Thursday, the 14th August 1947

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The Fifth Session of the Constituent Assembly of India commenced in the Constitution Hall, New Delhi, at Eleven P. M., Mr. President (The Honourable Dr. Rajendra Prasad) in the Chair.

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SINGING OF VANDE MATARAM

Mr. President: The first item on the Agenda is the singing of the first verse of VANDE MATARAM. We will listen to it all standing.

Shrimati Sucheta Kripalani (U. P.: General) sang the first verse of the VANDE MATARAM sang.

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PRESIDENT'S ADDRESS

Mr. President:

(Mr. President then delivered his address in Hindustani the fun text of which is published in the Hindustani edition of the Debates.)

In this solemn hour, of our history when after many years of struggle we are taking over the governance of this country, let us offer humble thanks to the Almighty Power that shapes the destinies of men and nations and let us recall in grateful remembrance the services and sacrifices of all those men and women, known and unknown, who with smiles on their face walked to the gallows or faced bullets on their chests, who experience living death in the cells of the Andamans, or spent long years in the prisons of India, who preferred voluntary exile in foreign countries to a life of humiliation in their own, who not only lost wealth and property but cut themselves off from near and dear ones to devote themselves to the achievement of the great objective which we are witnessing today.
Let us also pay our tribute of love and reverence to Mahatma Gandhi who has been our beacon light, our guide and philosopher during the last thirty years or more. He represents that undying spirit in our culture and make-up which has kept India alive through vicissitudes of our history. He it is who pulled us out of the slough of despond and despair and blew into us a spirit which enabled us to stand up for justice to claim our birth-right of freedom and placed in our hands the matchless and unfailing weapon of Truth and Non-violence which, without arms and armaments has won for us the invaluable prim of Swaraj at a price which, when the history of these times comes to be written, will be regarded as incredible for a vast country of our size and for the teeming millions of our population. We were indifferent instruments that he had to work with but he led us with consummate skill, with unwavering determination, with an undying faith in our future, with faith in his weapon and above all with faith in God. Let us prove true to that faith. Let us hope that India will not, in the hour of her triumph, give up or minimise the value of the weapon which served not only to rouse and inspire here in her moments of depression but has also proved its efficacy. India has a great part to play in the shaping and moulding of, the future of a war distracted world. She can play that part not by mimicking, from a distance, what others are doing, or by joining in the race for armaments and competing with others in the discovery of the latest and most effective instruments of destruction. She has now the opportunity, and let us hope, she will have the courage and strength to place before the world for its acceptance her infallible substitute for war and bloodshed, death and destruction. The world needs it and will welcome it, unless it is prepared to reel back into barbarism from which it boasts to have emerged.

Let us then assure all countries of the world that we propose to stick to our historic tradition to be on terms of friendship and amity with all, that we have no designs against any one and hope that none will have any against us. We have only one ambition and desire, that is, to make our contribution to the building up of freedom for all and peace among mankind.

The country, which was made by God and Nature to be one, stands divided today. Separation from near and dear ones, even from strangers after some association, is always painful. I would be untrue to myself if I did not at this moment confess to a sense of sorrow it this separation. But I wish to send on your behalf and my own our greetings and good wishes for success and the best of luck in the high endeavour of government in which the people of Pakistan, which till today has been a part and parcel of ourselves, will be engaged. To those who feel like us but are on the other side of the border we send a word of cheer. They should not give way to panic but should stick to their hearths and homes, their religion and culture and cultivate the qualities of courage and forbearance. They have no reason to fear that they will not get protection and just and fair treatment and they should not become victims of doubt and suspicion. They must accept the assurances publicly given and I their rightful place in the polity of the State, where they are placed, by their loyalty.

To all the minorities in India we give the assurance that they will receive fair and just treatment and there will be no discrimination in any form against them. Their religion, their culture and their language are safe and they will enjoy all the rights and privileges of citizenship, and will be expected in their turn to render loyalty to the country in which they live and to its constitution. To all we give the assurance that it will be our endeavour to end poverty and squalor and its companions, hunger and disease; to abolish distinction and exploitation and to ensure decent conditions of living.
We are embarking on a great task. We hope that in this we shall have the unstinted service and co-operation of all our people and the sympathy and support of all the communities. We shall do our best to deserve it.

