

CHAPTER—11

Sittings of Rajya Sabha

Fixation of sittings

The Rajya Sabha sits on such days as the Chairman, having regard to the state of business of the Council, may from time to time direct.¹ Normally, the House sits on an average for about 80-90 days in a year. After a communication suggesting the dates for commencement and duration of the session is received from the Ministry of Parliamentary Affairs, the days on which the House is to sit for the transaction of Government and Private Members' Business are fixed under the orders of the Chairman.

On 6 March 1987 (the first part of the Budget session), some members raised a matter regarding progressive reduction in the duration of sittings of the Rajya Sabha. The issue arose in the context of the 141st Session which was scheduled to have only eighteen sittings. The Chairman closed the matter with the observation, "As far as I am concerned, I have decided that the Rajya Sabha will meet one week earlier than what is scheduled, when it meets after the recess for the second part of the Budget session."²

Accordingly, the House met for its 142nd Session on 13 April 1987.

Provisional Calendar of sittings

Alongwith the summons for a session, a Provisional Calendar of sittings showing the programme of sittings so fixed is issued to members. [However, when the Rajya Sabha was called for a brief two-day special session in 1977 (99th Session) and in 1991 (158th Session), no Provisional Calendar of sittings was issued]. The Provisional Calendar contains (i) the days on which the House is to sit; (ii) the days on which no sittings will be held either on account of holidays or otherwise; (iii) the nature of business to be transacted on each day of the sitting—whether Government or Private Members' (Bills or Resolutions); and (iv) allotment of days for answering questions pertaining to various Ministries of the Government which are classified into five groups to be taken up on specified days of the week.

During the period from 1952 to 1954, the Provisional Calendar of sittings used to indicate specific items of business *i.e.*, discussion on

President's Address, general discussion on the Budget, Private Members' Resolutions or Bills. Government business was indicated as Official Business.

The information concerning fixation of sittings alongwith information on various matters connected with the commencement of the session is also notified to members through a bulletin. Changes in the programme of sittings as shown in the Provisional Calendar of sittings and notified in the Bulletin may be made as and when necessary and announced by the Chairman in the House and notified in the bulletin.

After the Provisional Calendar of sittings for the 43rd Session was forwarded to the Ministry of Parliamentary Affairs, it was suggested that in order to give adequate time to members to discuss the Finance Bill, which was likely to be passed by the Lok Sabha on 23 April 1963, Friday, 26 April 1963, could be allotted for Government business and the Rajya Sabha could sit on Saturday, 27 April 1963, for private members' business. As the Chairman was abroad, his orders could not be obtained for the suggested change and the Provisional Calendar of sittings, as originally prepared, was circulated to members. On the Chairman agreeing to the Ministry's proposal, after his return from abroad, the change was notified to members through a Bulletin under the heading "Provisional Calendar of sittings for the Forty-third session—allotment of days for private members' business."³

After the issue of the Provisional Calendar of sittings for the 79th Session but before its commencement, the Minister of Parliamentary Affairs requested the Chairman to arrange for additional sittings on 18 and 25 March 1972, which were Saturdays. It was agreed and members were informed through a bulletin.⁴

Sitting on Saturday

Generally, the House sits through Mondays to Fridays. However, due to exigencies of work, the House sat on Saturdays on many occasions either on the recommendation of the Business Advisory Committee or by consensus in the House or on the suggestion of the Chairman or the Government. Sometimes, sittings fixed on Saturdays have also been cancelled. After Government's decision to observe a five-day week in the Central Government offices, the House met on Saturdays also on some occasions.

For instance, the House met on Saturday, 20 July 1991 (*in lieu* of Monday, being the day of *Muharram*); on 14 September 1991, 21 December 1991, 8 August 1992 (special sitting to commemorate 50th Anniversary of Quit India Movement); 26 August 1995 (extension

of the 174th Session); on 19 March 2005 during 204th Session; 27 August 2011 during 223rd Session to take up pending private members' business due to cancellation of sittings on 26 August 2011 and on 7 September 2013 due to further extension of 229th Session. However, the sitting fixed for Saturday, 5 May, 2007 to take up Government Legislative business was cancelled.

Observance of holidays

The Rajya Sabha observes all regular and *ad hoc* public holidays as declared by the Government of India.

On 13 May 1957, however, which was a holiday on account of *Buddha Purnima*, the President addressed both the Houses and a separate sitting of the Rajya Sabha was held on that day.

In fixing the sittings, restricted holidays in the Government of India offices are, however, not taken into account and sittings may be fixed on those days.

Besides, there are certain other holidays which are observed by the House irrespective of the fact that any of them may not be a public holiday for the Government of India offices. Ordinarily, no sittings are fixed on those days and if already fixed, these may be cancelled. Such holidays are enumerated below:

(i) *Raksha Bandhan*

On 5 August 1952, when the House met at 8.15 a.m., it was suggested that the House should adjourn on account of *Raksha Bandhan*. The Chair agreed that the House should adjourn for half-an-hour at 9.30 a.m. and resume at 10.00 a.m. "So as to show our sympathy with the general attitude" *i.e.* as a taken of regard for the national festivity. The House adjourned and reassembled accordingly.⁵

On 24 August 1953, which was the first day of the 4th Session, after Question Hour, the House, by consensus, was adjourned on account of *Raksha Bandhan*.⁶

The sitting fixed for 21 August 1956 was cancelled on account of *Raksha Bandhan*.⁷ However, the Rajya Sabha sat on 29 August 1958 and 18 August 1959, which were *Raksha Bandhan* days.

In subsequent years *Raksha Bandhan* was declared either a public holiday or the House had no sitting otherwise.

(ii) *May Day (1 May)*

The General Purposes Committee recommended that the Rajya Sabha should observe May Day as a holiday and may not hold any sitting on 1 May every year. The decision was given effect to from 1973 (84th Session).⁸

(iii) *Guru Ravidas Birthday*

On 18 February 1981, when the House met, a point was raised regarding observance of a holiday on account of birthday of Guru Ravidas on that day. After some discussion, the House was adjourned at 11.06 a.m.⁹

A sitting of the Rajya Sabha was originally fixed for 24 February 1986 (birthday of Guru Ravidas), in the Provisional Calendar of sittings. In view of the precedent of 1981 and Chairman's direction, the sitting fixed for that day was cancelled and members were informed through a parliamentary bulletin.¹⁰

(iv) *Maha Shivaratri*

On 11 February 1964, the House adjourned for the rest of the day at 1.30 p.m. on account of *Maha Shivaratri* as per the consensus in the House.¹¹ The House decided not to sit on 6 March 1970 on account of *Maha Shivaratri*.¹² However, on a request made by the Government, a sitting was fixed (at 6.30 p.m.) on 29 February 1984, which was *Maha Shivaratri*, for laying of the Budget.¹³ In subsequent years *Maha Shivaratri* was declared either a public holiday¹⁴ or the House had no sitting otherwise.

(v) *Vaisakhi*

There have been only five occasions when *Vaisakhi* fell during the sessions. No sittings were held on 13 April 1953 and 13 April 1955 which happened to be *Vaisakhi* days as 13 April was already a closed holiday during these years. In 1960 and 1972, on 13 April the House sat. On 14 April 1987, no sitting was fixed on account of *Vaisakhi*/Dr. B.R. Ambedkar's Birth Anniversary, although it was not a public holiday.

(vi) *Ram Navami*

All the days when *Ram Navami* fell during the sessions in 1955 (1 April 1955), 1956 (19 April 1956), 1966 (31 March 1966), 1969 (27 March 1969), 1972 (23 March 1972) and 1980 (24 March 1980), were public holidays. On 29 March 1977, which was *Ram Navami*, it was not a public holiday. A sitting of the House was fixed for that day. However, on 28 March 1977, the House decided to cancel the sitting fixed for 29 March 1977.¹⁵

Whenever a date of any holiday is changed during the session, the matter of holding a sitting or otherwise on such a day is decided by the House itself or is placed before the Business Advisory Committee, if practicable, or a decision is taken by the Chairman.

