

Tuesday, 4th April, 1950



# PARLIAMENTARY DEBATES

(PART I—QUESTIONS AND ANSWERS)

OFFICIAL REPORT

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FIRST SESSION  
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1950

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PARLIAMENTARY DEBATES  
(PART I—QUESTIONS AND ANSWERS)

Tuesday, 4th April, 1950

*The House met at a Quarter to Eleven of the Clock*

[MR. SPEAKER in the Chair.]

ORAL ANSWERS TO QUESTIONS

PAY SCALES FOR RAILWAY SCHOOL TEACHERS

\*1871. **Shri Sidhva:** (a) Will the Minister of Railways be pleased to state what scale have the Central Pay Commission recommended for the B. N. Railway School teachers?

(b) What is the pay they are drawing now?

(c) What is the reason for not implementing these recommendations?

(d) Do Government intend to implement these recommendations?

**The Minister of Transport and Railways (Shri Gopalaswami):** (a) The scales recommended by the Central Pay Commission for school teachers are those given in para 17, page 245, Part III of their Report.

(b) to (d). Revised scales of pay based on the Central Pay Commission's recommendations, referred to above have been sanctioned for the B. N. Railway School teachers. Refixation of pay and payment of arrears have, however, not been completed. Pending this, the teachers continue to draw the pre-existing scales, which are either the State Government scales or the scales as sanctioned by the Railway.

**Shri Sidhva:** I have not been able to follow the answer exactly. May I know why the Pay Commission Scales have not been applied to the B. N. Railway School staff and is it a fact that clerical and other low paid staff have got these scales since 2½ years but the teachers have been excluded?

**Shri Gopalaswami:** The original scales in force in these Railway Schools were scales corresponding to the scales of pay in Schools maintained by the respective Provincial Governments. That was what was in vogue previously. Subsequently on receipt of representations from the Railway School teachers, the matter was reviewed and it was decided that the scales should be approximated to the scales admissible in Centrally Administered areas which were based on the Central Pay Commission's recommendations. These orders have been ordered to be applied to School teachers on the B. N. Railway. There has been some delay in fixing them up in the revised scales and that will be completed soon.

**Shri Sidhva:** Is it a fact that the Bihar Government has also withdrawn the Dearness Allowance which the teachers were drawing?

**Shri Gopalaswami:** I have no information.

**Shri Sidhva:** When is the decision likely to be taken?

**Shri Gopalaswami:** The decision has been taken. It is being implemented.

**Shri Sidhva:** How many teachers are involved in this?

**Shri Gopalaswami:** I am afraid I have not got the total number here. If the hon. Member wishes that information to be supplied to him, I shall do.

**Shri Sidhva:** When will the decision be implemented?

**Shri Gopalaswami:** It is being implemented.

**श्री भट्ट :** क्या यह सेंट्रल पे कमीशन की सिफारिशें बी० बी० एंड सी० आई० रेलवे के स्कूलों को भी लागू होती हैं ?

**Shri Bhatt:** Are these recommendations of the Central Pay Commission applicable to the B. B. and C. I. Railway Schools also?

**Shri Gopalaswami:** All Railways.

**श्री भट्ट :** क्या माननीय मंत्री जी के पास अबू रोड के रेलवे हाई स्कूल के शिक्षकों की अर्जी आई है ?

**Shri Bhatt:** Has the hon. Minister received any applications from the teachers of the Abu Road, Railway High School?

**Mr. Speaker:** Order, order.

#### REQUISITIONED BUILDINGS

\*1372. **Shri Sidhva:** (a) Will the Minister of Works, Mines and Power be pleased to state the number of buildings requisitioned from 1st January, 1949 up-to-date in Delhi and other parts of the country for Government of India purposes?

(b) What is the total rent paid by Government for these buildings and what is the amount recovered from the persons who have occupied them?

(c) Were any buildings de-requisitioned during this period and if so, what is the number?

**The Minister of Works, Mines and Power (Shri Gadgil):** (a) Number of buildings requisitioned from 1st January, 1949 to 15th March, 1950—

In Delhi.....124.

In other parts of the country.....34.

(b) (i) Total rent paid by Government —Rs. 29,493/11/6.

(ii) Total amount recovered—Rs. 23,889/12/-.

These figures exclude some rent not paid, and some not collected due to assessments not being fixed.

(c) Yes. 35 houses and one flat.

(i) In Delhi—27 houses and one flat.

(ii) in other parts of the country—eight houses

**Shri Sidhva:** Out of the requisitioned buildings, how many are for office purposes and how many for residential purposes?

**Shri Gadgil:** I require notice for that.

**Shri Sidhva:** Is there any graded rate of rent fixed for officers and subordinate staff or is it 10 per cent. for everyone?

**Shri Gadgil:** The rent that is paid to the landlord is according to the capacity of the house, the situation of the house etc. So far as possible the houses are allotted according to the rules and the pay that the occupants draw and in no case an officer is made to pay more than 10 per cent. of his salary.

**Shri Sidhva:** Do the subordinate staff like clerks and peons also have to pay 10 per cent. of their pay as officers do?

**Shri Gadgil:** That is applicable to every officer of every class.

**Shri Deshbandhu Gupta:** May I know the number of houses requisitioned by the Local Government for their purposes in Delhi?

**Shri Gadgil:** It is impossible to give the figure of houses requisitioned for the purposes of Delhi local administration but I can give the number of houses requisitioned by the Collector, Delhi.

**Shri Deshbandhu Gupta:** I want those figures.

**Shri Gadgil:** The number of houses requisitioned from 1st January, 1949 to 31st January, 1950 in Delhi was 14.

**Shri Deshbandhu Gupta:** May I know whether any instances have come to the notice of the hon. Minister where rent has not been paid or not even been decided in the case of those houses that have been requisitioned by the Local Administration for more than six months or even one year?

**Shri Gadgil:** As I have said in the answer, in the case of certain houses the rent is not yet fixed. It may be that in certain cases the period is six months or even one year.

**Shri Deshbandhu Gupta:** Do Government realize the difficulty of those persons whose houses are requisitioned and will they see that clear cut rules are laid down so that the decisions about rents are not delayed beyond two or three months or beyond any period that Government may think reasonable?

**Shri Gadgil:** I appreciate the reasonableness of the suggestion and I will act upto that.

सेठ गोविन्द दास : जितने मकान अभी भी, दिल्ली में और दिल्ली के बाहर, गवर्नमेंट के कब्जे में हैं, उनके छोड़ देने के लिए कोई वक़्त मुकर्रर है या नहीं, और उनके छोड़ दिये जाने की कब तक आशा की जा सकेगी ?

**Seth Govind Das:** May I know whether or not a time-limit has been fixed to de-requisition all such buildings in or around Delhi as are even at present under Government control and that by what time they could be expected to be de-requisitioned?

श्री गेडगिल : आशा तो हमेशा रखी जा सकती है, लेकिन जब तक गवर्नमेंट को जरूरत ज्यादा है तब तक छोड़ने की आशा नहीं की जा सकती।

**Shri Gadgil:** Expectation may be had at all times but no such expectation will be justified till Government-requirements in this respect continue to remain rather pressing.

सेठ गोविन्द दास : क्या गवर्नमेंट अभी और भी कुछ मकान लेने की योजना बना रही है, और जो मकान अभी तक रिक्विजीशन नहीं किये गये हैं वह अब रिक्विजीशन किये जाने वाले हैं ?

**Seth Govind Das:** Are the Government preparing at present any scheme for further requisitioning of some buildings and, again, are the buildings not requisitioned so far about to be requisitioned now?

श्री गेडगिल : अगर गवर्नमेंट को जरूरत पड़ेगी तो जरूर ले लेंगे।

**Shri Gadgil:** Government will surely requisition more buildings if they so needed.

گیانی جی - ایس مسافر : دلی میں جو کوٹھیاں رکوہیزیشن کی گئی ہیں ان میں سے شرناتھوں کو کتنی دی گئی ہیں ؟

**Giani G. S. Musafir:** How many bungalows requisitioned in Delhi have been allotted to displaced persons?

**Shri Gadgil:** In a few cases houses have been given to some of the refugees but normally the houses, whether owned by Government or requisitioned by Government, are primarily meant for Government servants.

**Shri M. A. Ayyangar:** Does this Ministry requisition buildings for and on behalf of all Ministries or is it exclusive of the Defence Ministry?

**Shri Gadgil:** These houses are requisitioned by the Collector of Delhi and Collectors of several places at the instance of the Central Government.

**Shri M. A. Ayyangar:** In the matter of requisitioning buildings for Government purposes does the Defence Ministry requisition for its own purposes, or does the Ministry of Works, Mines and Power requisition for all the departments, or is there an exception?

**Shri Gadgil:** The buildings are requisitioned for all the Departments except the Ministry of Defence by the Ministry of Works, Mines and Power.

گیانی جی - ایس مسافر : کیا یہ ٹھیک ہے کہ دلی میں جو کوٹھیاں رکوہیزیشن کی گئی ہیں - ان میں سے کچھ ایسے شرناتھوں کی بھی کوٹھیاں ہیں جن کو، اتفاق سے یہاں کوئی ایک کوٹھی تھی - یا جنہوں نے یہاں آ کر خریدی تھی وہ بھی سرکار نے رکوہیزیشن کر لی ہے ؟

**Giani G. S. Musafir:** Is it a fact that amongst bungalows requisitioned are also included some which a few displaced persons happened to have or had here here beforehand or which they purchased on migration to this place?

**Shri Gadgil:** I require notice for this question.

**Mr. Speaker:** I think we shall proceed to the next question.

**Shri Deshbandhu Gupta:** Sir, in view of the fact that only 14 houses have been requisitioned in Delhi in the whole year, will the hon. Minister consider the desirability of exempting new buildings from the provisions of the Requisition of Premises Act?

**Shri Gadgil:** The hon. Member is well aware of the fact that only a few months ago Government issued a Press Communique in which it was stated that 50 per cent. of the new constructions would not be requisitioned. If any construction is built exclusively for the use of the owner, it will not be requisitioned at all.

#### RAILWAY STRIKES

**\*1373. Seth Govind Das:** Will the Minister of Railways be pleased to state the number of strikes for the period 1949-50 in railway workshops at Ajmer, Jodhpur, Bombay, Calcutta, Madras and Delhi and the number of man-hours lost as compared with the previous year?

**The Minister of State for Transport and Railways (Shri Santhanam):** I lay on the Table of the House a statement giving the required information in respect of the railway workshops situated at Ajmer, Bombay, Calcutta and Madras respectively. The required information is not available in respect of Jodhpur Railway workshops, while as regards Delhi, no particulars are given in the statement as there is no railway workshop in Delhi.

Sir, I may add in anticipation of Supplementary questions that the total number of man-hours lost during 1948-49 was 79,576 while the total loss in 1949-50 was only 45.

#### STATEMENT:

Name of Railway	Number of strikes which occurred during the period 1949-50.		Number of man-hours lost during	
			1949-50,	1948-49.
B. B. and C. I.	Ajmer	Nil	Nil	4,919
	Bombay	Nil	Nil	Nil
G. I. P.	Bombay	one	13 (days)	21,736 (days)
	Calcutta	Nil	Nil	51,432
M. and S. M.	Madras	one	32	1,389

**Seth Govind Das:** Compared to previous years is the number of strikes becoming less or more?

**Mr. Speaker:** He has already stated that. He has given figures for both the years.

**Seth Govind Das:** Then I could not follow.

**Mr. Speaker:** The hon. Minister may give him the figures.

**Shri Santhanam:** The number of man-hours lost for 1948-49 was 79,576, while the number of hours lost during 1949-50 was only 45.

**Shri Hanumanthaiya:** May I know what is the improvement due to?

**Shri Santhanam:** Better relations between management and labour.

**Shri M. A. Ayyangar:** Is it 45 or 45,000?

**Shri Santhanam:** 45 units.

#### UNCLAIMED GOODS CONSIGNMENTS ON THE RAILWAYS

\*1374. **Seth Govind Das:** Will the Minister of Railways be pleased to state the total number of unclaimed goods consignments and the income accrued to the Government on E.I.R., O.T.R., M.S.R. and B.B. and C.I.R. during 1949-50 by the sale of such goods?

**The Minister of State for Transport and Railways (Shri Santhanam):** The number of goods consignments which remained unclaimed at destination during the calendar year 1949 on the E.I., O.T., M. and S.M. and B.B. and C.I. Railways was 7,366 approximately. The gross realisation from unclaimed consignments auctioned during the year 1949 on these Railways was approximately Rs. 3,40,816. Freight and other charges due thereon amounted to Rs. 2,78,580 approximately. These figures are exclusive of sale proceeds from articles which for various reasons went astray during transit and could not be connected with booking particulars. The information in respect of the financial year 1949-50 is not yet available.

**Seth Govind Das:** Is it a fact, Sir, that several complaints have been lodged with the Ministry of the hon. Minister that in spite of the claims certain articles have been auctioned and those claims were not considered?

**Shri Santhanam:** I do not know what the hon. Member means. No complaints come to the Ministry. We do not sell anything and we do not take possession of anything. It is only the individual railway administration which deals with these things. Some complaints might have gone to the Railway Administration concerned.

**Shri Sidhva:** May I know whether after the disposal of these unclaimed goods and consignments, particular consignees have preferred any claims for those particular consignments?

**Shri Santhanam:** There are two classes of consignments: those whose addresses are given and which have reached their destination but have not been claimed by the consignee. In such cases the Railway Administrations wait for a certain time and try to come in contact with the consignee or the consignor and if they are unable to do so, then they are sold in auction. There are other consignments whose addresses have been lost owing to some reason or other which are taken to the Lost Property Office and then auctioned. If the consignor or the consignee claims then the claim is dealt with on its own merits.

**Shri Deshbandhu Gupta:** May I know the amount paid by the Railways on all these four Railways in the same year in settling the claims for goods lost in transit?

**Shri Santhanam:** That question has been put many times and answered. I have not got the particulars here just now.

کہانی جی - ایس مسافر : کیا مانلی ملستر کے پاس کچھ ڈسپلہسڈ پرسنس کی ایسی شکایتیں پہنچتی ہیں کہ انہوں نے پاکستان سے جو گڈس یہاں کے لئے بک کیا وہ یہاں پہنچنے پر لی کلیمٹ گڈس کے طور پر نیلام کر دیا گیا ؟

**Giani G. S. Musafir:** Has the hon. Minister received complaints from some displaced persons to the effect that their goods originally booked from Pakistan to destinations in India have on arrival been auctioned as 'goods lying unclaimed'?

**Shri Santhanam:** Sir, in such cases the claims are dealt with as if they were claims of Indian nationals. It may be that some consignments have been sold off because the Railway Administration could not contact the consignee.

**Babu Ramnarayan Singh:** What is the position of the claimant who is known to the authority after the articles are disposed of?

**Shri Santhanam:** He gets full compensation if he proves the claim.

CLAIMS FOR COMPENSATION OF INJURY TO PERSONS AND DAMAGE TO GOODS ON RAILWAYS

\*1375. **Seth Govind Das:** Will the Minister of Railways be pleased to state the total number of claims in respect of:

(a) Injury to persons; and

(b) Damage to property, and the number of cases still pending on the E.I., O.T., M.S. and B.B. and C.I. Railways during the period 1949-50?

**The Minister of State for Transport and Railways (Shri Santhanam):** It is presumed that the question relates to claims arising out of railway accidents. The total number of claims arising out of accidents to passenger trains received during the calendar year 1949 by the B.B. and C.I., M. and S.M. O.T. and E.I. Railways and the number of such claims pending are as under:

(a) Injury to persons.—

(i) Number of claims received.	142
(ii) Number of claims pending.	88.

(b) Damage to property.—

(i) Number of claims received.	32
(ii) Number of claims pending.	23. i

Information for the complete financial year 1949-50 is not yet available, and therefore particulars relating to the calendar year 1949 have been given. It has also been assumed that the hon. Member while referring to M. S. Railway has the Madras and Southern Mahratta Railway in mind.

**Seth Govind Das:** For how many days, Sir, are these claims pending and when is it hoped that they would be disposed of?

**Shri Santhanam:** Previously the procedure was that these claims were settled by negotiation between the parties and the Administrations. Now we have passed a new law appointing Claims Commissioners, who are expected to expedite the disposal of these claims very quickly.

**Seth Govind Das:** May I know, Sir, for how long these claims have been pending? That is my question.

**Shri Santhanam:** There cannot be any particular period for all the claims. Some claims must be pending for a considerable time, and others must be pending for a short time.

**Seth Govind Das:** Is it not a fact that some claims are pending for some years now?

**Shri Santhanam:** I would require notice for that question.

**Shri Sidhva:** May I know, out of the 142 cases which have been settled, which is the individual case in which the largest amount was paid?

**Shri Santhanam:** The other day I answered that the maximum is Rs. 10,000. I also answered that Rs. 5,600 and odd was paid.

**Shri Sidhva:** Is it not a fact, Sir, that in the case of Rs. 10,000 the Railway Board has to take a decision? I wanted to know in how many cases of private settlement, the maximum for which is Rs. 5,000, the largest amount was paid.

**Shri Santhanam:** Originally, the General Managers had power only up to Rs. 5 000. That has been raised to Rs. 10,000 now.

**Shri Sidhva:** May I know, Sir, since the maximum is now Rs. 10,000, whether the Railway Board has any jurisdiction?

**Shri Santhanam:** The Railway Board has jurisdiction in the sense that the General Managers may refer to it any particular case. But, the General Managers have got full powers to give up to Rs. 10,000.

**Shri Sidhva:** Has there been any change in the Railway Act?

**Shri Santhanam:** The Railway Act has not been changed in this respect.

**Shri Deshbandhu Gupta:** Will the hon. Minister lay on the Table of the House a statement giving details of the claims which have been lying unsettled for more than one year?

**Shri Santhanam:** The hon. Member may put a separate question on the point.

**Shri Deshbandhu Gupta:** May I know, Sir,.....

**Mr. Speaker:** I am going to the next question.

**Shri Deshbandhu Gupta:** On a point of order, Sir, may I know whether it is not open to a Member to suggest and for the hon. Minister to accept notice of a question like this? Is it necessary that a separate question should be put for this?

**Mr. Speaker:** I think it is not proper that an hon. Member should give notice of a question and immediately the hon. Minister should accept it. It practically nullifies the Speaker's office in looking into the admissibility of it. It is not permissible. Next question.

#### WEIGHTS AND MEASURES FOR AGRICULTURAL PRODUCTS

\*1376. **Shri Barman:** (a) Will the Minister of Agriculture be pleased to state what are the principal weights and measures in India, used in marketing agricultural produces?

(b) Is any proposal under consideration for the introduction of uniformity with regard to these weights and measures at an early date?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) There are two systems of weights: the Indian system of Tolas, Seers and Maunds, and the Avoirdupois weights i.e., Pounds, Hundred-weights and Tons.

The measures used in different parts of the country are multitudinous. *Paila* is the common term used for measures in most parts of India, but its capacity varies in different parts.

(b) The question of introducing uniform weights and measures was examined by a special Committee appointed by the Indian Standards Institution and its report is now under consideration by the Ministry of Industry and Supply.

**Shri Barman:** Is the hon. Minister aware that the same nomenclature, say, a manud, is composed of different measures as respects different agricultural commodities?

**Shri Jairamdas Doulatram:** That is a fact. In Kanpur for instance, a maund is 41½ seers whereas in Bombay it is 28 pounds, that is 14 seers.

**Shri Sidhya:** What is the reply to part (b), Sir? I have not followed it.

**Shri Jairamdas Doulatram:** (b) The question of introducing uniform weights and measures was examined by a special Committee appointed by the Indian Standards Institution and its report is now under consideration by the Ministry of Industry and Supply.

**Shri Barman:** Is the hon. Minister aware that due to this difference and diversity of measures and their nomenclature, agriculturists and other people are not able to ascertain the real wholesale prices of commodities?

**Mr. Speaker:** Order, order. He is giving information and trying to argue.

**Shri Barman:** Is it a fact that in 1939 the Central Legislature passed an Act prescribing units of standard weights for adoption throughout the Country and if so, what is the result thereof?

**Shri Jairamdas Doulatram:** That is a fact. I said the whole question in view of its complexities had to be reviewed by a very representative Committee which, I think, contained 30 persons representing various interests and the Government. They have made a report and that is under consideration by the Ministry of Industry and Supply.

**Maulvi Wajed Ali:** May I know when a decision is expected to be reached on this report?

**Shri Jairamdas Doulatram:** That will be a matter for the Ministry of Industry and Supply and depends on when they complete its consideration.

**सेठ गोविन्द दास :** इस कमेटी को बंटे हुए कितना समय बीत गया और इस की रिपोर्ट गवर्नमेंट के सामने कितने समय से है ?

**Seth Govind Das:** How long is it since that Committee has been functioning and for how long past the Government have had its report before them?

**Shri Jairamdas Doulatram:** I am afraid I have not got that information handy. I think the Committee was functioning in 1949. It reported in 1949.

**Shri Hanumanthaiya:** When was the report of the Committee submitted to Government and when was it received by the Ministry of Industry and Supply?

**Shri Jairamdas Doulatram:** That can be best answered by the Ministry concerned, because the Indian Standards Institution is not functioning under the Ministry of Agriculture.

**Shri Ramsingam Chettiar:** What is the recommendation of the Committee? Are they in favour of legislation or not?

**Shri Jairamdas Doulatram:** The Committee is in favour of legislation. They have made a programme for three stages, the three stages to be completed in 15 years.

**Shri Kamath:** Since 15th August 1947, have there been any prosecutions in the Centrally Administered Areas for the use of false weights and measures in bazaars and markets?

**Shri Jairamdas Doulatram:** I think there must have been some prosecutions; but I have not got the exact number. I am prepared to supply the information to the hon. Member.

گیانی جی - ایس مسافر : کیا گورنمنٹ نے ویٹس اینڈ میژرس کا کنٹریکٹ کسی ایک کمپنی کو دیا ہوا ہے ؟

**Giani G. S. Munsafir:** Have the Government placed the contract for the manufacture of these weights and measures with any one company exclusively?

**Mr. Speaker:** Have they given the contract to prepare these weights and measures to one person?

**Shri Jairamdas Doulatram:** I do not think the Central Government does anything of the kind. The State Governments do all this. The State Governments must be having their own arrangements for the preparation of these weights and measures. I am not in a position to answer this question.

**Shri Tyagi:** Does the Government keep any register of the various weights of the same denomination?

**Shri Jairamdas Doulatram:** I am afraid I have not followed the question.

**Shri Tyagi:** Have the Government maintained a register of the actual weight, varying from place to place, of the weights of the same denomination?

**Shri Jairamdas Doulatram:** I believe all that is being done by the State Governments. Even within one State, there are divergences. In U. P. for instance, in Hamidpur, a seer is equal to 92 tolas; in Gorakhpur it is 112 tolas. A *paila* in the C. P. is equal to 40 tolas; in Rajputana it is 1600 tolas. The local Governments must be keeping some kind of record.

**Mr. Speaker:** Next question.

#### IMPROVED METEOROLOGICAL SERVICE

\*1377. **Shri Sidhva:** (a) Will the Minister of **Communications** be pleased to state whether it is a fact that a proposal for the introduction of improved meteorological service was considered at the first South East Asia Regional Air Navigation Conference held in New Delhi in November, 1948?

(b) If so, has the new service been introduced in India?

(c) From which stations are these weather broadcasts made to the aircrafts on flight?

**The Deputy Minister of Communications (Shri Khurshed Lal):** (a) and (b).  
Yes.

(c) A list of stations which make hourly weather broadcasts for the benefit of aircrafts in flight is laid on the Table of the House. [See *Appendix VI, annexure No. 29*].

**Shri Sidhva:** May I know whether under this Convention any dangerous weather phenomena are communicated to the pilots while on flight?

**Shri Khurshed Lal:** Pilots are given all information about weather while they are on flight, whether dangerous or otherwise.

**Shri Sidhva:** My particular question is this: whether information about dangerous weather phenomena are communicated.

**Shri Khurshed Lal:** I said that they are given all the information. That would include dangerous phenomena also.

**Shri Sidhva:** Under this arrangement?

**Mr. Speaker:** Yes, that is exactly what he has said. The hon. Member should follow the reply.

**Shri Sidhva:** He is not definite. May I know in how many centres hourly broadcasts are made?

**Shri Khurshed Lal:** Thirty-two.

**Shri Sidhva:** May I know in how many centres half-hourly broadcasts are made?

**Shri Khurshed Lal:** None.

**Shri Sidhva:** May I know whether any arrangement will be made to issue half-hourly broadcasts?

**Shri Khurshed Lal:** It is not the intention to do so.

**Shri Kamath:** During the last twelve months, what approximately is the percentage of cases in which these weather prophets have proved false?

**Mr. Speaker:** Order, order. Next question.

#### INDO-IRANIAN-PAKISTAN LOCUSTS CONVENTION

\*1378. **Dr. M. M. Das:** (a) Will the Minister of **Agriculture** be pleased to state when the Indo-Iranian-Pakistan Locusts Convention came into existence?

(b) What was the agreed programme to fight the menace of locusts?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) and (b). The attention of the hon. Member is drawn to the reply given to Question No. 357 on 20th February, 1950.

**Dr. M. M. Das:** May I know whether this Convention has got a fund of its own?

**Shri Jairamdas Doulatram:** I do not think they have got any separate fund of their own. When anything has to be done, the States co-operate and find the funds.

**Dr. M. M. Das:** May I know whether any joint action by the parties to this Convention has been arranged or contemplated for fighting the coming locust menace of which the Government has warned some of our State Governments?

**Shri Jairamdas Doulatram:** Yes; we have got an arrangement for mutual exchange of fortnightly information.

**Dr. M. M. Das:** I mean any active measures to fight this menace.

**Shri Jairamdas Doulatram:** That is the concern of each State Government.

**Dr. M. M. Das:** May I know if any steps are contemplated to be taken by our Government if this menace comes at all?

**Shri Jairamdas Doulatram:** We have made arrangements with the States concerned. We had recently a conference of specialists in Delhi. As a result of that, we have opened a training class in Jodhpur. Administrative officers of the States concerned are also going to meet on the 15th of April.

**Dr. M. M. Das:** May I know what particular measures will be taken to deal with this problem?

**Shri Jairamdas Doulatram:** These methods have been described in connection with a previous question. Early action will be taken according to those methods, such as the building of trenches, the spreading of poison, the burning of bushes and such other action. These are technical matters which are all being attended to.

