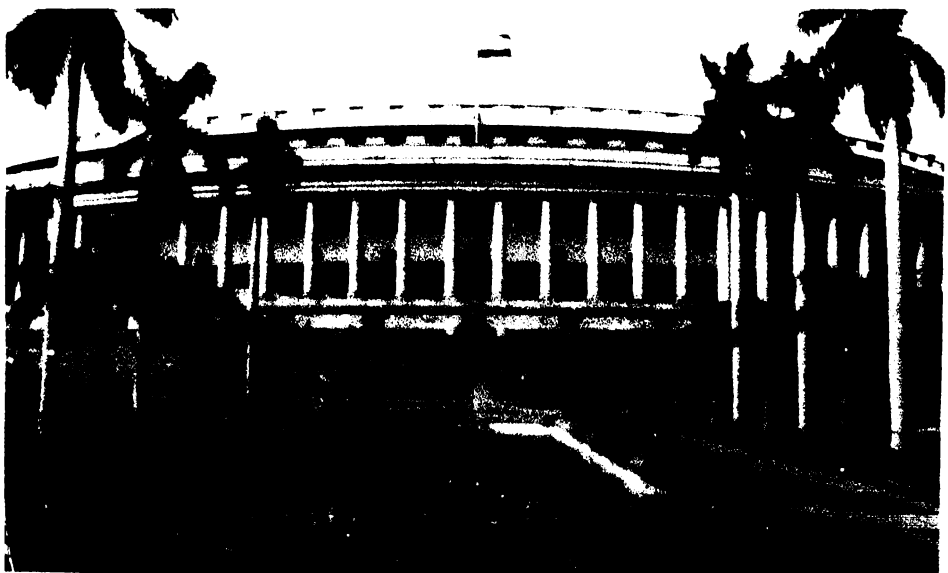


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MARCH 2010

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LOK SABHA SECRETARIAT, NEW DELHI

THE JOURNAL OF PARLIAMENTARY INFORMATION

EDITOR: P.D.T. Achary

The Journal of Parliamentary Information, a quarterly publication brought out by the Lok Sabha Secretariat, aims at the dissemination of authoritative information about the practices and procedures in Indian and foreign Legislatures. The *Journal* serves as an authentic recorder of important parliamentary events and activities. It provides a useful forum to members of Parliament and State Legislatures and other experts for the expression of their views and opinions, thereby contributing to the development and strengthening of parliamentary democracy in the country.

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EDITORIAL NOTE

One of the major initiatives taken in recent years is the institution of an Annual Parliamentary Lecture in honour of the formidable academician and parliamentarian, Professor Hiren Mukerjee in 2008. The Memorial Lecture is organized annually by the Bureau of Parliamentary Studies and Training (BPST), which has been facilitating systematic orientation and study on parliamentary institutions, processes and procedures. Nobel Laureate, Prof. Amartya Sen delivered the Inaugural Memorial Lecture on the subject *Demands of Social Justice* on 11 August 2009 in the Central Hall of the Parliament House.

Nobel Laureate and propounder of the concept *Social Business*, Professor Muhammad Yunus delivered the Second Professor Hiren Mukerjee Memorial Annual Parliamentary Lecture on the theme *Social Business: A Step toward Creating a New Economic and Social Order* on 9 December 2009 in the Central Hall of the Parliament House. Describing humans as multi-dimensional beings, whose happiness comes from many sources, not just from making money, Prof. Yunus made a strong plea for *social business* where an investor helps the other without any financial consideration. Citing the success of micro-credit scheme of the *Grameen Bank*, he hoped that once social business becomes known, creative people will come forward with innovative business modules to tackle serious social problems. In his opinion, the present economic framework needs to be redefined and the new framework must accommodate *social business* as an integral part of economic structure.

Welcoming Professor Yunus, the Speaker, Lok Sabha, Smt. Meira Kumar, said that Social justice undoubtedly is a major concern for countries with huge population of the poor and the deprived. The South Asia region, with about half of the world's poor living on less than one dollar a day, presents a daunting challenge to the policy makers and to all those concerned about the welfare of the people. She appreciated Prof. Yunus for successfully using micro-credit as potent weapon to fight poverty in Bangladesh. The Prime Minister of India, Dr. Manmohan Singh, lauded Prof. Yunus for revolutionizing the idea of micro-credit and making it accessible to the poor as well as bringing about a paradigm shift in reaching out to the dispossessed and the disinherited. Speaking at the function, the Vice-President of India and the Chairman, Rajya Sabha, Shri Mohammad Hamid Ansari

complemented Prof. Yunus for bridging the gulf between thought and action by demonstrating that action is not only desirable but indeed possible in a much focused manner. We include in this issue the texts of the Addresses delivered by the Vice-President of India, the Prime Minister of India, the Speaker, Lok Sabha, and Prof. Muhammad Yunus, for the benefit of the readers.

The issue of copyright of the parliamentary proceedings has been debated since long. Some believe that the proceedings of the House fall within public domain and as such do not come under copyright. In his article *Parliamentary Proceedings and Copyright*, Shri H.D. Takker, has examined this issue in the light of Copyright Acts of 1914 and 1957, Constitutional provisions, Directions and Observations by Speakers and Rules of Procedure of Conduct of Business in Lok Sabha. The article also deals with the procedure for seeking permission from the Lok Sabha Secretariat for production of extracts from publications in which the Secretariat has copyright. We include in this issue of the *Journal* the above article.

We also carry in this issue the 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.

In our constant pursuit of making the *Journal* more enriching and useful, we always invite and 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 all others interested in the field of parliamentary political science.

—P.D.T. Achary
Editor

**ADDRESSES AT THE SECOND PROFESSOR HIREN
MUKERJEE MEMORIAL ANNUAL PARLIAMENTARY
LECTURE, CENTRAL HALL, PARLIAMENT HOUSE,
NEW DELHI, 9 DECEMBER 2009**

On 9 December 2009, Speaker, Lok Sabha, Smt. Meira Kumar delivered the Welcome Address at the Second Professor Hiren Mukerjee Memorial Annual Parliamentary Lecture in the Central Hall of Parliament. The Prime Minister, Dr. Manmohan Singh and Vice-President of India and Chairman, Rajya Sabha, Shri Mohammad Hamid Ansari also addressed the distinguished gathering. Later, the Introductory Remarks, on the subject, "Social Business: A Step Toward Creating a New Economic and Social Order" was made by Nobel Laureate and propounder of the Concept "social business", Prof. Muhammad Yunus.

We reproduce the texts of the Addresses delivered by the dignitaries.

—Editor

**WELCOME ADDRESS BY THE HONOURABLE SPEAKER,
LOK SABHA, SMT. MEIRA KUMAR**

Respected Vice-President; Respected Prime Minister; Honourable Governors; Chairperson, UPA; Chief Ministers; Ministers; Leaders of Opposition; Members of Parliament; our Distinguished Guest Prof. Muhammad Yunus; Ladies and Gentlemen:

I deem it a great honour and privilege to welcome the distinguished gathering to this august Central Hall of the Parliament of India, which has been witness to many events of great historical importance. I would especially like to thank Respected Vice-President and Respected Prime Minister for being with us today. I am thankful to the Nobel Laureate, Prof. Muhammad Yunus for accepting our request to deliver the Second Prof. Hiren Mukerjee Memorial Parliamentary Lecture organized annually by the Parliament of India in memory of the eminent parliamentarian and outstanding orator, late Prof. Hiren Mukerjee. Prof. Hiren Mukerjee, during his illustrious parliamentary career as a five-time Member of Lok Sabha from 1952 to 1977, effectively used Parliament as a forum for raising the grievances of the people. Throughout his life, he tried hard to ensure every Indian citizen a decent and dignified existence.

Prof. Yunus will speak on the theme "*Social Business: A Step Toward Creating a New Economic and Social Order*". Last year, we

had the privilege of having the Nobel Laureate, Prof. Amartya Sen to deliver the First Prof. Hiren Mukerjee Memorial Parliamentary Lecture on the theme "*Demands of Social Justice*".

Prof. Muhammad Yunus is one who believes in the capacity of human beings to make things happen, the only condition being the right opportunity. He firmly believes that the poor, especially women have a right and the potential to live with dignity. Driven by the motivation to make a difference in the lives of the countless deprived and underprivileged people of society, Prof. Yunus has been able to achieve what the traditional bankers and managers were not able to do. He has been able to prove wrong the long-held assumption that poor people are not creditworthy and thus not bankable. Prof. Yunus has successfully used micro-credit as a potent weapon to fight poverty in Bangladesh which has now been accepted by many other countries as a model to eradicate the scourge of poverty. Micro-credit given by the Grameen Bank has empowered millions of poor people of Bangladesh, and interestingly an overwhelming of them are women. I sincerely congratulate Prof. Yunus for making women the focus of his vigorous campaign against poverty as an economically independent woman is better equipped to take proper care of her children who hold the key to the progress and prosperity of a country. It is no mean achievement to bring about economic and social development from below and it is no small feat that more than half of the borrowers have risen out of the demeaning poverty line in Bangladesh. His book *Banker to the Poor* presents a clear picture about his understanding and relevance of micro-credit. He has been honoured with several national and international Awards for his unique way of alleviating poverty. Befittingly, Prof. Muhammad Yunus and his brain child, the Grameen Bank jointly were given the Nobel Peace Prize for the year 2006.

In his efforts to banish poverty, Prof. Muhammad Yunus has come up with a new concept which he calls 'social business'. In his book *Creating a World without Poverty*, Prof. Yunus has explained in detail the concept of social business. He believes that social business can provide a framework for addressing social and environmental issues in a business-like manner with a view to improving the quality of life of the masses. The concept flows from his firm conviction that profit or benefit is not the only motivating factor for an entrepreneur and an entrepreneur can also be motivated by social goals and enjoy the success. Social business, as advocated by Prof. Yunus, is essentially a non-loss, non-dividend business aimed at social objectives like education, health, environment, etc. Yet another type of social business that he talks about is business that is profitable but is owned by the poor and the disadvantaged, who can gain either through receiving direct dividends or some indirect benefits.

द्वितीय प्रो० हिरन मुकरजी स्मरण वार्षिक राजकीय अधिवेशन
 2ND PROF. HIREN MUKERJEE MEMORIAL ANNUAL PARLIAMENTARY LECTURE

प्रोफेसर मुहम्मद युनुस

PROFESSOR MUHAMMAD YUNUS
 Social Business
 A Step Towards
 A New Economy

"सामाजिक कारवा
 नई आर्थिक और सामाजिक व्यवस्था
 जिन्हें देखने की दिशा में एक कदम"

9 2009



Prof. Muhammad Yunus delivering the 2nd Professor Hiren Mukerjee Memorial Annual Parliamentary Lecture. Also present on the dais are Shri Mohammad Hamid Ansari, Vice-President of India; Dr. Manmohan Singh, Prime Minister of India; Smt. Meira Kumar, Speaker Lok Sabha; Dr. V.K. Agnihotri, Secretary-General, Rajya Sabha; and Shri P.D. T. Achary, Secretary-General, Lok Sabha

Social justice undoubtedly is a major concern for countries with a huge population of the poor and the deprived. The South Asia region with about half of the world's poor living on less than one dollar a day presents a daunting challenge to the policy makers and to all those concerned about the welfare of the people. The region is also frequently affected by natural calamities. We understand that a number of social businesses are in progress in Bangladesh addressing issues like child malnutrition, drinking water, health care, etc. We look forward to hearing Prof. Muhammad Yunus on his innovative concept of 'social business' that seeks to address many of our social and environmental concerns.

I again thank Prof. Muhammad Yunus for accepting our invitation to deliver the Second Prof. Hiren Mukerjee Annual Memorial Parliamentary Lecture. I am sure the Lecture will enlarge our understanding of what he calls 'social business' and its application as a tool for enriching society.

With these words, I once again welcome the distinguished gathering to this Lecture.

Thank you.

**ADDRESS BY THE HONOURABLE PRIME MINISTER,
DR. MANMOHAN SINGH**

My esteemed friend and Nobel Laureate Professor Muhammad Yunus Sahib; Respected Vice-President of India. Hamid Ansari Sahib; Respected Meira Kumar, Speaker, Lok Sabha; Respected Soniaji; Respected Advaniji; Respected Arun Jaitleyji; Governors; Members of Parliament; Distinguished Ladies and Gentlemen:

I am delighted to be here today on the occasion of the Second Professor Hiren Mukerjee Memorial Lecture. I welcome and greet Professor Muhammad Yunus who will deliver this highly prestigious address.

Professor Yunus is truly an exceptional human being and it is really a privilege to be in his company. He has been a Professor of Economics, a civil servant, and a social worker. His work demonstrates the great power of ideas. In his case, his path is best described by an Urdu couplet: "*Main Akela Hi Chala Tha Janebe Manjil, Magar Log Milte Gaye Aur Caravan Banta Gaya!*"

Professor Yunus is one of those exceptional human beings who has applied his knowledge of economics and society for reducing the poverty of millions and millions of men and women. In this, he has indeed been a great visionary of our times. We have much to learn from the recipient of the 2006 Nobel Peace Prize and I once again applaud and salute his work and his presence here amidst us.

I also congratulate Smt. Meira Kumar, Speaker of the Lok Sabha, for having invited Professor Yunus to address us. The Professor Hiren Mukerjee Memorial Lecture was instituted by the previous Speaker, Shri Somnath Chatterjee. Though he is not present here today, he deserves special thanks for this initiative. I am sure this annual event will continue to inform and educate us greatly in years to come.

The speaker last year was another Nobel Laureate Professor Amartya Sen. While welcoming him I had mentioned about his passion for inclusive growth which should improve the lives of the poorest and the most underprivileged sections of our society. This is a passion which today's speaker Professor Yunus shares with Professor Amartya Sen. Their work is different but there is so much in common in the motivation that drives both their works.

Professor Yunus has revolutionized the idea of micro-credit and made it accessible to the poorest of the poor. With his declaration that, "Credit is a human right; it is a powerful expression of what he believes in", he has brought about a paradigm shift in reaching out to the dispossessed and the disinherited. His work has especially touched poor women and empowered them. Indeed, Professor Hiren Mukerjee would have been very happy today were he to listen to Professor Yunus, for Professor Yunus embodies in himself many of the ideals that Professor Mukerjee lived for.

The title of today's Lecture, "*Social Business—A Step Toward Creating a New Economic and Social Order*" would have appealed to both the communist and liberal in Professor Mukerjee because it is a subject that explores the possibility of a more egalitarian society through the power of new ideas.

As we pay tribute to the memory of an outstanding scholar and parliamentarian, a man whose life was one of tireless service to the cause of the poor, a great son of our country, I will not take more of your time. Like all of you, I look forward to the Lecture by Professor Yunus which, I am sure, is going to be both exciting and enlightening.

Thank you.

**ADDRESS BY THE HON'BLE VICE-PRESIDENT,
SHRI MOHAMMAD HAMID ANSARI**

Honourable Pradhan Mantriji; Honourable Speaker, Lok Sabha, Professor Muhammad Yunus; Honourable Members of Parliament; Distinguished Guests; Secretary-General, Lok Sabha; Secretary-General, Rajya Sabha; Ladies and Gentlemen:

In the years to come, students of the social science, within the country and beyond, would thank the Lok Sabha and Shri Somnath Chatterjee for instituting this Annual Lecture named after one of

India's greatest parliamentarians. Hiren Mukerjee was an iconic figure. Described as a phenomenon in parliamentary politics, he dominated any debate with the power of his argument and the sheer brilliance of his eloquence. Both were propelled as much by his ideological commitment and intellectual intensity as by his concern for the decencies of discourse and unflinching idealism.

Sixty years back, Hiren Mukerjee published a perceptive account of the Indian freedom struggle. He concluded by expressing the hope that a new community of man will be built, rid of, as he put it, "all avoidable misery and exploitation, full of fresh hope with the light of the eastern sun in its eyes."

Hope is one aspect of the matter, endeavour is another. Professor Amartya Sen, who delivered the first Hiren Mukerjee Lecture, has remarked somewhere that "silence is a powerful enemy of social justice." It is, therefore, immensely satisfying to know that our very distinguished guest this evening, the co-winner of the 2006 Nobel Peace Prize, has bridged the gulf between thought and action by demonstrating that action is not only desirable but indeed possible in a much focused manner. He created, on the foundations of solid field work, a model and a structure that combines the imperative of social requirement with socially responsible business practice. The system of micro-credit that he developed through the Grameen Bank is a successful example of development from below. The Nobel Committee was of the view that it also promoted the cause of democracy and human rights.

Earlier this year, and at the height of the global economic crisis, Amartya Sen had stressed, in a perceptive essay, the need for an economic system that is, "more decent" and "based on social values that we can defend ethically." The model of Social Business developed by Professor Muhammad Yunus suggests one possible option in that quest. Its practical relevance and mobilising potential is evident. This potential needs to be fully explored.

I hasten to invite Professor Muhammad Yunus to tell us the how and why of it.

Thank you.

**THE SECOND PROF. HIREN MUKERJEE MEMORIAL ANNUAL
PARLIAMENTARY LECTURE BY PROF. MUHAMMAD YUNUS ON
SOCIAL BUSINESS: A STEP TOWARD CREATING A NEW
ECONOMIC AND SOCIAL ORDER**

Honourable Vice-President of India; Honourable Prime Minister of India, Honourable Speaker of Lok Sabha; Honourable Members of Lok Sabha and Rajya Sabha; Distinguished Ministers; and Ladies and Gentlemen:

When I first got the invitation, I got really scared. I did not believe

that I will have an invitation like this to address the Members of Lok Sabha and Rajya Sabha. Then, I felt that I have so many friends here, and so, instead of thinking of them in terms of Members of Lok Sabha and Rajya Sabha, I felt like thinking of them as my friends who have been supporting me all along in my career, all along the way I have worked. The Government of India and the people of India have given me so many prizes and so many decorations; I have occupied so many positions in your Committees. So, I felt totally comfortable coming back here, to share with you the thoughts that I had accumulated over the years, to share the things that I have done or acquired or try to do; and that is the subject matter of my presentation today.

It is a great honour and a privilege for me to deliver the 2nd Professor Hiren Mukerjee Memorial Annual Parliamentary Lecture in honour of the formidable academician and parliamentarian, Professor Hiren Mukerjee. I am very proud to pay my respects to an individual whose commitment to social justice spanned over 60 years, until his death in 2004.

Hiren Babu's commitment to the plight of the oppressed and exploited during his entire life has inspired many. His gift of oratory has captivated and enlightened individuals across the political spectrum. Indeed, Hiren Babu's faith in the ability of all people, including the poor, was to change their own lives for the better.

Professor Hirendra Nath Mukerjee has been one of the 20th century's best examples of the intellectual prowess in South Asia. If our human resources are nurtured and simply given a chance to grow, I am certain we can all change our economic and social situations dramatically.

I pay tribute to the memory of this great son of this region who dedicated himself to improving the life of the poor people at the very bottom.

Professor Mukerjee tried to address the poverty issue politically. I first got involved with poverty as an academician, and then I got involved personal, almost by accident. I got involved with poverty because it was all around me. If you recall the famine of 1974 in Bangladesh, that famine pushed me out of the university campus. In disaster situation, most of us take up our social roles unhesitatingly. But in my case what began in a time of crisis became a life-long calling. I gave up my academic position and founded a bank in the process—a bank for the poor people.

In 1974, I found it extremely difficult to teach elegant theories of economics in the classroom while a terrible famine was raging outside. Suddenly I felt the emptiness of economic theories in the face of crushing hunger and poverty. I realized that I had to leave the campus

and somehow make myself useful to the distressed people of Jobra, the village next door to the university campus.

In trying to discover what I could do to help, I learned many things about Jobra, about the people, and about their helplessness. I came face to face with the struggle of poor people to find the tiniest amounts of money needed to support their efforts to eke out a living. I was shocked to meet a woman who had borrowed just five *taka* from a money-lender. The condition of the loan was, she would have to sell all her products to him at a price he would decide. A five-*taka* loan transformed her into a virtual slave.

To understand the scope of this money-lending practice in that village, I made a list of the people who had borrowed from the money-lenders. When my list was complete, I had 42 names in the list. These people had borrowed a total of *taka* 856 from the money-lenders. To free these 42 people from the clutches of the money-lenders, I gave them the money from pocket to repay the loans. The excitement that was created in the village by this small action touched me very deeply. I thought, "If this little action makes so many people so happy, why shouldn't I do more of this?"

That's what I have been trying to do ever since.

The first thing I did was to try to persuade the bank located in the university campus to lend money to the poor in the next door village. But the bank manager refused to do that. He said, "The poor do not qualify to take loans from the bank—they are not creditworthy". I argued with him about this for several months and also his senior officials in the banking hierarchy tried to persuade him but no result. So I offered to become a guarantor for loans to the poor people. The bank agreed to accept this proposal. By the middle of 1976, I started giving out loans to the village poor, taking personal responsibility for their repayment. I came up with some ideas for making it easier for people to repay the money they had borrowed. These ideas worked. People paid back the loans on time, every time.

It seems to me that lending money to the poor was not as difficult as it was imagined. But I kept confronting difficulties in trying to expand the programme through the existing banks. Finally, I decided to create a separate bank for the poor people. I succeeded in creating that bank in 1983. We called it Grameen Bank. Today, Grameen Bank is a nationwide bank serving the poor in every single village of Bangladesh. It has 8 million borrowers, 97 per cent of whom are women. The bank is owned by the borrowers. The members of the Board are elected by the borrowers as shareholders. Grameen Bank lends out over \$100 million a month in collateral-free loans averaging about \$200. It encourages children of Grameen families to go to

school. The women and the borrowers are totally illiterate. But we wanted to make sure that children go to school and we succeeded in having all their children to go to school. Then we offered education loans when these children came to college level and university level so that they are not turned down because they come from poor families. So, the Grameen Bank keeps on giving loans to support all the cost of education for all the children who come to the college level. Right now, there are more than 42,000 students who are currently pursuing their education in medical schools, engineering schools, and universities, entirely financed by education loans from Grameen Bank. Some of them have completed their Ph.D. and we feel good that the new generation is emerging among the illiterate poor women. We encourage these young people to take a pledge that they will never enter job market as job seekers and we encourage them to believe that they are job-givers and not job seekers. We explain to them that their mothers own a big bank—Grameen Bank. It has plenty of money to finance any enterprise that they wish to float. So, why should they waste time looking for a job working for somebody else? Instead, they should be an employer, rather than an employee.

Grameen Bank is financially self-reliant. All of its funds come from the deposits that it mobilizes. Everywhere they open their branches. More than half of the deposits come from the borrowers themselves, who are required to open a bank account as soon as they join Grameen Bank to save a little bit of money every week. They have a collective savings balance of over half a billion US dollars right now. The repayment rate on loan is very high, about 98 per cent, despite the fact that Grameen Bank focuses on the poorest people—those that other banks called non-creditworthy. I raised the question whether banks should tell whether people are creditworthy or not or people should tell whether the banks are people-worthy.

Grameen Bank even gives loans to beggars. They use the loans to start the business of selling goods from door to door, rather than begging door to door. Beggars liked the idea. We introduced this programme four years back and now we have over 100,000 beggars in this programme. During the four years since this programme was launched, over 18,000 beggars have quit begging completely. They became self-reliant sales persons. When people ask what happened to others, I tell them that they are part-time beggars now because they are mixing begging and selling at the same time and gradually trying to build their way out of begging completely.

The idea of small, collateral-free loans for poor women, known as "microcredit", or "microfinance", has spread all around the world. There are now Grameen-type programmes in almost every single country in the world. We even run a programme named "Grameen America" in

New York City. It is now branching out to Omaha, Nebraska, and San Francisco, California. Even in the richest country in the world with the most sophisticated banking system, there is a huge need for a bank dedicated to serving the poor because there are millions of people who cannot receive any financial service from their banks even in United States and also countries in Europe.

When I meet Grameen Bank borrowers, I often meet mother-daughter and mother-son pairs when I visit their homes in which the mother is totally illiterate, while the daughter or son is a medical doctor or an engineer. A thought always flashes through my mind: the mother could have been a doctor or an engineer too. She has the same capability as her daughter or son. The only reason she could not unleash her potential is that the society never gave her the chance. She could not even go to school to learn the alphabet.

The more time you spend among poor people, the more you become totally convinced that poverty is not created by poor people. It is created by the system that we have built, the institutions that we have designed, the concepts we have formulated. Poverty is an artificial, external imposition on a human being, it is not innate in a human being. And since it is external, it can be removed. It is all a question of doing it.

Poverty is created by deficiencies in the institutions that we have built. For example, financial institutions. Financial Institutions refuse to provide financial services to nearly two-thirds of the world's population. For generations, they claimed that it could not be done, and everybody accepted that explanation. This allowed loan sharks to thrive all over the world. Grameen Bank questioned this assumption and demonstrated that lending money to the poorest in a sustainable way is possible. Now it is demonstrated that it works better than those banks because in the financial crisis we have seen how other banks are crumbling and how microfinance is thriving. We have no problems whatsoever.

During the current financial crisis, the falsity of the old assumption became even more visible. While big conventional banks with all their big collateral were collapsing, micro-credit programmes which do not depend on collateral, continued to be as strong as ever. Will this demonstration make the mainstream financial institutions change their minds? Will they finally open their doors to the poor people? I leave this question to you.

I am quite serious about this question because when a crisis is at its deepest, it can offer a huge opportunity. When things fall apart, that creates the opportunity to redesign, recast and rebuild. We should not miss this opportunity to redesign our financial institutions. When we are in a financial crisis, let us convert them into inclusive institutions.

Nobody should be refused access to financial services. Because these services are so vital for self-realization of human beings, I strongly feel that credit should be given the status of a human right.

Every human being is born into this world fully equipped not only to take care of himself or herself, but also to contribute to the well being of the world as a whole. Some get the chance to explore their potential, but many others never get the chance to unwrap the wonderful gifts they are carrying with them. They die with those gifts unexplored, unwrapped and the world remains deprived of their contribution.

Grameen has given me an unshakeable faith in the creativity of human beings and the firm belief that human beings are not born to suffer the misery of hunger and poverty.

We can create a poverty-free world if we collectively believe in it—a world in which the only place you would be able to see poverty is in poverty museums. Some day, school children will be taken to visit these poverty museums. They will be horrified to see the misery and indignity that some human beings had to go through. They will blame their ancestors for tolerating this inhuman condition for so long.

To me, poor people are like bonsai trees. When you plant the best seed from the tallest tree in a tiny flower-pot, you get a replica of the tallest tree, only inches tall. There is nothing wrong with the seed you planted, only the soil-base that you gave it is totally inadequate. Poor people are bonsai people. There is nothing wrong with their seeds, but society never gave them the proper base to grow on. All it takes to get poor people out of poverty is for us to create an enabling environment for them. Once the poor can unleash their energy and creativity, poverty will disappear very quickly.

Let me return to the current financial crisis. Unfortunately, the media coverage gives the impression that, once we fix this financial crisis, all our troubles will be over. We forget that the financial crisis is only one of several crises that are threatening humankind. We are also suffering a global food crisis, an energy crisis, an environmental crisis, a health care crisis, and the continuing social and economic crisis of poverty. These crises are as important as the financial crisis, although they have not received as much attention as the financial crisis.

Furthermore, the media coverage may give the impression that these are disconnected crises that are taking place simultaneously, just by accident. That's not true at all. In fact, these crises grow from the same root and I think it is a fundamental flaw in our theoretical construct of capitalism.

The biggest flaw in our existing theory of capitalism lies in its

misrepresentation of human beings. In the present interpretation of capitalism, human beings engaged in business are portrayed as one-dimensional beings whose only mission is to maximize profit. This is a much distorted picture of a real human being. Human beings are not money-making robots. The essential fact about human beings is that they are multi-dimensional beings. Their happiness comes from many different sources, not just from making money.

Yet economic theory has built the whole theory of business on the assumption that human beings do nothing in their economic lives other than pursue their self interests of making money. The theory concludes that the optimal result for society will occur when each individual's search for selfish benefit is given free rein. This interpretation of human beings denies the role to other aspects of life-political, social, emotional, spiritual, environmental, etc.

No doubt human beings are selfish beings but we must not forget that human beings are selfless beings too. Yet this selfless dimension of human beings has no role in economics. This distorted view of human nature is the fatal flaw that makes our economic thinking incomplete and inaccurate. Over time, it has helped to create the multiple crises we face today.

Once we recognise this flaw in our theoretical structure, the solution is obvious. We can easily replace the one-dimensional person in economic theory with a multi-dimensional person—a person who has both selfish and selfless interests at the same time.

Immediately our picture of the business world changes completely. We now see the need for two kinds of businesses, one for personal gain, that is, profit maximization, another dedicated to helping others. In one kind of business, the objective is to maximise economic gains for the owners, even if this leaves nothing for others, while in the second kind of business, everything is for the benefit of others and nothing is for the owners—except the pleasure of serving humanity.

Let us call this second type of business, which is built on the selfless part of human nature, as “social business”, This is what our economic theory has been lacking.

A social business is a business where an investor aims to help others without taking any financial gain whatsoever. At the same time, the social business generates enough income to cover its own costs. Any surplus is invested in expansion of the business or for increased benefits to society. The social business is a non-loss, non-dividend company dedicated entirely to achieving a social goal.

Will anybody in the real world be interested in creating businesses with selfless objectives? Where would the money for social business come from? I am always asked this question.

Judging by the real human beings I know, many people will be delighted to create businesses for selfless purposes. Some have already created such businesses. I will give briefs on some of them a little later.

Regarding the source of fund, one source can easily be the philanthropy money going for creating social businesses. This makes enormous sense. One problem with charity programmes is that they remain perpetually dependent on donations. They cannot stand on their own two feet. Charity money goes out to do good things, but that money never comes back. It is a one-way route. But if a charity programme can be converted into a social business that supports itself, it becomes a powerful undertaking. Now, the money invested is recycled endlessly. A charity *taka* has one life, but a social business *taka* has endless life. That is the power of social business.

Besides philanthropists, many other people will invest in social businesses just to share the joy of making a difference in other people's lives. People will give not only money for social business but also they will bring their own creativity, networking skills, technological prowess, life experience, and other resources to create social businesses that can change the world.

Once our economic theory adjusts to the multi-dimensional reality of human nature, students will learn in their schools and colleges that there are two kinds of businesses in the world—traditional money-making businesses and social businesses. As they grow up, they will think about what kind of company they will invest in and what kind of company they will work for. And many young people who dream of a better world will think about what kind of social business they would like to create. Young people, when they are still in schools, may start designing social businesses, and even launch social businesses individually or collectively to express their creative talents in changing the world.

Like any good idea, the concept of social business needs practical demonstration. So, I have started creating social businesses in Bangladesh.

Some of them are created in partnership with large multi-national companies. The first such joint venture with a multi-national company was created in 2005, in partnership with the French dairy company, called Danone. The Grameen-Danone social business is aimed at reducing malnutrition among the children of Bangladesh. Just about fifty per cent of Bangladesh's children suffer from malnutrition. The Grameen-Danone Company produces a delicious yogurt for children and sells it at a price affordable to the poor. This yogurt is fortified with all the micro-nutrients which are missing in the children's ordinary diet. We put vitamins, iron, zinc, iodine, etc. into the yogurt. If a child eats two cups of yogurt a week over a period of eight to nine months,

the child gets back all the micro-nutrients he or she needs and becomes a healthy, playful child.

