

*Hon. Members then stood in silence
for one minute*

MR. CHAIRMAN: The Secretary will convey the sympathy of the House to members of the bereaved family.

**Re. NOTICE FROM SUPREME COURT
IN THE MATTER OF SPECIAL REF-
ERENCE (NO. 1 OF 1964) UNDER
ARTICLE 143 OF THE CONSTITU-
TION**

MR. CHAIRMAN: I have to inform Members that I received on the 2nd April, 1964, a notice from the Supreme Court in the matter of special Reference (No. 1 of 1964) under article 143 of the Constitution arising out of the recent controversy between the Uttar Pradesh Legislative Assembly and the Allahabad High Court. The notice is for appearance before the Court through counsel duly instructed and to take such part in the proceedings before the Court as I may deem fit. As the matter was coming up for hearing before the Supreme Court on April 6, 1964, I informed the Court that I proposed to place the notice before the House.

I have invited the leaders of various Groups in the Rajya Sabha, the Leader of the House, the Minister of Parliamentary Affairs and a few other to a meeting in my room at 12-15 P.M. tomorrow to discuss informally what action should be taken in the matter. Any Member of the Rajya Sabha is welcome to attend the meeting. I shall communicate to the House the result of the discussion.

SHRI BHUPESH GUPTA (West Bengal): Sir, I have a submission to make with regard to this matter. I think the discussion would prove more fruitful if we had the reports of the proceedings of the Uttar Pradesh Assembly. We do not know exactly

what has happened apart from what have appeared in the Press. It has an important bearing on the question we have to consider. We are glad that we are having this discussion but I feel these reports should be available to us.

MR. CHAIRMAN: I understand the proceedings have not yet been printed. In any case we can discuss this matter also when we meet tomorrow.

RESIGNATION BY A MEMBER

MR. CHAIRMAN: I have also to inform Members that Shri Dharamchand Sarawgi, an elected Member representing the State of West Bengal, has resigned his seat in the Rajya Sabha with effect from the 16th April, 1964.

SHRI BHUPESH GUPTA (West Bengal): Here a point arises which you have to consider. He does not seem to have taken his oath or affirmation. It does not seem so. He has only been elected but he has not taken his seat in this House.

MR. CHAIRMAN: He had been declared elected and he has resigned.

SHRI BHUPESH GUPTA: Can he resign before that?

MR. CHAIRMAN: He has resigned.

SHRI BHUPESH GUPTA: By not taking his oath or affirmation, technically he has not become a Member of this House. How can he resign his seat from this House?

MR. CHAIRMAN: I shall look into the matter. This information is only just to tell you that the seat is vacant.

SHRI BHUPESH GUPTA: I hope you will consider this point.