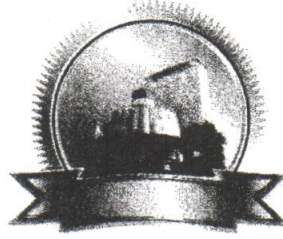




Dr. Anant Kalse
Principal Secretary



Vidhan Bhavan
Mumbai 400 032 / Nagpur 440 001

D. O. Letter No. 10729 /A

Date : 31 APR 2017

Dear Sir/ Madam,

I take this opportunity to apprise you briefly about the business transacted during the **Fourth Session** of the **Maharashtra Legislative Assembly for the year 2016**.

The Fourth Session for the year, 2016 commenced at **Vidhan Bhavan, Nagpur** on the 5th December, 2016 and was prorogued on the 17th December, 2016. During the session the House sat for **10 days** and transacted business for a period of approximately **67 hrs. and 47 minutes**.

BRIEF REPORT OF THE FOURTH SESSION :-

The Assembly commenced its sitting with the singing of "**Vande Mataram**".

OBITUARY REFERENCE :-

During the Session Obituary references were made on the passing away of Smt. Jayawantiben Navinchandra Mehta, Ex-M.L.A. and Former Central Minister, S/Shri Ram Gopal Aaswale, Narsingh Rao Gurunath Patil, Baburao Narsing Rao Kokate-Aadaskar, Ashok Ganpat Sable, Mahadev Kashiraya Patil, Manohar alias Balasaheb Bhikaji Tayde, Chunnilal Ukkadsing Raghuvanshi, Tatyao Aanandrao Jadhav, Smt Vimaltai Dnyanoba Borade, S/Shri Bhaskarao Shivram Chalukya, Kailas Ram Rao Patil-Chikatgoankar, Dr. Ramesh Yashavant Prabhu, S/Shri Rajaram Keshav Shinde,

Chandansingh Babansingh Saddival, Advocate Vitthalrao Bhairu Patil, all Ex-M.L.A's., All members of the House stood in silence for a short while as a mark of respect to the memory of deceased.

House paid homage to Smt Jayalalitha, Chief Minister of state of Tamilnadu.

CONGRATULATORY MOTION :-

A congratulatory motion was passed unanimously in the Legislative Assembly, regarding for winning the 'Maharashtra Kesari' Award in the 60th 'Maharashtra Kesari' wrestling competition known as a dignified honour in the field of wrestling held at Pune with a brilliant performance by wrestling champion Shri Vijay Nathu Chaudhari consecutively for the third time.

MOTION BY LEADER OF THE HOUSE :-

The motion was passed in the Legislative Assembly, regarding to express its gratitude for Late Vasantdada Banduji Patil, Former Chief Minister of Maharashtra on the occasion of his Birth Centenary who rendered his noble contribution to the State of Maharashtra.

FINANCIAL BUSINESS :-

Hon'ble Minister for finance presented Supplementary Demands for the year 2016-2017 on 5th December, 2016.

The motion was carried and discussion and Voting on Supplementary Demands 10 Departments were held on 13th and 14th December, 2016. (Two Days). Total 453 Cut-motions were

received, out of these 348 Cut-motions were admitted and 94 were disallowed. No Cut-motion was moved in the House.

On L.A.Bill No. LVII Of 2016 - The Maharashtra (Third Supplementary) Appropriation Bill, 2016 – 30 points were raised to take part in discussion on Appropriation Bill, Out of these 21 points were allowed to be moved and 9 points were disallowed. Finance Minister replied to the points raised on Appropriation Bill, after that L.A.Bill No. LVII at 2016. The Maharashtra (Third Supplementary) Appropriation Bill, 2016 was passed by the Legislative Assembly on 15th December, 2016.

Excess Demands for the year 2009-2010, 2010-2011 and 2011-2012 were presented on 5th December, 2016. As per the Parliamentary procedure no discussion were carried on Excess Demands for the year 2009-2010, 2010-2011 and 2011-2012. Voting on the excess demands for the year 2009-2010, 2010-2011 and 2011-2012 was held on 15th December, 2016 and respective appropriation (excess Demand) Bill for each year were passed on 16th December, 2016.

