

BIHAR LEGISLATIVE ASSEMBLY

FOURTEENTH ASSEMBLY-NINTH SESSION

RESUME OF BUSINESS TRANACTED BY THE BIHAR LEGISLATIVE ASSEMBLY

FROM 24TH JULY, 2008 TO 30TH JULY, 2008

I. SUMMONS

Summons for the 9th session of the fourteenth Bihar Legislative Assembly were issued to the Hon'ble members of the Legislative Assembly on 3rd July, 2008 to meet at 11.00 a.m. on 24.07.2008.

II. DURATION OF NINTH SESSION

The 9th session of the 14th Bihar Legislative Assembly commenced on 24th July, 2008 and adjourned sine die on 30th July, 2008.

III. SITTINGS OF THE ASSEMBLY

The Bihar Legislative Assembly held its sittings for five days during the period from 24th July, 2008 to 30th July, 2008 on the following dates :

24th, 25th, 28th, 29th and 30th July, 2008.

In terms of hours the House sat for 5 hours (approx.) only. There was decrease in working hours because of continuous interruption in the proceeding of the House by the Hon'ble members of the opposition from 25 July, 2008 and onwards till the House adjourned sine die. Because of interruption in continuity, the House could transact its business from 11.00 am to 11.19 am, 12.00 noon to 12.09 pm, 2.00 pm to 2.14 pm and 3.00 pm to 3.23 pm on 25.07.2008, from 11.00 am to 11.25 am, 2.00 pm to 2.30 pm and 4.45 pm to 5.45 pm on 28.07.2008, from 11.00 am to 11.10 am, 12.30 pm to 12.40 pm and 2.00 pm to 2.35 pm on 29.07.2008 and from 11.00 am to 11.15 am, 12.30 pm to 12.40 pm and 2.00 pm to 2.25 pm on 30.07.2008. The question hour fixed from 11.00 am to 12.00 noon also remained disturbed during these periods. The reason for continuous disturbance was the demand of the opposition to have discussion on the topic regarding irregularities in preparation of list of the people of BPL & APL in the state adjourning the business of the House but the Chair refused to accept such motion, nonetheless with the effort of Chair, the govt. was ready to discuss the matter by way of special debate but the opposition was adamant to have such discussion after adjourning the business of the House.

IV. WELCOME ADDRESS & CONSTITUTION OF BUSINESS ADVISORY COMMITTEE & PANEL OF PRESIDING MEMBERS

In the beginning of the 9th Session on 24th July, 2008 the Hon'ble Speaker welcomed the Hon'ble members of the Assembly and sought their help & co-operation in conducting the business of the House peacefully and smoothly. Thereafter the Hon'ble Speaker announced the names of Hon'ble members of the Assembly constituting the Business Advisory Committee for the Session. The Hon'ble Speaker also announced the names of five senior Hon'ble members of the Assembly constituting a panel of presiding members, any one of them might preside over the Assembly in the absence of the Hon'ble Speaker in the Assembly in accordance with the arrangement made by him in this behalf.

V. STATEMENT REGARDING ASSENTED BILLS

The statement regarding the grant of assent to the twelve bills passed during 8th session by H.E. the Governor of Bihar was made by the Assembly Secretary. The twelve bills which were passed during the last session and were assented by H.E. the Governor of Bihar are :-

Sl. No.	Name of Bills	Date of Assent
1.	Bihar Appropriation Bill, 2008	14.03.2008
2.	Bihar Appropriation (No.-2) Bill, 2008	27.03.2008
3.	Bihar Finance Bill, 2008	27.03.2008
4.	The Bihar State Fair Authority Bill, 2008	31.03.2008
5.	The Bihar State Micro and Small Enterprises Rehabilitation Bill, 2008	31.03.2008
6.	The Bihar Public Works Contract Dispute Arbitration Tribunal Bill, 2008	31.03.2008
7.	The Bihar State Election Authority Bill, 2008	02.04.2008
8.	Patna University (Amendment) Bill, 2008	02.04.2008
9.	The Bihar University (Amendment) Bill, 2008	02.04.2008
10.	The Bihar State Public Library and Information Centre Bill, 2008	02.04.2008
11.	The Bihar Cooperative Society (Amendment) Bill, 2008	02.04.2008
12.	The Bihar Tax on Entry of goods in Local Areas for Consumption, Use or Sale (Amendment and validation) Bill, 2008	02.04.2008

VI. LAYING DOWN OF ORDINANCE ON THE TABLE OF THE HOUSE

On 24th July, 2008 the Hon'ble Minister-in-charge, Commercial Taxes, Bihar laid the copy of the Bihar Value Added Tax (Amendment) Ordinance, 2008 promulgated by H.E. the Governor of Bihar under Article-213 (1) of the Constitution of India on the table of the House.

