

MR. SPEAKER : This is not a point of order. You are asking a question.

SHRI NAMBIAR (Tiruchirappalli) : Why should the Minister create confusion about Kasergod now ?

श्री रणधीर सिंह : अध्यक्ष महोदय, यह बड़ी गम्भीर बात है, जब आप कमीशन की बात को मनाते ही नहीं, तो कमीशन एन्वाइन्ट करने क्यों जा रहे हैं, बराबर कमीशन क्यों एन्वाइन्ट करते हैं। मधोक साहब की बात ठीक है। सुप्रीम कोर्ट की बेंच बना दीजिये, वह ठीक होगा, हर बार कमीशन बनाने की कोई जरूरत नहीं है, इससे तो पंजाब, हरियाणा और हिमाचल प्रदेश फिर आपस में लड़ेंगे। इसका कोई फायदा नहीं है।

SHRI ATAL BIHARI VAJPAYEE (Balrampur) : I have given notice of a specific motion.

MR. SPEAKER : Order, order. The calling attention motion is over. If you send that motion tomorrow, we can take it up.

SHRI ATAL BIHARI VAJPAYEE : I have already given it.

MR. SPEAKER : I will put it to the House only after I see the rules...

SHRI ATAL BIHARI VAJPAYEE : It is permissible under the rules, I have seen the rules.

MR. SPEAKER : ... if there is occasion for it.

SHRI RANGA (Srikakulam) : I wish to express the hope that the procedure followed by you in calling an emergent sitting of the House at short notice of a few hours on 28th February would not be treated as a precedent, in order to safeguard in future against misuse of such special procedure under doubtful circumstances or for unpatriotic or unparliamentary purposes on the initiative or pressure or prompting of the Government. I need not say much in sup-

port of this plea of mine. I need only draw your attention and the attention of the House to several things that are happening in different parts of the country, in different legislatures, where the Governments are pursuing queer policies. Supposing a constitutional amendment comes up for discussion and such procedure were followed and Members are called in at such short notice you can easily imagine what might be the consequence. Similarly, supposing a no-confidence motion is given notice of and a time is fixed. Now, some legislatures are not fixing the time at all, although within a period of seven or ten days the time has got to be fixed. When such things happen and the Speakers concerned simply accept the advice or initiative or plea advanced by the Government, and then call suddenly a special sitting of the House without giving sufficient notice to the Members, then it might be possible for them to make use of such opportunities. Therefore, I request you to assure us...

MR. SPEAKER : This matter was dealt with and I made my observations on that, and I hope it will be dropped now.

SHRI HEM BARUA : I thought the matter was discussed on 28th. How is it proper now to raise it ? It is within your discretion to summon a special session of Parliament. You did not misuse it.

SHRI HEM BARUA : I thought it was closed on the 28th. How is it proper to raise it now ?

MR. SPEAKER : He sent it to me and I did not know what it was about.

12.55 hrs.

*Re* : ADJOURNMENT OF HARYANA ASSEMBLY

श्री रणधीर सिंह (रोहतक) : यह मामला तो उसी दिन खत्म हो गया था, अब इसको फिर से उठाने की क्या जरूरत है। उस दिन आप की तरफ से जवाब आ गया था।

अध्यक्ष महोदय : हां, यह मामला तो उसी दिन खत्म हो गया था।

श्री अटल बिहारी वाजपेयी (बलरामपुर) : अध्यक्ष महोदय, उस दिन बजट पेश करने से पहले हम ने आप से हरियाणा का मापला यहाँ पर उठाने की इजाजत मांगी थी। तब से लेकर आज तक परिस्थिति बदल गई है। उस दिन आपने कहा था कि विधान सभा की बैठक अगर अध्यक्ष स्थगित कर दे तो एक दूसरे सदन के अध्यक्ष के मामले में आप कैसे दखल दे सकते हैं। हम ने उस सम्बन्ध में अपना पक्ष आप के सामने रखा था लेकिन तब से लेकर आज तक स्थिति इस अर्थ में गम्भीर हुई है कि अब हरियाणा के राज्यपाल महोदय ने विधान सभा के सत्र को अनिश्चित काल के लिए समाप्त कर दिया है, असेम्बली को प्रोरोग कर दिया है। अध्यक्ष महोदय, अब राज्यपाल का आचरण, चूँकि राज्यपाल गृह-मंत्रालय के प्रति जिम्मेदार हैं, विचारणीय है। मैं विश्वास-पूर्वक कह सकता हूँ कि हरियाणा में जो कुछ हुआ है वह संविधान की धाराओं के अनुसार नहीं है...

श्री रणधीर सिंह : बिलकुल अनुसार है। वहाँ हमारी मंजोरिटी है। स्पीकर महोदय, इन को 8 दफा मौका मिला, लेकिन ये सदन छोड़ कर भाग गये। बजट पर, एप्रोप्रियेशन बिल पर, गवर्नर के एड्रेस पर मौका मिला, लेकिन ये मैदान छोड़ कर भाग गये। ये सब गलत बात कह रहे हैं। ... (व्यवधान)...

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, हरियाणा सरकार के खिलाफ वहाँ के स्पीकर महोदय ने स्वयं एक अविश्वास का प्रस्ताव स्वीकार किया था। ता० 3 उस पर एक चर्चा के लिये नियत की गई थी। ता० 4 को हरियाणा विधान सभा वहाँ के विरोधी दल के नेता राव वीरेन्द्र सिंह के प्रस्ताव पर विचार करने वाली थी, जिसमें चंडीगढ़ का मामला आने वाला था। जब वहाँ विधान सभा की बैठक

हुई तो मੈम्बरों ने पूछा कि क्या आप विधान सभा की बैठक स्थगित करने जा रहे हैं, ता० 3 और 4 की बैठक होगी या नहीं होगी? मुख्य मंत्री ने आश्वासन दिया था कि बैठक होगी और सत्र को अनिश्चित काल के लिये स्थगित करने का कोई विचार नहीं है...

श्री रणधीर सिंह : इन्होंने खुद नो-कौन्फी-डेंस का मोशन विदड्रो किया है। इनकी वहाँ पर मंजोरिटी नहीं है, 80 में से 30 इन की तादाद है, स्वामस्वाह का यहाँ पर शोर मचाते हैं। 8 बार इनको मौका मिला, लेकिन भाग गये... (व्यवधान)...

