

is taken up. But we shall accommodate the Members in this respect and I do not think any serious inconvenience is caused if we take up article 100 and those that follow it.

Article 100

Mr. President : Amendment No. 1784, of which notice has been given by Shri Himmat Singh K. Maheshwari, is not really an amendment. It is a negative amendment so far as that is concerned.

Amendment No. 1785 is by Mr. Naziruddin Ahmad. That is a drafting amendment. So we can leave that there.

The question is:

“That Article 100 form part of the Constitution.”

The motion was adopted.

Article 100 was added to the Constitution.

Article 101

Mr. President : Article 101.

Shri H. V. Kamath : Sir, I move:

“That in clause (1) of article 101, after the words, ‘called in question’, the words ‘in any court’ be inserted.”

I only wish to make explicit what I believe is tacit in this article, and I suppose what is meant here is that the validity of any proceedings shall not be called in question in any Court, and therefore to make it quite clear and explicit I suggest the insertion of these words.

Mr. Naziruddin Ahmad (West Bengal: Muslim): Sir, I move:

“That in clause (2) of article 101, for the words ‘or other member’, the words, ‘and no member’ be substituted.”

Clause (2) in the article runs thus:

“No officer or other Member of Parliament.....” and so forth.

In fact, ‘No officer or other Member’ seem to imply that an officer is a Member of the House. The word ‘other’ is absolutely misleading. It gives a false impression. The amendment is accepted would make the passage run like this :

“No officer and no Member of Parliament.....” and so forth.

In fact, I want to draw a distinction between an officer and a Member. This is the simple reason for this amendment. I do not wish to move the next amendment.

Mr. President : I think that seems to be an unnecessary amendment.

The Honourable Shri K. Santhanam : (Madras: General): I think both the amendments are mistaken. In the one case, the proceedings are not to be called in question in any court, while in the other case the Speaker and the Deputy Speaker may be rightly called officers of Parliament. So they must also be exempted. I think that is the intention of that clause.

Mr. President : Does it cover the other officers?

The Honourable Shri K. Santhanam : ‘An officer of Parliament’ will include the Speaker and other officers appointed by the Speaker for the purpose of Parliament. It is intended to be comprehensive and not restricted.