

PARLIAMENTARY DEBATES

(Part I—Questions and Answers)

OFFICIAL REPORT

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1951

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THE
PARLIAMENTARY DEBATES
(Part I—Questions and Answers)
OFFICIAL REPORT

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PARLIAMENT OF INDIA

Monday, 14th May, 1951

*The House met at Half-past Eight of
the Clock.*

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

GRANT OF LAND TO JOURNALISTS CLUB

***4103. Shri Amolakh Chand:** (a) Will the Minister of Works, Production and Supply be pleased to state whether the Government of India have granted nazul land in New Delhi or any other land to the Journalists Club and if so, when and where?

(b) What are the terms of the lease?

(c) Is the land granted as a freehold?

The Deputy Minister of Works, Production and Supply (Shri Buragohain): (a) No.

(b) and (c). Do not arise.

I might, however, add that the Press Association has asked for a site for putting up their club building, and the matter is now under the consideration of Government.

Shri Amolakh Chand: May I know when this request for land for their club was made?

Shri Buragohain: The request was received in the Ministry some time last year and the Chief Commissioner was asked by the Ministry to select a site for the Press Association.

Shri Amolakh Chand: May I know what time would be taken by Government to finalise the allotment of the land?

Shri Buragohain: It will be finalised within a reasonable period of time.

Shri Amolakh Chand: May I know whether they have a proposal to put
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at the disposal of the Journalists Club some pre-fabricated houses?

Mr. Speaker: Order, order. I am going to the next question.

HOMES FOR DISPLACED WOMEN

***4104. Shrimati Jayashri:** (a) Will the Minister of Rehabilitation be pleased to state what is the total number of old displaced women and displaced widows who are in the different camps in Bombay State and getting doles from Government?

(b) What is the number of old displaced women and widows living in homes or camps specially started for them?

(c) Is it the intention of Government to open more homes or camps?

(d) If the reply to Part (c) above be in the affirmative, what will be the number of such homes and what are the places where these are proposed to be started?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) It is presumed that by the expression "Camps" the hon. Member is referring to rehabilitation colonies where the total number of displaced persons classed as old, and infirm, unattached women and children who are given cash doles pending their dispersal to regular Homes to be set up is about 9,200.

(b) The number of old displaced women and displaced widows living in regular Homes specially started for them is 2,011.

(c) It is proposed to open more Homes but no camps.

(d) Three more Homes are proposed to be started at:

(i) Khubernagar, Ahmedabad, (ii) Kalyan, and (iii) Pimpri or Kolhapur.

Shrimati Jayashri: When are these homes to be started?

Shri A. P. Jain: I hope within this financial year.

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Sardar B. S. Man: Apart from displaced old women and widows, have we any other women unattached and have we got any camps or homes for them too?

Mr. Speaker: Order, order. Next question.

AGRICULTURAL LABOUR ENQUIRY

***4105. Shri S. N. Das:** Will the Minister of Labour be pleased to state:

(a) whether all the three stages of Agricultural Labour Enquiry conducted by Government have been completed;

(b) if so, whether the reports have been tabulated and published; and

(c) whether the material has been forwarded to the various State Governments with instruction to take up the next step, in view of the report submitted by the sub-committee appointed by the Planning Commission?

The Minister of Works, Production and Supply (Shri Gadgil): (a) The first two stages of the enquiry viz., the General Village Survey and the General Family Survey, have been completed. The third stage, the Intensive Family Survey, has been completed in certain States and will be completed in others within the next two or three months.

(b) The publication of the report on the first stage is under consideration. The publication of the reports on the other stages and the main report will be taken up when the relevant data have been tabulated.

(c) Yes. The material collected during the first stage of the agricultural labour enquiry has been forwarded to all State Governments to enable them to fix minimum wages in agriculture. The attention of the State Governments has also been invited to the views of the Sub-Committee appointed by the Planning Commission.

Shri S. N. Das: In view of the fact that the time for fixation of minimum wages has been extended up to 1952, has the Government issued any directives to the various State Governments to take protective and ameliorative measures regarding landless labourers?

Shri Gadgil: That has been done. In fact the answer covers here two stages and the work in connection with the two stages is fairly complete.

Shri S. N. Das: May I know by which time the tabulation and duplication of these results will be available to Members of Parliament?

Shri Gadgil: Well, Sir, the Report, as stated in the answer, is being considered with a view to its publication. As regards copies of that Report being made available to Members of Parliament, all I can say is that this will be considered.

Mr. Speaker: He wants to know the time within which Members of Parliament could expect the publication of the Report.

Shri Gadgil: Well, anyway it cannot be during the current session.

Shri Kesava Rao: May I know whether Government is considering the question of appointing Advisory Committees to go into the matter and fix up the minimum wages before 1952?

Shri Gadgil: I require notice for that.

Prof. Ranga: Are any steps being taken to prescribe these minimum wages so far as the Centrally Administered Areas are concerned?

Shri Gadgil: Yes, Sir, that is obvious.

Prof. Ranga: What is obvious? Are any definite steps being taken at all?

Shri Gadgil: The obvious fact is that this legislation has been introduced at the instance of the Central Government. Therefore the greater amount of responsibility rests with the Central Government to see that it is given effect to in the Centrally Administered Areas.

Shri S. N. Das: May I know whether the data to be collected by interrogation has been completed?

Mr. Speaker: He said it is being tabulated. It could not be tabulated unless it is complete.

Shri Gadgil: So far as the two stages are concerned, namely, the General Village Survey and the General Family Survey, the data is collected and is being tabulated and coded. As regards the third stage, namely, the Intensive Family Survey, it is still going on.

Shri S. N. Das: What is the estimated expenditure to be incurred on all these Surveys?

Shri Gadgil: I require notice of that question.

Shri Hussain Imam: May I know whether the report relating to the Centrally Administered Areas is available for the Members of Parliament?

Shri Gadgil: Not now.

RESEARCH INSTITUTES

*4106. **Shri S. N. Das:** Will the Minister of Commerce and Industry be pleased to state whether any machinery has been set up by Government for the integration and co-ordination of the work of the Research Institutes organised by private industry and the activities of various research institutes established by Government or quasi-Government authorities?

The Minister of Commerce and Industry (Shri Mahtab): It is presumed that the hon. Member refers to scientific and industrial research. The position in this matter is that through the efforts of the Department of Scientific Research and the Council of Scientific and Industrial Research, the following co-operative research Associations have been formed:

(i) Textile Industries Research Association.

(ii) Silk and Art Silk Industries Research Association.

Co-ordination of research is brought about by conjoint working or presentation of common problems. The Council of Scientific and Industrial Research has on its research committees industrialists as well as scientists. This enables co-ordination in scientific and industrial research for industrial research problems are referred by industry from time to time to the committees and the Council of Scientific and Industrial Research for consideration. Much of the work done by Industry which is called research, is of a secret nature and they wish to keep it so for obvious reasons.

Shri S. N. Das: May I know whether any efforts have been made to survey the field of research in these Institutes with a view to prevent overlapping?

Shri Mahtab: They do not overlap because these two are for specific purposes.

Mr. Speaker: He is referring to overlapping between scientific research made by Government and by these institutes.

Shri Mahtab: The two research institutes which I mentioned are with regard to textile industries and silk and art silk industries. And the Council of Scientific and Industrial Research is represented on these two bodies. Therefore there is no question of overlapping.

Shri S. N. Das: I wanted to know as between the private research conducted by the organisations concerned and the research carried on by Government or by quasi-government insti-

tutions whether there has been any effort to ascertain and allocate the various parts of the work regarding research.

Shri Mahtab: I am not aware of any private research associations. Private research must be a private affair. I do not think it can intervene in that and how we can co-ordinate their work with the work of Government or semi-government institutions.

Shri T. N. Singh: For purposes of co-ordination there must be some central research officer or authority who is co-ordinating the work of the research institutions and the industrial part of it. May I know whether any such arrangement has been made for the co-ordination of research on various lines and problems of industry as carried out by the industrial research associations and scientific research as well as researches carried out in various Departments, namely, the Defence Department?

Shri Mahtab: That does not seem to be the correct position. The premise according to the hon. Member is that there are a number of private industrial research associations, but I am not aware of one private industrial research association. Therefore, the question of co-ordination does not arise.

Shri Barrow: May I know how this research is co-ordinated with the research work which is being done in universities?

Shri Mahtab: The Council of Scientific and Industrial Research keep themselves in contact with the researches conducted in the universities and also in many cases the C.S.I.R. makes grants for special researches as in the case of the Calcutta University and Benares Hindu University. They make suitable grants for special researches in certain departments.

Shri Hussain Imam: The hon. Minister referred to the textile Research Association. May I know whether it is the Ahmedabad Textile Research Association or the proposed Bombay Research Association which is being formed?

Shri Mahtab: I referred to Ahmedabad. The Bombay Research Institute has not yet been started.

Shri Krishnanand Rai: May I know what amount of grant has been given by the Government to the Ahmedabad Millowners' Research Institute and what control the Government has got over the trainees that get education there?

Shri Mahtab: I cannot exactly say how much grant is paid to the Ahmedabad Institute. Dr. Bhatnagar representing the C.S.I.R. is on that Board and there are Government representatives on the Board. It is not a question of giving training to anybody. They make researches.....

Mr. Speaker: Order, order, hon. Members should allow others to hear the answers. Next question.

DEVELOPMENT SCHEMES IN ASSAM TRIBAL AREAS

***4107. Shri Jnani Ram:** Will the Prime Minister be pleased to state:

(a) the amount spent in post-war re-construction and development schemes in the areas mentioned in Part B of the Table in para. 20 of the Sixth Schedule of the Constitution in the years 1948-49, 1949-50 and 1950-51; and

(b) the works done in the States?

The Deputy Minister of External Affairs (Dr. Keskar): (a) The figures of expenditure on the Economic Development of the Tribal Areas are as follows:

1948-49—Rs. 6,98,000

1949-50—Rs. 9,76,000

1950-51—Rs. 12,00,000

(approximately).

(b) The figures of expenditure for Works done in the States have been called for from the Adviser to the Governor of Assam. When received a statement will be laid on the Table of the House.

Shri Jnani Ram: May I know if any post-war reconstruction development scheme has been framed for the area?

Dr. Keskar: There is a five year development plan for the tribal areas in Assam and this is the third year of that development programme.

Shri Jnani Ram: May I know the total amount provided for the five year scheme?

Dr. Keskar: The original amount allotted was more than one crore of rupees. Later on due to economic stringency the amount was reduced but in view of the increasing importance of the Assam Tribal Belt this year the Government has again increased the grant for the development of that area.

Shri Saprawnga: How many development officers have been appointed for these areas and how many of them have been retrenched?

Dr. Keskar: There are no development officers. The work of development in the Tribal Belt is done by the permanent officials. No special officers have been appointed for development purposes.

LABOUR ORGANISATIONS IN CHOTANAGPUR

***4108. Shri Jnani Ram:** Will the Minister of Labour be pleased to state:

(a) the names of various labour organisations and Unions in factories in Chotanagpur;

(b) the number of workers at those places; and

(c) the membership claimed by each organisation?

The Minister of Works, Production and Supply (Shri Gadgil): The information is being collected and will be placed on the Table of the House.

Shri Jnani Ram: May I know the time by which the information can be obtained?

Shri Gadgil: As soon as it is available, Sir.

COMMONWEALTH CONSULTATIVE COMMITTEE

***4109. Dr. M. M. Das:** Will the Prime Minister be pleased to state:

(a) the number of meetings of the Commonwealth Consultative Committee that have been held up till now;

(b) the subjects discussed at each of those meetings; and

(c) the decisions taken, if any, at those meetings?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Three meetings of the Commonwealth Consultative Committee have been held up till now, at Sydney, London and Colombo respectively;

(b) and (c). At the Sydney Conference of the Commonwealth Consultative Committee the participating countries considered ways and means by which to bring about the speedy economic development of the countries of South and S.E. Asia in co-operation with other interested governments. One of the important decisions of the Conference related to the preparation of a realistic and comprehensive Development Plan by each member country. These Plans were considered at the second meeting of the Consultative Committee held at London and a consolidated Report was prepared based upon the detailed surveys of existing conditions in the countries concerned. This Report, which is known as the "Colombo Plan for Co-operative Economic Development of

South and South-East Asia" was presented to Parliament by the hon. the Finance Minister on the 28th November, 1950.

The decisions of the London Conference also led to the setting-up of a Technical Co-operation Bureau under an Interim Administrator, with headquarters at Colombo, to receive and co-ordinate offers and requests for technical assistance from the various member countries.

The Colombo Conference of the Consultative Committee which was held in February, 1951 took stock of the situation after the publication of the Colombo Plan, reviewed the progress made in the Technical Co-operation Scheme, and made recommendations regarding continuing consultation among the participating governments.

Dr. M. M. Das: May I know how many Standing Committees were set up by the Commonwealth Consultative Committee and what are their terms of reference?

Dr. Keskar: I do not think there is any special Standing Committee which has been set up. This work will be taken up later when the scheme will be implemented.

Dr. M. M. Das: May I know whether like the Council of Technical Co-operation which has resulted in the Colombo Plan, any other Committee has been set up and if so, what are its terms of reference?

Dr. Keskar: I do not see the necessity of any committee being set up. This Council has full authority to take whatever steps it considers necessary for the implementation of the Plan.

Dr. M. M. Das: May I know whether the consideration of the six year Development Plan which has been submitted by the Indian Government to the London Conference has been completed and if so, what is the decision taken?

Dr. Keskar: I think my hon. friend has not understood the method by which this plan will be worked. In this technical assistance scheme every participating country forwards a programme and it also indicates the sum of money that it is ready to spare and to spend on the plan. Naturally efforts are made with regard to certain countries, whose resources are more, to spend a little more. If they accept it, the amount is increased. Broadly speaking every participating country states each year what amount it can spend and the various countries sit together and discuss in what way each

of them can profit from the resources of the other.

Dr. M. M. Das: The contribution of India to this fund that has been established is 8 million pounds. May I know what part of that contribution has already been paid?

Dr. Keskar: The contribution of India under the scheme is £750,000 spread over three years. I am unable to say now what has already been spent. But I think very little has been spent.

Dr. M. M. Das: May I know when and where the next conference of this Committee will be held and what is the agenda?

Dr. Keskar: Another Conference will not be held until there is any special necessity for such a conference.

Shri Kamath: Which are the non-member or the non-participating countries, if any, which have offered advice or assistance to the Commonwealth Consultative Committee at any stage of their proceedings or to the plan evolved by them?

Dr. Keskar: Among the non-Commonwealth countries, I think the U.S.A. is the only country which is not a member but has been invited to participate fully. There are also the three States of Indo-China which have been invited to participate and benefit from the conference. They are not full fledged members. Burma has also been invited to some extent to participate in certain co-operative work of the Conference.

Shri Kamath: What is the assistance and advice given by the U.S.A.?

Dr. Keskar: Quite a big sum will be contributed by the U.S.A.

Mr. Speaker: Next question.

FOLDED YARN

*4110. **Shri Amolakh Chand:** (a) Will the Minister of Commerce and Industry be pleased to state whether folded yarn for dhobi and Saree borders are supplied to the textile mills?

(b) What is the annual supply made at present?

(c) Has this supply increased or decreased in the last two years?

(d) Is there any complaint of short supply of the folded yarn and if so, what steps are being taken to improve the supply?

The Minister of Commerce and Industry (Shri Mahtab): (a) Yes, where Mills' production of yarn is not

sufficient for meeting their normal requirements.

(b) About 335 bales on an average per month.

(c) It has increased.

(d) Yes, Sir. This is due to overall shortage of yarn. Supplies are, however, expected to increase with the improvement in the overall yarn supply position.

Shri Amolakh Chand: May I know the number of bales which have been increased in the last year?

Shri Mahtab: As I have already said, last year, the average supplied per month was 281 bales. But, an allotment of 462 bales per month has been made since April last.

Prof. Ranga: Are these increased supplies of folded yarn made to the mill industry after keeping in view the unsatisfied demand of weavers for more and more yarn?

Shri Mahtab: Government have issued an order to the mills to produce a certain quantity of *dhotis* and *sarees*. They must provide them with sufficient folded yarn for the borders of *dhotis* and *sarees*.

Prof. Ranga: Is it not a fact that handloom weavers are producing *dhotis* and *sarees* and they are made available to our consumers of this country?

Shri Mahtab: Yes; both handloom weavers and mills are producing *dhotis* and *sarees*. We have to keep the production in both the sectors intact.

Prof. Ranga: Why is it that while lakhs of handloom weavers are going about complaining of inadequate supplies of yarn, these few scores of mills are being assured of an increased supply of folded yarn?

Shri Mahtab: Because of the general demand for *dhotis* and *sarees* the Government were compelled to issue an order on the mills to produce *dhotis* and *sarees*; this measure is a corollary to the order which has been issued already.

Ch. Ranbir Singh: Is the hon. Minister aware of the fact that the supply position of coarse *dhotis* is going from bad to worse in rural areas and if so, what steps do the Government propose to take to remove this scarcity?

Shri Mahtab: The other day, the representatives of the State Governments, when they met here, said that the supply position has improved although it is not as satisfactory as it

should be. It is steadily improving and as I have said, many a time in this House, by the end of June, the position will be satisfactory.

Shri Dwivedi: I want to know whether the Government is aware if, out of the *dhotis* and *sarees* manufactured in the mills out of the folded yarn supplied by the Government, a certain quantity is branded as handloom woven *sarees* and sold in the black-market at a very high price?

Mr. Speaker: Order, order.

Shrimati Renuka Ray: From what the hon. Minister stated, are we to understand that the mills are being supplied the yarn after reducing the amount given to handloom weavers, that is, at the cost of handloom weavers? I want to know whether the amount that is given to the handloom weavers is being reduced in order to supply the mills with yarn?

Shri Mahtab: As a matter of fact, we have to strike a balance. There are handloom weavers; there are mills. As a general proposition, it is evident that each mill is run at the cost of a certain number of handloom weavers, and we cannot get away from that fact. If the general demand is for mill-made *dhotis* and *sarees*, they must be made available to the public. An order has been issued to the mills to produce a certain quantity of *dhotis* and *sarees*, a certain quantity of folded yarn must be supplied to the mills. That is the position.

Shri Kumbhar: May I know, Sir, whether it is a fact that some mills are purposely producing *dhotis* of shorter width?

Shri Mahtab: I do not know. I do not understand what can possibly be their purpose.

Shri Hussain Imam: May I know whether the Government propose, in order to meet the difficulty, to import yarn for handloom weavers?

Shri Mahtab: I have already declared that yarn could be imported. But nobody is importing because of high prices.

विदेशों में अन्तराज्यनेतिक
प्रातिनिधित्व

*४२११ : श्री जानई : क्या प्रधान मंत्री
उन विदेशों के नाम बतलाने की कृपा करेंगे
जहाँ भारत ने मितव्ययता के उपाय रूप

में गत वर्ष अपने अन्तराजनेतिक प्रतिनिधित्व को समाप्त कर दिया था अथवा जहाँ चालू वर्ष में समाप्त करने का बिचार है ?

DIPLOMATIC REPRESENTATION IN FOREIGN COUNTRIES

[*4111. **Shri Jangde:** Will the Prime Minister be pleased to state the names of foreign countries from which India withdrew her diplomatic representation during the last year or from which Government propose to do so during the current year as a measure of economy?]

The Deputy Minister of External Affairs (Dr. Keskar): India did not withdraw her diplomatic representation from any foreign country during the last year nor is there any such proposal at present under consideration.

Shri Kamath: Which are the countries from which the Government have withdrawn diplomatic representation since August 1947?

Dr. Keskar: None, Sir.

Shri Kamath: Brazil?

Mr. Speaker: Order, order.

Dr. Keskar: I am afraid my hon. friend.....

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

CENTRAL COTTON ADVISORY BOARD

*4112. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Commerce and Industry be pleased to state what are the conclusions of the Central Cotton Advisory Board in respect of its attempt to lay down a new cotton policy?

(b) What is the quantity of cotton that we propose to import this year?

The Minister of Commerce and Industry (Shri Mahtab): (a) It will not be in the public interest to disclose at this stage the conclusions of the Central Cotton Advisory Board in regard to new cotton policy. The matter is under the Government's consideration and an announcement will be made in due course.

(b) 8.65 lakhs of bales.

Pandit Munishwar Datt Upadhyay: May I know what is the entire requirement of cotton this year for our country?

Mr. Speaker: I think this question has repeatedly been asked in this House.

Pandit Munishwar Datt Upadhyay: What is the quantity that we have purchased from Pakistan this year, and what is the price position in Pakistan in respect of cotton?

Shri Mahtab: So far as my information goes subject to correction, I may say that up till now no import has been made from Pakistan.

Dr. Deshmukh: May I know what is the exact difficulty why we are not getting any cotton from Pakistan?

Shri Mahtab: Because no Indian merchant is importing cotton because of the high prices.

Pandit Munishwar Datt Upadhyay: What is the total estimated production of cotton this year in India?

Shri Mahtab: In 1950-51, 30 lakh bales.

DIRECTORATE GENERAL OF RESETTLEMENT AND EMPLOYMENT

*4113. **Shri Sidhva:** (a) Will the Minister of Labour be pleased to state the number of officers with their designations and salaries employed under the Director General of Resettlement and Employment at the central office?

(b) How many are on the training side and how many on the Employment Exchange side?

(c) What is the number of Training Centres and Employment Exchanges and what is the number of officers employed under each separately?

(d) Is there scope for expansion of Training Centres?

(e) If so, what effort has been made in this direction?

(f) What is the percentage of employment secured compared with the number of registrations made during 1948, 1949 and 1950?

(g) How many of those who were given employment were technicians and how many were employed on clerical work?

(h) What is the total cost of the establishment of the Director General per year?

(i) Is there any scope for retrenchment?

The Minister of Works, Production and Supply (Shri Gadgil): (a) A statement is placed on the Table of the House. [See Appendix XXV, annexure No. 12.]

(b) 4 on Training side and 13 on Employment Exchange side..

(c) There are 63 Training Centres and 123 Employment Exchanges. The number of officers employed in the Training Centres and the Employment Exchanges is 33 and 208 respectively.

(d) Yes.

(e) Due to financial stringency no further expansion of the Training Centres is possible for the present.