As a social business, Grameen-Danone follows the basic principle that it must be self-sustaining, and the owners must remain committed never to take any dividend beyond the return of the original amount they invested. The success of the company will be judged each year not by the amount of profit generated by the company, but by the number of children getting out of malnutrition every year.

Many other big companies are now approaching us to create social businesses jointly with us. They want to create joint ventures with Grameen because they want to make sure that social business they do, it is done in the right way. Once they become experienced in social businesses, they will take the concept wherever the need exists.

We have a joint-venture social business with Veolia, a large French water company. Bangladesh has a serious arsenic problem in our world. Almost half of the people of Bangladesh drink arsenic-contaminated water, meaning literally drinking poison everyday. The Grameen-Veolia Water Company was created to bring safe drinking water in the villages of Bangladesh where arsenic contamination of water is a huge problem. Villagers are buying water from the company at an affordable price instead of drinking contaminated water.

BASF is a chemical company of Germany that has signed a joint-venture agreement to produce chemically treated mosquito-nets in Bangladesh as a social business. The BASF-Grameen joint-venture company will produce and sell these mosquito-nets as cheaply as possible to make it affordable to the poorest people. The company will have to be self-sustaining, but there is no intention of BASF taking any profit or Grameen taking any profit out of the company beyond the amount invested.

Our joint-venture social business with Intel Corporation of the USA, Grameen-Intel, aims at using information and communication technology to help solve the problems of the rural poor—for example, by providing health care in the villages by using IT.

Our joint-venture with Adidas, a big shoe and sports company in Germany, aims at producing shoes for the lowest income people at an affordable price. The goal of the Grameen-Adidas company is to make sure that no one, child or adult, in Bangladesh goes without shoes. This is a health intervention to make sure that people in the rural areas, particularly children, do not have to suffer from the parasitic diseases that can be transmitted by walking barefoot.

Grameen-Otto is about to set up a garment factory as a social

business in collaboration with Otto, a large chain store and mail-order company in Germany. Profit of the company will be used for the improvement of the quality of lives of the employees, their children and their family members and the poor of the neighbourhood.

As these examples show, social business is not just a pleasant idea. It is a reality, one that is already beginning to make positive changes in people's lives.

Many more social businesses are on the way. One attractive area of social businesses will be in creating jobs in special locations or for particularly disadvantaged people. Since a social business company operates free from the pressure of earning profit for the owners, the scope of investment opportunities is much greater than with profit-maximizing companies. Profit-maximizing companies need to be assured of a certain minimum level of return on their investment before they will invest and create jobs. A social business does not need to fulfil such a condition. It can easily invest below that level and go down even to near-zero profit level, and, in the process open up some opportunities for creating jobs for many people which is an exciting area of social business for job creation.

Another area of social business is in afforestation. Forests are being denuded all around the world by individuals, greedy businesses and, in some cases, by Government officials who are paid by the taxpayers to protect the forests. They become the instrument in denuding the forests. This is having a documented negative impact on climate change. Planting trees across huge tracts of land could be an excellent area for social business. This opportunity, we cannot afford to ignore for saving our planet.

Healthcare is another highly potential area for social business. Public delivery of healthcare in most cases is inefficient and often fails to reach the people who need the healthcare the most. Private healthcare caters to the needs of the high-income people. The big empty space between the two can be filled by social businesses.

In Bangladesh, Grameen Healthcare Company is trying to create social businesses to fill this gap in the healthcare system. We are trying to develop a prototype of health management centres in the villages to keep healthy people healthy by concentrating on prevention and offering diagnostic and health check-up services and offering health insurance programmes, etc. We are making efforts to take advantage of the universal availability of mobile phones. We are in the process of working with the leading manufacturers to design diagnostic equipment that can transmit images and data in real time to city-based health experts through the mobile phones.

Grameen Healthcare is in the process of setting up of a series of

Nursing Colleges as social business to train girls from Grameen Bank families as nurses. Bangladesh has an enormous shortage of nursing professionals. The global shortage of nurses is also quite enormous. There is no reason why a vast number of young girls should be sitting around in the villages, getting married and have children while these attractive job opportunities are going unfilled.

Grameen Healthcare is also planning to set up secondary and tertiary health services, all designed as social businesses. To train a new generation of doctors to staff our social business healthcare facilities, Grameen Healthcare wants to set up a University of Health Sciences and Technology.

Many other segments of healthcare are appropriate for building successful social businesses—nutrition, water—which I mentioned—health insurance, health education and training, eye-care, mother-care and child-care, diagnostic services, etc. It will take time to develop the prototypes. But once creative minds come up with the design for a social business and a prototype is developed successfully, it can be replicated endlessly.

Designing each small social business is like developing a seed. Once the seed is developed, anybody can plant it wherever it is needed. Since each unit is self-sustaining, funding does not become a big obstacle.

The world today is in possession of amazingly powerful technology. That technology is growing very fast, becoming more powerful every day. Almost all of this technology is owned and controlled by profit-making businesses. All they use this technology for is to make more money for themselves, because that is the mandate given to them by their shareholders. Imagine what we can achieve if we use the same technology to solve the problems of the people!

Technology is a kind of a vehicle. One can drive this to any destination one wants. Since the present owners of technology want to travel to the peaks of profit-making, technology takes them there. If somebody else decides to use the existing technology to end poverty, it will take the owner in that direction. If another owner wants to use it to end diseases, technology will go there. The choice is ours. Present theoretical framework does not give this choice. Inclusion of social business creates this choice.

One more point. There will be no need to make an either/or choice. Using technology for one purpose does not make it less effective for serving a different purpose. Actually, it is the other way round. The more diverse use we make of technology, the more powerful the technology becomes. Using technology for solving social

problems will not reduce its effectiveness for money-making use, but rather enhance it.

The owners of social businesses can direct the power of technology to solve our growing list of social and economic problems, and get quick results.

Once the concept of social business becomes widely known, creative people will come forward with attractive designs for social businesses. Young people will develop business plans to address the most difficult social problems they see around them. The good ideas will need to be funded. I am happy to say there are already initiatives in Europe and Japan to create Social Business Funds to provide equity and loan support to social businesses.

In time, more sources of funding will be needed. Each level of government—international, national, state and city—can create Social Business Funds to encourage citizens and companies to create social businesses designed to address specific social problems such as unemployment, health, sanitation, pollution, old age, drug, crime, disadvantaged groups—the disabled, etc. Bilateral and multilateral donors can create Social Business Funds. Foundations can earmark a percentage of their funds to support social businesses. Businesses can use their social responsibility budgets to fund social businesses.

We will soon need to create a separate stock market for social businesses to make it easy for small investors to invest in social businesses. Only social businesses will be listed in this Social Stock Market. Investors will know right from the beginning that they will never receive any dividends when they invest in Social Stock Market. Their motivation will be to enjoy the pride and pleasure of helping to solve difficult social problems around them.

Social business gives everybody the opportunity to participate in creating the kind of world that we all want to see. Thanks to the concept of social business, citizens do not have to leave all problems on the shoulders of the government and then spend their life time criticizing the government for failing to solve them. Now citizens have a completely new space in which to mobilize their creativity and talent for solving the problems themselves. Seeing the effectiveness of social business, governments may decide to create their own social businesses or partner with citizen-run social businesses and/or incorporate the lessons from the social businesses to improve the effectiveness of their own programmes.

Governments will have an important role to play in the promotion of social business. They will need to pass legislation to give legal recognition to social business and create regulatory bodies to ensure transparency, integrity and honesty. They can also provide tax incentives

for investing in social businesses as well as for social businesses themselves.

The wonderful promise of social business makes it all the more important that we redefine and broaden our present economic framework. We need a new way of thinking about economics that is not prone to creating series of crises; instead, it should be capable of ending the crises once for all. Now is the time for bold and creative thinking and we need to move fast, because the world is changing very fast. The first piece of this new framework must be to accommodate social business as an integral part of the economic structure.

In this context, let me raise another question.

What will be world be like twenty years or fifty years from now? More specifically, what will South Asia be like? It is fascinating to speculate about this. But I think an even more important question is: What do we want the world and specifically South Asia to be like twenty years or fifty years from today?

The difference from the two questions has great significance. In the first formulation, we see ourselves as passive viewers of unfolding events. In the second, we see ourselves as active creators of a desired outcome. I think it is time to take charge of our own future rather than accept our future passively. We spend too much time and talent in predicting the future and not enough on imagining the future that we would love to see. And even so, we do not do a very good job in predicting the future. With all our wisdom, all our expertise and all our experience, we repeatedly fail to imagine the amazing changes that history continues to throw our way. We never foresee even.

Think back to the 1940s. Nobody then predicted that, within fifty years, Europe would become a borderless political entity with a single currency. Nobody predicted that the Berlin Wall will fall even a week before it happened. Nobody predicted that the Soviet Union will disintegrate and so many independent countries will emerge out of it so fast.

On the technology front, we see the same thing. In the sixties, no one predicted that a global network of computers called the internet would soon be taking the whole world by storm. No one predicted that lap-tops, palm-tops, Blackberries, iPods, iPhones, and Kindles would be in the hands of millions of people very soon. Even twenty years ago, no one was predicting that mobile phones would become such an integral part of life in every single village everywhere.

Let us admit it; we could not predict the world of 2010 even from 1990—a span of only 20 years. Does this give us any credibility in predicting the world of 2030 from today, given the fact that each day the speed of change of the world is getting faster and faster?

If we have to make predictions, there are probably two ways to go about it. One would be to invite the best scientific, technical and economic analysis in the world to make their smartest 20 year projections. Another would be to ask our most brilliant science fiction writers around the world to imagine the world of 2030. If you ask me who has the best chance of coming closer to the reality of 2030, without pausing for a second I would say that the science-fiction writers will be far closer to the reality of 2030 than the expert analysts.

The reason is very simple. Experts are trained to make forecasts on the basis of the past and present, but events in the real world are *driven by the dreams of people, not the past and the present.*

We can describe the world of 2030 by preparing a wish-list, our dream wish-list. This wish-list will describe the kind of world we would like to create in 2030. That is what we should prepare for.

Dreams are made out of impossibles. We cannot reach the impossibles by using the analytical minds which are trained to deal with hard information which is currently available. These minds are fitted with flashing red lights to warn us about obstacles that we may face. We will have to put our minds in a different mode when we think about our future. We will have to dare to make bold leaps in our minds to make the impossibles possible. As soon as one impossible becomes possible, it shakes up the structure and creates a domino effect, preparing the ground for making many other, impossibles possible.

We will have to believe in our wish-list if we hope to make it come true. We will have to create appropriate concepts, institutions, technologies and policies to achieve our goals. We cannot achieve our wish-list by following the old concepts and old institutions. The more impossible the goals look, the more exciting the task becomes.

Fortunately for us, we have entered into an age when dreams have the best chance to come true. We must organise the present to allow an easy entry into the future of our dreams. We must not let our past stand on our way. Past should not be a trap, past should be a foundation to Jump Into the future.

Let us dream that by 2030, we will create a well-functioning South Asian Union. There will be no visas required, no customs limiting travels among the South Asian countries. There will be a common flag along side our national flags, a common currency, and a large area of common domestic and international policies.

Let us dream that by 2030, we will make South Asia the first poverty-free region in the world. Let us prepare to challenge the world to find one single poor person anywhere in South Asia.

Let us dream that by 2030, South Asia will set up a reliable state-of-the-art healthcare system that will provide affordable healthcare for every single person.

Let us dream that by 2030, we will create a robust financial system to provide easy access to financial services to every single person in South Asia.

Let us dream that by 2030, the first career choice for every child growing up in South Asia will not be to work for some company but to launch his or her own company.

Let us dream that by 2030, we will have a range of creative and effective social businesses working throughout South Asia to solve all our remaining social problems.

Do all these dreams sound impossible? If they do, that means they are likely to come true if we believe in them and work for them. That is what the history of the last fifty years has taught us.

So, let us agree to believe in these dreams of our future, and dedicate ourselves to making these impossible possible.

Thank you very much.

PARLIAMENTARY PROCEEDINGS AND COPYRIGHT

H.D. TAKKER*

There has been a debate on the issue whether there can be any copyright in parliamentary proceedings. It appears at first sight that there can not be any copyright in the proceedings, as these come within the public domain and moreover the speeches are made by the peoples' representatives. At times it is felt, that, copyright of speeches made in the House by members should be with the respective members and not with the House. This question was also raised by the first Speaker, Lok Sabha, Shri G.V. Mavalankar. It seemed to him that proceedings were public property and if there could be any copyright in the proceedings, then it should be in the members alone. In this backdrop, the history of emergence of copyright in parliamentary proceedings has become interesting.

The copyright in Government publications which presumably included parliamentary publications subsisted prior to independence also. The Copyright Act, 1914 also provided that there shall be copyright in Government publications. The Manual of the Government of India, which was published by the Publications Branch in October 1948, provided that the request for permission to reproduce from Government publications should be addressed to the Secretary, Ministry of Works, Mines and Power. The Printer and Publisher of the parliamentary Debates happened to be the Manager of the Government of India Press and the Manager of Publications. That is why perhaps the power to grant permission was vested in the then Ministry of Works, Mines and Power. The then Ministry of Education was made responsible for administration of the Copyright Act, 1914.

This arrangement continued till May, 1950 when Shri S.N. Panigrahi of Calcutta sought clarification on the point as to whether permission for reproducing extracts from parliamentary Debates was to be sought from the member concerned or the Manager of Publications, Government of India or the Parliament Secretariat. Parliament Secretariat suggested

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that such requests should be addressed to Secretary, Ministry of Works, Mines and Power as enumerated in Paragraph 68 and Appendix 'J' of the Manual of Business and Procedure of Government of India, Publication Branch.

The then Deputy Secretary of Parliament Secretariat, Mr. A.J.M. Atkinson observed in May 1950 as under:

"It sounds altogether out of tune with the coming into being of a Parliament exercising sovereign powers possessing full Parliamentary privileges (*vide* Art. 105 of the Constitution) and possessing its own Secretariat (*vide* Art. 98 of the Constitution) to advise a seeker after information as to the authority from whom he should obtain permission to reproduce extracts from the official reports of the Parliamentary Debates that permission is obtainable from the Secretary to the Ministry of Works, Mines and Power. Surely it would be more appropriate now for this Secretariat to assume full responsibility in such matters under the orders of Honourable Speaker".

It was also observed, that, with the Constitution of India coming into effect the Manual of Government of India, Para 68 Appendix 'J' thereto (relating to permission to reproduce from the Government of India Publications) has become redundant and the Constitution of India has now the overriding effect on the Copyright Act, 1914 also. The matter relating to the copyright in parliamentary publications and as to who should authorize permission to publish extracts therefrom raised legal and constitutional issues as well.

During the examination of this case, the matter of Press carrying day to day accounts of what is said in Parliament based on the reports of its representatives without any specific permission also came up. It was also noticed that Press in their Editorials often quote from parliamentary Debates. On this point it was concluded at the then Secretary level (in consultation with Ministry of Law) that the general permission of the Speaker may be assumed to be given for a fair publication, by any individual, of the speech made in Parliament or self contained portions thereof.

The advice of Ministry of Law was obtained in the matter on 9 June 1950 which agreed with the view that the permission for reproducing extracts from parliamentary publications should come from the Parliament Secretariat and not from Ministry of Works, Mines and power. It further suggested that an understanding might be arrived at with the Ministry of Education which was responsible for administration of the Copyright Act and with the Ministry of Works, Mines and power which

was responsible for grant of permission to reproduce from Government publications.

The opinion of the Ministry of Law was placed before the Speaker, Lok Sabha, Shri G.V. Mavalankar. He gave his consent that permission to reproduce from parliamentary publications should be given by the Parliament Secretariat and not by the Government, and he further advised that the Ministry of Education and the Ministry of Works, Mines and Power be requested to concur in the understanding that hereafter all applications for permission to reproduce any material from parliamentary publications would be dealt with in the Parliament Secretariat. At the same time, some doubts were expressed by the Speaker, Lok Sabha on the point whether there could be any copyright at all in the proceedings of Parliament which he considered as "*public property*". He observed:

"Coming to copyright, I am doubtful whether there can be any copyright at all in the proceedings of Parliament, as they are all public property. The speeches are also public property. If there be any copyright, it may be in the member who speaks; but such a copyright appears to be inconsistent with the fundamentals of the Law of Copyright".

He further observed"

"I can visualize a copyright in certain publications or matters such as, for example, a publication which summarizes or gives a history of parliamentary institutions or a history of any legislation, etc. However, this is also a point which required investigation, and one may look into it in detail as a matter of curiosity".

The matter was again referred to the Ministry of Law to clear the position on the point raised by the Honourable Speaker regarding copyright. Shri M.N. Kaul, the then Secretary, Lok Sabha pointed out that parliamentary Debates were printed under the authority of Parliament. It is not a Government of India publication in the generally accepted connotation of the term. It is true that parliamentary Debates are printed in the Government of India Press, but that is under an arrangement which subsists between Parliament and the Government of India. He also observed, that, if any one reproduces matter of a defamatory character from the authorised proceedings of Parliament, any permission given to him affords no protection against any legal proceedings that may be initiated against him for publishing such matter from parliamentary Debates.

The observations* of the Ministry of Law were as under:

“There is a clear distinction between the copyright in the report of a speech and copyright in the speech itself. Copyright can only subsist in a work expressed in print or writing and it, therefore, appears that there is no copyright in a mere extempore speech; if however, a speech is made from notes it might be held that anyone copying the speech was infringing the copyright in notes. It follows that no copyright subsists in respect of speeches made on the floor of the Parliament. But, if the speeches are reported, the reporter acquires a copyright in the report of the speech not in the speech. Parliamentary publications containing official report of speeches made in the House are literary works and copyright subsists in respect of the report contained therein. It is, therefore, stated that a reproduction of the official reports of parliamentary speeches operates to infringe the copyright owned by Government or Parliament”.

This observation made by the Ministry of Law amply clears as to when actually copyright comes to subsist.

Whether Parliamentary Proceedings or Debates are Public Property?

Parliamentary speeches are not public property. The official report of Parliamentary speeches do have a copyright as it constitutes a literary work. According to the Copyright Act, Lok Sabha Debates fall under the category of “literary work” and are classified as “Government work”, which means a work, which is made or published by or under the direction or control of:

- (i) The Government or any Department of the Government;
- (ii) Any Legislature in India; and
- (iii) Any court, tribunal or other judicial authority in India

This shows that the copyright subsists in the Debates or proceedings of the House and one requires to seek permission from the owner of the copyright *i.e.* Lok Sabha Secretariat, to reproduce the speeches from the published document.

The Debates are not public property because these can be printed, published and sold only under the authority of the Speaker or the

* *Vide* their Note dated 5 August 1950

House. The Debates are published under rule 382* of Rules of Procedures and Conduct of Business in Lok Sabha. It is this rule which controls the printing, publication and sale of Debates.

Article 105(2) of the Constitution provides for the freedom of speech in Parliament. It grants immunity to members from any proceedings in any court in respect of anything said or any vote given by him in Parliament or any Committee thereof. It also grants immunity to a person from proceedings in any court in respect of the publication by or under the authority of either House of Parliament of any report, paper, votes or proceedings. But this immunity does not extend to a person who reproduces from the Lok Sabha Debates. Permission for reproduction of material from the official report of the Lok Sabha Debates does not accord any protection in any legal proceedings that may arise out of any reproduction of a defamatory character. The immunity to a member under article 105(2) of the Constitution is not available to him, if he publishes anything incriminatory in a publication separate from the official report of the proceedings. The interesting thing is that even a member cannot publish or reproduce his own speech separately from the official report of the proceedings without the permission of the Speaker, Lok Sabha.

In fact, certainly it is not *ultra vires* of the Constitution to prohibit or control the publication of Debates. Indeed, it is open to Parliament to shut its galleries to public and prohibit publication of all or any proceedings. It is a different matter altogether that democracy cannot work in secrecy.

Parliamentary Proceedings and the Press

As stated earlier, absolute immunity from proceedings in any court of law has been conferred under the article 105(2) of the Constitution

* 382 (1) The Speaker may authorise printing, publication, distribution or sale of any paper, document or report in connection with the business of the House or any paper, document or report laid on the table or presented to the House or a Committee thereof.

(2) A paper, document or report printed, published, distributed or sold in pursuance of sub-rule (1) shall be deemed to have been printed, published, distributed or sold under the authority of the House within the meaning of clause (2) article 105 of the Constitution,

(3) If a question arises whether a paper, document or report is in connection with the business of the House or not, the question shall be referred to the Speaker, whose decision shall be final.

on all persons connected with the publication of proceedings of either House of Parliament, if such publication is made by or under the authority of the House. This immunity does not extend to the publication of reports of parliamentary proceedings in newspapers whether published by a member of the House or by any other person.

The statutory protection has been given under article 361A of the Constitution, to the publication in newspapers or broadcasts by wireless telegraphy of substantially true reports of any proceedings of either House of Parliament, provided the reports are for the public good and are not actuated by malice. The protection from proceedings have been given to newspapers under the Parliamentary Proceedings (Protection of Publication) Act, 1977. But, it does not mean that any person can reproduce from the newspapers because ultimate owner of copyright is the House or Speaker and not the newspaper. The copyright continues to subsist in Lok Sabha Secretariat despite the provision of this Act and provision in the Constitution.

In this context, it may be made clear that if somebody reproduces parliamentary proceedings reported in newspapers for the purposes other than

- (i) Private use, including research,
- (ii) Criticism or review,

then it will constitute an infringement of copyright.

The Procedure for dealing with the Requests received for seeking permission from Lok Sabha Secretariat

Permission of the Lok Sabha Secretariat is required for the reproduction of extracts from any publication, in which this Secretariat has a copyright. Lok Sabha Secretariat generally receives requests from MPs, ex-MPs, publishers, authors, scholars, and researchers (from India and abroad), etc. seeking permission to reproduce extracts from Lok Sabha Debates and other publications. These requests are examined by the Secretariat in the light of procedure laid down for the purpose.

Such requests seeking permission to reproduce extracts, etc. from the Lok Sabha Debates are dealt with by the Editorial Branch, which is the nodal Branch of the Secretariat. While in case of other parliamentary publications, the branch concerned examines the request on the basis of prescribed guidelines and if the need arises, they seek the opinion of Editorial Branch before granting permission.

The Concept of Fair use or Fair dealing in Copyright Laws

Clause 52(1) of the Copyright Act, 1957 requires the fair use of copyrighted material. It also says that the following acts shall not constitute an infringement of copyright, namely: (a) a fair dealing with a literary, dramatic, musical or artistic work for the purpose of— (i) research or private study or (ii) Criticism or review, whether of that work or of any other work; (b) a fair dealing with a literary, dramatic, musical or artistic work for the purpose of reporting current events— (i) in a newspaper, magazine or similar periodical or (ii) by broadcast or in a cinematograph film or by means of photograph. The publication of a compilation of addresses or speeches delivered in public is not a fair dealing.

The Copyright Act in fact is an instrument in the hands of an author to protect his or her own creation or work. The work is considered to be an intellectual property of the author. The Copyright Act grants him the right to control the reproduction of his intellectual property. Once the work is published, author loses its control over it. At this stage, Copyright Laws come into picture and assure the author to keep his work under control by preventing unauthorized copying and at the same time these also assure that the author earns the benefit from his intellectual labour. But, at times, it is considered that the work created by an author is in public interest or is for public good, hence, such work should not be protected by copyright. The interest of the author here clashes with public interest. As such, with a view to resolve this tangle, efforts have been made to create a balance between author's sole right of preventing copying on the one side and the public interest in using author's work on the other. Even when he enjoys copyright, his protection is often subject to many limitations. In other words, he does not have monopoly over his work. An example of these limits is the duration of copyright in work. The copyright lasts for sixty years from the date of creation of the work. There are several other limitations on copyright protection.

So far as proceedings of the House are concerned these too can be used by the public for educational purpose, criticism and research and review purposes under the concept of Fair use or Fair Dealing without the permission of the Secretariat. But, these cannot be treated as public property and copyright in proceedings vests in the Speaker, Lok Sabha.

PARLIAMENTARY EVENTS AND ACTIVITIES

CONFERENCES AND SYMPOSIA

Seventh CPA Canadian Parliamentary Seminar, Ottawa: The Canada Branch of Commonwealth Parliamentary Association (CPA) hosted the 7th CPA Canadian Parliamentary Seminar in Ottawa, Canada from 18 to 24 October 2009. Rajkumari Ratna Singh, MP and Shri Arjun Ram Meghwal, MP attended the Seminar from India Union CPA Branch (Parliament of India). The following topics were discussed during the meeting:

- The Commonwealth and the role of the CPA
- Parliament and Civil Society
- How an MP's Office works?
- Dealing with competition: Have the media taken over the representational job of Parliamentarians?
- Parliamentary Committees: What works and what doesn't
- Engaging citizens: Resources and tools
- Influencing Governments and regulating Influence: Parliament and Lobbyists

Fourth International Parliamentary Governance Seminar: The Fourth International Parliamentary Governance Seminar was held in London, Brussels and Edinburgh from 9 to 21 November 2009. The seminar was hosted by the UK Branch of the Commonwealth Parliamentary Association (CPA). Smt. Poonamben Veljibhai Jat, MP (Lok Sabha) and Shri Vijay Inder Singla, MP (Lok Sabha) attended the Seminar on behalf of the India Union CPA Branch (Parliament of India). The following topics were discussed:

- Models of Governance
- The role of Parliament in holding the Executive to account
- The scrutiny of Parliament
- Ensuring broad and open participation in the democratic process

- Supranational governance, international relations and cooperation
- Devolved and Local Government
- The role and responsibilities of a Member of Parliament at constituency level

Regional Seminar on Financial Oversight and the role of Public Accounts Committees, Dhaka: The CPA Secretariat in collaboration with the World Bank Institute organized a Regional Seminar on Financial Oversight and the role of Public Accounts Committees at Dhaka, Bangladesh from 8 to 12 November 2009. Shri Bhatruhari Mahtab, MP (Lok Sabha) and Shri Aruna Kumar Vundavalli, MP (Lok Sabha) participated in the Seminar.

The 121st Assembly of Inter-Parliamentary Union (IPU), Geneva: The meeting of the 121st Assembly of Inter-Parliamentary Union (IPU) was held in Geneva, Switzerland from 19 to 21 October 2009. An Indian Parliamentary Delegation led by Smt. Meira Kumar, Speaker, Lok Sabha attended the meeting. Other members of the Delegation were Shri K. Rahman Khan, Deputy Chairman, Rajya Sabha; Shri Kavuru Sambasiva Rao, MP (Lok Sabha); Shri Ramdas Agarwal, MP (Rajya Sabha); Shri Sansuma Khunggur Bwiswmuthiary, MP (Lok Sabha); Smt. P. Jaya Prada Nahata, MP (Lok Sabha); Shri P.D.T. Achary, Secretary-General, Lok Sabha and Member, Executive Committee, Association of Secretaries General of Parliaments (ASGP); Shri V.K. Agnihotri, Secretary-General, Rajya Sabha; Shri S. Bal Shekar, Joint Secretary, Lok Sabha Secretariat; and Shri A. Mukhopadhyay, Joint Secretary, Lok Sabha Secretariat. During the Assembly and related meetings the following subjects were discussed:

- ❖ Cooperation and shared responsibility in global fight against organized crime, in particular drug trafficking, illegal arm sales, human trafficking and cross border terrorism. (First Standing Committee on Peace and International Security)
- ❖ The role of Parliaments in developing South-South and Triangular Cooperation with a view to accelerating achievement of the Millennium Development Goals. (Second Standing Committee on Sustainable Development, Finance and Trade)
- ❖ Youth Participation in Democratic Process. (Third Standing Committee on Democracy and Human Rights)
- ❖ Panel discussion on HIV/AIDS-Universal access to prevention, treatment and care.

- ❖ Panel discussion on *Our World at War: Challenges for International Humanitarian Law*—an event jointly organized by the Committee to Promote Respect for International Humanitarian Law (IHL) of IPU and the International Committee of the Red Cross (ICRC).
- ❖ Panel discussion on *Human Rights and the Universal Periodic Review*

Nineteenth Session of the Steering Committee of WTO, Geneva: The 19th Session of the Steering Committee of WTO was held in Geneva, Switzerland on 1 October 2009. Shri P.C. Chacko, MP (Lok Sabha) participated in the meeting. The key issues that came up for discussion during the meeting were:

- Current state of multilateral trade negotiations and possible scenarios for the inclusion of Doha Round.
- Main challenges facing the multilateral trading system.
- **Assessment of long-term consequences of the protracted stalemates in WTO talks.**

Second Preparatory Committee Meeting of the Third Conference of Speakers of Parliaments, New York: The Second Preparatory Committee Meeting of the Third Conference of Speakers of Parliaments was held in New York on 16 and 17 November 2009. The Speaker, Lok Sabha, Smt. Meira Kumar participated in the meeting. The Secretary-General, Lok Sabha, Shri P.D.T. Achary also participated in the meeting. The following agenda items were discussed during the meeting:

- Follow-up to the 2000 and 2005 Conference of Speakers of Parliament.
- Parliaments and Democracy in the 21st Century.
- Parliaments and United Nations.
- Inter-Parliamentary Cooperation
- Political and practical preparation for the 2010 Conference.

Plenary Session of the Asian Parliamentary Assembly (APA), Bandung, Indonesia: The Plenary Session of the Asian Parliamentary Assembly (APA) was held in Bandung, Indonesia from 7 to 10 December 2009. Shri Sushil Kumar Singh, MP (Lok Sabha); and Shri Ahmad Saeed Malihabadi, MP (Rajya Sabha) attended the Session. The Session deliberated on *the Roles of Asian Parliaments in Strengthening Democracy towards Prosperity, Peace and Justice in the region*. At the Session, India was granted full membership of APA to India.

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 (IPG) to pay tributes to the leaders. Booklets containing profiles of these leaders, prepared by the Library and Reference, Research, Documentation and Information Service (LARRDIS) of the Lok Sabha Secretariat, are brought out on the occasion.

The birth anniversaries of the following leaders were celebrated during the period 1 October to 31 December 2009:

Mahatma Gandhi and Shri Lal Bahadur Shastri: On the occasion of the birth anniversaries of Mahatma Gandhi and Shri Lal Bahadur Shastri, a function was held on 2 October 2009 in the Central Hall of Parliament House. Prime Minister, Dr. Manmohan Singh, Deputy Speaker of Lok Sabha, Shri Kariya Munda and the UPA Chairperson, Smt. Sonia Gandhi; Union Ministers; members of Parliament and former members of Parliament paid floral tributes to Mahatma Gandhi and Shri Lal Bahadur Shastri.

Sardar Vallabhbhai Patel: On the occasion of the birth anniversary of Sardar Vallabhbhai Patel, a function was held on 31 October 2009 in the Central Hall of Parliament House. Dr. Manmohan Singh, Prime Minister; Smt. Meira Kumar, Speaker, Lok Sabha; Shri L.K. Advani, Leader of Opposition, Lok Sabha; Smt. Sonia Gandhi, MP and Chairperson of UPA; Union Ministers, members of Parliament, former members of Parliament and the Secretaries-General of Lok Sabha and Rajya Sabha paid floral tributes to Sardar Vallabhbhai Patel.

Deshbandhu Chittaranjan Das: On the occasion of the birth anniversary of Deshbandhu Chittaranjan Das, a function was held on 5 November 2009 in the Central Hall of Parliament House. Smt. Meira Kumar, Speaker, Lok Sabha; Shri L.K. Advani, Leader of Opposition; Union Ministers; members of Parliament; former members of Parliament; and the Secretaries-General of Lok Sabha and Rajya Sabha paid floral tributes to Deshbandhu Chittaranjan Das.

