

**SHRI INDRAJIT GUPTA** : (Alipore) : The reply that he gave was just in one word, namely 'No'. That can apply only to question No. 643 and not to Q. No. 640.

**THE MINISTER OF RAILWAYS (SHRI HANUMANTHAIYA)** : I made it clear in that letter that I had heard it as Q. No. 643. As they say there is slip of the tongue, there may be slip of hearing also. It was not that I deliberately did it. I heard it like that, and, therefore, I had read out the answer to Q. No. 643.

**MR. SPEAKER** : The Question Hour was also closed at that time.

**SHRI HANUMANTHAIYA** : When I heard it, I construed it like that.

**MR. SPEAKER** : He can make it up next time. We shall put the proper reply of the hon. Minister under Q. No. 640 and not the one that be guessed and read out ?

**SHRI HANUMANTHAIYA** : Yes.

**12.34 hrs.**

#### PAPERS LAID ON THE TABLE

##### **MYSOR E HOUSING BOARD (AMENDMENT) RULES**

**THE MINISTER OF STATE IN THE MINISTRY OF WORKS AND HOUSING (SHRI I. K. GUJRAL)** : On behalf of Shri Uma Shankar Dikshit.

I beg to lay on the Table a copy of the Mysore Housing Board (Amendment) Rules, 1971 (Hindi and English Versions), published in Notification No. G. S. R. 61 in the Mysore Gazette dated the 27th February, 1971, under section 75 of the Mysore Housing Board Act, 1962 read with clause (c) (iv) of the Proclamation dated the 27th March, 1971, issued by the President in relation to the State of Mysore. [Placed in Library See No. L. T.-181/71]

##### **MYSOR E COURT FEES AND SUITS VALUATION (AMENDMENT) RULES**

**THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI NITIRAJ SINGH CHAUDHARY)** : I beg to

lay on the Table a copy of the Mysore Court Fees and Suits Valuation (Amendment) Rules, 1971, published in Notification No. G. S. R. 297 in the Mysore Gazette dated the 27th August 1970, under sub-section (3) of section 78 of the Mysore Court Fees and Suits Valuation Act, 1958, read with clause (c) (vi) of the Proclamation dated the 27th March, 1971, issued by the President in relation to the State of Mysore. [Placed in Library. See No. L. T.-462/71]

##### **APPROPRIATION ACCOUNTS (DEFENCE SERVICES) AND CIVIL**

**THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. R. GANESH)** : I beg to lay on the Table—

- (1) A copy each of the following Reports under article 151 (1) of the Constitution :—
  - (i) Report (Hindi version) of the Comptroller and Auditor General of India on the Appropriation Accounts of the Central Government (Defence Services) for the year 1969-70. [Placed in Library. See No. L. T.-490/71]
  - (ii) Report (Hindi and English versions) of the Comptroller and Auditor General of India on the Appropriation Accounts of the Central Government (Civil) for the year 1969-70. [Placed in Library. See No. L.T.-491/71.]
- (2) A copy of Appropriation Accounts of the Defence Services, for the year 1969-70 and Commercial Appendix thereto (Hindi version). [Placed in Library. See No. L. T.-492/71.]
- (3) A copy of the Appropriation Accounts Civil, for the year 1969-70 (Hindi and English versions). [Placed in Library. See No. L. T.-493/71.]

**12.35 hrs.**

##### **MOTION RE : APPOINTMENT OF JOINT COMMITTEE ON AMENDMENTS TO ELECTION LAW**

**THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI NITIRAJ SINGH CHAUDHARY)** : I beg to move :

"That the question of amendments to election Law in the context of the debates in the Lok Sabha in the course of supplementaries to Starred Question No. 580 answered on the 25th August, 1970, be referred to a Joint Committee of the Houses, for examination and report with instructions to report within one month;

That the Committee shall consist of 15 Members, 10 from this House to be nominated by the Speaker and 5 from the Rajya Sabha to be nominated by the Chairman, Rajya Sabha ;

That the Speaker, if he agrees to be a member of the Committee, shall be the Chairman of the Committee; otherwise, the Speaker may nominate one of the members of the Committee to be its Chairman ;

That in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee;

That in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

That the House recommends to the Rajya Sabha that the Rajya Sabha do join the said Joint Committee and communicate to this House the names of 5 members nominated to the Joint Committee by the Chairman of the Rajya Sabha."

MR. SPEAKER : This is exactly the same Resolution as we had in the last Lok Sabha. I considered the matter. I think the Speaker should not be a member of this Committee. Many controversial matters might arise and it might be embarrassing for the Speaker to be its Chairman. If you allow me, I would like to be out of it and we may delete the reference to the Speaker there.