(f) Year. Percentage of placings to registrations

1948	29.9
1949	24.1
1950	27.4

(g) Of those placed in employment during 1948, 1949 and 1950, the percentage of technicians was 11.8, 12.7 and 13.2 respectively and of the persons on clerical work was 14.4, 12.4 and 7.3 respectively.

(h) Rs. 116.32 lakhs (estimated cost for 1951-52); out of which the share of the Central Government is Rs. 84.47 lakhs.

(i) No. A reduction of about 12.6 lakhs has already been effected recently in the estimated expenditure for 1951-52. This includes Rs. 6 lakhs on account of the staff retrenched.

Shri Sidhva: Besides the 14 Directors mentioned in the Statement, may I know whether there has been retrenchment of posts of Secretaries or Under Secretaries in this Directorate?

Shri Gadgil: To please my hon. friend I may give some detailed information. In the Headquarters Office one Under-Secretary's post has been abolished, one post of Director of Publicity has been abolished, one post of Assistant Director, Training has been abolished, one post of Assistant Director, Publicity has been abolished, one post of Assistant Director of Employment has been cancelled, one post of Assistant-in-Charge has been cancelled and one station wagon has been withdrawn. The total effect is Rs. 96,060.

Shri Sidhva: In which year were these abolished?

Shri Gadgil: During the current year.

Shri Sidhva: May I know whether all the students or persons trained in these centres get employment if not, what percentage of them get employed?

Shri Gadgil: For those trained at the Centres, every effort is made to

place them in the various factories in the country.

Shri Kesava Rao: May I know, Sir, whether there is any proposal to hand over these Employment Exchanges to the State Governments?

Shri Gadgil: Not for the present.

Shrimati Renuka Ray: Are there any Centres for the training of women under this Directorate and if so, how many such centres are there?

Shri Gadgil: Sir, this is a rather delicate business and I require notice.

Shri Deshbandhu Gupta: Arising from part (f), how many of these persons have been employed by Government and how many by non-official agencies?

Shri Gadgil: As regards the classification of the persons employed, I do not have the information. If my hon. friend wants the classification with respect to the various posts, clerical, educational workers, technicians, skilled workers, unskilled workers, etc. I am prepared to give it.

Shri Sidhva: Sir, with reference to the reply of the hon. Minister that so and so posts have been retrenched, may I know whether the services of those officers were terminated, that is to say, that they were discharged from service, or were they transferred to other Departments of Government?

Shri Gadgil: Retrenchment is retrenchment.

Shri Sidhva: Sir, my question was quite pertinent, but.....

Mr. Speaker: It may be pertinent, but he has chosen to reply in that way. The question was whether they had been given to other Departments.

Shri Gadgil: No, otherwise it would not be retrenchment.

RAW MATERIALS

*4114. **Shri Sidhva:** (a) Will the Minister of Commerce and Industry be pleased to state whether Mr. C. C. Desai, India's Delegate to the International Raw Materials Conference held in Washington, has returned?

(b) If so, what kind of raw and scarce materials has he secured for India?

(c) Was he able to secure sulphur and if so, what quantity and at what price?

(d) Was any arrangement made on barter basis and if so, what are the details?

The Minister of Commerce and Industry (Shri Mahtab): (a) Yes, Sir.

(b) Discussions are in a preliminary stage. A copy of the Press Note issued by the International Materials Conference is placed on the Table of the House. [See Appendix XXV, annexure No. 13.]

(c) United States of America has made allocations of 8,000 tons and 14,000 tons of sulphur during the first and second quarters of this year respectively, approximately at \$25 per ton F.O.B.

(d) No, Sir.

Shri Sidhva: Besides this allocation of sulphur—8,000 tons and 14,000 tons—may I know whether there was the allocation of any other article from the United States?

Shri Mahtab: As a matter of fact, I said once in Parliament before that, Mr. Desai has nothing to do with the allocation of sulphur or other things. He went to the U.S.A. and the United Kingdom and.....

Shri Sidhva: Yes, and I asked you about the United States.

Mr. Speaker: Order, order. The hon. Member may address the Chair.

Shri Mahtab: Mr. Desai went to the United Kingdom and the United States to discuss the availability of various raw materials for India and these allocations have nothing to do with Mr. Desai's visit.

Shri Sidhva: And I have not mentioned his visit either. My question was, besides these allocations made by the United States, has there been the allocation of any other articles?

Shri Mahtab: Various articles, like cotton and other things have been allocated and if the hon. Member wants, I can lay a list on the Table of the House.

Shri Sidhva: May I know whether the allocation of copper and zinc were also discussed?

Shri Mahtab: As is clear from the Press Note, apart from deciding upon a certain procedure, they have not discussed the question of supply of things to countries.

Shri Sidhva: May I know whether India is a non-member Government or a member Government?

Shri Mahtab: For some of the commodity groups, India is a member Government and for certain other commodity groups she is not a member Government.

Shri Sidhva: What is the qualification to become a member Government?

Mr. Speaker: Order, order. That is going too much into details.

Pandit Munishwar Datt Upadhyay: What are the raw materials which India has agreed to supply to America?

Shri Mahtab: There are various raw materials; if the hon. Member wants, I can place a list on the Table.

Pandit Munishwar Datt Upadhyay: Is their number very large?

Shri Mahtab: Any guess work will not be very.....

Mr. Speaker: That is going into details.

Shri Kumbhar: May I know, Sir, whether Shri C. C. Desai had any discussions with the American Government while in Washington regarding the supply of newsprint to India and if so, what has been the result?

Shri Mahtab: While in the U.S.A. there was discussion on the supply of newsprint. We cabled to him to go to Canada to find out whether newsprint would be available there. But unfortunately our cable reached him too late. We have started correspondence with the Government of Canada for the supply of newsprint.

Dr. V. Subramaniam: Sir, what is our total requirement of sulphur for industrial purposes and what is the present deficit?

Shri Mahtab: Total requirement of sulphur is about 60,000 tons per year and the supply so far has reached only 14,000 tons a year.

Shri Deshbandhu Gupta: May I know whether it is a fact that the Government of India's endeavours to secure newsprint at reasonable rates from the United States or from any other organisation for the supply of materials in short supply have not succeeded so far?

Shri Mahtab: That is a fact.

Shri Hussain Imam: Will the hon. Minister please lay on the Table a list of the raw materials which India has demanded?

Shri Mahtab: I shall gladly do so.

TRANSPORT OF SALT

*4115. **Shri Sidhva:** (a) Will the Minister of Works, Production and Supply be pleased to state what is the present position of movement of broad gauge and narrow gauge wagons for salt?

(b) Is it a fact that in broad gauge, recently, wagons were not available for salt movements?

(c) What steps do Government intend to take to improve the position?

The Minister of Works, Production and Supply (Shri Gadgil): (a) The position on broad-gauge sections in Bombay State, which was unsatisfactory in April 1951 on account of heavy movements of foodgrains, has now improved considerably. No salt source is directly connected by narrow-gauge.

(b) There was some difficulty last month regarding availability of wagons for salt movements to the full extent required over the broad-gauge section at Bombay and at Kharaghoda.

(c) The Ministry of Railways have now arranged to supply 125 and 55 broad-gauge wagons per day in the Bombay area and at Kharaghoda respectively for salt traffic, during the present peak period lasting up to the first week of June 1951, and this should suffice.

Shri Sidhva: May I know whether the Government considers salt as an article of food?

Mr. Speaker: That is a matter of opinion.

Shri Sidhva: What priority is given to salt if it is part of food?

Shri Gadgil: The priority is lower than the one given to food. And this is not very relevant now in view of the fact that the Railways have agreed to supply 125 and 55 wagons respectively to Bombay and Kharaghoda.

Shri Sidhva: What was the priority number assigned to salt?

Shri Gadgil: It was considerably below that of food and other essential commodities.

Shri Sidhva: May I know whether the priority of salt was not No. 6 and whether the hon. Minister will assign the same priority to it in respect of transport as for food?

Mr. Speaker: That is a suggestion for action.

Shri Biswanath Das: May I know whether the priority referred to by Mr. Sidhva is priority of transport within the State of Bombay or priority for the transport of salt from Bombay to other States?

Shri Gadgil: Sir, this is something which is so complicated that only Mr. Santhanam can answer the question.

Shri Sidhva: Sir, is it not a fact that Mr. Santhanam has stated that broad-gauge wagons are now available in any number?

Shri M. A. Ayyangar: May I know whether wagons are now available for the transport of the crystalline salt from Vedaranyam in South India?

Shri Gadgil: It is not possible to reply the question off-hand. I would require notice.

Shri Biswanath Das: Sir, it is a very important question and.....

Mr. Speaker: I go to the next question.

OPERATIONS ON INDO-NEPAL BORDER

*4116. **Dr. Ram Subhag Singh:** (a) Will the Prime Minister be pleased to state the results of the combined operations of Indo-Nepalese armed forces on the Indo-Nepal border near Bahraich District of Uttar Pradesh?

(b) Have the Indian troops and the Provincial Armed Constabulary which were used in the combined operations been withdrawn?

The Deputy Minister of External Affairs (Dr. Keskar): (a) As a result of the combined operations peace and order were restored in the troubled area and a number of persons who were indulging in loot and violence were captured together with large quantity of arms and ammunition. The operations were brief.

(b) The Indian troops were withdrawn immediately after the operations were successfully concluded but units of the Provincial Armed Constabulary continue to remain along the U.P.—Nepal border for watch and ward.

Dr. Ram Subhag Singh: May I know when the Indian troops had gone into operation on the Indo-Nepal border and when they were withdrawn?

Dr. Keskar: In the particular incident referred to here, the Indian troops went into operation on the 11th of April and they were withdrawn on the 18th of April.

Dr. Ram Subhag Singh: May I know whether any of the Indian troops were killed in this combined operation and if so what was their number and also the number of casualties among the Nepalese who were indulging in loot and violence?

Dr. Keskar: There were no deaths among the Indian troops, but one or two persons were injured. But there were a number of casualties among the insurgents, though I am not able to give their exact number.

Shri A. B. Gurung: May I know whether it was a fact that the majority of persons who were rounded up in this operation were Indian nationals?

Dr. Keskar: No.

Shri S. N. Das: May I know whether it is a fact that out of those who have been arrested or captured, a large number of them belonged to the group which rose in revolt against the Rana regime under the Nepali Congress?

Dr. Keskar: I think there is some misunderstanding. Before the present arrangement by the Nepali Congress party to participate in a democratic Government in Nepal, the Nepali Congress was one body which later became divided. Many groups left the Nepali Congress and it will not be correct to say that a number of insurgents were in the Nepali Congress. Probably they were formerly in the Nepali Congress.

Dr. Ram Subhag Singh: May I know whether complete order had been restored in the area where the Indian troops had gone into operation?

Dr. Keskar: Yes, in the particular area.

Shri T. N. Singh: May I know whether the armed constabulary which is stationed on the border has any authority to enter Nepal territory in case violent men seek shelter in that territory and *vice-versa*?

Dr. Keskar: Not unless we take again permission from the Nepal Government. They have no authority to enter again the Nepal territory. For a certain period both the Nepali troops and our troops were allowed to go to both sides of the border. But, when the operations were concluded on this particular border, again the *status quo* was restored.

Shri R. Velayudhan: May I know whether there is any agreement between the two Governments that India will give armed support to Nepal at the time of a crisis, internal or external?

Dr. Keskar: There is a clause in the Treaty that India will help Nepal whenever Nepal requires.

Shri Kamath: May I know whether the Government of Nepal has expressed a desire even recently that the provincial Armed constabulary might be stationed on the border?

Dr. Keskar: In one particular area they have asked that our constabulary might help them in maintaining peace and order because dacoit gangs infil-

trate from one side to the other in order to escape police vigilance but not all along the border.

SULPHUR (IMPORT)

*4117. **Dr. Ram Subhag Singh:** (a) Will the Minister of Commerce and Industry be pleased to state whether India imports sulphur from the U.S.A.?

(b) If so, how much sulphur did India import from the U.S.A. in the year 1950-51?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) Yes, Sir.

(b) 48,477 tons, valued at Rs. 8,805,246.

Dr. Ram Subhag Singh: May I know the quantity of sulphur allocated to India by the U.S.A. for the current year?

Shri Karmarkar: That question was answered just now by my Minister.

Dr. Ram Subhag Singh: May I know what proportion of our sulphur requirements comes from the U.S.A.?

Shri Karmarkar: Our present estimated annual requirement is 80,000 tons but the estimated demand for industrial purposes during 1951 is 60,000 tons of rock sulphur and 2,000 tons of refined sulphur. From figures that I have for the year 1950-51, the imports from U.S.A. have been 47,774.2 tons valued at 84 lakhs and odd.

Shri R. Velayudhan: May I know what will be the quantity for the first quarter of 1951 that is already given to India by the U.S.A.?

Shri Karmarkar: For the first quarter 8,000 tons have been allotted but we have asked for 6,000 tons more and 14,000 tons have been allotted for the second quarter.

Shri R. Velayudhan: May I know whether India has incurred any loss because of the delay in this transaction?

Shri Karmarkar: The delay had nothing to do with the price. It was fixed amicably.

Shri M. A. Ayyangar: May I ask whether in view of the fact that sulphur has to be imported from abroad, any steps are being taken to produce sulphuric acid from gypsum?

Shri Karmarkar: Yes.

The Minister of Commerce and Industry (Shri Mahtab): Government contacted several private firms whose

schemes have been placed before Government and the schemes are under examination.

Shri Sarangdhar Das: May I know if any sulphur is imported from Italy?

Shri Karmarkar: We have recently agreed for payment in dollar for 6,000 tons of Italian sulphur as a special case though that sulphur suffers damage in transit and so is unsuitable for import.

STIPENDS TO DISPLACED GIRLS

*4118. **Dr. Ram Subhag Singh:** (a) Will the Minister of Rehabilitation be pleased to state whether any stipends are given to displaced girls and women for training in nursing and midwifery?

(b) If so, how many such stipends have been offered for this year?

The Minister of State for Rehabilitation (Shri A. P. Jain): (a) Yes.

(b) 250.

Dr. Ram Subhag Singh: May I know how many among these displaced girls, who have been awarded stipends by Government, are taking their training in centres run by Kasturba and Gandhi National Memorial Fund?

Shri A. P. Jain: I don't follow the question. What kind of training is the hon. Member referring?

Dr. Ram Subhag Singh: Midwifery and nursing.

Shri A. P. Jain: I have not got the total figure. Three girls have been sent to the Kasturba Hospital, Wardha.

Sardar B. S. Man: May I know whether any training in nursing and midwifery is being imparted to those unattached girls and women who were kidnapped and abducted in Pakistan but were subsequently brought to India and whether any proper housing arrangements are there for them?

Shri A. P. Jain: We don't make any distinction between those who have been kidnapped and those who were not. Both of them are eligible but some of those who had been kidnapped may have been admitted to the training course.

Pandit Munishwar Datt Upadhyay: May I know why only so few of the displaced girls have been given stipends? Was it due to only few applications being received?

Shri A. P. Jain: The number is not few. It is 250 and it is not easy to make arrangement for the training of

a larger number of students. The matter was referred to a High Power Committee presided over by Shri Gopaldaswami and that Committee recommended that 250 stipends for displaced women and girls for training in nursing and midwifery should be awarded. More than that—in addition to those 250—we have provided a number of stipends for girls who are being trained as *Dhais*.

Shri Rathnaswamy: May I know if any relaxation is made in respect of educational qualifications for displaced girls? What is the minimum qualification required for training for nurse and midwife?

Mr. Speaker: That question goes into details.

Shri A. C. Guha: May I know the number of girl refugees from Eastern Pakistan who have been given stipends?

Shri A. P. Jain: I cannot give the exact figure but we have sanctioned schemes involving quite a number of women both in Assam and Bengal being given training in nursing and midwifery.

Shrimati Durgabai: May I know whether any of those girls who have had training in the Kasturba Centres have been appointed by Government in any one of their hospitals?

Shri A. P. Jain: I require notice of that question.

RAW JUTE

*4119. **Shri A. C. Guha:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have any information as to the stock of raw jute with the jute mills and raw jute traders just before the price control on jute and jute goods was removed;

(b) at what price that stock of raw jute was purchased; and

(c) what is the present prevailing price of Indian raw jute and of Pakistan raw jute?

The Minister of Commerce and Industry (Shri Mahtab): (a) On the eve of decontrol the stock of raw jute with the mills reporting to the Indian Jute Mills Association was 4.69 lakh bales. Government have no direct information about the stock with the balers and dealers in India but this was estimated at about 10 lakh bales.

(b) The stock must have been purchased at or below the maximum prices in force at the time. Government have no information about the

actual prices at which the stock was purchased.

(c) The prices of raw jute in India on 8-5-51 were:

Jat middle—Rs. 102.

Jat bottom—Rs. 97.

Prices in Pakistan as reported on 9th May were:

Jat middle—53 Pakistan rupees.

Jat bottom—50 Pakistan rupees.

Shri A. C. Guha: May I know if the Central Jute Board which was formed sometime ago for supplying raw jute to the mills is still functioning and whether that Board has any stock of raw jute with them?

Shri Mahtab: The West Bengal Government set up a Central Jute Board sometime in December which was to make the purchases. But the quantity, it is reported, they purchased is very little.

Mr. Speaker: His question was whether that Board has any stocks.

Shri Mahtab: Our report is that the Board has no stocks.

Shri A. C. Guha: What are the functions now exercised by the Jute Controller?

Shri Mahtab: His main function is to allot raw jute to the different mills and also allot the quotas for export.

Shri A. C. Guha: In view of the high price of raw jute now, is the demand from U.S.A. going down?

Shri Mahtab: That is not our information.

Shri S. N. Das: Has the attention of the Government been drawn to the fact that before the price control on jute and jute goods was removed, traders from West Bengal had smuggled a very huge quantity of jute to this side of the country and then the traders concerned pressed the Government to remove the price control?

Shri Mahtab: I do not know if it has anything to do with the removal of price control but it has something to do with the trade with Pakistan.

Shri B. K. Das: Has any estimate been made as to how many months the present stock will last to keep the mills going?

Shri Mahtab: The stocks are moving even now from Pakistan to India and it is very difficult to say the exact quantity of the present stock.

Shri A. C. Guha: May I know if U.S.A. has imposed any ceiling price for *hessian* and if so, what is the prevailing price there? How will that affect the price of raw jute now prevailing in India?

Shri Mahtab: If the hon. Member is referring to one of the speeches delivered by the President of the Jute Mills Association there, I think there is no basis for that kind of apprehension.

PROVIDENT FUND OF DISPLACED TEACHERS

*4120. **Shri A. C. Guha:** Will the Prime Minister be pleased to state:

(a) whether the provident funds of migrating teachers and professors of East Bengal have been transferred to India and are available to the displaced teachers and professors;

(b) whether Government have had any negotiation with the Pakistan Government on this matter; and

(c) whether there have been any arrangements about this fund between the two Governments and whether those arrangements have been put into action by both the Governments?

The Deputy Minister of External Affairs (Dr. Keskar): (a) to (c). The arrangement in existence in East Bengal for teachers and professors to withdraw money from their provident funds is that the sanction of the Inspecting Officers concerned, should first be obtained and then withdrawal forms countersigned by them should be presented for payment to the Post offices or Banks as the case may be. The East Bengal Government have recently assured the West Bengal Government that the displaced employees of educational institutions in East Bengal will not experience any difficulty in effecting withdrawals from their provident funds provided they follow the above procedure. The position was also reviewed at a Conference of the Chief Secretaries of West Bengal, Assam, East Bengal and the Chief Commissioner, Tripura, held at Dacca on the 14th and 15th March, 1951. It was agreed that the Governments concerned would exchange lists of such employees and teachers and use their good offices to induce the Local Bodies and schools to pay up the arrears.

It is not, however, known what facilities the State Bank of Pakistan have arranged for the transfer to India of the amounts withdrawn by migrant teachers from their Provident funds. An enquiry at present is being made on this point.

Shri A. C. Guha: What is the number of teachers and the amount of money involved?

Dr. Keskar: I am afraid I will not be able to give the details of the matter. As I said, the subject matter is under discussion and negotiation between both the Governments.

Shri A. C. Guha: Is it a fact that as yet no teacher has been able to get any money out of the provident funds left on the other side?

Dr. Keskar: That might be the case. The principle itself, as I said, has only very recently been accepted.

Shri A. C. Guha: Has there been any complaint from Pakistan that the Muslim teachers who have migrated from here to Pakistan have not been able to get their provident fund?

Dr. Keskar: I am not able to say offhand, because I have not got the report of the discussions that have taken place about this matter.

Shri A. C. Guha: Is it a fact that both the Government of India and the Government of Pakistan have been following the same practice and policy regarding the payment of provident fund of their teachers and professors?

Dr. Keskar: The principle followed is the same but as to whether in the implementation of the principle both the Governments are following the same practice I am not able to say offhand.

Shri Sidhva: The policy adopted by the Minister of Rehabilitation regarding the provident fund of the refugees from West Pakistan is that 50 per cent. is paid in advance subject to the final decision being arrived at with the Government of Pakistan. Is the same policy followed with regard to the refugees from East Pakistan also?

Dr. Keskar: The principle followed with regard to East Bengal is different from that followed with regard to West Pakistan.

HOLIDAYS TO INDUSTRIAL EMPLOYEES

*4124. **Shri Sanjivayya:** Will the Minister of Labour be pleased to state:

(a) the number of paid holidays granted to the industrial employees; and

(b) the number of other holidays?

The Minister of Works, Production and Supply (Shri Gadgil): (a) In Government Industrial Undertakings the total number of paid holidays (including casual leave) varies between 12 and 95 in a year. In private undertakings on the available information

the number of such holidays varies between 23 and 39 in a year.

(b) In addition to above, most of the private undertakings grant to their employees casual or sick leave either on half pay or without pay. Sick leave is mostly granted to the extent of 15 days on half pay and casual leave of 10 days without pay.

Shri Sanjivayya: With respect to the number of paid holidays may I know whether the representatives of the employees and the employers were consulted?

Shri Gadgil: In the case of Government undertakings no such question can arise. In regard to private employment so far this has not been a subject matter of agreement but more or less it has been a matter of tradition.

Shri Rathnaswamy: Is there any statutory provision to punish the employers who violate the rules regarding the holidays to be given to their employees?

Mr. Speaker: He said that there was no rule but that it was a matter of understanding.

Shri Kamath: Is there any scheme or proposal before the Government of opening or establishing holiday homes for industrial employees, where they can spend their holidays?

