## PREFACE

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## Focus


















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 25 ஜృஸె， 2018.

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Insolvency and Bankruptcy Code

By V. Mohan Rao

The Insolvency and Bankruptcy Code will go long way in reducing the Non Performing Assets of the bank besides giving relief to home buyers. However the success of the IBC largely depends on the efficiency of its implementation expeditiously and the support of trained insolvency professionals.

Bankruptcy regimes across countries are different in as much as they are more oriented towards debtors in France and Italy and more inclined towards creditors in the UK, Sweden and Germany. Though reorganisation is generally favourable to the debtors liquidation protects the interests of the creditors. The insolvency and the debt resolution regime in US provides for restructuring and insolvency proceedings. To this end the U.S and U.K permit a pre-packaged rescue that facilitates a debtor company and its creditors to draw up an agreement for the sale of the, company's business as a prelude to initiation of insolvency proceedings. The sale of the property takes place on the commencement of the bankruptcy proceedings.

Under chapter II of the Bankruptcy code of US a company need not submit a proof of insolvency to go through the rescue procedures. In UK the procedure is different in the sense the creditor who desires to initiate a bankruptcy proceedings is required to produce a unchallenged evidence regarding the amount that is due. The creditor is also required to file a statutory demand on the debtor. The U.S. government adopts a regime where by the debtor retains the management of the company with a right to

propose and draw up a plan for reorganisation during the first 120 days. In contrast in the U.K the management of the company is taken over by administrator who plays a crucial role in the restructuring process and is empowered to take any action that is deemed to be necessary for the management of the affairs business and property of the company.

In the scheme of rehabilitation in U.S, each category of affected creditors are required to give their assent to the resolution plan. The assent is through a vote of two third of the creditors and fifty percent of the eligible claims. The U.S. Bankruptcy code also provides for forcing the dissenting creditors. In contrast in UK the proposal needs to be accepted by a simple majority of the creditors present and voting. In France the rehabilitation package varies in as much as there are two committees of creditors including a bond holders committee. The committees are different from each other in the sense that one creditor committe comprises of all financial institutions to which the debtor is indebted and the second creditor committee comprises of all suppliers of the debtor, It is mandatory for each committee to give consent which needs to be approved by two thirds in value of those creditors who will increase their voting rights.

The bankruptcy law in US has a provision which enables automatic. moratorium on claims to be enforced against the company and its property subject to filing chapter 11 petition. In UK an interim moratorium on the claims can be filed during the period between filing of an application for appointment of an administrator and his actual appointment. The moratoriums are brought about so as to prevent the creditors to collect their claims abruptly which could pose problems in the process of liquidation of the company. It is pertinent to note that secured creditors have the priority in claims in UK, Germany, France and Portugal. In Mexico, Australia,


Greece employee's salaries have priority over other claims.

In the wake of the. global financial crises the European sovereign debt crises had engulfed the global financial markets in 2008. The catastrophic effect extended its arm upto 2016 that witnessed the persisting fragility of the banking system. Though the Indian Banking sector with stood the colossal global financial crises the last couple of years, the persistent deterioration in the bank's assets quality has an adverse effect on the profitability and constrained the financial intermediation. This has culminated in businesses turning to alternate and high cost effective sources of funds for their financial requirement.

Recovery of banks Non Per-forming Assets remained a matter of great concern with a decline to 20.8 percent by end March 2017 from 61.8 percent in 2009. Impairment in asset quality was very high which necessitated sizeable provisioning and deleveraging that caped the banks capacity to lend. This resulted in erosion of profitability and capital base in Public Sector banks.

The enactment of the Insolvency and Bankruptcy code (IBC) 2016 and promulgation of the Banking Regulation Act 2017 has brought about a significant alteration of the financial landscape. The Reserve Bank of India has done well by adopting recognition and resolution of stressed assets and by introducing prompt corrective action (PCA) to arrest the financial irregularities in future. To strengthen the banking sector the government approved in principle for consolidation of banks and huge recapitalisation plan for public sector banks.


The enactment of the Insolvency and Bankruptcy code (IBC) in May 2016 is a watershed development in India. This is all the more important in the wake of the mind boggling Non Performing Assets of both the Public and private sector banks in India besides the high profile loot of banks that have paved way for huge frauds in the banking sectors. The Insolvency and Bankruptcy code in India is expected to have its positive implications that will culminate in the emergence of a more resilient banking sector.