Originally, 13 June 1962, was declared a holiday on account of *Muharram*. So the Rajya Sabha was summoned to meet on 14 June 1962, by an Order of the President dated 17 May 1962. However, on 11 June 1962, Government issued a communication changing the holiday on account of *Muharram* from 13 June to 14 June. As at that stage, it was not possible to change the date of commencement of the Rajya Sabha session, the House met as scheduled. On a representation from members and a general wish, the House was adjourned that day on account of *Muharram* without transacting any business.¹⁶

Originally, no sitting was fixed for 11 December 1969, due to *Eid*. *Eid* day was changed to 12 December 1969. However, the House sat on 12 December 1969, as scheduled and thereafter adjourned 17 minutes later.¹⁷

In case it is decided to observe any such day as a holiday requiring cancellation of a sitting, then, as recommended by the Business Advisory Committee, a sitting of the House *in lieu* thereof may be fixed on any other day of the week on which a sitting has not already been fixed.

The holiday on account of *Id-ul-Zuha* was changed from 27 to 28 February 1969. The sitting fixed for 28 February was, therefore, advanced to 27 February 1969. However, due to the Budget, the House met at 6.15 p.m. on 28 February 1969.

The holiday on account of *Muharram* was advanced from 12 December to 11 December 1978. The House accordingly sat on 12 December instead of 11 December and the business including Questions originally listed for 11 December were taken up on 12 December.¹⁸

In view of the holiday on account of *Eid* on 13 August 1980 and to enable Muslim members to return after *Eid* celebration, the sitting fixed for 14 August 1980 was cancelled and instead the House sat on 18 August 1980.¹⁹

The holiday on account of *Id-ul-Zuha* was advanced from 6 August to 5 August 1987. The sitting fixed for 5 August 1987, was cancelled and the House sat on 6 August 1987, as recommended by the Business Advisory Committee.²⁰

Non-fixation of sittings on occasions

Apart from Saturdays, Government holidays and other holidays mentioned earlier when sittings were not fixed in the past, sittings were also not fixed due to some special circumstances.

During the 125th Session, the Ministry of Parliamentary Affairs requested the Chairman not to fix any sittings from 7 March to 10 March 1983,

in view of the Seventh Summit of the Non-Aligned Movement (NAM) to be held in New Delhi. The Chairman agreed to and the Provisional Calendar of sittings as also the commencement Bulletin showed “No Sitting” on these days without mentioning the reason thereof.²¹ Similarly, during the 128th Session, no sittings were fixed from 23 November to 30 November 1983, in view of the Commonwealth Heads of Government Meeting (CHOGM) to be held in New Delhi.²²

During the 148th Session on the suggestion of the Ministry of Parliamentary Affairs no sittings were fixed from 7 November to 11 November 1988, to enable members to celebrate *Diwali* with their constituents. The Provisional Calendar of sittings as also the commencement Bulletin showed “No Sitting” on these days without mentioning any reason. The sitting for Monday, 14 November 1988, was also cancelled as announced by the Chairman in the House.²³

Cancellation of sittings

A sitting already fixed may also be cancelled. The need for the cancellation of a sitting may arise when there is no further business to be transacted or for any other unspecified reason. There have been numerous instances when sittings had been cancelled on the recommendation of the Business Advisory Committee or on the suggestions made in the House or by the Chairman in view of certain circumstances/reasons.

The Deputy Chairman announced in the House on 28 March 1953 that there would be no sittings of the House from 30 March 1953 to 8 April 1953.²⁴

As recommended by the Business Advisory Committee on 5 March 1981, the House was to meet on Saturday, 14 March 1981 to complete the Government Business. However, on 10 March 1981 the Leader of the House announced that the House need not sit that day “because of certain problems”. Accordingly, the programme of business was rescheduled.²⁵

During the 124th Session, 26, 27 and 28 October 1982, were declared as holidays on account of *Dussehra* and *Muharram*. 1 November 1982 was also a holiday on account of Guru Nanak’s birthday. Sittings fixed for Monday, 25 October and Friday, 29 October 1982, were cancelled as recommended by the Business Advisory Committee; consequently the House had a continuous break from Saturday, 23 October 1982 to Monday, 1 November 1982.²⁶

During the 125th Session, as already stated, no sittings were fixed on 7, 8, 9 and 10 March 1983, in view of the Non-Aligned Movement (NAM) Summit in Delhi. Sitting for Friday, 11 March 1983, was cancelled, as recommended by the Business Advisory Committee; consequently the House had a continuous break from 5 to 13 March 1983.²⁷

During the 148th Session, the Deputy Chairman, while announcing the extension of the session upto 20 December 1988, informed that after the House adjourned on 7 December 1988, it would reassemble on 16 December 1988; consequently, the House had a continuous break of eight days.²⁸

During the 149th Session, three sittings on 20, 21 and 23 March 1989 were cancelled; consequently, the House had a continuous break of ten days.²⁹

During the 199th Session, the sitting of the House fixed for 11 August 2003 was cancelled.³⁰

Similarly, during 228th Session, the sittings fixed for 9 and 10 May 2013 were cancelled for non-transaction of business due to continuous interruptions in the House.³¹

Some special reasons which led to cancellation of sittings had been:

After the passing away of Pandit Jawaharlal Nehru, Prime Minister was announced on 27 May 1964, the House was adjourned to meet on 28 May 1964. Later, the Chairman cancelled the sitting and directed that the next sitting would be held on 29 May 1964.³²

Sitting of the House on 12 July 1982 was cancelled in view of the Presidential election, as recommended by the Business Advisory Committee.³³

After the demolition of the Babri Masjid structure at Ayodhya on 6 December 1992, the Chairman adjourned the House on 9 December 1992 till 15 December 1992. The sittings fixed for 10, 11, 14 and 15 December 1992 were, accordingly, cancelled.³⁴

The Chairman announced cancellation of sitting for 9 August 1993, to enable members to participate in the Quit India Movement celebrations and pay homage to martyrs of our freedom movement.³⁵

As recommended by the Business Advisory Committee, sittings fixed for Friday, 11 and Monday, 14 August 1995, were cancelled; 10 August 1995, was a holiday on account of *Raksha Bandhan*. Thus, there was a continuous mid-session recess from 10 to 15 August 1995.³⁶

Sittings of the House fixed for 16 and 17 April 2003 were cancelled on recommendations of the Business Advisory Committee.³⁷

During 204th Session, the sitting fixed for 18 April 2005 was cancelled on account of *Ram Navami*. The House reassembled on 19 April 2005.³⁸

Sometimes *ad hoc* holidays are declared which may also necessitate cancellation of sittings fixed on those days. The decision to cancel such

a sitting is taken by the Chairman, ordinarily on the recommendation of the Business Advisory Committee.

The Minister of Parliamentary Affairs during a meeting of the leaders of the Opposition with the Speaker of Lok Sabha announced that a request was made for declaring 14 November 1974, a closed holiday for that House. Thereupon, the Rajya Sabha also decided to have a holiday that day.³⁹

The sitting fixed for 9 May 1986, was cancelled due to the declaration of a national holiday on account of the 125th Birth Anniversary of Gurudev Rabindranath Tagore, as recommended by the Business Advisory Committee.⁴⁰

On 4 November 1988, it was announced in the House that there would be no sitting on 14 November 1988, on account of the 99th Birth Anniversary of Pandit Jawaharlal Nehru.⁴¹

Consequent on the declaration of holidays on 31 January 1980, and 3 October 1990, on account of the Birthday of Prophet Mohammad, sittings fixed for those days were cancelled.⁴²

Cancellation of a sitting may sometimes necessitate extension of the session or holding of an additional sitting on a Saturday or prolonged sittings during the session and skipping of lunch-break, in order to complete essential business. A decision in the matter is generally taken on the basis of the recommendation of the Business Advisory Committee or consensus in the House.

