

ANNUAL REPORT OF KERALA WAREHOUSING CORPORATION.

The Minister of State in the Ministry of Food, Agriculture, Community Development and Cooperation (Shri Govinda Menon): I beg to lay on the Table a copy of the Annual Report of the Kerala Warehousing Corporation, Ernakulam for the year 1965-66 along with the Audited Accounts, under subsection (11) of section 31 of the Warehousing Corporations Act, 1962, read with clause (c) (iv) of the Proclamation dated the 24th March, 1965, issued by the Vice-President discharging the functions of the President, in relation to the State of Kerala. [Placed in Library. See No. LT-7466: 66]

श्री मन् विनये : कृपया मन्त्रिय, मेरे व्यक्त का प्रश्न है ।

12.55 hrs.

RESIGNATION BY MEMBERS—
contd.

Shri Tyagi: On a point of order, Sir.

Mr. Speaker: Now I will come to the points of order one by one, Shri Banerjee.

Shri S. M. Banerjee: Sir, you just now said that when a Minister resigns, under the Rules of Procedure of this House, he can make a statement. You have also said that since the Members have tendered their resignations they should not be here. May I invite your kind attention to rule 240 which says:—

"A member who desires to resign his seat in the House shall intimate in writing under his hand addressed to the Speaker, his intention to resign his seat in the House in the following form and shall not give any reason for his resignation." (Laughter)

I am reading the whole thing. Do not laugh. Then, it says:—

"As soon as may be, the Speaker shall, after he has received an

intimation in writing from a member under his hand resigning his seat in the House, inform the House that such and such a member has resigned his seat in the House."

Now, when you said that this Member had already resigned and he should not be in the House, you had not announced their resignation in the House.

Shri Ranga: That is the objection I had raised.

Shri S. M. Banerjee: So, my point of order is that unless you announce.....(Interruption)

Shri N. Dandekar (Gonda): He has announced.

Shri S. M. Banerjee: He has not. Yesterday he said about that. They have simply tabled their resignations. So, the Members are at liberty to be in the House and state the reasons for their resignations.

Mr. Speaker: This rule is intended for such circumstances when a Member sends his resignation letter and is not sitting in the House. In that case I have to announce it to the House for the information of Members. When the Member himself announces it and has come to tender it, the House sees it and I also announced it. I said that he has tendered his resignation. I have announced it. After that he has not right to remain in the House.

Shri Surendranath Dwivedy (Kendrapara): This particular rule, as has been read out to you, provides that he sends his resignation to you without assigning any reason and you announce to the House that he has resigned. There the matter ends. But here it is a peculiar situation. The Member himself is present here. He says, "I want to resign for these reasons" and you do not permit him to state what are the reasons for which he wants to resign. He hands over his resignation. You will take time to

[Shri Surendranath Dwivedy]

announce it. It is not that the Member has announced it, therefore, you do not have to announce it.

Mr. Speaker: I have said afterwards that he has resigned.

Shri Surendranath Dwivedy: If a Member, who is present in the House, wants to say that he is going to resign, at least you should permit him to say why he wants to resign.

Mr. Speaker: The questions is not that he is going to resign or that he has intention to resign or that he contemplates to resign. That is not the question. He says, "Here is the resignation that I am tendering."

Shri Madhu Limaye.

श्री मधु लिमये : वायस्वा का प्रश्न है मेरा अध्यक्ष महोदय। आप ने कहा कि मंत्रियों को अपने पद से इस्तीफा देने के बाद बयान देने का अधिकार है। वह नियम 199 इस प्रकार है :

"A member who has resigned the office of Minister may, with the consent of the Speaker, make a personal statement in explanation of his resignation."

इस्तीफा देते समय भी आप की इजाजत से, आपकी अनुमति से वह बयान देता है। अब मैं आपका ध्यान 389 की धारा खींचना चाहता हूँ :

"All matters not specifically provided for in these rules and all questions relating to the detailed working of these rules shall be regulated in such manner as the Speaker may, from time to time, direct."