**Shri Kamath:** After the conclusion of this tripartite anti-locust alliance, have any strategic measures been devised to halt the invasion of locusts in Iran and at worst in West Pakistan?

**Shri Jairamdas Doulatram:** Necessary measures will be taken by the Governments concerned. So far as we are concerned we take measures in our own areas and we have done that.

**Shri Kamath:** Is there any threat or fear of an invasion of locusts from the East.

**Shri Jairamdas Doulatram:** No, no invasion from the East.

**Shri Kamath:** Is it the plan of the Government to vanquish the locusts finally in India?

**Mr. Speaker:** Order, order.

**Shri Tyagi:** What proportion of the total expenditure is incurred by India?

**Shri Jairamdas Doulatram:** It will not be possible to make an estimate now, but the Department is spending about Rs. 5 lakhs.

**Shri Tyagi:** How much is the expenditure incurred by us, as compared to the total expenditure? Is the expenditure shared equally by all the three Governments?

**Shri Jairamdas Doulatram:** It has to be shared by the Provincial Governments and the Central Government.

**Shri Tyagi:** I wanted to know if the expenditure is shared equally by us, Pakistan and Iran.

**Shri Jairamdas Doulatram:** So far as we are concerned, we are dealing with the locust outbreak within our area and incur expenditure on the operations that have to be taken by us. With regard to the outbreak in other countries, obviously it is their duty.

**Shri Tyagi:** Is there not any joint arrangement?

**Mr. Speaker:** Order, order. This question was exhaustively dealt with last time. I remember the whole thing. Hon. Members may revise and re-collect the answers given then.

RAILWAYS BETTERMENT FUND

\*1379. **Dr. M. M. Das:** Will the Minister of Railways be pleased to state:

(a) the amounts spent from the Railways Betterment Fund during the years 1948-49 and 1949-50; and

(b) for what particular purposes, the money was spent?

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) During the year 1948-49, the amount spent from the Railway Betterment Fund as then constituted was Rs. 233 lakhs. The actual amount spent in 1949-50 from the Fund which had, with effect from this year, been restricted to works relating to passenger amenities only cannot be made available until the accounts for the year are closed. The figure of expenditure from the Fund as provided in the Revised Estimates of the year is of the order of Rs. 175 lakhs. The Fund will, however, receive a credit of about Rs. 206 lakhs due partly to write-back of expenditure on works other than passenger amenities in progress on 1st April, 1949, and partly to the write-back of sums erroneously debited to the Fund previously.

(b) The purposes for which the amounts were spent in 1948-49 and 1949-50 are as follows:

1948-49—(i) Amenities for passengers, such as improvement to latrines and sanitary arrangements, water supply to passengers, provision for waiting halls, refreshment rooms, bathing facilities, improved lighting of station platforms and booking facilities, etc. In this connection, attention of the hon. Member is also invited to the booklet "Towards Better Conditions of Travel" (circulated with Budget papers) detailing the amenities for passengers on individual railways.

(ii) Amenities for staff, including quarters for Class IV staff.

(iii) Unremunerative operating improvements costing not more than Rs. 3 lakhs.

1949-50—Amenities for passengers *vide* details given against (i) above.

**Mr. M. M. Das:** Is it a fact that after the merger of the Betterment Fund with the Development Fund, the passenger amenities will suffer?

**Shri Santhanam:** No, Sir. We are now providing a minimum of Rs. 3 crores for the next five years.

**Dr. M. M. Das:** From the total expenditure from the Development Fund, what percentage will be earmarked for passenger amenities?

**Shri Santhanam:** Rs. 3 crores will be earmarked for passenger amenities alone.

**Shri Sidhva:** Will the extension of railway station office and the improvement of the railway yard, also be included?

**Shri Santhanam:** Not the improvement to the yard. So far as station premises are concerned if it is purely a matter of passengers' facilities, such as expansion of the booking-office, or the third class waiting hall, that may be included among passenger amenities.

**Shri Kesava Rao:** Is it a fact that railway restaurants and hotels in towns where there is prohibition are serving drinks?

**Shri Santhanam:** Not in the railway premises.

**Pandit Maitra:** May I enquire from the hon. Minister if elimination of unremunerative operations come within better amenities to passengers?

**Shri Santhanam:** They were included in the Betterment Fund expenditure before 1948-49; but in accordance with the advice of the Central Advisory Council from 1st April, 1949, the fund was devoted exclusively to passenger amenities. But as the hon. Member knows, it has been merged into the Betterment Fund out of which the passenger amenities programme is met.

**श्री भट्ट :** क्या (Passenger Amenity) की मद में सौशियल गाईडस का भी खर्चा शामिल है ?

**Shri Bhatt:** Does the item of 'Passenger Amenities' also include the expenditure on Social Guides?

**Shri Santhanam:** The Passenger Amenities Programme is only a capital works' programme; it does not include current revenue expenditure.

**Shri Sidhya:** If improvement is made to the administrative offices, does it come in the 'amenities' list?

**Shri Santhanam:** No.

#### LIQUOR-SERVICE IN REFRESHMENT ROOMS AND RESTAURANT CARS

\*1380. **Dr. M. M. Das:** Will the Minister of Railways be pleased to state:

(a) when the serving of alcoholic drinks in refreshment rooms and restaurant cars on the railways was discontinued; and

(b) the financial loss the Railways had to suffer as a result thereof?

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) The sale of alcoholic drinks was discontinued on the B.N. Railway from 1st September, and on the S. I. Railway and the section of the M and S.M. Railway, lying within Madras Presidency, from 1st October, 1948. Elsewhere on Indian Government Railways, the sale of alcoholic drinks was discontinued from 1st April, 1949.

(b) As catering on the Indian Government Railways is to a large extent entrusted to contractors, no general question of financial loss to railways arises. There has been some, estimated at below Rs. 2 lakhs per annum, on the B.N. Railway, who run their restaurants, dining cars and the hotel at Puri departmentally. On the B.B. and C.I. Railway also, a small loss of about rupees two thousand per year is estimated in connexion with the refreshment rooms and buffet at Bombay Central Station, from which, in terms of an agreement, the railway is entitled to 30 per cent. of the net profits.

**Dr. M. M. Das:** May I know, Sir, whether the serving and drinking of alcoholic drinks are allowed in trains?

**Shri Santhanam:** They are not served. But if a person has got a private permit, I think he may drink in his own compartment.

**Dr. M. M. Das:** May I know, Sir, whether the same rule applies to compartments reserved for the Military?

**Shri Santhanam:** I do not know what rule the hon. Member is referring to.

**Mr. Speaker:** He means the rule about drinking with permits.

**Shri Santhanam:** Any person who has a permit can take his bottle along with him.

**Dr. M. M. Das:** By "permit" does the hon. Minister mean "permit" to drink alcoholic liquor?

**Shri Santhanam:** If the area is one in which prohibition exists, he will have to take a permit from the State Government. If it is in a free area, he will act according to the law of the land.

**Dr. M. M. Das:** What is the position regarding the ban on smoking in trains? Is that also under the active consideration of Government?

**Shri Santhanam:** Not so far as I know..

**Kanwar Jaswant Singh:** Is the serving of alcoholic drinks in railway restaurants and refreshment rooms discontinued as a measure of prohibition or is it for some other reason?

**Shri Santhanam:** It is in conformity with the general national programme of prohibition.

**Dr. Deshmukh:** On how many railways is it still permissible to have alcoholic drinks?

**Shri Santhanam:** On none.

**Shri Kamath:** Sir, is any research being carried on by Government to ascertain how far the ancient "*Soma Rasa*" was not alcoholic with a view to re-introducing it among the...

**Mr. Speaker:** Order, order. We go to the next question.

#### RAIL-ROAD CO-ORDINATION

\*1381. **Shri Kesava Rao:** Will the Minister of Transport be pleased to state whether there is any scheme before the Government for rail-road coordination?

**The Minister of State for Transport and Railways (Shri Santhanam):** The policy of the Central Government in the matter of rail-road co-ordination was explained in reply to the hon. Member's Question No. 448 on the 24th February, 1948. There has been no change from the policy stated therein. In regard to important developments that have since taken place, attention is invited to the paragraphs relating to rail-road co-ordination and reorganisation of road transport in the Report of the Ministry of Transport for the year 1949-50 circulated to Members of Parliament.

**Shri Kesava Rao:** May I know whether along with the integration of the States' Railways in the different States the road-rail schemes have also been taken up by the Government?

**Shri Santhanam:** Yes, Sir. We are attempting to co-ordinate them on the same lines as is done with the old Provinces.

**Dr. Deshmukh:** May I know if the discouragement to the construction of roads parallel to the railways has now been withdrawn?

**Shri Santhanam:** The road programmes come within the jurisdiction of the State Governments, unless they are national highways. The Transport Ministry is not constructing any new national highways but rather they are only improving the existing national highways by taking them over, building bridges and putting them generally on a proper standard. Therefore I do not think the hon. Member's question arises.

**Dr. Deshmukh:** I am afraid my question has not been understood. Was it not a fact that the Government of India pursued a policy of discouraging the construction of roads parallel to railways? Has that policy been altered or abandoned?

**Shri Santhanam:** We were only discouraging unfair competition by motor transport on roads parallel to the railways.

#### TIMBER FROM SOUTH ANDAMANS

\*1382. **Shri S. C. Samanta:** (a) Will the Minister of Agriculture be pleased to state what is the system of disposal of timber from South Andamans?

(b) Does the system vary year by year?

(c) How much of the timber is utilised in India for industrial purposes and how much goes abroad and in what form?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) For the disposal of logs the system is that established buyers of long standing intimate their requirements to the Chief Conservator of Forests, Andamans who makes supplies at scheduled rates, subject to the quantities being available.

For the disposal of other timbers, the Government have their accredited agents at Calcutta and Madras. Timber is supplied to them at prices determined from time to time by the Chief Conservator of Forests, Andamans, on the basis of the quotations obtained from these agents and with reference to scheduled rates. The distribution to different parties is done by the agents.

(b) No.

(c) The following quantities of timbers have been utilised by Indian Industries during the period from April, 1949 to January, 1950:

	Tons
(i) Logs	22,404
(ii) Squares	2,538
(iii) Scantlings	5,152

This includes 1,146 tons Squares and 107 tons of sleepers supplied to Railways.

No timber was exported abroad during this period.

**Shri S. C. Samanta:** What was the estimated production of timber from South Andamans in 1949-50 and what was the gross income from it?

**Shri Jairamdas Doulatram:** The anticipated outturn of Andamans timber for 1950-51 is as follows:

Matchwood	24,000 logs
Plywood	12,000 ..
Hard woods	14,500 ..

**Shri S. C. Samanta:** Has the process of employing modern machinery for the manufacture of plywood been started?

**Shri Jairamdas Doulatram:** Not yet. The South Andamans are being exploited departmentally.

**Shri M. A. Ayyangar:** May I know if any final decision has been arrived at by the Government as to whether the exploitation of the Andamans forests should be done departmentally or be given to contractors?

**Shri Jairamdas Doulatram:** The exploitation of the North Andamans to which the hon. Member is referring is now proposed to be done on contract basis by inviting tenders. The matter is under reference to the Standing Finance Committee. At first the Standing Finance Committee referred it back to the Ministry to see if departmental exploitation would not be much better than giving it under contract. We found that departmental exploitation would involve an investment of about one crore of rupees and after the sixth year half a crore more every year resulting in a profit of only Rs. 20 to 25 lakhs. This meant the investment of a very heavy amount which it was not possible to provide at present. It was thought better to allow the investment to be done by an individual, by inviting tenders and giving the contract to the person whose tender may be the best and whose other terms were satisfactory. The matter is under reference now to the Standing Finance Committee.

**Shri Sidhva:** It was contemplated that the contract was to be given to one firm and the matter was under discussion in this House. Subsequently the hon. Minister held it over. What has become of that contract? Is it to be given to that particular firm to which he has made a reference?

**Shri Jairamdas Doulatram:** I am afraid the hon. Member is not stating the facts as they are. There was no intention to give it to one contractor. There was a proposal to have a kind of corporation in which a number of contractors were to be shareholders.

As I said the question of departmental exploitation involved immediately the investment of one crore of rupees and after the sixth year a continuous investment of half a crore every year. It was found that the finance would not be available. We have therefore put the other proposal before the Standing Finance Committee, in which Government has not to invest anything but will be able to secure a profit of 20 or 25 lakhs.

**Shri Jhunjhunwala:** Is it a fact that the Government instead of inviting tenders from all are carrying on negotiations with a particular contractor?

**Shri Jairamdas Doulatram:** One of the contractors who has had experience in Burma has also tendered but we have invited tenders from every body.

**Shri Tyagi:** Is it a fact that there are forests in the Andamans which are virgin and have never been exploited so far? Is there any scheme about the exploitation of these forests?

**Shri Jairamdas Doulatram:** The proposals which are to come before the Standing Finance Committee deal with it.

**Shri Tyagi:** Is it a fact that there is timber enough for the manufacture of tea chests in the Andamans?

**Shri Jairamdas Doulatram:** We do provide a large quantity of timber for tea chests every year.

#### RAIL LINK BETWEEN PATHANKOT AND JAMMU

\*1383. **Shri Balgra:** Will the Minister of Railways be pleased to state:

(a) whether the proposal to have a rail link from Pathankot to Jammu in Kashmir State has been considered by the Government; and

(b) if so, whether the Government propose to undertake the construction of the railway line during the next financial year?

**The Minister of Transport and Railways (Shri Gopaldaswami):** (a) Yes.

(b) It is not proposed to undertake the construction of the railway during 1950-51.

**Shri Rathnaswamy:** What is the estimated cost of this rail link?

**Shri Gopalaswami:** We have not made any regular survey or estimated the cost but taking merely the length into consideration it is about 65 miles and it may cost approximately about 6½ crores.

**Shri Rathnaswamy:** When is the scheme likely to be taken up?

**Shri Gopalaswami:** As soon as conditions settle down we might think of undertaking a survey.

**Shri M. A. Ayyangar:** May I know if the scheme will be a self-sufficient and a paying one or will it be for strategic purposes and will have to be paid for from general revenues?

**Shri Gopalaswami:** It is difficult to say until we have made a traffic survey of the line and got a more reliable estimate of the cost. I am speaking merely from a judgment of what I know about the likelihood of traffic on that particular line. I think it is bound to yield a certain minimum return.

**Shri Sonavane:** Is it proposed to allot some funds for this purpose from the 1951-52 Budget?

**Shri Gopalaswami:** It is too early for me to say.

**Shri Sidhva:** Have Government any proposal for a rope railway from Jammu to Srinagar?

**Shri Gopalaswami:** No, not at present.

#### 'GROW MORE FOOD' CAMPAIGN

\*1384. **Shri Alexander:** (a) Will the Minister of Agriculture be pleased to state the amount of money allotted for 1950 under the 'Grow More Food' Campaign under the head of 'loans and grants'?

(b) What amount does Travancore-Cochin get under (i) grant; and (ii) loan?

(c) What are the conditions of repayment of loans and to what purposes are they granted?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) The amount of money provided by the Government of India for the 'Grow More Food' Campaign including 'loans' and 'grants', is Rs. 15 crores for the financial year 1949-50 and a similar amount for financial year 1950-51.

(b) A grant of Rs. 32,24,700 has been sanctioned to the State of Travancore-Cochin in respect of the 'Grow More Food' schemes proposed by the State Government for 1949-50. The question of sanctioning a loan of Rs. 50 lakhs for 'Grow More Food' schemes is under the consideration of the Government of India. During 1950-51, the amount of grant and loan to be sanctioned for the State of Travancore-Cochin will depend upon the number of schemes proposed by the State Government and approved by the Government of India.

(c) The loans are granted for financing capital expenditure and the remunerative portion of 'Grow More Food' schemes and also for advancing *Taccavi* loans to agriculturists for their private 'Grow More Food' schemes, such as well-sinking, bunding, etc. The rate of interest depends on the period for which the loan is taken and the conditions prevailing in the money market.

**Shri Alexander:** Is any grant or loan provided to encourage this tapioca research scheme being conducted in Travancore-Cochin?

**Shri Jairamdas Doulatram:** As I said, the schemes are prepared by the State Governments, and if the schemes include one for production of tapioca it would receive a grant.

श्री एम० एल० वर्मा : राजस्थान को कितना लोन और ग्रांट दी गई है ?

**Shri M. L. Varma:** How much loan and grant have been given to Rajasthan?

**Shri Jairamdas Doulatram:** Assam received a loan of Rs. 3,25,000 and a grant of Rs. 21,97,000.

**Shri M. L. Varma:** For Rajasthan?

**Shri Jairamdas Doulatram:** I am sorry I have not got the figure for Rajasthan.

**Shri B. Velayudhan:** May I know whether the Travancore-Cochin Union owes any sum to the Central Government by way of loan? Because the other day Mr. Tyagi mentioned . . . .

**Mr. Speaker:** Order, order. He need not give the reason. He may ask the question.

**Shri B. Velayudhan:** Yes, Sir. May I know whether that State Union owes to Government about Rs. 5 crores?

**Shri Jairamdas Doulatram:** The Travancore-Cochin Government owes money to the Government of India, I believe, in regard to purchase of foodstuffs.

**Mr. Speaker:** What is the amount?

**Shri Jairamdas Doulatram:** I would not be able to state the exact amount but it would run into some crores.

सेठ गोविन्द दास : क्या इस ग्रो मोर फूड कैम्पेन के लोन्स और ग्रांट्स में अधिक दूध उत्पन्न करने और अधिक घी बनाने के लिए भी कोई लोन और ग्रांट दिये जाने वाले हैं ?

**Seth Govind Das:** Are the production of more milk and *ghee* included in the items for which 'Grow-More-Food' loans and grants are to be made?

**Shri Jairamdas Doulatram:** *Ghee* is not included in the items for which we give these "Grow-More-Food" grants.

**Shri Frank Anthony:** When these loans are made, are they related to any reclamation targets set by the States, and if so, what steps do the Central Government take to see that these loans are properly spent and reclamation targets achieved?

**Shri Jairamdas Doulatram:** As I said, we have improved the machinery for continuous contacts with the State Governments, and we have got our representatives also who are touring in the area.

**Shri M. A. Ayyangar:** May I enquire from the hon. Minister whether provision of grants or subsidies for the manufacture of fertilizers is also a part of the "Grow More Food" campaign?

**Shri Jairamdas Doulatram:** I do not think it is included. We usually give grants for the production of cereals and tapioca, that is those items of food which enable us to stop the import of cereals from outside.

**Shri M. A. Ayyangar:** May I know whether the hon. Minister is taking any steps to subsidise the fertilizer factory in Travancore-Cochin?

**Shri Jairamdas Doulatram:** I think the Government of India have given some advance to the Travancore-Cochin fertilizer factory.

**Ch. Ranbir Singh:** What steps do Government propose to take to see that the agricultural waste lands are brought under cultivation in the various States?

**Shri Jairamdas Doulatram:** We are asking the State Governments who have directly to deal with such lands within their jurisdiction, to pass legislation, and take other executive action to see that all the land which can be put under cultivation is done so.

**सेठ गोविन्द दास :** मैं पूरा जवाब नहीं सुन पाया था । मैं यह जानना चाहता हूँ कि ग्रो मोर फुड कैम्पेन में दूध और घी शामिल नहीं किया गया है तो इसका क्या सबब है ?

**Seth Govind Das:** I was not able to gather complete answer. I want to know the reason why milk and *ghee* are not included in the items constituting the "Grow More Food" Campaign.

**Shri Jairamdas Doulatram:** I explained that the "Grow More Food" programme is in the context of stopping imports of foodgrains from outside. We are at present importing cereals, therefore we are producing that food which enables us to make substitutes available in place of imported cereals. *Ghee* is not such a substitute.

**Shri Alexander:** May I know whether jute cultivation in paddy-growing areas, planned in Travancore-Cochin will not hamper the production of food?

**Shri Jairamdas Doulatram:** Wherever we require any State Government to produce more of jute, and that increased production is at the cost of the area under fooderops, we will give additional assistance to that area in regard to food.

#### RAIL LINK BETWEEN KOLLENCODE AND TRICHUR

\*1385. **Shri Lakshmanan:** (a) Will the Minister of Railways be pleased to state whether there was a proposal to connect Kollencode with Trichur by rail?

(b) If so, has any survey been conducted in that behalf?

(c) When do Government propose to carry out the scheme?

**The Minister of Transport and Railways (Shri Gopalswami):** (a) and (b): The reply is in the affirmative.

(c) There is no proposal to carry out the scheme at present. The project was considered by the Central Board of Transport and they recommended that it should be dropped.

**Shri Lakshmanan:** May I know whether Government intends to re-examine the matter?

**Shri Gopalswami:** At present I am afraid there is no provocation extended to them for re-examining the matter.

**Shri B. Velayudhan:** How much money is required for this scheme if it is taken up?

**Mr. Speaker:** That question will be problematical at this stage.

**Shri E. Velayudhan:** The scheme has been examined and a survey made. So, may I know the total estimate of cost of this scheme?

**Mr. Speaker:** It is an estimate of the thing in case it is reconsidered. That is why it is problematical.

**Shri Ramalingam Chettiar:** Is there any proposal to have a metre gauge-line to Cochin Harbour?

**Shri Gopalaswami:** We have got a broad gauge line already. There is no idea of converting it into metre gauge or having a metre gauge rail in between.

**Shri Ramalingam Chettiar:** Having a metre gauge so as to connect the East Coast with Cochin Harbour?

**Shri Gopalaswami:** There is no such proposal at present.

#### DAMODAR VALLEY PROJECT

\*1386. **Shri Lakshmanan:** (a) Will the Minister of Works, Mines and Power be pleased to state what is the total estimate for the Damodar Valley Project?

(b) How much money has been spent on the scheme till 1st January, 1950?

(c) What is the extent of land that could be irrigated by the scheme?

(d) What is the total quantity of hydroelectric power that could be available from the project?

**The Minister of Works, Mines and Power (Shri Gadgil):** (a) According to the present estimates the total expenditure for the Damodar Valley Project is Rs. 68 crores. This estimate is subject to variation as a result of further detailed project studies, devaluation and fluctuations in prices.

(b) Rs. 4,86,24,899.

(c) One Million acres approximately.

(d) 200,000 K.W. approximately.

**Shri Lakshmanan:** What is the annual additional income that the cultivators are expected to derive by this project?

**Shri Gadgil:** That will depend upon the prices prevailing then.

**Shri A. O. Guha:** Can the Government give any idea as to what would be the total cost of this project? It is stated that it would be Rs. 68 crores subject to variations.....

**Mr. Speaker:** Order, order. I think a large number of questions have been put on the Damodar Valley Scheme, and the hon. Minister has given explanation a number of times.

**Shri A. O. Guha:** I want to know what may be the approximate cost.

**Mr. Speaker:** Order, order.

**Shrimati Velayudhan:** May I know whether there is a proposal for some Members of this House to visit the Damodar Valley site?

**Shri Gadgil:** If the hon. Members of this House want to see the project they are always welcome.

**Mr. Speaker:** The point of the question was about seeing the project, not in the Secretariat office with maps and all that but going to and seeing the site.

**Shri Gadgil:** Anybody can go, Sir. I am sure my colleague here will provide ample facilities for travel.

**Shri Kamath:** Is it a fact that owing to the recent heavy down-pour, one or two dams have been badly damaged resulting in loss to the extent of several lakhs of rupees?

**Shri Gadgil:** It is entirely untrue. The extent of damage is just about Rs. 7,000.

**Oh. Ranbir Singh:** Is it a fact that the speed of work has been slowed down due to lack of finances?

**Mr. Speaker:** Order, order. This question also has been put and answered previously.

**Shri Kishorimohan Tripathi:** Are Government satisfied that there exist or there shall come into existence, sufficient industries round about this project to consume the electrical energy generated?

**Shri Gadgil:** That was one of the assumptions made when this project was accepted.

**Shri Lakshmanan:** Is it a fact that the construction and equipment of the power station has been entrusted to a foreign firm, and if so, what is the amount of the contract?

**Mr. Speaker:** Order, order. This question also has been put previously.

**Pandit Maitra:** Has there been any material structural damage?

**Shri Gadgil:** Not at all.

**Shri Tyagi:** Seeing the present position of Government with regard to ways and means, may I know how long Government expects to take to complete this scheme?

**Shri Gadgil:** That was also answered, Sir.

**Mr. Speaker:** Yes, that was also answered a number of times.

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## WRITTEN ANSWERS TO QUESTIONS

### FOODGRAINS FOR MYSORE

\*1387. **Shri Thimmappa Gowda:** Will the Minister of Food be pleased to state:

(a) the quantity of foodgrains required by the State of Mysore in the years 1949 and 1950 to make up the deficit in the requirements of the State?

(b) the actual allocation of foodgrains made from the Centre to the State in 1949 and 1950;

(c) the rationed quantity per head per day in Mysore State and in other States of the Union both in urban and rural areas; and

(d) whether the Government of Mysore have expressed the opinion that the quota allotted to them is very inadequate to maintain their present scale of rations?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) and (c). Two statements are placed on the Table of the House. [See Appendix VI, annexure No. 30].

(d) Yes. The Government of Mysore have asked the Centre to increase the quota for Mysore for the year 1950 from 75 to 127 thousand tons.

#### INTERNATIONAL COMMISSION ON IRRIGATION AND CANALS

**\*1338. Prof. S. N. Mishra:** (a) Will the Minister of Works, Mines and Power be pleased to state whether Government have mooted any proposal for setting up an International Commission on Irrigation and Canals?

(b) If so, how many countries have supported the proposal?

(c) What will be the functions of the Commission?

**The Minister of Works, Mines and Power (Shri Gadgil):** (a) Yes. Some time ago the Government of India invited the cooperation of other countries of the world to set up an International Commission on Irrigation and Canals.

(b) Eleven countries which include some with large irrigation interests have already agreed to co-operate. Favourable replies are expected from many others.

(c) The Commission will encourage progress at the international level in the design, construction, maintenance and operation of large and small irrigation works and irrigation practice, technique and research in general.

#### PASSENGER AMENITIES ON RAILWAYS

**\*1389. Sardar Hukam Singh:** Will the Minister of Railways be pleased to state what items are covered by the phrase "Passenger Amenities"?

