

श्री मधु लिमये : अध्यक्ष महोदय, यह प्रतिक्रिया की बिलकुल हत्या हो रही है। मैं अपना विरोध प्रोटेस्ट दर्ज कराना चाहता हूँ

SHRI Y. B. CHAVAN : I introduce† the Bill.

SHRI NATH PAI : I had written to you pointing out four main objections, out of which you were pleased to deal with one. The remaining three objections which I submitted to you were also very valid objections...

MR. SPEAKER : I am sorry I forgot to tell him. Let me tell him the position.

Yes, he wrote to me also about the objections he had raised. They are all really very interesting. I do not want to go into the legal aspects. The House will have to discuss them very carefully. There is nothing for the Speaker to give a ruling on. Shri Madhu Limaye had also raised some points. On all these, the House has to take a decision.

SHRI NATH PAI : I submit to your decision. Let the House decide. Because these are important points as you yourself have been kind enough to suggest, I have suggested in a motion that the Attorney-General be asked to come here and address the House on the legal aspects.

Mr. SPEAKER : No, no. Let us see during the discussion.

SHRI NATP PAI : I do not want to enter into the merits. You directed the Home Minister yesterday to make necessary correction. We had the President's signature already. He should have given the letter to you immediately and it ought to have been circulated. Was there any difficulty encountered in this matter? Normally there should not have been any difficulty in this. Obviously, there was some reluctance and resistance.

12. 38 hrs

CONSTITUTION (AMENDMENT)
BILL—contd.

MR. SPEAKER : Regarding Shri Nath Pai's Bill, I have to say something—not on the merits of the Bill. Even if it is moved for discussion today, it is proposed that it be taken over to the next session. We will perhaps have a better atmosphere and will have more time to discuss it later. I am told it is already agreed, tentatively that it be taken over to the next session. If the House agrees, it can be done.

SHRI M. R. MASANI : (Rajkot) We want to know what are the reasons for this proposal for a sudden adjournment. We have discussed it for hours and time has also been allotted for it now.

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, मेरी समझ में कुछ नहीं आ रहा है—अभी चव्हाण साहब का बिल प्राया उसके बारे में नए आक्षेप उठाने की इजाजत आपने नहीं दी। अभी नाथपाई का मोशन आ रहा है—इसके लिए पहले पापर एडजानमेंट मोशन कैसे आ सकता है ?

MR. SPEAKER : We did not discuss it yesterday or the day before. Shri Raghuramaiah.

श्री मधु लिमये : अध्यक्ष महोदय, मुझे इस पर घोर आपत्ति है। यह कैसे बीच में आता है—मेरी समझ में नहीं आ रहा है। इन को बोलने का कोई अधिकार नहीं है। नाथपाई का मोशन है, नाथपाई को पेश करने दीजिए।

MR. SPEAKER : The Speaker has called him.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TARSPOUT (SHRI RAGHU RAMAIAH) : Shri Nath Pai's motion is very important. Various aspects of it have to be considered.

We thought that four hours might not be enough.

†Introduced with the recommendation of the President.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : Why did he do it in the Business Advisory Committee then ?

SHRI RAGHU RAMAIAH : Further thought has to be given for reference to a Joint Committee, a fresh Joint Committee. For these various reasons, I requested the Speaker and I had also spoken to some of the Leaders of the Opposition ; some of them have agreed...

श्री मधु लिमये : कौन-कौन नेता, नाम बताइये ? इस तरह से नहीं चलेगा ।

SHRI RAGHU RAMAIAH : I said 'some'.

श्री रवि राय (पुरी) : आप नाम बताइये । क्या तमाशा चल रहा है, समझ में नहीं आ रहा है ।

SHRI RAGHU RAMAIAH : Let me conclude.

MR. SPEAKER : I will call Shri Rabi Ray, Shri Madhu Limaye and Shri Masani, one by one.

SHRI NATH PAI (Rajapur) : There is a basic thing. We are talking in the air. The House is not seized of this matter. I have not moved my motion. Till I move my motion that the debate be resumed now, because my earlier motion was for adjournment *sine die*, we cannot take note of it.

I move the following :

"That the debate on the motion 'That the Bill further to amend the Constitution of India, as reported by Joint Committee, be taken into consideration', which was adjourned on the 21st February 1969, be resumed now".

MR. SPEAKER : Without allowing you to move your motion, if it is to be postponed I thought we need not take the time of the House and that we could skip over.