श्री अटल बिहारी वाजपेयी : अध्यक्ष महोदय, अगर सरकार का बहुमत था, सरकार के गिरने का कोई डर नहीं था, तो फिर तीन ता० को अविश्वास प्रस्ताव का सामना करने का सरकार को साहस होना चाहिये था। दुनिया के किसी भी लोकतन्त्रवादी देश में ऐसा नहीं हुआ जब कि अविश्वास प्रस्ताव सामने हो और विधान सभा की बैठक स्थगित कर दी जाये और बाद में राज्यपाल महोदय उस को प्रोरोग कर दें।

अध्यक्ष महोदय, हरियाणा हर मामले में आगे है, गैर-कांग्रेसी सरकार वहाँ पर पहले बनी, दल-विदल वहाँ शुरू हुआ, राष्ट्रपति राज्य वहाँ हुआ, मिड-टर्म इलैक्शन वहाँ पहले हुआ ... (व्यवधान)...

श्री रणधीर सिंह : वहाँ बजारत के लिए एक लाख रुपया ओफर किया जा रहा है ... (व्यवधान) ... अध्यक्ष महोदय, बदनाम कर दिया है, इन लोगों ने हरियाणा को ... (व्यवधान) ...

श्री रणधीर सिंह : इन लोगों ने हरियाणा को बदनाम कर दिया है। ... (व्यवधान) ...

श्री राम किशन गुप्त (हिसार) : शर्म आनी चाहिए। ... (व्यवधान) ...

श्री रसलधीर सिंह : बजारत के लिये एक लाख रुपया ... (व्यवधान) ... वेइज्जती कर दी है हरयाणा की । दूकानदारी करते हैं वहां पर । ... (व्यवधान) ... शानदार जवान और शानदार किसान की स्टेट को बदनाम कर दिया है । ... (व्यवधान) ...

13 hrs.

SHRI N. K. P. SALVE (Betul) : Sir, before you give your ruling, would you give us an opportunity, the other Members also, to say a few words ?

श्री अटल बिहारी वाजपेयी : मैं समाप्त कर दूँ । मेरा निवेदन यह है कि आप इस सदन को हरयाणा के मामले पर चर्चा करने के लिए अवसर दें । विचार करने के दो तरीके हो सकते हैं । या तो काम रोकें प्रस्ताव स्वीकार करें या स्पेसिफिक मोशन की इजाजत दें और थोड़ा सा समय विचार करने के लिए नियत करें । ... (व्यवधान) ...

SHRI BAL RAJ MADHOK (South Delhi) : Sir, let them not disturb the proceedings. Can't you call him to order, Sir ?

श्री रसलधीर सिंह : यह हमारी शानदार स्टेट की तौहीन हो रही है । बजीर बनो, एक लाख रुपया लो । ... (व्यवधान) ... वही आचाराम और गयाराम की बात फिर पैदा हो रही है । ... (व्यवधान) ...

अध्यक्ष महोदय : शाउटिंग से तो आप मुझे मुश्किल में डाल देते हैं । मुझे भी सफर करना पड़ता है । इतनी शाउटिंग होती है कि मेरे सामने जो चीजें हैं वह डिस्ट्रेक्ट हो जाती हैं । One by one.

Order, order. Shri Nath Pal.

SHRI NATH PAI : Mr. Speaker, Sir, I submit to you, to begin with, that if neces-

sary we should continue to sit till this matter regarding Haryana is finally disposed of.

I will confine my submission to you strictly to the admissibility of this issue now. We were informed,—and we were informed rather late—that you have disallowed the motion. My motion reads like this :

“Failure of the Union Government to ensure that the Government of Haryana was carried on in accordance with the provisions of the Constitution in as much as there was a failure of the Union Government to issue necessary instructions to prevent a gross breach of the Constitution resulting from the unconstitutional prorogation of the State Assembly.”

Mr. Speaker, I will strictly confine myself to the relevant clauses of the Constitution which invite the responsibility of the Government and if I succeed in establishing that there was a responsibility of the Union Government.

MR. SPEAKER : I have already conveyed...

SHRI NATH PAI : I am not going into the facts. There are two things, the facts of the case, and the law relating to the Union. I am concerned first with the law, and the facts will follow only if you admit the motion.

Now, how does the responsibility of the Government of India come in here ? What is the failure of the Government of India ? First, I would like to refer to article 175 which is the relevant article regarding prorogation of the Assembly. It is at page 98. It reads;

“The Governor may from time to time prorogue the House or either House.”

Mr. Speaker, the conditions under which this extraordinary right is to be exercised are not prescribed or defined in the Constitution. On Saturday, when Shri Vajpayee raised this question, you said, “What can I do if the Assembly itself adjourns?” We

are not questioning about the adjournment, though according to me, it was a patent fraud on the Constitution. There was a motion which was admitted by the Speaker of the Assembly; the day was set for the discussion of this motion, and then we find that a motion is brought in order to subvert this motion being discussed in the House. These are the basic facts. What is the law? How does the responsibility of the Union Government come in? The Governor is under no obligation to follow the advice of a Chief Minister who has perpetrated a fraud on the Constitution. When a Chief Minister moves for the adjournment of the House during the pendency of a no-confidence motion, it is a nothing but depriving the House of exercising its supreme right of deciding whether a particular ministry has a majority or not in the Assembly.

SHRI RANDHIR SINGH : That is wrong. He moved that motion earlier.

SHRI NATH PAI : I have already read article 174 and pointed out that prorogation is not to be done arbitrarily by the Governor. The oath of office of a Governor is to uphold the Constitution. The Constitution requires that any Government is carried on with the confidence of the State Assembly. When it is challenged, it is the duty of the Governor to see that the motion of no-confidence is debated. If any body tries to prevent it; to that extent that person, whether he is Chief Minister or any other office bearer, is guilty not only of tampering with the provisions of the Constitution and violating the spirit of the Constitution but deliberately subverting the Constitution. This is an issue of gravest concern and Parliament cannot be a silent spectator when the rights of the State Assemblies are throttled in this manner. This is not the first time. We are being watched not only by the people of Haryana, we are not only by the people of Haryana and not answerable only to the present generation, but to posterity also. If Parliament will not redress our grievances, there is no other authority which can do it.

How does the responsibility of the Union Government come? The Governor shall hold office during the pleasure of the President, under article 156 of the Constitution.

