections 80GGB and 80GGC: After section 80GGA of the Income-tax Act, the following sections shall be inserted, namely:—

“80GGB. Deduction in respect of contributions given by companies to political parties: In computing the total income of an assessee, being an Indian company, there shall be deducted any sum contributed by it, in the previous year to any political party.

*Explanation.—*For the removal of doubts, it is hereby declared that for the purposes of this section, the word “contribute”, with its grammatical variation, has the meaning assigned to it under section 293A of the Companies Act, 1956.

80GGC. Deduction in respect of contributions given by any person to political parties: In computing the total income of an assessee, being any person, except local authority and every artificial juridical person wholly or partly funded by the Government, there shall be deducted any amount of contribution made by him, in the previous year, to a political party.

*Explanation.—*For the purposes of sections 80GGB and 80GGC, “political party” means a political party registered under section 29A of the Representation of the People Act, 1951.’.

THE CONSTITUTION (EIGHTY-NINTH AMENDMENT) ACT, 2003

An Act further to amend the Constitution of India.

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

1. Short title and commencement: (1) This Act may be called the Constitution (Eighty-ninth Amendment) Act, 2003.

(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 338: In article 338 of the Constitution,—

(a) for the marginal heading, the following marginal heading shall be substituted, namely:—

“National Commission for Scheduled Castes.”;

(b) for clauses (1) and (2), the following clauses shall be substituted, namely:—

“(1) There shall be a Commission for the Scheduled Castes to be known as the National Commission for the Scheduled Castes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.”;

(c) in clauses (5), (9) and (10), the words “and Scheduled Tribes”, wherever they occur, shall be omitted.

3. Insertion of new article 338A: After article 338 of the Constitution, the following article shall be inserted, namely:-

“338A. *National Commission for Scheduled Tribes:* (1) There shall be a Commission for the Scheduled Tribes to be known as the National Commission for the Scheduled Tribes.

(2) Subject to the provisions of any law made in this behalf by Parliament, the Commission shall consist of a Chairperson, Vice-Chairperson and three other Members and the conditions of service and tenure of office of the Chairperson, Vice-Chairperson and other Members so appointed shall be such as the President may by rule determine.

(3) The Chairperson, Vice-Chairperson and other Members of the Commission shall be appointed by the President by warrant under his hand and seal.

(4) The Commission shall have the power to regulate its own procedure.

(5) It shall be the duty of the Commission—

(a) to investigate and monitor all matters relating to the safe-

guards provided for the Scheduled Tribes under this Constitution or under any other law for the time being in force or under any order of the Government and to evaluate the working of such safeguards;

(b) to inquire into specific complaints with respect to the deprivation of rights and safeguards of the Scheduled Tribes;

(c) to participate and advise on the planning process of socio-economic development of the Scheduled Tribes and to evaluate the progress of their development under the Union and any State;

(d) to present to the President, annually and at such other times as the Commission may deem fit, reports upon the working of those safeguards;

(e) to make in such reports recommendations as to the measures that should be taken by the Union or any State for the effective implementation of those safeguards and other measures for the protection, welfare and socio-economic development of the Scheduled Tribes; and

(f) to discharge such other functions in relation to the protection, welfare and development and advancement of the Scheduled Tribes as the President may, subject to the provisions of any law made by Parliament, by rule specify.

(6) The President shall cause all such reports to be laid before each House of Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations relating to the Union and the reasons for the non-acceptance, if any, of any of such recommendations.

(7) Where any such report, or any part thereof, relates to any matter with which any State Government is concerned, a copy of such report shall be forwarded to the Governor of the State who shall cause it to be laid before the Legislature of the State 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.

(8) The Commission shall, while investigating any matter referred to in sub-clause (a) or inquiring into any complaint referred to in sub-clause (b) of clause (5), have all the powers of a civil court trying a suit and in particular in respect of the following matters, namely:—

(a) summoning and enforcing the attendance of any person from any part of India and examining him on oath;

- (b) requiring the discovery and production of any document;
 - (c) receiving evidence on affidavits;
 - (d) requisitioning any public record or copy thereof from any court or office;
 - (e) issuing commissions for the examination of witnesses and documents;
 - (f) any other matter which the President may, by rule, determine.
- (9) The Union and every State Government shall consult the Commission on all major policy matters affecting Scheduled Tribes.”.

SESSIONAL REVIEW

THIRTEENTH LOK SABHA

THIRTEENTH SESSION

The Thirteenth Session of the Thirteenth Lok Sabha, which commenced on 21 July 2003 was adjourned sine die on 22 August 2003. The House was prorogued on 26 August 2003. In all, the House sat for 21 days.

A resume of some of the important discussions held and other business transacted during the period 21 July to 22 August 2003 is given below:

A. DISCUSSIONS/ STATEMENTS

Discussion under rule 193 regarding the sharing of inter-State river waters between the States of Andhra Pradesh and Karnataka: Initiating the discussion on 4 August 2003, Shri K. Yerrannaidu of the Telugu Desam Party said that the crux of the problem regarding the sharing of inter-State river waters between the two States was over the blatant violation of the Constitutional scheme and the norms of sharing water by the Karnataka Government. He alleged that the Karnataka Government had now turned its attention from the Cauvery Basin to the Krishna, Pennar and the Manjira Basins. The Bachawat Tribunal Award had provided that Krishna river was an inter-State river and that each State should not utilise more than its allocation. As per State-wise allocation, Maharashtra got 585 TMC, Karnataka got 734 TMC, and Andhra Pradesh got 811 TMC. He requested the Minister of Water Resources to implement the Bachawat Award and to stop Karnataka from depriving Andhra Pradesh of its rightful share of the Krishna waters. He also wanted that the Government should direct Karnataka to stop unauthorized irrigation and projects and honour legal awards and agreements under the Constitution of India.

Participating in the discussion*, Dr. (Smt.) V. Saroja of the AIADMK said that illegal construction of dams was going on in the upper riparian Karnataka State, causing injustice to the lower riparian States. She drew the attention of the House to the international law for protection of the rights of the lower riparian States and urged the Government to protect their rights. Dr. Raghuvansh Prasad Singh (RJD) stated that topmost priority should be accorded to solve the issue whenever there was a dispute over water between two States. He cautioned that a dispute was likely to arise over the Shivpuri-Inderpuri reservoir between Uttar Pradesh and Bihar. He suggested that the Government of India should play the role of an arbitrator and take an impartial decision keeping the interest of each and every State in view.

Replying to the discussion, the Minister of Water Resources, Shri Arjun Charan Sethi informed the House that the Union Government had constituted the Krishna Water Disputes Tribunal in April 1967. The Tribunal submitted its report and decision in 1976 and directed that, at any time after 31 May 2000, the orders of the Tribunal may be reviewed by a competent authority or another Tribunal. The stipulation was that unless requests were made by the States concerned, the Tribunal could not be constituted. In this regard, the Minister stated that the Central Government had received requests from the States of Karnataka, Maharashtra and Andhra Pradesh. He stated that the Tribunal would be constituted within 31 August 2003 and would submit its report within three years.

The Minister assured the members that the Central Government would provide all assistance to solve the problem keeping in view the interests of the party States. He drew the attention of the members to clause 13 of the Award given by the Krishna Water Disputes Tribunal, which specified an exchange of utilization data between States. Saying that this exchange could be of help to the States, the Minister requested the members to persuade their respective States to adopt this practice.

Regarding the Paragodu Dam Project, the Minister stated that the Central Government had written a letter to the State Government of Karnataka to review the height of the dam. He informed the members

* Others who participated in the discussion were: Sarvashri R.L. Jalappa, V. Dhananjaya Kumar, N. Janardhana Reddy, S.S. Palanimanickam, A.P. Jithender Reddy, Kalava Srinivasulu, H.D. Deve Gowda, Mani Shankar Aiyar, K.H. Muniyappa, G.S. Basavaraj, Prabodh Panda, G. Putta Swamy Gowda, Ramdas Athawale, Gutha Sukender Reddy, Dr. S. Venugopal, Dr. C. Krishnan, Dr. Manda Jagannath, Prof. I.G. Sanadi and Smt. Margaret Alva

that the Government had also asked the Karnataka Government to furnish the details of unapproved projects after which a decision would be taken.

Discussion under Rule 193 regarding the working of the investigating agencies, particularly the Central Bureau of Investigation (CBI): Initiating the discussion on 5 August 2003, Shri Priya Ranjan Dasmunsi of the Indian National Congress said that the role and conduct of the Central Bureau of Investigation (CBI) was very important and the debate was needed so that the credibility of the CBI as an institution was not dented.

Referring to the demolition of the Babri Masjid issue, and the Union Law Minister's defence against the filing of two FIRs in the same case, Shri Dasmunsi said, a joint chargesheet under Section 120B could be foolproof if the offences were the same. He said that the High Court also did not reject the charges. It, however, set aside the charges on the ground of technicality. Otherwise, how could the High Court take the charge as per FIR 197 and 198 on the criminal conspiracy issue? He further added that the CBI was administratively 'monitored' by the Prime Minister's Office or by the Department of Personnel and to protect the men holding high offices in the Government, the Government acted deliberately to destroy the credibility of the CBI by misusing and interfering in their work. It was because of this interference that the CBI found themselves helpless in reproducing their own chargesheet. Filing of the new chargesheet and transfer of this particular case to a new court exposed the Government's motive and intention. He challenged the Government to produce all the 29 tapes which were submitted by the CBI earlier before the Rae Bareilly Court, to direct the CBI to stand on the same plea where it stood in the earlier court before and let the court decide as to who was right and who was wrong.

Participating in the discussion*, Shri Somnath Chatterjee (CPI-M) said that another court was suddenly constituted in Rae Bareilly during the present Uttar Pradesh Chief Minister's regime. And taking advantage of the new special court, the CBI had suddenly somersaulted forgetting the main charge. It was very obvious that the Government could not permit the charge of Section 120B against Shri L.K. Advani and others because that would have led to the fall of the Government the next day. He said that the Government had misused the CBI and

* Others who participated in the discussion were: Sarvashri Vinay Katiyar, Ramji Lal Suman, Kirit Somaiya, Satyavrat Chaturvedi, Prabhunath Singh, Ramjivan Singh, Rajesh Ranjan *alias* Pappu Yadav and Ramdas Athawale

it was entirely for the Prime Minister and the Deputy Prime Minister to find out what their conscience said on the matter. He urged that parliamentary democracy, which survived on the basis of faith and accountability, should not be taken for a ride.

Shri Chandrakant Khaire (Shiv Sena) said that there had been no speech-making by Shri Advani or Shri Murli Manohar Joshi in Ayodhya on the fateful day of the demolition of the Babri Masjid. They had neither instigated anyone nor spoken anything. He added that the Congress had ruled for forty years and during its regime too, cases had been withdrawn.

Shri K. Yerrannaidu (TDP) said that the subject was a non-issue since all those related cases regarding Ram Janmabhoomi-Babri Masjid were pending in courts. If there were flaws in the CBI, these had to be rectified, also ensuring that the institution remained autonomous. He requested all political parties to concentrate on developmental issues.

Kumari Mamata Banerjee (AITC) said that criticizing the CBI in such manner during a discussion on the Ayodhya issue would weaken the morale of that institution. There were many other important issues like unemployment, problems of farmers, lack of education, etc., which need to be discussed.

Dr. Raghuvansh Prasad Singh (RJD) said that the credibility of the CBI was eroding and the Prime Minister himself should be held responsible for that. The Karsevaks themselves had alleged that Shri L.K. Advani had incited them to demolish the structure and then got them implicated. He held that it was not possible for the people to trust that the CBI was under no pressure from the Government.

Shri G.M. Banatwalla (Muslim League Kerala State Committee) said that the CBI, in its chargesheet filed on 4 October 1993, had implicated Shri Advani, Dr. Murli Manohar Joshi, Km. Uma Bharati, Shri Ashok Singhal and other top figures. Section 120 B was also applied, stating that they had conspired to demolish the mosque.

Sardar Simranjit Singh Mann (SAD-SS Mann) said that the CBI's reputation was at stake and no agency was above the scrutiny of Parliament in a democracy. He suggested that a Joint Committee of both the Houses of Parliament should be constituted to scrutinize the working of the RAW, IB and the CBI.

Shri Haribhau Shankar Mahale (JD-Secular) said that the Vajpayee Government had wasted much precious time in discussing the Ram Mandir and Babri Mosque issue and yet the issue remained unresolved.

Shri Prakash Yashwant Ambedkar (Bharipa Bahujan Mahasangh) said that upto 2003, there were the charges of conspiracy in the FIR. On the second day after the demolition of the Babri Masjid, a call was made to Nagpur and that was taped by the CBI. He wanted to know whether this evidence was with the CBI or not. He added that on the fifth day, only Shri Advani met Shri Balasheb Deoras at Nagpur, accompanied by a CBI officer. He wanted to know what transpired between them and whether the CBI officer reported it.

Intervening in the discussion, the Minister of Law and Justice and Minister of Commerce and Industry, Shri Arun Jaitley said that the tapes did not come into the custody of any agency other than the court at any stage subsequent to 1993. He stated that eyewitness after eyewitness had said that Shri Advani did not even get an opportunity to give a speech and that he subsequently had made an appeal to the Kar Sevaks not to demolish the structure.

The Minister stated that the CBI was a statutory agency. As an investigative agency, the CBI had a large number of functions but was administratively responsible to a particular Department of the Government, that is the Department of Personnel and Training. Today, it is under the Prime Minister's Office—even though the Department was in the Home Ministry. On the evening of 6 December, he said, two FIRs were lodged. The Central Government considered it correct in its wisdom that one FIR, which related to case No.198, should go to the CBI and took a conscious decision that the second FIR in which Shri L.K. Advani was an accused must remain with the CB-CID of the Uttar Pradesh Police. The CB-CID investigated the case and filed a charge sheet on 27 February 1993. The charge sheet had no Section 120 B because many witnesses said that Shri Advani was trying to prevent the demolition.

Replying to the discussion, the Prime Minister, Shri Atal Bihari Vajpayee, said his Government believed that investigative agencies must have full autonomy to proceed with the matters as per law. The Union Government's interface with the CBI was limited only to providing budgetary support and exercising administrative superintendence. Even though cases in the Ayodhya matters were pending against some of his own distinguished colleagues, his Government had neither withdrawn those cases nor taken any steps to interfere with the functioning of the CBI. He stated that neither he nor his office had ever interfered in those matters.

The Prime Minister stated that the interest of justice required that the guilty should be punished and the innocent be acquitted. To evaluate

the evidence and determine innocence or guilt was the function of the court. Of late, there was an increased tendency where discussions about guilt or innocence of individuals were taking place in Parliament. He said that this was not only contrary to the rules, but it subverted the Rule of Law and interfered with free trial. He appealed to the members to seriously consider whether this practice should now be stopped.

Discussion on the Motion of No-confidence in the Council of Ministers: The discussion on the Motion of No-confidence in the Council of Ministers took place on 18 and 19 August 2003. Before the discussion began, the Speaker, Lok Sabha, Shri Manohar Joshi, informed the House that he had received a notice of Motion of No-confidence in the Council of Ministers under Rule 198 from the Leader of Opposition, Smt. Sonia Gandhi. The motion read as: "That this House expresses its want of confidence in the Council of Ministers".

The Speaker then requested those members who were in favour of leave being granted to the motion to rise in their places. As not less than 50 members had risen in support of the motion, the Speaker announced that leave of the House was granted. He added that the discussion might be taken up immediately if the House agreed.

Moving the motion in the House, Smt. Sonia Gandhi of the Indian National Congress said that the Motion of No-confidence against the BJP-led NDA Government was borne out of the deep sense of responsibility towards the people of India. She charged the Government with jeopardizing the country's defences. A CAG Report had identified a very large number of irregularities in defence purchases. Systematic attempts were being made to derail the enquiry by the Phukan Commission that was now investigating 14 defence deals.

On social harmony, Smt. Gandhi stated that it had become very difficult to know what precisely the Prime Minister believed in. It was his responsibility to ensure the basic rights of freedom and justice to every citizen. But, the Government was insensitive in closing all employment avenues meant for the weaker sections of society. She wanted to know as to why the Government had not brought forward a comprehensive legislation to ensure that all job quotas for the Scheduled Castes and Scheduled Tribes were filled. The Government also had no intention of passing the Women's Reservation Bill, which they could have done with the help of the Congress and the Left Parties. In the efforts to re-write the school curricula and change the text books, obscurantism was being thrust upon and heroes of the freedom movement were being denigrated and excluded from these text books. The

Central Advisory Board of education that had played such an important role in building a national consensus on Education Policy had been completely and deliberately bypassed.

Smt. Gandhi stated that economic growth averaged 6.7 per cent per year during the previous Congress Government's rule while it crashed down to just 4.3 per cent or so last year. At a time when the youth needed voluntary employment schemes, all that the Government offered was voluntary retirement schemes. The public sector was being systematically dismantled. Lands and other assets of companies were being deliberately under-valued and sold off for paltry amounts. The annual agriculture growth fell sharply to just over two per cent under the BJP-led NDA Government as against almost 4.7 per cent during the previous Congress Government.

Smt. Gandhi charged the Government of undermining the functioning of some of the key institutions of parliamentary democracy. She questioned the Prime Minister as to why his Government was impeding the functioning of the Public Accounts Committee by not giving it access to CVC report that examined some transactions relating to Operation Vijay. The CBI was blatantly politicized on the Ayodhya issue and the Babri Masjid demolition case. The Election Commission had been subjected to ridicule and abuse by sections of the ruling establishment. Similarly, the National Human Rights Commission had come under assault.

Coming to foreign policy, Smt. Gandhi said that India's foreign policy was no longer independent. She contended that the Government would have dispatched troops to Iraq without an explicit UN mandate had not the Opposition, particularly the Congress, raised its voice forcefully and mobilized public opinion. The Government had completely ignored its immediate regions both politically and economically.

Concluding her speech, Smt. Gandhi said that the BJP led Government had betrayed the mandate of the people. It was a Government that did not work for the good of all the people.

The Deputy Prime Minister and in-charge of the Ministry of Home Affairs and Ministry of Personnel, Public Grievances and Pensions, Shri L.K. Advani said that he welcomed the motion because it gave the Government a unique opportunity to present its achievements during the last five years to the Parliament and to the people. The biggest achievement of India during the last five years was that India's status had risen all over the world. The endeavour of the Government alone could not achieve these goals. That was a collective effort of the

Government and the people, including everyone in the House. On being held responsible for not bringing the Women's Reservation Bill, the Minister said that everyone was well aware that the Government was willing for any alternative.

The Deputy Prime Minister stated that India had occupied a place of prominence in the field of Information Technology during the last two decades of IT revolution. India's nuclear power had enhanced her prestige all over the world. The Government was able to hold free, fair and transparent elections in Jammu and Kashmir in collaboration with the Election Commission and the then Jammu and Kashmir Government. During the last five years, on account of the foreign policy pursued by the Government, at least 30 countries including UK and France, had advocated the cause of India getting a permanent seat in the UN Security Council. On combating terrorism, he stated that the Armed Forces were fighting terrorism on the one hand and the Government was mobilising public opinion on the other. The Government had formed a Joint Working Group against terrorism by joining hands with 15 other countries, including USA, Canada, UK, France, Russia and China.

Participating in the discussion*, Shri Somnath Chatterjee (CPI-M) said that the country, under the present Government, came down to 127th from the 124th position as per the Human Development Report of the UNDP for the year 2003. He charged the Government of being completely unconcerned and oblivious of the real sufferings of the people. He said when major issues came up before the public, the Opposition was not consulted and taken into confidence. He wanted to know which incident of terrorist attack had been prevented because of the promulgation of POTA. The Government had dismissed lakhs of employees. The education system had been communalised and saffronised, corruption had reached its height and there had been calculated and brutal attacks on the democratic rights of the people. The country's economic interest had been sold off, the Prime Minister was today showing more attachment to the RSS Charter than to the Constitution and the CBI was being misused.

