

Thrusday, November, 23, 2000/ Margashirsha 02, 1922 (Saka)

No : 40

1. 1.00 PM Dr Jagdish Mukhi, Leader of the BJP Legislature Party stood up to enquire about the fate of his adjournment motion notice regarding corruption charges levelled against the Chairperson of Delhi Jal Board which is being looked into by Lokayukta. Hon'ble Speaker ruled that the matter was already under adjudication before Lokayukta which is a Court. Under Rule 61(8) such a matter cannot be a subject matter of adjournment. Moreover Kaul and Shakhary authoritative book on parliamentary procedure clearly states that Speaker shall forbid discussion on matter that is subjudice. He has therefore disallowed the motion. Members of the Opposition party kept raising the matter and rushed to the well of the House shouting slogans. In view of their disorderly conduct Chair asked the following members to withdraw from the House :-

Dr Jagdish Mukhi
Shri Nand Kishore Garg
Shri Avinash Sahani
Shri Sushil Chaoudhary
Shri Jai Bhagwan
Shri Brahm Singh Tanwar
Shri Ravindernath Bansal
Shri Mohan Singh Bisht
Shri Sahab Singh Chauhan
Shri Naresh Gaur
Dr Harsh Vardhan
Shri Ram Bhaj
Shri Puran Singh Yogi

2. 1.15 PM Due to the prevailing pandemonium Hon'ble Speaker adjourned the House for 5 minutes.
3. 1.28 PM House re-assembled. Shri Harsharan Singh Balli tried to raise the issue of non-acceptance of adjournment motion. Chair asked him to withdraw from the House.
4. 1.31 PM Further discussion on closure of industrial units. The following members participated in the debate:-

Smt Meera Bhardwaj
Shri Shadi Ram

Chief Minister replied to the debate.

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5. 2.03 PM

QUESTIONS

Starred Questions 41, 43, 44, 45, 48, 50 and 51 were asked and orally answered. Replies to Starred Questions 42, 46, 47, 49, 52 to 60 and Unstarred Questions 79 to 145 were laid on the Table of the House.

6. 3.00 PM

LAYING OF PAPERS ON TABLE

1. Smt Sheila Dikshit, Chief Minister laid on the Table of House a copy of the notification of the Delhi Minorities Commission Rules 2000 No F.10/3/98-/Home(P)/Estt/Pt-I (Rules 55) dated 3.11.2000.
2. Shri Mahender Singh Satthi, Minister of Finance Laid on the Table of the House a copy of the notifications dated 22.6.2000 regarding amendments in Delhi registration of Births and Deaths Rules 1999.
3. Shri Parvez Hashmi, Minister of Transport laid on the Table of the House a copy each of the Annual Accounts and Audit Report for the year 1998-99 and Audit Reports of DTC Employees Provident Fund Trust for the years 1995-96 to 1998-1999 pertaining to DTC.

7. 3.02 PM

RESOLUTION

Smt Sheila Dikshit, Chief Minister moved the following resolution :-

" This House is of the Opinion that a statue of Babasaheb Dr Bhimrao Ambedkar- the architect of India's Constitution- should be erected in the precincts of Delhi Legislative Assembly".

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

8. 3.04 PM

TEA BREAK

9. 3.35 PM

House re-assembled. Some members objected to the remarks made by Shri Roop Chand regarding Late Dr - Ambedkar. Speaker ruled that the statement of Shri- Roop Chand be expunged from the proceedings.

10. 3.44 PM

SPECIAL MENTIONS

The following members raised issues under Rule 287 :-

Shri Roop Chand
Shri Veer Singh
Shri Surender Kumar
Shri Bhsim Sharma

11. 3.59 PM

MOTIONS

1. Shri Ajay Maken moved a motion that the House agrees to the fifth report of the Business Advisory Committee presented to the House on 22.11.2000. The motion was adopted by voice vote.
2. Shri Mangat Ram Singhal moved a motion that the House agrees to the Sixth report of the Committee on Private Members Bills and Resolution presented to the House on 22.11.2000. The motion was adopted by voice vote.

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2. 4.02 PM

PRESENTATION OF REPORT

Shri Ajay Maken presented the First Report of the Rules Committee to the House.

LEGISLATIVE PROPOSALS

3. 4.03 PM

INTRODUCTION OF BILL

Shri Mahender Singh Saathi, Minister of Finance moved for leave to introduce the 'Delhi Sales Tax (Amendment) Bill 2000 and after having the leave been granted also introduced the Bill.

4. 4.04 PM

CONSIDERATION AND PASSING OF BILLS

1. Smt Sheila Dikshit, Chief Minister moved that (The Delhi Prisons Bill, 2000) be taken into consideration. The motion was put to vote and adopted by voice vote.

Chief Minister made a short statement about the provisions of the Bill. The following members participated in the discussion :-

Shri Mukesh Sharma
Shri Ramakant Goswami
Shri Shoib Iqbal
Shri Tarwinder Singh Marwah
Shri Arvinder Singh Lovely
Dr Kiran Walia.

Chief Minister replied to the debate.

4.40 PM

CLAUSE BY CLAUSE BY CONSIDERATION

The House proceeded for clause by clause consideration.

Shri Mukesh Sharma withdrew the amendment given in Sec-2(m) with the leave of the House. Sec 2 was put to vote and adopted by voice vote.

