

*Failure of Govt. to uphold provision of 10th Schedule of Constitution*

disqualification issue was highly objectionable and it undermined the authority of parliament and dignity of the Office of the Speaker. I regard it as significant that two participants apart from the Prime Minister, who spoke on this issue did not refer very much to the affidavit because the other issues are not very germane and connected with the debate that we are having today. Had it not been for this affidavit, the whole issue may have been closed after the announcement made by the Speaker right at the outset that this House was not going to take cognizance of the Court order issued.

I wish the Prime Minister has been most explicit when he responded to the debate. But in view of the fact that it has been communicated to him the offensive portion of the affidavit will not be allowed to remain—In this particular affidavit there is one clause which has not been referred to in the course of the debate which even goes on to insinuate that may be if the law stands today as it is, there may be an arbitrary decision. The word arbitrary has been used in one way. It is submitted that no organ of the State can be allowed to act arbitrarily under the provisions of the Constitution of India. Observations of this kind have naturally evoked a very strong reaction from all sections. I was re-assured when Shri Dinesh Singh spoke and later on when Shri Rajiv Gandhi spoke. I found that two senior leaders of the party which sustains this Government have an equally strong view about what I have said and they also feel that unless this particular affidavit is either withdrawn or suitably amended there will be no satisfaction.

Therefore, on the basis of the assurance given by the Prime Minister that the Office of the Speaker and his authority will in no way be undermined, will in no way be denigrated or devalued and the supremacy of the Parliament in so far as legislation is concerned will be preserved, in view of this categories assurance, I do not press my Adjournment Motion.

MR. SPEAKER: Has the hon. Member,

Shri Advani leave of the House to withdraw his motion?

SEVERAL HON. MEMBERS: Yes.

*The motion was, by leave, withdrawn.*

16.20 hrs.

## PAPERS LAID ON THE TABLE

**Reviews and Annual Reports of the National Handloom Development Corporation Ltd. Lucknow, North Eastern Handicrafts and Handlooms Development Corporation Ltd. Shillong for 1989-90 etc.**

[*Translation*]

THE MINISTER OF TEXTILES AND MINISTER OF FOOD PROCESSING INDUSTRIES (SHRI HUKUMDEO NARAYAN YADAV): I beg to lay on the Table:-

1. A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-
  - (a) (i) Review by the Government on the working of the National Handloom Development Corporation Limited, Lucknow, for the year 1989-90.
  - (ii) Annual Report of the National Handloom Development Corporation Limited, Lucknow, for the year 1989-90 along with Audited Accounts and Comments of the Comptroller and Auditor General thereon. [Placed in Library, See No. LT—1925/91]
  - (b) (i) Review by the Government on the working of the North

- Eastern Handicrafts and Handlooms Development Corporation Limited, Shillong, for the year 1989-90.
- (ii) Annual Report of the North Eastern Handicrafts and Handlooms Development Corporation Limited, Shillong, for the year 1989-90 along with Audited Accounts and Comments of the Comptroller and Auditor General thereon. [Placed in Library, *See* No. LT—1926/91]
- (c) (i) Review by the Government on the working of the Cotton Corporation of India Limited for the year 1989-90.
- (ii) Annual Report of the Cotton Corporation of India Limited, for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library, *See* No. LT—1927/91]
- (d) (i) Review by the Government on the working of the National Textile Corporation Limited for the year 1989-90.
- (ii) Annual Report of the National Textile Corporation Limited, for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library, *See* No. LT—1928/91]
- (2) A copy each of the following papers (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (b) of item (1) above. [Placed in Library, *See* No. LT—1926/91]
- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Apparel Export Promotion Council, New Delhi, for the year 1989-90 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Apparel Export Promotion Council, New Delhi, for the year 1989-90. [Placed in Library, *See* No. LT—1929/91]
- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Manmade Textile Research Association, Surat, for the year 1989-90 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Manmade Textiles Research Association, Surat, for the year 1989-90. [Placed in Library, *See* No. LT—1930/91]
- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Silk and Art Silk Mills' Research Association, Bombay, for the year 1989-90 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Silk and Art Silk Mills' Research Association, Bombay, for the year 1989-

