

take cognisance of this matter. He has to be satisfied as to the truth of the newspaper report. The question of taking any steps would come subsequently. That would depend on the reply which came from Shri N. C. Chatterjee. That was made quite clear in the letter of the Secretary.

Mr. Speaker: With agreement on the question that the matter be referred for consideration to the Privileges Committee of this House as also the Privileges Committee of the other House, and that they may jointly consult and come to agreed conclusions, I do not think we need raise any kind of controversy at this stage, which I am sure, will not be to the dignity of either House.

Shri S. S. More (Sholapur) rose —

Mr. Speaker: I do not want to hear anything more. Order, order. I am referring the question to the Privileges Committee of this House which will act in the light of what I have said above.

Shri S. S. More: I want to seek an assurance, with your permission.

Mr. Speaker: No, no. I do not want anything at present. He can give it to me in writing. I will see it and if it is permissible, I will permit him to take it up on some other day.

That automatically drops the next item of business on the agenda. Now, discussion on Delimitation of Constituencies.

DELIMITATION OF CONSTITUENCIES

Shri Vallatharas (Pudukkottai): I want to raise a point of order. Last night at about 10 o'clock, the Order Paper was handed over to us, about the business for today. The Delimitation question is a very important one. A number of resolutions were tabled. One came up; but it was not moved by the concerned Member. Afterwards an attempt was

made and it has come in the form of a two hour discussion. This is a very important matter. Coming at 10 o'clock last night, we had no time to prepare for the discussion. There must be sufficient time. There have been many grievances that the order of business in the House has not been conveyed to the Members in proper time to enable them to study. I submit that this matter should not be proceeded with today; it may be taken up tomorrow.

Mr. Speaker: I was informed, and I believe that I was informed correctly, that whatever had to be done had to be done before the 17th. Looking to the programme before the House, there was no other alternative for me but to put down this motion for discussion as early as possible and I got time only today. If the House is agreeable, all that is possible will be to proceed with the reply of the hon. Minister and after he has finished, we may take this up. That would give the hon. Members half an hour or so. Let me know from the hon. Law Minister what time he will take to reply to the debate on the Bill.

The Minister of Law and Minority Affairs (Shri Biswas): About half an hour or so.

Mr. Speaker: It cannot be helped.

Shri Punnoose (Alleppey): Let us stick to the schedule.

Mr. Speaker: Let us stick to the programme. Dr. Krishnaswami.

Dr. Krishnaswami (Kancheepuram): I am deeply indebted to the Leader of the House for having given us this opportunity of discussing the procedure and the manner of approach adopted by the Delimitation Commission in delimiting constituencies and re-adjusting representation. I intend placing before this House certain facts which it cannot afford to overlook.

This House, after all, is interested in its composition and constitution. The Delimitation Commission is after all a creature of a Parliamentary

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enactment. Parliament conferred upon the Commission powers to pass final orders about the readjustment of representation which will have the force of law. Two weeks ago, the Delimitation Commission has published its provisional proposals, relating to readjustment of representation of two States—Madras and Andhra.

[MR. DEPUTY-SPEAKER in the Chair.]

Fifteen Parliamentary constituencies in the State of Madras have been mangled beyond recognition. Twelve in Andhra have been sliced up and regrouped after the heart's desire of the Commission. Twelve, both in Madras and Andhra, have lost their names altogether. There is great dissatisfaction in Madras, Andhradesa, Madhya Pradesh and Travancore-Cochin concerning the procedure and manner of approach adopted by the Delimitation Commission. We ought to remember that under article 81(3) Parliament obtained the enabling power to legislate for the constitution of a Delimitation Commission. May I with your permission read the particular article so that hon. Members might be aware of the exact implication of that article. Article 81(3) reads as follows:

"Upon the completion of each census, the representation of the several territorial constituencies in the House of the People shall be readjusted by such authority, in such manner and with effect from such date as Parliament may by law determine:

Provided that such readjustment shall not affect representation in the House of the People until the dissolution of the then existing House."

Now let me read the enacting formula of the Act. It is an Act "to provide for the readjustment of the representation of territorial constituencies in the House of the People

and in the State Legislative Assemblies and the delimitation of those constituencies and for matters connected therewith".

The basic fact which has to be taken into account and which is also a limitation, is the actual existence of territorial constituencies on the date of the Constitution coming into operation and of each census. Existing territorial constituencies cannot be ignored or put aside, but have to be taken as the basis, and any revision or adjustment of such existing constituencies must be directly related to the increase in population of each constituency and the need for revision so as to bring it within the limits mentioned in article 81(1) (a).

What has the commission done? I suggest that the Delimitation Commission has gone outside the powers that have been conferred on it by Parliament, that it has overstepped the prescribed limits laid down by the Constitution. The Constitution-makers were most scrupulous in their choice of words. They did not intend that every census operation should be followed by an annihilation of constituencies. Indeed examination of the evolution of this particular clause reveals the wealth of constitutional precedents that had been taken into account by them. In the Irish Free State Constitution, a provision relating to representation reads as follows:

"The Oireachtas shall revise the constituencies at least once in every 12 years, with due regard to changes in distribution of the population, but any alterations in the constituencies shall not take effect during the life of Dail Eireann sitting when such revision is made."

Our Constitution-makers as a matter of fact not satisfied with 'revision' took great trouble to find another and more appropriate term. They thought that revision might re-

motely suggest slicing up and scrapping up of constituencies. They, therefore, thought it better that a more definite and a more restrictive term should be employed. Therefore, they consulted the Constitution of Canada in which a slightly different word is employed, and that word has been put into our Constitution. The provision in the Canadian Constitution reads thus:

"On the completion of the census in the year 1871, and of each subsequent decennial census, the representation of the four Provinces shall be readjusted by such authority, in such manner, and from such time, as the Parliament of Canada from time to time provides, subject and according to the following rules:..."

Readjustment implies that there is a thing which is to be readjusted. Parliament did not therefore confer upon the Delimitation Commission the power to scrap the old constituencies or to create new constituencies. Parliament did not intend to give the Delimitation Commission the powers of a *Brahma*. What it had intended was that the Delimitation Commission should content itself with such revisions or readjustments so as to bring the constituencies within the limit mentioned in article 81 (1) (a).

I do not know if hon. Members are familiar with the provisions of the Delimitation Commission Act. But I should like them to consider the provisions of this Act and find out what has taken place. What has occurred has a very serious bearing on the idea and continuance of representative government.

As I have already pointed out, the Constitution contemplated readjustment and not a new creation of territorial constituencies. The very notion of readjustment postulates the existence and identity of the thing to be readjusted. Otherwise,

the Constitution could have categorically affirmed its intention in different language as it has done in article (3) regarding alterations and formation of new States. The procedure and approach adopted by our Constitution-makers to the problems of readjustment of territorial constituencies is correct and in conformity with the inherent theory and principle of democracy. A Member represents a constituency. A Member is entitled to and is expected to be in touch with his constituency. The constituency should not, therefore, undergo any more revision or transformation than is absolutely essential to keep within the limits envisaged by article 81 (1) (a).

The view that I have propounded gains confirmation from what we have done in the present Parliament. We passed the Constitution (Second Amendment) Act, 1952, which removed the upper limit of 750,000 of population for a territorial constituency, mainly, if not solely, with a view to retaining the identity of the existing constituencies. If the territory of a constituency is to be disturbed fundamentally, if the identity of a constituency is to be obliterated altogether as has been done by the Delimitation Commission in the case of several constituencies, then, after each census operation we would have confusion and the very idea of continuity which is the basis of representative Government will have received a death blow.

The idea of continuity in a democracy implies the approval or disapproval of the electorate that has once elected a representative. If the constituency ceases to exist altogether, the connection between the representative and the constituency would have been snapped altogether. It is in future impossible to think of nursing constituencies.

I should like further to point out that unlike the Delimitation Commission the Constitution-makers have wisely emphasized the nexus that

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must be maintained between a Member and his constituency. The proviso to article 81 (3) implies that no more revision or readjustment than is absolutely necessary will be made and that essentially and fundamentally the identity of the constituency will not be affected. Otherwise, the theory of an elected Member still representing a constituency becomes absolutely meaningless and the basic idea of democracy vanishes altogether. The democratic idea, after all, is that a Member represents voters of a particular constituency, and not a tract of land as the Delimitation Commission seems fallaciously to assume. The particular territorial constituency must be actually in existence and not be there by any process of fiction. While it is agreed—and I am not here to put forward an indefensible proposition—that no Member has a vested right to continue for all time as a Member of the House, it would be equally appropriate to point out that existing Members have a definite right and duty to nurse their constituencies, to understand the views of their voters, to appreciate their grievances and to take into account their wishes, so that they might make proper representation to Parliament. If the very identity of a constituency is destroyed altogether, what can a Member do except to ignore the views of those who have elected him and look to some other new constituency for the purpose of nursing it? This is opposed to all canons of democracy.

