का विवरण आपके सम्मुख प्रस्तुत किया जायेगा ।

30. यह हमारे लिए दुख का विषय है कि राजस्थान में राष्ट्रपति का शासन लागू करना पड़ा । हमारी हार्दिक आशा है कि इस व्यवस्था को अधिक समय तक बनाये रखना आवश्यक नहीं होगा । और शीघ्र ही उत्तर-दायी सरकार फिर से स्थापित करना सम्भव होगा । 1967–68 के वित्त वर्ष के लिए राजस्थान सरकार के अनुमानित आय और व्यय का विवरण भी आपके सम्मुख प्रस्तुत किया जायेगा ।

31. संसद सदस्य, मेरी शुभकामना है कि आप अपने प्रयास में सफल हों ।

OBITUARY REFERENCES

PASSING AWAY OF SHRI ALGURAI SHASTRI AND SHRI SUDHIR GHOSH

MR. CHAIRMAN: Since the House adjourned last, two of our old colleagues, Shri Algurai Shastri and Shri Sudhir Ghosh, have passed away.

Shri Algurai Shastri was a Member of this House during 1956—58. He was a whole-time political worker and an active participant in the national movement. He had a long and useful record of work in the Legislature, starting from 1937 in the U.P. Legislative Assembly. Modest and sincere, he had many endearing qualities. In his death, the country has lost a devoted worker in the cause of our political emancipation.

Shri Sudhir Ghosh came to the Rajya Sabha in 1960. He had the great good fortune of being associated with Gandhiji in his early career. Later, he functioned in different administrative capacities before coming to the Rajya Sabha. He was a forceful speaker and had always a new point of view to present. It is a great pity that a person of his ability should have passed away at the comparatively young age of 51.

I would request the Members to rise in their seats and observe two minutes' silence as a mark of respect to the memory of the deceased.

(Hon. Members then stood in silence for two minutes)

MR. CHAIRMAN: I shall ask the Secretary to convey to the members of the bereaved families the sense of grief and profound sympathy of this House.

RESIGNATION OF MEMBERS

MR. CHAIRMAN: I have to inform the House that the following Members resigned their seats in the Rajya Sabha with effect from the dates mentioned against their names:—

1. Shri A. Thanglura (Assam)—2nd February, 1967.
2. Shri U. S. Patil (Maharashtra)—2nd March, 1967.
3. Shri T. M. Das Gupta (Tripura)—2nd March, 1967.
4. Shri M. N. Govindan Nair (Kerala)—3rd March, 1967.
5. Shri G. M. Mir (Jammu and Kashmir)—13th March, 1967.
6. Shri V. C. Kesava Rao (Andhra Pradesh)—14th March, 1967.

REFERENCE TO PRESIDENT'S PROCLAMATION REGARDING RAJASTHAN

MR. CHAIRMAN: Proclamation under article 356 of the Constitution.

SHRI BHUPESH GUPTA (West Bengal): Mr. Chairman, I rise to make a submission in regard to this item. From the list of business, Sir, we

understand that the Proclamation revoking the Proclamation issued on the 24th March, 1965 is going to be laid on the Table of the House. But recently there has been an alleged Proclamation by the President with regard to Rajasthan.

MR. CHAIRMAN: This is about Kerala.

SHRI BHUPESH GUPTA: I know it.

MR. CHAIRMAN: I wish you knew it.

SHRI BHUPESH GUPTA: Sir, I am here pointing out the propriety of it.

MR. CHAIRMAN: Please do not bring in Rajasthan. You have sent your notice and I have admitted it; it will come on Monday.

SHRI BHUPESH GUPTA: That is another matter. It will come on Monday. But here all that I want to say is that they are laying on the Table of the House the Proclamation revoking the Proclamation with regard to Kerala and they should have taken the first opportunity to place on the Table of the House the Proclamation they have issued in regard to Rajasthan. That Proclamation, according to us, is illegal and, according to the Government, legal. Therefore, Sir, I should like to know from the Leader of the House, through you, as to why that particular alleged Proclamation in regard to Rajasthan is not laid on the Table of the House.

THE LEADER OF THE HOUSE (SHRI M. C. CHAGLA): Sir, there is a saying in English about the difference between chalk and cheese. My hon. friend is talking about Rajasthan when we are dealing with Kerala. When we come to Rajasthan, we shall deal with it and the Proclamation will be placed on the Table of the House in good time and if my hon. friend has any objection to it, he can raise it also in good time. This is only a simple procedural matter of laying on the Table of the House something that has been done, namely, revoking the Proclamation with regard to Kerala. I do not see how the question of Rajasthan arises out of it.

SHRI BHUPESH GUPTA: No, Sir. This is very improper. I am not going into the merits or demerits of the Proclamation, because that will come on Monday. You are quite right.

SHRI ARJUN ARORA (Uttar Pradesh): Is Mr. Bhupesh Gupta opposing the revocation of the President's Rule in Kerala?