The IBC will go a long way to evolve a strong debtor-creditor relationship where by the rights of both get protected. Though India has sufficient legal and institutional machinery to deal with default of loans by way of Indian contract Act 1872, Debt Recovery Tribunal the Securitisation And Reconstruction of Financial Assets and Enforcement of Security Interest (SARFAES) Act 2002, nevertheless these options have not been utilised by the banks properly. Further action through sick Industrial Companies Act 1985 and winding up provisions of the Companies Act 1956 have not been utilised by the banks for a speedy recovery of dues or restructuring of advances.

In the back drop of this situation the Central Government created a land mark development by enacting the Insolvency and Bankruptcy Act in May 2016. It is a single law that deals with insolvency and bankruptcy bringing about a consolidation and amendment of various laws that pertain to reorganisation and insolvency resolution. Individuals, limited liability partnerships, companies, partnership firms and notified legal entities other than financial source providers come under the purview of IBC. The aim is to create facilities for winding up of business or facilitating a revival

of these institutions. The IBC tries to bring about insolvency resolution in a phased manner with a time limit of 180 days extendable by another 90 days in exceptiona1 cases.

The IBC has its institutional infrastructure resting on six pillars comprising of insolvency professionals, adjudication authorities (National Company Law Tribunal (NCLT), Debt Recovery Tribunals (DRT), Information utilities and Insolvency and Bankruptcy Board of India (IBBI). As per the provisions of the code insolvency resolution needs to be filed at the initial instance of default and the insolvency resolution process need to be completed within the stipulated period.

Insolvency professional are engaged in helping completion of insolvency resolution, and bankruptcy and liquidation proceedings. They are governed by Insolvency professional Agencies and help in developing professional standards and code of ethics in their capacity as first level regulators. The adjudicating authorities deal with adjudication. The National Company Law Tribunal (NCLT) deals with cases pertaining to insolvency of corporate persons, while DRTS deal with insolvency proceedings pertaining to individuals and partnership firms. The institutions with their respective Appellate Tribunal (NCLAT) and DRT Appellate Tribunal (DRAT) will facilitate functioning of the bankruptcy process.

The institutional infrastructure viz. Information Utilities will engage itself in collecting, collating, authenticating and disseminating of financial information. To eliminate delays and disputes in a default the information utility will maintain electronic databases of lenders and terms of lending. The insolvency and Bankruptcy Board of India who is the regulator will oversee the work of the insolvency professionals, insolvency professional agencies and information utilities.


As regards individuals the code provides 'Fresh Start' and 'Insolvency Resolution' with eligibility criteria for the processes. The code maintains a fund (the insolvency and Bankruptcy fund of India) to deal with insolvency resolution, bankruptcy and liquidation of persons. When the corporate debtor exhibits initial signs of financial stress it has to undergo a default based test for an eligibility into insolvency resolution process.

The first priority on sale proceeds of assets goes towards costs of insolvency resolution and liquidation and thereafter the asset sale proceeds is distributed to debts that are secured along with workmen's dues for the preceding 24 months. Low priority is given for central and state governments dues. The code has shifted from the existing debtor in possession to a creditor in control regime. Priority is given for secured creditors like banks.

When a firm defaults in repaying its loan the control shifts from share holders1promoters to a committee of creditors so as to facilitate evaluation of proposals from various persons that would eventually decide on resuscitating the company or subjecting it to liquidation. To further. strengthen the insolvency resolution process the Government has notified the Insolvency Bankruptcy code (Amendment) by virtue of an ordinance on 23rd November 2017. The ordinance prohibits certain persons from submitting a resolution plan until certain additional requirements are submitted for consideration of the resolution plan prior to approval by the committee of creditors.

It is pertinent to note that in the Insolvency and Banking code of India workmen's compensations appear secondary. after meeting the costs in connection with insolvency proceedings and pari pasu with secured creditors followed by unsecured creditors. With the IBC taking a firm

hold creditors have very strong case in the initiation of corporate insolvency proceedings. Corporate are indulging in voluntary liquidation in accordance, with the voluntary liquidation process Regulations of March 2017. The Voluntary Liquidation process Regulation facilitates voluntary liquidation by a corporate if it has no debt or if its debts are fully repaid from the sale proceeds of the assets that are under liquidation.

