

CONSTITUENT ASSEMBLY OF INDIA.

Report of the Order of Business Committee.

We, the undersigned, members of the Committee appointed by the Resolution of the Constituent Assembly dated the 25th January, 1947, to recommend the order of the further business of the Assembly, have the honour to submit this our report.

We met on the 5th March, and on the 21st, 23rd and 27th April, 1947. Pandit Jawaharlal Nehru was, by special invitation, present at all the meetings of the Committee except the one held on the 23rd.

The Statement of His Majesty's Government made in Parliament on the 20th February, 1947, has imported an element of urgency into the work and proceedings of the Assembly and, in our opinion, it is essential that the constitution should be prepared well before the end of this year. The task of arranging the order of business and of framing a timetable is, however, by no means easy. The political situation is developing with great rapidity, and the changes that are taking place inevitably affect the work of the Assembly. We are not, therefore, in a position at this stage to make final recommendations except in regard to the immediate future; and we request that we be permitted to submit a further report at subsequent stage.

We understand that when the Assembly meets on the 28th April, it will have before it the reports of the following Committees:-

- (1) The States Committee appointed by the Constituent Assembly on 21-12-46.
- (2) The Union Powers Committee appointed by the Constituent Assembly on 25-1-47.
- (3) The Advisory Committee, appointed by the Constituent Assembly on 24-1-47, but only on the subject of Fundamental Rights.

After the business connected with these reports has been disposed of by the Assembly, we recommend that two separate committees be appointed, one to report on the main principles of the Union constitution and the other to report on the principles of a model Provincial constitution. We consider that there are many advantages in having two committees, perhaps with an element of common membership; working side by side and considering the interrelated principles of the Union and the Provincial constitutions. The work of the committees will be of an exploratory nature to facilitate and expedite the work of the Union Assembly or the Sections thereof, as the case may be. After the committees have been set up, we recommend that the meeting be adjourned to a date to be fixed by the President at his discretion. We suggest this flexible arrangement partly in order that the Assembly may avoid difficulties likely to arise from the fixation of a date in advance and partly because experience has shown that committees are not always able to work up to a rigid timetable.

The Constituent Assembly should complete its work by the end of October this year. A meeting will be necessary at the end of June or the beginning of July to consider the reports of the various committees and thereafter the matter of going into Sections. A meeting of the Assembly to finalise the constitution should be held in September.

CONSTITUENT ASSEMBLY OF INDIA

NOTIFICATION

New Delhi, the 18th June, 1947.

No. OA/2/47-Cons.—The following additions made by the President of the Constituent Assembly of India to the Constituent Assembly Standing Orders are published for general information:—

In exercise of the powers conferred by rules 5, 19, 41, 42, 44 and 68 of the Constituent Assembly Rules, and all other powers enabling him in that behalf, the President of the Constituent Assembly hereby makes the following additions to the Constituent Assembly Standing Orders, namely:—

After Standing Order 12 of the said Standing Orders, *add* the following:—

II. Casual Vacancies.

13. When a vacancy occurs by reason of death, resignation or otherwise in the office of a member of the Assembly representing an Indian State, the President shall notify the vacancy and make a request in writing to the Ruler of the Indian State concerned to proceed to fill the vacancy, as soon as may reasonably be practicable, by election or nomination, as the case may be.

14. In the case of a vacancy in the office a member of the Assembly representing more than one Indian State, the President shall notify the vacancy and make a request in writing to the Rulers of the Indian States concerned to proceed to fill the vacancy, as soon as may reasonably be practicable, by the same method as was applicable to the case of the outgoing member when he was chosen as a member of the Assembly.

By order,
H. V. R. IENGAR,
Secretary.

CONSTITUENT ASSEMBLY OF INDIA

NOTIFICATION

New Delhi, the 19th February 1947

No. CA/2/47-Cons.—The following amendment to the Constituent Assembly Standing Orders is published for general information :—

In exercise of the powers conferred by Rules 5, 19, 41, 42, 44 and 68 of the Constituent Assembly Rules and all other powers enabling him in that behalf, the President of the Assembly hereby makes the following amendment to Standing Order 2 of the Constituent Assembly Standing Orders :—

“ Omit the full stop at the end of sub-paragraph (ii) of paragraph (1) of Standing Order 2 and add the following words :—

‘ as well as any sub-committee of a Committee ’.”

