

HARYANA VIDHAN SABHA

II SESSION

BULLETIN NO. 8

Monday the 16th March, 2010

(Brief record of the proceedings of the meeting of the Haryana Vidhan Sabha held on Tuesday the 16th March, 2010 from 10.00 A.M. to 1.04 P.M.).

I. QUESTIONS

(a) Starred:

Total No. on the order paper	Answered	Not put	Postponed	No. of Supplementaries
20	11	--	--	36

The remaining Starred questions were deemed to have been answered and replies thereto were laid on the Table of the House.

Un-starred: NIL.

II. CALLING ATTENTION MOTIONS

- (i) When enquired, the Speaker informed the House that he had received a Calling Attention Notice from Shri Ram Pal Majra and 3 other MLAs regarding lathi charge on Computer Teachers at Rohtak and the same has been sent to the Government for comments.
- (ii) When enquired, the Speaker informed the House that he had received a Calling Attention Notice from Shri Ram Pal Majra and 3 other MLAs regarding deteriorating situation of law & order in the State and the same has been sent to the Government for comments.
- (iii) When enquired, the Speaker informed the House that he had received a Calling Attention Notice from Smt. Kiran Chaudhary, MLA, regarding acute shortage of drinking water supply in Bhiwani District and the same has been disallowed.

III. QUESTION OF ALLEGED BREACH OF PRIVILEGE AGAINST SHRI OM PRAKASH CHAUTALA, M.L.A.

Shri Aftab Ahmed, a Member from the Treasury Benches raised the question of alleged breach of privilege against Shri Om Prakash Chautala, M.L.A. stating that Shri Om Prakash Chautala delivered his speech in the House on 11th March, 2010 on the Budget and made categorically incorrect and misleading statement stating that the Reliance Company has been given 1500 acres of land at a cost of Rs. 370 crore in garb of giving employment, particularly when HSIIDC had acquired this land for the welfare of the people. He further stated that a four acres chunk of land out of this acquired land has been auctioned for Rs. 290 crore. He consequently alleged loss to the exchequer and fraud on account thereof. Besides it, he further asserted that the land of farmers was acquired in the name of 'SEZ' and they were told that they will be given bonus/annuity of

Rs. 10,000/- per acre per year. He further stated that even a rupee has not been paid till date to any farmer by way of such bonus/annuity. Whereas the above statement of Shri Om Prakash Chautala is factually and absolutely incorrect. Shri Om Prakash Chautala has made a false, misleading and incorrect statement in the House on both the afore-stated subjects. Shri Om Prakash Chautala made this statement wilfully, deliberately and knowingly to mislead this august House. This constitutes a matter of clear breach of privilege of the House. Thus, the matter of making false statement by Shri Om Prakash Chautala on the floor of the House on 11th March, 2010, which involves the question of Breach of Privilege/contempt of the House, be referred to the Committee of Privileges for examination and report by the first sitting of the next Session.

The Speaker gave his consent to the raising of this question of alleged breach of privilege and held that the matter proposed to be discussed is in order and asked the Hon'ble Member to ask for leave to raise the question of breach of privilege.

On the motion moved by Shri Aftab Ahmed, a member from the Treasury Benches for leave to raise the question of alleged breach of privilege, the Speaker requested those Members, who were in favour of the leave being granted to rise in their places and on a count of such Members having been taken, i.e. not less than 15, the Speaker declared that the leave was granted.

Thereafter, Shri Aftab Ahmed, M.L.A. moved-

That Shri Om Prakash Chautala delivered his speech in the House on 11th March, 2010 on the Budget and made categorically incorrect and misleading statement stating that the Reliance Company has been given 1500 acres of land at a cost of Rs. 370 crore in garb of giving employment, particularly when HSIIDC had acquired this land for the welfare of the people. He further stated that a four acres chunk of land out of this acquired land has been auctioned for Rs. 290 crore. He consequently alleged loss to the exchequer and fraud on account thereof. Besides it, he further asserted that the land of farmers was acquired in the name of 'SEZ' and they were told that they will be given bonus/annuity of Rs. 10,000/- per acre per year. He further stated that even a rupee has not been paid till date to any farmer by way of such bonus/annuity. Whereas the above statement of Shri Om Prakash Chautala is factually and absolutely incorrect. Shri Om Prakash Chautala has made a false, misleading and incorrect statement in the House on both the afore-stated subjects. Shri Om Prakash Chautala made this statement wilfully, deliberately and knowingly to mislead this august House. This constitutes a matter of clear breach of privilege of the House. Thus, the matter of making false statement by Shri Om Prakash Chautala on the floor of the House on 11th March, 2010, which involves the question of Breach of

Privilege/contempt of the House, be referred to the Committee of Privileges for examination and report by the first sitting of the next Session.