Maulana Abul Kalam Azad: On the occasion of the birth anniversary of Maulana Abul Kalam Azad, a function was held on 11 November 2009 in the Central Hall of Parliament House. Smt. Meira Kumar, Speaker, Lok Sabha; Shri K. Rahman Khan, Deputy Chairman, Rajya Sabha; Shri Ghulam Nabi Azad, Minister of Health and Family Welfare;

Shri Pawan Kumar Bansal, Minister of Parliamentary Affairs and Water Resources; Shri V. Narayansamy, Minister of State in the Ministry of Planning and Parliamentary Affairs; Shri Dinesh Trivedi, Minister of State in the Ministry of Health and Family Welfare; members of Parliament; former members of Parliament and the Secretaries-General of Lok Sabha and Rajya Sabha paid floral tributes to Maulana Abul Kalam Azad.

Pandit Jawaharlal Nehru: On the occasion of the birth anniversary of Pandit Jawaharlal Nehru, a function was held on 14 November 2009 in the Central Hall of Parliament House. Prime Minister, Dr. Manmohan Singh, the Leader of Opposition, Lok Sabha, Shri Lal Krishna Advani; UPA Chairperson, Smt. Sonia Gandhi; several Union Ministers; members of Parliament; and former members of Parliament paid floral tributes to Pandit Jawaharlal Nehru.

Smt. Indira Gandhi: On the occasion of the birth anniversary of Smt. Indira Gandhi, a function was held on 19 November 2009 in the Central Hall of Parliament House. Dr. Manmohan Singh, Prime Minister; Smt. Meira Kumar, Speaker, Lok Sabha; Shri Pranab Mukherjee, Leader of the House, Lok Sabha; Shri L.K. Advani, Leader of Opposition, Lok Sabha; Shri Arun Jaitley, Leader of Opposition, Rajya Sabha; Smt. Sonia Gandhi, MP and Chairperson of UPA; Union Ministers, members of Parliament, former members of Parliament and the Secretaries-General of Lok Sabha and Rajya Sabha paid floral tributes to Smt. Indira Gandhi.

Dr. Rajendra Prasad: On the occasion of the birth anniversary of Dr. Rajendra Prasad, a function was held on 3 December 2009 in the Central Hall of Parliament House. Dr. Manmohan Singh, Prime Minister; Smt. Meira Kumar, Speaker, Lok Sabha; Shri K. Rahman Khan, Deputy Chairman, Rajya Sabha; Shri Pranab Mukherjee, Leader of the House, Lok Sabha; Shri L.K. Advani, Leader of Opposition, Lok Sabha; Union Ministers, members of Parliament, former members of Parliament and the Secretaries-General of Lok Sabha and Rajya Sabha paid floral tributes to Dr. Rajendra Prasad.

Shri C. Rajagopalachari: On the occasion of the birth anniversary of Shri C. Rajagopalachari, a function was held on 10 December 2009 in the Central Hall of Parliament House. Dr. Manmohan Singh, Prime Minister; Smt. Meira Kumar, Speaker, Lok Sabha; Shri L.K. Advani, Leader of Opposition, Lok Sabha; Union Ministers, members of Parliament,

former members of Parliament and the Secretaries-General of Lok Sabha and Rajya Sabha paid floral tributes to Shri C. Rajagopalachari.

Chaudhary Charan Singh: On the occasion of the birth anniversary of Chaudhary Charan Singh, a function was held on 23 December 2009 in the Central Hall of Parliament House. Prime Minister Dr. Manmohan Singh; Union Ministers, members of Parliament, former members of Parliament paid floral tributes to Chaudhary Charan Singh.

Pandit Madan Mohan Malviya: On the occasion of the birth anniversary of Pandit Madan Mohan Malviya, a function was held on 25 December 2009 in the Central Hall of Parliament House. Smt. Meira Kumar, Speaker, Lok Sabha; Smt Sushma Swaraj, Leader of Opposition, Lok Sabha; Union Ministers, members of Parliament; and former members of Parliament paid floral tributes to Pandit Madan Mohan Malviya.

EXCHANGE OF PARLIAMENTARY DELEGATIONS

Foreign Parliamentary Delegations Visiting India

Oman: A 10-member Parliamentary Delegation from Oman led by H.E. Dr. Yahya Bin Mahfoodh Bin Salem Al Manthri, Chairman of the State Council in the Sultanate of Oman visited India from 14 to 18 December 2009.

On 15 December 2009, the Delegation called on the President of India, Smt. Pratibha Devisingh Patil and the Speaker, Lok Sabha, Smt. Meira Kumar, who hosted a Banquet in honour of the Delegation, later in the evening. On 17 December 2009, the Delegation called on the Vice-President of India and Chairman, Rajya Sabha Shri Mohammad Hamid Ansari. The Delegation also had meetings with the Leader of Opposition, Lok Sabha and Chairman of the Standing Committee on External Affairs on the same day. Besides Delhi, the Delegation visited Agra.

Thailand: A Parliamentary Delegation from Thailand led by H.E. Mr. Chai Chidchob, President of the National Assembly of the House of Representatives of the Thai Parliament visited India from 18 to 24 December 2009. On 21 December 2009, the Delegation called on the Speaker, Lok Sabha, Smt. Meira Kumar, who hosted a Banquet in honour of the Delegation, later in the evening. Besides Delhi, the

Delegation visited Agra, Varanasi and Gaya.

Visit of Foreign Dignitaries to Parliament House Estate

Namibia: A 6-member delegation led by H.E. Mr. Hafeni Ndemula, MP, Chairperson of the Committee on Constitutional and Legal Affairs of Namibia called on the Speaker, Lok Sabha, Smt. Meira Kumar on 15 December 2009.

USA: H.E. Mr. Timothy Roemer, Ambassador of the United States of America called on the Speaker, Lok Sabha on 16 December 2009.

Hungary: H.E. Dr. Geza Palmai, Ambassador of Hungary called on the Speaker, Lok Sabha on 17 December 2009.

Indonesia: H.E. Mr. Hajriyanto Y. Thohari and H.E. Mr. Lukman Hakim Saifuddin, Deputy Chairmen of the People's Consultative Assembly of the Republic of Indonesia called on the Speaker, Lok Sabha on 18 December 2009.

PARLIAMENT MUSEUM

Between 1 October and 31 December 2009, a total of 5,494 visitors visited the Parliament Museum. The number includes 1,684 general visitors, 3,655 students from 39 schools/colleges from all over the country. The visitors also include a number of present and former members of Parliament, members of State Legislatures and Foreign dignitaries and delegations. Among the foreign dignitaries, delegations from Parliaments of Afghanistan, Ethiopia, Namibia, Oman, Thailand and Uganda visited the Museum. During this quarter, members from the Mizoram Legislative Assembly also visited the Museum.

BUREAU OF PARLIAMENTARY STUDIES AND TRAINING

Second Prof. Hiren Mukerjee Memorial Annual Parliamentary Lecture: The 2nd Prof. Hiren Mukerjee Memorial Annual Parliamentary Lecture was organized on 9 December 2009 in the Central Hall of Parliament. Prof. Muhammad Yunus, Nobel Laureate and Founder/Managing Director of the *Grameen Bank of Bangladesh*, delivered the Lecture on "Social Business: A Step toward Creating a New Economic and Social Order". The Vice-President of India, Shri Mohammad Hamid Ansari, chaired the function while the Prime Minister of India, Dr. Manmohan Singh, was the Chief Guest. Hon'ble Speaker, Lok Sabha, Smt. Meira Kumar delivered the Welcome Address and

Shri P.D.T. Achary, Secretary-General, Lok Sabha, proposed the Vote of Thanks.

Lecture Series for Members of Parliament: As part of the Lecture Series for members of Parliament, a Lecture on the "Unique Identification Project—Issues and Challenges" by Shri Nandan Nilekani, Chairperson, Unique Identification Authority of India, was organised on 16 December 2009. The Honorary Advisor, BPST, Shri Mani Shankar Aiyar, made the Introductory Remarks while the Secretary-General, Lok Sabha, Shri P.D.T. Achary, proposed the Vote of Thanks.

Orientation Programmes for newly elected members of the State Legislatures: Orientation Programmes for the newly elected members of the Legislative Assemblies of Mizoram and Arunachal Pradesh were organized from 25 to 27 November 2009 and 16 to 18 December 2009, respectively. Hon'ble Speaker, Lok Sabha, Smt. Meira Kumar inaugurated both the Orientation Programmes. Twenty two members of the Mizoram Legislative Assembly and 23 members of the Arunachal Pradesh Legislative Assembly attended the programmes.

Study Visits: The Study visits were organized between October and December 2009 for: (i) Two officials from the Parliament of Sri Lanka on 28 October 2009 (ii) Three members of the Steering Committee for the Establishment of the Centre for Parliamentary Studies and Training at the Kenya National Assembly from 4 to 6 November 2009. (iii) A 10-Member Delegation from the Committee on Government Assurances of the Ugandan Parliament from 23 to 25 November 2009 and (iv) Four Members from the Committee on Legal and Constitutional Affairs of the Namibian Parliament from 14 to 17 December 2009. Besides, nine other Study Visits were conducted for the benefit of the students/ trainees/officials of various institutions/organizations. A total of 385 persons participated.

Appreciation Courses: Appreciation Courses in Parliamentary Processes and Procedures were organized for the following Officers: (i) 19 Probationers of the Indian Foreign Service from 1 to 4 December 2009; and (ii) 62 Senior Audit/ Accounts Officers from the Office of Comptroller and Auditor-General of India, Probationers of Indian Railways Account Service and Indian Railways Institute of Signal Engineering and Telecommunications from 14 to 18 December 2009.

Training Programmes: A Training Programme for the 16 officials working in the libraries of Lok Sabha, Rajya Sabha, and State Legislature Secretariats was organised from 16 to 20 November 2009.

Twenty-fifth Parliamentary Internship Programme: The 25th Parliamentary Internship Programme was organized from 4 November to 4 December 2009. The Speaker, Lok Sabha, Smt. Meira Kumar inaugurated the programme on 5 November 2009. The programme was attended by 53 Parliamentary officials from 29 countries.

PROCEDURAL MATTERS

LOK SABHA

Instances when the Chair allowed members to lay their written speeches on the Table of the House: On 25 November 2009, during discussion on motion for consideration of the Workmen's Compensation (Amendment) Bill, 2009, the Chair permitted two members, Dr. Prabha Kishore Taviad and Shri J.M. Aaroon Rasheed to lay their written speeches on the Table of the House.

On 26 November 2009, during discussion under Rule 193, on rise in prices of essential commodities, the Chair permitted eleven members Sarvashri Radha Mohan Singh, Haribhau Madhav Jawale, Arjun Ram Meghwal, Brij Bhushan Sharan Singh, Ramashankar Rajbhar, Premdas Katheria, Ghanshyam Anuragi, J.M. Aaroon Rasheed, Kaushalendra Kumar, Dr. (Prof.) Prasanna Kumar Patasani and Smt. Jyoti Dhurve to lay their written speeches on the Table of the House. Two members Shri Pralhad Venkatesh Joshi and Dr. (Smt.) Jhansi Lakshmi Botcha were permitted to lay some portions of their speeches on the Table of the House.

On 30 November 2009, during discussion under Rule 193, on natural calamities in the country, the Chair permitted six members, Sarvashri Arjun Ram Meghwal, Radha Mohan Singh, Kaushalendra Kumar, Lalit Mohan Suklabaidya, Jagdambika Pal and Dr. Tarun Mandal, to lay their written speeches on the Table of the House. Two members, Sarvashri P. Karunakaran and Pralhad Vankatesh Joshi were permitted to lay some portions of their speeches on the Table of the House.

On 1 December 2009, during discussion on motion for consideration of the Central Universities (Amendment) Bill, 2009, the Chair permitted six members Sarvashri Arjun Ram Meghwal, Kaushalendra Kumar, Rajendra Agrawal, Jagdambika Pal, Kamal Kishor and Dr. (Prof.) Prasanna Kumar Patasani, to lay their written speeches on the Table of the House.

On 3 December 2009, during discussion under Rule 193 on impact of climate change, the Chair permitted nine members Sarvashri Radha Mohan Singh, Shailendra Kumar, Naveen Jindal, Arjun Ram Meghwal, Dr. Kirit Premjibhai Solanki, Dr. Arjun Roy Dr. Tarun Mandal,

Prof. Sk. Saidul Haque and Smt. Maneka Gandhi to lay their written speeches on the Table of the House. Two members Sarvashri M.B. Rajesh and Prem Das Rai were permitted to lay some portions of their speeches on the Table of the House.

PARLIAMENTARY AND CONSTITUTIONAL DEVELOPMENTS

(1 OCTOBER TO 31 DECEMBER 2009)

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

Parliament Session: The Third Session of Fifteenth Lok Sabha and the Two Hundred and Eighteenth Session of the Rajya Sabha commenced on 19 November 2009. The Lok Sabha and the Rajya Sabha were adjourned on 18 December and 22 December 2009, respectively. The President of India, Smt. Pratibha Devisingh Patil, prorogued both the Lok Sabha and the Rajya Sabha on 27 December 2009.

Elections to Rajya Sabha: Shri Kannan P. of the Indian National Congress (INC) was elected to the Rajya Sabha from Puducherry. His term commenced on 7 October 2009 and he took oath/affirmation on 19 November 2009.

Nominated Members to Rajya Sabha: On 18 November 2009, Shri H.K. Dua and Dr. Ashok S. Ganguly were nominated to the Rajya Sabha. The term of both the members commenced on the same day. Shri H.K. Dua took oath/affirmation on 20 November 2009, while Dr. Ashok S. Ganguly took oath/affirmation on 30 November 2009.

Death of Rajya Sabha Members: On 6 October 2009, Shri Pyarelal Khandelwal, Bharatiya Janata Party (BJP) member from Madhya Pradesh in the Rajya Sabha, passed away.

On 9 November 2009, Shari Suryakantbhai Acharya, BJP member from Gujarat in the Rajya Sabha, passed away.

On 21 December 2009, Shri Mahendra Sahni, BJP member from Bihar in the Rajya Sabha, passed away.

Resignation of Rajya Sabha Members: On 3 November 2009, Shri Ajay Singh Chautala, Indian National Lok Dal (INLD) member from Haryana resigned his seat.

On 9 November 2009, Shri Su. Thirunavukkarasar, Bharatiya Janata Party (BJP) member from Madhya Pradesh resigned his seat.

Election to the Lok Sabha: On 10 November 2009, Shri Raj Babbar of the INC was declared elected to the Lok Sabha from Ferozabad Lok Sabha constituency, election to which was held on 3 November 2009.

Suspension of Party MPs: On 21 October 2009, the Janata Dal (United) suspended Lok Sabha MPs Shri Jagdish Sharma and Shri Purnamasi Ram and Rajya Sabha MP Shri Ejaj Ali from the party with immediate effect for 'anti-party activities'.

New Leader of Opposition in Lok Sabha: On 21 December 2009, Smt. Sushma Swaraj was recognised as the Leader of the Opposition in the Lok Sabha, replacing Shri L.K. Advani.

AROUND THE STATES

ANDHRA PRADESH

Resignation of Minister: On 29 October 2009, Women Development and Child Welfare Minister Smt. Konda Surekha resigned from the Council of Ministers.

Resignation of Governor: On 26 December 2009, Governor Shri Narayan Dutt Tiwari resigned on health grounds.

Chhattisgarh Governor Shri E.S.L. Narasimhan, was given additional charge of Andhra Pradesh. He took oath on 28 December 2009.

ARUNACHAL PRADESH

Assembly Election Results: Elections to the State Legislative Assembly were held on 13 October 2009. The party position following the elections is as follows: Total seats: 60; INC: 42; Nationalist Congress Party (NCP): 5; All India Trinamool Congress (AITC): 5; People's Party of Arunachal (PPA): 4; BJP: 3; and Independent: 1.

Chief Minister Sworn in: On 25 October 2009, Shri Dorjee Khandu was sworn in as the Chief Minister for second term.

The names of Council of Ministers with their portfolios is as follows: Shri Dorjee Khandum, Chief Minister, assigned Departments not allocated to any Cabinet Minister, Sarvashri Nabam Tuki, Public Works Department & Urban Development; Tatar Kipa, Education, Research, Libraries and Gazetteers, Labour & Employment, Tanga Byaling, Industries, Textiles and Handlooms, Trade & Commerce, Social Welfare, Women & Child Development; Chowna Mein, Rural Works Department and Rural Development; C.C. Singpho, Civil Supplies & Consumer Affairs, Health & Family Welfare; N. Tingkhatra, Environment & Forests and Mines & Minerals; Lombo Tayeng, Public Health Engineering & WS and Cooperation; Tako Dabi, Water Resources Development, Election, Parliamentary Affairs and Panchayati Raj, Law & Justice; Kalikho Pul, Finance and Tax & Excise; Jarbom Gamlin, Home & Vigilance and Information Technology and Science & Technology; and Atum Welly, Land Management, Fisheries, Economics & Statistics, Sports & Youth Affairs and Cultural Affairs.*

ASSAM

Assembly By-elections Results: Shri Bhimananda Tanti and Shri Wazed Ali Choudhury, both of the INC were elected from Dhekiajuli and South Salmara constituencies, respectively, by-elections to which were held on 7 November 2009.

New Governor: On 27 November 2009, Shri J.B. Patnaik was sworn in as the Governor of Assam.

GUJARAT

New Governor: On 27 November 2009, Dr. (Smt.) Kamla Beniwal was sworn in as the Governor of Gujarat.

HARYANA

Assembly Election Results: Elections to the State Legislative Assembly were held on 13 October 2009. The party position following the elections is as follows: Total seats: 90; INC: 40; INLD: 31; Haryana Janhit Congress: 6; BJP: 4; BSP: 1; Shiromani Akali Dal: 1; and Independents: 7.

Chief Minister Sworn in: On 25 October 2009, Shri Bhupinder Singh Hooda was sworn in as the Chief Minister for second term.

* As on 12 January 2010

New Speaker: On 28 October 2009, Shri Harmohinder Singh Chatha was elected as the new Speaker of the State Legislative Assembly.

Vacation of Assembly Seat: On 28 October 2009, INLD Chief Shri Om Prakash Chautala retained the Uchana Kalan seat and relinquished the Ellenabad seat that he had also won in the Assembly elections.

Vote of Confidence: On 28 October 2009, the Congress-led Government won the Vote of Confidence with 47 votes in favour in 89-member House. The INC which had 40 members in the Legislative Assembly was also supported by 6 Independents and a lone Bahujan Samaj Party (BSP) MLA.

Expansion of Cabinet: On 7 November 2009, Chief Minister, Shri Bhupinder Singh Hooda expanded his Council of Ministers by inducting six Cabinet Ministers and three Ministers of State. The Cabinet Ministers are: Sarvashri Ajay Singh Yadav, Randeep Singh Surjewala, Mahender Pratap Singh, Paramvir Singh, Om Prakash Jain and Geeta Bhukkal.

The Ministers of State are: Sarvashri Shiv Charan Sharma, Gopal Kanda and Sukhbir Kataria.

The names of Council of Ministers with their portfolios* is as follows: Shri Bhupinder Singh Hooda, Chief Minister, *Administration of Justice, Architecture, Development & Panchayats, General Administration & Administrative Reforms, Home, Jails, Public Relations & Cultural Affairs, Personnel & Training, Raj Bhawan Affairs, Town & Country Planning and Urban Estates, Excise & Taxation, Elections, Revenue & Disaster Management, Technical Education & Industrial Training, Mines & Geology, Sports & Youth Affairs, Housing, Archeology & Museums, Archives, Law & Legislative, and Any department not specifically allotted to any Minister;* Sarvashri Capt. Ajay Singh, *Finance and Institutional Finance & Credit Control, Planning, Irrigation, Forests, Environment;* Randeep Singh Surjewala, *Public Health Engineering, Parliamentary Affairs, Electronics & Information Technology, Science & Technology, PWD (Bridges & Roads);* Mahender Pratap Singh, *Power, Renewable Energy, Labour & Employment, Food & Supplies, Urban Local Bodies, Industries & Commerce;* Om Prakash Jain, *Transport, Tourism, Civil Aviation, Hospitality;* Paramvir Singh, *Agriculture, Animal Husbandry & Dairying, Fisheries, Cooperation;* and Smt. Geeta

* As on 12 January 2010

Bhukkal, *Education & Languages, Social Justice & Empowerment, Women & Child Development, Welfare of Scheduled Castes and Backward Classes, Health, Printing & Stationery.*

Ministers of State are: Pt. Shiv Charan Lal Sharma, *Revenue & Disaster Management (Attached with CM), Consolidation (Independent Charge), Rehabilitation (Independent Charge); Sarvashri Gopal Kanda, Home (Attached with CM), Sports & Youth Affairs (Attached with CM), Industries & Commerce (Attached with Industries Minister); and Sukhbir Kataria, Agriculture (Attached with Agriculture Minister), Cooperation (Attached with Cooperation Minister).*

Split in Party: On 9 November 2009, the six-member Haryana Janhit Congress (HJC) Legislature Party split with four MLAs, constituting two-thirds the strength, joining the INC. They are Sarvashri Narender Singh (Narnaul), Satpal Sangwan (Dadri), Vinod Bhayana (Hansi) and Zile Ram (Assandh).

Change of Party Affiliation: On 10 November 2009, HJC MLA from Samalakra, Shri Dharam Singh Chhoker joined the INC.

JHARKHAND

Dissolution of State Assembly: On 22 August 2009, President Smt. Pratibha Devisingh Patil issued a notification, regarding dissolution of the State Assembly which had been under the President's rule for the last nine months. The Union Cabinet acted on a recommendation sent by the State Governor Shri K. Sankaranarayanan to the Home Ministry.

Assembly Election Results: Elections to the State Legislative Assembly were held in five phases on 27 November, 2, 8, 12 and 18 December 2009. The party position following the elections is as follows: Total seats: 81; INC: 25; BJP: 20; Jharkhand Mukti Morcha (JMM): 18; and Others: 18.

KARNATAKA

Resignation of Minister: On 9 November 2009, Minister for Rural Development and Panchayat Raj, Smt. Shobha Karandlaje resigned from the Council of Ministers. Governor Shri Hans Raj Bhardwaj accepted her resignation.

Resignation of Speaker: On 16 November 2009, Shri Jagadish Shettar resigned as the Speaker of the State Legislative Assembly. Deputy Speaker Shri K.G. Bopaiah was appointed as the acting Speaker.

Ministers Inducted: On 17 November 2009, Shri Jagadish Shettar was inducted as a Cabinet Minister (Rural Development and Panchayat Raj including Rural Development Engineering from Department of Rural Water Supply and Sanitation).

On 24 December 2009, Shri M.P. Renukacharya was sworn in as the Cabinet Minister. He was allocated the Excise Portfolio.

MAHARASHTRA

Assembly Election Results: Elections to the State Legislative Assembly were held on 13 October 2009. The party position following the elections is as follows: Total seats: 288; INC: 82; NCP: 62; BJP: 46; Shiv Sena: 44; Independents: 24; Maharashtra Navnirman Sena: 13; Samajwadi Party: 4; Peasants and Workers Party of India: 4; Bahujan Vikas Aghadi: 2; Jan Surajya Shakti: 2; Communist Party of India (Marxist): 1; Loksangram: 1; Bharipa Bahujan Mahasangha: 1; Swabhimani Paksha: 1; and Rashtriya Samaj Paksha: 1.

Chief Minister Sworn in: On 7 November 2009, Shri Ashok Chavan of the INC was sworn in as the Chief Minister. Shri Chaggan Bhujbal (NCP) was sworn in as the Deputy Chief Minister. Along with them, 38 Ministers were also sworn in.

The names of Council of Ministers with their portfolios* is as follows: Shri Ashok Shankarrao Chavan, Chief Minister, *General Administration, Information and Publicity, Urban Development, Urban Land Ceiling Housing, Slum Improvement, House Repairs and Reconstruction, Mines, Cultural Affairs and others Departments, parts of Departments or subjects not specifically allotted to any Minister;* Sarvashri Chhagan Chandrakant Bhujbal, Deputy Chief Minister, *Public Works (Excluding Public Undertakings) and Special Assistance;* Narayan Tatu Rane, *Revenue and Khar Lands and Additional Charge of Rehabilitation and Relief Work, Earthquake Rehabilitation;* Raosaheb Ramrao Patil *alias R.R. Patil, Home;* Dr. Patangrao Shripatrao Kadam, *Forests;* Shivajirao Shivaramji Moghe, *Social Justice, Welfare of Nomadic De-notified Tribes and Other Backward Classes and De-addiction Activities;* Ajit Anantrao Pawar, *Water Resources (Excluding Krishna Valley Irrigation Corporation), Energy;* Radhakrishna Eknathrao Vikhe-Patil, *Transport and Ports and additional charge of Law and Judiciary;* Jayant Rajaram Patil, *Rural Development;* Harshwardhan Shahajirao Patil, *Co-operation, Marketing, Parliamentary Affairs;* Ganesh Ramchandra

* As on 12 January 2010

Naik, *State Excise, Non-Conventional Energy*; Vijay alias Balasaheb Bhausasheb Thorat, *Agriculture, Water Conservation, Employment Guarantee Scheme and additional charge of School Education*; Prof. Laxmanrao Kondiba Dhobale, *Water Supply and Sanitation*; Anil Vasanttrao Deshmukh, *Food and Civil Supplies and Consumer Protection*; Jaidatta Sonajirao Kshirsagar, *Public Works (Public Undertakings)*; Manoharrao Rajusingh Naik, *Food and Drugs Administration*; Sunil Dattatraya Tatkare, *Finance and Planning*; Ramraje Pratapsinh Naik-Nimbalkar, *Water Resources (Krishna Valley Irrigation Corporation)*; Babanrao Bhikaji Pachpute, *Tribal Development*; Rajesh Ankushrao Tope, *Higher and Technical Education*; Rajendra Jawaharlal Darda, *Industries, Employment and Self-Employment*; Mohammed Arif (Naseem) Khan, *Textiles, Minorities Development, Aukf, Ex-Servicemen's Welfare*; Suresh Hirayenna Shetty, *Public Health and Family Welfare, Environment, Protocol and additional charge of Sports and Youth Welfare*; Hassan Miyanlal Mushrif, *Labour*; Subhash Ramrao Zanak, *Women and Child Development*; Dr. Vijaykumar Krishnarao Gavit, *Medical Education, Horticulture and Tourism*; and Dr. Nitin Kashinath Raut, *Animal Husbandry, Dairy Development and Fisheries*.

Ministers of State are: Sarvashri Ranjit Prataprao Kamble, *Rural Development, Horticulture, Water Supply and Sanitation*; Vijay Namdeorao Wadettiwar, *Water Resources, Parliamentary Affairs and Additional Charge of Finance, Planning and Energy*; Bhaskar Bhaurao Jadhav, *Urban Development, Forests, Ports, Khar Lands, Parliamentary Affairs, Sports and Youth Welfare and Ex-Servicemen's Welfare*; Padmakar Vijaysing Valvi, *Tribal Development, Labour, and Command Area Development*; Prakash Sundarrao Solanke, *Revenue, Rehabilitation and Relief Work, Earthquake Rehabilitation, Co-operation, Marketing and Textiles*; Sachin Mohan Ahir, *Housing, Slum Improvement, Repairs and Reconstruction, Urban Land Ceiling, Industries, Mines, Social Justice, De-addiction Activities and Environment*; Abdul Sattar Abdul Nabi, *Food and Civil Supplies and Consumer Protection and Public Works*; Prof. (Smt.) Faujiya Talasin Khan, *General Administration, Information and Publicity, Cultural affairs, Protocol, School Education, Women and Child Development, Public Health and Family Welfare, Minorities Development (including Aukaf)*; Ramesh Anandrao Bagwe, *Home (Urban), Food and Drugs Administration and additional charge of Home (Rural), Jail and State Excise*; Gulabrao Baburao Deokar, *Agriculture, Animal Husbandry, Dairy Development, Fisheries, Water Conservation, Employment Guarantee Scheme, Employment and Self-Employment, Transport, Welfare of Nomadic, De-notified Tribes and Other Backward Classes*; and Prof. (Smt.) Varsha Eknath Gaikwad,

Medical Education, Higher and Technical Education, Tourism and Special Assistance.

NAGALAND

Governor Sworn in: On 15 October 2009, Shri Nikhil Kumar was sworn in as the Governor of Nagaland replacing Shri Gurbachan Jagat, holding the additional charge of the State.

PUNJAB

Minister Inducted: On 26 October 2009, Shri Sewa Singh Sekhwan was inducted as the Cabinet Minister with Information and Public Relations portfolio.

RAJASTHAN

Assembly By-elections Results: Shri Ramesh Chand Meena of the BJP and Shri Basanti Meena, of the INC were elected from Todabhim and Salumber constituencies, respectively, by-elections to which were held on 7 November 2009.

Death of Governor: On 1 December 2009, Governor Shri Shailendra Kumar Singh passed away in New Delhi following a prolonged illness.

On 3 December 2009, Himachal Pradesh Governor Smt. Prabha Rau was sworn in as the interim Governor of Rajasthan.

Expansion of Ministry: On 10 December 2009, Chief Minister Shri Ashok Gehlot expanded Council of Ministers by inducting four new Ministers of State. The portfolios were allocated on 15 December 2009. The new Ministers are: Sarvashri Brajendra Ola, Independent Charge of *Disaster Management and Relief and Cooperative*, Murarilal Meena, *Technical Education* (Independent Charge), *Revenue, Colonization, Sainik Kalyan*; Rajkumar Sharma, *Science and Technology* (Independent Charge), *Medical & Health, Family Welfare, Ayurveda, Medical Education*; and Rajendra Singh Gudda, *Planning* (Independent Charge) *Tourism, Art, Culture and Archeology, Printing and Stationary.*

TAMIL NADU

Death of MLA: On 1 December 2009, Shri P.N. Periannan, Dravida Munnetra Kazhagam (DMK) Dharmapuri (North) and Pennagaram Member of the Legislative Assembly, died in a Chennai hospital.

Assembly By-elections Results: Shri J. Kamalakannan and Smt. Anitha R. Radhakrishnan, both of the DMK were elected from

Vandavasi and Tiruchendur constituencies, respectively, by-elections to which were held on 19 December 2009.

TRIPURA

Governor Sworn in: On 15 October 2009, Dr. (Smt.) Kamla Beniwal was sworn in as the Governor of Tripura replacing Shri Dinesh Nandan Sahaya.

On 27 November 2009, Dr. Dnyandeo Yashwantrao Patil was sworn in as the new Governor replacing Dr. (Smt.) Kamla Beniwal.

UTTAR PRADESH

Assembly By-election results: Elections to 11 Assembly seats were held on 7 November. The BSP won 9 Assembly seats namely Rari, Isauli, Hainsar Bazar, Lalitpur, Bhartana, Padrauna, Powayan, Etawah and Jhansi. An Independent Shri Ajai Rai won Kol Asla Assembly seat while Shri Shyam Kishore Shukla of the INC secured Lucknow West Assembly seat.

Minister Inducted: On 15 November 2009, Shri Swami Prasad Maurya was inducted as Cabinet Minister in the Council of Ministers.

WEST BENGAL

Assembly By-elections Results: By-elections to 10 Assembly seats were held on 7 November 2009. The All India Trinamool Congress won seven seats, while the INC, All-India Forward Bloc and an Independent won one seat each.