Statement showing the results of half yearly review of receipts and expenditure in the context of Budget for the Year 2016-2017 under section 6(1) of the Maharashtra Fiscal Responsibility & Budgetary Management Act, 2005 has been laid on the table in the House on 16th December, 2016.

Information of Statutory development Board was laid by Hon'ble Minister for Women and Child development, Hon'ble Minister for Finance and Hon'ble Minister for Social Justice and Special Assistant.

LEGISLATIVE BUSINESS :-

12 (Twelve) Ordinances were promulgated during the inter-session period and those were laid on the table of the House on the First day of the session i.e. on the 5th December, 2016. 12 (Twelve) Notices of disapproval motions were received and none of them was moved in the House.

(A) Following 18 Bills were considered and passed by the House :-

- (1) L. A. Bill No. XVI of 2016 - The Maharashtra Public Universities Bill, 2016.
- (2) L. A. Bill No. XLVI of 2016 – The Mumbai Municipal Corporation (Second Amendment) Bill, 2016.
- (3) L. A. Bill No. XLVII of 2016 – The Maharashtra Mineral Development (Creation and Utilization) Fund (Repeal) Bill, 2016.
- (4) L. A. Bill No. XLVIII of 2016 – The Maharashtra Land Revenue Code (Fifth Amendment) Bill, 2016.
- (5) L. A. Bill No. XLIX of 2016 – The Maharashtra Settlement of Arrears in Disputes (Amendment) Bill, 2016.
- (6) L. A. Bill No. L of 2016 – The Maharashtra Aadhaar (Targeted Delivery of Financial and Other Subsidies, Benefits and Services) Bill, 2016.
- (7) L. A. Bill No. LIV of 2016 – The Maharashtra Unaided Private Professional Educational Institutions (Regulation of Admissions and Fees) (Amendment) Bill, 2016.
- (8) L. A. Bill No. LV of 2016 – The Maharashtra Prohibition (Amendment) Bill, 2016.
- (9) L. A. Bill No. LVI of 2016 – The Maharashtra (Urban areas) Protection and Preservation of Trees (Amendment) Bill, 2016.
- (10) L. A. Bill No. LVII of 2016 -The Maharashtra (Third Supplementary) Appropriation Bill, 2016.
- (11) L. A. Bill No. LVIII of 2016 – The Maharashtra Co-operative Societies (Third Amendment) Bill, 2016.

- (12) L. A. Bill No. LIX of 2016 – The Maharashtra Repealing (Second) Bill, 2016.
- (13) L. A. Bill No. LX of 2016 – The Maharashtra Appropriation (Excess Expenditure) Bill, 2016.
- (14) L. A. Bill No. LXI of 2016 – The Maharashtra Appropriation (Second Excess Expenditure) Bill, 2016.
- (15) L. A. Bill No. LXII of 2016 – The Maharashtra Appropriation (Third Excess Expenditure) Bill, 2016.
- (16) L. A. Bill No. LXIII of 2016 - The Maharashtra Legislative Council (Chairman and Deputy Chairman) and Maharashtra Legislative Assembly (Speaker and Deputy Speaker) Salaries and Allowances, the Maharashtra Ministers' Salaries and Allowances, the Maharashtra Legislature Members' Salaries and Allowances and the Leaders of Opposition in Maharashtra Legislature Salaries and Allowances (Amendment) Bill, 2016.
- (17) L. A. Bill No. LXIV of 2016 – The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Bill, 2016.
- (18) L. C. Bill No. IV of 2016 - Maharashtra Local Authority Members Disqualification (Amendment) Bill, 2016.