If the Governor is guilty of violating the oath of office, he is liable to be dismissed by the President. Mr. Chakravarty has been a very good civil servant and a distinguished diplomat. Did he exercise his discretion in agreeing to the prorogation and did he ensure that the law of the land was not subverted by the Chief Minister who was afraid of facing the no-confidence motion?

Now I shall refer to article 160. (*Interruptions*).

SHRI RANDHIR SINGH : They are all white lies.

SHRI NATH PAI : I am trying to establish the responsibility of the Union Government. An adjournment motion is invited only when there is failure of the Union Government. He calls it a white lie. Is the Constitution of India a white lie?

MR. SPEAKER : If you hear me, you need not have to say all these things. (*Interruptions*).

SHRI N. K. P. SALVE : Are you giving your ruling?

MR. SPEAKER : I am not giving my ruling. I am going to make a few observations.

SHRI N. K. P. SALVE : I may be permitted to give my views in a few minutes.

SHRI RANDHIR SINGH : I may also be given a few minutes; there should not be any *ex parte* decision.

MR. SPEAKER : I am not going to give any ruling. I am making a few observations. But if you are so impatient, how is it possible for me to make my observations?

SHRI NATH PAI : May I say in all humility and with all respect that sometimes your observations look like rulings. So, you may follow our submission. That will save a lot of your labour.

MR. SPEAKER : If I explain the position then further submissions will not be necessary.

SHRI N. K. P. SALVE : Sir, some very high principles of constitutional law have been enunciated and a picture is being painted as though we are guilty of subverting the Constitution.

SHRI NATH PAI : You are.

MR. SPEAKER : I will give an opportunity to everybody if I decide about it.

SHRI SURENDRANATH DWIVEDY (Kendrapara) : Admit the adjournment motion, in order to have a fruitful discussion, as Shri Salve has pointed out.

DR. KARNI SINGH (Bikaner) : Sir, I wish to make a submission. An allegation has been made by my hon. friend, Shri Randhir Singh. We are class mates. He has made the charge that we the opposition are responsible for *Aya Rams* and *Gaya Rams*. Probably, public memory is proverbially short. So, I think it is important that the record should be put straight. Rajasthan was the first State where *Aya Ram* and *Gaya Ram* was first started, and Shri Chavan is responsible for bringing about this situation. *Aya Ram* and *Gaya Ram* started in Rajasthan after President's rule. A minority government was made into a majority government by *Aya Rams* and *Gaya Rams* and Shri Chavan is responsible for it.

SHRI N. K. P. SALVE : Sir, I may be allowed to present my viewpoint. If no other merit, my speech will have the merit of brevity.

MR. SPEAKER : Why do you not first hear what I have to say ? In order to know what exactly has happened in Haryana Legislature I rang up the Haryana Speaker.

SHRI NATH PAI : Not a good witness.

MR. SPEAKER : I wanted to know the position about the no-confidence motion, the date fixed for it and the adjournment of the House *sine die*. He sent me a serial-wise information for my use. I got it at my personal level because, under the Constitution, I cannot force him to explain his conduct in his State Legislature. I am not

sure how far it would be a healthy practice to discuss in this House the conduct and decision of another legislature and its presiding officer. First of all, I wanted to be sure of the events that took place in that Legislature. The Speaker of that Legislature was kind enough to write to me serial-wise information on what took place there. On the 13th February the opposition brought forward a no-confidence motion which was fixed for discussion on the 16th. On the 16th when the Speaker called the concerned member to move his motion, the Member requested that he may be permitted to withdraw his motion. The Chief Minister insisted.....(*interruptions*). It is all in the proceedings. He has stated that his statement is supported by the proceedings and that he is prepared to send me a copy of it. On the 16th of February when the motion of no-confidence was taken up for discussion the member wanted to withdraw it and the Chief Minister insisted that it must be discussed. Then the Speaker says that there was a meeting of the Business Advisory Committee where it was settled that the House will go on till the 3rd or 4th of March.

Again, about 20 or 25 Members, including some other Members of other Opposition parties—not many, only two or three of them—sent a requisition.

SHRI ATAL BIHARI VAJPAYEE : This is not the complete picture.

MR. SPEAKER : I am quoting the Speaker of Haryana Assembly.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : A notice of motion of no-confidence was given again.

MR. SPEAKER : The Speaker had fixed 3rd or 4th for discussion of the no-confidence motion but meanwhile, on the 27th, it was decided that instead of having one sitting they will have two sittings. Now, in the morning after the Question Hour, he said, no no-confidence motion was brought.

SHRI RANDHIR SINGH : It was brought at 1.15.

MR. SPEAKER : After it was over, the Leader, the Chief Minister, gave notice of a motion of adjournment *sine die* at 12.30 or 1, much earlier than the no-confidence motion. Under the Rules of Haryana Vidhan Sabha—I have seen them; in the matter of adjournment they are not like ours—the Speaker cannot reject it; he has to put it to the House and it is the House which decides on the motion of adjournment *sine die*. About 1-1/2 or 2 hours after this motion, a little before the second sitting was to come, the no-confidence motion was brought and this no-confidence motion.....

SHRI NATH PAI : Was admitted.

MR. SPEAKER : ...was objected to because it was not brought after the Question Hour in the morning. But the Speaker said that it was just a technical objection. He admitted it but before this motion the Speaker had allowed the *sine die* adjournment motion also.

SHRI RAM KISHAN GUPTA : I challenge it. It is wrong. I was there. This motion was moved after that.

MR. SPEAKER : The Speaker has mentioned the timings also here.

SHRI RAM KISHAN GUPTA : I challenge the statement of the Speaker. I am ready to resign my seat on that. This motion was moved 20 minutes before that.

MR. SPEAKER : When the *sine die* adjournment motion was put to the House, it was carried. But the Opposition insisted as to why their no-confidence motion should not come when the date was already fixed. This was a matter of great dispute. The Speaker said, "You bring forward your motion and discuss it right now." He allotted two hours for that.

SHRI RANDHIR SINGH : More than two hours.

MR. SPEAKER : He said that if two hours were not enough he would extend to four or six hours, as they liked. The Opposition had said that they were not prepared to discuss it that day but they wanted

to discuss it on the day fixed for it. This is the factual information. After that the position is very clear. The House adjourned *sine die* as decided by itself.

SHRI P. K. DEO (Kalahandi) : Why was it prorogued ?

SHRI NATH PAI (Rajapur) : What about the prorogation ?

