

## **BIHAR LEGISLATIVE ASSEMBLY**

FOURTEENTH ASSEMBLY - ELEVENTH SESSION

RESUME OF BUSINESS TRANSACTED BY THE BIHAR LEGISLATIVE ASSEMBLY

**FROM 24<sup>TH</sup> FEB, 2009 TO 4<sup>TH</sup> March, 2009**

### **1. SUMMONS**

Summons for the 11<sup>th</sup> session of the fourteenth Bihar Legislative Assembly were issued to the Hon'ble Members of the Legislative Assembly on 2<sup>nd</sup> Feb, 2009 to meet at 11.00 a.m. on 24.02.2009.

### **2. DURATION OF 11<sup>TH</sup> SESSION**

The Eleventh session of the 14<sup>th</sup> Bihar Legislative Assembly commenced on 24<sup>th</sup> February, 2009 and adjourned sine die on 4<sup>th</sup> March, 2009.

### **3. SITTINGS OF THE ASSEMBLY**

The Bihar Legislative Assembly held its sitting for seven days during the period from 24<sup>th</sup> Feb, 2009 to 4<sup>th</sup> March, 2009 on the following dates :-

24<sup>th</sup>, 25<sup>th</sup>, 26<sup>th</sup>, 27<sup>th</sup> Feb. 2009, 2<sup>nd</sup>, 3<sup>rd</sup> and 4<sup>th</sup> March, 2009 .

### **4. WELCOME ADDRESS AND READING OUT OF THE MESSAGE OF H.E. THE GOVERNOR OF BIHAR**

In the beginning of the 11<sup>th</sup> session on 24<sup>th</sup> Feb., 2009 the Hon'ble Speaker welcomed the Hon'ble Members of the Assembly and sought their help and cooperation in conducting the business of the House peacefully and smoothly. The Hon'ble Speaker then read the message of H.E. the Governor of Bihar containing desire expressed therein to address the Hon'ble Members of both the Houses of Legislature together. The Hon'ble Speaker ordered for suspension of the business of the House for a short while to enable the Hon'ble Members of the Council to take their respective seats and went out to receive and bring H.E. the Governor of Bihar in ceremonial procession with the Hon'ble Acting Chairman of the Council and other officers.

### **5. ADDRESS OF H.E. THE GOVERNOR OF BIHAR AND DEBATE THEREON**

On arrival of H.E. the Governor of Bihar, the Hon'ble Members stood up in his respect, short version of national anthem was played and then H.E. the Governor of Bihar addressed the House. After completion of the address of H.E. the

Governor of Bihar, the short version of national anthem was replayed and then H.E. the Governor of Bihar left the House in the same ceremonial manner as H.E. had been pleased to enter therein.

A debate on the motion of thanks on the address of H.E. the Governor of Bihar made by Smt. Renu Kumari and seconded by Sri Ramadhar Singh, both Hon'ble members of the treasury bench took place in the Assembly on 25.02.2009 and 26.02.2009. The leader of opposition and other leaders of the parties sitting in opposition moved amendment to such motion. All together 08 members took part in the debate from both sides. The Hon'ble Chief Minister explained the position of the government at the end of discussion and then motion of Thanks was adopted by the House rejecting all amendments of the opposition.

## **6. CONSTITUTION OF BUSINESS ADVISORY COMMITTEE AND PANEL OF PRESIDING MEMBERS**

On the 1<sup>st</sup> day of 11<sup>th</sup> session, after departure of H.E. the Governor of Bihar and dispersion of the Hon'ble Members of the Council, the House again resumed its regular business of that day. The Hon'ble Speaker announced the names of the Hon'ble Members constituting the Business Advisory Committee for the session. The Hon'ble Speaker also announced the name of five senior Hon'ble Members of the Assembly constituting the panel of Presiding Officers, any of them might preside over the Assembly in absence of the Hon'ble Speaker in the Assembly in accordance with the arrangement made by him in this behalf.

