

REPORTED ACCEPTANCE BY INDIA OF
BRITISH PLAN TO END CARGO PROBLEM
BETWEEN INDIA AND PAKISTAN

Shri Daji: I call the attention of the Minister of Transport to the following matter of urgent public importance and request that he may make a statement thereon:

"The reported acceptance by India of British plan to end cargo problem between India and Pakistan."

The Minister of Transport (Shri Raj Bahadur): I must first of all say that there was no British plan and so, the question of acceptance does not arise. With these words, I lay the statement, on the Table of the House. [Placed in Library. See No. LT-5292/65].

14.49 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

SEVENTY-FIFTH REPORT

Shri Hem Raj (Kangra): I beg to move:

"That this House agrees with the Seventy-fifth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 1st December, 1965."

Mr. Deputy-Speaker: The motion is before the House.

श्री प्रकाशचौर शास्त्री (बिजनौर) : मेरा प्रमेडमेंट यह है जो मैं प्राप के द्वारा सदन से अनुरोध करना चाहता हूँ कि गैर-सरकारी सदस्यों के विधेयक में सम्मिलित करने के लिए मैंने अपनी ओर से दो विधेयक प्रस्तुत किये थे, एक संविधान से धारा 370 को हटाने के सम्बन्ध में जिसमें काश्मीर की अनिश्चित स्थिति समाप्त हो जाये जिसको समिति ने स्वीकार कर लिया लेकिन दुर्भाग्य से मैं उस दिन पब्लिक एकाउंट्स कमेटी की एक सब-कमेटी के साथ बाहर गया हुआ था, इसलिए उस विधेयक के सम्बन्ध में

घपना पक्ष उपस्थित नहीं कर सका। मैं चाहता हूँ कि इस विधेयक को इस सदन में चर्चा के लिए प्रस्तुत करने का अवसर दिया जाये जैसी कि इस सदन की परम्परा रही है कि कभी भी कोई विधेयक हो उसको चर्चा के लिए प्रस्तुत करने का अवसर दिया जाता है।

दूसरा विधेयक मेरा यह है कि भारत के संविधान में घपने देश के नाम के सम्बन्ध में लिखा हुआ है "इंडिया दैट इज भारत" मैं ने इस प्रकार का विधेयक दिया है कि "इंडिया दैट इज" ये शब्द हटा कर केवल "भारत" रहने देना चाहिए। जब हम सब शब्दों का भारतीयकरण कर रहे हैं तो हम को घपने नाम का भी भारतीयकरण करना चाहिए। हम ने घपने देश का नाम उस समय "इंडिया" इसलिए रखा था कि हम को बाहर के देश उस नाम से जानते थे। लेकिन अब तो हम को स्वतंत्र हुए 18 साल हो गये, इसलिए हम को घपने विमुक्त नाम पर घा जाना चाहिए, और संविधान में इस का संशोधन कर लेना चाहिए। मेरा अनुमान है कि अगर यह विधेयक सदन में प्रस्तुत करने का अवसर दिया जायेगा तो हो सकता है कि इस पर और भी काफी व्यावहारिक मुद्दाएँ हों जिसे सरकार को इस दिशा में अनुकूल निर्णय लेने में मुगमता हो। मैं चाहता हूँ कि जब भी प्राणामी अधिवेशन में विधेयक पेश करने का अवसर आवे तो मुझे यह दूसरा विधेयक पेश करने की अनुमति दी जाये जिससे इस पर चर्चा हो सके। मेरा विश्वास है कि सदन मेरी इस भावना का प्रादर करेगा और मुझे उस विधेयक को उपस्थित करने का अवसर देगा।

Shri Hem Raj: So far as the hon. Member's Bill is concerned, it was considered by the committee in the light of the principles laid down in the first report of the Committee on Private Members' Bills and Resolutions, where it has been stated:

"The Constitution should be considered as a sacred document—"

document which should not be lightly interfered with and it should be amended only when it is found absolutely necessary to do so. Such amendments may generally be brought forward when it is found that the interpretation of the various articles and provisions of the Constitution has not been in accordance with the intention behind such provisions and cases of lacunae or glaring inconsistencies have come to light. Such amendments should however normally be brought by Government after considering the matter in all its aspects and consulting experts, and taking such other advice as they may deem fit."

Keeping this principle in mind, this Bill was considered by the committee, and it was found that this matter had been considered thoroughly by the Constituent Assembly and no new circumstance had arisen to justify the introduction of the Bill. Therefore, it was decided by the committee that this Bill should not be allowed to be introduced.

Mr. Deputy-Speaker: The Committee on Private Members' Bills and Resolutions has refused permission to

Shri Prakash Vir Shastri to introduce a Bill for the amendment of the Constitution. In the Constitution the wording is 'India, that is, Bharat'. The hon. Member wants the words 'India, that is' to be omitted and only the word 'Bharat' to be retained. Permission has been refused for the introduction of that Bill by the committee. Now, the hon. Member wants the committee to reconsider this question again, and with that end in view he has moved this amendment. I shall now put it to vote.

