

Monday, 23rd December, 1946

Volume I



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

CONSTITUENT ASSEMBLY DEBATES

OFFICIAL REPORT

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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

Monday, the 23rd December 1946

The Assembly then met in Plenary Session at Thirty five minutes past. open
One of the Clock, on Monday, the 23rd December, 1946, Mr. Chairman proceed-
(The Hon'ble Dr. Rajendra Prasad) in the Chair. ding.

ADOPTION OF RULES OF PROCEDURE

Sri M. Ananthasayanam Ayyangar (Madras : General): Sir, I beg to move....

Mr. Chairman: The Committee stage is over. We are meeting in full House now. Mr Munshi moves that the Rules as passed by the Committee be passed.

Sri M. Ananthasayanam Ayyangar: I would like to move that:

“Notwithstanding anything to the contrary in the Rules that we have passed all the proceedings till now taken in this Assembly shall be valid and regular.”

We have passed Rules and Regulations for the conduct of elections, etc., for the appointment of officers and so on. Whatever we have done till now, whatever may be these Rules all that we have done, will be valid.

Mr. Chairman: That will arise after the rules have been passed.

Mr. K. M. Munshi (Bombay : General): I move that the Rules, as accepted by the Committee of the House, be now adopted by the Assembly in its plenary Session.

Dr. P. Subbarayan (Madras : General): I second it.

Mr. Chairman: I put the Rules to the House.

The Rules, as accepted by the Committee of the House, were adopted.

Sri M. Ananthasayanam Ayyangar: I beg to move, Sir, that—

“Notwithstanding anything to the contrary in the Rules as passed today, all proceedings taken by this Assembly till now, shall be deemed valid and proper and be binding.”

Mr. K. M. Munshi: I submit all things that have been done by the House are by majority. The Rules have been adopted by a majority, and they come into force only on adoption. Therefore, whatever we have done before need not be validated.

Mr. President: I think it is unnecessary.

Now that we have passed the Rules, there are certain Committees which have to be elected under the Rules. Yesterday I announced that you may propose names for these Committees up to 1 o'clock today. We could not pass the Rules before 1 o'clock. It is already 1.35. I would give the Members time till 2 o'clock to make any nominations. They may be handed over to the Secretary.

We will meet at 4 o'clock for the purpose of holding elections and any other matter that may still have to be done.

Rai Bahadur Syamanandan Sahaya: Some members may like to know when the next sitting of the Assembly will be.

Mr. President: That will be announced later.

The Assembly then adjourned for Lunch till 4 p.m.

The Assembly re-assembled after Lunch, at 4 of the Clock, Mr. President (The Hon'ble Dr. Rajendra Prasad) in the Chair.

Mr. President: As the meeting is now in open session after 2 days, I want to know if there are any members who have not signed the Register. If there are, they may kindly sign the Register now. I think there is none.

ELECTION OF COMMITTEES

CREDENTIALS COMMITTEE

Mr. President: According to the Rules which we have now adopted, there are certain Committees which have to be elected and I had fixed 2 o'clock as the time by which nominations for those Committees were to be put in. I will take now each of the Committees and say if we should have election. If we have got only as many names as are required, election will not be necessary. First, I take the Credentials Committee. There are five members to be elected to that Committee and the names which have been proposed are these—

Mr. Sarat Chandra Bose—proposed by Mr. Satyanarayan Sinha.
Dr. P.K. Sen—proposed by Mr. Satyanarayan Sinha.
Bakshi Sir Tek Chand—proposed by Mr. Satyanarayan Sinha.
Sir Alladi Krishnaswami Ayyar—proposed by Mr. Satyanarayan Sinha.
Mr. F. R. Anthony—proposed by Mr. Satyanarayan Sinha.

These are the only 5 names which have been proposed. These nominations are valid. As there are only 5 names proposed, there is no need for election. These five are elected. (*Cheers*).