Shri Gadgil: Not at present.

CACHAR PLANTATION ENQUIRY COMMITTEE

*4125. **Shri Sanjivayya:** (a) Will the Minister of Labour be pleased to state when the Cachar Plantation Enquiry Committee submitted their report and what are their main recommendations?

(b) Have Government taken any action in pursuance of those recommendations?

The Minister of Works, Production and Supply (Shri Gadgil): (a) The report was submitted on the 9th January, 1951. Main recommendations are divided into two groups viz.,

(i) *Technical Recommendations.*

These deal with the general improvement of the yield and soil of the tea gardens.

(ii) *Recommendations regarding conversion of food concession into cash.*

These are not unanimous. The workers' representatives have given their notes of dissent. These recommendations are under consideration.

(b) The technical recommendations of the Committee have already been commended to the Planters' Association concerned and the Government of Assam for their consideration and necessary action. The recommendations relating to conversion of food concession into cash are still under the consideration of the Government of India in consultation with the Government of Assam.

Shri Sanjivayya: Has the implementation of some of the recommendations involved any expenditure on the part of the Government?

Shri Gadgil: It is not possible for me to answer it just now.

WRITTEN ANSWERS TO QUESTIONS

CRECHES IN MINES

*4121. **Shri Kshudiram Mahata:** (a) Will the Minister of Labour be pleased to state out of the total number of coal mines, in how many mines provisions for creches have so far been made?

(b) In how many cases have the Coal Mines Welfare Fund Advisory Committee so far recommended prosecution of mine owners for non-compliance with the provisions of the Mines Creches Rules, 1946?

The Minister of Works, Production and Supply (Shri Gadgil): (a) 95 creches are under construction in 118 mines.

(b) Advisory Committee does not recommend prosecutions. The Chief Welfare Officer of the Coal Mines Labour Welfare Fund Organisation has, however, been authorised under the rules to launch prosecutions. 107 cases have so far been filed for non-construction of creches.

PIT-HEAD *Baltis*

*4122. **Shri Kshudiram Mahata:** Will the Minister of Labour be pleased to state:

(a) the number of coal mines which have provided pit-head *baltis* so far; and

(b) the steps taken by Government against those collieries who have evaded the statutory obligation of erecting pit-head *baltis*?

The Minister of Works, Production and Supply (Shri Gadgil): (a) The hon. Member is presumably referring to pit-head baths. If so in 84 coal mines pit-head baths have been con-

structed and in 111 mines they are under construction.

(b) Prosecutions are being launched against the evaders.

QUARTERS FOR COAL-MINERS

*4123. **Shri Kshudiram Mahata:** Will the Minister of Labour be pleased to state:

(a) the number of quarters built from Welfare Fund at Bhull and Jharla coal-fields (Bihar) for coal miners; and

(b) whether these are all occupied by coal miners and if not, why not?

The Minister of Works, Production and Supply (Shri Gadgil): (a) 1568.

(b) No. Quarters ready for habilitation at present are 432, with sanitary and water supply facilities. Out of these 432 quarters, 12 are in the occupation of the staff, dispensary, Miners' Institute etc. and the remaining have been allotted to the neighbouring collieries. External services are being provided for the rest of the quarters. As soon as this is done, it is hoped that they will be occupied by the miners.

MAT EXPORT

*4127. **Shri S. C. Samanta:** Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of mat produced in the States of West Bengal and Madras;

(b) how much mat was exported from India during the years from 1947 to 1950 (year by year);

(c) the names of places to which mat was exported;

(d) whether any quantity of mat was imported into India during 1947 and 1950; and

(e) the names of Railway stations and ports from which mat is exported?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (e). Information is being collected.

(b) to (d). A statement is laid on the Table of the House. [See Appendix XXV, annexure No. 14.]

LOCK-OUT IN ORISSA TEXTILE MILLS

*4128. **Shri M. Naik:** (a) Will the Minister of Labour be pleased to state whether it is a fact that the Orissa Textile Mills at Chowdwar have declared on the 27th April 1951 a lock-out of the industry following a "serious rioting" in the mill involving heavy loss of property and murderous attack on the Managing Director, the

General Manager and other personnel of the management?

(b) Have Government enquired into the causes that led to the rioting and if so, what are they?

(c) How many workers were involved?

The Minister of Works, Production and Supply (Shri Gadgil): (a) to (c). The matter raised in the question falls in the "State field". However, the information is being collected and will be placed on the Table of the House as early as possible.

COTTAGE INDUSTRIES BOARD

*4129. **Dr. Deshmukh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Cottage Industries Board proposed the establishment of an independent Corporation for encouraging the sales of the products of the Indian cottage industries; and

(b) if so, what steps Government have taken to give effect to these recommendations?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) Yes, Sir.

(b) The matter is under consideration.

TRADE BARRIER ON INDO-PAKISTAN BORDER

*4130. **Shri J. N. Hazarika:** (a) Will the Minister of Commerce and Industry be pleased to state whether there is any trade barrier on transaction of business between local people—especially in Assam and East Bengal—living on either side of the Indo-Pakistan border?

(b) If the answer to part (a) above be in the negative, what are the goods that are allowed to be traded in without any restriction?

The Minister of Commerce and Industry (Shri Mahtab): (a) and (b). Commodities mentioned in Schedule II of the Indo-Pakistan Trade Agreement of 26th February, 1951 are allowed to be moved without any import or export trade control restrictions subject to the conditions specified in the Schedule. In the case of Tripura, Garo, Khasi, Jantia and Lushai hill districts, some further relaxations have been authorised from export, import or exchange control regulations to facilitate movement of the local produce.

BAMBOO (IMPORT AND EXPORT)

*4131. **Saikh Mohiuddin:** Will the Minister of Commerce and Industry be

pleased to state the quantity of bamboo imported into and exported from India during the years 1948, 1949 and 1950?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): The information is not available as bamboos are not separately classified in the Trade Returns.

Simal Wood

*4132. **Saikh Mohiuddin:** (a) Will the Minister of Commerce and Industry be pleased to state what are the Industries in which simal tree (wood) is used?

(b) Is India self-sufficient in respect of this wood?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) Mainly by the match industry and to some extent by the plywood and certain other miscellaneous industries.

(b) No, Sir, but certain other species can serve as substitutes for this wood.

EXPORT OF CASTOR SEEDS AND OIL

*4133. **Shri M. L. Gupta:** (a) Will the Minister of Commerce and Industry be pleased to state whether any restrictions are placed on the export of castor seeds and oil?

(b) If the reply to part (a) above be in the affirmative, has any announcement as regards the export policy of Government been made and if not, why not?

(c) Has the oil seeds trade made any representation on this account and if so, what has been the result of the representation?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) Yes, Sir. Export of castor seeds and oil is controlled.

(b) No quota for export of castor seeds has been announced after November 1950. As regards castor oil, the latest policy of Government was announced through a Press Note dated the 1st May 1951. A copy of the Press Note is placed on the Table of the House. [See Appendix XXV annexure No. 15.]

(c) Yes. The procedure described in the Press Note of 1st May 1951 embodies the latest decision which took into account representations received from the trade.

SOAP INDUSTRY

*4134. **Shri Himatsingka:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the attention of Government has been drawn to the crisis

which is facing the soap industry in the country due to the high prices of coconut oil, non-availability of caustic soda and other essential raw materials;

(b) whether Government are aware that the standard rate of duty at 42 per cent. *ad valorem* on coconut oil has increased the cost of manufacture and that the soap industry has lost hold on the export market; and

(c) if so, what steps Government propose to take in this regard?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) It is true that the prices of some of the raw materials for soap have gone up, but there has not been a substantial loss of production.

(b) The *ad valorem* duty of 42 per cent. which has been in existence since 1942 has controlled only to a small extent towards the rise in the cost of production of soap. The duty cannot therefore be considered as responsible for the fall in exports.

(c) Does not arise in view of the answers to parts (a) and (b) above.

INDIAN TRADERS IN SHANGHAI

***4135. Shri Himatsingka:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the attention of the Government of India has been drawn to the difficulties experienced by Indian traders in Shanghai as a result of the introduction of barter system of trade in China;

(b) whether in view of the fact that the Indian business community in Shanghai is finding it impossible to continue to run their establishments there, Government intend taking up the matter with the Peoples' Republic of China;

(c) if so, on what lines; and

(d) if not, why not?

The Deputy Minister of Commerce and Industry (Shri Karmarkar): (a) Yes, Sir.

(b) to (d). The matter is under the consideration of Government.

YARN FOR MADRAS STATE

***4136. Shri P. Basi Reddi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Government of Madras have asked for increase;

quotas of yarn for the remaining months of the current year in view of the continued unemployment of a considerable number of weavers in that State;

(b) whether Government have made any additional allotments of yarn for that State; and

(c) if so, for what months and in what quantities?

The Minister of Commerce and Industry (Shri Mahtab): (a) Yes, Sir.

(b) and (c). As already stated in my reply to Starred Question No. 3917 dated the 7th May, 1951, Government have agreed to give an *ad hoc* quota of 2,500 bales to Madras during the months of May and June 1951.

Biri (EXPORT TO PAKISTAN)

***4137. Shri B. K. Pant:** Will the Minister of Commerce and Industry be pleased to state the value of annual export of Indian made *Biri* to Pakistan during the years 1948-49, 1949-50 and 1950-51?

The Minister of Commerce and Industry (Shri Mahtab): It is regretted it is not possible to give the value of annual exports of *biris* to Pakistan as *biris* are not separately recorded in the trade accounts.

YARN SUPPLIES TO DELHI *Newar* AND HANDLOOM WEAVERS

***4138. Shri J. R. Kapoor:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Director of Civil Supplies, Delhi, has appointed a nominee for the procurement and supply of yarn to *Newar* and handloom weavers in the State of Delhi and if so, what is the rate of commission allowed to him and the total amount of such commission allowed to him during the years 1949-50 and 1950-51;

(b) whether there are Associations of *Newar* and handloom weavers who obtain yarn from the said State nominee on payment of the prescribed commission and distribute it to their individual members; and

(c) whether Government are considering to permit the aforesaid associations to obtain the supply of yarn direct from the Mills to eliminate the State nominee's commission and to enable the *Newar* and handloom weavers to get the yarn at cheaper rate?

The Minister of Commerce and Industry (Shri Mahtab): (a) Yes No

separate commission is paid to the nominee. He is permitted to sell yarn to the consumers at varying rates within the prescribed margin of profit of 12½ per cent.

(b) Yes.

(c) For lack of funds and necessary organisational efficiency all the associations are not in a position to procure yarn from the mills. But in certain cases direct supplies are being made.

YARN DISTRIBUTION IN DELHI

*4139. **Shri J. R. Kapoor:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total quantity of yarn distributed by the Director of Civil Supplies, Delhi during the years 1949-50 and 1950-51 to manufacture (i) *Newar* and (ii) handloom cloth; and

(b) whether in view of the scarcity of cloth Government are considering to stop supply of yarn for manufacture of *Newar* and divert the same to the manufacture of handloom cloth?

The Minister of Commerce and Industry (Shri Mahtab): (a) Information for 1949-50 is not available as there was no control over the distribution of yarn in Delhi State from July 1949 to May 1950. From May 1950 to March 1951 the *Newar*, Tape and wick manufacturers and handloom weavers were supplied 577 bales and 576 bales respectively.

(b) No.

IMPORTS AND EXPORTS

*4140. **Shri Jhunjhunwala:** Will the Minister of Commerce and Industry be pleased to state:

(a) the total value of raw materials for industrial use imported in 1950-51 and the estimated value of such imports proposed to be made in 1951-52;

(b) the list of such goods with their value separately;

(c) the total value of spare parts for capital goods imported in 1950-51;

(d) the total value of capital goods imported in 1950-51;

(e) the total value of Consumers' goods imported in 1950-51 and the estimated value of such imports to be made in 1951-52 as a result of bilateral agreements with different countries;

(f) the list of articles referred to in part (e) for 1950-51, 1951-52;

(g) the total value of articles exported in 1950-51 and to be exported in 1951-52 as a result of bilateral agreements with different countries; and

(h) the list of materials referred to in part (g)?

The Minister of Commerce and Industry (Shri Mahtab): (a) The total value of raw material for industrial use imported in 1950-51 is Rs. 1,99,71,21,000. It is premature to give any estimated value of such imports proposed to be made in 1951-52 as it will depend upon the import prices, availabilities and the import policy that will be followed during the periods July-December 1951 and January-June 1952 which has not yet been settled.

(b) A statement showing details of goods imported with value shown against each item is laid on the Table of the House. [See Appendix XXV, annexure No. 16.]

(c) The total value of spare parts for Capital Goods imported in 1950-51 was Rs. 8,49,24,000

(d) The total value of Capital Goods (including parts of Capital Goods) imported in 1950-51 was Rs. 81,54,15,000.

(e) The total value of consumer goods imported in 1950-51 as a result of bilateral trade Agreement as available from the records is Rs. 10,97,58,000. Estimate of imports cannot be given in view of the reasons already stated in the reply to part (a) of the Question.

(f) A statement showing the types of goods imported and the value shown separately against each item is laid on the Table of the House. [See Appendix XXV, annexure No. 17.]

(g) Total value of articles (included in the trade agreements and others) exported in 1950-51 is Rs. 514.2 crores. It is not possible to give estimated export figures for reasons given in part (a) above.

(h) A statement showing details of description of goods exported to several countries covered by bilateral trade Agreement is laid on the Table of the House. [See Appendix XXV, annexure No. 18.]

BALL-BEARINGS

294. **Shri Sidhva:** (a) Will the Minister of Commerce and Industry be pleased to state whether any factory for producing ball-bearings exists in India?

(b) If so, what is its name, what is the quantity produced by it?

(c) What are our requirements in respect of various sizes of ball-bearings?

(d) What quantity, with its value, is imported from foreign countries?

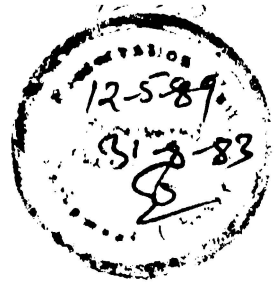
The Minister of Commerce and Industry (Shri Mahtab): (a) Yes; Sir.

(b) National Bearing Company Limited, Jaipur. Its average production is about 12,000 numbers a month.

(c) Roughly one million per annum.

(d) I would refer the hon. Member to the reply given by me to Part (a) of Starred Question No. 2512 on the 26th March 1951.

Monday, 14th May, 1951



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

Third Session

of the

PARLIAMENT OF INDIA

1950-51

**THE
PARLIAMENTARY DEBATES**

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

8650

8651

PARLIAMENT OF INDIA

Monday, 14th May, 1951

*The House met at Half Past Eight
of the Clock.*

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-30 A.M.

**DEATH OF MAULANA HASRAT
MOHANI**

Mr. Speaker: Before we proceed further, I have to inform the House of the sad demise of Maulana Hasrat Mohani who died after a protracted illness at Lucknow on the 13th of this month.

He was a staunch fighter in the struggle for Indian independence and had served a number of terms of imprisonment. The Maulana was a Member of the Constituent Assembly and was President of the U.P. Provincial Congress Committee at one time.

The House might stand up in silence for a minute as a mark of respect to the memory of the deceased.

**REPRESENTATION OF THE PEOPLE
(NO. 2) BILL—contd.**

Mr. Speaker: The House will now proceed with the further consideration of the motion moved by Dr. B. R. Ambedkar on the 9th May regarding the Representation of the People (No. 2) Bill.

The Minister of Law (Dr. Ambedkar): On Saturday last when I entered upon the reply to the general debate on my motion, I said that although a great many points were raised by those who spoke on my motion there were some

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which were actually covered by amendments and that it was, therefore, unnecessary in the course of the reply to deal with those points because I felt that a better reply could be given when the motions are moved, and I said that I would, therefore, confine myself to such points as were made in the course of the debate which were not covered by any amendment. On going over the amendments I found that there are only three points which are of some substance which were made but which I do not find having been made the subject of any specific amendment. It is therefore to these points that I propose to confine myself.

The first such point was made by Babu Ramnarayan Singh and also by my friend, Prof. Ranga. Both of them complained that according to their experience and information the Ministers of the Governments in various Provinces and States were taking very active part in the election campaign and that they were exercising their authority and their influence in order to serve their own political interests or the interests of the party to which they belonged, and that this kind of a misuse of authority and influence was calculated to result in unfair practice against those who did not belong to their persuasion. The suggestion that they made was that there ought to be a provision in this law calling upon Ministers to resign their offices some time before the actual election commenced. It seems to me that this suggestion has not been examined properly either by my friend Babu Ramnarayan Singh, or by Prof. Ranga, because I have no doubt about it that if they do examine the feasibility of giving effect to such a proposal they will find that it would be more or less impossible to give effect to it. In this connection I would like to point out the provision contained in our Constitution. The Constitution makes the President the head of the State. At the same time the Constitution lays down that the President shall not

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act except on the advice of what is termed the Council of Ministers. Therefore, if the President is to act, it is absolutely essential, according to the Constitution, that there must be in existence at all times a Council of Ministers to advise him. We have not got any such provision as contained in section 93 of the Government of India Act, 1935 where under certain circumstances and in certain contingencies the head of the province, namely the Governor, was permitted to act on his own authority without the advice of the Council of Ministers. We have not got any such provision at all. In fact, the whole of the Government will have to be suspended for the period of three months if this suggestion is to be given effect to. Therefore, from the point of view of the Constitution itself the suggestion made is quite impracticable.

Both the Members, Babu Ramnarayan Singh as well as Prof. Ranga, also referred to the conduct of the civil servants who, they thought, either under the positive directions of the Ministers under whom they are serving or because of their desire to flatter and help and to win the goodwill of the Ministers under whom they are serving, were engaged in political activities in which they ought not to engage. I am very sorry to hear of that. If the fact as alleged by either one of them is true, it undoubtedly indicates a great deal of demoralization in the civil servants. It is all the more regrettable because we have taken ample pains in the Constitution and the rules that have been framed thereunder, to give the civil servants the utmost security in the matter of the tenure of their posts, in the promotion to which they are entitled to and all the other privileges as to salaries etc. All that was done with the definite intention of giving the civil servants the security which it is necessary for them to have in order to be independent in the matter of administration. If, notwithstanding the security that has been given to them, the civil servants are not standing up to the best of their traditions, all that I can say is this, that there has been a great demoralization. But I do not know what remedy one could adopt. As the Bible says, "If the Salt has lost its Savour wherewithal shall it be salted?" If the civil servants have lost their salt, I do not know how they could be salted. I think we must depend upon the general improvement in the mind of our people as a whole that there are certain moral principles to which we must adhere in the course of our public life. I hope such an elevation

of the moral sentiments will some day come. But if my friend insists that rather than wait for the improvement in the morals of the people we should apply some legal remedy, there again I find that it is not quite so easy. The only remedy that one can think of is to make a law whereby we could make the conduct of a civil servant which is partial to any particular party or which is not strictly in conformity with the rules of administration, penal and subject it to some kind of rigorous sentence. It seems to me that one point in this connection has to be borne in mind, and that is, a civil servant could not be made liable to prosecution at the will and whim of anybody who feels himself wronged by the conduct of such a civil servant. It would be necessary to provide some kind of a previous sanction in order that a prosecution may be lodged against the civil servant. Whose previous sanction shall be required? Obviously the previous sanction must be the sanction of the Government, or of the President.

Prof. Ranga (Madras): Why not of the Election Commissioner?

Dr. Ambedkar: Of the Election Commissioner? Well, I have no idea and I do not want to say anything about the Election Commissioner because the officer, technically, is supposed to be under me and I do not wish to say anything which would in any way derogate or depreciate from the authority of that particular officer. But let us admit that some kind of a sanction will be required before a prosecution is launched. Now I wonder whether the Government of the day, whom a particular administrator has helped, would be ready and willing to give its sanction. Therefore, if any such law was made, it would only be a paper law and would not have any effect in practice. It seems to me, therefore, that this is a matter which must be left to public morality and the sanctions of public morality.

The second point to which I wish to refer is a point raised by Mr Venkataraman. He suggested that in this Bill voting is regarded as a right His contention was that it should be regarded as a duty; that a citizen of this country should not merely have the right to vote, but he must have the duty to vote, and that he ought to be visited with some kind of a punishment. The sentiment of course is very laudable and no doubt the principle has been accepted in some of the countries such as Australia, Belgium etc. But let us examine the position a little more carefully. If this obligation is to be a real obligation, where

in a country like India, according to Mr. Venkataraman himself and according to many others who have experience of elections there is a general apathy regarding voting, the punishment must be somewhat serious. It could not be five rupees; it could not be ten rupees. It shall have to be something like one hundred rupees. Now, I wonder whether anybody in this House, however enthusiastic he may be with regard to the point that every citizen ought to exercise his duty, would be prepared to support a punishment so condign as the one represented by a fine of rupees one hundred. I doubt very much if many Members will come forward to support it. If the punishment is not rigorous enough, then again the law will be of no value at all.

Secondly, in a matter of this sort we will have to grant many exemptions. A voter may be on that day ill. If he is not ill, but finds subsequently that it is brought up before the court, it would not be very difficult to go to a medical man and obtain a certificate by paying eight annas, as most of us in criminal courts do in obtaining postponement of the cases. If he is not, his wife may be ill, or she may have been delivered on the same day. All these things would arise and we may have to give a lot of exemption so that the law ultimately may remain to be a bare skeleton.

Shri Bharati (Madras): What about the Australian Constitution?

Dr. Ambedkar: In Australia almost everybody votes. I think the people who bring themselves within the ambit of this law are very few.

Shri Sidhva (Madhya Pradesh): What is the penalty there?

Dr. Ambedkar: Five pounds.

My own view is this. I cannot say that I have much of experience of voting. But such experience as I have has given me this idea that the lowest class of people in this country and the highest are politically most conscious. In my experience in my province, the Scheduled Castes, who stand last in the scale of social order, vote to the extent of 80 per cent. I have never found any election in which they have voted less than that. I also feel—and I think I am sure in my statement—that the *Brahmins* in my province vote about 80 per cent. The reason is obvious.