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

During the period, 12 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.	The copy of the 4 th quarterly result of trends of receipts and expenditure for the financial year 2007-2008 U/s 11 of the Bihar Fiscal Liabilities and Budget Management Act, 2006.	29.07.2008
2.	The copy of Annual Report for year 2007-08 prepared by Bihar Rural Employment Guarantee Council U/s 12(3)(f) of the National Rural Employment Guarantee Scheme Act, 2005.	29.07.2008
3.	The copy of the Bihar Minor Mineral Concession (Amendment) Rule, 2008 U/s 28(3) of the Bihar Mines and Minerals (Regulations and Development) Act, 1957.	29.07.2008
4.	The copy of the Micro and small Enterprises Facilitation Council Rule, 2007 U/s 30(3) of the Bihar Micro, Small and Medium Enterprises Development Act, 2006.	29.07.2008
5.	The copy of the Bihar Disaster Management (Terms of Office, Service Conditions and Payment of Allowances to the Members of State Authority) Rule, 2008 U/s 78(3) of the Bihar Disaster Management Act, 2005.	29.07.2008
6.	The copy of 4 th report of the Woman and Child Development Committee.	29.07.2008
7.	The copies of the 191 st and 199 th reports of the government Assurances Committee.	29.07.2008
8.	The copy of the report of the Special Committee constituted on the starred question No. 814	29.07.2008
9.	The copies of the notifications nos. S.O. 17 dt. 14.03.2008, S.O. 47 dt. 28.04.2008, S.O. 53 dt. 04.06.2008, S.O. 55 dt. 14.06.2008, S.O. 59 dt. 27.06.2008 and S.O. 65 dt. 03.07.2008 U/s 99 of the Bihar Value Added Tax Act, 2005.	30.07.2008
10.	The copy of the notification No. 38 dt. 01.04.2008 U/s 9(4) of the Bihar Tax on Entry of Goods for the Consumption, Use and Sale Act, 1993.	30.07.2008
11.	The copies of the notification no. 1502 dt. 13.06.2008 in respect to constitution of District Disaster Management Authority and notification No. 1597 dt. 25.06.2008 in respect to constitution of State Executive Committee U/s 78(3) of the Bihar Disaster Management Act, 2005.	30.07.2008
12.	The copy of 449 th report of Public Account Committee in respect to different objections raised by the CAG in its reports (Revenue Receipts) for the year 1990-91 to 2000-01 of the Sugarcane Industry Department, Bihar.	30.07.2008

VIII. QUESTIONS

During the session, altogether 576 notices of questions were received, out of which 423 were admitted. Out of said admitted questions, 13 were short noticed questions, 259 were starred questions and 151 were unstarred questions. 7 questions were answered on the floor of the House. Answers to 57 questions were placed on the table of the House. Six questions could not be asked. The rest 352 questions remained unanswered on the floor of the House

because of paucity of time. The major period of questions hours also could not be utilised because of the disturbances created by the Hon'ble members of the opposition.

IX. CALLING ATTENTION MOTIONS & STATEMENT OF THE GOVERNMENT THEREON

Eight calling attention motions of the matters of public importance were made by the different Hon'ble members of the House. The Hon'ble Minister of Environment & Forest department gave the reply of one of such calling attentions. There could not be reply on rest seven calling attention motions as the House remained disturbed because of continuous interruption of the Hon'ble members of opposition as stated hereinbefore. The details of calling attention motions are as follows :-