SHRI RAGHU RAMAIAH : May I in the circumstances which I have outlined,

seek your permission to move a formal motion :

"That the discussion on the motion moved by Shri Nath Pai, 'That the debate on the motion 'That the Bill further to amend the Constitution of India, as reported by Joint Committee, be taken into consideration' which was adjourned on the 21st February, 1969, be resumed now.' be adjourned to the next session."

SHRI RANGA : (Srikakulam) The Minister of Parliamentary Affairs was good enough to mention this matter and we told that we understood that a recomittal motion was going to be made here. There are two motions. One is that the discussion should be suspended. The other point is that he should be given freedom to move his earlier motion which has already given notice of. They expect us to agree to serve on the re-committed joint Committee and all of us agreed and we understood that the two motions were going to be placed on the Table of the House and moved here. They have already given notice of it. I do not know what wonderful surprise the Government have got up their sleeves. The hon. Minister was not good enough to tell us that they have in their mind. Have they given serious consideration to this particular matter ? Are they still of the same opinion which they held earlier that this Bill, as it has emerged from the Joint Committee, should again be committed to a new Joint Committee. They mooted this idea and we have given our names. Or do they want to give fresh consideration to everything and therefore they want to postpone it ? What is the significance of this post-ponement ? I want to know. Are we to understand that this Government would like to continue their earlier commitment for the support of this— according to us infamous Bill ? Or, the Government do not want to do anything at all or give any kind of assurance to anybody but simply want us to agree to a mere postponement of it ? If it is an unconditional postponement while the Government retains to itself complete freedom of action in regard to their earlier statement they have made through the Law Minister that they were going to support this Bill and if they were going to give up that commitment we may not have

[Shri Ranga]

much objection. If, on the other hand, they stand committed to the earlier commitment to support this Bill and are not prepared to agree to the gentleman's agreement with all of us that this Bill was going to be recommitted to a Joint Committee, we would have no other option but to oppose this.

I should also like to draw the attention of the House to this relevant matter. On an earlier occasion, we said on behalf of our party that we would not co-operate and be on the Joint Committee, the Law Minister was particular that we should join and he made a special appeal. We did not have sufficient faith in the Government and were totally opposed to this Bill. On the other hand this time we were prepared and co-operate with them as well as the other parties so that we might be able to give proper consideration to the whole Bill. We thought that this would be appreciated by all the other parties including Mr. Nath Pai's party and more so by the Government. In spite of all that we now find ourselves in a sort of 'no man's land' where the Government does not seem to know its own mind goes on changing its position from one to another. There seems to be some kind of dogrolling, some kind of agreement not with all of us but only with the party which was specially and directly concerned with this Bill and the Government. I consider this to be a very indecent way of dealing with the House, dealing with the parties one by one, and I do not think the Government is playing fair with us.

Therefore, we have no other option but to oppose this particular motion.

श्री मधु लिमये (मुंगेर) : अध्यक्ष महोदय, सबसे पहले मैंने यह आपत्ति उठायी थी कि जब तक बाकायदा नाथपाई साहब अपना प्रस्ताव नहीं रखते हैं तब तक इसके बारे में कोई बात ही नहीं हो सकती है। खैर अन्त में आपने इन् को रखने दिया। तो अब मैं यह अर्ज करना चाहता हूँ कि संसद कार्य मंत्री ने जो स्थगन का प्रस्ताव रखा है यह बिलकुल कानून और नियमों के विपरीत है। क्या स्थगित करना चाहते हैं

यह मैं उन से पूछना चाहता हूँ। इस वक्त उन्होंने कहा कि बिल, पर चर्चा स्थगित की जाय। इस वक्त चर्चा के लिए बिल है ही नहीं।

SHRI RAGHU RAMAIAH : I said "Motion." It is a debate on the motion.

श्री मधु लिमये : आप ने बिल कहा कि बिल पर चर्चा न हो।

MR. SPEAKER : It is a debate on the motion of Shri Nath Pai. Do not discuss the parties.