I made a reference some time ago to the proviso to be found to article 81 (3). The Constitution-makers themselves were extremely reluctant to break, as I said, the nexus that should subsist between the elected representative and the electors. Article 81 (3) and the provision to this sub-clause emphasize this all the more. The proviso to article 81 (3) reads:

“Provided that such readjustment shall not affect representation in the House of the People

until the dissolution of the then existing House.”

What does this mean? The Constitution-makers envisaged only readjustment and not complete transformation of existing constituencies. If, during the lifetime of Parliament, readjustment takes place, Members will be deemed to represent the new constituencies notwithstanding such readjustment. But if the changes are of a serious character, so as to alter the very identity of the constituencies, the Members cannot by any exercise of logic be deemed to represent any particular area.

I have suggested enough to prove that the Delimitation Commission has usurped powers and jurisdiction which were never conferred on it. It has forgotten I repeat that it is, after all, a creature of parliamentary enactment. No commission, however eminent it may be, can afford to be above the Constitution, and Parliament has an inherent right to review the doings of this body. There is no point in suggesting that just because it is a statutory body, therefore, it should be immune from criticism. A statutory body's decisions cannot I grant be brought before this House, for amendment, review or change; but surely the procedure and the manner in which it has tackled these problems can and should be brought before this House, particularly as this House has decided to co-operate with it in the readjustment of representation.

What is the approach adopted by this Delimitation Commission—the creature of a parliamentary enactment? My hon. friend Dr. Lanka Sundaram is an associate member of the Delimitation Commission. But the manner in which he was treated by the Delimitation Commission throws a flood of light on the pompous approach that was adopted by the Chairman of the Delimitation Commission. My hon. friend Dr. Lanka Sundaram pointed out on one

occasion—it was an important occasion relating to the discussion of the Budget—that an adjournment or postponement of the Delimitation Commission's conference to be held in Kurnool would be convenient. The curt, and—what I should term,—discourteous reply given by the Delimitation Commission was shocking. I am very reluctant...

Dr. Lanka Sundaram (Visakhapatnam): May I interrupt my hon. friend? It is not only I who has been mauled by the Commission, but the Andhra Government who wanted postponement were mauled. No adjournment was given.

Dr. Krishnaswami: Then that makes the offence much more serious than I thought, and therefore, we have all the more a right and duty to review the Delimitation Commission's doings. There is an impression in certain circles that this House of the People is non-existent, and those whom we have created and whom we have made members of a statutory body can afford to snap their fingers at us, snap their fingers at the very Constitution and bring every democratic institution into contempt. Let them remember that they have, after all, to function under certain limitations, and that they are not as important as they assume themselves to be, and that this Parliament has a sufficiently long arm to bring them under control and to make them conform and behave properly according to certain well accepted principles of fair dealing and justice.

Shri Biswas: I should like to protest against this sort of attack on the members of the Delimitation Commission, that is made here. The members of the Commission should not be treated as if they were just servants of Members of Parliament or of Parliament.....

Several Hon. Members: They are.

Shri Biswas: The function which has been assigned to them should not be completely lost sight of in this manner.

Dr. Lanka Sundaram: On a point of order. The Commission has been appointed under an enactment passed by this Parliament. This House is now trying to review the work, and more so, the procedure adopted by that particular Commission. I do not see why and how my hon. friend the Law Minister can object to the remarks made by my hon. friend Dr. Krishnaswami.

Shri Biswas: At least, I have the right to raise this objection. None of these facts were placed before me. I should like to ascertain facts from the members of the Commission. While such one-sided and *ex parte* statements are being made against responsible members of the Commission, who fill responsible position, positions almost as good as those of High Court judges, while these attacks are being made, I have not been supplied with the facts, and I have no material before me, on which I can either accept or contradict those facts. I am placed in that embarrassing position. Is this right, is this fair, that because we are the Parliament, we think that we can do anything and ride rough-shod over every convention and every idea of propriety? (*Interruptions*).

10 A.M.

Shri D. C. Sharma (Hoshiarpur): I think it is the procedure adopted by the Commission, that is under discussion. But I have been listening to the hon. Member for the last twenty minutes or so, and I think he is only making some *obiter dicta* with regard to the functions of Parliament; he has not yet come down to brass tacks. I would request the hon. Member to come down to brass tacks, and to discuss the procedure adopted by the Commission, because that is the point under discussion.

Mr. Deputy-Speaker: The hon. Law Minister seems to feel some difficulty in regard to discussions of this kind—this was admitted by the Hon. Speaker—which are not balloted by way of resolutions earlier. The matter was raised by Shri Vallatharas, that there has not been sufficient notice given to hon. Members, and that the notice of the discussion was given to hon. Members only late last night. When the Hon. Speaker was deciding this, he said that it was urged upon him that this matter should be disposed of early, and therefore, ultimately, the House seems to have agreed to have this discussion even earlier than the reply of the hon. Law Minister on the motion in regard to the Hindu Marriage and Divorce Bill. The hon. Law Minister feels—of course, he can rightly feel—that these matters are not before him, and therefore he would like to take time to reply. Normally some time is fixed for this discussion.

An Hon. Member: Two hours.

Mr. Deputy-Speaker: As many as twelve persons have indicated their desire to participate in this discussion, and two hours have been allotted for this originally. The hon. Law Minister will take half an hour today for his reply in regard to the Hindu Marriage and Divorce Bill. I understand from the hon. Minister of Parliamentary Affairs that the Salaries and Allowances of Members of Parliament Bill may be taken up tomorrow. So, the rest of the time today may be devoted to the discussion on delimitation of constituencies. If the House agrees, I shall call upon the hon. Minister, unless he wants to take time, and have his reply postponed to some other day, at 12-15 P. M. and he may conclude by 12-30 P.M. Or, if he wants more time, I shall call upon him at 12 noon, and he may conclude at 12-30 P.M. and then he can start his reply to the discussion on the Hindu Marriage

and Divorce Bill. If, however, he feels that so far as these matters are concerned, he would like to take time and get information regarding the matters that are raised here. I leave it to him. But it is a question of allotting time for discussion. The same handicap is everywhere. No previous notice of the points is given, and no procedure is laid down, and this is how we have been carrying on, so far as discussions under rule 211 are concerned. I leave it to the hon. Minister as an exceptional case; if he wants time on behalf of Government, we may consider that matter, and see if this could stand over or his reply only.

Shri Biswas: My difficulty is this. If questions of fact are raised in the course of this discussion, and I am expected to give a reply, I must be supplied with those facts, so that I might get the materials from the Election Commission or from the Delimitation Commission or whatever it is. On what basis am I to reply? That is my difficulty. If the question was one of interpretation, this is the interpretation, this is the Constitution, this is the provision, they have exceeded the limits of that, etc., all the facts that I shall require is whether they have actually transgressed those limits or not. That is about all, and on that, it may be possible to reply. But if questions of this personal nature are raised, and it is said, that they asked for an adjournment, but that adjournment was refused, and so on, I do not know on what grounds that adjournment was asked for, and on what grounds that adjournment was refused. I should think any tribunal, judicial or semi-judicial, has the right to say whether an adjournment should be granted or not. It will be a bad day for us, if such questions were raised, and because an adjournment was not given, the tribunal were hauled up at the bar of

Parliament; it will be a bad day for Parliament, if such a thing were done.

Several hon. Members rose—

Mr. Deputy-Speaker: How can I afford opportunity to so many hon. Members simultaneously?

Dr. Lanka Sundaram: Sir, I am rather surprised at the manner in which the hon. the Law Minister sought to make a statement.....

Mr. Deputy-Speaker: Making a speech?

Dr. Lanka Sundaram: My point is simple. There is the official gallery here in this hon. House. He can call the Members of both the Commissions to be present as the debate goes on. That is the normal procedure. Apparently, he does not want discussion...

Mr. Deputy-Speaker: So far as this matter standing over till the some other day is concerned, there is nothing in the Rules of Procedure. This subject is discussed under Rule 211. There is certainly a way as regards the opportunity which the hon. Law Minister thinks he should have. Other hon. Ministers have also consented to similar motions and they have been able to get the facts. Before consenting to the motion, whether it should be admitted or not, the Minister is also asked to look into it.

Shri Biswas: I had signified my dissent. I had stated that it was very vague and I did not agree to this discussion taking place. The matter is in the hands of the Speaker and I have got to submit to his ruling. I was informed late last night that the discussion would take place.

Dr. Lanka Sundaram: The cat is out of the bag!

Mr. Deputy-Speaker: I will consider it. If the hon. the Law Minister feels on behalf of the Government that he wants time for consideration and reply, the facts may be placed before the House and as an exception

—for it is not provided for in the rules—since the Government must have its own say on this matter, I will allow his reply to stand over till some other day which he may choose. In the meanwhile, I will stick to the time-limit for this matter, i.e. 12-30. Then I will call upon the hon. Minister to take up reply to the other matter.