अध्यक्ष महोदय, मंत्री अपने मन्त्रि-पद से इस्तीफा देता है। वह मामूली चीज है। वह सदन में रहता है। पचास चार लोगों ने और आज दो लोगों ने सदन से अपना त्यागपत्र देने का इरादा जाहिर

किया। तो 389 के मातहत कम से कम छोटे बयान करने की इजाजत तो आप दे सकते थे। उनके ऊपर और हमारे ऊपर इतनी मेहरबानी आप कर सकते थे और अभी भी मेरा निवेदन है, मेरी प्रार्थना है कि उन को बुलाया जाय, छोटे छोटे बयान वह दे दें। मंत्री इस्तीफा देता है तो कौन सी बड़ी बात करता है? ये सदस्य तो सदन से चले गए।

अध्यक्ष महोदय : मंत्री इस्तीफा देता है मन्त्रिपद से और वह चुंकि मेम्बर उत वक्त भी रहता है, सिर्फ मंत्री पद से हटता है इस वास्ते उसको इजाजत दी जा सकती है। जब कोई मेम्बर इस्तीफा देता है तो वह मेम्बर नहीं रहता है।

श्री मधु लिमये : पहले वह बयान देना चाहते थे। बाद में इस्तीफा देना चाहते थे।

Shri Ranga: Why not take up the matter in the Rules Committee? Ministership is less important than membership of this House. A Member resigns and seeks your permission to state the reasons. Even as a matter of personal explanation you could have allowed that. All that I can say is that I dissent from your ruling.

13 hrs.

Shri Surendranath Dwivedy: After the resignation is announced, the Member has no right to make the statement. The matter ends there. But here I wanted to urge you and I will urge upon you again and again that when a Member is in the House and he says that he wants to resign and he wants to make a small statement before he resigns and sends his formal resignation to you, he should be permitted to say for what reasons he is going to resign.

Shri N. C. Chatterjee (Burdwan): May I point out that it is not correct that the hon. Member wanted to make

a statement after tendering his resignation? He wanted to make a statement before he resigned and he wanted your permission to make a statement as to why he was taking the extreme step and he probably wanted to point out certain things which have happened and which make the position very very delicate and difficult for him to continue as the Member. Then, you refused and something happened and he was forced to write a letter of resignation and give it to you. He again repeated his request and insisted that he should be given chance to make a statement. In all fairness, I say, the Member should be given a chance. It is only fair to him, it is only just to him, to make a statement before you accept his resignation.

Shri Radhelal Vyas (Ujjain): May I draw your attention to rule 240? It has been clearly specified:

"Provided that where any member gives any reason or introduces any extraneous matter the Speaker may, in his discretion, omit such words, phrases or matter and the same shall not be read out in the House."

This being so, if the hon. Member here is allowed to make a statement, and he will only give the reasons for his resignation, the thing which has been restricted to be mentioned in the House is sought to be introduced in another form. Therefore, I submit that when rule 240 is specific, no such statement can be allowed to be made in the House.

Shri Kapur Singh (Ludhiana): The substantial issue before the House is this. I am leaving aside the purely technical issue as to whether a Member can make a statement after he has handed over a written paper of resignation to you, Sir. The substantial issue before the House is as to whether a Member is entitled to make a statement giving reasons for his resignation from the House when he happens to be present. A rule has been quoted which says that when a Minister re-

signs from his post of ministership, he is entitled to make a statement giving reasons for his resignation and you have pointed out that since no such rule exists in the case of a Member's resignation, it follows that he is not entitled to make a statement. My submission is that this rule of interpretation which you have applied is faulty and erroneous. The true rule of interpretation is that where no specific rule exists, then we follow analogies and principles of rules which are already there. The analogy of the Minister making a statement. When he resigns his post of ministership, is already there. The principle behind the rule in the case of the Minister is that it is in public interest that a statement should be made so that the House and the public may know why he has resigned. The same principle applies in the case of a Member also. Therefore, it is only fair and proper and in accordance with the spirit of the rules that he should be allowed to make a statement giving the reasons for his resignation.

Some hon. Members rose—

Mr. speaker: When a point of order is raised, I have to answer it also.