The Business Advisory Committee recommended that sittings of the House on Thursday, 25 August and Friday, 26 August 1988, be cancelled and the House should sit during the lunch hour and also sit late every day till the end of the session as and when necessary.⁴³

The 156th Session was scheduled to terminate on 8 January 1991. It was announced in the House that there would be no sittings on 31 December 1990 and 1 January 1991 and instead the House would have sittings on 9 and 10 January 1991. The session was further extended upto 11 January 1991.⁴⁴

As recommended by the Business Advisory Committee, sitting for 22 July 1991 was cancelled and instead the House sat on Saturday, 20 July 1991.⁴⁵

The Business Advisory Committee recommended that the sitting of the House on 26 March 1993, be cancelled and the House should sit upto 8.00 p.m. and beyond, if necessary, each day from Monday, 22 March 1993 till 31 March 1993 and dispense with the lunch hour during the remaining part of the session.⁴⁶

Time of commencement of a sitting

A sitting of the House commences at such hour as the Chairman may direct.⁴⁷ Along with the summons, members are informed through the first general Bulletin about the normal timings of the commencement of a sitting and its scheduled conclusion during the session, unless the Chairman otherwise directs. While adjourning the House for the day, the Chairperson also announces the date and hour of the commencement of the next sitting. This is also indicated in the verbatim record of the day's proceedings and the Parliamentary Bulletin Part-I. Through a paragraph in the first Bulletin of every session, members are informed about the time of sittings of the Rajya Sabha during the session.

In the past, the hour of commencement of sittings varied and only after experimentation, the present hour of commencement of the sitting has been evolved, as may be seen from the following instances:

First session (1952): On 13 May 1952 and 16 May 1952, the House met from 10.45 a.m. to 1.30 p.m. and from 3.30 p.m. to 5.00 p.m. On 19 May 1952, the Leader of the House suggested that the House should sit only in the morning at a stretch for four hours and three quarters of an hour instead of twice a day. This was agreed to and the Chairman announced that from the next day, the House would meet from 8.15 a.m. to 1.00 p.m.⁴⁸ This was generally adhered to during that session. However, on 22 May 1952, the House met at 9.45 a.m. for a while; on 23 May 1952 at 5.30 p.m. for the Budget and on 29 May 1952 from 4.00 p.m. to 8.00 p.m. since many Ministers were required to be present in the other House.⁴⁹ From 4 to 12 August 1952, it met from 8.15 a.m. to 1.00 p.m. and from 3.00 p.m. or 3.30 p.m. to 6.00 p.m.

Second session (1952): During the second session, the House generally sat from 10.45 a.m. daily except for a week or so in December when it sat from 10.00 a.m.⁵⁰ At the sitting of the Rajya Sabha on 27 November 1952, a suggestion was made to hold the daily sitting of the House continuously for about four hours and three quarters of an hour instead of in two parts.⁵¹ There was, however, no unanimity on the score. The suggestion was repeated after a few days but was not agreed to.⁵² The House decided that with effect from 16 December 1952, it would sit from 10.00 a.m. to 1.00 p.m. and from 2.30 p.m. to 6.00 p.m. every day.⁵³

Third session (1953): During the third session, in the early days, the House generally met from 2.00 p.m. to 7.30 p.m. at a stretch except on 11 February 1953, when it met at 4.00 p.m. after the President's Address at 2.00 p.m. that day; on 27 February 1953, it met at

6.00 p.m. for the Budget; on 6 March 1953, it met at 2.30 p.m. and on the next day which was a Saturday, it met from 9.00 a.m. to 1.00 p.m. During the latter part of the session, from 14 April 1953, the House met from 8.15 a.m. to 1.15 p.m.⁵⁴

Fourth session (1953): The House generally met from 8.15 a.m. to 1.15 p.m. everyday.

Fifth session (1953): The House met daily from 1.30 p.m. to 6.30 p.m.

Sixth session (1954): During the first part, the general timing of the House was from 2.00 p.m. to 7.00 p.m. except on 15 February 1954 (Saturday), when the House met at 2.45 p.m. for the Budget and on 16 March 1954, it met at 1.00 p.m. for the Hindu Marriage Bill. During the second part of the session the House reverted to the timing of 8.15 a.m. to 1.15 p.m.⁵⁵ except on 19 April 1954, when it met at 2.00 p.m.

Seventh session (1954): From 23 August 1954 to 8 September 1954, the House continued to adhere to the timing of the previous session, namely, from 8.15 a.m. to 1.15 p.m. From 10 September 1954, the House switched over to the new timings *i.e.*, from 11.00 a.m. to 1.00 p.m. and 2.30 p.m. to 5.00 p.m.⁵⁶

It may thus be seen that for nearly first three years, the House tried various timings for the commencement of its sittings and settled on the present timing of commencement at 11.00 a.m. with effect from 10 September 1954. In the subsequent sessions, there have been a few deviations or variations from this timing for specific purposes or occasions or in exceptional circumstances.

On 23 and 24 December 1955, the House sat from 10.00 a.m. to discuss the States' Reorganisation Commission Report.

On 13 May 1957, the House met at 9.30 a.m. to enable the newly elected members to make oath/affirmation before the President's Address that day and then adjourned at 9.59 a.m. for President's Address and reassembled thereafter.

On 31 May 1957, it met from 3.00 p.m. as the Essential Commodities (Amendment) Bill, 1957, was to be received from the Lok Sabha only towards the afternoon that day. Next day, the House met from 8.00 a.m. to 12.57 p.m. due to the meeting of the AICC.

On 2 December 1957, the House met at 2.30 p.m.

On 9 December 1959, the House met at 10.00 a.m. for the reply of the Prime Minister to the discussion on the Motion on India-China relations moved on 8 December 1959. On 22 December 1959, also it met at 10.00 a.m.

From 26 November to 8 December 1962, the House met from 12.00 noon. The Business Advisory Committee, however, recommended that with effect from 10 December 1962, the House should meet from 11.00 a.m. to 1.00 p.m. and 2.00 p.m. to 5.00 p.m.

From 9 to 24 September 1965, the House met from 10.00 a.m. to 4.00 p.m. due to war with Pakistan and blackouts. A suggestion that the House should meet from 10.30 a.m. to 1.30 p.m. or 2.30 p.m. so that Government might be in a position to attend to the business arising out of war was not received favourably.⁵⁷

Pakistan attacked India on the evening of 3 December 1971. The House decided on 4 December 1971 that the time of sittings of the House with effect from 6 December 1971, would be from 10.00 a.m. to 1.00 p.m. and there would be no Question Hour and Calling Attention during the remaining part of that session. On 20 December 1971, however, the House decided to revert to old timings *i.e.*, 11.00 a.m. to 1.00 p.m. and 2.00 p.m. to 5.00 p.m. from 21 December 1971 till the end of the session *i.e.* 24 December 1971.

Time of commencement of sittings on some special occasions

While the general time for commencement of a sitting, as mentioned earlier, is at 11.00 a.m., there are some special days when the House meets at other time:

(i) *On the day of the President's Address*

As already stated, a separate sitting of the Rajya Sabha is held half-an-hour after the President's Address. Necessary intimation in this regard is given to members through the Provisional Calendar of sittings as well as Parliamentary Bulletin Part-II.

(ii) *On the Budget day*

The Union Budget is presented to the Lok Sabha and a copy thereof is laid on the Table of the Rajya Sabha normally on the last day of February every year. Earlier, if that day happened to be a working day, the House used to get adjourned much before 5.00 p.m. to enable members to listen to the Finance Minister's speech in the Lok Sabha from the earmarked Rajya Sabha Members' Gallery in the other House. Thereafter, Rajya Sabha used to reassemble for a couple of minutes for laying of the Budget on the Table.

