

judgment, that is to say, he would not be required to take the advice of his Ministry in making these rules. To that extent the rules made by the Governor-General prescribing the duties of the Auditor-General would undoubtedly be independent of the Executive. Today we are not vesting the President with any such power of independent judgment so that if any modification in these rules were to be made by the President he would undoubtedly be acting on the advice of the Ministry of the day, that is to say, the Executive. I admit that to that extent there is a certain amount of anomaly, but I do hope that my honourable Friend, Mr. Sidhva, who, I hope, will continue to function as a Member when the new Parliament is constituted, will take on himself the earliest opportunity of urging Parliament to change the position and to convert the rules into laws made by Parliament.

Mr. President : The question is :

“That in clause (1) of article 130, after the word ‘may’ the words ‘on behalf of the people of the State’ be inserted.”

The motion was adopted.

Mr. President : The question is :

“That for the Explanation to article 125, the following Explanation be substituted :—

‘*Explanation.*—In this article, the expression ‘law made by Parliament’ includes any law, ordinance, order, by-law, rule or regulation passed or made before the commencement of this Constitution and for the time being in force in the territory of India.’”

The amendment was adopted.

Mr. President : The question is :

“That article 125, as amended, stand part of the Constitution.”

The motion was adopted.

Article 125, as amended, was added to the Constitution.

Article 126

Mr. President : Article 126.

(Amendment No. 1987 was not moved.)

Mr. President : The question is :

“That article 126 stand part of the Constitution.”

The motion was adopted.

Article 126 was added to the Constitution.

Article 127

Mr. President : Article 127.

The Honourable Dr. B. R. Ambedkar : Sir, I move :

“That in article 127, for the word ‘Parliament’ the words ‘each House of Parliament’ be substituted.”

It is only a formal amendment.

Mr. President : The question is :

“That in article 127, for the word ‘Parliament’ the words ‘each House of Parliament’ be substituted.”

The amendment was adopted.

Mr. President : The question is :

“That article 127, as amended, stand part of the Constitution.”

The motion was adopted.

Article 127, as amended, was added to the Constitution.

New Article 127-A

Mr. President : Then there is notice of an amendment for adding a new article, article 127-A—that is amendment No. 1989 by Professor Shah.

Prof K. T. Shah : Sir, the principle of this having been rejected by the House earlier, I do not want to move it.

Article 128

Mr. President : Article 128.

Mr. Naziruddin Ahmad has given notice of an amendment regarding the heading of the Chapter; that we shall leave out now.

Amendment No. 1991 is a negative one and cannot be moved.

1992 is of a drafting nature, I think.

Shri T. T. Krishnamachari : Sir, the word “State” has been current right through; so the amendment need not be accepted.

(Amendments Nos. 1993 and 1994 were not moved.)

Mr. President : So, there is no amendment to article 128.

The question is :

“That article 128 stand part of the Constitution.”

The motion was adopted.

Article 128 was added to the Constitution.

Article 129

Mr. President : There are a number of amendments. To begin with, there is an amendment by Mr. Naziruddin Ahmad relating to the heading of the Chapter. We shall leave it over.

(Amendments Nos. 1996 and 1997 were not moved.)

Shri Lakshmi Narain Sahu : *[Mr. President, I move :

“That the following be added at the end of article 129 :—

‘of whom there shall be at least one from each of the States of Part I of the First Schedule.’ ”

*[] Translation of Hindustani speech.