

PREFACE

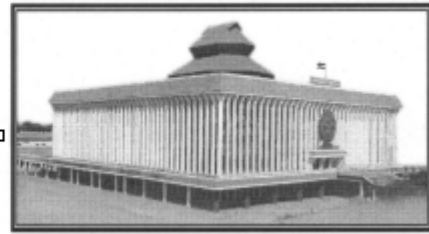
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**P. D. SARANGADHARAN,
SECRETARY,
KERALA LEGISLATURE.**

CONTENTS

VOL. XLIV	SEPTEMBER 2014	No. 9
	ARTICLES	<i>page</i>
Shamba Dey	Legalising Defamation of Delinquent Borrowers [Economic and Political Weekly, September 6, 2014]	1-9
Maharaaj.K.Koul	Dying with Dignity [Alive, September, 2014]	10-12
ഡോ. എം.പി. സുകുമാരൻ നായർ	വാതകചോർച്ച നേരിടാൻ കേരളത്തിൽ സംവിധാനമില്ല [കലാകൗമുദി, സെപ്തംബർ 21, 2014]	13-16
Sagnik Dutta	Mines of Scam [Frontline, September 19 , 2014]	17-20
	BOOK REVIEW	
I. Satya Sundaram	Industry and Institutional Finance [Southern Economist, September 15, 2014]	21-22
	പതിമൂന്നാം നിയമസഭ പതിനൊന്നാം സമ്മേളനം	23
	Site Addresss of Legislative bodies in India	24-25
	The Legislative Bodies in Session during the month of August 2014.	26
	BUSINESS OF LEGISLATIVE BODIES	
	1. Loksabha	27-37
	2. Arunachal Pradesh Legislative Assembly	38-39
	3. Himachal Pradesh Legislative Assembly	40-41
	4. Karnataka Legislative Assembly	42-44
	5. Tripura Legislative Assembly	45-46



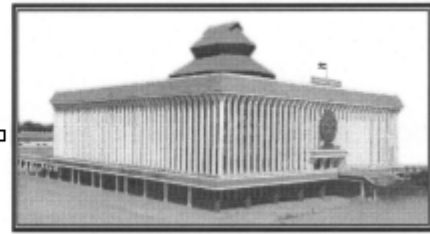
Legalising Defamation of Delinquent Borrowers Disregarding the Constitution and the Law

SHAMBA DEY

Banks in India have been publishing information about defaulting borrowers since early 2013 through regular advertisements in print media, detailing names, addresses and photographs of the defaulting persons. Many of these persons are retail borrowers, students, consumers, homebuyers or owners of small and medium enterprises. Other borrowers are companies. Both these categories of borrowers default on their loan obligations quite often. When that happens, the lending banks publish such personal information, along with photographs, in the print media. The State Bank of India and several other banks, in order to make speedy recoveries of their loan amounts, have used this practice to exert social pressure on defaulters. At least one bank official has claimed that this method is indeed effective in accelerating recoveries from defaulters.

However, as is apparent, this practice has been criticised to be prima facie an act of defamation against the borrower by the banks, and the right of banks to adopt any method for the recovery of its dues, including the publication of the photograph of the defaulter has come directly into conflict with the right to privacy and dignity of the borrower, which has now come to be recognised, to some extent, as part of the right to life guaranteed under Article 21 of the Constitution. But the government, the Reserve Bank of India (RBI) and several courts have not raised any objections in this matter, whereas some others have. This case commentary discusses the reasonableness of the positions taken by different high courts regarding this practice that is a rising trend.

In 2006, the case of *K J Doraiswamy* raised the question as to whether or not a secured creditor, who/which has initiated action for enforcement of its security interest in terms of the



provisions of the Securitisation and Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAESI) Act, 2002, is entitled to publish the photographs of the defaulting borrowers or guarantors in newspapers or magazines. The Court held that if borrowers could find newer and newer methods to avoid repayment of the loans, the Banks are also entitled to invent novel methods to recover their dues.

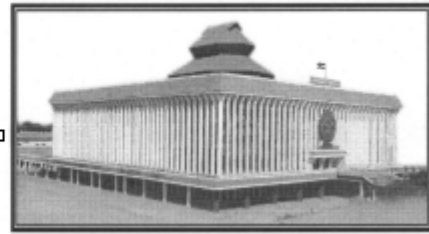
Further, it was held that from the point of view of the individual, his right to privacy is not absolute and from the point of view of the bank, the duty to maintain secrecy is superseded by a larger public interest as well as by the bank's own interest under certain circumstances.

The judgment of the Madras High Court has put into sharp relief the rights of the defaulting borrower vis-à-vis the right of the banks or financial institutions to recover public money. However, the judgment is lacking in many aspects.

First, there are many valid reasons for a person to default on his obligations against a home loan, an education loan or a business loan. There is nothing immoral about it, neither is such a default in payment an offence under the Indian Penal Code 1870, but a simple civil offence and therefore a draconian extra judicial step to mentally and morally punish the borrower is an act against the conscience and spirit of the law.

Second, the Court disregarded the possibility that by giving a bank the freedom to publish a photograph, an act of defamation is committed by the bank, causing damage to the personal and professional reputation of the borrower, but leaving the borrower without a remedy against such violation. This gives banks the legal sanction to violate the borrower's fundamental right to human dignity. It was argued and accepted by the Court that under Section 499 of the Indian Penal Code 1870, an exception to defamation is provided wherein it is not defamation if done for public good. However, this argument cannot be said to hold in a private contractual relationship between the bank and the borrower. There is no public good being violated by a mere breach of contract.

Third, the publication of photograph is a violation of the borrower's right to privacy and of bank secrecy laws. In Halsbury's Laws of England, it is stated that it is an implied term of the contract between a banker and his customer that the banker will not divulge to third person without the express or implied consent of the customer either the state of the customer's account or any of his transactions with the bank or any information relating to the customer acquired through the keeping of his account unless the banker is compelled to do so by order of a Court or the circumstances give rise to a public duty of disclosure or protection of the banker's own interest requires it.



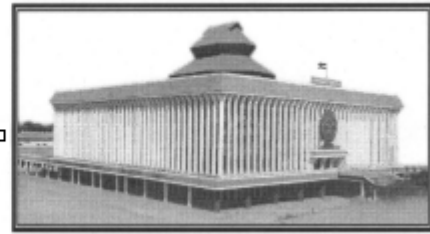
In *Tournier vs National Provincial and Union Bank of England* it was held that under four heads, the bank could disclose such information, namely, (a) where the disclosure was under compulsion by law, (b) where there was a duty to the public to disclose, (c) where the interest of the bank requires disclosure, and (d) where the disclosure was made by express or implied consent of the customer.

Along the same lines, the Supreme Court has held in *Sharda vs Dharmpal* that the right to privacy in terms of Article 21 of the Constitution is not an absolute right. If there were a conflict between the Fundamental Rights of two parties that right which advances public morality would prevail.

Banks' Public Duty

In *Kattabomman Transport Corporation Ltd vs State Bank of Travancore*, the Kerala High Court ruled that in cases where public funds are involved, the bank's public duty would prevail over its private duty to the customer. Whereas the Madras High Court laid emphasis on the apex court's judgment in the *Sharda* case, but in *K.J. Doraiswamy's* case it may not be correct to say that a public display of the photograph of the defaulting borrower protects public morality or serves the interests of the public. It is also questionable as to what duty is owed by the banker to the public, other than being able to repay the public's deposits when demanded. It is common sense that in the business of banking, some borrowers will default. This is the very essence of banking - a banker, who is also an individual, may misgauge or overestimate the future financial condition of the borrower. Every bank's business is exposed to such credit risk, just as an insurance company or public companies that are also using public money are exposed to downside risks. It is unreasonable for bankers to expect that the bank will be shielded perpetually against all risks and that they may go to any extent to serve their interests. Lack of bankruptcy protection for consumers will result in "risk-free" loans for creditors, removing pressure on creditors to negotiate lower payments.

It is true that non-performing assets are a cost to the economy as was rightly observed by the Supreme Court in *Transcore vs Union of India* and it is, therefore, the duty of public sector banks to reduce such cost by resorting to every possible legal means; in order to ensure that banks remain solvent and perform their duty to the public who invests their deposits with the banks, there are several methods of recovery laid down in the law. Section 13(4) of the SARFAESI Act has given wide and sufficient powers to banks to enforce their security interests and recover dues from borrowers by taking possession. Under the SARFAESI Act, banks do not need to take a defaulter to court in order to take possession but may only serve a notice to a borrower and thereafter take necessary action.



Despite such provisions in place, permitting an extra judicial method puts a question mark on the Court's wisdom. It is well settled that the state or its executive officers cannot interfere with the rights of its subjects unless they could point to some specific rule of law authorising the act of interference. A bank, which is a public authority, has to act within the boundaries of law and a court cannot allow the secured creditor to subvert the law simply because a borrower, who is a natural person, is inventing novel methods to defraud creditors. Consider a simple example. A convict, who is a natural person, will always try to devise new methods to deceive the police or the courts but that does not give the latter public authorities express permission to employ extralegal methods to make the convict toe their line.

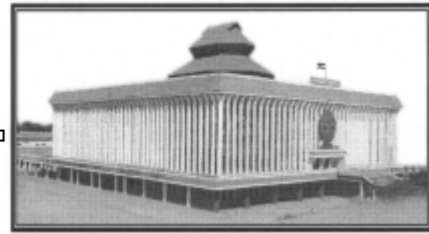
Individuals versus Institutions

One possible reason why the Madras High Court has favoured banks in this matter is probably because in the past, there have been many instances of wilful defaults by borrowers. Further, there has been a sharp increase in the percentage of non-performing assets in the books of banks and financial institutions and regular directions have been issued by the Ministry of Finance to deal with defaulters in a stricter manner. However, the judgment of the Court seems to be formed on the premise that every defaulter is a wilful defaulter.

The Court did not give due consideration to the possibility that it is not entirely fair from the point of view of the borrower who may have entered into the loan contract due to aggressive marketing by banks (that is to say, a case of bad lending by banks) or due to mistaken financial planning of the borrower himself, which resulted in the default. While an institutional borrower has enough resources at its disposal to get stay orders from courts against secured creditors, a retail borrower does not and therefore the presumption that a borrower taking a home loan or an education loan from a bank is wilfully defaulting is a faulty presumption, unless proven otherwise.

Furthermore, when banks are lending to borrowers, there is an implicit relation of trust between the parties that the obligations will be honoured. Based on this trust, the loan is advanced. However, a failure to perform the obligation cannot straightaway imply that such a borrower cannot be trusted anymore in the future. Publishing a photograph in a newspaper in effect conveys this wrong message to the public, even if it is done in public interest. Such publication does not disclose whether the bank's claim is disputed by the borrower, which in essence defeats the rights of the borrower under Section 17 of the SARFAESI Act, and are therefore incomplete pieces of information that are passed on to the public at large.

It was again in the case of *S.T. Tamil Selvi* that the Madras High Court held that the mode of publication of photograph of defaulting borrower cannot be taken to be an act of coercion. The Court observed that if at all, taking into consideration that the loan is granted in 2006 and till 2012, it was not settled and having now only called upon to pay and only thereafter if the



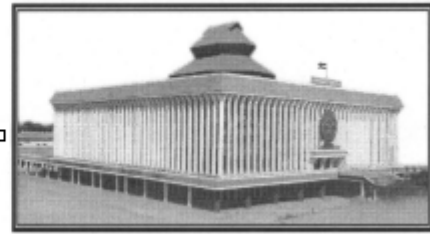
borrower fails to do so, then publishing cannot be stated as coercive step to collect the loan. Accordingly, the high court dismissed the Writ Petition of Certiorari.

While this judgment has given the State Bank of India more encouragement in its efforts to publish the photographs of borrowers who have defaulted, the question that comes to mind immediately is that if such publication is not coercive and does not in any way force the borrower to pay up the due amounts, then there is no necessity to publish the personal infallibilities of the borrower and violate the right to privacy of the borrower. In another case, *Ku Archana Chauhan*, it was held by the Madhya Pradesh High Court, in unambiguous terms, that the publication of photographs of the defaulting borrowers is not prohibited by the SARFAESI Act and, therefore, cannot be held to be impermissible and that it is neither arbitrary or illegal, and nor is it defamatory.

Further, banks and their counsels have placed reliance upon a letter written by the deputy general manager, RBI, dated 12 July 2007, addressed to the chairman, State Bank of India, wherein the central bank stated that publication of photographs of defaulting borrowers have been permitted and, therefore, there is no infirmity in the impugned action whereby the petitioners have been threatened with publication of their photographs, should they fail to repay the loan within the time fixed by the bank. An excerpt from the letter is provided below:

In this connection, we advise that on a reference made to IBA, we have been advised by IBA vide their letter dated June 09, 2007 that publishing of photographs of defaulter borrowers had been challenged in two High Courts (Madras and Madhya Pradesh) in the recent past and in both cases the courts had upheld the action of banks. Banks resort to newspaper advertisement (giving known address, photographs etc) only when their efforts to serve notices under the Act fail and communications sent to known postal addresses are returned undelivered. Further, they have opined that banks exercise utmost care while dealing with this sensitive issue. While publishing photos of borrowers along with notices issued under SARFAESI Act of wilful defaulters/fraudsters etc could be justified, it may not be desirable to consider publishing photographs of defaulter borrowers merely for the reason that dues are outstanding and as a matter of routine. It may be added that the SARFAESI Act, 2002 does not mention about publication of photographs of defaulters. The Possession Notice provides for description of the immovable property more as a caution to the public at large not to deal with the property and any such dealings with the property will be subject to the charge of the Secured Creditor. We, therefore, concur with the views of IBA in the matter that publishing of photographs of defaulters should not be resorted to as a matter of routine and utmost care is to be exercised while dealing with this sensitive issue. You are requested to take necessary action in this regard.

