

Patel, I beg to lay on the Table a copy (in English and Hindi) of the Order issued by the Vice-President acting as President on June 23, 1977, in pursuance of article 280 of the Constitution, constituting the Seventh Finance Commission. [Placed in Library. See No. LT-500A/77.]

PROCLAMATION UNDER ARTICLE 356 OF THE CONSTITUTION

THE MINISTER OF HOME AFFAIRS (SHRI CHARAN SINGH): Sir, I beg to lay on the Table, under clause (3) of article 356 of the Constitution, a copy (in English and Hindi) of the Proclamation G.S.R. No. 406 (E) issued by the Vice-President acting as President, under clause (2) of the said article on June 24, 1977, revoking the Proclamation made by him on April 30, 1977 in relation to the State of Bihar. [Placed in Library. See No. LT-500B/77]

RE. NOMINATION OF MEMBERS TO THE COURT OF ALIGARH MUSLIM UNIVERSITY

MR. DEPUTY CHAIRMAN: Now Calling Attention.

श्री नागेश्वर प्रसाद शाही : (उत्तर प्रदेश) : श्रीमान्, मुझे एक बात आपसे कहनी है। यह सूचना आपके कार्यालय से मिली है कि आपने अलीगढ़ मुस्लिम यूनिवर्सिटी के कोर्ट में चार सदस्यों को नामजद किया है।.....

श्री उपसभापति : माननीय सदस्य से मैं निवेदन करूंगा कि इस प्रकार बगैर नोटिस दिय प्रश्न न उठायें।.....

श्री नागेश्वर प्रसाद शाही : नोटिस का सवाल नहीं है।..

(Interruptions)

श्री उपसभापति : कृपया स्थान ग्रहण कीजिए। माननीय सदस्य से मैं निवेदन

करूंगा कि उनको हर चीज उठाने का पूरा मौका दिया जाता है। लेकिन बगैर सूचना के जब मर्जी हो खड़े हो कर कोई बात कृपया न उठायें। इसलिए मैं आपसे निवेदन करूंगा कि कुछ न निवेदन करें।...

(Interruptions)

श्री नागेश्वर प्रसाद शाही : आपके सम्बन्ध में कुछ कहना होता।...

(Interruptions)

श्री उपसभापति : सदन में जो भी कहना चाहते हैं उसके लिए अनुमति लेनी होती है।

SHRI B. N. BANERJEE (Nominated): It is not customary, according to the practice of the House to question the decision of the Chairman in the matter of nomination of members to any committee. Sir, the hon. Member _____

MR. DEPUTY CHAIRMAN: We are not going into the merits of the question at all Order, please,

श्री नागेश्वर प्रसाद शाही : आप यहां सेक्रेटरी थे, आपका नामिनेशन कैसे हुआ है, कौन सा प्रसिडेंट है?.....

(Interruptions)

MR. DEPUTY CHAIRMAN: Order, please.

श्री रामानन्द यादव (बिहार) : उपसभापति जी, बाहर रेडियो वाले प्रदर्शन कर रहे हैं... (Interruption)

MR. DEPUTY CHAIRMAN: Order, Please.

श्री रामानन्द यादव : ये स्माल स्केल इंडस्ट्रीज के लोग हैं...

(Interruptions)

श्री उपसभापति : आप स्थान ग्रहण कीजिए।

श्री रामानन्द यादव : मैं सरकार से कहना चाहता हूँ... (Interruption)

श्री उप-सभापति : माननीय सदस्य से मैं निवेदन करूँगा कि अभी मैं कह चुका हूँ कि बगैर पूछे खड़े न हो जायें। आखिर सदन कुछ नियमों से चलता है। हमारे ऊपर भी कुछ बंधन हैं। श्री राहा।

CALLING ATTENTION TO A MATTER OF URGENT PUBLIC IMPORTANCE

Reported removal of a letter about the Election Symbol of B.L.D. from the files of the Election Commission

SHRI SANAT KUMAR RAHA (West Bengal): Sir, with your permission,, I beg to call the attention of the Minister of Law, Justice and Company Affairs to the reported removal of the letter written by Shri Charan Singh as President of Bharatiya Lok Dal about the election symbol of the BLD from the files of the Election Commission.

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI SHANTI BHUSHAN): Mr. Deputy Chairman, Sir, presumably the Hon'ble Member has in mind a communication which was addressed by Shri Charan Singh, Chairman, Bharatiya Lok Dal, in connection with the merger of that party in the newly formed Janata Party,

Shri Charan Singh, Chairman, Bharatiya Lok Dal, addressed a letter dated 5th May 1977 to the Chief Election Commissioner of India intimating that a special conference of the Bharatiya Lok Dal held in Delhi on 30th April, 1977 presided over by him had adopted a resolution of complete merger of its identity with the Janata Party and that the symbol reserved for Bharatiya Lok Dal should become the official symbol of the Janata party.

A copy of the resolution was also enclosed with that letter. This letter was received by the Chief Election Commissioner on 6th May, 1977. On 8th May, 1977 Shri Charan Singh desired the return of his letter dated 5th May, 1977 addressed in his capacity as Chairman of the Bharatiya Lok Dal. After taking a copy for the records of the Commission, the letter was returned to Shri Charan Singh on 9th May, 1977 with a covering letter in which he was informed that the Chief Election Commissioner would await a communication from him before he proceeded further in the matter relating to the merger of the party. On 11th May, 1977, the letter of 5th May, 1977 was returned to the Deputy Election Commissioner in person by Shri Rabi Rai, General Secretary, Janata Party. As similar letters intimating the merger had already been received from the Indian National Congress (Organisation), the Bharatiya Jan Sangh and the Socialist Party, the Commission recorded a decision on 11th May, 1977 itself under paragraph 16 of the Election Symbols (Reservation and Allotment) Order, 1968 that the Janata Party should be recognised and notified as a National Party and that the symbol "Haldhar within wheel" (Chakra Haldhar) should be allotted as its exclusive symbol for elections to the Lok Sabha and State Legislative Assemblies.

It would be evident from the above that it is not correct to say that any letter/file had been removed from the office of the Election Commission of India, New Delhi, implying that something had been done unauthorisedly or in an irregular manner.

And, Sir, may I add that the Chief Election Commissioner himself had issued a statement which was published in the Times of India of 31st May in which he had categorically stated that no letter was clandestinely withdrawn from the file, nothing irregular was done, no file was sent to anybody, no one in any department was reprimanded?