The motion was put and carried.

IV. WALK OUT

All the Members of the Indian National Lok Dal and Shiromani Akali Dal present in the House staged a walk out as a protest against referring the matter of alleged breach of privilege against Shri Om Prakash Chautala, to the Committee of Privileges.

V. MOTION UNDER RULE 15.

The Parliamentary Affairs Minister moved-

That the proceedings on the items of Business fixed for today be exempted at this day's sitting from the provisions of the Rule 'Sittings of the Assembly', indefinitely.

The motion was put and carried.

VI. MOTION UNDER RULE 16.

The Parliamentary Affairs Minister moved-

That the Assembly at its rising this day shall stand adjourned sine die.

The motion was put and carried.

VII. PAPERS LAID ON THE TABLE OF THE HOUSE.

By the Power Minister (From 1 to 18)

1. The Education and Languages Department Notification No. 1/50-2010-Admn.(2), dated the 28th January, 2010, as required under section 7 of the Haryana Official Language Act, 1969.
2. The Haryana Financial Corporation Notification regarding Revised General Regulations No. HFC/Gen-Regu./Letter/2009/6408, dated the 12th August, 2009, as required under section 48 A of the State Financial Corporations Act, 1951.
3. The Audit Report on the Accounts of Haryana Financial Corporation for the year ended 31st March, 2009, as required under section 37 (7) of the State Financial Corporations Act, 1951.
4. The Audit Report of the Haryana Labour Welfare Board for the year 2005-2006, as required under section 19-A (3) of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971.
5. The Audit Report of the Haryana Labour Welfare Board for the year 2006-2007, as required under section 19-A (3) of the Comptroller and Auditor General's (Duties, Powers and Conditions of Service) Act, 1971.
6. The 6th Annual Report of Haryana Power Generation Corporation Limited, Panchkula for the year 2002-2003, as required under section 619-A (3)(b) of the Companies Act, 1956.

7. The 7th Annual Report of Haryana Power Generation Corporation Limited, Panchkula for the year 2003-2004, as required under section 619-A (3)(b) of the Companies Act, 1956.
8. The 8th Annual Report of Haryana Power Generation Corporation Limited, Panchkula for the year 2004-2005, as required under section 619-A (3)(b) of the Companies Act, 1956.
9. The 9th Annual Report of Haryana Power Generation Corporation Limited, Panchkula for the year 2005-2006, as required under section 619-A (3)(b) of the Companies Act, 1956.
10. The 9th Annual Report of Uttar Haryana Bijli Vitran Nigam Limited for the year 2007-2008, as required under section 619-A (3)(b) of the Companies Act, 1956.
11. The Annual Report of Haryana Forest Development Corporation Limited for the year 2002-2003, as required under section 619-A (3)(b) of the Companies Act, 1956.
12. The Annual Report of Haryana Forest Development Corporation Limited for the year 2003-2004, as required under section 619-A (3)(b) of the Companies Act, 1956.
13. The Annual Report of Haryana Forest Development Corporation Limited for the year 2004-2005, as required under section 619-A (3)(b) of the Companies Act, 1956.
14. The Finance Accounts of the Government of Haryana for the year 2008-2009 in pursuance of the provisions of Clause (2) of Article 151 of the Constitution of India.
15. The Appropriation Accounts of the Government of Haryana for the year 2008-2009 in pursuance of the provisions of Clause (2) of Article 151 of the Constitution of India.
16. The Report of the Comptroller and Auditor General of India for the year ended 31st March, 2009 (Civil) of the Performance and Transaction Audit Government of Haryana in pursuance of the provisions of Clause (2) of Article 151 of the Constitution of India.
17. The Report of the Comptroller and Auditor General of India for the year ended 31st March, 2009 (Revenue Receipts) of the Government of Haryana in pursuance of the provisions of Clause (2) of Article 151 of the Constitution of India.
18. The Report of the Comptroller and Auditor General of India for the year ended 31st March, 2009 on State Finances Government of Haryana in pursuance of the provisions of Clause (2) of Article 151 of the Constitution of India.