श्री बागड़ी : अध्यक्ष महोदय , पढ़ इसी पर सब को सुन लें

अध्यक्ष महोदय : मैं सब को सुन कर इन्टरवा जवाब नहीं दे सकता ।

श्री बागड़ी : पहले आप सुन तो लें ।

अध्यक्ष महोदय : पहले उन का जवाब तो मुझे देने दीजिए ।

श्री बागड़ी : मैं इसी के बारे में एक नई दलील देना चाहता हूँ, शायद वह आपके लिए फायदेमन्द साबित हो ।

अध्यक्ष महोदय : मैं आपको बुला लूँगा ।

श्री मौर्य (अलीगढ़) : अध्यक्ष महोदय, मेरी दो व्यवस्थाएँ हैं, एक व्यवस्था तो आपके ही ऊपर है। आप एक सदस्य की व्यवस्था को सुन कर तुरन्त ही जवाब दे देते हैं। जब एक विशेष समस्या चल रही है, जब प्वाइन्ट ऑफ़ ऑर्डर पर कुछ सदस्य अपने विचार दे रहे हैं, आप दूसरों को सुने बिना अपना उत्तर दे देते हैं, मेरी व्यवस्था यह है कि यह ठीक नहीं है। पहले आप तमाम सदस्यों को सुन लें और जब आपको पूरी जानकारी सदस्यों के विचारों की हो जाय, उसके बाद आप व्यवस्था दीजिए। एक व्यवस्था तो मेरी यह है, दूसरी, जब आप मौका देंगे तब आपको मानने रखूंगा।

अध्यक्ष महोदय : तो आप बिना मौका दिये हुए ही बोल रहे थे। अब चूंकि बगैर मौका दिये हुए आपने कहा है, इसलिए मैं यह कहे देता हूँ कि प्वाइन्ट ऑफ़ ऑर्डर पर डिबेट शुरू नहीं हो सकती। जब कोई मEMBER प्वाइन्ट ऑफ़ ऑर्डर उठाता है, अगर किसी और को सुनाना हो तो मैं सुनूँ, वरना मुझे उसका जवाब देना होता है।

श्री मधु तिमये : हर एक का प्वाइन्ट ऑफ़ ऑर्डर अलग अलग होता है।

श्री मौर्य : अध्यक्ष महोदय, सब को सुनने से आपकी विचारधारा बनती चली जायगी। तथा व्यवस्था देने में आपको सुविधा होगी।

अध्यक्ष महोदय : अभी मधु तिमये ने मुझे सपोर्ट किया है कि हर एक का अलग अलग प्वाइन्ट ऑफ़ ऑर्डर होता है इसलिए हर एक को अलग अलग सुन कर उसका जवाब देना होगा। एक का जवाब देने के बाद ही दूसरे को सुन सकूंगा।

श्री बागड़ी : हल में जो मंत्री को इस्तीफा देने पर बयान देने की अनुमति है, इसके सम्बन्ध में मैं आपसे निवेदन करूंगा कि मंत्री-पद से ज्यादा अगर महत्त्व का पद है तो वह इस माननीय सदन के सदस्य का है, यहाँ की व्यवस्था बकी है। भारत की प्रधान मंत्री

देश की प्रधान मंत्री हैं, लेकिन इस सदन की सदस्य के नाते उनका उतना मान नहीं है, जितना इस सदन के सदस्य का मान है। इसलिए मैं निवेदन करूंगा कि जनतन्त्र की मर्यादा को अगर आप कायम रखना चाहते हैं, यह ठीक है कि शायद कानून की त्रैराफेरी में जनतन्त्र की हत्या हो जाय, तो सबसे ऊँचा स्थान इस सदन के सदस्य का है। इसलिए सदस्य के त्यागपत्र पर उसके विचारों को न माने देना तथा मंत्री के विचारों को माने देना, इस सदन और जनतन्त्र का अपमान है जो कि हो सकता है कि कब्रों दड़ा घातक सिद्ध हों। इसलिए यदि इस सदन की मर्यादा को नवीनता से कायम करना पड़े तो भी उसको कायम करें और किसी भी माननीय सदस्य को जब ऐसा मौका प्राये, अपने विचार प्रकट करने का मौका दें।

Shri G. N. Dixit (Etawah): Mr. speaker, Sir, I want to draw your attention to rule 31(2) which reads like this:

"(2) Save as otherwise provided in these rules, no business not included in the list of business for the day shall be transacted at any sitting without the permission of the Speaker."