## **7. STATEMENT REGARDING ASSENTED BILLS**

The statement regarding the grant of assent to the six bills passed during 10<sup>th</sup> session by H.E. the Governor of Bihar was made by the Assembly Secretary. The six bills which were passed during the last session and were assented by H.E. the Governor of Bihar are as follows :-

SL. No.	Name of Bills	Date on which passed	Date of Assent
1.	The Bihar Appropriation (No. 4) Bills, 2008	08.12.2008	15.12.2008
2.	The Bihar Value Added Tax (Amendment) Bill, 2008	04.12.2008	18.12.2008
3.	The Bihar Contingency Fund (Amendment) Bill, 2008	04.12.2008	18.12.2008
4.	The Bihar Self Supporting Co-operative Society (Amendment) Bill, 2008.	05.12.2008	18.12.2008
5.	The Bihar Govt. Premises (Allotment, Recovery of Rent and Eviction) (Amendment) Bill, 2008	08.12.2008	18.12.2008
6.	The Court Fee (Bihar Amendment) Bill, 2008.	05.12.2008	19.12.2008

## 8. LAYING DOWN OF COMMITTEES' REPORTS, OTHER REPORTS AND PAPERS ON THE TABLE OF THE HOUSE

During the period, 09 reports of various committees and other different reports and papers were laid on the table of the House. These are as follows :-

Sl. No.	Name of Reports / Papers	Date of Presentation
1.	Economic Survey Report of the Financial Year 2008-09	24.02.2009
2.	49 <sup>th</sup> Annual Report of Bihar State Ware Housing Corporation for the year 2005-06 U/s - 31(ii) of Bihar Ware Housing Corporation Act, 1962.	25.02.2009
3.	51 <sup>st</sup> Annual Report of Bihar State Financial Corporation for the year 2005-06 U/s 38(2) of Bihar State Financial Corporation Act, 1951.	25.02.2009
4.	Annual Report of State Information Commission for the year 2007-08 U/s 25 (4) of Right to Information Act, 2005.	27.02.2009
5.	Copy of Notification No. S.O.-344, dt. 19 Dec., 2008 U/s 9(4) of the Bihar Tax on Entry of Goods in Local Area for Consumption, Use on Sale Act, 1993	27.02.2009
6.	Copy of Notification No. S.O.-325, dt. 5 Dec., 2008, S.O.-340, dt. 19 Dec., 2008 & S.O.-342, dt. 19 Dec., 2008 U/s 99 of Bihar Value Added Tax Act, 2005	27.02.2009
7.	Annual Report of Bihar State Child Labour Commission for the year 2007-08 U/s 12 of the Bihar State Child Labour Commission Act, 1996.	27.02.2009
8.	Copy of 3 <sup>rd</sup> quarterly result of Trends of Receipts & Expenditure for the financial year 2008-09 U/s-11 of the Bihar Fiscal Responsibilities and Budget Management Act, 2006	03.03.2009
9.	Copy of Bihar Gram Kutchahry Secretary (Employment, Service Conditions and Duties) (Amendment) Rule, 2008 U/s 146 read with Section 94(1) of the Bihar Panchayat Raj Act, 2006.	04.03.2009

## 9. QUESTIONS

During the session, altogether 981 notices of questions were received, out of which 679 were admitted. Out of said admitted questions, 35 were short noticed questions, 431 were starred questions and 213 were unstarred questions. 72 questions were answered on the floor of the House. Answers to 55 questions were placed on the table of the House. 87 questions could not be asked. The rest 465 questions remained unanswered on the floor of the House because of paucity of time.