श्री मधु लिमये : मैं यह उन से जानना चाहता हूँ कि उन्होंने दो, तीन बार इस विधेयक के बारे में जो तारीख निश्चित की गई थी, बिना हम से सलाह मश्वरा किये, बिना हमको इत्तला दिए उस में परिवर्तन किया है। और आज जब बिजनेस एडवाइजरी कमेटी की सलाह से यह नई तारीख निश्चित की गई और चार घंटे तक इस पर विचार करने की बात की है तो आज यह स्थगन का प्रस्ताव ले आ रहे हैं। हम लोगों को पहले नोटिस नहीं थी। अगर इस प्रस्ताव और विधेयक पर चर्चा नहीं होगी तो जो दूसरे विधेयक हैं उनके लिये लोग तैयारी करके नहीं आये होंगे इस खयाल से कि चर्चा श्री नाथ पाई के बिल पर होगी। तो मैं जानना चाहता हूँ कि स्थगन प्रस्ताव का इस वक्त औचित्य क्या है? यह सीधा सवाल मैं पूछना चाहता हूँ क्या कांग्रेस के संसदीय दल का अन्तर्गत मामला इस में आ गया है? क्योंकि पाटिल साहब आ गए हैं, और पाटिल साहब ने अध्यक्ष महोदय, बम्बई में प्रोप्रेसिव ग्रुप या रोटरी क्लब के सामने एक भाषण दिया था और उन्होंने इस बिल का सिद्धान्त का विरोध करने वाला बड़ा लड़ाकू भाषण दिया था। कोई माननीय सदस्य हीयर-हीयर कर रहे हैं। हीयर-हीयर करने की बात नहीं है। जब 19 संशोधन नेहरू जी के जमानेमें हो गये तो पाटिल साहब की जवान

बंद थी। तो बात वह नहीं है मेरी इच्छा थी कि पाटिल साहब यहां इस वक्त्र मौजूद होते।

SHRI NATH PAI : Mr. Patil said he might leave the Congress if this Bill is passed.

श्री मधु लिमये : अब आप यह कहते हैं कि पाटिल की बहस हो रही है? मैं पाटिल साहब की बहस नहीं कर रहा हूँ। क्या पाटिल साहब के आने से इन की नीति में कोई परिवर्तन हुआ है? अगर हुआ है तो साफ़ बतायें। क्योंकि यह क्या मज़ाक चल रहा है मेरी समझ में नहीं आ रहा है। सरकार अगर अपनी घोषित नीति पर नहीं चल सकती है तो मैं मांग करता हूँ कि सरकार कबूल करे कि हमारी नीति में परिवर्तन आया है। वह हट जाय, इस सरकार की एक मिनट भी रहने का अधिकार नहीं है अगर अपनी घोषित नीति में हर मिनट और हर घंटे परिवर्तन करना चाहती है। तो इस बिल और इसके सिद्धान्त के बारे में मैं उन से खुलासा चाहता हूँ। इस तरह के दांव पेच हम लोगों के साथ न करें, इतना ही मुझे कहना है।

SHRI SURENDRANATH DWIVEDY : (Kendrapara): The motion is to adjourn the motion which Nath Pai has moved in this House. I am really surprised at the statement that Mr. Ranga made, and there was some shouting behind him that there was a conspiracy. If there was any conspiracy, the conspiracy was with the Swatantra party and some others without consulting us to again refer this Bill to the Joint Committee which has never happened in this House. The Bill has been debated for months and considered in the Joint Committee, and the Joint Committee had given almost a unanimous report and we were anxious that it should be debated and passed in this House. Now, I do not know why and what transpired between the Government and the Swatantra party: it is a new alliance. Therefore, they were proposing that it should be again recommitted to another select committee. It is a well-known convention that persons who oppose the Bill in the principle

will never be nominated to the Select Committee. But we find a proposal in which we find names of persons who were opposed in principle to the Bill. It seems all this has been done because further discussion on this matter is necessary. If the Select Committee proposal had been adopted, the Select Committee would have gone in detail into the same Bill that is before the House. Now the proposal of the Government is that 4 hours will not be enough. They say, if it is postponed to the next session, we will apply our mind more fully to it and we can discuss it threadbare. For that purpose if it is postponed, we have no objection. Let the discussion be postponed. We have other important business like the Succession Bill, Abolition of the West Bengal Legislative Council Bill, etc. All these must be passed in this session. Therefore, I support this motion for adjournment unconditionally. Mr. Ranga asked whether our support is conditional. Our support is unconditional.

श्री कंबर लाल गुप्त (दिल्ली सदर) : अध्यक्ष महोदय, मंत्री महोदय ने ऐडजर्नमेंट के बारे में एक ही दलील दी है कि वह यह समझते हैं कि 4 घंटे का समय इस के लिए कम है और उसके लिए और अधिक समय चाहिए। लेकिन मैं मंत्री महोदय से पूछता हूँ कि जब दो दिन पहले बिजनैस ऐडवाइजरी कमेटी की मीटिंग हुई थी उस समय वह चार घंटे इस के लिए ठीक समझते थे तो इस 48 घंटे में कौन सी ऐसी तबदीली आ गई जिससे कि वह यह समझने लगे कि चार घंटे का समय कम है?