One community is a depressed community. It is conscious of the fact that

its moral and material elevation depends upon the place it occupies in the legislatures of this country. Consequently they never waste their time, their energy in anything else, however profitable they may be except to go to the poll and vote on the day when the poll is called. My experience with regard to the *Brahmins* is also the same, and my analysis is also the same. They today stand almost on the precipice. Everybody wants to push them out from all the places that they have occupied. Consequently they also know that unless they have a certain amount of solidarity among themselves, that unless each one of them goes to the poll they shall not be able to exercise the influence which they must exercise in order to secure themselves from a harsh pushing out immediately and to secure at least a transition from one stage to another.

Shri Kamath (Madhya Pradesh): Not all *Brahmins*.

Dr. Ambedkar: The class which is apathetic and which does not care to vote is the middle class. Their existence does not seem to depend so much upon the governmental activity. They have their granaries, if not full, half full and they know that without resort to any kind of government help they can carry from season to season and from year to year. They therefore do not care about it. That is my experience. Therefore, what we need do at the present moment is to tell those Members who represent the middle class that there is a duty cast upon them, to see that this class becomes politically conscious and to call them to the election so that they may participate in the same way as those at the top and those at the bottom do. I do not think that any legal remedy is necessary.

Then I come to the last point raised by my hon. friend Mr. Sonavane. It is really no argument that he presented. He wanted to know certain facts. He wanted to know what was the system of voting that was going to be. He was under the impression that there was going to be some kind of marking on the ballot paper as used to be in former times. My friend will know that under the single-member constituency system, with one-man-one-vote, crossing is absolutely unnecessary. Voting now becomes very much like buying a post card, writing the address of the addressee on it and dropping it in the postal box on the road. All that the voter has got to do is to go to the ballot clerk, and to obtain the ballot paper which is a blank thing. He will know beforehand that there is a particular kind of coloured ballot box assigned to a

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particular candidate with a symbol chosen by him, out of the many that are improvised by the Election Commissioner, and if he is properly informed beforehand he can take the paper and drop it inside without any necessity for marking. That is going to be the system.

Shri Sonavane (Bombay): What about the colour and symbol?

Dr. Ambedkar: It is a matter of convenience.

Shri Sidhva: Separate box for each candidate?

Dr. Ambedkar: Yes, certainly: Otherwise how would it happen?

These are, Mr. Speaker, the points which I thought I ought to touch upon because they were not covered by any particular amendment. I do not think that there is any other point of a similar sort which requires any explanation at the outset.

With these words, Sir, I commend my motion to the House.

Shri Kamath: May I ask one question? Though the Law Minister said that he is not in favour of imposing a penalty or fine upon electors who.....

Mr. Speaker: I am afraid he is asking for some explanation and going into the merits.

Shri Kamath: I am asking for information.

Mr. Speaker: It is coming, of course, in the form of asking for information; in substance it comes to an argument again.

The question is:

"That the Bill to provide for the conduct of elections to the Houses of Parliament and to the House or Houses of the Legislature of each State, the qualifications and disqualifications for membership of those Houses, the corrupt and illegal practices and other offences at or in connection with such elections and the decision of doubts and disputes arising out of or in connection with such elections, as reported by the Select Committee, be taken into consideration."

The motion was adopted.

Mr. Speaker: We will now take the Bill clause by clause. We shall take up clause 2.

Dr. Ambedkar: May I suggest, Sir, that clause 2 is the definition clause and might be taken up last?

Mr. Speaker: All right. Then we shall begin with clause 3, and the consideration of clause 2 will be postponed. I shall call the amendments one by one and hon. Members wishing to move them will please indicate that they want to move them. In case I miss any, my attention may be invited.

Clause 3 (Qualifications for Council of States Membership)

Shri Naziruddin Ahmad (West Bengal): I wish to move my amendments.

Sardar Hukam Singh (Punjab): I wish to move mine—No. 60 in the printed list.

Mr. Speaker: So the amendments that are going to be moved are Nos. 50, 56, 57, 59, 61 and 63 in the printed list by Mr. Naziruddin Ahmad and No. 60 in the printed list by Sardar Hukam Singh. And no amendment in Supplementary List No. 1 is going to be moved.

Shri Jnani Ram (Bihar): There appears to be a printing mistake in clause 3 of the Bill. The word that appears is 'inspector'.

Shri J. R. Kapoor (Uttar Pradesh): That has been corrected, already.

Mr. Speaker: Mr. Naziruddin Ahmad. He need not read the amendments, but may just mention the numbers—unless it is necessary for his arguments later.

Shri Naziruddin Ahmad: Will it not be convenient to proceed one by one? I shall be very brief in respect of most of my amendments. If all and sundry amendments are taken together it would be difficult to attend to the various points.

Mr. Speaker: The point is that I do not want a repetition of the same debate and the same points. Therefore let us have that convention. Let the amendments be moved to the particular clause. Let the speech be in respect of the amendments and the clause, and while putting to vote, I shall put each of the amendments separately. Will that be convenient?

Shri Naziruddin Ahmad: It will be slightly inconvenient, because I have found that if a large number of amendments are moved together the replies to the points made are not complete.

Mr. Speaker: All right. Let him move his first amendment.

Shri Naziruddin Ahmad: I beg to move:

In sub-clause (1) of clause 3, for the words "A person shall not be

qualified" substitute the words "No person shall be qualified".

This is only a verbal amendment.

Dr. Ambedkar: Is each one to be disposed of, Sir?

Mr. Speaker: Yes.

Dr. Ambedkar: As the author of the amendment himself has said it is a purely verbal amendment. But I would like to add one more point. That is that the form that has been adopted in the Bill is the form which has been adopted in the Constitution. We would like to follow the form used in the Constitution consistently in all the Bills which relate to this matter. I therefore cannot accept the amendment.

Shri Naziruddin Ahmad: I do not wish to press it.

Mr. Speaker: Then I am not putting it to the House.

10 A.M.

Shri Naziruddin Ahmad: I beg to move:

In sub-clause (1) of clause 3, for the words "Parliamentary constituency" substitute the words "House of the People constituency".

In regard to this amendment it is well-known that after the elections, Parliament means the two Houses of Parliament, namely the House of the People and the Council of States. Though this was quite clear, I find that in the Representation of the People Act of 1950 'the Parliamentary constituency' has been defined to be the constituency for the House of the People. That is provided in clause 2(f) of Act XLIII of 1950. That I submit was based on a failure to appreciate the fact that Parliament will consist of two Houses and to interpret Parliamentary constituency to be equivalent to a constituency for the House of the people would rather create confusion.

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

I however find that in the amending Act LXXIII of 1950 a clause was inserted in section 3 by which a new definition was added to the original Act XLIII of 1950. That was the insertion of a definition "Council of States constituency". For the first time, it seems to me, the distinction between the two Houses of Parliament with regard to 'constituency' was realized and that is why the new definition was added which defines 'Council of States constituency'.

Although this definition was added, the old definition in the parent Act of a 'Parliamentary constituency' was not changed. I should think that for purposes of clarity the two constituencies of Parliament should be known as the House of the people constituency and the Council of States constituency. After the amendment giving a new definition to the Council of States constituency, I think the expression 'Parliamentary constituency' would be improper. So far as this Bill is concerned it has attempted to state certain provisions and certain definitions of the Representation of People's Act of 1950 to be incorporated in the present Bill unless the contrary is stated. Therefore, the phraseology or the nomenclature adopted in the parent Act is not compulsorily acceptable in the present Act. I have, therefore attempted to make a distinction between the two Houses and their two constituencies. It is rather a question affecting the nomenclature of the constituencies but it is a distinction which is consistent with the existence of two Houses and the existence of two entirely different constituencies. One is a direct constituency and the other is indirect. I therefore submit that it is not proper for us to adopt the old and somewhat out of date definition in the old Act but to begin a new phraseology based upon a correct appreciation of the existence of two Houses and two constituencies. If we take that standpoint and begin to recognize the two constituencies as being related to the two Houses so far as nomenclature is concerned, I think there will be no difficulty and we shall start with a new set of definitions and new expressions and we shall not be bound to go back to the antiquated definition in the earlier Act. I submit that the hon. Members should consider the matter and accept my standpoint. There are a number of amendments and if this is accepted or rejected, it would dispose of a large number of similar amendments. As the expression appears frequently in this Bill, I think it is better not to encourage any confusion of thought.

Dr. Ambedkar: I cannot accept this amendment. In the first place there is no difference in substance. The effect remains the same. All that we are trying to do is to keep up the uniform phraseology which is used in this Act as well as in the Representation of the People Act already passed. If my hon. friend were to see the definition in sub-clause (f) of clause 3 he will see that 'Parliamentary constituency' is defined to mean "a constituency provided by section 6 or by order made thereunder for the purpose of election to the House of the People." Therefore, there is really no difference

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at all. Secondly, I would like to draw his attention to the Interpretation clause, clause 2, sub-clause 1(a) where it is stated: "each of the expressions defined in section 2 or sub-section (1) of section 27 of the Representation of the People Act, 1950 (XLIII of 1950), but not defined in this Act, shall have the same meaning as in that Act." Therefore, this is quite unnecessary.

Mr. Deputy-Speaker: The question is:

In sub-clause (1) of clause 3, for the words "Parliamentary constituency" substitute the words "House of the People constituency".

The motion was negatived.

Sardar Hukam Singh: I beg to move:

After sub-clause (2) of clause 3, insert the following new sub-clause:

"(2A) No person shall be qualified to offer himself as a candidate for being chosen as a representative of the people in the House of People, or as representative of any Part A or Part B State (other than the State of Jammu and Kashmir) in the Council of States, or as a representative in either House of the Legislature in any Part A or Part B State, or nominated to the Council of States under article 80 of the Constitution, unless,—

(i) he is or has been at any time for at least one year member of any Legislative Chamber, either Central or in any State in the Union of India; or

(ii) an elected member of any local self-governing body like a Municipal Corporation or Council, or a District Board, or a Village Panchayat for at least year prior to his so offering himself as a candidate; or

(iii) is or has been a member of any statutory University, Research Institution, or administrative body or corporation like a Port Trust; or

(iv) has been a public servant, whether under the Central Government, or under the Government of any State in India, or in statutory body, corporation, or authority for at least five years before the date of so offering himself as a candidate, but has ceased to be such public servant for at least one year prior to the date of so offering himself as a candidate, provided that any one who, having retired from public

service, is in receipt of a regular pension or is expecting a gratuity or compassionate allowance from the Government of India or any State Government in the Union, shall not be deemed to be disqualified under article 102 of the Constitution; or

(v) is or has been a teacher in any school, college, University or other Institution of learning or research for at least one year before the date of his so offering himself as a candidate; or

(vi) has been enrolled in, or served as a volunteer in any recognised organisation for social service, public instruction, training or research; or

(vii) is able to read and write Hindi the national language of India, or English, if he offers himself as a candidate to be chosen for a seat in the People's House of Parliament, or, if he offers himself as a candidate for membership of either House of Legislature in any Part A or Part B State, is able to read and write Hindi, the national language of India, or English and any one or more of the regional languages of Part A or Part B State concerned."

Sir, this amendment might appear to be very strange to some of the hon. Members. The object that underlies it was explained by Prof. K. T. Shah in the general debate. Of course, it has been stressed here by many hon. Members that it is a unique experiment that we are undergoing and everybody would agree that so far as the numbers are concerned, there is no parliament in the history of the world, where 18 crores of people have gone to the polls at one time to elect their representatives. On the one hand, we find that so far as numbers are concerned, this election would be unparalleled or unprecedented. Similarly, so far as lack of experience and familiarity with elections and capacity to choose is concerned, that side also would be unprecedented. We might say that it is a common thing because we have now laid down adult franchise and everybody shall have the right to vote. But, when we look to this side that our people have no experience, they might be led away by certain influences or in their ignorance, they may not have that discretion to decide who should be their best representatives who can advance their cause, so far as real democracy is concerned. Therefore my object in moving this amendment is that there should be some positive qualifications as well. The Bill, as it stands, lays down certain

qualifications so far as age is concerned, as far as a person's being registered as a voter is concerned, and such other things in clauses 3 to 6 and the disqualifications are laid down in clause 7. So far as fitness is concerned, there are no qualifications in the Bill. Why is this fitness needed, I was explaining just now. We have no experience at all so far as democracy is concerned. We have not developed it slowly; we are not used to it. This is a new experiment. Therefore, if we positively lay down certain conditions and enable those persons who come forward to help our electors to direct their energies towards the election of these categories or classes of persons, perhaps, we might educate them and help them in returning such persons who might be more useful in working the democracy. It is not that I am placing certain categories in any superior or higher status. What I have stated in these clauses of my amendment is that certain persons who have had experience,—be they government servants or members of any legislature or local bodies at certain places, or persons who have worked in any social service organisations,—of voting, and directing their energies towards the solving of certain problems that come before them, would be more useful. It might be asked that some persons may have proved rather worse, or unequal to the task which was entrusted to them when they were in the legislature or when they were government servants. But, that is certainly better than leaving the whole thing to the electors. At least this much judgment can be exercised by the electors whether anybody who had had any opportunity to serve the public, whether in any legislative body or in a Municipal corporation or district board or as a government servant or in any social service organisation, proved equal to the task which was entrusted to him or not. It is clear that if choice is made out of those persons who have had a certain experience, there would certainly be a body whose members would be well conversant with the work that comes before them in the daily routine. They will be able to pick up the work very easily and the work would be, I should say, expedited and much energy and expense would not be wasted if such men are brought in. About social service and public bodies, I attach the greatest importance. Those who have worked in these bodies and done social service without any remuneration certainly deserve some appreciation. They have some energy; they want to utilise that. They have already done some work. If we appreciate this and give them a chance to work in these bodies, certainly, we are not doing them any great

credit, but only appreciating the virtue that they have got that when they had an opportunity, they applied themselves nobly to that task.

Shri R. Velayudhan (Travancore-Cochin): By electing them as Members of Parliament.

Sardar Hukam Singh: Yes; that is what I want. One thing that is there in clause (vii) is ability to read and write Hindi, the national language of India or English if he offers himself as a candidate. It was pointed out on that day also.....

Shri Sidhva (Madhya Pradesh): May I rise on a point of order, Sir? Article 84 says that a person shall not be qualified to be chosen to fill a seat in Parliament unless he is, in the case of a seat in the Council of States, not less than thirty years of age and, in the case of a seat in the House of the People, not less than twenty-five years of age. A similar provision exists in regard to the State legislatures also in article 173. My point is, when the Constitution has provided that all persons who are of that age are qualified to be chosen, and when we know that 90 per cent. of the people are illiterate, a particular clause requiring that he must know to read and write a language, regional or national, and that otherwise, he will be disqualified, is inconsistent with the provisions in the Constitution.

Pandit Thakur Das Bhargava (Punjab): Article 84 (c) is clear.

Mr. Deputy-Speaker: Article 84 (c) says:

"possesses such other qualifications as may be prescribed in that behalf by.....Parliament."

Shri Sidhva: As far as language is concerned, the matter is clear. It says that a man of 25 years of age, whether he is literate or illiterate, shall be qualified.

Mr. Deputy-Speaker: Where is it said?

Shri Sidhva: It means that, when we know that 90 per cent. of our people are illiterate. Otherwise, the Constitution makers.....

Mr. Deputy-Speaker: That means any person below that age is ineligible for the one House or the other. But, that does not debar Parliament from imposing other qualifications as may be deemed necessary. I thought the hon. Member was referring to the clause which refers to Hindi. Then, 15 years are given.

Shri Sidhya: No, I was referring to article 84.

Mr. Deputy-Speaker: I do not think there is any point of order.

Shri Bharati: The point is regional language is also prescribed in clause (vii).

Shri Sidhya: I am referring to article 173 of the Constitution, Sir.

Dr. Deshmukh (Madhya Pradesh): There also it is the same.

Mr. Deputy-Speaker: It is the same. Sub-clause (c) of article 84 and sub-clause (c) of article 173 are the same and it is open to Parliament to impose such qualifications as it may deem necessary, in addition to those set out in clauses (a) and (b). I do not see any point in the point of order raised by the hon. Member.

Sardar Hukam Singh: On the 9th of this month when Prof. Shah was speaking there was an interruption to the effect that this House had already rejected a Resolution sponsored by Prof. Shah. I do not know whether it is correct to say that it was rejected or whether it was not talked out.

Mr. Deputy-Speaker: Anyway, it was not accepted by the House.

Sardar Hukam Singh: It was not accepted, Sir. That is true. But, even then I see no bar at this stage to take up this question.

Mr. Deputy-Speaker: Nobody has raised that point.

Sardar Hukam Singh: Because of the interruption that had been made, I thought there was a bar.

Sir, this question of language and literacy is important. We have large numbers coming from different provinces and we have no common language so far. We have till now been transacting our business in English and that was the only language in which we could understand each other, sitting all together. Of course, we have decided that within fifteen years we will pass on to Hindi. But there is no harm in proceeding just now in that direction, and saying that either Hindi or English shall be the language in which we can transact our business. to understand each other, at least there should be scope where one Member could speak in a language and in such way that others could understand him. We should not be put to the necessity of having interpreters. Even the Chair may not at times, understand when an hon. Member gets up and places his point of view before the House in his language.

Pandit Thakur Das Bhargava: The hon. Member knows Hindi. Why is he speaking in English?

Sardar Hukam Singh: Yes, I do know Hindi, and I know Sanskrit also. But my knowing is not the point. As Mr. Velāyudhan just now suggested to me, I should speak in a language in which I can make others understand me. That should be the first pre-requisite if we really want to transact business here honestly and effectively. It is very necessary that there should be some language in which one can express oneself and all the others can understand that which is being expressed. I submit that if we lay down this condition now, it would rather accelerate the process towards learning Hindi indirectly. It might help even indirectly to the promotion of literacy that we want so much. People want to stand for elections to these bodies and they might see in this an inducement to study Hindi and by the time our nomination papers are ready, they must have advanced to a degree where they can be qualified in this language.

Mr. Deputy-Speaker: But will not this be opposed to article 120 where the proviso says:

"Provided that the Chairman of the Council of States or Speaker of the House of the People, or person acting as such, as the case may be, may permit any member who cannot adequately express himself in Hindi or in English to address the House in his mother tongue."

So it is open to a Member to speak in his mother-tongue. So the hon. Member's suggestion will be opposed to or contrary to the provisions of this article.

Sardar Hukam Singh: He may speak in his mother-tongue. But what I am stressing is that he should speak in a language which all Members can understand, so that he may be understood by all.

Dr. Deshmukh: There is actually no contradiction between this article and the suggestion of my hon. friend.

Pandit Thakur Das Bhargava: Article 120(2) also may be seen in this connection, Sir.

Mr. Deputy-Speaker: But it is open to the Chair to permit an hon. Member to speak in his mother-tongue.

Shri Naziruddin Ahmad: May I point out, Sir, that these are all alternatives and the matter now objected to would have had some point if there had not been these alternatives. If an hon. Member does not express himself in

one language, there are the other alternatives provided for him.

Mr. Deputy-Speaker: No, no. A knowledge of English or Hindi is insisted on.

Shri Sidhva: That is compulsory here.

Shri Naziruddin Ahmad: That would work hard in the case of the Scheduled Castes and the Scheduled Tribes.

An Hon. Member: That is a different matter.

Sardar Hukam Singh: If an hon. Member does not know Hindi or English he certainly can be allowed by the Chair to speak in his mother-tongue; but that does not mean that we cannot lay down any condition.

Dr. Deshmukh: The hon. Member is not seeking to prohibit the mother-tongue. All that he wants is that more attention should be paid to Hindi or English.

Shri Sidhva: But if this amendment is accepted, then an hon. Member may be prohibited from speaking in his mother-tongue.

Sardar Hukam Singh: Not at all. On the other hand, he would not worry the Chair to give him permission to speak in his mother-tongue because he will be qualified to speak in Hindi or English.

Shri Kamath: But even if he knows, Hindi or English, he may not be able to express himself as well as in his own mother-tongue. He may be able to express himself better in his mother-tongue and in that case he may be allowed to speak in that language.

Sardar Hukam Singh: If he is permitted, he has to be understood by the others. So if really we have to work as a body and do the business entrusted to us and discharge the duties that are placed upon us as a sovereign body, at least there should be an atmosphere where we can understand each other. The outside world may not understand us; but at least we should understand each other when we speak here in this House. That is why I insist that there should be some condition, that the language is one in which the Member can express himself and the others can understand him. That would improve our work in this House and also in the local legislatures.

About others I have already submitted and Prof. Shah gave the details also. I need not repeat them. Therefore, with these words, I commend my amendment to the House.

Shri Shankaraiya (Mysore): The hon. Member said the candidate should have knowledge of Hindi and English. May I know whether he should have knowledge both of English and Hindi or only one of the two?

Mr. Deputy-Speaker: 'Or' is there. Amendment moved:

After sub-clause (2) of clause 3, insert the following new sub-clause:

“(2A) No person shall be qualified to offer himself as a candidate for being chosen as a representative of the people in the House of People, or as representative of any Part A or Part B State (other than the State of Jammu and Kashmir) in the Council of States, or as a representative in either House of the Legislature in any Part A or Part B State, or nominated to the Council of States under article 80 of the Constitution, unless,—

(i) he is or has been at any time for at least one year member of any Legislative Chamber, either Central or in any State in the Union of India; or

(ii) an elected member of any local self-governing body like a Municipal Corporation or Council, or a District Board, or a Village Panchayat for at least year prior to his so offering himself as a candidate; or

(iii) is or has been a member of any statutory University, Research Institution, or administrative body or corporation like a Port Trust; or

(iv) has been a public servant, whether under the Central Government, or under the Government of any State in India, or in statutory body, corporation, or authority for at least five years before the date of so offering himself as a candidate, but has ceased to be such public servant for at least one year prior to the date of so offering himself as a candidate, provided that any one who, having retired from public service, is in receipt of a regular pension or is expecting a gratuity or compassionate allowance from the Government of India or any State Government in the Union, shall not be deemed to be disqualified under article 102 of the Constitution; or

(v) is or has been a teacher in any school, college, University or

[Mr. Deputy-Speaker]

other Institution of learning or research for at least one year before the date of his so offering himself as a candidate; or

(vi) has been enrolled in, or served as a volunteer in any recognised organisation for social service, public instruction, training or research; or

(vii) is able to read and write Hindi the national language of India, or English, if he offers himself as a candidate to be chosen for a seat in the People's House of Parliament, or, if he offers himself as a candidate for membership of either House of Legislature in any Part A or Part B State, is able to read and write Hindi, the national language of India, or English and any one or more of the regional languages of Part A or Part B State concerned."