**The Minister of Transport and Railways (Shri Gopaldaswami):** Presumably the hon. Member is referring to the expression "passenger amenities" in relation to the Betterment (now included in the Development) Fund. These cover only works of a capital nature and an up-to-date list is placed on the Table of the House. [See Appendix VI, annexure No. 31].

#### GRAM, BARLEY, MILLET AND MAIZE

**\*1390. Oh. Mukhtiar Singh:** Will the Minister of Food be pleased to state the average annual yield of gram, barley, millet and maize in the following states (i) Punjab; (ii) Uttar Pradesh; and (iii) Bihar?

(b) What are the quantities of the above grains procured annually in the States mentioned in part (a) above?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) and (b). Two statements giving the available information are laid on the Table of the House. [See Appendix VI, annexure No. 32].

## VILLAGE GHANIS

\*1391. **Shri Kannamwar:** Will the Minister of **Agriculture** be pleased to state what steps Government propose to take in giving protection to non-machine oil pressing industry, i.e., to village wooden *Ghanis*?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** Government will consider the proposals of the Indian Central Oilseeds Committee in regard to this matter. These proposals are being formulated by the Committee in consultation with the State Governments.

## SEMOLINA

\*1392. **Shri Obaidullah:** (a) Will the Minister of **Food** be pleased to state whether it is a fact that semolina did not originally form part of the daily food for South Indians?

(b) What is the present stock of semolina in the Madras State?

(c) Since how many years has semolina been kept in godowns?

(d) Has the condition of the stock deteriorated and is it unfit for human consumption?

(e) Are the people forced to take the stuff and pay for it?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** As intimated by the Madras Government the position is as under:

(a) Semolina or *Ravai* or *Sooji* was used in South India during the control days by the middle classes and catering establishments.

(b) 3521 tons on 11th March, 1950.

(c) Out of 3521 tons on hand there are about 100 tons which are six months old. The rest of the stocks relate to the fresh arrivals received from Calcutta since last month.

(d) The condition of about 100 tons of old stocks is not good. The stocks are being cleaned at the cost of Government before issue to the consumers.

(e) Semolina is being issued to cardholders at two ozs. per adult against the overall ration of 12 ozs., the option being left to the cardholders to take it or not. With regard to Establishments and institutions Semolina is being issued in certain fixed proportion to their quota.

## QUARTERS FOR GOVERNMENT EMPLOYEES IN VINAY NAGAR

\*1393. **Shri Obaidullah:** Will the Minister of **Works, Mines and Power** be pleased to state:

(a) the number out of the 556 quarters allotted to Government servants in Vinay Nagar, New Delhi which are not occupied and whether it is due to the fact that those houses are not given electric connection;

(b) whether it is a fact that the roads there are also not electrified; and

(c) if so, when the roads and the quarters will be given electric connection?

**The Minister of Works, Mines and Power (Shri Gadgil):** (a) Out of 516 quarters allotted so far to Government servants in Vinay Nagar, 101 quarters have

not yet been occupied. Government are not aware if non-occupation of these 101 quarters is due only to the fact that these houses have no electric connection.

(b) No. Except the main approach road from the Qutab Road to this Colony on which the work is in progress, all the roads in the colony have electric lights.

(c) Electric connection to the quarters may take three to six months, depending on the delivery of Sub-Station plant and equipment, and availability of power in this area. Electrification of the main approach road to the Colony will be done shortly on completion of the work thereon.

#### ALLOTMENT OF GOVERNMENT QUARTERS

**\*1394. Shri Obaidullah:** Will the Minister of **Works, Mines and Power** be pleased to state:

(a) when Government quarters will be allotted to Government servants under the revised rules;

(b) how many applications have been received under each category;

(c) how many quarters are actually vacant at present and how many will be vacant under each category for allotment;

(d) how many of the new quarters under construction are under each group; and

(e) whether the Government quarters in unauthorised occupation of displaced persons will also be taken possession of by Government and re-allotted to Government servants and if so, when?

**The Minister of Works, Mines and Power (Shri Gadgil):** (a) The allotment of Government quarters under the revised rules will commence by the middle of this month.

(b) to (d) . A statement containing the required information is placed on the Table of the House. [See *Appendix VI, annexure No. 88*].

(e) The matter is under consideration. Certain categories of refugees in unauthorised occupation are due for immediate eviction. A copy of the Press Note issued on the point is placed on the Table of the House. [See *Appendix VI, annexure No. 54*].

#### GOLD RECOVERY PLANT NEAR HUTHI MINES, HYDERABAD

**\*1395. Shri Sanjivayya:** Will the Minister of **Works, Mines and Power** be pleased to state whether Government of India propose to install a gold recovery plant near the Huthi Mines in Hyderabad?

**The Minister of Works, Mines and Power (Shri Gadgil):** No, the Government of India have no such proposal under consideration. It is possible however that a local mining concern or the Hyderabad State may have this under consideration.

#### NATIONAL HIGHWAY IN TRAVANCORE-COCHIN

**\*1396. Shri Iyyunni:** Will the Minister of **Transport** be pleased to state:

(a) the length of the National Highway in Travancore-Cochin;

(b) the amount spent for its maintenance and improvement in the year 1949-50; and

(c) what is the amount that Government propose to spend on it for the year 1950-51?

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) The Centre have assumed financial responsibility from the 1st of April, 1950, for about seventy-six miles of road provisionally designated in the State as National Highways.

(b) No information on this is available. The Centre had no financial responsibility for these roads in 1949-50.

(c) The amount has not yet been fixed but it may be in the neighbourhood of Rupees one and half lakhs.

#### RATES OF PROCUREMENT OF RICE

\*1397. **Shri Kshudiram Mahata:** Will the Minister of Food be pleased to lay on the Table of the House a statement showing the different rates at which rice has been procured in 1949-50 by various State Governments and also the corresponding wholesale supply rates?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** A statement is laid on the Table of the House. [See Appendix VI, annexure No. 35].

#### RAILWAY LINK BETWEEN PATHAVKANDI AND DHARMANAGAR

\*1398. **Shri Sanjivayya:** (a) Will the Minister of Railways be pleased to state whether there is any proposal to connect Pathavkandi station on the Assam Railway with Dharmanagar in Tripura State by a railway line?

(b) If so, what is the purpose of such a link?

(c) What is the probable cost involved?

**The Minister of Transport and Railways (Shri Gopaleswami):** (a) The Central Board of Transport have approved of traffic and engineering surveys for the extension of the Karimganj-Kalkalighat branch of the Assam Railway to Dharmanagar in Tripura State being undertaken through the agency of the Assam Railway. The survey is in hand.

(b) The line is intended to connect the Tripura State by rail with the Indian Dominion and to help in the movement of essential supplies to the State.

(c) The estimated cost of construction will be available after the survey has been completed.

#### PRODUCTION OF COTTON IN PEPSU

\*1399. **Kaka Bhagwant Roy:** (a) Will the Minister of Agriculture be pleased to state what is the total production of cotton in the years 1948-1949 and 1949-50 in PEPSU?

(b) What are the different varieties of cotton produced in PEPSU?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) The production of cotton during the year 1948-49 was 54,000 bales and in 1949-50 it is estimated to be 69,000 bales.

(b) These are :

*Short Staple—*

- (1) Desi Cotton.
- (2) C. 520.
- (3) M-39.

*Long Staple—*

- (4) L.S.S. American Punjab Variety.
- (5) 289-F.
- (6) 199-F.

#### CURRENT FALLOW LANDS

\*1400. **Shri M. V. Rama Rao:** Will the Minister of **Agriculture** be pleased to refer to the answers given to supplementaries to Starred Question No. 1048 on 22nd March, 1950 regarding cultivable land in the country and state:

- (a) the regional break-up of 50.9 million acres of current fallows;
- (b) the extent of irrigated land under current fallows;
- (c) the details relating to 88.6 million acres of cultivable land which are not under cultivation and do not come under current fallows;
- (d) the area of land out of these 88.6 million acres which can be irrigated by Projects which are now in progress; and
- (e) the area of land out of the said 88.6 million acres which is being used as grazing or pasture land for cattle and sheep?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) to (e). The information is being collected from the States and will be placed on the Table of the House as soon as it is received.

#### WATER RESERVOIRS IN E. I. RAILWAY

\*1401. **Shri Ramraj Jajwari:** (a) Will the Minister of **Railways** be pleased to state the number of large water reservoirs that are being used for storage of water for loco. purposes in E.I. Railway?

(b) Are they being used for any other purpose?

**The Minister of Transport and Railways (Shri Gopaldaswami):** (a) About 60.

(b) Yes; in some localities these tanks are placed under local Institutes, Station Committees or Railway Clubs for angling.

#### EXTENSION OF RAILWAY LINE (CHHOTA UDEPUR—KUKSI)

\*1402. **Shri P. T. Munshi:** Will the Minister of **Railways** be pleased to state:

(a) whether it is a fact that preliminary survey has been made with a view to extend the Railway line from Chhota Udepur (in Bombay State) to Kuksi, a station on the borders of Madhya Pradesh; and

(b) how much time will be taken up in completing the proposed construction and what will be the total expenses?

**The Minister of Transport and Railways (Shri Gopalaswami):** (a) In 1932, the Government of India approved of the traffic and engineering reconnaissance surveys being carried out by the Baroda Durbar at their own cost, on the clear understanding that the Government of India gave no guarantee that assent would be granted ultimately to the construction of the line. It is understood that survey was carried out by the late G. B. S. Railway 17 years ago.

(b) As the survey reports are not available, the Government are not in a position to furnish the information.

#### PRODUCTION OF COTTON AND JUTE IN ASSAM

**\*1403. Shri M. Hazarka:** Will the Minister of **Agriculture** be pleased to state:

(a) whether any steps have been taken for the production of long staple cotton in the State of Assam, if so, what those steps are; and

(b) whether any steps have been taken to increase the cultivation of jute in Assam and to improve its quality?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) Experiments and trials on a variety of long staple cotton are being conducted in Assam, but no satisfactory results have been arrived at as yet.

(b) Yes. Discussions have taken place with the Assam Government for increasing the cultivation of jute and a scheme for the purpose has been worked out.

#### MUSTARD OIL

**\*1404. Shri Balmiki:** Will the Minister of **Agriculture** be pleased to state:

(a) the consumption of mustard oil during the year 1948-49; and

(b) what steps are being taken to stop adulteration of mustard oil?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) Separate statistics of consumption of mustard oil have not been collected. The tentative estimate of the production of rape and mustard seed during 1948-49 was 7,26,000 tons. Out of this 6,76,000 tons were available for internal consumption after making allowance for seed, domestic use etc.

(b) The State Governments are dealing with adulteration of food-stuffs and the following steps have been taken by them:

(i) Extended facilities have been provided by the State Governments concerned for testing of mustard oil free of charge by stationary and mobile centres. Sanitary Inspectors have been trained and deputed to carry out these tests.

(ii) Incriminating stocks of oil wherever found are being seized and destroyed.

(iii) Import of white oil has been banned by the Government.

(iv) The Government of Uttar Pradesh has declared argemone as poison under the Poison Act and has directed that offenders should be prosecuted under the Act.

(v) The growers of mustard seed have been asked to take special care to weed out argemone seed.

**AIRCRAFT PURCHASED BY BURMA FROM INDIA**

\*1405. **Shri M. V. Rama Rao:** Will the Minister of **Communications** be pleased to state:

(a) the number of aircraft purchased by the Government of Burma from India during the current year, together with the description and the purchase price; and

(b) whether the Government of India had no use for these aircraft?

**The Deputy Minister of Communications (Shri Khurshed Lal):** The question will be answered by the hon. Minister for Industry and Supply on the 11th April, 1950.

**COAL AND FUEL ECONOMY COMMITTEE**

154. **Shri Massey:** (a) Will the Minister of **Railways** be pleased to place on the Table of the House copies of the minutes of the Fuel Economy Committee Meetings held since 1944 up-to date?

(b) Will Government place on the Table of the House a statement containing the following information:

- (i) the personnel of the Fuel Economy Committee in 1944 and subsequent changes upto date;
- (ii) the details of the Fuel Organisation on each railway with costs;
- (iii) the detailed instructions issued with regard to the Trip Rationing System;
- (iv) the Railways which have introduced the trip Rationing System and the date from which full rationing has been introduced; and
- (v) the total quantity of coal actually received in coal depots by railways in the following form?

*For the year 1947-48*

Rlys.	Opening Balance on 1st Apr. 1947	Coal despatched from Collieries prior to 1st Apr. and received in coal depots after 1st April 1947		Coal despatched and recd. during the period 1st Apr. to 31st March 1947-48		Closing Balance on 31st March 1948
		Tons	Rs.	Tons	Rs.	

*For the year 1948-49*

Rlys.	Opening Balance on 1st Apr. 1948	Coal despatched from Collieries prior to 1st April and received in coal depots after 1st April 1948		Coal despatched and recd. during the period 1st Apr. to 31st March 1948-49		Closing Balance on 31st March 1949
		Tons	Rs.	Tons	Rs.	

**The Minister of State for Transport and Railways (Shri Santhanam):** (a) It is not certain which Fuel Economy Committee is referred to by the hon. Member. If he is referring to Fuel Economy Committees on Railways it is pointed out that their minutes are departmental documents and are intended for official use only.

(b) It is regretted that the information is not readily available and the time and labour involved in collecting it will not be commensurate with its utility.

#### TELEPHONE CONNECTIONS FOR CALCUTTA TELEPHONE DISTRICT

**155. Shri Massey:** Will the Minister of Communications be pleased to lay on the Table of the House a statement containing the following information in respect of Calcutta Telephone District as regards telephones, switch-boards and other exchange facilities installed under the Old Scheme during the period 1947-48, 1948-49 and 1949-50:

- (i) the number of telephones installed to new subscribers;
- (ii) the number of private exchanges, larger than 2 plus 4 and private exchanges 2 plus 4 and smaller installed to old subscribers;
- (iii) the number of private exchanges larger than 2 plus 4 and private exchanges smaller than 2 plus 4 installed to new subscribers; and
- (iv) the number of plug connections installed to old and new subscribers?

**The Deputy Minister of Communications (Shri Khurshed Lal):** A statement giving the required information is laid on the Table of the House. [See Appendix VI, annexure No. 36].

#### TRACTORS FOR NON-DELTAIC DISTRICTS IN MADRAS

**156. Shri Obaidullah:** Will the Minister of Agriculture be pleased to state:

(a) whether it is a fact that representations have been made to the Government of India about the difficulty of getting tractors in the non-deltaic districts like South and North Arcot in Madras State; and

(b) how many small tractors, say, 6 to 10 B.H.P. have been supplied to these two districts?

**The Minister of Food and Agriculture (Shri Jairamdas Doulatram):** (a) No. The State Government may have received them.

(b) The Central Government have not supplied any tractors below 10 B.H.P. to these two districts. The State Government may have supplied them.

Tuesday, 4th April, 1950



# PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME IV, 1950

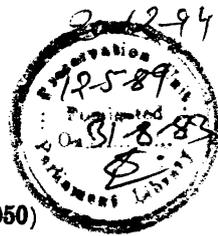
(1st April, 1950 to 20th April, 1950)

First Session

of the

PARLIAMENT OF INDIA

1950



## CORRIGENDA

to

the Parliamentary Debates (Part II—Other than Questions and Answers), 1st Session, 1950,—  
In Volume IV,—

1. No. 3, dated the 4th April, 1950,—  
Page 2507, line 19 from bottom for "tribal and other backward areas" read "scheduled castes".
2. No. 4, dated the 5th April, 1950,—  
Page 2561, line one under clause 182, for "—ssion" read "submission".
3. No. 6, dated the 8th April, 1950,—  
(i) Page 2647, line 11 from bottom for "so" read "to".  
(ii) Page 2648, line 9 after "far" read "so".  
(iii) Page 2670, line 11 from bottom for "coutry" read "country".
4. No. 7, dated the 10th April, 1950,—  
Page 2710, line 13 from bottom for "its" read "to", and in last line for last word "we read "were".
5. No. 9, dated the 12th April, 1950,—  
(i) Page 2810, line 6 from bottom for "act" read "Act".  
(ii) Page 2822, for existing line 19 from bottom read "into effect on 19th October, 1949 certain actions had been taken under the old".
6. No. 10, dated the 14th April, 1950,—  
Page 2832, for existing line 19 from bottom read "(Occupancy or tenancy rights not to be extinguished)".
7. No. 11, dated the 15th April, 1950,—  
(i) Page 2896, line 24 after "not" insert "go".  
(ii) Page 2900, line 7 for "express" read "expenses".
8. No. 12, dated the 17th April, 1950,—  
(i) Page 2922, line 12 for "Shri Hussain Iman" read "Shri Hussain Imam".  
(ii) Page 2923, line 4 for "all the said" read "all is said".  
(iii) صفحہ ۲۹۲۶ لائن ۴ میں -دمزدور کی جگہ ددھنزار، پڑھیں -  
(iv) Page 2930, between lines 10 and 11 from bottom insert "[Mr. DEPUTY-SPEAKER in the Chair]".  
(v) Page 2934, line 1 for "49, 5000" read "49, 500".
9. No. 14, dated the 19th April, 1950,—  
(i) Page 3020, line 9 from bottom for "re-established" read "re-establish".  
(ii) Page 3022, line 19 for "away" read "way".  
(iii) Page 3024, line 12 for "members" read "numbers".  
(iv) Page 3025, line 18 for "placed" read "displaced".  
(v) Page 3026, line 19 from bottom for "by 375" read "be 375".  
(vi) Page 3029, line 28 for "by" read "ly".  
(vii) Page 3031, line 12 after "Notified" insert "Area".  
(viii) पृष्ठ ३०३९, पंक्ति १२ में "जातता" के स्थान पर "जातता" पढ़ें और पंक्ति २२ में "जिस को कि" के स्थान पर "जिस को कि" पढ़ें ।  
(ix) Page 3044, line 20 for "Mr. Speaker" read "Mr. Deputy-Speaker".

10. No. 15, dated the 20th April, 1950.—

- (i) Page 3059, line 16 for "Article any" read "Article 327".
  - (ii) Page 3084, line 11 from bottom for "effected" read "effete".
  - (iii) Page 3087, line 26 against "9. Tripura" for "6" read "2".
  - (iv) Page 3104, line 8 for "Formaula" read "Formula".
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## BUSINESS OF THE HOUSE

**The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha):** With your permission, Sir, I would like to make an announcement on behalf of Government regarding the programme of the present Session.

In addition to the Bills included in the list of business for the 6th and 8th April 1950, which has been circulated to the Members, the following Bills have also to be passed by the House, if possible, before the current session ends.

- (i) The Administration of Evacuee Property Bill,
- (ii) The Insurance (Amendment) Bill,
- (iii) The Bhopal and Vindhya Pradesh (Courts) Bill,
- (iv) The Displaced Persons (Claims) Bill,
- (v) The Representation of the People Bill and
- (vi) The Industries (Development and Control) Bill.

As this business cannot be disposed of in two days, viz., 11th and 12th April, which are at present at our disposal, it is requested that the meetings provisionally fixed by you, Sir, from 14th April to 19th April may be confirmed. The House is requested to co-operate in adhering to this time-table.

The Ordinance regarding the Administration of Evacuee Property Bill is due to expire on the 17th April. It is, therefore, proposed to take up further consideration of this Bill on the 10th April 1950 and to pass it well in advance of the date of expiry of the Ordinance. Accordingly it is requested that 19th April 1950 may be re-allotted to Private Member's Bills.

Government have also promised to give some time for the discussion of the East Bengal situation. It may not be possible to spare one full day for the purpose but Government will find adequate time for the discussion of this matter before the present session concludes. A further announcement regarding the date of the discussion will be made in due course. Meanwhile certain informations which have been collected in this connection will be circulated to hon. Members shortly.

**Pandit Thakur Das Bhargava (Punjab):** At present, 10th April is fixed for Private Members business. As the announcement just now made by the hon. Minister of State makes it clear, he wants to fix the Private Members' business on the 19th April instead of the 10th. My submission is that the Bill, of which I am incharge, namely, the Vanaspati Bill, will, consequent to this change, be now fixed for the 19th April. As the Session was going to be over according to the old arrangement by the 12th April, I had made special arrangements in order to make it possible for me to be away from here from 15th to 19th April. In view of this, I would pray that the Private Members' business may be fixed on any day before the 15th.

**Shri Sidhva (Madhya Pradesh):** The hon. Minister of State stated that he has fixed the programme up to the 19th of April and that it is just possible that we may have to extend. May I know, therefore, clearly whether 19th is the last day or not.

**Shri Satya Narayan Sinha:** For the present, yes.

**Shri Kamath (Madhya Pradesh):** May I ask two questions?

First of all, on a point of parliamentary decorum, is it quite proper for Government to ask the House to "cooperate" in adhering to a definite schedule,—firstly because the House has always cooperated and secondly

because the schedule as it has been put before the House may not be adhered to due to pressure of work which may increase. Then it will not be as if the House does not wish to cooperate, but that for other reasons it is not possible for the schedule to be adhered to.

The second point is this. The hon. the Finance Minister promised this House—if not promised, at least he assured the House some time ago—that the matter of capital issues would be discussed in the House some time during this session. This item does not find a place in this schedule. I do not know what the position is in regard to that. I would request Government to throw some light on that matter also.

**Shri Satya Narayan Sinha:** Regarding the first point. I have simply requested the House to cooperate. I have been in this House for the last fifteen years and this kind of request has been made a hundred times at least by Government. Regarding the second point, I shall consult the Finance Minister.

**Shri Hanumanthaiya (Mysore):** The hon. Minister of State was pleased to say that the date of the next session will be announced later.

**Shri Satya Narayan Sinha:** Next session? I did not say anything like that.

**Mr. Speaker:** He said about the East Bengal situation that the exact date will be announced later.

**Shri Hanumanthaiya:** Will it be possible for Government to tell the House when the next session will be convened?

**Shri Satya Narayan Sinha:** It is too early for Government to say anything about it.

**Khwaja Inait Ullah (Bihar):** Mr. Sidhva's question as to whether 19th will be the last date or whether the session will be extended has not been answered.

**Mr. Speaker:** I think hon. Members are a bit in a hurry to know all things at the same time. The hon. Minister of State stated that, provisionally, the present idea is to go up to the 19th, and if it is found possible to finish the most urgent business of Government by that date, we shall not meet after the 19th. In case it is not possible to finish, then of course we shall have to sit a little longer. That is what he said.

**Shri Bharati (Madras):** That is no good. There must be something definite.

**Mr. Speaker:** We can be definite only if we can place a time-limit on the discussions on each occasion. That is not a very advisable thing. If hon. Members are willing to have time-limits fixed for each Bill, so that I can put all the clauses and amendments that are left over to the guillotine, I have no objections. Only then can we finish the whole programme within a stated time, as we do in regard to financial business. But hon. Members will evidently see that it is not possible to foresee what turn the discussion will take on a particular Bill.

**Shri Satya Narayan Sinha:** I think I can safely tell the House that for the present Government's intention is not to extend the date beyond the 19th.

**Mr. Speaker:** After all, the matter rests with intentions. It does not clarify the position any further. However, I do not think that we need take any more time over this discussion.

The only point that remains to be decided is about the date to be fixed for Private Members' business. Instead of the 10th for which it was fixed, the hon. Minister of State wants it to be fixed for the 19th. Pandit Bhargava wishes that it should be fixed for some day before the 15th.

**Shri J. R. Kapoor** (Uttar Pradesh): Why should this arrangement alone be disturbed? I suggest that there should be as little dislocation as possible.

**Mr. Speaker:** Will the hon. Member allow me to proceed? I am going into that point myself. I am suggesting to the Minister of State for Parliamentary Affairs that Government may examine the position and in case 10th April is not necessarily required to be disturbed, then I think that it would be preferable to stick to that date.

**Shri Satya Narayan Sinha:** Government will consider it.

**Mr. Speaker:** After all, I can appreciate the difficulties of Private Members. They are making some arrangements of their own programme for the purpose of attendance in the House on particular days on which Private Members' Bills come up, and, so far as possible, I think we should not disturb the arrangement of the Private Members' days fixed.

**Shri Satya Narayan Sinha:** Government will try.

**Shri Kamath:** What about capital issues?

**Mr. Speaker:** He replied that he will consult the Finance Minister.

So, the provisional allotment which I have made about questions from the 14th to the 19th April stands.

**Shri Sidhva:** Not beyond 19th?

**Mr. Speaker:** Not beyond that date, at present.

#### RESOLUTION *RE* QUALIFICATIONS FOR ELECTION TO PARLIAMENT AND LEGISLATURES OF STATES.—*contd.*

**Mr. Speaker:** Prof. K. T. Shah's resolution was under discussion and he was making his speech. I do not know what is the position about amendments. No amendments are moved.

**Prof. K. T. Shah** (Bihar): I had hardly begun on the last occasion when the time for the day was up and, therefore, I trust there would be no objection to my recalling briefly the subject as I began it.

The resolution which I have the honour to place before the House only expresses an opinion of this House that as permitted by article 84(c) of the Constitution, the qualifications for membership of the legislatures, both Central and of the States, be laid down and that arrangements be made, as soon as possible, to give effect to the opinion before the next election.

In commending my motion to the House, I would in the first place like to disabuse many Members who, I feel, labour under a misapprehension. This motion, if adopted, does not in any way curtail franchise, the right of the adult elector to elect to membership of this sovereign House or to any house of Legislature in the country. That right has been very categorically provided for and every adult citizen of India is entitled to vote, a right which cannot be altered, negated, or modified in any way by any Act or resolution of this House. If, however, subject to that general qualification, other qualifications are found necessary and proper to be laid down by Act of the Legislature, article 84(c), as I have already suggested, and article 173, in the case of the State legislatures, give ample authority to this House to lay down by legislation qualifications for membership of this House. It must be realised, at the very outset, that while it is unnecessary to lay down any further qualifications for the voter, it may be both right and proper, necessary and advisable, to lay down definite qualifications, positively by way of certain requirements, negatively by way of certain disqualifications for membership of the legislatures.

in this country. It is not only authorised by the constitutional Act itself, but it has been the universal custom and immemorial history for such qualifications to be laid down. From time to time and from country to country the ideas of what was requisite, what was proper to be expected of members of sovereign legislatures, may have varied, but they have all agreed in holding that some qualifications of members different from that of the voter are necessary and that they should be insisted upon if the sovereign body is to discharge its functions satisfactorily. In our own country, and in our own Constitution, certain qualifications have been laid down. Citizenship of the country, as defined in the Constitution, is of course in the forefront of these qualifications. Certain other requirements have also been prescribed by the same article. That is to say, a candidate for the House of the People would have to be at least twenty-five years of age and that for the Council of States thirty years of age. No one suggests that by providing such a thing as this, such a limitation as this, we are in any way restricting or reducing or in any way curtailing the right of electors to choose their representatives. If other qualifications are necessary, some of them have also been indicated by way of negative aspect of the same problem. In all, disqualification of members has been provided for either by custom or by legislation. In our country the Constitution has provided it by way of ability to meet ones obligations. Insolvency is another such disqualification which has also been laid down very clearly. Disqualification arising out of the holding of certain offices under the Crown is the outcome of a historical accident which however remote may have been the abuse of that position in the past, is even to-day of sufficient importance for us to provide in the Constitution as a disqualification. That is to say, anyone holding any office of profit under the Crown or under Government in this country would be excluded or disqualified for standing as a candidate to membership of this House.