HOUSE COMMITTEE

Mr. President: Then the House Committee. Under the Rules, eleven members to be proposed, one for each of the eleven Provinces. These are the names proposed:—

Mr. Radhanath Das—proposed by Mr. Satyanarayan Sinha (from Bengal).
Mr. Akshay Kumar Das—proposed by Mr. Satyanarayan Sinha (from Assam).
Mr. Dip Narayan Sinha—proposed by Mr. Satyanarayan Sinha (from Bihar).
Khan Abdul Ghaffar Khan—proposed by Mr. Satyanarayan Sinha (From N.W. F.P.).
Mr. Jairam Das Daulatram—proposed by Mr. Satyanarayan Sinha (from Sind).
Mr. Nandakishore Das—proposed by Mr. Satyanarayan Sinha (from Orissa).
Mr. Mohan Lal Saksena—proposed by Mr. Satyanarayan Sinha (from U.P.).
Mr. H.V. Kamath—proposed by Mr. Satyanarayan Sinha (from C.P.).
Mr. R. R. Diwakar—proposed by Mr. Satyanarayan Sinha (from Bombay).
Srimati Ammu Swaminathan—proposed by Mr. Satyanarayan Sinha (from Madras).
Pandit Shri Ram Sharma—proposed by Mr. Satyanarayan Sinha (from Punjab).

These are the eleven names proposed for the Committee. As there is no contest, these are declared to be elected.

FINANCE AND STAFF COMMITTEE

Mr. President: Then we come to the Finance and Staff Committee. There are to be nine members but there are ten names proposed. I will read the names:

Mr. Satyanarayan Sinha—proposed by Mr. Kala Venkata Rao.
Mr. Jaipal Singh—proposed by Mr. Satyanarayan Sinha.
Mr. V.I. Muniswami Pillai—proposed by Mr. Satyanarayan Sinha.
Mr. C.E. Gibbon—proposed by Mr. Satyanarayan Sinha.

Mr. N.V. Gadgil—proposed by Mr. Satyanarayan Sinha.
 Seth Govind Das—proposed by Mr. Satyanarayan Sinha.
 Mr. Sri Prakasa—proposed by Mr. Satyanarayan Sinha.
 Raj Kumari Amrit Kaur—proposed by Mr. Satyanarayan Sinha.
 Sardar Harnam Singh—proposed by Mr. Satyanarayan Sinha.
 Maharajadhiraja Bahadur Sir Uday Chand Mahtab of Burdwan—proposed by The Hon'ble
 Maharajadhiraja Sir Kameshwar Singh of Darbhanga.

These ten names are proposed and there are nine seats. There may have to be election in this case.

(At this stage certain speeches were made which were ordered by the President, with the consent of the House, to be expunged.)

(The Maharajadhiraja of Burdwan withdrew his candidature)

Mr. President: The number of nominations being now equal to the number of Members of the Committee, I now declare the nine Members elected. (*Cheers*).

PRESIDENT'S STATEMENT ABOUT REFERENCE TO FEDERAL COURT—THE STATEMENT OF MAY 16 FOR INTERPRETATION

Mr. President: There is one other matter that I must mention. I said on a previous occasion that we may have to consider the question of referring certain doubts and disputes with regard to the interpretation of the Statement of May 16, to the Federal Court. I have waited these days to get some motion or some suggestion from any member of the House to that effect. So far, no intimation of that kind to refer the matter to the Federal Court has been received. I take it that the wish of the House is that it is not necessary to refer that matter to the Federal Court. (*Cheers*.) So, the question does not arise now.

That brings us to the close of the business which we had to transact during this session of the Assembly. We shall now have to adjourn. Under the Rules which we have adopted, the President has no power to adjourn a session of the Assembly for more than three days. If he wants to adjourn the House for more than three days, the Assembly has the authority to do so. I suggest that the House do adjourn till the 20th January, 1947, at 11 A.M. If that is the wish of the House, you might indicate that.

Hon'ble Members: "Yes".

Mr. President: The House will now adjourn till 11 a.m. on the 20th January, 1947.

The Assembly then adjourned till Eleven of the Clock, on Monday, the 20th January, 1947.
