

LEGISLATIVE ASSEMBLY NATIONAL CAPITAL TERRITORY OF DELHI OLD SECRETARIAT, DELHI 110054 SESSION REVIEW

FOURTH SESSION (17.03.2023 TO 29.03.2023)

SUMMONS

Summons for the Fourth Session (Budget Session) of the Seventh Legislative Assembly of NCT of Delhi were issued to Hon'ble Members on 09.03.2023.

DURATION OF THE SESSION

The Fourth Session (Budget Session) of the Seventh Legislative Assembly was convened from 17 March, 2023 and was adjourned sine-die by the Hon'ble Speaker on 29.03.2023 after conducting 08 sittings on 17.03.2023, 20.03.2023, 21.03.2023, 22.03.2023, 24.03.2023, 27.03.2023, 28.03.2023 and 29.03.2023. The House conducted its business for 22 Hours and 40 Minutes.

The Business conducted by the House during the Fourth Session is summarized below.

HOMAGE

The Chair paid deepest condolence to the persons who lost lives in the earthquake in Turkey and Syria on 06.02.2023.

CONGRATULATORY MESSAGES

On 17 March, 2023, the House congratulated Sh. S.S. Rajamouli, Director, Shri MM Keeravaani, Music Composer and Shri Chandrabose, Lyricist of RRR Movie for winning Oscar Award for the best original song "Naatu Naatu". The House also congratulated Kartiki Gonsalves, Director and Guneet Monga, Producer for winning Oscar Award for their documentary short film "The Elephant Whisperers".

On 22 March, 2023, the Chair greeted the House on the occasion of New Year (Vikram Samvat 2080) and Chaitra Navratra and on the start of holy month of Ramzan (Ramadan) from 23 March 2023.

On 27 March, 2023, the Chair congratulated Ms. Neetu Ghanghas, Ms. Saweety Boora, Ms. Nikhat Zareen and Ms. Lovlina Borgohain for winning Gold Medals for India in the Women World Boxing Championship, 2023.

MOTION OF THANKS ON THE HON'BLE LG's ADDRESS

The Hon'ble Lieutenant Governor addressed the House on 17 March, 2023. Hon'ble Member Shri Gopal Rai, moved the following Motion and also initiated discussion on the Motion on 20.03.2023.

"That this House expresses its gratitude to Hon'ble Lieutenant Governor for his address delivered to the Assembly on 17th March, 2023.

15 Members including Smt. Rakhi Birla, Hon'ble Deputy Speaker, Shri Raaj Kumar Anand, Hon'ble Minister of Social Welfare and Shri Ramvir Singh Bidhuri, Hon'ble Leader of Opposition participated in the discussion on the Motion of Thanks. Shri Arvind Kejriwal, Hon'ble Chief Minister replied to the discussion.

The Motion of Thanks was put to vote and adopted by voice vote on 24 March 2023.

ECONOMIC SURVEY

Shri Kailash Gahlot, Hon'ble Minister of Finance presented the Economic Survey of Delhi (2022-2023) on 20 March, 2023 (English and Hindi Version).

STATUS REPORT OF OUTCOME BUDGET

Shri Kailash Gahlot, Hon'ble Minister of Finance presented the Status Report of Outcome Budget 2022-2023 (upto 31st December 2022) (English and Hindi Version) on 20 March, 2023 and made a brief statement explaining its salient features.

ANNUAL BUDGET (2023-24)

On 21 March, 2023, the Chair informed the House that for the first time in the history of the House, Annual Budget (2023-24) could not be presented as per schedule. The Chair termed it as an unfortunate, unconstitutional and extraordinary incident and requested Shri Kailash Gahlot, Hon'ble Minister of Finance to make a statement in this regard. Shri Kailash Gahlot, Hon'ble Minister of Finance made a brief statement and apprised the House regarding the circumstances for not being able to present the Budget on the scheduled date due to lack of approval from Ministry of Home Affairs (MHA).

On 22 March, 2023, Shri Kailash Gahlot, Hon'ble Minister of Finance presented the Annual Budget of NCT of Delhi for the financial year 2023-24. The discussion on the Budget was held on 27.03.2023. 17 Members including Shri Ramvir Singh Bidhuri, Hon'ble Leader of Opposition participated in the discussion. Shri Kailash Gahlot, Hon'ble Minister of Finance replied to the discussion. Shri Arvind Kejriwal, Hon'ble Chief Minister also expressed his views. The Budget was passed on 27 March, 2023.

