

Wednesday, 11th December, 1946

**Volume I**



**9-12-1946  
to  
23-12-1946**

# **CONSTITUENT ASSEMBLY DEBATES**

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CONSTITUENT ASSEMBLY OF INDIA

*President:*

THE HON'BLE DR. RAJENDRA PRASAD.

*Temporary Chairman:*

DR. SACHCHIDANAND SINHA.

*Constitutional Adviser:*

SIR B.N. RAU, C.I.E.

*Secretary:*

SHRI H.V.R. IENGAR, C.I.E., I.C.S.

*Deputy Secretary:*

MR. B.F.H.B. TYABJI, I.C.S.

*Under Secretary:*

KHAN BAHADUR S.G. HASNAIN.

*Assistant Secretary:*

MR. K.V. PADMANABHAN.

*Marshal:*

SUBEDAR MAJOR HARBANS LAL JAIDKA.

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## CONSTITUENT ASSEMBLY OF INDIA

Wednesday, the 11th December, 1946

The Constituent Assembly of India met in Constitution Hall, New Delhi, at Eleven of the Clock, the temporary Chairman (Dr. Sachchidananda Sinha), in the Chair.

**The Chairman:** If any Hon'ble Member has not yet presented his credentials nor signed the Register, he may do so now.

(None)

### REPLY TO MESSAGES OF GREETINGS TO THE CONSTITUENT ASSEMBLY

**The Chairman:** Though it is not in the agenda, I thought it best, on my own responsibility, to bring before the House the reply which I propose to send to the Governments of the United States of America, the Republic of China, and the Australian Government, in reply to the messages received from them, through their representatives in Delhi which messages, I read out to you on the opening day of the session. My draft is subject to your approval, of course.

"On behalf of myself, and of the Constituent Assembly of India, I desire to thank you most warmly for your exceedingly kind message of good-will and good wishes which has been highly appreciated by the Constituent Assembly, and the country. It is a source of great encouragement to us to feel that the Government and the people of the United States, China and Australia (as the case may be) are watching our deliberations with keen and sympathetic interest; and we feel sure that their sympathy will stand us in good stead in evolving a democratic constitution for India."

Subject to your approval, Hon'ble Members. (*Applause*).

### ELECTION OF THE PERMANENT CHAIRMAN

**The Chairman:** The next item of today's agenda is the election of the permanent Chairman.

I have received the following nomination papers:—

"I propose the name of Dr. Rajendra Prasad, Member Constituent Assembly, for the Chairmanship of the Constituent Assembly. I have secured the consent of the nominee.

*Proposer.*—J. B. Kripalani.

*Seconder.*—Vallabhbhai Patel.

I agree to the nomination. Rajendra Prasad"

This nomination paper is valid, and is in order. There is another nomination paper.

"I propose Dr. Rajendra Prasad as Chairman of the Assembly and I have ascertained that he is willing to serve if elected.

*Proposer.*—The Hon'ble Shri Harekrushna Mahtab.

I second the above. Nand Kishore Das."

This nomination also is in order.

The other two proposals received are invalid. One of them sent by the Hon'ble Mr. Prakasam was sent in beyond time, and I do not see the name of any seconder.

Similarly, I have got before me another proposal by Sir, S. Radhakrishnan. That also, I fear, is not in order, because it has no seconder;

and neither of these two documents (the one sent by the Hon'ble, Mr. Prakasam and the other sent in by Sir S. Radhakrishnan) has got any endorsement from Dr. Rajendra Prasad that he is willing to serve. However, as the other two proposals are perfectly valid and in order, and there is no other nomination paper before me, I hereby declare the Hon'ble Dr. Rajendra Prasad, as the duly elected permanent Chairman. (*Cheers*).

My next duty as temporary Chairman is to request that Acharya Kripalani and Maulana Abul Kalam Azad Sahib will kindly approach, on behalf of the Constituent Assembly, the duly elected President of this House now, and bring him up to the platform to sit on the chair by my side. (*Cheers*).

(The Hon'ble Doctor Rajendra Prasad was conducted to the chair by Acharya Kripalani and Maulana Abul Kalam Azad Sahib).

**The Chairman:** Hip hip hurrah, hip hip hurrah.

**Hon'ble Members:** *Inquilab Zindabad, Inquilab Zindabad. Jai Hind, Jai Hind.*

**The Chairman:** Now that the permanent elected Chairman of the House has taken his seat, it is open to Hon'ble Members to offer to him their congratulations. I call upon Sir S. Radhakrishnan to be the first speaker.

#### CONGRATULATIONS TO THE PERMANENT CHAIRMAN

**Sir S. Radhakrishnan** (United Provinces: General): Mr. President, Sir, I consider it a great honour to be called upon to be the first speaker after the election of the permanent Chairman of the Constituent Assembly. I offer to him, on behalf of this House, our most respectful congratulations on the unique honour that has been conferred on him.

This Constituent Assembly has met here to frame the constitution, to effect the withdrawal of British control, political, economic and military and to establish a free independent India. If successful, this transfer of authority will be the biggest and the least bloody of all transfers in human history (*Cheers*).

The first Britisher to arrive in this country was a Jesuit Missionary in 1579. He was followed by merchants who came to trade but stayed to rule. In 1765 the authority was transferred to the East India Company. Later it was gradually subordinated to and replaced by the authority of Parliament and it has been continuing till now on the famous principle enunciated by Cecil Rhodes—the principle fundamental to imperialism, philanthropy *plus* 5 per cent. On that principle it has worked. Right through however there were protests against the British rule. All these protests became canalized when the Indian National Congress was established in 1885. It adopted mild methods till the advent of Mahatma Gandhi when it became aggressive and dynamic. In 1930 the Resolution for the Independence of India was passed at Lahore and we are now here to give effect to that resolution. The British are empirics from beginning to end. It was Lord Palmerston who said 'we British have no eternal principles, we have only eternal interests'. When they adopt any particular line of action you may take it that it is not a willing surrender of power or authority but it is a response to the historic necessities of the case. When the discontent grew up they gave us the Morley-Minto Reforms and they introduced the principle of communal electorates and these communal electorates were intended to keep the people apart. The higher mind of Britain advised the local officials that they would betray the trust placed upon them if they foisted communal electorates. They would inject a poison into the very body politic which could be removed if at all, at the cost of a civil war. We know how those anticipations are

getting realized today. We had after that the Montford Reforms and then the 1935 Act, the Cripps' proposals and now the Cabinet Plan. The latest Statement of His Majesty's Government on this question indicates how it is not in human nature to surrender power easily. (*Hear, hear*) Playing off one section against another is unworthy of a great people. It is much too clever to be permanent and would embitter the relations of this country and Great Britain. (*Hear, hear*). It is essential for the British to understand that if an act is done it must be done with the utmost grace. All the same we are here assembled to draw up a constitution for future India. A constitution is the fundamental law of the nation. It should embody and express the dreams and passions, the ideals and aspirations of the people. It must be based on the consent of all, and respect the rights of all people who belong to this great land.