VIII. PRESENTATION OF REPORTS OF THE ASSEMBLY COMMITTEES.

The Speaker, with the permission of the House, permitted the Chairpersons of various Committees to present the reports of the Committees as under:-

- (i) The Chairperson (Shri Sampat Singh) of the Committee on Public Accounts presented the Sixty Fourth Report of the Committee on Public Accounts for the year 2009-2010 on the Report of the Comptroller and

Auditor General of India for the year ended 31st March, 2004 (Civil & Revenue Receipts).

- (ii) The Chairperson (Shri Anand Singh Dangi) of the Committee on Public Undertakings presented the Fifty Sixth Report of the Committee on Public Undertakings for the year 2009-2010 on the Report of the Comptroller and Auditor General of India for the year 2005-2006 (Commercial).
- (iii) The Chairperson (Shri Ram Kishan Gujjar) of the Committee on the Welfare of Scheduled Castes, Scheduled Tribes & Backward Classes presented the Thirty Third Report of the Committee on the Welfare of Scheduled Castes, Scheduled Tribes & Backward Classes for the year 2009-2010.
- (iv) The Chairperson (Shri Ram Pal Majra) of the Committee on Government Assurances presented the Thirty Ninth Report of the Committee on Government Assurances for the year 2009-2010.

IX. LEGISLATIVE BUSINESS.

1. The Haryana Appropriation (No.1) Bill, 2010.

At 11.16 A.M., the Finance Minister introduced the Haryana Appropriation (No.1) Bill, 2010 and also moved-

That the Haryana Appropriation (No.1) Bill be taken into consideration at once.

The motion was put and carried.

The Bill was then considered clause by clause.

Clauses 2, 3, the Schedule, Clause 1, Enacting Formula and the Title were put one by one and carried.

The Finance Minister moved-

That the Bill be passed.

The motion was put and carried.

2. The Haryana Appropriation (No.2) Bill, 2010.

At 11.21 A.M., the Finance Minister introduced the Haryana Appropriation (No.2) Bill, 2010 and also moved-

That the Haryana Appropriation (No.2) Bill be taken into consideration at once.

Shri Parminder Singh Dhull, Shri Suhhash Chaudhary, Shri Krishan Lal Panwar, Dr. Hari Chand Middha, Col. Raghbir Singh, Shri Jagdish Nayyar and Master Dharampal Obra, Members from the Indian National Lok Dal, spoke for 3, 6, 6, 1, 3, 2 and 2 minutes, respectively.

Shri Anil Vij, a Member from the Bhartiya Janata Party, spoke for 6 minutes.

The motion was put and carried.

The Bill was then considered clause by clause.

Clauses 2, 3, the Schedule, Clause 1, Enacting Formula and the Title were put one by one and carried.

The Finance Minister moved-

That the Bill be passed.

The motion was put and carried.

3. The East Punjab War Awards (Haryana Amendment) Bill, 2010.

At 11.53 A.M., the Parliamentary Affairs Minister introduced the East Punjab War Awards (Haryana Amendment) Bill, 2010 and also moved-

That the East Punjab War Awards (Haryana Amendment) Bill be taken into consideration at once.

The motion was put and carried.

The Bill was then considered clause by clause.

Clauses 2, Clause 1, Enacting Formula and the Title were put one by one and carried.

The Parliamentary Affairs Minister moved-

That the Bill be passed.

The motion was put and carried.

4. The Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Bill, 2010.

At 11.55 A.M., the Parliamentary Affairs Minister introduced the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Bill, 2010 and also moved-

That the Punjab Scheduled Roads and Controlled Areas Restriction of Unregulated Development (Haryana Amendment) Bill be taken into consideration at once.

The motion was put and carried.

