

14.44 hrs-

MOTIONS *Re* : ALL-INDIA SERVICES (CONDUCT) RULES, 1968.

SHRI NARENDRA KUMAR SALVE

(Betul) : I beg to move :

- (1) "This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, the following modifications be made in the All-India Service (Conduct) Rules, 1968, published in the Gazette of India by Notification No. G.S.R. 3, dated the 4th January, 1969 and laid on the Table on the 21st February, 1969, namely :—

(i) in clause (b) of rule 2, *omit* sub-clause (iii) ;

- (2) "This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, the following modifications be made in the All-India Services (Conduct) Rules, 1968, published in the Gazette of India by Notification No. G.S.R. 3, dated the 4th January, 1969 and laid on the Table on the 21st February 1969, Namely :—

(ii) to sub-rule (1) of rule 3, *add* the following explanation :

*'Explanation* — The question of determining as to what has to be deemed as "unbecoming of a member of the Service" shall be decided by the Head of the Department in which the member of the Service is serving at that time';"

- (3) "This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, the following modifications be made in the All-India Services (Conduct) Rules, 1968, published in the Gazette of India by Notification No. G.S.R. 3, dated the 4th January, 1969 and laid on the

Table on the 21st February, 1969, namely :—

(iii) to sub-rule (1) of rule 4, *add* the following Explanation :

*'Explanation*—The question of determining whether a member of the Service has "used his position or influence" shall be decided by the Head of the Department in which the member of the Service is serving at that time.';"

- (4) This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, the following modifications be made in the All-India Services (Conduct) Rules, 1968, published in the Gazette of India by Notification No. G. S. R. 3, dated the 4th January, 1969 and laid on the Table on the 21st February, 1969, namely :—

(iv) in rule 5 *for* sub-rule (1), *substitute*—

(1) No member of the Service shall be a member of, or be otherwise associated with, any political party or any other organisation which takes part in politics, or seeks to promote exclusively interests of a religious community, or is fundamentally communalistic in its declared objectives, nor shall he take part in or, subscribe in aid of, or assist in any other manner, any political movement or political activity or purely communal activity.';"

- (5) "This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, the following modifications be made in the All-India Services

(Conduct) Rules, 1968, published in the Gazette of India by Notification No. G. S. R. 3, dated the 4th January, 1969 and laid on the Table on the 21st February, 1969, namely :—

- (v) in rule 7, for 'No member of the Service shall, in any radio broadcast or in any document published anonymously, pseudonymously or in his own name or in the name of any other person or in any communication to the press or in any public utterance, make any statement of fact or opinion,' substitute—

'Every member of the Service shall obtain previous sanction of the Government or any other authority empowered in this behalf, for giving any radio broadcast or for publishing any document or for making any statement either to the press or at a public gathering, but no member of the Service shall, however, in any radio broadcast or in any document published anonymously, pseudonymously or in any other name or in any communication to the press or in any public utterance, make any statement of fact or opinion—';"

- (6) "This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Service Act, 1951 the following modifications be made in the All-India Services (Conduct) Rules, 1968, published in the Gazette of India by Notification No. G. S. R. 3, dated the 4th January, 1969 and laid on the Table on the 21st February, 1969, namely :—

(vi) in rule 13,—

- (a) in sub-rule (1), omit 'except with the previous sanction of the Government'; and

- (b) in the proviso to sub-rule (1) omit 'without such sanction';

- (c) in sub-rule (1), after the existing proviso, add the following further proviso: 'Provided further that when a member of the Service intends to undertake such honorary work of any literary, artistic or scientific character in any organisation which is sponsored or financed or managed directly or indirectly by any foreign country or institution or individual, the member of the Service shall, before undertaking such work, submit to the Government the full particulars relating to such organisation and obtain previous sanction of the Government';"

- (7) "This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, the following modifications be made in the All-India Services (Conduct) Rules, 1968, Published in the Gazette of India by Notification No. G. S. R. 3, dated 4th January, 1969 and laid on the Table on the 21st February, 1969, namely :—

(vii) in rule 16,—

- (a) in clause (a) of sub-rule (2) add at the end- 'and such property transferred by him during the period of five years preceding the date of his joining the Service by way of gift or sale in the name of any member of his family or in the name of any other person';

