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

LOK SABHA DEBATES

(Eighth Session)



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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. (Interruptions)

PAPERS LAID ON THE TABLE

- (i) LETTER OF RESIGNATION BY THE PRIME MINISTER AND HIS COUNCIL OF MINISTERS; AND
- (ii) LETTER FROM THE PRESIDENT ACCEPTING 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 resignation 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 (Barrackpore): On a point of order, Sir. (Interruptions) When a No-Confidence motion against the Prime Minister is

pending before the House, by resigning 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....(Interruptions) 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 collectively 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 contempt of the House (Interruptions). The Prime Minister should make a statement 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 contravention 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.