

**LEGISLATIVE ASSEMBLY  
NATIONAL CAPITAL TERRITORY OF DELHI**

**SESSION REVIEW – FOURTH PART OF FIFTH SESSION**

**Fourth Part of Fifth Session – 28/06/2017 to 03/07/2017**

The Session commenced on 28 June 2017 and was adjourned *sine die* on 3 July 2017 after holding four sittings. The House transacted the following business during the sittings :

**Special Mention (Under Rule 280):** 49 matters were raised in this session under rule 280 on 28 June, 29 June, 30 June & 03 July, 2017. As per directions of the Hon'ble Speaker, the departments have been directed to reply to the matters raised by the Hon'ble Members within 30 days.

**Short Duration Discussion (Under Rule 55):** 8 Notices for short duration discussion were received during the session. The House discussed only the following 3 subjects:

1. On 29/06/2017, Sh.Jarnail Singh initiated discussion on:

“Need for providing reservation for students belonging to Delhi in the Institutions of Higher Education in Delhi”.

The following Members participated in the discussion:

Shri Rajesh Gupta, Shri Nitin Tyagi, Shri Saurabh Bhardwaj, Shri Rituraj Govind, Shri Anil Kumar Bajpai, Shri Manjinder Singh Sirsa, Ms. Alka Lamba, Shri Ajay Dutt, Shri Jagdeep Singh, Shri Naresh Yadav.

Shri Manish Sisodia, Hon'ble Deputy Chief Minister replied to the discussion and moved the following two Resolutions:

- I. “The Legislative Assembly of National Capital Territory of Delhi having its sitting in Delhi on 29 June 2017; Taking note of the fact that there are over two lakh students who pass out from schools in Delhi, who are struggling to get admission in Institutions of Higher Education;  
Also noting the fact that twenty eight colleges affiliated to the University of Delhi are funded partially or fully by the Government of NCT of Delhi from the resources contributed by the tax payers of Delhi; Hereby resolves that 85% of the total seats in the Institutions and colleges of Higher Education affiliated to the University of Delhi that are funded by the Government of NCT of Delhi, be reserved for students belonging to Delhi.”
- II. “The Legislative Assembly of National Capital Territory of Delhi having its sitting in Delhi on 29 June 2017;  
Taking note of the fact that there are over 2 lakh students who pass out from schools in Delhi, many of whom are struggling to get admission in Higher Education institutions;  
Taking further note of the fact that as per the following provisions of the Delhi University Act, 1922 no other University in Delhi is legally authorised to grant affiliation to any college;  
Sub-Section (2) of Section 5;  
“Notwithstanding anything in any other law for the time being in force, no educational institution within the afore-mentioned limits shall be associated in any way with or be admitted to any privileges of

any other University incorporated by law in India, and any such privileges granted by any such other University to any educational institution within those limits prior to the commencement of this Act shall be deemed to be withdrawn on the commencement of this Act:

Provided that the Central Government may by order in writing, direct that the provisions of this subsection shall not apply in the case of any institution specified in the order;

Provided further that provisions of this sub-section shall not apply in the case if any educational institution affiliated to the Indraprastha Vishwavidyalaya incorporated under the Indraprastha Vishwavidyalaya Act, 1998”.

With the Government of NCT of Delhi in favour of increasing the number of institutions by way of opening a University that would also be authorised to affiliate colleges which would end the shortage of Higher Education institutions in Delhi;

Hereby resolves to recommend to the Central Government to amend the Delhi University Act (1922), and add another proviso in Sub-section (2) of Section 5 which would state:

‘Provided further that provisions of this sub-section shall not apply in the case of any educational institution affiliated to the State Universities in Delhi, which are presently existing or may be set-up in future.’”

Both the Resolutions were put to vote and adopted by voice vote.

2. Another Short Duration Discussion was initiated under Rule 55 by Ms. Alka Lamba on “Growing incidents of alleged mob lynching in the country”.

Sh. Amanatullah Khan and Sh. Somnath Bharti participated in the discussion.

Sh. Somnath Bharti, Hon’ble Member moved the following Resolution :

“The Legislative Assembly of NCT of Delhi having its sitting in Delhi on 29 June, 2017: Recalling with pride the principles on which the foundation of our secular democratic republic is established; Hoping that those very principles continue to guide the conduct of each and every citizen of the country, Exhorting each one of our country men to do their best to uphold the “Constitution of India in letter and spirit and not fall for vicious and divisive propaganda; Condemns in strongest possible terms the mindless mob violence being unleashed across the country in the name of religion; Urges upon the fellow countrymen to remain ever vigilant to threats posed by divisive elements masquerading as protectors of religions of different shades.”