On 28 February 1961, the House sat from 11.00 a.m. to 1.00 p.m. and adjourned to meet again at 6.15 p.m. for the Budget. However, on 14 March 1962, the House continued its sitting without adjournment till the Budget was laid on the Table.⁵⁸

However, a departure was made from the past practice in 1999 when the Finance Minister presented the Budget in the Lok Sabha for 1999-2000 at 11.00 a.m. and laid a copy of it on the Table of the Rajya Sabha at 1.10.p.m.⁵⁹ Since then the new practice is being followed. However, in the year 2000, the Budget was presented in the Lok Sabha at 2.00 p.m. and laid on the Table of the Rajya Sabha at 4.13 p.m. on 29 February. On the Budget day, the Rajya Sabha assembles only after presentation of the Budget in the Lok Sabha is over, to enable the Finance Minister to lay the Budget on the Table. The House assembles specifically for the purpose and is adjourned after laying of the Budget. When a Budget Session commences later than its usual date, both the Railway and General Budgets are presented on any day, which may be convenient to the Government. In an election year, the Budget is generally presented twice—first to secure a Vote on Account for a few months and later in full. The second, *i.e.* the full-fledged Budget is presented, on any day, as may be convenient to the Government formed after the election.⁶⁰

The time for laying of the Budget in the House is intimated to members in advance through the Provisional Calendar of sittings, Bulletin Part-II and List of Business. The Chairperson also announces while adjourning the House the previous day or on the day of the Budget if it is otherwise sitting, the time when the House will meet or meet again, as the case may be, for the Budget. However, if delay is likely to take place in meeting the House at the previously appointed time on account of the longer time being taken by the Finance Minister's speech in the Lok Sabha, the House meets soon after the speech is concluded in the other House instead of at the previously appointed time; no announcement of the new time of the meeting of the House is generally made.⁶¹

(iii) *On Martyrs' Day*

There have been only four occasions when the House has met on 30 January, which is observed all over the country as Martyrs' Day. In 1976 and 1980, the House met on 30 January as per usual time at 11.00 a.m. and commenced its proceedings with the observance of silence for two minutes in memory of those who sacrificed their lives in the struggle for India's freedom. However, on 30 January 1985, the House met a minute earlier, *i.e.* 10.59 a.m. for the observance of silence at 11.00 a.m. On 30 January, 2004, the House met at 2.00 p.m. and commenced its proceedings with playing of National Anthem followed by observance of silence.

(iv) *On 50th anniversary of the first sitting of the Constituent Assembly*

On 9 December 1996, the House met at 3.00 p.m., as a function to commemorate the Fiftieth Anniversary of the first sitting of the Constituent Assembly was held in the morning on that day in the Central Hall.

Mode of commencement of a sitting

A sitting of the House is duly constituted when it is presided over by the Chairman or a member competent to preside over a sitting of the House under the Constitution or the Rules of Procedure and Conduct of Business in the Rajya Sabha.⁶² It is, therefore, essential that either the Chairman or the Deputy Chairman or a member on the panel of Vice-Chairmen, nominated by the Chairman under rule 8 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, presides over the House at the hour fixed for the commencement of a sitting and also so long as the sitting continues. Generally, either the Chairman or the Deputy Chairman presides at the commencement of the sitting of the House. However, in the absence of both, on occasions, one of the Vice-Chairmen also presides at the commencement of a sitting.⁶³

Before any of the Presiding Officers takes the Chair at the commencement of a sitting, the Marshal of the House ensures that there is a quorum in the House. If there is no quorum, the bell is rung till there is quorum in the House.

The Marshal announces to the House the arrival of the presiding officer by his designation in Hindi thus: माननीय सभासदों, माननीय सभापति जी/उप सभापति जी/उपाध्यक्ष जी (Hon'ble Members, Hon'ble Chairman/Deputy Chairman/ Vice-Chairman). All present in the House stand up. The presiding officer enters from the Chairman's Chamber which is just behind the Chair and greets the House and takes the seat. Members respond to his greetings and take their seats. With the quorum in the House and the Presiding Officer in Chair, the sitting of the House commences. Then the presiding officer proceeds with the business for the day as listed in the list of business. The same practice is followed when the House reassembles after the lunch-recess/adjournment of the House during the course of its sitting.

Quorum for a sitting

Clauses (3) and (4) of article 100 of the Constitution provide as follows:

- (3) Until Parliament by law otherwise provides, the quorum to constitute a meeting of either House of Parliament shall be one-tenth of the total number of members of the House.
- (4) If at any time during a meeting of a House there is no quorum, it shall be the duty of the Chairman or Speaker, or person acting as such, either to adjourn the House or to suspend the meeting until there is a quorum.

The Constitution (Forty-second Amendment) Act, 1976, *inter alia*, omitted the above mentioned Provisions of article 100 and also amended article 118(1) enabling each House to make suitable rules including the quorum to constitute a meeting of the House.⁶⁴ However, the relevant amendments made under the above Act were subsequently omitted by the Constitution (Forty-fourth Amendment) Act, 1978.⁶⁵

The total membership of the Rajya Sabha is 245, so the presence of 25 members *i.e.* one-tenth of the total number of members of the House is the quorum sufficient to constitute its meeting. Since the Chairman of the Rajya Sabha is not a member of the House, he is not counted for the purposes of quorum.

After the commencement of a sitting, the Chair presumes that there is quorum in the House until his/her attention is drawn to the lack of quorum. When a question of lack of quorum is raised, it is the duty of the Presiding Officer to direct that the quorum bell be rung. If there is quorum within the ringing of the bell, or if necessary, within the ringing of the bell second time, as the Chair may direct,⁶⁶ the business of the House proceeds. Otherwise, the House is adjourned either for a short while till there is quorum or for the rest of the day, depending on the circumstances.

This is the general practice followed regarding quorum in the House. However, there have been a few variations from this practice. Sometimes, when a question of quorum was raised reference was made to the convention in the House not to insist on quorum; in spite of the quorum bell ringing, a member who had the floor at the time was asked/allowed to continue; at other times the proceedings were suspended and the House was adjourned for want of quorum. Some instances are given below:

(a) Reference to convention

When a question of quorum was raised, the Chair observed, "If you insist on the quorum, I will have no objection to ring the quorum bell. But the convention is that quorum question is not insisted." Thereafter, the member did not insist but stated that his purpose was to focus attention on the responsibility of the Treasury Benches (to maintain quorum).⁶⁷

When the Prime Minister was about to make a statement on his Nepal visit, a question of quorum was raised. Bells were not rung. The Deputy Chairman made a count of members present and referred to the convention of not raising a question of quorum. However, the House was adjourned at 5.47 p.m.⁶⁸

When a member pointed out that there were hardly fifteen members present during the discussion on the Railway Budget, the Vice-Chairman observed, "It is the convention of the House that even without quorum, we can run the business."⁶⁹

(b) Quorum bell not rung

When the House reassembled after the lunch-break a member pointed out that there was no quorum. There were just twenty-one members present in the House. Another member stated that it was a privilege of the Chair not to see that there was not a quorum and the Chair should exercise that privilege. At that stage some members entered the Chamber and the Deputy Chairman declared that there was quorum.⁷⁰

When a question of quorum was raised, bell was not rung and the business proceeded due to understanding amongst leaders to complete the discussion on the Appropriation Bill and also the Chair requested that members should co-operate.⁷¹

When a question of quorum was raised, the Deputy Chairman suggested that the House could adjourn. While one member objected, another member agreed to the House being adjourned. No bell was rung and the House proceeded with the business.⁷²

(c) Adjournment without ringing bell

When it was ascertained that there was no quorum, the House was adjourned for the rest of the day at 4.14 p.m.⁷³