As I see, no permission has been granted by you for raising this issue which is being raised. Simply because a large number of Members from the Opposition want to raise some issue without your permission, it should not be permitted under sub-rule (2) of rule 31.

Now, with regard to rule 240, my submission is that if the rule is to be read as a whole, it appears to be that resignation should not have been given to you in the House. This should have been sent to you in your office. The only place where the word 'House' is mentioned is in sub-rule (2) where it is laid down as follows:

"As soon as may be, the Speaker shall, after he has received an intimation in writing from a mem-

ber under his hand resigning his seat in the House, inform the House that such and such a member has resigned his seat in the House."

Under this sub-rule, you have to receive it in your office and later announce it in the House. If the resignation is given to you here in the House, then rule 31(2) is offended because this matter of resignation is not included in the day's business list. When it is not included in the business list, it can come only with your permission. My submission is that rule 31(2) read with rule 240 requires that this resignation should have been sent to you in your office and then you have to inform the House that such a member has resigned.

There is no provision anywhere with regard to the statement being made by a member about his resignation. About the resignation of the Minister, the rules are clear that he can make a statement. When the rules are silent about a Member's resignation, this will be treated to mean that such a permission is not there and the Member is not to make a statement in the House about his resignation on.

Dr. L. M. Singhvi (Jodhpur): I shall be very brief and would preface my remarks by saying that our concern is largely because of the anxiety that a wrong precedent might not be set up. It is undeniable that once a resignation has been tendered and the communication to that effect has reached you, the resignation has become effective and the member has no longer any right to make a statement. It is true. It is also true that there is no express provision in the rules, but what we are trying to plead with you is this. Before this communication reaches you, it is only proper for us to extend some consideration to a colleague in this House on the eve of his resignation to enable him to make his position clear and to utilise the forum of this House to inform his colleagues before he goes out in the wide world and uses the media of the Press to inform of the reasons leading to the resignation. I do not think there

is any conflict between what you have observed and the submissions that have been made to you in this connection. We are concerned that in future this may not be a precedent for disallowing any member who wishes to make a statement preliminary to tendering his resignation to you.

श्री मोर्ये : अध्यक्ष महोदय, जब कोई इस सदन का सदस्य त्यागपत्र देता है तो बहुत ही गम्भीर समस्या है और उस गम्भीर समस्या का हल देना के संविधान में दिया हुआ है। उस से बाहर हम नहीं जा सकते और उस पर अपने विचार नहीं धारण सकते। संविधान में आर्टिकल 101, सब-क्लाज 3(बी) इस प्रकार है :

"(3) If a member of either House of Parliament—

(b) resigns his seat by writing under his hand addressed to the Chairman or the Speaker, as the case may be,

his seat shall thereupon become vacant."

उसी में कल दिया हुआ है कि किस तरह से इस्तीफा जायेगा। उस में एक प्रोसीजर है और उस का एक एक शब्द महत्वपूर्ण है। कल 240 जो है वह इस प्रकार है :

"A member who desires to resign his seat in the House shall intimate in writing under his hand addressed to the Speaker, his intention to resign his seat in the House in the following form and shall not give any reason for his resignation:"

अब यह फार्म देता है :

"To

The Speaker,

Lok Sabha,

New Delhi,

Sir,

I hereby tender my resignation of my seat in the House with effect from . . .

Yours faithfully,

Place Date Member of the House."

[श्री मौर्य]

इस पर मेरा पहला एतराज यह है कि इस्तीफे की जो सूचना आई है वह फार्म के आधार पर नहीं है। उन्होंने अपने अपने अलग अलग शब्द चुने हैं जब कि उन को प्रो-कामा के आधार पर होना चाहिए। मेरा दूसरा एतराज इस पर यह है कि उन्होंने कहा है कि उन का इरादा है। तो अध्यक्ष महोदय, आप ता जज रहे हैं, किसी काम का करने का इरादा ही काफी होता है।

Here intention is not sufficient.

इस के लिये इम्लिमेन्टेशन होता है। इंटेंशन तो उस का पहला स्टेप है। इंटेंशन उन का है, आप उन को स्वीकार करते हैं या नहीं, यह दूसरी बात है। तीसरी बात है तिथि की।

With effect from.