Dr. Deshmukh: I have been a consistent opponent of laying down any additional qualification in addition to what has been provided for in the Constitution Act and thus I think this amendment deserves being thrown out completely.

Secondly, the amendment is so worded that I do not think the intention of the Mover is made clear at all. For instance if you give a preponderant consideration to part (vii) of the amendment, then you will be insisting that any person who is a candidate should know either Hindi or English. But all these clauses have been put down here as alternatives. It reads in (iii) as follows:

"is or has been a member of any statutory University, Research Institution, or administrative body or corporation like a Port Trust..."

That is to say, since it is in the alternative, it is not necessary for him to know both English and Hindi. That is, the knowledge of English or Hindi has not been made a predominant qualification so as to include even those who have been teachers or members of any local self-governing body etc. only if every one of them knows either English or Hindi. According to the amendment while there may be all these people who will have the qualifications put down under (i) or (ii) or (iii) or (iv) may yet not know either Hindi or English.

Mr. Deputy-Speaker: Experience takes the place of knowledge.

Dr. Deshmukh: The purpose of the amendment would not be served.

There may be teachers or members of local self-governing bodies who may not be knowing either English or Hindi. Therefore if this is the main intention behind the amendment, that is not likely to be served because there are the qualifications in the alternative. I can very well appreciate the desire of the Mover that all these persons who have done excellent work as teachers etc. deserve some recognition but if we accept the amendment, we will be disqualifying the others. It is one thing to appreciate the services rendered by these people and give them recognition and it is quite another thing that those who do not possess this qualification should be debarred from offering themselves as candidates. You are not merely appreciating their services but on the ground that these people are qualified you are disqualifying others. Therefore the amendment is objectionable even from this point of view.

Thirdly, I would refer to the resolution which was moved by Prof. Shah and which was, according to my recollection, rejected by the House. Therefore there is no possibility of the House accepting the amendment moved by Sardar Hukam Singh. Even if we accept, there will be so many difficulties arising because they have been put in the alternative. There will be lot of people who will be excluded. There is nothing in these amendments which would incline us to accept it.

Shri Hussain Imam (Bihar): I rise to give my whole-hearted support to this amendment of Sardar Hukam Singh. The fact that the qualifications are alternate and therefore knowledge of Hindi and English is not *sine qua non* for being elected is a point in support of this motion rather than against. What the motion proposes to do is to lay down certain bare essentials without which membership of the Houses of Parliament or of the State Legislatures would not be effective. We can quite understand the sentiments of the party in power for reward and service rendered in the former times and none would quarrel with them for that. But for serving in Parliament you have to have some necessity of certain kind of experience or knowledge. Otherwise you will not be able to render effective help in the day to day working of Parliament. Nobody denies the fact that a kind of experience of local bodies or of Legislature or of teaching profession would be helpful and would make the gentleman able to serve better. The only argument that is against it is that it will disenfranchise a number of people. But let us know what types of people it will disenfranchise. Would

the House be poorer if such people do not come or would it increase the effectiveness of the House if people with certain minimum and alternate qualifications are there? My own feeling is that no doubt the Constitution did not lay down any qualifications but it is for Parliament to put it and therefore Parliament would be failing in its duty if it does not provide a minimum of effective qualifications which would ensure that the Members would be serving usefully in this House. I find that he has gone so far even as to provide for those people who have done some service to the party in power. I refer to item (vi). This has provided some sort of qualification to serve. It will only disenfranchise the people who have no service to their credit in the past and if it debarred them.....

Dr. Deshmukh: Those who may not have served so far may be able to serve better.

Shri Hussain Imam: Even if they did not come under any of the categories—are neither literate in Hindi or English, will have neither served in any volunteer organizations or have not been in any school, college or University, or have not been public servants or do not have service or are not connected with local bodies,—all of a sudden they crop up as if over-night and you feel that they are so important and they are so many that it will effectively debar a considerable section of the citizenship of India for standing as a candidate.....

Shri Jangde (Madhya Pradesh): Why debar even one person?

Shri Hussain Imam: We have already debarred certain categories of persons by legislation, such as those who have been convicted of moral turpitude, etc. So you are not in the position of allowing anybody and everybody to stand as a candidate. At one place you have provided for certain disqualifications and here you are laying down the positive qualifications but the range is so wide that any and every person who has rendered any service in any field of national activity is brought in by means of this amendment. Part 6 of these qualifications is all-embracing and there is no fear that a person who has done any national service will be disqualified. As you, Sir, pointed out there are alternatives and therefore it is not the intention of the Mover that literacy must be the *sine qua non*. It is only one of the alternatives. If there is no literacy, at least service must be there.

I have a technical objection to this amendment. The heading, qualifications for membership of the Council of

States and the House of the People, comes under clause 4. Perhaps it may not fit in with either clause 3 or 4. It should have been moved as clause 4A to cover both the clauses of the Bill. On the other hand we are not discussing the qualifications for membership of the Council of States alone; although the heading for that clause is, qualifications for membership of the Council of States, it may not technically come under that clause. It may have to be added as a separate clause 4A to cover both. However, it is a matter for the draughtsman. Personally I do not feel that there is any insuperable difficulty in accepting this amendment.

श्री श्री रनबीर सिंह: उपाध्यक्ष महोदय, मैं सरदार हुकम सिंह जी के संशोधन की मुलालिफत करने के लिये खड़ा हुआ हूँ और उन की मुलालिफत करने का सब से बड़ा कारण यह है कि अगर उन के संशोधन को हम ने मान लिया, तो हमारी यह धारणा पक्की हो जायगी कि विधान सभा ने गलती की कि उस ने एडल्ट फ्रैन्चाइज (Adult franchise) लोगों को दिया, या उस भावना को जाहिर करेगी, जिस से यह प्रतीत होता है कि विधान सभा ने बड़ी शिक्षक के साथ एडल्ट फ्रैन्चाइज को माना है, हालांकि मैं समझता हूँ कि यह असत्य है और ऐसी धारणा करना निर्मूल है। विधान सभा ने बड़ा दिल खोल कर और समझकर इस बात को माना था कि हिन्दुस्तान के हर बालिग को मताधिकार दिया जाय। और हर आदमी को देश का राजनैतिक ढांचा बनाने में पूरा पूरा हिस्सा मिले, इस लिये मैं यह समझता हूँ कि इस संशोधन को नामंजूर किया जाय।

इस के साथ साथ मैं यह भी कहना चाहता हूँ कि जैसा डाक्टर देशमुख ने कहा, इस में और (or) और (or) जो लगा है, उस से उस का कोई मतलब ही नहीं रहता और न ही तो यह जैसी कि सरदार साहब की भावना है कि हाउस के अन्दर

[श्रीधरी रत्नबीर सिंह]

या संसद के अन्दर या स्टेट असेम्बलियों के अन्दर, कोई सुधार कर सकेगा और ऐसे मेम्बर ला सके, जिन के अन्दर वह गुण हों। जिन गुणों को वह चाहते हैं, मैं समझता हूँ कि यह संशोधन उन की उस मंशा को पूरा नहीं करता। मिसाल के तौर पर उन्होंने एक जगह लिखा है कि अगर वह पंचायत के मेम्बर भी रहे हों, तो वह भी चुनाव के लिये खड़े हो सकते हैं। या तो वह देश की वास्तविक हालत से अनभिज्ञ हैं या उन्होंने इस तरफ ध्यान नहीं दिया कि आज देश में पंचायत के जो मेम्बर होते ह, उन की तरफ ध्यान दिया जाये, तो वह पायेंगे कि जिस अवगुण से वह बचना चाहते हैं, वह तमाम अवगुण उस में शामिल हैं। मेरा मतलब यह है कि पंचायत के मेम्बर अधिकांश अनपढ़ होते हैं, अनपढ़ होना कोई बहुत बड़ा कसूर तो नहीं है, परन्तु जैसा वह मानते हैं, तो वह उस कसूर को दूसरे ढंग से हाउस के अन्दर लाना चाहते हैं। तो इस लिये भी मैं समझता हूँ कि उन की मंशा पूरी नहीं हो सकेगी।

सरदार हुसैन सिंह : क्या मैं ने अपने संशोधन में पंचायत के मेम्बर को उम्मीदवार बनने में कोई रोक रखी है ?

श्रीधरी रत्नबीर सिंह : मेरे कहने का यह अर्थ नहीं है कि उस में कोई रूकावट है। मैं तो रूकावट को दूर करने के लिये खड़ा हुआ हूँ। मैं चाहता हूँ कि कोई रूकावट किसी के रास्ते में हो ही नहीं, लेकिन सरदार साहब जो रूकावट रखना चाहते हैं, उस रूकावट में वह कुछ इस प्रकार से छूट देना चाहते हैं, जिस से जो ग्राम पंचायत का जो मेम्बर रहा हो, उस को डे होने का हक रहे।

दूसरी बात हिन्दी के बारे में मैं उन से सहमत हूँ कि हर आदमी, जो इस हाउस का मेम्बर बने, वह हिन्दी को ज़रूर जाने और चूँकि हम ने देश की राष्ट्र भाषा हिन्दी मानी है और जैसी कि आपत्ति जाहिर की गई थी कि यह कोई एक रोक लगाता है, मैं ऐसा नहीं मानता, चूँकि बोलने की जो इच्छा है, या बोलने की स्वाहिस है, वह उस की महबूद नहीं होती है। वह जिस ज़बान में चाहे बोल सकता है, लेकिन यह हर एक मेम्बर के हक में होगा और उस के स्वार्थ में होगा कि वह एक ऐसी ज़बान जाने, जिस ज़बान को हाउस के बहुत बड़ी तादाद में लोग जानते हों और बोलते हों, ताकि वह हाउस की बातों को समझ सके और कम से कम हाउस की प्रोसीडिंग्स (proceedings) को समझ सके। इसलिये अच्छा होता कि अगर वह अकेले हिन्दी की ही रूकावट लगाते, लेकिन फिर भी हिन्दी सीखने के लिये कोई बहुत समय की दरकार नहीं है, हर कोई हिन्दुस्तानी पांच या दस दिन के अन्दर हिन्दी सीख सकता है, आया उस ने मेम्बर बनने से पहले उस का मीखा या मेम्बर बनने के बाद सीखा, उस से कोई फर्क नहीं पड़ता। इसलिये मैं समझता हूँ कि इस में जो एक रूकावट लगाने की कोशिश की गई है, वह ठीक नहीं है। हो सकता है कि यह गलत हो, लेकिन बहुत सारे आदमी इस देश में हैं, जो इस स्थान से सहमत होंगे कि यह सारा अमंडमेंट जो है, उस के पीछे एक भावना छिपी हुई है, कि राज काज के प्रबन्ध में एक खास तबका दाखिल रहे। जो उस में गुण रखे गये हैं, वह खास कर एक तबके में पाये जाते हैं, और इस तरह दूसरे तमाम तबके इस में आने से रूक जाते हैं। तो मैं समझता हूँ कि जो हम ने विधान

बनाया है, वह इस भावना के रहते हुए उस के उल्टा होगा और इस लिये मेरा कहना है कि सरदार हुकम सिंह का संशोधन फेंक दिया जाये।

(English translation of the above speech)

Ch. Ranbir Singh (Punjab): Sir, I rise to oppose the amendment moved by Sardar Hukam Singh. The main reason why I oppose it is that if we were to accept this amendment it would mean that we accept that the Constituent Assembly had made a mistake in providing adult franchise or would create an impression that the said Assembly had accepted adult franchise after a great deal of hesitation. This in my opinion is quite untrue and the very thought of such a move is quite baseless. The Constituent Assembly with much liberal-mindedness had accepted the principle that the right of vote should be given to every adult of this country so that every person may have his share in building the political structure of the country. Therefore in my opinion this amendment should be rejected.

Along with this I like to submit, as Dr. Deshmukh has stated, that the repeated use of 'or' gives no meaning at all and this would not bring about any kind of improvement, as Sardar Sahib thinks, in this House of Parliament or State Assemblies or would help such members being elected, who possess those qualifications. As regards the qualifications that he likes, I think, this amendment does not serve his purpose. For instance, he has written at a certain place that a person even if he is a member of the Panchayat can stand for elections. Either he is not aware of the actual position of the country or he did not purposely, pay attention to the fact that in the case of the members of Panchayat all these disqualifications that he wants to remove are found in them. By this I mean that almost all the members of Panchayat are illiterate. To be illiterate is not a very great sin. But on one hand he himself considers it to be a disqualification and on the other he of his own accord wants to bring this disqualification in the House in a different way. For this reason also I believe that his purpose would not be served by this amendment.

Sardar Hukam Singh: Do you think I have laid down anything in my amendment which may prevent any member of Panchayat from being a candidate?

Ch. Ranbir Singh: I do not mean that there is any restriction therein. I have stood up only to see that nobody should be prevented from being a candidate. I wish that there may not be any restrictions whatsoever. But though Sardar Sahib wants to place some restrictions yet wants to have a loophole so that those persons who are members of Panchayats may also have a right to stand as candidates for the elections.

As regards his second point about Hindi, I agree with him that everybody who becomes the member of this House must have knowledge of Hindi. Hindi is now our national language and the interpretation, that this knowledge of Hindi is itself a restriction, is not acceptable to me. This does not mean that this knowledge of Hindi places any restriction on speaking in any other language except Hindi. One may speak in any languages he likes, but it will be in the own interest of the member that he must have a thorough knowledge of that particular language which is understandable to a majority of the members of this House so that he may be able to follow the discussions going on in the House and be at least able to understand the proceedings of the House. Therefore it would have been better had he only placed the restriction of Hindi alone. Much time is not needed to learn this language. Every Indian can learn it within five or ten days. This makes no difference if one learns it before becoming a Member or after that. Therefore in my opinion this restriction also, that has been sought to place, is not proper. It is just possible that it may be wrong. But a majority of the people of this country would agree with me on this point that there is a definite idea underlying this amendment, and it is that only a particular section of the population may be able to take part in the administration. All those qualifications that have been given in this amendment are found only in a particular section of the community and thus all other sections are deprived of taking part in the administration. Therefore I think that the Constitution we have framed, will be of no purpose if the underlying spirit of the amendment is accepted and therefore I submit that this amendment of Sardar Hukam Singh should be thrown out.

کیاٹی جی - ایس - مسافر : سردار

حکم سنگھ کا جو امینڈمنٹ (amend-

ment) ہے اس کا جو آخری حصہ زبان

کے متعلق ہے میں اس سے بہت ہوں۔

[گھانی جی - ایس - مسافر]

اس کے متعلق میرا اپنا بھی اہمیت منبت ہے مگر میں پوچھ نہیں کر رہا۔ چودھری زنبھرسنگھ نے جو کہا میں بھی سمجھتا ہوں نہ یہ تھیک نہیں ہے کہ کسی طرح کی کوئی پابندی یا چیک (check) نہیں ہونا چاہئے۔ یہ تھیک ہے کہ اس وقت چناؤ میں ہم ہر ایک بالغ کو ووٹ (vote) دینے کا حق دے رہے ہیں اور اگر اس پر ہم اس وقت کوئی چوک لگاتے ہیں تو جیسا کہ چودھری زنبھرسنگھ نے کہا میں اس سے سہمت نہیں ہوں کہ اس طرح سے ہم پر اس ایسا الزام آئے گا کہ ہماری سوکار نے ودھان میں یہ جو بالغ متادھیکار کی بات رکھی ہے اس سے وہ کوئی بچھتا رہی ہے۔ ہمارا تجربہ تھا ہے اور کئی جگہوں پر کئی صوبوں میں اپر ہاؤس (Upper House) صرف اس غرض سے رکھا گیا ہے کہ بالغ متادھیکار کا یہ تجربہ ہمارے سامنے آنے والا ہے۔ اس لئے اس پر کوئی نہ کوئی چیک ضرور ہونا چاہئے تاکہ ہمارا کام اچھی طرح سے چل سکے۔ اس لئے میں سمجھتا ہوں کم از کم ہاؤس آف دی پپل یا کونسل آف House of the People or (the Council of States) کے ممبر بلنے والے سب کو ہندی کا کم از کم اتنا گھان ضرور ہونا چاہئے تاکہ ہماری جو رائٹر بھاشا ہے اس کو وہ

لکھ سکتا ہو اور پڑھ سکتا ہو اور بول سکتا ہو۔ انگریزی کے متعلق اتنا گھان نہ بھی ہو تو کوئی بات نہیں۔ میں تو سمجھتا ہوں کہ زیادہ مناسب یہ ہے کہ وہ انگریزی بھی جانتے ہوں اور ہندی بھی جانتے ہوں۔ ہر انگریزی پر زیادہ میں زور نہیں دیتا لیکن ہندی کے لئے میں ضرور کہونگا کہ اس میں کچھ ایسا پراویژن (provision) ضرور رکھنا چاہئے۔ بہر حال میں کچھ زیادہ اس وقت نہیں کہنا چاہتا مگر میں یہ ضرور چاہتا ہوں کہ اس کے متعلق آنریبل منسٹر (hon Minister) کچھ نہ کچھ روشنی ضرور ڈالیں اور ضرور اس طرف دھیان دینے۔

(English translation of the above speech)

Giani G. S. Musafir (Punjab): I agree with the latter part of Sardar Hukam Singh's amendment which relates to the question of language. There is an amendment of my own with respect to this very thing which I am not going to move. I think that it is not right when Ch. Ranbir Singh says that there should be no checks or restrictions whatsoever. It is true that we are introducing a new system of elections under adult franchise in the country at this time, and if we impose any checks on it, I do not subscribe to the views of Ch. Ranbir Singh that it would be alleged that the Government is now repenting for taking the decision of holding the elections under adult suffrage as is laid down in our Constitution. It is altogether new experiment for us, and in certain provinces Upper Houses have been retained only with this purpose in view that there should be some check in one form or the other on the new experiment of elections that we are going to hold under adult franchise. Therefore there must be a check so that our work may go on smoothly. Therefore I think that the person, who is going to become a Member of the House of the People or of the Council

of States, should have at least as much knowledge of Hindi as may enable him to read and write and speak this national language of ours. It does not matter if he does not possess the same knowledge about English as well. In fact I feel that it would be better if they were to know both the languages English as well as Hindi, but I do not lay more stress on English. But as regards Hindi I would certainly suggest that some provision of this nature should be laid down there. I do not however want to speak much at this time but I certainly hope that the hon. Minister would surely throw some light on it and would pay due attention to this suggestion.

पंडित मुनीश्वर बस उपाध्याय :

उपाध्यक्ष जी, मैं वैसे संभव है, इस पर नहीं बोलता, लेकिन माननीय सदस्य श्री हुसैन इमाम ने अभी जो बातें कहीं, उन की वजह से आवश्यक हो गया कि मैं भी कुछ निवेदन अवश्य करूं। उन्होंने फरमाया कि इस संशोधन में, इस के एक अंग नम्बर ६ में है कि जो पार्टी इन पावर (Party in Power) में है, जो अधिकारी वर्ग है, उन का भी मतलब हल हो जाता है, इस वास्ते इस तरमीम को मंजूर कर लेना चाहिये। यह कहना उन का मैं समझता हूं मुनासिब नहीं था, क्योंकि जितनी तरमीम या जो कानून बन रहा है, जो संशोधन आ रहे हैं, जो विधेयक अभी इस हाउस (House) के सामने आ रहा है, वह कोई उस वर्ग विशेष अधिकारी वर्ग के पक्ष के लिये नहीं आ रहा है, उन के समर्थन के लिये नहीं आ रहा है, जो कि इस वक्त अधिकारी वर्ग कहलाता है, या पार्टी इन पावर (Party in Power) उस को कहा जा सकता है। आप देखेंगे कि सब को समान अवसर दिया जा रहा है कि वह चुनाव में आजादी से हिस्सा ले सकें। हमारा जो उद्देश्य इस विधेयक को लाने में और इस कानून को बनाने में है, वह दरअसल किसी पार्टी के पक्ष में नहीं, बल्कि विपक्ष में ही हो सकता है। जो

पार्टी इन पावर होती है, वह अयोग्यताओं पर जोर दे कर बहुत से लोगों को चुनाव में भाग लेने में रुकावट डालने का प्रयास करती है। यहां जो अधिकारी वर्ग है, वह कांग्रेस पार्टी है और इस में कोई सन्देह नहीं कि जिन लोगों का इस में नम्बर ६ में जिक्र किया गया है, उन में से बहुत से कांग्रेस सरकार से सम्बन्धित हैं, क्योंकि कांग्रेस में भी वालंटियर आर्गनाइजेशन्स (Volunteer organisations) पर, सोशल सर्विस (Social Service) पर और नेशनल सर्विस (National Service) पर विशेष रूप से ध्यान दिया जाता है। लेकिन उन का यह कहना नामुनासिब होगा कि चूंकि इस में ऐसे लोगों के लिये प्रावीजन (Provision) किया जा रहा है, इस लिये कांग्रेस पार्टी को उसे मंजूर कर लेना चाहिये। हमारे कांग्रेस के जो अधिकारी हैं, वह भी कभी यह पसन्द नहीं करेंगे कि चूंकि इस में एक ऐसी बात हो रही है, जो हमारे हक में हो सकती है, इस वास्ते यह तरमीम मंजूर की जाय। इस बिल का जो उद्देश्य रहा है, वह तो यह रहा है कि सब को स्वतंत्र रूप से और निष्पक्ष रूप से चुनाव में भाग लेने का मौका दिया जाय। ऐसी दशा में मैं भी इस तरमीम का विरोध करता हूं और मैं जानता हूं कि माननीय मंत्री जी, जो कि इस बिल का संचालन कर रहे हैं, वह भी इस का विरोध करेंगे और और भी हमारे कांग्रेस के साथी इस का विरोध कर रहे हैं। इस में जो योग्यताओं की गई हैं, उन पर अगर विचार किया जाय, तो भालूम होगा कि उन के अनुसार तो हमारे देश में सी में नहीं, हज़ार में नहीं, शायद एक क्लास में एक आवसी ऐसा निकलेगा, जो कि संसद् में आ सके या हमारी प्रादेशिक असेम्बली या काउंसिल (Assembly or Council) में आ सके

[पंडित मुनीश्वर दत्त उपाध्याय]

तो ऐसी हालत में जब कि हमारी सरकार का यह उद्देश्य है, इस भवन का यह उद्देश्य है और इस बिल का यह उद्देश्य है कि जहां तक सम्भव हो सके, ज्यादा से ज्यादा आदमी चुनाव में हिस्सा ले सकें, निश्चय उन के जो कि सजा पा चुके हों और जिन का यहाँ आना देश के हित में और समाज के हित में मुनासिब नहीं होगा, अगर हम अपने देश में लाख में एक या दो आदमी को इस योग्य समझें कि वह चुनाव में हिस्सा ले सकता है, यह गैर मुनासिब होगा। इस लिये यह जो तरमीम सरकार हुसैन सिंह की तरफ से पेश की गई है, मैं समझता हूँ, अनुचित है और इस वास्ते मैं इस का विरोध करता हूँ। मैं निवेदन करूँगा कि इस तरह के रिवार्कस (Remarks) हर मौके पर मुनासिब नहीं भालूम होते। इन शब्दों के साथ मैं इस तरमीम का विरोध करता हूँ।

(English translation of the above speech)

Pandit Munishwar Datt Upadhyay (Uttar Pradesh): Sir, It was possible that I would not have taken part in the discussion, but the remarks made by Shri Hussain Imam rather made it quite necessary for me to submit something. He has stated that Part 6 of this amendment also meets the viewpoint of the party in power, and as such it should be accepted. I think that his remarks were not proper, as the law which is being enacted and the amendment and the Bill which have been introduced in this House, have not been introduced with a view to serve the interests of the present Government and the party in power and to support them. You will find that there is a provision in this Bill giving equal opportunity to all to take part in the elections freely.