However in the absence of any express legislative provision or necessary implication to defame the defaulting borrowers, the central banker may only be said to have issued a word of advice to the banking community rather than a strict direction. Thus the letter of the central bank



cannot be said to hold any substantial force and cannot be relied upon by courts in allowing banks to defame borrowers. The public may be notified in terms of the statutory rules by issuance of notices in newspapers or magazines, etc, giving the details of the borrower, the loan account, the location of the secured asset, its measurement, the quantum of secured debt, etc.

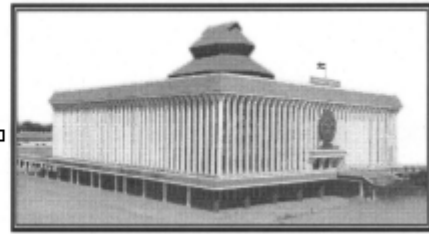
These written notices of bank, which are displayed outside the concerned asset, are not entirely defamatory in character because these notices are merely cautionary, intended to inform other people not to deal in the assets on account of these assets now being in the possession of the bank and such dealings with the assets will be subject to the charge of the bank.

Different Court Orders

The judgment in the case of *K J Doraiswamy* was first challenged by the Calcutta High Court in hearing the cases of *Ujjal Kumar Das vs State Bank of India* and *Messrs Allianz Convergence Private Limited vs The General Manager, State Bank of India*, wherein the Calcutta High Court remarked that a secured creditor, being a public authority, can make public only that much of the information which it is authorised to reveal according to the provisions of SARFAESI Act. If the Act does not permit it to publish the photograph of a defaulting borrower, then such photograph cannot be published by taking aid of the Right to Information Act also.

The court criticised the *K J Doraiswamy* judgment on the ground that a secured creditor is resisted to take possession of the secured asset under Section 13(4) of the Act read with Rule 8, the secured creditor would be encouraged to use private forces, such as musclemen, to dispossess the borrower. Even employing musclemen to recover a loan is not expressly barred by law. But these additional procedures for enforcing security are not contemplated in the SARFAESI Act. If the legislature felt the need for including such measures in the Act, it could have done so. If a court allows such additional procedures, it only means that “the secured creditors would have the *carte blanche* to invent any method for recovery of their secured debt throwing as under the provisions of the SARFAESI Act.”

The Calcutta High Court in its judgment also made some pertinent remarks about the SARFAESI Act. It noted that the Act confers wide powers on the secured creditors to enforce the security interest without judicial intervention up to the point of taking any of the measures mentioned under Section 13(4) thereof. Classification of a loan account as non-performing asset, computation of the amount of dues and taking possession of the secured asset upon rejection of the response to the notice under Section 13(2) are the various steps that can be taken by the bank for enforcing its security interest against the borrower and in doing so, the secured creditors do not ordinarily face interference from the courts. It is only at the stage when Section 17(1) is invoked that there is scope for a judicial determination of the issues raised by a borrower by the Debts Recovery Tribunal. Until the Tribunal is approached and a prayer is submitted for interim



relief, it is totally a one-sided affair for the banks and the borrower has no recourse. A borrower can approach a Debts Recovery Tribunal under the law, but that can be done only after the creditor initiates action and attaches property. The tribunal could go into the merits of the case and could also rule in favour of the borrower. But that is a time-consuming affair, as tribunals often take months and years to dispose of cases. Where the secured creditor has such workable methods at its disposal, the necessity of defamation does not arise.

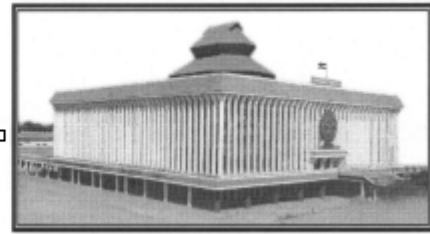
The question here is not just limited to whether or not banks have the authority to publish a defaulting borrower's photograph but whether it precludes a court from passing an order allowing an act that is not expressly provided by the law. The general rule of thumb is that courts should be very careful when sanctioning an Act that is not provided for in the law and should pass wise and qualified decisions, taking into consideration the facts and circumstances of the case and the implications of its decision.

Damaging Reputations

In this regard, the Calcutta High Court commented that unintended damage that could be caused to the reputation of an honest borrower by way of publication of his photograph and that such damage could be irretrievable and it may not be possible to compensate the borrower by awarding only monetary compensation, if the borrower, who has been proceeded against contrary to law by the secured creditor and whose photograph is published, is unable to bear the humiliation and takes a regrettably drastic step. Since publication of photograph of a defaulting borrower exposes him to irreparable loss and prejudice, publication of photograph cannot be resorted to in the absence of an express power or an agreed term in this behalf.

It is only in very serious cases of wilful and mala fide default that such measures may be considered by a court to punish the borrower and whether such measures should be resorted to in serious cases is also debatable. The Madras and Madhya Pradesh High Courts may not have considered the excess authority their judgments have conferred upon secured creditors to publish photographs of borrowers at their whim.

Justice V Chitambaresh of the Kerala High Court also rejected as arbitrary and illegal the move by the State Bank of India to publish photographs of loan defaulters. The judge said that "The practice of exhibiting a photograph of a person and shaming him in public for the sin of being in an impecunious condition cannot be encouraged in civilised societies like ours" and that the loanees can "not (be) stopped" from challenging the action of a bank "on the ground of violation of fundamental rights of loanees".



But another case decided by the Bombay High Court has put a dent by ruling against the judgments of the Calcutta and Kerala High Courts, without justifying why it differed from the opinions expressed by the other courts. In the case of *D J Exim (India) Pvt Ltd vs State Bank of India*, it was admitted that D J Exim was unable to pay the amount which was due to the bank and the proposal for restructuring of the secured land has also been given by the company to the State Bank of India. It was not disputed that the company had defaulted but the question of whether the default was wilful or not was not given due consideration, although the bank contended in an affidavit that the company had committed various acts of misfeasance (which were disputed by the company). In para 11, the judgment stated:

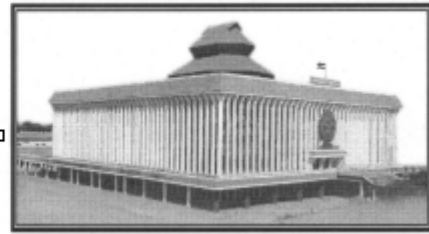
... the bank has the right to publish the name of the defaulters by giving their names and addresses and two fold purpose is served as a result of the said publication of the names, firstly the fact that these persons are wilful defaulters is made known to the public at large and secondly it also tends to caution the prospective buyers who may be offered the property which is mortgaged by these defaulters with the bank.

The Court, however, did not state what additional purpose is served by publication of photograph. In para 13 it stated:

We are also of the view that in each and every case whenever person is declared as a wilful defaulter bank should not publish the photographs in a routine manner and only after following mechanism of examining the facts and circumstances of each case the bank should consider whether the photographs should be published. The Court passed its judgment saying that

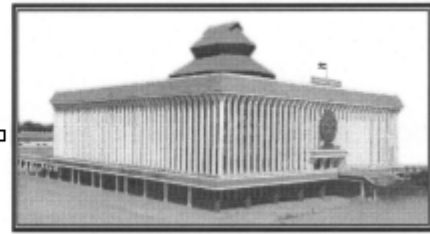
...the fact remains that the bank has come to the conclusion that the Petitioners were not only wilful defaulters but had committed various acts of misfeasance and a report to that effect was received and was shown to the committee which considers the question as to whether the photographs of the wilful defaulters should be published or not. In the present case therefore we are satisfied that after having arrived at a conclusion about the acts of misfeasance by the Petitioner bank, the Senior Executive officer not below the rank of Chief General Manager had arrived at a decision to publish the photographs.

This, in effect, gives banks the decision-making power regarding whether or not a defaulter wilfully defaults and accordingly publish their photograph. Not only banks, but any person or entity who has failed to receive payment due from another person or entity can label such breaching person or entity as a wilful defaulter and publish the photograph, on the reason that there is nothing defamatory about it and that there is no express provision of law debarring such publication.



It is well settled and need not be reiterated that recovery has to be made as per the law and not by acts of force, coercion, or defamation. The usage of a borrower's photograph, originally obtained for mere purpose of banking records, for public opprobrium is not an ethical practice. The documents executed by borrowers relate only to different legal actions to be taken in case of default and do not accede to such practices. Default is a civil wrong and employing such practices can only be compared to the practice of swift, harsh and unusual punishment seen in some African and west Asian tribes and in early puritan settlements of America. It is not consistent with the legislative intent of the SARFAESI Act or any other law.

**ECONOMIC AND POLITICAL WEEKLY,
SEPTEMBER 6, 2014.**



Dying with Dignity

MAHARAAJ .K. KOUL

The Supreme Court (SC) of India on 16 July 2014 decided to educate the legality of active and passive euthanasia and the emerging concept of ‘living will’ after shying away for decades from examining this highly emotive and legally complicated issue. The apex court wanted a country-wide debate.

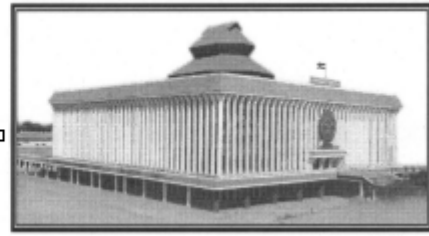
A constitution bench of Chief Justice R. M. Lodha and Justices J. S. Kehar, J. Chelameswar, A. K. Sikri and R. F. Nariman sought views of all states and the Union Territories on the PIL, filed by the NGO Common Cause, in eight weeks. It requested senior advocate T. R. Andhyarujina to assist the court as *amicus curiae*.

The Centre objected to the exercise. Attorney-General Mukul Rohatgi said: “The Government doesn’t accept euthanasia as a principle. Our stand on euthanasia, in whichever form, is that the SC has no jurisdiction to decide this. It’s for the Parliament and the legislature to take a call after a thorough debate and taking into account multifarious views”.

However, addressing the press in Bhubaneswar on 20 July, the Union health minister Dr Harsh Vardhan said there should not be any rush to decide on euthanasia and efforts should be made to arrive at a national consensus on this issue.

Vimla Devi Bhansali, a 60-year-old Shwetambar Jain woman, who observed ‘*Santhara*’ or ‘*Sallekhana vrata*’ the traditional fast unto death, breathed her last on 28 September 2006 in Rajasthan. She was suffering from an incurable brain tumour. There was no fuss or fanfare, just respectful acceptance of an individual’s wish to end her life with dignity.

The question is: Can the wish of these poor people not be granted? No one would have noticed them had they ended their lives as peacefully and silently as the Jain saint women did.



Indian mythology espouses the belief that life and death are in the hands of God and man shouldn't try to tinker with this divine scheme. But Western liberal thinking is opposed to the continuation of a vegetative life on the ground that it is torture for the patient.

It is true that a vegetative life is meaningless in which the patient is only technically alive as the autonomous nervous system performs functions like respiration and heartbeat where a consciousness is not required. Loss of self, more than unbearable pain or prolonged suffering is why many people suffering from life threatening illnesses consider 'assisted suicide' or 'euthanasia'.

The term 'euthanasia' originates from the union of the Greek combination of 'eu' (meaning 'easily') and 'thanatos' ('death'). Thus euthanasia means 'easy' or 'painless death'. As prompted by mercy towards the patient's condition, euthanasia is also called 'mercy-killing'.

Attempts to pass laws decriminalising euthanasia have been rejected in several countries. However, many countries recognise a legal right to refuse medical treatment. But only in the Netherlands, Canada, Oregon (US), Columbia (US) and in some forms only in Belgium, Luxemburg, Switzerland and Thailand are physicians permitted to assist a patient in ending his or her life by means other than withdrawing life-sustaining medical treatment.

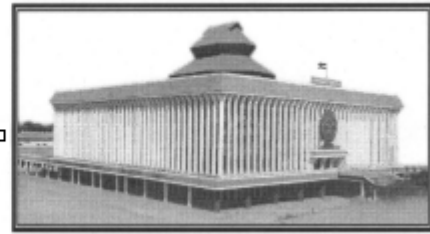
In April 2001, the Netherlands became the first country in the world to legalise euthanasia. Under Section 293(2) of the Dutch Criminal Code, doctors involved in voluntary euthanasia must observe strict rules before embarking upon the case.

The Dutch believe that it isn't true that this will lead to carelessness, callousness or to a rise in the number of suicides. It is only in the rarest of rare situations that a doctor can play god to a life.

In disguise

This is one remove away from the argument of the American famous/ notorious Dr Jack Kervokian, who maintains that if doctors end a life without 'vicious intent', they cannot be held guilty - a reasoning that didn't seem to impress the US legal system going by the jail term extended to this single-minded pathologist who goes by the unfortunate appellation of 'Dr Death'!

In India, the Law Commission on 28 April 2006 suggested that a panel of medical experts can decide whether life-support may be withdrawn from the terminally ill and the patients and their relatives should notify a High Court of the decision so that the doctor is immune from legal action.



However, the commission sought to make it clear that this was different from euthanasia - in which the patient himself or in consultation with relatives or doctors decides on ending a life, not a mandated panel of experts. The 1994 SC judgment striking down Section 309 of the Indian Penal Code relating to attempted suicide was a landmark of jurisprudence in our country.

It was hailed as a triumph of rational humanism over outdated legality. However, the judgment raised many debates including the burning issue of the right to die with dignity and voluntary euthanasia.

Law or no law, euthanasia in a surrogate form is practiced in India. Instances of doctors scaling down medical intervention where patients have no chance of recovery aren't unheard of. Such decisions are taken only after families are convinced they exhausted all options. The terminally ill are allowed to sink till they breathe their last. In some cases, the de-escalation is so sharp that it resembles passive euthanasia.

Needed review

To force a person to be kept alive in a vegetative state when medical opinion is as certain as can be that there is no chance of recovery is cruel both on the person and on his or her family and friends. The law 'must, therefore, clearly allow for euthanasia - both active and passive - in such situations. While passive euthanasia is limited to withdrawing life support, active euthanasia assists a terminally ill patient's death.