A member, on a point of order, referring to only fourteen members present in the House, asked if there was quorum in the House. After another member who was speaking concluded her speech, the Vice-Chairman stated that the question of quorum had been raised; he had no other alternative but to adjourn the House and the Minister concerned would reply at the next sitting. The House was adjourned at 5.14 p.m.⁷⁴

When there was some controversy whether the House should continue to sit beyond 8.00 p.m., the member who was objecting to such continuance raised the question of quorum by saying that the House should not proceed with the business because there was no quorum and if the House proceeds, it would be unlawful. The Deputy Chairman then adjourned the House at 8.12 p.m.⁷⁵

At the fag-end of the sitting, a member pointed out that there were only six members present and although he stated that he was not raising the question of quorum, he requested "If there are not sufficient members, after ten minutes, the House should be adjourned." As there were no more speakers, the Chair adjourned the House for the day.⁷⁶

(d) Suspension of proceedings/sitting or adjournment for the rest of the day

When the clause-by-clause consideration of the Armed Forces (Special Powers) Continuance Bill, 1967 was taken up, a question of quorum

was raised. The bell was rung. Thereafter, the Vice-Chairman declared that there was no quorum and without proceeding further adjourned the House at 6.38 p.m.⁷⁷

After the quorum bell was rung and there was no quorum, a member suggested that as there was not going to be any voting, the House could go on without quorum. The Deputy Chairman observed that since the question of quorum was raised, the bell had to be rung. Thereafter, the Deputy Chairman, adjourned the House for ten minutes to see if there was quorum. When the House reassembled a count of members present was taken and as there was lack of quorum, the Deputy Chairman adjourned the House for the rest of the day at 4.14 p.m. This came to the notice of the Chairman who, at the next sitting, made the following observation:

I notice that for the first time during these seven or eight years our House had to suspend business on Friday the 11 December 1959 for lack of quorum. Membership of the Rajya Sabha is an honour and a distinction. It also carries with it responsibilities and obligations. If you do not carry out the latter, you damage your honour and your distinction.⁷⁸

When the third reading of the Armed Forces (Assam and Manipur) Special Powers (Amendment) Bill, 1972 was about to be taken up, a question of quorum was raised. After taking the physical count, the Chair adjourned the House at 4.25 p.m. till 4.45 p.m.⁷⁹

On a question of quorum being raised, bell had to be rung. As there was no quorum, the House was adjourned at 12.08 p.m. till 2.30 p.m. The Chair observed, "No business can be transacted...because there is no quorum..."⁸⁰

On 4 August 1994, a member raised the question of quorum. When another member stated that it was quite okay, the Deputy Chairman observed, "It is for the Chair to decide whether there is quorum or not. We cannot function until there is quorum... After all, the House should be run in order... If a member shakes the conscience of the members who are not here, then we have to listen to him." When another member, on a point of order, asked whether in a situation when a major chunk of the members (whole Opposition) had boycotted—not attending the House (on the issue of Action Taken Report on the Report of JPC on Securities Scam)—it was necessary to consider the question of quorum, the Deputy Chairman observed, "The responsibility of quorum is of the Government." Business then proceeded after there was quorum in the House.⁸¹

On Friday, 8 December 1995, the House was adjourned at 11.12 a.m. to meet at 2.00 p.m. After ringing quorum bell when it was found that there was no quorum in the House, the Secretary-General made the

announcement, "Hon'ble members, under the directions of the hon'ble Deputy Chairman, I hereby announce that the House, for lack of quorum, does not meet now, and will meet at 11.00 a.m. on Monday, 11 December 1995."⁸²

(e) Continuance of proceedings while quorum bell on

When a question of quorum was raised, the bell was rung but the member speaking was allowed to continue for 4-5 minutes before the House was adjourned for the day for lack of quorum.⁸³

When a question of quorum was raised while a member was speaking, another member enquired as to how that member could speak when there was no quorum. The Chair observed that the bell was ringing. The hon'ble member could carry on.⁸⁴

Similarly on another occasion, the Minister was permitted to continue his speech while the quorum bell was ringing.⁸⁵

When a question of quorum was raised, the bell was ordered to be rung and the member who was speaking was permitted to conclude his speech. When another member stated that the proceedings could not continue without the quorum, the Deputy Chairman pointed out that the quorum bell had been rung. On this occasion the quorum bell had to be rung several times and whenever the quorum was challenged, the Chair declared that there was quorum. Objection was raised to the continuance of proceedings in the absence of quorum and ringing of bell many times.⁸⁶ The next day, a member raised the matter pertaining to these proceedings. His contention was that nothing that was said between the time of ringing of quorum bell and the Chair's declaration about the quorum should go on record and the proceedings should have stopped. If there was no quorum when the count was taken after the stoppage of quorum bell, the House either should be adjourned till a particular time or for the rest of the day. The Deputy Chairman responded by saying that he had already declared that there was quorum during that time and advised the member to give his objections in writing or discuss the matter with him in his Chamber. "These are not things which should be raised in the House without notice and without telling us," he said.⁸⁷

Lunch-recess

During the early years, the Rajya Sabha used to observe lunch-break generally for one and a half hours. The Business Advisory Committee at its meeting held on 22 April 1963, recommended that the House should observe lunch-break from 1.00 p.m. to 2.00 p.m. At its meeting held on 8 August 1985, the Committee recommended that with effect from Monday, 12 August 1985, the House should observe lunch-break from 1.30 p.m. to

2.30 p.m. At the meeting held on 14 August 1985, the Committee recommended that the existing practice of observing lunch-break on Fridays from 1.00 p.m. to 2.30 p.m. should continue. This was reiterated by the Committee at its meeting held on 21 November 1985.⁸⁸

The Rules Committee recommended that the time of sitting of the House should be fixed from 11.00 a.m. to 1.00 p.m. and 2.00 p.m. to 5.00 p.m., instead of from 11.00 a.m. to 1.30 p.m. and 2.30 p.m. to 5.00 p.m. In other words the Committee recommended that the lunch-recess should be from 1.00 p.m. to 2.00 p.m.⁸⁹ This recommendation of the Committee was given effect to from the 174th Session (July-August 1995).

In pursuance of rules 11 and 13 of the Rules of Procedure and Conduct of Business in the Council of States (Rajya Sabha) the Chairman has directed that from 233rd Session onwards, the time of a sitting of the Council shall be from 11.00 a.m. to 1.00 p.m. and from 2.00 p.m. to 6.00 p.m. except on Fridays when the House will reassemble after lunch at 2.30 p.m.⁹⁰

However, there have been a number of instances when the House has decided, generally on the recommendation of the Business Advisory Committee, or by a consensus in the House, to dispense with lunch-break to provide additional time for transaction of Government and other business.

On an occasion when there was no consensus as to whether the House should adjourn for lunch or sit through without a break, a member moved a motion: "the House shall continue to work without lunch-recess." The motion was adopted but thereafter there was pandemonium and the House had to be adjourned for fifteen minutes.⁹¹

There have also been occasions when due to controversies or noisy scenes which require to be sorted out or to be amicably settled by discussion amongst leaders of parties/groups or due to some special circumstances, the Chair had to adjourn the House earlier than the scheduled time for lunch-recess.⁹²

Adjournment/Suspension of sitting for a while

Apart from lunch-break, a sitting may also be adjourned for a while in pursuance of rule 257 of Rules of Procedure and Conduct of Business in the Council of States in case of grave disorder arising in the House⁹³ or for want of quorum; or death of a member or a Minister or an outstanding personality.