Our aim in presenting this Bill and enacting this law, is not to serve the interests of any party, rather it may be against their interests. The party, which is in power, tries to obstruct the people from taking part in the elections by imposing certain disqualifications. The present Government is from among the Congress party, and

there is no doubt that many of the people who have been described in Part 6 of the clause, are connected with the Congress Government, because even in the Congress party, special emphasis is given to the Volunteer Organisations, social service and national service. But it would be improper if they say that the Congress party should accept this Bill because a provision is being made therein for such people. Even the office bearers of the Congress party would never like that this amendment should be accepted simply because of the fact that there is some certain provision in it which might be in their own interest. The object of this Bill is that every one should be given chance to take part in the elections freely and impartially. Even then, also I oppose this amendment and I am sure that even the hon. Minister, who is piloting this Bill, will also oppose this, as also many other Congressmen are opposing it. If we consider the qualifications which have been laid down in this amendment, it will be seen that according to them, not only in hundred or thousand but perhaps one man out of a lac, would possess the requisite qualification to become a member of this Parliament or of State Assemblies and Councils. So, under these conditions, inspite of the intentions of our Government and this House as well as of this Bill that so far as possible the greatest number of people may take part in the elections excepting those only who have been convicted or whose becoming the members of this House would be detrimental to the interests of our society and country. It would be quite improper if we consider only one or two persons of our country so qualified as to contest the elections. I, therefore, consider that the amendment moved by Sardar Hukam Singh is not proper, and as such I oppose it. I would submit that the remarks of this nature do not sound good on every occasion. With these words Sir, I oppose this amendment.

Shri Rathnaswamy (Madras): I just want to make a few remarks on this amendment.

Mr. Deputy-Speaker: Is it necessary to discuss it at very great length? This matter was discussed at very great length on a prior occasion on a motion moved by Prof. Shah.

Shri Sidhva: Then you put it to vote. Actually the Constituent Assembly also rejected the very same proposition.

Mr. Deputy-Speaker: Therefore, immediately after Mr., Rathnaswamy

concludes I will call upon the hon. Minister.

Prof. K. K. Bhattacharya (Uttar Pradesh): I too would like to make a few observations.

Shri Rathnaswamy: I sympathised with the motion of Prof. Shah on the last occasion when he wanted that persons who stand for election to the House of the People or a State Legislature should have held some sort of position in some social organisation in the country. There is not much to say on this amendment; however, I should like to observe that it is indeed very essential that the person who wants to represent the people in a legislature, in the country should have had to his credit some sort of social service rendered through some social organisation. You know, Sir, that there is so much of talking in this country, and personally I feel that more work and less talk should be the motto of every public man in this country. But the state of affairs which we find today in this respect is something very tragic. We find how in meetings men get up on the platform and harangue the gathering for hours and hours together. This is quite a common feature in South India. Therefore, the time has come when we should realise that we should devote more attention and energy to some social or constructive work, to some work which will be productive in nature.

There is another thing to which I should like to draw your attention, and that is to some sort of literacy on which Prof. Shah seems to lay so much of emphasis. Some time back a Resolution was moved by him and I had the privilege of participating in the discussion on it. I then emphasised that literacy should not be insisted upon in the case of a candidate who wants to contest the election. I gave also a good number of illustrations by which I endeavoured my best to enlighten the House on a number of cases where we find that men with very little education, with very little schooling to their credit were able to make a tremendous mark in the making of world history. I need not labour this point any further; suffice it say that some men who had played an effective part in shaping the destinies of the world, e.g., men like Stalin, had, absolutely—as far as I can gather—no schooling to their credit, or even if they had, they had not an appreciable schooling to their credit. Therefore, my only anxiety is that nothing should be done to deter or discourage such of those who may not have the privilege of having gone to any school. Nothing should be done

to harm the chances of such candidates.

11 A.M.

After all, Sir, what is the percentage of literacy in our country? I believe it is hardly ten per cent. As such how can you expect candidates who would like to represent the backward classes and the Scheduled Castes whose educational backwardness is very well known, to possess these qualifications? Therefore, I do not share the feelings and the opinions of the authors of this amendment and feel that it would not be proper or wise on our part to insist upon the educational qualifications for candidates who want to represent the interests of the Scheduled Castes and backward classes in the legislatures. It would be enough if a person who wants to represent the interests of the people at large in the legislatures to have some sort of experience of public life. If he can understand the feelings of the people; if he can gauge the aspirations of the masses; if he can have some sort of capacity and experience of public life and play an effective role in the shaping of the destinies of the people, I think that is enough.

Another point I would like to refer to is this. There is an amendment here that a person should have some knowledge of Hindi. You know, Sir, that in the South there is already a movement which is very much against Hindi. We should of course sympathise with the genuine apprehension and fears expressed by a large section of the people in the South when we insist upon having a common language and a *lingua franca* for the whole country. There is a genuine fear that the North is trying to dominate over the South by imposing its culture and its way of life upon the South. Although I do not sympathise with that group, we have to be very careful and guarded in winning over the people of the South and have to proceed in a cautious way. Therefore, I should like to submit that it would not be proper for us to insist upon having some knowledge of Hindi. As for English it is a well known fact that only a microscopic minority of the population can talk in English. Therefore it is not advisable for us to insist upon a knowledge of English for candidates who want to contest the elections.

Prof. K. K. Bhattacharya: On account of unavoidable reasons I could not participate in the general discussion on this Bill. But today I am surprised at the amendment tabled by Prof. Shah and Sardar Hukam Singh. Well, I cannot understand for the life of me, why those whose hearts bleed for the common man should stand for the

[Prof. K. K. Bhattacharya]

exclusion of the common men and their representatives. Are we to understand that the common man cannot choose the right sort of representatives to represent his interests in the Legislatures? Am I to understand that by restricting his choice you are enabling the common man to choose the right representatives? The fact of the matter is that the sponsors of this amendment want to whittle down the interests and the rights of the common man. I have not the slightest doubt that the common man would not like to be treated like dumb driven cattle to be forced to choose such men who have no record of service. Therefore, leave the choice to the common man; it is for him to decide who shall represent his interests truly in Parliament or the Legislatures.

If you are going to introduce these educational and other qualifications, the net result would be that it would be very difficult to find such men, and the best men otherwise would be excluded. On the other hand, if you leave the entire choice to the electors, the result would be that the right sort of men will come forward. It is well known that there might be many village Hampdens. There might be many men unknown to us, who may represent the interest of the public more truly than really educated men. What is meant by real education? Is it to be judged by degrees like B.A. and M.A.? When Prof. Shah moved the motion I was an earnest advocate of it; but since then I have come to realise the fact that no restrictions should be imposed on the electors in choosing the right type of men. Therefore, I oppose this amendment.

Shri Manavalli (Bombay): I rise to oppose the amendment moved by Sardar Hukam Singh. I am really amazed to find that Prof. Shah and my hon. friend Sardar Hukam Singh have given notice of such an amendment. They have all along been fighting for the rights of the common man, and now by this amendment they want to curtail the rights of the voters. It seems that the movers of this amendment have got some apprehension that the voters will not elect proper representatives. It is belittling the intelligence of the electors. So far as our experience goes, we have found that they have been returning able persons, both to the Central Legislatures as well as to the local legislatures.

Dr. Deshmukh: Excepting a few.

Shri Manavalli: Of course, such sort of exceptions there are always. If we go through the amendment we find

that persons who were Members of the Central Legislature or Local Legislatures should be qualified to be candidates. It means that those persons who were fortunate to be in the legislatures should be favoured to be the candidates. What will the people think if we pass such an amendment? It will be considered that the Members who are now sitting should be candidates hereafter also. Similarly, as regards the qualifications of persons who happen to be members of a municipality or a local board; it cannot be said that all the members of a municipal committee or local board are literate persons, because some of them may be illiterate. So, even on that ground we cannot say that the provisions of this amendment would really improve the position. On these grounds I want to oppose this amendment.

As was justly pointed out by my hon. friend Dr. Deshmukh, if we accept this amendment we will be shutting out a large number of voters to stand as candidates. It was not the intention of the Constituent Assembly when it passed this article. We wanted that every voter should be eligible to be a candidate. So the clause as it stands is quite proper and every voter should be eligible to be a candidate. I oppose this amendment and support the clause.

Shri Nazruddin Ahmad: I am somewhat surprised to find that this innocent amendment has led to so much misunderstanding in the House. It has been seriously argued that this will have the effect of disfranchising a large number of voters and that it will go against adult franchise. I submit, however, that it does nothing of the sort whatsoever. There is a distinction between this and the law governing the qualifications of voters. This has nothing to do with the qualifications of voters. We are laying down certain qualifications for the candidates. So it is quite clear that the voters who are entitled to be voters under the Constitution still remain so and they are free to vote for any of the candidates they like. The condition of adult franchise is laid down in the Constitution. In article 326 it is laid down that voting rights may be curtailed on the ground of non-residence, on the ground of unsoundness of mind, on the ground of having committed crime or corrupt or illegal practice, and Parliament may legislate to disqualify such persons from voting rights. Acting on this authority Parliament has already laid down disqualifying conditions in section 16 of the Representation of the People Act, 1950. That has-repeated

practically the condition which was laid down in the Constitution, namely that the voter should be a citizen of India, that he must not be a man of unsound mind—though it will be very difficult to find who are of unsound mind—there are many in ordinary society who masquerade as men of sound mind. Then there is the other condition that if he commits certain electoral or other offences he may be disqualified. Therefore, so far as the voters are concerned, this amendment will not touch them at all. What is attempted to be done is to lay down certain minimum conditions on which a candidate would be allowed to stand. I might draw the attention of the House to two articles of the Constitution. One is article 102 which lays down additional disqualifications. Under article 102(1) "A person shall be disqualified for being chosen as, and for being, a member of Parliament—if he is so disqualified by or under any law made by Parliament". And there is a corresponding provision in article 191 which deals with disqualifications of candidates for the State Legislatures. I submit that these articles along with the two other articles mentioned by me authorise and recommend to Parliament that they should lay down conditions, and also lay down disqualifying conditions. I submit that this amendment may be looked at from both points of view. The provisions here lay down qualifications of a candidate. Judged from another point of view they lay down also disqualifications, namely that if a candidate has none of these qualifications he would be disqualified. So this amendment accepts the interpretation put forth by the Constitution itself and attempts to fulfil a duty which the Members of the House were invited to do.

Therefore the only question now is a question of merits. It has been given out somewhat inconsistently that this article debar many people who are illiterate. It may be that a man is a fully qualified man though he is illiterate. This amendment does not shut him out merely because he is illiterate. It is one of the conditions that literacy of a certain degree in certain languages would be a qualification. But if he has not the needed qualification in this respect it does not reject him. There are many conditions, many other doors through which he may come. One such is social service. There are other conditions like a certain minimum experience in public life. But I submit that a man who does not possess a literary qualification or a qualification of experience in public life,

particularly the qualification of social service, or does not satisfy any of the many other tests laid down would not be a fit person to represent people in the Parliament. Mr. K. K. Bhattacharya with his unusual eloquence, (*An Hon. Member*: Usual or unusual?) perhaps strengthened by a little absence from the House has overshot the mark. He said that if we disqualify the people who have none of these qualifications.....

Prof. K. K. Bhattacharya: I never said so. He is misrepresenting me.

Shri Naziruddin Ahmad: He said that if a man who has none of these qualifications is not allowed to come, and that probably we would be debarring people who would have done good work. But I think so long as Prof. Bhattacharya is here the cause of the down-trodden, uneducated and unfit persons is well represented.

Prof. K. K. Bhattacharya: I never said all these things. He is putting into my mouth things which I never stated. All that I meant to say was that there is no necessity whatsoever of restricting the choice of the elector. Perhaps he knows that there are many Hampdens and mute Miltons in this country and if they come here to represent the interests of the illiterate people they would better serve the interests of those people than perhaps my hon. friend from the Burdwan Bar in West Bengal.

Shri Naziruddin Ahmad: I believe that the Constitution has laid down that Parliament may lay down the qualifications as well as the disqualifications. I suppose the Constitution likes that these articles should be taken advantage of. If Mr. Bhattacharya's argument is going to be carried to its logical conclusion it will set at nought two, or rather four, articles of the Constitution relating to the Central and State Legislatures. I therefore submit that Mr. Bhattacharya has displayed more enthusiasm than wisdom in this respect.

Dr. Ambedkar: When the Resolution was moved by Prof. K. T. Shah some time ago in this House I pointed out to him that his Resolution was very vague, that he had not set out any category of people whom he regarded as specially qualified for standing as candidates to Parliament or to the State Legislatures. We have now from Prof. K. T. Shah distinct categories of people whom he regards as

[Dr. Ambedkar]

suitable candidates for election to Parliament. That is undoubtedly an improvement, because we have got now concrete proposals to consider on their own merits. One thing is quite clear and that is that these are disqualifications for candidature. It means that if the amendment is accepted only a certain category of people who fall in one of the seven categories mentioned here will alone be entitled to stand as a candidate. I hope my friend, Sardar Hukam Singh realizes that although it is not possible to say what will be the total number of people who will become eligible for standing as a candidate if this amendment was accepted, there can be no doubt about it that the number of people who will become eligible for standing as candidates as compared to the vast number of the voters would be very small. In fact the effect of this amendment would be to create a sort of monopoly for certain people, who by adventitious circumstances happen to belong to the categories mentioned in this amendment. I have no doubt in my mind that such a monopoly would be a vicious thing to introduce into the political life of this country. I should also like to state that I am not at all satisfied that merely because a person has intelligence or merely because he has experience, he is the only person necessarily fitted to fill a seat in Parliament. As I stated in the course of the debate, I attach far greater importance to character than to intelligence or experience and the amendment certainly does not ensure that the people who would be elected under the provisions of the Constitution would be of better character. The motive, if I understand correctly, of the Mover of that amendment is to improve the efficiency of Parliament generally. I take it that is so. Now, let us examine each of the categories from that point of view. Take the first, namely, one year membership of a legislative chamber. I am unable to understand what one year's experience of the membership of a legislature to a person who has so education, who is not even literate, can mean in terms of efficiency? Take the second category: elected member of any local self-governing body like the municipality or the district local board. Here again the same question arises. I have not got much experience of a municipal corporation or a council. I happen not to have the experience but I have some knowledge of the district local boards and all that I remember is this, that the members of the district local board are generally most anxious to hold a

meeting on the bazar day so that they can come there, take their travelling allowance, buy their weekly or monthly purchases in the bazar and go back. (Interruption). I do not know; there may be others and I know that case also. (Some Hon. Members: Not now.) That is my experience. Now in the village panchayat I again fail to understand what efficiency can there be in a member who is a villager, who happens to be a member of a village panchayat. What are their functions? What resources have they? What technical knowledge of administration do they possess? Take a public servant who has been in service for five years. I cannot deny that a public servant who has been in the service for five years undoubtedly must have certain experience, certain knowledge of all administrative processes. (Interruption). A public servant, I take it is of a high character. I do not know if it means a chowkidar also. With regard to this category, I am afraid the same observations must apply but if my hon. friend means by 'public servant' an I.C.S. officer or a higher Civil servant, I think there is a possibility of this danger arising: Most public servants are in possession of certain official secrets which they come to know during the course of their administration. I am not at all prepared to disbelieve the possibility that it may be open for a Civil servant after he retires and becomes a member of the legislature to use the secret knowledge which he may possess. Take the next case: a teacher of any school, college or university for one year, Take a primary school in the village. What is his knowledge? What is his information?

Sardar Hukam Singh: Are these persons debarred from standing?

Dr. Ambedkar: That is my main argument. I am coming to that. Therefore, I cannot see much in that. Take the next category: volunteer in a recognized association for social service. Will my hon. friend Sardar Hukam Singh permit for instance, the Mahabir Dal to be a body the membership of which would qualify one to stand? May I mention the R.S.S. and the Akali Dal? Some of them are very dangerous associations. It may be that one Government may recognize them and another Government may not recognize them. All these possibilities are there.

Shrimati Durgabai (Madras): Can they be excluded?

Dr. Ambedkar: I am coming to that. What I was trying to submit to the

House was that none of the categories which have been set out in this amendment are of such a character as to give anybody the impression that the membership of the particular body to which they belong is such as to make them more efficient Members of Parliament. I am sorry I give a very positive answer to that question. Now the other thing that I wish to say is this: Is there anything in the Constitution or in the present Bill which can prevent an elector from electing any one of the people mentioned here? Suppose, for instance, there are two candidates, one who is just a voter and is not disqualified under our disqualifications and as against him there is a candidate who has been a member of a legislative chamber for one year. Is there anything under which we are required to suppose that the electorate will not give preference to the second man and not the first? Take each one of these; they are free to stand and if the electorate thinks that there is something in them more valuable from the point of view of giving greater efficiency to Parliament, I do not quite understand why the electors will not give preference to these people as against a mere voter who is a citizen and no more. It seems to me therefore that on these grounds, this amendment is unnecessary and I oppose it.

Sardar Sochet Singh (P.E.P.S.U.): You have not said anything about the category of those who are able to read and write Hindi.

Dr. Ambedkar: I replied to it last time. I should have thought that that would certainly create complications. This matter was considered at great length when we were framing the Constitution. Why did we make a provision 'after 15 years' and not make Hindi to come into operation as a national language immediately? Because, we realised that there were various parts of the country where Hindi was not the language of the people and therefore some amount of time must be given to the people to study. After having recognised that principle, suddenly now to derogate from it seems to me to be going contrary to the spirit of the Constitution.

Mr. Deputy-Speaker: The question is:

After sub-clause (2) of clause 3, insert the following new sub-clause:

"(2A) No person shall be qualified to offer himself as a candidate for being chosen as a representative of the people in the House of People, or as representative of any Part A or Part B State (other than the State of Jammu and Kashmir)

in the Council of States, or as a representative in either House of the Legislature in any Part A or Part B State, or nominated to the Council of States under article 80 of the Constitution, unless,—

(i) he is or has been at any time for at least one year member of any Legislative Chamber, either Central or in any State in the Union of India; or

(ii) an elected member of any local self-governing body like a Municipal Corporation or Council, or a District Board, or a Village Panchayat for at least year prior to his so offering himself as a candidate; or

(iii) is or has been a member of any statutory University, Research Institution, or administrative body or corporation like a Port Trust; or

(iv) has been a public servant, whether under the Central Government, or under the Government of any State in India, or in statutory body, corporation, or authority for at least five years before the date of so offering himself as a candidate, but has ceased to be such public servant for at least one year prior to the date of so offering himself as a candidate, provided that any one who, having retired from public service, is in receipt of a regular pension or is expecting a gratuity or compassionate allowance from the Government of India or any State Government in the Union, shall not be deemed to be disqualified under article 102 of the Constitution; or

(v) is or has been a teacher in any school, college, University or other Institution of learning or research for at least one year before the date of his so offering himself as a candidate; or

(vi) has been enrolled in, or served as a volunteer in any recognised organisation for social service, public instruction, training or research; or

(vii) is able to read and write Hindi the national language of India, or English, if he offers himself as a candidate to be chosen for a seat in the People's House of Parliament, or, if he offers himself as a candidate for membership of either House of Legislature in any Part A or Part B State, is able to read and write Hindi, the national languages of Part A or Part B any one or more of the regional languages of Part A or Part B State concerned."

The motion was negatived. /

Mr. Deputy-Speaker: There are some amendments in the supplementary list. They are not moved.

Dr. Deshmukh: In sub-clause (1) of this clause, it is said:

"A person shall not be qualified to be chosen as a representative of any Part A or Part B State (other than the State of Jammu and Kashmir) in the Council of States unless he is an elector for a Parliamentary constituency in that State."

These last words that I have just now read, "unless he is an elector for any Parliamentary constituency" are repeated in sub-clauses (2) and (3) of this clause, and in subsequent clauses right up to clause 6. As this matter is coming up before the House for the first time, I wish to say a few words about it.

The word 'elector' which has been used in this clause has been defined in clause 2 (1) (e) of this Bill and the definition is as follows:

"'elector' in relation to a constituency means a person whose name is for the time being entered in the electoral roll of that constituency."

I do think that we had advanced a great deal from this position and that it was acceptable to the House to allow a person who has the qualifications to be an elector to be a candidate. Reference may be made to articles 325 and 326 of the Constitution where this matter is referred to. Article 325 reads as follows:

"There shall be one general electoral roll for every territorial constituency for election to either House of Parliament or to the House or either House of the Legislature of a State and no person shall be ineligible for inclusion in any such roll or claim to be included in any special electoral roll for any such constituency on grounds only of religion, race, caste, sex or any of them."

Article 326 is as follows:

"326. The elections to the House of the People and to the Legislative Assembly of every State shall be on the basis of adult suffrage; that is to say, every person who is a citizen of India and who is not less than twenty-one years of age on such date as may be fixed in that behalf by or under any law made by the appropriate Legislature and is not otherwise disqualified under

this Constitution or any law made by the appropriate Legislature on the ground of non-residence, unsoundness of mind, crime or corrupt or illegal practice, shall be entitled to be registered as a voter at any such election."

