

[Shri M. A. Ayyangar]  
of the Committee on Private Members' Bills and Resolutions.

BUSINESS ADVISORY COMMITTEE  
TWENTY-NINTH REPORT

Shri M. A. Ayyangar (Tirupati): I beg to present the Twenty-ninth Report of the Business Advisory Committee.

BUSINESS OF THE HOUSE

Mr. Speaker: The House will now resume.....

Shri Kamath (Hoshangabad): Before you proceed to the business, may I make a submission in regard to the business itself?

Mr. Speaker: First, let the business be before the House.

The House will now resume further clause by clause consideration of clauses 8 to 10 of the Citizenship Bill. Out of the 5 hours allotted for the clause by clause consideration, 3 hours and 12 minutes have already been availed of, and 1 hour and 48 minutes now remain. One hour has been allotted for the third reading. This would mean that the Bill will be disposed of by about 3 P.M.

Thereafter, the House will take up the Insurance (Amendment) Bill, 1955, for which 5 hours have been allotted. As recommended by the Business Advisory Committee at its sitting held yesterday, the House will sit till 6 P.M. today. So, the discussion on the Insurance (Amendment) Bill will continue up to 6 P.M.

Shri Kamath: Conscious as I am of your never-failing anxiety to secure that hon. Members are not placed at a disadvantage when Bills come up for discussion here, I am constrained to lodge a protest against the order of business as it appears today. The second Bill, or rather the third item as in the Order Paper is the Insurance (Amendment) Bill. Till yesterday, so far as I am aware, the National Volunteer Force Bill was in the agenda. And

I am speaking for myself and for many of my friends here on this side of the House when I say that we are not prepared for the Insurance (Amendment) Bill today. I would request you to see that the same order as obtained yesterday or the status quo is restored, that is the National Volunteer Force Bill is taken up today and the Insurance (Amendment) Bill is taken up tomorrow, because we are not prepared for the discussion of the latter Bill today. Till yesterday, only the National Volunteer Force Bill was in the agenda after the Citizenship Bill. So, we were prepared only for the Citizenship Bill and the National Volunteer Force Bill. It would be impossible for us to prepare for a number of Bills at the same time. For the Treasury Benches it is easy to prepare for so many Bills, because there are so many Ministers. But for each of us here on this side of the House, and also for the Members on the other side, it is difficult to prepare for many Bills at the same time. Since only the National Volunteer Force Bill was on the agenda, we were not prepared for the Insurance (Amendment) Bill.

Shri Feroze Gandhi (Pratapgarh Distt.-West cum Rae Bareilly Distt.—East): What is your suggestion?

Shri Kamath: The National Volunteer Force Bill should be brought back on the agenda.

Mr. Speaker: I think there is force in what the hon. Member has said. But sometimes situations arise, and it becomes difficult to stick to the programme; and there has to be some change in the programme because certain Bills are there which have to be put through within a certain specific time. At present, all I can say is that I shall send for the hon. Minister of Parliamentary Affairs and request him to read what the hon. Member has just said and what has gone into the proceedings.

Shri Feroze Gandhi: This will be a very confusing position, because we would not know.....

**Mr. Speaker:** First, let me finish.

**Shri Feroze Gandhi:** The hon. Minister of Parliamentary Affairs is just coming into the House.

**Mr. Speaker:** But it will be seen that while the point regarding the difficulty felt by the hon. Member may have force, there is another difficulty before me, and that is that the other Bill which the hon. Member wants to be taken up today does not appear in the Order Paper for today. It will be very irregular to take it up today, and that irregularity will be of a more serious character as compared with some inconvenience to the hon. Member with reference to his preparation. I do not think I can put in that Bill in the Order Paper for today. As to whether it should be done tomorrow or the day after or at any other time, it will be for the hon. Minister of Parliamentary Affairs to reply; I would not reply to that part of it.

But I can tell the hon. Member that the Business Advisory Committee has been keeping in constant touch with this position of the business before the House, and it has been insisting that Government should declare the priority or order of business sufficiently early to enable hon. Members to prepare; and yet, it finds itself at times unable to go to the logical length of the insistence.

Today, so far as the Citizenship Bill is concerned, it will go up about three o'clock, or it may go on for a few minutes more in view of the time taken up in this discussion. As for the other Bill, namely the Insurance (Amendment) Bill, which will be taken up after this Bill, I believe it is an ordinance which is now being enacted into an Act by means of that Bill to amend the Insurance Act. That Bill has been allotted 5 hours. So, in any case, that Bill will stand over for clause by clause consideration, to enable hon. Members to table amendments by tomorrow. That is the position today.

