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Monday, July 16, 1979

Asadha 25, 1901 (Saka)

LOK SABHA DEBATES

(Eighth Session)



(Vol. XXVIII contains Nos. 1—6)

LOK SABHA SECRETARIAT
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LOK SABHA

Monday, July 16, 1979/Asadha 25, 1901
(Saka)

The Lok Sabha met at Eleven of the
Clock

[MR. SPEAKER in the Chair]

MR. SPEAKER: Secretary. (In-
terruptions)

PAPERS LAID ON THE TABLE

- (i) LETTER OF RESIGNATION BY THE
PRIME MINISTER AND HIS COUNCIL
OF MINISTERS; AND
- (ii) LETTER FROM THE PRESIDENT ACCEP-
TING RESIGNATION OF THE PRIME
MINISTER AND HIS COUNCIL OF
MINISTERS.

SECRETARY: I lay on the Table a
copy each of the following papers:—

(1) Letter dated the 15th July,
1979 from the Prime Minister to the
President tendering his own resigna-
tion and that of his Council of
Ministers.

(2) Letter dated the 15th July,
1979 from the President to the Prime
Minister accepting his resignation
and the resignation of his colleagues
from the Council of Ministers and
requesting him to continue in Office
till a new Government is formed.
[Placed in Library. See No. LT-
4608/79.]

SHRI SAUGATA ROY (Barrack-
pore): On a point of order, Sir. (In-
terruptions) When a No-Confidence
motion against the Prime Minister is

pending before the House, by resign-
ing the former Prime Minister, Mr.
Morarji Desai has tried to circumvent
this House. While he has resigned
from the Prime Ministership, he has
not resigned from the leadership of the
Janata Parliamentary Party and he
has again staked his claim to be the
Prime Minister. This is the way to
bypass the Lok Sabha... (Interrup-
tions) The former Prime Minister has
tried to bypass the Lok Sabha and
saved himself from the ignominy of a
defeat in the No-Confidence motion
in the House. This is positively a
breach of privilege of the House and
contempt of the House. We demand
that a breach of privilege motion given
against the Prime Minister be taken
up by the House. It is circumventing
the House. Today, he has lost majority
and he is again claiming his right to
form a Government. There is a clear
breach of privilege of the House.
(Interruptions)

SHRI EDUARDO FALEIRO
(Mormugao): Sir, may I draw your
attention to article 75, sub-clause (3)
of the Constitution which provides
that the Council of Ministers and the
Prime Minister in particular is collec-
tively responsible to the House. That
means, in all major decision, the
House must be taken into confidence.
The gravest decision that the Prime
Minister can take is concerning his
resignation. It is definitely the conte-
mpt of the House (Interruptions). The
Prime Minister should make a state-
ment as to why he has resigned. He
must take this House into confidence.
Merely laying a paper on the Table of
the House will not do. It is in contra-
vention of the principle enshrined in
article 75(3), of the Constitution.

Apart from that, as has already been said, a breach of privilege has been committed by the Prime Minister a notice of which has been given by me. The Prime Minister has circumvented this House by resigning like this. He has avoided a defeat on the floor of the House.... (*Interruptions*). This traumatic experience of Desai Government is over. (*Interruptions*).

PROF. P. G. MAVALANKAR (Gandhinagar): Sir, we are meeting in the most extra-ordinary situation. I do not understand, how after the Secretary has laid on the Table of the House the two papers as per the Supplementary List of Business, there can be any points of order! After having read these Rules of Procedure

repeatedly several times in the last several years, I must tell you, Sir, that there can be no point of order in this matter. The House should be adjourned as early as possible. (*Interruptions*).

SHRI SAUGATA ROY: Under Rule 222 of the Rules of Procedure there is a point of order.... (*Interruptions*).

MR. SPEAKER: In view of the President's communication... (*Interruptions*) the House stands adjourned *sine die*.

11.05 hrs.

The Lok Sabha then adjourned *sine die*.