Shri Kailash Gahlot, Hon'ble Minister of Finance also presented the Demands for Grants for financial year 2023-24 on 22 March 2023. The same were considered demand-wise, put to vote and adopted by voice vote on 27 March, 2023.

Shri Kailash Gahlot, Hon'ble Minister of Finance also presented the Second and Final batch of Supplementary Demands for Grants for the financial year 2022-23 on 22.03.2023. The Supplementary Demands were considered demand-wise and passed by voice-vote on 27 March, 2023.

The Budget and related business was transacted in paperless mode.

MATTERS RAISED BY MEMBERS

Special Mention (Under Rule 280)

169 Notices for Special Mention were received during the Session. 120 matters were raised in the Session under Rule 280. The matters raised under Rule 280 have been referred to the concerned Departments for furnishing replies to the Hon'ble Members within 30 days.

Short Duration Discussions (Rule 55)

- i. On 24 March, 2023, Shri Praveen Kumar, Hon'ble Member initiated Short Duration Discussion on "alleged corruption and crony capitalism involving the Union Government and BJP MPs." The Hon'ble Members of Opposition Party argued with the Chair and stated that it was improper, not relevant to the House of Delhi and started protesting. Hon'ble Members of the Ruling Party started counter-arguments and uproar in the House ensued. The Chair adjourned the House for half an hour. When the House re-assembled, the Chair stated that he was not allowing for the discussion on the issue.
- ii. On 28 March, 2023, Shri Madan Lal, Hon'ble Member initiated discussion on "Financial loss to Union Government, Exchequer and Public due to a private company and no inquiry being conducted by Union Government in this regard."
 10 Members including Smt. Atishi Marlena, Hon'ble Minister of Power participated in the discussion. Shri Sanjeev Jha, Hon'ble Member also moved the following Resolution with the leave of House:

"Deeply distressed about

- the retrograde path the Indian Democracy has been traversing on since 2014 and its inimical consequences for the polity, culture, society and the people of our great nation,
- the Central Government's continuous attempts to subvert all the institutions and law enforcing agencies including the Constitutional bodies through threats, coercions and allurements,
- the Central Government, through such subversion, launching all-out and unconstitutional assault on political rivals, civil society activists, artistes, entrepreneurs and all those who are not aligned with its views and ideology, prevalence of conditions in the Country that put the declared emergency of 1970s to shame,
- the Central Government usurping the Constitutionally guaranteed rights of the people,
- the new low unleashed by the ruling establishment in undermining the temple of democracy,

Gravely concerned about

• the Central Government's method of 'Rule by Terror' resulting in all-round fear among the honest and patriotic business houses,

- the social tensions engineered by the ruling establishment driving away prospective foreign investors,
- the resultant hostile atmosphere leading to loss of investments and employment opportunities for India's sons and daughters,
- the wheels of growth coming to grinding halt,

Taking note of the fact that

- the Prime Minister singled out his close friend to dole out favours to the detriment of healthy competition and country's progress,
- the agencies of the Central Government were placed at the service of Gautam Adani to help him in unlawful and coercive acquisitions of ports, airports and other key infrastructure and national projects of strategic importance,
- the lethal drug trade that is funding global terror and destroying the youth of our nation is facilitated through ports run by Gautam Adani, the close friend of Prime Minister,
- the Prime Minister jettisoned time-honoured practice of taking media along on his foreign visits and instead preferred to take his close friend Gautam Adani along to facilitate secret deals, thereby seriously compromising national interest,
- the Public Sector Banks, which put a million conditions before granting small amounts of agricultural and student loans, were arm-twisted into doling out thousands of crores of rupees of public money to Adanis which they are ever ready to waive-off,
- the hard earned money of the public, looted through repeated steep hike in petrol/diesel/gas prices and exorbitant taxes is being used to fund the state sponsored fraud of Adanis and other agents of the regime,

Expressing shock that

- the Prime Minister is maintaining sepulchral silence in the wake of well known scam being put on record by Hindenburg Research,
- the ruling establishment at the centre is trying to shamelessly equate a corrupt crony Gautam Adani with mother India,
- Gautam Adani is plundering the natural resources of our mother land and wealth created by toiling people of our great nation with full knowledge and support from the Prime Minister,