90. [Placed in Library, See No. LT—1931/91]

**Statement Correcting reply given on 30th August, 1990 to USR No. 3576 re. overcharging by taxi and rickshaw drivers in Delhi, etc.**

[*English*]

THE MINISTER OF WATER RESOURCES AND MINISTER OF SURFACE TRANSPORT (SHRI MANUBHAI KOTADIA): I beg to lay on the Table a statement (Hindi and English versions) (i) correcting the reply given on the 30th August, 1990 to Unstarred Question No. 3576 by Sarvashri Arvind Tulshiram Kamble and Bhabani Shankar Hota regarding overcharging by taxi and auto-rickshaw drivers in Delhi and (ii) giving reasons for delay in correcting the reply. [Placed in Library, See No. LT—1932/91]

**Reviews and Annual Reports of N.B.C.C. Ltd. Hindustan Ltd. for 1989-90 etc.**

[*Translation*]

THE MINISTER OF URBAN DEVELOPMENT (SHRI DAULAT RAM SARAN): Mr. Speaker, Sir, I beg to lay on the Table:-

1. A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-

- (a) (i) Review by the Government on the working of the National Buildings Construction Corporation Limited for the year 1989-90.
- (ii) Annual Report of the National Buildings Construction Corporation Limited for the year 1989-90 along with Audited Accounts and Comments of the Comptrol-

ler and Auditor General thereon. [Placed in Library, See No. LT—1933/91]

- (b) (i) Review by the Government on the working of the Hindustan Prefab Limited for the year 1989-90.

- (ii) Annual Report of the Hindustan Prefab Limited for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library, See No. LT—1934/91]

- (2) (i) A copy of the Annual Report (Hindi and English versions) of the National Cooperative Housing Federation of India, New Delhi, for the year 1989-90.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Cooperative Housing Federation of India, New Delhi, for the year 1989-90.

- (iii) A copy of the Annual Accounts (Hindi and English versions) of the National Cooperative Housing Federation of India, New Delhi, for the year 1989-90 together with Audit Report thereon. [Placed in Library, See No. LT—1935/91]

#### **Arms (Second Amendment) Rules, 1990**

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): Mr. Speaker, Sir, I beg to lay on behalf of Shri Subodh Kant Sahay on the Table a copy of the Arms (Second Amendment) Rules, 1990 (Hindi

and English versions) published in Notification No. G.S.R. 994(E) in Gazette of India dated the 19th December, 1990 under subsection (3) of section 44 of the Arms Act, 1959. [Placed in Library, See No. LT—1936/91]

**Reviews and Annual Reports of Rashtriya Manav Sangrahalaya for 1988-89, Central Institute of Higher Tibetan Studies Sarnath for 1989-90 etc.**

[English]

THE MINISTER OF STATE IN THE  
MINISTRY OF HUMAN RESOURCE DEVELOPMENT (SHRI BHAGEY GOBARDHAN): I beg to lay on the Table:-

- (1) (i) A copy of the Annual Report (Hindi and English versions) of the Rashtriya Manav Sangrahalaya for the year 1988-89 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Rashtriya Manav Sangrahalaya for the year 1988-89.
- (2) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (1) above. [Placed in Library, See No. LT—1937/91]
- (3) (i) A copy of the Annual Report (Hindi and English versions) of the Central Institute of Higher Tibetan Studies, Sarnath, for the year 1988-89.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Institute of Higher Tibetan Studies, Sarnath, for the year 1988-

89. [Placed in Library, See No. LT—1938/91]

- (4) A copy of the Annual Accounts (Hindi and English versions) of the University of Hyderabad for the year 1989-90 together with Audit Report thereon under subsection (4) of section 29 of the University of Hyderabad Act, 1974. [Placed in Library, See No. LT—1939/91]
- (5) (i) A copy of the Annual Report (Hindi and English versions) of the Visva-Bharati Santiniketan, for the year 1988-89.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Visva-Bharati, Santiniketan, for the year 1988-89.
- (6) A statement (Hindi and English versions) showing reasons for delay in laying the papers mentioned at (5) above. [Placed in Library. See No. LT—1940/91]
- (7) A copy of the Report (Hindi and English versions) of the Committee for Review of National Policy on Education, 1986. [Placed in Library. See No. LT—1941/91]
- (8) A copy each of the following Notifications (Hindi and English versions) under subsection (2) of section 40 of the Indira Gandhi National Open University Act, 1985.
  - (i) G.S.R. 382 published in Gazette of India dated the 23rd June, 1990 making certain amendments to Statute 6A of the Indira Gandhi National Open University Act, 1985.