Opposing the motion, Kumari Mamata Banerjee (AITC) said that the Opposition had not brought the No-confidence Motion against the

* Others who participated in the discussion were: Sarvashri Chandra Shekhar, S. Jaipal Reddy, Satyavrat Chaturvedi, P.A. Sangma, Priya Ranjan Dasmunsi, H.D. Deve Gowda, Prabhunath Singh, Ajay Singh Chautala, Ram Vilas Paswan, Rajesh Ranjan alias Pappu Yadav, Sansuma Khunggur Bwiswmuthiary, Mani Shankar Aiyar, Ramdas Athawale, Prof. Vijay Kumar Malhotra, Smt. Vasundhara Raje, Smt. Maneka Gandhi and Kumari Uma Bharati

Government when the Gujarat or the Ayodhya issues were discussed, but after four years because they were keeping in mind the 4 State Assembly elections which were coming up. She praised the Prime Minister and his Government for the road revolution, for increase in the foreign reserve which was almost 90 billion dollars and the GDP growth rate which was about 6.8 per cent. She said that in spite of odds like the Kargil war, earthquake, super cyclone and many other things there was stability.

Shri Mulayam Singh Yadav (Samajwadi Party) said that the Government claimed to have controlled terrorism. But it was spreading from the North-east to Jammu and Kashmir and from Andhra Pradesh to Orissa and to certain parts of Bihar and Jharkhand also. He questioned the Government as to why there were starvation deaths and farmers were poor when foodgrains were available in plenty in the godowns. Though the Prime Minister had assured that employment would be provided to one crore people every year, he said that the problem of unemployment was aggravating in the country day by day.

The Minister of Defence, Shri George Fernandes, said that the national security had been further strengthened during the last five years. The amount allocated for that purpose during the period by the NDA Government had increased by many folds as compared to the past. The work of modernisation in the field of defence had been given a boost and all the three Wings of Defence were now equipped with strategic equipment.

Regarding the PAC issue, the Minister stated that the Speaker, the Chairman of PAC, Shri Narain Dutt Tiwari, and he himself had decided together that the CVC report relating to Operation Vijay would be shown to the PAC Chairman on a particular date. On the date they were to meet, Shri Narain Dutt Tiwari was appointed as the Chief Minister and the matter ended at that point. The Minister stated that he had no objection if all the Reports of the past were made public provided new rules were framed to facilitate such disclosure. On charges of corruption in the purchase of coffins, the Minister challenged the Leader of the Opposition to come up with proof in that regard.

On 19 August 2003, the Minister of Health and Family Welfare and Minister of Parliamentary Affairs, Smt. Sushma Swaraj, refuting the allegation that nothing concrete had been done in the field of Health and Family Welfare, said that the Government had decided to establish six hospitals along the lines of AIIMS in the backward States of the country. She said that the SARS, which had adversely affected the

economy of China was aptly handled by the Indian Government. On allegations that the Government was working under pressure of some other country without an independent foreign policy, she stated that the Pokhran Test proved the success of India's foreign policy. After the test, the President of America imposed economic sanctions on India, but the same President visited India after few days and appreciated our policies. She added that India now commanded a place of prestige at the international level and had never compromised with its principles.

Shri K. Yerrannaidu (TDP) said that the No-confidence Motion had been moved without any specific charges and without any issues. The Congress Party had remained silent all these four years which meant that the Government had been working hard and doing very well. He said that the people throughout the country were praising the achievements of the NDA Government. The Congress Party had ruled the country for 45 years and were responsible for all the disturbances in the country. He added that this was the time for all of them to work towards faster economic growth and political stability of the country.

The Minister of Environment and Forests, Shri T.R. Baalu, said that the No-confidence Motion lacked vision, direction and destination. He lauded the achievements of the Government and said with regard to forest clearance, 3157 projects had been cleared so far. Prior to 1999, the average project clearance was 252 projects per year whereas now 892 projects were being cleared every year. The Minister stated that the forest coverage had increased; the Bio-Diversity Bill had been passed; the National Bio-Diversity Authority had been established; the National Forest Commission had been constituted; and the National Institute of Coastal and Marine Bio-Diversity was being set up at Kanyakumari. The Government had started 52,000 eco-clubs in 593 districts involving about 25 lakh students and had cleared projects worth Rs.2580 crore in case of the National River Conservation Programmes.

Shri Chandrakant Khaire (Shiv Sena) highlighted the achievements of the NDA Government and said that the developmental works undertaken by the Government had far surpassed those accomplished by the Congress Party during its five decades' rule. He, however, said that his party was not in agreement with the disinvestment policy of the NDA Government. As such, the party did not allow the disinvestment of HPCL, BPCL, BSNL, MTNL, etc.

Shri Rashid Alvi (BSP) said that the whole world was passing through a critical phase. The need of the hour was that all should strive towards creating an atmosphere of mutual confidence and harmony in the country and work towards strengthening India.

Dr. Raghuvansh Prasad Singh (RJD) said that the way the NDA became restless after the Opposition had tabled the No-confidence Motion spoke a lot about their failures. During the last five years, black money had doubled, the burden of foreign debt against the country had risen to the tune of Rs.15 lakh crore, Non-performing Assets were to the tune of Rs.1.5 lakh crore; Income Tax worth Rs.70 thousand crore were outstanding against the capitalists; unemployment was rising; the price of kerosene oil had gone up four times; and the burden on the farmers was increasing.

Shri Sanat Kumar Mandal (RSP) said that since the assumption of the NDA Government, social tension and corruption had been increasing. The Government was not providing any assistance to the small-scale industries which was the backbone of the country's economy.

Shri Ajay Chakraborty (CPI) said that the Government had totally failed to fulfil the aspirations of the people. Instead of giving jobs, the Government was snatching away the jobs of the workers and employers working and serving in the industries. While one of the NDA's agenda was to make the country riot-free, he stated that thousands of people who were victims of riots became homeless and shelterless.

Shri G.M. Banatwalla (Muslim League Kerala State Committee) said that every section of the society was uncomfortable under the NDA Government. Unemployment and starvation were rampant; farmers were suffering and parliamentary and democratic institutions were being denigrated.

Shri Amar Roy Pradhan (AIFB) said that he supported the No-confidence Motion since the situation in the country was very bad. He contended that it would be in the interest of the country if the Government could be moved out in the shortest possible time.

Shri Prakash Yashwant Ambedkar (Bharipa Bahujan Mahasangh) said that he supported the motion and wanted to know the reason as to why the Government's market borrowing was going to increase in 2003-2004 by more than 100 per cent.

Shri Sultan Salahudin Owaisi (All India Majlis-e-Ittehadul Muslimeen) said that every policy of the Government had failed and today the position was that the country was witnessing complete anarchy. He added that the Government's stand on secularism was controversial.

Dr. Jayanta Rongpi [CPI-(ML) Liberation] said that the Government had failed in the North-eastern States, which is the most sensitive area of the country today. The problems of the North-eastern region had

remained unsolved and the problem of unemployment had remained very acute.

Sardar Simranjit Singh Mann (SAD-SS Mann) said he had keenly observed the working of the Government and found it to be a unique example of coalition Government and their formations.

Shri Ramjivan Singh (JD-United) opposed the motion and said, Congress Party who has tabled the motion could no more claim to call themselves secular since during their rule they had a tilt towards communalism. This motion would therefore add to the longevity of the Government.

The Prime Minister, Shri Atal Bihari Vajpayee, said that he failed to understand the aim with which the motion was brought now. He felt that two days of debate had not been able to throw any light on the strategy of the Opposition to topple the Government. The nine-point charge-sheet presented had set a bizarre convention. On charges that the Government had jeopardized the defence security system of the country and weakened the national security, the Prime Minister said that the Opposition should have substantiated their charges by providing concrete evidence. On the allegation that the Government had mortgaged the country's foreign policy, the Prime Minister stated that the Government had engaged the Opposition parties in negotiations on the question of sending peace-keeping troops to Iraq but that issue was also being shrouded in doubt. He said that there might be differences on domestic issues, but at least on the issue of foreign policy, the Government and the Opposition should stand united; otherwise they would not be able to face the challenge or the threat posed to the country's security and integrity.

The Prime Minister said that the kind of treatment the Opposition had meted out to the Defence Minister, Shri George Fernandes by levelling false allegations without any concrete proof and boycotting him in the House was totally unjust. He said, Shri Fernandes, who was a veteran trade unionist and a freedom fighter had been instrumental in boosting the morale of the Armed Forces by his frequent visits to the border areas.

The Prime Minister said that nobody could deny that the country had made economic progress during the last five years. Today, the international scenario was changing fast and more and more cooperation was therefore the need of the hour. He concluded that the motion was destined to be defeated.

Replying to the discussion, Smt. Sonia Gandhi said that the ruling

party was pitifully lacking in giving clear-cut replies to her allegations. While highlighting the failures of the Government, she had only referred to the Government documents, the CAG Report and the Standing Committee report to substantiate her claim. She stated that by not giving satisfactory replies to her charge-sheet, the Government was trying to hide many facts. The Government was silent on the issue of social harmony because its track record came in the way of its defence. The Government had cleverly ignored the issue of communalisation of education. They were camouflaging their shortcomings by repeatedly blaming it on the legacy of the previous Governments. On the contrary, she said that credit for the achievements of the present Government goes to the Congress party. India's forays into the nuclear, space and IT fields would not have been possible without the efforts and vision of the previous Congress Governments.

On the motion the House divided: Ayes-189 and Noes-314. The motion was accordingly negated.

Statement by the Minister of Health and Family Welfare and Minister of Parliamentary Affairs regarding reported detection of Pesticides in Soft Drinks: Making a Statement in the House on 21 August 2003, the Minister of Health and Family Welfare and Minister of Parliamentary Affairs, Smt. Sushma Swaraj said that a report on an analysis of pesticide residues in soft drinks conducted by the Centre for Science and Environment (CSE), an NGO based in Delhi, was recently covered prominently by the media. The spokesperson of the CSE had alleged in the said report that in the case of all 12 soft drink brands, of which samples had been taken, the CSE found pesticide residues which exceeded the European Union (EU) norms ranging from 11 to 70 times.

Apprising members of the legal position on safety standards of soft drinks in the country, the Minister stated that soft drinks were non-alcoholic beverages, categorized as sweetened carbonated water under the Prevention of Food Adulteration (PFA) Rules. There were standards prescribed for the percentage of total sugar expressed as sucrose, total plate count per ml, coliform count in 100 ml, and yeast and mould count per ml. Individual limits of metal contaminants, namely lead, copper, arsenic, tin, zinc, cadmium and mercury had been prescribed under the PFA Rules for carbonated water. There were no separate limits at present set for pesticide residues under the PFA Rules for sweetened carbonated water which includes all the soft drinks.

The Minister said that soft drink manufacture was covered under the Fruit Products Order, 1955 administered by the Ministry of Food Processing Industries. In part II(D) of the said Order, soft drinks were

defined as aerated water, meaning potable water impregnated with carbon dioxide under pressure in properly sealed container. The Bureau of Indian Standards also laid down standards for carbonated beverages but no standards for water. So far as the other constituents were concerned, the standards were harmonised with the PFA specifications which were mentioned earlier. The term 'potable water' found mention in the PFA Rules which stated that wherever water was used in the manufacture or in the preparation of any article of food, such water should be free from micro organisms likely to cause disease and should also be free from chemical constituents which may impair health.

The Minister stated that the Government of India had recently issued a Notification prescribing limits for pesticides in packaged drinking water. These limits were as per EU norms and would become applicable from 1 January 2004. This was done on the basis of the recommendations of an Expert Group constituted by the Ministry of Health and Family Welfare to examine standards under various national laws, including the US Food and Drug Administration (FDA) and EU norms.

Informing members of the action taken by the Government following the report published by the CSE, the Minister stated that the Government had collected samples for analysis from the market for the 12 brands of soft drinks belonging to the same bottling units from which the CSE had collected the samples. Two sets of samples were sent to the Central Food Technological Research Institute (CFTRI) Mysore, and the Central Food Laboratory (CFL), Kolkata, for analysis. The CFTRI reported that pesticides residues were below the EU limits in three out of 12 samples. In the remaining 9, the residues were higher than EU limits by 1.6 to 5.2 times, whereas the CSE report alleged that it was 11 to 70 times. Results from the CFL, Kolkata also stated that in 3 samples, the total pesticide residues were below the EU limits whereas in the other 9 samples, they varied from 1.2 to 5.22 times. Another important observation of both the laboratories was that Malathion which was alleged to be 87 times the EU limit as per the CSE report, was found to be totally absent in all the samples. The CFTRI had also conducted an additional sophisticated test for identification of the molecular structure of all the pesticides contained in the samples. This was a confirmatory test not done by the CSE.

The Minister said the results clearly showed that all the 12 samples did not have pesticide residues of the high order as was alleged in the CSE report. According to the standards prescribed under the PFA Rules, all these were well within the safety limits as per the existing

standards of packaged drinking water. However, the assertion of the soft drink manufacturers that their product was within the EU limits had also not been proved to be correct for 100 per cent of the samples. The Delhi High Court in its order dated 11 August 2003, on a petition made by the representatives of M/s Pepsi, had asked the Central Government to test the samples of the products manufactured by the petitioner in a laboratory which had the wherewithal to test samples. They had asked for the results to be made available within three weeks.

The Minister assured the members that the soft drinks tested were well within the safety limits prescribed for packaged drinking water at present. Despite the fact that the existing standards of safety were met by the soft drink manufacturers, she said that the Government was considering to introduce EU norms for water content in soft drinks from the date from which the norms would be made applicable for packaged drinking water to bring in harmonization of standards. The Government would also ask the Central Committee of Food Standards (CCFS) to examine application of these standards to other beverages also where water was the main constituent.

Replying to the clarifications sought by the members, the Minister further stated that the CFTRI had tested the brands of Coca Cola and Pepsi on its own before the report of the NGO appeared in media and the matter was not raised in the House at that time. When the report of the CSE appeared, CFTRI also analyzed the samples of these twelve brands and came out with the report.

B. LEGISLATIVE BUSINESS

*The Election and other Related Laws (Amendment) Bill, 2003**: Moving the motion for consideration of the Bill on 30 July 2003, the Minister of Law and Justice and Minister of Commerce and Industry, Shri Arun Jaitley, said that the need for the Amendment Bill had arisen on account of a consensus both in the democratic polity of India as also amongst the various political parties to bring about a transparent mechanism by which politics, political institutions and political parties in the country were to be funded. The Election and other Related Laws (Amendment) Bill, 2002 was introduced in the Lok Sabha on 19 March 2002. It was referred to the Department-related Standing Committee on Home Affairs, which presented its report to both Houses of Parliament on 18 December 2002. Since some of the recommendations were

* The Bill was introduced in the Lok Sabha on 13 March 2003

substantive in nature, it was considered appropriate by the Government to withdraw the said Bill and to introduce a fresh Bill along the lines recommended by the Committee.

The proposed Bill, *inter alia*, provided for contributions from companies and individuals to the political parties and the declaration thereof by the political parties to the Election Commission of India where the contribution received was in excess of Rs.20,000/-. It contained provisions for equitable sharing of time by recognised political parties on the cable television network and other electronic media. The Bill sought to substitute *Explanations* 1 and 3 to Section 77 of the Representation of the People Act, 1951 by new *Explanations* which elaborated the expression "Leaders of the Political Parties" and contained provisions for not including the travelling expenses of such leaders in connection with the election and the expenditure incurred by the Government officials in respect of safety arrangements in the election expenditure. It contained provisions for free supply of copies of electoral rolls by the Government to the candidates of recognised political parties. It also contained provisions for supply of such items by the Election Commission as were decided in consultation with it by the Central Government, to the electors or to the candidates set up by the recognised political parties.

The Bill also proposed to amend section 13 A of the Income-tax Act, 1961 to raise to Rs.20,000/-, voluntary contribution in respect of which no record was to be maintained by the political parties. It sought to provide income tax relief in relation to the contributions given by the companies and individuals to political parties. Certain consequential amendments were made in the provisions to align them with the other provisions of the Bill and the provisions of the Income tax Act, 1961.

Participating in the discussion*, Kumari Mamata Banerjee of the All India Trinamool Congress said that distribution of free voter slips would be very helpful for the candidates and for the political parties. State funding would bring good people and grassroots level workers to serve the country. She felt that state funding was the only way out to combat corruption.

Dr. Raghuvansh Prasad Singh (RJD) said that the Dinesh Goswami

* Others who participated in the discussion were: Sarvashri E.M. Sudarsana Natchiappan, Anadi Sahu, Varkala Radhakrishnan, Chandra Bhushan Singh, Pawan Kumar Bansal, Adhi Sankar, Arun Kumar, Priya Ranjan Dasmunsi, Dr. K. Malaisamy and Dr. M.V.V.S. Murthi

Committee and the Indrajit Gupta Committee were constituted in order to strengthen democracy and the electoral system in India. Instead of incorporating the recommendations of these Committees, the Government had come forward with a new piece of legislation that would only legalize bribery. He doubted the contention of the Government that the Bill would bring transparency and questioned how it was going to do justice to the poor people by taking donations from the multinationals.

Shri Ajay Chakraborty (CPI) requested the Law Minister to bring a comprehensive Bill, covering all aspects of the electoral process to ensure free and fair elections.

Replying to the discussion, Shri Arun Jaitley said that political parties were not surviving merely on the goodwill of the people. They also need material resources to survive. He said that there was a popular perception that a large amount of invisible money entered the political system. The Bill was an effort to correct a part of that ailment. A part of the reform would come by the conduct which the candidates and the political parties were going to maintain. The Minister stated that a comprehensive law which could change the concept of the particular law throughout might not be easy so long as there were activities such as booth capturing, rigging of electoral rolls, distributing money and other such illegal incentives for the purposes of voting. He said that elections were a part of democracy and funding could not be done in a hush-hush exercise. It had to be an honest and transparent exercise.

The Bill was passed.

*The Sixth Schedule to the Constitution (Amendment) Bill, 2003**: The Bill was discussed in the House on 1, 5 and 6 August 2003. Moving the motion for consideration of the Bill on 1 August 2003, the Minister of State in the Ministry of Home Affairs, Shri I.D. Swami said that the Bodo Accord was signed on 20 February 1993 with the All Bodo Students Union and the Bodo People's Action Committee, with the objective to provide the maximum autonomy to the Bodos within the frame work of the Constitution for their social, economic, educational and cultural advancement. In pursuance to the Bodo Accord, an Interim Bodoland Autonomous Council was constituted by the Government of Assam by enacting a State legislation. The Bodo groups were of the view that Bodo Accord had become unworkable due to the non-implementation of the Accord in letter and spirit. Based on the tripartite talks, a Memorandum of Settlement (MOS) had been signed between

* The Bill was introduced in the Lok Sabha on 9 May 2003

the Central Government, the Government of Assam and Bodo Liberation Tigers (BLT) on 10 February 2003 for a durable solution to the Bodo issue.

To meet the aspirations of the Bodos in Assam and in pursuance of the MOS, the Bill proposed to create an autonomous self-governing body to be known as the Bodoland Territorial Council (BTC) within the State of Assam which shall have legislative, administrative and financial powers in respect of specified subjects. It also proposed to provide for adequate safeguards for non-tribals in the BTC area to ensure that they were not put to any disadvantage in relation to any rights and privileges, including land rights presently enjoyed by them at the commencement of the BTC.

Participating in the discussion* on 5 and 6 August 2003, Dr. Jayanta Rongpi of the CPI(ML) (Liberation) said that the Bill was a half-hearted approach and a very tentative step towards solving the Bodo problem. The Government had failed to fulfil the aspirations of the agitating Bodo people and had also failed to protect the interests of the minorities, the non-tribals. He suggested that the Government should create an autonomous State for the hilly areas of Assam under article 249(a) and give effective autonomy to the Bodo people and to take care of the non-tribal population of these areas.

Shri Ajay Chakraborty (CPI) expressed the hope that the Bodoland Territorial Council would properly act to bring about development and to fulfil the aspirations of the Bodo people.

Dr. Raghuvansh Prasad Singh (RJD) said that ten years had elapsed since the Bodo Accord was signed but peace had not been established. There was a provision to include 3082 villages in the Bodo Territorial Council and a dispute had arisen over 95 villages. He urged the Government to pay attention to the problem for the sake of national integrity.