Urges upon the Hon'ble President of India to

- initiate immediate steps to restore Rule of Law as guaranteed under the Constitution,
- direct Narendra Modi Government to put an end to all unconstitutional means through which cronies are promoted and honest people are being persecuted,
- send a Message to the Parliament of India to consider setting up of Joint Parliamentary Committee to probe the biggest ever scam committed by friend of the Prime Minister, with specific task of finding out who the real beneficiary of the Adani fraud is,

• send a Message to the Speaker, Lok Sabha and Chairman, Rajya Sabha to ensure that the ruling party does not disturb the proceedings of the House and the opposition is allowed to express its views without being censored,

Appeals to Hon'ble Supreme Court of India to

• enlarge the scope of petition on electoral bonds issue in public interest to look into the possible re-routing of public money looted by Gautam Adani to party ruling at the Centre through electoral bonds

and

Calls upon the great people of our great nation to remain ever vigilant to thwart the sinister designs of ruling establishment to re-colonise us through cronies who are also into illegal drug trade the way the East India Company was into opium trade, to begin with."

Shri Arvind Kejriwal, Hon'ble Chief Minister replied to the discussion. The Resolution was put to vote and adopted by voice note.

iii. On 29 March, 2023, Ms. Bhavna Gaur, Hon'ble Member initiated discussion on "situation arising on account of increase in serious crimes and deteriorating circumstances of women security in Delhi". 07 Members including Smt. Rakhi Birla, Hon'ble Deputy Speaker participated in the discussion. Smt. Atishi Marlena, Hon'ble Minister of Social Welfare replied to the discussion.

MOTION

- 1. On 17 March, 2023, Hon'ble Minister Shri Saurabh Bharadwaj moved a motion with the permission of the Chair regarding disorderly conduct of the Members of the Opposition Party at the commencement of Hon'ble LG Address which was in violation of the Code of Conduct and moved a motion that the matter be referred to Committee of Ethics.
 - The Motion was put to vote and adopted by voice-vote.
- **2.** On 21 March, 2023, Shri Sanjeev Jha, Hon'ble Member moved a Motion that Shri Vijender Gupta, Hon'ble Member be suspended for one year for repeatedly interrupting the proceedings and wasting the time of the House.
 - The Motion was put to vote and adopted by voice-vote.
 - However, the suspension period of one year was set aside by Hon'ble Justice Pratibha M. Singh, High Court of Delhi vide order dated 24 March, 2023.
- **3.** On 21 March, 2023, Shri Kuldeep Kumar, Hon'ble Member moved a motion that the sitting of the House on 23/03/2023 be cancelled on the occasion of 'Shahidi Diwas'.
 - The Motion was put to vote and adopted by voice-vote.
- **4.** On 21 March, 2023, Shri Dilip Kumar Pandey, Hon'ble Chief Whip moved a Motion that the Notice of breach of Privilege given by Shri Vijender Gupta, Hon'ble Member with a malafide intent be referred to Committee on Ethics. The Motion was put to vote and adopted by voice-vote.

RESOLUTION

1. On 21 March, 2023, at the time of discussion on delay in presentation of Budget, Shri Sanjeev Jha, Hon'ble Member moved a resolution stating that:

"The Legislative Assembly of NCT of Delhi having its sitting in Delhi on 21 March 2023 with presentation of Annual Financial Statement as the sole item on agenda for the days, resolves that:

Taking note of the fact that a conspiracy has been hatched to thwart the welfarist agenda of the elected Government of NCT of Delhi by way of derailing the budgetary allocations for health, education and other pro-people measures;

Taking further note of the fact that the Chief Secretary, the Finance Secretary and other officers concerned have, willingly suppressed the relevant communications, in collusion with the office of Hon'ble LG and the Government of India so as to create financial crisis in the National Capital and to portray it as a failure of elected Government;

Expressing serious concern about the way the Government of India is resorting to vindictive action against more than 2 crore people of Delhi for the simple reason that they chose to elect a pro-people Government;