Shri Manish Sisodia, Hon’ble Deputy Chief Minister replied to the discussion.

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

3. On 30/06/2017, discussion was initiated under Rule 55 by Sh. Nitin Tyagi on “giving preference to eligible persons from Delhi in engaging Guest Teachers in the Schools of the Government of Delhi”.

The following Members participated in the discussion:

Shri Rituraj Govind, Shri Akhilesh Pati Tripathi, Shri Jarnail Singh, Shri Mohinder Goel, Shri Sukhbir Singh Dalal, Shri Manoj Kumar, Shri Sarita Singh, Shri Manjinder Singh Sirsa and Shri Madan Lal.

Shri Madan Lal also moved the following Resolution with the leave of the House:

“The Legislative Assembly of NCT of Delhi Having its sitting in Delhi on 30/06/2017:

Taking note of the fact that due to the overwhelming response from neighbouring states of Delhi, local aspirants for teaching positions struggle to find employment as teachers in the state from which they completed their graduation.

Also noting that Universities in Delhi have a strong academic rigour, resulting in candidates graduating from Delhi scoring lower grades than counterparts from other states.

Expressing concern that as a result of the aforementioned challenges, residents of Delhi are at a considerable disadvantage while being considered for appointment as teachers in schools run by Directorate of Education.

Dismayed that residents of Delhi are also at a disadvantage for recruitment as guest teachers owing to the aforementioned reasons.

Opines that for all future recruitment, whether for permanent teachers through the DSSSB, or for Guest Teachers through open applications and merit list, preference be given to candidates graduating from Universities in Delhi.

Resolves that the Directorate of Education must ensure 85% quota for permanent and Guest Teacher positions, for candidates graduating from Universities in Delhi in future recruitments.”

Shri Manish Sisodia, Hon'ble Deputy Chief Minister replied to the discussion.

The House adopted the Resolution with voice vote.

#### **Calling Attention Under Rule 54:**

On 3 July, 2017, Shri Adarsh Shastri, Hon'ble Member called the attention of the House towards the Report of Delhi Dialogue Commission on the Scholarships to children of SC/ST and other needful groups.

The following Members participated in the debate:

Ms. Alka Lamba, Ms. Rakhi Birla, Shri Ajay Dutt, Shri Manjinder Singh Sirsa, and Shri Madan Lal.

Shri Rajendra Pal Gautam, Hon'ble Minister of SC/ST replied to the discussion.

#### **Government Resolution Under Rule -90:**

On 28/06/2017, Shri Kailash Gahlot, Hon'ble Minister of Law & Justice moved the following Resolution:

“The Legislative Assembly of NCT of Delhi having its sitting in Delhi on 28 June, 2017: Taking note of the fact that there are thousands of families living in different area of Delhi such as Najafgarh, Matiala, Mundka, Kanjhawala, Mehrauli, Narela etc, who had been allotted small parcels of Gram Sabha land way back in the 1970s and early 80s, including the allotments made under the Government of India's 20-point programme;

Dismayed by the fact that these persons who were admitted as Asamis under section 74 of the Delhi Land Reforms Act (1954) have not been declared as Bhumidars under the DLR Act, despite having reclaimed the waste land and continue to be in possession carrying out agricultural activities;

Noting that Section 74 (4) of the DLR Act makes it clear that once a person was admitted as Asami then, at the end of five years, it was duty of the Gram Sabha to report to the Revenue Assistant the extent to which reclamation has been made by such person and thereafter it was duty of the Revenue Assistant to carry out necessary enquiry and after hearing the Asami, either order the termination of the lease and his ejection if there has been no reclamation or extend his lease for another period of two years;

Also noting that if, however, the land has been duly reclaimed during the period of five years or during the extended period, the Revenue Assistant shall direct the Gram Sabha to admit the Asami as Bhumidar under section 73;

Brings to the notice of the Hon'ble Lieutenant Governor the Cabinet decision No 1891 dated 21.05.2012 approving the grant of Bhumidari rights to original allottees or their next of kin or legal heirs, if they are still in possession of the said land parcels and are carrying out agricultural activities;

Strongly urges the Hon'ble Lieutenant Governor that all the persons who were admitted as Asamis under section 74 of the Delhi Land Reforms Act (1954) be declared as Bhumidars, at once."