**Shri Kamath:** Even the general discussion will take place tomorrow, or part of it.

**Mr. Speaker:** Part of it will continue tomorrow. It may be the general discussion or the clause by clause consideration; I cannot say that unless a further allotment of these 5 hours is made as between the first reading, the second reading and the third reading stages. That will be done when the Bill is taken up. There will be general discussion in any case, today. That seems to be the position, and the hon. Member will have sufficient time to give his amendments by tomorrow.

**Shri Kamath:** At the same time, may I request you to resolve two difficulties of mine? One is whether an assurance will be given that in future the order of business will not be disturbed unless at least 48 hours notice is given to Members of the House. The second is whether notice will be waived for amendments, if they are given today itself—I do not know whether the clause by clause discussion stage will be reached today.

**Mr. Speaker:** I may say that I wish I could give that kind of assurance for all times.

**Shri Kamath:** Very good.

**Mr. Speaker:** But there are occasions when there have been changes and departures. All I can say is that in cases where a change is made suddenly, I may consider the question of waiving notice. I think I did it on a previous occasion, some days back. I said I would waive notice in respect of amendments coming even on the day when the Bill was being taken up. That can be done. I can promise that I shall not put any Member to the inconvenience of barring his amendment, even if the Bill is taken up urgently without proper notice. That I can say. But as regards sticking to a particular programme and giving at least 48 hours notice, all I can say is that I can try. But I cannot peep for all time into the exigencies of the future. Times may come when I may have to change from that. But so far as possible, I will stick to it. That is the only thing I can say.

**Shri Kamath:** I have no doubt you will appreciate that it will be difficult for us to effectively participate in the discussion if things are sprung on us like this.

**Mr. Speaker:** I quite agree.

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**CITIZENSHIP BILL**

**Shri H. N. Mukerjee** (Calcutta North—East): I beg to move:

Page 6, line 41—

omit "and in any other case it may"

**Shri C. E. Narasimhan** (Krishnagiri): I beg to move:

Page 6—

after line 9, insert:

"(bb) that citizen has accepted any title from any foreign State, against the provision of article 18(2) of the Constitution of India; or"

**Shri Sadhan Gupta** (Calcutta South-East): I beg to move:

Page 6—

omit lines 15 to 17.

**Mr. Speaker:** These amendments to clause 10 are also before the House in addition to those moved yesterday.

**Shri H. N. Mukerjee:** Yesterday, in commending my amendments to clause 10, I asked Government to be good enough to explain why they cannot accept the suggestion that deprivation of citizenship rights should be a judicial proceeding and not an administrative one.

[**MR. DEPUTY-SPEAKER** in the Chair]

As far as I can see, the only recognisable argument advanced by Government on this point is that, except in the United States of America, the precedents they have looked for do

not warrant the adoption of judicial proceedings for purposes of deprivation of citizenship. I said yesterday that whatever degeneracies might have overtaken the rulers of the United States today, the founders of freedom in the United States advocated some grand principles like the right to life, liberty and the pursuit of happiness, and if in the United States there is a definite provision that judicial proceedings have to be taken recourse to in cases of deprivation of citizenship rights, then surely I would say that we ought to follow that precedent and not the precedent of the U. K. or of South Africa. This point in regard to the justiciability of deprivation items was argued before. But I think my hon. friend, Shri N. C. Chatterjee, is working under a misapprehension. I know that it is not for me to pull the chestnuts out of Shri Datar's fire, but I owe it to the Joint Committee, of which I was a Member, to make it plain that this clause regarding deprivation of citizenship rights does not apply as far as our own citizens by descent are concerned. And it does not also apply as far as refugees from Pakistan, who will acquire citizenship under this law, are concerned. It is only those who are citizens by naturalisation or by registration who would be affected. Even so, I feel that Shri Chatterjee's eloquence was absolutely justified, because we have no business to take away from people whom we have accepted as our citizens after proper inquiries their right to retain their citizenship and their right to fight to retain their citizenship in our courts of law. We have no business to accept as our citizens people from other countries on grounds which we have tried to delineate in this Bill and then to tell them that they can be deprived of citizenship rights purely by administrative action. I feel, therefore, that the arguments which Shri N. C. Chatterjee propounded are extremely important and they have got to be answered by Government. The only safeguard which Government have chosen to put in this Bill is in