Alarmed with the incongruity in the Transaction of Business Rules which runs contrary to the extant Statutes and the Constitutional provisions as well as the judgment delivered by the Constitution Bench of Hon'ble Supreme Court of India in Government of NCT of Delhi v. Union of India & Anr. dated 04 July 2018;

Dismayed with the fact that the Annual Financial Statement (Budget), which is universally acknowledged as a secret document till it is presented to the Members of the Legislature on the floor of the House for their scrutiny and approval, is subjected to prior scrutiny by the lowest of functionaries of the Ministry of Home Affairs in the Government of India, which practice is wholly unconstitutional and unlawful;

Calls upon every citizen of Delhi and the country to understand the machinations of the anti-people forces operating through Central Government; Condemns in no uncertain terms the high handedness unleashed by the Government of India against 2 crore people of Delhi which is unconstitutional, illegal and undemocratic;

Recommends that the Transaction of Business Rules be amended to remove the unconstitutional and unlawful restrictions imposed on the elected Government through gross illegality and to adhere to the Constitutional provisions that empower the elected Government, as upheld by Hon'ble Supreme Court of India;

and Resolves that the conduct and role of the Chief Secretary (Delhi), Principal Secretary (Finance) and others in the delay in scheduled presentation of Budget to the Legislative Assembly, be referred to the Committee of Privileges for detailed examination and report."

10 Members including Shri Raaj Kumar Anand, Hon'ble Minister Social Welfare, Shri Gopal Rai Hon'ble Minister of Development and Shri Ramvir Singh Bidhuri Hon'ble Leader of Opposition participated in discussion on delay of budget presentation. Shri Arvind Kejriwal, Hon'ble Chief Minister replied to the discussion.

The Resolution moved by Shri Sanjeev Jha, Hon'ble Member was put to vote and adopted by voice vote.

Statement of Minister (Rule 270)

On 24 March, 2023, Smt. Atishi Marlena, Hon'ble Minister of Power drew the attention of the Chair and the House towards a conspiracy being hatched by Senior Officers of Delhi Govt. to stop the power subsidy being given by Delhi Government to residents of Delhi and made a brief statement. Shri Akhilesh Pati Tripathi, Hon'ble Member and Smt. Bandana Kumari, Hon'ble Members expressed their views. Shri Jarnail Singh, Hon'ble Member, requested the Chair to refer the matter to Department Related Standing Committee on Public Utilities and Civic Amenities.

The Chair, taking the sense of the House, referred the matter to Department Related Standing Committee on Public Utilities and Civic Amenities.

OUESTIONS

A total of 149 notices of Questions were received during the Session for 22 March, 2023. Out of these 20 Notices of Starred Questions, 128 of Un-starred Questions were admitted and 01 Notice was clubbed.

The sitting of the House for 23 March, 2023 was cancelled and the Notices for 23 March, 2023 were treated as lapsed.

PAPERS LAID

05 Papers were laid on the Table of the House:-

- **i.** Copy of Address delivered by Hon'ble Lieutenant Governor (English & Hindi version) on 17 March 2023.
- **ii.** Copy of Annual Report of Delhi Urban Shelter Improvement Board for the year 2020-21 (English Version).
- **iii.** Annual Report of Delhi Electricity Regulatory Commission (DERC) for the year 2019- 2020 (Hindi and English Version).
- **iv.** Annual Accounts along with Separate Audit Report of Dr. B.R. Ambedkar University Delhi for the year 2017-2018, 2018-2019 & 2019-2020 (Hindi and English Version).
- **v.** Annual Accounts along with Separate Audit Report of Guru Gobind Singh Indraprastha University, Delhi for the year 2017-2018 & 2018-2019 (Hindi and English Version).

COMMITTEE REPORT

- (i) Smt. Rakhi Birla, Hon'ble Deputy Speaker presented the Fifth Report of Business Advisory Committee on 17.03.2023. The House adopted the Report on 20 March, 2023.
- (ii) Shri Mohinder Goyal, Hon'ble Member presented the First and Second Report of Department Related Standing Committee on Development on 22 March, 2023. The House adopted the Reports on 24 March, 2023.