The Sl.No. & date on which the attention was drawn	Name of Hon'ble members who called the attention of the Hon'ble Ministers	The Hon'ble Minister who made statement/ date on which statement made	subject
1. 25.07.2008	Sri Ramdeo Verma and other three Hon'ble members	Adjourned for the next date	For the arrest of the accused of the murder incident took place in the village Sakh mohan of Bibhutipur of Samastipur district in Bihar on 16.05.2008
2. 25.07.2008	Sri Gopal Kumar Aggrawal and four other Hon'ble members	Sri Ramji Rishideo / 25.07.2008	For taking action against proprietors of unauthorised saw mills of Panaknali Panchayat of Thakurganj block in Kishanganj district.
3. 28.07.2008	Sri Maheshwar Singh and other five Hon'ble members	Could not be taken up because of disturbance created by the opposition	For starting the works of Gandak canal renovation scheme.
4. 28.07.2008	Sri Rajendra Pd. Singh and another Hon'ble member	do	For starting the production of electrical energy in Barauni Thermal power station.
5. 29.07.2008	Sri Kishore Kumar	do	For construction of the roads by the Road Construction Department after taking over the same from Rural Works Department.
6. 29.07.2008	Smt. Renu Devi and another Hon'ble members	do	For taking appropriate action in regard to posting of Excise Deputy Commissioner of Darbhanga Sri Mahendra Kumar.
7. 30.07.2008	Sri Sunil Kr. Pushpam	do	For completion of work of Hasanpura Road in Samastipur District.
8. 30.07.2008	Sri Ram Chandra Singh Nishad	do	For starting the communication after construction of bridge near the erosion point on Hassanpura Sakhawa Road of Samastipur district.

Note :- As noted in column 3, due to disturbance created by the opposition in the House no reply of the government on the rest seven calling attention motions

could come on the floor of the House and ultimately on 30.09.2008 the Chair had to order to send all the seven calling attention motions to the Calling Attention Committee.

X. LEGISLATIVE BUSINESS

During the period, five Bills were introduced in the Assembly. All the Bills in spite of interruption and hinderance created by the opposition were considered and passed. The details are as follows :-

Sl. No.	Title of Bill	Date of introduction	Date of consideration & passing
1.	The Indira Gandhi Institute of Medical Sciences (Amendment) Bill, 2008	25.07.2008	25.07.2008
2.	The Bihar Municipality Disclosure Bill, 2008	25.07.2008	Do
3.	The Bihar Appropriation (No.-3) Bill, 2008	28.07.2008	28.07.2008
4.	The Bihar Value Added Tax (Amendment) Bill, 2008	29.07.2008	29.07.2008
5.	Aryabhata Gyan Vishwavidalaya Bill, 2008	Do	Do

XI. FINANCIAL BUSINESS

On 24.07.2008, Sri Sushil Kumar Modi, the Hon'ble Minister-in-charge, Finance presented the 1st supplementary statements of Expenditure for the year 2008-09.

The discussion on the 1st supplementary statement of Expenditure for the year 2008-09 took place in the House on 28.07.2008. Out of 189 Cut Motions received, 103 Cut Motions were admitted of which one Cut Motion against the demand of Urban Development Department was moved in the House. Four members took part in the discussion. Hon'ble Minister-in-charge, Urban Development replied to the debate. After reply, the Cut Motion was rejected amid disturbance and hinderance created by the opposition and the demand for supplementary statement of expenditure of the Urban Development Department was put on voting and it was accepted by the House. Thereafter the rest demands for supplementary grants were taken through the process of guillotine and were accepted by the House.

The Appropriation Bill relating to 1st supplementary statement of expenditure for the year 2008-09 i.e. Bihar Appropriation (No.-3) Bill, 2008 was introduced in the House by the Hon'ble Ministers-in-charge for Finance. The same was also considered and passed on the same day i.e. on 28.07.2008.