- (ii) G.S.R. 405 published in Gazette of India dated the 30th June, 1990 making certain amendments to Statute 25 of the Indira Gandhi National Open University Act, 1985.

for the year 1989-90. [Placed in Library. See No. LT—1943/91]

**Notifications under All India Services Act, 1951; Review and Annual Report of Electronics Trade & Technology Development Corporation Ltd for 1989-90 etc.**

[English]

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): On behalf of Shri Kamal Morarka I beg to lay on the Table:-

- (iii) G.S.R. 406 published in Gazette of India dated the 30th June, 1990 making certain amendments to Statute 17 of the Indira Gandhi National Open University Act, 1985.

- (1) A copy each of the following Notifications (Hindi and English versions) under sub-section (a) of section 3 of the All India Services Act, 1951:-

- (iv) G.S.R. 310 published in Gazette of India dated the 19th May, 1990 framing Ordinance No. 2 for governing leave of all employees of the Indira Gandhi National Open University, including Teachers and other Academic Staff. [Placed in Library. See No. LT—1942/91]

- (i) The Indian Police Service (Pay) Third Amendment Rules, 1990 published in Notification No. G.S.R. 412 in Gazette of India dated the 7th July, 1990?

**Review and Annual Report of Central Warehousing Corporation for 1989-90**

[Translation]

THE MINISTER OF STATE IN THE MINISTRY OF FOOD AND CIVIL SUPPLIES (SHRI SARWAR HUSSAIN): Mr. Speaker, Sir, I beg to lay on the Table:-

- (i) A copy of the Annual Report (Hindi and English versions) of the Central Warehousing Corporation for the year 1989-90 along with Audited Accounts under sub-section (11) of section 31 of the Warehousing Corporations Act, 1962.

- (ii) The Indian Police Service (Fixation of Cadre Strength) Second Amendment Regulations, 1990 published in Notification No. G.S.R. 429 in Gazette of India dated the 21st July, 1990.

- (iii) The All India Services (Death-cum-Retirement Benefits) Amendment Rules, 1990 published in Notification No. G.S.R. 430 in Gazette of India dated the 21st July 1990.

- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Central Warehousing Corporation

- (iv) The Indian Administrative Service (Fixation of Cadre Strength) Fourth Amendment Regulations, 1990 published in Notification No. G.S.R. 429 in Gazette of

- India dated the 4th August, 1990.
- (v) The Indian Administrative Service (Pay) Fourth Amendment Rules, 1990 published in Notification No. G.S.R. 480 in Gazette of India dated the 4th August, 1990.
- (vi) The Indian Administrative Service (Fixation of Cadre Strength) Fifth Amendment Regulations, 1990 published in Notification No. G.S.R. 505 in Gazette of India dated the 18th August, 1990.
- (vii) The Indian Administrative Service (Fixation of Cadre Strength) Sixth Amendment Regulations, 1990 published in Notification No. G.S.R. 506 in Gazette of India dated the 18th August, 1990.
- (viii) The Indian Administrative Service (Pay) Sixth Amendment Rules, 1990 published in Notification No. G.S.R. 507 in Gazette of India dated the 18th August, 1990.
- (ix) The Indian Administrative Service (Pay) Fifth Amendment Rules, 1990 published in Notification No. G.S.R. 508 in Gazette of India dated the 18th August, 1990.
- (x) The Indian Administrative Service (Pay) Fourth Amendment Rules, 1990 published in Notification No. G.S.R. 509 in Gazette of India dated the 18th August, 1990.
- (xi) The Indian Administrative Service (Fixation of Cadre Strength) Third Amendment Regulations, 1990 published in Notification No. G.S.R. 510 in Gazette of India dated the 18th August, 1990. [Placed in Library. See No. LT—1944/91]
- (1) A copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619A of the Companies Act, 1956:-
- (a) (i) A statement regarding Review by the Government on the working of the Electronics Trade and Technology Development Corporation Limited for the year 1989-90.
- (ii) Annual Report of the Electronics Trade and Technology Development Corporation Limited, for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—1945/91]
- (b) (i) A statement regarding Review by the Government on the working of the CMC Limited for the year 1989-90.
- (ii) Annual Report of the CMC Limited, for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—1946/91]