Replying to the discussion, the Minister of State in the Ministry of Home Affairs, Shri Chinmayanand Swami, said that the recommendations of the concerned Standing Committee had been included in the Bill in toto as also the opinion and suggestions of the State Government. On allegations that no consideration had been given to the non-tribal

* Others who participated in the discussion were: Sarvashri Madhab Rajbangshi, Anadi Sahu, Baju Ban Riyan, Sansuma Khunggur Bwiswmuthiary, Rajen Gohain and Abdul Hamid

and non-Bodo people in the Bill, the Minister stated that population did not form the basis of representation in any of the Councils present in India. With regard to certain financial points raised by the members, the Minister stated that the Government of India would provide an additional grant of Rs.100 crore per annum up to five years so as to enable the Council to overcome its financial crisis and undertake developmental works in right earnest.

The Bill, as amended, was passed.

*The Constitution (Ninety-fourth Amendment) Bill, 2002**: Moving the motion for consideration on 8 August 2003, the Minister of Tribal Affairs, Shri Jual Oram said that under art. 338 of the Constitution, the National Commission for Scheduled Castes and Scheduled Tribes was constituted with the objective of monitoring all the safeguards provided for the Scheduled Castes and the Scheduled Tribes under the Constitution or other laws. The Minister said that geographically and culturally, the Scheduled Tribes were different from the Scheduled Castes and their problems were also different from the Scheduled Castes. In October 1999, a new Ministry of Tribal Affairs was created to provide a sharp focus to the welfare and development of the Scheduled Tribes. In order to safeguard the interests of the Scheduled Tribes more effectively, it was proposed to set up a separate National Commission for Scheduled Tribes by bifurcating the existing National Commission for Scheduled Castes and Scheduled Tribes.

The new Commission for Scheduled Tribes would consist of a Chairperson and two other members and the National Commission for Scheduled Castes would consist of a Chairperson, Vice-Chairperson and three other members. Accordingly, article 338 of the Constitution was required to be modified by inserting the new article 338A.

Participating in the discussion**, Dr. Raghuvansh Prasad Singh of the Rashtriya Janata Dal said that so long as the backward classes, dalits and tribals continued to be exploited and were not given social, economic and political equality and honour, the nation would continue to lag behind the other countries in the world. He wanted that attempts should be made for their amelioration and not their bifurcation.

* The Bill was introduced in the Lok Sabha on 20 December 2002

** Others who participated in the discussion were: Sarvashri K.A. Sangtam, Thawar Chand Gehlot, Bajju Ban Riyan, Ramji Lal Suman, Anant Gudhe, Ram Vilas Paswan, Arun Kumar, Manikrao Hodlya Gavit, Dalit Ezhilmalai, Ramdas Athawale, Nawal Kishore Rai and Dr. M.V.V.S. Murthi

Dr. (Smt.) V. Saroja (AIADMK) wanted to know if the Scheduled Tribes Commission was going to give constitutional protection to social, economic, political and other very important schemes that the Government had enumerated recently. She wanted to know if the Ministry of Environment and Forests was involved and added that the Government should also take the help of the Departments of Revenue and Agriculture.

Shri Haribhau Shankar Mahale (JD-Secular) urged that the maximum powers should be given to the Scheduled Castes and Scheduled Tribes Commission when they were constituted and that the difficulties faced by them should be removed.

Replying to the discussion, the Minister said that there were various reasons for bifurcating the Commission and he requested the House to pass the Bill.

The Bill, as amended, was passed.

*The Constitution (Ninety-ninth Amendment) Bill, 2003**: Moving the motion for consideration on 8 August 2003, the Minister of State in the Ministry of Home Affairs, Shri Chinmayanand Swami, stated that a comprehensive discussion had been held when the amendment Bill was originally brought in the House on 9 May 2003. Article 332 of the Constitution of India provided for reservation of seats for the Scheduled Castes and the Scheduled Tribes in the Legislative Assemblies of the States. Clause (6) of article 332 stipulated that no person who was not a member of a Scheduled Tribe of any autonomous district of the State of Assam should be eligible for election to the Legislative Assembly of the State from any constituency of that district.

In pursuance of the Memorandum of Settlement signed on 10 February 2003, between the Government of India, Government of Assam and the Bodo Liberation Tigers, and to protect the rights of the non-tribals, the existing representation of the Scheduled Tribes and non-Scheduled Tribes in the Legislative Assembly of the State of Assam from the Bodoland Territorial Council Areas District was proposed to be kept intact. It was, therefore, proposed to insert a proviso in clause (6) of article 332 of the Constitution.

Participating in the discussion**, Shri G.M. Banatwalla of the

* The Bill was introduced in the Lok Sabha on 9 May 2003

** Others who participated in the discussion were: Sarvashri Sontosh Mohan Dev, Priya Ranjan Dasmunsi, Ram Vilas Paswan and Dr. M.V.V.S. Murthi

Muslim League Kerala State Committee drew the attention of the Government to the urgent and pressing need to give adequate representation and reservation to each of the minorities throughout the country in all the Legislatures and in the Parliament. For this, he said it was necessary that the claim and the need for adequate representation of the minorities should be considered fairly by the Government.

Dr. Raghuvansh Prasad Singh (RJD) sought a clarification on whether the Constitutional Amendment Bill would not restrict the jurisdiction of the Delimitation Commission.

Replying to the discussion, the Deputy Prime Minister and in-charge of the Ministry of Home Affairs and Ministry of Personnel, Public Grievances and Pensions, Shri L.K. Advani, praised the Assam Government and the representatives of the Bodo people, especially the Bodo Liberation Tigers for the agreement of 10 February 2003. Highlighting the initiative taken by the Government, he said, after coming into power, a separate Ministry was created for the development of the North-east. Its objective was that the geographical distance of these States from New Delhi did not become a reason for emotional distance.

The Bill, as amended, was passed.

C. QUESTION HOUR

During the Thirteenth Session of the Thirteenth Lok Sabha, in all, 17,534 Notices of Questions (13,232 Starred and 4,270 unstarred and 32 Short Notice Questions) were received. Out of these 440 Notices were admitted as Starred 4,049 as Unstarred (including 4 Short Notice Questions which were admitted as Unstarred) and one was admitted as a Short Notice Question.

Due to interruptions in the House on 22 and 30 July and 7 August 2003, Starred Questions could not be called for oral answer. Replies to the Starred Questions listed for those days were treated as Unstarred and their answers, together with the answers to Unstarred Questions, were printed in the official report of those days.

On 28 July, the House adjourned for the day after making obituary references and Starred Questions were not called for oral answer. Replies to the Starred Questions listed for the day were, therefore, treated as Unstarred and their answers, together with the answers to Unstarred Questions, were printed in the official report of the day.

On 8, 18 and 19 August 2003, Question Hour was suspended and Starred Questions listed for those days were, therefore, treated as

Unstarred and their answers, together with the replies to Unstarred Questions were printed in the official report for those days.

As announced by the Speaker and agreed to by the House, the sitting of the House fixed for 11 August 2003 was cancelled. Replies to Starred Questions listed for the day were treated as Unstarred and their answers, together with the answers to Unstarred Questions, were printed in the official Report for the next sitting, i.e. 13 August 2003.

Daily average of Questions in the List of Questions orally answered: The average number of Starred Questions answered orally in the House during the Session was 2. The maximum number of Starred Questions answered was 7 on 25 July 2003.

The average number of Questions in the Unstarred List came to 184.04 per day against the prescribed limit of 230, the minimum being 102 questions on 22 July 2003.

Half-an-Hour Discussion: In all 6 Notices of Half-an-Hour Discussion were received during the Session. Out of these, 3 Notices were admitted but none of the same could be discussed on the floor of the House.

D. OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Shri George Eden, sitting member; Shri S. Sivan Pillay, member of Provisional Parliament; Sarvashri B.M. Mensinkai, Faquir Ali Ansari, T. Kiruttinan, Bhagatram Rajaram Manhar, Manubhai Kotadia, Nathuni Ram, Ram Narain Singh, Smt. Sheila F. Irani, Smt. Premalabai Chavan and Smt. Bhagwati Devi, all former members.

The members stood in silence for a short while after the Obituary References as a mark of respect to the memory of the deceased.

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

The Rajya Sabha, which met for its One Hundred and Ninety-ninth Session on 21 July 2003, was adjourned *sine die* on 22 August 2003 and was then prorogued by the President on 26 August 2003.

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

A. STATEMENTS/DISCUSSIONS

Statement by the Prime Minister on his visits to Germany, St. Petersburg, Russia, Evian, France and China: On 24 July 2003, the Prime Minister, Shri Atal Behari Vajpayee made a statement in the House on his visits to Germany, St. Petersburg, Evian and China. He said that he visited Germany from 27 to 30 May 2003. Thereafter, he visited St. Petersburg at the invitation of the President Mr. Vladimir Putin for attending the Tercentenary Celebration of St. Petersburg. He participated in the G-8 Enlarged Dialogue in Evian at the invitation of the President of France Mr. Jacques Chirac. He also visited China from 22 to 27 June 2003. The visits to Germany and China were bilateral in nature, while those to Russia and France were for prominent events to which only selected countries were invited. All those visits had underscored India's ongoing dialogue with key countries of Europe and Asia and an increasing acknowledgement of the growing importance of India in international affairs. These visits helped to consolidate India's bilateral ties with those countries and projected the country's stand on important issues at select international gatherings, besides enabling India to understand better the perspectives of other countries on issues of vital concern to the international community.

The Prime Minister said that his visit to Germany was in response to Chancellor Mr. Gerhard Schroder's invitation extended during the latter's visit to India in October 2001. He had useful discussions with the German leadership on expanding and intensifying bilateral relations, and a detailed exchange of views on regional and international issues. Germany also underlined the need for uncompromising global action against the scourge of terrorism wherever it occurred and against

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

whomsoever it was directed. Both India and Germany were keen to impart further momentum to trade and investment linkages. Investment opportunities in India and the wide-ranging complementarities between the two countries, which encouraged greater scientific and technological cooperation, were also highlighted. He stated that India valued its continuing high level contacts with Germany as one of its most important interlocutors in the European Union, a member of the G-8 and currently on the Security Council of the United Nations. In line with the agreement to have annual summit meetings, India looked forward to welcome the German Chancellor Mr. Schroder in the year 2004.

Regarding his visit to St. Petersburg, the Prime Minister stated that it provided an opportunity of having bilateral meetings with the Russian President Mr. Vladimir Putin, President Mr. Chirac of France, the President Mr. Hu Jintao of China, Prime Minister Mr. Tony Blair of the United Kingdom and President Mr. George W. Bush of the United States of America. Issues of bilateral, regional and international interest were discussed with President Mr. Vladimir Putin who reiterated Russia's commitment to further deepen defence relations with India. At his meeting with President Mr. Hu Jintao, the new leadership of China placed great emphasis on developing friendship with India. It was agreed that both China and India, which constituted one-third of the humanity, should work together effectively to make the 21st century an Asian century.

The Prime Minister stated that India was one of the fourteen developing countries invited to the G-8 Enlarged Dialogue in Evian which enabled a free and unstructured interaction highlighting the varied economic, developmental, environmental, security and other concerns of developing countries. There was a common understanding regarding the importance of a multipolar world, for which a restructured United Nations was essential, and it was also felt that the G-8 Enlarged Dialogue could develop into a useful forum of communication at the highest level between the developed and the developing world.

The Prime Minister stated that his visit to China in June 2003 took place almost ten years after the last visit by an Indian Prime Minister. It provided him an invaluable opportunity to personally interact with the new Chinese leadership and both sides were committed to strengthen the ongoing process of building mutual trust and understanding. Ten agreements between the two countries were concluded. For the first time in India-China relations, a Joint Declaration was signed by the two Prime Ministers, which outlined the principles and shared perspectives which would guide the future development of bilateral relations. It also

confirmed the commitment of the two countries to work more closely together internationally to strengthen the trend towards multipolarity, on the World Trade Organisation (WTO) issues and other areas of concern to the developing countries. The Joint Declaration reflected the importance both countries attached to the settlement of the India-China boundary question. Special representatives from the two countries had been appointed for that purpose. There was a clear awareness on the part of both sides about the potential of the economic relationship of the two countries which was reflected in the decision to set up a Joint Study Group to identify potential complementarities in bilateral economic cooperation. The Joint Study Group would also recommend concrete measures to increase trade, to promote investments and to encourage greater cooperation between business communities of the two countries. It was also decided to set up a financial dialogue and cooperation mechanism to strengthen coordination in that sector. Another significant development was the Memorandum on the border trade through *Nathu La pass* on the India-China boundary which started the process by which Sikkim would cease to be an issue in India-China relations. Regarding Tibet, he assured the House that there was no change in India's decades old policy that the Tibet Autonomous Region was a part of the territory of the People's Republic of China. The cultural relationship between the two countries received a new impetus with the agreement to establish cultural centres in Delhi and Beijing.

Replying to the points raised by the members on 31 July 2003, the Prime Minister stated that as regards the issue of Tibet, India had tried its best to find out the best possible solution to the problem. India had some perceptual difference with China on the Line of Actual Control with regard to Arunachal Pradesh. However, India was of the view that both the countries should live in harmony. He further stated that there was a large scope of promoting trade relations with China.

Statement by the Minister of Defence on the incident of terrorist attack in Tanda Army Cantonment (Akhnoor) in Jammu and Kashmir on 22 July 2003: Making a Statement in the House on 29 July 2003, the Minister of Defence, Shri George Fernandes said that on 22 July 2003, at about 05.50 hours, three terrorists, one in civilian dress and two in combat uniform with khaki caps, disembarked from a civil truck in front of the gate of the EME Battalion at the Tanda Army Cantonment. One terrorist was killed on the spot, and in the ensuing fire-fight, one sentry was killed and another was injured while other terrorists evaded the fire of the sentry and rushed inside the unit lines lobbing grenades and firing indiscriminately. In the process, two Junior Commissioned Officers

(JCOs) and four Other Ranks were killed, and two each were wounded. The Quick Reaction Team (QRT) of the unit killed the second terrorist. By 06.30 hours, the QRTs from neighbouring units were also moved to the location and a detailed search of the area was carried out till 10.30 hours. After searching the unit lines and the adjoining area under the supervision of senior officers of local formation, it was assessed that the area had been cleared of the terrorists. At about 13.00 hours, Lieutenant-General Hari Prasad, General Officer Commanding-in-Chief (GOC-in-C), Northern Command and Lieutenant-General T.P.S. Brar, General Officer Commanding (GOC), 16 Corps, along with their staff officers, visited the site to review the situation. All the three terrorists were killed and three AK rifles and three pistols were recovered. The driver of the truck in which the terrorists came, had been taken into custody and was being interrogated. A lesser known militant outfit called Al Shuhda Brigade, J and K had claimed the responsibility for the attack carried out to protest against the remarks made by the visiting Pakistani Opposition Leader, Maulana Fazlur Rehman that the Line of Control should be converted into a permanent border and the Kashmir issue should be resolved within the framework of the Shimla Agreement.

The Minister informed the House that adequate measures had been taken to ensure security of vulnerable areas by way of gathering intelligence inputs, reinforcing the security mechanism, intensifying patrolling and Quick Reaction Teams. In addition to security measures, special strategies were being devised to effectively combat terrorist attacks and an investigation into the incident had been ordered.

Replying to the points raised by the members, the Minister said that *fidayeen* attack was something which could never be found out before it actually happened. Therefore, all efforts were being made to deal with the *fidayees* to the extent possible.

Statement by the Minister of Agriculture on the Price Policy for Kharif Crops of 2003-04 season: Making a Statement in the House on 30 July 2003, the Minister of Agriculture, Shri Raj Nath Singh said that the Government had fixed the Minimum Support Prices (MSPs) for Fair Average Quality (FAQ) of Kharif Crops of 2003-04 season. The MSP of paddy common and paddy grade-A had been raised by Rs. 20 each as compared to the last year and was fixed at Rs. 550 and Rs. 580 per quintal, respectively. The MSPs of *jowar*, *bajra*, *maize* and *ragi* had been raised by Rs. 20 each and was fixed at Rs. 505 per quintal as against Rs. 485 per quintal fixed for the previous year. The MSP of *arhar (tur)* had been raised to Rs. 1,360 per quintal as against Rs. 1,320

per quintal for the previous year, marking an increase of Rs. 40 per quintal. Similarly, the MSPs of *moong* and *urad* had been raised by Rs. 40 per quintal as compared to the previous year. The MSP of groundnut-in-shell had been fixed at Rs. 1400 per quintal marking an increase of Rs. 45 per quintal as compared to the last year. Similarly, the MSPs of soyabean (yellow) and soyabean (black) had been raised by Rs. 45 per quintal and fixed at Rs. 930 and Rs. 840 per quintal, respectively. The MSP of sunflower seed had been raised from Rs. 1,195 per quintal last year to Rs. 1,250 per quintal for the 2003-04 season. As compared to the last year, the MSPs of sesamum and niger seeds had been fixed at Rs. 1,485 per quintal and Rs. 1,155 per quintal, respectively, marking an increase of Rs. 35 per quintal. The MSP of cotton (F-414/H-777/J-34) and (H-4) varieties had been raised by Rs. 50 per quintal as compared to the previous year. He expressed the hope that the increases effected in the MSPs of the Kharif crops would encourage the farmers to increase the production and productivity of the crops in the country and would also encourage them in diversification of crops.

Replying to the points raised by the members, the Minister said that there had not been much increase in the agricultural cost price which was 8.7 per cent during the years 1992-97, and which had come down to 4.5 per cent only during the years 1998-2003. The Government was trying to bring down the cost of agricultural inputs and it had recently been decided that the rate of interest on crop loan which was 14 to 18 per cent would be brought down to 9 per cent. Similarly, there was interest rate of 14 to 18 per cent on the purchase of tractors and other agricultural implements, but the Government was trying to ensure that the farmers get tractors and other agricultural implements at an interest rate of 9 to 11 per cent. As regards the non-receipt of fair prices by the farmers for their crops in the market even after the announcement of the Minimum Support Price (MSP), the Food Corporation of India (FCI) would, as far as possible, procure the produce from farmers so that they could get fair prices. Moreover, the decision regarding increase or decrease in the irrigation rates had to be taken by the concerned State Governments. The cost of agricultural inputs would be further brought down and Rs. 20 per quintal were added in the MSP as drought relief for one year only. He added that farmers should shift from conventional to commercial crops so that agriculture becomes a profitable profession, and the Government was trying to make efforts in that direction.

Calling Attention on the situation arising out of disputes over the sharing of Inter-State river waters of Cauvery and Krishna rivers: On 30 July 2003, Shri P.G. Narayanan of the All India Anna Dravida Munnetra

Kazhagam called the attention of the Minister of Water Resources in this regard.

Replying to the Calling Attention, the Minister of Water Resources, Shri Arjun Charan Sethi said that the dispute relating to the sharing of Cauvery waters among the States of Karnataka, Kerala, Tamil Nadu and Pondicherry was referred to the Cauvery Water Disputes Tribunal (CWDT) which was constituted on 2 June 1990. The Tribunal had not submitted its final report and decision. However, in June 1991, the CWDT had passed an Interim Order directing the State of Karnataka for releasing water from its reservoirs to ensure 205 Thousand Million Cubic (TMC) Feet of water in the Mettur reservoir of Tamil Nadu in a water year in a fixed monthly and weekly pattern. The Tribunal had also given certain clarifications in April 1992 and December 1995 on its Order of June 1991. The Central Government had published the Order of the Tribunal under section 6 of the Inter-State Water Disputes (ISWD) Act, 1956 making the Order final and binding on the parties to the dispute, and it was to be given effect by the concerned States. Further, under the provisions of the ISWD Act, 1956, the Central Government had notified a Scheme called the Cauvery Water (Implementation of the Order of 1991 and all Subsequent Related Orders of the Tribunal) Scheme, 1998 consisting of the Cauvery River Authority and the Monitoring Committee. The Cauvery River Authority consisted of the Prime Minister as the Chairperson and the Chief Ministers of the basin States as its members.