There have been occasions when the House has also been adjourned for a while due to absence of a Minister.⁹⁴

On 16 December 1952, immediately after laying of papers, the Chairman informed the House that the Prime Minister would not be able to come and move the Resolution regarding approval of the First Five Year Plan standing in his name, for another half-an-hour and he had asked that the House should be adjourned till 11.30 a.m. As there was no other business before the House at 11.00 a.m., the House was adjourned for half-an-hour.⁹⁵

The Railway Budget was slated to be laid at 1.00 p.m. The House was adjourned for lunch-recess at 1.00 p.m. in the absence of the Minister. The Deputy Chairman observed, "I think better regard should have been shown to this House". When the House reassembled, he said, "... I am sorry that this thing should have happened – scant courtesy to the House. I expect better courtesy". Thereafter, the Minister of Railways explained the matter and offered apology for his absence.⁹⁶

The House was adjourned for ten minutes due to absence of any Minister when the House was discussing the Motion of Thanks. When the House reassembled, the Deputy Chairman observed, "The Chair demands the attention of the Treasury Benches that this House should be treated with proper courtesy".⁹⁷ Next day the Chairman made the following observation:

For the first time in the last ten years, the House had to be adjourned for ten minutes. When grave matters were under discussion here, there was not a single representative of the Government. I hope that such a situation will not occur again and Government will be careful about its responsibility to the House.⁹⁸

On an occasion, when the Health Minister was called to move for consideration of the Insecticides Bill, 1964, he was absent and the Minister of State in the Departments of Parliamentary Affairs and Communications rose to move the Bill on behalf of the Health Minister. This was not permitted and the Deputy Chairman moved to the next Bill observing, "...neither of the Minister is here from the Ministry of Health, it is something very amazing that either of them should not be here. This cannot be condoned very easily..." When the next Bill, viz., the Indian Official Secrets (Amendment) Bill, 1967, was called, it was noticed that the concerned Minister was not prepared. The Deputy Chairman adjourned the House earlier than scheduled for lunch-break and observed:

"I would like to draw the attention of the Prime Minister and through her, of the Council of Ministers that this House cannot be treated in such a derogatory manner, that you cannot jump from

one Bill to another like this and when one Bill is to be taken up, ask for a change to go to another Bill...” When the House reassembled after the lunch-recess, the concerned Minister apologised for his absence.⁹⁹

The House was adjourned from 5.00 p.m. to 5.17 p.m. as the Prime Minister who was to continue his reply to the Motion of Thanks was busy in the other House.¹⁰⁰

The House was adjourned for eight minutes to call the Minister of Information and Broadcasting on the issue of derogatory references to Maulana Azad on a Doordarshan programme.¹⁰¹

The House was adjourned for fifteen minutes in the midst of Zero Hour as some opposition members pointed out that not a single Minister looking after the Home portfolio was present in the House.¹⁰²

Some other reasons which led to the adjournment of the House for a short while may also be mentioned as under:

Upon a motion moved by the Leader of the House and adopted by the House, a member was suspended from the service of the House for a week. When the member did not leave the House, the House was adjourned for ten minutes.¹⁰³ After the same member was suspended on another occasion and he refused to leave the House, the House was adjourned for fifteen minutes.¹⁰⁴

The House was adjourned to enable the Chairman to allot seats to the members of the newly formed opposition party.¹⁰⁵

The House was adjourned for two hours for *Jamatu'l Vida*.¹⁰⁶

The House was adjourned for an hour for *At Home* in honour of the retiring members.¹⁰⁷

The House was adjourned for dinner (9.39 p.m. to 10.05 p.m.) in view of the prolonged sitting of the House.¹⁰⁸

The House was adjourned from 6.13 p.m. to 7.30 p.m. for *Iftar*.¹⁰⁹

The House was adjourned from 6.31 p.m. to 7.02 p.m. to enable the Minister of Home Affairs to ascertain the whereabouts of a member who was arrested and later released in New Delhi.¹¹⁰

The House was adjourned at 3.32 p.m. to meet again at 5.00 p.m. for the statement of the Finance Minister on current fiscal situation.¹¹¹

The House was adjourned within ten minutes of its assembly till 2.30 p.m. after the messages of the Lok Sabha regarding eighteen Bills

were reported by the Secretary-General. It was again adjourned from 2.51 p.m. to 3.55 p.m. as the Money Bills which were received from the Lok Sabha had to be returned and memorandum of business had to be prepared in respect thereof.¹¹²

The House was adjourned for an hour after adopting a motion for suspension of Question Hour, to discuss the situation arising out of destruction of *Charar-e-Sharief*.¹¹³

The House was adjourned at 12.32 p.m. and reassembled at 2.05 p.m. due to the bomb scare. After thorough checking, however, no such thing was found in the House.¹¹⁴

The House met at 11.08 a.m., adjourned and met again at 11.30 a.m. The Chairman made a reference to the passing away of Shrimati Aruna Asaf Ali, freedom fighter. Thereafter, the House observed silence and adjourned to meet again at 6.00 p.m.¹¹⁵

Conclusion of a sitting

A sitting of the Rajya Sabha concludes at such hour as the Chairman may direct.¹¹⁶ The House stands adjourned and the sitting of the day is terminated only when the Chairperson makes an announcement in the House to that effect. The Parliamentary Bulletin issued in respect of the commencement of a session mentions the normal time of commencement as well as conclusion of a sitting during the session. The presiding officer adjourns the House accordingly or as and when necessary after taking the sense of the House. The practice of mentioning the exact time of adjournment of the House after the conclusion of a sitting in the printed proceedings of the Rajya Sabha started from the seventh session (29 August 1954).

During the first few days of the commencement of the session, the sitting ordinarily concludes at 5.00 p.m. unless there is business which necessitates sitting beyond 5.00 p.m. The Business Advisory Committee, when it meets after the commencement of the session, considers the state of business of the House and recommends that the House should sit daily upto 6.00 p.m. and beyond, if necessary. This recommendation, when announced by the Chair, determines the time when the House should normally adjourn for the day. However, continuance of the House beyond 6.00 p.m. is generally decided by consultation amongst leaders of parties or consensus in the House or by a division, if necessary. If no consensus is arrived at, the Chair may adjourn the House, then and there.

The Business Advisory Committee at its meeting held on 26 August 1991, recommended that the House should sit upto 6.00 p.m. to

conclude the business. But being the first day of the session (160th) as per the consensus in the House it was adjourned at 5.06 p.m.¹¹⁷

When the Vice-Chairman suggested that only three speakers were left and so the debate on the Report of the JPC on Bofors could be concluded that day, a member stated that there was normal convention that the leaders of opposition parties, Leader of the House and the Minister for Parliamentary Affairs generally held consultations before extending the sitting of the House and that no such consultation had taken place. The Vice-Chairman adjourned the House announcing "There is no unanimity about extending the House".¹¹⁸

When the House was discussing the Prasar Bharati (Broadcasting Corporation), Bill, 1990, a member pointed out that it was 6.00 p.m. (meaning that the House should be adjourned). There were disorderly scenes over the extension of time of the sitting. At one point, the Deputy Chairman proposed to take vote on the issue whether the House should continue to sit or not. A member suggested that this was never done and consensus did not mean voting. The House was adjourned from 7.15 p.m. to 7.41 p.m. (in two spells) for consultation. It was agreed to sit for one hour more before adjourning for the day. Thus, virtually the House debated for more than an hour whether to sit beyond 6.00 p.m. or not.¹¹⁹

When the Deputy Chairman announced that the Minister of Law would make a statement on the Chief Election Commissioner's order postponing elections, at 5.30 p.m. objections were raised that the Business Advisory Committee had not recommended that the House should sit beyond 5.00 p.m. After taking the sense of the House it was adjourned for the day at 5.00 p.m. After a couple of days, again the same point arose. As there was no unanimity about the continuance of the House beyond 5.00 p.m., it was adjourned.¹²⁰

Adjournment for the day before scheduled time

As stated earlier, the normal time of the House is from 11.00 a.m. to 5.00 p.m. If, however, the business entered in the list of business is completed earlier or there is no further business to be transacted, the House may be adjourned for the day at that hour.¹²¹

Early adjournment of the House for the day may also take place due to demise of a member or Minister or an outstanding personality or any tragic event¹²² or for want of quorum¹²³ or by consensus in the House for the purpose.