EVENTS ABROAD

AFGHANISTAN

President Re-elected: On 16 September 2009, incumbent President Mr. Hamid Karzai was re-elected as the President, election to which was held on 20 August 2009.

ARUBA

Legislative Elections: The elections to the 21-seat *Staten* (the unicameral legislature) were held on 25 September 2009. The party position following the elections is as follows: Aruban People's Party: 12; People's Electoral Movement: 8; and Real Democratic Party: 1.

BELGIUM

New Prime Minister: On 25 November 2009, King Albert II nominated

Mr. Yves Leterme as the Prime Minister, replacing Mr. Herman Van Rompuy.

BOLIVIA

President Re-elected: Incumbent President Mr. Evo Morales was re-elected to the post of President for a another five year term, elections to which were held on 6 December 2009.

BOTSWANA

Legislative Elections: The elections to the 57-seat National Assembly (the lower chamber of the bicameral legislature) were held on 16 October 2009. The party position following the elections is as follows: Botswana Democratic Party: 45; Botswana National Front: 6; Botswana Congress Party: 4; Botswana Alliance Movement: 1; and Independents: 1.

CHILE

Legislative Elections: The elections to the 120-seat National Congress (the bicameral legislature) were held on 19 December 2009. The party position following the elections is as follows: **Coalition for Change (List B): 58**; Independent Democratic Union: 37; National Renewal Party: 18; Independents List B: **3**; **Coalition of Parties for Democracy (Concertacion) (List A): 57**; Christian Democratic Party: 19; Party for Democracy: 18; Socialist Party of Chile: 11; Social Democrat Radical Party: 5; Communist Party of Chile: 3; Independents List A: 1; **Chile Limpio Vote Feliz (List D): 3**; Regionalist Party of Independents: 3; and Non-list Independents: 2.

DOMINICA

Legislative Elections: The elections to the 21-seat House of Assembly (the unicameral legislature) were held on 18 December 2009. The party position following the elections is as follows: Dominica Labour Party: 18; and United Workers Party: 3.

New Prime Minister: On 21 December 2009, Mr. Roosevelt Skerit was sworn in as the Prime Minister for the third term.

EQUATORIAL GUINEA

President Re-elected: Incumbent President Mr. Teodoro Obiang Nguema Mbasogo was re-elected for a second term, elections to which were held on 29 November 2009.

FIJI

New President: On 28 October 2009, acting President Mr. Ratu Epeli Nailatikau was appointed President on a permanent basis.

GABON

New President: On 16 October 2009, Mr. Ali-Ben Bongo Ondimba was sworn in as the President of Gabon.

GERMANY

Legislative Elections: The elections to the 622-seat *Bundestag* (the lower house of the bicameral legislature) were held on 27 September 2009. The party position following the elections is as follows: Christian Democratic Union: 194; Social Democratic Party: 146; Free Democratic Party: 93; the Left: 76; Greens: 68; and Christian Social Union: 45.

New Cabinet: On 28 October 2009, Ms. Merkel was re-elected Chancellor by the *Bundestag* (the lower House of the bicameral legislature) by 323 votes from a total of 622 legislators.

GREECE

Legislative Elections: The elections to the 300-seat *Vouli* (the unicameral legislature) were held on 4 October 2009. The party position following the elections is as follows: Panhellenic Socialist Movement: 160; New Democracy: 91; Communist Party of Greece: 21; Populist Orthodox Rally: 15; and Coalition of the Radical Left: 13.

New Prime Minister: On 7 October 2009, Mr. Andreas Papandreu was sworn in as the Prime Minister.

HAITI

Prime Minister removed: On 30 October 2009, a motion to remove Prime Minister Mr. Michele Duvivier Pierre-Louis from office for failing to promote economic investment in Haiti was approved by 18 members of the 30-member Senate (the upper House of the National Assembly, the bicameral legislature).

New Prime Minister: The Senate (the upper house of the National Assembly, the bicameral legislature) and Chamber of Deputies (the lower House) on 6 and 7 November 2009, respectively, ratified President Mr. René Preval's nomination of Mr. Jean-Max Bellerive, as the country's new Prime Minister.

HONDURAS

New President: Mr. Porfirio “Pepe” Lobo Sosa was elected as the President of Honduras, elections to which were held on 29 November 2009.

INDONESIA

New President: On 20 October 2009, President Gen. (Retd.) Susilo Bambang Yudhoyono was sworn in for the second term.

IRELAND

New Speaker: On 13 October 2009, the *Dail* (the lower house of the bicameral legislature) elected Mr. Seamus Kirk as its new Speaker, by 87 votes to 51, replacing Mr. John O’ Donoghue who resigned earlier in the day.

JAPAN

New Prime Minister: On 16 September 2009, Mr. Yukio Hatoyama of the Democratic Party of Japan was sworn in as the Prime Minister.

JORDAN

New Prime Minister: On 9 December 2009, King Abdullah II appointed Mr. Samir Rifai as the new Prime Minister replacing Mr. Nader Dahabi.

KYRGYZSTAN

New Prime Minister: On 21 October 2009, Mr. Daniyar Usenov was appointed as the Prime Minister.

MADAGASCAR

New Prime Minister: On 19 December 2009, President Mr. Andry Rajoelina named Col. Albert Camille Vital as the new Prime Minister.

MOLDOVA

Resignation of Prime Minister: On 9 September 2009, Ms. Zinaida Greçianii, resigned.

Resignation of President: On 11 September 2009, President Mr. Vladimir Voronin resigned. The Speaker of the *Parlamentul* (the unicameral legislature) Mr. Mihai Ghimpu was elected as the acting President.

New Prime Minister: On 17 September 2009, acting President Mr. Mihai Ghimpu appointed Mr. Vladimir Filat as the new Prime Minister.

MNGOLIA

Resignation of Prime Minister: On 28 October 2009, Mr. Sanj Bayar resigned, on health grounds.

New Prime Minister: On 30 October 2009, the *Great Hural* (the unicameral legislature) confirmed Mr. Sekhbaataryn Bathold as the Prime Minister.

MOROCCO

Partial Elections to Assembly of Councillors: The elections to the 90 seats of the 270-seat Assembly of Councillors (the upper chamber of the bicameral legislature) were held on 3 October 2009. The party position following the elections is as follows: Authenticity and Modernity Party: 22; Istiqlal: 17; Popular Movement: 11; Socialist Union of Popular Forces: 10; National Rally of Independents: 9; Party of Environment and Development: 4; Constitutional Union: 3; Moroccan Workers' Union: 2; General Union of Moroccan Workers: 2; Democratic Federation of Labour: 2; National Labour Union of Morocco: 2; Party for Progress and Socialism: 2; Moroccan Liberal Party: 1; Front of Democratic Forces: 1; Citizens' Forces: 1; and Democratic Union of Workers: 1.

On 13 October 2009, Mr. Mohammed Cheikh Biadillah was appointed as the President of the Assembly of Councillors.

MOZAMBIQUE

New President: Mr. Armando Emilio Guebuza was elected as the President, elections to which were held on 28 October 2009.

Legislative Elections: The elections to the 250-seat Assembly of the Republic (the unicameral legislature) were held on 28 October 2009. The party position following the elections is as follows: Mozambique National Front: 191; Mozambique National Resistance: 51; and Democratic Movement of Mozambique: 8.

NIGER

Resignation of Prime Minister: On 23 September 2009, Mr. Seini Oumarou resigned as the Prime Minister. Mr. Albade Abouba was appointed as the acting Prime Minister.

New Prime Minister: On 2 October 2009, President Mr. Mamadou Tandja appointed Mr. Ali Badjo Gamatier as the new Prime Minister.

Legislative Elections: The elections to the 113-seat National Assembly (the unicameral legislature) were held on 20 October 2009. The party position following the elections is as follows: National Movement for a Society of Development-Nassara: 76; Social Democratic Rally-Gaskiya: 15; Rally for Democracy and Progress-Jama'a: 7; Nigerien Self-Management Party-AI Ouma: 1; Rally of Nigerien Patriots-AI Kalami: 1; Workers' Movement Party-Albarka: 1; Union of Independent Nigeriens: 1; and Independents: 11.

NORWAY

Legislative Elections: The elections to the 169-seat *Storting* (the bicameral legislature) were held on 14 September 2009. The party position following the elections is as follows: Labour Party: 64; Progress Party: 41; Conservative Party: 30; Socialist Left Party: 11; Centre Party: 11; Christian People's Party: 10; and Liberal Party: 2.

PORTUGAL

Legislative Elections: The elections to the 230-seat Assembly of the Republic (the unicameral legislature) were held on 27 September 2009. The party position following the elections is as follows: Socialist Party: 96; Social Democratic Party: 78; People's Party: 21; Left Bloc: 16; and Unified Democratic Coalition: 15. (Four additional legislators were elected by Portuguese citizens living abroad).

ROMANIA

President Re-elected: Incumbent President Mr. Traian Basescu of the Democratic Liberal Party was re-elected to the post of President, elections to which were held on 6 December 2009.

SWITZERLAND

New President: On 2 December 2009, the Federal Assembly (the bicameral legislature, comprising the *Nationalrat* and the *Ständerat*) in joint session elected Vice President and Economics Minister Mr. Doris Leuthard of the Christian Democratic People's Party as the annual President for the year 2010.

TUNISIA

President Re-elected: Incumbent President Mr. Zine al-Abidine

Ben Ali was re-elected for a second term, elections to which were held on 25 October 2009.

Legislative Elections: The elections to the 214-seat Chamber of Deputies (the lower house of the bicameral legislature) were held on 25 October 2009. The party position following the elections is as follows: Constitutional Democratic Rally: 161; Democratic Socialist Movement: 16; Popular Unity Party: 12; Unionist Democratic Union: 9; Social Liberal Party: 8; Green Party for Progress: 6; and Ettajdid Movement: 2.

UZBEKISTAN

Legislative Elections: The elections to the 150-seat Legislative Chamber (the lower house of the bicameral legislature) were held on 27 December 2009. The party position following the elections is as follows: Liberal Democratic Party: 33; Milliy Tiklanish Democratic Party: 25; People's Democratic Party: 22; Adolat Social Democratic Party: 16; Environmental Movement of Uzbekistan: 15; (39 seats would be determined in the second round).

DOCUMENTS OF CONSTITUTIONAL AND PARLIAMENTARY INTEREST

The National Capital Territory of Delhi Laws (Special Provisions) Second Act, 2009. The "Delhi Laws (Special Provisions) Act, 2006" was enacted to address orders and directions passed by the Supreme Court and the High Court of Delhi in cases pending before them regarding contentious issues which were confronting the city of Delhi, namely, unauthorised constructions, commercial use of residential premises, encroachment on public land by slum dwellers and *Jhuggi-Jhompr*i clusters, problems relating to urban street vendors, which were affecting the lives of millions of people.

The aforesaid Act, *inter alia*, required the Central Government with a time period of one year, to take all possible steps to finalise norms, policy guidelines and feasible strategies to deal with the problem of certain forms of unauthorised development with regard to mixed land use not conforming to the Master Plan, construction beyond sanctioned plans, and encroachment by slum and *Jhuggi-Jhompr*i dwellers, hawkers and urban street vendors. It also provided for *status quo* as on 1 January 2006, to be maintained in respect of these categories of unauthorised development, subject to certain conditions notwithstanding any judgment, decree or order of any court. It also provided that all notices issued by the local bodies for initiating action against these categories of unauthorised development shall be deemed to have been suspended and that no punitive action shall be taken during the said period of one year.

The Delhi Laws (Special Provisions) Act, 2006 remained effective for a period of one year and lapsed on 18 May 2007. In the intervening period, the Master Plan for Delhi, 2021 was notified on 7 February 2007, incorporating extensive amendments in respect of provisions governing mixed land use, and for construction beyond sanctioned plans, thus providing much needed relief in case of unauthorised development with regard to mixed land use not conforming to the Master Plan and construction beyond sanctioned plans.

In view of the fact that the provisions of the aforesaid Act ceased to operate on and after 19 May 2007, and that some more time was needed for making policy guidelines and feasible strategies or schemes to deal with the problems of unauthorised development in certain categories such as slum and *Jhuggi-Jhompr*i dwellers, urban street vendors and hawkers, farm houses, schools, dispensaries, religious institutions, cultural institutions built in rural areas on agricultural land, the National Capital Territory of Delhi Laws (Special Provisions) Ordinance, 2007 was promulgated on 4 July 2007.

In the meantime, in view of some important developments in regard to sealing of commercial premises in the unauthorised colonies, the scope of the proposed National Capital Territory of Delhi Laws (Special Provisions) Bill,

2007 was widened to maintain *status quo* in respect of unauthorised colonies, including village *abadi* and its extension, storages, warehouses and godowns meant for agricultural inputs or produce (including dairy and poultry), in rural areas built on agricultural land, and in view of the exigencies involved, the National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007 was promulgated on 15 September 2007, the provisions of which were in force up to 31 December 2008, to maintain *status quo* so that no punitive action were to be taken during this period in respect of the categories of unauthorised development as given above.

The National Capital Territory of Delhi Laws (Special Provisions) Second Ordinance, 2007 was replaced by the National Capital Territory of Delhi Laws (Special Provisions) Act, 2007 on 5 December 2007, the provisions of which were in force up to 31 December 2008 and ceased to operate after 31 December 2008.

During the period, the said Act was in force, the Municipal Corporation of Delhi and the New Delhi Municipal Council had formulated the Hawkers and Urban Street Vendors Scheme and had started implementing the same, but some more time was needed to ensure its orderly implementation. Similarly, the guidelines and regulations for regularisation of unauthorised colonies in Delhi were issued.

The National Capital Territory of Delhi Laws (Special Provisions) Act, 2009 was enacted on 16 March 2009 to make special provisions for the areas of the National Capital Territory of Delhi for a period up to 31 December 2009 and shall cease to operate after 31 December 2009.

Subsequent to enactment of the National Capital Territory of Delhi Laws (Special Provisions) Act, 2009,—(i) a strategy and a scheme prepared by the local authorities in the National Capital Territory of Delhi for regulation of urban street vendors in accordance with the National Policy for Urban Street Vendors and the Master Plan for Delhi, 2021, was being implemented; (ii) in pursuance of the guidelines and regulations for regularisation of unauthorised colonies, necessary steps were being taken which, *inter alia*, involved scrutiny of layout plans, assessment of built-up percentage existed as on 31 March 2002, identification of mixed use streets, approval of layout plans, fixation of boundaries, change of land use and identification of colonies not eligible for regularisation; (iii) the revised policy and orderly arrangements for relocation and rehabilitation of slum dwellers and *Jhuggi-Jhompri* clusters in the National Capital Territory of Delhi had been considered and a Bill, namely, the Delhi Urban Shelter Improvement Board Bill, 2009 had been prepared by the Government of National Capital Territory of Delhi which provided for implementation of schemes for improvement of *Jhuggi-Jhompri* clusters and its re-development with a view to bring improvement in environment and living conditions, and preparing housing scheme for resettlement of persons; (iv) the draft policy regarding farm houses had been formulated by the Delhi Development Authority and forwarded to major stakeholders for their views and comments; (v) in pursuance of the Master Plan for Delhi, 2021, the policy or plan regarding schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land was under consideration of the Central Government.

More time was needed for orderly implementation of the programmes and formulation of strategies, schemes, guidelines, policies and plans, etc., referred to in sub-paragraphs (i) to (v) of paragraph 9 of the Statement of Objects and Reasons of the Bill. Accordingly, it was proposed to enact a law for a period beginning from 1 January 2010 and ending at 31 December 2010 to give continued effect to the aforesaid programmes, strategies, schemes, guidelines, policies and plans, etc.

The National Capital Territory of Delhi Laws (Special Provisions) Second Bill, 2009, which sought to achieve the above-mentioned objectives, was passed by the Lok Sabha and the Rajya Sabha on 16 December and 17 December 2009, respectively. The President assented to it on 22 December 2009.

The Representation of the People (Amendment) Act, 2009: In any Parliamentary form of Government and in a democracy, the process of election has to be free, fair and equitable. During the years, it had been felt that it was necessary to take some need-based measures to remove certain loopholes noticed in the Representation of the People Act, 1950 (43 of 1950), and the Representation of the People Act, 1951 (43 of 1951). In July, 2004, the Election Commission of India had forwarded a set of 22 proposals on electoral reforms to the Government for consideration.

While considering the proposals of the Election Commission, it was considered appropriate to examine certain proposals in respect of the electoral reforms. The following *five* proposals had been examined by the Government which related to amendments of the aforesaid Acts of 1950 and 1951. The said amendments were as follows:—(a) *The Representation of the People Act, 1950:*—Appointment of the appellate authority within the district against the orders of the electoral registration officers (amendment of *section 24*); (b) *The Representation of the People Act, 1951:*—(i) Simplification of procedure for disqualification of a person found guilty of corrupt practices (specifying a time limit in *section 8A*); (ii) increase in the security deposit of the candidates nominated for elections (amendment of *section 34*); (iii) inclusion in *section 123(7)* of all officials appointed in connection with the conduct of elections so as to bring them within the ambit of corrupt practices, if they indulged in furtherance of the prospects of the candidates at elections; and (iv) restricting the publication of results of all exit polls by whatever means till the last poll in an election was held, by insertion of new *sections 126A and 126B*. This was considered necessary due to the complexities of the election process, which were increasing day-by-day, and as such elections were being held in several phases. In such staggering of election schedules over a large period of time it was felt that the telecast of exit polls after each phase of polling affected the outcome in the subsequent phase of elections. It was believed that such telecast of exit polls affected the turnout of voters' also.

The Representation of the People (Amendment) Bill, 2009, which sought to achieve the above-mentioned objectives, was passed by the Rajya Sabha and the Lok Sabha on 25 November and 9 December 2009, respectively. The President assented to it on 22 December 2009. [The Bill was introduced in the Rajya Sabha as the Representation of the People (Second Amendment) Bill, 2008. The Short title of the Bill was changed to the Representation of the

People (Amendment) Bill, 2009 by the Rajya Sabha through an amendment to clause 1.]

We reproduce here the texts of the above Acts.

—Editor

THE NATIONAL CAPITAL TERRITORY OF DELHI LAWS (SPECIAL PROVISIONS) SECOND ACT, 2009

An Act to make special provisions for the National Capital Territory of Delhi for a further period up to the 31st day of December, 2010 and for matters connected therewith or incidental thereto.

WHEREAS there had been phenomenal increase in the population of the National Capital Territory of Delhi owing to migration and other factors resulting in tremendous pressure on land and infrastructure leading to encroachment or unauthorised developments which are not in consonance with the concept of planned development as provided in the Master Plan of Delhi, 2001 and the relevant Acts and building bye-laws made thereunder;

AND WHEREAS the Master Plan of Delhi, 2001 was extensively modified and notified by the Central Government on the 7th Day of February, 2007 with the perspective for the year 2021 keeping in view the emerging new dimensions in urban development *vis-a-vis* the social, financial and other ground realities;

AND WHEREAS the Master Plan of Delhi with the perspective for the year 2021 specifically provides for strategies for housing for urban poor as well as to deal with the informal sector;

AND WHEREAS a strategy and a scheme has been prepared by the local authorities in the National Capital Territory of Delhi for regulation of urban street vendors in accordance with the National Policy for Urban Street Vendors and the Master Plan for Delhi, 2021, and is being implemented;

AND WHEREAS based on the policy finalised by the Central Government regarding regularisation of unauthorised colonies, village *abadi* area and its extension, the guidelines and regulations for this purpose have been issued;

AND WHEREAS in pursuance of the guidelines and regulations for regularisation of unauthorised colonies, necessary steps are being taken which, *inter alia*, involve scrutiny of layout plans, assessment of built up percentage existed as on the 31st day of March, 2002,

identification of mixed use streets, approval of layout plans, fixation of boundaries, change of land use and identification of colonies not eligible for regularisation;

AND WHEREAS more time is required for orderly implementation of scheme regarding hawkers and urban street vendors and for regularisation of unauthorised colonies, village *abadi* area and its extension;

AND WHEREAS the revised policy and orderly arrangements for relocation and rehabilitation of slum dwellers and *Jhuggi-Jhompri* clusters in the National Capital Territory of Delhi has been considered and a Bill, namely, the Delhi Urban Shelter Improvement Board Bill, 2009 has been prepared by the Government of National Capital Territory of Delhi to provide for implementation of schemes for improvement of *Jhuggi-Jhompri* clusters and its redevelopment with a view to bring improvement in environment and living conditions, and preparing housing scheme for resettlement of persons;

AND WHEREAS the draft policy regarding farm houses has been formulated by the Delhi Development Authority and has been forwarded to major stakeholders for their views and comments;

AND WHEREAS in pursuance of the Master Plan for Delhi, 2021, the policy or plan regarding schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land is under consideration of the Central Government;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2007 was enacted on the 5th day of December, 2007 to make special provisions for the areas of National Capital Territory of Delhi for a period up to the 31st day of December, 2008 which ceased to operate after the 31st day of December, 2008;

AND WHEREAS the National Capital Territory of Delhi Laws (Special Provisions) Act, 2009 was enacted in continuation of the aforesaid Act referred to in the preceding paragraph for a period up to the 31st day of December, 2009 to make special provisions for the areas of National Capital Territory of Delhi and that Act shall cease to operate after the 31st day of December, 2009;

AND WHEREAS it is expedient to have a law in terms of the Master Plan of Delhi, 2021, in continuation of the said Act for a period up to the 31st day of December, 2010 to provide temporary relief and to minimise avoidable hardships and irreparable loss to the people of the National Capital Territory of Delhi against any action by the concerned

agency in respect of persons covered by the policies referred to above.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

1. Short title, extent, commencement and duration. (1) This Act may be called the National Capital Territory of Delhi Laws (Special provisions) Second Act, 2009.

(2) It extends to the National Capital Territory of Delhi.

(3) It shall come into force on the 1st day of January, 2010.

(4) It shall cease to have effect on the 31st day of December, 2010, except as respects things done or omitted to be done before such cesser, and upon such cesser section 6 of the General Clauses Act, 1897, shall apply as if this Act had then been repealed by a Central Act.

2. Definitions. (1) In this Act, unless the context otherwise requires,—

- (a) “building bye-laws” means bye-laws made under section 481 of the Delhi Municipal Corporation Act, 1957 or the bye-laws made under section 188, sub-section (3) of section 189 and sub-section (1) of section 190 of the Punjab Municipal Act, 1911, as in force in New Delhi or the regulations made under sub-section (1) of section 57 of the Delhi Development Act, 1957, relating to buildings;
- (b) “Delhi” means the entire area of the National Capital Territory of Delhi except the Delhi Cantonment as defined in clause (II) of section 2 of the Delhi Municipal Corporation Act, 1957;
- (c) “encroachment” means unauthorised occupation of Government land or public land by way of putting temporary, semi-permanent or permanent structure for residential use or commercial use or any other use;
- (d) “local authority” means the Delhi Municipal Corporation established under the Delhi Municipal Corporation Act, 1957, or the New Delhi Municipal Council established under the New Delhi Municipal Council Act, 1994 or the Delhi Development Authority established under the Delhi Development Act, 1957, legally entitled to exercise control in respect of the areas under their respective jurisdiction;
- (e) “Master Plan” means the Master Plan for Delhi with the perspective for the year 2021, notified *vide* notification number S.O.141 (E), dated the 7th day of February, 2007, under the Delhi Development Act, 1957;

- (f) "notification" means a notification published in the Official Gazette;
- (g) "punitive action" means action taken by a local authority under the relevant law against unauthorised development and shall include demolition, sealing of premises and displacement of persons or their business establishment from their existing location, whether in pursuance of court orders or otherwise;
- (h) "relevant law" means in case of—
 - (i) the Delhi Development Authority, the Delhi Development Act, 1957;
 - (ii) the Municipal Corporation of Delhi, the Delhi Municipal Corporation Act, 1957; and
 - (iii) the New Delhi Municipal Council, the New Delhi Municipal Council Act, 1994;
- (i) "unauthorised development" means use of land or use of building or construction of building or development of colonies carried out in contravention of the sanctioned plans or without obtaining the sanction of plans, or in contravention of the land use as permitted under the Master Plan or Zonal Plan or layout plan, as the case may be, and includes any encroachment.

(2) Words and expressions used but not defined herein shall have the meanings respectively assigned to them in the Delhi Development Act, 1957, the Delhi Municipal Corporation Act, 1957 and the New Delhi Municipal Council Act, 1994.

3. Enforcement to be kept in abeyance. (1) Notwithstanding anything contained in any relevant law or any rules, regulations or bye-laws made thereunder, the Central Government shall before the expiry of this Act, take all possible measures to finalise norms, policy guidelines, feasible strategies and make orderly arrangements to deal with the problem of encroachment or unauthorised development in the form of encroachment by slum dwellers and *Jhuggi-Jhompri* clusters, hawkers and urban street vendors, unauthorised colonies, village *abadi* area (including urban villages) and its extension, existing farm houses involving construction beyond permissible building limits and schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land, as mentioned below:

- (a) policy for relocation and rehabilitation of slum dwellers and *Jhuggi-Jhompri* clusters in accordance with the provisions

of the Master Plan of Delhi, 2021 to ensure development of Delhi in a sustainable, planned and humane manner;

- (b) scheme and orderly arrangements for regulation of urban street vendors in consonance with the national policy for urban street vendors and hawkers as provided in the Master-Plan of Delhi, 2021;
- (c) orderly arrangements pursuant to guidelines and regulations for regularisation of unauthorised colonies, village *abadi* area (including urban villages) and its extension, as existed on the 31st day of March, 2002, and where construction took place even beyond that date and up to the 8th day of February, 2007;
- (d) policy regarding existing farm houses involving construction beyond permissible building limits; and
- (e) policy or plan regarding schools, dispensaries, religious institutions, cultural institutions, storages, warehouses and godowns used for agricultural inputs or produce (including dairy and poultry) in rural areas built on agricultural land.

(2) Subject to the provisions contained in sub-section (1) and notwithstanding any judgment, decree or order of any court, *status quo*—

- (i) as on the 1st day of January, 2006, in respect of encroachment or unauthorised development; and
- (ii) in respect of unauthorised colonies, village *abadi* area (including urban villages) and its extension, which existed on the 31st day of March, 2002 and where construction took place even beyond that date and up to the 8th day of February, 2007, mentioned in sub-section (1).

shall be maintained.

(3) All notices issued by any local authority for initiating action against encroachment or unauthorised development referred to in sub-section (1), shall be deemed to have been suspended and no punitive action shall be taken till the 31st day of December, 2010.

(4) Notwithstanding any other provision contained in this Act, the Central Government may, at any time before the 31st day of December, 2010, withdraw the exemption by notification in respect of encroachment or unauthorised development mentioned in sub-section (2) or sub-section (3), as the case may be.

4. Provisions of this Act not to apply in certain cases. During the period of operation of this Act, no relief shall be available under the

provisions of section 3 in respect of the following encroachment or unauthorised development, namely:—

- (a) encroachment on public land except in those cases which are covered under clauses (a), (b) and (c) of sub-section (1) of section 3;
- (b) removal of slums and *Jhuggi-Jhompri* dwellers, hawkers and urban street vendors, unauthorised colonies or part thereof, village *abadi* area (including urban villages) and its extension in accordance with the relevant policies approved by the Central Government for clearance of land required for specific public projects.

5. *Power of Central Government to give directions.* The Central Government may, from time to time, issue such directions to the local authorities as it may deem fit, for giving effect to the provisions of this Act and it shall be the duty of the local authorities, to comply with such directions.

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) ACT, 2009

An Act further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951.

BE it enacted by Parliament in the Sixtieth Year of the Republic of India as follows:—

CHAPTER I

PRELIMINARY

1. *Short title and commencement.* (1) This Act may be called the Representation of the People (Amendment) Act, 2009

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

CHAPTER II

AMENDMENTS TO THE REPRESENTATION TO THE PEOPLE ACT, 1950

2. *Amendment of section 24.* In section 24 of the Representation of the People Act, 1950,—

- (i) in clause (a), for the words “chief electoral officer”, the words “district magistrate or additional district magistrate or executive magistrate or district collector or an officer of equivalent rank” shall be substituted;

(ii) after clause (a), the following clause shall be inserted, namely:—

“(b) to the chief electoral officer, from any order of the district magistrate or the additional district magistrate under clause (a).”.

3. Amendment of the Second Schedule. In the Second Schedule to the Representation of the People Act, 1950, against serial number 18 relating to the State of Mizoram, in column 7, for the entry “38”, the entry “39” shall be substituted.

CHAPTER III

AMENDMENTS TO THE REPRESENTATION OF THE PEOPLE ACT, 1951

4. Amendment of section 8A. In the Representation of the People Act, 1951 (hereinafter referred to as the principal Act), in sub-section (1) of section 8A, for the words “as soon as may be after such order takes effect”, the words “as soon as may be within a period of three months from the date such order takes effect” shall be substituted.

5. Amendment of section 34. In section 34 of the principal Act, in sub-section (1),—

(i) in clause (a), for the words “a sum of ten thousand rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of five thousand rupees”, the words “a sum of twenty-five thousand rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of twelve thousand five hundred rupees” shall be substituted;

(ii) in clause (b), for the words “a sum of five thousand rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of two thousand five hundred rupees”, the words “a sum of ten thousand rupees or where the candidate is a member of a Scheduled Caste or Scheduled Tribe, a sum of five thousand rupees” shall be substituted.

6. Amendment of section 123. In section 123 of the principal Act, in clause (7),—

(i) for the words “from any person in the service of the Government”, the words “from any person whether or not in the service of the Government” shall be substituted;

(ii) after sub-clause (g), the following sub-clause shall be inserted, namely:—

“(h) class of persons in the service of a local authority, university, government company or institution or concern or undertaking appointed or deputed by the Election Commission in connection with the conduct of elections.”.

7. *Insertion of new sections 126A and 126B.* After section 126 of the principal Act, the following sections shall be inserted, namely:—

“126A. *Restriction on publication and dissemination of result of exit polls, etc.* (1) No person shall conduct any exit poll and publish or publicise by means of the print or electronic media or disseminate in any other manner, whatsoever, the result of any exit poll during such period, as may be notified by the Election Commission in this regard.

(2) For the purposes of sub-section (1), the Election Commission shall, by a general order, notify the date and time having due regard to the following, namely:—

- (a) in case of a general election, the period may commence from the beginning of the hours fixed for poll on the first day of poll and continue till half an hour after closing of the poll in all the States and Union territories;
- (b) in case of a bye-election or a number of bye-elections held together, the period may commence from the beginning of the hours fixed for poll on and from the first day of poll and continue till half an hour after closing of the poll;

Provided that in case of a number of bye-elections held together on different days, the period may commence from the beginning of the hours fixed for poll on the first day of poll and continue till half an hour after closing of the last poll.

(3) Any person who contravenes the provisions of this section shall be punishable with imprisonment for a term which may extend to two years or with fine or with both.

Explanation,— For the purposes of this section,—

- (a) “exit poll” means an opinion survey respecting how electors have voted at an election or respecting how all the electors have performed with regard to the identification of a political party or candidate in an election;
- (b) “electronic media” includes internet, radio and television including Internet Protocol Television, satellite, terrestrial or cable channels, mobile and such other media either owned by the Government or private person or by both;
- (c) “print media” includes any newspaper, magazine or periodical, poster, placard, handbill or any other document;

- (d) "dissemination" Includes publication in any "print media" or broadcast or display on any electronic media.