The Minister said that the Central Government constituted the Krishna Water Disputes Tribunal (KWDT) in April, 1969 for adjudication of the water disputes of the Krishna river. The Tribunal submitted its report and decision in 1976, which was published by the Central Government in the Official Gazette on 31 May 1976. As per the direction of the Tribunal, its Order was to be reviewed or revised by a competent authority or a tribunal after 31 May 2000. The Central Government received requests from the States of Karnataka, Maharashtra and Andhra Pradesh in October 2002, December 2002 and January 2003, respectively, for the constitution of a second Krishna Water Disputes Tribunal under the Inter-State Water Disputes (ISWD) Act, 1956 and referring to the Tribunal the water disputes and matters connected therewith for adjudication and decision. The constitution of a second tribunal for Krishna water disputes under the ISWD, 1956 was being considered by the Government.

Replying to the points raised by the members, the Minister said that the development of inter-State rivers was governed according to the existing agreements between the States or the tribunal awards. Any

issue raised by different States regarding violation of the provisions of the existing agreement or tribunal award, had to be resolved through mutual negotiations between the States, with or without the assistance of the Central Government. The projects and the other related issues were discussed in the Inter-State Meeting held under the chairmanship of the Chairman of the Central Water Commission (CWC) on 27 June 2003. He assured the members that the Central Government would provide all assistance to solve the problem keeping in view the interests of all the states parties to the dispute. So far as the Paragodu and Upper Tunga Projects were concerned, these had been brought to the notice of the Ministry of Water Resources as well as the Prime Minister and the Deputy Prime Minister. A Technical Committee consisting of experts from Andhra Pradesh and Karnataka had been constituted by the Central Water Commission. One stipulation of the Krishna Water Disputes Tribunal was that whatever water was utilized as per the award of the Tribunal, such information had to be given to the Central Government, and it was binding both on the Governments of Karnataka and Andhra Pradesh. But such information regarding allocation, utilization and share of water by the concerned States was not provided. Since there had been a failure of monsoon in that region during the last two years, a meeting of the Cauvery Monitoring Committee was convened. An Expert Group had been constituted and the State Governments had been requested to give suggestions on the issue. The Government was trying to resolve the issue amicably through discussion and deliberation in a cordial atmosphere. Moreover, the issue was pending before the judicial body and the final award was awaited.

Calling Attention on the Implementation of Conditional Access System and criteria for uplinking for foreign channels: On 6 August 2003, Shri Sanjay Nirupam of the Shiv Sena called the attention of the Minister of Information and Broadcasting in this regard.

Replying to the Calling Attention, the Minister of State (Independent Charge) of the Ministry of Information and Broadcasting, Shri Ravi Shankar Prasad, said that the Conditional Access System (CAS) was mandated through an amendment in the Cable Television Networks (Regulation) Act, 1995 for protecting the consumers from the arbitrariness, and for adopting a scientific and rational approach for working out the rates of free-to-air channels in the basic service tier. The Government had set up a Task Force comprising the various stakeholders like the Cable Operators' Association, the Multi-System Operators (MSOs), the Broadcasters, the Consumer Electronics and T.V. Manufacturers' Association (CETMA), besides consumer groups and technical experts,

to examine and to oversee the various issues related to the implementation of the CAS as provided under the Cable Television Networks (Regulation) Act, 1995. The Cost Accounts Branch (CAB) of the Ministry of Finance which was also requested to commission a study to get a feed-back from the cable operators on important issues, had detailed discussions with the technical experts, including the equipment manufacturers, etc. Pursuant to the recommendations of the Task Force, the Government notified the introduction of the CAS with effect from 15 July 2003 in the four metropolitan cities of Delhi, Kolkata, Mumbai and Chennai, and through a notification issued on 7 May 2003, specified the minimum number of free-to-air channels to be included in the package of channels forming the basic service tier to be thirty and the maximum amount which a cable operator could demand from a subscriber to be Rs.72. He assured the members that there had been no confusion in the implementation of the Conditional Access System. The Government had taken a number of steps for its smooth implementation in the four metros. It had been in constant and continuous dialogue with the representatives of stakeholders in the industry, i.e. manufacturers, broadcasters, MSOs and cable operators. As the present state of preparedness indicated that adequate number of Set Top Boxes (STBs) were not likely to be available by the deadline, i.e. 15 July 2003, the Government had, deferred the implementation of the CAS to 1 September 2003 and proposed to implement it in a phased, zone-wise manner in the three metropolitan cities of Delhi, Kolkata and Mumbai. As far as Chennai was concerned, it had been decided to implement it at one go. The intervening period would be used to step up preparedness, to build up consumer awareness and to enable the import/manufacture of STBs in greater numbers. The Ministry of Finance had also reduced the customs duty from 50.8 per cent to 5 per cent which had been extended until 30 September 2003. It had been estimated that an analogue STB would cost about Rs. 2,500/- and a digital STB would cost between Rs. 2,700/- and Rs. 3,000/-.

As regards the criteria for the uplinking policy for foreign channels, the Minister said that it had gradually been developing over a span of five years. In June 1998, the Cabinet, for the first time, permitted the Indian satellite channels to uplink from India through the Videsh Sanchar Nigam Limited (VSNL) only. In March 1999, the Cabinet permitted all Indian companies to uplink from India without being mandated to go through the VSNL only. In July 2000, the Cabinet approved the setting up of hubs/teleports by companies incorporated in India with not more than 49 per cent foreign equity holding; uplinking of all television channels irrespective of ownership, equity structure of

management control, which aimed at Indian viewership; and uplinking to Indian news agencies accredited with the Press Information Bureau (PIB) and whose 100 per cent ownership and management control was with Indians. The Cabinet *vide* its decision of 18 March 2003 *inter alia* approved foreign ownership/management control restriction to be placed on channels having any element of news and current affairs' content and allowed to uplink from India. The guidelines issued on 26 March 2003 laid down the eligibility criteria for a company uplinking news and current affairs channels. He asserted that throughout the evolution of the uplinking policy in stages, vesting of ownership and management control in Indian hands remained a prime concern. An Inter-Ministerial Group had been set up to examine the foreign exchange norms/guidelines particularly relating to uplinking of news and current affairs channels.

Replying to the points raised by the members, the Minister said that the Conditional Access System technologically empowered every consumer to see what he wanted to see, to pay what he would like to pay and once the decision-making power came to the consumer, the broadcasters, the cable operators, etc. would become more consumer-friendly. There were two components: free-to-air and pay channels. The free-to-air package would be priced at Rs.72 per month and there was no need for a STB. The Government had taken adequate care by making available sufficient number of free-to-air channels. The consumers could not be forced to purchase STBs. As far as the uplinking for foreign channels was concerned, the matter was under consideration of the Government.

Short Duration Discussion on the role of the Central Bureau of Investigation (CBI) in Babri Masjid Demolition Case: Initiating a Short Duration Discussion in this regard on 23 July 2003, Shri Hansraj Bhardwaj of the Indian National Congress expressed concern on the issue which had rattled the very foundation of Rule of Law and democracy. He said that there was apprehension in the minds of the people that the Babri Masjid Demolition Case which required prompt, efficient investigation, prosecution and trial, was not being pursued properly and there were attempts to subvert the process of law. He alleged that those who were responsible for the governance of the country were involved in the cases and the investigating agency, instead of collecting evidence, was destroying it. He said that the CBI after extensive investigations, had found that a very grave and heinous crime had been committed by those leaders who had conspired to demolish the Babri Masjid. He demanded that as per the guideline of the

Supreme Court, the CBI should have been insulated and separated from the Executive wing so that it could function independently. He said that the case was an eye-opener for the Government.

Participating in the debate*, Shri C. Ramachandraiah of the Telugu Desam Party said that contentious issues should not be discussed in the House. Observing that 25 per cent of the people living below poverty line in the world were in India, national attention should be focused on the issue of providing basic necessities to such people for improving the quality of their life. He, however, requested the Government to clarify all the doubts about the vexed issue.

Taking part in the discussion, Shri Nilotpal Basu of the Communist Party of India (Marxist) wanted to know from the Government whether the prosecution was truly and effectively bringing facts which were at its disposal. He said that in the past it was established by the CBI that the demolition of the Babri Mosque was an organized conspiracy, but now that approach had been changed by it.

Intervening in the debate, the Minister of State (Independent Charge) of the Ministry of Information and Broadcasting, Shri Ravi Shankar Prasad, said that the Government did not influence the CBI and wanted that a fair trial should take place.

Replying to the discussion, the Minister of Law and Justice, Shri Arun Jaitley, said that the Government had not used the CBI for any collateral purpose, either for wrongful investigation against some individuals or for hushing up any particular case. There had been no effort to drop or delete section 120 B. He said that after the incident of 6 December 1992, the CBI or the Uttar Pradesh CB - CID had filed a charge sheet in the court at Lalitpur on 27 February 1993. In that charge sheet, there was no charge under section 120B, but later on, a larger charge sheet was filed before another court wherein a request was made to issue a notification so that the smaller charge sheet could be subsumed into a larger charge sheet and the section 120B became applicable. He said that it proved that there were two charge sheets in the matter, one where Shri L.K. Advani was not an accused, and the other in which he was an accused but section 120B was not there. He asserted that whether the CBI was seriously pursuing or colluding in the

* Others who took part in the discussion were: Sarvashri Janeshwar Mishra, Kapil Sibal, Lalu Prasad, Sanjay Nirupam, Cho. S. Ramasawamy, V.V. Raghavan, Kuldip Nayyar, S.S. Ahluwalia, H.K. Javare Gowda, N.K. Premachandran, Shankar Roy Chowdhury and R.K. Anand.

case, had to be decided by the High Court or the Supreme Court. The due process of law required that when a case was being argued, the charge had to be framed or not to be framed, and the trial of the case should not be prejudiced by having a parallel debate on the subject. The section 120B was never there in the case at Rae Bareilly Court. There was no question of dropping or diluting the charge, the Minister clarified.

B. LEGISLATIVE BUSINESS

*The Airports Authority of India (Amendment) Bill, 2003**: Moving the motion for consideration of the Bill on 28 July 2003, the Minister of State (Independent Charge) of the Ministry of Civil Aviation, Shri Rajiv Pratap Rudi said that the Bill sought to further amend the Airports Authority of India Act, 1994. There was need to improve the standard of services and facilities at the airports to bring them at par with the international standards. To facilitate the process for such improvement, there was also need, both for the infusion of private sector investments and for the restructuring of airports. That would speed up airport infrastructure development, improve managerial efficiency, increase local responsiveness and improve service levels. It would, in turn, generally stimulate the economy by boosting tourism and trade. It had been decided to undertake the task of restructuring the airports under the Airports Authority of India as well as to encourage private participation for the Greenfield airports in the country.

Replying to the debate**, the Minister said that there had been an overall consensus on the fact that the country needed to have world class airports. In the proposed Bill, the air traffic control management as well as the security rested with the Government. Another aspect of the Bill was about the Advance Development Fee for the new airports, which would be used for the development of Greenfield projects and other airports. The Airports Authority of India paid to the State Governments to rehabilitate the affected people even though the land belonged to it. The steps taken by the Government were for the larger economic well being of the country.

Intervening in the debate, the Leader of the House, Shri Jaswant Singh said the Government had started a process and a procedure with

* The Bill, as passed by the Lok Sabha, was laid on the Table on 13 May 2003. Excerpts from Statement of Objects and Reasons of the Bill

** Those who took part in the discussion were Sarvashri Ajay Maroo, Jibon Roy, P.G. Narayanan, Sanjay Nirupam, N.K. Premachandran, Fali S. Nariman, Dr. T. Subbarami Reddy, Prof. M. Sankaralingam and Smt. N.P. Durga

the Delhi and Mumbai airports both from the point of view of operational requirements and funds requirement for managing the transition. He assured the House that the Government was committed to take up work on the Chennai, Kolkata and other airports as well. The Bangalore Airport was a Greenfield project which was entirely a private project helped by the Government of Karnataka.

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

*The Marriage Laws (Amendment) Bill, 2003**: Moving the motion for consideration of the Bill on 29 July 2003, the Minister of State in the Ministry of Law and Justice, Shri P.C. Thomas said that the Bill sought to amend the provisions of the Special Marriage Act, 1954 and the Hindu Marriage Act, 1955. The salient feature of the Bill was to see that it provided for the aggrieved wife to move the court at the place where she resided. It also sought to extend the period for filing an appeal from the date of decree or order made by the court from existing 30 to 90 days.

Replying to the debate**, the Minister of Law and Justice and the Minister of Commerce and Industry, Shri Arun Jaitley, said that the object of the Bill was not to encourage divorces, but to remove the inequalities relating to marriages. Section 125 of the Criminal Procedure Code had also been amended. Most of the Indian women who were not earning had to depend on relatives or parents in a broken marriage for their livelihood. Their ability to travel long distances on every date of hearing and contesting the case was very limited. Therefore, the enabling provision in the Bill would give the woman the right to present a petition in a court within whose jurisdiction she was residing after the broken marriage. As regards the second provision in the Bill relating to the enlargement of time for filing an appeal, the Supreme Court, in one of its judgments, had suggested that the period should be extended to 90 days. He said that it had been suggested to all States to encourage family courts so that such cases could be settled through a procedure which was not strictly bound by the Civil Procedure. The Government had written to the Chief Ministers of all the States and the Chief Justices of all the High Courts that cases of offences against women and senior citizens should be transferred to fast-track courts so that such cases could be disposed of expeditiously.

* The Bill was introduced in the Rajya Sabha on 9 May 2003

** Those who took part in the discussion were: Sarvashri P.G. Narayanan, C.P. Thirunavakkarasu, H.K. Javare Gowda, Smt. Bimba Raikar, Smt. Maya Singh, Smt. Chandra Kala Pandey and Smt. Kum Kum Rai

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

*The Merchant Shipping (Amendment) Bill, 2003**: Moving the motion for consideration of the Bill on 30 July 2003, the Minister of Shipping, Shri Shatrughan Sinha, said that India was an active and prominent member of the International Maritime Organisation (IMO) which was responsible for establishing and enforcing world standards in maritime shipping. The laws relating to shipping and maritime affairs had global relevance. The Indian ships which traded internationally were subjected to inspection at foreign ports to check their compliance with the IMO Conventions and Protocols which kept on changing. Similarly, foreign ships were also subjected to inspections when they visited Indian ports with a view to protecting the country's waters from the environmental hazards. Incorporation of provisions of the IMO Conventions and Protocols in India's merchant shipping legislation was required to meet international obligations.

The Minister said that the International Convention for the Prevention of Pollution from Ships (MARPOL) 73/78 had six Annexes specifying the technical requirements to be complied with by ships for the purpose of safety of life at sea as well as prevention of pollution from ships. As a number of countries had since acceded to these Annexes, India had also acceded to three Annexes to ensure that Indian ships were not targeted for non-compliance while visiting foreign ports. The main advantage of ratifying those Annexes would be that the Indian and the foreign vessels plying on overseas trade world-wide would automatically follow the universal standards on the subject, which would help India develop service facilities in Indian ports matching with the international standards. Preventing pollution from harmful substances carried by sea in packed forms, sewage from ships, and the waste and garbage management at ports, etc., was to be made mandatory to ensure cleaner waters. To implement the provisions of the said Convention and the Protocol, the proposed Bill contained amendments to 12 sections, i.e. sections 356A to 356K and 356O under Part XIA of the Merchant Shipping Act, 1958. It was proposed to amend sections 356E and 356O to confer powers on the Central Government to make rules to prescribe those technical and operational requirements prescribed by the MARPOL 73/78 and its Annexes as amended from time to time. With the proposed amendments, India would not only be able to meet

* The Bill was introduced in the Rajya Sabha on 5 May 2003

its international commitments arising out of accession to Annexures III, IV and V of MARPOL 73/78 but also would be at par with the systems and requirements of other advanced maritime nations.

Replying to the debate*, the Minister said that the matter regarding the Seamen's Provident Fund had been taken up with the concerned authorities and efforts were made to reduce corruption in the office of the Director General of Shipping. He pointed out that the surveyors were appointed by the Government as per requirements and rules which prescribed proper qualifications. Ships were detained till the 'deficiency notice' was removed so that they complied with the laid-down standards. The Government was considering modalities for introduction of tonnage tax for the shipping industry. There were about 44 instruments of the IMO, out of which India had acceded to 28 instruments, including conventions, protocols and operative agreements.

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

*The Railways (Amendment) Bill, 2003***: Moving the motion for consideration of the Bill on 31 July 2003, the Minister of Railways, Shri Nitish Kumar said that the amendment sought to enhance the penalty for ticketless travellers from Rs. 50 to Rs. 250, which would act as a deterrent measure to put a check on the such passengers who travelled without tickets or without a proper ticket.

*Replying to the debate****, the Minister said that the number of the poor who travelled with valid tickets was far more than other categories of passengers. The tendency of travelling without a valid ticket, particularly for short distance, was on the increase. The Government was also taking other measures to check the menace of travelling without a valid ticket.

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

* Those who took part in the discussion were: Sarvashri Vayalar Ravi, Ajay Maroo, Matilal Sarkar, Santosh Bagrodia, C. Perumal, C.P. Thirunavukkarasu, Shankar Roy Chowdhury, Smt. N.P. Durga and Miss Mabel Rebello

** The Bill was introduced in the Rajya Sabha on 2 May 2003

*** Those who took part in the discussion were: Sarvashri Kripal Parmar, Ravula Chandra Sekar Reddy, Tarini Kanta Roy, Rama Shanker Kaushik, S.S. Chandran, Gandhi Azad, Abani Roy, Dr. Abrar Ahmed, Prof. Saif-ud-Din-Soz and Prof. Ram Deo Bhandary

C. QUESTION HOUR

During the Session, 9,209 notices of Questions (8,530 Starred and 679 Unstarred) were received. Out of these, 440 Questions were admitted as Starred and 3,316 as Unstarred. The total number of notices of Questions received in Hindi was 1,792.

Daily average of Questions: For all days, the lists of Starred Questions contained 20 Questions. On an average, 7.56 Questions were orally answered per sitting. The maximum number of Questions orally answered on a particular day was twelve on 5 August 2003 and the minimum number of Questions orally answered was three on 14 August 2003.

The list of Unstarred Questions contained 138, 140, 127, 150 and 126 Questions on 21, 22, 23, 30 July and 6 August 2003, respectively, and on the rest of the days, it contained 155 Questions each. Due to interruptions in the House on 22, 31 July and 8 and 13 August, Starred Questions were not called for oral answer. The Starred Questions listed for these days were treated as Unstarred Questions and their answers, together with the answers to Unstarred Questions, were printed in the Official report of the respective dates.

Half-an-Hour Discussion: In all, seventeen notices of Half-an-Hour Discussion were received but none was admitted and discussed.

Short Notice Questions: One Short Notice Question was received but it was not admitted.

D. OBITUARY REFERENCES

During the session, obituary references were made on the passing away of Sarvashri Korambayail Ahammed Haji and Bhagatram Manhar, both sitting members, and Sarvashri Kishori Ram, Pasumpon Tha Kiruttinan, Indradeep Sinha and Shrimati Premilabai Dajisaheb Chavan, all former members. Members stood in silence as a mark of respect to the deceased.

STATE LEGISLATURES

ANDHRA PRADESH LEGISLATIVE ASSEMBLY*

The Andhra Pradesh Legislative Assembly, which commenced its Eleventh Session on 22 September 2003, was adjourned *sine die* on 30 September 2003. There were eight sittings in all.

Legislative business: During the Session, five Bills were passed by the House. The House also adopted the Resolution ratifying the Constitution (Ninety-fifth Amendment) Bill, 2003 as passed by the Parliament.

Obituary references: During the Session, obituary references were made on the passing away of Shri Syed Sajjad, a sitting member of the State Legislative Assembly. Tributes were also paid to eight former members, including the former Deputy Speaker, and Minister Shri A. Dharma Rao, and Shri Vavilala Gopala Krishnaiah, freedom fighter and veteran parliamentarian.

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY**

The Third Arunachal Pradesh Legislative Assembly, which commenced its Tenth Session on 2 August 2003 was adjourned on the same day.