SHRI BHUPESH GUPTA: I am not, Sir. It seems Congress Members have lost their heads after elections. I can understand it; I have my sympathies with them. (*Interruptions*). You can allow for that loss of heads a little after elections. Now, Sir, is it not expected of the Government that the Proclamation, which was issued recently when Parliament was not in session, should be laid on the Table of the House at the first available opportunity, so that it is circulated to us and on Monday we can come on the basis of a document submitted to this House and ask questions and so on?

MR. CHAIRMAN: You have already come.

SHRI BHUPESH GUPTA: I have not. That will be on Monday. I should, therefore, like to know why this Government is behaving in this cavalier manner in this House by not laying on the Table of the House that illegal monstrous Proclamation issued with regard to Rajasthan, so that Members are seized of the matter at once. This is what I am asking. Let them explain it. Are Dr. Sampurnanand and Shri Sukhadia going to be consulted about it?

MR. CHAIRMAN: If you are anxious to use the adjectives, you have used them. The matter is not before us; it will come to us and the Proclamation will be laid before the House and we will discuss it.

SHRI BHUPESH GUPTA: But it should have come today, at the very first opportunity. This is what I am saying. I hope they will not consult Shri Sukhadia about it or the Congress Working Committee. It is a constitutional matter, and constitutional practices and conventions clearly say that when an ordinance is issued in the absence of Parliament, immediately it is laid on the Table of the House, at the very first opportunity. Likewise the Proclamation . . .

MR. CHAIRMAN: It is to be put before Parliament, but not immediately on the first day.

SHRI BHUPESH GUPTA: Sir, we have got an army of Ministers and they do not know how to do these things.

SHRI M. C. CHAGLA: Sir, there is no rule or procedure in the Constitution which says that a Proclamation should be placed on the Table of the House on the opening day. I can assure my hon. friend that it will be laid on the Table of the House as soon as possible.

SHRI BHUPESH GUPTA: Under which provision of the Constitution?

SHRI MULKA GOVINDA REDDY (Mysore): Mr. Chairman, in the list of business it is not mentioned whether they are going to lay the Proclamation, which has been issued with regard to Rajasthan, on the Table of the House today. They should take the earliest opportunity to lay the Proclamation on the Table of the House on the first day, and today is the first day.

MR. CHAIRMAN: They will do so.

SHRI MULKA GOVINDA REDDY: Not in the course of the Session, but on the first day they should lay the Proclamation on the Table of the House.

SHRI BHUPESH GUPTA: You kindly look up this article, article 356(3) on page 193. It says:

> "Every Proclamation under this article shall be laid before each House of Parliament and shall, except where it is a Proclamation revoking a previous Proclamation, cease to operate . . ."

MR. CHAIRMAN: The word 'immediately' does not occur there.

SHRI BHUPESH GUPTA: I am coming to that. It does not say which day of the session. That is true, but the conventions are well established and they are followed in regard to these matters, namely, revocation of a Proclamation. If the Government was so alert in the matter of revocation of its previous Proclamation and laying it on the Table of the House, is it not to be expected from the Government that the Proclamation which has suspended the Rajasthan State Assembly and is preventing the people of Rajasthan from having their Government and which is opposed by the entire country, should be laid on the Table of the House, as a matter of priority, on the very first, opening day? Now, Sir, they cannot blow hot and cold. The Proclamation revoking an earlier Proclamation has been laid on the Table of the House, but not the other. A goat has been presented but not the tiger. I should like to know why it is so.

SHRI LOKANATH MISRA (Orissa): Sir, we expected that the Government would really place it on the Table of the House to-day but since they have delayed a little, can I take it that they are going to revoke it and both the Proclamation and the Revocation will come together because there is a talk going on and as serious talk going on? It is because of that fact that they have postponed it till tomorrow?

MR. CHAIRMAN: I do not think you will get any information on that. Please wait till Monday. You will have your full say on Monday.

SHRI BHUPESH GUPTA: You can ask the Government.

MR. CHAIRMAN: I have asked the Government.

SHRI BHUPESH GUPTA: What is the reason and why is it not laid?

MR. CHAIRMAN: Because it is not required.

SHRI BHUPESH GUPTA: It is required by convention. I do not think there was any Proclamation issued in the inter-session period which was not laid on the Table of the House on the very first day of the opening of Parliament. Can he cite a single instance? The discussion and the debate can take place later.

SHRI M. C. CHAGLA: I am afraid he has not read the other portion and I will read it:

> "(3) Every Proclamation under this article shall be laid before each House of Parliament and shall, except where it is a Proclamation revoking a previous Proclamation, cease to operate at the expiration of two months unless before the expiration of that period it has been approved by resolutions of both Houses of Parliament."

So the obligation cast on the Government is, if it passes a Proclamation when Parliament is not in session, it should get it approved by both the Houses of Parliament within two months. If it does not, the Proclamation ceases to be effective. That is the only obligation on it. (*Interruptions*). Mr. Gupta will never allow me to finish. If that obligation is not discharged, the Proclamation will cease to be effective. The Constitution does not lay down any time-limit within which it should be laid. It is the duty of the Government to see that both the Houses have got enough time to discuss it because it has to be passed by the two Houses and the Government is conscious of that fact.