126B. *Offences by companies.* (1) Where an offence under sub-section (2) of section 126A has been committed by a company, every person who at the time the offence was "committed was in charge of, and was responsible to the company for the conduct of, the business of the company, as well as the company, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly:

Provided that nothing contained in this sub-section shall render any such person liable to any punishment provided in this Act if he proves that the offence was committed without his knowledge or that he exercised all due diligence to prevent the commission of such offence.

(2) Notwithstanding anything contained in sub-section (1), where an offence under this Act has been committed by a company and it is proved that the offence has been committed with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officer of the company, such director, manager, secretary or other officer shall also be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

Explanation,— For the purpose of this section,—

- (a) "company" means any body corporate, and includes a firm or other association of individuals; and
- (b) "director", in relation to a firm, means a partner in the firm.'

SESSIONAL REVIEW

FIFTEENTH LOK SABHA

THIRD SESSION

The Third Session of the Fifteenth Lok Sabha commenced on 19 November 2009 and was adjourned *sine die* on 18 December 2009. This Session was later prorogued on 27 December 2009. In all, there were 21 sittings held during the Session.

A resume of some of the important discussions held and other business transacted during the period 1 October 2009 to 31 December 2009 is given below:

A. DISCUSSIONS/STATEMENTS

Regarding Visit of the Prime Minister to the United States of America: Making a Statement on 3 December 2009, the Minister of External Affairs, Shri S.M. Krishna said that the Prime Minister's visit to the United States from 22 to 26 November 2009 marked the first bilateral Summit between India and the United States after the elections in America last November and our Parliamentary elections the previous year.

An important objective of the Hon'ble Prime Minister's visit was to reaffirm the importance that India attaches to its relations with the United States, and to share our perspectives and concerns on key issues with the new US Administration.

The President of the United States, Mr. Barak Obama, conveyed to our Prime Minister that strengthening relations with India was one of the highest priorities for his Administration. Prime Minister conveyed to the President that the rapid socio-economic transformation underway in India holds several opportunities for mutually beneficial cooperation between our countries in all areas. India is in a position to contribute to global economic recovery, combat poverty and underdevelopment and provide stability to a region plagued by terrorism and violent extremism.

The Joint Statement titled "India and the United States: Partnership for a Better World" issued after the talks outlines the main focus of the discussions. Trade and investment, clean and efficient energy, science and technology, space, high technology, education, health,

agriculture and counter-terrorism have been identified as areas of special focus for our future cooperation.

Both India and the United States reiterated their intention to realize the full potential of the Agreement on Civil Nuclear Cooperation signed on 10 October 2008, through the speedy implementation of its provisions. Shri Krishna said that we also agreed that it was particularly important to invigorate and strengthen high technology trade between our two countries.

The two sides agreed to create conditions to facilitate the expansion of their economies. In this context, the opportunities for US participation in the infrastructure, information and communication technology, healthcare services, education services, energy and environment-friendly technology sectors in India were highlighted. They agreed to launch the US-India Financial and Economic Partnership to strengthen engagement on economic, financial and investment related issues.

Both sides agreed to facilitate greater movement of professionals, investors and business travellers, students, and exchange visitors between our two countries. They also announced our intention to develop a Framework for Cooperation on Trade and Investment that would foster an environment conducive to technological innovation and collaboration, promote inclusive growth and job creation, and support opportunities for increased trade and investment—including for small and medium-sized enterprises.

The two leaders agreed to pursue their fruitful collaboration in Research and Science and Technology. They launched a Knowledge Initiative with a total funding of USD 10 million that will be allocated to increasing university linkages and junior faculty development exchanges between U.S. and Indian Universities, including greater emphasis on community colleges. They agreed to cooperate in the area of women's empowerment.

They also agreed to advance public health and bio-medical research collaborations between the United States and India. A Memorandum of Intent has been signed on the establishing of a Regional Global Disease Detection Centre in India in partnership with the U.S. Centres for Disease Control and Prevention. This would facilitate co-operation between our doctors and scientists in discovering new and affordable technologies and treatments.

Through the India-US Bi-National Science and Technology Commission and the Endowment, it was agreed to give fresh impetus to collaboration in the cutting edge areas of scientific research, technology and development.

The two leaders agreed to increase India-U.S. agricultural cooperation through a memorandum of understanding on agricultural cooperation and food security with the purpose of promoting agricultural research, human resources capacity building, natural resource management, agri-business and food processing, and collaborative research for increasing food productivity. An important element of this co-operation was the joint development of technology that would improve weather forecasting, including predicting monsoons, and contribute to food productivity and food security efforts in our country. It was also decided that both countries would collaborate in the application of our space technology and related scientific capabilities in outer space and also for development purposes—including in the field of agriculture.

A Traditional Knowledge Digital Library (TKDL) Access Agreement between the Council of Scientific and Industrial Research and US Patent and Trademark Office was signed. An MoU to facilitate comprehensive bilateral cooperation on a range of Intellectual Property Rights (IPR) issues focusing on capacity building, human resource development and raising public awareness of the importance of IPR was also signed.

The two leaders discussed issues related to our region which are of immediate concern to both our Governments—particularly the threat of terrorism emanating from our immediate neighbourhood. They reiterated the interest of India and the USA in the stability, development and independence of Afghanistan and in the defeat of terrorist safe havens in Pakistan and Afghanistan. The US President conveyed that India's role in the reconstruction and rebuilding efforts in Afghanistan was very much appreciated by the US Administration as well as the Congress of the United States. Both leaders were united in their commitment to continue—and enhance—the efforts of India and the USA to help the Afghan people in their development.

Prime Minister's visit to the USA coincided with the eve of the first anniversary of the Mumbai attacks. Naturally, this subject was a priority in Prime Minister's discussions with President Obama. In their discussions, both of them—Prime Minister and President Obama—underscored the absolute imperative to bring to justice the perpetrators of this terrorist attack and the need for resolute and credible steps to be taken to eliminate safe havens and sanctuaries that provide shelter to terrorists and their activities. They decided on a Counter-terrorism Cooperation Initiative to expand collaboration on counter-terrorism, information sharing, and capacity building.

India and the United States also agreed to continue pursuing

mutually beneficial defence cooperation. The two leaders reaffirmed their shared vision of a world free of nuclear weapons and agreed to work together, as leaders of responsible States with advanced nuclear technology, for global non-proliferation, and universal, non-discriminatory and complete nuclear disarmament. They also agreed to consult regularly and seek the early start of negotiations on a multilateral, non-discriminatory and internationally verifiable Fissile Material Cut Off Treaty at the Conference on Disarmament. They discussed the important issue of nuclear security and the dangers posed by nuclear terrorism and clandestine networks.

Sustainable development and clean and efficient usage of energy being an important modern day challenge, it was agreed to enter into a Green Partnership to address the challenges of food security, clean energy and energy security. Prime Minister and President Obama announced the launch of a Clean Energy and Climate Change Initiative. The initiative includes cooperation in wind and solar energy, second generation bio-fuels, unconventional gas, energy efficiency and clean coal technologies including carbon capture and storage. Prime Minister and President Obama agreed on the need for a substantive and comprehensive outcome at the meeting of the Conference of Parties to the UNFCCC in Copenhagen, which would cover mitigation, adaptation, finance and technology.

The two leaders committed themselves to strengthen and reform the global economic and financial architecture in the G-20, World Bank and the IMF. They further committed themselves to achieving genuine reform of the United Nations including in its Security Council in a manner that reflects the contemporary realities of the 21st Century. Their discussions covered the need to have an open and inclusive architecture for cooperation in the Asia-Pacific region.

Regarding the *Situation arising out of Government's decision to disinvest shares in Public Sector Enterprises and steps taken in this regard*: On 8 December 2009, Shri Basu Deb Acharia (CPI-M) called the attention of the Minister of Finance to the situation arising out of Government's decision to disinvest shares in Public Sector Enterprises and steps taken in this regard.

Replying to the Calling Attention, the Minister of Finance, Shri Pranab Mukherjee said that the policy on disinvestment articulated in the President's Speech to the Joint Session of Parliament on 4 June 2009, and Finance Minister's Budget Speech on 6 July 2009, requires the development of "*people ownership*" of Central Public

Sector Undertakings (CPSUs) to share in their wealth and prosperity, with Government retaining majority shareholding and control. This objective is relevant to profit-earning CPSUs as it is only these that will sustain investor-interest for sharing in their prosperity.

In line with this policy announcement, the Government has decided that: -

“Already listed profitable CPSUs not meeting the mandatory public shareholding of 10 per cent are to be made compliant; all CPSUs having positive net worth, no accumulated losses and having earned net profit for three preceding consecutive years, are to be listed through public offerings out of Government shareholding or issue of fresh equity by the company or a combination of both; and the proceeds from disinvestment would be channelised into National Investment Fund and during April 2009 to March 2012 would be available in full for meeting the capital expenditure requirements of selected social sector programmes decided by the Planning Commission/Department of Expenditure. The *status quo ante* will be restored from April 2012”, said the Finance Minister.

In pursuance of the above policy, the Department of Disinvestment is in dialogue with the administrative Ministries and the CPSUs to assess their capital expenditure requirements to be raised through issue of fresh equity. The composition of the ‘public offering’ will be based on this input and each case will be considered on merits and submitted to Government for approval.

Disinvestment of Government shareholding in NTPC Limited (5 per cent) and Satluj Jal Vidyut Nigam (SJVN) Limited (10 per cent), and Rural Electrification Corporation Limited (5 per cent) through Public Offering in domestic market, is under implementation. These Public Offerings are likely to be completed by 31 March 2010, said the Finance Minister.

Responding to the points raised by Shri Basu Deb Acharia, the Minister further stated that Disinvestment is going on from 1991-1992 onwards and there have been several Governments including one where CPI was a participant in the Democratic Front Government and disinvestments took place then also. As many as seven disinvestments took place between 2004 and 2007. The disinvestments which took place between 2004 and 2008 are—NTPC; Power Grid Corporation; Rural Electrification Corporation (REC); NHPC Limited, and Oil India.

The second point which Shri Acharia tried to build up and create

an impression was that the individuals have got very minor shares. There is no doubt in it, but it is not always correct to say, said the Minister. The question is that sometimes it happens that these shares are taken by the banks, financial institutions, mutual funds, and in case one oil company, three other public sector oil companies took the entire share. Therefore, it is not correct that always some corporate sector companies are coming and grabbing these shares.

The Minister quoted Pandit Jawaharlal Nehru who laid down ten guidelines for the public sector where he said that they should generate adequate surplus so that they could meet their future expansions; it could meet their future modernization and development programmes. He said that no industry could remain stagnant. It would have to expand. It would have to upgrade its technology. Therefore, it was necessary to have the valuation of the right pricing. The prices of the company with the remaining shareholding have increased three fold, two and a half fold from Rs.2,700 crore to Rs.8,000 crore. Shri Mukherjee agreed that we should not spend the family silver to meet the consumption expenditure. That is why the concept of National Investment Fund (NIF) has come. As per the NIF scheme, the disinvestments proceeds would be deposited. It would not be mixed with the Consolidated Fund of India. A separate fund would be created. That fund would be managed by the fund managers. Proceeds of this, the corpus of this would be kept in tact. We are using the 75 per cent for the targeted social sector projects and thereto it is for the capital expenditure. It will be supplemented. The main resource must come from the Budget, according to the Minister. It is really the peoples' ownership because the actual valuation is taking place. What we are doing is absolutely in conformity with the policies which were earlier approved by the National Common Minimum Programme. The world is moving and we have to keep pace with the movement of the world, added the Minister.

Regarding the *Sequence of the First Human Genome in India*: The Minister of State, the Ministry of Science and Technology, Shri Prithviraj Chavan, making a Statement in the House on 8 December 2009, informed about the sequencing of the first Human Genome in India by Scientists at the Council of Scientific and Industrial Research (CSIR). He said that the genome that has been sequenced is of an anonymous healthy individual of Austro-Asiatic origin from the State of Jharkhand.

The First human genome sequence in the world was a result of

the International Human Genome Project comprising of scientists from United States, United Kingdom, France, Germany, Japan and China. This International Project formally started in 1990 and the sequencing was completed in 2003. This spectacular feat at that time was hailed equivalent to the man landing on the moon. India could not be a part of this large initiative as in the early nineties we lacked the necessary resources. With the completion of the first Human genome sequence in India, we are now in the league of select few countries like United States, China, Korea, Canada and United Kingdom. CSIR could achieve this by adopting new technologies and by effectively integrating complex computational tools with analytical capabilities, said the Minister.

While the first human genome sequencing effort took more than a decade spending over a billion US dollars, CSIR scientists at the Institute of Genomics and Integrative Biology (IGIB) finished the complete sequencing and assembly in much shorter time by using best technologies and skills and have thereby successfully bridged the technological gap that existed a decade ago.

In April 2009, CSIR scientists also completed the genome sequence of zebrafish, which is a popular organism for modeling human diseases. India is the first country to sequence the wild type strain of zebrafish. The zebrafish genome is half the size of human genome which gave us the confidence to take up the challenge of sequencing a complete human genome. Previously in 2008, the CSIR led Indian Genome Variation project mapped the genetic diversity of Indian populations, making India the first country to map its genetic diversity.

The sequencing of the first human genome in India sets the stage for India's entry into the elite club which in conjunction with Indian Genome variation programme opens newer vistas for low cost affordable healthcare and predictive medicine in future for the masses. This also opens up newer possibilities in disease diagnostics, treatment and sustaining low-cost drugs in the market.

Regarding *Inter-linking of Rivers: Raising the Half-an-Hour Discussion** on 2 December 2009, Dr. K.S. Rao (INC) said that water is a very important issue today. The best way of providing employment in rural areas is to provide water and water is available in plenty. But the thing is that it is not tapped and the water is going to the sea from

* Others who participated in the discussion were: Sarvashri B. Mahtab, Shailendra Kumar, K.C. Venugopal; Anto Antony, Arjun Charan Sethi and Smt. Bijoya Chakravarty.

many of the major rivers. Krishna Godavari basin is one of the rice bowls of the country. We are supplying rice to the entire country and also fish to half of the country only because of availability of water. Bihar, West Bengal, North-East, Orissa, Andhra Pradesh and several other States are being supplied with fish because of water. The surplus water of river Krishna that used to go to the sea was 2,513 TMC which can cultivate 2.50 crore acres of land. Since Andhra Pradesh was the first State to construct dams across the rivers starting from Nagarjuna Sagar and even other major dams, we are cultivating major Land. The other river which is flowing in the state of Andhra Pradesh is Godavari. He further said, even today, 3,000 TMC of water of Godavari is going to the sea which otherwise, by utilization, could have cultivated a minimum farm area of three crore acres. That means we are not utilizing the water that is going to the sea. In 1865, the concept of inter-linking of rivers was proposed by Mr. Arthur Cotton. He proposed that a humble beginning in this direction be made.

After the regional rivers are connected with a very meagre cost, we can generate wealth of lakh of thousands of crore of rupees, not just one crore. On one side there is flood and on the other side there is drought. If the Government can tame the rivers; connect the two rivers and divert water which is in excess in a particular river, which is going waste, then we can avoid both flood and drought. There will not be a fight between State Governments in asking the Central Government to give relief for these calamities. It is not possible to provide for the entire amount. It is not practically feasible. Instead, if the same money which is being spent on providing relief to the drought and flood affected people every year, if at one time this money is invested for inter-linking the rivers, then the benefits accruing out of it would be enormous. For example, the Polavaram project is being taken up in the State of Andhra Pradesh. It is one of the best projects in the country. With about an investment of Rs.20,000 crore, it will generate wealth worth Rs.10,000 crore every year. It is not only the farmers who will benefit out of this. When there will be enough crop, the labour will benefit. They will not need to migrate to other towns. Government would not be needed to provide them with employment. Demand will go up. Wages will go up. This project involves the linking of Godavari and Krishna rivers. By linking these two rivers, the benefit would be that 80 TMC of water will get transferred to the Krishna river.

By interlinking of rivers in this country, the following benefits will be there. Navigation up to a length of 15,000 kilometres can be done

by waterways, the biggest drain of foreign exchange due to expenditure on transport can be avoided if waterways are made. We will be providing employment to several people. By interlinking of rivers and constructing dams, 34,000 megawatts of power can be generated every year which is worth thousands of crore of rupees. The water table will come up. When the water table comes up, we can save 40,000 megawatts of power. Similarly, most of the people who are unable to find work will find work by interlinking of rivers. This project of Polavaram satisfies all the parameters and norms of the Government of India, said Dr. K.S. Rao.

Replying to the Half-an-hour Discussion on 2 December 2009, Shri Pawan Kumar Bansal, Minister of Parliamentary Affairs and Minister of Water Resources, referred to the National Common Minimum Programme of the UPA in 2004 which stated that it would make a comprehensive assessment of the feasibility of linking of rivers starting from the South-bound rivers, and the assessment would be done in a fully consultative manner. He added that a Task Force on Inter-linking of Rivers had been set up earlier. The Government has given due consideration to every recommendation made by the Task Force.

The Minister said that since his Government has taken up this project work relating to inter-linking of the rivers, he was keen to see that the work on some of these projects begin early because as the time elapses, there are cost over-runs which has to be avoided. He said that there were five projects namely Kodavari (Polavaram)-Krishna (Vijayawada) Link and Parbati-Kalisindhi-Chambal Link and these five projects would be at a cost of Rs.33,000 crore and would take about nine to ten years to complete. Regarding inter-linking of rivers, the Minister wanted to allay the fears of the members regarding various stipulations like the clearances from the environmental and rehabilitation and resettlement angle. He also wanted that the Government would want to take all the State Governments on board.

B. LEGISLATIVE BUSINESS

The Workmen's Compensation (Amendment) Bill, 2009: Moving the motion for consideration of the Bill in the House on 24 November 2009, the Minister of Labour and Employment, Shri Mallikarjun Kharge said this Bill has some basic amendments beneficial to the workers which include change of the title to make it gender neutral, to remove all the restrictive clauses and to cover the establishments where even one or two people work. The compensation in case of death has been raised from Rs.80,000 to Rs.1,20,000 and in the case of permanent

disability it has been raised from Rs.90,000 to Rs.1,40,000. The Workmen Compensation Commissioners would now be well qualified from different fields and a deadline has been put up for disposal of cases within three months. These amendments have already been considered by the Parliamentary Standing Committee on Labour and Employment and we have accepted all their recommendations, said the Minister.

Initiating the discussion* on the above-mentioned Bill, Shri Arjun Ram Meghwal (BJP) said that it is a very old Act which is being amended after a long time for which this Amendment Bill has been introduced. The Amendment Bill seeks to raise the compensation amount from Rs.80,000 to Rs.1,20,000 in the event of death of the worker. In the event of permanent disability, the existing amount of Rs.90,000 has been proposed to be increased to Rs.1,40,000. If the worker dies on duty, the cash assistance of Rs.2,500 has been proposed to be increased to Rs.5,000 towards funeral expenses. Perhaps it is a law which doesn't cover the aspect of social security. He proposed that there should be a detailed discussion on this Bill. He further suggested to increase the wage limit in this Act. He also suggested that the health insurance scheme on the line of handloom and handicraft sector should be implemented for the workers of other sectors. They should also be issued health card for free treatment facility in the Government hospitals.

Participating in the debate, Shri Basu Deb Acharia (CPI-M) said that the amount which is being enhanced to be paid in case of death from Rs.80,000 to Rs.1,20,000 is not sufficient and requested the Minister of Labour to increase it. He sought to know from the Government as to how many workmen are getting the workmen's compensation as per the existing Act. There are a number of cases where the workmen do not get the minimum compensation for the kith and kin of the workmen for death. That is why, something has to be done to make expeditious payment of compensation and some time-bound process should be there. Shri Acharia further wanted to enhance the compensation

* Others who participated in the discussion were: Sarvashri Sanjay Nirupam, Shailendra Kumar, Kalyan Banerjee, Chandrakant Khaire, Gorakhnath Pandey, Bishnu Pada Ray, Paban Singh Ghatowar, P. Lingam, Ganesh Singh, Prasanta Kumar Majumdar, J.M. Aaroon Rasheed, Mohammed E.T. Basheer, Adhir Chowdhury, Ramkishun, Kamal Kishor, 'Commando', Chaudhary Lal Singh, Dr. Prasanna Kumar Patasani, Dr. Raghuvansh Prasad Singh and Dr. Prabha Kishor Taviad.

both for the death and for getting permanently injured and improve the functioning of labour court.

Shri Jagdambika Pal (INC) congratulated the intentions of the Congress and the UPA Government for covering all those factory workers who were not covered under the Insurance Act so far. Not only the amount has been increased but this provision has been made in the Act that whenever this compensation amount needs to be increased, no Bill would be required to be introduced in the House.

Shri Arjun Charan Sethi (BJD) opined that the Standing Committee had made a number of recommendations while examining the Bill. The Government has accepted some of its recommendations, which is not enough. The Committee had strongly recommended that besides external injuries, the internal injuries caused during the course of employment, which *inter alia* should include places from residence to workplace and *vice versa*. This aspect should be considered seriously because we all know the condition of workmen. Similarly, there are other aspects like the Committee had strongly emphasized that the provision for reimbursement of actual medical expenditure incurred for treatment of injuries caused during the course of employment be made part of the Act.

Replying to the discussion, on 25 November 2009, Shri Mallikarjun Kharge, Minister of Labour and Employment, said that more than 22 Members had spoken on the Bill. He congratulated all the Standing Committee Members who have given very good suggestions on the proposed Bill. The Minister said that a few of these suggestions have already been implemented and still many more progressive amendments are yet to be implemented. With the amendment made in the schedule (2) of the Bill, a large number of workers stand to benefit. Earlier, only the workers engaged in a factory with a strength of 20 workers used to be benefitted. However, with this amendment, a worker working in organized or unorganized sectors would be benefitted in case of disability or death and he would be getting all the benefits including medical expenditure even if he is employed in a factory with a strength of single or two workers only. However, all of us have to take a united decision to implement it as the assurance alone is not going to help. The amount given for funeral rites has also been enhanced from Rs.2,500 to Rs.5,000. The Minister further said that there are provisions in this Bill to empower the Government to issue notifications from time to time with the price index going up. Hence, changes would be brought from time to time by issuing notifications. Likewise, provisions are made to carry out changes from time to time in case of

disability or death of a worker. The Minister assured the House that he would take all measures in the interest of workers. He informed that the State Governments have been empowered to add or delete the occupations in the list of hazardous occupations which it deems necessary. Earlier, the clerks in the Railway department did not get benefit. However, with the deletion of the word, the lakhs of clerks are going to be benefitted. Similarly, the workers working on ships are also going to benefit and all the restrictions have been removed in this regard. With this Bill, a change would be brought about which is a beginning, not an end. He also assured the House to carry out whatever changes as and when required. Crores of workers, whether working in organized sector or unorganized sector, would be benefitted. He informed that the gender-based discriminations have been abolished by this Bill. He assured that the Government would be making united efforts for the welfare and interest of the poor people.

The Bill was passed.

The Representation of the People (Amendment) Bill, 2009: (As passed by Rajya Sabha) Moving the motion for consideration of the Bill on 2 December 2009, the Minister of Law and Justice, Shri M. Veerappa Moily said, in any parliamentary democracy, the process of elections will have to be free, fair and equitable. We have passed the Representation of People Act, 1950 and also another Act of 1951 to provide for the free, fair and equitable elections. However, there has been steady deterioration of the standards, practices and also the pronouncements of the political class, which fights for elections. Over the years, some flaws have entered into the fabric of the body politic. This particular amendment Bill factors five elements.

The issues which are referred to in this Bill are the simplification of procedure for disqualification of a person found guilty of corrupt practices, appointment of an appellate authority within the district against the orders of the Electoral Registration Officers, increase in security deposit of the candidates, inclusion in Section 123(7) of the RP Act, 1951 of all officials appointed in connection with the conduct of elections and restriction of publication and dissemination of exit polls. Insofar as the first factor is concerned, a Bill was passed which consequently resulted in the Act about the disqualification of a person found guilty of corrupt practices. Under this Act, election petitions are put before the High Court, after sometime, appeals may be filed, they may go before the Supreme Court. Even after the High Court or the finality on the election petition, again it is delayed sometime by six months, or one year, or one and a half years because of the circuitous

route. That is why, this Bill proposes that the case of every person guilty of corrupt practice goes to the President of India under section 80(a) (1) of the said Act; and it comes to the Lok Sabha or the Vidhan Soudha as the case may be; and thereafter, the President refers it under section (8)(a) (3) to the Election Commission where the judicial hearing is again given to the affected party and it takes a lot of time. It is required to shorten the time so that immediately after the finality is arrived, it should not take more than three months, said the Minister.

The next point is with regard to the appointment of appellate authority in districts against the orders of Electoral Registration Officer. This power is being given to the District Magistrate or the Additional District Magistrate as the case may be. One more thing is about the increase in security deposit of the candidates. For the Lok Sabha candidates, it is increased from Rs.10,000 to Rs.25,000. Accordingly, for the State Assemblies, it is from Rs.5,000 to Rs.10,000. Of course, for the Scheduled Caste and Scheduled Tribe candidates, it would be half. Another amendment is with regard to amendment of section 123(7) of Representation of People Act, 1951. The Election Commission has been given the powers to deploy the services of PSUs or nationalized banks. At the same time, the Election Commission is not empowered to punish those officials. The last one is to restrict the publication and dissemination of the exit polls that are conducted during the elections to the Lok Sabha and the Legislative Assemblies, said the Minister.

Participating in the discussion*, Shri Arjun Charan Sethi (BJD) said that the Representation of the People Amendment Bill, 2009 seeks to amend the Representation of the People Act, 1950 as well as the Representation of the People Act, 1951. While moving the Bill, the Minister for Law and Justice, Shri Moily, has admitted that these five amendments that are being sought are not enough to solve the problem that we are now facing due to various reasons. He has enumerated muscle power, money power and religion as the reasons. He has also admitted that 22 proposals have been given by the Election Commission of India to the Government and still these proposals are being discussed in the Parliamentary Standing Committee

* Others who participated in the discussion were: Sarvashri Nishikant Dubey, Sandeep Dikshit, Shailendra Kumar, Rajiv Ranjan Singh *alias* Lalan Singh, Kalyan Banerjee, A. Sampath, T.K.S. Elangovan, Probodh Panda, Jai Prakash Agarwal, S.D. Shariq, Vikrambhai Arjanbhai Madam, Dr. Raghuvansh Prasad Singh and Dr. Tarun Mondal.

and whenever they would come to the Government, they would certainly bring forth a comprehensive Bill. The greater threat to free and fair elections in the country comes from the use of money power, muscle power, rigging, booth capturing, criminalisation of politics and other malpractices, and we all jointly face these problems. So, the proposals sent by the Election Commission should be considered immediately and should be brought before the House. Earlier, there was a PIL especially with regard to the 'exit polls' and the 'opinion poll' in the Supreme Court. The then UPA Government has favoured the 'exit polls' as well as the 'opinion polls'. The then Minister of Law and Justice has also given an affidavit in favour of the exit poll and opinion poll. They have vehemently supported the exit poll and the opinion poll in the Supreme Court although the Supreme Court was not in favour or just to oppose this opinion poll and exit poll. However, now they have changed their mind. There may be a situation again, this particular amendment to the election law may come before the Apex Court for consideration because many legal luminaries said that it is a violation of the Fundamental Right, that is Article 19(1) of the Constitution. Shri Sethi said that he thought a change of Minister of Law and Justice at the Centre does not mean a change of policy, as it is a continuous process.

Taking part in the discussion, Shri Harin Pathak (BJP) said that our election process is not proper to conduct free and fair poll in the country as on date. Nobody can contest Lok Sabha election today in 25 lakh rupees. These days not less than 25 lakh rupees are spent on corporation or local body elections. If you want to have a check on muscle power along with money power in the elections then the entire election expenditure should be funded by the Government and it should be ensured that nobody spends more than it. Besides it, we should strengthen the Election Commission also, suggested Shri Pathak. The Election Commission should monitor that no candidate should make expenditure more than the prescribed limit. He stressed on bringing a comprehensive Bill before the coming elections so that the common man in this country can take part in the election process. There should be some responsibility of the Election Commission also. The names of thousands of honest voters get deleted from the electoral roll. The responsibility should be fixed in case of deletion of someone's name from the electoral roll. Shri Pathak suggested that the appointments of Commissioners in Election Commission in the coming election should be done after taking into confidence the opposition parties. He said that a parallel choice should be given along with EVM so that if someone wants to use ballot then he can

do so. On the lines of Exit-polls being banned, he also wanted Opinion-poll to be banned. There should be State funding of the election expenditure and it should also be monitored so that not only the rich can contest and win elections, said Shri Pathak. He urged the Government that in case we want free, fair and equitable elections in the country in future, then a comprehensive Bill should be brought in the next Session. He further said that if we have political will, then we can strengthen the democracy in this country, and with that will, the elections in the country would be free and fair.

Taking part in the discussion, Shri P.C. Chacko (INC) contended that he supports the Bill moved by the Law Minister. He expressed the hope that the country is definitely expecting this kind of a comprehensive legislation. Shri Chacko also said that the Women's Reservation Bill which has been under discussion for a long time requires that Parliament brings forth a comprehensive legislation on this issue. Shri Chacko urged that it is our duty to go into the reports of the Goswami Committee, Indrajit Gupta Committee, the Standing Committee on Electoral Reforms, and various other reports and bring forth a detailed and comprehensive legislation on this subject.

Replying to the discussion on 9 December 2009, Shri M. Veerappa Moily, Minister of Law and Justice, said that the Election Commission had forwarded 22 recommendations, and all of them, in the meanwhile, have been forwarded to the Departmentally-related Standing Committee. The Standing Committee has recommended in respect of five components of these 22 recommendations and 17 recommendations are still pending with the Standing Committee from 2004. By and large, the Members of this House have extended their support to this Bill. He informed that comprehensive amendment for the Representation of the People Act is being brought out. He also wanted to have a National Consultation on a comprehensive amendment to the Representation of the People Act with regard to the person who is in jail and who is deprived of contesting election or casting his vote. He informed that he did not want to introduce the concept of negative voting. He said that the issue of surrogate advertisement needs greater deliberation. The recommendation of the Election Commission of India for empowering the President and the Governor to act upon a recommendation made by the Election Commission on a question of anti-defection is a debatable point, said the Minister. On the issue of holding elections to the Parliament and State assemblies simultaneously, the Minister said that it is an ideal thing. Unless all political parties join together and say that there should be simultaneous elections to all the State

Assemblies and the Lok Sabha, it is not possible. He said that the proposal for State funding of election expenses, which is based on the recommendations of the Indrajit Gupta Committee is pending before the Government, and the response of the State Governments in this regard is rather lukewarm.

With regard to Shri Indrajit Gupta Committee's recommendation regarding setting up of a corpus for election fund of Rs.1,200 crore with the States' contribution of Rs.600 crore annually to the fund, the States have been unwilling on this measure. The Cabinet in its meeting held on 17 May 2007, directed that efforts be continued to make a consensus on this issue. He informed that the issue is not closed but there should be a political consensus on it. Some electoral distortions are taking place because the Chief Electoral Officers of respective States belong to the cadre of the State Government. This is an issue which all the Hon'ble Members can deliberate to make it more objective, said the Minister. He stressed the need for objectivity in the functioning of the Election Commission and in the functioning of their representatives at various levels in the State. The machinery of the Election Commission should not be independent. They should have the autonomous power but at the same time, autonomous power or the independence without a dominant fact of accountability would lead to many other distortions, said the Minister.