LEGISLATION

- 1. On 22 March 2023, Shri Kailash Gahlot, Hon'ble Minister of Finance introduced the Delhi Appropriation (No.2) Bill, 2023. The Bill was considered clause wise by the House and adopted by voice vote.
- 2. On 27 March 2023, Shri Kailash Gahlot, Hon'ble Minister of Finance, introduced the Delhi Appropriation (No.3) Bill, 2023. The Bill was considered clause wise by the House and adopted by voice vote.

ELECTION TO FINANCIAL COMMITTEES

Hon'ble Chief Minister moved the following Motion on 17.03.2023:

"That the Members of this House do proceed to elect in the manner required under Rule 192(2), Rule 194(2) and Rule 196(2) of the Rules of Procedure and Conduct of Business in the Legislative Assembly of National Capital Territory of Delhi, nine Members each from amongst themselves to serve as Members of the Committee on Public Accounts, Committee on Estimates and Committee on Government Undertakings beginning from 1st April, 2023"

MOTION OF NO CONFIDENCE

On 20 March, 2023, the Chair informed the House that a Notice for "Motion of No confidence" had been received under Rule-251(1) from Shri Ramvir Singh Bidhuri, Hon'ble Leader of Opposition.

The Chair further informed that he would examine the Notice in context of Rule-251(1) & Rule-251(2) and give a Ruling after the presentation of the Budget. However, the Motion was withdrawn on 28 March, 2023 by the Hon'ble Leader of Opposition.

MOTION OF CONFIDENCE

On 29 March, 2023, Shri Arvind Kejriwal, Hon'ble Chief Minister moved the following Motion with the leave of the House:

"This House expresses its confidence in the Council of Ministers."

06 Members including Shri Ramveer Singh Bhiduri, Hon'ble Leader of Opposition participated in the discussion. Shri Arvind Kejriwal, Hon'ble Chief Minister replied to the discussion.

The Motion was put to vote and adopted by voice vote.

ANNOUNCEMENTS/DECISIONS BY THE CHAIR

1. On 20 March, 2023, the Chair informed the House that on 18th January, 2023, Members of Opposition had displayed water bottles in the House allegedly containing polluted water from Yamuna River which were sent to Delhi Jal Board (DJB) for testing. He informed that reports dated 07/03/2023 and 15/03/2023 had been received from DJB wherein it has been clearly said that the water in the bottles is not from Yamuna River but was drinking water in which some black substance was mixed. The Chair termed this incident as serious in which deliberate attempt was made to create panic and unrest among the people of Delhi

- and also mislead the House. The Chair referred the matter to the Committee of Privileges to submit a comprehensive report on the conduct of Members of Opposition Party who displayed the water bottles on 18/01/2023 in the House which was against the Rules. The Chair also referred to the Committee of Privileges, to report within one month whether there was an attempt on the part of DJB officers to suppress and delay the Report.
- 2. On 21 March, 2023, the Chair gave a Ruling on the Notice of Breach of Privilege against Shri Kailash Gahlot and Shri Gopal Rai, Hon'ble Ministers given by Shri Vijender Gupta, Hon'ble Member. He stated that the Notice mentioned leak of contents of Outcome Budget, already presented on 20/03/2023, and did not relate to the Annual Budget. He also stated that it was obvious that sole motive of Shri Vijender Gupta, Hon'ble Member was to disrupt the proceedings of the House and waste precious time of the House. The Chair also warned Shri Vijender Gupta, Hon'ble Member to be careful in future and not waste the time of the House by such frivolous Notice which was also against the Rules.
- **3.** On 27 March, 2023, the Chair informed the House that he had received a Notice of breach of privilege under Rule-66 from Shri Ajay Mahawar against Shri Kailash Gahlot, Hon'ble Minister of Finance and Shri Gopal Rai, Hon'ble Minister of Development for leaking the contents of Budget. The Chair informed the House that he had examined the matter and did not find any merit in the allegation that there was a leakage of Budget details. The Chair also cited a precedence dated 03rd March, 1956 in which Hon'ble Speaker of Lok Sabha had ruled that furnishing of information related to Budget does not amount to a breach of privilege. The Chair, accordingly, disallowed the Notice.
- **4.** On 27 March, 2023, the Chair informed the House that Finance Department had conveyed letter dated 22.03.2023 that Principal Secretary, Law, Justice and Legislative Affairs, Govt. of NCT of Delhi will be the Administrative Secretary and HOD of Delhi Legislative Assembly despite the fact that the Law Department has time and again clarified that Law Department is not and cannot be Administrative Department of Delhi Legislative Assembly.
 - The Chair requested Hon'ble Minister of Finance to direct Finance Department to withdraw letter dated 22.03.2023, before Delhi Legislative Assembly initiates any action in this matter, and implement the recommendations of General Purposes Committee adopted by the House on 27.02.2019 and All India Presiding Officers Conference held in Shimla from 17-19 December, 2021 giving financial autonomy to State Legislatures.
- **5.** On 29 March, 2023, the Chair informed the House that information had been received from Hon'ble Minister of Finance that above noted letter dated 22.03.2023 had been withdrawn. The Chair thanked Shri Kailash Gahlot, Hon'ble Minister of Finance and also requested him to initiate necessary steps to grant financial autonomy to Delhi Legislative Assembly.