Shri Biswas: Yes, Sir.

Mr. Deputy-Speaker: This discussion will go on till 12-30. The hon. Member who started. Dr. Krishna-swami, will take 20 minutes or 25 minutes at the most. Then I will call the other hon. Members and give 10 minutes each, if possible.

Shri Biswas: So you allow me to reply on some other day.

Mr. Deputy-Speaker: Very well.

Shri Raghavachari (Penukonda): It was stated by the Speaker that the matter had to be discussed before the 17th and therefore, even the discussion was not allowed to be postponed till tomorrow. So in considering the question of giving further time to the Minister this fact must be taken into account.

Shri Atekar (North Satara): May I make a submission?

Mr. Deputy-Speaker: Let the hon. Minister reply tomorrow.

Shri Biswas: That will depend on whether I am able to consult the Members of the Delimitation Commission. I understand they are not here. They are now out on tour.

Mr. Deputy-Speaker: When does the hon. Minister expect he will be able to reply?

Shri Biswas: I have got to find out when they are due to return. If such charges are made, then of course on those points I have got to consult them. Without reference to them, how can I reply? So that depends on when they return.

Mr. Deputy-Speaker: It is a small matter. The only question is...

Shri Biswas: May I just find out from my officers as to when they will return?

Mr. Deputy-Speaker: Oh, yes.

Shri Punnoose: On a point of order, Sir. The hon. Minister just now stated that when notice of this motion was given...

Shri Biswas: The information in possession of the Law Minister is that they are not expected to return before the 17th...

Shri V. P. Nayar (Chirayinkil): Sir, a point of order has been raised. Let it be heard.

Mr. Deputy-Speaker: Let me dispose of this matter which has already been taken up. I heard the hon. Speaker to say that it was represented to him that this matter must be disposed of before the 17th, and therefore he gave consent at such short notice; ultimately, the House agreed and we are proceeding. If however the hon. Law Minister cannot reply before the 17th, the very object of giving such short notice, as the hon. Speaker said, will be lost. Therefore, he may reply today with whatever material he has, unless he is able to choose any other day earlier than the 17th. I leave it to him. He may make up this mind before he wants me to call him at about 12 or 12-15. I am prepared to call him.

Shri Punnoose: The hon. Law Minister stated that when notice of this motion was given, he gave the reply that the motion was vague, that he was not in a position to answer and that he was not possessed with all the facts. Also he gave the opinion that it should not be fixed up and that still it was fixed up. That means he has certain dissatisfaction as to the fixing up of this time. Is it not a reflection on the Chair to make that statement on the floor of the House?

Babu Ramnarayan Singh (Hazarebagh West): Hear, hear.

Mr. Deputy-Speaker: I am afraid there is no reflection. The Law Minister said it; but ultimately the decision is in the hands of the Speaker. The Speaker said that it should be discussed before the 17th and in spite of the Law Minister's inconvenience, he agreed. Therefore, the Law Minister only made a statement of fact, as to under what circumstances it happened and that he must have notice and he must gather all material. Until yesterday he could not know of it and therefore, he feels there is a handicap. So there is no point of order. The hon. Law Minister is entitled to say that notwithstanding his objection, it was accepted by the Speaker:

Dr. Krishnaswami: I should like to resume my speech from where I left off. I want to point out to my hon. friend, the Law Minister...

Mr. Deputy-Speaker: With regard to the first point that was raised by the hon. Law Minister, hon. Members will confine themselves to the merits of the matter, the irregularities and other relevant matters. General discussion as to whether we have jurisdiction over them or not is not relevant, unless any point of order is raised. So far as admission is concerned, it has been admitted by the hon. Speaker. Therefore, there is no more going into that matter. He has given his consent and so far as this matter is concerned, his decision is final. Now we have only to discuss and leave it; we are not going to take a decision on this matter.

Dr. Krishnaswami: I did not wish to offend my hon. friend, the Law Minister; nor must this House assume that I was withholding facts from him.

Shri Biswas: You made that charge.

Mr. Deputy-Speaker: Let there be no conversation across the Table.

Dr. Krishnaswami: But the point which I should like to make is that the facts which I am mentioning are published in the *Gazette of India*. Dr. Lanka Sundaram wrote his dissenting Minute and that has been published in the *Gazette of India*. I presumed that Members of the Government were at least familiar with the *Gazette of India*....

Shri N. C. Chatterjee (Hooghly):
Never.

Dr. Krishnaswami:...and therefore it was that I suggested that these facts should be taken into account.

I was dealing with the powers and the procedure of the Delimitation Commission. It was not my intention to asperse any individual member of the Delimitation Commission, but it certainly is my desire to affirm from this side of the House—and I hope I will have uniform support for what I am advocating—that so far as these bodies are concerned, they are only creatures of parliamentary enactments and they are subject to certain well-known limitations which they cannot afford to overstep. It is no use trying to be touchy about the dignity of this or that individual; no matter however eminent he be, if he tries to overstep the limits prescribed either by the constitution or an act we certainly have a right to invite the attention of this House and to suggest corrective measures so that he might keep within the limits prescribed by the Constitution.

I shall refer to some aspects of the procedure adopted by the Delimitation Commission. The Commission cannot usurp jurisdiction which it does not possess under the Constitution. The limitation about the distribution of seats and delimitation of constituencies under the Act is that the Delimitation Commission should publish its proposals. The
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publication of proposals is envisaged to give the public an idea regarding the reasons and concrete schemes which, according to the Commission, should be adopted. The Act further provides for objections being made to the proposals by the Commission. But unless the Commission—and this is an important point which the hon. Law Minister will have to bear in mind—gives out its reasons, a bare publication of the list of new constituencies and an invitation to make objections will be absolutely fatuous and purposeless. The public must be given information as to why existing constituencies are disturbed or how the readjustments would not have been possible without scrapping up and destroying the identity of the old constituencies. Without such information being furnished, calling for objections is meaningless, a fake and a farce, and is meant to be an eye-wash. It is, therefore, imperative that before going any further, the Commission should be compelled to disclose the procedure adopted by it, the data on which it acted and why several constituencies have lost their shapes altogether and become totally unrecognisable at least to the present Members of the House of the People. Parliament is entitled to know all these matters. Parliament demands that these matters should be brought to their notice. We have after all appointed the Delimitation Commission for a certain specific purpose under the Delimitation Act. What is to be the solution of our present difficulties? I am not one of those who suggests that all these proposals should be brought before Parliament for amendment and review. This may lead to an odious process of lobbying. But I do affirm that we should clarify our intentions and a clarification is most necessary. I recommend two simple amendments which can be made to the Delimitation Act. These clarifications recommended are in conformity with the spirit and tenor of the Delimitation Commission Act. I should

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like this proviso to be put in at the end of section (8).

"Provided further that in giving effect to the provisions of this sub-section, the existing constituencies shall be readjusted with the minimum necessary alterations."

The other amendment is that the Delimitation Commission should be compelled to publish its proposals together with the detailed and comprehensive reasons and the dissenting proposals of the associate members. My hon. friend, the Law Minister, points out that it is too late at this stage to think of legislation. I agree that it is late, but this is a matter which is of such great urgency, that an ordinance can be and should be issued. The House will not be in session, I agree; neither can the House be kept without any business to be transacted. The Commission is already progressing rather rapidly and in order to proceed at greater speed, I understand that the Chairman has shifted the venue of operations to Ootacamund, a salubrious hill station. By the time the House meets next, it would have completed the delimitation of constituencies of major States. If the Bill is to wait until the House is to meet, it cannot be enacted until September, and then, if enacted, the work of the whole Commission will be rendered nugatory. The amount of money spent on the Commission's labours would be a waste of public funds. Therefore this is an appropriate case in which an ordinance can be and should be issued. I demand relief from Parliament. A relief from Parliament should be granted so that the mischief that has been done may be retrieved. An ordinance, after all, is a temporary injunction to be followed by complementary legislation which would be in the nature of a permanent relief. I have said enough to indicate that there are strong grounds...

Mr. Deputy-Speaker: Does the hon. Member mean that under the Constitution readjustment of constituencies does not mean an overhaul or a recasting of the whole thing?

Dr. Krishnaswami: That is the point. I derive support for my standpoint from the fact that when the original draft was prepared revision was taken from the Irish Constitution. Eventually the Constitution-makers omitted the word 'revised' and put in the word 'readjust' which they took from the Canadian Constitution. It is exactly because of that, that they put also the proviso saying that during the existing Parliament, the constituencies shall not be disturbed. In other words, they thought that Members of Parliament would be deemed to represent the new constituencies. The Delimitation Commission was not constituted to be a grand jury to gallivant throughout the country and upset all constituencies on the ground that there had been some gerrymandering in the past. Parliament has not been apprised whether there was gerrymandering in the past. Parliament has not yet had any occasion to review this matter. Certainly if Parliament had wanted to upset gerrymandering of constituencies, a different procedure would have been adopted. This sort of high and mighty attitude that has been adopted by the Delimitation Commission should not have been acquiesced in by the associate members of this House who should have brought it to our notice earlier.