We have been kept apart. It is our duty now to find each other. We all deplore—speakers yesterday and day before yesterday deplored—the abstention of the representatives of the Muslim League from this Constituent Assembly. We take it that it will only be temporary, for their cooperation is absolutely essential for the success of any constitution which we may lay down. But in approaching these matters our attitude should be one of realism. Take the problems from which we suffer; our hunger, our poverty, our disease, our malnutrition—these are common to all. Take the psychological evils from which we suffer—the loss of human dignity, the slavery of the mind, the stunting of sensibility and the shame of subjection—these are common to all; Hindus or Muslims, Princes or peasants. The Chains may be made of gold but they are still chains that fetter us. Even the Princes will have to realise that they are slaves in this country. (*Hear, hear*): If they have a sufficient sense of self-respect and exercise a little self-analysis, they will find how much their freedom is fettered.

Again, the, people—whether they are Hindus or Muslims, Princes or peasants,—belong to this one country. Earth and Heaven have combined to make them belong to one another. If they try to disown it, their gait, their cast of countenance, their modes of thought, their ways of behaviour, they will all betray them. (*Hear, hear*). It is not possible for us, to think that we belong to different nationalities. Our whole ancestry is there.

It is essential for any constitution which is drawn up to make all the citizens realise that their basic privileges—education, social and economic are afforded to them; that there will be cultural autonomy; that nobody will be suppressed; that it will be a constitution which will be democratic in the true sense of the term, where, from political freedom we will march on to economic freedom and equity, Every individual should feel that he is proud to belong to this great land.

Apart from all these, a nation does not depend on identity of race, or sentiment, or on ancestral memories, but it depends on a persistent and continuous way of life that has come down to us. Such a way of life, belongs to the very soil of this land. It is there indigenous to this country as much as the waters of the Ganges or the snows of the Himalayas, from the very roots of our civilization down in the Indus Valley to the present day, the same great culture is represented among Hindus and Muslims, we have stood for the ideal of comprehension and charity all these centuries.

I remember how Anatole France went up to the Musée Guimet on the first of May 1890 in Paris and there in the silence and simplicity of the gods of Asia reflected on the aim of existence, on the meaning of life, on the values which peoples and Governments are in search of. Then his eyes fell on the statue of the Buddha. France felt like kneeling down and praying to him as to a God, the Buddha, eternally young, clad in ascetic

robes, seated on the lotus of purity with his two fingers upraised admonishing all humanity to develop comprehension, and charity, wisdom and love, *prana* and *karuna*. If you have understanding, if you have compassion, you will be able to overcome the problems of this world. Asoka, his great disciple, when he found his Empire inhabited by men of all races and religions said—

*“Samavaya eva sadhuh.”*

“Concord alone is the supreme good”.

India is a symphony where there are, as in an orchestra, different instruments, each with its particular sonority, each with its special sound, all combining to interpret one particular score. It is this kind of combination that this country has stood for. It never adopted inquisitorial methods. It never asked the Parsis or the Jews or the Christians or the Muslims who came and took shelter there to change their creeds or become absorbed in what might be called a uniform Hindu humanity. It never did this. “Live and let live”—that has been the spirit of this country. If we are true to that spirit, if that ideal which has dominated our cultural landscape for five or six thousand years and is still operating, I have no doubt that the crisis by which we are faced today will be overcome as many other crises in our previous history have been overcome. Suicide is the greatest sin. To murder yourself, to betray yourself, to barter away your spiritual wealth for a mess of pottage, to try to preserve your body at the expense of your spirit—that is the greatest sin. If we therefore stand out for the great ideal for which this country has stood, the ideal which has survived the assaults of invaders, the ideals to which the unheeding world today is turning its attention, if we are able to do it, the flame which has sustained us in overcoming foreign rule, will fire our efforts to build a united and free India.

It is not an accident that our temporary Chairman, Dr. Sachchidananda Sinha and our permanent Chairman, Dr. Rajendra Prasad, both come from Bihar. They are both impregnated with the spirit of the *vihara*—the invincibility of gentleness, the gospel of India. The Mahabharata says:

*Mrduna darunum hanti, mrduna hanti adarunam nasadhyam mrduna kinchit tasmāt tiksnam hi mrduth.*

Gentleness can overcome the hardest things; it can overcome the softest things. There is nothing impossible to be overcome by gentleness, and therefore the sharpest weapon we have is gentleness.

Softness, gentleness,—that is the greatest weapon which will wear out the highest kind of opposition. We have not been true to it. We have betrayed and done wrong to millions of our own fellow beings. It is now time for us to make atonement for all our past guilt. It is not a question of justice or charity, it is atonement—that is how I would put it.

In Dr. Rajendra Prasad we have one who embodies this spirit of gentleness. (*Cheers*). He is the soul of goodness, he has great patience and courage, he has suffered. It is not an accident that this year which marks the sixtieth year of the Indian National Congress, is also the year of the opening of the Constituent Assembly. We have to remember with gratitude all those great souls who worked and suffered for the freedom of this country, for the dawn of this day. Thousands died, more thousands suffered privation, imprisonment, and exile, and it is their suffering that has cemented and built up this great edifice of the Indian National Congress. (*Hear, hear*). We have to remember them all, Rajendra Prasad is



the suffering servant of India, of the Congress, who incarnates the spirit for which this country stands. I only hope that this spirit of amity, concord and harmony which has come down to us from the image of Siva in the Indus civilization down to Mahatma Gandhi and Dr. Rajendra Prasad, will inspire our efforts. (*Applause.*)

**Shri Sri Prakasa** (United Provinces: General): May I know who is the Chairman?

**The Chairman** (Dr. Sachchidananda Sinha): I am the Chairman.

**The Hon'ble Diwan Bahadur Sir N. Gopalaswami Ayyangar** (Madras: General): Mr. Chairman, I desire to add my small tribute to Dr. Rajendra Prasad who has been elected unanimously by this Assembly as the permanent Chairman. My tribute, I dare say, will sound prosaic after the eloquence of my friend Sir S. Radhakrishnan, one of the foremost Indian orators in the English language.

Dr. Rajendra Prasad's election is a supreme mark of the unstinted confidence that this Assembly and the country as a whole repose in him. It is not so much an honour to him; he is really honouring us by accepting the invitation that we have extended to him. (*Cheers*). We have therefore really to felicitate ourselves on his allowing himself to be persuaded to take the Chair of this Assembly as permanent Chairman.

Dr. Rajendra Prasad is taking over a very onerous responsibility. His life has been a life of dedication—dedication to the service of the country. It has been consecrated by unique sacrifice. It is unnecessary for me to speak of his great erudition, deep scholarship, wide knowledge of men and affairs,—qualities which fit him eminently for the task in which he will have need for requisitioning all this equipment in the solution of the many baffling and intricate problems that are sure to confront him. I have known him in person and have come into contact with him personally only during the last few days. That has made me regret that I had not known him earlier and more intimately than I do. But I have known about him, I had read about him, and during the few days that I have since seen of him. I have seen enough to realise that, while all his great qualities of brain and his knowledge have commanded and will continue to command the respect and admiration of his countrymen, what really has established and will maintain the unique hold he has on the affections of his countrymen, irrespective of community, class and creed, are his great human qualities. His innate courtesy, for instance, the manner of his approach to problems, which manner almost compellingly disarms in controversy people inclined to develop temper or heat, the soft word that turned away wrath—these will be inestimable assets in contributing to the success of the task that he has so willingly, perhaps after some reluctance, taken upon himself.