Vote of Confidence: The Congress (I) Government led by the Chief Minister, Shri Mukut Mithi, was reduced to minority following a split in the party whereby a group of legislators, including Ministers, led by Shri Kameng Dolo, formed a new political party called the Congress (Dolo).

Under the circumstances, the Governor of Arunachal Pradesh summoned the Third Legislative Assembly at short notice on 2 August 2003 to allow the Chief Minister to seek a vote of confidence in the Council of Ministers. Accordingly, the House assembled and the Chief Minister moved the Motion of Confidence. Some Ministers as well as members took part in the debate. The Speaker put the motion to vote which was defeated. Thereafter, the Speaker adjourned the House *sine die* which was subsequently prorogued by the Governor.

Eleventh Session: The Eleventh Session commenced on 18 August 2003 and was adjourned *sine die* on 19 August 2003.

* Material contributed by the Andhra Pradesh Legislative Assembly Secretariat

** Material contributed by the Arunachal Pradesh Legislative Assembly Secretariat

Vote of Confidence: On 18 August 2003, the Leader of the United Democratic Front and the new Chief Minister, Shri Gegong Apang moved the Motion of Confidence in the House. Some Ministers as well as members participated in the discussion, thereafter, the Motion was put to vote and was adopted by the House.

Election of Speaker and Deputy Speaker: On 18 August 2003, Shri Setong Sena and Shri Ninong Ering of the Congress (D) were unanimously elected as the Speaker and the Deputy Speaker, respectively, of the State Legislative Assembly.

Legislative business: During the Session, the Arunachal Pradesh Control of Organised Crime Repeal Bill, 2003 was considered and passed by the House.

ASSAM LEGISLATIVE ASSEMBLY*

The Eleventh Assam Legislative Assembly, which commenced its Sixth Session on 4 August 2003, was adjourned sine die on 8 August 2003. There were five sittings in all.

Financial business: During the Session, the Minister of State for Finance presented the list of Supplementary Demands for Grants and Supplementary Appropriation for the year 2003-2004, which was put to vote and passed by the House. The Assam Appropriation (No. 8) Bill, 2003 was also introduced and passed by the House after consideration.

Ratification of Amendments to the Constitution of India: During the Session, the House passed and adopted by voice vote a Resolution ratifying the Constitution Ninety-fifth (Amendment) Bill, 2003 as passed by the Parliament.

No-confidence Motion: One Motion of No-confidence against the Council of Ministers was admitted for discussion. In all, seven members participated in the discussion. The motion was put to vote and was rejected by voice vote.

Obituary references: During the Session, obituary references were made on the passing away of ten leading personalities. Tributes were also paid to eight persons who died in an incident at Paneri.

CHHATTISGARH LEGISLATIVE ASSEMBLY**

The Chhattisgarh Legislative Assembly, which commenced its Eighth

* Material contributed by the Assam Legislative Assembly Secretariat

** Material contributed by the Chhattisgarh Legislative Assembly Secretariat

Session on 28 July 2003, was adjourned *sine die* on 30 July 2003. There were three sittings.

Legislative business: During the Session, eight Bills were introduced, considered and passed by the House.

Financial business: On 29 July 2003, the Finance Minister, Shri Ramchandra Singh Deo, presented the first Supplementary Budget for the year 2003-2004.

Motion of No-confidence: On 29 July 2003, the Leader of the Opposition, Shri Nand Kumar Sai moved a No-confidence Motion on the floor of the House. The Motion was discussed and put to vote and was rejected with 23 members voting in favour, 59 voting against it and one member abstaining.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Charan Singh Manjhi, a sitting member of the Chhattisgarh Legislative Assembly; Bhagatram Manhar, a sitting member of the Rajya Sabha; Laxman A. Jamnik, Pandari Rao Pawar and Bacchan Nayak, all former members of the Madhya Pradesh Legislative Assembly; Shital Prasad Mishra and Kamalnarayan Sharma, both freedom fighters; and Prof. Rajender Singh (Rajju Bhaiya), former Sarsanghchalak of the Rashtriya Swayamsevak Sangh (RSS).

DELHI LEGISLATIVE ASSEMBLY*

The Second Part of the Sixteenth Session of the Second Delhi Legislative Assembly was held on 3 July 2003.

Election of the Speaker: On 3 July 2003, Shri Subhash Chopra was elected as the Speaker of the Legislative Assembly (On 18 June 2003, the Speaker, Choudhary Prem Singh had resigned from his post).

Third Part of the Sixteenth Session: The Third Part of the Sixteenth Session was held on 28 July 2003. The House was adjourned *sine die* on 29 July 2003. The Lt. Governor of Delhi, Shri Vijai Kapoor prorogued the House on 26 September 2003. (Earlier, the Budget Session (Sixteenth Session) had commenced on 17 March 2003 and was adjourned *sine die* on 7 April 2003).

Legislative business: During the Session, the Delhi Co-operative Societies Bill, 2003 was introduced, considered and passed by the House.

* Material contributed by the Delhi Legislative Assembly Secretariat

Obituary references: During the Session, obituary references were made on those who lost their lives in the terrorist attacks on the pilgrims to the Mata Vaishno Devi Temple in Jammu and the Army Camp in Akhnoor.

GOA LEGISLATIVE ASSEMBLY*

The Fourth Goa Legislative Assembly, which commenced its Third Session on 29 September 2003, was adjourned *sine die* on 3 October 2003. The House was prorogued by the Governor on 22 October 2003. There were four sittings.

Legislative business: During the Session, apart from the Appropriation Bills, the following Bills were introduced, considered and passed by the House: (i) The Goa Panchayat Raj (Eight Amendment) Bill, 2003; (ii) The Goa Tax on Entry of Goods (Second Amendment) Bill, 2003; (iii) The Goa Education Development Corporation Bill, 2003; (iv) The Goa Employment (Condition of Service) and Retirement Benefit (Amendment) Bill, 2003; (v) The Goa School Education (Amendment) Bill, 2003; (vi) The Goa Public Gambling (Amendment) Bill, 2003; and (vii) The Goa Provision of Water Supply Bill, 2003.

Financial business: On 29 September 2003, the first batch of the Supplementary Demands for Grants for the year 2003-2004 were presented to the House. The discussion on the Supplementary Demands for Grants and the related Appropriation Bill were held on 30 September 2003; both were passed by the House the same day.

Obituary references: During the Session, obituary references were made on the passing away of Shri P.S. Bakal, a former member of the Goa, Daman and Diu Legislative Assembly and Lt. Gen. (Retd.) K.P. Candeth, the first Military Governor of Goa.

GUJARAT LEGISLATIVE ASSEMBLY**

The Eleventh Gujarat Legislative Assembly, which commenced its Third Session on 9 September 2003, was adjourned *sine die* on 11 September 2003. The House was prorogued by the Governor on 15 September 2003. There were three sittings.

Legislative business: During the Session, eight Bills were passed by the House. Two of the important Bills passed were the Code of Criminal Procedure (Gujarat Amendment) Bill, 2003 and the Gujarat

* Material contributed by the Goa Legislative Assembly Secretariat

** Material contributed by the Gujarat Legislative Assembly Secretariat

Protection of Interest of Depositors (in Financial Establishments) Bill, 2003. The House also adopted a Resolution ratifying the Constitution (Ninety-fifth Amendment) Bill, 2003 as passed by the Parliament.

Motion expressing want of Confidence in the Council of Ministers: On 10 September 2003, the Leader of the Opposition Shri Amarsingh Chaudhary, moved for leave of the House to make a motion expressing want of confidence in the Council of Ministers. The Speaker read out the motion to the House. All the members from the Opposition rose in their seats and the Speaker declared that leave was granted. At that point, the Minister of Parliamentary Affairs drew the attention of the House towards the outcome of such motion in view of the provisions of rule 106 of the Gujarat Legislative Assembly Rules which specified that the Speaker has to fix a day not earlier than 3 days on which the leave is granted. Since only two days were left from the day on which leave to move a motion was granted, the motion could not be taken up for discussion.

Obituary references: During the Session, six obituary references were made in the House.

KARNATAKA LEGISLATIVE ASSEMBLY*

The Eleventh Karnataka Legislative Assembly, which commenced its Sixth Session (adjourned meetings) on 9 July 2003 was adjourned sine die on 8 August 2003. There were 23 sittings in all.

Legislative business: During the Session, eighteen Bills were passed by the House. The House also ratified the Constitution (Ninety-fifth) Amendment Bill, 2003 as passed by the Parliament.

Financial business: On 24 July 2003, the Chief Minister who is also in-charge of the Department of Finance, presented the Demands for Grants for the year 2003-2004. The discussion was held for three days in which eleven members participated. It was adopted on 30 July 2003 after the reply by the Chief Minister. On 5 August 2003, the Supplementary Estimates (First Instalment) for the year 2003-2004 was adopted by the House.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri S.R. Kashappanavar and C. Byregowda, both sitting members and former Ministers, some former members of the Karnataka Legislative Assembly and other eminent personalities.

* Material contributed by the Karnataka Legislative Assembly Secretariat

KARNATAKA LEGISLATIVE COUNCIL*

The Ninety-ninth Session of the Karnataka Legislative Council, which commenced on 9 July 2003, was adjourned sine die on 8 August 2003.

Election of Deputy Chairman: On 7 August 2003, Shri V.R. Sudershan, was elected as the Deputy Chairman of the Karnataka Legislative Council.

Legislative business: During the Session, sixteen Bills passed by the State Legislative Assembly were passed. A Bill was introduced and passed in the Council. The Karnataka Ground Water (Regulation for Protection of Sources of Drinking Water) Bill, 1999, which was referred by the President of India for re-consideration, was considered and passed. A Resolution on the Constitution (Ninety-fifth Amendment) Bill, 2003 was ratified.

Obituary references: During the Session, obituary references were made on the passing away of two sitting members of the State Legislative Assembly and former Ministers Sarvashri S.R. Kashappanavar and C. Byregowda and Shri Kirthinatha Kurthakoti, a famous opera writer.

KERALA LEGISLATIVE ASSEMBLY**

The Eleventh Kerala Legislative Assembly, which commenced its Sixth Session on 16 June 2003, was adjourned sine die on 14 August 2003. The House was prorogued by the Governor on the same day. There were 41 sittings in all.

Legislative business: During the Session, the following Bills were passed by the House: (i) The Kerala Agricultural Workers (Amendment) Bill, 2001; (ii) The Kerala Forest (Vesting and Management of Ecologically Fragile Lands) Bill, 2001; (iii) The Kerala Cashew Workers' Relief and Welfare Fund (Amendment) Bill, 2001; (iv) The Kerala Advocates' Clerks Welfare Fund Bill, 2002; (v) The Kerala Ceiling on Government Guarantees Bill, 2002; (vi) The Kerala Co-operative Societies and the Kerala State Co-operative Agricultural and Rural Development Banks (Amendment) Bill, 2002; (vii) The Kerala Stay of Eviction Proceedings (Amendment) Bill, 2003; (viii) The Kerala Panchayat Raj (Amendment) Bill, 2003; (ix) The Kerala Municipality (Second Amendment) Bill, 2003; (x) The Kerala General Sales Tax (Second Amendment) Bill, 2003;

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** Material contributed by the Kerala Legislative Assembly Secretariat

(xi) The Payment of Salaries and Allowances (Amendment) Bill, 2003; (xii) The Kerala Payment of Pension to Members of Legislature (Amendment) Bill, 2003; (xiii) The Kerala Appropriation (No. 2) Bill, 2003; (xiv) The Kerala General Sales Tax (Third Amendment) Bill, 2003; (xv) The Kerala Finance Bill, 2003; (xvi) The Kerala Appropriation (No.3) Bill, 2003; (xvii) The Kerala Appropriation (No.4) Bill, 2003; (xviii) The Kerala Appropriation (No.5) Bill, 2003; (xix) The Kerala Appropriation (No.6) Bill, 2003; (xx) The Kerala Appropriation (No.7) Bill, 2003; (xxi) The Kerala Appropriation (No.8) Bill, 2003; (xxii) The Kerala Appropriation (No.9) Bill, 2003; (xxiii) The Kerala Appropriation (No.10) Bill, 2003; (xxiv) The Kerala Appropriation (No.11) Bill, 2003; (xxv) The Kerala Preservation of Trees (Amendment) Bill, 2003; (xxvi) The Kerala Fiscal Responsibility Bill, 2003; and (xxvii) The Kerala Irrigation and Water Conservation Bill, 2003.

Financial business: The House allocated 13 days for the discussion and voting on the Demands for Grants for the year 2003-2004. 36 Demands for Grants were discussed in the House and eight Demands were guillotined.

The House discussed and voted the Supplementary Demands for Grants in the Budget for the year 2003-2004 and the Excess Grants for the financial years 1989-90, 1990-91, 1991-92, 1992-93, 1995-96, 1997-98, 1998-99 and 1999-2000.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri George Eden, a sitting member of the Lok Sabha and former member of the Kerala Legislative Assembly; B.K. Nair, a former member of the Lok Sabha; Karambayil Ahammed Haji, former Deputy Speaker of the Kerala Legislative Assembly; P.K. Velayudhan, former Minister; Kottara Gopalakrishnan, P.K. Narayanan Nambiar, E.K. Menon, Kolady Govindankutty Menon and P. Gopalan, all former members of the Kerala Legislative Assembly.

MIZORAM LEGISLATIVE ASSEMBLY*

The Fourth Mizoram Legislative Assembly, which commenced its Fifteenth Session on 15 July 2003, was adjourned *sine die* on 29 July 2003. There were eleven sittings in all.

Legislative business: During the Session, following Bills were introduced, considered and passed by the House: (i) The Mizoram Exhibition

* Material contributed by the Mizoram Legislative Assembly Secretariat

of Films on Television Screen through Video Cassette Players (Amendment) Bill, 2003; (ii) The Mizoram Appropriation (No.3) Bill, 2003; and (iii) The Mizoram Appropriation (No.4) Bill, 2003.

Financial business: The Chief Minister, Shri Zoramthanga, who is also in-charge of the Finance Department presented the first Supplementary Demands for the year 2003-2004. The discussion and voting on various Demands were commenced from 15 July 2003 and concluded on 24 July 2003 with a reply by the Chief Minister. The discussion on the first Supplementary Demands for the year 2003-2004 was held on 28 July 2003; the Supplementary Demands were passed unanimously by the House.

NAGALAND LEGISLATIVE ASSEMBLY*

The Tenth Nagaland Legislative Assembly, which commenced its Second Session on 21 July 2003, was adjourned sine die on 28 July 2003. There were six sittings in all.

Legislative business: During the Session, the Nagaland Appropriation (No. 4) Bill, 2003 was considered and passed by the House.

Financial business: On 22 March 2003, the Finance Minister, Shri Kewekhape Therie, presented the Budget for the year 2003-2004. The general discussion was held on 24 and 25 March 2003 in which 22 members participated.

The discussion and voting on the Demands for Grants for the year 2003-2004 were held on 26 and 28 March 2003. One Cut Motion was withdrawn. The Demands for Grants were put to vote and passed.

Obituary references: During the Session, obituary references were made on passing away of Shri T. Nokeyu Longchar, a former member of the State Legislative Assembly.

ORISSA LEGISLATIVE ASSEMBLY**

The Twelfth Orissa Legislative Assembly, which commenced its Eleventh Session on 2 June 2003, was adjourned sine die on 3 June 2003. The House was prorogued by the Governor on 16 June 2003.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Baishnaba Pradhan, a sitting

* Material contributed by the Nagaland Legislative Assembly Secretariat

** Material contributed by the Orissa Legislative Assembly Secretariat

member of the State Legislative Assembly; Chhotray Majhi, former Minister; Loknath Choudhury and Darapu Lochana Naidu, both former members and U.C. Panigrahi, Ashok Kumar Das and A.R. Sahoo of the Indian Army.

SIKKIM LEGISLATIVE ASSEMBLY*

The Sixth Sikkim Legislative Assembly, which commenced its Eleventh Session on 18 July 2003, was adjourned *sine die* on 19 July 2003. There were two sittings.

Legislative business: During the Session, the following Bills were passed by the House: (i) The Sikkim Appropriation (No. 6) Bill, 2003; (ii) The Sikkim Appropriation (No.7) Bill, 2003; (iii) The Sikkim Appropriation (No. 8) Bill, 2003; (iv) The Sikkim Cooperative Societies (Amendment) Bill, 2003; (v) The Sikkim Allotment of House Sites and Construction of Building (Regulation and Control) Amendment Bill, 2003; and (vi) The Sikkim Industrial Promotion and Incentive (Amendment) Bill, 2003.

Financial business: On 18 July 2003, the Chief Minister, who is also in-charge of the Department of Finance, presented the First Supplementary Demands for Grants for the year 2003-2004 and the Excess Demands for Grants for 1998-1999 and 1999-2000, to the House. The same were put to vote and passed by the House on 19 July 2003.

Obituary references: During the Session, obituary references were made on the passing away of Shri Songpon Luksum, a former member of the Sikkim Legislative Assembly.

TRIPURA LEGISLATIVE ASSEMBLY**

The Ninth Tripura Legislative Assembly, which commenced its Second Session on 19 September 2003, was adjourned *sine die* on 23 September 2003. There were three sittings in all.

Legislative business: During the Session, the Tripura (Courts) Order (Fourth Amendment) Bill, 2003 was introduced, considered and passed by the House.

Obituary references: During the Session, obituary references were made on passing away of Sarvashri Haricharan Chowdhury, a former Minister of Tripura and Raj Kumar Kamaljit Singh, a former member of the Tripura Legislative Assembly.

