

13.6 hrs.

RE: SUSPENSION OF PROVISO  
TO RULL 66

The Minister of Home Affairs (Shri Lal Bahadur Shastri): Sir, I do not want to move the Motion which is on the Agenda Paper for suspension of rule.

Mr Speaker: That need not be moved because the Presidents Assent has been received. Therefore, that is not necessary now. We can proceed with the motion for consideration. He can move that motion.

Shri Hari Vishnu Kamath (Hoshangabad): On a point of order, Sir, I want to know why it was included in the Agenda at all. Was it at the instance of the Minister of the Minister for Parliamentary Affairs? What is the relevancy of this?

Mr. Speaker: Exactly that is what I said. Probably he did not follow me. The Assent of the President was received this morning. Earlier to that, this had been put on the Order Paper. Now, the Assent has been received. Therefore, there is no need for that.

Shrimati Renu Chakravartty (Barrackpore): The point is, suspension of rules, we do on very rare occasions. In this session, this is the second time it is being put on the Order Paper. My point is this. This is a Bill which we all support. We would like it to come quickly. The Assent of the President should have been there. They should have come before the House in the normal course. Why is it that Bills are being brought forward in such a manner that the House is being requested to use its special powers and suspend the rules. We should not suspend the rules very often.

Mr. Speaker: Now, it is not being done.

Shrimati Renu Chakravartty: Why was it at all put on the Agenda?

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Mr. Speaker: If the Motion had been made, probably, there would have been some cause for objection. When it is not being made, simply because it was on the Order Paper, we should not discuss it.

Shri Hari Vishnu Kamath: Which is the Bill which has been assented to by the President? Is this Bill dependent on that? They should be more careful.

Mr. Speaker:

"The undersigned (Under Secretary to the Government of India) is directed to forward herewith a copy of the State of Nagaland Bill, 1962, which received the assent of the President on the 4th September, 1962. The corresponding Act is being published in a Gazette of India Extraordinary, Part II—Section 1 dated the 4th September, 1962 as Act No. 27 of 1962."

Shri Hari Vishnu Kamath: By no stretch of imagination can this be said to be dependent on that Bill. Rule 66 applies only to dependent Bills, one depending on the other.

Mr. Speaker: Let the Motion be moved. If he has any objection, he can raise.

Shri Hari Vishnu Kamath: I say why was this Motion for suspension of Rule 66 put down at all? It is irrelevant.

Mr. Speaker: When it is not before the House, why should it be discussed at all?

Shri Hari Vishnu Kamath: The Minister for Parliamentary Affairs should be more careful not to put irrelevant matters on the Order Paper.

Mr. Speaker: Order, order. There is nothing before the House for discussion. The hon. Minister.

**Shri Hem Barua (Gauhati):** The flood situation was to be discussed today. Do we propose to shelve that business?

**Mr. Speaker:** The Order Paper is there. I am calling it in that sequence.

**Shri Hem Barua:** It was said that it will come on Tuesday. ,

**Mr. Speaker:** I do not know when it comes. It is in the Order Paper. We are proceeding as it is put down.

13.10 hrs.

#### CONSTITUTION (FOURTEENTH AMENDMENT) BILL

**The Minister of Home Affairs (Shri Lal Bahadur Shastri):** I beg to move:\*

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

Sir, I am moving for consideration the Constitution (Fourteenth Amendment) Bill, 1962. This Bill contains seven clauses. The first important clause, namely clause 3, deals with Pondicherry being treated as one of the Union Territories, which will comprise Pondicherry, Karikal, Mahe and Yanam. I do not want to deal with this matter in *extenso* just at present. Therefore, I shall try to be as brief as possible.

As soon as we include Pondicherry in the Union Territories, two consequential amendments automatically follow. The first is that Pondicherry should have representation both in the Lok Sabha and in the Rajya Sabha. Hence, there is a clause for increasing the strength of the Union Territories in the Lok Sabha. Pondicherry will get one seat in the Lok Sabha and one seat in the Rajya Sabha. In that case, the strength of the Rajya Sabha will increase from 226 to 228.

Then, there is the regulation-making power of the President. During the interim period, the President is empowered to make regulations. But the clause provided in the Bill suggests that as soon as the Assembly has been constituted, the regulation-making power will come to an end. This is provided for in clause 5(b).

**Mr. Speaker:** The hon. Minister would excuse me if I interrupt for a minute. Inquiries are being made from hon. Members about the time when they should be present here for voting, because division has to take place, and a special majority is needed for the passing of this Bill. I think that out of the four hours that have been allotted for this Bill, we can take three hours for the general discussion and one hour for the clauses. I think that would be all right.

**Several Hon. Members:** Yes.

**Mr. Speaker:** So, at 4 p.m. we shall have the division, so far as the consideration motion is concerned.

**Shri Lal Bahadur Shastri:** I was telling the House that under clause 5(b) the regulation-making power of the President will come to an end as soon as the legislature is formed in Pondicherry and Goa.

Then, there is another important clause, namely clause 4 of the Bill which empowers Parliament to create Legislatures and Councils of Ministers in the Union Territories. It has said just now, in the Union Territory. Hence, whatever pattern of administration obtains in the other Union Territories will be adopted in Pondicherry and Goa also.

As the House knows, on the 7th December, 1961, I had made a statement in the last Lok Sabha and told the House that Government were considering what further steps

\*Moved with the recommendation of the President.