

[श्री कंबरलाल गुप्त]

में समझता हूँ कि आपको राष्ट्रपति से इसकी स्वीकृति प्राप्त करनी चाहिये।

16.11 hrs.

[MR. SPEAKER in the Chair].

अगर आप ऐसा नहीं करते हैं तो यह गलत बात होगी।

श्री मोरारजी देसाई : राष्ट्रपति जी से जो स्वीकृति ली है उसके मन्त्राधिक यह करेक्ट फ़िगर है लेकिन छपने में यहां गलती हुई है। और कोई गलती नहीं है।

श्री अटल बिहारी वाजपेयी : यह बात साफ हो गई है कि हम अपने बजट को भी ठीक तरह से नहीं छाप सकते हैं। यह ठीक है कि सदन इसको एप्रूवल दे रहा है। लेकिन यह जिस डंग में हुआ है यह कोई सरकार की प्रतिष्ठा बढ़ाने वाला नहीं है। दो फ़िगर रह गए हैं और उनको आखिर में शामिल किया जा रहा है।

SHRI M. R. MASANI : Sir, a little earlier the Finance Minister made very heavy weather about my difficulty in reading correctly an item in his Demands for Grants. Now it is quite clear that they also can be hasty and they also can err.

SHRI MORARJI DESAI : I agree that the printers have been hasty, but the only difference is that I have detected it whereas he did not detect it.

MR. SPEAKER : The Question is :

"That the Bill be passed"

The motion was adopted.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

TWENTY-THIRD REPORT

SHRI KHADILKAR (Khed) : I beg to move :

"That this House agrees with the Twenty-third Report of the Committee on Private Members' Bills and Resolutions

presented to the House on the 12th March, 1968."

MR. SPEAKER : The question is :

"That this House agrees with the Twenty-third Report of the committee on Private Members' Bills and Resolutions presented to the House on the 12th March, 1968."

The motion was adopted.

16.13 hrs.

CONSTITUTION (AMENDMENT) BILL*

(Amendment of article 16 and substitution of article 335)

श्री रामसेवक यादव (बाराबंकी) : मैं प्रस्ताव करता हूँ कि भारत के संविधान में आगे मंशोधन करने वाले विधेयक को पेश करने की अनुमति दी जाए।

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

श्री रामसेवक यादव : मैं विधेयक को पेश करता हूँ।

CONSTITUTION (AMENDMENT) BILL*

(Amendment of articles 75 and 164) *

SHRI TRIDIB KUMAR CHAUDHURI (Berhampore) : Sir, I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

SHRI TRIDIB KUMAR CHAUDHURI : Sir, I introduce the Bill.

COMMISSIONS OF INQUIRY (AMENDMENT) BILL*

(Amendment of section 3)

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 14-3-68.

†Introduced/moved with the recommendation of the President.

श्री ओ० प्र० त्यागी (मुरादाबाद) : मैं प्रस्ताव करता हूँ कि जाँच आयोग अधिनियम 1952 में संशोधन करने वाले विधेयक को पेश करने की अनुमति दी जाए।

MR. SPEAKER : The question is :

"That leave be granted to introduce a Bill to amend the Commissions of Inquiry Act, 1952."

The motion was adopted.

श्री ओ० प्र० त्यागी : मैं विधेयक को पेश करता हूँ।

16.14 HRS.

CONSTITUTION (AMENDMENT) BILL—Contd.

(*Substitution of article 156 and insertion of new article 159A*) by Shri P. K. Deo.

MR. SPEAKER : The House will now take up further consideration of the following motion moved by H. H. Maharaja Pratap Keshari Deo on the 1st March, 1968 :—

"That the Bill further to amend the Constitution of India, be taken into consideration."

Shri Deo may continue his speech.

SHRI P. K. DEO (Kalahandi) : Mr. Speaker, Sir, last time I was narrating the recommendations of the Provincial Constitution Committee which was headed by Sardar Patel. The Committee recommended that the Governor may be removed from office for stated misbehaviour by impeachment, the charge to be preferred by a Provincial Legislature or where the legislature is bicameral, by the lower House of the Provincial Legislature, and to be tried by the Upper House of the Federal Parliament, the resolution in each case to be supported by not less than two-thirds of the total membership of the House concerned.

On the basis of this recommendation the drafters of the Constitution made necessary provision in the draft Constitution in article 132 and for 'misbe-

haviour' substituted 'violation of the Constitution' as in the case of the President.

Article 137 of the draft Constitution laid down the procedure. The debate on these articles in the Constituent Assembly makes a very interesting reading. The debate took place on 31st May, 1949 on article 132 and Shri Brajeshwar Prasad and Dr. Ambedkar moved amendments without any speech. There were three long speeches. I would like to quote from the speeches made there. This is what Prof. K. T. Shah who took part in the debate said :

"I would like, however, to point out, that having regard to the appointment as against the elective principle, we must not leave the governor to be entirely at the mercy or the pleasure of the President. We should see to it, at any rate, that if he is to be a constitutional head of the province, if he is to be acting in accordance with the advice of his ministers, if we desire to remove any objection that might possibly be there to the principle of nomination, we should see to it that at least while he is acting correctly, in accordance with the Constitution following the advice of his ministers, he should not be at the mercy of the President who is away from the Province and who is a national and not a local authority. This is all the more important pending the evolution of a convention."

The other speaker on this article was Prof. Shibban Lal Saksena. He said :

"Dr. Ambedkar has not given any reasons why he has made this change. Of course, the election of the Governors has been done away with but why make him removable by the President at his pleasure ? The original article says :

"A Governor may, for violation of the Constitution, be removed from office by im-