Section 3 was put to vote and adopted by voice vote.

Shri Mukesh Sharma moved the following amendment in Sec 4(1) :-

"The Govt shall by notification, appoint an Inspector General of Prisons to be incharge of administration and management of all the prisons in Delhi who shall be an IAS/IPS service".

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

Shri Mukesh Sharma withdrew amendment in Sec 4(2) with the leave of the House. Sec 4 put to vote and adopted by voice vote.

Section 5 to Section 13 put to vote and adopted by voice vote

Shri Mukesh Sharma moved following amendment in sec 14 as new sub-sec 14(2) :-

"The Medical Officer shall not administer any such medicine to any prisoner without informing him of what is being administered to him".

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

Section 14 alongwith amendment was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew amendment in Sec 15(2) with

the leave of the House.

Section 15 to Sec 27 were put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment in Sec 28 regarding separate wards for politicians/govt. servants with the leave of the House.

Shri Mukesh Sharma moved the following amendment as new sub-section 28(8) to Sec 28 :-

" All Blood relation prisoners, separated on grounds of different sex, shall be allowed to meet each other once a week in presence of a jail officer".

The amendment was put to vote and adopted by voice vote. Sec 28 to Sec 32 were put to vote and adopted by voice vote.

Shri Bhishm Sharma withdrew amendment given in Sec 33 with the leave of the House. Sec 33 was put to vote and adopted.

Sec 34 was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment given in Sec 35 with the leave of the House. Section 35 to Section 45 were put to vote and adopted by voice vote.

Shri Mukesh Sharma moved amendment as a Proviso to Sec 46(23) :-

" Provided that this shall not be applicable to Male/Female prisoners on religious grounds and all possible facilities shall be extended to such prisoners in performance of their religious obligations".

The amendment was put to vote and adopted by voice vote. Section 46 alongwith the amendment to Section 56 was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendments given earlier in Sec 57 and moved a new amendment as sub-sec 57(5) as follows with the leave of the House :-

" There shall be a Prison Advisory Board to advise the Govt on the general governance of the Jail in the manner as prescribed in rules".

The amendment was put to vote and adopted by voice vote. Section 57 alongwith amendment put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment in Sec 58 with the leave of the House. Sec 58 to Sec 61 were put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment in Sec 62 with the leave of the House and Sec 62 to Sec 74 were put to vote and adopted by voice vote.

Clause 1, Short Title and Preamble were put to vote and adopted by voice vote.

5.01 PM

Chief Minister moved that 'The Delhi Prison Bill 2000' be passed.

The Bill was put to vote and passed.

Dr Narendra Nath, Minister of Power moved that 'The Delhi Electricity Reforms Bill, 2000' be taken into consideration after making a brief statement on the aspects of the Bill. The motion was put to vote and adopted by voice vote. The following members participated in the debate :-

1. Shri Ajay Maken
2. Shri Mukesh Sharma
3. Shri Shoib Iqbal
4. Dr Kiran Walia
5. Shri Amrish Singh Gautam
6. Shri Bhisham Sharma

Dr Narendra Nath, Minister of Power replied to the debate.

CLAUSE BY CLAUSE CONSIDERATION

Section 2 was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment in Section 3(2) with the leave of the House. Shri Bhisham Sharma also withdrew his amendment in Section 3(2). Section 3 was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment for a new section after Section 3(2) with the leave of the House.

Shri Mukesh Sharma and Shri Bhisham Sharma withdrew their amendments in Section 4(1) (a) with the leave of the House.

Section 4 to Section 6 were put to vote and adopted by voice vote.

Shri Mukesh Sharma moved the following amendment as new sub-section to Section 7 :-

" 7(8) . nothing contained in this section shall be construed to exclude the jurisdiction of the Lokayukta and the Upalokayukta".

Amendment was put to vote and adopted by voice vote.

Section 7 was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment in Section - 8(5) with the leave of the House.

Section 8 to Section 10 was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment in Section 11-(1) (a) with the leave of the House.

Section 11 to Section 13 were put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment in Section 14(1) with the leave of the House.

Section 14 and Section 15 were put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment given as Proviso to Section 16(1) with the leave of the House.

Section 16 and Section 17 were put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment given as Proviso to Section 18.

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Section 18 was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment for a new Section after Section 18 with the leave of the House.

Section 19 was put to vote and adopted by voice vote.

Shri Mukesh Sharma withdrew his amendment in Section 20(1) with the leave of the House. Shri Nand Kishore Garg did not move his amendment to Section 20(1).

Section 20 to Section 34 were put to vote and adopted by voice vote.

Shri Nand Kishore Garg did not move his amendments in Section 35.

Section 35 to Section 58 were put to vote and adopted by voice vote.

Shri Kukesh Sharma did not move his amendment in Section 59.

Section 59 to Section 64 were put to vote and adopted by voice vote.

Clause 1, Short Title and Preamble were put to vote and adopted by voice vote.

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| 16. | 6.05 PM | Dr Narendra Nath moved that the Bill be passed. |
| | | The Bill was put to vote and passed unanimously. |
| 17. | 6.06 PM | House adjourned till 2.00 PM on 24th November 2000. |

S.K. Sharma
Secretary

Delhi

23rd November 2000