When there was no consensus as to how long the House should sit, a motion was moved "that the House sits till 7.00 p.m. every day until it adjourns *sine die*." It was carried by a division.¹²⁴

The Minister of State in the Ministry of Parliamentary Affairs moved that "The House be adjourned now." The motion was adopted and the House adjourned at 4.22 p.m.¹²⁵

The Deputy Chairman declared that the House was in no mood to conduct further business and adjourned the House.¹²⁶

In the case of grave disorder arising in the House, the Chairperson may, if he/she thinks it necessary to do so, adjourn the House.¹²⁷ Some of the issues on which the House has been adjourned for the rest of the day, on many occasions, due to grave disorder in the past are noted below:

CBI Report regarding import licences to certain parties in Yanam and Mahe;¹²⁸ delay in the formation of Government in Maharashtra;¹²⁹ allegations of corruption by Chaudhary Charan Singh against Prime Minister, Shri Morarji Desai's son;¹³⁰ correspondence exchanged between the Prime Minister and the Home Minister;¹³¹ allegations of corruption against family members of the Prime Minister and the Deputy Prime Minister;¹³² inaccurate news given about Shri Jayaprakash Narain's death;¹³³ water crisis in Delhi;¹³⁴ resignation of Shri V.P. Singh as the Defence Minister;¹³⁵ Bofors;¹³⁶ Fair Fax;¹³⁷ resignation of opposition members in the Lok Sabha;¹³⁸ false cases registered against Congress (I) members;¹³⁹ Meham incident;¹⁴⁰ surveillance on Shri Rajiv Gandhi;¹⁴¹ Ayodhya issue;¹⁴² Dunkel Draft/GATT;¹⁴³ ATR on the JPC Report on Securities Scam;¹⁴⁴ Gyan Prakash Committee Report on Import of Sugar;¹⁴⁵ imposition of President's Rule in Bihar;¹⁴⁶ New Telecom Policy (series of adjournments during 175th Session); Hawala issue (series of adjournments during 176th Session); the reported statement of the Prime Minister on the Ayodhya issue (series of adjournments during 191st Session); Tehelka issue (series of adjournments during 192nd Session); demand for removal of Narendra Modi Government in the wake of Gujarat riots (series of adjournments during 195th Session); and the issue of irregularities in the allotment of petrol pumps (series of adjournments during 196th Session).

Apart from the above-mentioned general reasons which may result in adjournment of the House earlier than the scheduled time, there may be some occasions or very special or specific reasons due to which the House may also be adjourned before the scheduled time. Some such occasions of early adjournments in the past are mentioned below:

A Bill was withdrawn at the consideration stage. The concerned Minister was not ready with the next Bill listed. The House was adjourned at 1.05 p.m. even though there was another Bill included in the list of business. This came to the adverse notice of the Chairman who next day observed, "It is a matter of regret that on the very second day of the session, we had to adjourn at 1.05 p.m."¹⁴⁷

As members wanted that the Bill listed in the list of business after completion of one item be taken up the next day, the House was adjourned at 4.23 p.m.¹⁴⁸

The House was adjourned at 4.00 p.m. on 29 April 1969, to enable members to go to the airport to pay respect to Shri P.N. Sapru, former member of the House, who had passed away early that morning at Hyderabad and whose body was to be received at the airport.¹⁴⁹

On a suggestion of a member, the House was adjourned at 2.41 p.m. on 21 November 1969, to enable members to attend the funeral of late Shrimati Violet Alva, former Deputy Chairperson, Rajya Sabha who had passed away the previous day.¹⁵⁰

On a suggestion of members that they wanted time to go through papers pertaining to the financial business coming up in the House the next day, the House was adjourned at 1.09 p.m.¹⁵¹

Similarly, on a suggestion of a member that the House may be adjourned for the day to enable the members to watch the results of assembly elections being declared on that day, the House adjourned at 11.03 a.m. by consensus.¹⁵²

The House was adjourned at 12.13 p.m. after the Prime Minister made a statement regarding recognition of Bangladesh.¹⁵³

On the request of a member, the House was adjourned at 3.59 p.m.¹⁵⁴

The House adjourned earlier on a few occasions on Fridays due to absence of members in whose names private members' Bills were listed in the list of business.¹⁵⁵

The Chairman announced that the House would be adjourned at 4.00 p.m. to enable members to witness the Beating the Retreat Ceremony. However, the House was adjourned at 3.19 p.m. due to death of a sitting member in Delhi that day.¹⁵⁶

A member who was suspended from the service of the House for a week, refused to withdraw from the House. The House was initially adjourned for an hour and thereafter again upto 3.00 p.m. When the House reassembled, the Deputy Chairman informed that consultations were going on amongst the leaders of parties/groups. The House was eventually adjourned for the rest of the day at 3.01 p.m.¹⁵⁷

The Prime Minister made a statement regarding launching of IRS-1B. There was a consensus in the House that the House should adjourn. The House was accordingly adjourned at 5.00 p.m. "on the happy note of launching of the Satellite."¹⁵⁸

The Minister of Home Affairs was to make a statement at 5.30 p.m. on the demolition of temples in Ayodhya. As copies of the statement were not ready for distribution to the members, the House was adjourned.¹⁵⁹

The Business Advisory Committee at its meeting held on 10 July 1992, recommended that the Chair may, after taking the sense of the House, adjourn the House after Question Hour on Monday, 13 July 1992, to enable members to cast their votes in the Presidential Election, 1992. However, the House adjourned within half-an-hour of its meeting due to the furore over the Ayodhya issue.¹⁶⁰

Sitting beyond midnight

As already stated, a sitting of the House concludes at such time as the Chairman may direct. The exact or precise time upto which the House may sit is, however, determined by the state of business and consensus in the House. There have, therefore, been occasions when the Rajya Sabha had continued its sittings beyond midnight for the consideration and completion of important business.

On 22 December 1980, while the House was considering the National Security Bill, 1980, at midnight, a point of order was raised that the list of business pertained only to that day and it became inoperative at midnight and the sitting of the House could not continue beyond midnight. The Deputy Chairman, while ruling out the point of order with reference to rule 13 of the Rules of Procedure and Conduct of Business in the Council of States, said:

“Sittings of the Council shall conclude at such hour as the Chairman may direct.” I have conducted the proceedings and the proceedings are continuing uninterrupted till this Bill is concluded. Therefore, the House is in order and the discussion on the Bill will continue till it comes to an end. The sitting for today is scheduled to start at 11 A.M. and it will start at 11 A.M. as we decided today... Mr. Mody, you must know the courtesy of the House. You have to sit down when I am speaking.

The proceedings, therefore, continued till the Bill was passed and the House was adjourned at 00.40 a.m. to meet again at 11.00 a.m. on 23 December 1980.¹⁶¹

On that day, again the matter was sought to be raised in the presence of the Chairman. Some members contended that the House was meeting twice on the same day, that whatever was transacted beyond 12.00 midnight on 22 December 1980, was unconstitutional. The Chair disposed the point by observing that when the Deputy Chairman sat

in the Chair he was the Chairman for that sitting and he could not sit in judgement over his action.¹⁶²

The House sat on 17 September 1981 till 4.43 a.m. next day for the consideration and passing of the Essential Services Maintenance Bill, 1981.

The House sat on 8 May 1986, till 1.52 a.m. next day for the consideration and passing of the Muslim Women (Protection of Rights on Divorce) Bill, 1986.

The House sat on 29 December 1986, till 3.22 a.m. next day to discuss the issue of purchase of Bofors guns.

The House discussed the Justice Thakkar Commission Report on engagement of Fair Fax Agency by sitting on 14 December 1987, till 1.52 a.m. next day.

