

**THE DRUGS AND COSMETICS (AMENDMENT) RULES, 1968**

**SHRI SATYA NARAYAN SINHA :** Madam, I beg to lay on the Table, under section 38 of the Drugs and Cosmetics Act, 1940, a copy of the Ministry of Health, Family Planning and Urban Development (Department of Health and Urban Development) Notification S.O. No. 866, dated the 28th February, 1968, publishing the Drugs and Cosmetics (Amendment), Rules, 1968. [Placed in Library. See No. LT-581/68.]

**THE CITIZENS (REGISTRATION AT INDIAN CONSULATES) AMENDMENT RULES, 1968**

**THE DEPUTY MINISTER IN THE MINISTRY OF WORKS, HOUSING AND SUPPLY (SARDAR IQBAL SINGH) :** Madam, on behalf of Shri K. S. Ramaswamy, I beg to lay on the Table, under sub-section (4) of section 18 of the Citizenship Act, 1955, a copy of the Ministry of Home Affairs Notification G.S.R. No. 483, dated the 4th March, 1968, publishing the Citizens (Registration at Indian Consulates) Amendment Rules, 1968. [Placed in Library. See No. LT-653/68.]

**THE ADMISSION AS ADVOCATES (TRAINING AND EXAMINATION) RULES, 1968**

**THE DEPUTY MINISTER IN THE MINISTRY OF LAW (SHRI MOHAMMAD YUNUS SALEEM) :** Madam, I beg to lay on the Table, under sub-section (5) of section 49-A of the Advocates Act, 1961, a copy of the Ministry of Law (Department of Legal Affairs) Notification S.O. No. 926, dated the 8th March, 1968, publishing the Admission as Advocates (Training and Examination) Rules, 1968. [Placed in Library. See No. LT-641/68.]

**MOTION RE EXTENSION OF TERM OF OFFICE OF MEMBERS OF COMMITTEE ON PUBLIC ACCOUNTS**

**THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH) :** Madam, I beg to move the following Motion :—

“This House resolves that the term of office of the present members of the Rajya Sabha serving on the Committee on Public Accounts be extended up to the 30th April, 1968.”

*The question was proposed.*

**SHRI BHUPESH GUPTA (West Bengal) :** Madam, I have a submission to make. The hon. Minister should explain why he is doing that.

**SHRI BIREN ROY (West Bengal) :** He should also state that there are no Members on the PAC whose term expires.

**DR. RAM SUBHAG SINGH :** The suggestion was made that Dr. Siddhu is one of the Members who is retiring and that the term of office in the PAC and in the Committee on Public Undertakings be extended up to 30th April. As you know, previously this used to be the system, but last year there was no lame-duck session of Parliament, of the Third Lok Sabha. The term of office was to expire on the 31st March. As these Committees have to submit reports, etc. It was thought that we should seek permission of the House for the extension of the term of office.

**SHRI NIREN GHOSH (West Bengal) :** How can he do that? Those who are not Members of Parliament remain Members of a Parliamentary Committee. Under what rule is it done?

श्री राजनारायण (उत्तर प्रदेश) : माननीया, यह एक संवैधानिक प्रश्न है। क्या पब्लिक एकाउन्ट्स कमेटी में किसी आउटसाइडर मैम्बर को रख सकते हैं क्योंकि जिन मैम्बरों का टर्म एक्सपायर हो जायेगा वे आउटसाइडर हो जायेंगे। इसलिये हमारा प्वाइन्ट यह है कि इस चीज़ को जरा कानूनी पंडितों से समझा जाय क्योंकि इसके जरिये एक सेक्रेट दरवाजा खोल दिया जायेगा और जो सदन का सदस्य नहीं होगा उसको भी इस कमेटी में लाया जायेगा जो कि भविष्य के लिए ठीक बात नहीं है। इस तरह से सरकार पब्लिक एकाउन्ट्स कमेटी में बाहर के लोगों को भर देगी।

दूसरी बात मैं यह कहना चाहता हूँ...

**THE DEPUTY CHAIRMAN:** I do not think this applies to those who retire. This does not apply to those Members who are retiring and whose term finishes on the 2nd April.

श्री राजनारायण : अगर यह उन लोगों के लिए अप्लाई नहीं करता है, तो यह किस लिए लाया गया है और इस प्रस्ताव की आवश्यकता क्या है क्योंकि जो सदन के सदस्य हैं, वे तो उसमें रहेंगे ही। इसलिये मैं चाहता हूँ कि इस बात का स्पष्टीकरण हो जाना चाहिये कि जिन मैम्बरों का टर्म एक्सपायर हो जायेगा उनको पार्लियामेंट की किसी भी कमेटी में नहीं रखा जायेगा। अगर इस प्रस्ताव का असर उन लोगों पर नहीं पड़ता है, तो फिर इसको क्यों लाया जा रहा है? हमको डर है कि डा० सिद्धू का नाम राष्ट्रपति द्वारा सिफारिश कराया जायेगा और उन को ही रखने के लिए ऐसी व्यवस्था की जा रही है।

**SHRIM. M. DHARIA (Maharashtra):** Madam, I want to say something on this point. I do believe that those who retire will not be on the Committee. Committee Members are to be elec-

ted. As you know, nearly 33 per cent of our Members are soon retiring. After their elections are over, if these elections to Committees are held, it will be possible for new-coming Members to be on the PAC. They will be in a position to participate. From that point of view, those who are retiring should not be allowed to function on the Committee. At the same time, it is absolutely necessary to facilitate those who are incoming Members. Otherwise, we shall be prohibiting the way of those who are coming new. In this context, he should be welcome . . .