Mr. President: After this I propose that we all stand in silence to honour the memory of those who have died in the struggle for freedom in India and elsewhere.

(The Assembly stood in silence for two minutes.)

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MOTION RE. PLEDGE BY MEMBERS

Mr. President: Pandit Jawaharlal Nehru will now move the motion which stands in his name.

The Honourable Pandit Jawaharlal Nehru (U.P. : General): *[Mr. President, many years ago we had made a tryst with destiny itself. We had taken a pledge, a vow. Now the time has come to redeem it. But perhaps the pledge has not yet been redeemed fully through stages have been reached in that direction. We have almost attained independence. At such a moment, it is only appropriate that we take a new pledge, a new vow to serve India and her people. After a few moments, the Assembly will assume the status of a fully free and independent body and it will represent an independent and free country. Therefore great responsibilities are to devolve upon it. If we do not realise the importance of our responsibilities, then we shall not be able to discharge our duties fully. Hence it becomes essential for us to take this pledge after fully understanding all its implications. The resolution that I am presenting before you relates to that pledge. We have finished one phase, and for that rejoicings are going on today. Our hearts are full of joy and some pride and satisfaction. But we know that there is no rejoicing in the whole of the country. There is enough of grief in our hearts. Not far from Delhi, big cities are ablaze and its heat is reaching us here. Our happiness cannot be complete. At this hour we have to face all these things with a brave heart. We are not to raise a hue and cry and get perturbed. When the reins of Government have come to our hands, we have to do things in the right way. Generally, countries wrest their freedom after great bloodshed, tears and toil. Much blood has been spilt in our land, and in a way which is very painful. Notwithstanding that, we have achieved freedom by peaceful methods. We have set a new example before the world. We are free now but along with freedom, come responsibilities and burdens. We have to face them, and overcome them all. Our dream is now about to be translated into reality. The task of wresting freedom and ousting the foreign government was before us till now and that task is now accomplished. But uprooting the foreign domination is not all unless and until each and every Indian breathes the air of freedom and his miseries are banished and his hard lot is improved. Our task remains unfinished. Therefore a large portion of our task remains to be done, and we shall try to accomplish it. Big problems confront us and at their sight sometimes our heart quivers, but, then again, the thought that in the past we have faced many a big problem and we shall do so again, gives us courage. Shall we be cowed down by these? It is not the individual pride and strength that is comforting, rather it is the pride of the country and the nation, and a confidence in people who have suffered a terribly for the cause that makes me feel bold to think we shall successfully shoulder the huge burden of hardships, and find a solution of these problems. After all, India, is now free. That is well and good. At a time when we are on the threshold of freedom, we should remember that India does not belong to any one party or group of people or caste. It does not belong to the followers of any particular religion. It is the country of all, of every religion and creed.
We have repeatedly defined the type of freedom we desire. In the first resolution, which I moved earlier, it has been said that our freedom is to be shared equally by every Indian. All Indians shall have equal rights, and each one of them is to partake equally in that freedom. We shall proceed like that and whosoever tries to be aggressive will be checked by us. If anyone is oppressed we shall stand by his side. If we follow this path then we shall be able to solve big problems, but if we become narrow minded we shall not be able to solve them.

I shall read out in English this resolution which I am now putting before you]*

Long years ago we made a tryst with destiny, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but very substantially. At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom. A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance. It is fitting that at this solemn moment we take the pledge of dedication to the service of India and her people and to the still larger cause of humanity.

At the dawn of history India started on her unending quest, and trackless centuries are filled with her striving and the grandeur of her successes and her failures. Through good and ill fortune alike she has never lost sight of that quest or forgotten the ideals which gave her strength. We end today a period of ill fortune and India discovers herself again. The achievement we celebrate today is but a step, an opening of opportunity, to the greater triumphs and achievements that await us. Are we brave enough and wise enough to grasp this opportunity and accept the challenge of the future?

Freedom and power bring responsibility. That responsibility rests upon this Assembly, a sovereign body representing the sovereign people of India. Before the birth of freedom we have endured all the pains of labour and our hearts are heavy with the memory of this sorrow. Some of those pains continue even now. Nevertheless the past is over and it is the future that beckons to us now.