- (3) (i) A copy of the Annual Report (Hindi and English versions) of the National Facility for Animal Tissue and Cell Culture, Pune, for the year 1989-90 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Facility for Animal Tissue and Cell Culture, Pune, for the year 1989-90. [Placed in Library. See No LT—1947/91]
- (4) (i) A copy of the Annual Report (Hindi and English versions) of the Regional Computer Centre, Calcutta, for the year 1989-90 along with Audited Accounts. [Placed in Library. See No. LT—1948/91]
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Regional Computer Centre, Calcutta, for the year 1989-90.
- (5) (i) A copy of the Annual Report (Hindi and English versions) of the National Institute of Immunology, New Delhi, for the year 1989-90 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the National Institute of Immunology, New Delhi, for the year 1989-90. [Placed in Library. See No. LT—1949/91]
- (6) (i) A copy of the Annual Report (Hindi and English versions) of the Centre for Electronics Design and Technology, Srinagar, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) by the Government on the working of the Centre for Electronics Design and Technology, Srinagar, for the year 1989-90. [Placed in Library. See No. LT—1950/91]
- (7) (i) A copy of the Annual Report (Hindi and English versions) of the Cancer Hospital and Research Centre, Gwalior, for the year 1989-90 along with Audited Accounts.
- (ii) A copy of the Review (Hindi and English versions) by the Government on the working of the Cancer Hospital and Research Centre, Gwalior, for the year 1989-90. [Placed in Library. See No. LT—1951/91]
- (8) (i) A copy of the Annual Report (Hindi and English versions) of the Satyendra Nath Bose National Centre Basic Sciences, Calcutta, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Satyendra Nath Bose National Centre for basic Sciences, Calcutta, for the year 1989-90. [Placed in Library. See No. LT—1952/91]
- (9) (i) A copy of the Annual Report (Hindi and English versions) of the Wadia Institute of Himalayan Geology, Dehra

- Dun, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Wadia Institute of Himalayan Geology, Dehra Dun, for the year 1989-90. [Placed in Library. See No. LT—1953/91]
- (10) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Geomagnetism, Bombay, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Institute of Geomagnetism, Bombay, for the year 1989-90. [Placed in Library. See No. LT—1954/91]
- (11) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Science Congress Association, Calcutta, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Science Congress Association, Calcutta, for the year 1989-90. [Placed in Library. See No. LT—1955/91]
- (12) (i) A copy of the Annual Report (Hindi and English versions) of the Maharashtra Association for the Cultivation of Science, Pune, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Maharashtra Association for the Cultivation of Science, Pune, for the year 1989-90. [Placed in Library. See No. LT—1956/91]
- (13) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Institute of Tropical Meteorology, Pune, for the year 1989-90.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Institute of Tropical Meteorology, Pune, for the year 1989-90.
- (iii) A copy of the Annual Accounts (Hindi and English versions) of the Indian Institute of Tropical Meteorology, Pune, for the year 1989-90 together with Audit Report thereon. (Placed in Library. See No. LT—1957/91)
- (14) (i) A copy of the Annual Report (Hindi and English versions) of the Indian National Science Academy, New Delhi, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian National Science Academy, New Delhi, for the year 1989-90. [Placed in Library. See No. LT—1958/91]