(B) Following 6 Bills were second time passed by the House :-

- (1) L. A. Bill No. XXIV of 2016 - The Maharashtra Agricultural Produce Marketing (Development and Regulation) (Amendment) Bill, 2016.
- (2) L. A. Bill No. XXV of 2016 - The Maharashtra Water Resources Regulatory Authority (Amendment) Bill, 2016.
- (3) L. A. Bill No. XXVI of 2016 - The Maharashtra Municipal Corporations and The Maharashtra Municipal Councils, *Nagar Panchayats* and Industrial Townships (Amendment) Bill, 2016.
- (4) L. A. Bill No. XXVII of 2016 - The Maharashtra Municipal Corporations (Amendment) Bill, 2016.

- (5) L. A. Bill No. XXVIII of 2016 - The Mumbai Municipal Corporations (Amendment) Bill, 2016.
- (6) L. A. Bill No. XXXII of 2016 - The Maharashtra Metropolitan Region Development Authority Bill, 2016.

MOTIONS :-

The House devoted its valuable time for discussing following matters of public importance **under rule 293** of the Maharashtra Legislative Assembly Rules :-

(1) "Considering the demand for reservation since last many years of Maratha community which is in majority in Maharashtra; Stay given by the High Court to the decision of giving 16 percent reservation to Maratha community; Income limit of economically backward class has been increased to 6 lakhs by the State Government; Efforts to give justice to the distressed woman in Kopardi incident, Schemes commenced by the Government and reaction of the citizens on it by taking notice of the feelings of Maratha community."

(2) "Considering the silent march and peaceful agitation launched across the state throughout the year for reservations in employment, education and other facilities by Maratha, Dhanagar, Muslim, Lingayat, Koli as well as Other Backward Classes, orders issued by the Court to retain the 5 percent educational reservation given to the Muslim Backward Classes in petition filed with the Court for reservation of Muslim Community, action to be taken by the Government in this regard.

(3) "Considering the backlog and incomplete irrigation projects in Vidarbha, to carry out irrigation by pipeline instead of canals, to plan and determine the priority of the usage of water to undertake underground drainage schemes, surface drinking water schemes and internal road. etc. action taken by the Government to be taken into consideration

(4) "Considering sale of agriculture produce at low rate in Vidarbha-Marathwada, minimum rates received by the farmers for soybean, cotton, *urid* and *turcrops* due to import of pulses on the large scale as well as demonetization, oppose made on large scale to give lands of farmers for Nagpur-Mumbai Samrudhhi Highway, co-operation has not been provided by the Social Justice Department to the officers of Health Department despite orders issued by the Hon'ble Chief Minister to issue certificate to handicapped people, firm action taken or to be taken by the government in these matter be taken into consideration."

HOUSE ALSO DISCUSSED THE FOLLOWING MATTER OF PUBLIC IMPORTANCE AS LAST WEEK MOTION UNDER RULE 292 OF THE MAHARASHTRA LEGISLATIVE ASSEMBLY RULES:-

"Deteriorating Law and Order in the state, increasing atrocities on the women, failure on the part of the Government to curb crimes, narcotics are being smuggled on the large scale by citizens of foreign countries residing in Mumbai, negligence of the Government towards the same, measures to be adopted in this matter be taken into consideration."

DURING THIS SESSION SHORT DURATION DISCUSSION WAS HELD ON THE FOLLOWING MATTER OF URGENT PUBLIC IMPORTANCE (RULE 101) :-

"Due to demonetization of Rs.500 and 1000 currency notes by Central Government, people had to face many hardships."

CALLING ATTENTION NOTICES :-

During the fourth session of 2016, 2211 notices of Calling Attention on matters of urgent public importance were received, out of which 82 notices were admitted and out of which discussion was held on 19 notices and in respect of other admitted notices Statement were laid on the table of the House on last day of the Session.

QUESTIONS:-

(A) Starred Questions :-

In this session, 8579 notices of Starred Questions were received; out of which 441 questions were admitted and 37 questions were orally answered in the House.

(B) Unstarred Questions :-

197 Notices of Unstarred Questions were received during this session. Out of which 61 Unstarred Questions were admitted, Replies to the 2950 Questions, previously admitted as Unstarred were laid on the table of the House in the form of printing lists of 50 each.