## 10. CALLING ATTENTION MOTIONS & STATEMENT OF GOVERNMENT THEREON

Sl. No.	Date on which attention was drawn	Name of Hon'ble Members who called the attention of the Hon'ble Minister	The Hon'ble Minister who made Statement/Date on which Statement was made	Subject
1.	25.02.2009	Sri Abdul Bari Siddique and other Hon'ble Members	Statement laid on Table on 04.03.2009	To restore the possession of the Schedule Caste family of Smt. Bhagvaniya Devi of village Bahera of Darbhanga District on their purchased land.
2.	25.02.2009	Dr. Ramchandra Purvey and other Hon'ble Members	do	Grant of permission to reopen the school managed and run by mini Ha-Ha Helping Free Education Centre, Bodh Gaya
3.	26.02.2009	Sri Narendra Kumar Singh and other Hon'ble Members	Sri Nagmani 03.03.2009	For taking action against persons responsible for irregularities in grant of Crop-compensation amount in the year 2007 in Samha Block of Begusarai District.
4.	26.02.2009	Sri Tarkishore Prasad and other Hon'ble Members	Sri Narendra Singh 03.03.2009	To ensure the purchase of paddy directly by FCI to achieve the target of purchase.
5.	27.02.2009	Sri Ramai Ram	Absent	To ensure the supply of food commodities in the prisons of Bihar through the State Food Supply Corporation.
6.	27.02.2009	Sri Shobha Kant Mandal and other Hon'ble Members	Absent	For appointment of Bangla teachers in the Schools of Bangla speaking population.
7.	02.03.2009	Sri Ram Charitar Prasad Singh and other Hon'ble Members	Statement laid on table on 04.03.2009	Construction of Road from Firoja village to Salehpur-Jafarpur in Ekangar Sarai Block of Nalanda District.
8.	02.03.2009	Sri Kishore Kumar and other Hon'ble Members	do	For grant of compensation to the potato producers for damage caused due to Jhulsa disease and to waive off their loans.
9.	03.03.2009	Sri Gopal Kumar Agrawal and other Hon'ble Members	do	Inclusion of "Rajbansi" cast of Purnea Division in the list of Scheduled Cast / Scheduled Tribe.
10.	03.03.2009	Sri Pradeep Kumar	do	Renovation of Silaur Tanpura Chorvar Muhali Road in Nawada District.

Sl. No.	Date on which attention was drawn	Name of Hon'ble Members who called the attention of the Hon'ble Minister	The Hon'ble Minister who made Statement/Date on which Statement was made	Subject
11.	04.03.2009	Sri Janardan Manjhi	Referred to Committee for Calling Attention Motions	For installation of X-ray Machine and posting of Technician in all three Referral Hospitals of Banka District.
12.	04.03.2009	Sri Jawahar Prasad	do	For adjustment of the services of five Asst. teachers of Shaheed Rajendra Pd. Singh High School, Gardanibagh, Patna in the Subordinate Education Service.

## 11. LEGISLATIVE BUSINESS

During the period, 5 Bills were introduced in the Assembly. All the Bills were considered and passed. The details are as follows :-

Sl. No.	Title of Bill	Date of Introduction	Date of Consideration & Passing
1.	The Bihar Appropriation Bill, 2009	27.02.2009	27.02.2009
2.	The Bihar Appropriation (Votes on Account) Bill, 2009	02.03.2009	02.03.2009
3.	The Bihar Special Court Bill, 2009	03.03.2009	03.03.2009
4.	The Bihar Fiscal Responsibility and Budget Management (Amendment) Bill, 2009	03.03.2009	03.03.2009
5.	The Bihar Co-operative Society (Amendment) Bill, 2009	03.03.2009	03.03.2009

## 12. FINANCIAL BUSINESS

On 25.02.2009 the Hon'ble Minister-in-charge, Finance presented the annual financial statement i.e. the statement of the estimated receipts and expenditure of the State of the year 2009-10 (herein after for brevity referred to as the 'BUDGET') and also presented the 3rd supplementary Budget for the year 2008-09.