That future is not one of ease or resting but of incessant striving so that we might fulfil the pledges we have so often taken and the one we shall take today. The service of India means the service of the millions who suffer. It means the ending of poverty and ignorance and disease and inequality of opportunity. The ambition of the greatest man of our generation has been to wipe every tear from every eye. That may be beyond us but as long as there are tears and suffering, so long our work will not be over.

And so we have to labour and to work and work hard to give reality to our dreams. Those dreams are for India, but they are also for the world, for all the nations and peoples are too closely knit together today for any one of them to imagine that it can live apart. Peace has been said to be indivisible, so is freedom, so is prosperity now, and so also is disaster in this One World that can no longer be split into isolated fragments.

To the people of India, whose representatives we are, we make appeal to join us with faith and confidence in this great adventure. This is no time for petty and destructive criticism, no time for ill-will or blaming others. We have to build the noble mansion of free India where all her children may dwell.

I beg to move, Sir,

"That it be resolved that:"
After the last stroke of midnight, all members of the Constituent Assembly present on this occasion, do take the following pledge:

'At this solemn moment when the people of India, through suffering and sacrifice, have secured freedom, I................................, a member of the Constituent Assembly of India, do dedicate myself in all humility to the service of India and her people to the end that this ancient land attain her rightful place in the world and make her full and willing contribution to the promotion of world peace and the welfare of mankind;

(Loud applause.)

Chaudhari Khaliquzzaman (United Provinces: Muslim): *[Mr. President, after midnight today a great revolution is to take place in the history of India a revolution, for which India had been working for the last one hundred years in her fight for freedom, an event for which many Indians have sacrificed their lives to achieve, is now approaching very near. Now that as a result of these sacrifices we have achieved this freedom, a new question confronts us, which is even more vital. That struggle is over but a fresh one of a different type is to begin; this new struggle is not to be fought against any outsider but is to be settled among our own selves. It is evident that when a nation had to fight against another nation we were swayed by different emotions, we had to adopt different tactics, and different methods. Now the time has come when we shall have to shoulder great responsibilities when there will be no room for clapping and for high-sounding slogans. After today the task before this House, before the leaders of the country, will not be a spectacular one but one that requires diligence, industry and service to the people. We know that great responsibility rests on this Assembly and that is of framing a Constitution, which would be acceptable not only to the minorities but also to all the people of the country, to the poor and to the common man and through which we may serve the people of India. This is the greatest task. Similarly, this House has to shoulder the responsibility of the administration of the country till such time as fresh elections are held. The administrative responsibility sometimes brings with it scoldings and one has to put up with abuses etc., and is even subjected to brickbats. But all this has to be endured. A reading of the pledge, which is before us now, shows that it entails heavy responsibility. Ordinarily, I think that all the members, when they came here, had already taken the pledge of serving their country honestly and faithfully and as best as they could. But a pledge formally administered leaves some psychological effect on the mind of every person. Hence, I think that today, before we shoulder the responsibility, this is a most opportune moment for all of us to bind ourselves with this pledge that henceforth all our actions and deeds would primarily be directed towards the good of the State and no communal considerations would be allowed to prevail and we shall do our utmost to give everyone his due. After taking this pledge, when we step out of this Chamber, we shall give a message to the people of the country that we have taken a vow honestly to shoulder the responsibility, and in discharging our duties we shall show no favour to anyone.

With these words, I support the pledge and the motion moved by Pandit Nehru. I think that every one of the members, present here, will faithfully and honestly take this pledge that he would devote his life to the service of the State.]*

Dr. S. Radhakrishnan (United Provinces: General) : Mr. President. Sir, it is not necessary for me to speak at any great length on this Resolution so impressively moved by Pandit Jawaharlal Nehru and seconded by Mr. khaliquzzaman. History and legend will grow round this day. It marks a milestone in the march of our democracy. A significant date it is in the drama of the Indian people who are trying to rebuild and transform themselves. Through a long night of waiting, a night full of fateful pertents and silent prayers for the dawn of freedom, of haunting spectres of hunger and death, our sentinels kept watch, the
lights were burning bright till at last the dawn is breaking and we greet it with the utmost enthusiasm. When we are passing from a state of serfdom, a state of slavery and subjection to one of freedom and liberation, it is an occasion for rejoicing. That it is being effected in such an orderly and dignified way is a matter for gratification.