(C) Short Notice Questions :-

8 Notices of short notice questions were received during the session, and all of them were disallowed.

HALF-AN-HOUR DISCUSSION :-

(A) General (Under Rule 94) :-

143 notices of Half-an-hour discussion were received, out of which 22 notices were admitted and 2 notices were discussed on the floor of the House during the session.

(B) Arising Out of Questions :-

30 notices of Half-an-hour discussion were received out of which 11 notices were admitted and no one notice were discussed on the floor of the House during the session.

STATEMENT UNDER RULE 47 :-

3 (Three) Statements were made by the Ministers under Rule 47 of the Maharashtra Legislative Assembly Rules.

ADJOURNMENT MOTION (RULE 97) :-

64 Adjournment motion notices were received during the session and all notices were disallowed, 04 statements were made by the Concerned Ministers.

PRIVILEGES :-

- (1) In this session 3 (Three) notices for raising question of breach of privilege and contempt were received.
- (2) Two member were allowed to raise the question involving breach of privilege and contempt in the Maharashtra Legislative Assembly.

(3) Matter referred to the Committee on Privileges :-

(a) Smt. Dipika Sanjay Chavan, M.L.A. gave notice of breach of privilege and contempt on 5th December, 2016 and raised a question involving breach of privilege and contempt of the House against Shri. Sunil Saindane, Tahsildar, Baglan, District Nashik. Hon. Speaker referred this question of privilege to the Committee on Privileges for examination investigation & report.

(b) Shri. Rajesh Kshirsagar, M.L.A. gave notice of breach of privilege and contempt on 15th December, 2016 and raised a question involving breach of privilege and contempt of the House against Smt. Jyoti Priya Singh, S.P. Jalna and Smt. Vaishali Mane Assistant Police Commissioner, Pune. Hon. Speaker referred this question of privilege to the Committee on Privileges for examination, investigation & report.

(4) The Committee on Privileges presented report in the following matter to the House :-

In the matter of breach of privilege and contempt raised by Dr. Sunil Deshmukh. M.L.A, Legilstaive Assembly against Shri. Chandrakant Gudewar, former Commissioner, Amaravati Municipal Corporation. The former Commissioner while submitting a proposal of 7018 houses to the State Level Sanctioning and Monitoring Committee of the Government in accordance with GR No:-PHS/2015/C.R.110/HP-2(Cell), dated 09th December, 2015 issued by the Housing Department in

context of the Prime Minister Housing Scheme for the region of Amaravati Municipal Corporation, deprived Honourable Member Dr. Sunil Deshmukh from participating in the entire decision making process by taking the decision at his own level without taking into consideration the opinion of the Honourable Member in this regard although, it was necessary to declare the list of the beneficiaries for the said scheme in consultation with the Local Assembly Members as per the Guideline No.8.6 of the Central Government. Moreover, when the Honourable Member published a factual statement in this context in a newspaper on 18th March, 2016, Shri. Chandrakant Gudewar, the then Commissioner, Amaravati Municipal Corporation, published a statement in the newspaper openly refuting the stand of Honourable Member by stating that the information provided by the Honourable Member is incorrect. This act of the Commissioner tantamounted to malign the image of the Honourable Member in the public and since this act prima facie appears to be the matter of contempt, it was referred to the Committee on Privileges.

Recommendations of Committee -

Shri. Chandrakant Gudewar is a senior officer in the Administration. It is expected from such senior officers that their overall conduct should set examples of best co-ordination and balance between Peoples' Representatives and Administrative Officers so that, all the officers and employees in administration would follow and imitate him. Being a senior officer, Shri. Gudewar has a huge responsibility. But, it has

been observed that, Shri. Gudewar has evaded his responsibility. Over all, in this case, it appears that, Shri Gudewar has committed contempt of Hon'ble Member Dr. Sunil Deshmukh by deliberately depriving him from participating in the process of Prime Minister Housing Scheme. Similarly, he has also maligned the image of Dr. Sunil Deshmukh in the public by publishing a statement refuting the stand put forth by the Hon'ble Member in the newspaper. When any Hon'ble Member has publicly expressed his opinion and has put forth his stand in such a way, it is not expected from an administrative officer to openly refute the stands of the Members through newspapers. Therefore, in this matter, the Committee recommends in general that **'henceforth, the administrative officers should not openly put forth their stand or express opinion about Legislators through either newspapers or electronic media, so that it will malign the image of Hon'ble Member of Legislature in public and in politics. Guidelines to this effect be issued immediately through a circular and disciplinary action should be taken against those officers violating these guidelines.'**