H. V. R. IENGAR,

Secretary.

CONSTITUENT ASSEMBLY OF INDIA

New Delhi, the 18th January 1947

No. CA/2/47-Cons.—The following Standing Orders made by the President of the Constituent Assembly of India are published for general information:—

STANDING ORDERS OF THE CONSTITUENT ASSEMBLY

In exercise of the powers conferred by rules 5, 19, 41, 42, 44 and 68 of the Constituent Assembly Rules, and all other powers enabling him in that behalf, the President of the Assembly hereby makes the following Standing Orders:—

1. *Short title.*—These Standing Orders may be called the Constituent Assembly Standing Orders.

2. *Definitions.*—(1) In these Standing Orders, unless the context otherwise requires—

(i) "Rules" means the Constituent Assembly Rules.

(ii) "Committee" includes the Staff and Finance Committee, the House Committee, the Cereentials Committee, the "States Committee" to confer with the Negotiating Committee for the Indian States and any other Committee set up by the Assembly.

(2) All words and expressions used herein and defined in the Rules and not hereinbefore defined shall be deemed to have the meanings respectively attributed to them in those Rules.

I. Committees

3. *Chairman.*—Save as otherwise provided in the Rules, each Committee shall elect its own Chairman and in his absence may choose a member of the Committee to preside and exercise the powers of the Chairman.

4. *Committees.*—If any member of the Assembly is a member of a Committee and ceases to be a member of the Assembly, he will also cease to be a member of the Committee.

5. *Vacancies.*—The Chairman may report to the President the existence or occurrence of a vacancy in the membership of any Committee and the President will thereupon take steps to fill the vacancy.

6. *Method of filling vacancies.*—Save as otherwise provided in the Rules or in the resolution setting up the Committee, any vacancy in the seat of a member of any Committee, shall be filled by election, nomination, or co-option according as the said member was originally elected, nominated, or co-opted.

7. *Meetings of Committees.*—Meetings of a Committee shall be convened by the Secretary of the Committee at such times and at such places as the Chairman of the Committee may direct.

8. *Notice of meetings.*—When the Assembly is not in session, at least fourteen days' notice shall be given before a meeting of a Committee can be convened:

Provided that in case of emergency, this period may be shortened at the discretion of the Chairman of the Committee.

9. *Quorum.*—(1) In the absence of any provision to the contrary, the presence of at least one-third of the number of the members shall be necessary to constitute a meeting of any Committee:

Provided that there must be at least two members, exclusive of the Chairman, at any meeting of a Committee.

(2) If at the time fixed for any meeting of a Committee, or, if at any time during any such meeting, the quorum fixed by the preceding sub-rule is not present, the Chairman of the Committee shall either suspend the meeting until a quorum is present or adjourn the meeting to some future time.

(3) Where the meeting has been adjourned in pursuance of the preceding sub-rule on two successive occasions, the Chairman shall report the fact to the Assembly.

10. *Agenda*.—(1) The agenda, together with explanatory memoranda, if any, shall be issued by the Secretary of the Committee so as to reach the members not less than two clear days before the date fixed for the meeting.

(2) Except as otherwise permitted by the Chairman, no matter not included in the agenda shall be considered at the meeting of any Committee.

11. *Expert evidence*.—A Committee may hear expert evidence and representatives of special interests concerned with the matters dealt with by the Committee.

12. *Report*.—(1) The report, if any, of a Committee shall be signed by the members of the Committee or by a majority of them.

(2) The report may be preliminary or final.

(3) If any member of the Committee desires to record a minute of dissent on any point, he shall sign the report stating that he does so subject to his minute of dissent, and shall hand in the minute within such time as may be fixed by the Committee in this behalf.

By order,

H. V. R. IENGAR,
Secretary.