Mr. Deputy-Speaker: What is the need for an ordinance? What is the hurry? It can be had only when there is a very urgent need.

Dr. Krishnaswami: If these proposals are finalised before September, then we would have to pass an Act.

Mr. Deputy-Speaker: What is the hurry even before September?

Dr. Krishnaswami: That depends upon the personnel of the Delimitation Commission and how far the Law Minister is able to apprise them of the wishes of this House.

Mr. Deputy-Speaker: Is there any election to go on in PEPSU or Travancore-Cochin? Or, is this for the general elections next time?

Dr. Krishnaswami: Yes; therefore, I fail all the more to understand why they did not grant a simple adjournment when my hon. friend, Dr. Lanka Sundaram, demanded it on the 27th February last. It was the date on which the Budget was introduced. I therefore suggest that this is a plain case in which there ought to be a clarification of our intentions. The amendments that I have suggested are of an essentially simple character. Parliament has, therefore, a right to shake the delimitation commission out of the rut into which it has fallen, to make it realise that it is to repeat a creature of Parliamentary enactment, and that it cannot afford to flout the wishes and express command of Parliament. A parliament which has been elected on the basis of adult franchise.

Shri Bansal (Jhajjar-Rewari): On a point of information. I want to know what is the real point in getting up this debate and having a decision of this House before the 17th I have not been able to follow.

Dr. Krishnaswami: May I clarify the point? 17th is the last day for sending objections before the Delimitation Commission.

Some Hon. Members: In what State?

Dr. Krishnaswami: Madras and Andhra.

Shri Velayudhan (Quilon cum Mavelikkara—Reserved—Sch. Castes): Travancore-Cochin also.

Dr. Krishnaswami: Yes; practically, three major States of the south

are affected. I would like to point out that merely asking us to give our objections without giving us a list of the reasons why the constituencies have been delimited would be absolutely dishonest.

Pandit Thakur Das Bhargava (Gurgaon): What about the other States of India?

Dr. Krishnaswami: That also will have to be taken up for revision.

Pandit Thakur Das Bhargava: Will there be a retrospective effect in respect of finalised Delimitation proposals.

Dr. Krishnaswami: They are all provisional. I suggest they should be reopened.

Pandit Thakur Das Bhargava: They are not.

Dr. Krishnaswami: Ours are provisional proposals.

Dr. Lanka Sundaram: Two years ago today every hon. Member of this House entered this Chamber. We are not even half-pay through the five-year period of the life of this hon. House. It is rather appropriate that on the third anniversary of our entry into this Chamber, we should be discussing delimitation. I would like to make two points. I would like my hon. friend the Law Minister to listen to me on this. I am not contesting the validity of the Presidential orders on delimitation. I am sure on one in this hon. House will contest it. I am not impugning the integrity of the members of the Delimitation Commission...

Mr. Deputy-Speaker: All personal references may be avoided. An eminent judge of the Supreme Court is the Chairman of the Delimitation Commission. Hon. Members are entitled to say what the scope of the Delimitation Commission is and if the Constitution has been misunderstood or misinterpreted, if a clarification is necessary, what steps should be taken by this Parliament etc.

[Mr. Deputy-Speaker]

They are within their legitimate right to that extent.

Shri Radhelal Vyas (Ujjain): The Chairman of the Commission is no longer a judge of the Supreme Court; he has retired. Cannot a reference be made to the retired judge? It is not in his capacity as judge of the Supreme Court that he will be discussed. It is only as Chairman of the Commission.

Mr. Deputy-Speaker: All that I am saying is this. He may not now be a judge of the Supreme Court but he is an eminent person who has acted as a judge of the Supreme Court. He is now the Chairman of the Commission. There may be differences of opinion regarding the interpretation or the working out of the rules and that might cause some amount of embarrassment and inconvenience which was not contemplated by the Parliament at the time of the framing of the Constitution. Hon. Members are within their rights to refer to those difficulties on the floor of the House and seek such redress as might be desirable. But, to go beyond that and to say anything against the Chairman is not proper. Independent of having been a Judge of the Supreme Court, the Chairman of a Commission is entitled to respect by the Members of this House. Let there be no heat in this matter. Facts leading to a conclusion as to what should be done, whether there should be a thorough overhaul as if we are doing it for the first time now, or is there to be a re-adjustment on account of the census—every census will mean that there is no fixed constituency and the whole constituency will be wiped out—are all matters on which the hon. Members might say what they feel. The hon. Minister will take time to consider them and place his views before the House. Apart from that, other matters if they are brought in, unnecessarily cloud the issue and our attention is diverted.

Dr. Lanka Sundaram: That is exactly what I was making out. My second point is that I am not impugning the integrity and character of the Members of the Commission. In fact, the Secretary of the Commission had received very high praise from Sudan, international praise. That is not the point at issue. The point to which I am directing the attention of the House is the manner and method adopted by the Delimitation Commission in the process of the discharge of its duties which has created a number of difficulties. And, in order to help my hon. friend, the Law Minister, I would quote with your permission two or three very small paragraphs from my minute of dissent to the Report of the Delimitation Commission which appeared in the *Gazette of India* and also in the *Gazette of the Andhra Government*. I will come to that in a minute. As you have correctly put,.....

Shri Biswas: In the notice of the motion no reference was made to the State or States in respect of which the complaint was made. For the first time, now, I understand that Andhra and Madras are intended to be referred to. But, they were not mentioned in the notice of motion and I do not know which *Gazette of India* I have to look up.

Dr. Lanka Sundaram: He can reply tomorrow. I do not know why my hon. friend, the Law Minister is impatient. He has plenty of time for a reply, a considered reply with the assistance of the Secretariat and other officers. He has 24 hours and more.

The point I was arguing was this. As you correctly said a minute ago. Mr. Deputy-Speaker, every time there is a census, are these constituencies to be wholly wiped out of existence and new constituencies formed? I have got here a map and I would not waste the time of the House. I will show without any difficulty at

all that even geographical considerations, considerations of contiguity have been completely ignored by some of the proposals of the Delimitation Commission.

Pandit Thakur Das Bhargava: How can they? There must be contiguity according to law.

Dr. Lanka Sundaram: I am glad my hon. friend has raised this point. They are all absolutely unrelated at all. I am prepared to give this to my hon. friend and place it on the Table here for every hon. Member to examine it. The point I am making is.....

Mr. Deputy-Speaker: I find hon. Members bring here some article, some bottle, something.....

Dr. Lanka Sundaram: It is a map of the Commission, Sir.

Mr. Deputy-Speaker: There cannot be a photograph of it here simultaneously with the reporter. Nobody except the hon. Member can see it. If the hon. Member wants to refer to the Plan in the House, he must refer to it in words as to what exactly he means. Otherwise, it cannot go into the records. There is no use dangling it in the House.

Dr. Lanka Sundaram: My friend was amazed at the point I was making. The point is that even considerations of contiguity have been wiped out by the Delimitation Commission.

Mr. Deputy-Speaker: This is not a general discussion on a Bill where hon. Members can speak irrespective of time. I would suggest to the hon. Members that they may refer at best to points on which this House must interfere or to show that the Delimitation Commission by an erroneous interpretation are not carrying the demarcation in the spirit of the Constitution.

Dr. Lanka Sundaram: The procedure adopted is arbitrary. It does not give any opportunity for proper

consultation with not only the associate members nominated in the name of this House but also of the public. It is here that I would crave your indulgence to quote two small paragraphs from my minute of dissent, paragraph 5 in the *Gazette of India* dated the 26th April, 1954. It reads thus:—

“For several months past there were public statements by Andhra Ministers referring to the existence of a memorandum of the composite State of Madras—(that is before the creation of Andhra into a State)—regarding delimitation. I put myself in correspondence with the Secretary of the Delimitation Commission and his letter No. 58/27/53 of the 13th February, 1954 *inter alia* runs as follows, as far as this point goes. ‘I am to state that there are no proposals of the composite Government of Madras-Andhra with the Commission.’ Since the Ministers of the Andhra State are reported in the papers to have referred to the proposals of the composite Government of Madras before partition, I was in correspondence with the Minister for Finance and Law of the Andhra State, Shri T. Viswanathan, and his letter of the 21st February, 1954, runs, in part, as follows: ‘The proposals so far made were made entirely at the office level and that was done at the time of the composite State. The Andhra Government Departments are just now looking into the matter.’ ”

My point is this. I am an associate member functioning in the name of this House with the Commission. I am aware—as you are aware, coming from that part of the country from which I come—that there were proposals by the composite State of Madras, the Government of Madras before partition. I asked them for a copy. I am told by the Commission that there are no such proposals. I

[Dr. Lanka Sundaram]

wrote to the Minister in Andhra. He says, there were. This is the proof. The tragedy, however, is this that even the Andhra Government or the Andhra Minister with whom I put myself in touch did not supply me with a copy of the proposals and I am asked to advise the Commission in the name of this House. Is it fair, is it proper? On what basis did the Delimitation Commission proceed. The Delimitation Commission suppressed the proposals which they had received. I talk with a certain amount of anxiety on this point. These associate members have been fooled about by the Commission.

