

**LOK SABHA**

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**THE DELIMITATION COMMISSION  
(AMENDMENT) BILL, 1954**

**(Report of the Select Committee)**



**LOK SABHA SECRETARIAT  
NEW DELHI  
December, 1954**

Reports of the Select/Joint Committees Report  
presented in the Lok Sabha in the year, 1954.

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S.No.	S u b j e c t	Date of presentation
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SIXTH SESSION

1. Muslim Wakfs Bill, 1952 (S.C.) 4.3.54.
2. Special Marriage Bill, 1952 (J.C.) 18.3.54.

SEVENTH SESSION

1. Coffee Market (Expansion Amendment) Bill, 1954 (S.C.) 26.8.54.
2. Rubber (Production & Marketing) Amendment Bill, 1950 together with the Evidence s on the bill dated the 21st and 22nd July, 1954 (S.C.) -do-
3. Displaced persons (Compensation and Rehabilitation) Bill, 1954 (J.C.) 27.8.54
4. Code of Criminal Procedure (Amendment) Bill, 1954 (J.C.) 3.9.54.
5. Constitution (Third Amendment) Bill, 1952. (J.C.) 20.9.54

EIGHTH SESSION

1. Hindu Marriage & Divorce Bill, 1952. (J.C.) 26.11.54
2. Untouchability (Offences) Bill, 1954 (J.C.) 3.12.54
3. Delimitation Commission (Amendment) Bill, 1954. (S.C.) 22.12.54

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**THE DELIMITATION COMMISSION (AMENDMENT) BILL, 1954.**

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**Composition of the Select Committee**

1. Shri Upendranath Barman—*Chairman*.
2. Sardar Amar Singh Saigal.
3. Shri Narayan Sadoba Kajrolkar.
4. Shri Resham Lal Jangde.
5. Shri Venkatesh Narayan Tivary.
6. Shri Tribhuan Narayan Singh.
7. Pandit Algu Rai Shastri.
8. Shri Raghubar Dayal Misra.
9. Shri Nikunja Behari Chowdhury.
10. Sardar Hukam Singh.
11. Dr. A. Krishnaswami.
12. Shri Ramji Verma.
13. Shrimati Sucheta Kripalani.
14. Pandit Balkrishna Sharma.
15. Shri H. V. Pataskar.
16. Shri P. Kakkan.
17. Shri Hirendra Nath Mukerjee.
18. Shri B. S. Murthy.
19. Dr. Manik Chand Jatav-vir.
20. Shri Rameshwar Sahu.
21. Shri M. G. Uikey.
22. Shri Nama Arjun Borkar.
23. Shri T. Sanganna.
24. Pandit Munishwar Dutt Upadhyay.

**DRAFTSMEN**

Shri K. V. K. Sundaram, *Special Secretary, Ministry of Law.*  
Shri S. K. Hiranandani, *Additional Draftsman, Ministry of Law.*

**SECRETARIAT**

Shri M. Sundar Raj, *Deputy Secretary.*  
Shri P. K. Patnaik, *Under Secretary.*

## Report of the Select Committee

**I** the Chairman of the Select Committee to which the Bill\* further, to amend the Delimitation Commission Act, 1952 was referred, having been authorised to submit the report on their behalf, present their Report, with the Bill as amended by the Committee annexed thereto.

2. The Bill was introduced in the Lok Sabha on the 16th December, 1954 and was referred to a Select Committee on the 18th December, 1954 on the motion (*vide* Appendix I) being adopted by the House.

3. The Committee held two sittings—on the 21st and 22nd December, 1954.

4. At the first sitting of the Committee, the general principles outlined in the Bill were considered. Clause by clause consideration of the Bill was also taken up and concluded at the same sitting.

5. The Committee considered and adopted the report on the 22nd December, 1954.

6. The observations of the Committee with regard to the principal changes proposed in the Bill are detailed in the succeeding paragraph.