With the enactment of Insolvency and Banking code, the Banking Regulation Act 1949 was amended whereby the Reserve Bank of India was empowered to direct any banking company or banking companies to initiate Insolvency Resolution in the case of a default of the loan as per the provisions of the IBC. The amended BRA 1949 empowers the RBI to issue directions in respect of stressed assets. To this end it will specify one or more authorities or committee comprising of members appointed by the RBI to advise banking companies or resolution of stressed assets.

The RBI also constituted an Internal Advisory Committee (1AC) that decided on objective, non discretionary frame work that would enable it to refer some of the large stressed accounts for resolution as per the IBC.

As per the recommendations of the $1 \mathrm{ACS} / \mathrm{RBI}$ directed some banks to initiate insolvency processes under IBC 2016 for some fund and non fund based accounts with amounts more than Rs. 50 billion with 60 percent or more qualifying to be non performing assets as per RBI's Assets classification norms. Apropos other non performing accounts which did not come under the above purview of IBC, the banks were mandated to complete a resolution plan within six months. In the event a viable resolution plan is not feasible within the stipulated period banks were required to file for insolvency proceedings as per the Insolvency and bankruptcy code.


The Union cabinet approved ordinance on 23/05/18 to amend Insolvency and Bankruptcy Code (IBC) for its effective implementation.

The new amendments to IBC will treat the home buyers at par with financial creditors legally in relation to the insolvent firms. The home buyers can claim refund of their money in the event of the promoter of a real estate files for insolvency promoters of medium and small companies (MSME) can bid for their assets. They are exempted from various provisions in dispute resolution process.

However this is not applicable to willful defaulters. Section 29A of IBC bars defaulters, defaulting promoters. MSME promoters can bid for resolution if their turnover is upto Rs. 250/- crore. The Government proposed to simplify curbs on promoters of micro, small and medium enterprises (MSMES) from bidding at the time of insolvency process. Though related persons to promoters are barred by Section 29 A of IBC in exceptional cases they can bid, however the rules for related persons in large companies is tightened. The Government also intends to include a clause to provide a debt thresh hold which would ensure that those saddled with large loans do not misuse the sources.

A proposed important change is to recalibrate the voting thresh hold to help improves resolution process. The voting threshhold will pertain to various decisions of the Committee of Creditors (COC). As per the amendment the current voting rights for implementation of a resolution which is $75 \%$ of the Committee of Creditors will stand reduced to $65 \%$ for decisions like appointment or replacement of resolution professionals, approval of a resolution plan, clearing a resolution for liquidation and extending the corporate insolvency resolution process.


The Insolvency and Bankruptcy code has a provision of 180 days for a resolution which may be extended to 270 days. However in several cases the dead line has been crossed and will require to be extended as the Supreme Court is not agreeable for liquidation as alternate taking into consideration about 20,000 home buyers who are still to get their apartments. Promoters of all companies were barred from bidding as the Government was of the view that they would buy the stressed assets at a discount. Financial services companies can convert part of their loans into equity in which case they will not be treated as 'related party’. Exemption is proposed for a resolution applicant on a successful bid for a sick company which acquires distressed asset of a NPA account for 3 years. The ordinance will also ensure implementation of the resolution plan by the successful bidder. The time limit for obtaining necessary statutory clearance from Central, State and other authorities would be one year.

Some administrative changes have been proposed to the law which will ensure that the mandate of the Board of India's Insolvency and Bankruptcy code will be widened so as to expand its development role. This would tantamount to the Board of IBC to levy fees and other charges for certain activities.

The State owned Bank of India would be able to realise around Rs. 1993 crore from the first NCLT resolution concerning TATA Steel and Bhushan Steel. The realisation of the amount would result in reduction of Non performing Assets and increase the profitability of the bank. It is reported that in the first list of 12 accounts sent to NCLT for resolution under Insolvency and Bankruptcy Code, Bank of India exposure was Rs. 8300 crore Source Deccan Herald.

Consequent to the enactment of IBC the Banking Regulation Act 1949 was amended which empowered the Reserve Bank of India to direct any bank to invoke insolvency resolution in the case of a default as per the provision of the IBC. Further the amendment empowers the RBI to issue directives regarding stressed assets and appoint one or more authorities or committees with members to advise Banking companies on resolution of stressed assets.