You can go on recalling a number of such positive or negative qualifications that have been in different countries and at different times laid down by Act either of the Constitution or of the Legislature for the time being in office. The qualification, for example, by way of age, to which I have already made reference, has been laid down from time to time and in the past it used to be also coupled with the qualification as regards sex. Happily that disqualification has been removed and in our Constitution all citizens of this country are equally entitled to be candidates for the Legislature, irrespective of their sex. Qualification by way of residence, though not expressly mentioned in the Constitution, may be provided for if the legislatures so desire, and if it is found in the interest of the best Government of the country to insist upon. I do not know and it is not my intention to suggest in the remotest degree, that such a qualification should be insisted upon. The point that I am now making is simply that qualifications of this character are not unknown and that until the other day these were practised in the most advanced countries in the world, so that the harmony of interests and views between the Member of Parliament and his Constituents could be maintained. On this matter I do not wish to enter into a metaphysical discussion with regard to the exact degree of harmony of oneness which may be supposed to prevail, which it is desirable we should insist upon, as between the interests and the outlook of a candidate and his constituents. But it is certainly true that territorial constituencies are the order of the day and if and where, in consequence, there are divergences of interest or outlook in any particular matter, residence may have to be an important qualification for membership of a legislative body like ours which has to lay down the law for the entire country on many matters of vital daily importance.

Next to residence and age which are generally recognized, there have been other qualifications also that are perhaps not equally acceptable or obvious. Those who feel that a representative body should be a reflection of the general

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status of the country, of the general level of the population throughout the country, forget the real function of a Parliament like ours. This is not only a representative body in the narrow technical sense of the term. It is not a mere mirror or a mere photograph of the people as they are. It is a body which is entrusted not only with the sovereign legislative power for the entire country, it is a body to which the executive government of the day is responsible for all its acts, for all its sins of commission and omission, for all its policies and expressions. Therefore it is necessary that the body itself should consist of members who are capable of understanding who are capable of appreciating, who are capable of even suggesting, courses of policy, lines of administration which government members—the executive—are from time to time called upon to carry out, are from time to time required to lay before the House, to explain and defend. Unless and until Members of the House are able to understand the complexities of such policies, unless and until Members of the House are in a position to realize the difficulties of the Government, and unless and until they are also in a position to suggest constructive alternatives, I am afraid the principle of ministerial responsibility to Parliament would be merely in name. If this House therefore wishes that it should be a live body of intelligent critics who are able constantly to bring to book members of the government in every one of their acts, then it is important that the Members of the House themselves should be aware of those difficulties, be able to understand the problems and be ready to provide suggestions which may be of help to the Ministers themselves.

More even than the question of the responsibility of Ministers is the question of the provision of the funds necessary for implementing the policies of Government. This House is vested with equally sovereign authority for providing funds for carrying out Government policy, for carrying on the country's administration. These funds are provided by a variety of means, in a series of measures some of which we have been recently discussing. That again requires, if I may say so, very close attention, very close knowledge of the subject not only of public finance in general but also of finance as it has to be applied to this country. With that view, with that function before it this House and its successors cannot overlook the necessity that there must be a membership in this House capable of close scrutiny and clear examination of the requirements of public finance and it must also be in a position to exert its will and influence on the Ministers directly responsible for that department, to see to it that the intention and the wishes of the people are carried out and that they are not at the same time made ridiculous because very often suggestions may appear in a form that may not be palatable to those directly concerned with administration and may yet have a force of popular will behind it which those Ministers themselves may not be perhaps aware of. I therefore hold that with such powers concentrated in the sovereign Legislature, as has been the case under our Constitution in regard to this Parliament and in a lesser degree in regard to the Legislatures of the States, it is of the utmost importance that the Houses of the Legislature should consist of men competent and able as well as willing to devote their full service to this triple task, leaving out even the task of the very complex legislation and its scrutiny that in modern legislature comes daily before the House, for the mere task of supervising Government, for the mere task of scrutinizing the funds provided for carrying out Government policy.

I think it is important that we should lay down some qualifications that will give us a measure of certainty—if not universal perhaps, but a certain degree—of qualified membership for the various tasks that the House has to discharge. May I illustrate these remarks again by reference in actual practice

to qualifications which are existing, which have been in vogue in this country itself in the past and which may with modifications be adopted for our future needs? We had—to give an illustration from outside this House—the qualification for membership of the Congress, for instance, of providing four hundred yards or some such figure of hand-spun yarn by the member himself. I do not know how many members actually did so themselves, but the fact remains that the qualification had been laid down. If there were persons who were guilty of counteracting it or circumventing it, the guilt lies with them and not with those who framed the Congress Constitution insisting upon such a qualification as this. If a qualification of this nature could be laid down by a popular body in its non-official days, why should not similar—in principle at any rate—qualifications be insisted upon today when that body has come to power and is in charge of the destinies of the country? Under the Russian Constitution for a long while it was insisted that irrespective of age or sex anyone engaged in productive labour should be qualified to be a voter and anyone not engaged in productive labour should be treated as a parasite and outcast and therefore not entitled to vote. Here for instance is an analogy, whether you like it or not, which is of the utmost importance for the sound Government of a country. We in this country ought not to hesitate, having had the experience of definite qualifications of this character, to lay down a qualification such as the qualification of manual labour. Manual labour is not something to be despised. Manual labour is not something to be treated as if it was the work of the outcast and the down-trodden, because the outcast or the down-trodden are now coming to be your masters. Therefore it is necessary that you see to it that from amongst them also come those representatives—and there is no dearth of them who are intellectually equipped and who have been provided with opportunities under the Constitution—to see to it that they are fully and properly equipped for their task before this House. In the past again, there were some qualifications by way of title-holding—anybody who had either received a V. C. or certain titles in the army or for public service of a particular character had automatically a right to vote in this country. You need not go to that extent perhaps now. But, I for one would not be hesitating to say that if you have some qualifications by way of actual experience in public service, by holding honorary office or doing honorary service, then too you would get material which would be perfectly suitable for the daily needs of a House like this. The various qualifications, therefore, which can come under a provision of this character may be elaborated by a committee. I am not prepared to go into each and every one of them that may come in the course of investigation and some of which may have to be accepted.

My purpose is simply to lay before the House the desirability of framing some code of qualifications which would be important, not merely negatively but also positively, to ensure the service in this House of people really qualified and suited for the purpose. By merely laying down a bundle of negative qualifications like office holding or lunacy or unsoundness of mind or some conviction for some crime or bankruptcy or what not, we are not going to ensure the positive side of definite requirements for the service of the House and of the country which I consider much more important.

Time and again, while the Constitution was being adopted by the Constituent Assembly, I tried to bring forward amendments whereby qualifications by way of public service, and qualifications by way of proof of disinterestedness were suggested to be introduced in the Constitution and, unfortunately, I did not succeed at that time. Here, however, is an opportunity. The Constitution gives me an opportunity which I am glad to utilise whereby some qualifications

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of this kind may be introduced and our Constitution may perhaps be unique in the world. I hope it will be so. It would lay down that membership of this House is not like membership of a club and that it is not a mere title or honour or distinction that you can get by joining a party or by manipulating a party machinery or by seeing that the Press giants are satisfied with you, but that it is something which must be the result of hard work, of good service and of honest intentions which your countrymen regard as sufficient proof of your ability to render service to the country and no other profession or mere statement of professions or manifestoes could get you that. There is much that could be done in this way. I have not the time here nor I think is this the opportune moment for illustrating further the qualifications that could be laid down. But I hope that if this proposal commends itself to this House, as I trust it will, without disregard to the interests of any section of the community the proposition can be implemented by elaborating a series of qualifications which can ensure for this House—that is all my purpose—the service of a body of men and women devoted entirely to the cause of the nation and not thinking of themselves at all.

**Mr. Speaker:** Resolution moved:

“This House is of opinion that qualifications be laid down for membership of Parliament and Legislatures of States in the Union of India and that necessary steps be taken forthwith to give effect to them before the next election.”

Now I shall call out the names of those who have tabled amendments and in case any one wishes to move his amendment he may just move it. Then, of course, I will call upon the Members to speak one by one.

**Khwaja Inait Ullah** (Bihar): May not the Mover of an amendment speak on it?

**Mr. Speaker:** The discussion will be general on the amendments as well as on the main Resolution.

**Prof. S. N. Mishra** (Bihar): I beg to move:

“That before the word ‘qualifications’ the words ‘minimum educational’ be inserted”.

**Mr. Speaker:** Amendment moved:

“That before the word ‘qualifications’ the words ‘minimum educational’ be inserted”.

**Shri B. R. Bhagat** (Bihar): I beg to move:

(i) That before the word ‘qualifications’ the words ‘no other’ be inserted; and  
(ii) that after the word ‘qualifications’ the words ‘save and except minimum age and citizenship’ be inserted”.

**Mr. Speaker:** Amendment moved:

(i) That before the word ‘qualifications’ the words ‘no other’ be inserted; and  
(ii) that after the word ‘qualifications’ the words ‘save and except minimum age and citizenship’ be inserted”.

**Dr. Deshmukh** (Madhya Pradesh): I beg to move:

“That for all the words beginning with the word ‘qualifications’ to the end, the following be substituted:

‘no qualifications in addition to what has already been provided for in the Constitution of India shall be laid down for membership of Parliament and Legislatures of States in the Union of India.’”

**Mr. Speaker:** Amendment moved:

“That for all the words beginning with the word ‘qualifications’ to the end, the following be substituted:

‘no qualifications in addition to what has already been provided for in the Constitution of India shall be laid down for membership of Parliament and Legislatures of States in the Union of India.’”

**Shri B. K. Das** (West Bengal): I do not propose to move my amendment No. 4. I beg to move No. 5 only. With your permission, I beg to move:

"That after the word 'qualifications' the following be inserted:  
'other than what are provided for in clauses (a) and (b) of article 84 of the Constitution in case of Parliament and in clauses (a) and (b) of article 173 in case of the Legislature of a state'."

Sir, with your permission I shall move my amendment No. 8 also. I beg to move:

"That for the words 'necessary steps be taken forthwith to give effect to them before the next election' the following be substituted:

'a committee be appointed to consider the question and submit their report at an early date.'"

**Mr. Speaker:** Amendment moved:

(i) "That after the word 'qualifications' the following be inserted:

'other than what are provided for in clauses (a) and (b) of article 84 of the Constitution in case of Parliament and in clauses (a) and (b) of article 173 in case of the Legislature of a State.'"

(ii) "That for the words 'necessary steps be taken forthwith to give effect to them before the next election' the following be substituted:

'a committee be appointed to consider the question and submit their report at an early date.'"

**Mr. Speaker:** Prof. Mishra has got another amendment. He may move it now.

**Prof. S. N. Mishra:** I beg to move:

"That after the words 'Union of India' the words 'without prejudicing in any way the interests of tribal and other backward areas' be inserted."

**Mr. Speaker:** Amendment moved:

"That after the words 'Union of India' the words 'without prejudicing in any way the interests of tribal and other backward areas' be inserted."

**Shri Rathnaswamy** (Madras): I beg to move:

"That after the words 'Union of India' the words 'without prejudicing in any way the interests of scheduled castes' be inserted."

**Mr. Speaker:** Amendment moved:

"That after the words 'Union of India' the words 'without prejudicing in any way the interests of tribal and other backward areas' be inserted."

**Dr. R. S. Singh** (Bihar): I beg to move:

"That after the words 'Union of India' the words 'without prejudicing in any way the interests of illiterate and propertyless persons' be inserted."

**Mr. Speaker:** Amendment moved:

"That after the words 'Union of India' the words 'without prejudicing in any way the interests of illiterate and propertyless persons' be inserted."

**Shri Kamath** (Madhya Pradesh): I beg to move:

"That for the words 'and that necessary steps be taken forthwith to give effect to them before the next election' the following be substituted:

'and that a Committee of the House be appointed to make an early report on the subject so as to expedite legislation by Parliament in accordance with article 84(c) and article 173(c) of the Constitution.'"

**Mr. Speaker:** Amendment moved:

"That for the words 'and that necessary steps be taken forthwith to give effect to them before the next election' the following be substituted:

'and that a Committee of the House be appointed to make an early report on the subject so as to expedite legislation by Parliament in accordance with article 84(c) and article 173(c) of the Constitution.'"

**Shri Meeran (Madras):** On a point of order. May I know if these amendments are in order? Amendments Nos. 2, 3 and 4 seek only to negative the motion and I don't know whether they can be moved.

**Mr. Speaker:** I will decide that when I come to that amendment. In form it is not negative but in substance it is.

**Shri Sidhva (Madhya Pradesh):** What about age-limits? Nobody can suggest any age against the provisions made in the Constitution.

**Mr. Speaker:** That will be a point not exactly of admissibility. I have not seen the particular article but when the article provides a *minimum* that no person under 25 may be a member, I don't think it would not be competent for this House to say that the minimum should be 30 or 35. All that is wanted is that it should not be less than 25. I am saying this without reference to the Constitution. I think, it will be competent for this House to fix up limits; but in any case, this is no legislation, this is a recommendation and I don't see why any recommendation could not be made.

**Shrimati Durgabai (Madras):** Article 84 provides already the age conditions. Is it competent for the House to.....

**Mr. Speaker:** The point here is, this is not a piece of legislation. This is a Resolution brought in by a Member who wishes to make certain recommendations to this House and he can make any recommendations which may include even an amendment of the Constitution.

**Shri Sidhva:** Can he make a suggestion in contravention of the Constitution? If he could change a Constitution, I can understand that. This is *not* for changing the Constitution.

**Shri Tyagi (Uttar Pradesh):** This is requesting for it.

**Mr. Speaker:** Can he not make a recommendation? It is perfectly competent for anybody even to say that he does not believe in adult franchise.

**Shri Sidhva:** Then the House will form itself into a Committee...

**Mr. Speaker:** If the Resolution is accepted by this house, then we shall see as to what procedure is to be followed. But as it is a mere question of opinion, I would not debar people from expressing the same.

**Khwaja Inait Ullah:** Sir you have not given chance to oppose the Resolution to Members who have not given any amendments as they do not like this Resolution.

**Mr. Speaker:** It is too early to say that.

**Khwaja Inait Ullah:** After the Members who have moved the amendments?

**Mr. Speaker:** After or in between. My idea is to give first a chance to those who have tabled amendments. Then the hon. Member will be in a more advantageous position when opposing the Resolution as he will know all the view-points.

**Shri Sidhva:** In a previous instance you ruled that you would not necessarily give chance to those who moved the amendments.

**Mr. Speaker:** The word 'necessarily' is there.

**Shri Meeran:** If those hon. Members who have tabled amendments are to be given preference, I would request you to consider whether the amendment itself is in order. Otherwise anybody can table any amendment which will have a negative effect.

**Mr. Speaker:** He need not be anxious about that position at present. I have already expressed more than once that the mere tabling of an amendment will not ensure a speech in this House. I don't guarantee that he will get a chance to speak. It depends on the merits of each individual case. The question is one of vital importance and so many are anxious to speak. There are people who have tabled amendments. *Prima facie* they seem to have given more thought to the subject than others and they may be allowed to speak. Even now, I don't restrict myself to the statement that I shall call necessarily all people. I merely expressed my mind.

**Shri Tyagi:** The Chair has not yet been pleased to give a ruling with regard to amendment, which, my friend points out, is contradictory and against the spirit of the Resolution?

**Mr. Speaker:** The hon. Member will see that the discussion now is both with reference to the Resolution and the various amendments. The Member who has tabled the amendment and is speaking is not restricted to his own amendment only. The idea of putting all amendments before the House along with the Resolution is that the whole subject is open for discussion and therefore even when his amendment is not in order, a Member will be entitled to speak. He cannot be prevented from speaking merely because the particular amendment tabled by him is held not to be in order. But the proper time will come when the amendment is to be voted upon.

**Shri Tyagi:** One more clarification is needed. Is it permissible to permit an amendment which afterwards is to be declared out of order? Is it permissible to put it in the agenda?

**Mr. Speaker:** I don't think there is any specific point in that. I don't see why a Member should be debarred from placing his amendment to the House. Ultimately we may decide that it is not in order and therefore it may not be put to the House.

**Shri Tyagi:** It forms a precedent for the future.

**Mr. Speaker:** One requires some thought about it. It is not directly negative in form.

**Shri Tyagi:** Is it your ruling?

**Mr. Speaker:** Yes. In substance the amendment is negative and therefore it requires some thought. I shall consider and then decide.

**Shrimati Durgabai:** May I know whether you have fixed any time-limit?

**Mr. Speaker:** 15 minutes is the rule.

**Shri Meeran:** May I draw your attention to the rule which says that an amendment shall not be moved which has merely the effect of a negative vote.

**Mr. Speaker:** I shall see to that later.

**Prof. S. N. Mishra:** Before I proceed with the amendments, I think it is proper for me to submit to the House that this Resolution in a way places us in a very tight corner. Particularly persons, who have contact with the masses, feel embarrassed to a great extent. It is liable to be misinterpreted by interested people who might go about telling that 'Here is a House which has voted in favour of the rule of "Intellectual elite".' Therefore, before I proceed with these amendments I want to make it absolutely clear that these amendments of mine are simply conceived in a way to temper what may be called the extremities of this resolution. It places us in a difficult position either to agree with it entirely or to disagree with it entirely. So far as I am concerned, I feel that it would not be intellectually proper for me to disagree almost entirely with the idea underlying this Resolution, because realism demands and practical

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sense also that it should be admitted that some of the ideas that underlie this Resolution of Prof. K. T. Shah, are in consonance with the democratic spirit. It is not that I feel that this Resolution in an unreserved manner is going to forge any fetter upon the democratic rights of the people. Although it might create a sense of surprise or something like that, I think, I am not one of those who will lightly turn down this Resolution as something of a very retrograde or reactionary nature. I therefore express myself in a sort of qualified agreement from a different aspect and I shall submit to you what my amendments purport to be. It may be pointed out that not a single country of the world has placed any qualification for candidature to legislatures. It is in a way correct to speak in that strain, but at the same time, I feel that the very basis of the electorate has been made in such a manner in most of the countries that certain qualifications are needed automatically for candidature to legislatures also. I want to point out in this connection the example of Russia where productivity has been made the basis of the very electorate, the right of franchise, and in this connection, I would like to draw the attention of the House to what Mahatmajī said and what he wanted every individual of the country, or for that matter of any citizen of the world to be. He wanted every individual to be a producer and if we want to usher in an epoch of that nature, which Gandhiji conceived of, every individual of the country should be a producer in that sense. It struck me only last night and, therefore, I could not move an amendment to that effect. Moreover, I was in an embarrassment as to how to happily word my amendment in that sense, so that productivity might be made the basis of qualification for candidature to legislature.

[MR. DEPUTY-SPEAKER *in the chair*]

I wish to submit that it is not proper for us to say that since no other country of the world has laid down any qualification and conditions we also should not lay down any qualification. Moreover, the countries of the world where we find democratic set-up transitions to democracy took place hand in hand with progress in other spheres, i.e., political, economic and scientific. It has not been a very abrupt switch on to adult franchise in those countries. If we go into the details as to how they came to adopt adult franchise, perhaps the House will be convinced that only in those countries adult franchise has been in the most natural manner introduced where adequate progress has been made in the educational sphere. It is extremely unfortunate for us to contemplate that anachronistic conditions exist in our country. As the Chairman of the Drafting Committee in his valedictory address made it abundantly clear to the Constituent Assembly, that the country is bound to face a crisis of the first magnitude if democracy is not to percolate to other spheres of our life. In our country, it seems as if were the average voter has one foot on the rocket and another foot on the donkey. Here we are in an era of republic politically; we are enjoying something which other advanced countries of the world are enjoying, and socially, economically and educationally, we are extremely backward. So in all these matters the average voter in this country is in that unfortunate predicament of having one foot on the rocket and another on the donkey. These are the incompatibilities, these are the contradictions which we are facing in our national life at the present moment. Therefore, if I express myself in agreement with a very thin part of Prof. Shah's resolution, it is only in that sense. I feel that certain qualifications of that nature—in consonance with Gandhiji's ideas of Producers' Society—should be adopted by the House. It is nothing reactionary, I think, to suggest that some minimum educational qualification should be laid down as the basis for candidature to legislature. After all legislation-making is a

specialised business. It is not a thing which every one can be expected to do and when we shall be debarring any individual from being a legislator on the ground that he has not the minimum educational qualification, it will be only pointing our finger in the right direction. As Herbert Spencer said, when a shoe-maker requires a certain amount of training for his shoe-making, can there be any reason why there should not be a qualification laid down for legislation-making also? It is a very specialized business and for that matter I do not feel that we are going to debar an individual citizen from any high office or from anything; he can be very well fitted for higher jobs or for that matter for any other profession to which he may be assigned. It may be pointed out in this connection that there have been very capable administrators in this country in the past who carried out their jobs well without having a modicum of educational training. We may point out the examples of Akbar and Ranjit Singh, but I feel that the science of Government is becoming extremely complicated day by day and so it would be only meet and proper on the part of the House that persons who have the right perspective, who can understand and appreciate things, who can criticise and keep a constant vigil at the very source from which all legislations flow, are appointed. It is necessary that qualifications be laid down for the persons who are to be assigned to a job of this kind. In our country it seems that there is going to be a blind transplantation of a peculiar type of democracy. By "a peculiar type of democracy" I mean a centralized form of democracy and not the decentralized form of democracy of which Gandhiji dreamt throughout his life. If we think that the present phase of democracy is going to be the final and the most correct phase and that any country should adopt it in its present form, then I very humbly submit that this sort of democracy is not going to last long and it is bound to be run over by the deluge of totalitarian efficiency. I, therefore, would like to suggest that democracy has got to change under the transforming influences that are going to operate, and we, in the formative stage of democracy, have to be cognisant of the fact that the growth of democracy in our country must be in a manner which would inspire other countries of Asia also. I would like to refer here to the conditions that are prevailing in Asia round about us and sound a note of warning to the House that if our country is not going to have a more inspiring form of Government in tune with the configuration of forces making impact on us, then, other forms of Government might come to our country. The legislators about whom qualifications are sought to be laid down must be such that they may be able to give the right contour to the growth of democracy, the beginnings of which we have already laid down in this country. If we want that there should be vigilant persons, if we want that there should be intelligent persons who will not surrender themselves to the judgment of others, if we want that there should be persons who would act as the sentinels of the rights and liberties of the people, it is necessary that qualifications should be prescribed for the legislators. If we are going merely to send to our legislatures persons who will be mere ciphers and act as helpless cogs in a vast machine, I feel we shall be faced with a sort of totalitarianism in our country. It is in the interest of democracy, therefore, that I say that only such people should be elected to the legislatures who can act as a sort of sobering influence and who could exercise an efficient control over Government, in the absence of which, every Government tends to be totalitarian in some way. Therefore, I submit that we must lay down some educational qualifications—not educational qualifications of the nature which will exclude a vast number of people. I have already made it abundantly clear in another amendment which I have tabled, that the educational qualifications should not be such as would jeopardise the interests of the tribal and backward areas. If their interests are jeopardised, it would not be because of any fault on their part. There are very vast tracts of land in which there is absolutely no glimmering of education and I have

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seen such tracts personally. It is therefore with a great amount of caution and sense of justice to every section that any step should be taken.

**Mr. Deputy-Speaker:** One minute more.

**Prof. S. N. Mishra:** Two minutes, Sir?

**Mr. Deputy-Speaker:** You have already taken sufficient time.

**Prof. S. N. Mishra:** I therefore submit that I want these educational qualifications to be pinned down to the very minimum of understanding things, actual reading and writing to such an extent that when they come in contact with people and problems, they may understand things themselves. People may ask what is the basis of the apprehension that such people with adequate qualifications will not be returned to the House by people themselves, without laying down any qualifications of the nature that we are going to suggest. I would submit that these apprehensions are sufficiently well-grounded. In our country, thanks to the efforts of Mahatma Gandhi, there has been a great revolution. It does not mean in any way that there has not been counter revolutionary forces working side by side. Those counter revolutionary forces were held in check or held in abeyance because of the technique of non-violence which the Father of the Nation had adopted. These counter revolutionary forces, I am afraid are acting in such a way that they may assert themselves at any moment. Therefore, I feel, that if we want that there should be people who can understand every trick which the Government is bound to indulge in, if we want that there should be people who could see through the velvet glove the iron hand that rules, then, it is necessary that people of adequate understanding with minimum educational qualifications should be returned to the legislature. It is in this spirit that I have submitted my amendments. I hope that the House will appreciate the perspective in which I want it to view my amendments. At the same time, I would like to make it clear that I am not in favour of some sort of a super-legislator about whom the great writer of the Age, Bernard Shaw has made mention somewhere. But, I feel that it is essential that people with modicum of educational training should be returned to the legislature. It does not in any way fetter the hands of the electorate; it only gives them an indication, an instructive lead. At the same time, I feel that if you create a demand for really capable men by laying down conditions and qualifications, there will be a social supply also to that extent.

Sir I would like to place one more point.

