

12 Noon

**ANNOUNCEMENT RE ELECTION  
OF DEPUTY CHAIRMAN**

**सभापति :** चूंकि राज्य सभा में उपसभापति का पद रिक्त हो गया है इसलिए मैंने राज्य सभा में प्रक्रिया तथा कार्य-संचालन विषयक नियमों के नियम 7 के अधीन बुधवार 30 मार्च 1977 को उपसभापति के उक्त पद के लिए निर्वाचन कराने की तिथि निश्चित कर दी है। निर्वाचन उस दिन मध्याह्न पूर्व 11 बजे होगा।

**SHRI BHUPESH GUPTA:** (West Bengal): Sir, I have a submission to make. At what point do I make the submission? It is with regard to a certain procedure adopted by the authorities working on behalf of this House. After the papers are laid and before the General Budget is presented, I can do it, or I would like to do it now.

**CHAIRMAN:** Mr. Gupta, this may be considered when the Budget is laid on the Table.

**श्री जगदीश जोशी (मध्य प्रदेश) :** व्यवस्था का प्रश्न यह है कि सदन की सामान्य पम्परा यह रही है कि शोक प्रस्तावों को सभापति खड़े हो कर पढ़ते थे। जैसे आपने पढ़ा क्या वह उचित था?

**सभापति :** जो हो चुका उसके बाद उठाना उचित नहीं लगता।

**CANCELLATION OF SITTING OF  
THE HOUSE ON THE 29th March  
1977**

**श्री रबी राय (उड़ीसा) :** कल राम नवमी का त्यौहार है। राम-नवमी राष्ट्रीय त्यौहार है। मैं आपसे प्रार्थना करूंगा कि सदन की अनुमति से कल छुट्टी का ऐलान किया जाये।

13 R.S.—2.

**सभापति :** इस सम्बन्ध में मेरी माननीय कमलापति जी से भी बातचीत हो गयी है। वे भी चाहते हैं कि कल सदन का कार्य स्थगित रखा जाये। इसको ध्यान में रखते हुए कल सदन की बैठक नहीं होगी किन्तु सचिवालय खुला रहेगा।

**Reference to appointment of Chair-  
man pro tem**

**SHRI BHUPESH GUPTA** (West Bengal): Sir, I wish to make it clear that what I am going to submit to you is in no way meant to be any personal reflection. Persons are not involved in this. I am concerned with the principles, more especially when we are thinking of restoring democratic norms of functioning. Article 91 says that when the office of Chairman is vacant in our House, it is for the President to nominate someone to discharge the functions of the Chairman. Here in this House, a crisis arose, firstly due to a tragedy because of the death of Shri Fakhruddin Ali Ahmed, the President. The Chairman of this House or the Vice-President became the Acting President. Naturally he could not come. Therefore, he was not available to discharge the usual functions assigned to him *ex-official as the* Chairman of this House. Then the Deputy Chairman of the House, another presiding officer, got elected to the other House and under the Constitution, automatically he ceased to be a Member of this House. Therefore, we were faced with a situation in which we did not have any Chairman or Deputy Chairman. Now in that situation, article 91 had been invoked in order that the President could appoint someone to discharge the functions of the Chairman. Now, Sir, the President in such matters is supposed to act on the advice of the Council of Ministers. There is no situation in which the President does not act except on the advice of the Council of Ministers.