The Reserve Bank of India also constituted an Internal Advisory Committee (IAC) that would decide on referring some large stressed accounts for resolution pertaining to IBC.

In addition to the steps taken by RBI and SEBI for the successful implementation of the IBC RBI amended the Credit Information Companies (CIC) Regulation 2006 on 11th August, 2017 that will facilitate resolution professional for access to credit information with CIC's on the corporate debtor. The SEBI amended the SEBI (Substantial Acquisition of Shares and Take 4 Over’s) Regulations on 14th August, 2017 to facilitate exemptions from open offer obligations for acquisition.

The Insolvency and Bankruptcy Code will go long way in reducing the Non Performing Assets of the bank besides giving relief to home buyers. However the success of the IBC largely depends on the efficiency of its implementation expeditiously and the support of trained insolvency professionals.


## Reforming the Office of the Governor

## Alok Prasanna Kumar

Karnataka Governor Vajubhai Vala joined a long and infamous list of partisan governors when he invited B S Yeddyurappa of the Bharatiya Janata Party to take oath as the Chief Minister of Karnataka recently. Per se, the decision was not objectionable. After all, the BJP had won the most number of seats in the just-concluded elections to the Karnataka state legislative assembly. However, Yeddyurappa was not the only claimant. H.D.Kumaraswamy of the Janata Dal (Secular)-JD(S)-had the support of the Congress party as well, and thereby claimed the support of a simple majority of members of the legislative assembly (MLAs) backing him. Not only did Governor Vala ignore Kumaraswamy's claim, he also gave Yeddyurappa 15 days to prove his claim; time enough, the cynics would claim, to "poach" MLAs from the Congress and JD(s) and stitch together a majority by hook or by crook.

As it happened, the Supreme Court stepped in and shortened that time period to a little less than two days by directing that a "floor test" be conducted on 19 May 2018 at 4 pm. More drama followed, but, eventually, Yeddyurappa resigned without having put his chief ministership to the floor test. H.D.Kumaraswamy has since been sworn in as chief minister of Karnataka for the second time, successfully having proved his majority on the floor of the house and having appointed a council of ministers to run the government. As things stand, the post-poll alliance between the Congress and the $\operatorname{JD}(\mathrm{S})$ will continue into the Lok Sabha elections of 2019 (Sharma 2018).

In this wrangle, the role of the governor (and not just Vajubhai Vala) has come under greater scrutiny. Commentators have questioned the need for such a post under our Constitution, pointing out that the potential for mischief was noted

even in the Constituent Assembly, but remained unaddressed. In fact, the post's colonial past has been noted as well, the identical provisions in the Government of India Act, 1935, perhaps, having a bearing on how the provisions under the Constitution have been worked by successive governments. Do we even need such a post ? Multiple commentators have argued that the post of governor as it stands need not exist. Others have called for some manner of reform.

Given the long and sordid history of meddlesome governors, is abolition of the post the only way forward? Or, is there a way to reform it to make it a meaningful exercise in constitutional reform ? This is what the present article explores.

## Abolition or Reformation?

Given the colonial history of the post, it is not surprising that some commentators have suggested that the post itself be abolished (Bhatia 2018; Kesavan 2018). The argument goes that there is no useful purpose being served by the holder of this office, apart from indulging in intrigue and, in any case, the long history of such meddling suggests a grave error on the part of the Constituent Assembly in continuing with the provisions of the 1935 act insofar as the governor is concerned.

The pious hope of the framers was belied almost immediately after the Constitution came into force (Noorani 2018). The manner in which the Congress party used the governor to forge majorities, most notably in the undivided Madras Province in 1952 (Arun 2017), suggests that whatever constitutional convention the framers had hoped would evolve was stillborn.

Does this mean that the post serves no useful purpose ? That is not the case at all; far from it.

The governor is supposed to be an analogue of the President at the state level. Unless the argument is made that the whole notion of separating the head

of state and head of government be done away with entirely (and no one has made that argument), there is no reason to presume that there is something fundamentally wrong with the post itself.

Rather, the structural fault in the post of governor lies in the fact that, unlike the post of the President, it is not an elected one, but an appointed one. A President holds office until removed by impeachment, but a governor only holds office during the "pleasure of the President." A President, therefore, is accountable to the legislature, while a governor is accountable to the union executive alone. One can see, therefore, how this might guide their actions, even though their function, in essence, is the same.