**Mr. Deputy-Speaker:** No more point please.

**Shrimati Durgabai:** I rise to offer a few observations on the resolution moved by my hon. friend Prof. Shah. The resolution seeks to lay down qualifications for membership of Parliament in accordance with article 84 of the Constitution. Article 84 (c) enables Parliament to define what would constitute the minimum qualifications for a Member of Parliament so that he may have the minimum equipment to discharge his responsibilities efficiently. I lay stress on the word 'minimum' because I do not think that Parliament has the power to lay down more than the average qualifications in this regard, like qualifications of ability to read and write the regional languages. We cannot lay down a higher qualification because it would limit the choice of the voters to the barest minimum. All that would be against the spirit of the Constitution that we have made. It would also be repugnant to the Constitution. It is the fundamental right of every citizen to choose his representative as and how he likes. Judging from this view, it is doubtful whether any law passed by this House

will stand the test of Constitutional law. The framers of the Constitution have rightly withheld themselves from making any provision limiting the choice of the voters and have left it to the good sense of Parliament to lay down certain qualifications. Nobody denies the fact that it is an essential pre-requisite of democracy that its parliamentary wing should consist of members who have got judgment, capacity, and understanding to discharge their functions. But, the very important question that arises in this connection is whether these qualifications in each and every Member of Parliament have any scope to play any vital part in the legislation that will be made in this Parliament. This Parliament as it is constituted now has more than five hundred Members and there is also a party system that has simply mechanised the process of legislation. That being the case, I want to know whether these higher qualifications which we seek to lay down by a law made by this Parliament would enable the Members to play their part effectively. The question that arises now is this: With these qualifications in each and every Member of this Parliament which consists of five hundred Members, and with a party system that is checking the process of legislation at every step, how best can we make use of these qualifications? That is the important question that arises in this connection. My humble view is that we should think of giving priority not to the question of Parliamentary efficiency and electing capable people, but to the question of how best we can make use of the talent that is already existing in this House. In my opinion, there is talent already in the Members of Parliament, to some degree or other.

**Shri Kamath:** To a considerable degree. Why only some degree?

**Shrimati Durgabai:** The idea behind Prof. Shah's resolution is—as I understand it—to enhance the prestige of Parliament. But, the prestige of Parliament does not increase by merely laying down qualifications for the Members or by returning even the best men to Parliament. Perhaps it is very dangerous to have too many intelligent people. But I say the prestige of Parliament necessarily depends upon the duties and the functions of Parliament. If a large number of Members of very high qualifications are simply required to register the decisions of the cabinet, I do not see how we can make real use of the best talent that is available. Parliament has unfortunately become a fifth wheel of the cabinet, a wheel that is more an ornament than anything else. Its debates serve propaganda purposes, and I think even the poor Press is tired of them. I would therefore, ask Prof. Shah why we should lay down higher qualifications? The problem requires very deep consideration. We must devise ways and means to enhance the prestige of Parliament, and also the prestige of its Members, by making them active and really useful, not only to Government, but also to the electorate which had chosen them as their representative. I consider that the step taken by Government to constitute a separate Department of Parliamentary Affairs is in this regard, a very useful one. My honourable friend Shri Satya Narayan Sinha is at the head of this Department of Parliamentary Affairs, and I would earnestly request him of course he is not here now, but he may note it—to try and find out ways and means as to how best we can make use of the qualifications and the talents that are already existing and also associate Members with the work of Government more intimately. That is done to-day by associating Members with the work of the various Standing Committees. But I am afraid that the Standing Committees which are to-day functioning, those of them which are attached to the various Ministries, the way in which they function and the way in which they are not able really to control or keep sufficient check over the actual work done by Government or over the implementation of the policies that have been approved by this House, these leave much to be desired. Some of the Advisory Committees do not meet, and even when they meet, presumably they are to advise only and that advice is sometimes taken into consideration and sometimes not.

**Shri Kamath:** Many times rejected.

**Shrimati Durgabai:** Therefore, I say, that kind of association is not going to serve any useful purpose.

As things stand at present, we cannot really complain that most of the members are idle. In my opinion they are not incapable of work. They are capable of very good work, and also the Members of Parliament have qualifications enough and more. But the system we are carrying on to-day has created a feeling that they are not wanted, and because of that feeling that they are not wanted, they do not carry with them any prestige either with Government or with Parliament or with the electorate, as a matter of fact, or with the officers of Government. That is at the root of the problem, and unless we solve this problem, we cannot improve matters. The solution is not the laying down of high qualifications. The solution lies in the direction of making our parliamentary government truly federal in type. It is not my purpose to outline any machinery or the nature of the machinery which is suitable for carrying on the business of Government through Committees. I know that this type of Government will not be inconsistent with the principle of Cabinet Government, backed by a majority party. But, it is for the Department of Parliamentary Affairs to study this question very closely and invite expert opinion and see that talent is made use of in the right way and in a real way. Unless this is done, no useful purpose will be served by merely laying down qualifications. That will be putting the horse before the cart.

**An Hon. Member:** You mean the cart before the horse.

**Shrimati Durgabai:** I am sorry, that will be putting the cart before the horse.

I regret I cannot give my wholehearted support to the resolution moved by Prof. Shah.

**Mr. Deputy-Speaker:** The House will now stand adjourned to 2-30 P.M.  
*The House then adjourned for Lunch till Half Past Two of the Clock.*

*The House reassembled after Lunch at Half Past Two of the Clock.*

[MR. SPEAKER in the Chair]

**Dr. R. S. Singh:** My amendment requires that the qualification for membership of Parliament and the State Legislatures of the Union of India, as envisaged in the Resolution of Prof. K. T. Shah, should in no way prejudice the interests of illiterate and propertyless persons. I would like to submit as is obvious, that any kind of qualification which is going to be imposed by the Resolution of Prof. K. T. Shah is going to prejudice the interests of illiterate and propertyless persons. The resolution is rather strange for this decade of the 20th century, when the nations of Asia, and particularly we, Indians, are taking gigantic stride toward democratic way of life. I should like to refer to what Prof. Shah stated in his speech and say that such a provision as envisaged by him was introduced in our Congress constitution too. But that provision created too much confusion, chaos and corruption, and was, therefore, abrogated. Therefore, I consider that it would not be advisable for us to introduce any such qualification for membership of Parliament and state legislatures, because the introduction of any qualification will nip in the bud the progress so far made by the people of India toward democratic direction.

Besides, I should like to tell the House that the desire to impose any such qualifications on the voters of India would be very prejudicial to the interests of all persons belonging not only to our country but throughout the world. When considered from comparative view with the parliamentary procedures of

some other countries of the world, I see no country in the world where such a Resolution could find place. When I glanced through the pages of the constitutions of some of the other countries of the world, I found that there exists no such provision in any of them.

A kind of poll-tax does exist in the ten Southern States of the United States of America, but that is a votership requirement. And after being registered as voter, any man or woman, white or Negro, is entitled to contest an election without any fear of being debarred on any other ground. Even this system of poll-tax had been universally denounced by all the reasonable men of the world and we all know what a rough time President Truman is having for demanding the abolition of this system.

I guess Prof. Shah, too, would not demur in denouncing downright any such limitation on the citizens of India, because the very idea of imposing any limitation is to deny the justifiable rights which are due to the people.

We have passed that medieval age of restricting the voting rights; and now we are having adult suffrage without any distinction of sex, race, caste or creed. This is a great achievement, and is certainly, the greatest guarantee guaranteed to the people of India by our Constitution-makers, and for that they deserve our thanks. Thanks are due to Prof. Shah, too, who was one of them. But now it seems Prof. Shah has taken a turn in another direction by proposing this Resolution. By this Resolution he desires that some additional qualifications should be imposed on the voters of our country for contesting elections to Parliament and State Legislatures. I think this would not be wholesome, nor would it be in the interests of the country. Therefore, I am opposed to his Resolution.

So far as I can foresee there can be two more additional qualifications. (1) educational qualification, and (2) property qualification.

We are aware that due to the continued exploitations by the so called qualified and propertied persons, India today has virtually become a country of illiterate and propertyless persons. In my own village which contains about 2,000 persons, all able-bodied and hard working, I was the first student to matriculate. And, ironically enough, there were perhaps only one or two voters for the former Central Assembly. I am sure most of the villages of my district as also of other districts of Bihar are all like my own village, and that may be one of the reasons why Prof. K. T. Shah is representing Bihar in this House today though he comes from Bombay.

So, the question is whether the illiterate and propertyless villagers should be given a fair say in running their Parliament and State Legislatures, or whether their freedom to do so should be limited by imposing on them additional qualifications for the benefit of the so called qualified and propertied gents of the towns.

I think the latter alternative would be very harmful to the interests of the people of India, especially to the village folks. Therefore, I would like to urge Prof. Shah to withdraw his Resolution in the interests of those illiterate and propertyless villagers who are the India of today. Besides, I may say that all the persons born on this earth are equally gifted. Those who are given the necessary wherewithals become professors and doctors, and so on and so forth; and those who are denied these opportunities and facilities wander in the streets. Therefore, it is our bounden duty to work for the betterment of the persons of latter category. We should better work for giving at least equal opportunities to these illiterate and propertyless persons rather than impose

[Dr. R. S. Singh]

additional qualifications on them for election to Parliament or State Legislatures. In case Prof. Shah rejects my request, I would request the House to reject his Resolution because it is too medieval and outdated.

**Dr. Deshmukh:** It is likely that some hon. Members consider my amendment as a mere negation of the Resolution. I would like to point out first of all that although that may be the first impression that one is likely to have, my amendment in fact embodies a very substantive proposition which, if carried, would not only fulfil a very fine purpose but would be the right decision on the part of the House.

According to article 84 of the Constitution, Parliament has been authorised to lay down such other qualifications as Parliament may like to prescribe. Now, I want to cut the Gordian knot by means of the amendment of the Resolution that I have proposed. If the Resolution is carried along with my amendment, then it will mean that this evil intention of taking away from the rights of the people which have been given to them, would be, indeed once and for all set at rest.

**Shri Tyagi:** It is a positive good.

**Dr. Deshmukh:** Yes. My friend is quite right. It is a positive good which I intend to bestow instead of the tinkering with the Constitution that is attempted by the Professor and friends like Mr. Tyagi. It is strange that such democrats and sponsors of the causes of the common man should have been somehow inclined to support a proposition of this nature.

**Shri Tyagi:** I am opposed to it.

**Dr. Deshmukh:** I am glad that without arguing the point I could convince my hon. friend that his inclinations were wrong.

Prof. Shah has argued the case in very great detail. In fact he really repeated what he had said in the Constituent Assembly. That was the reason why I tried to convince you, Sir, that the resolution was really out of order. My contention was that not only a proposition of this very nature was negated by the Constituent Assembly but a definite proposition and an amendment more or less similar proposed by the same hon. gentleman who is sitting here was rejected by the Constituent Assembly. Therefore to discuss anything which is contrary to and in any case not in keeping with the decisions of the Constituent Assembly was really taking away the prestige and the authority or the solemnity of the decisions of the Constituent Assembly.

In the Constituent Assembly also Prof. Shah had proposed the following amendment:

"No one who is unable to read or write or speak the national language of India after ten years from the day this Constitution comes into operation shall be entitled to be a candidate for or offer himself to be elected to a seat in either House of Parliament."

Although he has been arguing the point on various other considerations, there is not a shadow of doubt that he was intending to bring in in some manner or the other the amendment which was rejected by the Constituent Assembly, because the other qualifications that he has mentioned are absolutely unthinkable. I have no doubt whatever that a man of the views of Prof. Shah would not like in this year of Grace and under the present circumstances, to propose any property qualification. It is absolutely unthinkable, that Prof. Shah would propose anything of this nature. That would not be consistent with the views he holds and ideals that he always sponsors.

What are the other qualifications which we could think of, except the qualification of residence which in fact is not something which Parliament need necessarily lay down? It will probably be embodied in the rules that will be

framed for the purpose of election. If residential qualification were to be made essential and is made a part of the Constitution, what will happen to friends like Mr. Sidhva, who had to be adopted by Madhya Pradesh Legislature, so as to send him here to Parliament? There is also the case of Rajkumar Amrit Kaur, who has been elected by Madhya Pradesh, though she comes from U.P. There are several other instances known to the House. Thus under the present circumstances it may not be possible nor worthwhile to put down any residential qualification. Also because we want to make our democracy as broad-based as possible we want to give scope to every possible intelligent gentleman who is likely to represent the cause of the people and yet has no place to stand from.

So I do not think that Prof. Shah had in his mind anything else except the literacy qualification. If he were to sit down and analyse what the literacy qualification would mean, I am sure he will realise the fruitlessness of his labours. If we were to say that every person who is to be elected should be a literate, then we will necessarily limit the choice very considerably. As we know to our shame even at the present time our percentage of literacy is hardly 15 per cent. I do not know what percentage it will actually work out, if we were to take up the voters' lists and find out who are literate and who are not, because only recently educational progress in India has been rapid and it is very likely that those who are literate in larger numbers are below the ages of being candidates for Parliament. People below the ages of 20 or 30 are more likely to be literate in larger numbers than those entitled to be voters. From that point of view the percentage of persons entitled to stand for Parliament will still further be reduced.

I was surprised to find a socialist minded Member like Prof. Mishra being of two minds: he did not know whether to support the Resolution or oppose it. If he were to think deeper he would realise that he would have been wiser in opposing rather than supporting the Resolution in some measure or other. Because it is not our experience—at least it is not mine—that education necessarily enhances the intrinsic capacity of a man and much less his efficiency or honesty. In fact I am inclined to feel that in many instances education has not only not improved his morals but has certainly spoilt them and made them worse. I am all for education but that does not mean that everything is to be judged merely by a certificate of matriculation or graduation.....

**Shri Kamath:** Change the system.

**Dr. Deshmukh:** The intention behind the Mover of this Resolution is not likely to be fulfilled. If it is the anxiety of the learned Professor to see that an illiterate man does not find a place in the House I have not the slightest doubt that the voters themselves are intelligent enough and farsighted enough to see that an absolutely illiterate man is not sent to Parliament. If this Resolution is carried I would like to tell even my friend Prof. Mishra, who has some doubts about it, that it will be a sort of censure on the commonsense of the average man of India. He possesses far more capacity, honesty as well as shrewd commonsense than many of us who have got more than one degree to his credit can lay claim to. I would not mind if the composition of this House is materially altered. In fact it needs to be altered, so that the less educated people will find a place here. What is the present situation? In spite of our culture or education in the composition of this House I am ashamed to say that we have not stood out for the rights of the people in the same way as we would like Parliament of India to stand. It is more easy to buy out an educated man than it is to buy out a less learned man or less educated man. I do not wish to condemn learning altogether. I have no prejudice against educated gentlemen but in any case so far as the rights of the people are

[Dr. Deshmukh]

concerned it is only those who suffer under the governance of the administration who can realise the pangs of it. We sitting here—we may be in contact with the common man or the masses in some degree or the other—do not realise all the things that are happening in this free land of India. It would be up to the representatives who will come hereafter to put the case of the people much more strongly, boldly and with greater effect than we have been able to do. For all these reasons I think that the advice just given by my friend who spoke last should be accepted by Prof. Shah and the Resolution withdrawn. On a previous occasion when I was in equally vehement opposition with the views that Prof. Shah had submitted to the Constituent Assembly, he was kind enough to accept my suggestion and withdraw his amendment. That was with regard to the vested interests and the freedom with which people pursuing various professions or trades were to be allowed to go to any part of India and carry on their avocations. An amendment was proposed in the Constituent Assembly by Prof. Shah to that effect. When I pointed out to him that it would only strengthen the exploiter-class if it was carried, he was good enough to withdraw it.

This is a hopelessly tantalising Resolution. It is not going to do good to anybody. It is only going to expose the intentions of those who feel that there must be some handicaps placed on the democracy that we have ushered in through our Constitution. People are bound to understand—and I do not think they will be wrong in doing so—that the rights conferred on the adult population of India are now being sought to be taken away by some means or the other, because those who are interested in keeping their vested interests in fact and their like feel that they are likely to be prejudiced or endangered. That is the meaning that is likely to be placed, if we in a weak moment adopt this Resolution, either with or without the support of Government. The people of India are likely to misunderstand us and doubt whether we have honest and proper intentions. If we feel that the adult franchise which we have ushered in is likely to be dangerous to India and to her future, and consequently accept this Resolution, the people are not likely to make any mistake in understanding our intention correctly.

The positive qualifications that are necessary have been, in my opinion, already laid down. The qualification of being a citizen is quite enough. There need not be anything more by way of addition to it. As I have already analysed the possibility of the educational qualification working hardship on the people and limiting their choice, I think the House will probably agree with me in the opinion I have advanced. There is no other qualification which one can think of. Property qualification being out of the question. I do not think that Parliament need take up this question of laying down additional qualifications at all. That is the reason why I wish through my amendment to see that the decision of this Parliament should be that in addition to a person being of a particular age, and being a citizen of India, no further encumbrance on his being a legitimate and proper candidate for election to either House of the Parliament should be imposed.

**Shri M. A. Ayyangar** (Madras): I would not keep the House long. *(interruption)*.

**Shri R. Velayudhan** (Travancore-Cochin): With your permission, Sir, may I know whether Government are in favour of the Resolution or not?

**Mr. Speaker:** The hon. Minister will intervene at a proper stage.

**Shri Sidhva:** I understood that there would be free expression of views in regard to this matter and free voting also. My point is that this Resolution should continue if it is not finished today, on another day. One more day should be given. This is a very important matter.

**Shri Tyagi:** No, no.

**Shri Sidhva:** When there is free voting and free expression of views, I hope, Sir, that you will allow full discussion.

**Mr. Speaker:** Order, order. I have not the slightest objection to allowing the fullest possible discussion, provided the fifteen minutes time-limit is kept up. That is one thing.

As regards the question of carrying this Resolution on to another day, I am afraid we shall have to allot another day for this purpose. That will not be possible. But it can be kept over again.

**Shri Kamath:** But so far as you are concerned, Sir, there is always free voting in the House.

**Mr. Speaker:** He is only bringing it in to influence my judgment!

**Shri M. A. Ayyangar:** I will not take much time. I want only to bring a few matters to the notice of the House. Bringing a Bill before Parliament to impose certain qualifications or disqualifications is inescapable under the Constitution. Whatever might be the contents of the Bill that will be passed by Parliament—irrespective of the contents of the qualifications or disqualifications that may be imposed—we cannot merely rest content with the provisions under the Constitution—for this reason. Take a man who is guilty of an election offence. Does my hon. friend Dr. Deshmukh feel that irrespective of whether a man is guilty of an election offence he must be allowed to contest an election and stand for Parliament? In this connection, I would invite his attention to article 84 which relates to qualifications and articles 101 and 102 which relates to disqualifications. What does Article 84 say? It says:

- (a) that he should be a citizen of India,
- (b) that in the case of a seat in the Council of States he should be not less than thirty years of age and, in the case of a seat in the House of the People, he should be not less than twenty-five years of age, and then
- (c) that he should possess such other qualifications as may be prescribed in this behalf by or under any law made by Parliament

Before I deal with sub-clause (c) at any length, I shall just say that my hon. friend Dr. Deshmukh may feel that when a person is a citizen of India and he satisfies the age qualification, no other qualification as regards property or education is necessary, and it is imposed it will interfere with the adult suffrage which we have so magnanimously given to the whole continent of India, thus making the people of India really sovereign. No doubt, I appreciate that apprehension. But let us for a moment consider the disqualifications which are specified in articles 101 and 102. When we refer to these articles, we find that a Bill of the kind laying down qualifications is inescapable. Sub-clause (1) of article 101 says:

“(1) No person shall be a member of both Houses of Parliament and provision shall be made by Parliament by law for the vacation by a person who is chosen a member of both Houses of his seat in one House or the other”.

It is open to a person to stand for both Houses. There is no provision as to which House he will vacate his seat in, unless a provision is made under a law passed by this Parliament.

**Dr. Deshmukh:** If you will forgive me for interrupting you, I have no objection to Parliament deciding under articles 101 and 102 the particular question of disqualifications that you refer to. All that I want is that there should be no further addition of qualifications so far as article 84 is concerned.

**Shri Tyagi:** It is not a matter of qualification. It is a matter of making rules. The question is one of his vacating a seat. That question arises only after his election, and the question of qualification cannot arise after the election but before the election.

**Shri M. A. Ayyangar:** I shall answer that. My hon. friend Mr. Tyagi thinks that a law relating to which House he ought to lose his seat in, is there and it is not a disqualification. Now, let us see article 102. It mentions various disqualifications: (a) if he holds an office of profit; (b) if he is of unsound mind; (c) if he is an undischarged insolvent; (d) if he is not a citizen of India; and (e) if he is so disqualified by or under any law made by Parliament. I am inviting attention to sub-clause (e). Is it or is it not necessary in the case of a man who has committed an election offence that he ought to be prevented from standing for election again to Parliament? Apart from an election offence, we shall assume that he is guilty of a murder and instead of being hanged is sentenced to transportation for life—it is culpable homicide not amounting to murder, which is as good as committing murder. Should that man be allowed, when he is undergoing imprisonment, to come in after, say, five years? If a man is convicted for more than five years or more than 1½ years, many of us who were in jail know that he loses his seat. Mr. Biswanath Das lost his seat and he could not come in for a period of five years. We may take it that under the previous dispensation they wanted to disqualify most of our leaders. (*Shri Sidhva:* That does not exist now.) There are heinous offences involving heavy moral turpitude. Say, a Bank Manager who is grossly corrupt, or a black-marketeer, is sentenced to three years' imprisonment. Would you like that man to come in here? By various means he can induce the ordinary people in the villages and come here. Therefore, all that I am saying is that some kind of disqualification is necessary. A person guilty of a thing like moral turpitude and so on ought not to come here. That must be made a positive disqualification.

As regards positive qualifications, I would only submit this. I agree that no property qualification ought to be imposed. Irrespective of property, every one should have the right to vote. It has been said for a long time—“No representation, no taxation” or “No taxation without representation”. It is not as if only a man who holds immovable property such as house, lands etc. pays taxes. Everybody in this country pays taxes either directly or indirectly.

Whoever uses cloth pays a certain kind of tax. Whoever uses kerosene or 3 P. M. matches pays a tax by way of excise and customs duty. Of course some are fortunate enough to pay a tax like the income-tax directly.

**Dr. Deshmukh:** Whoever lives in this country pays a tax.

**Shri T. T. Krishnamachari** (Madras): And sales tax over and above.

**Shri M. A. Ayyangar:** Yes, if you purchase anything you pay a sales tax therefore, everyone in this country pays some tax or the other and to that extent he is entitled to come to this House. Of course, I am in entire agreement with my friends that no property qualifications should be imposed.

But my hon. friends will readily agree that we are living in an age of science. It is not as if when an educational qualification, however small it might be, is sought to be imposed, that a man is debarred from all elective offices. There is the village *panchayat*; there is the *taluk* board; there is the district board; there is the Legislative Assembly; there is the Legislative Council and there is the Parliament and the Upper Chamber. I know for instance, in my part of the country, a man who was just from the plough was

made the Chief Minister. What was he able to do? This is an age in which you have to grow paddy out of mud without sowing even seed. There are many experiments which are made in Siberia to develop a kind of wheat which will be resistant to the great chill there. A man simply because he is at the plough all the twenty-four hours is not the best man to improve agriculture.

**Dr. Deshmukh:** Was he not a more successful Chief Minister than many others?

**Shri M. A. Ayyangar:** It is a matter of opinion. I have no objection if my hon. friend were to hold that opinion.

**Shri Ethirajulu Naidu (Mysore):** Was he an illiterate?

**Shri M. A. Ayyangar:** I do not mean to say that. All that I say is that the problems facing a *panchayat* in a village are different from the problems facing a country as a whole.

**The Minister of State for Transport and Railways (Shri Santhanam):** I do not think the Deputy-Speaker was fair in mentioning the late Chief Minister of Madras, whom I consider to be as able as anybody else.

**Shri M. A. Ayyangar:** I do agree with the hon. Minister's observations. I never wanted to cast aspersions on anybody. What I intended to convey was that you have to watch the various schemes in progress in various parts of the country. Even a four-year scheme becomes obsolete within two years. For instance, here various problems as to currency, finance and foreign exchange arise. We cannot grow money. Sometimes we have to grow money in the Nasik Printing Press. We have to manipulate many things, the repercussions of which we do not know. There was Dr. Schacht in Germany, where he brought the problems of inflation under control. Lord Keynes advised the minting of more money to solve the economic problems of U. K.

**Dr. Deshmukh:** They did not become Chief Ministers anywhere.

**Shri M. A. Ayyangar:** But they were in a position to advise the Chief Ministers.

Therefore, there is no point in placing a premium on ignorance. My brother may be interested in my welfare. But if I want to have an operation, I cannot entrust him with an operation knife to operate on me. He will only cut my throat instead of operating. Therefore, there is no doubt about the fact that it is absolutely necessary to lay down some qualifications for legislators. Now we have laid it down in our Constitution that for a period of ten years there must be universal primary education up to the age of 14. At this stage it is not necessary to go into the details. But I would suggest the acceptance of Mr. Kamath's amendment which proposes the appointment of a committee to advise Government as to what are the points that should be taken into consideration in the fixation of minimum qualifications. I do not think any objection can be taken to such an innocuous proposition as that.

**Shrimati Durgabai:** On a point of information. Sometime back the hon. Minister announced in the House that he was going to introduce a Bill fixing the qualifications both of the voters as well as of the candidates. I just want to know whether he is going to introduce that Bill in this session, and if so, when it is coming up.

**The Minister of Law (Dr. Ambedkar):** That will have to be done; but I do not know when exactly it will be.

**Shri Kamath:** I am glad that my hon. friend the Deputy-Speaker has made my path fairly smooth. The Resolution, as moved by Prof. Shah, if amended as suggested by me, would read as follows:

"This House is of opinion that qualifications be laid down for membership of Parliament and Legislatures of States in the Union of India and that a Committee of the House be appointed to make an early report on the subject so as to expedite legislation by Parliament in accordance with article 84(c) and article 173(c) of the Constitution."

As was suggested by Mr. Ayyangar, within the limits prescribed in the Constitution, Parliament is competent to prescribe such additional qualifications as it may deem necessary in this context.

