

PAPERS LAID ON THE TABLE

The Minister of Commerce (Shri Karmarkar): I beg to lay on the Table a copy of the Ministry of Commerce and Industry Order No S. R. O. 744, dated the 22nd April, 1953 [Placed in Library. See No. S—63/53].

The Deputy Minister of Works, Housing and Supply (Shri Buragohain): I beg to lay on the Table a copy of the half-yearly statement of cases in which the lowest tenders have not been accepted by the India Store Department, London, during the period ending the 31st December, 1952. [See Appendix XI, Annexure No. 57].

VINDHYA PRADESH LEGISLATIVE
 ASSEMBLY (PREVENTION OF DIS-
 QUALIFICATION) BILL

Clause 2 was added to the Bill.

Clause 3.—(Prevention of disqualification etc.)

Shri Madhao Reddi (Adilabad): I beg to move:

In page 1, line 14, omit "and shall be deemed never to have disqualified".

Shri Vallatharas (Pudukkottai): I beg to move:

In page 1, for clause 3, substitute:

"3. *Prevention of disqualification for membership of the Legislative Assembly of Vindhya Pradesh.*—It is hereby declared that the offices of the members of any district Advisory Council are not offices of profit under article 102 of the Constitution, from the date of this Act coming into force."

Mr. Deputy-Speaker: Amendments moved:

(1) In page 1, line 14, omit "and shall be deemed never to have disqualified".

(2) In page 1,

for clause 3, substitute:

"3. *Prevention of disqualification for membership of the Legislative Assembly of Vindhya Pradesh.*—It is hereby declared that the offices of the members of any district Advisory Council are not offices of profit under article 102 of the Constitution, from the date of this Act coming into force."

I would like to point out to hon. Members that there are two points: whether, first of all, Parliament should condone or create such exemption from disqualification; and whether it should have retrospective effect. Both of them have been discussed at length.

If there are any new points, hon. Members may state them to the House in order to persuade the House to accept the amendments.

Shri Vallatharas: By my amendment I have proposed a fresh clause to be substituted for Clause 3 of the Bill.

It is quite true that during the last two days arguments in large number and of varied interest have been advanced. One thing is patent. If the mind feels lightly about the situation, we need not probe too much into the affair; but if we want to preserve the honour of this House, we will have to view the matter very seriously. Nothing that we do should cast a deep shadow of regret in the future. What we do, of course, is really supreme. Parliament's powers are unlimited. Of course, everything is subject to limitation, but when I say that Parliament's power is supreme, I do not say that Parliament can pass a legislation that the heads of 35 crores of people can be chopped off. There is a limit, but within that limit, it is supreme. We are representatives of the people, and the popular will we are to execute. With that responsibility I say that we are supreme.

Hearing the arguments put forward so far, I have canvassed a number of points. But my efforts will be to see that I do not repeat them or even try to touch them, and I will be successful if I am able to bring out any new suggestion which may enlighten the consideration of the House. But being a lawyer, I have got a great duty to this House, and I must discharge that duty conscientiously.

Here, the point is that the power of this Parliament is not disputed to pass the legislation. As an English jurist has put it, the House of Commons has got the power to pass a legislation even to boil the Bishop of Rochester's cook to death. We can also boil Ministers, officers, Members, everybody. But all of them are subject to such limitations. We do not boil anybody except boiling ourselves, because, sometimes, we feel so crooked and narrow that we cannot extend our imagination to such unprejudiced heights and fixed principles to be followed in the future.