With his election to the Chairmanship, the Constituent Assembly may be said to have really started on its fateful career. Before it accomplishes its full task, it is bound to be confronted by situations and difficulties which will try the capacity even of so uniquely equipped a person as Dr. Rajendra Prasad. He will no doubt, and we have every confidence that he will, conquer them all. He will of course maintain the dignity and prestige of this Assembly and the privileges of its members—that goes without saying. But the most onerous of his tasks will be to defeat all attempts, direct or indirect, at weakening or whittling down the sovereign Powers of this Assembly. This is not the occasion for me to develop in any elaboration the proposition that, for the task which this Assembly has taken upon itself, it is sovereign in every sense of the word. That its members have been brought together by a machinery employed by the present Government of India does not detract from that sovereignty.

(*Hear, hear*): The task of the Assembly is, in the not very elegant word that the Cabinet Mission has employed in its Statement, the “settling” of the constitution for all India—all India, including not merely the Union but the units and, if this Assembly and its Sections should so decide, the Groups, if any, are to be formed at all.

The statement of the Cabinet Mission, I would describe as the law of the constitution of this Assembly. That constitution derives its authority not from the fact that its authors were three Members of His Majesty’s Government but from the fact that the proposals made therein have been accepted by the people of this country. Any limitations on the powers of this Assembly which are indicated in that Statement are thus self-imposed—imposed by ourselves on this Assembly; and the document, and its subsequent exposition by its authors have made it clear that this Assembly has got the constituent power of amending this constitution, of varying or adding to what is provided for in that document, not excluding even what are declared to be its fundamentals.

The law of the constitution of this Assembly does not vest in any outside authority, Judicial or otherwise, the interpretation of any of its provisions. In one single instance alone does it require that the Chairman should obtain the advice of the Federal Court at the request of the majority of either of the major communities in the Assembly before he takes a decision on the issue. It follows therefore that the decision of all questions of interpretation of the law of the constitution of this Assembly will be in the Chairman’s hands, subject to such directions as this Assembly itself may give. Reference to an outside authority for decision or even advice in respect of other matters could be made only on authority given by a decision of this Assembly and no such decision could be binding on this Assembly unless it has agreed to abide by it. The idea, therefore, adumbrated in a recent statement of His Majesty’s Government, that ‘either side’, those are the words used, is free to ask an outside authority to decide matters of interpretation and that the Assembly should accept whatever decision it may give, cannot be implemented except on the authority of a resolution of this Assembly. (*Hear, hear*). The suggestion made in this statement, if implemented without an affirmative resolution of this Assembly, would detract from its sovereign powers and I have no doubt that Dr. Rajendra Prasad will resist such an attempt to his utmost. (*Applause*) :

I would, before closing, refer only to one other aspect of this idea of the sovereignty of this Assembly. The task before the Assembly is not merely one of settling of the constitution, it also includes deciding the method of its implementation so far as India and her people are concerned. In other words, we have to take over power from those who are in possession of it: the method of that taking over of power will be one to be decided by this Assembly. The fact that His Majesty’s Government claim to decide the mechanics of the transfer of power, to which in substance they are already committed, does not, in my view, detract from the sovereignty of this Assembly so far as its task is concerned. I do not wish to take any more of the time of this Assembly.

Sir, we are proud to have you as the permanent Chairman of this Assembly and we wish all success to you during your term of office in that capacity. (*Loud cheers*).

**The Chairman** (Dr. Sachchidananda Sinha): Two of the most eminent Members of this House, our greatest philosopher and educationist, Sir Sarvapalli Radhakrishnan, and the highly distinguished administrator, Sir N. Gopalaswami Ayyangar, have addressed the House congratulating Dr. Rajendra Prasad, and they have incidentally expressed their views on

certain aspects of the question which Dr. Rajendra Prasad will be concerned with. I will now ask the other speakers who follow to speak briefly mainly about Dr. Rajendra Prasad (*laughter*) and leave the Constitution to take care of itself.

I will now call upon Mr. F. Anthony to address the House.

**Mr. F. R. Anthony** (Bengal: General): Mr. Temporary Chairman, it was only a few minutes ago that I was asked whether I would join in giving a message of welcome and congratulations to Dr. Rajendra Prasad, I very gladly and cordially accepted that invitation.

Sir, I have not had the privilege of knowing Dr. Rajendra Prasad personally; but I have known of him and it is not necessary for me to comment on his qualifications and his widely-known very able record of work. The Office to which he has been unanimously elected is not only a unique and high office, but I believe it is equally onerous also. It will be his continuing duty and care to hold the scales evenly between the different interests which go to make up this great country. What we require today in our leaders, more than anything else, is tolerance, breadth of vision and liberality of outlook. I believe from what I have heard of Dr. Rajendra Prasad, that he is one of those leaders who possesses these qualities in a pre-eminent degree. I believe also that it is the natural and fervent impulse of every Indian, irrespective of community, to strive increasingly for the increasing greatness of our mother country. (*Applause*). I also believe that whatever difference of language, of community or of social life that must inevitably exist in a great country such as ours, leaders possessing the quality of liberality and breadth of vision will succeed ultimately in joining all these different communities into one stream which will carry on its course, surging forward irresistibly, enabling this country to take her place, her rightful place in the vanguard of the great nations of the world. Finally, I believe I am expressing the consensus of opinion in this House when I express the belief that Dr. Rajendra Prasad will fill this high Office to which he has been elected not only with dignity, but with Distinction. (*Applause*).

**Sardar Ujjal Singh** (Punjab: Sikh): Mr. Chairman, Sir, I have very great pleasure in associating myself with the chorus of tributes paid to Dr. Rajendra Prasad on his unanimous election to the Presidentship of this Assembly. In fact, I believe, no better choice could have been made for the Presidentship of this unique and historic Assembly. By his unparalleled service and sacrifice, his learning, his ability, his gentleness and above all, his spotless character, he has become the idol not only of the people of Bihar but of the whole of India. I feel certain that this House will have a sense of satisfaction that with Dr. Rajendra Prasad in the Chair, no limitations on the sovereignty of this Assembly will be allowed to be placed beyond those which we have already accepted. A man of his unimpeachable honesty, character and humility can command and, I feel certain, will command the confidence of one and all in this House. I know there is a party which is not present in this House today, but I can say that even that party whose members may be called Dr. Rajendra Prasad's political opponents, can rely upon his sound and good judgment and his impartiality in conducting the business of this House. Sir, I hope and trust that under his able guidance and inspiration this House will succeed not only in framing a constitution but establishing an independent and sovereign state of Indian Republic. I pray the God may give him strength to carry on his onerous duties and heavy responsibilities as Food Member and as President of this unique and historic Assembly.