7. *Clause 2.*—The Committee considered it necessary to make provision on the lines of the proposed section 9A not only in regard to States where the final delimitation order has not yet been made by the Delimitation Commission but also in regard to States where the revision of population figure might be made after the delimitation orders have been finalised. In other words, the provision now proposed in section 9A should be generalised and amplified to cover the cases of all States, including Part C States. It is, however, considered sufficient to allow a period of one year for the contemplated revision of census figures in order that finality may be reached well before the next General Election. Sub-section (1) of the proposed section 9A has been re-drafted so as to provide for all possible cases. Where the revision of census figures takes place after the Delimitation Commission has finished its work and ceased to exist, it is provided that the powers of the Commission under the new section should be exercised by the Election Commission.

The Clause has accordingly been revised.

8. The Committee feel that justice should be done to scheduled castes and scheduled tribes which is the object of the Bill. The Committee were informed that the figures of scheduled castes and scheduled tribes have not been revised in most of the States. It is desirable that early steps should be taken by the census authorities to expedite the revision and general check up of figures of scheduled castes and scheduled tribes in such States. When the figures have been so revised the Delimitation Commission or other competent authority should take notice of the revised figures and make necessary changes in the delimitation of constituencies.

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\*Published in Part II—Section 2 of the *Gazette of India Extraordinary*, dated the 16th December, 1954.

9. The Select Committee recommend that the Bill as amended be passed.

NEW DELHI;  
*The 22nd December, 1954.*

UPENDRANATH BARMAN,  
*Chairman,*  
*Select Committee.*

THE DELIMITATION COMMISSION (AMENDMENT)  
BILL, 1954.

(AS AMENDED BY THE SELECT COMMITTEE)

(Words *sidelined or underlined* indicate the amendments  
suggested by the Committee)

A  
BILL

further to amend the Delimitation Commission Act, 1952.

BE it enacted by Parliament in the Fifth Year of the Republic of India as follows:—

1. **Short title.**—This Act may be called the Delimitation Commission (Amendment) Act, 1954.

2. **Insertion of new section 9A in Act LXXXI of 1952.**—In the Delimitation Commission Act, 1952, after section 9, the following section shall be inserted, namely:— 5

*“9A. Redetermination of seats for Scheduled Castes or Scheduled Tribes on correction of census figures.—(1) If at any time before the first day of January, 1956, the census figures pertaining to the population of the scheduled castes or scheduled tribes of any State are corrected by the competent census authority in order to rectify any mistake or omission (including any omission arising out of the exclusion of persons returned under generic names or synonyms of the names of such castes or tribes) during enumeration or tabulation and the corrections so made are duly published by that authority, then, notwithstanding anything contained in sub-section (1) of section 9,—* 10

(a) the said figures as so corrected shall be taken to be the latest census figures for the purposes of section 8; 15

(b) the Commission shall redetermine on the basis of those figures the number of seats, if any, to be reserved for the scheduled castes or scheduled tribes in the House of the People and the Legislative Assembly of the State in accord- 20

ance with the provisions of sub-section (1) of section 8, and make any amendments that may be found necessary in its final order determining the matters referred to in that sub-section;

5 (c) where a final order determining in respect of the State the matters referred to in sub-section (2) of section 8 has not been published, the Commission shall proceed with the making and publication of such final order on the basis of the number of reserved seats as redetermined under clause (b);

10

(d) where a final order determining in respect of the State the matters referred to in sub-section (2) of section 8 has been published, the Commission shall make such amendments in that order as it may find necessary for the purpose of giving proper representation to the scheduled castes or the scheduled tribes on the basis of the number of reserved seats as redetermined under clause (b); and

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(e) every order made under clause (b) or clause (d) amending a final order of the Commission shall be published in the *Gazette of India*, and on such publication that final order as so amended shall have the full force of law and shall not be called in question in any court.

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*Explanation.*—In this sub-section, all references to the Commission shall, after the Delimitation Commission ceases to exist, be construed as references to the Election Commission.

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(2) Nothing in sub-section (3) of section 8 shall apply in respect of the redetermination of numbers under clause (b) of sub-section (1) of this section.