Shrimati Durgabai: Is it in order, Sir, for an hon. Member in the front Bench to sleep like this?

Shri R. K. Chaudhuri (Assam): I am very thankful to the hon. Member for drawing attention to this.

Mr. Deputy-Speaker: Hon. Members are complaining about too much attention and wakefulness!

Is it necessary to read the articles themselves?

Dr. Deshmukh: It is very relevant. My point is that it should not be necessary for a name to be on the electoral roll; it should be quite sufficient for a candidate to go before the Returning officer and say that he possesses the qualifications. I read out Articles 325 and 326 only to show that those articles do not come in our way. My fear is this. In the case of many important people, they may not have taken the trouble of seeing whether their names find a place in the electoral roll or not. There may be many important persons who do not worry to go and get their names recorded. I think it should be permissible for such persons provided other provisions are satisfied i.e., if he is above a certain age, if he does not suffer from any of the disqualifications, irrespective of the fact whether his name is in the rolls or not.

Mr. Deputy-Speaker: Why should there be any electoral rolls at all?

Dr. Deshmukh: They are necessary. This man would be in a position to become a candidate. He will not however have a vote. The right to vote will be confined to those people whose names are there in the electoral roll. But, a person should not be prohibited from offering himself as a candidate simply because his name is not there, although he is qualified in every possible way and is not disqualified in any way.

Mr. Deputy-Speaker: Who is to decide all this? Is it the polling officer who has to decide?

Dr. Deshmukh: The Returning officer will decide. If he does not suffer from any of the disqualifications, it should be possible for him to enter the field. That is my suggestion. It is certainly widening of the scope of what we have got so far; but it is widening in a way

which is, in my opinion, highly desirable. Politics has some times been described as the last resort of a scoundrel and all that. I do not go so far as that. But, there are certain people whose presence in any legislature or Parliament would be desirable, but who are so detached or who do not want to bother themselves by going to the officer and getting their names entered in the electoral rolls. I do not think there will be many cases like this. Even then.....

Mr. Deputy-Speaker: Is there any difficulty in getting his name entered even on the last day?

Dr. Deshmukh: I think so. I do not know if any change has taken place. If it is your experience.....

Mr. Deputy-Speaker: He can pay a small fee and get his name entered at any time.

Shri Hussain Imam: Is that rule available now?

Shrimati Durgabai: May I know, Sir, whether there is any provision like that? Today's papers have brought the news that many women voters in Rajasthan, about three lakhs, have been disfranchised, or have not been franchised at all. I want to know whether there is anything to cure this defect and if not, what steps the hon. Minister is taking to see that it is remedied.

Dr. Deshmukh: That only justifies my argument and supports it very strongly. In the electoral rolls you find some shop numbers without any names of persons being there, as Shrimati Uma Nehru pointed out the other day.

Shrimati Durgabai: Today, positive news has appeared in the Press.

Dr. Deshmukh: There are many such cases where I have seen the names of important persons deliberately omitted simply because they happened to be in Delhi or somewhere else. They make this an excuse although they have property and houses there. There is political mischief behind some of these omissions. My hon. friend from Vindhya Pradesh also bears this out. Perhaps Vindhya Pradesh is famous for all these things. My intention is not to put anybody to any inconvenience. Especially, as we advance in our Parliamentary life and democracy, there are likely to be deliberate omissions of the best people that should present a particular constituency. I do not think it will cause any inconvenience if instead of the word

"elector" we say "any persons possessing the qualifications of an elector and not possessing any disqualifications." The way in which the electoral rolls have been prepared makes this very necessary. Suppose there is a mistake in the age. I give my age as 51; the printer merely changes the digits and makes it 15. If I go before the Returning officer, he will say, your age is mentioned as 15 whereas you say you are 51. Therefore, you are not the person mentioned here. All these things are likely to arise. There may be a mistake in the father's name: Suppose it is Purushottam and it is printed as Parushottam or something like that. I submit that any person who possesses the qualifications and who has no disqualifications should be entitled to stand irrespective of the fact whether his name is in the electoral roll or not. Of course every voter is expected to get his name corrected in the electoral roll. But, everybody does not take that trouble. In some cases, he might not have been able to correct it absolutely. There is likely to be a good deal of difficulty of this nature. If my suggestion is accepted, there would be no difficulty and no complications. Anybody who does not suffer from any of these disqualifications can, if he has the minimum qualifications, stand as a candidate and his candidature will be accepted by the returning officer.

Shri Sidhva: This suggestion of Dr. Deshmukh is quite a novel one and I must say that it is most unworkable and not at all feasible. Every candidate is expected to see that his name is in the list of voters and also that the voters are also enrolled properly. Otherwise.....

Shrimati Durgabai: What about the women in Rajasthan?

Shri Sidhva: It is your duty to have seen that they were properly enrolled.

Shrimati Durgabai: There were no women enumerators in sufficient numbers to do the job.

Shri Sidhva: But what about the.....

Shri R. K. Chaudhuri: The other day I was called to order because I was discussing women. But now at every step this matter is brought in, though in the amendment, as you will see if you refer to it, there is no mention of women. Every opportunity is being taken by Shrimati Durgabai to bring in the question of women.

Shrimati Durgabai: But in this case many women's names have not been entered in the rolls.

Shri Sidhva: But so also many men's names too have not been entered in different parts.

Shrimati Durgabai: But, surely, that is no argument.

Shri Sidhva: It is an argument. Every public man should see to it that his name is properly entered and also to see if his neighbour's name is there. I have done it whenever I ran an election. I saw to it that all the names were properly entered.

Dr. Deshmukh: Because you are so keen.

Shri Sidhva: And everyone has to be keen. Shrimati Durgabai should see to it. She should give guidance to these illiterate women and not merely raise a complaint here.

Shrimati Durgabai: That is exactly the reason why I have brought this matter to the notice of this House.

Shri Sidhva: But what have you done? Voters' lists are prepared and objections are received. What has Shrimati Durgabai done in this matter?

Shrimati Durgabai: I have done this all over India and now I have brought this matter to the House.

Shri Sidhva: If she has done that, the credit goes to her. I do not deny that, if she has done this work of guiding the women voters properly.

Shrimati Renuka Ray (West Bengal): Why not you also do something?

Shri Sidhva: I am also trying. To me men and women are equally valuable. I am seeking to get the support of women voters also.

Shrimati Renuka Ray: No, you did not hear me properly. I asked you, why not take interest in this and see that the women voters are properly enrolled?

Shri Sidhva: Yes, I do take interest in this. I have enrolled many women voters in Bombay.

Shrimati Durgabai: What about Rajasthan?

Shri Sidhva: But this suggestion of Dr. Deshmukh, that even if a man's name is omitted from the electoral rolls, he can hand in his nomination and get it accepted, that I am afraid will lead to all kinds of complications. There should surely be some kind of a machinery to see to the proper conduct of these elections and Government have provided this machinery. If the voters are indifferent and if the

candidates are also indifferent, it is nobody's fault, but their own.

Shrimati Durgabai: If you will permit me to explain. It is not as if the women did not go and enlist themselves as voters. They did so. But these women have been disfranchised because their names had been put down as Mrs. so and so, Miss so and so. I want the hon. Law Minister to cure that kind of thing.

Shri Bharati: How can that be cured if the women themselves would not give their names?

Mr. Deputy-Speaker: The hon. Minister can have an opportunity if he wants to say anything more.

Shrimati Durgabai: No, Sir. This point was raised and so I made these remarks.

Shri Sidhva: We all know of mistakes in spelling and that sort of thing for which nomination papers had been rejected. But now the Law Minister has been good enough to see that such things are rectified. We have gone to that extent. But to abruptly say that any man whose name is not in the list can give his nomination paper is to ask for something that does not exist in any part of the world. As regards omission of names, we cannot help it. Everyone has to be quite vigilant. I know people are apt to be indifferent and think of the matter only at the time of the actual voting and then come and say that their names are not in the lists. This right to vote is a valuable right that the Constituent Assembly has given to each voter of the country and there should be no apathy about the elections. If there is any, that has to go. One must do propaganda in advance and not at the time of the elections only. And therefore, the introduction of the new sentence is salutary and I oppose the suggestion made by Dr. Deshmukh.

Shrimati Renuka Ray: With reference to what was said by Dr. Deshmukh, I have to make a few observations. As Shrimati Durgabai has pointed out a large number of women voters have been disqualified in Rajasthan due to the fact that their names had not been put down properly. I may point out here that I am only talking about a matter about which I myself have collected some information. Some time back my hon. friend Shri Sahaya brought to the notice of the House that a large number of women voters in Bihar were not included in the rolls because they had

not given their names properly. They had given only their husbands' or fathers' names and not their own names. I have since found out that these women were not properly asked for their own names. Their names were just put down as Mrs. so and so, without entering their maiden names along with what was entered. If only they had been asked to give their full names—their maiden names and the other names, they would certainly have done so. It is not correct to say that they were not willing to give their maiden names. There were not sufficient enumerators. Why was that? As a result of that so many women have been disenfranchised. While I agree with Mr. Sidhva that it is impracticable to accept the suggestion of Dr. Deshmukh, I must say that this is a matter which has got to be rectified. Of course in a vast country like ours there are bound to be difficulties and it is not a very easy thing to get the electoral rolls settled. Nevertheless, this matter which has come to the notice of the House must be rectified and I do hope that in the case of Bihar and Rajasthan where women have not been entered by their proper names, these women voters will not be allowed to be left out of the list of voters.

Shri R. K. Chaudhuri: I was rather surprised to learn from my hon. friend Shrimati Durgabai that as many as 3 lakh females were disfranchised. The only explanation I can give is that God must be alive and doing his function in that part of the territory. God helps those who help themselves and they, in not seeking to be enrolled as a voter have only served the purpose of God because God never desired that man and woman should be placed on equal footing.

At the same time I might point out that there was a lot of anomaly so far as recording of voters' names are concerned. For instance my friends Shrimati Durgabai and Shrimati Renuka Ray will be gratified to know that my name was not in the electoral roll altogether and when this matter was brought to my notice, I had to apply to the local officer to get my name included. Not only mine but a lot of other people's names were not there. In one quarter absolutely no names were entered. Unless I had moved in the matter, my name would have been altogether omitted. In that case there would have been a compensation. If my name and some male members' names were not entered in one place and some

ladies' names are not entered in another place, that is a compensation after all. I would have whole-heartedly accepted this amendment if.....

Mr. Deputy-Speaker: There is no amendment here.

Shri R. K. Chaudhuri: My hon. friend Shrimati Durgabai would not allow me to sleep even. She rose and drew my attention and I had to wake up in order to make my existence felt.

Mr. Deputy-Speaker: The question is whether it will not be more appropriate to refer this matter in the definition of an elector. Elector is a person who is not only in the electoral roll but also who presents himself. The suggestion of Dr. Deshmukh does not seem to be appropriate here. When we come to the definition, we can take it. The House accepts the suggestions. We will proceed further. The question is:

“That clause 3 stand part of the Bill”.

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4.—(House of the People membership).

Shri B. K. Das (West Bengal): I beg to move:

In clause 4, after the words “Jammu and Kashmir” insert the words “or to the Andaman and Nicobar islands”.

Mr. Deputy-Speaker: Amendment moved:

In clause 4, after the words “Jammu and Kashmir” insert the words “or to the Andaman and Nicobar islands”.

Dr. Ambedkar: I accept the amendment.

12 Noon.

Sardar Hukam Singh: I would request the hon. Law Minister to consider whether it would not be better to have this amendment in the definition of “election”. Sub-clause (d) of clause 2 says:

“‘election’ means an election to fill a seat or seats in either House of Parliament or in the House or either House of the Legislature of a State other than the State of Jammu and Kashmir.....”

So far as Jammu and Kashmir are concerned they are there and the

[Sardar Hukam Singh]

Islands of Andaman and Nicobar may also be put in there, so that there will be no necessity of repeating it anywhere else.

Shri B. K. Das: This is a special case about the Andamans and Nicobars, because one seat has been allotted for the Andamans and Nicobars, which has to be filled by the President by nomination; but as provided in sub-clause (d) here.....

Mr. Deputy-Speaker: The hon. Member wants to restrict this to persons who are electors in the Andamans and Nicobars.

Shri B. K. Das: There is no electoral roll there and therefore an exception has to be made in the case of the Andamans and Nicobars.

Shri Sidhva: This will put a bar on the Andamans and Nicobars for ever. Some day we will have an electoral roll for the Andamans and Nicobars and at that time we will have to come again to the House to change the Act. Kashmir is a different matter. By this amendment the Andaman and Nicobar Islands will be debarred permanently, whereas some years hence it might be found necessary to have an electoral roll.

Shri B. K. Das: The President cannot now nominate a person of the Andaman and Nicobar Islands.

Shri Sidhva: There will be no election and nothing will happen there. By the amendment you are debarring them for ever.

Mr. Deputy-Speaker: Is the matter of nomination of an individual to the Parliament from the Andaman and Nicobar Islands, if you do not accept the amendment it will mean that one person who is an elector for a Parliamentary constituency in the Islands will have to be chosen. But today there is no electoral rolls there. Mr. Sidhva wants to provide for the future but today it is impossible to nominate a person if this provision stands as it is, because there is no electoral rolls for the Andamans and Nicobars. Therefore the President cannot nominate anybody. If however any suggestion is made to cover both the present as well as the future that is a matter to be considered.

Shri Sidhva: Has he to be nominated from the voters' list?

Mr. Deputy-Speaker: Yes, as it stands. In the case of any other

seat the candidate has to be an elector for a Parliamentary constituency. Except in the case of Jammu and Kashmir the clause would apply to the Andamans and Nicobars. One person has to be nominated to represent the Andamans and Nicobars. That person who is nominated shall have to be an elector in that constituency and since no electoral rolls have been prepared for the Andamans and Nicobars this provision will become infructuous.

Shri Bharati: I understand that the Election Commission has ordered some kind of electoral rolls to be prepared.

Shri Hussain Imam: The difficulty does not arise because the man has to be an elector in any State, not necessarily in the State in which he is standing. Therefore the choice of the President is open and he can nominate a person who is an elector in any constituency in India.

Mr. Deputy-Speaker: That would exclude the residents of the Andamans and Nicobars. They cannot be registered as electors in any other place because of the residential qualification.

The Minister of State for Transport and Railways (Shri Santhanam): Does "chosen" include nomination also?

Mr. Deputy-Speaker: Yes, both election and nomination.

Shri Sidhva: Cannot we amend the language? The Government will certainly know who is who in the Andamans and they would suggest the name for nomination.

Mr. Deputy-Speaker: A person should be otherwise qualified to be an elector and should have residential qualification.

Dr. Ambedkar: The simplest method is to accept the amendment. As you have pointed out the obstacle arises from sub-clause (d). We have no Parliamentary constituency in the Andamans and therefore this would create difficulty in the matter of giving representation to the people of the Andamans and Nicobars. Therefore this amendment in my judgment is a necessary one.

Mr. Deputy-Speaker: As to the future it can take care of itself. Any amendment can be moved. It is not as if this Act will stand as it is without any amendment before the next

elections. We are all the time gaining experience. The question is:

In clause 4, after the words "Jammu and Kashmir" insert the words "or to the Andaman and Nicobar Islands".

The motion was adopted.

Mr. Deputy-Speaker: Amendment No. 68 in the name of Mr. Naziruddin Ahmad could be left to the draughtsman.

Shri Naziruddin Ahmad: That was the convention which we attempted to set up but later on we have been departing from it. We are moving amendments in the House for renumbering of clauses or the year of the Bill.

Mr. Deputy-Speaker: Under the rules the Speaker can authorise renumbering I think this amendment should be left to the printer and not even the draughtsman.

Shri Naziruddin Ahmad: As it appears in the Bill formally it should also be formally removed. If however it can be changed by a directive of the Speaker I have no objection.

Dr. Ambedkar: I have no objection to the change to capital letters.

Shri Naziruddin Ahmad: I have followed the line of the Constitution. After all the Scheduled Castes should not be belittled. There are various amendments with regard to this. If they are all taken as accepted they need not be moved.

Mr. Deputy-Speaker: That will be taken note of duly.

Shri Sidhva: There are other amendments in the List No. VI.

Mr. Deputy-Speaker: They have all been incorporated in this list.

Dr. Deshmukh: Sir, I thought that your suggestion of changing the definition would be helpful but on second thought I think the intention I have in mind and which is acceptable to many Members of this House would not be served, because the elector will have to remain as a person who finds his name in the list. This is also one of the clauses where the word "elector" is used. Therefore, if you agree, the finality of these clauses may probably be held over.

Mr. Deputy-Speaker: No, no. It is open for any hon. Member to speak on the clause as a whole at the third reading stage, and in the absence of any such desire I am not prepared to hold over the clause. As a matter of fact, Prof. Shibban Lal Saksena has

given notice of an amendment seeking to insert the words "or is entitled to be" before "an elector"; but he is not here in his seat and is not moving it. Dr. Deshmukh wanted me to waive notice and permit to move his amendment; this also I did not allow. It is no good asking that the whole thing be held over. I will put the clause to the vote of the House. The question is:

"That clause 4, as amended, stand part of the Bill".

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 5.—(Legislative Assembly membership).

Mr. Deputy-Speaker: We have already discussed the question of an amendment like amendment No. 66. Now I would like to know which of the hon. Members are going to move their amendments.

Shri Naziruddin Ahmad: I am moving my amendments Nos. 87 and 91.

Shri Barman (West Bengal): I am not moving my amendment.

Shri B. K. Das: I am also not moving mine.

Mr. Deputy-Speaker: Then Mr. Kshudiram Mahata, Mr. Rudrappa and Prof. Saksena are not in the House

Dr. Deshmukh: May I be permitted to move Prof. Shibban Lal's amendment, Sir?

Shri Santhanam: These amendments of Prof. Saksena are consequential amendments. They were not allowed earlier on clauses 3 and 4.

Dr. Deshmukh: Does not matter. We can give this facility to State Legislature elections although it is barred so far as the Parliament is concerned.

Dr. Ambedkar: No, no. The electoral roll is the same.

Mr. Deputy-Speaker: Yes.

Shri Sonavane: Sir, I also desire to move two amendments to clause 5 notice of which I have given this morning.

Mr. Deputy-Speaker: But I have not got a copy of those amendments.

Dr. Ambedkar: Nor have I got a copy.

Mr. Deputy-Speaker: Unless the amendment is given to the hon. Minister and Government is prepared to accept it, I shall not allow it now.

Shri Sonavane: There is a copy of it on the Table. After the other amendments are moved I may be permitted to move mine.....

Mr. Deputy-Speaker: It is no good bargaining with me. Normally I will not allow the House to be taken by surprise,—except in cases where the hon. Minister has looked into the amendment, in which case I shall leave it to the House to accept or reject the amendment.

Shri Sonavane: The amendment may be shown to the hon. Minister now, Sir.

Mr. Deputy-Speaker: I am not doing it. It is the business of the hon. Member to do it. What is the meaning of asking the Chair to do it? The hon. Member must have taken care to do it earlier.

Now, Mr. Naziruddin Ahmad may move his amendments.

Shri Naziruddin Ahmad: I beg to move:

For part (a) of clause 5, substitute the following:

“(a) in the case of any seat reserved for the Scheduled Castes in any State, he is a member of any of the Scheduled Castes of that State and is an elector for any Assembly constituency in that State;

(aa) in the case of any seat reserved for the Scheduled Tribes in any State (other than those in the autonomous districts of Assam), he is a member of any of the Scheduled Tribes of that State and is an elector for any Assembly constituency in that State.”

I think it will be convenient if I also move amendment No. 91 here because that is connected with this amendment. I beg to move:

In part (b) of clause 5, enclose the following within brackets:

“other than a seat the constituency for which comprises the cantonment and municipality of Shillong”.

This amendment is one rather relating to punctuation.

With regard to the previous one I think it is necessary to accept it. The

House will be pleased to consider that in clause 5 there are three parts, (a), (b) & (c); although (b) was misprinted as (c) it has been subsequently corrected by a correction slip.

Mr. Deputy-Speaker: Every concession is being shown to Scheduled Castes. Would this amendment not be restrictive?

Shri Naziruddin Ahmad: No, Sir. That is exactly what is intended in the text; I have to clarify the whole thing—there has been some amount of confusion. I am not trying to be restrictive. The restriction is already there in part (b) of the clause. I am strictly rearranging the conditions.

Dr. Ambedkar: I do not understand the difference.

Shri Naziruddin Ahmad: I shall explain the amendment. In part (a) of clause 5 both the Scheduled Tribes and the Scheduled Castes are dealt with. Then in part (b) Scheduled Tribes alone have been dealt with.

Mr. Deputy-Speaker: Scheduled Castes and Scheduled Tribes have been separated. That is all that has been done.

Shri Naziruddin Ahmad: But if we put Scheduled Castes and Scheduled Tribes together in part (a) there would be duplication in part (b). But part (b) deals only with Scheduled Tribes and therefore for the sake of greater clarity it is necessary to separate the two parts of part (a), namely the Scheduled Tribes and the Scheduled Castes. With regard to part (b) it should remain as it is. In fact, Scheduled Tribes are of two classes: Scheduled Tribes in ordinary cases, and Scheduled Tribes who have something to do with the cantonment or the municipality of Shillong. So, in order to keep the Scheduled Tribes of the cantonment area and the Scheduled Tribes in other areas absolutely distinct, I suggest that the Scheduled Castes and Scheduled Tribes must be treated separately.

Mr. Deputy-Speaker: There does not appear to be any ambiguity.

Dr. Ambedkar: There is no ambiguity. Because the Constitution contains two separate articles, it does not follow that we must everywhere give two separate clauses.

Mr. Deputy-Speaker: Is it necessary to pursue this matter?

Shri Naziruddin Ahmed: In view of the unfavourable reception it has received at the hands of the hon. Minister, I do not think any useful purpose would be served by my pursuing it.

Mr. Deputy-Speaker: The question is:

"That clause 5 stand part of the Bill."

The motion was adopted.

Clause 5 was added to the Bill.

Clause 6.—(Legislative Council membership)

Amendment made:

In sub-clause (2) of clause 6, for the word "Governor" substitute the words "Governor or the Rajpramukh as the case may be."

—[Shri Naziruddin Ahmad]

Mr. Deputy-Speaker: The question is:

"That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clause 7.—(Disqualifications for membership)

Dr. Ambedkar: Sir, I would request you to hold over clause 7.