Mr. Attlee spoke with visible pride in the House of Commons when he said that this is the first great instance of a strong Imperialist power transferring its authority to a subject people whom it ruled with force and firmness for nearly two centuries. For a parallel he cited the British withdrawal from South Africa; but it is nothing comparable in scale and circumstances to the British withdrawal from this country. When we see what the Dutch are doing in Indonesia, when we see how the French are clinging to their possessions, we cannot but admire the political sagacity and courage of the British people. (Cheers.)

We on our side, have also added a chapter to the history of the World. Look at the way in which subject peoples in history won their freedom. Let us also consider the methods by which power was acquired. How did men like Washington, Napoleon, Cromwell, Lenin, Hitler and Mussolini get into power? Look at the methods of blood and steel, of terrorism and assassination, of bloodshed and anarchy by which these so called great men of the world came into the possession of power. Here in this land under the leadership of one who will go down in history as perhaps the greatest man of our age (loud cheers) we have opposed patience to fury, quietness of spirit to bureaucratic tyranny and are acquiring power through peaceful and civilised methods. What is the result? The transition is being effected with the least bitterness, with utterly no kind of hatred at all. The very fact that we are appointing Lord Mountbatten as the Governor-General of India, shows the spirit of understanding and friendliness in which this whole transition is being effected. (Cheers.)

You, Mr. President, referred to the sadness in our hearts, to the sorrow which also clouds our rejoicings. May I say that we are in an essential sense responsible for it also though not entirely. From 1600, Englishmen have come to this country—priests and nuns, merchants and adventurers, diplomats and statesmen, missionaries and idealists. They bought and sold, marched and fought, plotted and profited, helped and healed. The greatest among them wished to modernise the country, to raise its intellectual and moral standards, its political status. They wished to regenerate the whole people. But the small among them worked with sinister objective. They tried to increase the disunion in the country, made the country poorer, weaker and more disunited. They also have had their chance now. The freedom we are attaining is the fulfilment of this dual tendency among British administrators. While India is attaining freedom, she is attaining it in a manner which does not produce joy in the hearts of people or a radiant smile on their faces. Some of those who were charged with the responsibility for the administration of this country, tried to accentuate communal consciousness and bring about the present result which is a logical outcome of the policies adopted by the lesser minds of Britain. But I would never blame them. Were we not victims, ready victims, so to say, of the separatist tendencies foisted on us? Should we not now correct our national faults of character, our domestic despotism, our intolerance which has assumed the different forms of obscurantism of narrow-mindedness, of superstitious bigotry? Others were able to play on our weakness because we had them. I would like therefore to take this opportunity to call for self-examination, for a searching of hearts. We have gained but we have not gained in the manner we wished to gain and if we have, not done so, the responsibility is our own. And when this pledge says that we have to serve our country, we can best serve our country by removing these fundamental defects which have prevented us from gaining the objective of a free and united India. Now that India is divided, it is our duty not to indulge in words of anger. They lead us nowhere. We must avoid passion, and wisdom never go together. The body politic may be divided but the
body historic lives on. (Hear, hear.) Political divisions, physical partitions, are external but the psychological divisions are deeper. The cultural cleavages are the more dangerous. We should not allow them to grow. What we should do is to preserve those cultural ties, those spiritual bonds which knit our peoples together into one organic whole. Patient consideration, slow process of education, adjustment to one another's needs, the discovery of points of view which are common to both the dominions in the matter of Communications, Defence, Foreign Affairs, these are the things which should be allowed to grow in the daily business of life and administration. It is by developing such attitudes that we can once again draw near and gain the lost unity of this country. That is the only way to it.