MR. SPEAKER : After that the Speaker said that after the first no-confidence motion was withdrawn, there was the Budget, there were the Demands and the Governor's Address. Even on the day when the no-confidence motion was brought, there was the Appropriation Bill. But after all these events he wanted to have it on the same day. Of course, the decision of the *sine die* adjournment was not in his hands. But the decision for allowing a discussion was in his hands and he fixed it the same day before it adjourned *sine die*. I think, the procedure adopted, without even the remotest reflection on the Legislature of Haryana or the hon. Speaker—they are completely autonomous in their own way of deciding things; we cannot discuss the Haryana Legislature or the hon. Speaker's decision—when the date of the No-Confidence motion was fixed, this short-cut procedure of adjourning the House, was, in my opinion, not proper. But we cannot here reflect on the conduct of the Speaker and the Legislature. It has a constitutional aspect of its own. In view of this, I think—it is all over; the Assembly has been prorogued—we can have a discussion separately...

SHRI NATH PAI : No, Sir. (*Interruptions*)

SHRI SURENDRANATH DWIVEDY : What about prorogation ? You have explained the position before prorogation.

DR. RAM SUBHAG SINGH : As you said, the Speaker had fixed 3rd March for discussing the No-Confidence Motion and, later on, it was decided that the House should discuss it the same day. There is a big contradiction in this and the Governor comes into the picture when he agrees with the *sine die* adjournment and prorogues the Assembly. (*Interruptions*)

MR. SPEAKER : When there was the *sine die* adjournment motion, the only thing he could do was to allow it the same day. (Interruptions). I do not think we can question the decision of the hon. Speaker here in this House. I am very definite about it. Whatever the hon. Speaker did in the House or whatever the House decided we are not competent to discuss it. We can take constitutional side of it, as suggested by the hon. Member. Of course, I have not accepted his adjournment motion. In view of so many other points raised, the only *via media* is that we can have a discussion on it.

SHRI NATH PAI : Mr. Speaker, Sir, you began by allowing us to plead for the admissibility of the adjournment motions. I had not completed my submission .... (Interruptions)

MR. SPEAKER : In the discussion, we will avoid any reference to the conduct of the Speaker or the House.....(Interruptions)

SHRI NATH PAI : I was confining myself to the prerogation of the Assembly.

MR. SPEAKER : I am sorry I cannot allow that. I shall allow a discussion.

SHRI NATH PAI : I promised you I would be confining myself to the contents of my adjournment motion and you promised me I should complete my submission.

MR. SPEAKER : I have already rejected it. We can have a discussion on it.

SHRI NATH PAI : You said that you only wanted to make some observations. What is the position? May I continue?

MR. SPEAKER : No please. (Interruptions)

SHRI NATH PAI : When you asked me to sit down, you began by saying, 'I am not stopping you. I want to make some observations.' I submitted to you...(Interruptions) Let me complete my submission. I am very sorry, Sir, we are not being allowed to complete sentences. This is my right. Let me complete my submission

about the admissibility. You said that you will allow me and you wanted to make some observations. So I resumed my seat. I suggest that your observation could be a ruling but ruling cannot precede before I have made my submission. I am not going into any discussion.

MR. SPEAKER : Don't go into the facts.

SHRI NATH PAI : When did I go into the facts? I am only quoting the Constitution.

MR. SPEAKER : I have gone through all aspects of the Constitution and not one particular thing.

SHRI NATH PAI : I was not going into the merits. I have not completed my submission. You promised me when you rose in your seat that you would allow me to complete my submission about the admissibility. I was submitting to you. I will read Art. 156 :

"The Governor shall hold office during the pleasure of the President."

(Interruptions) I am on a point of order.

श्री बलबीर सिंह (सिरसा) : मेरा एक प्वाइंट ऑफ़ आर्डर है ।

SHRI NATH PAI : I am in possession of the floor. The hon. Member can make his submissions later.

I want to read Art. 355 of the Constitution. (Interruptions) Mr. Speaker, we will continue the whole day if the idea is not to allow me to be heard. I am pleading on the admissibility only and am not going into any argument.

SHRI N. K. P. SALVE : He can proceed only if the question is open.

MR. SPEAKER : I have already told you all the constitutional aspects and other political situation. I don't think it can be a subject for discussion here.

SHRI MADHU LIMAYE : On what ground you are going to shut us out?

SHRI NATH PAI : If we are not to be allowed, I will have to walk out.

MR. SPEAKER : I am sorry I cannot allow you.

SHRI NATH PAI : On what, are you giving the ruling ? You cannot anticipate the arguments.

SHRI SURENDRANATH DWIVEDY : There is a misunderstanding of the whole situation. Therefore, you are taking this stand. (*Interruptions*) When Shri Nath Pai got up to speak, he got up to speak and to plead before you about the admissibility of the adjournment motion. You have explained the position why you are not in a position to accept the adjournment motion and will discuss this matter in a different proposition. But the whole thing is that he was pointing out to you the urgency and the constitutional validity according to Rules for admitting this motion and in the meantime you said, 'I want to make some observations.' You are perfectly within your right to reject the adjournment motion. Even after hearing him, you may say, 'There is no point'. But he has to complete. He has only started his submission. He is yet to complete. In the meantime, you intervened. Therefore, he must complete his submission. That is what I would plead with you.

MR. SPEAKER : Have you finished ?

SHRI SURENDRANATH DWIVEDY : Yes, Sir.

श्री दलवीर सिंह : मेरा प्वाइंट आफ आर्डर भी आप सुन लीजिये ।

अध्यक्ष महोदय : कहिये, आपका प्वाइंट आफ आर्डर क्या है ?

श्री दलवीर सिंह : सारे फैंक्ट्स आपने हाउस के सामने बयान कर दिये हैं और वहाँ स्पीकर ने जो रूलिंग दिया उसके मुतल्लिक आपने सारी पोजिशन यहाँ पर बाज्य कर दी

है । उस पोजिशन को बताने के और सारी पोजिशन को बाज्य करने के बाद अब कौन सी चीज है जिसको श्री नाथपाई तथा दूसरे मँम्बर हाउस के सामने रख रहे हैं ? सारी पोजिशन साफ होने के बाद अब कौन सा प्वाइंट है जिस पर नाथपाई जी बोल रहे हैं ? अब उसकी कोई जरूरत नहीं है । मैं चाहता हूँ कि आप इस बारे में रूलिंग दें ।

श्री मधु लिमये : अध्यक्ष महोदय, मेरा पायंट आफ आर्डर है ।

MR. SPEAKER : Mr. Nath Pai, you may conclude your submission.