The government must stop clinging to a colonial law that reflects neither traditional Indian philosophy nor modern Indian reality. Advances in medical technology mean more and more people are ending their lives in hospitals, and many of them don't want to remain in limbo forever.

As for our national heritage, concepts like 'Samadhi', 'Nirvana' and 'Santhara' point to how the practice of voluntarily opting for death at a particular stage in life was well accepted in India - even when it wasn't by the Anglo-Saxon judicial system and Western jurisprudence.

It is also true that people like Mahatma Gandhi and C. Rajagopalachari advocated the right to die for those condemned to a life of complete immobility and vegetation.

**ALIVE,
SEPTEMBER, 2014.**



വാതകചോർച്ച നേരിടാൻ കേരളത്തിൽ സംവിധാനമില്ല

ഡോ. എം.പി. സുകുമാരൻ നായർ

നമ്മുടെ സംസ്ഥാനത്ത് ഇടയ്ക്കിടെയുണ്ടാകുന്ന രാസ അപകടങ്ങളും പെട്രോളിയം ടാങ്കർ ദുരന്തങ്ങളും ബഹുജനങ്ങൾക്കിടയിൽ വലിയ തോതിൽ ആശങ്ക ഉയർത്തുന്നുണ്ട്. ഏറ്റവും ഒടുവിൽ ഈയിടെയുണ്ടായ ചവറയിലെ കേരള മിനറൽസ് ആന്റ് മെറ്റൽസ് ഫാക്ടറിയിൽ നിന്നുമുണ്ടായ വാതകചോർച്ച ആ പ്രദേശത്തെ ജനങ്ങളിൽ കടുത്ത പരിഭ്രാന്തി ഉളവാക്കുകയും നിരവധി സ്കൂൾ കുട്ടികളും മറ്റും അവശതയനുഭവപ്പെട്ടതിനെത്തുടർന്ന് ആശുപത്രികളെ ആശ്രയിക്കേണ്ട സ്ഥിതിയുമുണ്ടായി. പ്രസ്തുത വാതക ചോർച്ചയുടെ സ്രോതസ്സ്, അവ ഉണ്ടാവാൻ ഇടയായ സാഹചര്യങ്ങൾ അവയ്ക്ക് ആസ്പദമായ കാരണങ്ങൾ എന്നിവയെല്ലാം സംബന്ധിച്ച് ബന്ധപ്പെട്ട ഏജൻസികളെല്ലാവരും ചേർന്ന് അന്വേഷിച്ചു കൊണ്ടിരിക്കുകയാണിപ്പോൾ. പ്രസ്തുത അന്വേഷണ റിപ്പോർട്ട് പുറത്തുവരുമ്പോൾ ജനങ്ങളുടെ ആശങ്ക ദൂരീകരിക്കുവാനും കമ്പനിയുടെ പ്രവർത്തനം കൂടുതൽ സുരക്ഷാവബോധത്തോടെ നടത്തുവാനും, മേലിൽ ഇത്തരത്തിലുള്ള അപകടങ്ങൾ കഴിവതും ഒഴിവാക്കുവാനും വേണ്ട പ്രായോഗിക നിർദ്ദേശങ്ങൾ അതിൽ ഉണ്ടാകുമെന്നും നമുക്ക് പ്രത്യാശിക്കാം.

രാസവ്യവസായ ശാലകളിലെ ഉൽപ്പാദന പ്രക്രിയകൾ, രാസവസ്തുക്കളുടെ സംഭരണം, റോഡ്-റെയിൽ മാർഗ്ഗമുള്ള കടത്തൽ, ഉപയോഗം എന്നിവയെല്ലാം തന്നെ വലിയൊരളവിൽ സുരക്ഷിതത്വ-പരിസ്ഥിതി പ്രശ്നങ്ങൾ ഉൾക്കൊള്ളുന്നവയാണ്. രണ്ടാം ലോകമഹായുദ്ധത്തിനു ശേഷം ലോകത്താകെ രാസോൽപ്പന്നങ്ങളുടെ ഉൽപ്പാദനവും ഉപയോഗവും ഗണ്യമായി വർദ്ധിച്ചതിനെ തുടർന്ന് ആഗോളതലത്തിൽ രാസവ്യവസായങ്ങൾ ഉൽപ്പാദന വ്യവസായങ്ങളുടെ മുൻപന്തിയിൽ എത്തിയിരിക്കുകയാണ്. വളർച്ചയുടെ കാലഘട്ടത്തിലും തുടർന്നും ഈ വ്യവസായത്തിൽ ഗുരുതരമായ നിരവധി അപകടങ്ങളുണ്ടാവുകയും അവയെ തുടർന്ന് ഉൽപ്പാദന പ്രക്രിയയുമായി ബന്ധപ്പെട്ട സുരക്ഷിതത്വ സംവിധാനങ്ങൾ ക്രമമായി മെച്ചപ്പെടുകയുമുണ്ടായി. ഇന്നാകട്ടെ പ്രസ്തുത സുരക്ഷിതത്വ പ്രശ്നങ്ങളും അവയുടെ ഫലപ്രദമായ പ്രതിവിധികളും നിരവധി ആധുനിക സങ്കേതങ്ങൾ ഉൾക്കൊണ്ട് 'പ്രോസ്സസ്സ് സേഫ്റ്റി മാനേജ്മെന്റ്' എന്നൊരു ശാസ്ത്രശാഖയായി വികസിച്ചിട്ടുണ്ട്. പ്രയോഗതലത്തിൽ ഓരോ വ്യവസായ ശാലയിലും സംഭവിക്കാനിടയുള്ള അപകട സാധ്യതകൾ മുൻകൂട്ടി



പ്രവചിക്കാനും അവയെ ഫലപ്രദമായി പ്രതിരോധിക്കാനും കഴിയുന്ന തരത്തിൽ രൂപകൽപ്പനയിൽ മാറ്റം വരുത്തുവാനും ഉൽപ്പാദനപ്രക്രിയ നിരന്തരം വീക്ഷിച്ച് വ്യതിയാനങ്ങളുണ്ടാകുന്ന മാത്രയിൽ ഇടപ്പെട്ട് സാധാരണ അവസ്ഥയിൽ കൊണ്ടുവരാനും കഴിവുള്ള ഇൻസ്ട്രുമെന്റേഷൻ സംവിധാനം എർപ്പെടുത്താനും, തൊഴിലാളികൾക്ക് മെച്ചപ്പെട്ട സുരക്ഷാ പരിശീലനം കൊടുത്ത് സുരക്ഷിതത്വത്തിലൂന്നിയുള്ള പ്രവർത്തനം ഉറപ്പുവരുത്താനും ഇന്ന് നമുക്കാവും. എന്നിരുന്നാലും പൂർണ്ണമായും അപകടങ്ങൾ ഒഴിവാക്കി ഇത്തരം വ്യവസായ ശാലകൾക്ക് പ്രവർത്തിക്കാൻ കഴിയുന്ന സാഹചര്യം ഇപ്പോഴും നിലവിലില്ല. ഇതിന് കാരണം അപകടങ്ങളുണ്ടാകുന്നത് മുഖ്യമായും മനുഷ്യസഹജമായ കുറ്റങ്ങളും കുറവുകളും കൊണ്ടാണെന്നതിനാലാണ്. എന്നിരുന്നാലും നിലവിൽ രാസവ്യവസായ രംഗം മറ്റ് പ്രവർത്തന മേഖലകളേക്കാളേറെ സുരക്ഷിതമാണ് എന്നതാണ് വസ്തുത. നിരവധി വ്യവസായ സ്ഥാപനങ്ങളിൽ കാലാകാലമായി ഉണ്ടായിട്ടുള്ള അപകടങ്ങളെക്കുറിച്ചുള്ള പഠനങ്ങൾ, അവയിൽ നിന്ന് ഗ്രഹിച്ച പാഠങ്ങളും അനുഭവങ്ങളും, ആധുനിക സാങ്കേതിക വിദ്യകൾ, നിരീക്ഷണ-നിയന്ത്രണങ്ങൾക്കായുള്ള നൂതന എഞ്ചിനീയറിംഗ് സംവിധാനങ്ങൾ എന്നിവയൊക്കെയാണ് രാസവ്യവസായങ്ങളുടെ സുരക്ഷിതത്വം കൂടുതൽ മെച്ചപ്പെടുത്തുന്നതിന് സഹായകമായി ഭവിച്ച ഘടകങ്ങൾ.

അന്താരാഷ്ട്ര തലത്തിൽ അടുത്ത കാലമുണ്ടായ പ്രധാന രാസ അപകടങ്ങളാണ് അമേരിക്കയിലെ ടെക്സാക്കോ റിഫൈനറി അപകടം (1994), ഫ്രാൻസിലെ ടൗലോസ് രാസവള ശാല അപകടം (2001), ജപ്പാനിലെ ഫുക്കുഷിമ ന്യൂക്ലിയർ താപനിലയ അപകടം (2011), അമേരിക്കയിലെ തന്നെ വെസ്റ്റ് രാസവളശാലയിലെ അപകടം (2013), മെക്സിക്കൻ ഉൾക്കടലിലെ മക്കൻഡോ എണ്ണയുൽപ്പാദന സംവിധാനത്തിലെ അപകടം (2010) എന്നിവ. ഇവയുടെയെല്ലാം തന്നെ വിശദമായ അന്വേഷണ റിപ്പോർട്ടുകൾ വിവധ ഇന്റർനെറ്റ് സൈറ്റുകളിലും, അമേരിക്കയിലെ കെമിക്കൽ സേഫ്റ്റി ബോർഡിന്റെ സൈറ്റിലും ലഭ്യമാണ്. അപകടങ്ങൾ പരമാവധി ഒഴിവാക്കുന്നതിനും അവ ഉണ്ടായാൽ തന്നെ അതിന്റെ ഗുരുത്വം ഗണ്യമായി കുറയ്ക്കുന്നതിനുമാവശ്യമായ കമ്പനിതലത്തിൽ നടപ്പിലാക്കേണ്ട പ്രായോഗിക നിർദ്ദേശങ്ങളും സർക്കാർ സംവിധാനങ്ങൾ ചെയ്യേണ്ട കാര്യങ്ങളും വളരെ വിശദമായിതന്നെ ഈ റിപ്പോർട്ടുകളിൽ പ്രതിപാദിക്കുന്നുണ്ട്. ഉൽപ്പാദന സംവിധാനങ്ങളുടെ രൂപകൽപ്പന, പ്രവർത്തനം, അറ്റകുറ്റപ്പണികൾ, നിലവിലുള്ള മാനേജ്മെന്റ് പ്രവർത്തനം എന്നിവയെല്ലാം തന്നെ കൃത്യതയോടെയോ അപഗ്രഥനത്തിന് വിധേയമാക്കിയാണ് വിദഗ്ധർ മുൻപറഞ്ഞ റിപ്പോർട്ടുകൾ തയ്യാറാക്കിയിട്ടുള്ളത്. അതുകൊണ്ടുതന്നെ നമ്മുടെ നാട്ടിൽ ഉണ്ടാവുന്ന ഇത്തരം സംഭവങ്ങളെ സംബന്ധിച്ച അന്വേഷണ റിപ്പോർട്ടുകൾക്കില്ലാത്ത വിശ്വാസ്യത അവയ്ക്കുണ്ട്. ഇവ കമ്പനിതലത്തിലും സർക്കാർ തലത്തിലും നടപ്പിലാക്കുന്നത് ഭാവിയിൽ ഇത്തരം അപകടങ്ങൾ ഒഴിവാക്കുന്നതിന് ഏറെ സഹായകമാണുതാനും.

നമ്മുടെ രാജ്യത്ത് അടുത്ത കാലത്ത് ഉണ്ടായ രാസ അപകടങ്ങളിൽ പ്രധാനപ്പെട്ടവ രാജസ്ഥാനിലെ ഐ.ഒ.സി. യുടെ ഓയിൽ സംഭരണിക്കുണ്ടായ തീപിടുത്തം (2009), വിശാഖപ്പട്ടണം റിഫൈനറിയിലെ തീപിടുത്തം (2013) ഈയിടെ ബോംബെ ഹൈയിൽ റിഗ്നിലെ തീപിടുത്തം (2014), വിശാഖപ്പട്ടണത്ത് പ്രകൃതിവാതക പൈപ്പ്ലൈനിലുണ്ടായ തീപിടുത്തം



(2014) എന്നിവയാണ്. കുറെയേറെ ജീവനാശം സംഭവിച്ചിട്ടുള്ളതാണ് ഈ അപകടങ്ങളെ കിലും മുൻപ്രസ്താവിച്ച അമേരിക്കയിലേതുപോലുള്ള അപകടങ്ങളെ അപേക്ഷിച്ച് ഇവ ലഘുതരമാണെന്ന് കാണാം.