- (b) for clause (c) of sub-rule (2), substitute—

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'(c) moveable property such as gold, or gold ornaments, precious metals or ornaments of such precious metal, jewellery including loose jewels, motor-cars, motor-cycles, refrigerators, radios, radiograms, expensive apparels, utensils of gold, and silver, insurance policies of the value of over Rs. 1,000 and loans advanced by him; and

(c) omit the Explanation;" and

- (8) "This House resolves that in pursuance of sub-section (2) of section 3 of the All-India Services Act, 1951, the following modifications be made in the All-India Services (Conduct) Rules, 1968, published in the Gazette of India by Notification No. G. S. R. 3, dated the 4th January, 1969 and laid on the Table on 21st February, 1959, namely :—

(viii) for rule 21, substitute —

'21, Interpretation.—If any doubt arises as to the interpretation of these rules, the same shall be referred to a Board consisting of the Secretaries to the Government of India in the Ministries of Home Affairs, Law and Finance.'"

This House recommends to Rajya Sabha that Rajya Sabha do concur in this resolution."

Mr. Deputy-Speaker, Sir, on a perusal of the All-India Services Conduct Rules, 1968, I felt impelled to bring the motion before this august House because, I felt, these Rules were extremely deficient and inadequate in respect of certain very important points which drawbacks in fact, impede and stifle the conduct of our services coming up to the highest standard that we expect of them.

In England, after the War, it was noticed that without any estensible provocation

or justification, there was expansion, proliferation and growth of bureaucracy. This led one Englishman Mr. C. North Cote Parkinson to study the causes of expansion of bureaucracy without any ostensible warrant or justification and the working of the Government. After a very careful study, this Englishman evolved a theory, and that is known as Parkinson's Law. In that law he expounded that the Government work expands so as to fill the time available to complete it. I think, Parkinson's law is hopelessly inapplicable to the bureaucracy in our country and to the government work because here it is our experience that our bureaucracy has expanded in algebraical progression without having sufficient and adequate work....

AN HON. MEMBER ; Algebraical or geometrical ?

SHRI NARENDRA KUMAR SALVE:— In algebraical progression without adequate work with the result that government's mistakes, errors and chaos have multiplied in geometrical progression. If one were to study the institution of bureaucracy and the working of the government in our country one would find that there are three significant and salient features. Feature number one is that in India pedigree has become more important than degree. Feature number two is : whom you know is more important than what you know. Feature number three is that there are two ways of doing the work : the right way and the government way.

When the Britishers withdrew in 1947, they unfortunately left certain very vicious, pernicious and unwanted legacies foisted on the heads of the Indian people. One of the legacies left behind comprised a section of the people who, in the British days, had amassed fabulous economic power and colossal political authority, thanks to the British beneficence and patronage. This section, a very small section, of Indians comprised the bureaucracy, the aristocracy and the plutocracy. The most cumbersome of these legacies has been the bureaucracy in India. The legacy which has been left behind happened to have persons and officials who, in the British days, were known to be anti-Indian. It was, therefore, necessary that, after the Britishers had gone, we

should have had a cadre of our own people known for dedication and service to man the government's affairs. We did not do so. The transfer of power was so peaceful, so indecently peaceful, that those people who might otherwise, in a country where there was a bloody revolution, have faced the firing squad, were once again made the rulers of the country. This was, I submit, a very unfortunate blunder. Because on Independence, as a result of this, we inherited a brain-washed bureaucracy which was not only opposed to Indian nationalism but had been known to hate the fellow-Indians as inferior slaves.

In the post-independence bureaucracy, this background naturally created in our bureaucracy lack of a certain qualities of character, the qualities of dedication, selflessness and humility which, I submit, are *sine qua non* for any bureaucracy of a free country. The rules which we have made, I find, are utterly inadequate and unpragmatic to inculcate into our bureaucracy these qualities. In fact, there is nothing which can ensure in these bureaucrats selfless, prompt and purposeful approach. The best of ideas, the best of plans, and the best of legislations are hopelessly scuttled and are brought to ridicule sometimes when handed over to the bureaucracy either for administration or for execution. The unfortunate part is that the impermanence of the political cadre, coupled with the permanence of the tenure of civil service, has led to creating an impression in the minds of the bureaucrats that they are invincible, they are indispensable and they are omniscient. Recently, we have seen....