**The Chairman** (Dr. Sachchidananda Sinha): I will now request Lt.-Col. Sir Kameshwara Singh, Maharajadhiraja of Darbhanga, to speak.

**The Hon'ble Maharajadhiraja Sir Kameshwara Singh of Darbhanga** (Bihar: General): Mr. Chairman, this is indeed a proud day for all of us. The accredited representatives of our countrymen have chosen Dr. Rajendra Prasad, an illustrious son of India, to be the custodian of the dignity and power of this august Assembly. In doing so, they have paid the highest tribute not only to his own greatness but also to our province whose brightest jewel he happens to be. I rejoice at this recognition. His character, ability, tact, scholarship, culture, services and sacrifices, and above all, his self-effacement in the cause of our motherland can never fail to attract people to him, and he commands as love, respect and admiration of even those who, strictly speaking cannot be described as his political adherents. I salute him as one of those rare saints who are honoured by all even in their own homes. I realise that the task before him is stupendous. From bondage he shall have to lead this country to freedom. He shall have to help us to proceed on the right path and cross the innumerable hurdles that lie on our way. He shall have to protect us whenever there may be any encroachment on our rights and privileges from any quarter and make everyone feel the force of his justice, impartiality and firmness. Knowing as I do his personal charm, devotion to duty, broadmindedness, and other great qualities, I have no doubt that he will satisfactorily manage the affairs of the high Office—perhaps one of the highest offices in the gift of the people of this country—in which he has been, by common consent, installed. May God grant him health and long life so that he may successfully discharge his onerous duties and enjoy the fruit of his labours. Sir, I congratulate him, wish him luck, and hope that he will have the loyal co-operation of everyone of us who have assembled here to work under his guidance for the achievement, by peaceful means, of our cherished goal, Swaraj.

**The Chairman** (Dr. Sachchidananda Sinha): Dr. Joseph Alban D'Souza.

**Dr. J. A. D'Souza** (Madras: General): Mr. Chairman, I join with pleasure in the chorus of congratulations to Dr. Rajendra Prasad on his election as the permanent Chairman of this historic Assembly. The temporary Chairman, Dr. Sachchidananda Sinha, with his keen grasp of essentials, his happy diction and above all his entrancing and fascinating humour has finished his work magnificently during the last two days. He has navigated the good ship "Constituent Assembly" through the harbour, with waters none too easy. He has brought the ship on to the high seas of political constitution and handed it over to our permanent Chairman. I have said high seas of political constitution. What these seas are going to mean and what they are going to be, it is difficult for us at this stage to say or to define. There is no doubt that the permanent Chairman has before him a role of a most responsible nature.

I am and probably will always be an ardent believer in the true and good old saying, "every cloud has a silver lining". Clouds, varying in density, have appeared over the constitution of this Assembly. Yet because of the silver lining I am confident of the future of India, proximate and remote.

Dr. Sachchidananda Sinha has stated that it will not be for those who succeed the first two speakers to refer to anything historical or constitutional. May I crave his permission to make one small reference?

May I submit that this Constituent Assembly and the work it has before it—the framing of a constitution for India, was presaged if not prophesied more than a hundred years ago? I say "Presaged" and not "Prophesied" because a prophecy connotes something favourable to the prophet as well as to the people but presaging signifies a sort of warning. It was presaged more than a hundred years ago when Burke, referring to the imperial control of England over her Indian Empire, applied to it

the doctrine of trusteeship. He declared that as soon as the child India comes of age the trusteeship must end.

The question therefore arises: Has India not come of age? Is India still a minor? When I cast a glance along the first benches of this great Assembly I note that there are great personalities who could play the role of a Churchill or a Roosevelt or a Stalin and not only play the role but even go one better. This is so far as the top ranks of the citizenship of India is concerned. What about the lowest ranks, the ryot in the villages? If our leaders were to go now to the ryot, who some years ago was steeped in abysmal ignorance in regard to his rights, privileges and needs, and speak to him of independent India, he would turn round and tell them: "if you are unable to achieve this for us, we shall do so on our own". He realises that it is due to him. He knows it is his birth-right.

This Constituent Assembly, to my mind, is a celebration of India's coming of age and as such it ought to be a subject matter over which all India, Hindus, Muslims, Sikhs, Christians, Parsees, Scheduled Classes and all, ought to join hands and work with one sole idea: of achieving, independency as early and as soon as it possibly can be obtained.

And in this work I am sure, the permanent Chairman we have selected will lead us and help us. During the short period he has worked in the Interim Government he has already given us an earnest of his capability by his masterly control of the food situation in India. He has given us an earnest of the zeal and ability with which he will conduct the affairs of the great Assembly: On behalf of you all I wish our permanent Chairman, health and energy in order to carry on with the stupendous work he has undertaken in accepting the Chairmanship of this Assembly.

**Sir V. I. Munishwami Pillai** (Madras: General): Mr. Chairman, I feel it a proud privilege to stand before this august Assembly and convey to you. Sir, the greetings and affectionate Congratulations on your unanimous election to the Chairmanship of this sovereign body. I convey to you, Sir, on behalf of the 60 millions of untouchable classes, the tillers of the soil and hewers of wood, who, have been in the lowest rungs of the ladder of political and economical Status of this country. It was in 1890, when one of our revered leaders of our Province sent in open letter to the Hon'ble Members of the House of Commons showing the helplessness of the untouchable classes but it was given to Mahatma Gandhi, Sir, in the year 1932 to chalk out in what way these communities could be helped. It was on that memorable occasion, Sir, that I came in contact with you and came to know the sympathy you have towards these Scheduled-Castes. From that time, Sir, I know, as a matter of fact and all those who represent the Harijans in this august Assembly will bear testimony to the great services you have done to these Harijan communities. On behalf of these people, Sir, I feel that the position to which you have been elected will give equal status in the sovereign body and see that whatever constitution may be framed for this great continent, that the right place for the Harijan is given and I know you will hold this position with great honour and dignity and do justice to these Scheduled Classes so that they may be equal in all status with other communities. Sir, the 60 millions of untouchables form the backbone of Hinduism and I am sure, that in your deliberations In framing the constitution you will see that all the disabilities of the Harijans are taken note of and remedied in a manner that they may enjoy equal privileges in this great country.

**Khan Abdul Ghaffar Khan** (N.W.F.P.: Muslim): [Mr. Chairman, Brothers and Sisters: I had no intention of taking part in the debates of this Assembly. You all know that I do not like making speeches and praising persons; but some of my brethren have compelled me to say something

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\*[English translation of Hindustani speech begins.

at this occasion I congratulate Babu Rajendra Prasad on your behalf and on behalf of North-West Frontier Province for the great honour done to him by this House.