On the proposal for introduction of biometric system for voting, the Minister was quite positive. With regard to the problems relating to the alleged faulty voter ID cards, the Minister said that the system of taking biometrics would be considered. Regarding alleged scam in EVMs by the Election Commission, the Minister said that EVMs are purchased exclusively from the public sector companies. Hence, the apprehension of any irregularity seems to be without much basis. As regards rigging, booth capturing and other related things, the Minister said that the procedure has been laid down under the Representation of People Act to empower the Election Commissioner under given circumstances for adjournment of poll and countermanding of elections.

Regarding the setting up of Electoral Tribunals for speedy disposal of election related cases, the Minister assured to work on this.

The Minister also gave a clarification with regard to bringing an amendment to Section 123 (vii) of the RP Act, 1951. The amendment to this Section is about the word 'Government' which includes Central and State Government. Persons working under the Universities and Public Sector companies have not been included. That is why, even

though an amendment of the Act has been brought about, consequential amendment was not made for the punishment of those officers who definitely commit some error while discharging their duties. That is why, the amendment was brought here and is before the House, said the Minister.

Further, Shri Moily said that the question of ordinary residents should not be mixed with the question of NRIs. This is only for work purpose that these people go to other countries. Many a time their names do not find a place in the electoral rolls because of their present place of residence. The Minister said that he is bringing an amendment in this regard.

The Minister went on to say that our parliamentary democracy is a role model for the entire world. We need to strengthen it and that could be strengthened by removing all distortions, prejudices and ulterior motives. That is why, he stressed on the need for having larger discussion in the House on the electoral system and introducing a comprehensive Bill.

The Bill was passed.

QUESTION HOUR

During the Session, 26,318 notices of questions were received, out of which 18,812 were Starred, 7,494 Unstarred and 12 Short Notice Questions. The maximum number of notices of Starred and Unstarred Questions included in ballot was 929 and 278 for 25 November 2009. The minimum number of notices of Starred and Unstarred questions included in ballot was 408 and 85 for 21 December 2009. The maximum number of members included in ballot was 265 for 16 December 2009 and the minimum number of members included in ballot was 166 for 21 December 2009.

All the notices were examined with a view to deciding their admissibility or otherwise. Out of these, 440 notices were included in lists of Starred Questions, 4,848 were included in the lists of Unstarred Questions and none was included in the Short Notice Question List.

Due to interruptions in the House on 19 November and 16 December 2009, Starred Questions could not be called for oral answers. Replies to Starred Questions listed for these days were treated as Unstarred and their answers, together with the answers to Unstarred Questions, were printed in official report for the day.

As decided in the Business Advisory Committee at its sitting held

on 24 November 2009, the sitting of Lok Sabha fixed for Friday, the 27 November 2009 was cancelled due to *Idul Zuha (Bakrid)*. Replies to both Starred and Unstarred Questions listed for Friday, 27 November 2009 were laid on the Table at the next sitting of the House, *i.e.*, 30 November 2009.

With the consent of all political parties, the House adjourned *sine-die* on 18 December 2009 instead of 21 December 2009. Notices listed for 21 December 2009 were treated as lapsed.

The average number of starred Questions answered orally in each sitting of the House during the Session was four. The maximum number of Starred Questions answered orally on a single day was eight on 3 December 2009.

The average number of Unstarred Questions appearing in the list came to 220 per day against the prescribed limited of 230, the minimum being 167 Questions on 14 December 2009.

Half-an-hour Discussion: In all, 18 notices of Half-an-Hour Discussions were received during the Session. Out of them, only seven notices were admitted but none discussed on the floor of the House.

OBITUARY REFERENCES

During the Session, obituary references were made on the passing away of Sarvashri Nakli Singh, Yashwantrao Mohite, Rao Birendra Singh, Pyarelal Khandelwal, Kacharulal Hemraj Jain, Bikram Keshari Deo, Parvathaneni Upendra, V. Kandasamy, P. Mohan, Ajit Beg, B. Shankaranand and Dr. Y.S. Rajasekhara Reddy and Prof. Sher Singh, all former members.

Obituary references were also made for the victims of railway accident in Mathura (Uttar Pradesh) and Dausa (Rajashtan), boat capsized in Idukki and Malappuram districts of Kerala, besides the victims of brutal Naxal attacks in Maharashtra and Chhattisgarh. Members also expressed their sorrow for the victims of natural disaster in Kerala, Karnataka and Tamil Nadu; Balco Plant tragedy in Chhattisgarh; and Indian Oil Corporation fire accident in Sanganer, Jaipur.

Later, members stood in silence as a mark of respect to the memory of the deceased.

RAJYA SABHA**TWO HUNDRED AND EIGHTEENTH SESSION***

The Rajya Sabha met on 19 November 2009 for its Two Hundred and Eighteenth Session and was adjourned *sine die* on 22 December 2009. The Rajya Sabha was then prorogued by the President on 27 December 2009. In all, the House sat for 23 days during the Session.

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

A. STATEMENTS/DISCUSSIONS

Statement made by the Minister of Home Affairs on the twin bomb blasts in Nalbari District of Assam on 24 November, 2009: Making a statement in the House on 24 November 2009, the Minister of Home Affairs, Shri P. Chidambaram informed the House about the unfortunate incidents of two bomb blasts in the Nalbari district of Assam on November 22, 2009, which resulted in the loss of 6 lives, besides injuring 52. He further stated that the preliminary reports indicated that the perpetrators of the blasts belonged to the United Liberation Front of Assam (ULFA). He remarked that inspite of intelligence reports about the bomb blasts by the ULFA and strict vigil by the State police, the incident could not be averted. He informed the House that the search operations for the infiltrated terrorists were still continuing. He stated that the State police and the security forces had maintained intense pressure on the ULFA and the National Democratic Front of Bodoland (NDFB) (the anti-talks faction) since January 2009. He further elaborated the successes of the counter insurgency operations of the security forces that resulted in neutralizing of 1196 insurgents and seizure of 282 kgs. of explosives. He informed the House that the recent incidents manifested the desperation of the banned organisation ULFA and stated that the State Government and the security forces were determined to intensify the counter insurgency operations against the ULFA and the NDFB. He reiterated the fact that the Government of India strongly condemns the acts of violence on 22 November 2009 and offered condolences to the families of the deceased and the injured.

* Contributed by the General Research Unit, LARRDIS, Rajya Sabha Secretariat

Statement made by the Minister of State in the Prime Minister's Office on radioactive contamination of drinking water at Kaiga Atomic Power Station: The Minister of State in the Prime Minister's Office, Shri Prithviraj Chavan made a statement in this regard on 3 December, 2009. He informed the House that the Kaiga Atomic Power Station in Karnataka had 3 nuclear power reactors (with a fourth power reactor under construction). He stated that the radioactivity levels were regularly monitored even in the service buildings of the power reactors as a part of the normal safety procedures, which included routine testing of urine samples of the employees. It was during this routine testing on 24 November 2009 that "higher than the normal" trace of tritium, a heavier isotope of hydrogen, was detected in the urine samples of some of the personnel working in the service building. He emphasized that subsequent checks made on all the plant systems revealed no radioactive leakage into the environment and the source of contamination was zeroed in on a water cooler in the service building. He mentioned that the Nuclear Power Corporation of India Limited (NPCIL) had constituted a committee under the Chief Superintendent to identify the cause and come out with reasons and remedial actions. The interim report of the committee indicated that some heavy water containing tritium was deliberately added to the drinking water cooler with *malafide* intent. He said that in view of the initial conclusion regarding the possibility of mischief by an insider, an FIR was filed on 1 December 2009 at local Mallapur Police Station and assured the House that action would be taken against those found responsible for the incident. He stated that the two employees who had received the highest amount of exposure to the radiation were also above the already existing Atomic Energy Regulatory Board (AERB) limit. He further assured the House that there had been no breach of security in the power plants and no release of radioactivity into the environment.

Statement made by Minister of State (Independent Charge) in the Ministry of Science and Technology on successful decoding of human genome by Indian scientists: Making a statement in this regard, the Minister of State (Independent Charge) in the Ministry of Science and Technology, Shri Prithviraj Chavan on 8 December 2009 informed the House that the scientists of Council of Scientific and Industrial Research (CSIR), working at the Institute of Genomics and Integrative Biology (IGIB), for the first time, had successfully decoded the full human genome in India. He stated that the first human genome sequence in the world was a result of International Human Genome Project comprising of scientists from six countries. This large collaborative Project began in 1990, and the sequencing was completed in 2003.

India could not be part of this initiative in early 1990s because of resource constraints. With the completion of first few human genomes sequence in India, India is now in the league of few selected countries like the United States, the United Kingdom, China, Canada and Korea. The sequencing of first human genome in India, therefore, sets the stage for India's entry into the elite club which would in future open up new possibilities in diagnostics, treatment and low-cost affordable healthcare for the masses.

Calling Attention on Government's Changing Position on Climate Change: On 24 November 2009, Smt. Brinda Karat, Communist Party of India (Marxist) called the attention of the Minister of Environment and Forests, Shri Jairam Ramesh, to the issue of Government's changing position on climate change.

Replying to the Calling Attention, Shri Ramesh said that the impacts of climate change had become a critical global issue. The internationally agreed United Nations Framework Convention on Climate Change (UNFCCC) called for binding commitments on the part of industrialized countries to reduce their emissions due to their historical responsibility. The Bali Action Plan of 2007 called for full, effective and sustained implementation of the UNFCCC through long-term cooperative action even beyond 2012. During the negotiations under the UNFCCC, the industrialized countries had called upon developing countries to contribute to the global effort to address climate change. He reassured the House that India's approach in the negotiations had been fully anchored on UNFCCC's principle of equity and 'common but differentiated responsibilities and respective capabilities'. India had already taken and would further take a number of steps, on its own, to adapt to climate change and mitigate its emission in the interest of its energy security and sustainable development, in accordance with the priorities and objectives laid down under the National Action Plan for Climate Change.

Replying to the points raised by the members, the Minister said that the Government would under no circumstance accept a legally binding emission reduction cut as part of any international agreement. He also proposed for a nationally accountable mitigation outcome and a National Green Tribunal and underlined the fact that India had to negotiate from a position of leadership and not from a position of defensiveness.

Calling Attention on the Present Status of World Trade Organisation (W.T.O.) Negotiations: On 8 December 2009, Shri Moinul Hassan,

Communist Party of India (Marxist) called the attention of the Minister of Commerce and Industry, Shri Anand Sharma to the present status of WTO negotiations.

Replying to the calling attention, Shri Sharma stated that the Doha Round of trade negotiations at the World Trade Organisation (WTO) had been underway since 2001. The July 2008 Mini-ministerial meeting had ended without any agreement on key issues like special safeguard mechanism (SSM) in agriculture and sectoral initiatives in Non Agricultural Market Access (NAMA). India had always been a strong protagonist of the multilateral trading system and had taken the initiative to re-energize and speedily conclude the on-going discussions and in this respect an informal conference was held in September 2009. The 7th WTO Ministerial meeting was held in Geneva from 30 November to 3 December 2009 with the theme "The WTO, the Multilateral Trading System and the Current Global Economic Environment." The Indian perspective in the main negotiating issues had always been to honour the developmental dimension; protect the interest of poor farmers, industry; and to achieve greater market opportunities for its farmers and industry.

While replying to the points raised by the members, the Minister thanked the members for their interventions and insights. The standpoint of India along with its coalition partners of G20, G33 and the NAMA-11 had been to seek for a special and differential treatment under an operational and effective safeguard mechanism. The four salient principles surrounding India's standpoint in Geneva had been—(a) there could be no dilution of development objective of the Round and there was a need for sympathetic understanding of the concerns of the developing world; (b) in the process of bridging the gaps in negotiations, there cannot be any reversion of the broad understandings reached in the past eight years; (c) demands for additional market access in developing countries need to be tapered by the development agenda and not driven by commercial considerations; and (d) The centrality of the multi-lateral process in negotiations must be maintained. Concluding his remarks, the Minister stated that there was need for a rule-based global trade regime which would ensure protection of the livelihood concerns of the subsistence farmers, the poor—their food security and protection for the vulnerable industrial sectors in the developing countries.

Short Duration Discussion on situation arising out of threat to internal security of the country. A Short Duration Discussion on situation arising out of threat to internal security of the country took

place on 2 December 2009. Initiating the discussion, Shri Balbir Punj of the Bharatiya Janata Party, stated that the internal security being a sensitive subject, there was a need to take stock of the situation. The achievements of the National Investigation Agency, created in wake of the recent terrorist attacks, had been only nominal. He stated that the American Government had not co-operated to the fullest extent in the David Coleman Headley's investigation. He stated that the high level inquiry committee formed by the Maharashtra Government revealed several loopholes/shortcomings in the management of internal security scenario such as responsiveness to the threat perception, poor maintenance of security gadgets and failure to deal with emerging terrorist threats. All these had caused a resentment of the public towards both the political and administrative establishments. The committee had also found that the monitoring of security along the coast continued to face impediments. He also mentioned about the situation in Manipur and termed it as anarchy in the State. Speaking about the naxalite violence in Andhra Pradesh and West Bengal, he stated that in total there were about seven states in the country which were in the grip of Maoist violence. The state of Jammu & Kashmir has been a disturbed area for the last 60 years. He requested the Government to seriously think about the national security.

Participating in the discussion*, Dr. K. Keshava Rao of the Indian National Congress stated that internal security should be a matter of concern for both the Government and the citizens. He lauded the various intelligence agencies as they were operating in the real situations. He said that a socially controlled economics in the present age of free market economy was essential to solve the problem. He stated that a new three-pronged approach was needed to tackle naxalism. The first approach should be the developmental approach, the second aspect was initiation of talks with the naxal groups and the last important aspect was co-operation between the State and the people to jointly tackle the problem.

Speaking on the issue, Shri Sitaram Yechury of the Communist Party of India (Marxist) termed the menace of terrorism anti-national

* Those who took part in the discussion were: Sarvashri Balbir Punj, Sitaram Yechury, Brij Bhushan Tiwari, Rajniti Prasad, D. Raja, Birendra Prasad Baishya, M. Rama Jois, Biswajit Daimary, Mangala Kisan, Tiruchi Siva, Kumar Deepak Das, Dr. K. Keshava Rao, Dr. K. Malaisamy, Dr. Janardhan Waghmare, Dr. Prabha Thakur, Smt. Shobana Bhartia.

and anti-human. He stated that the Police Act of 1861 was antiquated. He stated that economic equality had to be ensured to tackle internal security problems and the only three states that have implemented land reforms were West Bengal, Kerala and Jammu and Kashmir. Finally, he appealed to the political parties to not communalise or politicise the issue and fight the menace unitedly.

Replying to the discussion, the Minister of Home Affairs, Shri P. Chidambaram, stated that the Government had adopted practical, realistic set of policies to deal with the various threats to India's internal security. He said that despite a decline in incidents of violence in Jammu and Kashmir since 2009, there was infiltration or an attempt to infiltrate almost everyday, and hence the vigil had to be on alert at all times. With respect to the North-East, he replied that the Government was ready to conduct talks with the ULFA as soon as they abjured violence and gave up their demand for sovereignty. The Government had always adopted zero tolerance towards terrorism. Revamped intelligence set-up of the country had been able to inspire confidence in the security forces to foil the terrorist attempts. He said that the naxalism was the gravest security threat to India and the aim of the naxalite attacks was to acquire political power and establish base areas. He pointed out that an anarchic situation prevailed in the naxal hit areas of Lalgarh and Purulia in West Bengal. 28 security companies had been sent to reestablish control in those areas after which development activities would be undertaken in those areas.

Short Duration Discussion on achievements and problems of women self-help groups (SHGs) comprising mainly poor rural women: A Short Duration Discussion on achievements and problems of women self-help groups (SHG) comprising mainly poor rural women took place on 3 December 2009. Initiating the discussion, Shrimati Brinda Karat of the Communist Party of India (Marxist) pointed out that the major difference between the Grameen Bank model, initiated by Nobel laureate Mohammad Yunus, and Indian SHG model was that while the former was a loan based model the latter was a savings based model. Highlighting the positive aspect of the SHGs and their activities she said it helped to destroy the stereotyping of women as subordinate citizens and encouraged them to participate in the non-traditional roles. She stressed that in order to sustain the Self Help Group movement proper governmental intervention at various levels was needed to provide the necessary infrastructure, marketing and training.

Speaking about the structural problem of the programme she said that a multiplicity of agencies involved in promoting the SHGs (*viz.*, the Minister of Women and Child Development, NABARD, Ministry of Rural Development, Cooperative banks under the State Governments, NGOs, donor agencies) led to a lot of confusion.

She further added that guidance of a proper nodal Ministry, institutionalization of redressal mechanisms for women, accessible bank credit and a uniform implementation of 4 per cent interest rate were needed to make the programme a success. She warned that adherence to the World Bank concept of SHGs in the Micro-Finance Bill may prove disastrous to India because there would be no cap on the interest rates and the autonomy of the decision of the poor women would also be compromised.

Participating in the discussion*, Shri Shantaram Laxman Naik of Indian National Congress, stated that a Self-Help Group was defined as a registered or unregistered group of micro entrepreneurs, having homogenous social and economic background, voluntarily coming together to save small amounts regularly through mutual agreement to contribute to a common fund to meet their emergency needs on mutual help basis. The term Self Help Group was too narrow as the SHGs help the society at large. He urged the Government to consider propagation of literacy and health related programmes through the SHGs. He concluded stating that the Self-Help Groups have brought a mini revolution in the country.

Replying to the discussion, the Minister of State (Independent Charge) for Women and Child Development, Shrimati Krishna Tirath stated that the Ministries which deal with SHGs were the Ministry of Women and Child Development (MWCD), the Ministry of Rural Development, the Ministry of Agriculture and the Ministry of Finance that work through the NABARD and Banks. She stated that 1,30,000 Self Help Groups had been formed under the three schemes implemented by the MWCD *viz.* Indira Mahila Yojana, Swayam Shakthi Yojana, and Swayam Siddha Scheme and 66,000 had benefited till November 2009 under the Rashtriya Mahila Kosh.

She cited the examples of the states of Andhra Pradesh, Tamil

* Those who took part in the discussion were: Sarvashri Shantaram Laxman Naik, Biswajit Daimary, Kishore Kumar Mohanty, Kumar Deepak Das, Dr. (Smt.) Najma A. Heptulla, Shrimati Brinda Karat, Shrimati Kanimozhi, Shrimati Viplove Thakur.

Nadu and Orissa where the standard of living of women had improved significantly because of the training being provided to them through these SHGs. She added that 23 SHGs related to women had been formed under the Swarna Jayanthi Swarojgar Yojana and the Janashree Bima Yojana had been started by the Finance Ministry to improve the condition of the rural and urban people living below the poverty line. A women Mission was also being deliberated which would introduce a Window service through which the women would be made aware of the benefits that they can get under the various programmes of the Ministries which are related to them.

Short Duration Discussion on the situation arising out of continuous rise in prices of essential commodities in the country: A Short Duration Discussion on the situation arising out of continuous rise in prices of essential commodities in the country took place on 8 December 2009. Initiating the discussion, Shri Kalraj Mishra of the Bharatiya Janata Party, stated that the issue of price rise had affected all sections of the society. He complained that the Government failed to take serious note of the issue and had done nothing to prevent black-marketing and hoarding. The situation in agriculture had become worse and he hoped that the Government would take concrete steps to increase production in agriculture and bring the prices down.

Participating in the discussion*, Shrimati Jayanthi Natrajan of the Indian National Congress, pointed that the priority of the Government should be to moderate inflation, food prices, increase inclusive growth, give a substantial impetus to agriculture and, above all, to insulate the weakest and most disadvantaged sections of the society from the ill effects of price rise. However, he said, that severe droughts in 27 out of 36 meteorological districts in India and the international global recession formed the background of the entire problem. She assured that fiscal measures were being taken to control inflation. She emphasised that strengthening of the Public Distribution System and ensuring strict action against the black marketers and hoarders were essential for ensuring food security and proper enforcement of the Essential Commodities Act and the Prevention of Black Marketing

* Those who participated in the discussion were: Sarvashri Kalraj Mishra, Shyamal Chakraborty, Brij Bhushan Tiwari, Avtar Singh Karimpuri, N.K. Singh, Y.P. Trivedi, M.P. Achuthan, M.V. Mysura Reddy, Shantaram Laxman Naik, Prasanta Chatterjee, Naresh Gujral, Prakash Javadekar, Sharad Anantrao Joshi, Rajniti Prasad, Mangala Kisan, Bharatkumar Raut, Dr. K. Malaisamy, Dr. T. Subbarami Reddy, Dr. Barun Mukherji, Dr. (Smt.) Najma A. Heptulla, Shrimati Jayanthi Natrajan, Shrimati Vasanthi Stanley.

Act. While concluding she said that the State Governments cannot run away from their responsibility of strengthening of the Public Distribution and of taking strong action against hoarders and black-marketeers, to see the prices come down.

Intervening in the discussion, Shri N.K. Singh, a nominated member, stated that the current issue of price rise was a culmination of several factors like, long-term disequilibrium between demand and supply, changing consumer preferences, decreasing productivity and disruption of global markets and distribution. He questioned the efforts made by Indian Government to protect farmers from the new type of bee virus gripping the entire world. He added that the challenges being faced by India were the challenges of demography, challenges of change in consumer preferences, changing pastoral habits and adaptation to the problems of global warming and climate change.

Replying to the discussion, the Minister of Agriculture and the Minister of Consumer Affairs, Food & Public Distribution, Shri Sharad Pawar, stated Accelerated Irrigation Benefit Programme (AIBP) had been formulated to provide substantial money for irrigation purposes. A new scheme namely the Rashtriya Krishi Vikas Yojana was being implemented to enhance agricultural production, particularly food grains and an amount of Rs.5000 crores had been provided to improve the National Food Security Mission to enhance the production of wheat and pulses by 20 million tonnes by 2011. As regards food distribution the old price pattern under the NDA government with respect to the Public Distribution Scheme and the *Antyodaya Anna Yojana* were still being followed. The Government of India had taken a conscious decision to introduce 'Targeted Public Distribution', to target the section that was really affected, poor and vulnerable. Regarding the issue of ban on futures trading, he quoted the Abhijit Sen Committee which had reported that future trade or commodity exchanges were not responsible for the rise in prices. However, further clear cut proof was being awaited by the Government as a precaution. He stated that there was definite need to improve our agricultural production, productivity and availability.

B. LEGISLATIVE BUSINESS

*The National Rural Employment Guarantee (Amendment) Bill, 2009**: On 17 December 2009, the Minister of Rural Development,

* The Bill as passed by the Lok Sabha was laid on the Table on 16 December 2009.

Dr. C.P. Joshi moved the motion that the Bill to amend the National Rural Employment Guarantee Act, 2005 be taken into consideration. The National Rural Employment Guarantee Act, 2005 had provided for enhancement of livelihood security of the households in the rural areas of the country by providing at least one hundred days of guaranteed wage employment in every financial year to every household whose adult members volunteer to do unskilled manual work. The association of the name of Mahatma Gandhi with the National Rural Employment Guarantee Act, 2005 would reinforce the Act's thrust towards equity and inclusiveness, especially of the deprived groups and socio-economically marginalized communities. The provisions of the Act of public accountability, through social audit and Right to Information would get central focus with the association of Mahatma Gandhi's name, reflecting his ideals of the sovereignty of the public in a democracy, and underscoring the dignity of labour. It was, therefore, considered befitting that the said Act bears the name of the Father of the Nation "Mahatma Gandhi" as it is a concrete expression of his development vision. Accordingly, the title of the said Act is proposed to be amended as the Mahatma Gandhi National Rural Employment Guarantee Act.

While replying to the debate*, the Minister of Rural Development, Dr. C.P. Joshi, thanked the members of the House for the support extended by them. He stated that there had been a consensus about the rechristening of the Act with 'Mahatma Gandhi's' name. Addressing the other issues raised by the members, he stated that in accordance with the provisions of the Act, the Panchayats at district, intermediate and village level would function as the principal authorities of planning and implementation of the scheme. He stated that though the Minimum Wages Act, 1948 specified different rates of wages for different areas and a rate of not less Rs 60/- per day, the rates could be enhanced if there were demands from the people. He then appealed to the House to extend co-operation to make this scheme for the labourers work in accordance with the expectations of Mahatma Gandhi.

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

* Those who took part in the discussion were Sarvashri Shivraj Vishwanath Patil, Bhagwati Singh, Tariq Anwar, R.C. Singh, Rajniti Prasad, Prabhat Jha, Bharatkumar Raut, Prof. Saif-ud-din Soz, Dr. C.P. Thakur, Shrimati Brinda Karat.

*The Representation of the People (Second Amendment) Bill, 2008**: On 24 November 2009, the Minister of Law and Justice, Shri Veerappa Moily, moved the motion for consideration to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951. The said amendments in the Bill were as follows:— (a) the amendment to the Representation of the People Act, 1950 relating to appointment of the appellate authority within the district against the orders of the electoral registration officers; and (b) the amendment to the Representation of the People Act, 1951 related to (i) simplification of procedure for disqualification of a person found guilty of corrupt practices; (ii) increase in the security deposit of the candidates nominated for elections; (iii) inclusion in section 123(7) of all officials appointed in connection with the conduct of elections so as to bring them within the ambit of corrupt practices, if they indulge in furtherance of the prospects of the candidates at elections; and (iv) restricting the publication of results of all exit polls by whatever means till the last poll in an election is held, by insertion of new sections 126A and 126B.

Replying to the debate** on 25 November 2009, the Minister of Law and Justice, Shri Veerappa Moily stated that he was proud of India which has the largest parliamentary democracy and largest electorate with almost 80 crore people on the electoral rolls. He further mentioned that most of the recommendations made by the Department-related Parliamentary Standing Committee had also been accepted. With respect to the Electronic Voting Machine, he stated that the technology was perfect. A national consultation process with the participation of the political parties, stakeholders was required to bring solutions to the problems which were being confronted in the current electoral system. He assured that the ban on exit poll would not affect the purposes of research and survey.

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

* The Bill as passed by the Lok Sabha was laid on the Table on 16 December 2009.

** Those who took part in the discussion were Sarvashri S.S. Ahluwalia, Shantaram Laxman Nalk, P.R. Rajan, Veer Pal Singh, D. Raja, H.K. Dua, Tiruchi Siva, Raashid Alvi, Shreegopal Vyas, A. Vijayaraghavan, Bharatkumar Raut, Silvius Condpan, Rajniti Prasad, Sardar Tarlochan Singh, Dr. K. Malaisamy, Dr. (Smt.) Najma A. Heptulla.

C. QUESTION HOUR

During the Session, 9,528 notices of Question (7,527 Starred and 2001 Unstarred) were received. Out of these 459 Questions were admitted as Starred and 3,536 Questions were admitted as Unstarred. 85 Starred Questions were orally answered. The total number of Questions received in Hindi was 1,978.

Daily average of Questions: The list of Starred Questions contained 19 on 17 December 2009 and on the rest of the days it contained 20 questions each. On an average, 3.7 Questions were orally answered, for all the sittings having Question Hour. The maximum number of Questions orally answered was 7 on 7 and 8 December 2009 and the minimum number of Question orally answered was 1 on 20 November 2009.

The list of Unstarred Questions contained 126 on 19 November 2009. On the rest of the days, it contained 155 Questions each.

Half-an-Hour Discussion: 9 notices of Half-an-Hour Discussion were received; however none of them was discussed.

Short Notice Question: 19 notices of Short Notice Question were received; however none was admitted and answered.

D. OBITUARY REFERENCES

During the Session, obituary references were made to the passing away of Shri Parvathaneni Upendra, a former member, Shri Pyarelal Khandelwal, Shri Mahendra Sahni, Shri Suryakantbhai Acharya, all sitting members and Dr. Y.S. Rajasekara Reddy, the then Chief Minister of Andhra Pradesh.

Members stood in silence for a short while as a mark of respect to the memory of the deceased.

STATE LEGISLATURES

ASSAM LEGISLATIVE ASSEMBLY*

The Twelfth Assam Legislative Assembly, which commenced its Thirteenth Session on 7 December 2009, was adjourned *sine die* on 11 December 2009. There were five sittings in all.

Legislative business: During the Session, the Assam Appropriation Bills (No. I to V) were introduced, considered and passed by the House:

Obituary references: During the Session, obituary references were made on the passing away of 20 leading personalities and many persons who lost their lives due to subversive activities of extremists in different parts of the State.

ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY**

The Fifth Arunachal Pradesh Legislative Assembly, which commenced its First Session on 4 November 2009, was adjourned *sine die* on 12 December 2009. There were three sittings in all.

Election of Speaker and Deputy Speaker: On 4 November 2009, Shri Wanglin Lowangdong and Shri Tapang Taloh were unanimously elected as the Speaker and the Deputy Speaker of the State Legislative Assembly.

Address by the Governor: On 4 November 2009, General (Retd.) J.J. Singh addressed the members of the newly elected State Legislative Assembly. Shri J.K. Panggeng, MLA moved the Motion of Thanks on the Governor's Address and Shri Tinghaap Taiju, MLA seconded the Motion. The discussion on the Motion of Thanks on Governor's Address was held on 5 November 2009 in which 19 members participated. The Motion was adopted by the voice vote.

Government Resolution: On 12 December 2009, the House passed without discussion the Resolution for Ratification of the Constitution (One Hundred and Ninth Amendment) Bill, 2009 which was already adopted in both the Houses of Parliament *i.e.* the Rajya Sabha and the Lok Sabha.

* Material contributed by the Assam Legislative Assembly Secretariat

** Material contributed by the Arunachal Pradesh Legislative Assembly Secretariat

Obituary references: During the Session, obituary references were made on the passing away of Shri S.K. Singh, former Governor of Arunachal Pradesh.

DELHI LEGISLATIVE ASSEMBLY*

The Fourth Delhi Legislative Assembly which commenced its Third Session on 9 December 2009 was adjourned *sine die* on 16 December 2009. There were 6 sittings in all.

Legislative Business: During the Session, the following four Bills were introduced and passed by the House: (i) Delhi Excise Bill, 2009; (ii) The National Capital Territory of Delhi (Incredible India) Bed and Breakfast Establishments (Registration and Regulation) (Amendment) Bill, 2009; (iii) The Value Added Tax (Amendment) Bill, 2009; and (iv) The Delhi Entertainment and Betting Tax (Amendment) Bill, 2009.

GOA LEGISLATIVE ASSEMBLY**

The Ninth Session of the Fifth Goa Legislative Assembly commenced on 15 December 2009 and was adjourned *sine die* on 18 December 2009. There were 4 sittings in all.

Legislative business: During the Session, the following four Bills were introduced, considered and passed by the House: (i) The Goa Appropriation (No. 5) Bill, 2009 (ii) The Goa Land Revenue Code (Amendment) Bill, 2009; (iii) The Goa Tax on Profession Trade Callings and Employment Bill, 2009; and (iv) The Goa Barge Tax (Amendment) Bill, 2009.

Financial business: On 16 December 2009, Chief Minister Shri Digambar Kamat who also holds the Finance portfolio presented the Supplementary Demands for Grants for the year 2009-2010 (Second Batch). They were discussed and passed by voting by the House on the same day.

Obituary references: During the Session, obituary references were made on the passing away of Shri Naraina Srinivas Fugro, former Speaker of the Legislative Assembly of Goa, Daman and Diu and former MLA of Diu.