Yet, governors in India are not just analogues of the President. Various other powers have been vested upon governors that have not been given to the President. Key among these are the powers of governors in respect of the "Sixth Schedule" states (states with significant hill tribal populations with special governance arrangements). This is not an accident or a quirk of history. This was the result of a political process that was accommodated into the Indian Constitution and cannot be easily undone without fundamentally reopening the complicated arrangements that put the provisions of the Sixth Schedule into the Constitution in the first place.

Be that as it may, perhaps, the answer lies in changing the basic structural defect in the provisions relating to the governor, that the person holding the post is answerable to the union rather than to the people of the state. One potential route for reform could be in replicating the process for election of the President for the governor at the state level, that MLAs, members of the legislative council (MLCs) if any, elected members of panchayati raj institutions, and municipal governments vote for a governor who will serve on the same terms as the President, with similar powers and restrictions at the state level.


If the healthy conventions that have developed around the post of President are codified for the governor, there is no reason why the post cannot also enjoy some of the respect that the post of the President enjoys.

## Judicial Path for Reform

Reform need not necessarily be through the route of constitutional amendments though. Over the years, the Supreme Court has significantly curtailed the powers of governors in such matters, especially since the judgment in S R Bommai v Union of India (1994). The challenge to Governor Vala's decision to invite Yeddyurappa to form the government is still pending in the Supreme Court and it has been argued that the Court should use this opportunity to settle the law on the matter: In what order should the governor call the claimants in the case of a hung assembly ? Even though the question is entirely academic now, some have called upon the Court to settle the law and end the "debate" (Sibal 2018). If it chooses to do so, it is important though that the court concerns itself with the right question.

The right question would not be as to which party or coalition should be called first in the case of a hung assembly. That is a red herring. The principle as it stands and as articulated by the Court itself- that the single-largest party or single-largest post-poll group should be invited to form the government-is sound and requires no further tampering. The Court should not be asked to lay down too general a principle only on the basis of the Karnataka example (or Manipur or Goa, for that matter) since the number of ways in which an election can throw up a hung assembly is potentially infinite, given the size of Indian states and the multiparty system. Rather, the Court should concern itself with the sanctity of the process. Should the governor always go with the first claimant (single party or alliance) ? If so, how much time should such claimant be given to prove their majority on the floor of the house ? The idea should be to minimise the discretion

of the governor as far as possible and to reduce the chances of horse trading．
There are other aspects which need clarity．What are the powers of the protem speaker of the house in a floor test？Is the floor test supposed to be with all members of the house or just the members present and voting ？Given that the ＂floor test＂has been held on previous occasions under judicial supervision，it might make sense for the Court to more clearly layout the terms of such tests to prevent last minute dashes to the Court in the future．

Whether the change comes through judicial interpretation of constitutional amendment，the fact remains that the functioning of governors（and lieutenant governors in Delhi and Puducherry，of late）has led to an unsatisfactory statusquo． Almost all major political parties in India have been at the receiving end of gubernatorial malfeasance，in one circumstance or the other，but have．preferred to let the courts and judiciary take the initiative in reforming through interpretation． Perhaps，it is time for the political leadership to step up，if for nothing else，in their own self－interest．

Economic \＆Political Weekly， 23 June， 2018.

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Воок Review

## Ganga's ebbs and flows

(A Review of the Book 'River of Life, River of Death : The Ganges and India's Future': by Victor Mallet)

Shreeshan Venkatesh

THE GANGA features prominently in the retelling of the history of the Indian subcontinent. However, what its present state tells us about the future of the great river and the country is another matter altogether. Victor Mallet's River of Life, River of Death is an ambitious attempt to do just that. The river has inspired myriad mythological tales. So it is impossible to shed the religious lens that adds colour to the beliefs of millions of Indians. This is where Mallet's work gains value. Mallet details his journey along the length of the river, and further across the Indo-Gangetic plains, in a free-flowing chronicle of the contradictions, convictions and disappointments that punctuate the length and breadth of India's most extensive riverine system.