SHRI N. K. P. SALVE : On a point of order, Sir. (*Interruption*)

SHRI SURENDRANATH DWIVEDY : What is the point of order. It is an irrelevant point of order.

SHRI N. K. P. SALVE : On a point of order, Sir. My submission is this.

श्री मधु लिमये (मुँमेर) : अध्यक्ष महोदय, मैं दस बार सड़ा हो चुका हूँ, लेकिन आप मुझे नहीं बुला रहे हैं और दूसरों को बुला रहे हैं ।

SHRI N. K. P. SALVE : My point of order is this. What Mr. Dwivedy said is unexceptional. On the question of admission, it was only proper that this entire aspect of admissibility should have been heard by you and by all of us. Rightly or wrongly you said, I am going to make observations.

SHRI RANDHIR SINGH : That is binding on everybody. Nobody can challenge it.

SHRI N. K. P. SALVE : You have already given a finding on the question of admissibility. When you have given a finding,



the question is whether the same thing could be brought up by the backdoor once again? It cannot.

MR. SPEAKER : I said in the morning, I am not accepting his adjournment motion. It would have been much better if Mr. Nath Pai had met me in my chamber. (Interruptions)

SHRI RANDHIR SINGH : We want your ruling. (Interruptions)

SHRI SURENDRANATH DWIVEDY : You started saying, these are your observations. (Interruptions)

SHRI NATH PAI : Sir, I am neither being allowed to speak, nor to hear. Mr. Salve is not allowed to speak nor to hear you. I am neither being allowed to speak nor to hear you. This calculated mischief is going on. We are not being allowed to speak or to hear you even.

MR. SPEAKER : Mr. Salve and Mr. Randhir Singh, there is a limit to it. There need not be interruptions.

SHRI N. K. P. SALVE : I protest against this. I have a point of order and I started making a submission on that. It is not interruption. I myself have submitted to you that Mr. Nath Pai must be given the full opportunity for whatever he has to say. He was making very valid constitutional point.

MR. SPEAKER : You can well advise your neighbour also on the same lines.

SHRI N. K. P. SALVE : We are bound by rules.

SHRI NATH PAI : I have the highest regard for Mr. Salve and I expect some better standards from him. Sir, you made a distinction between Parliament here and a State Legislature. And, on that, I wish to read out Article 194 (3) of the Constitution. It says :

In other respects, the powers, privileges and immunities of a House of the Legislature of a State, and of the members and the committees of a House of

such Legislature, shall be such as may from time to time be defined by the Legislature by law, and, until so defined, shall be these of the House of Commons of the Parliament of the United Kingdom, and of its members and committees, at the commencement of this Constitution.

Here, I want to say that the practice in the Assembly including that of Haryana is to follow the procedure of the House of Commons. And what is that procedure regarding the admissibility of a no-confidence motion? Once it is admitted, once a day is fixed for it, nothing else can take precedence over it, and this cannot be prevented by the subvertive measure, by the subterfuge of bringing forward an adjournment *sine die* of the House.

Having submitted this, I want only to take two more minutes to point out how the responsibility of the Union Government arises here, and, therefore, the admissibility of the adjournment motion. Article 355 of the Constitution says :

"It shall be the duty of the Union to protect every State against external aggression and internal disturbance and to ensure that the government of every State is carried on in accordance with the provisions of this Constitution."

It is the responsibility of this Government to ensure that article 194 is observed.

Then, article 256 reads as follows. Shri Y. B. Chavan once admitted and he was gallant enough to admit that he was not a constitutional pundit.....

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : So, also my hon. friend is not.

SHRI NATH PAI : I am not pretending. I am trying to learn the whole thing. I am always ready to learn. Can I expect the same thing from him?

**SHRI Y. B. CHAVAN :** Certainly.

**SHRI NATH PAI :** Article 256 says :

"The executive power of every State shall be so exercised as to ensure compliance.....".

This has to be read along with articles 194 and 355. As the Supreme Court has pointed out, these are articles which need to be taken together. In isolation, they do not make any meaning, but the Constitution-makers had some meaning in their vision and coherent picture of the Constitution. If the three articles are read together, then my submission would become very clear. Article 256 reads :

"The executive power of every State shall be so exercised as to ensure compliance with the laws made by Parliament and any existing laws which apply in that State, and the executive power of the Union shall extend to the giving of such directions to a State as may appear to the Government of India to be necessary for that purpose."

Then, rule 198 (2) of our Rules of Procedure has also to be read. I assume you know it, and, therefore, I do not want to read it. After Shri Atal Bihari Vajpayee raised the matter on the 28th February in this House, and you said that it was a matter regarding the internal affairs of that House, the Government of India got sufficient notice and became seized of the matter, and ought to have studied and seen the matter. Here comes the relevancy of the articles that I have quoted, namely articles 194, 355 and 256. Under article 156, the Governor holds office during the pleasure of the President. If the Governor has incurred the displeasure of the President by allowing a violation of the spirit of the Constitution, it was the duty of the Union Government to see that the Governor resigned from his office. The Government of India are enjoined upon to see that the Constitution is not violated in any part of the country. We see, therefore, a palpable violation of the Constitution and the failure of the Union Government. If the matter had been limited only to the adjournment of the House, I could have appreciated it. But then comes the prorogation which is done only by the Governor. At that stage, it was the duty of Govern-

ment of India to intervene to issue the necessary directives to the Governor to see that the State assembly was not made a cipher only to carry out the mandates of a particular party but that it functioned in accordance with the Constitution.

**SHRI RANDHIR SINGH :** We have the majority there.

**SHRI NATH PAI :** I therefore, submit that you may admit my motion for the adjournment of the House.

**श्री मधु लिमये (मुंगेर) :** अध्यक्ष महोदय, श्री नाथ पाई ने जो कहा है, मैं उससे सहमत हूँ। उसके अलावा मैं यह कहना चाहता हूँ कि आप ने कहा कि हरियाणा विधान सभा और लोक सभा के नियमों में सदन को स्थगित करने के बारे में फर्क है। फर्क है, लेकिन हरियाणा विधान सभा का क्या नियम है? मेरा ख्याल है कि इस सम्बन्ध में पंजाब विधान सभा के पुराने नियमों में परिवर्तन नहीं हुआ है। मैं एजानमेंट के बारे में हरियाणा एसेम्बली का रूल पढ़ता हूँ। (व्यवधान) ये लोग खुद मेहनत नहीं करेंगे और जो करता है, उसको सुनेंगे नहीं।

अध्यक्ष महोदय, हरियाणा विधान सभा के नियमों में कोई ऐसी बात नहीं है जिससे सभापति को या मुख्य मंत्री को संविधान का उल्लंघन करने का कोई अधिकार मिलता हो। कोई ऐसी बात नहीं है, आप देखें मैं रूल पढ़ता हूँ।

"Subject to the provisions of the Constitution and these rules, the Assembly may be adjourned from time to time by its own order."