I will give another instance. This hon. House met on the 15th February. I arrived here on the 11th February after a stay of two months in my constituency. A letter was waiting for me here dated the 10th of February asking me to proceed immediately and meet them on the 23 or so.

Mr. Deputy-Speaker: When did Parliament commence?

Dr. Lanka Sundaram: On the 15th February.

Two days after that I rang up the Commission. I do not know the Secretary of the Commission; I have had no opportunity of meeting him. I asked him whether the Commission would give us a suitable date. Do you know the answer I got? I declare it with honour. He said, 'After all the Commission has got to do some work'. As if we have nothing to do. That is a small point. And, lo and behold, a few days after the date of the meeting, it was postponed abruptly, for what reason, I do not know. Then a further date was fixed.

Mr. Deputy-Speaker: Evidently to accommodate the hon. Member.

Dr. Lanka Sundaram: No, Sir; to accommodate their office convenience.

Mr. Deputy-Speaker: Office convenience?

Dr. Lanka Sundaram: I say so with all responsibility, because the Secretary of the Commission was asked to go to Sudan. I am not quarrelling with it. The more important point I want to make is this. I shall quote from the *Gazette of India* so that my hon. friend may not think it is all a cock and bull story. I am reading from paragraph 7.

"I want to go on record, on information made available to me from appropriate quarters, that the Andhra Government itself was most anxious not to have the meeting held in Kurnool for the reason that it was in the midst of the budget session and suggested postponement thereof."

It was not postponed. And I am prepared to declare that there were no proposals of the Andhra Government before the Commission. And we have the threat of the Order being finalised on the 17th. Is it fair?

Mr. Deputy-Speaker: Is there any indication to show how the proposals were made by the Commission and published?

Dr. Lanka Sundaram: If you will permit me I will come to it a little later. I am trying to draw attention to the arbitrary abrupt and unreasonable manner in which the Commission have been proceeding. Leave aside my convenience. The Government of the State of Andhra must be consulted. They asked for postponement. But the meeting was held.

I will go a step further. I declare, after making competent enquiries, in good faith, and in a *bona fide* manner, something which will astound the House. As you know, Sir, my constituency consists of two revenue districts. Even today the Collectors of these two districts have not been consulted or asked to make proposals in this regard.

Shri Velayudhan: Why should they be consulted?

Dr. Lanka Sundaram: Let my friend have a little patience. I am leading up to the position. Is the Commission an omniscient body? Does it manufacture proposals from its brain caps? What is the basis of the recommendation sought to be made in this provisional Order now gazetted? Where do they get it from? The Andhra Government has not submitted any proposals.

Mr. Deputy-Speaker: But do they not have the previous proposals?

Dr. Lanka Sundaram: After all you will appreciate all of us have to proceed with a sense of responsibility. So in the final paragraph of my minute of dissent I wrote:

"I am most anxious that the proposals of the Delimitation Commission should not give rise to any justifiable grievance that considerations other than those involved in population growth have become involved."

I am prepared to suggest, and very seriously, that considerations other than the implications of the census have gone into this business. I agree with your admonition, Mr. Deputy-Speaker, and you have seen my behaviour in this House. I do not want to make any wild or irresponsible statement. But I do not think that the procedure adopted by the Commission, in the light of the documents and the letters of correspondence between me and the Commission and between the Andhra Government and the Commission, is correct. That is the reason why I signed the motion along with my hon. friend Dr. Krishnaswami a few weeks ago to have a debate on the resolution which unfortunately could not get through because of certain difficulties.

Mr. Deputy-Speaker: What is it that the hon. Member wants this House to do?

Dr. Lanka Sundaram: Postponement of the finalisation of the impending orders of the Delimitation Commission with respect to the States which have just now been completed. I agree with the statement made by my hon. friend Dr. Krishnaswami that the Delimitation Commission must append to each proposal the reasons for making that recommendation, without which it will not be fair to this honourable House and to the voter at large.

Shri S. S. More (Sholapur): Under what provision can we make all these changes or give all these directions? If you refer to section 4 of the Delimitation Commission Act which we have passed, under which the Commission is functioning, you will see that they are given complete power to readjust constituencies.

Mr. Deputy-Speaker: It seems to be a matter of interpretation of readjustment. In the earlier portion of the article in the Constitution it refers to grouping, dividing, and so on. readjusting the constituency after every census in the light of any increase in population. What the hon. Member evidently says is that the readjustment is not done properly.

Shri S. S. More: We are at a disadvantage. Are we trying here to implement what we meant by readjustment?

Mr. Deputy-Speaker: That is the clarification they want.

Shri S. S. More: According to the request he made this House should postpone the finalisation of this.

Dr. Lanka Sundaram: I want the Commission to postpone the finalisation.

Shri S. S. More: Who is to ask them?

Mr. Deputy-Speaker: He is appealing to the hon. the Law Minister.

Dr. Lanka Sundaram: My friend has misunderstood my point. I am

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not asking this House to postpone the finalisation, because it has no jurisdiction in the matter. I am taking this opportunity in this House to convey to the Delimitation Commission through my hon. friend the Law Minister that in the light of what we have said so far, and in the light of what other hon. Members may say in the next few minutes, they should defer finalisation of the proposals which for all practical purposes, as far as I am concerned, are arbitrary.

There is one further point I wish to make. Under the Constitution this honourable House and the Delimitation Commission itself have certain obligations to the Scheduled Castes and the Scheduled Tribes. You, Mr. Deputy-Speaker, coming from Andhra are familiar with the geography of the area, and you will see that the interests of the Scheduled Castes and the Scheduled Tribes have been completely jeopardised as a result of some of the recommendations of the Delimitation Commission. You will see that the Scheduled Caste constituency of Eluru has been abolished and shifted to Nellore. I am referring to the parliamentary constituency.

Mr. Deputy-Speaker: Shifted from one to another?

Dr. Lanka Sundaram: It is a question of readjustment! The point I wish to make is this.

Shri A. M. Thomas (Ernakulam): In which place is there more concentration of Scheduled Castes?

Dr. Lanka Sundaram: That is what I want to know! There is no increase in the number of seats in the House of the people for Andhra State even though there is an increase in population. That is a point which I think the House should remember. These remarkable series of changes completely wiping out existing constituencies have been made. I shall give one important illustration regarding the Scheduled Tribes.

Shri D. C. Sharma: For the Punjab there has been no increase in the number of seats; actually there has been a decrease.

Dr. Lanka Sundaram: I am not asking for an increase. I will give an example regarding the Scheduled Tribes and sit down. As you know, Sir, and as the House knows, I represent a joint constituency with Scheduled Tribes. I am now at the moment arguing against my own personal interest. It is an argument which I incorporated in my minute of dissent. There are about seven lakhs of Scheduled Tribes in Andhra spread over East Godavari, Visakhapatnam and part of Srikakulam Agencies, the largest being in East Godavari. But in the last delimitation, God alone knows for what reason, they were disenfranchised for parliamentary election and a double constituency was given to me. Do you know the proposal today? The Scheduled Castes of Dandakaranya in East Godavari District are continued to be disenfranchised. My double member parliamentary constituency has been abolished. And the Scheduled Tribes are given a double member constituency in the north, at Vizianagram, where there is hardly any Scheduled Tribe population compared to my area or Dandakaranya. In other words there is no unification of the Scheduled Tribes south of the Vindhya. I do not know how the Delimitation Commission has arrived at this conclusion. As I said, and I repeat, I am now arguing against my own personal interests. Under the Constitution we have a special responsibility for the Scheduled Tribes. This is only as an illustration of how we are trying to discharge that responsibility.

I request the hon. the Law Minister to convey to the Delimitation Commission on behalf of the House, at the appropriate moment, that they should not proceed post-haste with

the finalisation of these proposals, because once it is gazetted finally and the President's order comes none can challenge it. I can give him an assurance that I am not contesting the validity of the President's order, nor do I question the character and the integrity of the members of the Commission. But I am certainly here to condemn the arbitrary and, if you would permit me to say, the irrational procedure so far adopted.

Shri Ramachandra Reddi (Nellore): I have got a very few observations to make on this motion. I agree generally with the views that have been expressed by the two previous speakers. I am reminded here of the Telugu saying that when a pupil was asked to draw the picture of his teacher, he drew it, and in the end it was found to be not the picture of his teacher but that of a monkey.

Shri D. C. Sharma: I must say it is very insulting to the teaching profession.

An Hon. Member: Let us hear the Telugu saying.

Mr. Deputy-Speaker: Let us not spend away the time. That is not part of the delimitation.