I know Babu Rajendra Prasad well. People who happen to live together in prisons and in other places of pain and sorrow get good opportunity to know each other. I am proud that I have lived a long time in prison with Babu Rajendra Prasad. I know him well. I know his habits and I can say that the greatest quality he possesses, and which every Indian should possess, is that his mind is free from communal bias. Unfortunately, people in India have different prejudices. You all know of Hindu food and Muslim food. Babu Rajendra Prasad is free from all prejudices.

I feel with great sorrow the absence from this House of our Muslim League brethren. I regret to say that my Muslim brethren are displeased with the people of the North-West Frontier Province, especially with me. They say that I am not with them. Many a time while travelling in the train I am told such things, I always tell them that I am always with Muslims, never separating myself for one moment from them. Where, however, they say that I am not with the League, I tell them that the League is a political party and it is not necessary that one should be with it. Every man is free to have his own opinion. No one should be compelled in ways which are employed these days. Everybody has a right to do what he honestly considers good for his country and people. Nobody has got the right to ask me why I am on the side of the Congress. I admit that the people of the North-West Frontier Province are much behind you in literacy and in wealth. Our Province is a small one while yours are larger but I can say that the people of the North-West Frontier Province, if not ahead, are in no way behind you in many things.

When we read the history of India prior to the advent of the British and compare it with the conditions prevalent now, I find the villagers of this once prosperous India steeped in poverty and want. One thing, which causes me great sorrow is that whenever we try to do something for the welfare of our countrymen, impediments are placed in our way. The country and its people are being exploited and ruined. This has caused disappointment to the people of the North-West Frontier Province and they feel utterly helpless. We have been forced to think that we can do nothing for the good of this unfortunate country until we make it free. I desire to tell my Indian brethren why we are with (Mahatma) Gandhi. We believe that the Congress is trying to free this country and that the Congress can remove the poverty of this country. We are with the Congress because we are tired of slavery. It is true that we are behind you in education but in the war of non-violence of 1942, only our Province fought it in non-violent ways. You all know we possess more weapons of violence than any other part of India and yet we adopted non-violent methods. Why ? There are many responsible people present here and I see that even the Congress people are being swayed by violent feelings. That is why we walk the way of non-violence. Let us see what violence is and what is non-violence. I tell you that whether we are Hindus or Muslims we can win the people only by being non-violent because violence breeds hate and non-violence creates love. You cannot bring peace to the world by violence. One war will compel us to fight a second war more disastrous than the first. Violence begets hate in the minds of people. I am glad Babu Rajendra Prasad believes in non-violence and I am sure that, if he guides this House to tread the path of non-violence, he will guide it to success. Before I finish I desire to speak briefly to my brethren in the House and to Babu Rajendra Prasad about our Province. I will not go into details. Our Province is the only Muslim Province which desires to end the British rule and drive them out of India. It is not easy to realize

what difficulties, what hardships and what affliction will befall us. I, therefore, earnestly appeal to Babu Rajendra Prasad to keep this in mind. We cannot succeed until the road-blocks created by the British are removed from our way. I hope my prison friend, Babu Rajendra Prasad, who has been elected the Chairman of this House and who loves us, will not forget our difficulties and help us to remove them.]\*

**The Chairman** (Dr. Sachchidananda Sinha): I will now ask Mr. Poonacha from Coorg to speak for a few minutes.

**Mr. C. M. Poonacha** (Coorg): Mr. President, Sir, I deem it a great pleasure and great honour to associate myself with the sentiments expressed by the previous speakers. Coming from Coorg, Sir, I would like to convey to you, Dr. Rajendra Prasad, our respectful felicitations on behalf of the people of Coorg. As President of the Indian National Congress, you have once visited our Province and extended to us good advice which was a great fillip to us in our freedom movement. Sir, I do not intend making a long speech but would like to cut it short and express once again my respectful congratulations to you and trust that under your Chairmanship the efforts of this Assembly will be a complete success. Sir, I have done. (*Cheers*).

**The Chairman** (Dr. Sachchidananda Sinha): Mr. H. V. Kamath will now kindly address the House.

**Mr. H. V. Kamath** (C.P. and Berar: General): Mr. Chairman, Sir, will you permit me to join in the chorus of tributes that has flowed from all parts of this august Assembly? This Constituent Assembly is the first Assembly of its kind in India. On this occasion, at once happy and solemn, when we have elected to the high office of permanent Chairman, Deshratna Rajendra Prasad, it is well for us to remember that we have come to this stage in our history through the united will and labours of the Indian nation, through the brave-struggle and suffering of the Indian National Congress under the leadership of Mahatma Gandhi, as well as by the heroic was waged by the "Azad Hind Fauj" under the leadership of Netaji Subhas Chandra Bose. It is not for me to dilate upon the qualities of head and heart of Deshratna Rajendra Prasad. He embodied in himself the spirit of India, the spirit which has animated our sages and our rishis to preach the ancient gospel, the ancient but ever new—(*sanatano nitya nutarih*) the gospel of universalism: that spirit Deshratna Rajendra Prasad embodies in himself. When I look at him, I am reminded of a poem of Gurudev-Rabindra Nath Tagore, wherein he says—Give me the strength to make my love fruitful in service. Give me the strength to surrender my strength to thy will with love'. At this moment of our history we welcome Deshratna Rajendra Prasad to this high office. I pray to God Almighty that in His Grace abounding, He may endow Deshratna Rajendra Prasad with strength and health, with energy and fortitude to steer this barque of our Constituent Assembly to the fair haven of peace, freedom and harmony. Friends, I have done. Before I conclude, I only want to say this that it is well for us to take to heart and to bear in mind the ancient message—

*Uttisthata jagrata prapya varannibodhata*

"Awake, arise and stop not till the goal is reached." *Jai Hind*.

**The Chairman** (Dr. Sachchidananda Sinha): Mr. Somnath Lahiri will now address the House.

**Mr. Somnath Lahiri** (Bengal: General): Let me congratulate Dr. Rajendra Prasad on his election as permanent Chairman of this House and I congratulate him on behalf of the Communist Party which I have the honour to represent.

Well, Dr. Rajendra Prasad, when you happened to be the President of the Indian National Congress we, the Communists, noticed in you your

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\* English translation of Hindustani speech ends.

patience, tolerance and your eager desire to know the view-points of the other parties and other points of view. Well, Sir, I hope you will continue to exercise the same qualities as the Chairman of this Assembly and will allow us facilities equal to that of anyone else to express our points of view fully. Sir, one great thing to remember is that British imperialism is still sovereign over us and whatever may be the colour of any member in this Assembly, I am sure that everyone of us burns with the desire to be free, absolutely free, immediately from the clutches of British imperialism which has sucked our blood for the last 200 years and which still retains its grip over us with its army, with its British Viceroy, with its white bureaucracy, with its economic and financial strangleholds and with the aid of its allies—the Indian Native Princes. Well, Sir, some would expect you to be non-partisan as the Chairman of the Assembly. I would not in the sense that you are a patriot, one of the tried patriots of this country and in the matter in which we have to assert our sovereignty, sovereignty not against a section of our own people, not by quarreling over phrases of Sections and Committees but sovereignty against British imperialism, asserting our sovereignty by asking and compelling the British Viceroy to quit, by asking and compelling the British army to quit. I am sure we could declare our sovereignty here and now by calling upon our people to wage a struggle and to begin that struggle by declaration from this august Assembly that we are free, we no longer recognize the authority of the British Government, of the British Viceroy, of the diplomatic words, etc. I wish we could declare from this Assembly that we are not to be led by the illusions created by British imperialism and its Cabinet Mission plan regarding transfer of power. But I know that illusions die hard. I hope we will have your help in dispelling those illusions and making the people of India again wage the most determined and united struggle against a Plan, a diabolical Plan, which has already reduced us to become a laughing stock of the world. We are already meeting under the dark pall of death and fratricidal warfare which has been the result of this Cabinet Plan.....