The argument that was adduced by my hon. friend Dr. Deshmukh, I think, was not quite complete. He sought to say that certain amendments had been moved by Prof. Shah in the Constituent Assembly and the Assembly had vetoed them, had rejected them. The position, so far as I can recollect today, is that Prof. Shah moved certain amendments as regards qualifications and disqualifications of Members of Parliament and of the State Legislatures. The proposition was supported by some of us in the Constituent Assembly, but Dr. Ambedkar who piloted the Constitution, replied that the Constitution envisaged such a possibility and he was going to make a specific provision in that regard. Accordingly clause (c) of article 84 and clause (c) of article 173 as also clause (e) of article 102 and clause (e) of article 191 were adopted by the Constituent Assembly. These four clauses empowered the future Parliament of India to legislate in this regard as regards qualifications and disqualifications. Dr. Ambedkar then said that this matter was being left open, that Parliament could easily take it up later on and pass whatever law it deemed proper for the implementation of this purpose. On that assurance and on the adoption of the above clauses. Prof. Shah did not press his amendments.

**Dr. Deshmukh:** The amendment was in fact negated.

**Shri Kamath:** A general assurance was given that this matter would be taken up by Parliament. As my hon. friend Mr. Ayyangar pointed out there are offences—to take only one category of disqualifications—involving moral turpitude. What has the House got to say about that? I remember clearly what happened about this in the Constituent Assembly. I was myself a supporter of that amendment moved by Prof. Shah and Dr. Ambedkar said that it was premature for the Constituent Assembly to consider this matter and that Parliament when it met could take it up and decide the course of action in this regard.

Much has been said by Dr. Deshmukh and also, I think, by Shrimati Durgabai in the direction of limiting the power of Parliament in the choice of its candidates. Both were, I understand, against any limitation being imposed upon the choice by the electorate of their candidates for Parliament or for the State Legislatures. May I ask in all humility both of them whether the very restriction of age is not a limitation?

**Shrimati Durgabai:** We have accepted it.

**Shri Kamath:** We have thereby limited the choice clearly without any doubt. Is it not possible that there are men and women who though they might be under twenty-five, or under thirty in the other case, may be much wiser than people of fifty or sixty? I do not doubt the possibility. It may not be probable, but there have been instances in history where young men became not merely good politicians but sages and saints. The history of Maharashtra points to such examples where young people of twentyfive, or even under, became saints and were later acknowledged as world teachers. Therefore, once we had accepted.....

**Dr. Deshmukh:** Why is my friend taking so much time to become a saint?

**Shri Kamath:** I would be quite happy to yield that place to my friend Dr. Panjabrao Deshmukh and I do not have any aspirations for that position. My friend is welcome to become the *Shiromani* of saints if he wants.

I was arguing that once this restriction has been accepted, it stands to reason that other qualifications, or disqualifications—they go together—might be laid down and perhaps should be laid down so far as membership of Parliament and of the State Legislatures is concerned. The President of the Constituent Assembly, who is now the President of the Republic, in his final speech in the Constituent Assembly on the eve of the adoption of the Constitution towards the end of November last, said:

“There are only two regrets which I must share with the hon. Members. I would have liked to have some qualifications laid down for Members of the Legislatures. It is anomalous that we should insist upon high qualifications for those who administer or help in administering the law but none for those who make it except that they are elected. A law giver requires intellectual equipment by even more than that capacity to take a balanced view of things, to act independently and above all to be true to those fundamental things of life—in one word—to have character. It is not possible to devise any yardstick for measuring the moral qualities of a man and so long as that is not possible, our Constitution will remain defective.

We have prepared a democratic Constitution. But successful working of democratic institution requires in those who have to work them willingness to respect the view points of others, capacity for compromise and accommodation”.

He went on to say that it was one of the regrets which he shared with the Members and he desired that qualifications might be laid down by Parliament for Members of Parliament and of the State Legislatures.

The Resolution that Prof. Shah has moved seeks to see that steps are taken forthwith to give effect to these qualifications being laid down by Parliament. My amendment leaves the whole matter open as suggested by my hon. friend Mr. Ananthasayanam Ayyangar. It is likely that the Committee which this House will set up may conclude, as desired by Dr. Deshmukh and perhaps by Shrimati Durgabai also, that no qualifications are necessary at all for membership of Parliament or of the State Legislatures. It is competent for the Committee to decide either way. The issue will not be prejudiced either way at this stage by accepting this amendment for setting up a Committee of the House. The only thing necessary is that the Committee should meet early, discuss the whole matter and report to the House, so that Government may be assisted in bringing forward the Bill necessary for the purpose.

Lastly I would only say one word and that is this that one of our eminent leaders is reported to have said some time ago that so far as parliamentary and governmental work is concerned all of us are not equally good. We were all right when the Congress was fighting the British Government. So far as the struggle and the fight against the British Government was concerned they were fitted for that Part. But where parliamentary and governmental work is concerned many were not well suited to play their part, and unless they had other qualifications they would not be able to play that part consistently with the efficient discharge of their duty to the electorate and also to the nation. If that be the view of our leaders I think they are inclined to see that some qualifications are laid down for membership of Parliament and of the State Legislatures.

**Shri Tyagi:** Would you prefer to have qualifications for Ministers also?

**Shri Kamath:** A Minister cannot be a Minister unless he is a Member of the House.

**Shri Tyagi:** But would you have a higher qualification for the Minister?

**Shri Kamath:** The Committee can go into that.

**Shri Tyagi:** Include that too.

**Shri Kamath:** I am willing to accept that amendment if my friend moves that.

Dr. Deshmukh referred to a certain matter, about residence qualification for Members. This is not such an unimportant thing as some might think—the qualification of residence. It is perhaps desirable that so far as Members representing a particular State are concerned they should have residence somewhere in that State. It may not be a particular city or town or district, but they must have residence in a particular State, because it has been contended by many people that persons who are elected from a particular State but not resident in that State cannot represent the interests of that State or fight for the interests of that State as well as other Members can. Therefore, this matter also can be gone into by this Committee. Of course property qualification is out of date and it is an anachronism today and nobody would press it. But so far as residence is concerned, the Committee may examine if a candidate should be a resident of a particular State or a resident anywhere in India to represent any constituency whatsoever. Therefore, I move that a Committee of the House be appointed to go into this matter thoroughly as regards the qualifications and the disqualifications of Members of Parliament and of State Legislatures, and that the Report of the Committee may be presented to the House at an early date, so that legislation in this regard can be taken up by Government accordingly.

**Shri Sidhva:** I do not know whether you can find an ideal Member to sit in a Legislature in the whole country. I do not think you can. What one would require for membership of Parliament or Legislature is robust commonsense. He should in addition have alertness, shrewdness and enthusiasm for his work. These are the qualifications which a Member should possess.

**Dr. Deshmukh:** And obstinacy.

**Shri Sidhva:** A man of wide outlook and powers of observation enlarged by travels in foreign countries would be better than one who has merely read some books. I would like hon. Members to see which is more important. When one travels widely he acquires far more knowledge than one who sits at home reading books. From this point of view I am opposed to any educational qualifications being prescribed for membership. I have very high respect for the expert knowledge of the University Degree holders such as lawyers, doctors and so on. But I do feel that an ordinary person with sufficient commonsense is suitable for membership of the Legislature and of the local bodies. I have seen a member in the Bombay Legislative Council who, though he did not know either English or his own language, had robust commonsense and participated in the debates in Hindustani and put questions and sponsored Bills. He had a secretary for him whose duty it was to read out to him all papers concerned with his activities as a Member of the Legislature. His commonsense view on all matters prevailed and he had no difficulty in understanding things going on in the Council.

**Shri Kamath:** Was he educated?

**Shri Sidhva:** Not educated. He did not know his own language, Urdu. He educated himself, his secretary reading out the papers for him. Similarly, in local bodies I have seen men without educational qualifications functioning well as Members. Their commonsense view of matters connected with the administration was sometimes sounder than that of educated or intelligent men. Therefore, in these democratic days, you cannot disqualify such men from membership of Parliament. I do not know why my hon. friend the Deputy-

Speaker laid stress on these qualifications. He mentioned the question of moral turpitude. He probably had in mind the Chief Minister of Madras. If he takes as an illustration the case of our Chief Minister here . . .

**Mr. Speaker:** I do not think Shri Ananthasayanam Ayyangar said anything of that kind. Perhaps the hon. Member is attributing to him something which he did not say and understood him in a manner which he did not mean. His only point, as I understood it, was that because a particular person has conducted himself well or has knowledge of a particular thing, it does not follow that he is therefore good enough even for carrying on the work in the Legislature. That is the only point he stressed. I think he amplified his point by saying that he would not trust to be operated upon by his brother, merely because he was his brother, unless he had sufficient knowledge for doing an operation. The point was that the person should have knowledge of the particular thing. I do not think we need stress that point now.

**Shri Sidhva:** I was only giving an illustration. I can cite a number of Prime Ministers and Ministers who have distinguished themselves without any kind of University qualifications and who had discharged their duties faithfully, arduously and efficiently, better even than the so-called learned men. I do not want to say that I have no respect for Degrees. But it should not be said that only Degree-holders should be.....

**Mr. Speaker:** May I point out that, after listening to this debate, it looks as if the whole gist of the Resolution seems to have been not properly appreciated? The question is whether the House believes that there should be qualifications or whether there should not be any. If they want that there should be qualifications then the question as to what those qualifications should be will have to be determined later. Of course, Members may as well give their views as to what the qualifications should be and what the qualifications should not be. That would help the Committee, if one is to be appointed, or the Government, in arriving at a decision. But one need not go seriously into every detail in regard to this.

**Shri Sidhva:** If a Member is for it he will give reasons in favour of it, and if he is against it he will give his reasons for that too.

**Mr. Speaker:** The hon. Member was referring to educational qualifications in great detail.

**Shri Sidhva:** Thanks, Sir. What I was going to say was that local bodies and legislatures were full of lawyers and doctors. They played their part very well and helped the progress of the country in those days immensely. But I also found that the doctors were very often absent from the Councils and therefore could not have discharged their duties on account of the fact that they had to attend to their profession. Such people though they have professional brilliance are not the sort of people we want in our Councils. Here we want people who will represent the interests of their constituencies and of India. Such people must therefore be returned to Parliament.

Now I come to the question of age. The Constitution has prescribed the ages of 25 and 30. So we cannot disturb the limit of age which is already fixed. A man at the age of 70 may be mentally more alert and spiritually more mature than a man of 50. Therefore there should be no limit in regard to age. Now, as regards age, what is the position in our own Cabinet? *(Interruption)* Three or four have exceeded 60 or 65 yet they are very brilliant and are guiding the destiny of the whole country. Would you dismiss them because they are over-aged? For public life there is no question of over-age. *(Interruption)*.

**Shri Kamath:** Have a minimum age and not a maximum.

**Mr. Speaker:** The unfortunate result of these interruptions is that the link of his argument is broken.

**Shri Sidhva:** That is correct. In public life there can be no age-limit. In service there may be age-limit, because there may be other aspirants waiting to take the places of the older men. That is why 55 or 60 is the date of retirement for them. In public life, a man who is 60 may be more useful than a young man of 40. I, however, accept the minimum age fixed in the Constitution, though we have the instance of men like Pitt who entered public life in his 21st year and Gladstone in his 23rd year. We know how illustrious these people were. I want to say that both young and old will be able to guide the destiny of the country. Therefore there should be no age-limit for membership of Parliament.

The next point on which I wish to say a few words relates to residential qualification for membership. This is Parliament of India and, as such, any man, wherever may be his residence, should be allowed to stand for election. Dr. Deshmukh pointed out the case of Rajkumari Amritkaur. I would say that Sardar Patel and Pandit Jawaharlal too would not have this residential qualification. They were living in Ahmedabad and Allahabad three years ago. If the residential qualification is to be six months' or one year's residence, where will they be?

**An Hon. Member:** Delhi.

**Shri Sidhva:** You cannot find seats for all in Delhi. My point therefore is that in the best interests of the country and in order to provide wider scope for selection, we must have no residential qualifications. Provided a man is a citizen of India he should be considered to have the residential qualification necessary. Now, what was done for the elections to the Constituent Assembly? Persons from all parts of India were elected, even though at that time India had not been divided. That was the outlook of our leaders. They thought that the selection should not be confined to particular cities or localities. Parliament is not anything different from that body. For the State Legislatures, however, there may be residential qualifications prescribed. Parliament is something superior. For being a representative here one must have knowledge of and interest in all India matters. I do not want to be asked to confine my interest to the Madhya Bharat or Bombay. I want to know something about Madras, about Assam and so on. As far as I am concerned I think I have shown from the questions I am putting that I am interested in all parts of India. That should be the attitude of everybody. Members should not confine their attention to their own villages or cities or even districts. Of course there are many Members who are taking that view and are putting questions of interest to all India. If you are not going to have a distinction between the State Legislature and Parliament of India, we will be nowhere. We will be confronted here also with local matters. Here we are concerned with important matters such as Defence, Communications, Posts and Telegraphs and Railways. In regard to these matters one should have some knowledge before he desires to stand for election to Parliament. I would certainly say that a person should not be elected directly to Parliament in the first instance on entering his political career. Of course the voters will know what service he has done to the country. They will ascertain whether he has been a member of a local body and has done some public service. Voters have commonsense enough to return to Parliament only persons who have rendered service to the country.

From the education point of view in adult franchise we have got 85 per cent. people who are illiterate and sometimes I do think of the problem as to what would happen if 85 per cent. of Parliament is composed of illiterates. I have an open mind in this respect but that does not mean that I want to say that they don't have intelligence. If there is some concrete proposal to get away from that difficulty, I am prepared to listen to the same but I am not prepared to rule out the question merely because he is illiterate.

**An Hon. Member:** What is your suggestion?

**Shri Sidhva:** I said I have an open mind but if no proper solution is forthcoming then I am for all illiterate people rather than give few seats to literate people. After all 85 per cent. illiterates are not going to come. We must see that we should have bright intelligent persons. I have seen in this Parliament new Members who are very intelligent and they have broad outlook. They have come here straightway without entering even the Provincial Legislatures. I give them credit because they have rendered some kind of service outside. Prof. Shah may have a good object but I am sorry that a man of his outlook who has always fought for socialism and whom I have heard continuously in the Constituent Assembly and in this Parliament—he has a broad outlook and goes farther ahead than some of us in his views and outlook—should have asked the House to restrict the qualifications of a Member. I don't want any kind of restriction to be imposed upon a Member who chooses to enter Parliament. I have tried to study many Constitutions to see whether anywhere there are such qualifications existing . . .

**Seth Govind Das (Madhya Pradesh):** In many places.

**Shri Sidhva:** Will you mention me the names? It is no use saying that there are many places. In Ireland there is some kind of vague statement of qualification. Nowhere else is there any qualification required for a man to become a Member of the Legislature. If the Law Minister has in mind the danger that the illiterates will probably fill up the House, then let him convince me and the House that this kind of check will be necessary. I am prepared to consider it if a solution is found to overcome the difficulty. Dr. Ambedkar is a liberal minded man and has broad outlook and therefore I am sure he will not commit this Government in restricting the franchise qualification. He has all long played a very prominent part and has shown a very broad outlook and I don't desire that he will tell his Government not to put any kind of curtailment upon the qualifications of Members.

**Shri B. R. Bhagat:** I could not understand the Resolution of Prof. Shah for whose learning and erudition I have the greatest respect.

[MR. DEPUTY-SPEAKER *in the Chair*].

He said in his speech that by this Resolution he does not want to curtail the rights of adult franchise given in the Constitution or the democratic tradition that has developed in this country but what he wants is to lay down certain qualifications for Members of Parliament which may be convenient or which may go to enhance the prestige of the House or which may go to enhance the qualifications of the Members so as to make them more competent to do their Parliamentary work. But it is the lesson of history—and I know Prof. Shah has been a student of Politics and History throughout his life where he has stood for progressive and socialistic principles—the success of Parliamentary Government depends on most fundamental things. In his books on Finance and planning he has stood for unqualified progressive views. But here he stands in contrast with those views and we find that through the qualifications as enumerated by him, we will restrict the right of franchise. He has not been clear himself as to what actual qualifications in addition to the qualification of age

[Shri B. R. Bhagat]

and citizenship that have been provided in the Constitution, should be given for Members of Parliament. It is a matter of history that in all the discussions that have taken place regarding the qualification of Members—be they of property or of education or of residence or anything else—it has come down as an accepted principle that any other qualification save and except the qualifications of age and citizenship if they are provided, will go to curtail the Fundamental Rights of the people for electing their Members and for running Government in a democratic way. From this point of view this Resolution is static and we are at present faced with a dynamic situation. We have just begun an experiment in democracy which is going to be of not only great importance in the South East Asian countries but for the whole world because only a year or two hence we will be having elections in which about 170 million people will cast their votes and that is going to be a very big experiment in democracy and that will give an experience not only to this country but to the whole world in the art of democracy and representative Government. As England, during the 19th Century, gave great democratic traditions, India, through her experiences in successive elections on adult franchise in which a great many people will participate, will provide rich experiences in democracy to the world. So this is a dynamic situation and to pass a static resolution like this, in which we tie down the qualifications of Members of Parliament and the successive Members who are going to play a great role in the history of human freedom and democratic Government will be the height of unwisdom. One qualification that he put forward was that people from higher classes or people who have no work or people who don't represent anybody, they should not be allowed to come. He said people who do some productive work, as in USSR, should be allowed to be Members in Parliament but even if you have the background of Russia, you will see that in recent elections these professions of Russia have not been strictly adhered to in practice.

The other thing he said was that we must have a qualification of residence. We do not find it in any Constitution of the World except in some of the States in U.S.A.

In some of these Southern States they have the qualification of residence for the candidates, but in the recent books of American Democracy by Harold Laski and other writers, they have come to the conclusion that this principle of residence has worked detrimentally to the character or competence of the Members of those States. So, if we fix this qualification here, it will not bring us also any satisfactory results.

Another point that I want to say is that the key-note of Prof. Shah's resolution is that he is eager that the quality of this House should improve, the quality of the Members, their qualifications, their competence should go up, so that this Parliament, this experiment in democracy in this country should not meet with the same fate which many Continental and European countries have experienced in democracy. In his eagerness he says that the qualifications of Members should be such that they should discharge their functions well. What I want to point out to the mover of the Resolution is that for the success of democracy in any country, what is required is not the merit or the qualification of Members who are represented in the House but the overall atmosphere in the country, and what the political philosopher calls the "democratic temper" that is prevalent in the country which is the main thing which leads to the success of democracy in any country. You have the difference between the democratic tradition of the U.S.A. and the U.K. and the traditions of the Continental countries like Italy and South Eastern European countries. The main reason why democracy in latter countries failed, was because the people lacked the democratic temper and they had not those

institutions in the country which go to ensure the success of democracy in them. What we require here is the creation of those democratic institutions which will lead us towards the success of democracy in this country.

Linked up with this question is the fact that we have before us the adult franchise; the national movement has widened our scope of the social and economic horizon. The economic horizon is such that we must have the widest possible franchise. Any qualification, however progressive or beautiful it may be on the face, I am sure, is sure to be misunderstood by the masses, because the revolting masses who have fought for their freedom are impatient for reforms; there is a sort of frustration among them. They want some change; this is the temper of the masses and at this time, if you want to put some sort of qualifications, however well-meaning they may be, however well-meant they may be and however beautiful and progressive they may be, they are going to be misunderstood, situated as we are today. I would appeal to the Mover of the resolution that if we want to make the Parliamentary Government in this country more effective, we should try to develop real democratic institutions and the right democratic temper which is needed. What is needed is that the Members may not have instructions but they must have passion which will take the country far on the road to democracy. That passion can come only through party Government. I find that none of the Members of this House have touched this important point. The party provides the passion for executing its programme. It chooses its candidates for election. This is the role of parties in a democracy. If we truly understand the role of the party, we will see that none of the fears and suspicion of Prof. Shah will prove to be correct. You know the party selects the candidates and what is the principle with which the selection is made? The first law of politics to which all other laws are subordinated is the law of Victory. That candidate is selected who has the chance to get elected and I think from that point of view a candidate who can lead 7½ lakhs of people is a fit candidate for election. If a candidate has that sort of competence, I think he is the right person to be the Member of Parliament. I say that democracy is not a Government of the expert but it is the Government of the people; democracy is a Government of the layman. What I mean by this is that by merely schooling or formal education we cannot make a man a legislator but a legislator is made by the experience he possesses, by the touch which he has with the masses and I do not agree that a Member should necessarily possess the qualifications which Professor Shah wants him to possess. At this juncture I venture to plead that we should not put any qualification for Members as this will come as a straight jacket. It is better if we leave scope for future action. I will conclude by quoting Finer, a great authority on the subject.

"I emphasize with all strength that it is exactly this uncertainty as to who is 'right' and 'good' in judging the direction the society should take which has given birth to democracy and representative Government whereas conviction of certainty has often given rise to minority and despotic Government."

**Shri Rathnaswamy:** I should like to say a few words on one qualification on which some of the speakers were emphasizing. Let me make it clear, that after all the representatives here at the Centre and the representatives in the various States represent not so much the intellectuals of the country, but the teeming down-trodden and dumb millions of India. So much so, that it may deprive the masses of having an opportunity of sending their representatives who would espouse their cause in an effective manner. I may draw your attention to some of the illustrious examples in the destinies of some of the countries like Czechoslovakia, Russia and many other countries in the world. I may tell you that the founder of Czechoslovakia was an ordinary cobbler, who neither had any education, in

[Shri Rathnaswamy]

the sense in which we understand it today nor had anything to boast of which a politician of modern times could boast. I may tell you that the powerful dictator of Russia today is one who had not the opportunity of entering the portals of any university. Coming very nearer to Britain, we find today a person no other than Mr. Churchill, who did not have any opportunity of receiving University education. We find him as one of the examples of brilliant orators, a person who could be compared only to Edmund Burke. It may be interesting to know that founders of the Labour Party in Britain were persons who had meagre education. For instance, Mr. Bevin, I gather, was only a dish washer and afterwards, he entered some factory as a nail driver. Many others like Mr. Morrison and other prominent leaders of the Labour Party today did not have any university education. I submit, in fixing some educational qualification for membership of Parliament or the State legislatures, there is a danger of depriving the teeming millions of our people, particularly the scheduled castes and the backward classes, from sending their representatives. Some friends, to our joy, were referring to persons like Akbar and Hyder Ali, who, I gather, had absolutely no education. Many of us are deluded into thinking that only persons who have had some sort of education like the university education can be in a position to guide the destinies of the country. I may tell you that I for one have neither faith nor admiration of the kind of education we have been receiving in our Universities. Therefore, I submit that any kind of emphasis laid on educational qualifications or other qualifications like age or residence would deprive hundreds of young men and thousands of people of their valuable right. By virtue of the environments in which they have been brought up, they would be deprived of an opportunity of guiding the destinies of our country, and espousing the cause of the down-trodden and the teeming millions of India.

I have got some fancy ideas to suggest which I hope would be appealing to this distinguished and honourable House, particularly at a time when our country is struggling hard to keep pace with other countries, with the rest of the world. You also said, Sir, that while other countries were advancing in science, we were advancing not in science, but in mortality and illiteracy. At such a time, I would submit that unless a person is able to put forth a certain amount of constructive effort for nation-building, for the progress and prosperity of the country as a whole, he should not be allowed to represent the people in Parliament. Our country is so much lagging behind in production; without production our country may not be able to lift her head and have a respectable place in the comity of nations. At such a time, it would be more proper, sound and sensible to say that a certain amount of productive labour and a certain amount of constructive effort is essential to one who wants to represent the people in Parliament.

I do not want to take up much of the time of the House; I would conclude by saying a word or two. We are very largely influenced by Gandhian ideals and the Gandhian way of thinking. In a country like ours which can boast of hoary traditions, ancient glories and culture—India can be proud of these things—it would be very fair and appropriate to say that only men who possess character, culture, people who can command the confidence and affection of the people should be returned to Parliament and the State Legislatures. Such qualities of the heart more than the head are very essential at such a time when you find so much of corruption in the public life of the country. More emphasis should be laid on culture and character, integrity, political and personal honesty. These are the essential qualities of a public man, more so,

in regard to a person who wants to represent the people in Parliament. I do not want to say more. I only hope that the House would give due consideration to my point that qualifications like education or residence would not be appropriate in our country, but that character, integrity and political honesty would be more essential for a Member of Parliament.

**Shri B. K. Das:** With the two amendments that I moved in the earlier part of the day, the resolution moved by my hon. friend Prof. K. T. Shah will read thus:

"This House is of opinion that qualifications other than what are provided for in clauses (a) and (b) of article 84 of the Constitution in case of Parliament and in clauses (a) and (b) of article 173 in case of the Legislature of a State be laid down for membership of Parliament and Legislatures of States in the Union of India and that a Committee be appointed to consider the question and submit their report at an early date."

I want that a Committee should be appointed to consider the question of the additional qualifications to be laid down for membership of Parliament and Legislatures of States. I feel that the Constitution makers had in mind that there should be some additional qualifications to those laid down in those articles referred to above. What those qualifications should be, whether they should be educational qualifications or others, should be considered by a Committee that I have ventured to suggest. Some hon. Members have dealt with the disadvantages of having educational qualifications or other qualifications and stated that that may hinder the entrance of certain persons into the legislatures. But there is no doubt about one thing. We want the right sort of persons in this House. Parliament should consist of persons who have enough experience and knowledge of parliamentary work. If my hon. friend Mr. Sidhva was opposing the resolution of my hon. friend Prof. Shah, I think he said much in favour of the proposition that some qualifications ought to be there. Mr. Sidhva said that people who had experience and knowledge of affairs of the country and of the whole of India, and who have strong commonsense and who have wide experience can come into Parli-

4 P.M. ment. May I say, that if the Committee lays down such a qualification for Members, it will be in consonance with the spirit of the article or with the spirit of what Mr. Sidhva himself told us while opposing the Resolution of Prof. Shah? What I understood from the speeches of my learned friends Dr. Deshmukh and Mr. Sidhva is this, that they do not want any educational qualification to be laid down. But at the same time I could not find anything, not a single word in the speeches where they want that all and sundry should come into the Legislature.