Dr. Lanka Sundaram: Let us delimit the teacher!

Shri Ramachandra Reddi: A casual perusal of the delimitation proposals impresses upon anybody that the principles have not been properly adhered to and reasonable methods have not been adopted in the delimitation of the constituencies. We expected when we passed this Act and also when a Commission for delimitation was appointed that certain fundamental principles would be observed by them and those fundamental principles being that they should interfere in the least with regard to existing constituencies and that they should have the district units unchanged as far as possible. Another principle was that for Assem-

bly constituency they will have the taluk units upheld.

Mr. Deputy-Speaker: Are there any general principles under which the delimitation is now being done? Why are they going over the existing constituencies?

Shri Ramachandra Reddi: I have not seen any such principles noted down. But we as Members of Parliament expect generally that there would be the least interference with the existing constituencies. I did not have enough time to devote to the recent orders of the Commission, as such I am not in a position to describe them in greater details. I would therefore only touch upon a few points of general interest.

From a perusal of the report of a couple of districts with which I am acquainted, I feel that these principles have been violently violated and I think that the Commission should be requested once again to revise their orders on that behalf. For instance, the constituency that I represent consists of three Government taluks and two ex-estate taluks. In two Government taluks and two estate taluks there were only three M.L.A. general constituencies. Now, they have been increased to four after subtraction of a substantial area. Instead of three members for the Assembly, they have created four members for lesser area and with the same boundaries, of course with a few adjustments in the taluk boundaries, and two of them will be from Scheduled classes.

Mr. Deputy-Speaker: What is the percentage of increase in population there, has it doubled?

Shri Ramachandra Reddi: I do not think so; this is a barren and dry area. I do not think there is any possibility of the population being doubled. I do not think it could have put in its quota of 10 per cent. within ten years.

Therefore, I feel that some sort of voriferous influence has been brought

[Shri Ramachandra Reddi]

upon the Commission and they were made to think that a few adjustments here and there would be suitable. But, I am afraid that influence is dependent upon certain local conditions. Certain people who are anxious to retain their influence or membership in those particular constituencies want to safeguard their constituencies and influence. They also want to add on a few more Scheduled class seats to those constituencies with the result that instead of three seats in the same area there will be now six seats in their pockets. This is one point that I wanted to mention.

Then, we had for that district, two general seats and one Scheduled class seat for the Parliament. Now they have cut off one general seat and it has been reduced to one seat for the Scheduled class and one general seat, having taken away a portion of the previous constituency. Instead of giving the Scheduled class a seat there, if the density of population is the criterion, they could be tacked on the Scheduled class seat to the West Godavari district where that population is of greater density than in Nellore. Thus, the density of population has not been properly considered. I am not pleading for removal or retention of any particular seat in any particular constituency at all. I am speaking generally about the way in which things are being managed.

As a matter of fact, it is only when a particular Member has got the opportunity of nursing his own constituency that he can stand in that constituency and secure success. But, here, by the recent order of the Delimitation Commission nursing of the constituency has been made impossible. Instead of having taluks as the units they have cut off the taluks into several pieces and made *Firkas* as the headquarters of certain constituencies. I see them to a large extent in my own district. Since I am acquainted with my district I am trying to point out the defects in my

district. I feel that in certain cases the Congress influence has had its own play upon the decisions.

Shri Achuthan (Cranganur): Quite the reverse was our experience.

Shri Ramachandra Reddi: The reason is.—I am replying to my hon. friend Shri Achuthan—that in each district there are two Congress parties, the more influential gets the better of it and the less influential, gets the worst of it. That is a thing which every hon. Member in this House is aware of. I never wanted to make a mention of it, but Shri Achuthan drew me into that.

Now, after the change in these constituencies, some of them have been made very small ones and some of them have been made very unwieldy; single member constituencies have been doubled up and double member constituencies have been changed. In these circumstances one would wish that the matter is reviewed once again and the necessary adjustments made. I feel that these constituencies have been used as 'potter's earth' which can be squeezed into any shape while it is wet. Whatever might be the shape, the Commission did not very much mind it, but they were only led by certain impressions of their own creation. I have got the greatest respect for the Chairman as well as members of that Commission, but I am sure that they have not been properly advised by those people who have been taken to advise them.

Dr. Lanka Sundaram: Where is the advice; neither the Collector nor the Government?

Shri Ramachandra Reddi: As pointed out by Dr. Lanka Sundaram if the State Governments and the Collector of each district are not consulted and their views not taken, I do not know whom they consulted and whose advice they have taken. That is why

I have said previously that certain influential voices seem to have prevailed over the decisions that have been taken by the Commission. I would only submit that there is not much urgency in this matter. The general elections are nearly two years off.

Dr. Lanka Sundaram: Three years off.

Shri Ramachandra Reddi: I am sure, as far as the present House is constituted, there is no fear of any elections earlier or the dissolution of the Parliament. Since there is no particular urgency about this matter, it behoves the Government as well as the hon. Law Member to see that the Commission look into this matter more carefully, take the opinion of the local officials as well as State Governments into consideration and find out a way by which they can make a more proper and reasonable adjustment.

We expected that the principle of least interference with the existing constituencies would be adopted. But, that does not seem to have been adopted. We find, in the end, too much of grafting and cutting has been indulged in. If we just look into the map of these constituencies, we will find that in certain cases the arm has been amputated and grafted on to the leg and a finger has been amputated and grafted to the toe. I can easily point out several instances.

Mr. Deputy-Speaker: Fortunately, the finger has not been put into the nose.

Shri Ramachandra Reddi: That would only choke the person. I do not like to take more of the time of the House. I would only appeal to the hon. Law Minister to look into these matters with an open mind and see that, wherever complaints are received, such matters are properly examined by the Government itself. Whether the Commission is going to change the proposals or not, I think the Government should have the ultimate authority to change certain proposals and make the division of the constituencies more reasonable and more tenable.

Shri Velayudhan: I wanted to speak on this particular motion because it has created a lot of stir not only among the Members of Parliament, but also among those interests that are intimately connected with delimitation. When I heard the Law Minister speak or intervene in the debate.....

Shri K. K. Basu (Diamond Harbour): Interject.

Shri Velayudhan:.....or when I heard some of the Members speak on this question, I could not help feeling that they express no reasonable view point on the subject under discussion. It is my feeling that many people are ignorant about the subject under discussion. That was why no concrete proposal regarding this subject under discussion was put forward by any hon. Member who spoke before me.

We are now discussing a point on the basis of a Bill which we passed in 1952. I must tell the House that I had an opportunity of speaking on this Bill when it came before the House at that time. One point about which I warned this House at that time was, I remember even now, that clause 9 should be amended, so that when the Delimitation Commission revised the report, it should not only be placed before Parliament, but it should be discussed in Parliament and it must become law after getting the assent of Parliament. In clause 9 it was stated that the Commission shall cause each of its final orders to be published in the *Gazette of India* and upon such publication, the orders shall have the full force of law and shall not be called in question in any court or anywhere else. I had specifically mentioned that this revised statement of the Delimitation Commission should come before the House and that the Parliament should discuss it and then decide how the delimitation should proceed. This is what we did in the first Bill also. I was a member of the Committee from the Travancore-Cochin State. Then, the whole report of the Delimitation Commission came before Parliament. We discussed it threadbare and then

[Shri Velayudhan]

Parliament passed it, and then it became law, after passing by Parliament. At that time, somehow or other, I heard a lot of manoeuvring inside the circles here with the result that this particular clause was introduced so that we are now left without any opportunity to discuss this matter except as a short notice question or something like that.

11 P.M.

I have not much criticism about the Commission, because the Commission will have to finalise the report. At the same time, I must say with due respect to the Commission as well as to the law that we have passed, that it has gone beyond the limit of its own powers in so many respects. It was only a revising Commission and it cannot go beyond that. I must give an example. Take the Malabar district where there was a Scheduled Caste seat reserved. That seat has been taken away from them. I must say this with all respect that this goes beyond their power. I think it is a kind of idiosyncrasy on the part of the Commission to take away a seat which was already given by a Commission before, and then take it to another part of the State or somewhere else. In Malabar it was a big unit. Even though it is part of the Madras State, in Malabar and South Canara, there was a single unit of Scheduled Castes and they formed a population of 5 lakhs. I have gone through the list regarding delimitation worked out by the Commission. I see that where there is less population than in Malabar, they have allotted seats. Take, for example, the seat allotted to the parliamentary constituency for Ramanathapuram. There is lesser population there than in the Malabar district. According to the Constitution and the Bill which we have passed, the Scheduled Castes should be allotted seats where they are concentrated and at the same time, the seats should be distributed also. It is very clearly stated in clause 8 (2) (d) that the constituencies in

which a seat is reserved either for the Scheduled Castes or for the Scheduled Tribes, as far as practicable, should be located in areas, in which the population of Scheduled Castes or as the case may be of the Scheduled Tribes is most concentrated, and that in regard to Scheduled castes, care should be taken to distribute the reserved seats in different areas of the States. In the Malabar district, which is particularly a Malayalam speaking area, in the Madras State, the only Parliamentary constituency which we were having, my friend Shri I. Eacharan's seat, has been taken away, and it has been given to a Tamil-speaking area. So, I had to use that particular word regarding the Commission's action.