കേരളത്തിലാകട്ടെ 2009 ൽ കരുനാഗപ്പള്ളിയിലുണ്ടായ ഗ്യാസ് ടാങ്കർ അപകടം, 2012 ൽ കണ്ണൂർ ചാലയിലുണ്ടായ സമാന സ്വഭാവമുള്ള അപകടം, വൻകിട വ്യവസായങ്ങളോടനുബന്ധിച്ച് ഇടക്കിടെയുണ്ടാകുന്ന അപകടകാരികളായ വാതകങ്ങളുടെ (അമോണിയ, ക്ലോറിൻ, സൾഫർ ഡൈ ഓക്സൈഡ്) ബഹിർഗമനം എന്നിവയാണ് രാസവ്യവസായങ്ങളുമായി ബന്ധപ്പെട്ട് നാം അടുത്തകാലത്ത് നേരിട്ട പ്രധാന സുരക്ഷിതത്വ പ്രശ്നങ്ങൾ. മുൻപ്രസ്താവിച്ചതുപോലെ സ്ഥാപനങ്ങളിലെ ഭൗതിക സാഹചര്യങ്ങൾ, തൊഴിലാളികളുടെ പരിചയക്കുറവ്, യന്ത്രസാമഗ്രികളുടെ തകരാറുകൾ, അടിയന്തിര സുരക്ഷാ സംവിധാനങ്ങളുടെ കുറവും ഫലപ്രാപ്തിയില്ലായ്മയും സർവ്വോപരി മാനേജ്മെന്റിന്റെ അശ്രദ്ധ എന്നിവയാണ് ഇവയ്ക്ക് മുഖ്യകാരണങ്ങളെന്ന് കാണാവുന്നതാണ്. നിരന്തരമായ സുരക്ഷിതത്വ ഓഡിറ്റ്, അപകടസാധ്യതകളെക്കുറിച്ചുള്ള ഗഹനമായ വിലയിരുത്തൽ, റിസ്ക് അവലോകനം എന്നിവ വഴി സംവിധാനങ്ങളുടെ സുരക്ഷിതത്വം ക്രമമായി ഉറപ്പാക്കേണ്ടതുണ്ട്. കുറഞ്ഞത് അപകട സാധ്യതയുള്ള വൻകിട വ്യവസായശാലകളിലെകിലും ഉൽപ്പാദന സംഭരണ വിതരണ മേഖലകളെയെല്ലാം തന്നെ നിരന്തരമായി നിരീക്ഷിക്കുന്ന ഫലപ്രദമായ ഒരു സംവിധാനം ഉണ്ടാക്കുകയും അവ കുറ്റമറ്റ രീതിയിൽ പ്രവർത്തിക്കുന്നുണ്ട് എന്ന് ഉന്നത മാനേജ്മെന്റ് ഉറപ്പാക്കുകയും ചെയ്യണം. ചിലപ്പോഴെങ്കിലും ഒഴിവായി പോകുന്ന അപകടങ്ങളെ സംബന്ധിച്ചും നാം ജാഗരൂകരാവേണ്ടതുണ്ട്. നമ്മുടെ പ്രധാന സ്ഥാനപങ്ങളിലെല്ലാം തന്നെ സുരക്ഷിതത്വം, പരിസ്ഥിതി സന്തുലനം എന്നിവ സംബന്ധിച്ച് ഇത്തരത്തിലുള്ള ഒരു മുന്തിയ പരിഗണന ലഭിക്കുന്നുണ്ടെന്ന് പറയാൻ വയ്യ.

രാസവ്യവസായ രംഗത്ത് അപകടങ്ങളെയെല്ലാംതന്നെ പൂർണ്ണമായും ഒഴിവാക്കാനാവില്ല എന്ന് മുമ്പ് സൂചിപ്പിച്ചിരുന്നല്ലോ. ഏതെങ്കിലും സാഹചര്യത്തിൽ ഒഴിവാക്കപ്പെടാനാകാതെ അപകടങ്ങൾ സംഭവിക്കയാണെങ്കിൽ അവ ഫലപ്രദമായി നേരിടുന്നതിനും അവ മൂലമുണ്ടാവുന്ന ജീവ-വസ്തു നാശങ്ങൾ കഴിയുന്നത്ര കുറയ്ക്കുന്നതിനും ആവശ്യമായ എമർജൻസി മാനേജ്മെന്റ് പ്ലാൻ വൻകിട വ്യവസായങ്ങളെല്ലാം തന്നെ സ്വരൂപിച്ച് നടപ്പിൽ വരുത്തേണ്ടതാണെന്ന് നിയമവ്യവസ്ഥയുണ്ട്. മൂന്നു മാസത്തിലൊരിക്കലെങ്കിലും മോക്ക് ഡ്രിൽ നടത്തി ഇത്തരം പദ്ധതികൾ അപകട ഘട്ടങ്ങളിൽ പ്രവർത്തനയോഗ്യമാകുമെന്ന് ഉറപ്പാക്കേണ്ടതുമാണ്. അപകടങ്ങളുടെ പ്രത്യാഘാതം കമ്പനിയുടെ മതിൽക്കെട്ടുകൾക്കപ്പുറത്തേക്ക് വ്യാപിക്കുന്ന പക്ഷം അതിനെ ഫലപ്രദമായി പ്രതിരോധിക്കുന്നതിന് വേണ്ട സംവിധാനമാണ് ഓഫ്സൈറ്റ് എമർജൻസി പ്ലാൻ. ജില്ലാ ഭരണകൂടത്തിന്റെ നേതൃത്വത്തിൽ ബന്ധപ്പെട്ട എല്ലാ വകുപ്പുകളുടെയും സഹകരണത്തോടുകൂടി രാസ അപകടങ്ങളുടെ പ്രത്യാഘാതത്തെ നേരിടുന്നതിനും ലഘൂകരിക്കുന്നതിനും വേണ്ടിയാണ് ഈ പദ്ധതി വിഭാവനം ചെയ്തിട്ടുള്ളത്. ഇതും മോക്ക് ഡ്രില്ലുകൾ വഴി അടിയന്തിരഘട്ടങ്ങളിൽ പ്രവർത്തനക്ഷമമാകും എന്ന് ഉറപ്പാക്കേണ്ടതുണ്ട്.



നമ്മുടെ സംസ്ഥാനത്ത് രാസ അപകടങ്ങളെ അടിയന്തിരമായി നേരിടുന്നതിന് ഫലപ്രദമായ ഒരു സംവിധാനം രൂപീകരിക്കുകയാണ് എറണാകുളത്തെ കെമിക്കൽ എമർജൻസി റെസ്പോൺസ് സെന്റർ എന്ന സ്ഥാപനത്തിലൂടെ മുൻ സംസ്ഥാന സർക്കാർ ലക്ഷ്യമിട്ടത്. ഇതിനായി തൃക്കാക്കരയിൽ സ്ഥാപിച്ച കെട്ടിടത്തിൽ ആധുനിക സജ്ജീകരണങ്ങളോടെ നമ്മുടെ സംസ്ഥാനത്ത് ഉണ്ടാകാനിടയുള്ള എല്ലാവിധ രാസ അപകടങ്ങളേയും തത്സമയം നേരിടുന്നതിന് വേണ്ട സംവിധാനങ്ങൾ ഒരുക്കുന്നതിനായിരുന്നു ആ പദ്ധതി. പാതിവഴിയിലുപേക്ഷിച്ച അത്യാവശ്യ സുരക്ഷിതത്വ സംവിധാനത്തിനുവേണ്ടി പണികഴിപ്പിച്ച കെട്ടിടം ഫാക്ടറീസ് ആന്റ് ബോയിലേഴ്സ് ഡയറക്ടറേറ്റിന്റെ റീജിയണൽ ഓഫീസ്സായാണ് ഇപ്പോൾ പ്രവർത്തിച്ചുവരുന്നത്. അപകടഘട്ടങ്ങളിൽ ഇടപെടാനാവശ്യമായി യാതൊരു സുരക്ഷാ സംവിധാനവും ഇവിടെ നിലവിലില്ല.

ഇടയ്ക്കിടെയുണ്ടാകുന്ന രാസ അപകടങ്ങളും വാതക ചോർച്ചയും അവ ബഹുജനങ്ങൾക്കിടയിൽ പരത്തുന്ന ഭീതിയും നമുക്ക് മെച്ചപ്പെട്ട സുരക്ഷിതത്വ സംവിധാനങ്ങൾ ഇനിയെങ്കിലും സ്ഥാപനങ്ങളിലും സർക്കാർ തലത്തിലും കെട്ടിപ്പടുക്കാൻ സഹായകമായെങ്കിൽ നന്നായിരുന്നു. കേവലം ഗുഡ്വോൾഡ് ചെയ്യുന്നതും മറ്റും വിശേഷിപ്പിച്ച് നമുക്ക് ഇതിനെ തള്ളിക്കളയാനാവില്ല. നിലവിൽ വ്യവസായ സ്ഥാപനങ്ങളിലുള്ള സുരക്ഷിതത്വ സംവിധാനങ്ങളുടെ അവസ്ഥ, അവയുടെ പ്രവർത്തനശേഷി, അവ ഉപയോഗിക്കേണ്ട തൊഴിലാളികളുടെ പരിശീലന നിലവാരം, മാനേജ്മെന്റുകൾക്ക് ഇക്കാര്യത്തിലുള്ള ശ്രദ്ധ എന്നിവയെല്ലാം തന്നെ ഒരിക്കൽ കൂടി വസ്തുനിഷ്ഠമായി വിശകലനം ചെയ്യുകയും സംവിധാനങ്ങളിലോ പ്രവർത്തനത്തിലോ പോരായ്മയുണ്ടെങ്കിൽ അവ അടിയന്തിരമായി പരിഹരിക്കുന്നതിനാവശ്യമായ നടപടികൾ ഉടൻ ഉണ്ടാക്കുകയും ചെയ്യേണ്ടതാണ്. സംസ്ഥാന സർക്കാരിന്റെ സമയോചിതമായ ഇടപെടലും നിഷ്കർഷയും ഭാവിയിൽ ഇത്തരം അപകടങ്ങൾ കുറയ്ക്കുന്നതിന് അത്യന്താപേക്ഷിതമാണ്. തൊഴിലാളികൾക്കിടയിൽ സുരക്ഷിതത്വം സംബന്ധിച്ച ഒരു സംസ്കാരം ഉണ്ടാക്കുന്നതിന് മാനേജ്മെന്റിനുമപ്പുറം തൊഴിലാളി സംഘടനകൾക്കും ഫലപ്രദമായ പങ്ക് വഹിക്കാനാവും. ഇതൊക്കെയാവുമ്പോൾ പ്രായേണ അപകടരഹിതമായി നമ്മുടെ രാസവ്യവസായശാലകളെ പ്രവർത്തിപ്പിക്കാനാവും.

**കലാകൗമുദി,
സെപ്തംബർ 21, 2014.**



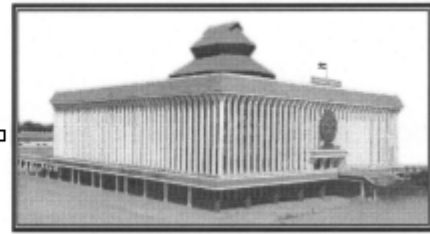
Mines of Scam

SAGNIK DUTTA

In another decisive blow to arbitrary and capricious allocation of natural resources by corrupt governments, the Supreme Court on August 25 declared 194 coal block allocations made between 1993 and 2009 illegal. A three-judge Bench comprising Chief Justice R.M. Lodha, Justice Madan B. Lokur and Justice Kurian Joseph ruled that the route of allocating the coal mines through the screening committee and the government dispensation suffered from the flaw of arbitrariness. The judgment comes in response to public interest litigations (PILs) filed by Advocate Manohar Lal Sharma and Common Cause, a non-governmental organisation. An intervention application filed by advocate and activist Sudip Shrivastava had also pointed out significant irregularities in the functioning of the screening committee mechanism and illegal commercial sale of coal by State public sector units (PSUs).

The coal allocation scam took centre stage in 2012 when a report of the Comptroller and Auditor General of India highlighted the arbitrary and non-transparent allocation of coal mines leading to huge losses to the public exchequer. Former Prime Minister Manmohan Singh held the Portfolio of Coal between 2006 and 2009. This, along with the 2G telecom spectrum allocation scam, became a symbol of the United Progressive Alliance (UPA) government's promotion of crony capitalism and pandering to private interests in the distribution of precious natural resources. The judgment in *Manoharlal Sharma vs Principal Secretary and Ors* refers to judgments of the Supreme Court in *Centre for Public Interest Litigation vs Union of India & Ors* (2012) and *Natural Resources Allocation, Special Reference No. 1 of 2012* to contend that allocation of coal blocks was inconsistent with and violative of Article 14 of the Constitution (equality before the law).

The screening committee method was used from 1993 to 2001. In this method, a committee comprising representatives of the Ministries of Coal and Railways and relevant State government



and the administrative Ministry concerned (such as the Ministry of Power) and the public sector Coal India considered applications by private companies for coal blocks. From 2001 onwards, allocations were made directly through the screening committee and the Ministry of Coal. The allocations made directly through the Ministry of Coal were referred to as ones made by the government dispensation route.

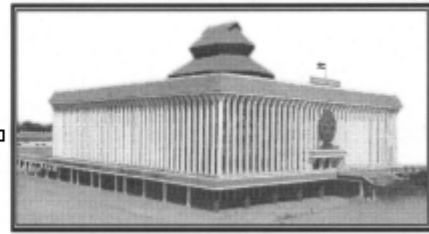
The Supreme Court observed, “The entire exercise of allocation through Screening Committee route thus appears to suffer from the vice of arbitrariness and not following any objective criteria in determining as to who is to be selected or who is not to be selected. There is no evaluation of merit and no *inter se* comparison of the applicants. No chart of evaluation was prepared”.

It further held that the commercial mining of coal by State PSUs was in clear violation of the Coal Mines Nationalisation Act, 1973. In an article, *Frontline* (“For private interests”, February 7) had highlighted how private companies were entering into illegal joint ventures with State government PSUs. The mining operations were taken over by the private entities in these ventures, making substantial gains. A written submission by Sudip Shrivastava, an intervener in the case, had pointed this out. Along with the arbitrary allocation of coal blocks, this phenomenon of illegal commercial mining defeated the purpose of the nationalisation of coal mines for larger public interest by allowing private companies to make substantial benefits through the sale of coal. The purpose of making cheap coal available to end-use power projects was defeated.

The Supreme Court observed, “The Coal Mine Nationalisation Act and further amendments therein carried out in 1976 do not allow State government or State PSUs to mine coal for commercial use. This modus operandi has virtually defeated the legislative policy in the Act and winning and mining of coal mines has resultantly gone to the hands of private companies for commercial use”.

It refuted the contention of the then Attorney General Goolam E. Vahanvati that the allocation of a coal block to individuals or companies does not bestow any rights on them. It also emphasised that the Centre’s letters awarding allocation curtailed the role of the State governments as underlined by the Mines and Minerals (Development and Regulation) Act, 1957, and reduced their role to fulfilling mere formalities. The court observed: “As a matter of fact, the allocation letter by the Central government leaves practically or apparently nothing for the State government to decide save and except to carry out the formality of processing the application and for execution of the lease deed with the beneficiary selected by the Central government”.