श्री रवि राय (पुरी) : आई० सी० एस० के लोगों को जो विशेष सुविधायें दी गई हैं। उनको हटाने की भी बात करिये।

SHRI NARENRA KUMAR SALVE : That, I have said, is most unfortunate.

I should never have happened. At any rate making the best of a bad bargain today we can certainly amend our rules and try that we minimise the hardship that we have caused to ourselves. That is the purpose of the motion. The tendency of the bureaucrats these days is to infiltrate into position of authority in religious institutions,

social institutions and ostensibly charitable institutions. This needs to be watched very strictly and very carefully. Otherwise there may be cases of gross abuse of authority for which I find the rules are extremely deficient. Recently we had an occasion. We heard a Secretary of a Ministry going out to speak on matters which are very highly controversial, political matters. The Secretary of the Law Ministry went and ostensibly in his anxiety to impart knowledge of constitutional law to his listeners went and said that the dismissal of the United Front Ministry in Bengal was a case of extreme constitutional propriety. It constituted an act of very great constitutional propriety under the Indian Constitution and the Governor acted very wisely. I must make it very clear. I am not one of those who thought that it was an improper act, but the point is not that. The point is whether a Secretary is to go and impart knowledge and teach that part of the Constitution which is utterly unwritten. This public settlement in respect of matters which are highly debatable, which are political, is extremely improper and the Home Minister here was at pains to defend this man for having indulged in what I thought nothing short of sheer political activity. I may be permitted to very succinctly and briefly explain the various amendments that I have suggested in these Rules which, I put before the House, for being considered were incorporated in these Rules.

My first amendment seeks modification by deleting a particular clause which I submit by deletion would serve the purpose better than by its existence. It is in respect of dependents of the Government employees whose misbehaviour by a fiction would constitute a misbehaviour of the Government servant. But while defining 'dependent' the clause says that he should be a person who is wholly dependent. If he is 91.9% dependent, then he would not be covered. The word 'wholly' is the subject matter of interpretation by various courts for purposes of income tax to mean 'entirely and fully'. Therefore, if this clause is to serve its purpose, I submit it may be deleted.

My next amendment is one in which I have suggested that if there is an act which is unbecoming or improper, the Secretary of

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the Department must be compelled to determine whether a particular act on being reported or brought to the knowledge of the head of the Department, is *prima facie* unbecoming of the officer or not. It will mean that if an act committed is unbecoming of the member, it will have to be declared as unbecoming and further action taken. At present even if the act is unbecoming and even if it is raised in Parliament we are not sure anything would come out of it. Therefore, I seek in my amendment to enjoin a responsibility on the head of the Department to compulsorily determine whether a particular act being reported as *prima facie* unbecoming of the officer is really so or not.

My next amendment is an extremely important amendment. This amendment contemplate prohibition on our bureaucrats, on our officers from joining any social body, or say, are ostensibly a social institution, which fosters communal objectives and purposes. There is no prohibition in the Rules, as they are, on this point. The officers are prohibited from joining political parties, but how is it enough unless they are also stopped from joining such parties which foster communal purposes ?

SHRI SURENDRANATH DWIVEDY (Kendrapara) : Communal and caste.

SHRI NARENDRA KUMAR SALVE : Communal, as a wider term would include caste.

My next suggestion is this. Just how I gave an instance of a Secretary going about justifying the dismissal of the United Front Ministry in Bengal. If a Government servant has to make any broadcast or make a statement or public speech, then it is not as if he should be allowed to make a speech and then the Government should sit in judgment whether it is right or not. Instead, if the officer must publish a document or a book—sometimes they publish useful books also and I do not want that right to be taken away—what I am submitting is : why not Government's permission be obtained in advance before they make a public statement, before they make a broadcast, before they go for a public speech. My suggestion, in terms of

the amendment, is that Government consent should precede his making such a statement and not that it should succeed. Even for publication he can submit it to the Government and then after obtaining Government's consent he can publish it. Supposing tomorrow there is something really objectionable ; we can haul up somebody and there is somebody to reply to and to take up the responsibility for the misdemeanour of the officers.

AN HON. MEMBER : What about misdemeanour of the Ministers.