The following members participated in the discussion :

Shri Kartar Singh Tanwar, Shri Madan Lal, Shri Naresh Yadav, Shri Gulab Singh, Shri Manjinder Singh Sirsa, Shri Mahender Yadav, Shri Jagdish Pradhan, Shri Mohinder Goel, Shri Sukhbir Singh Dalal, Shri Ajesh Yadav, Shri Rituraj Govind and Shri Rajendra Pal Gautam, Hon'ble Minister for Social Welfare.

Shri Arvind Kejriwal, Hon'ble Chief Minister also made a brief statement.

Shri Kailash Gahlot, Hon'ble Minister of Law & Justice replied to the discussion.

The Resolution was put to vote and adopted by voice-vote.

#### **Presentation and Adoption of Reports:**

1. The Third Report of the Rules Committee was presented on 28/06/2017 and was adopted by the House on 29/06/2017.
2. Shri Saurabh Bhardwaj, Hon'ble Member presented the First Report of Committee on Petitions on 30/06/2017. He also gave a presentation about the salient features of the Report. 14 Members participated in the discussion on the Report.  
Minister of Urban Development & UD replied to the debate. The Report was adopted by voice-vote.

**A Resolution on the First Report of the Committee on Petitions** was also moved by Sh. Adarsh Shastri with the leave of the House :

"The Legislative Assembly of NCT of Delhi in its sitting held on 03 July, 2017:

Taking into consideration the first report of the Committee on Petitions presented to this House on 30 June 2017,

Agreeing in toto with the said report wherein the Committee concluded that the officials incharge of de-silting of drains and prevention of waterlogging in the NCT of Delhi have miserably failed in discharging their duties,

Alarmed with the pathetic condition of the drains and the blatant misrepresentation of the facts by the authorities before the Committee,

Directs the Government of the NCT of Delhi that all the recommendations made in the first report of the Committee on Petitions tabled in this House on Friday, the 30th of June, 2017 be immediately given effect to,

Further directs that an Action Taken Report on the implementation of recommendations in the above mentioned report be tabled in the House within a period of 30 days beginning today and

Recommends that the matter of misleading of the Committee by the officials be examined and reported upon by the Committee on Privileges."

The Resolution was put to vote and adopted by voice-vote.

#### **Motion seeking imprisonment of contemnors:**

On 28/06/2017, two persons shouted slogans and threw paper slips from the visitors' gallery. Sh. Saurabh Bhardwaj moved the following Motion with the leave of the House :

“Noting that the two persons namely Mr. Jagdeep and Mr. R. Kumar who shouted slogans from the visitors' gallery and threw pamphlets have committed a serious breach of privilege of the Members and contempt of the House ;

This House resolves that Mr. Jagdeep and Mr. R. Kumar be immediately sent to rigorous imprisonment for a period of 30 days starting today.”

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

**Ruling of the Chair referring matter to the Committee of Privileges:**

On 29 June, 2017, Ms. Rakhi Birla, Hon'ble Deputy Speaker stated that action should be taken against a lady who had supported the two persons who had shouted slogans from the visitors' gallery on 28.06.2017. Other Members also stated that the said lady had entered the MLA Lounge and used abusive and threatening language against the Hon'ble Members. Ms. Rakhi Birla proposed that the Committee of Privileges should enquire into the conduct of the lady.

The Chair informed the House that his attention had been invited by Members towards the fact that a lady had unauthorisedly entered the MLA Lounge and abused Hon'ble Members. She had also tried to enter the visitors' gallery without proper authorization. The Chair stated that the lady had reportedly entered the Assembly again on 29.06.2017 .

The Chair took the sense of the House and referred the matter to the Committee of Privileges.

**Ruling of the Chair referring matter to the Committee of Privileges:**

On 30/06/2017, Ms. Alka Lamba stated that Shri Manjinder Singh Sirsa had made statements to the Media and on social media on 29.6.2017 claiming that the Ruling Party members had sought a referendum on Kashmir. Shri Jarnail Singh, Shri Akhilesh Pati Tripathi, Shri Avtar Singh 'Kalkaji', Shri Somnath Bharti and Shri Saurabh Bharadwaj also spoke on the issue. Shri Avtar Singh 'Kalkaji' proposed that the matter be referred to the Committee of Privileges. Shri Manjinder Singh Sirsa also presented his version.

The Chair taking the sense of the House, referred the matter to the Committee of Privileges.

**Papers Laid on the Table :**

Sh. Satyendra Jain, Hon'ble Minister of Urban Development laid copies of the Annual Report of Delhi Urban Shelter Improvement Board for the year 2015-16 on the Table of the House.

**Obituary References:** The House observed two minutes' silence on the sad demise of Sh. Rampal Karhana, Former Member of the Legislative Assembly of NCT of Delhi (1993-1998).