**Dr. Deshmukh:** They won't come. The voters will not send them.

**Shri B. K. Das:** Yes, we may depend on the commonsense of the voters. But we have experience enough to say that sometimes some kind of frenzy may overtake them and then they may send people who may not be the right sort of people. Therefore, I say, if we have enough confidence in our people, we should give them a lead so that they may send the right sort of people. If we refer to article 90 of the Constitution, we find that it is laid down there that the President while choosing members to the Council of States may nominate a person who has social service in his favour. Suppose the committee goes into the question and lays it down as a condition that a person should have some social service in his favour in order to stand as a candidate for membership of Parliament, I don't think Dr. Deshmukh will have any objection. What he is afraid of, and other Members of his view are afraid of is that in a country where many are illiterate, if we lay down any educational qualification, that will go against the country, and many people will be barred from entering Parliament. But if I understand Prof. Shah right and the spirit

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in which he has brought forward this Resolution, and also from the speech that he made and the amendments he moved in the Constituent Assembly. I think that he only wants that there should be men who have knowledge of reading and writing. Will that be too bad to have men who have the knowledge of reading and writing? Do we want that illiterate persons should come into Parliament? Do we think illiterate persons will have this sort of wide knowledge and experience of things that we want? Of course, Mr. Sidhva, from his experience of local bodies testified to the experience of common people who have done their part very well. Yes, I also do not belong to an urban part of the country. I come from a village, and I have seen people who have commonsense and who by their commonsense can understand many things. Today with this adult franchise before us, we have trusted the electorate, and there is no doubt about that. But should we not devise some means by which we can get the right sort of people here? Our friends seem to be afraid that if some conditions are laid down, if some simple qualifications are laid down, that will be against the interests of the common people, and against the interests of the electorate. I do not think, however, if it is laid down that a person with social service to his credit, a person who knows how to read and write, a person who has experience and knowledge of affairs may come into Parliament, that that will go against the interests of the electorate.

Mr. Sidhva said that practising doctors often remain absent from their work. Therefore, may I take it that practising lawyers also are in the same position? And if some condition is laid down to the effect that persons who are in active practice will be barred from standing as candidates, will that not ensure that people who are ready to give wholetime work will come in? Or at least if it be laid down that the lawyers or men of other professions who come into Parliament, during their membership will not practice, or actively carry on their profession, then I think our friends who are opposing the Resolution moved by Prof. Shah will have no reasons to complain. I should not be misunderstood. I do think that high academic qualifications should not be laid down. Rather I am afraid of the Legislature or Parliament being turned into a debating society of academicians. What I want is that there should be more people who have service to their credit, who have commonsense, who have knowledge and experience of wordly matters. We in the Congress, when we non-co-operated, when we went out of the schools and colleges we took away our young men from these institutions, we thought that those persons would, some day, be better citizens and be better able to be the representatives of the people. I have not changed that view even today. I hold that those who have to their credit service of thirty or even more years are quite fit people to be Members of Parliament. But when I was hearing the learned doctor, and our learned lawyer, Shrimati Durgabai, I was wondering whether they were not afraid, themselves having much of learning that people not having much learning may not be able to do justice here in this Parliament.

**Shrimati Durgabai:** My point is that the House is not lacking in learning, but that learning must be made use of.

**Shri B. K. Das:** I quite agree. But I was rather amazed to see my learned friend Shrimati Durgabai opposing any educational qualifications being laid down. That is what I am complaining of.

I shall conclude by saying that I want a committee to be appointed to go into the whole question and to lay down such qualifications as are necessary so that the proper sort of people may come into Parliament.

**सेठ गोबिन्द दास :** जो सवाल हमारे सामने है वह बहुत सरल सवाल नहीं है। बल्कि मैं तो कहूँगा कि जो सब से कठिन प्रश्न है उन में से यह भी एक सवाल है। दोनों पक्षों में दलीलों दी जा सकती हैं। हम ने प्रजातंत्र स्वीकार किया है। हर २१ वर्ष की उम्र के ऊपर के बालिग को मताधिकार दिया गया है। उम्मीदवारों की जो योग्यता रखी गई है वह उम्र को छोड़कर बाकी बातों में जो मत देने वाले हैं उन की योग्यता के समान हैं। तो एक तरफ जब हमने बालिग मताधिकार दिया है तो यह कहा जा सकता है कि यदि हम उम्मीदवारों के सम्बन्ध में कोई योग्यता निर्धारित करें तो एक हाथ से हम ने जो कुछ दिया है वह दूसरे हाथ से हम ले लेंगे, और जो लोग ऐसी दलीलें पेश करते हैं उन की दलीलों में कम वजन है ऐसा मैं नहीं मानता। मैं मानता हूँ कि उनकी दलीलों में काफी वजन है। फिर उसका दूसरा रूख भी है और उस दूसरे रूख से भी हम आँखें बन्द नहीं कर सकते। हम देखते हैं कि जितने जिम्मेदारी के स्थान हैं, मसलन न्यायाधीशों का स्थान, जहाँ न्यायाधीशों को जो ज्ञान हम बना कर भेजते हैं उन ज्ञानों का पालन ठीक तरह से हो रहा है या नहीं हो रहा है इसका फँसला करना पड़ता है, वहाँ भी योग्यतायें रहती हैं। हम उन न्यायाधीशों का कोई बालिग मताधिकार पर चुनाव नहीं करते। तो जो न्यायालयकानूनों के मामलों में फँसला करते हैं वहाँ भी जब इस तरह की योग्यतायें हैं तब ज्ञान बनाने वाले सदस्यों की कोई योग्यतायें न रहें यह एक आश्चर्य की बात होगी। तो हमें दूसरी तरफ भी जो दलीलें दी जाती हैं, कि हमारे उम्मीदवारों के लिये कोई न कोई योग्यतायें होनी चाहियें, उन पर भी ध्यान देना पड़ता है और जान पड़ता है कि इस दलील में भी काफी वजन है।

मैं २७ वर्षों से इस केन्द्रीय धारा समा का सदस्य रहा हूँ, और उस समय रहा हूँ जिस समय घन के सम्बन्ध में बड़ी कठोर योग्यतायें थीं। मैं पहले पहल सन् १९२३ में पंडित मोतीलाल जी के साथ यहाँ पर मध्य प्रदेश के जमींदारों की तरफ से चुन कर आया था। उस के बाद मैं काँसिल आफ स्टेट (Council of States) में गया और वहाँ भी मताधिकार किस प्रकार का था यह सब लोग जानते हैं। इतने पर भी मैं यह कहना चाहता हूँ कि घन की कोई योग्यता नहीं रहनी चाहिये। वह समय अब चला गया जब यह माना जाता था कि :

“सर्वे गुणाः कांचनमाश्रयन्ते”

परन्तु शिक्षा की योग्यता ऐसी योग्यता अवश्य है जिस पर हमें ध्यान देना पड़गा। आज मने जो भाषण यहाँ पर सुने उन से मुझे यह मालूम हुआ कि कुछ लोग यह समझते हैं कि यदि हम शिक्षा की योग्यता मान लेंगे तो फिर शिक्षा की बड़ी बड़ी योग्यताएँ हमारे सामने आयेंगी और जो किसी यूनिवर्सिटी (University) के ग्रेजुएट (Graduate) हैं उन्हीं को यहाँ पर आने को मिलेगा। ऐसी बात नहीं है। लेकिन जिसे ‘अंगूठा छाप’ कहते हैं, यदि वह भी पार्लियामेंट (Parliament) में आ सकता है तो यह बात हमारी पार्लियामेंट की जो प्रतिष्ठा है, और हमारी पार्लियामेंट की जो प्रतिष्ठा हमारे इतने बड़े देश के होने के कारण संसार में होनी चाहिये, उसके विरुद्ध होगी। यह सच है कि हम को इस प्रकार के व्यक्ति भी संसार के इतिहास में देखते हैं जो एक अक्षर नहीं जानते थे। बादशाह अकबर कठिनाई से अपने दस्तखत कर सकते थे, महाराजा रणजीत सिंह भी अपने दस्तखत नहीं कर सकते थे, लेकिन यह अपवाद थे। इन उदाहरणों को देकर हम यह नहीं कह सकते कि शिक्षा की योग्यता कोई योग्यता नहीं है, और जितने अशिक्षित होते हैं वही योग्य होते हैं। तो हमको घन की योग्यता तो नहीं रखनी चाहिये, परन्तु जहाँ तक शिक्षा की योग्यता का सवाल है उस पर हमें जरूर विचार करना है। फिर एक बात और है कि केवल शिक्षा की योग्यता ही ऐसी योग्यता नहीं है जिस पर हम विचार करें। अन्य योग्यतायें भी

[सिठ गोविन्द दास]

हैं जिन पर विचार किया जा सकता है। मैं आपको एक दृष्टांत दूंगा। कांग्रेस के विधान में, जो विधान हमने अभी स्वीकार किया है, हमने तीन प्रकार के सदस्य रखे हैं और जो कर्मठ सदस्य हैं वही कांग्रेस के पदों के लिये खड़े हो सकते हैं, जिस का अर्थ यह होता है कि ऐसे सदस्य जिन्होंने अपनी योग्यता का अपने कार्यों द्वारा कुछ न कुछ परिचय दिया है। शिक्षा की योग्यता में आवश्यक मानता हूँ, पर शिक्षा से भी अधिक मैं दो योग्यताओं पर जोर देता हूँ। एक है नैतिक योग्यता। नैतिकता की दृष्टि से जिन लोगों को हम भेजें वह ऐसे होने चाहियें जिन पर कोई उंगली न उठा सकता हो। इस सम्बन्ध में कौन कौन यहां आने के लिये अयोग्य होगा उन के विषय में कुछ धारार्यों हमारे विधान में हैं। मैं माननीय कानन मंत्री जी से यह प्रार्थना करूंगा, कि वह इस बात पर विचार करें कि उन धारार्यों के अतिरिक्त भी, जहां तक नैतिकता का संबंध है, वहां तक नैतिक दृष्टि से कोई व्यक्ति यहां पर ऐसा न आ सके जो अयोग्य हो। इसके लिये वह और कुछ बातें भी निश्चित करें।

दूसरी योग्यता जिस के संबंध में मैं निवेदन करूंगा वह है सेवाओं की योग्यता। मैं जानता हूँ कि आज हमारा देश चाहे शिक्षित न हो पर हमारे देश के अधिकांश निवासी सेवा को परख सकते हैं और मैं यह भी जानता हूँ कि जिस ने सेवान की होगी वह अगर खड़ा किया जायेगा तो उस को इस देश में मत मिलने वाला नहीं है। इतने पर भी सेवा एक बहुत बड़ी योग्यता है जिस पर हमें विचार करना है।

प्राचीन काल में भारत में अनेक प्रजातंत्र राज्य रहे हैं। भारत समूचा देश तो प्रजातंत्र नहीं रहा पर अनेक स्थानों पर लिच्छवियों जैसे प्रजातंत्र थे। ईसा के पहिले जिस समय यूनान में ऐथेन्स और स्पार्टा के प्रजातंत्र चलते थे, उस समय हमारे देश में भी अनेक प्रजातंत्र चलते थे। प्राचीन भारत में ग्राम पंचायतों का भी एक बड़ा स्थान था। एक पुस्तक ओक्सफोर्ड यूनिवर्सिटी प्रेस (Oxford University Press) से निकली है जिसमें हमारे यहां पर ग्रामों के प्रजातंत्र किस प्रकार चलते थे उस के संबंध में बहुत सी बातें कही गई हैं। उसमें यदि हम देखें तो हमें मालूम होता है कि जो लोग उन ग्रामों के पंच होना चाहते थे, उनके संबंध में १३ अयोग्यताएं निर्धारित की गई थीं। मैंने अभी वह पुस्तक मंगाने का प्रयत्न किया लेकिन वह यहां की लायब्रेरी में नहीं मिली, परन्तु मुझे उन की दो अयोग्यताओं का स्मरण है। एक यह कि कोई भी ऐसा पंच नहीं बन सकता था जो ग्राम विद्रोही हो और दूसरा जो देश विद्रोही है। इन १३ अयोग्यताओं में यह दो अयोग्यतायें विशेष कर हमारे इन प्रजातंत्रों में थीं कि कोई भी ग्राम विद्रोही, कोई भी देश विद्रोही सदस्य नहीं हो सकता था। मद्रास में एक शिला लेख भी मिला है, बहुत पुराना शिला लेख है। उसमें भी इन १३ अयोग्यताओं का विषय वर्णन किया गया है।

कुछ दिन पहले जब हमारे राष्ट्रपति हमारी कांग्रेस और विधान सभा दोनों के सभापति थे, जबलपुर आये थे, और जबलपुर के रोटरी क्लब (Rotary Club) ने उनको एक भोज दिया था। उस भोज में उन्होंने जो भाषण दिया था वह आज मुझे स्मरण आ रहा है। उन्होंने उस भाषण में कहा था कि हम ने बाल्यामताधिकार अवश्य स्वीकार किया है और यह ठीक सिद्धांत भी है, लेकिन जहां तक उम्मेदवारों का संबंध है हमें सोचना होगा। उन्होंने कहा था कि जब हम न्यायालयों के न्यायाधीशों की नियुक्ति के समय, जो कि न्यायालयों में कानून चलाने के जिम्मेदार हैं, उनकी योग्यता पर विचार करते हैं, तो जो कानून बनाने वाली सभा है उस सभा के सदस्यों के संबंध में यह कह देना कि कोई भी व्यक्ति उस की उम्मीदवारी के लिये खड़ा हो सकता है कहां तक ठीक होगा। इस पर हमें विचार करना चाहिये। उन्होंने उस समय यह समस्या केवल हमारे नगर और प्रांत ही के सामने नहीं बल्कि सारे देश के सामने रखी थी। उसका कोई ठीक हल हम अब तक नहीं निकाल

सके हैं। यह सत्य बात है कि हम ने प्रजातंत्र को स्वीकार किया है, लेकिन यदि प्रजातंत्र ही दुनिया में सब से श्रेष्ठ पद्धति होती तो फिर भारत में लिच्छिवियों आदि के प्रजातंत्रों के बाद या यूनान में ऐथिन्स और स्पार्टा के प्रजातंत्रों के बाद बड़े बड़े साम्राज्य क्यों आते। ब्राइस, जो डिमोक्रेसी (Democracy) का इतना बड़ा समर्थक है, उसने अपनी "डिमोक्रेसी" में लिखा है कि उसे स्वयं इस बात में संका होती है कि प्रजातंत्र ही सर्वश्रेष्ठ पद्धति है, और उस ने अन्त में यह लिखा है कि मुझे तो कई बार यह पूर्वी सिद्धांत कि हर चीज चक्रवर्त भूमती है, ठीक प्रतीत होता है, और प्रजातंत्र में संदेह होने लगता है। हिटलर ने एक जगह कहा था कि यदि लाखों आदमियों को इकट्ठा कर दिया जाये और वह यदि मूर्ख हों तो उनका इतना बड़ा समुदाय होते हुए भी उनमें अक्ल कहां से निकलेगी यह मेरी समझ में नहीं आता। फ्रांसीसी और उर्दू के एक बहुत बड़े शायर इकबाल ने कहा है "जम्हूरियत एक तर्ज हुकूमत है जिसमें बन्धों को गिना जाता है तोला नहीं जाता"। मैं प्रजातंत्र के पक्ष में जरूर हूँ परन्तु प्रजातंत्र ही शासन की सर्वश्रेष्ठ पद्धति है और वह सदा ठीक रहती है इस को मैं मानने के लिये तैयार नहीं हूँ। जब प्रजातंत्र भ्रष्ट होता है तो प्रजा चाहती है कि प्रजातंत्र समाप्त हो कर कोई एक आदमी अपने हाथ में सत्ता को ले, और जब एक आदमी भ्रष्टाचार करता है तो प्रजा यह चाहती है कि प्रजातंत्र स्थापित हो। हम ने सदा मानव इतिहास में, यही बात देखी है। इसलिये यदि हम यही मान लें कि प्रजातंत्र पद्धति सब से श्रेष्ठ पद्धति है और इस बात पर ध्यान न दें कि हम प्रजातंत्र चलाने के लिये जो उम्मीदवार चुनते हैं उन की क्या योग्यता है, उन की क्या नैतिकता है, और उन की क्या सेवा है, तो शायद ही इस तरह का प्रजातंत्र इस देश में कल्याणकारी सिद्ध हो, और यदि वह कुछ दिन के लिये कल्याणकारी सिद्ध भी होगा तो वह चल नहीं सकेगा, इस में मुझे कोई संदेह न है।

यह सारा सवाल अत्यन्त कठिन है यह मानना पड़ता है। इसलिये मुझे श्री कामथ का सुझाव ठीक मालूम पड़ता है कि इस के लिये एक कमेटी (Committee) बना दी जाये और इस सारे प्रश्न को उस कमेटी के हाथ में सौंप दिया जाय।

(English translation of the above speech)

**Seth Govind Das:** The question before us is not an easy one. But I would go to such an extent to say that it is one of the most difficult questions. Much can be said on both the sides. We have accepted democracy. Franchise has been granted to each and every individual of above 21 years of age. The qualifications that have been laid down for the candidates are identical excepting the age limit to those that have been fixed for a voter. It can be said that when on the one hand we have granted adult franchise and if we were to lay down some minimum qualification for the candidates then it would be just like taking away from left hand what has been given by the right one. I do not also accept that the arguments that have been put forward in this respect are quite frivolous. I do acknowledge that these arguments are sufficiently weighty. Then there is another side of this question also and we cannot shut our eyes from that. We see that for all posts involving responsibility, for example take the case of the judges who have to decide whether the laws that we send to them are being acted upon properly or not, we lay down certain qualifications. We do not elect these judges on the basis of adult franchise. When for the courts that give decision on legal points we have laid down some qualifications then it would be rather strange not to have laid down any qualification for those hon. Members who pass these laws. Then we have to pay attention towards such arguments that some minimum qualifications must be laid down for the candidates and these arguments also carry weight.

[Seth Govind Das]

I have been a Member of the Central Legislature for the last 27 years and have been a Member in those days when very high financial qualifications had been laid down. I, along with Pandit Moti Lal Nehru, was elected for the first time to this Central Legislature in 1923 from the Madhya Pradesh Zamindars Constituency: Then I was elected to the Council of States and everybody knows the conditions of franchise that were there. But in spite of all this I like to submit that no financial qualifications should be laid down. The days have gone when it was generally accepted that: *Sarvogunah Kanchana-mashrayante* meaning thereby that all the virtues are contained in gold or wealth.

But the qualifications regarding educational attainments are no doubt such that we will have to take them into consideration. From the speeches that I heard here today I have come to know that some hon. friends believe that if we would accept the principle of minimum academic qualifications then we would be faced with very high sounding qualifications and only those persons who would be graduates of some university or the other would only be elected. But it is not so. But if such persons, whom we call 'thumb impressioners', would be elected to this Parliament then it would go against the prestige of this Parliament, the prestige that it should command in the world outside being the Parliament of such a big country. It is quite true that we come across such persons in the world history who were perfect illiterates. Emperor Akbar could hardly write his own name, Maharaja Ranjit Singh also could not write his name, but these persons were exceptions. By quoting such instances we cannot say that the academic qualifications are of no worth and only the illiterates are invariably the most capable. Therefore we should not place any financial qualifications, but as far as the question of academic qualifications is concerned we have surely to take it into consideration. Besides this academic qualification is not the only qualification that we have to take into consideration. There are other qualifications also that could be taken into consideration. I would give an example. In the Constitution of the Congress, the Constitution that we have recently adopted, we have prescribed three categories of members, and only the active members can seek election to the various offices, that is to say, only those members are permitted to seek election who through their work have given a somewhat proof of their abilities. The academic qualification I deem to be essential, but as compared to the academic qualifications I lay more stress on two other qualifications. The first qualification is that of character or morality. As far as standard of morality is concerned the persons that we send to Parliament must be of such a high morality and character that against whom no fingers could be raised. There are certain provisions in our Constitution that lay down certain disqualifications for persons seeking elections. I would request the hon. Minister of Law to take this matter into consideration and suggest other means also besides these provisions so that from the morality standpoint no such person should happen to be elected who may be quite unfit for that. He should better suggest some other means also to this effect.

The other qualification about which I would submit is that of social service. I know that though our country may not be literate today but a majority of our vast population can recognise true service. I also know this fact that if such a person who may not have rendered any service to the country would be set up for election then he would not be able to get any votes. In spite of all this service is no doubt an important qualification and we have to take it into consideration.

In the old days there existed many democracies in India. Though the country as a whole was never a democracy yet at places small republics like that of *Lichhivies* existed. Here in India small republics existed in the days when in Greece City States like those of Athens and Sparta existed long before the advent of the Christian era. In ancient India the village *panchayats* also had an important place. A book has been published by the Oxford University Press. In that book detailed accounts of the working of the old village republics have been given. If we go through that book then we come to know that for the persons who aspired to become village *panch* thirteen disqualifications had been laid down. I just tried to obtain that book but it is not available in our Library, but I do remember two of the disqualifications mentioned therein. One of them was that no one could be elected as village *panch* if he happened to be a village traitor, the second laid the same restrictions on those who happened to be traitors to the country. Out of these 13 disqualifications the above two were specially followed by our old republics and nobody who happened either to be a village traitor or a traitor to the country, could become a member. In Madras an inscription has also been discovered, the inscription is very old. In this inscription also these 13 disqualifications have been discussed in detail.

Some time back our President, who was the President of the Congress as well as of the Constituent Assembly at that time, paid a visit to Jubbulpore. He was given an at home by the Rotary Club, Jubbulpore. I still remember the speech that he delivered at that at home. In his speech he had said that though we have accepted the principle of adult franchise, and this principle is no doubt quite right as well, yet as far as the question of the candidates goes, we will have to think it over again. He had said that while appointing judges, who are responsible for enforcing our laws and legislations in the courts, we take their qualifications into consideration then how far it would be right to say that any person, whatever his qualifications may be, can seek election to that legislature which enacts these laws and so we have to think over this question. At that time he had placed this poser not before my home town and province only but had placed it before the country as a whole. We have not been able to find any solution to that poser as yet. It is a fact that we have accepted the principle of democracy, but had democracy been the best system of Government in the world then why after the democracies of *Lichhivi* in India and Athens and Sparta in Greece big empire would have come into being. Brice, who is such a staunch supporter of democracy, has in his book *Democracy* written that he himself feels doubtful whether the democratic system is the best form of Government in the world and at the end he has written that at time he begins to feel that the famous theory of the East, that is everything comes by rotation, appears to be quite right and so he begins to have doubts in the excellence of the democratic system of Government. At one place Hitler had said that if millions of people were to be brought together and if all of them happened to be fools then in spite of their being so great in number he failed to understand from where they would derive intelligence. Late lamented Dr. Iqbal, the great Persian and Urdu poet, has at a place said that, "Democracy is such a kind of Government wherein only heads are counted out intelligence is not weighed". I am no doubt a supporter of democracy but I am not in the least prepared to accept that democracy and democracy alone is the best form of Government in the world and that it always functions rightly. When democracy goes corrupt then the people wish that democracy may better be finished and the reins of Government be taken over by some certain individual and on the contrary when autocracy becomes power-mad then the people wish for the establishment of democracy. Throughout in the human history of the world I have come across this fact. Therefore if we were to accept

[Seth Govind Das]

that democracy is the best form of Government in the world and were not to pay any attention towards the question of academic qualifications, standard of morality and record of service of those persons, whom we elect to run this democracy, then I very much doubt if such a system of democracy would prove beneficial to the interests of the country. It is just possible it may prove beneficial for some time; yet it would not last for long and I have not the least doubt in this thing.

But it has to be accepted that the whole question is extremely difficult. Therefore to me the suggestion given by Shri Kamath appears to be quite proper that a committee should be appointed for this work and the entire question be referred to the said committee.

**Prof. K. K. Bhattacharya** (Uttar Pradesh): I must avail myself of a few minutes for expressing my view on this matter. The Oracles have spoken, both at Delhi and Dodona, and it is for the Members of this House to decide to which voice they would listen. I am convinced of one fact and it is this, that there can be no harm in adopting Mr. Kamath's amendment. The simple fact is that Mr. Kamath has not in that amendment stated that he puts a premium on any educational qualification. He has not stated that he wants that all M.As., Ph.Ds., and LL.Ds. should come in. On the other hand, he has also not stated there that only illiterates should flock into the House.

It is an essential necessity that Parliamentary life in our country must be kept on an even keel, and for that reason it is of essential importance that men with self-sacrifice, men who have had the training in some municipal bodies or in corporations, or who have devoted themselves to some other public organisation should come forward in order to put upon themselves the responsibility of administering the State. When we were fighting against the British Government, the days were the days of slogans, those were the days also of pure, pristine nationalism and patriotism. Now we have got independence and we have to maintain the highest traditions of Parliamentary life, and for that reason it is essential that this House, or for the matter of that the State Legislatures, should not be swamped by mere illiterates simply because 90 per cent. of the people of the country are illiterate. Surely, I shall not subscribe to that proposition that Parliamentary life can be run more efficiently by illiterates than by literates! I am a literate man myself and I can say this with confidence that even if there were literates pure and simple, without any idea of public service, they will be able to render a greater amount of public service than can be rendered by all the illiterates without any public service. These are the days when one must have specialised knowledge in economics, politics, sociology and so forth, especially in this Parliament of ours where matters of the highest importance are discussed. We have got to stand on a footing of equality with the members of other Parliaments all over the world. Therefore, at the time of the next elections when, with adult franchise, 90 per cent. of illiterates would be facing us, if we say, "No qualifications. Every illiterate man can come in", is it to be meant that we should say also, "Illiterates, do come; literates have no place". I do not mean to convert this Parliament into a University consisting of Professors and scholars, but it is not my idea that we should lend our hand to any scheme by virtue of which it may be that only illiterates will come forward. Therefore, there is absolutely no harm in accepting Mr. Kamath's amendment which, in my judgment, is reasonable and proper.

While listening to the speech of the Deputy-Speaker on the Resolution, I was struck by his close reasoning. Though his heart is too full of the milk of human kindness for the common man, he was frank and said that he stood for

certain standards in public life. We have to create standards in public life. There is no getting away from the fact that we should always be guided by patriotism. Political life, and Parliamentary life, can only be built on solid foundations of study, research and learning. We have got to do these in order to be Parliamentarians. Therefore, we are not going to say that we shall not impose qualifications for membership. Pitt at the age of twenty-four became the Prime Minister of England, and we may say that any man at the age of twenty-one may become a Member. Perhaps Mr. Sidhva shall have no objection to it. But certainly I am not enamoured of Mr. Sidhva's argument when he says that at the age of seventy a man retains fully his vitality, energy and powers of concentration. Mr. Sidhva is an exception, and if an exception goes to prove the rule, then I am not to be guided by Mr. Sidhva's example. I have the highest respect for Mr. Sidhva, let it be understood, but I have seen many men at the age of sixty-five or seventy who cannot walk a step; they totter, they as a rule are dyspeptics suffering from all chronic diseases. So, if a lower age limit is put, a higher age limit should also be put, because I know that when a man attains a certain age he becomes unfit for Parliamentary life unless he is proved an exception or he undergoes medical examination to prove his fitness. Mr. Sidhva's argument was, "Well, Government servants retire at the age of 55 and 60. Why not give place to younger entrants?" My own opinion is that the older politicians may give place to younger men who can give a good account of themselves. I have done. I strongly commend to this House the amendment of Mr. Kamath for acceptance.