Mallet harbours no doubts about the significance of the river, but instead of a mere recounting of its importance, the book delves deeper into the maladies that currently afflict it. It is well-known the Ganga is under enormous duress. Not only does it support the agricultural and industrial economies of its vast plains, but it is also tasked to carry the souls of the ever-growing population of godfearing Hindus to heaven.

The convergence of culture, economics, science and modernity has culminated in a toxic swirl of hope and despair which Mallet has explored with a refreshing keenness. As a result, the book offers a crisp assessment of the health of the river while also providing a near-360 degree view of the numerous problems and aspirations that surround it. Mallet's account starts at Gaumukh, the source of the Ganga, and takes an even-paced and elaborate journey, ending only at the river's mouth in the enchanting Sunderban forests.

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More than anything, the book is a scathing reminder of the amnesia that has scuttled any effort to maintain the health of the river. This amnesia is perhaps best portrayed in the two chapters that deal with the politicisation of the river. Though India is secular in name, India's demographic is deeply religious. Over the decades, especially since the emergence of Hindu-nationalist politics, the overlap between religion and politics has become increasingly difficult to ignore. And the Ganga, for no fault of its own, has been unwittingly dragged into the centre of the political drama that unravels in the country. Mallet has managed to capture how little this kind of stardom has actually translated into action.

## Politicisation of Ganga

He focuses on Varanasi, which was the epicentre of the victorious religiopolitical war cry in the last general elections. With that, the political appropriation of Indias most revered ecological system was complete. Grand schemes with massive capital outlays followed the Bharatiya Janata Party's victory at the polls, but over three years there is little evidence of the party's interest in the health of the river beyond populist political maneuvering. The political play surrounding the river is intimately connected with the hopes and despairs of the people that live around it. Through a series of interactions and observations, Mallet has described the fact that the more things change, the more they remain the same.

Down To Earth<br>June 2018.

## œஜのほை



## RESUME OF BUSINESS TRANSACTED DURING THE FOURTH SESSION OF THE $15^{\text {th }}$ PUNJAB LEGISLATIVE ASSEMBLY

The Fourth Session of the $15^{\text {th }}$ Punjab Legislative Assembly commenced on the $20^{\text {th }}$ March, 2018 at Punjab Vidhan Sabha Hall, Vidhan Bhavan, Chandigarh.

The Session commenced at 11.00 A.M. on 20th March, 2018 and adjourned sine-die on 28th March, 2018. The House sat for 9 (Nine) days.

## Governor's Address :

Hon’ble Governor of Punjab, V.P. Singh Badnore addressed the House on 20th March, 2018. In pursuance of Article 174 of the Constitution of India, Sardar Sukhjinder Singh Randhawa, MLA proposed the Motion of Thanks on the Governor's Address which was seconded by Sardar Arnrinder Singh Raja Warring, MLA. The Motion of Thanks was discussed on 21 st March. 2018 (Morning Sitting).

## Obituary References :

On 20th March, 2018 and 22nd March, 2018, Hon’ble Speaker made an obituary references on the demise of Sardar Ajit Singh Kohar, MLA and ExMinister, Sardar Sardool Singh Bandala, Ex-Minister, Sardar Manjit Singh Calcutta, Ex-Minister and Ex-MLA, Sh. Satnam Singh Kainth, Ex-M.P. and Ex-MLA, Sardar Bahadar Singh, Ex-M.P., Lok Sabha, Shri Jangir Singh, Freedom Fighter, Shri Saroop Singh, Freedom Fighter, Shri Hardial Singh, Freedom Fighter,Shri Karam Singh, Freedom Fighter, Shri Sham Lal, Freedom Fighter, Shri Kartar Singh. Freedom Fighter, Shri Dalip Singh, Freedom Fighter, Martyr Naik Amarseer Singh, Shri Shashi Kapoor, Actor, Shri Pyare Lal Wadali, Famous 'Sufi Singer; Sardar Sukhchain Singh Cheema, Dronacharya Awardee, Shri Sabat" Koti, Singer, Prof Rajpal Singh, Shri Raghuraj Singh brother of Shri V.P Singh Badnore, Hon’ble Governor, Punjab, Smt. Mohinder Kaur, mother of Sardar Sukhpal Singh Khaira, Leader of Opposition, Smt. Gurbachan Kalil, mother of Chaudhary Surinder Singh, MLA. Smt. Surjit Kaur w/o Shri Lal Singh, Ex-Minister, Smt. Amrit Tiwari mother

of Shri Manish Tiwari, Former Union Minister of State, Shri Karamjit Singh Dhuri, Folk Singer, Miss Kuldeep Kaur, a young player of International level of Batala who committed suicide, 39 Indian Citizens killed by I.S.I.S. in Mosul City of Iraq and 89 fanners of Punjab who have committed suicides.

