

COUNCIL OF STATES

Tuesday, 5th August 1952

The Council met at a quarter past eight of the clock, Mr. CHAIRMAN in the Chair.

ADJOURNMENT OF COUNCIL IN OBSERVANCE OF RAKSHA BANDHAN

श्री टी० पांडे (उत्तर प्रदेश) : श्रीमान्, मुझे यह अर्ज करना है कि आज रक्षाबंधन का दिन है। यह हमारे देश का बहुत बड़ा त्योहार है। मैं आशा करता हूँ कि हमारे धार्मिक संस्कारों की रक्षा के निमित्त आज की कार्यवाही स्थगित कर दी जायगी।

*[SHRI T. PANDE (Uttar Pradesh) : Sir, I beg to submit that Raksha Ban-dhan, a very important festival of our country, is being celebrated today. I hope, Sir, that as a token of our regard for our religious function the Council will be adjourned today.]

श्री एस० डी० मिश्र (उत्तर प्रदेश) : मैं इसका समर्थन करता हूँ।

•*[SHRI S. D. MISRA (Uttar Pradesh) : Sir, I support him.]

SHRI K. B. LALL (Bihar) : I also represented this matter to the Leader of the House yesterday and I did not know at that time that even the Lower House had postponed their meeting to today. So as a token of our regard for the national festivities that are observed by the people - we should show by our attitude that we are not quite detached from them. We may not be observing ourselves anything as a matter of fact, but it remains that the people expect that we are their representatives and we should not live in our own world of New Delhi palaces and 40 rupees a day. That should not be the impression outside the House. So I think that even if we close the later

sitting at least, that will be a token of our regard for the national festivity;

MR. CHAIRMAN : All that I have to say is that if this matter had been put at the proper time we might have taken some action. But all the same I agree that we may adjourn for half an hour at 9-30 and resume at 10 so as to show our sympathy with the general attitude.

RULES OF PROCEDURE AND CONDUCT OF BUSINESS

SHRI B. K. MUKERJEE (Uttar Pradesh) : On a point of order, Sir. Now we have got two sets of rules to conduct the business of this House and they contradict each other. The new set of Rules which was published in the *Gazette of India Extraordinary*, dated the 4th August 1952 contains an insertion of a new section 28D which contravenes section 207 of the original Rules of Procedure and Conduct of Business of the Council of States published in the *Gazette of India Extraordinary*, dated the 16th May 1952. It contravenes in this way that under Rule 207 it is provided :

"Whenever the debate on any motion in connection with a Bill or on any other motion becomes unduly protracted, the Chairman may, after taking the sense of the Council, fix the hour at which the debate shall conclude."

In this set of Rules provision was made to restrict discussion on the debate in connection with the President's Address, Resolutions, motions on matters of public interest and motion for papers, but in case of debate on Bills no such restriction was contemplated in the beginning and no provision was made in the first set of Rules except clause 207 which I have quoted. Now I am at a loss to understand which of these two contradictory sets of rules will now guide us to proceed with the business of this House.

In this connection I have got to refer to article 118 of the Constitution of India.

[Shri B. K. Mukerjee.] India. Article 118(1) confers upon this House, the Council of States, the right to make rules for the procedure and conduct of the business of this Council of States. But though we have assembled here for so many days we have been denied the right to make rules for the procedure and conduct of the business of this House so far and we do not know when we will be allowed to exercise this right conferred upon us under article 118(1). I want—Sir, your ruling on these two matters.

MR. CHAIRMAN : So far as the first matter is concerned, the Chairman has the discretion to decide the allotment of time and he can do so by taking the advice of the Business Advisory Committee.

So far as the second thing is concerned, we have got a Rules Committee appointed to advise the Chairman. But you are referring to the Committee of the House. Well we shall consider the question.

PAPER LAID ON THE TABLE

A CONSOLIDATED STATEMENT SHOWING THE ACTION TAKEN BY THE GOVERNMENT ON VARIOUS ASSURANCES, PROMISES AND UNDERTAKINGS GIVEN DURING THE FIRST SESSION.

THE MINISTER FOR DEFENCE (SHRI N. GOPALASWAMI) : Sir, on behalf of my hon. colleague, the Minister for Production, I beg to lay on the Table a consolidated statement showing the action taken by the Government on various assurances, promises and undertakings given during the first session of the Council of States. (*See* Appendix II, Annexure No. 68).

MOTION—ELECTION OF MEMBERS TO THE CENTRAL ADVISORY BOARD OF EDUCATION

THE MINISTER FOR DEFENCE I (SHRI N. GOPALASWAMI) : Sir, on J

behalf of my hon. colleague, the Education Minister, I beg to move :

That this Council do proceed to elect, in such manner as the Chair may direct, two members from among themselves, to serve on the Central Advisory Board of Education for a period of three years.

MR. CHAIRMAN : The question is :

That this Council do proceed to elect, in such manner as the Chairman may direct, two members from among themselves, to serve on the Central Advisory Board of Education for a period of three years.

The motion was adopted.

PROGRAMME OF DATES FOR NOMINATION & ELECTION OF MEMBERS TO THE CENTRAL ADVISORY BOARD OF EDUCATION.

MR. CHAIRMAN : I may inform the hon. Members that the 8th of August 1952 is fixed as the last date for receiving nominations and the 11th of August—by assumption we are likely to meet on the 11th of August—for holding elections, if necessary to the Central Advisory Board of Education. The nominations will be received in the Council Notice Office up to 12 noon on the 8th. The election which will be conducted in accordance with the system of proportional representation by means of a single transferable vote will be held in Secretary's Room No. 10, Ground Floor, Parliament House, between the hours of 10-30 a.m. and 1 p.m.

SALARIES AND ALLOWANCES OF MINISTERS BILL, 1952—continued.

MR. CHAIRMAN : Now we take up the further discussion of the motion moved by Shri N. Gopalaswami on the 4th of August 1952 that the Bill to provide for the salaries and allowances of Ministers, as passed by the House of the People, be taken into consideration. Shri Gopalaswami Ayyangar.