एक साल से अधिक से यह बिल चल रहा है लेकिन इस सरकार का मन स्थिर नहीं है कि इस बिल के प्रति उस का क्या ऐटीच्यूड हो। इन पार्टी में आपस में डिवीजन है जबकि एक इस तरफ चाहता है तो दूसरा दूसरी तरफ चाहता है। ऐसा मामूळ होता है कि पाटिल साहब के आने के बाद जो बेंलैस आफ पावर है वह बदल गया है और अब दुबारा कांग्रेस पार्टी रिथिंकिंग करना चाहती है। अगर ऐसा है तो आप स्पष्ट तौर से इसे कहिये कि इस बारे में उन की पार्टी को रिथिंकिंग करने की

जरूरत है और इसलिए हम इसे अभी ऐडजोर्न कर रहे हैं लेकिन इस तरह से मन का स्थिर न रखना और बार बार बदलना यह एक ग़लत बात है। इस हाउस की परम्परा को ठीक ढंग से निभाना चाहिए।

SHRI KRISHNA KUMAR CHATTERJI (Howrah) : The motion for adjournment which has been moved is the only thing that can come before the House, because recommitment to a Joint Committee would be a surprising departure from all the previous precedents. This Bill has far-reaching implications so far as the functioning of the parliamentary system vis-a-vis the judicial system in this country is concerned. It is only proper that this House should be given enough opportunity to discuss threadbare the report of the Joint Committee. It was said that the report of the Joint Committee was unanimous; I have read it and find that even some eminent jurists are differing sharply on certain points. Therefore, the Joint Committee report should be discussed threadbare by this House and I and I plead with the hon. members opposite to accept the motion for adjournment unanimously. Our Constitution was framed by a Constituent Assembly which was properly constituted. Whenever any amendment is to be made, this House should get enough opportunity to discuss the *pros and cons*. The difficulty that may arise by passing such an amending Bill at this juncture when the parliamentary system is facing a crisis should also be considered. I strongly support the motion for adjournment.

SHRI H. N. MUKERJEE (Calcutta North East) Shri Nath Pai's Bill has already had a very eventful history and it is distressing that certain things happened, but perhaps we have to reconcile ourselves to the conditions to which we are reduced by the government of the day. I should have thought that when this Bill which had gone to a Select Committee which, after a long cogitation and after taking the evidence of a shining array of leading counsels from all parts of the country had produced a report, when that Bill is before us, we should have passed it. But what happened was that government, at least a very important member of the government party, came forward with a motion for re-committal of

the matter to a Select Committee. As my hon. friend, Shri Dwivedy, has already out, it flew in the face of all parliamentary proprieties and I wonder how a former Speaker of State Legislature sponsored that motion. Possibly, he did not know that many of those people whose names he had included in the Select Committee to which he was recommitting this matter had stridently, and sometimes in the most spectacular fashion, opposed this Bill in all parts of the country and made all kinds of statements in regard to it. I am sorry, I should have come earlier, when the discussion had started. But if the understanding is that the motion for re-committal is not there, we are merely adjourning the discussion, then it is in order. My feeling is that the motion for re-committal is completely out of order. That you, Sir, and the rules will take care of. In view of the predicament in which we are at the moment, I would not object to the adjournment of the discussion on the Report of the Joint Committee to the next session, but in regard to the re-committal motion we have our objection which we will express at the proper time.

SHRI P RAMAMURTI : (Madurai) I do not want to go into the question of the way in which the government have tackled this problem. Others have dealt with it. I want an assurance from the government that when it is discussed at the next session the government party should take up the responsibility of seeing that none of their members come forward with a motion for the re-committal of the Bill to the Select Committee.

SHRI HUMAYUN KABIR : (Basirhat) Mr. Speaker, Sir, I want to make only two observations, I agree with Shri Surendranath Dwivedy that the motion moved by the Minister of Parliamentary Affairs should be accepted. Where there is such sharp difference of opinion in the House within the Select Committee itself, there is no reason why the matter should not be reconsidered and I would congratulate the government that at least for once they have seen the wisdom of reconsidering the issue.