The Bill was then considered clause by clause.

Clauses 2, Clause 1, Enacting Formula and the Title were put one by one and carried.

The Parliamentary Affairs Minister moved-

That the Bill be passed.

The motion was put and carried.

5. The Haryana Fiscal Responsibility and Budget Management (Amendment) Bill, 2010.

At 11.58 A.M., the Finance Minister introduced the Haryana Fiscal Responsibility and Budget Management (Amendment) Bill, 2010 and also moved-

That the Haryana Fiscal Responsibility and Budget Management (Amendment) Bill be taken into consideration at once.

The motion was put and carried.

The Bill was then considered clause by clause.

Sub-Clause (2) of Clause 1, Clause 2, Sub-Clause (1) of Clause 1, Enacting Formula and the Title were put one by one and carried.

The Finance Minister moved-

That the Bill be passed.

The motion was put and carried.

6. The Haryana Special Economic Zone (Amendment) Bill, 2010.

At 12.00 Noon., the Power Minister introduced the Haryana Special Economic Zone (Amendment) Bill, 2010 and also moved-

That the Haryana Special Economic Zone (Amendment) Bill be taken into consideration at once.

Shri Om Prakash Chautala and Shri Ashok Kumar Arora, Members from the Indian National Lok Dal, spoke for 8 minutes and 1 minute, respectively.

Dr. Raghuvir Singh and Shri Naresh Kumar Badli, Members from the Indian National Congress, spoke for 1 minute each.

The Parliamentary Affairs Minister, by way of reply, spoke for 6 minutes.

The motion was put and carried.

X. WALK OUT

All the members of Indian National Lok Dal and a member of Shiromani Akali Dal present in the House staged a walk out as a protest against bringing the Haryana Special Economic Zone (Amendment) Bill, 2010.

Legislative Business (Resumption)

The Bill was then considered clause by clause.

Clause 2, Clause 3, Clause 1, Enacting Formula and the Title were put one by one and carried.

The Power Minister moved-

That the Bill be passed.

The motion was put and carried.

7. The Haryana Value Added Tax (Amendment) Bill, 2010.

At 12.21 P.M., the Finance Minister introduced the Haryana Value Added Tax (Amendment) Bill, 2010 and also moved-

That the Haryana Value Added Tax (Amendment) Bill be taken into consideration at once.

Shri Anil Vij, a Member from the Bhartiya Janata Party, spoke for 1 minute.

Shri Rampal Majra, a Member from the Indian National Lok Dal, also spoke for 1 minute.

The motion was put and carried.

XI. WALK OUT

During the discussion on this Bill, the members of the Indian National Lok Dal, Bhartiya Janata Party and a member of Shiromani Akali Dal requested the Government to withdraw this Bill and when the Government did not agree on this, then all members of above said parties present in the House staged a walk out as a protest against the Government not having agreed to withdraw this Bill.

Legislative Business (Resumption)

The Bill was then considered clause by clause.

Clause 2, Clause 3, Clause 1, Enacting Formula and the Title were put one by one and carried.

The Finance Minister moved-

That the Bill be passed.

The motion was put and carried.

8. The Haryana Dholidar, Butimar, Bhoneddar and Muqararidar (Vesting of Proprietary Rights) Bill, 2010.

At 12.26, P.M. the Parliamentary Affairs Minister introduced the Haryana Dholidar, Butimar, Bhoneddar and Muqararidar (Vesting of Proprietary Rights) Bill, 2010 and also moved-

That the Haryana Dholidar, Butimar, Bhoneddar and Muqararidar (Vesting of Proprietary Rights) Bill be taken into consideration at once.

Shri Vinod Sharma, Shri Kuldeep Sharma and Shri Bharat Bhushan Batra, Members from the Treasury Benches spoke for 5, 6 minutes and 1 minute respectively.

The motion was put and carried.

The Bill was then considered clause by clause.

Sub-Clause (2) of Clause 1, Sub-Clause (3) of Clause 1, Sub-Clause (4) of Clause 1, Clause 2, Sub Clause (1) of Clause 1, were put and carried.