It further said: “The practice and procedure for allocation of coal blocks by the Central government through the administrative route is clearly inconsistent with the law already enacted



or the rules framed”. Interestingly, the government of Odisha had objected to this procedure of allotment. In its January 24 issue, *Frontline* (“Vassal States?”) had highlighted this anomaly by analysing the affidavits filed by the respective State governments.

FUTURE OF ALLOCATIONS

Though the court declared the allocations of coal blocks illegal, it has not yet clarified what will happen to the allocations made through the procedures it found arbitrary. A hearing posted for September 1 will determine that aspect.

Senior lawyer Prashant Bhushan, who argued for Common Cause, said: “The court has carried out its duty in striking down arbitrary executive action, which is in violation of the provisions of the Constitution. At present, either all the allocations can be cancelled and the coal blocks can be put up for auction again by the government or the coal blocks can be all awarded to the public sector entity Coal India Limited. The only issue for consideration is whether any transition time is required to take away mine materials from the companies, which are already engaged in mining in the coal blocks”.

Bhushan also rejected the contention of sections of the industry that de-allocation of coal blocks will destabilise the economy. He said: “This is the standard response of the apologists for crony capitalism, including those in the financial media. The reality is that a number of coal blocks are lying unexplored because they were allocated to companies that did not have any expertise in mining. A fair and transparent auction of coal blocks will only enrich the public exchequer and serve the larger public interest”.

Advocate Sanjay Parikh, who had argued on behalf of Sudip Shrivastava, is in favour of awarding the coal blocks to Coal India. He said: “According to Article 39 of the Constitution, the government is the custodian of natural resources, and as a trustee it is supposed to facilitate the utilisation of natural resources in the best possible manner in larger public interest and not just to enrich private companies. In my view, the unjust enrichment of private companies who have benefitted from the arbitrary allocations has to be remedied. This can only be done by cancelling the allocations. In order to ensure uninterrupted supply for power plants, which are dependent on coal, the best move in this scenario would be to award the coal blocks to Coal India Limited. The companies who were found to be benefitting from capricious allocations should be barred from bidding if there is a new round of auctions”.

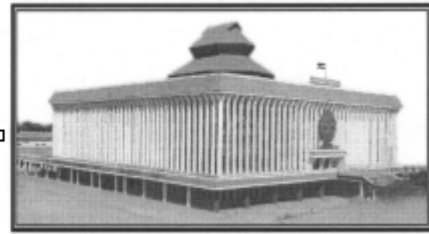
Sudip Shrivatsava, who is a lawyer, argued that even mines that have started production should be de-allocated. He highlighted the significant commercial gains made by some of the companies involved, “The companies which were awarded coal blocks illegally have already made significant gains on their investment through the extraction of coal. Therefore, there is no reason to not de-allocate these blocks. For instance, the Gare Palma IV / 2 and IV / 3 coal



blocks in Chhattisgarh were allocated to Jindal Steel and Power Limited in 2007. According to the government's own affidavit, the company had an initial investment of Rs.303.84 crore with a production capacity of 5 million tonnes per annum. Even if one makes an estimate using the notified price of F-grade coal sold by Coal India Limited, the company would have made about Rs.2,400 crore through the sale of coal.

The same company had invested Rs.300 crore in Gare Palma IV/1, which has been producing coal since 2002. It would have sold coal worth Rs.3,500 crore. Similarly, Hindalco made an initial investment of Rs.40.62 crore in the Talabira I coal block in Odisha. The coal mine has been producing coal from 2007 with a production capacity of 10 million tonnes per annum. It would have sold coal worth Rs.800 crore. So the argument that the companies are going to suffer if their allocations are cancelled is completely flawed. In the interest of fairness and public interest, all these allocations should be cancelled.

**FRONTLINE,
SEPTEMBER 19, 2014.**



Book Review

Industry and Institutional Finance

I. SATYA SUNDARAM

Agriculture, though important, cannot by itself solve problems of poverty, unemployment, and underemployment. Hence, the increasing stress on industrialization, especially rural industrialization. Both agriculture and industry face specific problems in securing institutional finances.

The book under review deals with institutional finance for industry with special reference to Kerala. At the state and national levels, we have a number of institutions engaged in providing finance to industry. These include:

- Industrial Finance Corporation of India (IFCI)
- State Finance Corporation (SFC)
- Industrial Credit and Investment Corporation of India Ltd (ICICI)
- National Industrial Development Corporation (NIDC)
- National Small Industries Corporation (NSIC)
- State Industrial Development Corporation (SIDC)
- Industrial Development Bank of India (IDBI) and others

While extending term loans, the financial institutions take into account a number of factors like financial and assets structure of the units, and growth indicators of the units. However, all is not well with industrial finance in India.

The authors have suggested some measures to improve the situation. These include simplification of cumbersome formalities involved in the loaning procedures, reduction



in processing fee, curbing delays in sanctions, documentation and disbursement of term loans, efficient arrangements for providing support for project planning and project report preparation of the units, keeping the interest rates at a reasonable level, a pragmatic approach towards default in payment of interest and principal and doing away with repayment of working capital in installments, as that created some problems. The authors have also noticed that the unprofitable operations for long years have totally dried up the owned capital in many of the units.

**SOUTHERN ECONOMIST,
SEPTEMBER 15, 2014.**



പതിമൂന്നാം കേരള നിയമസഭ

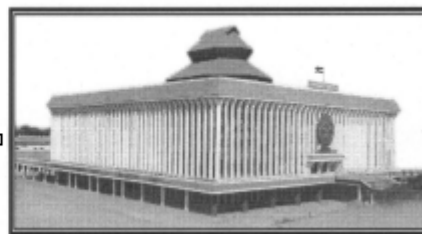
പതിനൊന്നാം സമ്മേളനം

(09-06-2014 മുതൽ 17-07-2014 വരെ)

(സമയക്രമം മണിക്കൂറിൽ)

ചോദ്യോത്തര സമയം (ചട്ടം 26)	27.00
ചട്ടം 300 അനുസരിച്ചുള്ള പ്രസ്താവന	00.18
അടിയന്തര പ്രമേയം (ചട്ടം 50)	20.36
ശ്രദ്ധക്ഷണിക്കൽ (ചട്ടം 62)	10.52
ചട്ടം 130 പ്രകാരമുള്ള ഉപക്ഷേപം	04.24
ചട്ടം 275 അനുസരിച്ചുള്ള സബ്സ്റ്റാൻറീവ് മോഷൻ	00.15
സബ്മിഷൻ (ചട്ടം 304)	28.11
ധനകാര്യം	66.18
നിയമനിർമ്മാണം	35.10
ചട്ടം 58 അനുസരിച്ചുള്ള ചർച്ച	01.04
അനൗദ്യോഗികാംഗങ്ങളുടെ കാര്യം	03.36
	197.44
മറ്റുള്ളവ	03.57
ആകെ	201.41

ഉച്ചയ്ക്ക് 1.30-നുശേഷം നിയമസഭ കൂടിയ അധിക സമയം 75.01 മണിക്കൂറും ബിസിനസ്സിനുവേണ്ടി ചെലവഴിച്ച സമയം 201.41 മണിക്കൂറും ബഹളം കാരണം സഭാ നടപടികൾ നിർത്തിവെച്ചത് 1.21 മണിക്കൂറും 27 ദിവസങ്ങളിലായി നിയമസഭ ചേർന്ന ആകെ സമയം 203.02 മണിക്കൂറുമാണ്.



Site Address of Legislative Bodies in India

Sl.No	Name of Assembly/Council	Site Address
1.	Loksabha	loksabha.nic.in
2.	Rajyasabha	rajyasabha.nic.in
3.	Andhra Pradesh Legislative Council	aplegislature.org
4.	Andhra Pradesh Legislative Assembly	aplegislature.org
5.	Arunachal Pradesh Legislative Assembly	arunachalassembly.gov.in
6.	Assam Legislative Assembly	assamassembly.nic.in
7.	Bihar Legislative Assembly	vidhansabha.bih.nic.in
8.	Bihar Legislative Council	biharvidhanparishad.gov.in
9.	<u>Chhattisgarh Legislative Assembly</u>	cgvidhansabha.gov.in
10.	<u>Delhi Legislative Assembly</u>	delhiassembly.nic.in
11.	<u>Goa Legislative Assembly</u>	goavidhansabha.gov.in
12.	Gujarat Legislative Assembly	gujaratassembly.gov.in
13.	Haryana Legislative Assembly	haryanaassembly.gov.in
14.	Himachal Pradesh Legislative Assembly	hpvidhansabha.nic.in
15.	Jammu and Kashmir Legislative Assembly	jklegislativeassembly.nic.in
16.	Jammu and Kashmir Legislative Council	jklegislativecouncil.nic.in
17.	Jharkhand Legislative Assembly	jharkhandvidhansabha.nic.in
18.	Karnataka Legislative Assembly	kar.nic.in/kla/assembly
19.	Karnataka Legislative Council	kar.nic.in/kla/council/council
20.	Madhya Pradesh Legislative Assembly	mpvidhansabha.nic.in
21.	Maharashtra Legislative Assembly	mls.org.in/Assembly



22.	Maharashtra Legislative Council	mls.org.in/Council
23.	Manipur Legislative Assembly	manipurassembly.nic.in/
24.	Meghalaya Legislative Assembly	megassembly.gov.in/
25.	Mizoram Legislative Assembly	mizoramassembly.in
26.	Nagaland Legislative Assembly	http://nagaland.nic.in
27.	Odisha Legislative Assembly	
28.	Puducherry Legislative Assembly	
29.	Punjab Legislative Assembly	punjabassembly.nic.in
30.	Rajasthan Legislative Assembly	rajassembly.nic.in/
31.	Sikkim Legislative Assembly	
32.	Tamil Nadu Legislative Assembly	assembly.in.gov.in
33.	Tripura Legislative Assembly	tripuraassembly.nic.in/
34.	Uttar Pradesh Legislative Assembly	uplegassembly.nic.in
35.	Uttar Pradesh Legislative Council	upvidhanparishad.nic.in
36.	Uttarakhand Legislative Assembly	
37.	West Bengal Legislative Assembly	wbassembly.gov.in/
38.	Telengana Legislative Assembly	telenganalegislature.org.in



THE LEGISLATIVE BODIES IN SESSION DURING THE MONTH OF SEPTEMBER 2014

SI No.	Name of Assembly/Council	Duration
1.	Rajasthan Legislative Assembly	15.09.2014-18.09.2014



BUSINESS OF LEGISLATIVE BODIES

LOKSABHA

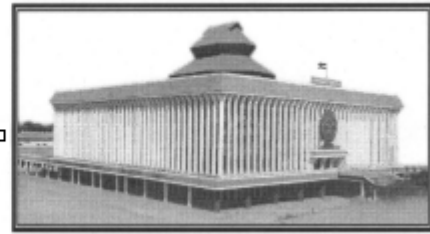
**RESUME OF WORK TRANSACTED BY
THE LOKSABHA FROM 7TH JULY,
2014 TO 14TH AUGUST, 2014**

The Second Session of the Sixteenth Lok Sabha commenced on 7 July 2014 and concluded on 14 August 2014. In all, the House held 27 sittings spread over 166 hours and 56 minutes. The House transacted important financial, legislative and other business during the period.

One of the important developments during the Session was the election of Dr. M. Thambidurai as the Deputy Speaker of the Sixteenth Lok Sabha. On 13 August 2014, eleven motions proposing the name of Dr. M. Thambidurai were moved and seconded one by one. The first motion moved by the Minister of Home, Shri Rajnath Singh and seconded by the Minister of External Affairs, Smt. Sushma Swaraj was adopted unanimously and Dr. M. Thambidurai was chosen as the Deputy Speaker of the Lok Sabha. You may recall that earlier Dr. M. Thambidurai had held the Office of Deputy Speaker in the Eighth Lok Sabha.

Thereafter, the Prime Minister and, the Leader of the House, Shri Narendra Modi, Leader of the Congress, Shri Mallikarjun Kharge and some other Leaders conducted Dr. Thambidurai to the Chair. The House then felicitated him on his election and assured full cooperation in the discharge of his duties. The Speaker, Smt. Sumitra Mahajan, also felicitated Dr. Thambidurai. Thereafter, thanking the members for electing him as a Deputy Speaker, Dr. Thambidurai *inter alia* said:

“I am conscious of the fact that this Office has all along been occupied by eminent predecessors, and I will follow their footsteps. Their rich traditions would guide me in performing my duties and upholding the dignity of the House.



These will ever remain in thoughts when I sit in the House and it will be my endeavour to discharge my functions in an impartial manner as is expected of me. At the same time, I will seek the cooperation from all sections of this House, and I am sure, this will be forthcoming in abundant measures. I will keep the interests of all Parties, Groups, and individual members in my mind while I discharge my duties, which most of the members requested. Definitely, based on my experience, I would take care of that..”

The Railways Budget for 2014-2015 and the Demands for Excess Grants (Railways) for 2011-2012 were presented by the Minister of Railways, Shri D.V. Sadananda Gowda, on 8 July 2014. The combined General Discussion on Budget (Railways) for 2014-2015 and the Demands for Excess Grants (Railways) for 2011-2012 took place on 11, 14 and 15 July 2014. The Minister of Railways replied to the debate on 15 July 2014. In all, 124 members took part in the discussion. All the Demands for Excess Grants (Railways) for 2011-12 were voted in full on the same day. The Appropriation (Railways) Bills were introduced and passed on the same day.