श्री अटल बिहारी वाजपेयी (ग्वालियर) : अध्यक्ष महोदय, हम तो यह चाहते थे कि चुनाव-कानून में संशोधन पर विचार करने के लिए जो समिति बने, उसका निर्माण आप करें। युनाइटेड किंगडम में यह परम्परा है कि वहाँ के स्पीकर इस तरह की समिति गठित करते हैं—वह स्पीकर कमेटी होती है—, स्पीकर उसके अध्यक्ष होते हैं और वह चुनाव-कानून में गहराई

से जाकर विचार करती है। जब श्री संजीव रेड्डी लोक सभा के अध्यक्ष थे, तो इस तरह का सुझाव स्वर्गीय श्री गोविन्द मेनन ने स्वीकार भी किया था। मुझे लगता है कि सरकार ने सदन में जो वचन दिया था, वह उससे मुकर गई है। इस कमेटी का रूप अलग होगा। हम चाहते हैं कि आप इस कमेटी में रहें।

मेरा एक और भी संशोधन है। इस कमेटी को एक महीने में अपनी रिपोर्ट पेश करने के लिए कहने का अर्थ यह है कि विधि मंत्रालय चुनाव कानून में संशोधन करने के बारे में गम्भीर नहीं है। इस समय संसद की बैठक हो रही है। सब संसद-सदस्य उसकी कार्यवाहियों में व्यस्त हैं। मुझे डर है कि कमेटी का कोरम भी पूरा नहीं होगा। कमेटी एक महीने के भीतर सारे चुनाव-कानून का अध्ययन करके अपनी रिपोर्ट दे सके, इसकी सम्भावना नहीं है। इसलिए इस कमेटी का कार्य-काल बढ़ाया जाये और कमेटी अगले सत्र के पहले दिन अपनी रिपोर्ट दे।

अगर कमेटी में लोक सभा की सदस्य संख्या केवल दस रखी जायेगी, तो सभी प्रमुख गुटों को भी प्रतिनिधित्व नहीं मिल सकेगा। इस लिए मेरा निवेदन है कि लोक सभा के सदस्यों की संख्या बीस होनी चाहिए, जिससे लोकसभा के सभी दलों को कमेटी में प्रतिनिधित्व मिल सके। आप इस कमेटी की अध्यक्षता करें, ताकि कमेटी गहराई से चुनाव-कानून में संशोधन के बारे में विचार कर सके। इस बारे में इल्वेशन कमीशन ने भी रिपोर्ट दी है। मध्यावधि चुनाव में हमारा अपना भी अनुभव है। हम चाहते हैं कि चुनाव कानून में उचित संशोधन किये जायें, लेकिन यह काम एक महीने में होना सम्भव नहीं है। इसके लिए समय बढ़ाना चाहिए।

SHRI JYOTIRMOY BOSU (Diamond Harbour) : I have a few amendments to suggest. As for the time instead of 'with instructions to report within one month' we should say that the time may be extended as and when required.

Then the Committee should consist of more

[Shri Jyotirmoy Bosu]

members. It should be twenty from this House. There I support Shri Vajpayee. The representation should be on the basis of the respective strength of the parties in this House so that every party is fully represented.

**THE MINISTER OF LAW AND JUSTICE (SHRI H. R. GOKHALE)**: I have no objection in principle to increasing the number to 14 and 7. That was the position in the last Committee.

**SHRI SHYAMNANDAN MISHRA (Begu-sarai)**: But elections are more a matter of concern for the Lok Sabha members.

**SHRI H. R. GOKHALE**: We can have 14 from this House and 7 from the other House. We are willing to accept whatever is acceptable to the House. My suggestion is 14 and 7 which will be sufficiently representative and will not be unwieldy also, subject to what the House feels. We have no objection to increase the number of members to 14 and 7.

**SHRI S. L. SAKSENA (Maharajganj)**: I want 20 and 10.

**SHRI H. R. GOKHALE**: There can be no objection in principle for giving more time also, but the reason for fixing one month is this. The Election Commission has made very exhaustive recommendations with regard to amendments to various provisions of the Representation of the People Act. The Election Commission, in fact, has been pressing us that this should be brought in the form of a Bill before the House as early as possible, so that the law may apply to the elections to the Assemblies to be held in 1972. If the Committee is not able to finish the work within one month, it can ask for more time and it can be granted.

**SHRI ATAL BIHARI VAJPAYEE**: Let him accept my suggestion regarding time also.

**SHRI SHYAMNANDAN MISHRA**: It would be difficult for Members to give time and concentrated attention to such an important measure because we will all be concerned with Demands for Grants etc.

**SHRI JYOTIRMOY BOSU**: I do not want any party to go unrepresented in the Committee because it is a matter which involves each and every political party in the country.

**SHRI H. R. GOKHALE**: In the last Lok Sabha, an assurance was given by my predecessor, and even by the predecessor to him, that before a Bill was brought before the

House, a committee of the House would go into the question. Hence it has to go to the Committee. The only insistence is that it should come before the House as early as possible, so that it can be given effect to in the coming elections to the Assemblies.