SHRI NARENDRA KUMAR SALVE : That would be outside the purview of the Conduct Rules. I come now to my next amendment. There is the existing rule in terms of which the presently the Government can give consent and permission for the officers to carry on trade and business, subject to Government consent, officers can carry on trade and business. This I think is utterly improper. According to my amendment, the Government must be stopped and stopped completely from giving any permission whatsoever to any Government officer from carrying on trade and business. In other words, this discretionary authority in the hands of the Government, if my amendment is accepted, would stand withdrawn next amendment is one with which. I think the whole House will agree and support my amendment. This seeks to impose restrictions on the officers from working in any organisation which is financed by foreign funds without the prior approval of the Government. Without prior approval of the Government, if they get involved such foreign help, action should be taken. Today, the political situation is such that you will kindly appreciate the inherent dangers and the seriousness of the situation in not keeping any restrictions on this matter. My next amendment is regarding disclose of properties of the officers.

MR. DEPUTY-SPEAKER : I may point out that we had one hour for this. But unless Minister replies it won't be carried on to the next session. This motion will not be there.

SHRI S KANDAPPAN (Mettur) : Very valid arguments are advanced and

I suppose, the entire House will be agreeable to this suggestion of mine. This motion moved by Mr. Salve is a very important one. In order to enable the House to have a full-fledged discussion, let us carry over this to the next session. That is my suggestion.

**श्री रवि राय :** मैं इस मांग का समर्थन करता हूँ। रूलज के अनुसार हो सकता है तो होना चाहिये।

**SHRI S. KUNDU (Balasore) :** This is very important.

**SHRI S. KANDAPPAN :** By that, we will be in a position to make a useful contribution to the discussion. So we may carry over to the next session, Sir.

**MR. DEPUTY-SPEAKER :** Under the Rules, not only it lapses, but no possibility of revival is there also.

**SHRI S. KANDAPPAN :** It can be done.

**MR. DEPUTY-SPEAKER :** With the concurrence of the House we can get the reply from the Minister. But one thing. We have just got 5 minutes. At 3 O'clock we have got another subject.

**SHRI SURENDRANATH DWIVEDY :** If there is a motion in the House the House is in possession of the motion and the House possesses the motion. If the House passes a motion that this particular discussion should be adjourned to the next session, I do not think, rules would stand in the way at all.

**MR. DEPUTY-SPEAKER :** I will read out the rule for your benefit. That motion is very important. I would have very much liked it. But I don't think we can permit it. Here the Act says :

"An Act to regulate the recruitment....." etc. (*Interruption*).

**AN HON. MEMBER :** We are not able to hear you at all.

**MR. DEPUTY-SPEAKER :** I would like to read from the All India Services Act, 1951.

**SHRI R. D. BHANDARE (Bombay Central) :** We are dealing with the motion.

**MR. DEPUTY-SPEAKER :** It is all right. Under rules, there is some provision. If you want to modify the rule, then objection is taken. This is not an ordinary motion. For instance, if Mr. Prakash Vir Shastri's motion is just touched, it will be carried on. It is an independent motion, not regarding Service Rules.

**श्री प्रकाशवीर शास्त्री (हापुड़) :** इसका एक प्रकार यह हो सकता है कि अगर सारा सदन इस बात के लिए सहमत हो जाए कि तीन बजे जो गैर सरकारी सदस्यों के विधेयक प्रारम्भ होने वाले हैं उससे पूर्व के जितने कार्य सूची में वर्णित विषय हैं वे कंठिन्यू करेगे अगले सत्र में तो वह इसके बारे में एक प्रस्ताव पारित करके ऐसा कर सकता है।

**MR. DEPUTY-SPEAKER :** That is what I say. If the House agrees, just for half an hour we can prolong this. That is possible if the House agrees. But that would be encroachment on the time of the Private Member. Already time is up for Private Members' Bill. It is already 3 O'clock. There is Half-an-Hour discussion also.

**SHRI SURENDRANATH DWIVEDY :** Will you not take up the West Bengal Council (Abolition) Bill ?

**श्री रवि राय :** इस बारे में नियम क्या है ?

15 hrs.

**MR. DEPUTY-SPEAKER :** I am reading one section of the Act :

All rules made under this section shall be laid for not less than 15 days before Parliament as soon as possible after they are made, and shall be subject to such modifications whether by way of repeal or amend as Parliament may make on a motion made during the session in which they are laid.

[Mr. Deputy-Speaker]

It is 'during the session' and that time limit is over. If we adjourn it to the next session, you are not permitted to raise it.