Provided that a motion for adjournment of the Assembly to a day or *sine die* shall not be made except in consultation with the Speaker."

क्यों कंसल्टेशन की शर्त लगाई गई है क्योंकि स्पीकर को यह देखना चाहिए कि

Whether an adjournment motion is in accordance with the provisions of the Constitution. (*Interruptions*)

**श्री रणधीर सिंह :** स्पीकर को पूछा है, स्पीकर के बगैर कुछ नहीं किया है।

**श्री मधु लिमये :** यह कोई एनार्की के लिए नियम नहीं बनाये जाते हैं। मैंने अगर कोई गलत रूल कोट किया हो तो मुझे टोकिए। अब मैं कांस्टीट्यूशन का रूल कोट करता हूँ जो नाथ पं जी ने नहीं किया है। 208 आप देखिए कांस्टीट्यूशन का, असेम्बली रूल की बात में नहीं कर रहा हूँ। उसमें है :

“The House or the legislature of a State may make rules for regulating, subject to the provisions this Constitution, its procedure and conduct of its business.”

अध्यक्ष समहोदय, इसके बाद संविधान की हत्या हुई है या नहीं हुई है ? ...

**डा० राम० सुभग सिंह (बक्सर) :** हुई है।

**श्री मधु लिमये :** इसकी चर्चा करने का इस सदन को अधिकार नहीं है, यह कहना बिल्कुल बेमतलब हो जाता है और संविधान की हत्या हुई है तो जो धाराएं नाथ पं जी ने बताईं और जिनके बारे में इस सदन में काफी बहस हो चुकी है और यह माना गया है, चन्हाण साहिब ने खुद कहा था बंगाल के कांटेक्ट में कि अगर कानून की हत्या होगी तो केन्द्र सरकार के पास यह अधिकार है निर्देश देने का। तो जब सुविधाजनक होता है तो अधिकार है, पश्चिम बंगाल में विरोधी सरकार है तो अधिकार है और हरयाणा में अधिकार नहीं है, यह मैं नहीं मानने के लिए तैयार हूँ। यह आप कह सकते हैं कि हरयाणा में अधिकार के उपयोग की स्थिति नहीं है, उस पर बहस और हो सकती है, लेकिन यह कहना कि केवल बंगाल के लिए हम को अधिकार है, और मध्य

प्रदेश के लिए अधिकार है और हरयाणा के लिए नहीं है, यह बात ठीक नहीं है।

अध्यक्ष महोदय, इस सदन में जिस तरह आपका निर्णय है उसी तरह पुराने निर्णयों की भी हमें इज्जत करनी है। अब 355 धारा के तहत संविधान का पालन करने की जिम्मेदारी इनकी भी है और हमारी भी है और हरयाणा असेम्बली का नियम कहता है, संविधान की धारा 208 भी कहती है कि जो भी नियम और कार्यवाही होगी वह संविधान के अनुसार होगी इसलिए जहाँ तक जिम्मेदारी का सवाल है वह अब अट्रैक्ट हो गई। रह गया सवाल सरकार की असफलता है या नहीं, फेल्योर है या नहीं, इसके बारे में तो मैं कहना चाहता हूँ कि जब संविधान की हत्या को मैं साबित करूँगा और इन्होंने उसके बारे में कुछ नहीं किया तो इनका फेल्योर, इनकी सफलता तो आ ही जाती है। अब मैं यह निवेदन करना चाहता हूँ कि संविधान की हत्या कैसे हुई। स्पीकर से सलाह मशिवरा करके एडजर्नमेंट करने का अधिकार इसीलिए दिया कि कोई ऐसी स्थिति उत्पन्न न हो जिस तरह अब की बार हुआ है कि विधान सभा में प्रस्ताव आता है अविश्वास का। अविश्वास का प्रस्ताव कोई मामूली प्रस्ताव नहीं है। यह मैनडेट्री मोशन है। एडजर्नमेंट मोशन मानना या न मानना नियमों के अनुसार आपकी मर्जी की बात है। ..(व्यवधान)

**एक माननीय सदस्य :** वापिस क्यों लिया ?

**श्री मधु लिमये :** अरे, कहां लिया है ? यह बात स्पीकर साहब ने भी मानी है कि नया प्रस्ताव आया था, उसको स्वीकार किया गया...(व्यवधान)...तारीख तय हुई। यह सत्य बात है। ताजा जो अंतिम बात थी वह यह थी कि प्रस्ताव था। प्रस्ताव को स्वीकार किया था, उसके लिए तारीख निश्चित की गई थी। अब यह जो अविश्वास का प्रस्ताव है, यह

[श्री मधु लिमये ]

एडजर्नमेंट मोशन या कालिग अटेंशन की तरह नहीं है। यह किसी भी सभापति की मर्जी पर निर्भर बात नहीं है। यह संविधान की धारा पर निर्भर करता है। मेरा ख्याल है शायद वह धारा 175 है। उसमें यह है कि सरकार विधान सभा के प्रति उत्तरदायी होगी। और यह उत्तरदायित्व तय करने का अविश्वास प्रस्ताव ही एक जरिया है। इसलिए वह मैनडेटी मोशन है। तो अध्यक्ष महोदय को सोचना चाहिए कि चीफ मिनिस्टर जब एडजर्नमेंट का प्रस्ताव देता है, उनसे सलाह मशवरा करके देना पड़ता है तो स्पीकर को यह कहने का पूरा अधिकारा था कि मैंने अविश्वास का प्रस्ताव स्वीकार है, उसके लिए तारीख निश्चित हो गई है, ऐसी हालत में एडजर्नमेंट का प्रस्ताव लाना संविधान के विपरीत होगा। तो वह अविश्वास का प्रस्ताव खत्म होने के बाद आप एडजर्नमेंट का प्रस्ताव लाइये, यह ठीक बात थी।