Since the Departmentally-Related Standing Committees (DRSCs) were yet to be constituted, after the Railway Minister replied, the Minister of Parliamentary Affairs, Shri M. Venkaiah Naidu moved a motion for the suspension of Rule 331 G of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the discussion and voting on the Demands for Grants (Railways) for 2014-2015, which was approved by the House. The Hon’ble Speaker, Smt. Sumitra Mahajan thereafter observed:

“Hon’ble Members, as you are aware the House would now vote the Demands for Grants (Railways) for the year 2014-2015. Although Rule 331 G of the Rules of Procedure has been suspended to enable the House to pass the Demands for Grants without the same being referred to the Departmentally Related Standing Committee, the Demands would, however, stand referred to the Standing Committee on Railways, after it has been constituted, for examination and report to the House so that the Committee can make suitable recommendations which may be used in the preparation of Demands for Grants for the next year.”

The Speaker also observed: “Hon’ble members, as you are aware, Business Advisory Committee *vide* its report adopted on 11 July 2014 has recommended that the Demands for Grants (Railways) for the year 2014-2015 may be taken up immediately after completion of items relating to general discussion on Budget (Railways), 2014-2015 and discussion and voting on Excess Demands for Grants (Railways) for 2011-2012 and passed without discussion. As sufficient time for moving of cut motions is not available, I treat all the cut motions, which have been circulated, as moved.”

Accordingly, all 130 - cut motions which had been circulated were treated as moved and were negatived by the House. All the Demands for Grants (Railways) for 2014-2015 were voted in full on the same day.



The Budget (General) for the year 2014-2015 was presented on 10 July 2014 by the Minister of Finance, Shri Arun Jaitley. The Minister also laid on the Table the following statements viz. (i) Macro-Economic Framework Statement; (ii) Medium-Term Fiscal Policy Statement; and (iii) Fiscal Policy Strategy Statement under section 3(1) of the Fiscal Responsibility and Budget Management Act, 2003.

Earlier, on 9 July, a copy of Economic Survey 2013-2014 was laid on the Table of the House. The Demands for Excess Grants (General) 2011-2012 were presented by Minister of Finance, Shri Arun Jaitley on 11 July 2014.

The Budget (General) for 2014-2015 and Demands for Excess Grants (General) 2011-2012 were discussed together on 16, 17 and 18 July 2014. The Finance Minister replied to the combined debate on 18 July 2014 after which all the Demands for Excess Grants (General) for 2011-2012 were voted in full.

As was done in the case of Railway Budget, the House adopted a motion moved by the Minister of Parliamentary Affairs, Shri M. Venkaiah Naidu suspending Rule 331G of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the discussion and voting on the Demands for Grants (General) for 2014-2015 be suspended.

The Speaker thereafter observed: “Hon’ble Members, although Rule 331G of the Rules of Procedure has been suspended to enable the House to pass the Demands for Grants without the same being referred to the concerned Departmentally Related Standing Committees, the Demands would, however, stand referred to the Standing Committees, after they have been constituted, for examination and report to the House so that the Committees can make suitable recommendations which may be used in the preparation of Demands for Grants for the next year.”

During discussion on the Demands for Grants in respect of the Ministry of Water Resources for 2014-2015 Shri Jai Prakash Narayan Yadav raised a point that as the Annual Report and other papers pertaining to the Ministry of Water Resources had not been laid on the Table of the House, the Demands for Grants of the Ministry should not be taken up for discussion.

The Speaker, thereupon, observed: “Although, there is no rule which bars the discussion on the Demands for Grants of a particular Ministry for want of documents like Annual Report, Outcome Budget or the Detailed Demands for Grants of that Ministry, yet, I am of the view that these documents should be made available to the Members in advance so that they get sufficient time to study them. I know what has been done in Budget. This thing has happened previously also. Although today details have been provided to you. I would, therefore, urge upon the Government to ensure that in future the Detailed Demands, the Outcome Budgets and also the Annual Reports of the Ministries whose Demands are to be discussed in the House are made available to the Members sufficiently in advance. We will keep this thing in mind



for the future. Right now, I know how this procedure has been followed. This Government has been constituted recently that is why I would like that in future the Government will follow all the procedures.”

Further, the Demands for Grants for 2014-2015 in respect of the following Ministries were discussed and voted in full (i) Ministry of Water Resources, 21 July 2014; (ii) Ministry of Environment and Forests, 22 July 2014; (iii) Ministry of Road Transport and Highways, 23 July 2014; and (iv) Ministry of Social Justice and Empowerment, 23 July 2014.

Three cut motions were moved in respect of Demands for Grants relating to Ministry of Water Resources; five cut motions in respect of Demands for Grants relating to the Ministry of Environment and Forests; sixteen cut motions in respect of the Demands for Grants relating to Ministry of Road Transport and Highways; and two cut motions in respect of Demands for Grants relating to the Ministry of Social Justice and Empowerment. The Demands of the first three Ministries were voted in full. The Demands of Ministry of Social Justice and Empowerment and all other remaining outstanding Demands for Grants in respect of the Budget (General) for 2014-2015 were submitted to the vote of the House and voted in full on 23 July 2014. The related Appropriation Bill was passed.

Since the National Capital Territory of Delhi is under the President’s rule which was promulgated on 17 February 2014, the Budget in respect of National Capital Territory of Delhi for 2014-2015 and Demand for Excess Grants for the year 2011-2012 were presented to the Lok Sabha on 18 July 2014 by the Minister of Finance, Shri Arun Jaitley.

The combined discussion on Budget for the National Capital of Delhi for the year 2014-2015 and the Demands for Grants in respect of Budget for the National Capital Territory of Delhi for 2014-2015 were taken up on 30 July 2014. All the Demands were voted in full and the related Appropriation Bills were passed the same day.

In spite of the uproarious scenes witnessed on some occasions, the active co-operation of all sections of the House helped in the transaction of substantial business. The time lost due to interruptions and adjournments, which was 13 hours and 51 minutes, was compensated by sitting late for as many as 28 hours and 10 minutes.

During the Session, the House held five discussions on matters of public importance under Rule 193. On 8 July, Captain Amarinder Singh raised the discussion regarding price-rise. The discussion on the subject continued for two days and concluded with the reply of the Minister of Consumer Affairs, Food and Public Distribution, Shri Ram Vilas Paswan. Twenty-one members participated in the discussion.

Another discussion under Rule 193 was on the situation arising out from flood and drought in the country, which was raised by Shri Yogi Adityanath on 30 July. As many as 116 members took part in the discussion which continued on 31 July, 1 August and 5 August. At the end of the



debate, the Minister of Agriculture, Shri Radha Mohan replied. On 4 August 2014, Shri Yogi Adityanath called the attention of the Minister of Health and Family Welfare on the situation arising out of spread of Encephalitis in Eastern Uttar Pradesh and other parts of the country and steps taken by the Government in this regard. Some members submitted that in view of the importance of the matter it may be converted to Short Duration Discussion under Rule 193. Hon'ble Speaker, with the consent of the House, converted the Calling Attention to Short Duration Discussion under Rule 193. Twenty-five members took part in the discussion that lasted 4 hours and 15 minutes. The Minister of Health, Dr. Harsh Vardhan replied to the debate.

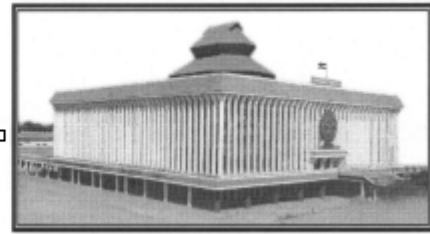
On 6 August, Shri P. Karunakaran raised a discussion on the need to have stringent legislation to check increasing atrocities against women and children in the country. Forty-eight members took part in the debate spread over four days. The Minister of Women and Child Development, Smt. Maneka Gandhi replied to the discussion on 14 August.

The discussion on the need to evolve an effective mechanism to deal with incidents of communal violence in the country raised under Rule 193 by Shri Mallikarjun Kharge, on 13 August 2014, remained inconclusive.

During the Session, the procedural device of 'Calling Attention' to raise issues of public importance was made use of by the members effectively and the attention of the Ministers concerned was drawn to the following issues, viz. (i) the situation arising out of Indians stranded in Iraq and the steps taken by the Government; (ii) the need to correct the price fixation mechanism for sugarcane and other agricultural produces in the country; (iii) the decision to discontinue Kausar Nag Yatra in South Kashmir which will impede the plans to rehabilitate Kashmiri pandits; (iv) the need to set up Saraswati Research Institute for revival of the river Saraswati; and (v) the need to exempt the residential colonies as well as vacant land of Defence from obtaining NOC from Ministry of Defence to carry development work. The concerned Ministers made statements and replied to the clarification sought by the members.

On 15 July, the Minister of External Affairs, Smt. Sushma Swaraj made a statement regarding reported meeting of an Indian journalist with Hafiz Saeed in Pakistan. She informed the House that the Government of India had no connection to the visit by Shri Ved Prakash Vaidik to Pakistan or his meeting with Hafiz Saeed there. Neither before leaving for Pakistan nor at his arrival there, he informed the Government that he was to meet Hafiz Saeed there. This was his purely private visit and meeting. The issue again came up before the House when on 17 July, Shri Mallikarjun Kharge made submission in this regard. The Minister of External Affairs, Smt. Sushma Swaraj responded to the submission.

The issue of agitation by the student aspirants of Civil Service Examination conducted by UPSC was discussed time and again in the House. On 16 July, the Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Dr. Jitendra Singh informed the House that the Government had constituted a three Member committee to look into the grievances of the agitating student aspirants of Civil Services Examination. He assured the members and the



students that there will be no bias allowed on the basis of language. On 31 July, Shri Dharmendra Yadav and Rajesh Ranjan alias Pappu Yadav made submission regarding lathi charge on candidates in Delhi for protesting against removal of Hindi and other regional languages in UPSC examination. One more member associated himself with the same submission. The Minister of Parliamentary Affairs, Shri M. Venkaiah Naidu responded to the submission. Again on 4 August, the Minister of State in the Ministry of Personnel, Public Grievances and Pensions, Dr. Jitendra Singh made a statement regarding issue of Civil Services Examination conducted by UPSC. He informed the House that the Government is of the opinion that in the Civil Services Preliminary Examination Paper II, the marks of the question-section on “English Language comprehension skills” should not be included for gradation or merit. He further informed that candidates who appeared in Civil Services Examination 2011, should be given one more attempt in 2015. On 7 August, Shri M. Thambidurai made submission along with other members, regarding need to include Tamil and other regional languages enshrined in the Eighth Schedule of the Constitution as medium of examination in UPSC. The Minister of Parliamentary Affairs, Shri M. Venkaiah Naidu responded to the submission.

On 23 July, the Minister of External Affairs, Smt. Sushma Swaraj made a statement regarding Hon’ble Prime Minister’s visit to Brazil for the Sixth BRICS Summit held from 15 to 16 July 2014. The Minister informed the House that among the outcomes from the Summit, the agreements on the establishment of the New Development Bank, to be located in Shanghai, and the Contingent Reserve Arrangement are especially significant achievement for the BRICS countries and the developing world. The Sixth Summit underlined the relevance and role of BRICS as an important additional instrument for promoting global economic growth and stability, economic development in resource-constrained countries and international peace. She further said that the Hon’ble Prime Minister had a productive meeting with President Xi Jinping of China, President Putin of Russia and President Jacob Zuma of South Africa.

Apart from the above mentioned statements, several other statements were made by the Ministers under Rule 372. Important among these included the statements made by: (i) the Minister of External Affairs, Smt. Sushma Swaraj regarding Prime Minister’s visit to Nepal from 3 to 4 August 2014; (ii) the Minister of State (Independent Charge) of the Ministry of Environment, Forests and Climate Change regarding the ratification of Nagoya Protocol during India’s Presidency of the Conference of Parties (CoP) to the Convention on Biological Diversity (CBD); (iii) the Minister of Health and Family Welfare, Dr. Harsh Vardhan regarding Doctor-Pathological Laboratory/ Diagnostic Centres collusion defrauding the patient/consumer as revealed by News Nations T.V.Channel; (iv) the Minister of State in the Ministry of Home Affairs, Shri Kiren Rijiju on the incident of death of Shri Akha Salouni, resident of Manipur in Delhi; (v) the Minister of Railways, Shri D.V. Sadananda Gowda, regarding the incident that occurred at unmanned level crossing on South Central Railway in Telangana; (vi) the Minister of Home Affairs, Shri Rajnath Singh on the landslide incident in Pune district of Maharashtra; and (vii) the Minister of State



(Independent Charge) of the Ministry of Commerce and Industry and Minister of State in the Minister of Corporate Affairs, Smt. Nirmala Sitharaman regarding India's stand in the WTO.

In addition to the already mentioned submissions, members made other submissions on issues of urgent public importance like: (i) the situation in Gaza due to alleged attack by Israeli forces on Palestine civilians; (ii) irregularity in the confirmation of appointment of a Judge in Madras High Court; (iii) bugging at the residence of a Union Minister; (iv) need to discuss issues regarding rising incidents of communal riots, violence and polarization in various parts of the country; (v) to provide necessary help for rescue, relief and rehabilitation to the flood affected people of Odisha; (vi) derogatory remarks made against Indian Constitutional Authorities by Sri Lankan Government posted on its official website; (vii) a circular reportedly issued by Ministry of Home Affairs prescribing certain norms to be followed by the State Government in relation to powers and functions of the Governor under the Andhra Pradesh State Reorganisation Act; and (viii) providing necessary help for rescue, relief and rehabilitation to the flood affected people of Odisha.

Out of 540 Starred Questions that were listed only 126 Questions could be orally answered on the floor of the House. The written replies to the remaining Starred Questions along with 5339 Unstarred Questions were laid on the Table of the House.

Two Half-an-Hour discussions were raised on the points arising out of the answers given by the Minister of Rural Development and Minister of Agriculture on 24 July and 5 August, respectively. One initiated by Kunwar Bharatendra Singh was regarding irregularities under Mahatma Gandhi National Rural Employment Guarantee Scheme and the other raised by Shri Virendra Singh was regarding rise in prices of milk.

During the Session, members made use of Rule 377 to raise 354 matters, particularly those relating to their constituencies. As many as 607 matters of urgent public importance were raised by the members after the Question-Hour and after completion of formal business.