**The Chairman** (Dr. Sachchidananda Sinha): Mr. Lahiri, permit me to interrupt you. You may say something now about Dr. Rajendra Prasad. (*Laughter*).

**Mr. Somnath Lahiri:** I know that. That is exactly the point for which I have praised Dr. Rajendra Prasad and hope he will extend to us the same consideration for placing our point of view as you would to any others because it has always been our experience that when it comes to a question of our placing our views we are invariably asked to be brief. As a matter of fact, I have already been asked twice to be brief even before I got up to speak in this Assembly. However, I don't mind that. What I would expect of Dr. Rajendra Prasad as permanent Chairman of this Assembly is to help us in dispelling our countrymen's illusions, to help us to place our point of view in full, to throw away this Cabinet Mission's Plan and all its award and everything else and be united and fight.

**The Chairman** (Dr. Sachchidananda Sinha): Hon'ble Members will agree that I am not infallible. I shall therefore now call on Mr. Jaipal Singh to address you for a few minutes, He represents the aboriginal tribes of Chhota Nagpur.

**Mr. Jaipal Singh** (Bihar: General): I thank you, Sir, for giving me an opportunity to speak as representative of the aboriginal tribes of Nagpur. I want to say a few words in congratulating Dr. Rajendra Prasad, especially on behalf of the community I represent. So far as I have been able to count, we are here only five. But we are millions and millions and we are the real owners of India. It has recently become the fashion to talk of "Quit India". I do hope that this is only a stage for the real rehabilitation



and resettlement of the original people of India. Let the British quit. Then after that, all the later-comers quit. Then there would be left behind the original people of India. We are indeed very glad that we have Dr. Rajendra Prasad as the permanent Chairman of this Assembly. We feel that, as he belongs to a Province where there is, in the southern portion of it, the most compact aboriginal area in the whole of India perhaps, that we, in presenting our case, will at least get sympathetic hearing from him. I do not wish to say anything about his merits. They are already too well known. Let me therefore end by saying that we hope that the rest of the House will, while Dr. Rajendra Prasad gives us his sympathy, also reciprocate with him. (*Cheers*).

**The Chairman** (Dr. Sachchidananda Sinha): I shall now request bulbul-i-Hind, the Nightingale of India, to address the House (*laughter and cheers*) not in prose but in poetry.

(Mrs. Sarojini Naidu then went up to the rostrum amidst acclamation.)

**Mrs. Sarojini Naidu** (Bihar: General): Mr. Chairman, the manner of your calling me is not constitutional. (*Laughter*).

**The Chairman** (Dr. Sachchidananda Sinha): Order, order. No reflection on the Chair please (*continued laughter*).

**Mrs. Sarojini Naidu**: It reminds me of some lines of the Kashmiri poet who said:—

*“Bulbul ko gul mubarak, gul ko chaman mubarak,  
Rangeen tabiaton ko range sukhan mubarak”*

and today we are steeped in the rainbow coloured tints of speeches in praise of my great leader and comrade Rajendra Prasad. (*Cheers*) I do not know how even poetic fancy can add yet another tint to the rainbow. So I will be modest, emulating the example of Rajendra Babu himself and confine myself, as a woman should, to purely domestic issues. (*Laughter*). We have all been taken in the chariot of oratory by our great philosopher Sir Radhakrishnan who seems to have evaporated from the scene. (*Laughter*).

**Sir S. Radhakrishnan**: No, no. I am here; (*Renewed laughter*).

**Mrs. Sarojini Naidu**: He has poured very eloquent wisdom on us. And also all the other speakers representing different provinces, sects, religions, communities and the gentleman who is asking all of us to quit India after the British, tracing his claim to the original people of this land, have all spoken in their turn, and one thing they have all been unanimous is the question of Rajendra Prasad himself. Some time ago I was asked to compress an epic into an epigram about Rajendra Prasad. I was asked to say a line about Rajendra Prasad, and I said that I could only do so if I had a pen of gold dipped in a pot of honey because all the ink in the world would not suffice to explain his qualities or adequately to pay tribute to his qualities. Very rightly one speaker reminded us, though I agree with one part of it, that both the temporary Chairman and the permanent Chairman were born in Bihar and that both have assimilated some of the qualities of the Great Buddha who was born in Bihar. I say that I agree on one point, not on the other. The point which I wish to agree with is that Rajendra Prasad has certainly descended spiritually from the great Buddha, the embodiment of compassion, understanding, sacrifice and love. For many years, I have been privileged to be associated with him. He is my leader, he is my comrade, he is my brother, but much younger brother. That I knew on his birthday, I found that he is over five whole years younger than I am—and therefore, I am in a position to—give him my blessings as well as my tribute of praise. In this House where every one has said with conviction that he would be the guardian and the father of the House. I conceive him not as one with the flaming sword but an angel with the lily which wins victories over the hearts of men, because in him there is essential sweetness, that is part of his

strength, there is essential wisdom, that is part of his experience, there is essential clarity of vision, creative imagination and creative faith that brings him very near the feet of Lord Buddha himself. I see gaps in this House and my heart is sore because of the absence of those Muslim brothers to whose coming I am looking forward under the leadership of my old friend Mr. Muhammad Ali Jinnah. I think if any persuasion were necessary, if any fine wand of magic were necessary to bring them in, it would be the essential sweetness, the essential wisdom, the essential creative faith of Dr. Rajendra Prasad. I am hoping and I believe I am right in hoping that my friend Dr. Ambedkar who is so bitter today will soon be one of the most emphatic supporters of this Constituent Assembly in all its purposes and that through him his adherents of many millions will realise that their interests are as safe as the interests of more privileged people. I hope those that call themselves the original masters of this land, the tribal people will realise that there is no distinction of caste, creed, ancient or modern, status in this Constituent Assembly. I hope the smallest minority in this country will, whether represented politically, or I do not know by what other means they may be represented,—I hope they will realise that they have a jealous, vigilant and loving guardian of their interests who will not permit the more privileged to encroach by a hair's breadth on their birth-right of equity and equal opportunity in this country. I hope also that the Princes of India, many of whom I count among my personal friends, who are so hurried, so anxious, so uncertain or so afraid today, will realise that the constitution for India is a constitution for the freedom and emancipation of every human being in India, whether Prince or peasant. I want that realisation to be carried home, and in no better manner, in no more convincing manner can it be carried than through the guidance and guardianship of Dr. Rajendra Prasad. I have been asked to speak—for how long? But I believe that I must disprove the age old proverb that woman has not only the last but the longest word. I have the last word not because I am a woman but because I am acting today as the hostess of the Indian National Congress which has so gladly invited those who are outside its fold to come and participate with us in framing the constitution, that is to be the immortal charter of India's freedom.