XII. MOTION OF ADJOURNMENT

During the session period altogether 21 notices of adjournment motions were given to the Secretary of the Assembly. These motions were put up before the Hon'ble Speaker, who after having duly considered rejected all of them as they were found to be not brought as per the rules of the Conduct of the Business of the House. The details of motions of adjournment are as follows :-

Sl. No.	Name of Hon'ble members who brought the motions	Subject of motion of adjournment	Date for which the motion of adjournment was brought
1.	Dr. Achyutanand	Dreadful condition of Patna town because of rain water logging.	25.07.2008
2.	Sri Arun Singh and other Hon'ble members	Attempt of the S.D.O. of Biraoul Sub-division of Darbhanga district to kill the processinists of Bihar Pradesh Kisan Sabha by running his Tata Sumo Car over them, in which dozens of them injured out of which two were critical.	25.07.2008
3.	Sri Ramdeo Verma	The irregularities in preparation of the lists of people of APL and BPL and resentment of the genuine people against it.	25.07.2008
4.	Sri Shekeel Ahmad Khan	-Do-	25.07.2008
5.	Sri Kishore Kumar	Deprivation of the farmers of north Bihar from getting them reasonable price of their maize crops because of prohibition on its export.	28.07.2008
6.	Sri Arun Singh and 4 other Hon'ble members	Injury of irregularities in preparation of APL & BPL lists.	28.07.2008
7.	Dr. Achyutanand	Strike of non-teaching staffs of all universities and colleges of Bihar	28.07.2008
8.	Sri Rajendra Pd. Singh	Similar to the subject matter of Sl. No.-6	28.07.2008
9.	Sri Dular Chand Singh and other five Hon'ble members	Irregularities in distribution of ration and kerosene in the state.	28.07.2008
10.	Sri Kishore Kumar	The agitation and fast unto death of the primary teachers and strike of non-teaching staffs of the universities and colleges of Bihar and the situation arisen thereon.	29.07.2008
11.	Dr. Achyutanand	Irregularities in preparation of APL and BPL lists and because of that irregularities in distribution of ration and Kerosene amongst the people of the state.	29.07.2008
12.	Sri Rajendra Pd. Singh and two other Hon'ble members	The agitation of the primary teachers in the state.	29.07.2008
13.	Sri Ramdeo Verma	Killing of hundreds of migrant labourers of Bihar in other states of the country and situation arisen thereon.	29.07.2008
14.	Dr. Ashok Kumar and other three Hon'ble members	Strikes and agitations of teachers and non-teaching staffs of the primary and middle schools and universities and colleges of Bihar.	29.07.2008

Sl. No.	Name of Hon'ble members who brought the motions	Subject of motion of adjournment	Date for which the motion of adjournment was brought
15.	Sri Shyam Rajak and other three Hon'ble members	Irregularities in preparation of APL & BPL lists and because of that irregularities in distribution of ration and Kerosene.	29.07.2008
16.	Sri Arun Singh and other four Hon'ble members	Migration of Bihar labourers to other state because of irregularities in implementation of NREGA scheme.	29.07.2008
17.	Dr. Achyutanand	Discussion on the measures taken by state to control the crime in view of the fear and terror prevailing in the public because of increasing crime in state, specially in Patna and round about.	30.07.2008
18.	Sri Shakeel Ahmad Khan and other three Hon'ble members	Implementation of the report of Sachchar Committee.	30.07.2008
19.	Sri Arun Singh and other three Hon'ble members	Condition of landless people of the state because of non-fulfillment of promise made by the Chief Minister to provide 10 decimals of land for cultivation and 4 decimals of land for house construction.	30.07.2008
20.	Sri Akhtarul Iman and other two Hon'ble members	Irregularities in preparation of APL and BPL lists.	30.07.2008
21.	Sri Ramdeo Verma	Reluctance of administration in providing 4 decimals of land for house construction and approach roads to the tolas of Dalits.	30.07.2008
22.	Sri Rajendra Pd. Singh	-Do-	30.07.2008

The details given above show that there had been repetition of subject matters for discussion after adjourning the proceeding of the House, though proposal for similar motions had earlier been rejected in the same session.

XIII. DECLARATION MADE BY THE HON'BLE SPEAKER ABOUT ACCEPTANCE OF NIVEDAN

During the period, the Hon'ble Speaker made declaration on 25.07.2008, 28.07.2008 and 29.07.2008 about the accepted NIVEDANS and with the consent of the House one, seven and six, all total 14 NIVEDANS were sent to the NIVEDAN Committee for enquiry and report.

XIV. LAYING DOWN OF PETITIONS (YACHIKA) ON THE TABLE OF THE HOUSE

On 30.07.2008, with the 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 Petitions (YACHIKA SAMITI) for consideration and report.