The discussion on 3<sup>rd</sup> Supplementary Statement of expenditure for the year 2008-09 took place in the House on 27.02.2009. Out of 114 cut motions received, 89 cut motions were admitted and 25 were rejected. The cut motion against the demand of Water Resources Department was moved in the House by the Hon'ble Member Shri Pradeep Kumar, 10 Hon'ble Members of the House took part in debate and after reply of the Hon'ble Minister-in-charge, the House gave its assent to the demands for supplementary grants of said department. Thereafter

the rest demands for supplementary grants were taken up through the process of Guillotine and were accepted by the House.

The Appropriation Bill relating to 3<sup>rd</sup> supplementary statements of expenditure for the year 2008-09 i.e. Bihar Appropriation Bill, 2009 was introduced in the House on 27.02.2009 itself by the Hon'ble Minister-in-charge, Finance. It was considered and passed by the House on the same day i.e. on 27.02.2009.

On 2<sup>nd</sup> March, 2009 a motion for vote on Account for four months was moved by Hon'ble Minister-in-charge, Finance and amendment thereon was moved by the Hon'ble Member Shri Kishore Kumar. 9 (Nine) Hon'ble Members of the House took part in the debate and after reply of the Hon'ble Minister-in-charge, Finance, the House gave its ascent for vote on Account. The Bihar Appropriation (Vote on Account) Bill, 2009 was introduced in the House by the Hon'ble Minister-in-charge, Finance on the same day. It was considered and passed by the House on the same day i.e. on 2nd March, 2009.

### **13. MOTIONS OF ADJOURNMENT**

On 25<sup>th</sup> February, 2009 a motion of adjournment was brought by Hon'ble Members Shri Arun Kumar, Sri Nand Kumar Nanda, Sri Amarnath Yadav and Sri Munaf Alam which was rejected by the Chair because it was not as per rule.

### **14. ZERO HOUR**

As per Rule 23(A) of the Rules of Procedure and Conduct of Business of the Assembly, the Hon'ble Members are allowed to avail 20 minutes time immediately after the question hour is over to raise any matter of urgent public importance, if they bring the same in the notice of the Hon'ble Speaker through the Secretary of the Assembly one hour before the sitting of the House commences. During this session, on 25.02.2009, 27.02.2009 and from 02.03.2009 to 04.03.2009 on every working day, the matters of urgent public importance were allowed by the Hon'ble Speaker to be raised during the Zero Hour period. 15, 10, 9, 11 and 7 matters of urgent public importance were permitted to be raised on the above said respective dates.

### **15. DECLARATION MADE BY THE HON'BLE SPEAKER ABOUT ACCEPTANCE OF NIVEDAN**

During the session, on 26.02.2009, 27.02.2009, 02.03.2009 and 03.03.2009 the Hon'ble Speaker made declaration regarding 12, 7, 4 and 4 respectively accepted NIVEDANS and with consent of the House all total 27 accepted NIVEDANS out of 81 NIVEDANS received were sent to the NIVEDAN committee for enquiry and report. The rest 54 NIVEDANS were found to be not in order and hence they were rejected.

## **16. LAYING DOWN OF PETITIONS (YACHIKA) ON THE TABLE OF THE HOUSE**

On 04.03.2009, with permission of the Hon'ble Speaker, the Assembly Secretary laid 31 Petitions (Yachika) of general Public importance on the table of the House to be sent to the Committee on Petition (Yachika Samiti) for consideration and report.

## **17. PRIVATE MEMBERS BUSINESS & RESOLUTIONS**

On 04.03.2009 notices of resolutions were taken up. All together 48 out of 49 resolutions were put up for consideration. 27 resolutions were withdrawn by the respective Hon'ble Members in view of the assurances given by the Hon'ble Ministers of the respective departments. One resolution was rejected by the House and rest 20 (twenty) resolutions could not be taken up as the Hon'ble Members concerned were absent.

## **18. CONDONATION OF ABSENCE**

On 27.02.2009 the House adopted a resolution condoning the absence of one of its members i.e. Shri Manoranjan Singh from Baniyapur constituency No.-36 from the House for the period 63 days as he could not participate in the sitting of the House for that period because of his detention in a criminal case in the Medinapur district of West Bengal.