Friends, I do not praise or command Rajendra Prasad. I affirm that he is the symbol of India's destiny today. He will help us in framing that charter that restores to our Mother-our Mother still in fetters—her rightful place as torch bearer of liberty, love and peace.

Standing in the immemorial house with its roof of snow and walls of sea, once again in the history of humanity she will rekindle her lamp of wisdom and inspiration to illuminate the world on its onward march to freedom. So, will she be justified of her children and the children be justified of her.

**The Chairman** (Dr. Sachchidananda Sinha): Hon'ble Members, the last speaker has practically closed me for all time together by declaring that she as a woman must have the last word, and many of you who are lawyers here know that there can be no last word after the last word. I shall therefore not detain you long. If I choose to do so, I could hold your attention till the small hours of the next morning, for of all the people present here in this great gathering I am the one who has had the privilege, the great privilege, the greatest privilege, of knowing intimately Dr. Rajendra Prasad for a period of now 44 long years; since he passed his matriculation in the year 1902, and stood first in the first division in the whole of the Calcutta University of those days, extending from Assam to the Punjab and the North-West Frontier. I remember that when he passed the matriculation examination standing first in the Calcutta University, I wrote an editorial note in the *Hindustan Review* (which I

was then conducting, and which I am still conducting after 47 years, to the effect that to a man with the brilliant powers of Rajendra Prasad nothing could be denied. I said, we may predict that he will one day be the President of the Indian National Congress, and while delivering the presidential address, like Sir Narayan Chandavarkar at the previous year's session of the Congress, held at Lahore, will receive a communication from the Viceroy of India offering him a High Court Judgeship. That was what I predicted about him then. He has lived to be the President of the Indian National Congress more than once. But he has profoundly disappointed me by not being a High Court Judge. Why was I so anxious that he should be a High Court Judge? Because he would have handled properly the British bureaucracy on the executive side, with his independence of judgment and trenchant criticism of their conduct. But if Dr. Rajendra Prasad has not been a High Court Judge, he has lived to be elected the permanent Chairman of the Constituent Assembly of India. And to day it is my proud privilege now—the highest privilege I hoped to have achieved in my life—of inducting him into the Chair (which I have so unworthily occupied for the last few days) as the first permanent Chairman of this Constituent Assembly. (*Applause.*) I now vacate this Chair, and I shall ask Dr. Rajendra Prasad, in the name of this great gathering to come and occupy this Chair which he so worthily deserves.

(Cries of *Inquilab Zindabad, Rajendra Babu Zindabad*).

(The temporary Chairman, Dr. Sachchidananda Sinha, then vacated the Chair. The Chair was then occupied by the Hon'ble Dr. Rajendra Prasad amidst acclamation).

**Acharya J. B. Kripalani** (United Provinces: General): \*[Mr. Chairman there have been many speeches in English and I feel that I should speak in Hindi. I spoke in Hindustani when I invited Dr. Sachchidananda Sinha to be our temporary Chairman. I now congratulate him, on your behalf, for performing his work so successfully.

I could not at first believe that Dr. Sinha was older than I. I am younger than him and I am proud of my hair but Dr. Sinha's hair are 'a shade blacker than mine'.

He called the meeting to order in a strong voice which did not at all show that he was older than us. He conducted the whole proceedings with a zeal which may be called the fervour of youth. Sometimes, he gave short shrifts to our amendments. Once he remarked on an amendment—"I hope the good sense will prevail."

This kept us silent, fearing that if we said anything, our good sense would be suspected. Thus he performed his work well and I congratulate him on it. I hope he will sit with us in the House in the same spirit in which he conducted the preliminary proceedings of the House].\*

**Mr. Chairman** (The Hon'ble Dr. Rajendra Prasad): †[Brothers and sisters, pardon me if I say that I feel overwhelmed with the burden you have placed on my shoulders by entrusting me with this most important duty. By electing me for this high rank you have bestowed upon me an honour which is the highest honour for an Indian. Allow me to say that in this country of castes and creeds, you have, as it were, cast me out of your caste. Depriving me of a seat among yourselves you have compelled me to sit on a different Chair, and it does not end there. I believe all of you expect me to do nothing in this House which will show that I belong to a particular part or sect; you will expect that whatever I do

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\*[English translation of Hindustani speech begins.

] \*English translation of Hindustani speech ends.

†[English translation of Hindustani speech begins.

here, will be done in a spirit of service to you all. I shall try to carry the honour conferred on me in a manner which will gladden the hearts of all of my brethren and my elder sister here, who have felicitated me at this occasion. I am aware that my path is beset with obstacles. The work of this Constituent Assembly is most arduous. Various problems will come before it and it will be confronted with questions which will not yield easily to solution. I know I will not be able to solve them but I have full confidence in you that you will help me at each step with the same kindness and liberality with which you have elected me here.

The Constituent Assembly is meeting at a most critical time. We all know that other constituent assemblies, whenever and wherever they met, were confronted with similar difficulties. They had also to contend with internal differences which were placed before them with great vehemence. We also know that many of these constituent assemblies were held amidst strife and bloodshed; even their proceedings were conducted amidst quarrels and fights. In spite of all these obstacles those assemblies carried on their work to the end. Their members joined together and with courage, kindness, generosity, tolerance and regard for one another's feelings framed constitutions which were then readily accepted by the people of the countries for which they were framed. Even at this time the people of those countries consider them their most valuable possession. There is no reason why our Constituent Assembly, in spite of the obstructions in its way, should not succeed in doing its work. If we are sincere, if we respect each other's opinion, we shall develop so much insight that we will not only be able to understand each others thoughts, but also be able to go deep to the root and understand each others real troubles. We will then function in a manner that no one will give no one cause to think that he has been ignored or that his opinion has not been respected. If this comes to pass and if this strength is born in us, I have full faith that in spite of all obstruction we will succeed in our work.

This Constituent Assembly has come into being a number of limitations, many of which we will have to bear in mind as we proceed. But, it must also be borne in mind that the Assembly is a sovereign body and is fully competent to conduct its proceedings in the manner it chooses to follow. No outside power can meddle with its proceedings. I also believe that it is competent to break the limitations attached to it at its birth. It should be our effort to get free of these limitations and frame a constitution which will assure all men and women of this country, no matter of what religion, province or shade of opinion, that their rights are fully protected. If such an effort is made in this House and we succeed in it, I believe that it will be such a landmark in the history of the world that it will be hard to rival.