जब मैं प्रेसीडेंट की बात कहता हूँ। मध्य प्रदेश के बारे में मेरा ही एडजर्नमेंट मोशन था। चन्हाण साहब ने उसका जवाब दिया था। मध्य प्रदेश में क्या हुआ था? यही हुआ था। एक्जिक्युशन मिनिस्ट्री की डिमांड पर वोट होने जा रहा था और कोई भी मानता है कि कटमोशन अगर पास हो जाता है या डिमांड कोई टुकड़ाई जाती है तो उसका असर वही होगा जो अविश्वास का प्रस्ताव पारित होने के बाद होगा क्योंकि डिमांड के बिना तो सरकार ही नहीं चल सकती। इसलिए दोनों में कोई फर्क ही नहीं है। क्या हुआ वहाँ पर? वोट करने के बजाय स्पीकर साहब ने हाउस एडजर्न कर दिया। दूसरे दिन 11 बजे जब विधान सभा मिलने के लिए बैठे तो गवर्नर का प्रोरोग करने का आया। प्रोरोगेशन कोई हवा में नहीं हुआ। पहली स्टेज गैर-कानूनी ढंग से एडजर्न किया और दूसरे गैर-कानूनी ढंग से राज्यपाल ने प्रोरोग किया। तो पहले संविधान की हत्या

हुई हाउस में और पंजाब की कूलिग में यह साबित हो चुका है कि जहाँ इल्लीगैलिटी होगी, प्रोसीजरल इरेगुलैरिटी नहीं, इल्लीगैलिटी और संविधान की हत्या होगी और कानून भंग होगा वहाँ झूदा लत भी जा सकती है। ऐसी बात नहीं है कि केवल प्रोसीजरल मामला है। ऐसा न समझियेगा। इसलिए मेहरबानी करके आप इसके ऊपर विचार कीजिए। मध्य प्रदेश और पंजाब के बारे में भी कालिग अटेंशन मंजूर हुआ है। उसका भी जवाब चन्हाण साहब ने दिया है। इसलिए मेरी प्रार्थना है कि बिल्कुल नियमों के अनुसार यह एडजर्नमेंट मोशन है। आप हमारा मानते हैं, वाजपेयी जी का मानते हैं या नाथ पाई जी का मानते हैं, उससे बिल्कुल मतलब नहीं है। आप नाथ पाई का ही मान लीजिए लेकिन इन बातों को इस तरह टुकराइयेगा नहीं। यह बहुत सारे पेटेटी आगुमेंट्स हैं। इनके ऊपर विचार करने की हम प्रार्थना करते हैं। कालिग अटेंशन मोशन में ये बातें नहीं थीं इसलिए हमने कहा कि हमारी बातें आप सुन लीजिए और फिर निर्णय दीजिए।

SOME HON. MEMBERS : *rose*—

MR. SPEAKER : I am not going to allow a debate on this.

श्री राम किशन गुप्त : प्वाइंट आफ आर्डर। असेम्बली के स्पीकर का यह कहना कि सबसे पहले... (व्यवधान)...

श्री रणधीर सिंह : अपोजीशन के ही सारे लोग बोलेंगे या आप इधर से भी किसी की सुनेंगे? मैं हरयाणा की कूलिग पार्टी का हूँ, मेरी बात भी आप सुनिए।

श्री राम किशन गुप्त : अविश्वास का प्रस्ताव आया, स्पीकर ने उसको एग्री किया। तीन माचं डिस्कशन के लिए मुकर्रर कर दी थी, उसके 25 मिनट के बाद यह चीज हुई... (व्यवधान)...

SHRI NATH PAI : I move my adjournment motion.

अध्यक्ष महोदय : अभी जब तक मैं न मानूँ तब तक आप मूव नहीं कर सकते। अभी तो मैं ने आपका एडजर्नमेंट मोशन नामंजूर किया है। उसके बाद आपने उसके बारे में कुछ प्वाइंट्स रखे हैं... (व्यवधान)

SHRI NATH PAI : After hearing me, have you not changed your opinion. Why don't you withhold your ruling ?

Hear Shri Chavan also.

MR. SPEAKER : In view of the constitutional aspects, stated by Shri Nath Pai and later on supported on some points left by him and added to by Shri Madhu Limaye, I think I should again seriously review it.

My first reaction was, why was not the Speaker consulted at the time of *sine die* adjournment. So I personally spoke to him and asked from him, personally, as to why did he accept the *sine die* adjournment when it is already there.

The Speaker said something verbally to me. I said that I had to make up my mind and I would be very grateful if he could send it to me in writing. So, on all the points, he sent the clarifications in writing. May I read what he has said ?

DR. RAM SUBHAG SINGH : No, Sir.

SHRI MADHU LIMAE : You give your ruling, we will accept it.

SHRI SHEO NARAIN (Bastl) : Here is an hon. Member of this House from Haryana who was arrested yesterday. You have not permitted him to speak.

MR. SPEAKER : I am going to consider the arguments that have been advanced, consultation is a matter of interpretation by the Speaker. I am not going to read it, but if he likes, I can show these lines to him. I think that consultation does not mean agreement. Even if the Government

advises, the position may not be just the same, but in view of what you have said, I will reconsider it.....

SHRI N. K. P. SALVE : It is not a valid reason for reconsideration.

MR. SPEAKER :.....whether I should allow a debate or not.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI VIDYA CHARAN SHUKLA) : If you want to reconsider, you must hear this side also.

SHRI Y. B. CHAVAN : I was under the impression that you had already taken a decision about it not to allow the adjournment motion.

MR. SPEAKER : I had conveyed my decision to him rejecting this adjournment motion, but now that he has brought forth a few points, let me consider the weight of these points also.

SHRI Y. B. CHAVAN : Naturally after hearing some of the arguments, you want to reconsider your decision, but before you do that, I think it is my duty to put before you our point of view also.

Shri Nath Pai read half a dozen articles of the Constitution.

SHRI NATH PAI : Half a dozen relevant articles.

SHRI Y. B. CHAVAN : I will come to the relevancy of the articles. Certainly it is a free country and he is free to interpret the Constitution, but I have never seen such a wide and wild interpretation of the Constitution as he tried to put before you.

First of all, he says that the Governor continues in office during the pleasure of the President. It is entirely true. But when the President has to withdraw his pleasure, there must be some constitutional reason for that. It is not the sweet will of the Governor or the President as such.