Another thing that I wanted to say is this. In my State, of course, they have now delimited the constituencies. I do not know why I was not called to represent this matter. It was stated in the Bill that the Speaker will nominate a Member of Parliament from that State, when the particular delimitation proposals were investigated in the State. Especially some of us who represent the Scheduled Castes in the Travancore-Cochin State, in this Parliament could be nominated. I am the only Member and I thought that I would be invited. In the last Delimitation Commission, I was a Member.

Shri K. K. Basu: Invited or nominated?

Shri Velayudhan: Both.

Shri K. K. Basu: If you say, nominated, it is the function of the Speaker: the Commission has nothing to do with that.

Shri Velayudhan: Don't be in a hurry. I know that better than yourself. I wanted to be a Member of the Commission nominated because I want to represent my matter clearly so that it may be accepted by the Commission. I meant in that spirit; not becoming a Member of the Commission.

Shri Punnoose: All these matters have been published in the papers.

Shri Velayudhan: At the same time, I must say that the Speaker used to nominate Members from the States. He should have seen that particular interests are represented from that State, also. Therefore the Scheduled Caste Members should have been included or nominated in that committee.

Scheduled Caste Members from Mysore State have expressed a lot of difficulty. Not a single Scheduled Caste Member was associated with the Delimitation Commission nor did the Speaker nominate anyone.

Mr. Deputy-Speaker: The Commission is not responsible for that.

Shri Velayudhan: The Speaker is responsible.

Mr. Deputy-Speaker: We are not going into those matters.

Shri Velayudhan: There is only one remedy now, viz., to amend section 9 of the Act. The Law Minister should bring a Bill after the submission of the whole report by the Delimitation Commission, and then we will have to discuss it and decide the whole thing.

श्री गणपति राम (ज़िला जौनपुर -- पूर्व
-- रक्षित—अनुसूचित जातियां) : उपाध्यक्ष
महोदय, मैं उत्तर प्रदेश की शेड्यूल्ड कास्ट
क.स्टीटुएंसीज़ के विषय में दो मिनट का समय
चाहता हूँ ।

Shri Raghuramaiah (Tenali): I am one of those who have been considerably surprised at the manner in which delimitation has been and is being conducted. It looks though somebody has taken his scissors and is cutting up the map of India in straight cuts without any regard to the circumstances of each particular area. It is I think, a cross-country trot.

After all, in constituency we are not dealing with only rivers, mountains and landscape. We are dealing with people. I have known many cases where there are certain natural affinities, groups of people having been associated for years in the same constituency, having been nursed by the same Member. Now, there is an arbitrary disturbance of that natural association, and I think, as some previous speaker said, it will be an awful day to democracy if a man does not know what constituency he belongs to. Particularly I feel that in doing that the Commission has completely ignored—and there, I entirely agree with Dr. Krishnaswami—the provisions of article 81.

There is a clear distinction between the language of article (81) (1) (b). and the language of 81 (3). As you have pointed out Sir, article 81 (1) (b) talks of the States being divided into groups or formed into territorial constituencies. That has relation to the original scheme of things. Now, I am reading article 81 (3):

“Upon the completion of each census, the representation of the several territorial constituencies the House of the People shall be readjusted....”

There is difference between the initial division and subsequent readjustment. The question of readjustment has arisen because of a possible increase in the population or, maybe, a decrease in the population. We have set a figure that there shall be one Member for every 750,000 people of the population and not more than one Member for every 500,000 of the population. Suppose in an existing constituency there is an increase in the population and there are more than 750,000—or below the minimum specified here—then there is a case for readjustment. It was never obviously intended by this article that there shall be a wholesale cross-cutting of the entire country. The same language, you will not notice, Sir, has been

[Shri Raghuramaiah]

adopted in the Delimitation Commission Act. I am regarding section 8 of the Act:

"The Commission shall, in the manner herein provided, first determine on the basis of the latest census figures—

- (a) the number of seats to be allotted to each of the States in the House of the People... and in doing so, shall have regard to the provisions of article 81 and article 330...."

It is, therefore, clear that this Act cannot and does not purport to give any more powers than what is contemplated under article 81, and the Commission, in so far as it has gone on dividing up the whole country as if the constituencies never existed, has gone much beyond the spirit of article 81. I also agree and that is probably a matter in respect of which we have to bear some share of the fault that the status of the associate members in the Commission is not at all consistent with the dignity of this House. Unfortunately, in section 5 of the Act we have chosen the words "for the purpose of assisting the Commission in the readjustment of the representation". I do not know what impression we have given to the Commission by the use of the word "assisting". I suppose the idea was not that associate members should be treated like any other member of the Public but that there should be some weight attached to their advice. It was not I think, the intention of this House when it passed the measure, that they should be ignored completely.

I think in very many cases the Commission has treated the advice given by the Members of the State Assemblies and Members of Parliament with scant respect. I would like to record my strong protest at the manner in which it has been done. In saying that I have not got anything personal against members of the Commission. I know

them. They are perfect gentlemen, they are nice gentlemen they are honest gentlemen. I am only saying this to show that I am not attacking them personally, but I do protest that the treatment given to associate members is not what is contemplated in section 5 of the Act. There perhaps the word "assisting" is being misconstrued. When we introduced the word "assisting", I think all that was meant was that associate members should not have a right of voting but that there should be a weight attached to their advice because they are either Members of Parliament or Members of the State Assemblies and they have got abundant experience in the matter.

I agree that something must be done. The question is: what is to be done? My friend, Dr. Krishnaswami, has suggested that an ordinance should be issued giving a kind of direction as to the interpretation of article 81; in other words, directing the Commission that the alterations that they make shall be only in the nature of readjustment here and there. But I submit that such an ordinance would be wholly unnecessary because it is clear—abundantly clear—from the section itself, from the article of the Constitution itself, that they shall not do anything more than a readjustment. There is also another difficulty. In the case of some of the States I understand the proposals of the Delimitation Commission have already become final. If we issue instructions at this stage, I do not know what is going to happen to the proposals which have already been made by the Commission in respect of some of the States and have become final. I think we should devise some machinery which should apply equally to the States in respect of which proposals have been made and the States in respect of which the Commission's proposals are now being awaited. In this case I agree with Mr. Velayudhan that the proper course, situated as we are today, is to amend section 9 of the Act. Section 9 of the Act contemplates that as soon as

proposals are made and as soon as they are published in the *Gazette of India* and they become final, they shall be laid before the House of the People. There is not even, obviously, a right of discussion and nothing is specified in this Act.

We simply receive them on the Table of the House.

Dr. Lanka Sundaram: May I interrupt the hon. Member? You may lay it down that when a paper is laid on the Table of the House, it is open to the House to discuss it, if it chooses. Nothing prevents a discussion.

Shri Raghuramaiah: Even so, my point is this. You may discuss it, but it is not going to alter their recommendations. Their recommendations become absolutely final, because under section 9 (1) of the Act:

"The Commission shall cause each of its final orders to be published in the *Gazette of India*; and upon such publication, the order shall have the full force of law and shall not called in question in any court."

So, a mere discussion here is not going to affect the merits of the case.

It is sometimes said that this provision has been inserted to avoid any political influence in the final decisions. But this is the Parliament, and it is not conceivable that we will interfere in every constituency. But when a grave irregularity like this happens, and we are satisfied that article 81 of the Constitution is not properly construed or is not properly applied,— and it is only when a question of principle like that arises—I think this House will interfere and set right matters. Instead of an ordinance merely indicating to the Commission the lines on which they should proceed, I would in the circumstances request the hon. Law Minister to consider the question of amending section 9, so that it may authorise this House to scrutinise the final proposals in respect of all these cases,

and where grave errors are committed, to interfere and set matters right.

I would only repeat what I have stated at the very commencement. I and the many other speakers of this morning have nothing personal against the members of the Commission. It does not matter how the constituency of each one of us is set down, but we are interested in the fact that what the Commission is now doing will, if this interpretation of article 81 of the Constitution is allowed to stand, jeopardize the whole conception behind that article; and every time there is a census, if we are going to have this kind of thing, there will be a total alteration of all constituencies, so that at any given point of time, nobody knows who are the people whom he represents.