Members stood in silence for a minute as a mark of respect to the departed souls.

## Panel of Chairmen :

In pursuance of rule 13(1) of the Rules of Procedure and Conduct of Business in the Punjab Vidhan Sabha (Punjab Legislative Assembly), the Hon’ble Speaker announced Panel of Chairmen, as follows: -

1. Sardar Sukhbinder Singh Sarkaria, MLA
2. Sardar Pargat Singh, MLA
3. Shri Aman Arora, MLA
4. Sardar Gurpartap Singh Wadala, MLA

## Financial Business:

On $22^{\text {nd }}$ March, 2018 Sardar Manpreet Singh Badal, Finance Minister presented to the House the Supplementary Demands for Grants of the Government of Punjab for the year 2017-18 which was passed on the same day. The concerned Appropriation Bill, 2018 was also passed on the same day.

On $24^{\text {th }}$ March, 2018, the Finance Minister presented the Annual Budget for the year 2018-19 with allied papers.

The General discussion on the Budget was held on $27^{\text {h }}$ March, 2018 (Morning \& Afternoon Sitting) and it continued for 04 hours and 30 minutes. Demands for Grants relating to the Budget Estimates for the year 2018-19 was presented on 28th March, 2018 and all the demands including concerned Appropriation (No.2) Bill, 2018 were also passed in the House on the same day.


## Questions:

During this session, 671 starred questions were admitted, 160 questions were answered in the House. 63 unstarred questions were admitted and 55 of these were answered in the House.

## Laying of Papers:

During this Session, 18 Rules, Regulations, Reports, Notifications alongwith Account and Audit Reports of various Departments were laid on the table of the House.

## Presentation of Reports:

During the Session, 22 Assembly Committee Reports were presented to the House.

## Legislative Business:

During the session, the following Bills were introduced, considered and passed by the House.

1. The Punjab Police (Amendment) Bill, 2018.
2. The Punjab Appropriation Bill, 2018.
3. The Punjab Transparency and Accountability in Delivery of Public Service Bill, 2018.
4. The Salaries and Allowances of Deputy Ministers, Punjab (Amendment) Bill, 2018.
5. The East Punjab Ministers' Salaries (Amendment) Bill, 2018.
6. The Punjab Appropriation (No.2) Bill, 2018.
7. The Cigarettes and Other Tobacco Products (Prohibition of Advertisement and Regulation of Trade and Commerce, Production, Supply and Distribution) (Punjab Amendment) Bill, 2018.
8. The Punjab State Development Tax Bill, 2018.
9. The Punjab Laws (Special Provisions for Regularization of Unauthorized


Colonies) Bill, 2018.
10. The Punjab Social Security Bill, 2018.
11. The Salary and Allowances of Leader of opposition in Legislative Assembly (Amendment) Bill, 2018.
12. The Punjab Roads and Bridges Development Board (Amendment) Bill, 2018.

## Non-Official Resolutions :

During this session, 147 notices of Non-official Resolutions were received. Out of these only 107 were admitted. Out of these admitted non-official resolutions one resolution was moved and discussed in the House:-

Sardar Randeep Singh Nabha, MLA- "This House recommends to the State Govt. to take steps to provide standard and cheaper health services to the people of the State and also to open Government shops in the Civil Hospitals to provide medicines, particularly generic medicines, at low costs."

## Motions :

During the session, 8 Adjournment Motions, 2 Privilege Motions and 1 Motion under Rule 77 were received and all were disallowed by Hon’ble Speaker.

## Calling Attention Notices :

During the session, 29 Calling Attention Notices were received in all. Out of these, 11 were admitted, 16 were disallowed by Hon'ble Speaker and 2 were filed on different grounds.

## Conclusion :

The $4^{\text {th }}$ Session of the $15^{\text {th }}$ Punjab Vidhan Sabha was prorogued by His Excellency, the Governor of Punjab on the $17^{\text {th }}$ April, 2018.