इस तारीख से। मैं जानना चाहूंगा कि जो इस्तीफा आया है उस में किस तारीख से उन्होंने लिखा है। अगर उन्होंने 2 दिसम्बर, लिखा है तो 2 दिसम्बर तक वह इस सदन में बैठने का अधिकार रखते हैं। अगर उन्होंने लिखा है कि इसी वक्त से इस्तीफा देते और आप उसी वक्त स्वीकार कर लेते हैं तब उस के बाद ही वह इस सदन से जा सकते हैं, उस से पहले नहीं आप उन को निकाल सकते।

तो इस में एक तो इरादा, दूसरे फार्म और तीसरे तिथि, यह तीनों महत्व रखते हैं। यदि इन तीनों बातों पर ध्यान नहीं दिया जायेगा तो वह गलत हो जायेगा।

इस के बाद बयान के बारे में है। यह बड़ी आपत्तजनक बात है कि वैसे हम जनतन्त्र की बात करते हैं लेकिन एक सदस्य को, जो कि दस लाख लोगों का नुमाइन्दा है, पांच नुमाइन्दा है, पांच मिनट अपनी बात सुनाने के लिए नु दिए जायें। जैसा अन्य माननीय सदस्यों ने कहा, यह बहुत ही महत्वपूर्ण विषय है। यहां पर उस पर चर्चा न हो और माननीय

सदस्यों के स्तीफों को ऐसे ही स्वीकार कर लिया जायें, जैसे कि यहां पर कोई विदेशी शासन हों, तो यह कोई अच्छी प्रथा नहीं है। जब माननीय सदस्य इस्तीफा देते हैं तो अवश्य कोई न कोई महत्वपूर्ण विषय होगा। अगर उस पर बहस हो जाये और उस के लिए एक या आधा घंटा दे दिया जाये। तो कोई भी मान नहीं गिरायेगा। इस तरह से हम यहां एक गलत परम्परा बाल रहे हैं और हमारा जनतन्त्र कमजोर हो रहा है।

श्री बड़े (छारगोन) : अध्यक्ष महोदय, इस डिस्कशन में मुझे इतना ही कहना है कि रूलस इस बारे में साइलेंट हैं। सवाल यह है कि जब रूलस साइलेंट होते हैं तब सी० प्रार० पी० सी० में कोर्टस को रेजिडुअल पारस होनी हैं और वह अपना डिस्केशन इस्तेमाल करता है। इसी तरह से रेजिडुअरी पारस आप की हैं। बी एर क्लिंग योर इंडेजनेन्स हमारे रूलस में नहीं दिया गया है, लेकिन जब मेम्बर रेजाइन करती हैं तो उन का स्टेटमेंट देने का अधिकार होना चाहिये। अभी वह स्टेटमेंट दे रहे थे लेकिन उन को उस की परमिशन नहीं दी गई इस लिये यह हल्ला हुआ।

श्री हरि विष्णु कामत : हल्ला नहीं हुआ।

श्री बड़े : हल्ला न सही, अशान्ति हुई। मैं चाहता हूँ कि आप कम से कम यह डाइरेक्शन दें कि रेजाइन करने के पहले मेम्बर को स्टेटमेंट देने का अधिकार है। उस के बाद वह अपना रेजिनेशन दे सकता है।

Shri Nambiar (Tiruchirapalli): Repeatedly these two members wanted to make a statement before this House. Perhaps if that statement was allowed to be made and if the House had heard the statement or the reasons, then the House might have done something which might have prevented them from resigning actually. Moreover, resignation by a member of his

seat in the House is not only his own personal concern. He is the representative of ten lakhs of people and when he resigns, he does it on'y for certain reasons and those reasons are to be made known to this House as well because he is, after all, a member who belongs to this House. What do you mean by saying that it is a House. House of whom? It is the House of 500 members, including you and me. They are members. They were here for five years and now they are parting company with us. Why should they go away? Let them say, let them be allowed to say why they are going away. After a'l, they are doing it because in their own constituencies, in their own State, in their own country, they have enough reasons to do so. The Speaker has the right; under your powers, you could have allowed it.