- **6.** On 29 March, 2023, the Chair informed the House regarding updation and availability of data related to Assembly Questions from 2008 onwards in a comprehensive and detailed format.
- **7.** On 29 March, 2023, the Chair gave a Ruling regarding presence of Officers and furnishing of information to Assembly and its Committees and stated that any defiance of the Ruling would be referred to Committee of Privileges. The Chair also directed that a copy of the Directions/Ruling be sent to Chief Secretary, Delhi.

DISCIPLINARY ACTION

- 1. On 21 March, 2023, Shri Vijender Gupta, Hon'ble Member started arguing with the Chair and demanded that Notice of Privilege given by him against Shri Kailash Gahlot and Shri Gopal Rai, Hon'ble Ministers be taken up. The Chair requested the Hon'ble Member to allow Shri Kailash Gahlot, Hon'ble Minister to make a statement. However, Shri Vijender Gupta, Hon'ble Member continued to argue with the Chair and disrupted the proceedings of the House. On the directions of the Chair, the Marshalls escorted Shri Vijender Gupta, Hon'ble Member out of the House.
- **2.** On 21 March, 2023, the Chair informed the House that Shri Vijender Gupta, Hon'ble Member has been suspended from the sittings of the House for one year i.e. till the next Budget Session. As the Hon'ble Member refused to leave the House voluntarily, he was escorted out of the House by the Marshalls on the directions of the Chair.
- **3.** On 27 March, 2023, during the reply of Shri Kailash Gahlot, Hon'ble Minister of Finance, after discussion on Annual Budget, Shri Abhay Verma, Hon'ble Member misbehaved with the Hon'ble Minister of Finance and disrupted the proceeding of the House. The Chair repeatedly requested the Hon'ble Member to take his seat, but however the Hon'ble Member continued to argue with Hon'ble Minister of Finance and the Chair. As per directions of the Chair, the Marshalls escorted Shri Abhay Verma, Hon'ble Member out of the House as he refused to withdraw in spite of being named by the Chair.
- 4. On 28 March, 2023, when Shri Madan Lal Hon'ble Member initiated Short Duration Discussion, the Members of Opposition Party started arguing with Chair and despite the request of the Chair they did not take their seats resulting uproar in the House. On the directions of the Chair, the Marshalls escorted Shri Jitender Mahajan, Hon'ble Member out of the House as he continued to argue with the Chair and indulged in sloganeering. The Short Duration Discussion then continued but Shri Ramvir Singh Bidhuri, Hon'ble Leader of Opposition alongwith Hon'ble Member of Opposition again started arguing with Chair and disrupted proceedings of the House. The Opposition Party Members also tore up copy of Resolution. The Chair requested Shri Ramvir Singh Bhiduri, Hon'ble Leader of Opposition to leave the House and other Opposition Party Members walked out in protest.

5. On 29 March, 2023, during Short Duration Discussion initiated by Ms. Bhavna Gaur, Hon'ble Members of Opposition party started arguing with Chair and disrupted proceedings of House continuously. On the directions of the Chair, the Marshalls escorted Shri Mohan Singh Bisht, Shri Jitender Mahajan, Shri Ajay Mahawar, Shri Om Prakash Sharma, Shri Ramvir Singh Bidhuri, Hon'ble Leader of Opposition, Shri Abhay Verma and Shri Anil Kumar Bajpai, Hon'ble Members of Opposition Party out of the House for continuously disrupting the proceedings of the House.