The House also paid tributes to Sarvashri Sandeep Mohan Painguinkar

* Material contributed by the Delhi Legislative Assembly Secretariat

** Material contributed by the Goa Legislative Assembly Secretariat

and Santosh Dattaram Mahale *alias* Babuli of Canacona Taluka who lost their lives during the Canacona flood tragedy on 2 October 2009 while saving lives of other people and also condoled the probable death of 67 innocent fisherman who lost their lives in cyclone "Phyan" a biggest natural calamity in the State.

KERALA LEGISLATIVE ASSEMBLY*

A one day Special Session was held on 29 December 2009. The House was adjourned *sine die* on the same day and the Governor also prorogued the House.

The Special Session was held to ratify the Constitution (One Hundred and Ninth Amendment) Bill, 2009 which was already adopted in both the Houses of Parliament *i.e.* the Rajya Sabha and the Lok Sabha. After discussion, the Bill was unanimously ratified by the Kerala Legislative Assembly.

MADHYA PRADESH LEGISLATIVE ASSEMBLY**

The Fourth Session of the Thirteenth Madhya Pradesh Legislative Assembly which commenced on 16 November 2009, was adjourned *sine die* on 24 November 2009. There were 7 sittings in all.

Oath by the Members: On 16 November 2009, Sarvashri Ranveer Singh Jatav and Bhaiyaram, both newly elected members in the bye election subscribed the oath and signed in the Members List.

On 17 November 2009, Smt. L.B. Lobo, nominated member under article 333 subscribed the oath and signed in the Members List. On 23 November, Shri Brijendra Singh, who could not take oath in the First Session, took oath and signed the Members List.

Legislative business: During the Session, 13 Bills were introduced, considered and passed by the House. Some of the major Bills were: (i) Indian Forest (Madhya Pradesh Amendment) Bill, 2009; and (ii) Madhya Pradesh Stamps Bill, 2009.

MIZORAM LEGISLATIVE ASSEMBLY***

The Sixth Mizoram Legislative Assembly, which commenced its

* Material contributed by the Kerala Legislative Assembly Secretariat

** Material contributed by the Madhya Pradesh Legislative Assembly Secretariat

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

Fourth Session on 15 October 2009, was adjourned *sine die* on 29 October 2009. The House was prorogued by the Governor on the same day. There were 10 sittings in all.

Legislative business: During the Session, the following three Bills were introduced and passed by the House. (i) The Mizoram Municipalities (Amendment) Bill, 2009; (ii) The Mizoram Cooperative Societies (Amendment) Bill, 2009; and (iii) The Mizoram Appropriation (No. 4) Bill, 2009.

Government Resolution: On 19 October 2009, the House passed without discussion the Resolution for Ratification of Constitution (One Hundred and Ninth Amendment) Bill, 2009 which was already adopted in both the Houses of Parliament *i.e.* the Rajya Sabha and the Lok Sabha.

Financial business: The Chief Minister and Finance Minister, Pu Lal Thanhawla presented the Annual Budget for the year 2009-2010. The General Discussion on the budget was held for two days on 19 and 20 October 2009. The Chief Minister and Finance Minister replied to the debate on 20 October 2009. 19 members took part in the discussion.

On 21 October 2009, the discussion on Demand Nos. 25, 40, 43, 18, 23, 42, 19 and 29 was held. The Demands were voted in full. 20 members participated in the discussion.

On 22 October 2009, the discussion on Demand Nos. 16, 27, 38, 6 and 37 was held. The Demands were voted in full. 18 members participated in the discussion.

On 26 October 2009, the discussion on Demand Nos. 4, 8, 12, 20, 21, 24, 28 and 44 was held. The Demands were voted in full. 11 members participated in the discussion.

On 27 October 2009, the discussion on Demand Nos. 13, 31, 32, 33, 35, 47, 17, 36, 14, 22, 26 and 46 was held. The Demands were voted in full. 16 members participated in the discussion.

On 28 October 2009, the discussion on Demand Nos. 30, 34, 41, 1, 2, 3, 5, 7, 9, 11, 14, 15, 39 and 45 was held. The Demands were voted in full. 17 members participated in the discussion.

Obituary references: During the Session, obituary references were made on the passing away of Shri YSR Reddy, Chief Minister of Andhra Pradesh and Pu Vanlalngena, former Deputy Speaker of the State Legislative Assembly.

NAGALAND LEGISLATIVE ASSEMBLY*

The Fifth Session of the Eleventh Nagaland Legislative Assembly commenced on 27 November 2009 and was adjourned *sine die* and prorogued by the Governor on the same day.

The one day Session was held to ratify the Constitution (One Hundred and Ninth Amendment) Bill, 2009 which was already adopted in both the Houses of Parliament *i.e.* the Rajya Sabha and the Lok Sabha. After discussion, the Bill was adopted by voice vote.

Obituary references: During the Session, obituary references were made on the passing away of Dr. Yeduguri Sandinti Rajashekhara Reddy, Chief Minister of Andhra Pradesh and Shri Kiulongba Yimchunger, former member of the State Legislative Assembly.

WEST BENGAL LEGISLATIVE ASSEMBLY**

The Eight Session of Fourteenth West Bengal Legislative Assembly, which commenced its Sixth Session on 30 November 2009 was adjourned on 23 December 2009. The Governor prorogued the House on the same day. There were 8 sittings in all.

Obituary references: During the Session, obituary references were made on the passing away of Sarvashri Subhas Chakrabarti, Minister-in-Charge of the Transport and Sports & Youth Services Department, Government of West Bengal, Ajit Kumar Bag, former member of the Lok Sabha, Smt. Gayatri Devi, former member of Parliament and former Princess of Cooch Bihar, and former *Rajmata* of Jaipur, Basudeb Hazra, Anadi Malla, Ram Krishna Bar, Barid Baran Das, Buddhadeb Bhakat, Dhirendranath Chatterjee, Phani Bhusan Roy, Santimoy Hazra, Swadesh Chaki, Smt. Mira Rani Mitra, all former members of the West Bengal Legislative Assembly; and other renowned personalities from various spheres of life.

* Material contributed by the Nagaland Legislative Assembly Secretariat

** Material contributed by the West Bengal Legislative Assembly Secretariat.

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APPENDIX I

**STATEMENT SHOWING THE WORK
TRANSACTIONED DURING THE THIRD SESSION
OF THE FIFTEENTH LOK SABHA**

| | | |
|---|--------------------------------------|-----|
| 1. PERIOD OF THE SESSION | 19 November 2009 to 18 December 2009 | |
| 2. NUMBER OF SITTINGS HELD | | 21 |
| 3. TOTAL NUMBER OF SITTING HOURS | 105 hours and 12 minutes | |
| 4. NUMBER OF DIVISIONS HELD | | Nil |
| 5. GOVERNMENT BILLS | | |
| (i) Pending at the commencement of the Session | | 10 |
| (ii) Introduced | | 21 |
| (iii) Laid on the Table as passed by Rajya Sabha | | 2 |
| (iv) Returned by the Rajya Sabha without any amendment/Recommendation and laid on the Table | | Nil |
| (v) Referred to Select Committee | | Nil |
| (vi) Reported by Standing Committee | | 7 |
| (vii) Referred to Departmentally related Standing Committee by the Speaker, Lok Sabha/Chairman, Rajya Sabha | | Nil |
| (viii) Discussed | | 19 |
| (ix) Passed | | 19 |
| (x) Withdrawn | | Nil |
| (xi) Returned by Rajya Sabha without any recommendation | | 4 |
| (xii) Motion of concurrence to refer the Bill to Joint Committee adopted | | Nil |
| (xiii) Pending at the end of the Session | | 14 |
| 6. PRIVATE MEMBERS' BILLS | | |
| (i) Pending at the commencement of the Session | | 29 |
| (ii) Introduced | | 31 |
| (iii) Motion for leave to introduce negatived | | Nil |
| (iv) Discussed | | 3 |
| (v) Passed | | Nil |
| (vi) Withdrawn | | 2 |

| | |
|---|-----|
| (vii) Part-discussed | 1 |
| (viii) Discussion postponed | Nil |
| (ix) Pending at the end of the Session | 58 |
| 7. NUMBER OF DISCUSSIONS HELD UNDER RULE 184 | |
| (i) Notices received | 704 |
| (ii) Admitted | 113 |
| (iii) Discussed | Nil |
| 8. NUMBER OF MATTERS RAISED UNDER RULE 377 | 185 |
| 9. NUMBER OF MATTERS ON URGENT PUBLIC IMPORTANCE RAISED DURING "ZERO HOUR" | 224 |
| 10. NUMBER OF DISCUSSIONS HELD UNDER RULE 193 (Matters of Urgent Public Importance) | |
| (i) Notices received | 227 |
| (ii) Admitted | 7 |
| (iii) Discussions held | 6 |
| (iv) Part-discussed | 1 |
| 11. NUMBER OF STATEMENTS MADE UNDER RULE 197 (Calling attention to matters of urgent public importance) | 7 |
| 12. STATEMENTS MADE BY MINISTERS UNDER RULE 372 & DIRECTION 73A | 19 |
| 13. STATUTORY RESOLUTIONS | |
| (i) Notices received | 3 |
| (ii) Admitted | 1 |
| (iii) Moved | 1 |
| (iv) Adopted | Nil |
| (v) Negatived | 1 |
| (vi) Withdrawn | Nil |
| 14. RESOLUTION(S) PLACED BEFORE THE HOUSE BY SPEAKER, LOK SABHA | 1 |
| 15. GOVERNMENT RESOLUTIONS | |
| (i) Notices received | 2 |
| (ii) Admitted | 2 |
| (iii) Moved | 2 |
| (iv) Adopted | 2 |
| 16. PRIVATE MEMBERS' RESOLUTIONS | |
| (i) Received | 6 |
| (ii) Admitted | 6 |
| (iii) Discussed | 2 |
| (iv) Adopted | Nil |

| | | | | |
|---|-----------------|-----------------------------------|--|-----------------|
| (v) Withdrawn | | | | 1 |
| (vi) Part-discussed | | | | 1 |
| 17. GOVERNMENT MOTIONS | | | | |
| (i) Notices received | | | 5 (Motions for election to Govt. Bodies) | |
| (ii) Admitted | | | | 5 |
| (iii) Adopted | | | | 5 |
| 18. NUMBER OF ADJOURNMENT MOTIONS | | | | |
| (i) Total Number of Notices received | | | | 17 |
| (ii) Brought before the House | | | | Nil |
| (iii) Admitted | | | | Nil |
| (iv) Barred in view of Adjournment Motion admitted | | | | Nil |
| 19. NUMBER OF PARLIAMENTARY COMMITTEE(S) CONSTITUTED, IF ANY, DURING THE SESSION | | | | 2 |
| 20. TOTAL NUMBER OF VISITORS' PASSES ISSUED DURING THE SESSION | | | | 14,168 |
| 21. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY AND THE DATE ON WHICH ISSUED | | 1,021 passes issued on 17.12.2009 | | |
| 22. TOTAL NUMBER OF QUESTIONS ADMITTED | | | | |
| (i) Starred | | | | 440 |
| (ii) Answered orally | | | | 87 |
| (iii) Un-starred | | | | 4,848 |
| (iv) Short Notice Questions | | | | Nil |
| (v) Half-an-Hour discussions | | | | 1 |
| 23. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE | | | | Nil |
| 24. PETITIONS PRESENTED | | | | Nil |
| 25. NUMBER OF NEW MEMBERS SWORN IN WITH DATE | | | | 3 on 19.11.2009 |
| 26. NUMBER OF PRIVILEGE MOTIONS | | | | |
| (i) Notices received | | | | 7 |
| (ii) Brought before the House | | | | Nil |
| (iii) Consent withheld by Speaker | | | | Nil |
| (iv) Observation made by Speaker | | | | 1 |
| 27. NUMBER OF REPORTS OF VARIOUS PARLIAMENTARY COMMITTEES PRESENTED IN LOK SABHA | <u>Original</u> | <u>Action Taken</u> | <u>Study Tour</u> | |
| i) Estimates Committee | 2 | 1 | Nil | |
| ii) Public Accounts Committee | 1 | 6 | Nil | |

| | | | | |
|------------|---|-----------------|---------------------|-------------------|
| iii) | Committee on Public Undertakings | 1 | Nil | Nil |
| iv) | Business Advisory Committee | 5 | Nil | Nil |
| v) | Committee on Private Members Bills and Resolutions | 4 | Nil | Nil |
| vi) | Committee on Government Assurances | 4 | Nil | Nil |
| vii) | Committee on the Welfare of Scheduled Castes and Scheduled Tribes Committee | 2 | 1 | Nil |
| 28. | NUMBER OF REPORTS OF DEPARTMENTALLY-RELATED STANDING COMMITTEES PRESENTED IN LOK SABHA | <u>Original</u> | <u>Action Taken</u> | <u>Study Tour</u> |
| i) | Committee on Agriculture | 2 | 1 | Nil |
| ii) | Committee on Information and Technology | 4 | Nil | Nil |
| iii) | Committee on Defence | 1 | 1 | Nil |
| iv) | Committee on Energy | 2 | 1 | Nil |
| v) | Committee on External Affairs | 2 | Nil | Nil |
| vi) | Committee on Finance | 6 | Nil | Nil |
| vii) | Committee on Food, Consumer Affairs and Public Distribution | 2 | 1 | Nil |
| viii) | Committee on Labour | 4 | 3 | Nil |
| ix) | Committee on Petroleum and Natural Gas | 1 | Nil | Nil |
| x) | Committee on Railways | 2 | 3 | Nil |
| xi) | Committee on Urban Development | 2 | Nil | Nil |
| xii) | Committee on Water Resources | 1 | Nil | Nil |
| xiii) | Committee on Chemicals and Fertilizers | 4 | 1 | Nil |
| xiv) | Committee on Rural Development | 4 | 1 | Nil |
| xv) | Committee on Coal and Steel | 3 | Nil | Nil |
| xvi) | Committee on Social Justice and Empowerment | 3 | Nil | Nil |
| 29. | NUMBER OF REPORTS OF DEPARTMENTALLY-RELATED STANDING COMMITTEES PRESENTED IN RAJYA SABHA | <u>Original</u> | <u>Action Taken</u> | <u>Study Tour</u> |
| i) | Committee on Human Resource Development | 1 | 4 | Nil |
| ii) | Committee on Science & Technology Environment & Forests | 1 | Nil | Nil |
| iii) | Committee on Transport, Tourism & Culture | 1 | Nil | Nil |
| iv) | Committee on Health and Family Welfare | Nil | 3 | Nil |
| v) | Committee on Personnel, Public Grievances, Law and Justice | 1 | 1 | Nil |

APPENDIX II

**STATEMENT SHOWING THE WORK
TRANSACTIONED DURING THE TWO HUNDRED AND
EIGHTEENTH SESSION OF THE RAJYA SABHA**

| | | |
|--|---------------------------------|-----|
| 1. PERIOD OF THE SESSION | 19 November to 22 December 2009 | |
| 2. NUMBER OF SITTINGS HELD | | 23 |
| 3. TOTAL NUMBER OF SITTING HOURS | 102 Hours and 02 minutes | |
| 4. NUMBER OF DIVISIONS HELD | | Nil |
| 5. GOVERNMENT BILLS | | |
| (i) Pending at the commencement of the Session | | 36 |
| (ii) Introduced | | 1 |
| (iii) Laid on the Table as passed by the Lok Sabha | | 17 |
| (iv) Returned by Lok Sabha with any amendment | | Nil |
| (v) Referred to Select Committee by the Rajya Sabha | | 1 |
| (vi) Referred to Joint Committee by the Rajya Sabha | | Nil |
| (vii) Referred to the Department-related Standing Committees | | 2 |
| (viii) Reported by Select Committee | | Nil |
| (ix) Reported by Joint Committee | | Nil |
| (x) Reported by the Department-related Standing Committees | | Nil |
| (xi) Discussed | | 17 |
| (xii) Passed | | 17 |
| (xiii) Withdrawn | | 2 |
| (xiv) Negatived | | Nil |
| (xv) Part-discussed | | Nil |
| (xvi) Returned by the Rajya Sabha without any Recommendation | | 4 |
| (xvii) Discussion postponed | | Nil |
| (xviii) Pending at the end of the Session | | 33 |
| 6. PRIVATE MEMBERS' BILLS | | |
| (i) Pending at the commencement of the Session | | 161 |

| | |
|--|------------|
| (ii) Introduced | 24 |
| (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 | Nil |
| (xvi) Pending at the end of the Session | 183 |
| 7. NUMBER OF DISCUSSIONS HELD UNDER RULE 176 (Matters of Urgent Public Importance) | |
| (i) Notices received | 82 |
| (ii) Admitted | 4 |
| (iii) Discussions held | 4 |
| NUMBER OF STATEMENTS MADE UNDER RULE 180 (Calling Attention to Matters of Urgent Public Importance) | |
| 8. STATEMENT MADE BY MINISTERS | 5 |
| 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 | Nil |
| (ii) Admitted | Nil |
| (iii) Moved | Nil |

| | |
|--|-----|
| (iv) Adopted | NII |
| 12. PRIVATE MEMBERS' RESOLUTION | |
| (i) Received | 10 |
| (ii) Admitted | 10 |
| (iii) Discussed | 2 |
| (iv) Withdrawn | NII |
| (vi) Negatived | 1 |
| (vii) Adopted | NII |
| (vii) Part-discussed | 1 |
| (viii) Discussion Postponed | NII |
| 13. GOVERNMENT MOTIONS | |
| (i) Notices received | NII |
| (ii) Admitted | NII |
| (iii) Moved & discussed | NII |
| (iv) Adopted | NII |
| (v) Part-discussed | NII |
| 14. PRIVATE MEMBERS' MOTIONS | |
| (i) Received | 102 |
| (ii) Admitted | 96 |
| (iii) Moved | NII |
| (iv) Adopted | NII |
| (v) Part-discussed | NII |
| (vi) Negatived | NII |
| (vii) Withdrawn | NII |
| 15. MOTIONS REGARDING MODIFICATION OF STATUTORY RULE | |
| (i) Received | NII |
| (ii) Admitted | NII |
| (iii) Moved | NII |
| (iv) Adopted | NII |
| (v) Negatived | NII |
| (vi) Withdrawn | NII |
| (vii) Part-discussed | NII |
| (viii) Lapsed | NII |
| 16. NUMBER, NAME AND DATE OF PARLIAMENTARY COMMITTEE CREATED, IF ANY | NII |

| | |
|---|------------------------|
| 17. TOTAL NUMBER OF VISITORS' PASSES ISSUED | 1,372 |
| 18. TOTAL NUMBER OF VISITORS | 2,964 |
| 19. MAXIMUM NUMBER OF VISITORS' PASSES ISSUED ON ANY SINGLE DAY, AND DATE ON WHICH ISSUED | 164 (on 18.12.2009) |
| 20. MAXIMUM NUMBER OF VISITORS ON ANY SINGLE DAY AND DATE | 320 (on 17.12.2009) |
| 21. TOTAL NUMBER OF QUESTIONS ADMITTED | |
| (i) Starred | 459 |
| (ii) Unstarred | 3,536 |
| (iii) Short-Notice Questions | Nil |
| 22. DISCUSSIONS ON THE WORKING OF THE MINISTRIES | Nil |
| 23. WORKING OF PARLIAMENTARY COMMITTEES | |

| Sl. No. | Name of the Committee | No. of meetings held during the period 1 October to 31 December 2009 | No. of Reports presented during the 218 th Session |
|---|---|--|---|
| 1 | 2 | 3 | 4 |
| (i) | Business Advisory Committee | 5 | Nil |
| (ii) | Committee on Subordinate Legislation | 3 | 2 |
| (iii) | Committee on Petitions | 4 | Nil |
| (iv) | Committee of Privileges | 1 | Nil |
| (v) | Committee on Rules | 2 | 1 |
| (vi) | Committee on Government Assurances | 4 | 1 |
| (vii) | Committee on Papers Laid on the Table | 6 | 2 |
| (viii) | General Purposes Committee | Nil | Nil |
| (ix) | House Committee | 2 | Nil |
| Department-related Standing Committees : | | | |
| (x) | Commerce | 5 | Nil |
| (xi) | Home Affairs | 7 | Nil |
| (xii) | Human Resource Development | 5 | 5 |
| (xiii) | Industry | 3 | Nil |
| (xiv) | Science and Technology, Environment and Forests | 6 | 1 |
| (xv) | Transport, Tourism and Culture | 5 | 1 |
| (xvi) | Health and Family Welfare | 5 | 4 |
| (xvii) | Personnel, Public Grievances, Law and Justice | 6 | 2 |

Other Committees

| | | |
|---|-----|-----|
| (xviii) Committee on Ethics | 1 | Nil |
| (xix) Committee on Provision of Computers Equipment to Members of Rajya Sabha | 1 | Nil |
| (xx) Committee on Member of Parliament Local Area Development Scheme | 1 | Nil |
| 24. NUMBER OF MEMBERS GRANTED LEAVE OF ABSENCE | 5 | |
| 25. PETITIONS PRESENTED | Nil | |
| 26. NAME OF NEW MEMBERS SWORN-IN WITH DATES | | |

| S. No. | Name of Members sworn-in | Party Affiliation | Date on which sworn |
|--------|--------------------------|-------------------|---------------------|
| 1. | 2 | 3 | 4 |
| 1. | Shri P. Kannan | INC | 19.11.2009 |
| 2. | Shri H.K. Dua | Nominated | 20.11.2009 |
| 3. | Dr. Ashok S. Ganguly | -do- | 30.11.2009 |

27. OBITUARY REFERENCES

| S. No. | Name | Sitting Member/ Ex-Member |
|--------|----------------------------|------------------------------|
| 1. | Dr. Y.S. Rajasekara Reddy | C.M. (Andhra Pradesh) |
| 2. | Shri Pyarlal Khandelwal | Sitting Member |
| 3. | Shri Mahendra Sahn | -do- |
| 4. | Shri Suryakantbhai Acharya | -do- |
| 5. | Shri Parvathaneni Upendra | Ex-Member |

APPENDIX III
STATEMENT SHOWING THE ACTIVITIES OF THE LEGISLATURES OF THE STATES AND UNION TERRITORIES DURING THE PERIOD FROM 1 OCTOBER TO 31 DECEMBER 2009

| Legislature | Duration | Sittings | Govt. Bills [Introduced (Passed)] | Private Bills [Introduced (Passed)] | Starred Questions [Received (admitted)] | Unstarred Questions [Received (admitted)] | Short Notice Questions [Received (admitted)] |
|-------------------------|------------------------------------|----------|-----------------------------------|-------------------------------------|---|---|--|
| | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| STATES | | | | | | | |
| Andhra Pradesh L.A. | 7.12.2009 to 14.12.2009 | 6 | 2(Nil) | Nil(Nil) | 536(218) | -(46) | 108(46) |
| Andhra Pradesh L.C. | 7.12.2009 to 14.12.2009 | 6 | Nil(Nil) | Nil(Nil) | 453(237) | 12(23) | 60(56) |
| Arunachal Pradesh L.A. | 3.11.2009 to 5.11.2009, 12.12.2009 | 4 | — | — | — | — | — |
| Assam L.A. | 7.12.2009 to 11.12.2009 | 5 | 5(5) | Nil(Nil) | 292(279) | 199(190) | 93(85) |
| Bihar L.A. | 17.12.2009 to 24.12.2009 | 6 | -(—) | -(—) | 615(416) | 312(233) | 61(29) |
| Bihar L.C. | 17.12.2009 to 24.12.2009 | 6 | -(4) | -(—) | 750(701) | -(3) | 188(148) |
| Chhattisgarh L.A.** | — | — | — | — | — | — | — |
| Goa L.A. | 15.12.2009 to 18.12.2009 | 4 | — | — | — | — | — |
| Gujarat L.A. | 17.12.2009 to 19.12.2009 | 3 | 1(2) | -(—) | -(—) | 224(145) | 74(18) |
| Haryana L.A. | 28.10.2009 | 1 | Nil(Nil) | Nil(Nil) | Nil(—) | Nil(—) | Nil(—) |
| Himachal Pradesh L.A.** | — | — | — | — | — | — | — |
| Jammu & Kashmir L.A.** | — | — | — | — | — | — | — |
| Jammu & Kashmir L.C.** | — | — | — | — | — | — | — |
| Jharkhand L.A.* | — | — | — | — | — | — | — |
| Karnataka L.A.** | — | — | — | — | — | — | — |

APPENDIX III (Contd.)
COMMITTEES AT WORK / NUMBER OF SITTINGS HELD AND NUMBER OF REPORTS PRESENTED
DURING THE PERIOD FROM 1 OCTOBER TO 31 DECEMBER 2009

| STATES | | |
|---------------------|----------------|---|
| | 9 | Business Advisory Committee |
| | 10 | Committee on Government 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 | Committee on Estimates |
| | 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 |
| Andhra Pradesh L.A. | 1(1) | |
| Andhra Pradesh L.C. | 1 | |
| | 4 | |
| | 5 | |
| | 4 ^m | |

| | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 |
|--------------------------|------|------|----|------|----|----|----|----|----|----|----|----|------|----|----|---------------------|
| Sikkim L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Tamil Nadu L.A. | — | 5 | 8 | — | — | 15 | 3 | — | 7 | — | — | 2 | 11 | 1 | — | — |
| Tripura L.A. | 1(1) | 1 | 1 | — | 3 | 1 | 2 | 2 | 1 | — | 1 | — | — | — | — | — |
| Uttarakhand L.A. | 3 | 3 | — | — | — | — | — | 4 | 2 | — | — | — | 2(1) | — | — | — |
| Uttar Pradesh L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Uttar Pradesh L.C. | — | 9 | 6 | — | 5 | — | — | — | — | — | 6 | — | — | 6 | — | 36 ⁰ |
| West Bengal L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| UNION TERRITORIES | | | | | | | | | | | | | | | | |
| Delhi L.A. | 1(1) | 2(1) | — | 1(1) | — | 1 | 1 | — | 2 | — | — | — | 3(1) | — | — | 6(1) ^(K) |
| Puduchery L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |

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

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

a) Committee on Papers Laid on the Table-4

b) Act Implementation Committee-1

c) Members Fund Monitoring and Implementation Committee-29; Zila Parishad & Panchayati Raj Committee-26(1); Question and Calling Attention Committee-12(1); Agricultural Development Industries Committee-15; Nivedan Committee-11(1); Aachar Committee-2; Tourism Development Committee-9; Women & Child Welfare Committee-12; Internal Resources Committee-21; and Zero Hour Committee-26

d) Committee on Question and Call Attention-10; Nivedan Committee-10; Welfare of Minorities Committee-12; Committee on Zila Parishad and Panchayati Raj-7; and Committee on Zero Hour-11

e) Members Pay & Allowance Rules Committee-1; Panchayati Raj Committee-4(1); Welfare of Socially and Educationally Backward Classes Committee-4; and Papers Laid on the Table Committee-3

f) Committee on Welfare of Women and Children-2; Committee on Question and Reference-4; and Committee on Papers Laid on the Table-3

g) Committee on Leave of Absence of Members from Sitzings of the House-1(1)

h) Hill Areas Committee-4

- i) PLC-1
- j) Committee on Reference & Question-10; Committee on Financial & Administrative Delay-3; Committee on Parliamentary Study-3; Parliamentary & Social Welfare Committee-4; Committee on Control of Irregularities in Development Authorities, Housing Board, Jila Panchayats & Municipal Corporation-3; Committee on Enquiry of Provincial Electricity Arrangement-3; Committee on Regulation Review-2; Committee on Enquiry of Raging In Colleges/Engineering Institution in Provinces-3; and Daivee Aapada Prabandhan Samiti-5
- k) Committee on Women & Child Welfare-1; Question & Reference Committee-1; Committee on Paper Laid on the Table-1; Committee on Environment-1; and Committee on Member Salary & Allowance-2(1)

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

1 OCTOBER TO 31 DECEMBER 2009

| Sl. No. | Title of the Bill | Date of Assent by the President |
|---------|---|------------------------------------|
| 1. | The Essential Commodities (Amendment and Validation) Bill, 2009 | 22.12.2009 |
| 2. | The Jharkhand Contingency Fund (Amendment) Bill, 2009 | 22.12.2009 |
| 3. | The Central Universities (Amendment) Bill, 2009 | 22.12.2009 |
| 4. | The Competition (Amendment) Bill, 2009 | 22.12.2009 |
| 5. | The National Capital Territory of Delhi Laws (Special Provisions) Second Bill, 2009 | 22.12.2009 |
| 6. | The Representation of the People (Amendment) Bill, 2009 | 22.12.2009 |
| 7. | The Appropriation (No.4) Bill, 2009 | 22.12.2009 |
| 8. | The Jharkhand Appropriation (No. 3) Bill, 2009 | 22.12.2009 |
| 9. | The Appropriation (Railways) No.4 Bill, 2009 | 22.12.2009 |
| 10. | The Workmen's Compensation (Amendment) Bill, 2009 | 22.12.2009 |
| 11. | The National Rural Employment Guarantee (Amendment) Bill, 2009 | 31.12.2009 |
| 12. | The Payment of Gratuity (Amendment) Bill, 2009 | 31.12.2009 |
| 13. | The State Bank of Saurashtra (Repeal) and the State Bank of India (Subsidiary Banks) Amendment Bill, 2009 | 31.12.2009 |

APPENDIX V**LIST OF BILLS PASSED BY THE LEGISLATURES
OF THE STATES AND THE UNION TERRITORIES
DURING THE PERIOD****1 OCTOBER TO 31 DECEMBER 2009**

ASSAM LEGISLATIVE ASSEMBLY

1. The Assam Appropriation (No.III) Bill, 2009
2. The Assam Science and Technology University Bill, 2009
3. The Krishna Kanta Handique State Open University (Amendment) Bill, 2009
4. The Assam Agricultural Income Tax (Third Amendment) Bill, 2009
5. The Assam Entry Tax (Third Amendment) Bill, 2009

BIHAR LEGISLATIVE COUNCIL

1. The Bihar Fiscal Responsibility and Budget Management (Amendment) Bill, 2009
2. The Bihar Land Disputes Resolution Bill, 2009
3. The Bihar Value Added Tax (Amendment) Bill, 2009
4. The Bihar Appropriation (No.4) Bill, 2009

BIHAR LEGISLATIVE ASSEMBLY

1. The Bihar Appropriation (No.4) Bill, 2009
2. The Bihar Value Added Tax (Amendment) Bill, 2009
3. The Bihar Fiscal Responsibility and Budget Management (Amendment) Bill, 2009
4. The Bihar Land Disputes Resolution Bill, 2009

GOA LEGISLATIVE ASSEMBLY

1. The Goa Appropriation (No.3) Bill, 2009
2. The Goa Appropriation (No.4) Bill, 2009
3. The Goa (Recovery of Arrears of Tax through Settlement) Bill, 2009
4. The Goa Town and Country Planning (Amendment) Bill, 2009
5. The Goa Tax on Luxuries (Eleventh Amendment) Bill, 2009
6. The Goa Tax on Infrastructure Bill, 2009
7. The Goa University (Amendment) Bill, 2009
8. The Goa Civil Courts (Amendment) Bill, 2009
9. The Goa Salary, Allowances and Pension of Members of the Legislative Assembly (Third Amendment) Bill, 2009
10. The Goa Land Revenue (Amendment) Bill, 2009
11. The Goa Appropriation (No.5) Bill, 2009

12. The Goa Land Revenue Code (Amendment) Bill, 2009
13. The Goa Tax on Profession Trade Callings and Employment Bill, 2009
14. The Goa Barge Tax (Amendment) Bill, 2009