Our opportunities are great but let me warn you that when power outstrips ability, we will fall on evil days. We should develop competence and ability which would help us to utilise the opportunities which are now open to us. From tomorrow morning - from midnight today - we cannot throw the blame on the Britisher. We have to assume the responsibility ourselves for what we do. A free India will be judged by the way in which it will serve the interests of the common man in the matter of food, clothing, shelter and the social services. Unless we destroy corruption in high places, root out every trace of nepotism, love of power, profiteering and blackmarketing which have spoiled the good name of this great country in recent times, we will not be able to raise the standards of efficiency in administration as well as in the production and distribution of the necessary goods of life.

Pandit Jawaharlal Nehru referred to the great contribution which this country will make to the promotion of world peace and the welfare at mankind. The Chakra, the Asokan wheel, which is there in the flag embodies for us a great idea, Asoka, the greatest of our emperors, look at the words of H. G. Wells regarding him "Highnesses, Magnificences, Excellencies, Serenities, Majesties--among them all, he shines alone a star--Asoka the greatest of all monarchs." He cut into, rock his message for the healing of discords. If there are differences, the way in which you can solve them is by promoting concord. Concord is the only way by which we can get rid of differences. There is no other method which is open to us.

Samavaya eva Sadhuh

We are lucky in having for our leader one who is a world citizen, who is essentially a humanist, who possesses a buoyant optimism and robust good sense in spite of the perversity of things and the hostility of human affairs. We see the way in which his Department interfered actively and in a timely manner in the Indonesian dispute. (Loud applause.) It shows that if India gains freedom, that freedom will be used not merely for the well-being of India but for 

Vishva Kalyana i.e., world peace, the welfare of mankind.

Our pledge tells us that this ancient land shall attain her rightful and honoured place. We take pride in the antiquity of this land for it is a land which has been nearly four or five milleniums of history. It has passed through many vicissitudes and at the moment it stands, still responding to the thrill of the same great ideal. Civilisation is a thing of the spirit, it is not something external, solid and mechanical. It is the dream in the people's hearts. It is the inward aspiration of the people's souls. It is the imaginative interpretation of the human life and the perception of the mystery of human existence. That is what civilisation actually stands for. We should bear in mind these great ideals which have been transmitted to us across the ages. In this great time of our history we should bear ourselves humbly before God, brace ourselves to this supreme task which is confronting us and conduct ourselves in
a manner that is worthy of the ageless spirit of India. If we do so, I have no doubt that, the future of this land will be as great as its once glorious past.

_Sarvabhidisahamatmanam_

_Sarvabhidani catmani_

_Sampasyam atmayajivai_

_Saarwjyam adhigachati_

Swarajya is the development of that kind of tolerant attitude which sees in brother man the face Divine. Intolerance has been the greatest enemy of our progress. Tolerance of one another's views, thoughts and beliefs is the only remedy that we can possibly adopt. Therefore I support with very great pleasure this Resolution which asks us as the representatives of the people of India to conduct ourselves in all humility in the service of our country and the word 'Humility' here means that we are by ourselves very insignificant. Our efforts by themselves cannot carry us to a long distance. We should make ourselves dependent on that other than ourselves which makes for righteousness. The note of humility means the unimportance, of the individual and the supreme importance of the unfolding purpose which we are called upon to serve. So in a mood of humility, in a spirit of dedication let us take this pledge as soon as the clock strikes 12.

**Mr. President**: I will now put the Resolution to the vote. I shall read it first:

"Resolved that-

(1) After the last stroke of midnight, all members of the Constituent Assembly present on the occasion do take the following pledge:-

'At this solemn moment when the people of India through suffering and sacrifice, have secured freedom and become masters of their own destiny, I...................... a member of the Constituent Assembly of India, do dedicate myself in all humility to the service of India and her people to the end that this ancient land attain her rightful and honoured place in the world and make her full and willing contribution to the promotion of world peace and the welfare of mankind;'

(2) Members who are not present on this occasion do take the pledge (with such verbal changes as the President may prescribe) at the time they next attend a session of the Assembly."

**Mr. H. V. Kamath** (C. P. & Berar: General): Mr. President, there are two amendments standing in my name, but since you have invoked the holy name of God in your address and incorporated the spirit of it in the pledge by modifying it slightly in the form in which it has come before us, and above all, since the zero hour is fast approaching, I do not propose to move my amendments.