What happened exactly in the Assembly is, really speaking, the starting point. As

[Shri Y. B. Chavan]

to exactly what happened, you have also certain information.

SHRI MADHU LIMAYE : What is your Information ?

SHRI Y. B. CHAVAN : My Information is identical with that of the Speaker. I can give you my information,

It is a fact that there were two sessions on that day, one in the morning and another in the afternoon. The practice is that a no-confidence motion has to be moved only after the Question Hour. The motion was not moved. According to my information, notice of the motion for adjourning the House *sine die* was received by the Speaker at about 12.15 or so, between 12 and 1 O' Clock. I would like to be careful in this matter. The Speaker received the motion of no-confidence after 1 O' Clock. In point of fact, the motion for adjourning the House *sine die* was received by the Speaker earlier than the motion of no-confidence.

SHRI SURENDRANATH DWIVEDY : This is not disputed.

SHRI RAM KISHAN GUPTA : No, Sir, I challenge. I was there.

SHRI Y. B. CHAVAN : You may challenge. I am giving my information.

It is a fact that when the work began, according to whatever practice he had, the Speaker allowed this no-confidence motion to be examined first. He admitted it; he asked some persons and when he found it had the necessary support, he decided the date also. It is a fact. The question of adjourning the House *sine die* was also before him. Where does the Government of India come in in this matter ? The Speaker decided rightly or wrongly he claims he decided according to the rules of the House that this question should also be brought before it. Now what is the meaning of consultation ? It means that a person should be told and should apply his mind. He applied his mind. Consultation does not mean agreement or consent. He applied his mind and allowed the motion to be kept before the House. The process of consultation was completed and it was the sweet will of the House to accept it or reject it. When the

House decided to accept the motion and decided to adjourn *sine die*, I think the whole thing was complete. Now, where do the Government of India come in... (*Interruptions*). Now, what has the Governor done ?

SHRI NATH. PAI : Prorogued the House. Please read article 174.

SHRI Y. B. CHAVAN : Even about that matter. As far as the constitutional aspect is concerned, I have no doubt in my mind, and all the constitutional experts have put this interpretation that as far as prorogation and summoning of the Houses were concerned, the Governor is bound to accept the advice of the Chief Minister.

SHRI NATH PAI : Not, if it is in violation of the Constitution.

श्री मधु लिमये : बंगाल में समनिय की एडवाइस नहीं मानी ।

SHRI ATAL BIHARI VAJPAYEE : When a no-confidence motion was pending against the Chief Minister, how can the Governor do so ? He should refuse to accept the advice of the Chief Minister.

SHRI Y. B. CHAVAN : The facts are different. The Governor was gulled by one important factor that the House had by a majority decided to adjourn ; he had no other alternative.

SHRI SHEO NARAIN : He is misleading the House... (*Interruptions*)

SHRI NATH PAI : What about prorogation ? It is different from adjournment.

SHRI Y. B. CHAVAN : I agree. Adjournment was accepted by the House ; when on the basis of the decision taken by the House the Chief Minister gave his advice, there was no alternative for the Governor but to accept that decision. What the hon. Member wants me to do is to break the Constitution. When the House has adjourned itself *sine die* and on the basis of that the Governor accepts the advice of the Chief Minister, he wants the

Centre to give direction not to prorogue the House...(*Interruptions*) I cannot accept responsibility for breaking the Constitution only because hon. Member says so...(*Interruptions*)

13.56-1/2 hrs.

#### PAPERS LAID ON THE TABLE

##### NOTIFICATION UNDER MINES AND MINERALS (REGULATION AND DEVELOPMENT) ACT

THE MINISTER OF STATE IN THE MINISTRY OF PETROLEUM AND CHEMICALS AND MINES AND METALS (SHRI JAGANATH RAO) : I lay on the Table a copy of Notification No. G.S.R. 200 published in Gazette of India the 7th February, 1970, making certain amendment to the Second Schedule to the Mines and Minerals (Regulation and Development) Act, 1957, under sub-section (1) of section 28 of the said Act. [*Placed in Library. See No. LT-2647/70*].

##### NOTIFICATIONS UNDER CUSTOMS ACT ETC.

THE MINISTER OF SUPPLY AND MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI R. K. KHADILKAR) : On behalf of Shri P. C. Sethi) : I lay on the Table :

(1) A copy of Notification No. G.S.R. 184 (Hindi and English versions) published in Gazette of India dated 1st February, 1970, under section 159 of the Customs Act, 1962 together with an explanatory memorandum. [*Placed in Library. See No. LT-2648/70*].

(2) A copy of each of the following Notifications (Hindi and English versions) under section 38 of the Central Excises and Salt Act, 1944 :—

- (i) The Central Excise (Third Amendment) Rules, 1970, published in Notification No. G.S.R. 155 in Gazette of India dated the 24th January, 1970.
- (ii) The Central Excise (Fifth Amendment) Rules, 1970, published in

Notification No. G.S.R. 215 in Gazette of India dated the 7th February, 1970.

[*Placed in Library. See No. LT-2649/70*].

(3) A copy each of the following Notifications (Hindi and English versions) under section 159 of the Customs Act, 1962 and section 38 of the Central Excises and Salt Act, 1944 :—

- (i) The Customs and Central Excise Duties Export Drawback (General) Fifth Amendment Rules, 1970, published in Notification No. G.S.R. 149 in Gazette of India dated the 24th January, 1970.
- (ii) The Customs and Central Excise Duties Export Drawback (General) Fifth Amendment Rules, 1970, published in Notification No. G.S.R. 212 in Gazette of India dated the 7th February, 1970.
- (iii) The Customs and Central Excise Duties Export Drawback (General) Sixth Amendment Rules, 1970, published in Notification No. G.S.R. 213 in Gazette of India dated the 7th February, 1970. [*Placed in Library. See No. LT-2650/70*].

(4) A copy each of the following Notifications (Hindi and English versions) issued under the Central Excise Rules, 1944 :—

- (i) G.S.R. 180 published in Gazette of India dated the 31st January, 1970, together with an explanatory memorandum.
- (ii) G.S.R. 214 published in Gazette of India dated the 7th February, 1970, together with an explanatory memorandum. [*Placed in Library. See No. LT-2651/70*].

(5) A copy Notification No. G.S.R. 260 (Hindi and a English versions) published in Gazette of India dated the 18th February, 1970, issued under section 90 of the Income-tax Act, 1961 and section 24A