* Material contributed by the Sikkim Legislative Assembly Secretariat

** Material contributed by the Tripura Legislative Assembly Secretariat

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APPENDIX I

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

1.	PERIOD OF THE SESSION	21 July 2003 to 22 August 2003	
2.	NUMBER OF SITTINGS HELD		21
3.	TOTAL NUMBER OF SITTING HOURS	113 hours and 33 minutes	
4.	NUMBER OF DIVISIONS HELD		9
5.	GOVERNMENT BILLS		
	(i) Pending at the commencement of the Session		34
	(ii) Introduced		15
	(iii) Laid on the Table as passed by Rajya Sabha		3
	(iv) Returned by the Rajya Sabha with any amendment/ recommendation and laid on the Table		1
	(v) Reported by Standing Committees		6
	(vi) Referred to Departmentally-related Standing Committees by Speaker/Chairman, Rajya Sabha		1
	(vii) Discussed		12
	(viii) Passed		11
	(ix) Part-discussed		1
	(x) Returned by Rajya Sabha without any recommendation	2 (Money Bills)	
	(xi) Pending at the end of the Session		42
6.	PRIVATE MEMBERS' BILLS		
	(i) Pending at the commencement of the Session		280
	(ii) Introduced		15
	(iii) Discussed		4
	(iv) Withdrawn		2
	(v) Negatived		1
	(vi) Part-discussed		1
	(vii) Removed from the Register of pending bills		29
	(viii) Pending at the end of the Session		263
7.	NUMBER OF DISCUSSIONS HELD UNDER RULE 184		
	(i) Notices received		280
	(ii) Admitted		74
8.	NUMBER OF MATTERS RAISED UNDER RULE 377		201
9.	NUMBER OF MATTERS RAISED DURING ZERO HOUR		93
10.	NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance)		
	(i) Notices received		223
	(ii) Admitted		6

(iii) Discussions held	4
11. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling Attention of Matters of Urgent Public Importance)	4
12. STATEMENTS MADE BY MINISTERS UNDER RULE 372	12
13. MOTION OF NO-CONFIDENCE IN COUNCIL OF MINISTERS	
(i) Notices received	3
(ii) Admitted and discussed	1
(iii) Withdrawn	2
14. RESOLUTION PLACED BEFORE THE HOUSE BY SPEAKER, LOK SABHA	1
15. GOVERNMENT RESOLUTIONS	
(i) Notices received	1
(ii) Admitted	1
16. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	6
(ii) Admitted	6
(iii) Discussed	3
(iv) Withdrawn	2
(vi) Part-discussed	1
17. GOVERNMENT MOTIONS	
(i) Notices received	2
(ii) Admitted	2
(iii) Discussed	1
18. NUMBER OF ADJOURNMENT MOTIONS	
(i) Total number of Notices received	260
(ii) Brought before the House	73
(iii) Consent withheld by Speaker, Lok Sabha outside the House	187
19. NUMBER OF PARLIAMENTARY COMMITTEES CONSTITUTED, IF ANY, DURING THE SESSION	One*
20. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION	14,032
21. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND THE DATE ON WHICH ISSUED	2000 passes on 19 August 2003
22. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	440
(ii) Unstarred	4,049
(iii) Short Notice Questions	1
23. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE	6
24. NUMBER OF NEW MEMBERS SWORN IN, WITH DATE	One, on 21 July 2003
25. NUMBER OF PRIVILEGE MOTIONS	
(i) Notices received	11
(ii) Observation made by Speaker	2

* JPC to enquire into the reports of pesticide residues in soft drinks

26. WORKING OF PARLIAMENTARY COMMITTEES

Sl. No.	Name of the Committee	No. of sittings held during the period 1 July to 30 September 2003	No. of Reports presented
1	2	3	4
i)	Business Advisory Committee	4	4
ii)	Committee on Absence of Members	1	1
iii)	Committee on Public Undertakings	5	2 (Study Tour)
iv)	Committee on Papers Laid on the Table	—	—
v)	Committee on Petitions	7	6
vi)	Committee on Private Members' Bills and Resolutions	3	3
vii)	Committee on the Welfare of Scheduled Castes and Scheduled Tribes	4	1
viii)	Committee of Privileges	—	—
ix)	Committee on Government Assurances	3	2
x)	Committee on Subordinate Legislation	—	—
xi)	Estimates Committee	1	1 (Action Taken)
xii)	General Purposes Committee	—	—
xiii)	House Committee	—	—
	a) Accommodation Sub-Committee	—	—
	b) Sub-Committee on Amenities	—	—
xiv)	Public Accounts Committee	8	4 (Original) 4 (Action Taken)
xv)	Railway Convention Committee	2	2
xvi)	Rules Committee	—	—
xvii)	Committee on Ethics	—	—
xviii)	Committee on the Empowerment of women	—	—
xix)	Committee on Member of Parliament Local Area Development Scheme (MPLADS)	2	—
JOINT/SELECT COMMITTEES			
i)	Joint Committee on Offices of Profit	—	—
DEPARTMENTALLY RELATED STANDING COMMITTEES			
i)	Committee on Agriculture	—	—
ii)	Committee on Information Technology	—	—
iii)	Committee on Defence	3 (Full committees) 3 (Sub-committees)	1 (Original) 2 (Action Taken)
iv)	Committee on Energy	8 (Sub-Committees)	—
v)	Committee on External Affairs	5	—
vi)	Committee on Finance	5	3
vii)	Committee on Food, Civil Supplies and Public Distribution	2	—
viii)	Committee on Labour and Welfare	2	1
ix)	Committee on Petroleum and Chemicals	—	—
x)	Committee on Railways	5	1 (Action Taken)
xi)	Committee on Urban and Rural Development	4	—

APPENDIX II

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

1. PERIOD OF THE SESSION	21 July 2003 to 22 August 2003
2. NUMBER OF SITTINGS HELD	21
3. TOTAL NUMBER OF SITTING HOURS	87 Hours and 04 Minutes
4. NUMBER OF DIVISIONS HELD	8
5. GOVERNMENT BILLS	
(i) Pending at the commencement of the Session	34
(ii) Introduced	1
(iii) Laid on the Table as passed by the Lok Sabha	Nil
(iv) Returned by the Lok Sabha with any amendment	Nil
(v) Referred to Select Committee by the Rajya Sabha	Nil
(vi) Referred to Joint Committee by the Rajya Sabha	1
(vii) Referred to the Department-related Standing Committees	Nil
(viii) Reported by Select Committee	Nil
(ix) Reported by Joint Committee	Nil
(x) Reported by the Department-related Standing Committees	5
(xi) Discussed	15
(xii) Passed	15
(xiii) Withdrawn	Nil
(xiv) Negatived	Nil
(xv) Part-discussed	Nil
(xvi) Returned by the Rajya Sabha without any recommendation	2
(xvii) Discussion postponed	Nil
(xviii) Pending at the end of the Session	28
6. PRIVATE MEMBERS BILLS	
(i) Pending at the commencement of the Session	166
(ii) Introduced	3
(iii) Laid on the Table as passed by the Lok Sabha	Nil
(iv) Returned by the Lok Sabha with any amendment and laid on the Table	Nil
(v) Reported by Joint Committee	Nil
(vi) Discussed	2
(vii) Withdrawn	1
(viii) Passed	Nil

(ix) Negatived	Nil
(x) Circulated for eliciting opinion	Nil
(xi) Part-discussed	1
(xii) Discussion postponed	Nil
(xiii) Motion for circulation of Bill negatived	Nil
(xiv) Referred to Select Committee	Nil
(xv) Lapsed due to retirement/death of Member-in-charge of the Bill	2
(xvi) Pending at the end of the Session	166
7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (MATTERS OF URGENT PUBLIC IMPORTANCE)	
(i) Notices received	109
(ii) Admitted	4 (on three subjects)
(iii) Discussions held	3
NUMBER OF STATEMENT MADE UNDER RULE 180 (Calling attention to matters of urgent public importance)	
8. STATEMENT MADE BY MINISTERS	2
9. HALF-AN-HOUR DISCUSSIONS HELD	Nil
10. STATUTORY RESOLUTIONS	
(i) Notices received	Nil
(ii) Admitted	Nil
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Negatived	Nil
(vi) Withdrawn	Nil
11. GOVERNMENT RESOLUTIONS	
(i) Notices received	2
(ii) Admitted	2
(iii) Moved	1
(iv) Adopted	1
12. PRIVATE MEMBERS' RESOLUTIONS	
(i) Received	9
(ii) Admitted	8
(iii) Discussed	1
(iv) Withdrawn	-
(v) Negatived	1
(vi) Adopted	-
(vii) Part-discussed	1
(viii) Discussion postponed	-
13. GOVERNMENT MOTIONS	
(i) Notices received	3
(ii) Admitted	3
(iii) Moved & discussed	2
(iv) Adopted	Nil

(v) Part-discussed	Nil
14. PRIVATE MEMBERS' MOTIONS	
(i) Received	267
(ii) Admitted	244
(iii) Moved	Nil
(iv) Adopted	Nil
(v) Part-Discussed	Nil
(vi) Negatived	Nil
(vii) Withdrawn	Nil
15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE	
(i) Received	-
(ii) Admitted	-
(iii) Moved	-
(iv) Adopted	-
(v) Negatived	-
(vi) Withdrawn	-
(vii) Part-discussed	-
(viii) Lapsed	-
16. NUMBER, NAME AND DATE OF PARLIAMENTARY COMMITTEE CREATED, IF ANY	-
17. TOTAL NUMBER OF VISITORS' PASSES ISSUED	791
18. TOTAL NUMBER OF VISITORS	2169
19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED	80 (on 22.8.2003)
20. MAXIMUM NUMBER OF VISITORS ON ANY SINGLE DAY AND DATE	200 (on 31.7.2003)
21. TOTAL NUMBER OF QUESTIONS ADMITTED	
(i) Starred	440
(ii) Unstarred	3316
(iii) Short-Notice Questions	Nil
22. DISCUSSIONS ON THE WORKING OF THE MINISTRIES	Nil
23. WORKING OF PARLIAMENTARY COMMITTEES	

Name of the Committee	No. of meetings held during the period 1 July to 30 September 2003	No. of Reports presented
(i) Business Advisory Committee	2	Nil
(ii) Committee on Subordinate Legislation	4	2
(iii) Committee on Petitions	5	1
(iv) Committee of Privileges	Nil	Nil
(v) Committee on Rules	1	Nil
(vi) Committee on Government Assurances	1	Nil
(vii) Committee on Papers Laid on the Table	1	Nil
(viii) General Purposes Committee	1	Nil

(ix) House Committee	3	2
Department-related Standing Committees:		
(x) Commerce	2	Nil
(xi) Home Affairs	10	1
(xii) Human Resource Development	8	Nil
(xiii) Industry	1	3
(xiv) Science and Technology, Environment and Forests	3	Nil
(xv) Transport, Tourism and Culture	5	Nil
Other Committees		
(xvi) Ethics Committee	2	Nil
(xvii) Committee on Provision of Computers to Members of Rajya Sabha	-	-
(xviii) Committee on Members of Parliament Local Area Development Scheme	2	Nil
(xix) Joint Parliamentary Committee on the Functioning of Wakf Boards	1	2
24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE	7	
25. PETITIONS PRESENTED	2	
26. NAME OF NEW MEMBERS SWORN IN WITH DATES		

S.No.	Name of Members sworn in	Party Affiliation	Date on which sworn in
1	2	3	4
*1.	Shri Dara Singh	Nominated	18.9.2003
*2.	Shri Bimal Jalan	-do-	-do-

27. OBITUARY REFERENCES

S.No.	Name	Sitting Member/ Ex-Member
1.	Shri Korambayil Ahammed Haji	Sitting Member
2.	Shri Bhagatram Manhar	-do-
3.	Shri Kishori Ram	Ex-Member
4.	Shri Pasumpon Tha. Kiruttinan	do-
5.	Shri Indradeep Sinha	-do-
6.	Shrimati Premilabai Dajisaheb Chavan	-do-

* As the Rajya Sabha was not in Session, the oath taking ceremony was held in the Chairman's Chamber (Room No. 30), Parliament House at 11.00 a.m. on 18 September 2003

APPENDIX III

STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 2003

Legislature	Duration	Sittings	Govt. Bills	Private Bills	Starred Questions	Unstarred Questions	Short Notice Questions
1	2	3	4	5	6	7	8
STATES							
Andhra Pradesh L.A.**	—	—	—	—	—	—	—
Arunachal Pradesh L.A.**	—	—	—	—	—	—	—
Assam L.A.	4.8.2003 to 8.8.2003	5	—	—	250(100)	102(100+115(a))	28(28)
Bihar L.A.	20.6.2003 to 30.7.2003	27	11(11)	—	2,282	303	158
Bihar L.C.	24.6.2003 to 31.7.2003	27	(11)	—	1,282(1,226)	15(a)	384(326)
Chhattisgarh L.A.	28.7.2003 to 30.7.2003	3	8(8)	—	113(75)	99(87+19(a))	—
Delhi L.A.	3.7.2003 to 29.7.2003 28.7.2003 to 29.7.2003	3	1(1)	—	—	—	—
Goa L.A.	29.9.2003 to 3.10.2003	4	8(8)	—	460(176)	131(335(b))	—
Gujarat L.A.	9.9.2003 to 11.9.2003	3	9(8)	4	968(498)	723(373)	—
Haryana L.A.	9.9.2003 to 10.9.2003	2	10(10)	—	124(108)	33(24)	—
Himachal Pradesh L.A.**	—	—	—	—	—	—	—
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—
Jharkhand L.A.*	—	—	—	—	—	—	—
Karnataka L.A.	9.7.2003 to 8.8.2003	23	20(18)	—	(331)	(2,301)	(01)

Karnataka L.C.	9.7.2003 to 8.8.2003	23	1(2)	—	(331)	(967)	1(1)
Kerala L.A.*	16.6.2003 to 14.8.2003	41	27(27)	—	(3,293)	(12,498)	—
Madhya Pradesh L.A.	28.7.2003 to 8.8.2003	10	15(15)	—	1,468(800)	790(582)	1
Maharashtra L.A.	14.7.2003 to 25.7.2003	10	7(12)	12	5,623(447)	17(750)	13(3)
Maharashtra L.C.	14.7.2003 to 25.7.2003	10	3(12)	2	3,300(833)	18(650(b))	2(1)
Manipur L.A.	7.7.2003 to 11.8.2003	24	4(4)	—	327(250)	24(24)	—
Meghalaya L.A.**	—	—	—	—	—	—	—
Mizoram L.A.	15.7.2003 to 29.7.2003	11	3(3)	—	446(377))	208(162)	—
Nagaland L.A.	21.7.2003 to 28.7.2003	6	1(1)	—	67(67)	21(21)	—
Orissa L.A.*	—	—	—	—	—	—	—
Punjab L.A.	24.9.2003 to 25.9.2003	2	9(9)	—	144(101)	15(12)	—
Rajasthan L.A.**	—	—	—	—	—	—	—
Sikkim L.A.**	—	—	—	—	—	—	—
Tamil Nadu L.A.	—	—	—	—	—	(1275)	—
Tripura L.A.	19.9.2003 to 23.9.2003	3	1(1)	—	292(231)	285(236)	2(2)
Uttaranchal L.A.**	2.9.2003 to 17.9.2003	—	—	—	—	—	—
Uttar Pradesh L.A.	2.9.2003 to 17.9.2003	4	1(1)	—	1260(79)	313(185+580(a))	190(133)
Uttar Pradesh L.C.	—	3	1	—	409(309)	101(78)	183(150)
West Bengal L.A.**	—	—	—	—	—	—	—
UNION TERRITORIES							
Pondicherry L.A.*	—	—	—	—	—	—	—

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

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

Notes : a) Starred Questions and Short Notices admitted as Unstarred

b) Including Starred Questions admitted as unstarred

APPENDIX III (Contd.)
COMMITTEES AT WORK/NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED
DURING THE PERIOD 1 JULY TO 30 SEPTEMBER 2003

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

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Assam L.A.	3	4	3(1)	—	—	1(1)	—	3	3	—	2	—	2(2)	—	—	1(1)(a)
Bihar L.A.	—	15	—	—	—	—	—	6	25	—	8	7	—	—	—	53(b)
Bihar L.C.	2(2)	40	10(3)	9(2)	—	—	7	9	—	7	7	7(1)	—	—	—	20(9)(c)
Chhattisgarh L.A.	2(1)	1(1)	(2)	1(1)	5(1)	1	—	—	1	—	1	—	2(9)	—	—	4(4)(d)
Delhi L.A.	1	2	—	—	—	1	—	1	2	—	—	—	10	1	—	5(1)(e)
Goa L.A.	—	4	1	—	—	2	1	—	—	—	—	—	1	—	1	2(1)(f)
Gujarat L.A.	1(1)	5	1	4(1)	2	6(6)	4(1)	12	6(2)	—	1	—	9	—	—	17(3)(g)
Haryana L.A.	1(1)	15	—	—	15	23	17	22	18	—	13	13	16	—	—	—
Himachal Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Jharkhand L.A.	1	12	8(3)	—	—	9	10	9	—	—	—	—	20	—	—	110(h)
Karnataka L.A.	1	5	6(4)	—	2	5(2)	2	3	6(1)	—	—	8	5(4)	—	—	9(i)
Karnataka L.C.	1	4	4	5(4)	8	—	—	—	—	—	3	—	—	—	—	—
Kerala L.A.	3(3)	5	3	11(5)	4	9(14)	10(2)	9	12(2)	—	7	8	10(10)	—	—	55(7)(j)
Madhya Pradesh L.A.	2(2)	3(2)	3(4)	2(2)	5(6)	2(13)	1(1)	1	2(3)	—	—	1	7(15)	—	—	6(12)(k)
Maharashtra L.A.	2(2)	9(1)	4	2(2)	3	18(1)	8	31(1)	17(2)	—	1	—	7	1	—	53(4)(l)
Maharashtra L.C.	3(2)	13(1)	1	1(1)	1	18(1)	8	31(1)	17(2)	—	1	—	7	1	—	53(4)(m)
Manipur L.A.	1(1)	—	—	—	2	1	—	2	(1)	—	12(3)	—	1(1)	(2)	—	3(n)
Meghalaya L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mizoram L.A.	1	—	—	—	—	—	—	—	1	—	—	—	4(7)	—	—	6(o)
Nagaland L.A.	1	2	—	—	1	—	1	—	2	—	—	—	—	—	—	—
Orissa L.A.	—	5	11	—	3	5	11	3	7	—	—	3	16	—	—	37(p)
Punjab L.A.	1(1)	26	16	—	16	20	10	20	20(1)	1	2	18	19	—	—	28(q)

	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Rajasthan L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Sikkim L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Tamil Nadu L.A.	—	4	9	—	4	11	4	—	—	—	1	1	5	—	—	3(r)
Tripura L.A.	1(1)	4	2	—	—	2	—	4	3	—	2	1	5	—	—	4(s)
Uttaranchal L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Uttar Pradesh L.A.	4(4)	15	2	—	—	13(6)	2(1)	8(2)	16(2)	—	—	—	8(5)	8	—	—
Uttar Pradesh L.C.*	—	12	6	—	14	—	—	—	—	—	—	—	—	6	—	69(t)
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
UNION TERRITORY																
Pondicherry L.A.	—	—	—	—	—	—	—	—	25	—	—	—	26	—	—	—

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

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

(a) Women Empowerment Committee-1(1)

(b) Internal Resources Committee-10; Nivedan Committee-13; Women and Children Welfare Committee-23; and Zila Parishad Panchayat Committee-7

(c) Question and Calling Attention Committee-7(6); Human Rights Committee-7(3); and Committee on Papers Laid on the Table-6

(d) Question and Reference Committee-3(3); and Women and Children Welfare Committee-1(1)

(e) Select Committee on the Women Reservation Bill, 2001-1; House Committee to consider Matters related to Allotment of Land under the 20-point Programme-3(1); and House Committee to Monitor the Implementation of MLA's Development Fund-1

(f) House Committee on Garbage Disposal-2(1)

(g) Members' Pay and Allowances Rules Committee-1; Panchayati Raj Committee-10; Welfare of Socially and Educationally Backward Classes Committee-2; Committee on Papers Laid on the Table-3(1); and Committee on Absence of Members-1(2)

(h) Zila Parishad and Panchayati Raj Committee-23; Vidhiya Samiti Committee-9; Young Sports and Culture Committee-18; Nivedan Committee-25; Primitive Caste Language Committee-14; Enforcement Committee-4; Environment and Pollution Committee-8; and Ethics Committee-9

- (l) Committee on the Welfare of Backward Classes and Minorities-2; Committee on Papers Laid on the Table-4; and Committee on Welfare of Women and Children-3
- (m) Committee on the Welfare of Women, Children and Physically Handicapped-6(2); Committee on Environment-5(1); Committee on the Welfare of Backward Class Communities-3(2); Committee on Papers Laid on the Table-6(1); Committee on Official Language-3; Committee on Local Fund Accounts-6; Select Committee on the Kerala Forest (Vesting and Management of Ecologically Lands) Bill, 2001-1(1); and Subject Committees-17
- (n) Committee on the Welfare of Women and Children-3(1); Committee on Papers Laid on the Table-1(2); and Committee on Question and Reference-2(9)
- (o) Committee on the Welfare of Vimukta Jatis and Nomadic Tribes-15; Committee on Employment Guarantee Scheme-9(1); Committee on Panchayati Raj-19(2); Catering Committee-2; Women Rights and Welfare Committee-6; and *Ad-hoc* Committee on Production of Onion in the State-2(1)
- (p) Committee on the Welfare of Vimukta Jatis and Nomadic Tribes-15; Committee on Employment Guarantee Scheme-9(1); Committee on Panchayati Raj-19(2); Catering Committee-2; Women Rights and Welfare Committee-6; and *Ad-hoc* Committee on Production of Onion in the State-2(1)
- (q) Hill Areas Committee-3
- (r) Subject Committees-6
- (s) Committee on Papers Laid on the Table-6; House Committee to look into the Functioning of the Orissa Rural Housing Development Corporation-2; House Committee on Forest Protection-2; House Committee on Women and Child Welfare-5; House Committee on Co-operatives-6; House Committee to examine the aspect of operation of Saw Mills in the State-4; House Committee on English Medium School-2; House Committee on Engineering College-2; House Committee on Beverage Corporation-2; and House Committee to examine the Technical and Financial Bids submitted by different bidders for prospecting in Cromie Ores from the Tangarapora Chromite Mines-4
- (t) Committee on Papers Laid/to be Laid on the Table-15; and Questions and References Committee-13
- (u) Committee on Papers Laid on the Table-3
- (v) Committee on Absence of Members-2; and Committee on Delegated Legislation-2
- (w) Committee on Equal Legislative Rights-15; Committee on Questions and References-6; Committee on Delays in Financial and Administrative Matters-8; Committee on Vetting/Revision of Rules-6; Committee on Parliamentary Studies-6; Committee on Complaints Regarding Members' Residences-14; Committee on Deciding *inter se* Priority of Questions and Processes thereof-6; Committee on Parliamentary and Social Harmony-7; and Consultative Committee-1

APPENDIX IV
LIST OF BILLS PASSED BY THE HOUSES OF
PARLIAMENT AND ASSENTED TO BY THE
PRESIDENT DURING THE PERIOD

1 JULY TO 30 SEPTEMBER 2003

Sl. No.	Title of the Bill	Date of Assent
1	2	3
1.	The Fiscal Responsibility and Budget Management Bill, 2003	26.8.2003
2.	The Representation of the People (Amendment) Bill, 2003	28.8.2003
3.	The Appropriation (No. 4) Bill, 2003	28.8.2003
4.	The Appropriation (Railways) No. 4 Bill, 2003	28.8.2003
5.	The Airports Authority of India (Amendment) Bill, 2003	7.9.2003
6.	The Sixth Schedule to the Constitution (Amendment) Bill, 2003	7.9.2003
7.	The Central Vigilance Commission Bill, 2003	11.9.2003
8.	The Election and other Related Laws (Amendment) Bill, 2003	11.9.2003
9.	The Constitution (Scheduled Tribes) Order (Amendment) Bill, 2003	19.9.2003
10.	The National Bank for Agriculture and Rural Development (Amendment) Bill, 2003	19.9.2003
11.	The Repatriation of Prisoners Bill, 2003	28.9.2003
*12.	The Constitution (Eighty-ninth Amendment) Bill, 2003	28.9.2003
*13.	The Constitution (Ninetieth Amendment) Bill, 2003	28.9.2003

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- The Bill was introduced in the Lok Sabha as 'The Constitution (Ninety-fourth Amendment) Bill, 2002'. The short title of the Bill was changed by the Lok Sabha through an amendment to clause 1.
 - The Bill was introduced in the Lok Sabha as 'The Constitution (Ninety-ninth Amendment) Bill, 2003'. The short title of the Bill was changed by the Lok Sabha through an amendment to clause 1.