- (15) (i) A copy of the Annual Report (Hindi and English versions) of the Indian Indian Academy of Sciences, Bangalore, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Indian Academy of Sciences, Bangalore, for the year 1989-90. [Placed in Library. See No. LT—1959/91]
- (16) (i) A copy of the Annual Report (Hindi and English versions) of the Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Jawaharlal Nehru Centre for Advanced Scientific Research, Bangalore, for the year 1989-90. [Placed in Library. See No. LT—1960/91]
- (17) (i) A copy of the Annual Report (Hindi and English versions) of the Technology Information, Forecasting and Assessment Council, New Delhi, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Technology Information, forecasting and Assessment Council, New Delhi, for the year 1989-90. [Placed in
- Library. See No. LT—1961/91]
- (18) (i) A copy of the Annual Report (Hindi and English versions) of the Raman Research Institute, Bangalore, for the year 1989-90 along with Audited Accounts.
- (ii) A statement (Hindi and English versions) regarding Review by the Government on the working of the Raman Research Institute, Bangalore, for the year 1989-90. [Placed in Library. See No. LT—1962/91]
- (19) A copy each of the following papers (Hindi and English versions) under article 323 (1) of the Constitution:-
- (i) Thirty-Ninth Report of the Union Public Service Commission for the year 1988-90.
- (i) Memorandum explaining the reasons for non-acceptance of the advice of the Union Public Service Commission referred in the above Report. [Placed in Library. See No. LT—1963/91]
- (20) A copy of the Union Public Service Commission (Exemption from Consultation) Amendment Regulations, 1990 (Hindi and English versions) published in Notification No. G.S.R. 623 in Gazette of India dated the 6th October, 1990 under article 320(5) of the Constitution. [Placed in Library. See No. LT—1964/91]
- (21) A copy each of the following papers (Hindi and English versions) under sub-section (4) of section

3 of the Commissions of Inquiry Act, 1952:-

- (i) Report of Justice Kuldip Singh Commission of Inquiry (Volume-I and Volume-II (Part-I and II) appointed to inquire into certain land deals in Karnataka.
- (ii) Memorandum of Action Taken on the above Report. [Placed in Library. See No. LT—1965/91]

**Report of the C.A.G. of India—Union Government—Mishra Dhatu Nigam Ltd.**

[Translation]

THE MINISTER OF PETROLEUM AND CHEMICALS AND MINISTER OF PARLIAMENTARY AFFAIRS (SHRI SATYA PRAKASH MALVIYA): Mr. Speaker, Sir, with your permission on behalf of the minister of state in the Ministry of Defence, Shri Lalit Vijay Singh I beg to lay on the Table a copy of the Report (Hindi and English versions) of the Comptroller and Auditor General of India—Union government (No. 2 of 1990) (Commercial)—Mishra Dhatu Nigam Limited under Article 151(1) of the Constitution. [Placed in Library. See No. LT—1966/91]

**Reviews and Annual Report of the Fertilizers and Chemicals, Travancor Ltd. and Pyrites, Phosphates and Chemicals Ltd. for 1989-90.**

[English]

THE MINISTER OF STATE IN THE DEPARTMENT OF RURAL DEVELOPMENT IN THE MINISTRY OF AGRICULTURE (SHRI RAM BAHADUR SINGH): I beg to lay on the Table a copy each of the following papers (Hindi and English versions) under sub-section (1) of section 619(A) of the Companies Act 1956:-

- (1) (i) Review by the Government on the working of the Fertilizers and Chemicals

Travancor Limited for the year 1989-90.

- (ii) Annual Report of the Fertilizers and Chemicals Travancor Limited for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—1967/91]
- (2) (i) Review by the Government on the working of the Pyrites, Phosphates and Chemicals Limited for the year 1989-90.
- (ii) Annual Report of the Pyrites, Phosphates and Chemicals Limited for the year 1989-90 along with Audited Accounts and comments of the Comptroller and Auditor General thereon. [Placed in Library. See No. LT—1968/91]

**Statement Indicating the Results of Market Loans**

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE AND DEPUTY MINISTER IN THE MINISTRY OF EXTERNAL AFFAIRS (SHRI DIGVIJAY SINGH): I beg to lay on the Table a statement (Hindi and English versions) indicating the results of market loans floated in August and November, 1990. [Placed in Library. See No. LT 1969/91]

16.21 hrs.

**MESSAGES FROM RAJYA SABHA**

[English]

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—