श्री शिव नारायण (बांसी) : अध्यक्ष महोदय, मैं तीन हाउसों का मेम्बर रह चुका हूँ। प्रेम्बली, कॉलिंग और पार्लियामेंट का। नियम यह है कि जैसे ही कोई सदस्य रेजिनेशन भेज दे, उस के बाद वह हाउस का मेम्बर नहीं रहता है। माननीय सदस्यों ने इस हाउस में एन्टर होकर ट्रेस्पस किया है। इसके लिये उन पर 500 रुपया जुर्माना होना चाहिये। इ अगर न ट मेम्बरों आफ्फि हाउस। मैंने श्री नटजी को मुना, प्रोक्लर रंगा को मुना। लेकिन वह मे वसः आफ्फि मेटर्स कर रहे हैं।

They are mixing up the matter with Minister and Member. There is a vast difference between a Member and a Minister.

उन्होंने खिचड़ी बनाया।

They are trying to deceive you.

मैं आपसे निवेदन करना चाहना हूँ कि उन्होंने रूल को ब्रेक किया है। उन पर 500 रु० जुर्माना होना चाहिये।

अध्यक्ष महोदय : उधर से कहा गया कि इधर के मेम्बरों ने मुझे कन्फ्यूज किया

और उधर से कहा गया कि इधर के लोग मुझे डिस्टीब करना चाहते हैं।

श्री शिव नारायण : मैंने खिचड़ी कहा, डिस्टीब नहीं कहा।

Mr. Speaker: I am the only fool here!

श्री शिव नारायण : यह जो इस्तीफा प्राया है अगर उसको हाथ में रख कर मेम्बर आपसे कहते कि हम इस्तीफा देने वाले हैं, तब उस वक्त आप जरूर उनको बोलने देते। लेकिन उन्होंने यह काम नहीं किया। इस्तीफा देने के बाद इस हाउस में आकर उन्होंने रूल का ब्रेक किया है।

Shri Nath Pal (Rajapur): I want the Leader of the House to carefully reflect upon the submission that I have to make. It is not with a view to passing any judgment on what has transpired here, but with a view, and perhaps with a hope also, to establishing some convention. I would like the Congress members also to reflect upon this.

Technically you may be right, Sir, and I do not want to go into what was the chronological sequence, but if I have followed the hon. Member, Mr. Kolla Venkaiah, he began by saying—there were other noises and that is why perhaps you did not catch—"I am going to resign, please allow". Some of us heard him. Under the present rules perhaps your hands are tied, you cannot allow it. But I would like to quote two rules here. Rule 240 should be read along with Rule 357 plus the rule quoted by Mr. Limaye regarding resignation of a Minister.

Rule 357 reads thus:

A member may, with the permission of the Speaker, make a personal explanation although there is no question before the House...

This provision has been perhaps ignored by many Members. But I

[Shri Nath Pai]

would like to point out a very interesting situation. Under our Constitution, it is conceivable for a person who is not a Member either of this House or of the Rajya Sabha to be a Minister for a period of six months; such a person could be dismissed or may be removed or he may resign and he will have the right to come and make a statement. But a man elected by one million people cannot be given even three minutes by this House? I want you to calmly think over this. This will not enhance the authority of the House or the prestige of the House or establish a good practice. It is true that this was not perhaps foreseen when the rules were framed.

I, therefore, plead with you that you have jurisdiction; apart from the residuary powers, rule 357 could have been used. But whatever may have happened, I would say that the factum that the Member was compelled to resign is a grave occasion and it should not be treated so lightly. If the rules do not provide for it, let us have the vision and the courage to amend the rule so that the reason may be made known to the House which is the highest forum. Why should they go to the press when this nation's highest forum is available? And what will be lost if three or five minutes are expended to those Members?

This is what I would like to suggest without going into the merits of the case. I hope that this will be supported by the Leader of the House. I would like to know Government's reaction to this. I would not like them to treat it as a purely party issue.

The Minister of Parliamentary Affairs and Communications (Shri Satya Narayan Sinha): I would like the rules to be amended whenever there is occasion for it; I have no objection

Shri Tyagi: I have also a point to urge....