APPENDIX V**LIST OF BILLS PASSED BY THE LEGISLATURES
OF THE STATES AND THE UNION TERRITORIES
DURING THE PERIOD****1 JULY TO 30 SEPTEMBER 2003****BIHAR LEGISLATIVE ASSEMBLY**

1. The Bihar Viniyog Sankhya-3 Vidheyak, 2003
2. The Bihar Viniyog Sankhya-4 Vidheyak, 2003
3. The Bihar Intermediate Siksha Parishad Sanshodhan Vidheyak, 2003
4. The Bihar Sthaniya Kshetron Mein Upphog, Vyavhar Athva Bikri Ke Liye Maal Ke Pravesh Par Kar Sanshodhan Vidheyak, 2003
5. The Bihar Karadhan Nidhi Sanshodhan Evam Vidhi Manyakaran Vidheyak,
6. The Bihar Panchayati Raj Sanshodhan Vidheyak, 2003
7. The Bihar Shaikshanik Sansthano Se Namankan Aarakshan Vidheyak, 2003
8. The Bihar Padon Evam Sevaon Ke Rikhtiyon Mein Aarakshan (Anusuchit Jatiyon, Anusuchit Jan-Jatiyon Evam Anya Pichde Vargon Ke Liye) Sanshodhan Vidheyak, 2003
9. The Bihar Rajya Adhivakta Kalyan Nidhi (Sanshodhan) Vidheyak, 2003
10. The Bihar Avasiya Madhyamik Vidyalaya Prabandhan Evam Niyantran Grahan Sanshodhan Vidheyak, 2003
11. The Bihar Vidhan Mandal Sadasyon Ka Vetan, Bhatta Aur Pension Sanshodhan Vidheyak, 2003

BIHAR LEGISLATIVE COUNCIL

1. The Bihar Viniyog Sankhya-3 Vidheyak, 2003
2. The Bihar Karadhan Vidhi (Sanshodhan Evam Vidhi Manyakaran) Vidheyak, 2003
3. The Bihar Shaikshanik Sansthano Se Namankan Aarakshan Vidheyak, 2003
4. The Bihar Viniyog (Sankhya 4) Vidheyak, 2003
5. The Bihar Vidhan Mandal (Sadasyon Ka Vetan, Bhatta Aur Pension) (Sanshodhan) Vidheyak, 2003
6. The Bihar Arajkiya Madhyamik Vidyalaya (Prabandh Evam Niyantran Grahan) (Sanshodhan) Vidheyak, 2003
7. The Bihar Sthaniya Kshetron Mein Upphog, Vyavhar Athva Bikri Ke Liye Maal Ke Pravesh Par Kar (Sanshodhan Evam Vidhi Manyakaran) Vidheyak, 2003
8. The Bihar Padon Evam Sevaon Ki Rikhtiyon Mein Aarakshan (Anusuchit Jatiyon, Anusuchit Jan-Jatiyon Evam Anya Pichde Vargon Ke Liye) (Sanshodhan) Vidheyak, 2003
9. The Bihar Rajya Adhivakta Kalyan Nidhi (Sanshodhan) Vidheyak, 2003
10. The Bihar Sthaniya Kshetron Mein Upphog, Vyavhar Athva Bikri Ke Liye Maal ke Pravesh Per Kar (Sanshodhan) Vidheyak, 2003

CHHATTISGARH LEGISLATIVE ASSEMBLY

1. The Chhattisgarh Viniyog (Kramank-3) Vidheyak, 2003
2. The Chhattisgarh Anadhikrit Vikas Ka Niyamitikan (Sanshodhan) Vidheyak, 2003
3. The Chhattisgarh Sahakari Society (Sanshodhan) Vidheyak, 2003
4. The Chhattisgarh Khanij Vikas Nidhi Vidheyak, 2003
5. The Chhattisgarh Abkari (Sanshodhan) Vidheyak, 2003
6. The Chhattisgarh Manoranjan Shulk Evam Vigyan Kar (Sanshodhan) Vidheyak, 2003
7. The Chhattisgarh Vanijiyik Kar (Sanshodhan) Vidheyak, 2003
8. The Chhattisgarh Vas sthan Dakhalkar (Bhumi Swami Adhikaron Ka Pradhan Kiya Jana) Vidheyak, 2003

DELHI LEGISLATIVE ASSEMBLY

1. The Delhi Co-operative Societies Bill, 2003

GOA LEGISLATIVE ASSEMBLY

1. The Goa Appropriation (No.4) Bill, 2003
2. The Goa Panchayati Raj (Eighth Amendment) Bill, 2003
3. The Goa Tax on Entry of Goods (Second Amendment) Bill, 2003
4. The Goa Education Development Corporation Bill, 2003
5. The Goa Employment (Conditions of Service) and Retirement Benefit (Amendment) Bill, 2003*
6. The Goa School Education (Amendment) Bill, 2003
7. The Goa Public Gambling (Amendment) Bill, 2003
8. The Goa Provision of Water Supply Bill, 2003

GUJARAT LEGISLATIVE ASSEMBLY

1. The Gujarat Universities Laws (Amendment) Bill, 2003
2. The Gujarat Lokayukta (Amendment) Bill, 2003
3. The Gujarat Ayurved University (Amendment) Bill, 2003
4. The Bombay Prohibition (Gujarat Second Amendment) Bill, 2003
5. The Gujarat Development Corporations Laws (Amendment) Bill, 2003
6. The Code of Criminal Procedure (Gujarat Amendment) Bill, 2003
7. The Gujarat Protection of Interest of Depositors (in Financial Establishments) Bill, 2003
8. The Gujarat Sales Tax (Amendment) Bill, 2003

HARYANA LEGISLATIVE ASSEMBLY

1. The Haryana Appropriation (No.3) Bill, 2003
2. The Haryana Appropriation (No.4) Bill, 2003
3. The Haryana Municipal Corporation (Second Amendment) Bill, 2003
4. The Haryana Local Area Development Tax (Amendment) Bill, 2003

5. The Punjab Entertainments Duty (Haryana Amendment) Bill, 2003
6. The Haryana Urban Development Authority (Amendment) Bill, 2003
7. The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Bill, 2003
8. The Punjab New Capital (Periphery) Control (Haryana Amendment) Bill, 2003
9. The Haryana State Industrial Security Force Bill, 2003
10. The Haryana Legislative Assembly (Facilities to Members) Amendment Bill, 2003

KARNATAKA LEGISLATIVE ASSEMBLY

1. The Karnataka Municipal Corporations (Amendment) Bill, 2002
2. The Karnataka Municipalities (Second Amendment) Bill, 2002
3. The Karnataka Panchayat Raj (Amendment) Bill, 2003
4. The Karnataka Industries (Facilitation) Bill, 2002
5. The Karnataka Excise (Amendment) Bill, 2003
6. The Karnataka Government Parks (Preservation) (Amendment) Bill, 2003
7. The Karnataka Medical Registration (Amendment) Bill, 2003
8. The Karnataka State Universities (Amendment) Bill, 2003
9. The Karnataka Sales Tax (Amendment) Bill, 2003
10. The Karnataka Municipalities (Amendment) Bill, 2003
11. The Karnataka Municipal Corporations (Amendment) Bill, 2003
12. The Karnataka Appropriation (No.3) Bill, 2003
13. The Karnataka Local Fund Authorities Fiscal Responsibility Bill, 2003
14. The Karnataka Special Economic Zones Development Bill, 2003
15. The Karnataka Appropriation (No.2) Bill, 2003
16. The Karnataka Land Reforms (Amendment) Bill; 2003
17. The Karnataka Ground Water (Regulation for Protection of Sources of Drinking Water) Bill, 1999
18. The Karnataka Irrigation (Amendment) Bill, 2003
19. The Karnataka State Commission for Backward Classes (Amendment) Bill, 2002
20. The Karnataka Lokayukta (Amendment) Bill, 2002

KARNATAKA LEGISLATIVE COUNCIL

1. The Karnataka Ground Water (Regulation for Protection of Sources of Drinking Water) Bill, 1999
2. The Karnataka Irrigation (Amendment) Bill, 2003

MADHYA PRADESH LEGISLATIVE ASSEMBLY

1. The Madhya Pradesh Rajya Prashasanik Adhikaran (Lambit Evam Nirakratha Avedanon Ka Antaran) Vidheyak, 2003
2. The Madhya Pradesh Viniyog Vidheyak, 2003
3. The Madhya Pradesh Vanijyak Kar (Sanshodhan) Vidheyak, 2003
4. The Madhya Pradesh Vas Sthan Dakhalkar (Bhu Swami Adhikaron Ka Pradan Kiya Jana) (Sanshodhan) Vidheyak, 2003

5. The Madhya Pradesh Nagar Palika Vidhi (Sanshodhan) Vidheyak, 2003
6. The Madhya Pradesh Nagariya Kshetron Main Bhumihin Vyakti (Pattadhrati Adhikaron Ka Pradhan Kiya Jana) (Sanshodhan Vidheyak), 2003
7. The Madhya Pradesh Sahakari Society (Sanshodhan) Vidheyak, 2003
8. The Madhya Pradesh Madhyastham Adhikaran (Dwitiya Sanshodhan) Vidheyak, 2003*
9. The Madhya Pradesh Asangathit Karmkar Kalyan Vidheyak, 2003
10. The Madhya Pradesh Bhu Rajaswa Sanhita (Dwitiya Sanshodhan) Vidheyak, 2003
11. The Madhya Pradesh Shram Vidhi (Sanshodhan) Vidheyak, 2003*
12. The Madhya Pradesh Ashaskriya Shikshan Sanstha (Anudhan Pradhaya) (Sanshodhan) Vidheyak, 2003*
13. The Madhya Pradesh Shri Ganpati Mandir Khajrana (Indore) Vidheyak, 2003*
14. The NIIT Vishwa Vidhyalaya, Vidheyak, 2003
15. The JP Engineering Praudhyogiki Vishwa Vidhyalaya Vidheyak, 2003*

MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Bill, 2000
2. The Bombay Motor Vehicles Tax (Amendment) Bill, 2002
3. The Maharashtra Zilla Parishads and Panchayat Samitis (Amendment) Bill, 2003
4. The Maharashtra Land Revenue Code (Amendment) Bill, 2003
5. The Bombay Village Panchayats and the Maharashtra Zilla Parishads and Panchayat Samitis Bill, 2003
6. The Bombay Entertainments Duty (Amendment) Bill, 2003
7. The Bombay Village Panchayats (Second Amendment) Bill, 2003
8. The Maharashtra (Second Supplementary) Appropriation Bill, 2003
9. The Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances, the Maharashtra Legislature Members' Pension and the Leader of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Bill, 2003
10. The Maharashtra Legislature Members' Salaries and Allowances (Amendment) Bill, 2003
11. The Bombay Labour Welfare Fund (Amendment) Bill, 2003

MAHARASHTRA LEGISLATIVE COUNCIL

1. The Bombay Gram Panchayats and Maharashtra Zilla Parishads and Panchayat Samitis (Second Amendment) Bill, 2003
2. The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships (Amendment) Bill, 2000
3. The Bombay Motor Vehicle Tax (Amendment) Bill, 2002
4. The Maharashtra Zilla Parishads and Panchayat Samities (Amendment) Bill, 2003
5. The Maharashtra Land Revenue Code (Amendment) Bill, 2003

6. The Bombay Gram Panchayats and Maharashtra Zilla Parishads and Panchayat Samities (Amendment) Bill, 2003
7. The Bombay Entertainment Tax (Amendment) Bill, 2003
8. The Bombay Village Panchayat (Second Amendment) Bill, 2003
9. The Maharashtra (Second Supplementary) Appropriation Bill, 2003
10. The Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances, the Maharashtra Legislature Members' Pension and the Leader of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Bill, 2003
11. The Maharashtra Legislature Members' Salaries and Allowances (Amendment) Bill, 2003
12. The Bombay Labour Welfare Fund (Amendment) Bill, 2003

MANIPUR LEGISLATIVE ASSEMBLY

1. The Manipur Appropriation (No.2A) Bill, 2003
2. The Manipur Appropriation (No.3) Bill, 2003
3. The Manipur Appropriation (No.4) Bill, 2003
4. The Manipur Appropriation (No.5) Bill, 2003

MIZORAM LEGISLATIVE ASSEMBLY

1. The Mizoram Exhibition of Films on Television Screen through Video Cassette Players (Amendment) Bill, 2003
2. The Mizoram Appropriation (No.3) Bill, 2003
3. The Mizoram Appropriation (No.4) Bill, 2003

NAGALAND LEGISLATIVE ASSEMBLY

1. The Nagaland Appropriation (No.4) Bill, 2003

PUNJAB LEGISLATIVE ASSEMBLY

1. The Punjab Appropriation (No.3) Bill, 2003
2. The Punjab Legislative Assembly Speaker's and Deputy Speaker's Salaries (Second Amendment) Bill, 2003
3. The Salary and Allowances of Leader of Opposition in Legislative Assembly (Second Amendment) Bill, 2003
4. The Indian Stamp (Punjab Amendment) Bill, 2003*
5. The Punjab Infrastructure (Development and Regulation) (Amendment) Bill, 2003
6. The Punjab Privately Managed Recognized Schools Employees (Security of Service) (Amendment Bill), 2003
7. The Punjab State Board of Technical Education and Industrial Training (Amendment) Bill, 2003
8. The Punjab Agricultural Produce Markets (Second Amendment) Bill, 2003
9. The Punjab Municipal (Amendment) Bill, 2003

TRIPURA LEGISLATIVE ASSEMBLY

1. The Tripura (Code) Order (Fourth Amendment) Bill, 2003

UTTAR PRADESH LEGISLATIVE ASSEMBLY

1. The Uttar Pradesh Appropriation (Second Vote on Account) Bill, 2003

UTTAR PRADESH LEGISLATIVE COUNCIL

1. The Uttar Pradesh Vinlyog (Lekhanudan) Vidheyak, 2003

APPENDIX VI
ORDINANCES PROMULGATED BY THE UNION AND STATE GOVERNMENTS DURING THE PERIOD
1 JULY TO 30 SEPTEMBER 2003

Sl. No.	Title of Ordinance	Date of Promulgation	Date on which laid before the House	Date of Cessation	Remarks
UNION GOVERNMENT					
1.	The Taxation Laws (Amendment) Ordinance, 2003	8.9.2003	3.12.2003	13.1.2004	--
CHHATTISGARH					
1.	The Chhattisgarh Manoranjan Shulk Evam Vigyapan Kar (Sanshodhan) Adhyadesh, 2003	24.4.2003	29.7.2003	--	--
2.	The Chhattisgarh Vanijyik Kar (Sanshodhan) Adhyadesh, 2003	13.5.2003	29.7.2003	--	--
3.	The Chhattisgarh Sahakari Society (Sanshodhan) Adhyadesh, 2003	20.5.2003	29.7.2003	--	--
4.	The Chhattisgarh Aabkari (Sanshodhan) Adhyadesh, 2003	27.5.2003	29.7.2003	--	--
5.	The Chhattisgarh Anadhikrit Vikas Ka Niyamitikaran (Sanshodhan) Adhyadesh, 2003	17.6.2003	29.7.2003	--	--

6.	The Chhattisgarh Khanij Vikashnidhi Adhyadesh, 2003	20.6.2003	29.7.2003	--	--
1.	The Goa Provision of Water Supply Ordinance, 2003	21.7.2003	29.9.2003	1.10.2003	Replaced by Legislation
2.	The Goa Tax on Entry of Goods Ordinance, 2003	27.8.2003	29.9.2003	1.10.2003	Replaced by Legislation
3.	The Goa Education Development Corporation Ordinance, 2003	27.8.2003	29.9.2003	1.10.2003	Replaced by Legislation
GUJARAT					
1.	The Gujarat Universities Laws (Amendment) Ordinance, 2003	26.6.2003	--	--	Replaced by Legislation
2.	The Code of Criminal Procedure (Gujarat Amendment) Ordinance, 2003	16.8.2003	--	--	Replaced by Legislation
HARYANA					
1.	The Haryana Municipal Corporation (2nd Amendment) Ordinance, 2003	29.4.2003	9.9.2003	9.9.2003	Replaced by Legislation
KARNATAKA					
1.	The Karnataka Prohibition of Charging Exorbitant Interest Ordinance, 2003	5.9.2003	--	--	--

		KERALA			
1.	The Kerala Automobiles Limited (Validation of Appointments of Personnel) Ordinance, 2003	13.9.2003	--	--	--
MADHYA PRADESH					
1.	The Madhya Pradesh Prashasanik Adhikaran (Lambit Evam Nirakratha Aavedanon ka Antran) Adhyadesh, 2003	12.5.2003	28.7.2003	--	--
MAHARASHTRA					
1.	The Bombay Entertainment Duty(Second Amendment) Ordinance, 2003	1.7.2003	14.7.2003	25.8.2003	Replaced by Legislation
2.	The Bombay Village Panchayats (Second Amendment) Ordinance, 2003	2.7.2003	14.7.2003	25.8.2003	Replaced by Legislation
3.	The Maharashtra Universities (Amendment) Ordinance, 2003	10.7.2003	14.7.2003	25.8.2003	Ordinance Conversion Bill introduced, pending before the House for consideration
4.	The Maharashtra Government Servants Regulation of Transfers and Prevention of Delay in Discharge of Official Duties Ordinance, 2003	25.8.2003	8.12.2003	18.1.2004	Ordinance Conversion Bill introduced, pending before the House for consideration