Coming to the legislative sphere, 20 Government Bills were introduced in the Lok Sabha and in all 13 Bills were passed by the House during the Session. Some of the important Bills passed among them were: (i) The Finance (No.2) Bill, 2014; (ii) The Securities Laws (Amendment) Bill, 2014; (iii) The Constitution (One Hundred and Twenty-First Amendment) Bill, 2014; (iv) The National Judicial Appointments Commission Bill, 2014; and (v) the National Institute of Design Bill, 2014 as passed by the Rajya Sabha.

The Finance (No.2) Bill, 2014 sought to give effect to the financial proposals of the Central Government for the financial year 2014-2015.

The Securities Laws (Amendment) Bill, 2014 sought to amend the Securities and Exchange Board of India Act, 1992, the Securities Contracts (Regulation) Act, 1956 and the Depositories



Act, 1996 inter alia to empower the Central Government to establish or designate special courts for speedy trial of offences under the above Acts.

The Apprentices (Amendment) Bill, 2014 provides for apprenticeship training to non-engineering graduates and diploma holders besides others to expand the base of skilled workers. The new provisions include new trade, including IT-enabled services in the scheme of apprenticeship. It also empowers employers to formulate their own policies for recruiting apprentices and provide for exchange of information through a web-portal.

The Constitution (One Hundred and Twenty-First Amendment) Bill, 2014 [passed as the Constitution (Ninety-ninth Amendment) Bill, 2014] sought to insert a new article 124A to provide for constitution of a National Judicial Appointments Commission for appointment of the Chief Justice of India, other Judges of the Supreme Court and Chief Justices and other Judges of the High Courts and also to provide for transfer of Judge from the High Court to another High Court.

The National Judicial Appointments Commission Bill, 2014 sought to regulate the procedure to be followed by the National Judicial Appointments Commission for recommending persons for appointment as the Chief Justice of India and other Judges of the Supreme Court and Chief Justices and other Judges of High Courts and for their transfers from one High Court to another.

The National Institute of Design Bill, 2014, as passed by Rajya Sabha, sought to declare the National Institute of Design, Ahmedabad as an institution of national importance and also to transfer all properties, rights and liabilities of the existing Institute to the incorporated Institute.

Coming to the Private Members' Bill, as many as 61 Private Members' Bills were introduced during the Session. The National Minimum Pension (Guarantee) Bill, 2014, which was introduced by Shri Nishikant Dubey on 11 July 2014, was discussed further and later withdrawn by the leave of the House on 8 August 2014. Another Bill, the Central Himalayan States Development Council Bill, 2014 introduced by Dr. Ramesh Pokhriyal 'Nishank' on 11 July 2014, remained part discussed.

Two Private Members' Resolutions were discussed by the House during the Session. The Resolution moved by Dr. Ramesh Pokhriyal 'Nishank' on 11 July 2014, urging the Government for the creation of a new Union Ministry for the development of Himalayan States, was discussed further on 18 July, 2014 and withdrawn by leave of the House. Another resolution, introduced by Shri Raju Shetty on 11 July 2014, urging the Government for the implementation of the recommendations of the National Commission on Farmers, was discussed on 18 July and 1 August 2014. However, the discussion remained inconclusive.

During the Session, two newly elected members, Shri Prakash Babanna Hukkeri, representing the Chikkodi Constituency of Karnataka and Prof. Sanwar Lal Jat, representing the Ajmer



Constituency of Rajasthan took oath and signed the Roll of Members. On 7 July 2014, the Prime Minister, Shri Narendra Modi introduced to House a new member of the Union Council of Minister, Shri Piyush Goyal, as the Minister of State (Independent Charge) of the Ministry of Power; Minister of State (Independent Charge) of the Ministry of Coal and Minister of State (Independent Charge) of the Ministry of New and Renewable Energy.

During the Session, Speaker Smt. Sumitra Mahajan made obituary references to the passing away of Sarvashri Harbhajan Lakha, Kanety Mohana Rao and Shridharrao Nathobaji Jawade, Resham Lal Jangde, all former members. On the opening day of the session, the Hon'ble Speaker made obituary references to (i) the loss of lives of four persons and injuries to 22 others in derailed New Delhi-Dibrugarh Rajdhani Express in Saran District of Bihar on 25 June 2014; (ii) the loss of lives of 15 persons and injuries to several others in the explosion of trunk pipeline of Gas Authority of India Limited (GAIL) near Nagaram in East Godavari, Andhra Pradesh on 27 June 2014; (iii) the loss of lives of 60 persons and injuries to several others in a tragic accident which occurred when an under constructed eleven-storied building collapsed due to heavy rains in Chennai on 28 June 2014; and (iv) loss of lives of 10 persons including injuries to two others when a four-storied building collapsed in Delhi on 28 June 2014. On 30 July, the Hon'ble Speaker made a reference to the loss of lives of seven persons including two officers of the Indian Air Force when their helicopter crashed in the Sitapur district of Uttar Pradesh. On 31 July, the Hon'ble Speaker made a reference to the loss of lives of several persons and injuries to others who were trapped in the debris after heavy rains triggered a landslide in a village about 80 kilometres north of Pune on 30 July 2014.

Further references were made on (i) 69th Anniversary of the dropping of atom bombs on the Japanese cities of Hiroshima and Nagasaki; (ii) 72nd Anniversary of the 'Quit India' movement launched on 9 August 1942 under the leadership of Mahatma Gandhi and also paid homage to the Father of the Nation and martyrs who sacrificed their lives in the freedom struggle. Thereafter, members stood in silence for a short while as a mark of respect to the memory of the departed.

On 7 July, the Hon'ble Speaker, on behalf of the House, congratulated: (i) Indian Space Research Organisation for successful launch of Polar Satellite Launch Vehicle PSLV- C23 with five satellites on 30 June 2014; (ii) Ms. Saina Nehwal for winning Star Australian Super Series in Sydney on 29 June 2014; (iii) Shri Pankaj Advani for becoming the first player in the world to win world titles in the long and short formats of both Billiards and Snooker by winning the IBSF World 6-Red Snooker Championship in Sharm EL-Sheikh, Egypt; and (iv) Shri Jitu Rai for achieving the world's number one ranking in air-pistol event after winning three medals in the ISSF World Cups in Munich, Germany and Maribor, Slovenia.

On 30 July, the Hon'ble Speaker, Smt. Sumitra Mahajan congratulated Sanjita Khumukchan, Sukhen Dey and Sathish Sivalingam for winning gold medals in the discipline of weight lifting; Abhinav Bindra, Apurvi Chandela, Jitu Rai and Rahi Sarnobat for winning gold medals in shooting and Amit Kumar, Vinesh Phogat and Sushil Kumar for winning gold medals in



wrestling. Hon'ble Speaker also congratulated the other athletes who have won silver and bronze medals in Commonwealth Games.

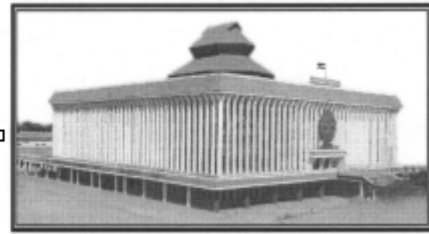
On 4 August, the Hon'ble Speaker, Smt. Sumitra Mahajan, on behalf of the House, felicitated the Indian contingent for winning 15 gold, 30 silver and 19 bronze medals in the 20th Commonwealth Games at Glasgow, Scotland.

On 12 August 2014, a function was held in the G.M.C. Balayogi Auditorium, Parliament House Building to confer the Outstanding Parliamentarian Award instituted by the Indian Parliamentary Group for the years 2010, 2011 and 2012. The President of India, Shri Pranab Mukherjee, conferred the Outstanding Parliamentary Award on Shri Arun Jaitley, MP, Rajya Sabha, Minister of Finance; Minister of Corporate Affairs and Minister of Defence (2010), Padma Vibhushan Dr. Karan Singh, MP, Rajya Sabha (2011) and Shri Sharad Yadav, MP, Rajya Sabha (2012). All these three members received the awards in person. The President of India, Shri Pranab Mukherjee, Vice-President of India and -Chairman, Rajya Sabha, Dr. Mohammad Hamid Ansari, Prime Minister of India, Shri Narendra Modi, and the Hon'ble Speaker, Lok Sabha, Smt. Sumitra Mahajan addressed the distinguished gathering. All the three awardees, Shri Arun Jaitley, Padma Vibhushan Dr. Karan Singh and Shri Sharad Yadav also spoke on the occasion. After the conclusion of the award ceremony, the National Anthem was played. The function was followed by a 'Youth Parliament' presented by the students of Presentation Convent Senior Secondary School, S.P. Mukherjee Marg, New Delhi.

As in the past, functions were held under the auspices of Indian Parliamentary Group (IPG) to mark the birth anniversaries of Dr. Syama Prasad Mookerjee (6 July); Lokmanya Bal Gangadhar Tilak (23 July) and Shri Rajiv Gandhi (20 August) in the Central Hall of Parliament House where the portraits of these illustrious leaders are put up. Presiding Officers, Union Ministers, Members of Parliament and other dignitaries paid floral tributes on these occasions. Besides, a floral tribute function was held in the Central Hall of Parliament House on the birth anniversary of the former deceased Speaker of Lok Sabha, Dr. GS. Dhillon (6 August). Booklets containing the profile of the former Speaker, brought out in Hindi and English by the Lok Sabha Secretariat, were distributed to the dignitaries present on the occasion.

The Bureau of Parliamentary Studies and Training continued to remain busy with its activities, organising various Courses and Programmes. The Bureau organised the Call Meetings with the Hon'ble Speaker for: (i) Forty-five students from Dadi Bhaee Deshmukh Girls School, Nagpur, Maharashtra; and (ii) Eighteen students from Bharatiya Vidya Bhawan's Prism School, Satna, Madhya Pradesh.

An Orientation Programme for the newly elected members of the Sixteenth Lok Sabha was organised by the Bureau from 30 June and 1 July 2014. The Programme was inaugurated by the Hon'ble Speaker, Smt. Sumitra Mahajan, on 30 June 2014. The Orientation Programme was attended by as many as 441 newly elected members. The members were addressed on various procedural and other matters by present and former Union Ministers and eminent parliamentarians.



Another Orientation Programme for the benefit of newly elected members was organised by the Bureau on 30 and 31 July 2014. The programme was attended by 325 members. Union Ministers and distinguished parliamentarians addressed the members on various parliamentary processes, privileges and MPLAD Scheme.

The Bureau conducted study visits for: (i) two-member delegation of Deputy Speakers of the Parliament of Malawi; (ii) six-member delegation of the Senate Committee on Delegated Legislation of the Parliament of Kenya; (iii) eight-member delegation from African countries; and (iv) Journalists from Small Island Developing States. Besides, fourteen study visits were organised for educational and other institutions from within the country covering 874 participants.

Apart from these, three Appreciation Courses in Parliamentary Processes and Procedures were organised by the Bureau for Probationers of: (i) the Indian Revenue Service; (ii) the Indian Forest Service; and (iii) the Indian Trade Service and Indian Statistical Service. Further, one Professional Development Programme for the officials of the Secretariat was organised by the Bureau.

The Bureau organised a Training Programme in Noting, Drafting and Office Procedure for the officials of the Lok Sabha Secretariat.

On 14 August, the concluding day of the Session the Hon'ble Speaker, Lok Sabha while delivering the Valedictory Address, expressed sincere thanks to the Hon'ble Prime Minister, the Minister of Parliamentary Affairs, the Hon'ble Deputy Speaker and the members of the Panel of Chairmen, Leaders of various Parties and Groups, the Chief Whips, all the Hon'ble members, the Secretary-General, Lok Sabha and the officers and staff of the Lok Sabha Secretariat, the media and the allied agencies for their unstinted co-operation in conducting the proceedings of the House.

The Second Session of the Sixteenth Lok Sabha was adjourned sine die on 14 August 2014 after the playing of the National Song. The House was prorogued by the Hon'ble President of India the same day.



Arunachal Pradesh Legislative Assembly
RESUME OF WORK TRANSACTED BY THE
ARUNACHAL PRADESH LEGISLATIVE ASSEMBLY
FROM 25TH JULY, 2014 TO 31ST JULY, 2014

On the first day, i.e. 25th July, 2014, Shri Nabam Tuki, Chief Minister laid on the Table “Annual Report of The Arunachal Pradesh Information Commission for the Year 2006-12.

Secretary, Legislative Assembly laid on the table of the House the following Bills as passed by the Fifth Legislative Assembly during its Thirteenth Session and assented to by His Excellency, the Governor of Arunachal Pradesh:

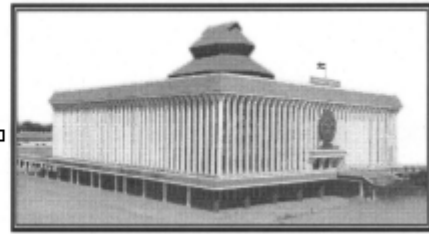
1. The Arunachal Pradesh Horticultural Produce, Marketing and Processing Board Bill, 2014
2. The Arunachal Pradesh Building (Lease Rent and Eviction) Control Board Bill, 2014

Hon’ble Speaker announced the Panel of Chairmen for the current Session and presented the Second Report of the Business Advisory Committee. Shri Kalikho Pul, Minister of Parliamentary Affairs moved motion to adopt Second Report of the Business Advisory Committee and the motion was adopted.

The following Bills were introduced by the House during the first day of the Session.

- (i) The Arunachal Pradesh Unlawful Activities (Prevention) Bill, 2014
- (ii) The Arunachal Pradesh State Housing Board Bill, 2014
- (iii) The Arunachal Pradesh District Planning Committee (Amendment) Bill, 2014

On 26th July, 2014, the following documents were laid on the Table of the House by the Hon’ble Chief Minister:



1. Presentation of Budget Estimates for the year 2014-2015
2. Presentation of Gender Budget for the year 2014-2015.
3. Presentation of Annual Financial Statement for the year 2014-15
4. Presentation of Comptroller and Auditor General of India Report for the year 2012-2013.