**SHRI SURENDRANATH DWIVEDY :** When it is laid when the House is in session, then we can amend the rules and discuss the matter. We have done that. Whether we complete it now or after sometime, does not matter. If we have not given any amendment to the motion, then what you say will stand. When we have already given amendments, I do not think that rule applies.

**SHRI HUMAYUN KABIR (Basirhat) :** There is a way out.

**SHRI S. KADAPPAN :** You better hear Opposition Leaders.

**MR. DEPUTY-SPEAKER :** The wording is "made during the session in which they are so laid". It is not in the next session. Therefore, only half-an-hour extension is permissible nothing more than that.

**SHRI P. RAMAMURTI (Madurai) :** You are reading from the All India Services Act.

**MR. DEPUTY-SPEAKER :** There the procedure to be followed after the rules are laid on the Table of the House is laid down.

**SHRI P. RAMAMURTI :** All right. I agree that the Act says that unless these amendments are passed in this session, they will not be valid. But that does not prevent us from discussing the question and if necessary the Government can come forward for the amendment of that Section of the Act itself.

**MR. DEPUTY-SPEAKER :** You are raising a different point.

**SHRI P. RAMAMURTI :** Therefore, let us now discuss that and if necessary we can continue. I do not know whether within half an hour we can finish it because it is a very important point. If not, let us continue discussion and see how the Act can be amended.

**SHRI HUMAYUN KABIR :** What I would suggest is this. In the Act it is laid down that Rules have to be laid and the amendments have to be carried within the session. The matter has not been finished. It is already 3 O'clock. It has not been passed.

It will be incumbent on the Government to lay these rules on the Table of the House next session and when they are laid on the Table of the House next session, we shall have an opportunity of discussing them again. That is the easiest way out. The matter is not completed. Because the matter is not completed, the debate is not complete. I have got something to say on Shri Salve's amendments, most of which I accept, but on one I have serious reservations.

**SHRI R. D. BHANDARE :** We are discussing the motion and not the Rules and the Act. We are exclusively discussing the motion. And the House is in possession of that motion. You are making a distinction between the Rules and the Act. If the rules are to be adopted, they ought to be adopted within a particular time to become part and parcel of the Act. Here, we are not on the Rules. We are making a suggestion by way of a motion and the motion is under discussion and that could be carried on to the next session.

**SHRI SURENDRANATH DWIVEDY :** Now the position is quite clear. I shall move a motion.

**MR. DEPUTY-SPEAKER :** Under the Act, a procedure has been laid down for modification of the rules and we are to be guided by that procedure. I recognise one factor that was raised by Shri P. Ramamurti and Shri Humayun Kabir. If the modification of the rules as laid down by the Act would not be completed during the session, then what is to be done? That is the question.

**SHRI SURENDRANATH DWIVEDY :** I move that the motions moved by Shri N. K. P. Salve be adjourned to the next session of the House.

**SHRI R. D. BHANDARE ;** We are guided by the Rules of Procedure of the House and not by the Act.

**MR. DEPUTY-SPEAKER :** Again, I would read for his benefit the section of the Act.

**SHRI R. D. BHANDARE :** We are on the question of motion now.

**MR. DEPUTY-SPEAKER :** So far as our rules are concerned, for ordinary motions, I know the procedure. Here, under the Act, after the rules are laid on the Table of the House...

**SHRI R. D. BHANDARE :** You are making a mistake. We are not dealing with the Act.

**SHRI SURENDRANATH DWIVEDY :** This could not be finalised until and unless it is adopted by the house. If we do not discuss it, then it would form part of the statutory rules. But since we are discussing it, unless we complete the discussion, it cannot become part of the rules.

**MR. DEPUTY-SPEAKER :** The time-limit has been laid down in the Act. I shall consider only one point. Beyond that I cannot do anything. The provision in the Act is :

"All rules made under this section shall be laid for not less than 14 days before Parliament as soon as possible after they are made, and shall be subject to such modification whether by way of repeal or amendment as Parliament may make on a motion made during the session in which they are laid."

The phrase is 'during the session in which they are laid.'

**SHRI S. KANDAPPAN :** Let Government re-lay the rules on the Table of the House during the next session.

**SHRI SURENDRANATH DWIVEDY :** We have to make the motion during the same session, but the provision does not say that we have to pass the motion during the same session. We have to make the motion during the session in which they are laid. That is what you have read out.