		PUNJAB		TAMIL NADU	
1.	The Punjab Agricultural Produce Markets (Second Amendment) Ordinance, 2003	11.7.2003	25.9.2003	--	Replaced by Legislation
2.	The Punjab State Board of Technical Education and Industrial Training (Amendment) Ordinance, 2003	5.8.2003	25.9.2003	--	Replaced by Legislation
3.	The Punjab Privately Managed Recognized Schools Employees (Security of Service Amendment) Ordinance, 2003	6.8.2003	25.9.2003	--	Replaced by Legislation
4.	The Punjab Municipal (Amendment) Ordinance, 2003	6.8.2003	25.9.2003	--	Replaced by Legislation
5.	The Punjab General Sales Tax (Second Amendment) Ordinance, 2003	26.8.2003	25.9.2003	--	--
6.	The Punjab Infrastructure (Development and Regulation) (Amendment) Ordinance, 2003	11.9.2003	25.9.2003	--	Replaced by Legislation
1.	The Tamil Nadu Essential Services Maintenance (Amendment) Ordinance, 2003	4.7.2003	--	--	--

2.	The Tamil Nadu Municipal Laws (Second Amendment) Ordinance, 2003	19.7.2003	--	--	--
3.	The Tamil Nadu Panchayats (Second Amendment) Ordinance, 2003	21.7.2003	--	--	--
4.	The Tamil Nadu Co-operative Societies (Appointment of Special Officers) Amendment Ordinance, 2003	30.7.2003	--	--	--
UTTAR PRADESH					
1.	The Uttar Pradesh Electricity Reforms (Amendment) Ordinance, 2003	19.3.2003	16.9.2003	17.10.2003	--
2.	The Uttar Pradesh Chhatrapati Shahuji Maharaj Medical University (Amendment) Ordinance, 2003	22.3.2003	16.9.2003	17.10.2003	--
3.	The Code of Civil Procedure (Uttar Pradesh Amendment) Ordinance, 2003	22.3.2003	16.9.2003	17.10.2003	--
4.	The Uttar Pradesh Krishi Utpadan Mandi Samiti (Alpkalik Vyavasitha) (Sanshodhan) Adhyadesh, 2003	1.4.2003	16.9.2003	17.10.2003	--

5.	The Uttar Pradesh Public Service (Reservation for the Scheduled Castes, Scheduled Tribes and Other Backward Classes) (Amendment) Ordinance, 2003	1.4.2003	16.9.2003	17.10.2003	--
6.	The Uttar Pradesh Municipal Corporation (Amendment) Ordinance, 2003	8.4.2003	16.9.2003	17.10.2003	--
7.	The Uttar Pradesh Co-operative Societies (Amendment) Ordinance, 2003	8.4.2003	16.9.2003	17.10.2003	--
8.	The Uttar Pradesh Trade Tax (Amendment) Ordinance, 2003	8.4.2003	16.9.2003	17.10.2003	--
9.	The Uttar Pradesh Apartment (Promotion of Construction, Ownership and Maintenance) (Second) Ordinance, 2003	8.4.2003	16.9.2003	17.10.2003	--
10.	The Uttar Pradesh State Legislature (Members Emoluments and Pension) (Amendment) Ordinance, 2003	2.5.2003	16.9.2003	17.10.2003	--
11.	The Uttar Pradesh Trade Tax (Second Amendment) Ordinance, 2003	6.5.2003	16.9.2003	17.10.2003	--
12.	The Uttar Pradesh Krishi Utpadan Mandi Vidhi (Sanshodhan) Adhyadesh, 2003	24.5.2003	16.9.2003	17.10.2003	--

13.	The Uttar Pradesh Co-operative Societies (Second Amendment) Ordinance, 2003	30.5.2003	16.9.2003	17.10.2003	--
14.	The Uttar Pradesh Technical University (Amendment) Ordinance, 2003	10.7.2003	16.9.2003	17.10.2003	--
15.	The Uttar Pradesh Technical State Universities (Amendment) Ordinance, 2003	11.7.2003	16.9.2003	17.10.2003	--
16.	The Uttar Pradesh State Universities (Amendment) Ordinance, 2003	11.7.2003	--	--	--
17.	The Uttar Pradesh Welfare Fund (Amendment) Ordinance, 2003	11.7.2003	16.9.2003	17.10.2003	--
18.	The Uttar Pradesh Advocates Welfare Fund (Amendment) Ordinance, 2003	11.7.2003	--	--	--
19.	The Uttar Pradesh Municipal Corporation (Second Amendment) Ordinance, 2003	14.7.2003	16.9.2003	17.10.2003	--
20.	The Uttar Pradesh Contingency Fund (Amendment) Ordinance, 2003	27.9.2003	--	--	--
21.	The Uttar Pradesh State Universities (Second Amendment) Ordinance, 2003	29.9.2003	--	--	--

APPENDIX VII
A. PARTY POSITION IN LOK SABHA (AS ON 3 JANUARY 2004)

States	Seats	BJP	INC	CPI (M)	TDP	SJP	SS	BSP	DMK	(Sa mata)	AIA	BUD	AITC	NCP	JD (U)	IN LD	J&K NC	PMK	MD MK	RJD	CPI	RJD (D)	RJD SKD	RSP AB LTC	
Andhra Pradesh	42	7	5	—	29	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Arunachal Pradesh	2	—	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Assam	14	2	10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Bihar	40	12	2	1	—	—	—	—	10	—	—	—	—	4	—	—	—	—	—	4	—	1	—	—	
Chhattisgarh	11	8	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Goa	2	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Gujarat	26	21	5	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Haryana	10	5	—	—	—	—	—	—	—	—	—	—	—	—	—	5	—	—	—	—	—	—	—	—	
Himachal Pradesh	4	3	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Jammu & Kashmir	6	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Jharkhand	14	10	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Karnataka	28	6	17	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Kerala	20	7	8	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Madhya Pradesh	29	20	8	—	—	—	—	—	—	—	—	—	—	6	—	—	—	—	—	—	—	—	—	—	
Maharashtra	48	14	9	—	—	—	15	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	
Manipur	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Meghalaya	2	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Mizoram	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Nepaland	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Orissa	21	9	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Punjab	13	1	8	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Rajasthan	25	15	9	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Sikkim	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Tamil Nadu	39	4	2	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Tripura	2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Uttaranchal	5	4	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Uttar Pradesh	80	25	8	—	—	—	14	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
West Bengal	42	2	3	22	—	27*	—	—	—	—	—	—	8	—	—	—	—	—	—	—	2	—	—	2	
Nominated	2	1	—	—	—	—	—	—	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
UNION TERRITORIES																									
Andaman & Nicobar Islands	1	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Chandigarh	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Dadra & Nagar Haveli	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Daman and Diu	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
The NCT of Delhi	7	6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Lakshadweep	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Pondicherry	1	—	1	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	
Total	545	180	109	34	29	27*	15	14	11	12	11	10	8	8	4	5	5	5	4	4	2	1	1	3	2

* Includes three members (Kunwar Sarv Raj Singh and Sarvashri Ramakant Yadav and Bhal Chandra Yadav) expelled from Samajwadi Party and sitting seperately.

APPENDIX VII (CONTD.)
A. PARTY POSITION IN LOK SABHA (AS ON 3 JANUARY 2004)

States	AIFB	JD (JP)	JD (S)	LJ	ML	SAD	AIM EIM	BBM	CPI (M-L)	HVC	IFDP	JMM	KC	LD (S)	PMP	FLD	SJP (F)	SAD (M)	SDF	JD(U) DEM	SVP	IND	TOTAL	VACANCIES
Andhra Pradesh							1																42	
Arunachal Pradesh																							2	
Assam									1													1	14	
Bihar		1		2																1	1	1	40	
Chhattisgarh																							11	
Goa																							2	
Gujarat																							26	
Haryana										1													10	
Himachal Pradesh																							4	
Jammu & Kashmir												1											6	
Jharkhand																							14	
Karnataka		1																		1			27	1
Kerala					2						1											1	20	
Madhya Pradesh															1								28	1
Maharashtra								1														1	48	
Manipur																							2	
Meghalaya																							2	
Mizoram																							1	
Nagaland																							1	
Orissa																							1	
Punjab						2												1					21	
Rajasthan																							12	1
Uttar Pradesh																							24	1
West Bengal																			1				1	
Nominated	2																						38	
UNION TERRITORIES																							2	
Andaman and Nicobar Islands																							1	
Chandigarh																							1	
Dadra & Nagar Haveli																							1	
Daman and Diu																							1	
The NCT of Delhi																							6	1
Lakshadweep																							1	
Pondicherry																							1	
Total	2	2	2	2	2	2	1	1	1	1	1	1	1	1	1	1	1	1	1	2	1	7	539	6

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

BJP-Bharatiya Janata Party; INC-Indian National Congress; CPI(M) Communist Party of India (Marxist); TDP-Telugu Desam Party; SJP-Samajwadi Party; SS-Shiv Sena; BSP-Bahujan Samaj Party; DMK-Dravida Munnetra Kazhagam; SP-Samata party; AIADMK-All India Anna Dravida Munnetra Kazhagam; BJD-Biju Janata Dal; AITC-All India Trinamool Congress; NCP-Nationalist Congress Party; JD(U)-Janata Dal (United); INLD-Indian National Lok Dal; J&KNC-Jammu and Kashmir National Conference; PMK-Pattali Makkal Katchi; MDMK-Marumalarchi Dravida Munnetra Kazhagam; RJD-Rashtriya Janata Dal; CPI-Communist Party of India; RJD(D)-Rashtriya Janata Dal (Democratic); RSP-Revolutionary Socialist Party; ABLTC-Akhil Bharatiya Loktantrik Congress; AIFB-All India Forward Bloc; JD(JP)-Janata Dal (JP); JD(S)-Janata Dal (Secular); LJSP-Lok Jan Shakti Party; ML-Muslim League Kerala State Committee; SAD-Shiromani Akali Dal; AIMEIM-All India Majlis-e-Ittehadul Muslimeen; BBM-Bharipa Bahujan Mahasangh; CPI(M-L)-Communist Party of India (M-L)Liberation; HVC-Himachal Vikas Congress; IFDP-Indian Federal Democratic Party; JMM-Jharkhand Mukti Morcha; KC-Kerala Congress; LD(S)-Lok Dal(Secular); PWP-Peasants and Workers Party of India; RLD-Rashtriya Lok Dal; SJP(R)-Samajwadi Janata Party (Rashtriya); SAD(M)-Shiromani Akali Dal (S.S. Mann); SDF-Sikkim Democratic Front; IND-Independents

B. PARTY POSITION IN RAJYA SABHA (AS ON 16 JANUARY 2004)

Sl. No.	State/Union Territories	Seats	INC	BJP	TDP	CPI (M)	AIA-DMK	DMK	SP	RJD	Shiv Sena	BSP	*Others	IND	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
STATES																
1.	Andhra Pradesh	18	3	—	13	—	—	—	—	—	—	—	1(a)	—	17	1
2.	Arunachal Pradesh	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
3.	Assam	7	3	1	—	—	—	—	—	—	—	—	2(b)	1	7	—
4.	Bihar	16	2	2	—	—	—	—	8	—	—	—	3(c)	1	16	—
5.	Chhattisgarh	5	4	1	—	—	—	—	—	—	—	—	—	—	5	—
6.	Goa	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
7.	Gujarat	11	3	8	—	—	—	—	—	—	—	—	—	—	11	—
8.	Haryana	5	—	—	—	—	—	—	—	—	—	—	5(d)	—	5	—
9.	Himachal Pradesh	3	—	2	—	—	—	—	—	—	—	—	1(e)	—	3	—
10.	Jammu & Kashmir	4	2	—	—	—	—	—	—	—	—	—	2(f)	—	4	—
11.	Jharkhand	6	1	5	—	—	—	—	—	—	—	—	—	—	6	—
12.	Karnataka	12	7	2	—	—	—	—	—	—	—	—	2(g)	1	12	—
13.	Kerala	9	2	—	2	—	—	—	—	—	—	—	4(h)	—	8	1
14.	Madhya Pradesh	11	7	4	—	—	—	—	—	—	—	—	—	—	11	—
15.	Maharashtra	19	5	3	—	—	—	—	—	—	5	—	3(i)	3	19	—
16.	Manipur	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
17.	Meghalaya	1	—	—	—	—	—	—	—	—	—	—	1(j)	—	1	—
18.	Mizoram	1	—	—	—	—	—	—	—	—	—	—	1(k)	—	1	—
19.	Nagaland	1	1	—	—	—	—	—	—	—	—	—	—	—	1	—
20.	Orissa	10	3	2	—	—	—	—	—	—	—	—	4(l)	1	10	—
21.	Punjab	7	1	2	—	—	—	—	—	—	—	—	4(m)	—	7	—
22.	Rajasthan	10	7	2	—	—	—	—	—	—	—	—	—	—	9	1
23.	Sikkim	1	—	—	—	—	—	—	—	—	—	—	1(n)	—	1	—

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	
24.	Tamil Nadu	18	2	—	—	—	—	9	7	—	—	—	—	—	—	18	—	
25.	Tripura	1	—	—	—	—	1	—	—	—	—	—	—	—	—	1	—	
26.	Uttaranchal	3	1	2	—	—	—	—	—	—	—	—	—	—	—	3	—	
27.	Uttar Pradesh	31	2	9	—	—	—	—	—	10	—	—	5	1(o)	4	31	—	
28.	West Bengal	16	1	—	—	—	9	—	—	—	—	—	—	4(p)	2	16	—	
UNION TERRITORIES																		
29.	The NCT of Delhi	3	3	—	—	—	—	—	—	—	—	—	—	—	—	3	—	
30.	Pondicherry	1	1	—	—	—	—	—	—	—	—	—	—	—	—	1	—	
31.	Nominated	12	—	—	—	—	—	—	—	—	—	—	—	11(q)	—	11	1	
TOTAL		245	64	45	13	12	12	9	7	10	8	5	5	50	13	241	4	

* As per list attached

OTHERS

(Break-up of Parties/Groups)

- (a) Communist Party of India-1
- (b) Asom Gana Parishad-1; and Communist Party of India-1
- (c) Samata Party-2; and Communist Party of India-1
- (d) Indian National Lok Dal-4; and Haryana Vikas Party-1
- (e) Himachal Vikas Congress-1
- (f) Jammu and Kashmir National Conference-1; and Peoples' Democratic Party-1
- (g) Janata Dal-2
- (h) Muslim League-1; Kerala Congress-1; Revolutionary Socialist Party-1; and Communist Party of India-1
- (i) Nationalist Congress Party-2; and Republican Party of India-1
- (j) Nationalist Congress Party-1
- (k) Mizo National Front-1
- (l) Biju Janata Dal-4
- (m) Shiromani Akali Dal-4
- (n) Sikkim Democratic Front-1
- (o) Akhli Bharatiya Loktantrik Congress-1
- (p) Revolutionary Socialist Party-2; Forward Bloc-1; and All India Trinamool Congress-1
- (q) Nominated-11

C. PARTY POSITION IN STATE LEGISLATURES

State/Union territories	Seats	Cong.(I)	Janata Dal	BJP	CPI(M)	CPI	Others Parties	Ind.	Total	Vacancies
1	2	3	4	5	6	7	8	9	10	11
Andhra Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—
Arunachal Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—
Assam L.A. (30.7.2003)	126	71	—	8	—	—	29(a)	18	126	—
Bihar L.A. (1.10.2003)	243	11	—	36	2	2	172(b)	17	240	2
Bihar L.C. (1.10.2003)	81	8	—	10	2	4	29(c)	23	76	4
Chhattisgarh (1.10.2003)	91	62	—	22	—	—	5(d)	2	91	—
Delhi L.A. (1.10.2003)	70	52	1	14	—	—	1(e)	2	70	—
Goa L.A. (22.12.2003)	40	16	—	19	—	—	4(f)	1	40	—
Gujarat L.A. (1.10.2003)	182	50	—	128	—	—	2(g)	2	182	—
Haryana L.A. (1.10.2003)	90	20	—	6	—	—	52(h)	11	89	—
Himachal Pradesh L.A.**	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.A.**	—	—	—	—	—	—	—	—	—	—
Jammu & Kashmir L.C.**	—	—	—	—	—	—	—	—	—	—
Jharkhand L.A. (30.9.2003)	82	11	—	32	—	2	35(i)	2	82	—

Uttar Pradesh L.A. (1.10.2003)	404	16	—	87	2	—	281(u)	16	402	2
Uttar Pradesh L.C. (1.10.2003)	100	5	—	39	—	—	47(v)	7	98	2
West Bengal L.A.**	—	—	—	—	—	—	—	—	—	—
UNION TERRITORY										
Pondicherry L.A. (1.7.2003)	30	16	—	1	—	—	10(w)	2	29	—

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

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

● Excluding Speaker/Chairman

- (a) Asom Gana Parishad-21; Nationalist Congress Party-3; Autonomous State Demand Committee (United)-2; Samata Party-1; Samajwadi Party-1; and All India Trinamool Congress-1
- (b) Rashtriya Janata Dal-117; Samata Party-30; Janata Dal (U)-8; Lok Jan Shakti Party-6; CPI(ML)-6; JD(U)-Jaya Prakash-4; and Kosal Party-2
- (c) RJD-24; Janata Dal(U)-2; Samata Party-2; and Loktantrik Samata Party-1
- (d) Bahujan Samaj Party-2; Gondwana Gantantra Party-1; Nominated-1; and Unattached member-1
- (e) Unattached-1
- (f) United Goans Democratic Party-1; United Goans Democratic Party (Secular)-1; Maharashtrawadi Gomantak Party-1; and Nationalist Congress Party-1
- (g) Janata Dal (United)-2
- (h) Indian National Lok Dal-47; Haryana Vikas Party-2; Bahujan Samaj Party-1; Nationalist Congress Party-1; and Republican Party of India-1
- (i) Jharkhand Mukti Morcha-13; Rashtriya Janata Dal-9; Samata Party-5; Janata Dal (U)-3; UGDP-2; CPI(ML)-1; Marxist Coordination Samiti-1; and Nominated-1
- (j) Janata Dal (ABPP)-18; Janata Dal (U)-1; Janata Dal (S)-4; AIADMK-1; Unattached members-8; and Nominated-1
- (k) Janata Dal (S)-11; and All India Progressive Janata Dal-10
- (l) Muslim League-16; Kerala Congress (Mani)-8; Janathipathya Samrakshana Samithi-4; Janata Dal(S)-3; Kerala Congress-2; Kerala Congress (B)-2; Kerala Congress (Jacob)-2; Nationalist Congress Party-1; Revolutionary Socialist Party-2; Revolutionary Socialist Party (Bolshevik)-2; Communist Marxist Party Kerala-1; and Congress (Secular)-1

- (m) Bahujan Samaj Party-4; Samajwadi Party-4; Republican Party of India-1; Janata Party-1; A Jay Bharat Party-1; and Nominated-1
- (n) Shiv Sena-68; Nationalist Congress Party-62; Peasants and Workers Party-5; Bharipa Bahujan Mahasangh (B)-3; Janata Dal (Secular)-2; Gondwana Gantantra Party-1; Native Peoples Party-1; Republican Party of India-1; Samajwadi Janata Party-1; and Nominated-1
- (o) Nationalist Congress Party-16; Shiv Sena-12; Peasants and Workers Party of India-1; and Peoples Republican Party-1
- (p) Federal Party of Manipur-13; Manipur Peoples' Party-2; Manipur National Conference-1; and Unattached members-4
- (q) Biju Janata Dal-69; Jharkhand Mukti Morcha-2; Janata Dal (S)-1; and Expelled-2
- (r) Shiromani Akali Dal-41
- (s) AIADMK-139; DMK-30; PMK-19; All India Forward Bloc-1; Unattached-1; and Nominated-1
- (t) Revolutionary Socialist Party-2; and Indigenous Nationalist Party of Tripura-6
- (u) Samajwadi Party-187; Bahujan Samaj Party-69; Rashtriya Lok Dal-14; Rashtriya Kranti Party-4; Apna Dal-1; Uttar Pradesh Loktantrik Congress-2; Akhil Bharatiya Congress-1; Akhil Bharatiya Hindu Mahasabha-1; National Loktantrik Party-1; and Nominated-1
- (v) Samajwadi Party-25; Bahujan Samaj Party-11; Rashtriya Lok Dal-1; Rashtriya Kranti Party-1; and Shikshak Dal (Non Political)-9
- (w) AIADMK-2; DMK-7; and Tamil Manila Congress-1

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