One other point and I have finished. My hon. friend, Shri Mukerjee, just now said that the proposal for re-committal is some-

how unconstitutional. I am astonished to hear this because there are many precedents where Bills have been sent back to a Select Committee a second time. His other objection that there are members in the Select Committee who do not accept the Bill *in toto* is also not entirely valid, because there are parliamentary precedents that so long as you keep the long title and the short title and make changes in the other clauses, it is in order. Therefore, those who have come into the Select Committee have come with the full knowledge that according to parliamentary conventions they must accept the short title and the long title but they can change everything else.

श्री अ० सि० सहगल (बिलासपुर) : अध्यक्ष महोदय, मैं आपसे निवेदन करूंगा कि इस हाउस के सामने एक ऐसा बिल है जो कि सेलैक्ट कमेटी के जरिए आया है और उसे अभी बदलने के लिए वह दूसरी सेलैक्ट कमेटी में भेजा जाय मैं समझता हूँ कि यह चीज कम से कम हमारी परम्परा के खिलाफ है। अलबत्ता अगर आप इस बिल को दूसरे संशन के लिए मुलतवी करते हैं तो जाहिर है कि उसमें हम को ज्यादा वक्त मिल सकता है और हम ज्यादा उस को डिस्कस कर सकते हैं इसलिए इस चीज को हमें मंजूर कर लेना चाहिए।

SHRI S. M. BANERJEE (Kanpur) : Sir, I rise on a point of order. There are two motions before the House. One is by Shri Nath Pai which reads.

"That the Bill further to amend the Constitution of India, as reported by Joint Committee, be taken into consideration."

That is the original motion mentioned in the Order Paper. Now another motion has been moved that the discussion on this Bill be adjourned. My contention is that the motion which has been moved by the Minister of parliamentary Affairs is negative in character. May I read the relevant rule, rule 344, which deals with amendments, because this is an amendment to the original motion ?

"An amendment shall be relevant to, and within the scope of, the motion to which it is proposed."

13 hrs.

An amendment shall not be moved which has a negative effect. This is of a negative character. So, I want to move a motion under Rule 340. Rule 340 says :

"At any time after a motion has been made, a member may move that the debate on the motion be adjourned."

You have always disallowed it because you have got discretion under Rule 341(1) which says :

"If the Speaker is of opinion that a motion for the adjournment of a debate is an abuse of the rules of the House, he may either forthwith put the question thereon or decline to propose the question."

I want to move the motion. The Minister's motion is of a negative character. He can find out another way out for this.

MR. SPEAKER : I thought this was a way out. Shri Dhillon.

SHRI S. M. BANERJEE : My only point is that this is of a negative character.

SHRI G. S. DHILLON (Taran Taran) : The motion for re-committal of Mr. Nath Pai's Bill to a new Joint Committee standing in my name has not so far come before the House. I was rather surprised to hear Prof. Hiren Mukerjee's remarks. I assure him I am the same man whom he made friends 10 years back. I am certainly not opposed to Mr. Nath Pai's Bill. But to attribute motives to a Member who has proposed for re-committal of the Bill to a new Joint Committee is rather bad and unjust. There is nothing wrong in moving a motion for re-committal. At the same time attributing motives to the members who happen to be included in the proposed new Joint Committee is also rather unfair. I will be the first man in favour of the adjournment of the debate. It will be good for us to pass the Bill unanimously rather than in a divided manner.

SHRI PILOO MODY (Godhra) : Shame, shame !

SHRI M. R. MASANI (Rajkot) : May I make an offer to him ? If four hours are not enough, let us start the discussion and, after four hours, let us adjourn the debate on it to the next session. Will he accept that ? The amendment could be moved then. We feel it is a conspiracy to scuttle the amendment of Mr. Dhillon. Let it be moved and discussed. Let us then adjourn the debate to the next session.

Mr. SPEAKER : How to dispose of this motion now ?

SHRI M. R. MASANI : By withdrawing it.

SHRI RAGHU RAMAIAH : Sir, I have hidden nothing at all. I have explained to the honourable House the circumstances which have impelled the Government to take the step. As I said, and I repeat, it was vitally felt that considering the importance of the matter, four hours will not be enough. That is only one reason. The other thing, as I already mentioned, is that in regard to a matter of such constitutional importance, there is no harm in giving more time so that more people can think about it. As a matter of fact, whenever we have an amendment to the Constitution, the greatest consideration must be shown and the greatest thought must be given to it.