**MR. DEPUTY-SPEAKER :** But the modification must be complete during that period.

**SHRI P. RAMAMURTI :** What does all this boil down to? It only boils down to this. If in the next session we continue the discussion and we even adopt these modifications, then as far as this Act is concerned, that will become infructuous. That is all that it amounts to. But that does not mean that we cannot discuss it. Even if it becomes infructuous, if the House expresses its opinion on those rules, then it is for Government to find out a procedure to

amend the Act and all that. For that purpose, you cannot stop the House from expressing its opinion.

**श्री मधु लिमये (मुंनेर) :** मैं यही कहने वाला था। श्री राममूर्ति ने बिल्कुल ठीक कहा है।

**MR. DEPUTY-SPEAKER :** I agree with Shri P. Ramamurti. But it is for Government then...

**श्री मधु लिमये :** श्री राममूर्ति बिल्कुल ठीक कह रहे हैं। वह नियम के अनुसार है। मैं उससे बिल्कुल इत्तेफाक करता हूँ।

**MR. DEPUTY-SPEAKER :** The interpretation that Shri P. Ramamurti has given is correct. But if we adopt the motion just now, then Government are bound down by that. But if it is carried forward, then it is for Government to decide; it is not binding; under the Act, it is not binding on them to modify.....

**श्री मधु लिमये :** उपाध्यक्ष महोदय, एक बात साफ हो जानी चाहिये...

**SHRI NARENDRA KUMAR SALVE :** I entirely agree. If in the next session it is adopted by the House and Government say that it has only persuasive force and not binding force, then that is all right. Let there be an adequate debate, the matter being important.

**MR. DEPUTY-SPEAKER :** If he is agreeing to this, then the position is to keep alive the motions and see that the discussion is resumed at the appropriate time during the next session. But under the Act, it would not be binding.

**SHRI R. D. BHANDARE :** Discussion could be resumed on this set of motions during the next session.

**श्री मधु लिमये :** यह सही है कि भ्रगर माननीय सदस्य का प्रस्ताव भ्रगले सत्र में पास होता है, तो नियम आटोमेटिकली, माडिफाई नहीं होंगे। लेकिन वह प्रस्ताव पास होने पर वह सरकार पर तो बाईंडिंग रहेगा ही और

[श्री मधु लिमये]

स्वयं सरकार को नियम बदलने पढ़ेंगे। आप कहते हैं कि बाईंडिंग नहीं है—वह बाईंडिंग है।

MR. DEPUTY-SPEAKER : I have already ruled that the discussion on the motions will be resumed during the next session at an appropriate time.

SHRI R. D. BHANDARE : Your position is correct and I appreciate it.

SHRI NARENDRA KNMAR SALVE : I want your ruling on one point. Shri Madhu Limayee has raised a very valid contention. He says that if these amendments were not accepted by the House, *suo motu* they would be incorporated the rules ; but next time if it comes to the House and the House approves of them, then *suo motu* they may not be incorporated in the rules, but none-the-less it would be binding on Government to modify the rules.....

MR. DEPUTY-SPEAKER : That is the distinction.

SHRI NARENDRA KUMAR SALVE : Is that the correct position ? If that is, then I am satisfied.

MR. DEPUTY-SPEAKER Yes, Now, we shall take up private Members' business.

SHRI SURENDRANATH DWIVEDY : If the House agrees, we shall take up the next official Bill. The West Bengal Assembly unanimously passed the resolution for the abolition of the Council. There has been no opposition from any quarter. I do not think there will be any opposition in this House also.

SHRI J. MOHAMED IMAM (Chitradurga) : My party opposes it.

SHRI SURENDRANATH DWIVEDY : We may extend the time by one hour and then take up non official business. Within that period we shall be able to pass this Bill. Let half an hour be taken by the Government and half an hour by the entire opposition. We want to put through this Bill.

MR. DEPUTY-SPEAKER : I do not know whether the House is agreeable .. I am in the hands of the House.

श्री रवि राय : हम लोग चाहते हैं कि वह बिल आज पास हो।

MR. DEPUTY-SPEAKER : The Swatantra Party opposes it and they want three hours. Some hon. Members say that they are not prepared to sit beyond 6 P.M. There are some private Members Bills and they say they are not prepared to forego their right.

श्री मधु लिमये : कामेश्वर सिंह का बिल चल रहा है, वह कहाँ कह रहे हैं ?

