

**Article 157**

**Mr. President** : There is no amendment, to this article as far as I can see, which is of a very substantial nature. All are verbal amendments. This article is similar to article 76 relating to the Union.

The question is:

“That article 157 stand part of the Constitution.”

The motion was adopted.

Article 157 was added to the Constitution.

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**Mr. President** : Then there is notice of another amendment to insert a new article-157-A, given by Prof. Shah.

**Prof. K.T. Shah** : Sir, this matter has been discussed in the past and it has been rejected. Therefore, I do not wish to move it.

(Amendment No. 2359 was not moved.)

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**Article 158**

**Mr. President** : The motion is:

“That article 158 form part of the Constitution.”

**Mr. Mohd. Tahir** : Mr. President, I beg to move:

“That in article 158, for the words ‘A member holding office as’ the word ‘The’ be substituted and in clause (b) of article 158, for the words ‘such members’ the word ‘he’ and for the words ‘to the Deputy Speaker’ the words ‘the member of the Legislative Assembly’ be substituted respectively.”

If the amendment is accepted, it will run as follows:

“The Speaker or Deputy Speaker of an Assembly—

- (a) shall vacate his office if he ceases to be member of the Assembly;
- (b) may at any time by writing under his hand addressed if he is the Speaker to the members of the Legislative Assembly and if he is the Deputy Speaker, to the Speaker, resign his office, and .....

I will say a few words in this connection. The Speaker of the Assembly must necessarily be a member of the House. He is resigning or vacating the office, not as a member, but as the Speaker of the Assembly. Therefore, the wording, “A member holding office as”, I think is redundant and it should be, “Speaker or Deputy Speaker of the Assembly.” So far as the addressing of the resignation is concerned, I would submit that the Speaker of the Assembly is elected by the members of the House. The Speaker is the highest official in the Assembly. If he resigns he must address to the members of the Assembly and not to the Deputy Speaker. He may hand over the resignation letter to the Deputy Speaker: that is a different matter. So far as the addressing of the application for resignation is concerned, he must address it to the members of the Assembly who have elected him as such. Therefore, I think that this provision should be amended like this. With these few words, I commend this amendment to the House for acceptance.

(Amendment No. 2361 was not moved.)

**Mr. President** : Amendment No. 2362.

**Shri H.V. Kamath** : A similar amendment has been lost earlier, Sir, and I am not anxious to see the same fate overtake this amendment as well.

(Amendment Nos. 2363 and 2364 were not moved.)