The following amendment in Clause 3 was moved by the Parliamentary Affairs Minister-

Clause 3

That in third last line of Clause 3 (a), after the word “Muqararidar”, the words “or any other similar class or category of persons, which the State Government has notified in the Official Gazette”, be added.

was put and carried.

Clause 3, as amended, was put and carried.

Clauses 4 to 13, Enacting Formula and the Title were put one by one and carried.

The Parliamentary Affairs Minister moved-

That the Bill, as amended, be passed.

The motion was put and carried.

9. The Haryana Private Universities (Amendment) Bill, 2010.

At 12.46 P.M., the Education Minister introduced the Haryana Private Universities (Amendment) Bill, 2010 and also moved-

That the Haryana Private Universities (Amendment) Bill be taken into consideration at once.

Shri Sher Singh Barshami, a Member from the Indian National Lok Dal, spoke for 1 minute.

The Education Minister, by way of reply, spoke for 1 minute.

The motion was put and carried.

The Bill was then considered clause by clause.

Clause 2, Clause 3, Clause 4, Schedule, Clause 1, Enacting Formula and the Title were put one by one and carried.

The Education Minister moved-

That the Bill be passed.

The motion was put and carried.

10. Lala Lajpat Rai University of Veterinary and Animal Sciences Hisar Bill, 2010.

At 12.51 P.M., the Agriculture Minister introduced the Lala Lajpat Rai University of Veterinary and Animal Sciences Hisar Bill, 2010 and also moved-

That Lala Lajpat Rai University of Veterinary and Animal Sciences Hisar Bill be taken into consideration at once.

The motion was put and carried.

The Bill was then considered clause by clause.

Sub-Clause (2) of Clause 1, Clauses 2 to 56, Sub-Clause (1) of Clause 1, Enacting Formula and the Title were put one by one and carried.

The Agriculture Minister moved-

That the Bill be passed.

The motion was put and carried.

11. The Haryana Evacuee Properties (Management and Disposal) Amendment Bill, 2010.

At 12.54 P.M., the Parliamentary Affairs Minister introduced the Haryana Evacuee Properties (Management and Disposal) Amendment Bill, 2010 and also moved-

That the Haryana Evacuee Properties (Management and Disposal) Amendment Bill be taken into consideration at once.

The motion was put and carried.

The Bill was then considered clause by clause.

Sub-Clause (2) of Clause 1, Clause 2, Clause 3, Clause 4, Clause 5 were put and carried.

The following amendment in Clause 6 was moved by the Parliamentary Affairs Minister-

Clause 6

That in proviso to Clause 6, after the words, "Provided that", the word, "if" be added.

was put and carried.

Clause 6, as amended, was put and carried.

Sub-Clause (1) of Clause 1, Enacting Formula and the Title were put one by one and carried.

The Parliamentary Affairs Minister moved-

That the Bill, as amended, be passed.

The motion was put and carried.

XII. OFFICIAL RESOLUTION

The Education Minister moved the following resolution :-

“WHEREAS the Parliament enacted the Transplantation of Human Organs Act, 1994 (Central Act No. 42 of 1994), to provide for the regulation of removal, storage and transplantation of human organs for therapeutic purposes and for the prevention of commercial dealings in human organs and for matters connected therewith or incidental thereto;

AND WHEREAS certain shortcomings in the operation of the law have been noticed which require amendments in the Transplantation of human Organs Act, 1994 (Central Act No.42 of 1994);

AND WHEREAS the subject matter of law is relatable to entry 6 of the State List in the Seventh Schedule to the Constitution of India and the Parliament has no power to make laws for the States with respect to the aforesaid matters except as provided in Articles 249 and 250 of the Constitution of India, to facilitate organ transplantation in genuine case and to provide for deterrent punishment for illegal or commercial transaction in human organs;

NOW, THEREFORE, in exercise of the powers conferred by clause (2) of Article 252 of the Constitution of India, the House of the Legislature of the State of Haryana hereby resolves that a Bill to amend the Transplantation of Human Organs Act, 1994 (Central Act No. 42 of 1994) should be introduced in the Parliament to regulate the law in the State of Haryana.”.

The motion was put and carried.

The Sabha then adjourned sine die.

CHANDIGARH
DATED 16TH March, 2010

SUMIT KUMAR
SECRETARY.