**THE DEPUTY CHAIRMAN :** I think Members understand the whole thing.

**SHRI BHUPESH GUPTA:** Kindly see the wording of the Resolution:

"This House resolves that the term of office of the present members of the Rajya Sabha serving on the Committee on Public Accounts be extended up to the 30th April, 1968".

श्री राजनारायण : माननीया, इस समय यह प्रस्ताव वापस होना चाहिये और इसकी बर्डिंग ठीक होनी चाहिये।

**SHRI BHUPESH GUPTA:** Whether this resolution would be constitutionally valid or not is a different matter. But whoever is a present Member of the House, his term is being *ipso facto* by this thing extended. It may not be valid in law.

**THE DEPUTY CHAIRMAN:** I think there needs to be some amendment in the drafting.

**DR. RAM SUBHAG SINGH:** I agree. "This House resolves that the term of office of the Committee on Public Accounts be extended up to 30th April, 1968" as Mr. Dharia suggested . . .

श्री राजनारायण : माननीया, हम समझे नहीं ।

THE DEPUTY CHAIRMAN: I think the Minister should clearly say that those who retire would be excluded. You can amend it.

DR. RAM SUBHAG SINGH: That is our intention in the matter, Madam.

SHRI BHUPESH GUPTA: You can give it in word. You say all right. You can give an explanation that those who retire shall not be any more members of the Committee. That is for removal of any doubt.

SHRI ABID ALI (Maharashtra): It can be only "excluding the retiring members", that much. If you put in the other amendment, then those who may be re-elected will become ineligible.

THE DEPUTY CHAIRMAN: "This House resolves that the term of office of the present members of the Rajya Sabha serving on the Committee on Public Accounts be extended up to the 30th April, 1968, subject to those who will cease to be members of the Rajya Sabha". Will this be all right?

SHRI BHUPESH GUPTA: "Subject to those" is not the language.

श्री राजनारायण : माननीया, अगर ऐसा रहेगा तो जो 28 तारीख को चुना जायेगा, वह आ जायेगा । देखिये, गलत काम मत कीजिये ।

SHRI BHUPESH GUPTA: It may be like this: "Subject to the fact that such members of the Rajya Sabha as may retire on 2nd April, 1968, shall cease to be members of the Committee."

DR. RAM SUBHAG SINGH: I accept this amendment.

THE DEPUTY CHAIRMAN: I shall put the motion again :

"This House resolves that the term of office of the present members of the Rajya Sabha, except those who retire on the 22nd April, 1968, serving on the Committee on Public Accounts be extended up to the 30th April 1968".

*The motion was adopted.*

श्री राजनारायण : माननीया, दोनों में फर्क है । हम लोगों को अनावश्यक ज़िद कर के कोई वडिंग नहीं बनानी चाहिये । जो 2 अप्रैल को रिटायर करते हैं वे कमेटी के सदस्य नहीं रहेंगे . . .

उपसभापति : वह साफ है ।

श्री राजनारायण : आप कहती हैं कि जो मेम्बर नहीं रह जायेंगे वे नहीं रहेंगे, किन्तु उनका अगर एलेक्शन फिर हो गया तो वे मेम्बर रह जायेंगे . . .

SOME HON. MEMBERS No, no.

श्री राजनारायण : पच्चीस आदमी एक साथ बोलेंगे तो मामला कैसे बनेगा । अगर यह मकसद इसमें साफ है कि जिस सदस्य का टर्म 2 अप्रैल को खत्म होता है वह सदस्य अगर 28 तारीख को चुना भी जाय तो भी वह इस समिति का सदस्य नहीं रहेगा, तो ठीक है । लेकिन भाषा गोल नहीं रहनी चाहिये, भाषा इसकी बिल्कुल साफ रहनी चाहिये ।

THE DEPUTY CHAIRMAN: Any one who will be elected on the 28th has to take the oath. He is not a member until he comes again.

SHRI BHUPESH GUPTA: You are right. He is not a member.

# MOTION RE EXTENSION OF TERM OF OFFICE OF MEMBERS OF COMMITTEE ON PUBLIC UNDERTAKINGS

DR. RAM SUBHAG SINGH: Madam, I beg to move the following Motion: