Pandit M. B. Bhargava (Ajmer)**:** I beg to move:

> "This House is of opinion that an independent and autonomous Bar on an all India basis is necessary in the interest of the public and legal profession, and that Government should undertake legislation on the subject at an early date."

There is an amendment by Shri S. N. Das.

Shri S. N. Das (Bihar): I would like to hear the statement of the hon. Minister before I move my amendment, Sir.

Mr. Deputy Speaker: The Hon. Minister will make a statement with respect both to the Resolution and the amendment. Therefore the amendment may be moved.

Shri S. N. Das: I beg to move:

> For the original Resolution, substitute the following:
>
> "This House is of opinion that the time has now come when the Government of India should appoint a Committee to inquire into the working of laws pertaining to legal profession, in force in different States, with a view to ascertain the necessity, desirability and feasibility of an independent and autonomous Bar on an all India basis."

Mr. Deputy Speaker: Amendment moved :

> "This House is of opinion that the time has now come when the Government of India should appoint a Committee to inquire into the working of laws pertaining to legal profession, in force in different States, with a view to ascertain the necessity, desirability and feasibility of an independent and automomous Bar on an all India basis."

Dr. Ambedkar: It has been the desire of Members of Parliament who represent the legal profession to this House to have, as they call it an independent, autonomous and all India Bar. Personally I have not had a complete and an adequate idea of what exactly Members mean when they say that they want an independent and an autonomous Bar. But I do not think it is necessary at this moment to enter into any discussion as to what an independent and an autonomous Bar may be, and I am therefore of opinion that it is desirable, in order that this matter may be considered once and for all, to appoint a Committee to investigate into this matter.

Having considered this matter, I have come to the conclusion that there are probably six questions that require to be considered so far as the Bar in India is concerned. One is the desirability and feasibility of a completely unified Bar for the whole of India, secondly, the continuance or abolition of the dual system of counsel and solicitor or agent which obtains in the Supreme Court and in the High Courts at Bombay and Calcutta; thirdly, the continuance or abolition of different classes of legal practitioners like advocates of the Supreme Court, advocates of the various High Courts, district court pleaders, *mukhtars* entitled to practice in criminal courts only, revenue agents, incom-tax practitioners etc.; fourthly, the desirability and feasibility of establishing a single Bar Council either for the whole of India or for each State separately; fifthly, the establishment of a separate Bar Council for the Supreme Court; and, last, the consolidation and revision of the various enactments, Central as well as State, relating to the legal practitioners.

I believe I have exhausted all the questions that have to be considered in order to give effect to the purport of the motion which my friend, Mr. Mukut Beharilal has moved just now. As I said, I had already decided to appoint a Committee and I have been in correspondence with the Supreme Court in order to ascertain whether the Supreme Court would be prepared to spare the services of one of their Judges to act as the Chairman of this Committee. Unfortunately, as hon. Members know, the Chief Justice of the Supreme Court is out of India for the moment and it has not been possible for me to get his final reply. He will be coming, I am told, some time early next month, and as soon as he comes and as soon as he lets me know as to which particular Judge he would be in a position to spare to act as the Chairman of this Committee, the Committee will be appointed and will begin to function. I also propose to appoint the Attorney-General, the Advocate-General of one major State, a retired High Court Judge, and one or two Members of Parliament who have been taking keen interest in the subject to constitute this Committee.

Shri Kamath (Madhya Pradesh)**:** Which major State ?

Dr. Ambedkar: Any of the major States—I have not decided which. By major State I mean a Part A State. I also propose, although I have not decided as yet, that we should have one member drawn from what we call Part B State, particularly Rajasthan and that area where the system that is operating is not quite familiar to us, at any rate it is not quite familiar to me, and I would therefore like to have one representative from that area to be on the Committee to give us information as to how exactly the bar functions in that area. I would request the Committee to make a report with about three or four months so that after the report is received and considered Parliament will have a point of legislation brought before it for a consideration. I hope this will satisfy my hon. friend and he will withdraw the Resolution.

Shri Sidhva (Madhya Pradesh) **:** I would suggest three Members of Parliament with judicial knowledge.

Dr. Ambedkar: I am prepared to include Mr. Sidhva if he likes. He should have a non-legal Member also because he would bring in common sense.

Pandit M.B. Bhargava : Will it be open to this Committee to specify the powers, functions and constitution of these Bar Councils and their relation *inter se* with the Supreme Court and the High Courts ?

Dr. Ambedkar: Yes.

Pandit M. B. Bhargava: May I know whether the disciplinary jurisdiction will vest in these Councils or only in the High Courts ?

Dr. Ambedkar : I have already laid before the House what I regard as special problems which create difficulties for the moment. Incidental questions will undoubtedly be considered.

An Hon. Member: The Committee will give its suggestions.

Mr. Deputy Speaker: I believe an informal Committee also sat on this question and made some recommendations to the hon. Minister.

Dr. Ambedkar: I have no recollection. May be that is so.

Mr. Deputy Speaker : In view of the statement made by the Hon. Minister I do not think the resolution is pressed. Has the mover the permission of the House to withdraw his resolution ?

The resolution was by leave, withdrawn.

Mr. Deputy Speaker: The amendments automatically go. Next resolution.

(39)

CONDUCT OF A MEMBER OF PARLIAMENT

***The Minister of Home Affairs (Shri Rajagopalachari):**

Of course, the Law Minister will speak with greater authority. The article that is referred to as well as any other rule is conceived and put down in a form of words for application in the ordinary course. There are, however, certain general principles which guide every procedure which has the quality of a judicial procedure. Any law or any rule must be interpreted and applied so that the law itself may not be circumvented. Here is a case where proceedings were started in order to enquire into the conduct of a Member. It appears to me a matter of fundamental general principle that the object and procedure of Parliament cannot be circumvented by a technical act like this. Therein comes what Mr. Santhanam points out that the words "as soon as" is not there automatically to bring about a vacancy. Apart from any technical defect in the matter, the general principle. I submit, is important that the law is intended for the ends of law and not to be circumvented.

Mr. Deputy Speaker: Let us hear the Hon. Law Minister.

The Minister of Law (Dr. Ambedkar): The point has come upon me quite suddenly and I am therefore only expressing, if I may say so, my first impressions, after reading article 101, clause (3). Vacation of a seat may take place for the reasons which have been specified in Articles 101 and 102. Article 101, clause (3) sub-clause (*b*) refers to resignation by a Member of Parliament; the clause under which the hon. Member whose conduct is the subject-matter of investigation has acted. There is also another article which deals with disqualifications of Members for being chosen and for being a Member. If a Member falls under any of the conditions

* P. D., Vol. 14, 27th August 1951, pp. 3247-48.

mentioned in Article 102, he also vacates his seat. The question that arises for consideration is whether Articles 101 and 102 are exhaustive or whether there is any other article in the Constitution which also may operate independently although the case does not fall under articles 101 and 102. My submission is this, that Article 105(3) is an additional power, given to Parliament to bring about a vacancy of a seat and is not concluded by anything contained in article 101 and article 102.

This is a case where a Member has committed a breach of privilege and when the House takes it upon itself to come to a finding that the breach of privilege has been committed and that the case is so serious that an expulsion may be ordered, the House can order the expulsion under article 105(3). The House is competent to do so, because of what is stated in Article 105(3), where it is stated that the powers etc. of Parliament shall be those of the House of Commons, and any reference to May's Parliamentary Practic. I think, will show that expulsion is one of the powers of the House of Commons and one of the powers that it possesses for punishing a breach of privilege. Therefore the powers to bring about a vacancy in a seat by ordering an expulsion is there under articl 105(3) and that is in no way abrogated by the provisions contained in articles 101 and 102. The only other question that arises for consideration is this, whether the proceedings that have already been started against the hon. Member under provisions of article 105 by a specific order of Parliament can, so to say, come to an end if the Member chooses to resign under the provisions of Article 101. My humble submission is that an hon. Member cannot bring about a stoppage of the proceedings under article 105 by resorting to Article 101. These proceedings must continue, notwithstanding the fact that the hon. Member has brought about his resignation under Article 101, and in fact it is not possible for Parliament to inflict a direct punishment upon him by virtue of their proceedings. Therefore, it may still be open for Parliament, notwithstanding the resignation of the hon. Member to proceed with the proceedings which have been already started under Article 105.

Shri Santhanam: I would just add one more word to what the Hon. Law Minister has said. The only construction of the word "resignation" is that the resignation should be formally notified by the authority concerned before it becomes operative. Otherwise all kinds of complications will arise. Suppose a letter is delivered at your house and you are not there. And you come after, say, four days. Can it be taken that the day it was delivered at your house it becomes operative ? In such cases the real construction is the one I have given.

Mr. Deputy Speaker : But we are not on that point.

***Pandit Maitra** (West Bengal)**:** Sir, I want you and also the hon. Members of the House to very carefully bear in mind that for the action we are taking now there is no precedent. A point of Constitutional law has been raised and it is of very great importance. We have no precedent whatsoever to go upon, either in May's Parliamentary Practice .....

Dr. Ambedkar: Oh, yes.

Pandit Maitra: I know May's Parliamentary Practice lays down certain forms of penalty, *e.g.,* censure, admonition, putting into jail etc.—all these things are nothing new. The point that has been raised by my hon. Friend, the Home Minister, if it is logically followed up, comes to this : that once a proceeding is started it can never be terminated. Is that the legal position ? It is coming to this, that if the hon. Member had died last night—I am taking a hypothetical case—would you proceed with it ? In giving its decision I am asking the Chair to bear these things in mind. It is a Constitutional point. The point is whether a Member *ipso facto* vacates the seat as soon as he delivers his letter of resignation to the Chair. I do not agree with my hon. Friend Mr. Santhanam that there should be a time-lag between the presentation of the resignation and its acceptance ; nowhere in the Constitution is it provided that it should be accepted or that you may or may not accept it. The law provides, the Constitution provides that the

* P. D., Vol. 14, Part II, 24th September 1951, pp. 3251-54.

moment one delivers in writing his resignation to you in his own hand it is effective. And in this case he has delivered his letter of resignation in person to you, Sir, presiding over this House. There is nowhere provided in the Constitution that there should be a time-lag. Therefore, the question that would arise is whether or not when an hon. Member delivers his resignation on the floor of parliament, into the hands of the Chair, he vacates his seat forthwith. If he does vacate his seat, wherein lies the scope for further action on this motion ? That is a matter to be considered. I am not going to criticise your ruling (*Interruption*). Of course, my friend might sit in the Chair, but at the moment I do not accept his interpretation. Sir, we have closely to apply our mind because we are laying down a precedent for future guidance. I am interested from that point of view, not from the point of view of the merit of the case. The Parliamentary Committee has gone into considerable detail, devoting much time and considerable energy to this matter. With what object? In order that this whole question may be investigated, thrashed out and decided. The hon. Member having made a statement straightaway tenders his resignation and leaves the House. The question is whether you take this stand that once a proceeding has been set in motion it can never be interrupted ; or whether if due to any voluntary act of the person concerned, or if by reason of accident or death that man is removed from the scene the proceedings are to be continued. This is a very important matter to be carefully considered before you give your ruling. You are laying down for the first time in the history of this Parliament a precedent which will be the guide for the future.

Dr. Ambedkar: May I add a word or two with your permission, to what I stated, because I feel that probably my statement has not been quite complete as it should have been. In view of the fact that my hon. Friend Pandit Maitra has raised this question. I think it is desirable to have our mind clear about this matter. If my hon. Friend will forgive me, I will put the matter in a somewhat technically legal fashion, and it is this. When a Member has been charged with a breach of privilege and before the proceedings have been concluded he resigns, is it a case that Parliament has lost its jurisdiction over him because he has resigned ? That I think is the

question which we have to consider and which is the question which my hon. Friend has raised, although not in those technical terms. The answer to that question is this, that the jurisdiction of Parliament for punishing people or taking proceedings against people for contempt—this is a case of contempt—is not confined to Members of Parliament, but it also extends to the members of the public who have committed contempts of the Parliament and I shall read a little passage which I have bodily taken from "May":

> "The penal jurisdiction of the Houses is not confined to their own Members nor to offences committed in their immediate presence, but extends to all contempts of the houses whether committed by Members or by persons who are not Members, irrespective of whether the offence is committed within the house or beyond its walls."

Therefore, the jurisdiction of parliament to protect itself against contempt which is one aspect of the breach of privilege, is not confined to Members of Parliament. It extends to all citizens. No citizen shall commit any act which would amount to contempt of the privilege of the House. Therefore, assuming for the purposes of argument that the resignation of Shri Mudgal which has been tendered to you now becomes effective immediately, nonetheless my submission is that the jurisdiction of this house to proceed against him continues. He cannot escape it. What form the punishment may take is a different matter which may be considered when we actually come to that. If the contention of my hon. Friend Pandit Maitra is that by submitting your resignation you escape the jurisdiction of Parliament, then I think that it is absolutely wrong.

Pandit Maitra: I put it in a different way.

Dr. Ambedkar: I have put it in a way which is more intelligible.

Pandit Maitra : Once an action is set in motion, it cannot be anybody's case that it can never be interrupted.

Dr. Ambedkar: So long as the jurisdiction exists, the action may continue.

Sardar B. S. Man : On a point of order. The motion which is being discussed was permissible when it was introduced but now, due to subsequent happenings, it has become inadmissible. I want your ruling on this. You will see that the motion specifically says:

> "That this House, having considered the Report of the Committee appointed on the 8th June 1951 to investigate into the conduct of Shri H. G. Mudgal, Member of Parliament..."

So, the question is not one of jurisdiction of parliament. We are discussing the conduct of a "Member of Parliament" and Shri Mudgal is no longer a "Member of Parliament". Therefore, my contention is that the motion was admissible to start with, but due to subsequent happenings it has become in the meantime inadmissible and we can now no longer proceed with the discussion on this motion.

Shri Rajagopalachari: The more we argue in this manner the more clear it becomes to my mind that circumvention cannot be permitted. The terms and manner in which points are taken show that this is nothing but circumvention. Continuing what Dr. Ambedkar said, it must be remembered that punishments are additional in "May". It says :

> "In the case of contempts committed against the house of Commons by Members two other penalties are available..."

Expulsion is not the only penalty.

> " ...normally suspension from the service of the house and expulsion..."

Expulsion is an additional penalty available against Members, apart from any kind of punishment which the House is competent to pass against anyone who is guilty of contempt. Now that expulsion may, in the opinion of some Members, become impossible, because he has ceased to be a member, the house will have to consider other forms of punishment. The guilt and proceedings cannot be terminated by an act of the person who is charged.

***Mr. Deputy Speaker:** Let us hear the Law Minister.

The Minister of Law (Dr. Ambedkar): The amendment moved by my friend. Mr. Naziruddin Ahmad has really nothing to do with the resignation by Mr. Mudgal. His amendment had been submitted long before the resignation.

Shri Naziruddin Ahmad: I would not have moved it. I had already decided not to move it and I gave expression to that view privately to the Government whip ; but I moved it simply because of this new contingency. When I tabled the amendment it was under a mistaken impression that the house had no jurisdiction, but later on I found that the house had full jurisdiction and I decided not to move it. Later on, in view of this contingency of resignation I thought this might be relevant, though at the time when I tabled the amendment there was no such purpose.

Dr. Ambedkar: I do not understand the motives and purposes of my hon. Friend.

Shri Naziruddin Ahmad : No, it is difficult some times.

Dr. Ambedkar: But the fact remains that the notice of the amendment was given long before the resignation of Mr. Mudgal and the purpose of the amendment undoubtedly was to soften the punishment that was proposed in the original motion that was moved by the Hon. Prime Minister. The question that has now arisen is this : whether in view of the resignation of Mr. Mudgal the motion as moved by the Hon. Prime Minister could be carried out in its original form or whether any subsequent amendment is necessary. The whole question seems to me to hang on the other issue, namely whether the resignation of Mr. Mudgal is in order so that it could be accepted as resignation and take effect immediately. My submission to you, Sir, is that the act of resignation must be a simple act of resignation without expressing either the grounds for resignation or casting any aspersions on the House as to why the hon. Member is resigning. When the question was last raised you were good enough to say that

*P. D., Vol. 14, Part II, 25th September 1951, pp. 3271-75.

it was open to you to accept the resignation subject to the fact that certain words and phrases used by Mr. Mudgal could be expunged and the resignation made proper as a result of this expunction. My submission to you, Sir, is this. No doubt it is open to the Speaker or the Deputy Speaker or for that matter anyone sitting in the Chair to expunge any part of the debate which he thinks is defamatory, indecent or unparliamentary or undignified. But the point that I wish to submit is this, that the authority of the Speaker to expunge any part of the record relates only to anything said in the course of the debate. I should like to read Rule 176 of the Rules of Procedure. Rule 176 deals with report of proceedings. Rule 176A deals with expungment of matter and says:

10-00 A.M.

> "If the Speaker is of opinion that a word or words has or have been used in debate which is or are defamatory, or indecent, or unparliamentary, or undignified, he may in his discretion order that such word or words be expunged from the proceedings of the house."

As you will see, this rule is confined to anything said in the course of the debate. I submit with all respect that the resignation tendered by Shri Mudgal can by no stretch of the meaning of the word be regarded as anything done in the course of the debate. It therefore stands quite outside the proceedings of the House and therefore there is no power in the Speaker to expunge the words which admittedly both (I believe) in the opinion of the house as well as in the opinion of the Government are such that they are not liable to be expunged on the grounds mentioned in Rule 176-A. Therefore, Rule 176-A would not permit the Chair to apply the provisions contained therein to the application for resignation by Shri Mudgal. Therefore, the application must be treated as it stands without any kind of expungment and my submission is that the application should not be treated as an application for resignation (*Interruption.*)

Pandit Kunzru (Uttar Pradesh)**:** On a point of order.

Dr. Ambedkar: I have not finished.

Mr. Deputy Speaker: He is rising to a point of order. Let us hear him first.

Pandit Kunzru : You ruled yesterday, Sir, that your final opinion was that the resignation had become effective. Is that point open to discussion now ?

Dr. Ambedkar: I do not know.

Pandit Kunzru : The Deputy Speaker said so yesterday.

Dr. Ambedkar: It was not final, so far as I remember.

Pandit Maitra (West Bengal)**:** Sir, you said yesterday that the operative portion of the motion should be kept in abeyance. That was your ruling and that was all that you said. The point raised by me was whether or not, as soon as Shri Mudgal's resignation was tendered and delivered to you, he vacated his seat in the House. That was the main point raised and as far as I could gather from Pandit Kunzru you were earlier of the same opinion that the resignation was effective.

Dr. Ambedkar: He said 'subject to consideration'.

Pandit Kunzru: I think the record will show it.

The Minister of Home Affairs (Shri Rajagopalachari): I think, Sir and the record will show it that you definitely said that you will take time to consider.

Pandit Kunzru: Anyway, the point that you were to consider was whether the motion moved by the Prime Minister could be taken up by the house without any amendment or whether any amendment should be moved and what further action could be taken. But so far as the resignation itself was concerned, you drew attention to article 101 and said that you had no doubt in your mind that the resignation was final and had become effective.

An Hon. Member: No, Sir.

Mr. Deputy Speaker: I shall read from the record. This is what happened:

Mr. Deputy Speaker: I have heard sufficient. I have already told the house that so far as the operative part of it is concerned, what action has to be taken is a matter which must be considered at leisure. I will consider that matter. As

I already referred to that portion of May's Parliamentary Practice, expulsion of a Member or suspending him is an *additional* remedy because he is a Member of Parliament. Anybody inside or outside may commit a contemt of the House. Merely because he is a member we have more jurisdiction over him than over the other person. So far as the other person, that is the outsider, is concerned, in the very nature of things we cannot expel or suspend him because he is not a Member. Therefore, all the same, whether one is a Member or an outsider one may commit a contempt of the house. It is only so far as the remedy is concerned that in the altered circumstances that remedy may have to be altered. But we do not come out of the seizin of this motion that has been moved already. When it was originally quite in order. I do not think by a unilateral resignation or withdrawal from the house all the further proceedings can be terminated.

Regarding the other matter I shall consider it at leisure. Whoever wanted to speak now, let him not be under the impression that I will not hear. It is not on the floor of the House that I need hear him. He may communicate his opinion to me.

Pandit Maitra: On what ? We are not interested in the merits.

Mr. Deputy Speaker: All the matters: when the resignation takes effect; merely because the Member resigns, when his conduct has been brought to the notice of the House, whether by his mere resignation this House loses its jurisdiction—when, particularly, it has jurisdiction even with respect to persons who are not Members of this House if they commit a contempt of the House. That is a point which hon. Members have to note. If a person committed contempt of the House outside, there is no question of resignation. The House will still not stultify itself but proceed against him. Whether the position is changed by mere resignation is a matter which we have to consider. At present I do not think it alters the position except in regard to the remedial portion, that is as to what remedy has to be applied.

***Khwaja Inait Ullah** (Bihar)**:** Is Mr. Mudgal now a Member of the house or not ?

Mr. Deputy Speaker: That is exactly what we are deciding. My view was that he is no longer a Member. I am prepared to hear any arguments to show that he continues to be a Member, and therefore the operative portion also holds good.

So far as the earlier portion is concerned, I have not seen any precedents to the contrary that once this House is seized of the matter of contempt, merely by a unilateral act of the other person, it will lose its jurisdiction. So far as the operative portion is concerned, if he has already resigned there is no question of expulsion. If he has not resigned the question of expulsion comes in. Therefore it is a narrow point as to how far the oprative portion can be passed by this house. I would like to hear the Hon. the Law Minister and also any other hon. Member who would like to speak on this matter.

Dr. Ambedkar: So far, Sir, I have submitted that it will not be open to make the resignation valid by expunging certain portions, because under rule 176A the power to expunge is confined only to the proceedings and to the debates. The letter of resignation does not form part of the debate and proceedings.

My second submission is of a totally different sort and it is this. When a question arises as to the propriety of a resignation, who is the authority to decide it ? My submission is that when any such question arises, the authority to decide it is the house itself. You will allow me, Sir, to refer to a speech which I delivered in the Constituent Assembly in this very question on an amendment moved by Mr. Kamath. I said that as a matter of fact the resignation is submitted to Parliament, because the purpose of resignation is to dissociate himself from the body, namely the Parliament to which he was elected. The Speaker or the Deputy Speaker is merely a channel of communication to the House. I said in the course of that debate that although theoretically the resignation is to the collective body of people called Parliament, it would

*P. D., Vol. 14, Part II, 25th September 1951, pp. 3277-79

be quite impossible for any Member who wanted to resign to send his resignation to the 292 or 295 Members of the House. Therefore, so far as the channel of communicating his wishes that he wants to dissociate himself from Parliament is concerned, to that extent the Speaker is the person to whom the resignation is to be submitted. But if a question were to arise as to whether the resignation was in valid form or not, the matter I think has to be decided by the House itself.

Pandit Maitra : Where is it provided in the Constitution ? Everything must be provided in the Constitution. Please do not forget that you have a written Constitution for this country.

Dr. Ambedkar: Therefore, my submission is this. If certain portions of the resignation cannot be expunged and they must stand part of the letter, and a question is raised whether the letter of resignation in its original form is valid or not, I think it is the House which will be called upon to decide whether Mr. Mudgal's resignation is valid or not. These are the two submissions that I wish to make with regard to the point, that Mr. Mudgal's resignation is valid and has become effective so that the last portion of the motion moved by the Prime Minister has become infructuous. That is the relevancy of the whole thing. All that we have to consider is this : whether the last portion of the motion moved by the Hon. the Prime Minister has been made infructuous by reason of the resignation of Mr. Mudgal, because it would not be proper for the House to proceed to do something to which it cannot give any legal effect. My submission is this that in view of the fact that Mr. Mudgal's resignation is not a valid resignation. Mr. Mudgal still continues to be a Member of the house and the last portion of the motion moved by the Hon. the prime Minister can be made effective so far as Mr. Mudgal is concerned.

Mr. Deputy Speaker : We will assume an hon. member tenders his resignation—it is not the case of Mr. Mudgal— and subsequently after a few moments he writes another letter to the Chair saying that he wishes to withdraw it. Is there provision for withdrawal ? Can I allow him to sit and vote?

Dr. Ambedkar: No: unless the first matter is disposed of.

Pandit Maitra: Disposed of in this case simply means submission of the resignation to the Chairman or Speaker. Nothing else is contemplated in the Constitution.

Mr. Deputy Speaker : Is there any form prescribed in the Constitution for the letter of resignation ?

Dr. Ambedkar: I do not think there is.

(40)

SELECT COMMITTEE MEETINGS

***The Minister of Law (Dr. Ambedkar):** I beg to report under sub-rule (3) of rule 65 that the Select Committee appointed by the House to consider the Notaries Bill has failed to meet successively on two days.

Mr. Deputy Speaker: The Hon. Minister has merely intimated the fact—it may be followed up by any concrete motion that he may make.

Dr. Ambedkar: For the moment I merely propose to report as required by sub-rule (3) of rule 65. It is for the House to decide whether the house will discharge the Select Committee which has been appointed and proceed.

Mr. Deputy Speaker : May I ask any hon. Member in the Select Committee to state what exactly is the position ?

Pandit Thakur Das Bhargava (Punjab)**:** I am one of the members of the Select Committee.....

Dr. Ambedkar: I should like to say that I do not cast any aspersion on the members of the Select Committee for their failure to meet because I am very well aware that they are engaged in many other Select Committes which are also meeting simultaneously, but since the rule casts upon the chairman of the Select Committee the responsibility to report to this house I am making this formal motion to bring the matter to the notice of the House.

Pandit Thakur Das Bhargava: I was submitting that so far as this Select Committee is concerned, its meetings were held at such time that Members could not possibly attend them. We are Members of several Select Committees and we have to make a choice as to which Comittee to attend. Even yesterday, I had some amendments to move to this Financial

*P. D., Vol. 14, Part II, 28th September 1951, pp. 2617-18.

Corporations Bill, but because I was engaged on another Committee I could not be present in the House and I took your permission for that. I have since understood that those amendments were not allowed to be moved which you were pleased to tell me would be allowed. So, it is happening like this—Members of the Select Committee are not to blame.

Dr. Ambedkar: I am not blaming.

Pandit Thakur Das Bhargava: I would rather, under these circumstances, beg of Dr. Ambedkar to kindly give up this Bill. This Bill is not important—it does not require.....

Dr. Ambedkar: I am prepared to give every Bill that is standing in my name.

Pandit Thakur Das Bhargava: I would suggest that this Bill be dropped.

***Mr. Deputy Speaker:** So far as the Select Committee on the Notaries Bill is concerned, due to causes beyond their control hon. Members could not be present. They had to attend various, other Select Committees and the meetings could not be held for want of quorum. I would request the Hon. Minister to make another effort in this direction.

Dr. Ambedkar: I am in the hands of the House.

Dr. Tek Chand (Punjab)**:** May I suggest that the time for submitting the report of this Select Committee may be extended up to the 6th ? The time expires today.

Mr. Deputy Speaker: I shall take notice of the oral motion. Is it the pleasure of the House to extend the time ?

Dr. Tek Chand : We shall meet on the 4th or 5th and by this time the other Select Committees will have finished their work. This is only half an hour's work. Therefore, I am making the suggestion for extension of time.

Mr. Deputy Speaker: Does the Hon. Minister agree with the proposal for extension of time ?

*P. D., Vol. 14, Part II, 28th September 1951, pp. 3619-21.

Dr. Ambedkar : I have no objection.

Mr. Deputy Speaker: I thought the Hon. Minister who is the sponsor of the Bill will make the motion.

Dr. Ambedkar : That is a difficult matter for me at this stage. If the House appoints a Select Committee, surely Government will take the necessary steps to put the measure through.

Mr. Deputy Speaker: Considering the peculiar circumstances of this House, the House does not seem to be in favour of discharging the Select Committee and an oral motion has been made for extension of time by one of the hon. Members. I would like this motion to be made by the Hon. Minister himself.

Dr. Ambedkar : I do not know whether I can do that. It is not for me to make any motion.

Mr. Deputy Speaker: He is the sponsor of the Bill. Therefore, he has to make the motion. Just a minute. The time does not expire today. The Select Committee can report up to the 1st. Therefore, in due course the Hon. Minister may make a motion for extending the time up to the 6th. He is now aware that the house is generally in favour of continuing the Select Committee. That disposes of this particular matter.

So far as other matters are concerned. I would ask hon. Members to refer to rule 7o. It is true that hon. Members are on various Select Committees, and with sessions in the morning and evening the Select Committees will have to sit while the House is in session. Rule 70 says that Select Committees may sit whilst the House is sitting, provided that on a division bell being rung the Chairman of the Committee shall suspend the proceedings of the Committee for such time as will in his opinion enable Members to vote on the division. I understand this is the practice in the House of Commons also. Hon. Members want many matters to be referred to Select Committees. On one hand there is this desire and on the other there is a desire to say ' We are called in the Select Committee'. My remarks yesterday did not apply to

hon. Members who were away in connection with Select Committees. Select Committee work is as good as work in this Parliament. As far as Shri Sidhva is concerned, he need not complain that Government have put him in several Select Committees. Why should he be anxious to serve on more than one Select Committee ?

Shri Sidhva : We did not approach for Select Committee membership.

Dr. Ambedkar: The work of the Select Committes and the house will be faciliated if care is taken, while nominating people to Select Committees, to see that the same people are not nominated to two Committees.

Shri Sidhva: Quite right.

Mr. Deputy Speaker: In future, care should be taken to see that Members are spread over various Select Committees instead of clogging or requesting one Member to be on more than one Select Committee. Even if a mistake is committed by the sponsor of a Bill in putting the same Member again, the Member concerned might consider whether it is proper for him to accept membership of more than one Select Committee and not complain to the House that he has no time to attend meetings.

(41)

*MOTIONS RE : DELIMITATION OF CONSTITUENCIES ORDERS

Mr. Deputy Speaker: We will take up motions re-delimitation of constituencies. I will call the names of hon. Members who have given notice of motions, they need merely say they move.

The Minister of Law (Dr. Ambedkar): I have got to make five motions which are the main motions. Thereafter, there are certain motions for amending my motions. Therefore, I submit, subject to your ruling, the proper course would be to call upon me first to move my motions and then ask the other Members who want to move amending motions to move theirs.

Mr. Deputy Speaker: The Hon. Minister may move his motions now.

Council Constituencies (Bombay) Order

Dr. Ambedkar: I beg to move:

> That the following modifications be made in the Delimitation of Council Constituencies (Bombay) Order, 1951, laid on the Table on the 20th September 1951, namely;—
>
> (1) That in the Table, under the heading "Graduates' Constituencies" against the entry "Bombay City (Graduates)" in column 1, for the entry "Bombay City" occurring in column 2, the following be substituted, namely:—
>
> "Greater Bombay."
>
> (2) That in the Table, under the heading "Graduates' Constituencies" against the entry "Northern Division (Graduates)" in column 1, for the entry "Northern Division" occurring in column 2, the following be substituted, namely:—
>
> "Northern Division excluding Bombay Suburban Districts and Ahmedabad City."

*P. D., Vol. 16, Part II, 6th October 1951, pp. 4399-4404.