Mr. Speaker: I have heard him already. I think he had an opportunity earlier.

Shri Tyagi: No, I was not given an opportunity.

Some hon. Members: What did the Leader of the House say?

Mr. Speaker: He says, let the rules be amended.

Shri Vasudevan Nair (Ambalazhuzha): Shri Tyagi may be allowed. He is a Member who often resigns from the Ministership also. So, you may hear him.

Shri S. M. Banerjee: I move for the suspension of rule 240.

Shri Tyagi: As has already been pointed out, rule 240 is quite clear about it. The resignation has to be in the prescribed form. If any reasons are given, it is for you, Sir, to cut them out and limit the letter to the prescribed form only.

I would like to know what the wordings of the resignation letter are and whether it is according to the prescribed form. Which is the date from which the resignation comes into effect? I think that is not mentioned in the letter. If the letter is not in the prescribed form, then the resignation might perhaps legally not be a resignation.

Mr. Speaker: There are two points that are to be considered. One is the propriety and the desirability. Members desire that when a Member of this House resigns, he must be given some opportunity to explain why he is doing so. Emphasis has been laid on the fact that he represents eight lakhs of people....

Shri Maurya: About one million.

Shri Hari Vishnu Kamath: About one million.

Mr. Speaker: All right, let it be one million or even more. I have no objection. What difference does it make? If a Member representing such a large number of citizens decides to resign there must be strong reasons; that is what has been argued, and it has been stated that some opportunity might be given to him to explain the reasons why he feels so intensely about it that he has gone to the utmost limit of resigning from the membership of the House. Some Members have said that there would be no harm if three or four minutes are given to him. I agree myself to all that. That is all about what ought to be done, and the Leader of the House has also said, let the rules be amended; if the Government are also agreeable, let the rules be amended. But what the rules are just at present is quite another thing.

श्री मधु लिमये : 389 है। उनको पूरा अधिकार है।

Mr. Speaker: When there is a definite rule under rule 240 that no reasons shall be given....

श्री मधु लिमये : वह तो लैटर के लिये है, बयान के लिये नहीं है।

Shri Hari Vishnu Kamath: Had the Member informed you in private?

श्री मधु लिमये : लैटर और बयान अलग अलग हैं। दोनों को आप भिन्न रखें हैं।

Mr. Speaker: When there is a definite provision in rule 240 that no reasons shall be given in the letter of resignation, then I cannot just....

Shri Madhu Limaye: Suspend the rule.

Mr. Speaker: ...go against that rule by allowing the Member to give the reasons here.

Shri Hari Vishnu Kamath: Has the form been complied with?

Mr. Speaker: It has been argued that in the letter he cannot give it but in the House may give it....

श्री मधु लिमये : लैटर और बयान अलग अलग हैं। आप दोनों को भिन्न रखें हैं।

अध्यक्ष महोदय : जहाँ मैं आपसे इति-फाक कर सकता हूँ वहाँ मैं चाहता हूँ कि रूल को आप प्रमैज कर लें। लेकिन जो रूल इम वकन हैं उनसे मैं बाहर नहीं जा सकता हूँ।

Shri Tyagi: What about the wordings of the resignation?

श्री मधु लिमये : आप 240 को मुल्तवी रखें। अगर कोई बाधा है तो 240 को आप मुल्तवी रखें।

अध्यक्ष महोदय : मुल्तवी रखने का मवाल नहीं है।

श्री मधु लिमये : पिछली बार पी० ए० सी० रपट वाली बहस के समय श्री सत्य नारायण सिंह को बिना नोटिस के नियम स्पष्ट करने की आपने इजाजत दी थी। 240 स्पष्टित रखा जाय।

Mr. Speaker: Order, order. Nothing of that sort can now arise. I may inform the House that both the Members, namely Shri Kolla Venkiah and Shri Madala Narayana Swamy have resigned with immediate effect, that is, from this afternoon.

13.32 hrs.

PAPERS LAID ON THE TABLE—
contd.

NOTIFICATIONS UNDER DRUGS AND
COSMETICS ACT AND KERALA
MUNICIPALITIES ACT

The Deputy Minister in the Ministry of Health (Shri B. G. Murthy):