Committee carefully deliberated as to what action should be taken regarding the contempt in this case. Shri. Gudewar is a senior administrative officer. Therefore, he has more responsibility and hence there is severe seriousness in his misconduct. When a person holding the post of Commissioner of Municipal Corporation purposely deprives the Local Peoples' Representatives from participating in public works by committing their contempt by violating the rules in such a way,

then a wrong message is sent in the administrative system of the Government and as a result, the Administrative Officers disrespects the opinion of Local Peoples' Representatives and thereby encourage such tendencies. Such cases continue to recur and it causes adverse effect on the democratic system. Therefore, the Committee is taking this matter seriously.

In democratic system, opinions and experiences of the Peoples' Representatives should always be welcome with regards. However, the conduct of Shri. Gudewar is contrary to this assumption. Therefore, considering the seriousness of the matter, the Committee recommends that, Shri. Chandrakant Gudewar, former Commissioner of Amravati Municipal Corporation, should be summoned before the bar of the House and be admonished for his act or misconduct which directly or indirectly amounts to contempt of Hon'ble Member Dr. Sunil Deshmukh and he should be kept under the custody of Chief Security Officer, Maharashtra Legislature till the conclusion of business of House of Legislative Assembly for the day. Similarly, adverse remarks should be noted in the confidential report of Shri. Chandrakant Gudewar as he has violated the guidelines mentioned in the GR issued by General Administration Department dated 27th July, 2015 number M.L.S. 2013/C.R. 67/188 regarding giving respect and showing courtesy to Hon'ble Member of Legislature. The Chief Secretary should reprimand him as he has committed contempt of Hon'ble Members of Legislature. Similarly, he should not be appointed on any executive post in the Administration during his remaining period of service.

GOVERNMENT RESOLUTIONS (RULE 110) :-

Following three motions were moved by the Chief Minister and unanimously passed by the House -

- (1) Regarding the name of 'Chhatrapati Shivaji International Airport' be expanded as 'Chhatrapati Shivaji Maharaj International Airport, Mumbai'."
- (2) Regarding the name of 'Chhatrapati Shivaji Terminus' Railway Station be expanded as 'Chhatrapati Shivaji Maharaj Terminus'."
- (3) Regarding the name of 'Elphinston Road' Railway Station be expanded as 'Prabhadevi'."

NON-OFFICIAL BUSINESS :-

(A) RESOLUTIONS (Under Rule 106) :-

341 notices of Private Member's Resolutions were received, out of which 261 notices were admitted and 3 notice was discussed and after discussion withdrawn by the member in charge with the leave of the House.

(B) BILLS :-

During this session 8 (Eight) notices of Non-Official Bills (Private Member's Bills) were received and 7 (Seven) Bills were introduced in the House. 3 (Three) Bills were taken into consideration and was withdrawn by the members-in-charge with the leave of the house.

COMMITTEE REPORTS :-

13 Reports of the Legislature Committees and 54 Reports of the various Corporations (Public Undertakings) and One report of Maharashtra State Information Commission of Government of Maharashtra were presented to the House.

On the whole, the session passed off peacefully. At the close of the session, valedictory address was made by the Hon'ble Speaker in which statistical information regarding the business conducted during the session was read out. Hon'ble Speaker thanked the Leader of the House, the Leader of Opposition, the Leaders and Deputy Leaders of Parties and Groups and each and every Member of the House for their kind co-operation and courtesy extended to him in conducting the business of the House.

The session was concluded on the 17th December, 2016 with established convention of **singing of National Anthem** and announcement of **Governor's Prorogation Order** by the Hon'ble Speaker.

With regards,

Yours sincerely,

(Dr. ANANT KALSE)