The general discussion and voting on the Budget took place on 28th July, 2014. As many as 18 members took part in the discussion. On the same day, The Arunachal Pradesh (Appropriation No.2) Bill, 2014 was introduced, considered and passed by the House during the session.

On 31st July, 2014, “The Arunachal Pradesh District Planning Committee (Amendment) Bill, 2014” was placed before the House for consideration and passing. As suggested by members, Hon’ble Speaker, under Rule 75 (2) (b) of Rules of Procedure and Conduct of Business of Arunachal Pradesh Legislative Assembly has referred the Bill to the Select Committee. Hon’ble Speaker constituted Select Committee with Shri Pema Khandu, Minister of Town Planning & Urban Local Body as the Chairman with the following MLAs as its member:

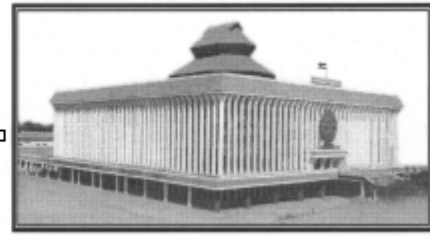
1. Shri P.D. Sona, MLA
2. Dr. Mohesh Chai, MLA
3. Shri Techhi Kaso, MLA
4. Shri Punji Mara, MLA
5. Smti Karya Bagang, MLA

Hon’ble Speaker directed the Committee to submit the Report by November, 2014.

Notices of 45 Starred Questions and 20 Unstarred Questions were received out of which 44 Starred Questions and 19 Unstarred Questions were admitted. Replies of all the Starred Questions were laid on the Table and answers given. Replies to all the Unstarred Questions were also laid on the Table. 2 (Two) Notices of Private Member Resolutions were received and discussed. Both the Resolutions were withdrawn by mover.

Under various Rules of the Rules of Procedure and Conduct of Business in Arunachal Pradesh Legislative Assembly, 5 (Five) Notices were received and 3 (Three) Notices were admitted and discussed and 2 (two) of them were not admitted.

The House was adjourned *sine-die* by Hon’ble Speaker at the conclusion of its Sitting on 31st July, 2014 at 1309 hrs.



HIMACHAL PRADESH LEGISLATIVE ASSEMBLY

RESUME OF WORK TRANSACTED BY THE HIMACHAL PRADESH LEGISLATIVE ASSEMBLY FROM 6TH AUGUST, 2014 TO 12TH AUGUST, 2014

On 6th August, 2014, the opening day of the Session commenced at 11.00 A.M., the House paid tributes to late Sarvshri Nagin Chander Pal, Nand Kumar Chauhan, Kunj Lal Thakur, Chet Ram Negi, Pt. Gauri Prasad and Shri Mehar Singh Chauhan former Members of Himachal Pradesh Legislative Assembly. The Hon'ble Chief Minister, Leader of Opposition and other Hon'ble Members including the Hon'ble Speaker, made obituary references to the departed souls. The House also paid obituary references to those departed souls, who lost their lives due to heavy rains, floods and accidents in the State.

The Secretary, H.P. Vidhan Sabha laid on the table of the House a copy each of the Bills Seven (7) passed during Fifth Session and assented by Her Excellency the Governor of Himachal Pradesh. The Question Hour remained lively throughout the Session. In all, 714 notices of Starred Questions were received, out of which 146 notices were admitted for reply. Similarly, 102 notices for written answer were received and 36 notices were admitted for written answer besides 5 notices of Starred Questions converted as Unstarred.

One notice of Adjournment Motion under Rule-67 was received which was rejected by the Hon'ble Speaker by giving Ruling that the matter is sub judice in the Court of Law.

The Govt. apprised the House regarding two notices of Calling Attention to the matter of urgent public importance under Rule-62 which were admitted and discussed. 14 documents relating to Annual Administrative Reports, Annual Accounts/Audited Reports of various Autonomous Bodies/Corporations of the State Government and the Recruitment & Promotion Rules of various Departments/Corporations were laid on the Table of the House. 9 Original

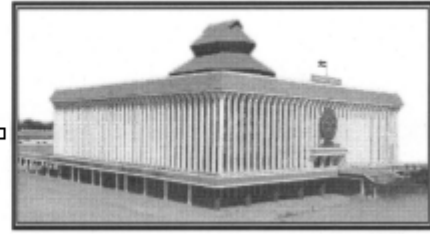


Reports of the House Committees and two reports of the Select Committees were presented and laid on the Table of the House.

The Chief Minister made two statements in the House, i.e., first on media news which appeared in section of news papers on dated 7- 8-2014 charging him of money laundering and second regarding five under trial prisoners who ran from Hamirpur prison on 10-8-2014 .

The Himachal Pradesh Lokayukta Bill, 2012 (Bill No. 26 of 2012) passed by the House in its sitting held on 6th April, 2012 was withdrawn by the Government.

The House was adjourned sine-die by the Hon'ble Speaker, Shri Brij Behari Lal Butail on the 12th August, 2014 after playing of the National Song and also prorogued by Her Excellency, the Governor of Himachal Pradesh on 13th August, 2014.



KARNATAKA LEGISLATIVE ASSEMBLY

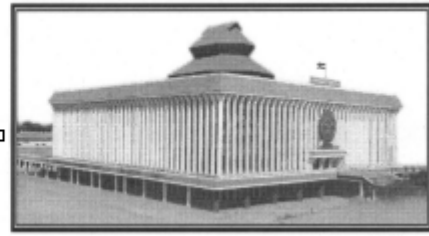
RESUME OF WORK TRANSACTED BY THE KARNATAKA LEGISLATIVE ASSEMBLY FROM 23RD JUNE, 2014 TO 28TH JULY, 2014

Condolence resolutions were placed and passed in the House In respect of those who passed away recently, namely S. Mallikarjunaiah, Former Deputy Chairman of Legislative Council and Former Deputy Speaker of Lok Sabha, K. Prabhakar Reddy, H.S. Shankarlingegouda, A. Krishnappa, I.M. Jayarama Shetty, Ex-Members of the Legislative Assembly, Gopinath Munde, Former Deputy Chief Minister of Maharastra and present Minister of Union Government, N. Janardhana Reddy, Former Chief Minister of Andhra Pradesh, C.R. Simha, Actor-Director, Irrigation expert Dr. G. Paramashivaiah, famous literateur Yashwant Vithoba Chittala and Dada Saheb Phalke Award recipient and Cinema Photographer V.K. Murthy and Senior Journalist and Editor of the Samyukta Bharata Newspaper H.S. Ranganath.

“The House paid tribute by expressing its gratitude to 526 martyrs who sacrificed their lives for Kargil Victory by protecting the integrity of the Nation”.

During this session, 43 Annual Reports and 101 papers including 58 Audit Reports and 40 Notifications have been laid on the table of the House.

Fifth, Sixth and Seventh Reports of the Committee on Private Members Bills and Resolution for the years 2013-14 and 27th and 28th Reports of the Committee on Welfare of Women and Children, Second and Third Reports of the Committee on Estimates, First, Second and Third Reports of the Committee of Privileges, 41st Report of the Committee on Sub-Ordinate Legislation, Second Report of the Committee on the Welfare of Scheduled Castes and Scheduled Tribes, Second Report of the Committee on Government Assurances, Second and Third Reports of the Committee on Public Accounts, Seventeenth Report of the Committee on Petitions and 29th and 30th Reports of the Committee on Papers Laid on the Table, were presented to the House.



In the said Session, Petitions regarding lack of basic facilities in A.E.C.S. Layout A-Block, Singasandra Ward No. 191 coming under the limits of Bommanahalli, Bangalore South Taluk and Anekal Taluk Legislative Assembly Constituency, illegal construction of multi-storied buildings in Survey No. 8/2 of Kasavana Halli village in the limits of BBMP and providing pension facility to the employees who were working on daily wage basis after they retired from the service by regularizing it, were presented to the House

The report of the Local Bodies (No. 05) submitted by the Comptroller and Auditor General of India for the year ended 31 st March 2013 as required under Article 151(2) of the Constitution of India was presented.

The discussion was held on the demands for grants for the year 2014- 2015 for about 78 hours and 08 minutes from 23.06.2014 to 25.07.2014 and total 246 Members participated in the discussion on 11 demands and after reply by the Government, all the demands were put to vote and passed on 28-07-2014.

On 25th July 2014, the Supplementary Estimates (First Instalment) for the year 2014-15 was presented to the House and passed on 28.07.2014.

During this session, total 15 Bills including the Appropriation Bills (vote on account) were passed.

During this session, 18 notices were received under rule 60 and after hearing brief statement of facts from the members concerned and the minister, Hon'ble Speaker allowed discussion on matters of urgent public importance under Rule 69. Among them, 08 notices were discussed and replied by the Government. 27 notices were received under Rule 69 and among them discussions were held on 03 notices and replied by the Government

During this session, total 4932 questions were received up to 28.07.2014. Among them, 4888 questions were accepted. Out of them, 390 questions were listed for oral answers and 4286 questions were for written answers. Out of 380 questions for oral answers, replies for 363 questions and out of 4286 questions for written answers, replies for 3898 questions were received by the Government and 256 questions were rejected.

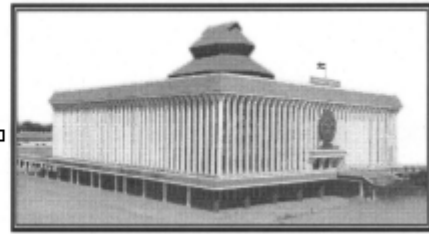
During this session, 135 matters were allowed to introduce in zero hour. In the said session, 02 notices of breach of privilege were moved and after the reply by the Government both the notices were disposed off. Meanwhile, Hon'ble Speaker gave a direction to the government that the protocol should be followed strictly in respect of Hon'ble members in future

In total 299 Calling Attention Notices were received under Rule 73, out of which 02 notices were rejected and 72 notices were discussed in the House. 278 notices Were received under



Rule 351 and 244 notices were accepted. Out of these, replies for 95 notices were received from the Government.

The Hon'ble Minister for Law, Justice and Human Rights, Parliamentary Affairs and Legislation and Animal Husbandry and Muzrai presented an Official Resolution on 28.07.2014 and passed in the house. Hon'ble Speaker thanked the Leader of the House, Hon'ble Chief Minister, Hon'ble Leader of the Opposition, Hon'ble Members of the Cabinet, Hon'ble Deputy Speaker, Hon'ble Leader of the Janata Dal (S) Legislature party, all the Hon'ble members of the House for extending full co-operation by participating in the business of the House, all the representatives of media and press who extended their co-operation in broadcasting and publishing the proceedings of the House and also thanked the officers and staff of various departments of the Government and thanked the officers and staff of Karnataka Legislative Assembly Secretariat. Hon'ble Speaker adjourned the session sine-die with National Anthem on July 2014.



**TRIPURA LEGISLATIVE ASSEMBLY
RESUME OF WORK TRANSACTED BY THE TRIPURA
LEGISLATIVE ASSEMBLY FROM 29TH AUGUST,
2014 TO 3RD SEPTEMBER, 2014**

NOTIFICATION

The following Order of the Governor of Tripura dated the 14th August, 2014 is published for general information.

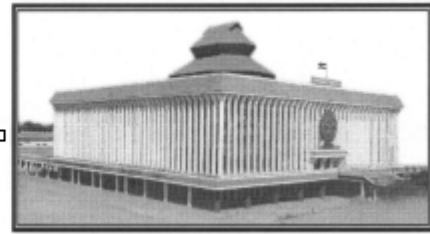
ORDER

In exercise of the powers conferred by Clause (1) of Article 174 of the Constitution of India, Shri Padmanabha Balakrishna Acharya, Governor of Tripura hereby summon the 6th Session of the 11th Tripura Legislative Assembly to meet at 1100 hrs. on Friday, the 29th August, 2014 in the Assembly House at Capital Complex, Agartala.

SINE-DIE ADJOURNMENT

The 6th Session of the 11th Tripura Legislative Assembly which commenced on the 29th August, 2014 has been adjourned Sine-Die at the conclusion of its Sitting held today, the 3rd September, 2014.

“ In pursuance of Rule 262 of the Rules of Procedure and Conduct of Business in the Tripura Legislative Assembly the Hon’ble Speaker has been pleased to announce in the House on 3rd September, 2014 the formation of the Select Committee for examination and Report on “The Tripura Entertainment Tax (Amendment) Bill, 2014 (Tripura Bill No. 16 of 2014)”.



- | | |
|--|----------|
| 1. Shri Bhanulal Saha,
Hon'ble Minister-in-charge
Finance, Food, Civil Supplies &
Consumers Affairs etc, Departments | Chairman |
| 2. Shri Tapan Chakraborty,
Hon'ble Minister-in-charge Law,
(Parliamentary Affairs), School Education,
Industries & Commers etc. Departments | Member |
| 3. Shri Manik Dey,
Hon'ble Minister-in-charge Power, Urban
Development, Transport, Panchayat etc Departments | Member |
| 4. Shri Ratan Bhowmik,
Hon'ble Minister-in-charge Welfare of Scheduled
Castes OBCs & Minorities JP.W(DWS) etc. Departments | Member |
| 5. Shri Samir Deb Sarkar,
Hon'ble Govt. Cheif Whip | Member |
| 6. Shri Basudev Majumder,
Hon'ble Member | Member |
| 7. Shri Padma Kumar Deb Barma,
Hon'ble Member | Member |
| 8. Smr. Rita Kar (Majumder),
Hon'ble Member | Member |
| 9. Shri Gopal Ch. Roy,
Hon'ble Member | Member |
| 10. Shri Ratan Lal Nath,
Hon'ble Member | Member |
| 11. Shri Birajit Sinha,
Hon'ble Member | Member |

“The Tripura Entertainment Tax (Amendment) Bill, 2014 (Tripura Bill No. 16 of 2014)” has been referred to the above Select Committee for examination and to submit report to the House.