A very curious argument has been pressed into service that, first of all, Government wants to change their mind because Mr. S. K. Patil has come here. I do not think there is any Member on this side who is not happy about it. We are all very happy that he has come here. I can assure the House that Mr. Patil's coming here has nothing to do with it. Then, it is said, Government has no mind. Again, somebody says, Government wants to change its mind. If they have no mind, how can they change their mind ? Either they have a mind or they don't have. There are two valid reasons.....

SHRI RANGA : What about the amendment for re-committal to the Joint Committee ?

SHRI RAGHU RAMAIAH : I will come to that.

It is true, normally we should have mentioned it to all the leaders of the parties. The various Opposition parties know I am not guilty of dereliction of my duty at any time. They know it. I have always shown them the highest consideration. Today, what happened was that there was my first Question in Rajya Sabha. So, I requested the Deputy Chief Whip to contact the various Opposition leaders and, such of them he could contact, he contacted them. Otherwise, there was never any intention to exclude any leader of Opposition, I have never done that. As I have said, this is an important matter. Let us all think more fully. Why should there be any commitment this way or that way ? Let it come. We shall see. For these reasons, I would request that the debate on Mr. Nath Pai's motion be adjourned to the next session.

SHRI PILOO MODY (Godhra) : I think, the reasons that have been given by the Minister for Parliamentary Affairs are totally insufficient. On the one hand he says that more time is needed to consider a matter of such great importance. But on the other hand he is not prepared to start discussing it now. We are prepared to discuss it till his voice gives way and he is blue in the face. We can go on discussing it as long as he likes, but it must start now. He says that thought has to be given to this Bill. I doubt very much, if he has not been able to apply his mind to it in the last 18 months, whether his mind will start functioning on the subject at some date in the future. I do not think that the reasons advanced by the Minister are at all convincing or genuine. Therefore, I feel that you should disallow his motion and permit discussion on Mr. Nath Pai's motion to start now.

SHRI RAGHU RAMAIAH : The last word should be mine. He said that the two statements were inconsistent. He was asking : if more time was required, why not start now ? But he forgets that he has not brought his mind to bear on the other aspect of the question. Let us have more time to discuss and more time to think also.

MR. SPEAKER : I thought that this was one minute's business. It is only now that I have come to know that there is some difference. I did not know at all till I heard just now that there was some difference. (*Interruption*) I am not putting it to the vote of the House now. They may have further discussion or something before it is put to the vote of the House. Already we have taken some time. Putting it to the vote of the House can be taken up after Lunch. I thought that perhaps again Mr. Raghu Ramaiah and leaders of the Opposition might discuss. I am only giving time. Anyway, this is lunch time now ..

SHRI SURENDRA NATH DWIVEDY;
There is no question of any further meeting ... (*Interruptions*).

AYES

13.12 hrs.

Division No. 22

Achal Singh, Shri
Agadi, Shri S. A.
Ahirwar, Shri Nathu Ram
Aga, Shri Ahmad
Ahmed, Shri F. A.
Ahmed, Shri J.
Ankineedu, Shri
Annadurai, Shri C. N.
Anthony, Shri Frank
Arumugam, Shri R. S.
Azad, Shri Bhagwat Jha
Babunath Singh, Shri
Bajpai, Shri Shashibhushan
Banerjee, Shri S. M.
Barrow, Shri
Barua, Shri B:dabrata
Barua, Shri Hem
Baswant, Shri
Bhagvati, Shri
Bhakt Darshan, Shri
Bhandare, Shri R. D.
Bhanu Prakash Singh, Shri
Bhola Nath, Shri
Bohra, Shri Onkarlal
Burman, Shri Kirit Bikram Deb
Buta Singh, Shri
Chandrika Prasad, Shri
Chatterjee, Shri Krishna Kumar
Chaturvedi, Shri R. L.
Chaudhary, Shri Nitiraj Singh
Chavan, Shri D. R.
Chavan, Shri Y. B.
Dalbir Singh, Shri
Damani, Shri S. R.

SHRI M. R. MASANI : It is better we know what is coming up after Lunch. You can put it to the vote of the House.