Shri Naziruddin Ahmad: We should have a clear knowledge beforehand as to what clauses would be taken up. In that case we can concentrate our attention on them.

Mr. Deputy-Speaker: I shall ask the hon. Minister to state in the beginning of each day the particular clauses he proposes to hold over...

Dr. Ambedkar: I do not suppose I would be forced to take any clause out of order, except clauses 7 and probably 9. The rest of the clauses I am quite prepared to take in the order in which they are.

Shri Jhunjhunwala (Bihar): When will these be taken up?

Dr. Ambedkar: I propose to circulate the amendment this evening. If hon. Members would be prepared to take it up tomorrow I shall have no objection. But if they desire to have time, I shall take it up later. At any rate, I do not want to keep it back for a long time. I am prepared to give one day for Members to consider my amendment to clause 7.

Mr. Deputy-Speaker: I think it may be taken up conveniently day after tomorrow for the reason that hon. Members may have sufficient time to study it. If the amendments are tabled sufficiently in time, the office will circulate them and hon. Members may come prepared with them.

Clause 8 was added to the Bill.

Clause 9.—(Disqualifications for membership of electoral colleges)

Dr. Ambedkar: I would like to hold it over.

Mr. Deputy-Speaker: Clause 9 is also held over.

Clause 10.—(Election to the Council of States)

Shri Naziruddin Ahmad: I beg to move:

In the heading over clause 10, for the word and Roman letter "Chapter I" substitute the word and Roman letter "Chapter V".

The point is that in this Bill, unlike many other Acts, separate Chapter No. has been given in each part. That would lead to inconvenience in the matter of reference, e.g., whenever we refer to a Chapter, we shall have to say, Chapter so and so of Part so and so. In all other Acts, except of course in the Constitution, namely, the Civil Procedure Code, the Criminal Procedure Code, the Transfer of Property Act and in all other Acts, although there are Parts, the Chapter Nos. are not separate with regard to each Part. The result is tremendous convenience. When we refer to a Chapter, we need not refer to the Part. That will lead to the avoidance of a lot of mental botheration. I suggest it as a matter of convenience only.

Dr. Ambedkar: I do not agree with that argument. If dividing the Bill into Parts and Chapters we had also given separate numbers to clauses, that would have created a certain amount of difficulty. But in view of the fact that the number of the clauses is continuous I do not think any difficulty such as the one anticipated by my friend can be really apprehended.

Shri Naziruddin Ahmad: But this is the uniform practice in all the Acts.

Dr. Ambedkar: Never mind, uniformity. It depends upon how big the matter is. If the matter is so big tha

[Dr. Ambedkar]

it requires to be divided and sub-divided under appropriate heads I do not see what other method one can follow than giving Parts for broader heads and Chapters for smaller heads which come under those Parts and many other smaller heads which come under those Chapters.

Shri Naziruddin Ahmad: The hon. Minister says that there should be Parts, Chapters and sub-divisions and further sub-divisions. I do not object to that at all. All that I want is that the Chapter numbers from beginning to end should bear a continuous numbering and that is in accordance with the practice of all Acts.

Dr. Ambedkar: That means that the Parts must be omitted. Otherwise it would have no meaning.

Mr. Deputy-Speaker: If the Chapters have a continuing number and if the Parts also are there it will lead to confusion. We will not know to which particular Part it relates.

Shri Naziruddin Ahmad: But that is the practice in all Acts.

Mr. Deputy-Speaker: But when the Constitution has set up a new practice, after the Constitution, that is our bible.

Shri Naziruddin Ahmad: Not in all respects. We are going to change it very soon!

Mr. Deputy-Speaker: Very good. Then this will also be changed! Is it necessary for the hon. Member to press this?

Shri Naziruddin Ahmad: No, Sir.

Mr. Deputy Speaker: The next amendment is No. 222 which says:

In sub-clause (1) of clause 10, for the words "the Council of States", in line two, substitute the words "the first Council of States".

The hon. Member will kindly explain what this amendment is. Or, is he not pressing it?

Shri Naziruddin Ahmad: I do not know where I am. The House is proceeding so fast that even an acrobat will not be able to follow. I will have to look into the matter.

Mr. Deputy-Speaker: The brake is always there at that end!

Shri Naziruddin Ahmad: Could we not adjourn till tomorrow? We have made very quick progress.

Mr. Deputy-Speaker: This must be easy. The hon. Member will take his own time. There is no hurry. In 222 he wants for the words "the Council of States" the words "the first Council of States". Is it because he thinks there is no provision here for rotation?

Shri Naziruddin Ahmad: Yes, Sir.

Dr. Ambedkar: Rotation is there in sub-clause (2).

Shri Naziruddin Ahmad: I have now got my bearings! The introduction of the word "first" was suggested to me from a sample which is to be found in clause 11 in the second line—"For the purpose of the first constitution".

Mr. Deputy-Speaker: That is in respect of electoral colleges for Part C States. That relates only to a portion.

Dr. Ambedkar: They have no connection at all.

Shri Sidhva: He is puzzled.

Shri Naziruddin Ahmad: Not that they are connected, but as a sample of very good draftsmanship.

Mr. Deputy-Speaker: The hon. Member must be satisfied with some bad drafting!

Shri Naziruddin Ahmad: We are already accustomed to it.

Mr. Deputy-Speaker: But there does not seem to be any need for this change. So amendment No. 222 is not moved.

I take it that amendment No. 224 is going to be moved. What about 225?

Dr. Ambedkar: I have no objection. It can be moved.

Mr. Deputy-Speaker: What about No. 228?

Shri Naziruddin Ahmad: I shall move that.

Mr. Deputy-Speaker: No. 229 is going to be carried out. Then we come to No. 231.

Shri Naziruddin Ahmad: It is a substantive amendment and I will move it.

Mr. Deputy-Speaker: Amendment No. 224. The hon. Member is absent. Shall I allow this to stand over? What is the attitude of the hon. Minister to this amendment which the hon. Member was discussing with him?

Dr. Ambedkar: I do not think it is necessary to have that amendment.

Amendment made:

In part (a) of sub-clause (1) of clause 10, for the words "orders thereunder" substitute the words "orders made thereunder".

—[*Shri Naziruddin Ahmad*]

Amendment made:

In part (b) of sub-clause (1) of clause 10, for the words "orders thereunder" substitute the words "orders made thereunder".

—[*Shri Naziruddin Ahmad*]

Mr. Deputy-Speaker: Then we come to amendment No. 231 standing in the name of Mr. Naziruddin Ahmad.

Shri J. R. Kapoor: That amendment is out of order. It cannot be moved as it is.

Mr. Deputy-Speaker: Let me see.

Shri J. R. Kapoor: May I refer you to Article 80 of the Constitution, sub-clause 4, according to which only the elected members of any assembly can elect members to the Council of States?

Dr. Ambedkar: There is provision for certain nominations for Anglo-Indians.

Shri J. R. Kapoor: There may be nominated members but they have no right to participate in the election. There is article 80(4) according to which only the elected Members of any Legislative Assembly can participate in the election of the Members to the Council of States.

Mr. Deputy-Speaker: I am afraid this is out of order.

Shri Naziruddin Ahmad: My amendment is out of order; not I.

Mr. Deputy-Speaker: All right, the amendment is out of order; not allowed to be moved.

Shri J. R. Kapoor: But, we have come to identify the hon. Member with his amendment.

Mr. Deputy-Speaker: The question is:

"That clause 10, as amended, stand part of the Bill."

The motion was adopted.

Clause 10, as amended, was added to the Bill.

Clause 11.—(Notification for constitution of electoral colleges)

Mr. Deputy-Speaker: Amendment No. 238. I think this will be taken notice of by the draftsmen. Amendment No. 239. I think it is a printer's mistake. It will be corrected by the draftsmen.

Shri J. R. Kapoor: It has already been corrected by the corrigenda.

Mr. Deputy-Speaker: There is nothing in the correction slip. Why should this be put to the House? It is a printer's mistake. I will ask the office to note it and the hon. Minister may also note it down so that it may be useful for reference later.

Dr. Ambedkar: There is no corrigenda on the subject. It may therefore be better to accept the amendment.

Shri Santhanam: It is only a printer's mistake.

Mr. Deputy-Speaker: Instead of 'this', it has been printed as 'his'. That was not the intention of the framers of the Bill. It is only a printer's mistake. Tomorrow, a spelling mistake may occur in the Gazette. I shall in the end formally say that all such formal corrections may be carried out. I am not satisfied that I should bring it to the notice of the House. Once again, a spelling mistake may be committed in the final draft. However, to avoid any difficulty, I will put it to the House. The question is:

In clause 11, for the words "in his behalf" substitute the words "in this behalf".

The motion was adopted.

Mr. Deputy-Speaker: Amendment No. 240.

Shri Naziruddin Ahmad: That is necessary.

Dr. Ambedkar: Singular includes plural. This amendment is not necessary.

Mr. Deputy-Speaker: Yes, singular includes plural. The question is:

"That clause 11, as amended, stand part of the Bill."

The motion was adopted.

Clause 11, as amended, was added to the Bill.

Clause 12.—(Elections to the House of the People).

Mr. Deputy-Speaker: No amendment is being moved to clause 12.

Shri Naziruddin Ahmad: I suggest amendment No. 246 may be considered.

Mr. Deputy-Speaker: But the Member who has proposed it does not want to move it now. What is the particular importance of it? It says:

In sub-clause (2) of clause 12. omit the words "in order that a new House of the People may be constituted".

Shri Nasruddin Ahmad: We should supply the machinery only, we need not give the purpose behind it.

Dr. Ambedkar: These words do not do any harm.

Mr. Deputy-Speaker: I do not give permission to the hon. Member to move this amendment. It is not necessary.

Dr. Deshmukh: Sir, I want to say some thing?

Mr. Deputy-Speaker: The hon. Member is always late. What does he want to say now?

Dr. Deshmukh: Sir, I have given notice of an amendment to clause 15, but I find that at this stage it is relevant. There should be some provision somewhere to say that the first general elections both for Parliament and for the State Legislatures should be held simultaneously, on one and the same day.

Mr. Deputy-Speaker: That is going to be the case, to save expenditure. Subsequently there may be bye-elections at different times, because some Houses may be dissolved before others and so on. I do not think such an amendment is necessary.

The question is:

"That clause 12 stand part of the Bill".

The motion was adopted.

Clause 12 was added to the Bill.

Clause 13 was added to the Bill.

New Clause 13A.

Shri S. N. Das (Bihar): I beg to move:

After clause 13, insert the following new clause:

"13A. *President Message Day.*—

(1) Simultaneously with the issue of the notification under Section 13, the President shall fix a date to be observed throughout the country as 'The President Message Day' when at a fixed time, a message from him, incorporating the Preamble, the essence of fundamental rights, directive principles of State policy and such other relevant provisions

of the Constitution and Acts pertaining to the election of members of Legislatures and the great responsibility of the electors in choosing proper candidates to administer the Sovereign Democratic Republic of India, be read over to the electors invited in prescribed manner and assembled in a meeting in each village and *Mahalla* of each town.

(2) Suitable arrangements shall be made by the prescribed authorities to carry out the purpose of this Section.

(3) The prescribed authority shall have the right to call upon any person who lives in the locality concerned to read the President's message and he shall do the same."

Mr. Deputy-Speaker: There may be different dates for the general election. This applies not only to the first election but to all elections.

Shri Santhanam: The first election may be held at a certain time in a particular State and at another time in another State.

श्री ऐस० ऐन० दास : मुझे कुछ कहने दिया जाय, तो मैं इसे साफ कर सकता हूँ।

श्री जे० आर० कपूर : यह तो अच्छी चीज मालूम होनी है। इस पर तो कुछ विचार कर लेना चाहिये।

श्री ऐस० ऐन० दास : उपाध्यक्ष महाशय, यह संशोधन कानून की दृष्टि से तो कुछ अजीब सा मालूम होता है, लेकिन हिन्दुस्तान जैसे देश में, जहाँ कि हम ने १८ करोड़ जनता को मताधिकार दिया है कि वे अपने प्रतिनिधियों को चुनेगा, वहाँ हम ने अभी तक कोई भी ऐसा काम नहीं किया है, जिस से कि उन को चुनाव के सम्बन्ध में अपने कर्तव्य की जानकारी हो सके। हिन्दुस्तान जैसे देश में, जहाँ हम जनता को इतनी बड़ी जवाबदेही देने जा रहे हैं, हम ने उन में कोई ऐसा भाव पैदा नहीं किया है, जिस से कि उन्हें इस काम के लिये प्रेरणा मिल सके। हमारे मित्र वेंकटरमन ने यह प्रस्ताव किया था कि हर वोटर (Voter) का यह कर्तव्य

हो और उस को कानून द्वारा वाधित किया जाय कि वह वोट देने आवे। सिद्धान्त की दृष्टि से उन का कहना बहुत अच्छा है और उस का मैं समर्थन करता हूँ, लेकिन इस प्रस्ताव का समर्थन करते हुए भी मैं यह कहना चाहता हूँ कि हम को यह खेना चाहिये कि हमारी जनता को क्या इस बात की जानकारी है कि विधान के अन्तर्गत, अथवा इस कानून के अन्तर्गत, उन की क्या ज़िम्मेदारी है, उन का क्या कर्तव्य है। कहा जाता है कि जो पार्टी (Party) प्रचार के लिये जायगी, वह जनता को यह सब जानकारी देगी, लेकिन मैं समझता हूँ कि इस देश में अगर आप जनता को विशेष रूप से प्रेरणा नहीं देंगे, तो वह वोट (Vote) देने नहीं आयेंगे। इसलिये यह ज़रूरी है कि जिस समय राष्ट्रपति यह घोषणा करें कि अमुक निर्वाचन मंडल से प्रतिनिधि चुना जायगा, उसी के साथ किसी खास दिन हिन्दुस्तान के हर एक गांव में और हर मुहल्ले में वोटों को निर्मंत्रित किया जाय और उन को बतलाया जाय कि उन के ऊपर क्या क्या ज़िम्मेदारी आने वाली है और जब वह अपने प्रतिनिधियों को चुने, तो उन को किन किन बातों को ध्यान में रखना चाहिये। जनता के सामने जब पाटियां प्रचार करने जाती हैं, तो वह उन को अपनी ही बातें बताती हैं और उन को कानून और विधान की अच्छी बातें नहीं बताती। इसलिये यद्यपि किसी और देश के कांस्टीट्यूशन (constitution) में और कानून में इस तरह की बात नहीं है, फिर भी भरा ख्याल है कि हम को हिन्दुस्तान में, जहां कि अधिकतर भादमी निरक्षर हैं और कानून और विधान को नहीं जानते, जनता को यह बतलाने की आवश्यकता है कि अपने प्रतिनिधियों को चुनने में उन के ऊपर

क्या क्या ज़िम्मेदारियां आने वाली हैं। आप ख्याल कीजिये कि गजट में विधान की धाराओं का या कानून का प्रकाशन किया जाता है, उस को केवल वही लोग जान सकेंगे, जो कि अखबार पढ़ने वाले हैं और जो कि सो में दो या तीन हैं। हिन्दुस्तान की अधिकतर जनता को इस की जानकारी नहीं है कि हमने विधान में किन किन बातों का समावेश किया है, इस कानून में हम किन किन बातों का समावेश करने जा रहे हैं और आगे जो कानून बनायेंगे, उन में किन किन बातों का समावेश करेंगे। इस लिये मैं समझता हूँ कि हिन्दुस्तान में जनता को इन बातों का ज्ञान कराना बहुत आवश्यक है। मैं चाहता हूँ कि विधान का सारांश हम को अपने निर्वाचकों के सामने रखना चाहिये। उन के आगे कोई स्पीच (Speech) देने की आवश्यकता नहीं है। उन को तो जो कुछ लिखा हुआ हो, उस को पढ़ कर सुना दिया जाय, ताकि उन को इस बात की जानकारी हो जाय कि उन की क्या ज़िम्मेदारी है। उपाध्यक्ष महोदय, हमारे देश में बिना बुलाये और अपना पैसा खर्च कर के तीर्थों में लाखों की संख्या में जनता जाती है। मैं समझता हूँ कि इस देश में उन में चुनाव के प्रति भी वही भावना पैदा की जानी चाहिये। चुनाव की ज़िम्मेदारी एक ऐसी ज़िम्मेदारी है कि जिस को हिन्दुस्तान की जनता ने कभी महसूस नहीं किया है। अंग्रेजों के जमाने में जो चुनाव होते थे, उन में पाटियां वोटों को प्रलोभन देकर या खाना आदि खिला कर वोट देने के लिये ले आते थे। अगर अब भी वही तरीका चालू रहा, तो हमारा यह प्रजातंत्र चलने वाला नहीं है। इसलिये हमें जनता में यह भाव पैदा करना चाहिये कि चुनाव तीर्थों की तरह एक महत्वपूर्ण कार्य है और यह एक ऐसा कर्तव्य है, जिस को प्रत्येक नागरिक

[श्री एस० ऐन० दास]

को पूरा करने के लिये तैयार रहना चाहिये। इस प्रकार की जुम्मेवारी का जनता को ज्ञान कराना हमारी बहुत भारी जुम्मेवारी है और इस लिये हम को इस प्रकार की धारा का इस में समावेश अवश्य करना चाहिये। मैं जानता हूँ कि जनता को एक दिन में विधान की शिक्षा नहीं दी जा सकती। पर इस का आशय तो यह है कि उन को एक दिन निमंत्रित कर के यह बतलाया जाय कि उन का क्या कर्तव्य है, जिसका पालन कर के वे इस प्रजातंत्र की सेवा कर सकते हैं। यह एक ऐसा कर्तव्य है, जिस को हर नागरिक को जानना ज़रूरी है। मैं समझता हूँ कि मेरा संशोधन स्वयं ही बतलाता है कि इस का क्या मतलब है। मैं यह जानता हूँ कि बहुत से सदस्य इस को नई चीज़ समझ कर और यह समझ कर कि ऐसा क़ानून किसी और देश में नहीं है, इस की उपेक्षा करेंगे। लेकिन हिन्दुस्तान जैसे देश में जब कि हम चाहते हैं कि यह सर्व सत्ता पूर्ण प्रजातंत्र सफलतापूर्वक चले और उस के लिये हम जनता पर नई जिम्मेदारियाँ डालने जा रहे हैं, तो यह ज़रूरी है कि जनता को शिक्षित करने का कोई तरीका हम अख्तियार करें। अगर इस प्रकार उन को विधान की धाराओं का तात्पर्य समझाया जायगा, तो उन को उतना ज्ञान हो जायगा, जो कि उन को इस के बिना २५ वर्ष में भी नहीं हो सका। मैं आशा करता हूँ कि हमारे माननीय मंत्री महोदय अब पर सोच विचार करेंगे और यद्यपि यह एक नये तरह का प्रस्ताव है, फिर भी मैं उन से उम्मीद करूँगा कि वह इस का समर्थन करेंगे और इस प्रकार जनता के लिये एक बहुत अच्छा कार्य करेंगे।

(English translation of the above speech)

Shri S. N. Das: I can clear this point if I am allowed an opportunity to speak.

Shri J. R. Kapoor: It seems to be a good measure. We should consider it.

Shri S. N. Das: Sir, from the point of view of law it may seem to be a somewhat odd amendment. In a country like India, where we have conferred the right of voting to more than 180 million people for electing their representatives, we have practically done nothing to educate them regarding the importance of elections. In India, where we are going to burden the people with so much responsibility, we have not tried to create any ideas in them so that they might feel inspired. Our friend Shri Venkataraman had suggested that it should be the duty of every voter to vote and he should be compelled by law to come and cast vote. It is quite good from the point of view of principle and I support it. But while supporting the suggestion I want to say that we should see whether our people are aware of their responsibilities or of their duties under the Constitution or this law. It is said that the party which will go for propaganda work, will educate the masses about all this. But I think if you would not specially inspire the people they will not come forward for giving votes. Therefore, it is essential that when the President declares that a representative will be elected from a certain constituency, the voters from every village and *Mohalla* should be invited to attend meetings on a particular day where they should be explained the responsibility which is going to fall on them and things which they should bear in mind while electing their representatives. When the representatives of the parties meet the people in connection with elections, they only explain to them their own viewpoints and do not tell them the good points of law and the Constitution. Though, there is no provision like this in the Constitution of any other country yet I think in India we should explain to the people the responsibility which is going to fall on them in electing their representatives because most of them are illiterate and are ignorant of the Constitution and the various laws. Imagine, only those people who are regular readers of the newspapers can know anything about the various sections of the Constitution or the other laws published in the Gazette and you know, they num-

Only two or three per cent. Most the people of India are ignorant of the provisions of the Constitution or of the things which we are including in this Bill or of the various matters which we would like to provide in framing future laws. Therefore, I think that it is essential to educate the masses in India about these things. I want that we should place a summary of the Constitution before our voters. There is no necessity of delivering speeches before them. Only written things should be read out to them so that they may come to know of their responsibilities. Sir, without being invited and after spending so much money, millions of people in our country visit the various holy places. I want that the same spirit should be created in them with regard to the elections also. The people of India have never realised the responsibility of elections. During the British regime, parties used to bring voters after giving them bribes or providing them with food to eat. But if the same old methods are allowed to continue, our Sovereign Democratic Republic will not work. Therefore, we should create such feelings in them that elections are as important as the holy places and every citizen must be ready to discharge his duties regarding them. Our most important duty is to make the people realize their responsibilities and therefore, we must include this

clause in the Bill. I know that we cannot educate the public in a day about the fundamentals of the Constitution. But it means that a day should at least be fixed when people should be asked to attend a meeting wherein they should be explained their duties by the performance of which they would be able to serve this Republic of ours. It is such a duty that every citizen must be aware of it. I think my amendment itself shows what it stands for. I know that many of the hon. Members will discard it thinking that it is a new thing and is not prevalent in any other country. But in a country like India where we want that this Sovereign Democratic Republic should successfully work and are going to burden the public with great responsibilities, then it becomes imperative that we must adopt some method of educating them. If we will explain to them the meaning and importance of the various sections of the Constitution in this way, they will have more knowledge about it than they could get without it even in 25 years. I hope, that the hon. Minister will consider it. Though it is a new kind of suggestion but I think that by supporting it he will really do something good to the public.

The House then adjourned till Half Past Eight of the Clock on Tuesday, the 15th May, 1951.