(3) As soon as may be after the publication in the *Gazette of India*, every order made under clause (b) or clause (d) of sub-section (1) shall be laid before the House of the People.”

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**APPENDIX I**  
**MOTION IN THE LOK SABHA**

(Vide para 2 of the Report)

“That the Bill be referred to a Select Committee consisting of—

1. Shri Upendranath Barman.
2. Sardar Amar Singh Saigal.
3. Shri Narayan Sadoba Kajrolkar.
4. Shri Resham Lal Jangde.
5. Shri Venkatesh Narayan Tivary.
6. Shri Tribhuan Narayan Singh.
7. Pandit Algu Rai Shastri.
8. Shri Raghubar Dayal Misra.
9. Shri Nikunja Behari Chowdhury.
10. Sardar Hukam Singh.
11. Dr. A. Krishnaswami.
12. Shri Ramji Verma.
13. Shrimati Sucheta Kripalani,
14. Pandit Balkrishna Sharma.
15. Shri H. V. Pataskar.
16. Shri P. Kakkan.
17. Shri Hirendra Nath Mukerjee.
18. Shri B. S. Murthy.
19. Dr. Manik Chand Jatav-vir.
20. Shri Rameshwar Sahu.
21. Shri M. G. Uikey.
22. Shri Nama Arjun Borkar.
23. Shri T. Sanganna.
24. Pandit Munishwar Dutt Upadhyay.

with instructions to report on the provisions of the Bill as well as matters connected therewith on or before the 22nd December, 1954”.

## APPENDIX II

### MINUTES OF THE MEETINGS OF THE SELECT COMMITTEE ON THE DELIMITATION COMMISSION (AMENDMENT) BILL, 1954.

#### I

#### First Meeting

The Committee met from 10 A.M. to 11 A.M. and from 2 P.M. to 4 P.M. on Tuesday, the 21st December, 1954.

#### PRESENT

Shri Upendranath Barman—*Chairman*.

#### MEMBERS

2. Sardar Amar Singh Saigal.
3. Shri Narayan Sadoba Kajrolkar.
4. Shri Resham Lal Jangde.
5. Shri Venkatesh Narayan Tivary.
6. Shri Tribhuan Narayan Singh.
7. Pandit Algu Rai Shastri.
8. Shri Raghubar Dayal Misra.
9. Shri Nikunja Behari Chowdhury.
10. Sardar Hukam Singh.
11. Shri Ramji Verma.
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19. Shri M. G. Uikey.
20. Shri Nama Arjun Borkar.
21. Shri T. Sanganna.
22. Pandit Munishwar Dutt Upadhyay.

#### REPRESENTATIVES OF MINISTRIES AND OTHER OFFICERS

Shri K. V. K. Sundaram—*Special Secretary, Ministry of Law*.  
Shri S. K. Hiranandani—*Additional Draftsman, Ministry of Law*.

## SECRETARIAT

Shri M. Sundar Raj—*Deputy Secretary.*

Shri P. K. Patnaik—*Under Secretary.*

2. At the outset, the Committee deliberated upon the question whether corrections of errors and omissions in the published figures pertaining to scheduled castes as was done in Hyderabad and Saurashtra, should not be made as regards other States also.

3. It was suggested that the intention behind the present Bill should be clarified.

4. After some discussion, the Committee decided that the concession made in the case of Hyderabad and Saurashtra should also be extended to all the States in the Union of India.

5. It was further decided that the Delimitation Commission should have the necessary legal authority to take into account the figures as they stand after correction of mistakes or omissions made by the Registrar General, both before and after the publication in the Gazette of India of the final order of the Commission in respect of any State.

6. The Committee rose at 11 A.M. and reassembled at 2 P.M.

7. Thereafter the Committee took up clause by clause consideration of the Bill,

8. *Clause 2.*—The Committee adopted the revised clause as shown in Appendix A, in substitution of the original clause 2.

9. *Clause 1.*—The clause was adopted without any amendment.