**MR. SPEAKER**: Its boils down to this. He has agreed to increase the number of members to 14 and 7. He has also said that the time can be extended. But so far as I am concerned, I have considered and re-considered it. I do not want to be Chairman of this Committee. I hope you will kindly excuse me. I do not want to enter into any controversial matters.

**SHRI M. KALYANASUNDARAM (Tiruchirappalli)**: Does it mean that they did not consult you? \*

**SHRI SEZHIAN (Kumbakonam)**: It cannot be sudden. The matter was first brought up on 25th August, 1970.

**MR. SPEAKER**: I have considered it very carefully. Suppose some report comes and there are dissenting minutes.

I am a party to a certain decision. They come. I am sitting here as the Speaker. The report would be presented to the House. I have considered all that. The instances Shri Vajpayee gave were about other things in the British House of Commons, not over the Bills. They relate to delimitation of constituencies, disqualification of members and not legislation, because legislation will come before the House and will put me in an embarrassing position. I think we shall amend it up to 'otherwise'. In the third para, "that the Speaker, if he agrees to be a member of the Committee shall be the Chairman of the Committee; otherwise" up to this we delete. You may merely say, "the Speaker may nominate one of the members of the Committee to be its Chairman."

**SHRI JYOTIRMOY BOSU**: Unless this Committee is fully representative of all the political parties, it will serve no purpose. If you confine the number to 14 for the Lok Sabha, I am afraid it will not be sufficient. That is why I support what Shri Shibban Lal Saksena has said, that the number should be raised to 20 and 10, to make a total of 30, to have as many parties represented as possible. It is very important; let us make a short-cut.

SHRI H. R. GOKHALE : On the last occasion, if I remember right, the number was 14 and 7 which was accepted. If the membership is 21 both the Houses put together can represent all the parties. Ultimately it is nomination of members by the Speaker. I cannot give any further assurance. The Speaker will take care about the interests that are to be represented.

MR. SPEAKER : That too will be a big headache for me. . . . . (*Interruptions*)

SHRI ATAL BIHARI VAJPAYEE : The division of the membership should not be on the basis of the strength here because it is a question of amending the election law. The ruling party should not claim that they should get representation according to their strength. Otherwise the other parties will not get proper representation.

SHRI JYOTIRMOY BOSU : What is your ruling on this—20 and 10 ; otherwise it will give you headache.

MR. SPEAKER : So far as the number is concerned, it is 14 from this House and seven to be nominated. That will be amended accordingly. The earlier part in para 3 is deleted and the latter part is retained. Report is to be made within one month. Minister has given the assurance that the time should be extended if needs be. . . . . (*Interruptions*). It comes to the same thing. It will be of no use if report is not applied to the coming elections.

SHRI ATAL BIHARI VAJPAYEE : The report has to be considered by the Government and a Bill will have to be framed and the House will have to consider that Bill. How can the Bill be considered during this session ? To prescribe one month is ridiculous.

SHRI H. R. GOKHALE : With all respect to the hon. Members I may point out that in case the committee is not in a position to finish the work they can ask for more time. But surely the intention is to have their report. If that is the intention, at that time if the need arises, the question of extending the time can certainly be considered. Nobody wants to scuttle it without a report of the Committee.

MR. SPEAKER : These are the changes to the motion moved by Shri Nitiraj Singh Chaudhary. In the second para, instead of 15 members it will be 21 members, 14 from this House and 7 from the other House. Then, there is the deletion of the earlier part as I

have mentioned earlier, that is "The Speaker, if he agrees" . . . . . up to "otherwise". With this deletion, and with the consequential amendment in the last paragraph—seven Members will be nominated—and the report to be made within one month, I shall put the motion, mentioned against item No. 7, as amended.

The question is :

"That the question of amendments to election law in the context of the debates in the Lok Sabha in the course of supplementaries to Starred Question No. 580 answered on the 25th August, 1970, he referred to a Joint Committee of the Houses for examination and report with instructions to report within one month ;

That the Committee shall consist of 21 Members, 14 from this House to be nominated by the Speaker and 7 from the Rajya Sabha to be nominated by the Chairman, Rajya Sabha ;

That the Speaker shall nominate one of the members of the Committee to be its Chairman ;

That in order to constitute a sitting of the Joint Committee, the quorum shall be one-third of the total number of members of the Joint Committee ;

That in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make ; and

That the House recommends to the Rajya Sabha that the Rajya Sabha do join the said Joint Committee and communicate to this House the names of 7 members nominated to the Joint Committee by the Chairman of the Rajya Sabha".

*The motion, as amended, was adopted.*

12.51 hrs.

STATUTORY RESOLUTION RE. DELHI SIKH GURDWARAS (MANAGEMENT) ORDINANCE ; AND DELHI SIKH GURDWARAS (MANAGEMENT) BILL

MR. SPEAKER : We now take up items 8 and 9 together. Shri Atal Bihari Vajpayee to move the resolution.