XV. PRIVATE MEMBERS BUSINESS & RESOLUTIONS

On 30.07.2008 notices of Resolutions were taken up. Altogether 36 out of 38 Resolutions were put up for consideration. Two Resolutions were withdrawn by the respective Hon'ble members in view of the assurances given by the Hon'ble Ministers of the respective departments. The five Resolutions were delisted and the rest could not be taken up because of the disturbance created by the Hon'ble members of the opposition.

XVI. DEBATE ON THE MATTER OF PUBLIC IMPORTANCE

On 25.07.2008 Sri Ramdeo Verma, the Hon'ble member of the House, moved for initiation of debate on the topic, "बढ़ती मंहगाई की मार झेल रही राज्य की चालू योजनाएँ और राज्य की जनता, इनके कुपरिणाम तथा निदान". Only one Hon'ble member Sri Vinod Narain Jha could put up his views as disturbance was being created by the Hon'ble members of opposition. The topic was then adjourned for three consecutive dates i.e. for 28th, 29th and 30th July, 2008 but there could not be full debate on the topic because of disturbing approach of the opposition. On 29.07.2008 only one Hon'ble member Sri Ram Charitra Pd. Singh and on 30.07.2008 also only one Hon'ble member Sri Pradeep Kumar could express their views. Ultimately on last day i.e. on 30.07.2008 after the speech of Hon'ble member Sri Pradeep Kumar the Chair asked the Hon'ble Deputy Chief Minister to conclude the debate by giving his reply. The Hon'ble deputy chief Minister made attempt to put the views of the government on the topic of the debate but he was interrupted by creating disturbance in the House by the Hon'ble members of the opposition and ultimately he had to submit his written speech on the table of the House.

XVII. OBITUARY REFERENCES

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

Sl. No.	Name of the members & important persons	Constituency / Field of working	Period the House	Date of demise	Date on which references was made in
1.	Late Gouri Sankar Panday Ex-State Minister	Betiah	1969 to 1977 1977 to 1980	19.05.2008	24.07.2008
2.	Late Yogeshwar Jha Ex-State Minister	Benipati	1980 to 1985 1985 to 1990 and 2005	09.07.2008	do
3.	Late Ramesh Singh Munda Ex-Minister	Tamar, Bihar and Jharkhand	2000 to 2005	09.07.2008	do
4.	Late Nawal Kishore Sinha Ex-Member	Hilsa	1957 to 1962 1962 to 1967	14.07.2008	do

Sl. No.	Name of the members & important persons	Constituency / Field of working	Period the House	Date of demise	Date on which references was made in
5.	Late Ramratan Singh Ex-Member	Warsaliganj	1977	04.05.2008	do
6.	Late Satdeo Naryan Tiwari Ex-Member of Legislative Council			24.04.2008	do
7.	Late Gopeshwar Ex-M.P	Jamsedpur	1984	23.05.2008	do
8.	Late Ajay Ex-Member	Araria	1972	25.06.2008	do
9.	Late Suresh Pasi Ex-Member	Mohania	1995 to 2000	04.07.2008	do
10.	Late Viswamohan Choudhary Ex-Member	Barh and Harnouth	1980 to 2000	12.06.2008	do

All the members stood in silence for a minute as a mark of respect to the deceased.

XVIII. CONDOLENCE RESOLUTION

On 25 and 29 July, 2008, at the end of the sitting of the House, the Hon'ble Speaker placed condolence resolution on the demise of Late Sita Ram Kishor Puria, Ex-MLA & Late Bihari Lakara, Ex-State Minister. The Resolution was adopted nem con after observing silence for a minute as a mark of respect to the deceased.

XIX. VALEDICTORY SPEECH

On 30 July, 2008 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 members of both the Treasury and Opposition Benches for their co-operation in conducting the Business of the House smoothly. He also thanked all other concerned including officers & staff of the Assembly Secretariat, Officers of different departments of state government, Police personnels, Press and electronic media, News Agencies, Representatives of local Newspapers, Doordarshan and AIR for their constructive co-operation during the session.

XX. PROROGATION

The ninth session of the fourteenth Bihar Legislative Assembly was prorogued with effect from 30.07.2008 vide Notification No.-P.A.-1/Session-04/2007 (Part)-795/Patna, dated 29.08.2008.

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