The House sat on 11 May 1988, till 12.36 a.m. next day to discuss the JPC Report on Bofors.

The communal situation was discussed in the House on 12 October 1989, till 12.52 a.m. next day.

The House sat on 13 October 1989, till 12.31 a.m. next day for the consideration and passing of the Constitution (64th and 65th) Amendment Bills, 1989 relating to Panchayats and Municipalities.

The inadequacy of security for the late Shri Rajiv Gandhi was discussed by the House on 4 June 1991 till 1.15 a.m. next day.

The discussion on the motion for consideration of the Lokpal Bill, 2011 which commenced on 29 December 2011. It was the last day of the Session and the Government was not in favour of extending the Session. Due to continued pandemonium in the House that began before midnight, the Chair adjourned the House at 00.03 a.m. next day.

Playing of National Anthem and National Song

The General Purposes Committee considered in detail a proposal for the commencement/conclusion of sessions of the Rajya Sabha with *Vande Mataram*/National Anthem at its sitting held on 23 November 1992. The Committee was of the view that the matter required detailed examination and a decision should, therefore, be deferred to enable such examination. The Committee was also of the view that there should be uniformity in the practice to be adopted in both the Houses.¹⁶³ At an informal meeting of leaders of parties/groups, it was decided that the National Anthem should be played in the Chamber. Accordingly, the practice started from Tuesday, 25 November 1992¹⁶⁴ (The second day of the 165th Session).

Since the 165th Session, a regular practice has been introduced to commence the first sitting of a session with the playing of the recorded instrumental version of the National Anthem, *Jana Gana Mana* and playing the recorded instrumental version of the National Song, *Vande Mataram*, at the conclusion of the session.¹⁶⁵

Adjournment *sine die*

On the last sitting of a session, as indicated in the Provisional Calendar of sittings or if the session is extended on the recommendation of the Business Advisory Committee or otherwise on the last day of the extended session the Chairperson adjourns the House *sine die*. The adjournment of the House *sine die* terminates the session. Generally, the announcement of the adjournment of the House *sine die* is preceded by valedictory remarks by the Chair and is followed by playing of the *Vande Mataram*.¹⁶⁶

Special sittings

On 13 May 1952 and 17 April 1962, special (separate) sittings of the House were held for the purpose of oath/affirmation by the newly elected/nominated members of the House.¹⁶⁷

The Business Advisory Committee recommended that to mark the solemn occasion of the Fiftieth Anniversary of the 'Quit India Movement' and to pay homage to the martyrs of the freedom movement, a special sitting of the Rajya Sabha be held on Saturday, 8 August 1992, fifteen minutes after the meeting in the Central Hall was over, to adopt a Resolution by the House on that day.¹⁶⁸ Accordingly, a special sitting of the House was held on Saturday, 8 August 1992, at 12.17 p.m. The Deputy Chairman placed a Resolution before the House to mark the occasion of the Fiftieth Anniversary of Quit India Movement. The House approving the Resolution observed a minute's silence, all members standing, as a mark of respect to the memory of the martyrs and freedom fighters and then adjourned for the day at 12.20 p.m.

The Hundred and Eighty-first session of the Rajya Sabha commenced from 23 July 1997. Being the fiftieth year of India's Independence, during the session four special sittings from 26 to 29 August 1997, had been scheduled without any Question Hour, Zero Hour and Government business. Four topics namely, Human Development and Science and Technology; Economy and Infrastructure; India and the World; and Parliamentary Democracy were discussed. The special sittings were extended by two days and the House accordingly adjourned *sine die* on 1 September 1997. On the last day a Resolution was unanimously adopted by the House.¹⁶⁹

During 225th Session, the House met for a special sitting on Sunday, 13 May 2012 to commemorate sixtieth anniversary of the first sitting of Parliament of India. A Resolution was moved by the Hon'ble Chairman which was unanimously adopted by the House. The House then adjourned to meet again the next day.¹⁷⁰

First sitting of Rajya Sabha

After coming into force of the Constitution, the Rajya Sabha was duly constituted on 3 April 1952, and the first sitting of the House was held at 10.45 a.m. on Monday, 13 May 1952, with Dr. S. Radhakrishnan, Chairman in the Chair. Secretary of the Rajya Sabha read out an order of the President¹⁷¹ dated 11 May 1952, appointing Dr. S. Radhakrishnan and Shri S.V. Krishnamoorthy Rao to be the persons before either of whom members of the Council of States could make and subscribe the oath or affirmation.

Thereafter, at the suggestion of the Chairman, the members stood in silence for two minutes to mark the solemn occasion of the first meeting of the Council of States under the Constitution.¹⁷² The Chairman then welcomed the members and expressed the hope that “by our activities we will further the speedy and all-round progress of our people”. After he explained the procedure of making oath/affirmation, members took oath/affirmation on that day¹⁷³ and then the House was adjourned.

NOTES AND REFERENCES

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3. Bn. (II), 20.4.1963; *see also* Bn. (II), 9.5.1966.
4. *Ibid.*, 1.3.1972.
5. C.S. Deb., 5.8.1952, c. 2945-46 and 2969.
6. *Ibid.*, 24.8.1953, c. 94-96.
7. Bn. (II), 16.8.1956.
8. GPC mts., 1.9.1972.
9. R.S. Deb., 18.2.1981, c. 1-4.
10. Bn. (II), 10.2.1986.
11. R.S. Deb., 11.2.1964, c. 144.
12. *Ibid.*, 5.3.1970, c. 129-38.
13. Bn. (II), 27.2.1984; *and* F. No. 1/1/84-L.
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31. *Ibid.*, 8.5.2013.
32. R.S. Deb., 27.5.1964, c. 80; and Bn. (II), 27.5.1964.
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34. R.S. Deb., 9.12.1992, c. 216; and BAC mts., 9.12.1992.
35. *Ibid.*, 6.8.1993, c. 335.
36. Bn. (II), 8.8.1995.
37. *Ibid.*, 8.4.2003.
38. *Ibid.*, 15.4.2005.
39. R.S. Deb., 11.11.1974, c. 131; and Bn. (II), 11.11.1974.
40. BAC mts., 8.5.1986; and R.S. Deb., 8.5.1986, c. 327.
41. R.S. Deb., 4.11.1988, c. 246.
42. Bn. (II), 24.1.1980; and 28.9.1990.
43. BAC mts., 16.8.1988.
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45. *Ibid.*, 16.7.1991, c. 304; BAC mts., 17.7.1991.
46. BAC mts., 18.3.1993.
47. R. 11.
48. C.S. Deb., 19.5.1952, c. 149-50.
49. *Ibid.*, 29.5.1952, c. 691.
50. *Ibid.*, 15.12.1952, c. 1821.
51. *Ibid.*, 27.11.1952, c. 477-78.
52. *Ibid.*, 2.12.1952, c. 668.
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54. *Ibid.*, 10.4.1953, c. 2696.
55. *Ibid.*, 15.3.1954, c. 2673; and 19.4.1954, c. 3336.
56. R.S. Deb., 8.9.1954, c. 1810.
57. *Ibid.*, 7.9.1965, c. 3031-32.
58. *Ibid.*, 14.3.1962, c. 189-340.
59. Bn. (I), 27.2.1999 and Budget-speech of Finance Minister laid on the Table.
60. Interim Budget was presented by the NDA Government on 3.2.2004 at 12.15 p.m. and full-fledged Budget was presented by the UPA Government on 8.7.2004 at 11.00 a.m.
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62. R. 10.
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64. The Constitution (Forty-second Amendment) Act, 1976, ss. 18 and 22.
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66. R.S. Deb., 14.12.1956, c. 2544.
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85. *Ibid.*, 31.3.1980, c. 103-04.
86. *Ibid.*, 9.3.1978, c. 187-92.
87. *Ibid.*, 10.3.1978, c. 187-92.
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116. R. 13.
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