MR. CHAIRMAN: I have understood his point.

SHRI BHUPESH GUPTA: You have understood it but the trouble is, the people who indulge in issuing Proclamations do not understand it. Now here he has read out the wrong thing. It is the trouble, always on the wrong foot. The Constitution was meticulous enough to provide for the laying of it on the Table of the House. Even the procedure has been mentioned in the article of the Constitution I have read out—article 356. You have not complied with it. He can say that he will do it tomorrow or the day after. He can say it but how is it that the first opportunity was not availed of in order to lay it on the Table of the House and to conform not only to the letter of the Constitution but to the conventions which have grown under the Constitution over the fifteen years of the working of the parliamentary institutions and of the Constitution? The hon. Minister should be chastised by you, should be condemned by you and asked to behave in the proper way. That is all that I ask.

श्री सुन्दर सिंह भंडारी (राजस्थान) : सभापति जी, इसी घोषणा के संबंध में मेरा निवेदन है कि, जैसा कि अभी बहस में सामने आया, साधारण रूप से इस राष्ट्रपति के प्रोक्लेमेशन को आज सदन के सामने प्रस्तुत करना चाहिये था । अगर वह यू ही नज़रअंदाज हो चुका है तब तो बात अलग ह, परन्तु अगर आज उसको जान बूझ कर हाउस की टेबल पर रखने से रोका गया है तो मै आपसे यह निवेदन करूंगा कि आपको इस सबध में विशेष कदम उठाकर संबंधित मंत्रियों को तम्बीह देना चाहिये ।

SHRI A. P. CHATTERJEE (West Bengal): Sir, it was not expected from the hon. Leader of the House when he said that because there was no time-limit for laying the Proclamation on the Table of the House, therefore, he will not do it on the first day. You know that the Proclamation issued under article 356 by the President in relation to Rajasthan has shocked the democratic conscience of the entire country and you also know that not

[Shri A. P. Chatterjee.]

only it has shocked the democratic conscience of India but you have seen what a trail of blood it has left in Rajasthan. In spite of that, when the Leader of the House comes forward and says that just because there is no time-limit laid down in the Constitution, therefore, he will not lay it on the Table of the House, it is rather splitting hair, it is being too much technical and that is not expected from the Leader of the House. If he had any sense of democracy or any respect for democracy within him, then he should have placed this Proclamation on the Table on the first day or the opening day of the House.

MR. CHAIRMAN: That point has been made.

SHRI A. P. CHATTERJEE: I also join with the Opposition Members who have just now spoken, in conveying to you our deepest disappointment at this action on the part of the Treasury Benches and your honour will kindly convey this feeling of the Opposition to the Government and will see that the Ministers do not deal with Parliament in this undemocratic fashion any longer.

DR. D. R. GADGIL (Nominated): I humbly ask a question because I have not understood fully the statement by the Leader of the House. As I understand it, the full implication of it is that according to him, the Government can delay even for two months the laying of any Proclamation on the floor of the House and allow it to lapse without a discussion so that if the Government is prepared to take that risk, the Government can make a proclamation, operate the Constitution under it and even when Parliament is in session, it is not incumbent on the Government to lay it at all as long as it takes the risk of its lapsing.

MR. CHAIRMAN: The point is quite clear to me. The Proclamation should have been laid on the Table of the House to-day so that you could have got it. Unfortunately, it is not there but I hope it will be laid on the Table of the House as soon as possible.

SHRI M. C. CHAGLA: I will convey it to the Home Minister that the Government should lay it on the Table of the House on Monday

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PRESIDENT'S PROCLAMATION RELATING TO THE STATE OF KERALA

THE DEPUTY MINISTER IN THE MINISTRY OF INFORMATION AND BROADCASTING (SHRIMATI NANDINI SATPATHY): Sir, on behalf of Shri V. C. Shukla, I beg to lay on the Table, under clause (3) of article 356 of the Constitution, a copy of the Proclamation (G.S.R. No. 298) issued by the President on March 6, 1967, revoking the Proclamation issued on the 24th March, 1965, under the said article, in relation to the State of Kerala.

STATEMENT OF BILLS ASSENTED TO BY THE PRESIDENT

SECRETARY: Sir, I beg to lay on the Table a statement showing the Bills which were passed by the Houses of Parliament during the Fifty-eighth Session of the Rajya Sabha and assented to by the President:

1. The Beedi and Cigar Workers (Conditions of Employment) Bill, 1966.
2. The Police-Forces (Restriction of Rights) Bill, 1966.
3. The Companies (Amendment) Bill, 1966.
4. The Delhi Municipal Corporation (Validation of Electricity Tax) Bill, 1966.
5. The Metal Corporation of India (Acquisition of Undertaking) Bill, 1966.
6. The Companies (Second Amendment) Bill, 1966.