GUJARAT LEGISLATIVE ASSEMBLY

1. The Bombay Prohibition (Gujarat Amendment) Bill, 2009
2. The Gujarat Local Authorities Laws (Amendment) Bill, 2008

MADHYA PRADESH LEGISLATIVE ASSEMBLY

1. The Madhya Pradesh Sinchai Prabandhan (Sanshodhan) Vidheyak, 2009
2. The Bharatiya Vana (Madhya Pradesh Sanshodhan) Vidheyak, 2009
3. The Madhya Pradesh Rajakoshiya Uttardayittwa Tatha Budget Prabandhan (Dwitiya Sanshodhan) Vidheyak, 2009
4. The Madhya Pradesh Karadhan (Sanshodhan) Vidheyak, 2009
5. The Madhya Pradesh Bhu-Rajaswa Sanhita (Sanshodhan) Vidheyak, 2009
6. The Madhya Pradesh Viniyoga (Kramank-4) Vidheyak, 2009
7. The Madhya Pradesh Gram Nyayalaya (Nirasana) Vidheyak, 2009
8. The Madhya Pradesh Motoryaan Karadhan (Sanshodhan) Vidheyak, 2009
9. The Madhya Pradesh Stamp Vidheyak, 2009
10. The Madhya Pradesh Vana Upaja Ke Kararon Kaa Punareekshan Nirasan Vidheyak, 2009
11. The Rajmata Vijayaraje Scindia Krishi Viswavidyalaya (Sanshodhan) Vidheyak, 2009
12. The Madhya Pradesh Nagarpalika Vidhi (Sanshodhan) Vidheyak, 2009
13. The Madhya Pradesh Sahakari Society (Sanshodhan) Vidheyak, 2009

MAHARASHTRA LEGISLATIVE COUNCIL

1. The Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-Offenders and Dangerous Persons (Amendment) Bill, 2009
2. The Maharashtra Project Affected Persons Rehabilitation (Amendment) Bill, 2009
3. The Maharashtra Regional and Town Planning (Third Amendment) Bill, 2009
4. The Maharashtra Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Bill, 2009
5. The Maharashtra University of Health Sciences (Amendment) Bill, 2009
6. The Orphanages and Other Charitable Homes (Supervision and Control), Act, 1960, the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) Act, 1955, and the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (Maharashtra Amendment) Bill, 2009
7. Dr. Babasaheb Ambedkar Technological University and the Maharashtra Universities (Amendment) Bill, 2009
8. The Bombay Motor Vehicles Tax (Amendment) Bill, 2009
9. The Maharashtra Value Added Tax (Levy, Amendment and Validation) Bill, 2009
10. The Bombay Provincial Municipal Corporations and the Bombay Village Panchayats (Amendment) Bill, 2009

11. The Maharashtra (Third Supplementary) Appropriation Bill, 2009

MAHARASHTRA LEGISLATIVE ASSEMBLY

1. The Bombay Motor Vehicles Tax (Amendment) Bill, 2009
2. The Maharashtra Value Added Tax (Levy, Amendment and Validation) Bill, 2009
3. The Bombay Provincial Municipal Corporation and the Bombay Village Panchayats (Amendment) Bill, 2009
4. The Maharashtra (Third Supplementary) Appropriation Bill, 2009
5. The Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-Offenders and Dangerous Persons (Amendment) Bill, 2009
6. The Maharashtra Project Affected Persons Rehabilitation (Amendment) Bill, 2009
7. The Maharashtra Regional and Town Planning (Third Amendment) Bill, 2009
8. The Maharashtra University of Health Sciences (Amendment) Bill, 2009
9. The Orphanages and Other Charitable Homes (Supervision and Control), the Persons with Disabilities (Equal Opportunities, Protection of Rights and Full Participation) and the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) (Maharashtra Amendment) Bill, 2009
10. Dr. Babasaheb Ambedkar Technological University and the Maharashtra Universities (Amendment) Bill, 2009

MIZORAM LEGISLATIVE ASSEMBLY

1. The Mizoram Municipalities (Amendment) Bill, 2009
2. The Mizoram Cooperative Societies (Amendment) Bill, 2009
3. The Mizoram Appropriation (No.4) Bill, 2009

NAGALAND LEGISLATIVE ASSEMBLY

1. The Nagaland Retirement from Public Employment (Second Amendment) Bill, 2009
2. The Nagaland Fiscal Responsibility and Budget Management (Amendment) Bill, 2009
3. The Nagaland Appropriation (No.4) Bill, 2009
4. The Nagaland Appropriation (No.5) Bill, 2009
5. The Nagaland Government Servants (Transfer and Posting) Bill, 2009

ORISSA LEGISLATIVE ASSEMBLY

1. The Orissa Appropriation (No.2) Bill, 2009

UTTARAKHAND LEGISLATIVE ASSEMBLY

1. The Uttarakhand (The Uttar Pradesh Urban Planning and Development Act, - 1973) (Amendment) Bill, 2009
2. The Uttarakhand (The Uttar Pradesh State Legislature) (Prevention of Disqualification) Act, 1971) (Amendment) Bill, 2009
3. The Uttarakhand Minister (Salaries, Allowances and Miscellaneous Provisions) Bill, 2009
4. The Uttarakhand Official Language Bill, 2009

5. The Uttarakhand (The Uttaranchal Value Added Tax Act, 2005 (Third Amendment) Bill, 2009
6. The Uttar Pradesh Awas Avam Vikas Parishad Act, 1965 (as applicable to the State of Uttarakhand) (Amendment) Bill, 2009
7. The Uttarakhand Technical University (Amendment) Bill, 2009
8. The ICFAI University Act, 2003 (Amendment) Bill, 2009
9. The University of Petroleum and Energy Studies Act, 2003 (Amendment) Bill, 2009
10. The Himglri Nabh Vishwavidyalaya (University in the Sky) Act, 2003 (Amendment) Bill, 2009
11. The Devsanskriti Vishwavidyalaya Act, 2002 (Amendment) Bill, 2009
12. The University of Patanjali Act, 2006 (Amendment) Bill, 2009
13. The Uttarakhand State Legislature (Members Emoluments and Pension) Bill, 2009
14. The Uttarakhand Appropriation (Supplementary 2009-2010) Act, 2009
15. The Uttaranchal Power Development Fund (Amendment) Bill, 2009
16. The Uttarakhand [Uttar Pradesh State Legislature (Officer Salary & Allowances)] (Amendment) Bill, 2009
17. The Uttarakhand (Uttar Pradesh Special Area Development Authority Act, 1986) (Amendment) Bill, 2009

APPENDIX VI
ORDINANCES PROMULGATED BY THE UNION AND
STATE GOVERNMENTS DURING THE PERIOD

1 OCTOBER TO 31 DECEMBER 2009

| Sl. No. | Title of Ordinance | Date of Promulgation | Date on which laid before the House | Date of Cessation | Remarks |
|---|--|----------------------|-------------------------------------|-------------------|----------------------------------|
| UNION GOVERNMENT | | | | | |
| 1. | The Competition (Amendment) Ordinance, 2009 | 14.10.2009 | 19.11.2009 | — | Replaced by an Act of Parliament |
| 2. | The Jharkhand Contingency Fund (Amendment) Ordinance, 2009 | 20.10.2009 | 19.11.2009 | — | Replaced by an Act of Parliament |
| 3. | The Central Universities (Amendment) Ordinance, 2009 | 20.10.2009 | 19.11.2009 | — | Replaced by an Act of Parliament |
| 4. | The Essential Commodities (Amendment and Validation) Ordinance, 2009 | 21.10.2009 | 19.11.2009 | — | Replaced by an Act of Parliament |
| ANDHRA PRADESH LEGISLATIVE COUNCIL | | | | | |
| 1. | The Greater Hyderabad Municipal Corporations (Amendment) Ordinance, 2009 | 26.10.2009 | 8.12.2009 | — | — |
| 2. | The Andhra Pradesh Excise (Amendment) Ordinance, 2009 | 4.11.2009 | 8.12.2009 | — | — |
| 3. | The Andhra Pradesh Sports Authorities (Amendment) Ordinance, 2009 | 1.12.2009 | 8.12.2009 | — | — |

ANDHRA PRADESH LEGISLATIVE ASSEMBLY

| | | | | | |
|---------------|--|------------|-----------|---|---|
| 1. | The Greater Hyderabad Municipal Corporations (Amendment) Ordinance, 2009 | 25.10.2009 | 8.12.2009 | — | — |
| 2. | The Andhra Pradesh Excise (Amendment) Ordinance, 2009 | 3.11.2009 | 8.12.2009 | — | — |
| 3. | The Andhra Pradesh Sports Authorities (Amendment) Ordinance, 2009 | 30.11.2009 | 8.12.2009 | — | — |
| KERALA | | | | | |
| 1. | The Kerala Police (Amendment) Ordinance, 2009 | 16.10.2009 | Not laid | — | — |
| 2. | The Kerala Sports (Amendment) Ordinance, 2009 | 19.10.2009 | Not laid | — | — |
| 3. | The Kerala Advocates' Welfare Fund (Amendment) Ordinance, 2009 | 19.10.2009 | Not laid | — | — |
| 4. | The Kerala Spinners, Alappuzha (Acquisition and Transfer of Undertaking) Ordinance, 2009 | 19.11.2009 | Not laid | — | — |
| 5. | The Kerala University of Health and Allied Sciences Ordinance, 2009 | 7.12.2009 | Not laid | — | — |
| 6. | The Abkari (Amendment) Ordinance, 2009 | 7.12.2009 | Not laid | — | — |
| 7. | The University Laws (Amendment) Ordinance, 2009 | 8.12.2009 | Not laid | — | — |
| 8. | The Kerala Dairy Farmers' Welfare Fund (Amendment) Ordinance, 2009 | 16.12.2009 | Not laid | — | — |

MAHARASHTRA LEGISLATIVE COUNCIL

| | | | | | |
|----|---|------------|------------|------------|--|
| 1. | The Maharashtra Prevention of Dangerous Activities of Slumlords, Bootleggers, Drug-Offenders and Dangerous Persons (Amendment) Ordinance, 2009 | 15.07.2009 | 11.11.2009 | 22.12.2009 | Replaced by Legislation |
| 2. | The Maharashtra Municipal Corporations and Municipal Councils Temporary Postponement of Elections (of the Mayors and the Deputy Mayors of Certain Municipal Corporations and the Presidents and Vice-Presidents of Certain Municipal Councils due to ensuing General Elections to the State Legislative Assembly) Ordinance, 2009 | 31.07.2009 | 11.11.2009 | 22.12.2009 | |
| 3. | The Bombay Court Fees (Amendment) Ordinance, 2009 | 11.08.2009 | 11.11.2009 | 22.12.2009 | Ordinance conversion Bill is pending before Legislative Assembly |
| 4. | The Maharashtra Medicare Service Persons and Medicare Service Institutions (Prevention of Violence and Damage or Loss to Property) Ordinance, 2009 | 11.08.2009 | 11.11.2009 | 22.12.2009 | Ordinance conversion Bill has been passed by the Legislative Council and pending before the Legislative Assembly |
| 5. | The Maharashtra Tax on Luxuries (Amendment) Ordinance, 2009 | 18.08.2009 | 11.11.2009 | 22.12.2009 | Ordinance conversion Bill is pending before Legislative Assembly |

| | | | | | |
|-----|---|------------|------------|------------|--|
| 6. | The Maharashtra Zilla Parishads and Panchayat Samitis Temporary Postponement of Election (of the President, Vice-President and Chairman of Subjects Committees of Certain Zilla Parishads and Chairman and Deputy Chairman of certain Panchayat Samitis due to ensuing General Elections to the State Legislative Assembly) Ordinance, 2009 | 20.08.2009 | 11.11.2009 | 22.12.2009 | — |
| 7. | The Maharashtra Contingency Fund (Second Amendment) Ordinance, 2009 | 21.08.2009 | 11.11.2009 | 22.12.2009 | — |
| 8. | The Maharashtra Regional and Town Planning (Amendment) Ordinance, 2009 | 25.08.2009 | 11.11.2009 | 22.12.2009 | Replaced by Legislation |
| 9. | The Maharashtra Value Added Tax (Levy, Amendment and Validation) Ordinance, 2009 | 27.08.2009 | 11.11.2009 | 22.12.2009 | Replaced by Legislation |
| 10. | The Maharashtra Project Affected Persons Rehabilitation (Amendment) Ordinance, 2009 | 28.08.2009 | 11.11.2009 | 22.12.2009 | Replaced by Legislation |
| 11. | The Maharashtra State Special Security Corporation Ordinance, 2009 | 31.08.2009 | 11.11.2009 | 22.12.2009 | Ordinance conversion Bill has been passed by the Legislative Assembly and pending before the Legislative Council |
| 12. | The Bombay Provincial Municipal Corporations and the Bombay Village Panchayats (Amendment) Ordinance, 2009 | 31.08.2009 | 11.11.2009 | 22.12.2009 | Replaced by Legislation |

| | | | | | |
|---|---|------------|------------|------------|---|
| 13. | Dr. Babasaheb Ambedkar Technological University and the Maharashtra Universities (Amendment) Ordinance, 2009 | 31.08.2009 | 11.11.2009 | 22.12.2009 | Replaced by Legislation |
| 14. | The Bombay Entertainment Duty (Amendment) Ordinance, 2009 | 31.08.2009 | 11.11.2009 | 22.12.2009 | Ordinance conversion Bill has been passed by the Legislative Assembly and pending before the Legislative Council |
| 15. | The Bombay Motor Vehicles Tax (Amendment) Ordinance, 2009 | 26.10.2009 | 11.11.2009 | 22.12.2009 | Replaced by Legislation |
| 16. | The Maharashtra University of Health Sciences (Amendment) Ordinance, 2009 | 30.11.2009 | 8.12.2009 | 18.01.2010 | Replaced by Legislation |
| MAHARASHTRA LEGISLATIVE ASSEMBLY | | | | | |
| 1. | The Bombay Motor Vehicle Tax (Amendment) Ordinance, 2009 | 26.10.2009 | 11.11.2009 | 22.12.2009 | Replaced by Legislation |
| 2. | The Maharashtra University of Health Sciences (Amendment) Ordinance, 2009 | 30.11.2009 | 8.12.2009 | 18.01.2010 | Replaced by Legislation |
| TAMIL NADU | | | | | |
| 1. | The Tamil Nadu Co-operative Societies (Second Amendment) Ordinance, 2009 | 16.11.2009 | 17.11.2009 | — | — |
| 2. | The Tamil Nadu Uniform System of School Education Ordinance, 2009 | 27.11.2009 | 30.11.2009 | — | — |

UTTAR PRADESH LEGISLATIVE ASSEMBLY

| | | | | | |
|--------------------|--|------------|------------|-----------|-------------------------|
| 1. | The Sanajay Gandhi Snatakottar Ayurvigyan Sanshan (Sanshodhan) Adhyadesh, 2009 | | | | |
| UTTARAKHAND | | | | | |
| 1. | The Uttarakhnd [The Uttar Pradesh State Legislature (Prevention of Disqualification) Act, 1971] Act, 1973 (Amendment) Bill Ordinance, 2009 | 22.08.2009 | 21.12.2009 | 7.01.2010 | Replaced by Legislation |
| 2. | The Uttarakhnd Technical University (Amendment) Ordinance, 2009 | 13.10.2009 | 21.12.2009 | 5.01.2010 | Replaced by Legislation |

APPENDIX VII
A. PARTY POSITION IN 15TH LOK SABHA (STATE-WISE) (AS ON 15.4.2010)

| States | No. of Seats | INC | BJP | SP | BSP | JD (U) | AITC | DMK | CPI (M) | BUD | SHIV SEENA | NCP | AIA DMK | TDP | FLD | CPI | SAD | RJD | JKNC | JD (S) | AIFB | | |
|----------------------|--------------|-------------|------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|----------|---|
| Andhra Pradesh | 42 | 33 | — | — | — | — | — | — | — | — | — | — | — | 6 | — | — | — | — | — | — | — | — | |
| Arunachal Pradesh | 2 | 2 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Assam | 14 | 7 | 4 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Bihar | 40 | 1* | 12 | — | — | 20 | — | — | — | — | — | — | — | — | — | — | — | 4 | — | — | — | — | |
| Chhattisgarh | 11 | 1 | 10 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Goa | 2 | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Gujarat | 26 | 11 | 15 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Haryana | 10 | 9 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Himachal Pradesh | 4 | 1 | 3 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | 3 | — | — | — | |
| Jammu & Kashmir | 6 | 2 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Jharkhand | 14 | 1 | 8 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Karnataka | 28 | 6 | 19 | — | — | — | — | — | 4 | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Kerala | 20 | 13 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Madhya Pradesh | 29 | 12 | 16 | — | 1 | — | — | — | — | — | 11 | 8 | — | — | — | — | — | — | — | — | — | — | |
| Maharashtra | 48 | 17 | 9 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Manipur | 2 | 2 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Meghalaya | 2 | 1 | — | — | — | — | — | — | — | — | — | 1 | — | — | — | — | — | — | — | — | — | — | |
| Mizoram | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Nagaland | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Orissa | 21 | 6 | — | — | — | — | — | — | — | 14 | — | — | — | — | — | — | — | — | — | — | — | — | |
| Punjab | 13 | 8 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Rajasthan | 25 | 20 | 4 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Sikkim | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Tamil Nadu | 39 | 8 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Tripura | 2 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Uttarakhand | 5 | 5 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Uttar Pradesh | 80 | 22 | 10 | 22 | 20 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| West Bengal | 42 | 6 | 1 | — | — | — | 19 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | 2 | |
| UNION TERRITORIES | | | | | | | | | | | | | | | | | | | | | | | |
| A & N Islands | 1 | — | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Chandigarh | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Dadra & Nagar Haveli | 1 | — | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Daman and Diu | 1 | — | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| The NCT of Delhi | 7 | 7 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Lakshadweep | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Puducherry | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | — | |
| Total | 543. | 206* | 116 | 22 | 21 | 20 | 19 | 18 | 16 | 14 | 11 | 9 | 9 | 6 | 5 | 4 | 4 | 4 | 3 | 3 | 3 | 2 | |

APPENDIX VII (CONTD.)

| States | JMM | MLK SC | RSP | ITFS | AIM EIM | AGP | AUDF | BVA | BPF | HJC (BL) | JVM (P) | KC (M) | MD MK | NPF | SDF | SWP | VCK | IND | TOTAL | VACA NCIES |
|----------------------|-----|-----------|-----|------|------------|-----|------|-----|-----|-------------|------------|-----------|----------|-----|-----|-----|-----|-----|-------|---------------|
| Andhra Pradesh | | | | 2 | 1 | | | | | | | | | | | | | | 42 | |
| Arunachal Pradesh | | | | | | | | | | | | | | | | | | | 2 | |
| Assam | | | | | | 1 | | | 1 | | | | | | | | | | 14 | |
| Bihar | | | | | | | | | | | | | | | | | | 2 | 39* | |
| Chhattisgarh | | | | | | | | | | | | | | | | | | | 11 | |
| Goa | | | | | | | | | | | | | | | | | | | 2 | |
| Gujarat | | | | | | | | | | | | | | | | | | | 26 | |
| Haryana | | | | | | | | | | 1 | | | | | | | | | 10 | |
| Himachal Pradesh | | | | | | | | | | | | | | | | | | | 4 | |
| Jammu & Kashmir | | | | | | | | | | | | | | | | | | | 1 | 6 |
| Jharkhand | 2 | | | | | | | | | 1 | | | | | | | | 2 | 14 | |
| Karnataka | | | | | | | | | | | | | | | | | | | | |
| Kerala | | 2 | | | | | | | | | | 1 | | | | | | | 28 | |
| Madhya Pradesh | | | | | | | | | | | | | | | | | | | 20 | |
| Maharashtra | | | | | | | | 1 | | | | | | | | 1 | | | 29 | |
| Manipur | | | | | | | | | | | | | | | | | | | 1 | 47 |
| Meghalaya | | | | | | | | | | | | | | | | | | | 2 | |
| Mizoram | | | | | | | | | | | | | | | | | | | 1 | |
| Nagaland | | | | | | | | | | | | | | 1 | | | | | 1 | |
| Orissa | | | | | | | | | | | | | | | | | | | | |
| Punjab | | | | | | | | | | | | | | | | | | | 21 | |
| Rajasthan | | | | | | | | | | | | | | | | | | | 13 | |
| Sikkim | | | | | | | | | | | | | | | | 1 | | 1 | 25 | |
| Tamil Nadu | | | | | | | | | | | | 1 | | | | | 1 | | 39 | |
| Tripura | | | | | | | | | | | | | | | | | | | 1 | |
| Uttarakhand | | | | | | | | | | | | | | | | | | | 2 | |
| Uttar Pradesh | | | | | | | | | | | | | | | | | | | 5 | |
| West Bengal | | | 2 | | | | | | | | | | | | | | | 1 | 80 | |
| WEST BENGAL | | | | | | | | | | | | | | | | | | 1 | 42 | |
| UNION TERRITORIES | | | | | | | | | | | | | | | | | | | | |
| A & N Islands | | | | | | | | | | | | | | | | | | | | 1 |
| Chandigarh | | | | | | | | | | | | | | | | | | | | 1 |
| Dadra & Nagar Haveli | | | | | | | | | | | | | | | | | | | | 1 |
| Daman and Diu | | | | | | | | | | | | | | | | | | | | 1 |
| The NCT of Delhi | | | | | | | | | | | | | | | | | | | | 7 |
| Lakshadweep | | | | | | | | | | | | | | | | | | | | 1 |
| Puducherry | | | | | | | | | | | | | | | | | | | | 1 |
| Total | 2 | 2 | 2 | 2 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 9 | 540 | |

* Excluding Speaker, Lok Sabha

Abbreviations used for Parties :

AGP-Asom Gana Parishad; AIFB-All India Forward Bloc; AIADMK-All India Anna Dravid Munnetra Kazhagam; AIMEIM-All India Majlis-e-Ittehadul Muslimeen; AITC-All India Trinamool Congress; AUDF-Assam United Democratic Front; BJD-Biju Janata Dal; BJP-Bharatiya Janata Party; BPF-Bodoland Peoples Front; BSP-Bahujan Samaj Party; BVA-Bahujan Vikas Aaghadi; CPI(M)-Communist Party of India (Marxist); CPI-Communist Party of India; DMK-Dravida Munnetra Kazhagam; HJC(BL)-Haryana Janhit Congress(BL); INC-Indian National Congress; IND-Independents; J&KNC-Jammu & Kashmir National Conference; JD(S)-Janata Dal (Secular); JD(U)-Janata Dal (United); JMM-Jharkhand Mukti Morcha; JVM(P)-Jharkhand Vikas Morcha (Prajaatantrik); KC(M)-Kerala Congress(M); MDMK-Marumalarchi Dravida Munnetra Kazhagam; MLKSC-Muslim League Kerala State Committee; NCP-Nationalist Congress Party; NPF-Nagaland Peoples Front; RJD-Rashtriya Janata Dal; RLD-Rashtriya Lok Dal; RSP-Revolutionary Socialist Party; SAD-Shiromani Akali Dal; SDF-Sikkim Democratic Front; SP-Samajwadi Party; SWP-Swabhimani Paksha; SS-Shiv Sena; TDP-Telugu Desam Party; TRS-Telangana Rashtra Samithi; VCK-Viduthalai Chiruthaigal Katchi.

B. PARTY POSITION IN RAJYA SABHA (AS ON 4 FEBRUARY 2010)

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

| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | |
|--------------------------|------------|-----------|-----------|-----------|-----------|-----------|-----------|----------|----------|-----------|----------|------------------|----------|------------|-----------|--|
| 24. Tamil Nadu | 18 | 4 | — | — | — | — | 1 | — | 7 | — | 1 | 5 ^(a) | — | 18 | — | |
| 25. Tripura | 1 | — | — | — | — | — | 1 | — | — | — | — | — | — | 1 | — | |
| 26. Uttarakhnad | 3 | 2 | 1 | — | — | — | — | — | — | — | — | — | — | 3 | — | |
| 27. Uttar Pradesh | 31 | — | 4 | 12 | — | — | — | — | — | 12 | — | 1 ^(a) | 1 | 30 | 1 | |
| 28. West Bengal | 16 | — | — | — | — | — | 9 | — | — | — | 1 | 4 ^(b) | 2 | 16 | — | |
| UNION TERRITORIES | | | | | | | | | | | | | | | | |
| 29. The NCT of Delhi | 3 | 3 | — | — | — | — | — | — | — | — | — | — | — | 3 | — | |
| 30. Puducherry | 1 | 1 | — | — | — | — | — | — | — | — | — | — | — | 1 | — | |
| 31. Nominated | 12 | — | — | — | — | — | — | — | — | — | — | 6 ^(c) | — | 6 | 6 | |
| TOTAL | 245 | 71 | 44 | 12 | 44 | 12 | 15 | 7 | 7 | 12 | 5 | 52 | 7 | 232 | 13 | |

* OTHERS

(Break-up of Parties/Groups)

- (a) Telegu Desam Party-2
 (b) Asom Gana Parishad-2; and Bodoland People's Front-1
 (c) Rashtriya Janata Dal-4; and Lok Jan Shakti Party-1
 (d) Jammu and Kashmir National Conference-2
 (e) Janata Dal (Secular)-2
 (f) Muslim League-1
 (g) Nationalist Congress Party-5; Shiv Sena-4; and Swatantra Bharat Paksh-1
 (h) Nationalist Congress Party-1
 (i) Mizo National Front-1
 (j) Nagaland Peoples' Front-1
 (k) Biju Janata Dal-4
 (l) Shiromani Akali Dal-3
 (m) Sikkim Democratic Front-1
 (n) Dravida Munnetra Kazhagam-4; and Pattali Makkal Katchi-1
 (o) Rashtriya Lok Dal-1
 (p) All India Trinamool Congress-2; Revolutionary Socialist Party-1; and All India Forward Bloc-1
 (q) Nominated-6

C. PARTY POSITION IN STATE / UNION TERRITORY LEGISLATURES

| States/Union territories | Seats | INC | BJP | CPI | CPI(M) | NCP | BSP | Janata Dal (U) | Janata Dal (S) | Other Parties | Ind. | Total | Vacancies |
|--|-------|-----|-----|-----|--------|-----|-----|----------------|----------------|--------------------|------|------------------|-----------|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 |
| Andhra Pradesh L.A. (31.1.2010) | 295 | 156 | 2 | 1 | 4 | — | — | — | — | 129 ^(a) | 3 | 295 | — |
| Andhra Pradesh L.C. (1.1.2010) | 90 | 36 | — | 1 | 2 | — | — | — | — | 41 ^(b) | 6 | 90 | 4 |
| Arunachal Pradesh L.A. (31.12.2009) | 60 | 42 | 3 | — | — | 5 | — | — | — | 9 ^(c) | 1 | — | — |
| Assam L.A. (31.1.2010) | — | 57 | 10 | 2 | 1 | — | — | — | — | 45 ^(d) | 11 | — | — |
| Bihar L.A. (2.2.2010) | 243 | 10 | 54 | 1 | 3 | 1 | 5 | 84 | — | 74 ^(e) | 11 | 243 | — |
| Bihar L.C. (1.10.2009) | — | 4 | 17 | 1 | 1 | — | — | 32 | — | 15 ^(f) | 4 | 75 | — |
| Chhattisgarh L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Goa L.A. (31.1.2010) | 40 | 18 | 14 | — | — | 3 | — | — | — | 3 ^(g) | 2 | 40 | — |
| Gujarat L.A. (31.1.2010) | 182 | 55 | 121 | — | — | 3 | — | 1 | — | — | 2 | 182 | — |
| Haryana L.A. (31.1.2010) | 90 | 44 | 4 | — | — | — | 1 | — | — | 33 ^(h) | 7 | 90 | — |
| Himachal Pradesh L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Jammu & Kashmir L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Jammu & Kashmir L.C.** | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Jharkhand L.A.* | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Karnataka L.A.** | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Karnataka L.C.** | — | — | — | — | — | — | — | — | — | — | — | — | — |
| Kerala L.A. (31.1.2010) | 140 | 24 | 60 | — | 17 | 2 | — | — | 5 | 27 ⁽ⁱ⁾ | 5 | 140 [*] | — |
| Madhya Pradesh L.A. (31.1.2010) | 230 | 69 | 143 | — | — | — | 7 | — | — | 7 ^(j) | 3 | 230 [*] | 1 |

- Information received from the State/Union territory Legislatures contained NIL report
- Information not received from the State/Union territory Legislatures
- ⊙ Excluding Speaker/Chairman
- a) Telugu Desam Party-92; Praja Rajyam Party-18; Telangana Rashtra Samithi-10; All India Majlis Ittehad-Ul-Muslimeen-7; Lok Satta Party-1; and Nominated-1
- b) Telugu Desam Party-16; Telangana Rashtra Samithi-2; All India Majlis Ittehad-Ul-Muslimeen-1; Progressive Democratic Party-7; Democratic Peoples Front-3; and Nominated-12
- c) All India Trinamool Congress-5; and People's Party of Arunachal-4
- d) Asom Gana Parishad-24; Assam United Democratic Front (AUDF)-9; Bodoland Peoples' Front (BPF)-11; and Autonomous State Demand Committee (ASDC)-1
- e) Rashtriya Janata Dal-56; Lok Janshakti Party-12; Communist Party of India (ML) (Liberation)-5; and Akhil Jana Vikas Dal-1
- f) Rashtriya Janata Dal-11; Lok Janshakti Party-3; and Deputy Chairman-1
- g) United Goans Democratic Party-1; and Maharashtrawadi Gomantak Party-2
- h) Indian National Lok Dal-31; Haryana Janhit Congress Party (BL)-1; and Shiromani Akali Dal-1
- i) Muslim League-7; Kerala Congress (M)-8; Kerala Congress-4; Revolutionary Socialist Party-3; Congress (Secular)-1; Kerala Congress (B)-1; Janathipathya Samrakshana Samithi-1; Indian National League-1; and Nominated-1
- j) Bharatiya Janashakti-5; Samajwadi Party-1; and Nominated-1
- k) Shivsena Party-45; Maharashtra Navnirman Sena-13; Peasants and Workers Party-4; Samajwadi Party-3; Jan Suraiya Shakthi-2; Bahujan Vikash Aghadi-2; Bharip Bahujan Mahasangh-1; Loksangram-1; Rashtriya Samaj Party-1; and Swabhimani Party-1
- l) Shivsena-9; Peasants and Workers Party of India-1; Republican party of India (A)-2; and Lokbharti-1
- m) Manipur Peoples' Party-5; Rashtriya Janata Dal (RJD)-3; and National People's Party (NPP)-3
- n) Mizo National Front-3; Mizoram Peoples' Conference-2; Zoram Nationalist Party-2; and Mara Democratic Front-1
- o) Nagaland Peoples Front-32
- p) Biju Janata Dal-103
- q) Dravida Munnetra Kazhagam-98; All India Anna Dravida Munnetra Kazhagam-57; Pattali Makkal Katchi-18; Marumalarchi Dravida Munnetra Kazhagam-3; Viduthala Chiruthaigal Katchi-2; Desia Murpokku Dravida Kazhagam-1; Unattached Member-1; and Nominated-1
- r) Revolutionary Socialist Party-2; and I.N.P.T.-1
- s) Uttarakhand Party-3; Nominated-1; and Others-3
- t) Samajwadi Party-15; Rashtriya Lok Dal-3; and Sikhshak Dal (Non-Political)-9
- u) Rashtriya Janata Dal-1; and Lok Jan Shakti Party-1

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