MR. SPEAKER : I now put Mr. Raghu Ramaiah's motion to the vote of the House. The question is :

'That the discussion on the motion moved by Shri Nath Pai "That the debate on the motion 'That the Bill further to amend the Constitution of India, as reported by Joint Committee, be taken into consideration', which was adjourned on the 21st February, 1969, be resumed now." be adjourned

to the next session.'
The Lok Sabha divided :

Dasappa, Shri Tulsidas
Daschowdhury, Shri B. K.
Dass, Shri C.
Desai, Shri Dinkar
Desai, Shri Morarji
Dhillon, Shri G. S.
Dhuleshwar Meena, Shri
Dinesh Singh, Shri
Dixit, Shri G. C.
Dwivedy, Shri Surendranath
Esthose, Shri P. P.
Gajraj Singh Rao, Shri
Gandhi, Shrimati Indira
Ganesh, Shri K. R.
Ghosh, Shri Ganesh
Ghosh, Shri P. K.
Gopalan, Shri A. K.
Gopalan, Shri P.
Gudadinni, Shri B. K.
Guha, Shri Samar
Gupta, Shri Ram Kishan
Hazarika, Shri J. N.
Iqbal Singh, Shri
Jadhav, Shri Tulsidas
Jadhav, Shri V. N.
Jaggaiiah, Shri K.
Jagjiwan Ram, Shri
Jamna Lal, Shri
Jha, Shri Bhogendra
Kamble, Shri
Kandappan, Shri S.
Karan Singh, Dr.
Kedaria, Shri C. M.
Kesri, Shri Sitaram
Khan, Shri M. A.
Kinder Lal, Shri
Kirutinan, Shri
Krishna, Shri M. R.

Krishna, Shri S. M.
 Kundu, Shri S.
 Kureel, Shri B. N.
 Kushwah, Shri Y. S.
 Lakkappa, Shri K.
 Lakshmikanthamma, Shrimati
 Lalit Sen, Shri
 Laskar, Shri N. R.
 Laxmi Bai, Shrimati
 Lutfal Haque, Shri
 Madhukar, Shri K. M.
 Mahadeva Prasad, Dr.
 Mahajan, Shri Vikram Chand
 Mandal, Shri Yamuna Prasad
 Mane, Shri Shankarrao
 Mangalathumadom, Shri
 Masuria Din, Shri
 Meghachandra, Shri M.
 Mehta, Shri P. M.
 Menon, Shri Govinda
 Manimata, Shrimati Agam Das Guru
 Mirza, Shri Bakar Ali
 Misra, Shri Srinibas
 Mohammed Ismail, Shri
 Mrityunjay Prasad, Shri
 Muhammod Ismail, Shri M.
 Mukerjee, Shri H. N.
 Mukerjee, Shrimati Sharda
 Mulla, Shri A. N.
 Murti, Shri M. S.
 Naghnoor, Shri M. N.
 Nahata, Shri Amrit
 Naidu, Shri Chengalraya
 Nair, Shri Vasudevan
 Nambiar, Shri
 Nath Pai, Shri
 Nirlep Kaur, Shrimati
 Oraon, Shri Kartik
 Pahadia, Shri
 Pant, Shri K. C.
 Parmar, Bhaljibhai
 Partap Singh, Shri
 Parthasarathy, Shri
 Patel, Shri Manubhai
 Patil, Shri Deorao
 Patil, Shri S. B.
 Patil Shri S. D.
 Patil, Shri T. A.
 Poonacha, Shri C. M.
 Pramanik, Shri J. N.
 Prasad, Shri Y. A.
 Puri Dr. Surya Prakash
 Radhabai, Shrimati B.
 Raghu Ramaiah, Shri
 Raj Deo Singh, Shri
 Rajani Gandhai Kumari
 Raju, Shri D. B.