It is also to be remembered and we, who are present in the House, cannot forget it even for a moment that many of the seats are vacant in this meeting. Our brethren of the Muslim League are not with us and their absence increases our responsibility. We shall have to think at each step what would they have done if they were here? We have to proceed keeping all these things in view. We hope they will soon come and take their places and share in the deliberations for framing a constitution for their country which will give it freedom, that they will join us in our march for freedom. But if unfortunately these seats continue to remain unoccupied, it will be our duty to frame a constitution which will leave no room for complaint from anybody.

We have been fighting for the freedom of our country for a long time. This Constituent Assembly has been brought into existence by three forces. First, the sacrifice of our patriots. Many men and women gave their lives, bore hardships and persecution and after hard and continuous

struggles ushered in the present stage. Second, the history of the British nation; their selfishness and their generosity. Third, the present world conditions and serious situation and the forces that are raging in the world. All these combined together to bring into being our Constituent Assembly. These forces will continue functioning while we are proceeding with our work. It is quite possible that some of them may draw us to one side and others to the other side. I am, however, confident that success will be ours. I pray to God that he may give us foresight, so that we may understand each other's mind, and that, united together, we may free our country.

I thank my brothers and sisters who have congratulated me. I was overwhelmed with embarrassment and I wished, I had not been present during their speeches. My particular thanks are due to Dr. Sinha who continued in the Chair and did not throw additional burden upon me at that time. I once more thank you all for the inspiring sentiments that have been expressed. I assure you that in the proceedings of this House. I shall freely give you whatever strength God has bestowed upon me, whatever little wisdom has been given to me and whatever experience of the world I have. In return I hope you will unstintingly give me the help that you can give me.]†

Friends, I just want to say a few words in English for the benefit of those of you who have not been able to follow my speech in Hindi. Hon'ble Members will not consider it ungracious on my part if I tell them that at the present moment I feel more overwhelmed by a sense of the burden of responsibility which they have placed on my shoulders than by a sense of elation for the great honour which they have conferred upon me. I realize that the greatest honour which an Assembly like this could confer on any Indian, you have been pleased to confer on me, and I am not using merely the language of convention when I say that I appreciate it greatly and I am grateful to you for it.

I know the difficulties which I shall have to face in the discharge of the heavy responsibilities which I have undertaken on your behest. I know the work of the Constituent Assembly is beset with various kinds of obstacles, but I know too that in the discharge of my duties, I can count upon your unstinted support and the same kind of generosity which you have exhibited in electing me to this high honour. Our Constituent Assembly is meeting in difficult circumstances. We see signs of strife in many places in this unfortunate land. But other countries too, when they elected their constituent assemblies and asked them to frame a constitution for them, were faced with similar difficulties. We can take comfort in the fact that in spite of those difficulties, in spite of the differences in view-points which exhibited themselves with vigour, sometimes with trouble and turmoil, the assemblies were able, in spite of them, to frame constitutions which were acceptable to the people at large and which have become in course of time an invaluable heritage for the people in those lands. There is no reason why we also should not succeed similarly. All that we need is honesty of purpose, firmness of determination, a desire to understand each others view-point, that we shall do justice, that we shall behave as fairly, as squarely as possible towards everyone else—and with that determination, with that resolve, I cannot see why we should not be able to overcome the obstacles in our way. I am aware that this Constituent Assembly has been born with certain limitations placed on it from its very birth. We may not forget, disregard or ignore those limitations, in the course of our proceedings and in arriving at our decisions. But I know too that in spite of those limitations the Assembly is a self-governing, self-determining independent body with the

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†\*English translation of Hindustani speech ends.

proceedings of which no outside authority can interfere, and the decisions of which no one else outside it can upset or alter or modify. Indeed it is in the power of this Constituent Assembly to get rid of and to demolish the limitations which have been attached to it at its birth and I hope you, Ladies and Gentlemen, who have come here for framing a constitution for an independent and free India, will be able to get rid of those limitations and to place before the world a model of a constitution that will satisfy all our people all groups, all communities, all religions inhabiting this vast land, and which will ensure to everyone freedom of action freedom of thought, freedom of belief and freedom of worship, which will guarantee to everyone opportunities for rising to his highest, and which will guarantee to everyone freedom in all respects.

I hope and trust that this Constituent Assembly will in course of time be able to develop strength as all such assemblies have done. When, an Organisation like this sets on its work it gathers momentum, and as it goes along it is able to gather, strength which can conquer all difficulties and which can subdue the most, formidable obstacles, in its path. Let me pray and hope that our Assembly too will gather more and more, strength as it goes along.

It is a most regrettable thing that I find many seats unoccupied today in this Assembly. I am hoping that our friends of the Muslim League will soon come to occupy these places and will be glad and happy to participate in this great work of creating a constitution for our people creating a constitution which according to, the experience of all other nations of the world, which according to our own experience and which according to our own traditions and our own peculiar conditions, will guarantee to every one all that can be guaranteed, all that need be guaranteed and all that require to be guaranteed, and will not leave any room for any complaint from any side. I am hoping also that you all will do your best to achieve this great objective.

Above all, what we need is freedom and as some one has said "Nothing is more valuable than the freedom to be free". Let us hope and pray that as a result of the labours of this Constituent Assembly we shall have achieved that freedom and we shall be proud of it. (*Applause.*)

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#### ELECTION OF THE COMMITTEE FOR RULES OF PROCEDURE

**Mr. Chairman:** This, brings us to the close of our proceedings for the day, but I will ask Hon'ble Members to bear with me for a minute or two. You will recollect that yesterday we decided to have a Committee for framing Rules, and 12 O'clock was the time fixed by which all nominations had to be put in. We had to elect 15 members. I find that nominations of only 15 members have been put in. That obviates the necessity of having an election by ballot, and I declare the following persons, who have been proposed to be duly elected:

The Hon'ble Mr. Jagjivan Ram.

Mr. Sarat Chandra Bose.

Mr. F. R. Anthony.

Diwan Bahadur Sir Alladi Krishnaswami Ayyar.

Bakhshi Sir Tek Chand.

The Hon'ble Mr. Rafi Ahmad Kidwai.

Shrimati G. Durga Bai.

Dr. Joseph Alban D'Souza.

The Hon'ble Diwan Bahadur Sir N. Gopalaswami Ayyangar.  
The Hon'ble Shri Purushottam Das Tandon.  
The Hon'ble Srijut Gopinath Bardoloi.  
Dr. B. Pattabhi Sitaramayya.  
Mr. K. M. Munshi.  
The Hon'ble Mr. Mehr Chand Khanna.  
Sardar Harnam Singh.

They are declared duly elected to the Rules Committee.

There is one thing more. On the first day, Dr. Sinha, to save time and for the convenience of the members, did away with the process of hand shaking with every member. I would like to go round and meet every member before you all leave this place. I know there are many with whom it has been by privilege to work for years. I know others with whom I have not been so intimately associated, but whose faces are known and in some cases names too. But there are at least some whom I have not known and I would like to make their acquaintance today, if you don't mind.

After that we disperse for the day. The House remains adjourned till Eleven of the Clock tomorrow morning.

(Mr. Chairman went round and shook hands with all the members present).

The Assembly then adjourned till Thursday, the 12th December 1946, at Eleven of the Clock.