10. The Committee decided to consider the Draft Report at their next sitting.

11. The Committee then adjourned to meet again at 10 A.M. on Wednesday, the 22nd December, 1954,

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II  
Second Meeting

The Committee met from 10 A.M. to 12-40 P.M. on Wednesday, the 22nd December, 1954.

PRESENT

Shri Upendranath Barman—*Chairman.* .

MEMBERS

2. Sardar Amar Singh Saigal
3. Shri Narayan Sadoba Kajrolkar
4. Shri Resham Lal Jangde
5. Shri Venkatesh Narayan Tivary
6. Shri Tribhuan Narayan Singh
7. Shri Raghubar Dayal Misra
8. Shri Nikunja Behari Chowdhury
9. Shri Ramji Verma
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11. Shri P. Kakkan
12. Shri Hirendra Nath Mukerjee
13. Shri B. S. Murthy
14. Shri Rameshwar Sahu
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Shri P. K. Patnaik—*Under Secretary.*

2. The Committee adopted the Bill as amended with certain minor changes.

3. The Committee then considered the draft Report and adopted the same with the following new paragraph added thereto:—

“The Committee feel that justice should be done to scheduled castes and scheduled tribes which is the object of the Bill. The Committee were informed that the figures of scheduled castes and scheduled tribes have not been revised in most of the States. It is desirable that early steps should be taken by the census authorities to expe-

dite the revision and general check up of figures of scheduled castes and scheduled tribes in such States. When the figures have been so revised the Delimitation Commission or other competent authority should take notice of the revised figures and make necessary changes in the delimitation of constituencies."

4. The Committee authorised the Chairman to present the Report on their behalf.

5. The Chairman announced that the Report would be presented in the House at 2 P.M. today, the 22nd December, 1954.

6. The Committee then adjourned at 12-40 P.M.

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## APPENDIX A

(Vide para 8 of Minutes of the First Meeting)

"2. *Insertion of new section 9A in Act LXXXI of 1952.*—In the Delimitation Commission Act, 1952, after section 9, the following section shall be inserted, namely:—

*'9A. Redetermination of seats for Scheduled Castes or Scheduled Tribes on correction of census figures.*—(1) If at any time before the first day of January, 1956, the census figures pertaining to the population of the Scheduled Castes or Scheduled Tribes of any State are corrected by the competent census authority in order to rectify any mistake or omission (including any omission arising out of the exclusion of persons returned under generic names or synonyms of castes or tribes) during enumeration or tabulation and the corrections so made are duly published

- by that authority, then, notwithstanding anything contained in sub-section (1) of section 9,—

(a) the said figures as so corrected shall be taken to be the latest census figures for the purposes of section 8;

(b) the Commission shall redetermine on the basis of those figures the number of seats, if any, to be reserved for the Scheduled Castes or Scheduled Tribes of the State in the House of the People and the Legislative Assembly of the State in accordance with the provisions of sub-section (1) of section 8, and make any amendments that may be found necessary in its final order determining the matters referred to in that sub-section;

(c) where a final order determining in respect of the State the matters referred to in sub-section (2) of section 8 has not been published, the Commission shall proceed with the making and publication of such final order on the basis of the number of reserved seats as redetermined under clause (b);

(d) where a final order determining in respect of the State the matters referred to in sub-section (2) of section 8 has been published, the Commission shall make such amendments in that order as it may find necessary for the purpose of giving proper representation to the Scheduled Castes or the Scheduled Tribes on the basis of the number of reserved seats as redetermined under clause (b); and

(e) every order made under clause (b) or clause (d) amending a final order of the Commission shall be published

in the Gazette of India, and on such publication that final order as so amended shall have the full force of law and shall not be called in question in any court.

*Explanation.*—In this sub-section, all references to the Commission shall, after the Delimitation Commission ceases to exist, be construed as references to the Election Commission.

(2) Nothing in sub-section (3) of section 8 shall apply in respect of the redetermination of numbers under clause (b) of sub-section (1) of this section.

(3) As soon as may be after the publication in the Gazette of India, every order made under clause (b) or clause (d) of sub-section (1) shall be laid before the House of the People.' ”