Ram Charan, Shri
 Ram Sewak, Shri
 Ram Swarup, Shri
 Rana, Shri M. B.
 Randhir Singh, Shri
 Rao, Shri K. Narayana
 Rao, Shri J. Ramapathi
 Rao, Shri Thirumata
 Reddy, Shri M. N.
 Rohatgi, Shrimati Sushila
 Roy, Shri Biswanath
 Saigal, Shri A. S.
 Sait, Shri Ibrahim Sulaiman
 Saleem, Shri M. Y.
 Sambasivam, Shri
 Sankata Prasad, Dr.
 Sant Bux Singh, Shri
 Sapre, Shrimati Tara
 Sen, Shri Dwaipayan
 Sen, Shri P. G.
 Sethi, Shri P. C.
 Shah, Shrimati Jayaben
 Shah, Shri Manabendra
 Shambhu Nath, Shri
 Shankaranand, Shri
 Sharma, Shri Nawal Kishore
 Sharma, Shri Yogendra
 Shastri, Shri Ramanand
 Sheth, Shri T. M.
 Shinde, Shri Annasahib
 Shriv Chandika Prasad, Shri
 Shukla, Shri Vidya Charan
 Siddayya, Shri
 Singh, Shri D. N.
 Sinha, Shri R. K.
 Sivasankaran, Shri
 Snatak, Shri Nar Deo
 Solanki, Shri S. M.
 Somasundaram, Shri S. D.
 Sonar, Dr. A. G.
 Sonavane, Shri
 Supakar, Shri Sradhakar
 Sursingh, Shri
 Suryanarayana, Shri K.
 Swaran Singh, Shri
 Tarodekar, Shri V. B.
 Thakur, Shri P. R.
 Tiwary, Shri D. N.
 Tiwary, Shri K. N.
 Uikey, Shri M. G.
 Venkatasubbaiah, Shri P.
 Verma, Shri Balgovind
 Verma, Shri Prem Chand
 Virbhadra Singh, Shri
 Viswanathan, Shri G.
 Vyas, Shri Ramesh Chandra
 Yadav, Shri Chandra Jeet

NOES

Amat, Shri D.
 Amin, Shri R. K.
 Atam Das, Shri
 Bharat Singh, Shri
 Brij Bhushan Lal, Shri
 Deo, Shri P. K.
 Deo, Shri R. R. Singh
 Desai, Shri C. C.
 Dipa, Shri A.
 Gayatri Devi, Shrimati
 Goel, Shri Shri Chand
 Gowd, Shri Gadilingana
 Jha, Shri S. C.
 Joshi, Shri Jagannath Rao
 Kalita, Shri Dhireswar
 Kamalanathan, Shri
 Karni Singh, Dr.
 Khan, Shri M. A.
 Khan, Shri Zulfiqar Ali
 Limaye, Shri Madhu
 Masani, Shri M. R.
 Meetha Lal, Shri
 Meghrajji, Shri
 Misra, Shri Janeshwar
 Mody, Shri Piloo
 Mohammed Imam, Shri
 Molahu Prasad, Shri
 Naik, Shri G. C.
 Naik, Shri R. V.
 Parmar, Shri D. R.
 Ramamoorthy, Shri P.
 Ranga, Shri
 Ray, Shri Rabi
 Shastri, Shri Sheopujan
 Sheo Narain, Shri
 Suraj Bhan, Shri
 Tapuriah, Shri S. K.
 Tyagi, Shri O. P.
 Vidyarthi, Shri R. S.

MR. SPEAKER : The result* of the division is : Ayes : 184 ; Noes : 39.

The motion was adopted.

MR. SPEAKER : Now we adjourn for lunch. After lunch we will take up the Companies (Amendment) Bill which we are discussing already.

SHRI S. M. BANERJEE : More time should be given for discussion of the Companies (Amendment) Bill.

MR. SPEAKER : We will meet at 2.30 p.m.

13.14 hrs.

The Lok Sabha adjourned for Lunch till thirty minutes past Fourteen of the Clock.

The Lok Sabha reassembled after Lunch at thirty-three minutes past Fourteen of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]
 PRESIDENT (DISCHARGE OF FUNCTIONS) BILL—Contd.

श्री मधु लिमये : अध्यक्ष महोदय, मुझे एक भर्ज आप से करनी है। स्पीकर साहब ने कल जो निर्णय दिया उस के आधार पर आप को एक नया निर्देश जारी करना है। आप को याद होगा कि कल जब राष्ट्रपति के बारे में विधेयक आया और हम ने कुछ आपत्ति उठाई उस के ऊपर संविधान की दफा 117 के तहत जो राष्ट्रपति को सिफारिश करनी पड़ती है उस के बारे में जो परिवर्तन किया गया, उस के बाद चव्हाण साहब का प्रस्ताव पास हुआ। इसका साफ मतलब है कि हमारा जो कहना था संविधान की दफा 65 के तहत, 65 में यह है...

MR. DEPUTY-SPEAKER : When we take up the Bill tomorrow all these matters can be considered.

श्री मधु लिमये : वह बिल के संबंध में मैं नहीं कह रहा हूँ। मैं यह कह रहा हूँ, यह 65 (1) आप देख लीजिए :

65 (1) In the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or

*The following Members also recorded their Votes :

AYES : Shrimati Ila Palchowdhuri, Shri Viswanatha Menon and Shri Bhagaban Das ;

NOES : Shri Ranjit Singh.