## **19. OBITUARY REFERENCES**

Nine obituary references were made in the Assembly on the demise of following former members of the House and other important persons on the dates noted against them :-

Sl. No.	Name of the Members & Important Persons	Constituency/ Field of Working	Period in the House/ Other Post Held	Date of Demise	Date on which reference was made in the House
1.	Late R. Venkataraman Ex-President		In the year 1950, 1952, 1957, 1977, 1980 elected as a member of Parliament. Resigned from Lok Sabha seat in the year 1957 and appointed as a Cabinet Minister in the Govt. of Madras. Held office of the vice President in the year 1984 and the office of the President in the year 1987.	27.01.2009	24.02.2009
2.	Late Saryug Paswan MLA	Fatuah	November, 05 till death	29.12.2008	24.02.2009

Sl. No.	Name of the Members & Important Persons	Constituency/ Field of Working	Period in the House/ Other Post Held	Date of Demise	Date on which reference was made in the House
3.	Late Prabhudayal Singh Ex-MLA	Mirganj	Elected as a member of BLA from 1985 to 1990 (on the Ticket of Congress Party), 1990-1995 Independent, 2000-2005 (Samata Party)	11.12.2008	24.02.2009
4.	Late N.E. Horo Ex-MLA	Kolebira	Elected as a member for Kolebira Constituency in 1967 & 1969 and from Torapa Constituency in 1977, 1985, 1990 and 1995.	11.12.2008	24.02.2009
5.	Late Jai Ram Urao Ex-MLA	Chainpur & Gumla	Elected as a member of BLA in 1969 & 1972 from Chainpur Constituency and in 1977 from Gumla Constituency.	26.12.2008	24.02.2009
6.	Late Veena Rani	Deoghar	Elected as a member from Deoghar Constituency in 1977 on the ticket of Janta party.	14.01.2009	24.02.2009
7.	Late Bhogendra Jha Ex. MP & Freedom Fighter	Madhubani	Elected as a member of Parliament from Madhubani Constituency in 4 <sup>th</sup> , 5 <sup>th</sup> , 7 <sup>th</sup> 9 <sup>th</sup> and 10 <sup>th</sup> Lok Sabha.	20.01.2009	24.02.2009
8.	Late Habib Ahmad Birari Ex-MLA	Pupri	Elected as a member of BLA from Pupri Constituency in 1977 on the ticket of Janta Dal.	23.01.2009	24.02.2009
9.	Late Dr. Madan Pd. Jaiswal Ex. MP & MLA	Bettiah	Elected as a member of BLA from Bettiah Constituency in 1990 and also elected as a member of Parliament for 11 <sup>th</sup> , 12 <sup>th</sup> & 13 <sup>th</sup> Lok Sabha.	20.02.2009	24.02.2009

## 20. CONDOLENCE RESOLUTION

On 2<sup>nd</sup> March, 2009, at the end of the sitting of the House, the Hon'ble Speaker placed condolence resolution on the demise of Late Shyama Patel, Ex-MLA from Goraul constituency. The resolution was adopted nem con after observing silence for a minute as a mark of respect to the deceased.

## **21. VALEDICTORY SPEECH**

On 4<sup>th</sup> March, 2009, at the conclusion of the business of the session, the Hon'ble speaker made a valedictory speech before adjourning the House sine die. In his speech, he offered his gratitude to the Hon'ble Members of both the treasury and opposition Benches for their cooperation in smoothly conducting the business of the House. He also thanked all other concerned including the officers and staffs of the Assembly Secretariat, officers of the different Government departments, police personnels, press and electronic media, News agencies, representatives of local newspapers, Doordarshan and Air for their constructive cooperation during the session.

## **22. PROROGATION**

The 11<sup>th</sup> session of the 14<sup>th</sup> Bihar Legislative Assembly was prorogued w.e.f. 04.03.2009 vide Notification No. P.A.-1/Session-02.02.2009-1557, Patna, dated-23 March, 2009.

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