MR. DEPUTY-SPEAKER : It is not an individual matter. The time is allotted for private Members' Bills and resolutions. We ought to follow some procedure. If the House agrees, I am ready to extend the time.

SHRI J. MOHAMED IMAM : The Business Advisory Committee set apart three hours for this Bill.

श्री प्रकाशवीर शास्त्री : इस में ऐसा है कि जो नान-आफिशियल बिजनेस है उस में तीन विधेयक हैं। एक कामेश्वर सिंह का है जिस के ऊपर निर्राय गणपूर्ति न होने से नहीं लिया जा सका था। उन को कोई आपत्ति नहीं होगी। उस के बाद दूसरा विधेयक डी० सी० शर्मा जी का है, वह अस्वस्थ है। तीसरा कबीर साहब का है। उनको एक मिनट दे दिया जाय जिस से यह बिल कान्टीन्सू करे तो उन को भी कोई आपत्ति नहीं होगी। इसलिए मेरा कहना है कि बंगाल वाले विधेयक को पास कर दिया जाय और उसके बाद दूसरे मेम्बर को एक मिनट देकर इसे आगे के लिए कान्टीन्सू कर दिया जाय। इस में मैं समझता हूँ किसी को आपत्ति नहीं होगी।

MR. DEPUTY-SPEAKER : Let us understand the position. What Shri Shastri stated is not correct. Shri Viswanatham had been authorised by Shri Sharma to move

his Bill and he has informed the Office about it. As Shri Dwivedy says if the House agrees, we can extend the time by one hour or else we can take one hour from the private Members' time because we cannot sit beyond 6 p. m.

AN HON. MEMBER : Why ?

MR. DEPUTY-SPEAKER : Who will guarantee quorum ? The Minister of Parliamentary Affairs is unable to ensure quorum.

SHRI SURENDERANATH DWIVEDY : The House will sit without quorum.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : The Government is anxious to see that the Bill is passed on account of the nature of the representations made to us by the West Bengal Government.

MR. DEPUTY-SPEAKER : We shall take this up on the understanding that it will be finished within one hour and there will be no more extensions.

SHRI P. RAMAMURTI : If the Swatantra Party wants to speak on it, let them speak for their time. They cannot compel others to have three hours for this Bill.

MR. DEPUTY-SPEAKER : Only half an hour for this side, and half an hour for the Government.

SHRI GOVINDA MENON : Less than that. We want only 15 minutes.

SHRI RABI RAY : Yes ; that is definite.

SHRI P. RAMAMURTI : We will take just five minutes each.

SHRI GOVINDA MENON : Mr. Deputy-Speaker, Sir, I beg to move—

SHRI GADILINGANA GOWD (Kurnool) : Sir, I am not agreeable to this. The Business Advisory Committee has allotted three hours for this. I object to this procedure. Let the House divide. (*Interruptions*).

MR. DEPUTY-SPEAKER : He wants division at this stage, whether time should

be given or not. If even one Member objects how can we take it up ?

SHRI S. KANDAPPAN : The Business Advisory Committee make its decision and that is being approved by this House. But the House is the final authority. If they feel so, they may change the decision of the Business Advisory Committee. In this case three hours have been allotted. Whatever is due to the Swatantra party out of the three hours, let them take it. We are prepared to give up our time. On the score that sufficient time is not available, they need not drop the Bill. From my side, I am prepared to assure the House that we are not anxious to speak at all ; we all support the Bill unanimously.

SHRI RABI RAY : Unanimously pass it.

MR. DEPUTY-SPEAKER : So it is agreed ; we are starting it at 3.17, and at 4.17 this business will be completed.

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15.17 hrs.

#### WEST BENGAL LEGISLATIVE COUNCIL (ABOLITION) BILL

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : Sir, I beg to move :

"That the Bill to provide for the abolition of the Legislative Council of the State of West Bengal and for matter supplemental, incidental and consequential thereto, be taken into consideration."

As I said, on the 21st March this year, the Legislative Assembly of West Bengal unanimously passed a resolution on that their legislative Council should be abolished. As soon as that information was received here, Members of this House did raise the question whether the Government of India will be prepared to move the appropriate motion for the purpose of implementing the decision of the West Bengal Legislative Assembly. Two hon. Members of the House, Shri Indrajit Gupta and Shri Rabi Ray particularly, asked whe-