**Mr. President**: Thank you. I will put the Resolution to vote. Members will please express their assent by saying 'Aye'.

_The motion was adopted._
Mr. President: We have just resolved that as the clock strikes 12, we shall take, the pledge. In taking the pledge, I shall read it out sentence by sentence in our own language first and I shall expect those members who know that language to repeat it sentence by sentence. Then I will read it out also sentence by sentence in English and I shall expect the members to repeat it sentence by sentence. Members will please stand when the pledge is taken, but other visitors will remain seated. It is just half a minute to 12. I am expecting the clock to strike 12.

As the clock struck twelve (mid-night), Mr. President and all the Members stood up and took the pledge as below. Mr. President reading it out sentence by sentence and 'the Members repeating it after him in Hindustani and in English.

"At this solemn moment when the people of India, through suffering and sacrifice, have secured freedom, I........... a member of the Constituent Assembly of India, do dedicate myself in all humility to the service of India and her people to the end that this ancient land attain her rightful and honoured place in the world and make her full and willing contribution to the promotion of world peace and the welfare of mankind."

INTIMATION TO THE VICEROY ABOUT THE ASSUMPTION OF POWER BY THE CONSTITUENT ASSEMBLY AND THE ASSEMBLY’S ENDORSEMENT OF LORD MOUNTBATTEN’S APPOINTMENT AS GOVERNOR-GENERAL OF INDIA

Mr. President: I propose that it should be intimated to the Viceroy that-

(1) the Constituent Assembly of India has assumed power for the governance of India, and

(2) the Constituent Assembly of India has endorsed the recommendation that Lord Mountbatten be Governor-General of India from the 15th August 1947.

and that this message be conveyed forthwith to Lord Mountbatten by the President and Pandit Jawaharlal Nehru. (Cheers.) I take it the House approves it.

The motion was adopted.

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PRESENTATION OF THE NATIONAL FLAG

Mr. President: Shrimati Hansa Mehta will now present the National Flag on behalf of the women of India. (Cheers.)

Mrs. Hansa Mehta (Bombay: General): Mr. President, Sir, in the absense of Shrimati Sarojini Naidu, it is my proud privilege, on behalf of the women of India, to present this flag to the Nation through you.

I have a list* here of nearly a hundred prominent women of all communities who have expressed a desire to associate themselves with this ceremonial. There are hundreds and hundreds of other women who would equally like to participate in this function. It is in the fitness of things that this first flag that will fly over this august House should be a gift from
the women of India. (Cheers.) We have donned the saffron colour, we have fought, suffered and sacrificed in the cause of our country's freedom. We have today attained our goal. In presenting this symbol of our freedom, we once more offer our services to the nation. We pledge ourselves to work for a great India, for building up a nation that will be a nation among nations. We pledge ourselves for working for a greater cause, to maintain the freedom that we have attained. We have great traditions to maintain, traditions that made India so great in the past. It is the duty of every man and woman to preserve these traditions so that India may hold her spiritual supremacy over the world. May this flag be the symbol of that great India and may it ever fly high and serve as a light in the bloom that threatens the world today. My It bring happiness to those who live under its protecting care. (Cheers.)

*MEMBERS OF THE FLAG PRESENTATION COMMITTEE*

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<td>24</td>
<td>Sarla Devi Sarabhai</td>
<td>61</td>
<td>Margaret Cousins</td>
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Mr. President: I have, in anticipation of the consent of the House accepted with thanks a poem composed by His Excellency Dr. Chia Luen Lo, the Chinese Ambassador in India, on this occasion.

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SINGING OF NATIONAL SONGS

Mr. President: The next item is the singing of the first few lines of Sare Jahan se Achcha Hindustan Hamara and the first verse of Janaganamana Adhinayaka Jaya He.

(Shrimati Sucheta Kripalani sang the first few lines of Sare Jahan Se Achcha Hindustan Hamara and the first verse of Janaganamana Adhinayaka Jaya He.)

Mr. President: The House will now adjourn for a few hours, till Ten of the Clock.

The Assembly then adjourned till Ten of the Clock on Friday, the 15th August 1947.

*[Translation of Hindustani Speech.]*