**Sardar Sochet Singh** (P.E.P.S.U.): In the few minutes at my disposal, I would confine myself to the question of minimum educational qualification for legislators. If this qualification is not prescribed, then I am afraid it would amount to putting a premium on illiteracy, inefficiency and ignorance. The incentive for education will be lost. People who want to aspire to the position of responsibility and opportunity to discharge their duty towards their country would not devote any attention or time to the learning of those essential and basic things which would qualify them and make them fit for those responsibilities. It is true that we should guard against the tyranny of intellectuals, but it is equally necessary that we should guard against the dead weight of ignorance.

Education is a unifying factor in the life of a country. If we had no minimum educational standard for all the Members who have come to this House, this House would have presented the appearance of a Tower of Babel. The Madrasis would speak their own languages and the others would speak in their respective tongues and nobody will be able to understand what the other Member says and nobody will be able to convey to the majority of the Members of the House what he really intends to say. That is why I say that a minimum educational qualification in the national language should be prescribed. I am afraid also that if no minimum educational qualification is prescribed, then this House itself would succumb to the tyranny of the intellectuals in the House. (*An Hon. Member*: Tyranny?) Yes, and there will not be true democracy inside the House. Very few of the Members of the House will be able to understand their responsibilities and duties and they will be compelled blindly to follow what a few educated leaders of thought would place before them. We want the cream of the country in every walk of life to be represented in the House, and not the scum of the country. We want *Buddhims* and *Vidvans*.....

**Giani G. S. Musafir** (Punjab): And not *Gianis*?

**Sardar Sochet Singh:** And *Gianis* would follow. So when you are prescribing qualifications for the judiciary who have to interpret the law, the law-makers themselves should not be altogether ignorant. They should also have a minimum standard of educational qualification and mental fitness.

With these words, I only want to emphasise one particular point, namely, that this House will be reduced to a Tower of Babel if we do not prescribe a minimum educational qualification for its Members.

**Shri Hossain Imam (Bihar):** I will not take more than five minutes. My task has been lightened greatly by the speeches of some friends, especially the points which were made out by you yourself, Sir, clearly showed the absolute necessity of having some kind of rules and regulations laid down by Parliament as these regulations cannot be made by executive action. So the only course open is to have legislation. In regard to this, there were two things open to Government. One was to decide to do a thing and the other was for this House to suggest that a certain line should be taken. What Prof. Shah has done is to ask Government to perform its duty in consultation with this House. I cannot understand the mentality of those people who are suffering from such an inhibition that they do not like to be asked, and who feel that the executive must be trusted to discharge its functions and that it would be derogatory for the Executive to be saddled with the advice of this House. Those suffering from such an inhibition are, in my judgment, scarcely fit to grace this House.

**Mr. Deputy-Speaker:** The hon. Member need not use such strong language.

**Shri Hossain Imam:** I only used the word "inhibition".

**Mr. Deputy-Speaker:** But he said—"they are not fit to be Members of this House".

**Shri Hossain Imam:** If I used those words, I take them back. I thought I said that "they are not fit to grace this House".

**Mr. Deputy-Speaker:** Even that is wrong.

**Shri Hossain Imam:** All right. I withdraw even that.

**Mr. Deputy-Speaker:** It will be too strong. Each Member is entitled to have his own views.

**Shri Hossain Imam:** All right. I withdraw that too.

The hon. the Law Minister in his concluding speech on the Constitution remarked that this worship and this complete-trust theory will lead us astray. I entirely endorse those remarks which he made. I feel that the way in which learning and education have been run down in this House by two highly educated and learned Members of this House makes me wish for the day when crores of rupees would be saved by closing down our educational institutions.

**Shri Sidhya:** Why?

**Shri Hossain Imam:** Because education "demeans us, debases us, degrades us". This is the summary of what was said by the learned Members.

**Dr. Deshmukh:** I do not want to be personal, but it has happened in some instances.

**Shri Hossain Imam:** I was going to say that even this bad education that you have in India has given us Gurudev Tagore, Mahatma Gandhi, Jawaharlal Nehru and Sardar Patel. I should like to know what has illiteracy given us, which we can show to the world as the great contribution of illiteracy.

**Shri Sidhya:** It is not due to their literacy, but to their broad outlook and strong commonsense.

**An Hon. Member:** One of the reasons is literacy.

**Shri Hossain Imam:** It gave us Gokhale; it gave us Tilak, but what has illiteracy given us?

**An Hon. Member:** Ranjit Singh.

**Shri Sidhva:** Service.

**Shri Hossain Imam:** I am talking of today, not of the past (*Interruptions.*)

**Mr. Deputy-Speaker:** The hon. Member is entitled to his own views.

**Dr. Deshmukh:** But it is a misrepresentation of facts and statements to say that we have advocated illiteracy. We never praised literacy.

**Shri Hossain Imam:** What was said was that illiteracy makes a man more honest than does literacy. (*Hon. Members:* No, no.) If that is the case, then we must close down the schools—if literacy teaches us only to be rogues and sharks. Our position in the world is such that we must be very careful to maintain the dignity of India. Another factor which must not be lost sight of is the fact that you have a strong Party in this country which, in spite of whatever may be the wording of the Constitution, can shape things in the way in which it likes. I am saying that even if there are no special qualifications, the Congress Party by its executive action can lay down certain rules in selecting candidates and that will be effective for at least 90 per cent. of the Members returned to this House.

The Constitution itself has provided at different places, the need for having certain qualifications to be laid down by Parliament. The reason why all those are not enumerated in the Constitution itself, is because our Constitution, already the biggest in the world, would have become too cumbersome and then it would have been difficult to change it. The difference between the Constitution and ordinary legislation is that while the former requires a two-thirds majority, the latter does not. Of course, if this House wants to change the Constitution, it can do so. But it is not a thing which is done in the world. Amendments to the Constitution are brought about only in extreme circumstances and on urgent and imperative needs. That is why the qualifications were not provided for in the Constitution itself. As has been pointed out by the previous speaker, if we do not lay down some qualification, in future a Member from Madras will speak in Tamil, a Bengalee will speak in his own language, an Oriya in his own language, with the result that we will be unable to understand each other.

**Shri Venkataraman (Madras):** But what do you do in International Conferences?

**Shri Hossain Imam:** In the United Nations conferences, there are ear-phones where you can listen to the translation in one of the few approved languages that you know. Here you cannot have that done, because while in the United Nations you have only 59 member nations, here you will have 500 members.

**Seth Govind Das:** Then you have accepted Hindi as our national language and it is going to come into effect within fifteen years.

**Shri Hossain Imam:** I, therefore, say that a literacy qualification of a certain measure either of English or of Hindi, is most essential. Otherwise we will become a Tower of Babel as was pointed out by the previous speaker. I have nothing to say further. This Resolution should not be opposed merely because of the fact that it has been sponsored by certain persons. Government is bound to bring legislation and it will bring a Bill, whether you pass this Resolution or not.

**Khwaja Inait Ullah** rose—

**Mr. Deputy-Speaker:** Hon. Members will be as brief as possible.

**Shri Kamath:** How long are we to sit?

**Mr. Deputy-Speaker:** As long as hon. Members wish to sit.

**Shri Kamath:** We have a meeting of the Inter-Parliamentary Union Group at 5.15.

خواجہ عنایت اللہ : جو رزولوشن ہمارے سامنے پروفیسر کے - تی - شاہ نے رکھا ہے اس پر صبح سے موافق اور خلاف تقریریں ہو رہی ہیں - اس پر اس ہاؤس کے تمام ایکسپیئرینسڈ (experienced) اور پرانے ممبر اپنے اپنے خیالات کا اظہار کر چکے ہیں اور اس کے بعد اب میرے جیسے نئے لوگوں کو وقت ملا ہے - تو اب ہم یہ سوچتے ہیں - کم سے کم میں یہ سوچ رہا ہوں - کہ کون سی بات باقی رہ گئی ہے جو میں کہوں - کرتا ہوں کہ کہیں انہیں باتوں کو دہرانے نہ شروع کر دوں - بہر حال سب سے پہلی بات جو میرے خیال میں آئی ہے وہ یہ ہے کہ اس رزولوشن کو پڑھنے کے بعد مجھے ایسا معلوم ہوتا ہے کہ پروفیسر صاحب نے اس رزولوشن کو بہت جلدی میں لکھا ہے - اگر وہ جلدی میں نہ لکھتے تو ان کے جیسا ایکسپیئرینسڈ یعنی تجربہ کار آدمی، ایسا رزولوشن کیسے لکھ سکتا تھا - رزولوشن یہ ہے -

“This House is of opinion.....”

میسٹر ڈیپٹی سپیکر : ریجولوشن سب کو مالم ہے ।

خواجہ عنایت اللہ : نہیں جناب - اسی میں سے تو مجھے بتانا ہے - یہ لکھا

ہے -

“This House is of opinion that qualifications be laid down for membership of Parliament.”

ہم کہتے ہیں کہ اس کی کہا ضرورت ہے -

Qualifications are laid down. Qualifications are there and they are already laid down in the Constitution.

اس لئے اس رزولوشن کے معنی ہی کیا ہوئے کہ

Qualifications may be laid down.

اگر یہ ہوتا کہ وہ فرد کو الہیکیشنس سے بی لہڈ ڈاؤن

“further qualifications may be laid down”

اگر اور کچھ کو الہیکیشنس سے بی لہڈ ڈاؤن (be laid down) ہوتا تب تو ہم سمجھتے کہ کچھ رزولوشن ہے اور اس پر بحث کی جائے - مگر اب تو خاموشوارہ ہمارا وقت ضائع کیا گیا

Qualifications may be laid down.

اگر میں لا ممبر ہوتا تو کہہ دیتا کہ

Qualifications are already laid down.

ش्री कामथ : तरमीम पेश क्यों नहीं की ?

خواجہ عنایت اللہ : میں تو کہہ رہا ہوں کہ رزولوشن ہی غلط ہے ترمیم کیوں کرتا - صبح سے کہنا چاہ رہا ہوں کہ

Qualifications are already laid down.

بہر حال اب اصل سوال یہ ہے کہ مسبوروں کی یوگیتا کا تقرر کیا جائے یا نہ کیا جائے۔ جیسا کہ اسپیکر صاحب نے کہا تھا جب وہ بہت سے ہوتے تھے کہ جھگڑا یہ نہیں ہے کہ یہ کوالیفیکیشن رکھی جائے۔ یا وہ - یعنی علم کی کوالیفیکیشن رکھی جائے۔ ملک کی خدمت کی کوالیفیکیشن رکھی جائے۔ دھارمک کوالیفیکیشن رکھی جائے یا دھن دولت کی کوالیفیکیشن رکھی جائے رزولوشن یہ ہے کہ کوالیفیکیشن رکھی جائے۔ اب جھگڑا اس پر ہونا چاہئے کہ کوالیفیکیشن رکھی جائے یا نہ رکھی جائے۔ تو سوال یہ ہے کہ جب کوالیفیکیشن کا سوال آتا ہے تو کوالیفیکیشن تو سینکڑوں طرح کی ہو سکتی ہیں۔ دھارمک کوالیفیکیشن ہے۔ ایمانداری کی کوالیفیکیشن ہے۔ شکشا کی کوالیفیکیشن ہے اور دین بھگتی کی کوالیفیکیشن ہے۔ اس طرح کی بہت سی کوالیفیکیشن ہوں جو ہم مقرر کر سکتے ہیں۔ مگر یہاں رزولوشن لانے والوں کا یا جن لوگوں نے اس کے موافق یا خلاف تقریریں کی ہیں کھوم پھر کر اصلی مقصد تعلیمی کوالیفیکیشن ہی ہے۔ اگر تعلیمی کوالیفیکیشن ہی کا مطلب تھا تو ہاؤس کے سامنے اس رزولوشن کو ان گول مول لفظوں میں لانے کی کیا ضرورت تھی۔ صاف صاف لکھتے کہ ایجوکیشنل کوالیفیکیشن مقرر کی جائے۔ آپ نے تو ابھی محض ایک بے معنی الفاظ رکھ دئے ہیں کہ کوالیفیکیشن رکھی جائے اور پھر اس کوالیفیکیشن کے لئے ایک کمیٹی بھیجے اور وہ کمیٹی سوچے کہ آج کی دنیا میں کس طرح کی کوالیفیکیشن رکھی جا سکتی ہے۔ اب فرض کھجئے کہ اس کا مطلب تعلیمی کوالیفیکیشن ہی ہے تو پھر تعلیم کے بھی بہت سے حصے ہونگے۔ آیا ڈاکٹری تہذیب ہو۔ سائینٹیفک تعلیم ہو۔ لٹریچر تعلیم ہو۔ مذہب کی تعلیم ہو۔ گھر کی تعلیم ہو۔ گھنٹا کی تعلیم ہو۔ قرآن کی تعلیم ہو۔ انجیل کی تعلیم ہو یا دستکاری کی تعلیم ہو۔ اگر ایک ہی کوالیفیکیشن کو لیا جائے تو یہ سب حصے آجاتے ہیں۔ لوگوں نے دلیلوں یہ دی ہیں کہ اسپیکر کو نہیں سمجھینگے۔ ایک دوسرے کی بات کو نہیں سمجھینگے تو اس سے تو یہ صاف نظر آتا ہے کہ اصل مطلب یہ ہے کہ بی۔ اے۔ ہونا چاہئے۔ وکیل ہونا چاہئے یا ڈاکٹر ہونا چاہئے۔ ورنہ میٹرک بھی تو نہیں سمجھ سکتا۔ اگر مدراس یا بہار کا میٹرک آجائے تو میں سمجھتا ہوں کہ وہ بھی ایلچی انگریزی زبان میں مدراسی کو قانون نہیں سمجھا سکتا اور نہ کوئی کشمیری بلتالی کو سمجھ سکتا۔ اس لئے اصل مقصد اس رزولوشن کا اور ان تقریروں کا یہ ہے کہ ایجوکیشنل کوالیفیکیشن مقرر کی جائے۔ اور وہ بھی بی۔ اے۔ یا وکیل سے کم نہ ہو۔ کیونکہ ایک وکیل ہی قانون کی باتوں کو سمجھ سکتا ہے۔ اور اس کو گول مول اس لئے رکھا گیا ہے۔ اور یہ صاف نہیں کہا گیا ہے کہ کوالیفیکیشن ایجوکیشنل ہو۔ کیونکہ اگر اس میں الفاظ ایجوکیشنل کوالیفیکیشن ہوتے تو لوگ کہتے کہ آپ ایجوکیشنل کوالیفیکیشن کہوں رکھ رہے ہو۔ اسلئے

[ خواجہ عنایت الہ ]

اس کو کول مول رکھ دیا ہے۔ مگر جب غور کیا جاتا ہے تو لوگ کہتے ہیں کہ دھن کی کوالیفیکیشن کی ضرورت نہیں ہے۔ ہمارے سیٹھ گوندداس صاحب کہتے ہیں مال و دولت کی کوالیفیکیشن کی ضرورت نہیں ہے۔ ملک کی خدمات کی کوالیفیکیشن آپ ہٹا نہیں سکتے۔ جس نے دیش کی سیوا کی ہے اگر آپ اس کو ہٹا بھی دیں تو جو روت دینے والا ہے وہ اسکو کبھی نہیں ہٹائے گا۔ اس لئے آپ اسکو نہیں ہٹا سکتے۔ ایک روک تعلیمی لگا دیجئے۔ کوئی وکیل بھرسٹرو یا کوئی گریجویٹ سے کم نہ ہو۔ انگریزی بول سکتا ہو۔ سمجھ سکتا ہو اور سمجھا سکتا ہو۔ اس چیز کے متعلق ہمارے سیٹھ صاحب نے ہمکو سمجھانے کی بہت کوشش کی۔ گریجے سیٹھ صاحب نے اپنی تقریر میں ادھر کی بات بھی کہہ دی کہ یہہہ بالکل ہٹا دیا جائے اور ادھر یہ بھی کہہ دیا کہ یہہہ نہیں چھوڑا جا سکتا ہے گویا باغبان بھی خوش رہے راضی رہے صیاد بھی۔ میں نہیں سمجھتا کہ ایک طرف سیٹھ صاحب یہہہ فرماتے ہیں کہ ایک چیز ہٹنے کا نتیجہ ہوش کے ذریعہ پبلک کو دی ہے وہ چھین نہیں سکتے۔ دوسری طرف یہہہ کہتے ہیں کہ پرجاتنتر کوئی اچھی چیز نہیں ہے۔

सेठ गोविंद दास : मेरा मतलब कहने का

मिस्टर डिप्टी स्पीकर : आपका मतलब खूब समझते हैं ।

خواجہ عنایت الہ : میرا کہنے کا مطلب یہ ہے کہ اس رزلوشن کو کھٹا پھرا کر یہ معنی نکلتے ہیں کہ ہندوستان کو بڑی مدت کے بعد موقع ملا ہے کہ جلتا کا راج قائم کرے۔

مگر پڑھے لکھے لوگوں کو عادت پڑی ہوئی ہے جلتا پر راج کرنے کی اور وہ چاہتے ہیں کہ جو انہی کے لوگ ۸۰-۹۰ فی صدی ہیں وہ ہمکو روت دیں دوسروں کو نہ دے سکیں۔ ایسا قانون بنا دیں کہ جلتا کا راج نہ رہے۔ اور جلتا پر ہم راج کر سکیں۔ مگر یہ ہمارے اصول کے خلاف ہے۔ ہمارے اس کوشش میں زندگی گزار دی کہ مزدور راج کریں۔ اور اس مزدور راج کے لانے کے لئے ہمارے بڑے بڑے قربانیاں دی ہیں اب اس دیش کے مزدور اور جلتا بھوتوں نہیں رہے ہیں جیسا کہ لوگوں نے سمجھ رکھا ہے۔ وہ لوگ سب باتوں کو جانتے ہیں۔ اور اپنے خیبر خواہوں کو سمجھ سکتے ہیں۔ یہ کہہ کر کہ وہ لوگ آڑھتے کا نشان لگانے والوں کو چن کر بھیج دیں گے یہ اُنکی بے عزتی اور ایمان کرنا ہے۔

(English translation of the above speech)

**Khawaja Inait Ullah:** The Resolution moved by Prof. K. T. Shah has been the subject of favourable and unfavourable speeches since this morning. All old and experienced Members of this House have expressed their views on it

and an opportunity has now been allowed to a novice like me to give my views. Now we reflect—at least I do—what are the points left untouched which I might dwell upon. I am afraid lest I should start repeating those very things. The very first thing that occurs to me is this that on reading this resolution I feel the Professor has drafted it rather hurriedly. Had that not been the case how could an experienced man like him draft such a resolution? The resolution runs.

“This House is of opinion . . . . .”

**Mr. Deputy-Speaker:** The resolution is known to everybody.

**Khwaja Inait Ullah:** No, Sir, it is out of this that I have to point out something. It runs:

“This House is of opinion that qualifications be laid down for membership of Parliament.”

I say what is the use of it? Qualifications are laid down. Qualifications are there and they are already laid down in the Constitution. Then, what is the sense of the Resolution that qualifications may be laid down? Had it been like this that “further qualifications may be laid down” or that “some other qualifications be laid down” one might have thought here is a Resolution which requires to be debated upon. As it stands, however, it has simply caused a waste of time. “Qualifications may be laid down”. Had I been the Law Member I would have said, “Qualifications are already laid down.”

**Shri Kamath:** Why did you not move an amendment?

**Khwaja Inait Ullah:** My contention is the Resolution is wrong. Why should I have moved an amendment? Since this morning I have been trying to say that qualifications are already laid down.

In any case, the real question is whether the qualification of the Members be laid down or not. As remarked by the hon. Speaker the question is not whether this should be the qualification or that, whether it should be education or service of the country, whether it should be a religious qualification or a property qualification. The Resolution says some qualification be laid down. Now the point in dispute is whether some qualification be laid down or not. These qualifications can be of various kinds. Religion is one qualification, honesty is another, still another is education and there is also service of the country. There are many qualifications of that kind that we can lay down. But, what the Mover of the Resolution or those, who have made speeches for or against it, aim at, directly or indirectly, is ‘educational qualification’ alone. If it was only educational qualification that was meant where was the need for bringing this Resolution before the House in such ambiguous terms? It should have plainly been mentioned that some educational qualification be laid down. The mover has used very vague language in saying that some qualification should be laid down and that a committee should be appointed to go into the question as to what qualification can be suitable in the present context of things. No, let us suppose only educational qualification is meant. Education has its various branches. It may be medical education, scientific education, literary education, religious education, domestic education, instructor in the Gita, the Quran or the Bible, or it may be industrial education. All these sub-divisions are suggested to us when we start considering just one of the possible qualifications. One of the arguments that have been brought forward is that in the absence of the educational qualification the Members will not be in a position to follow the speeches and one will not follow what the other says. Now, this clearly shows that what is really meant is that one should be a ‘B.A.’ or a lawyer or a doctor, for a Matric would not have that degree of comprehension,

[Khwaja Inait Ullah]

Even a Matric from Madras or Bihar would not be able to explain a law to a Madras in English nor would a Kasuniri be able to follow a Bengali. Thus, the real object behind this resolution and these speeches is that some educational qualification should be laid down, that it should be that of a graduate or a lawyer as a minimum, because only a lawyer would have a grasp on legal matters. Now, the reason why the whole thing has been left vague and it has not been stated explicitly that the qualification required should be educational is that if the words 'educational qualification' had been used people would have said, "Why are you laying down an educational qualification?" Hence, it has been left vague. When, however, the question is considered people say the wealth qualification is not necessary. Our Seth Govind Das says the qualification relating to property and wealth is not required. As for the qualification relating to the service of the country you cannot discard it. Even if you were to discard a person who has rendered service to the country the voter will not discard him. Hence you cannot debar him. You may, however, impose an educational restriction to the effect that one must be at least a *nakil* or a Barrister or a graduate, should be able to speak English so as to understand and to make oneself understood. Our Sethji has taken great pains to bring this home to us but whereas he has, in the course of his speech, stated on one hand that this condition should entirely be done away with he has also stated that it cannot be dispensed with altogether. This is like running with the hare and hunting with the hounds. I fail to understand his approach. On one hand Sethji says that we cannot take away from the people what we have given them under the Constitution while on the other he says that democracy is not a very desirable thing.

**Seth Govind Das:** What I meant was.....

**Mr. Deputy-Speaker:** We fully comprehend what you mean.

**Khwaja Inait Ullah:** What I meant to say is that this Resolution ultimately comes to something like this. India has after a very long time got an opportunity to establish the rule of the people. The educated people, however, are accustomed to ruling over the people and it is their intention that the illiterate people who form 80 to 90 per cent. of the population should cast their votes in their favour and not in favour of others. They are out to frame laws whereby the rule of the people might terminate and they might be enabled to rule over the people. But, this is against our principles. We have spent a whole life-time in an endeavour to establish a workers' Government and with a view to usher in this workers' Government we have made great sacrifices. The workers and the masses of this country are no longer as ignorant as some people would imagine. They know everything and realize who are their well-wishers and to say that they would elect those who are too illiterate even to sign their names is to insult them.

**Ch. Ranbir Singh (Punjab):** I have thought over the Resolution again and again and also on the amendment moved by Shri Kamath, and I have decided to oppose both the amendment and the Resolution itself. The reason for it is not that I do not want any qualifications. I do, and I am of the opinion that the qualification for a Member should be the service of the country. Before he comes over to this House he should have served in one respect or the other the country and the people whom he wants to represent. But the whole difficulty arises here how to test it and how to know whether he has served or not. Can we give this authority to a court to judge whether a particular person has served the country or has done anything for the public? I do not think it is right.

Again, as regards the academic qualification, many friends have expressed here that they do not want any 'Graduate' qualification: they want that people who come here should know how to read and write. But so far as reading and writing goes I can say that a man can easily learn Hindi within five days after he is elected to this House.

**Seth Govind Das:** But you are forgetting it!

**Ch. Bhabir Singh:** No, I am not forgetting it; neither can I forget it. It is my national language.

I was expressing that to limit the academic qualification only to reading and writing will do no good. Again, if you go higher than that, suppose you want to limit it to the Matriculation Examination, even then I can say that there are many people, and I have seen in my own Province for ten or fifteen years there have been Chief Ministers who were neither Matriculates nor as far as I know they had read in any school or college. I can mention the name of Sir Sikandar Hayat Khan. I have seen many other Chief Ministers in other Provinces who were neither law Graduates nor Graduates of medicine. I have also seen many other friends who had not got any kind of *Giani* or any other qualification, but they have administered the country better than those people who were degree-holders, or were law Graduates or any other kind of Graduates. So, the question arises what qualifications are needed for a Parliamentarian. For a Parliament you require that a man should have administrative capacity, he should have intelligence, he should be a man of quick grasp and expression, should have common sense and power of expression. I have seen many people who are law Graduates, and I have also seen many people who are professors in the colleges, who have remained as professors for long, but they did not prove good Parliamentarians. There have been people who have never been to any school. You may take the example of Herr Hitler and many others throughout the world. As regards his ideologies some people can differ from Hitler, but nobody can deny that he took his country in such a short time to such a pitch, that I do not think any Graduate could have taken that country to that pitch during that short period. So far as originality of thinking goes, I can cite one example. Kabir is well known over the whole country. My friend Mr. Hossain Imam wanted to know what the illiterate people have given to the country. I am going to tell the House what the illiterate people have given to this country.

**Shri Hossain Imam:** Compare the two.

**Ch. Bhabir Singh:** You can compare Kabir with many people who are known as "politicians" and who may have got power.

**Shri Hossain Imam:** Compare Kabir with Tulsidas.

**Mr. Deputy-Speaker:** The hon. Member evidently wants to continue his speech. The House stands adjourned till tomorrow.

*The House then adjourned till a Quarter to Eleven of the Clock on Wednesday, the 5th April, 1950.*