The question is:

"That at the end of the motion, the following be added, namely:—

"subject to the modification that the Constitution (Amendment) Bill, 1965 (Amendment of Article 1, etc.) by Shri Prakash Vir Shastri be referred back to the Committee for reconsideration of their recommendation with regard to the said Bill."

Let the Lobby be cleared.

The Lok Sabha divided:

Division No. 9

Aney, Dr. M. S.
Bade, Shri
Bheel, Shri P. H.
Chatterjee, Shri N. C.
Gupta, Shri Kashi Ram

AYES

Kakkar, Shri Gauri Shankar
Kunder Lal, Shri
Mirza, Shri Baker Ali
Ram Singh, Shri
Reddy, Shri R. Surinder

15.59 hrs.

Shastri, Shri Prakash Vir
Sidhanti, Shri Jagdev Singh
Singh, Shri Y. D.
Sinhasan Singh, Shri
Virbhadra Singh, Shri

NOES

Anjahappa, Shri
Bakliwal, Shri
Balakrishnan, Shri
Barmen, Shri P. C.
Barua, Shri R.
Bera, Shri
Bhattacharyya, Shri C. K.
Borooah, Shri P. G.
Brajeshwar Prasad, Shri
Chaturvedi, Shri S. N.
Chaudhuri, Shri D. S.
Chavan, Shri D. R.
Chavda, Shrimati Jorabehn
Datta, Shri
Das, Shri B. K.

Deo Bhanj, Shri P. C.
Dixit, Shri G. N.
Dwivedi, Shri M. L.
Gounder, Shri Muthu
Guba, Shri A. G.
Hem Raj, Shri
Jadhav, Shri M. L.
Jadhav, Shri Tulshidas
Jyotishi, Shri J. P.
Kousalgi, Shri H. V.
Lalit Sen, Shri
Lakkar, Shri N. R.
Malsichami, Shri
Malhotra, Shri Inder J.
Mallik, Shri U. S.
Mendal, Shri Yashuna Prasad

Maniyangadan, Shri
Marandi, Shri
Maruthiah, Shri
Mehrotra, Shri Braj Bihari
Mehta, Shri J. R.
Mishra, Shri Bibhuti
Mishra, Shri M. P.
Mishra, Shri Shyam Dhar
Mukane, Shri
Munshi, Shri David
Murti, Shri M. S.
Nair, Shri D. J.
Niranjan Lal, Shri
Pandey, Shri Vishwa Nath
Patil, Shri Rajeshwar
Pattabhi Ramon, Shri C. R.

Pretej Singh, Shri
Raghunath Singh, Shri
Ram Sewak, Shri
Ram Swarup, Shri
Ramabadrin, Shri
Rameshchar Prasad Singh, Shri
Rao, Shri
Rao, Shri Jagannatha
Rattan Lal, Shri

Saha, Dr. S. K.
Samanta, Shri S. C.
Sharma, Shri A. P.
Shashi Ranjan, Shri
Sheo Narain, Shri
Shinkre, Shri
Shree Narayan Das, Shri
Siddanajappa, Shri
Siddish, Shri

Sinha, Shrimati Ramdulari
Sonavane, Shri
Sumat Prasad, Shri
Tiwary, Shri K. N.
Tula Ram, Shri
Upadhyaya, Shri Shiva Dutt
Wadiwa, Shri
Yadav, Shri Ram Harkh
Yadava, Shri B. P.

Mr. Deputy-Speaker: The result of the Division is:

Ayes: 15; Noes: 73

The motion was negatived.

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Seventy-fifth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 1st December, 1965."

The motion was adopted.

14.50½ hrs.

INDIAN ARMED FORCES PERSONNEL* (COMPULSORY INSURANCE) BILL

By Shri M. L. Dwivedi

श्री म० ला० द्विवेदी (हमौरपुर) : मैं सशस्त्र सेनाओं की सेवाओं के लोगों के प्रतिवार्य बीमा के लिए एक विधेयक प्रस्तुत करना चाहता हूँ ।

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the compulsory insurance of the Armed Forces Personnel".

The motion was adopted.

श्री म० ला० द्विवेदी मैं विधेयक प्रस्तुत करता हूँ ।

14.59½ hrs.

RE. HINDU MARRIAGE (AMENDMENT) BILL

Mr. Deputy-Speaker: Then, there is a Bill standing in the name of Shri D. C. Sharma. The hon. Member is absent.

15 hrs.

ADVOCATES (AMENDMENT) BILL
(Amendment of sections 24 and 55)—
contd.

Mr. Deputy-Speaker: Now, we shall take up Shri Parashar's Bill. On the last occasion, division had been called for on the consideration motion but that could not be held.

Shri Harj Vishnu Kamath (Hoshangabad): Only the voting has to take place now.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Advocates Act, 1961, be taken into consideration".

The motion was negatived.