सरबार ए० एस० सहगल (बिलासपुर) :

उपाध्यक्ष महोदय, माननीय सदस्य डा० कृष्णा-स्वामी ने डिलिमिटेशन कमीशन के ऊपर जो दो घंटे की बहस की आज्ञा प्राप्त की है, उस पर मैं अपने कुछ विचार रखना चाहता हूँ।

यह कहा जाता है कि डिलिमिटेशन कमीशन को जो अधिकार दिये गये थे, उसने उन की अवहेलना की है। मेरे यहां डिलिमिटेशन कमीशन ने जो वाउंडरीज़ बनाई हैं उन के बारे में भी मैं कहने के लिये तैयार हूँ कि हाउस आफ दी पीपुल के लिये जो जगहें हैं मध्य प्रदेश में उन में भी इसी प्रकार से हुआ है, लेकिन आपने जो अधिकार उनको दफा ८१ में दिये हैं, जब तक आप उनको बदलते नहीं हैं तब तक उसके ऊपर क्या बन्धन है कि वह आपकी बातों को मानें। इसलिये पहले आप संविधान की दफा ८१ को बदलिये इसको बदलने के बाद जो ऐतराज़ात हमारे बहुत से सदस्यों ने उठाये हैं, उन पर अमल किया जा सकता है। लेकिन जब तक आप यह धारा ८१ नहीं बदलते हैं, तब तक आपके ऐतराज़ात कहां तक कामयाबी हासिल कर सकेंगे: यह मेरी समझ में नहीं आता है।

[सरदार ए० एस० सहगल]

जिन हमारे एसोशिएटेड मेम्बर्स ने डिलिमिटेशन कमीशन के सामने बयान दिया है, उनके बारे में मैं कहना चाहता हूँ कि खाली एसोशिएटेड मेम्बर बन जाने से काम नहीं चलता है। जो मेम्बर्स उसमें भाग लेते हैं उनको पूर्ण अधिकार होना चाहिये कि जो उनकी बातें हों, जो उनके सजेन्स हों, जो उन के सुझाव हों, उन पर कमीशन अमल करे। लेकिन देखने में आया है कि उसने इसके मुताबिक कार्य नहीं किया है। मैं आपके सामने कहूंगा कि दफा ८१(३) में यह है :

“Upon the completion of each census, the representation of the several territorial constituencies in the House of the People shall be readjusted by such authority...”

वह कौन अथारिटी है जो यह ऐडजस्ट करेगी? ऐडजस्ट करने के लिये आपने डिलिमिटेशन कमीशन रखा है कि वह जाकर इसका ऐडजस्टमेंट करेगा, कोई दूसरा इसको नहीं कर सकता। इसके साथ साथ यह भी है कि :

“.....in such manner and with effect from such date as Parliament may by law determine.”

यह काम तो पार्लियामेंट का होगा कि वह तय करे कि कमीशन इसको किस तारीख से और कैसे कर सकता है। इसके साथ साथ यह भी है कि :

“Provided that such adjustment shall not affect representation in the House of the People until the dissolution of the then existing House.”

तो हमें यह देखना है कि हर एक स्टेट का हाउस आफ दी पीपुल में जो रिप्रेजेंटेशन है उसमें कियी किस्म की गड़बड़ी न हो। मान लीजिये कि स्टेट है, आप मध्य प्रदेश को ले लीजिये। मध्य प्रदेश का एक जिला, या एक

कान्स्टिट्यून्सी, एक परगना या एक तहसील यदि दूसरी स्टेट में डाल दी जाय तो ऐसी हालत में मैं समझता हूँ इस पर ऐतराज किया जा सकता है। लेकिन अगर उसी स्टेट में सन् १९५१ के सेन्स के मुताबिक पापुलेशन बढ़ गई है तो इस में कमीशन क्या करेगा, यह मेरी समझ में नहीं आता है। कमीशन तो यह देखेगा कि अगर कहीं पर हरिजन भाई रहते हैं तो उनकी पापुलेशन कितनी है, और रिप्रेजेंटेशन उसके परसेन्टेज के मुताबिक है या नहीं। उसके मुताबिक वह उस एरिया को बनायेगा। इसी तरह से जो हमारे ट्राइबल एरियाज के लोग हैं उनके लिये भी यह देखेगा कि यदि वह एक जिले में नहीं बल्कि दो जिलों को लेकर परसेन्टेज में आते हैं तो उसके मुताबिक ऐडजस्टमेंट होगा।

मैं माननीय सदस्यों का यह ऐतराज मानने के लिये तैयार हूँ कि जब तक आप इस पर अच्छी तरह से गौर नहीं करते हैं तब तक काम नहीं चलेगा। मान लीजिये कि १९५१ के बाद जब दूसरा से सस होगा उस में भी दिक्कत पैदा हुई तो आप क्या करेंगे? फिर दुबारा आपको तकलीफ उठानी पड़ेगी। पहले दफा ८१(ख) में यह था कि :

“....not less than one member for every 750,000 of the population and not more than one member for every 500,000 of the population.”

आपने क्या किया कि पापुलेशन को ५००,००० पर ला कर रख दिया है यानी इससे नीचे नहीं होना चाहिये कान्स्टिट्यून्सी बनाने के लिये। ऊपर की हद तो आपने कोई रखी नहीं, हो सकता हो ८ लाख हो, ९ लाख हो या १० लाख हो। लेकिन जब तक आप इन चीजों में तर्मीम नहीं करते हैं, जो भी आपके यहां की जन संख्या है जो मुद्दमशुमारी में बढ़ाते हैं, उस वक्त तक मैं नहीं समझ सकता कि डिलि-

मिशन कमीशन क्या करेगा। आप पहले अपने कांस्टीट्यूशन के दफा ८१ को बदलिये, उसके बाद फिर आप डिलिमिटेशन कमीशन पर जो भी एतराजात हों उनको कर सकते हैं।

जो डिलिमिटेशन कमीशन है उसको आपने मुकर्रर किया है। मुकर्रर होते के बाद वह अपनी कार्यवाही करता है। उसको आपने कांस्टीट्यूशन के मुताबिक अपने खुद के ऐक्ट के मुताबिक बहुत से अधिकार दिये हैं। यदि वह उन अधिकारों की अवहेलना करता है तो बेशक आपको बतलाने का अधिकार है, बेशक आप यहां पर कह सकते हैं, यहां पर बहस कर सकते हैं, उस पर एतराज कर सकते हैं। आप एक कमेटी बना दें, वह अपनी रय दे, रिपोर्ट बना कर भेजे, रिपोर्ट भेजने के बाद यदि कान्स्टिटुएन्सी बनाई जाती है तो हम उस पर एतराज कर सकते हैं और जहां आवश्यक हो वहां हम ऐडजस्टमेंट कर सकते हैं। इस तरह से करने में हमें सज़लियत होगी और जो कान्स्टिटुएन्सीज बनाई गई हैं, तथा उन के सम्बन्ध में हमारे मित्रों को जो एतराज हैं, उन पर हम विचार कर सकेंगे।

इन शब्दों के साथ हमारे माननीय मित्र जो दो घंटे की बहस सदन के सम्मुख लाये हैं, उस पर मैं अपने विचार रखता हूँ।

Several hon. Members rose—

Mr. Deputy-Speaker: Shri S. V. Ramaswamy.

Shri M. S. Gurupadaswamy (Mysore): What about this side?

Mr. Deputy-Speaker: I started with this side first, and allowed four hon. Members to talk, Dr. Krishnaswami, Dr. Lanka Sundaram, Shri Ramachandra Reddi and Shri Velayudhan. Now I am coming to this side.

Shri Debeswar Sarmah (Golaghat-Jorhat): What about the middle?

Mr. Deputy-Speaker: Hon. Members need only wait, and they will be called.

Shri Punnoose: They also serve who only stand and wait.

Mr. Deputy-Speaker: Now, Shri S. V. Ramaswamy.

Shri S. V. Ramaswamy (Salem): The notification in regard to the Madras State differs from that in regard to the State of Andhra in one respect. In the Andhra notification, we find three minutes of dissent, whereas there is none in the Madras notification. It gives the impression as if there were no counter proposals or alternative proposals to what was proposed by the Delimitation Commission. Actually, it is not so. A number of alternative suggestions has been submitted to them, and yet, you would be pleased to see, they have not even been incorporated as minutes of dissent. It may be that hon. Members who were associated with the Commission did not submit as such any minutes of dissent, but only alternative proposals. Yet, I should feel that they should also have been published, so that the impression may not be created that the associate members merely nodded their heads and did nothing else.

As a matter of fact, on 18-3-54, a proposal was made with regard to the Salem district: A memorandum was submitted, stating certain principles on which it should be done. I wish in passing this Act of 1952, we had laid down not merely the procedure, but the principles on which delimitation should be done. That is very unfortunate. Evidently this Parliament thought that the statutory body will go on certain principles, certain rational grounds, which will be understood by rational men. I for one fail to see what are the principles on which these constituencies have been delimited. Whatever calculations I made—I took the population figures from here and there and added, deducted and all that—I could not derive any principle out of it; I could not make any sense

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out of it. Ultimately the only principle that I could deduce was this. I had a map of Madras and following these delimited notifications, I proceeded from Madras city itself. What the Delimitation Commission has done is just a mechanical process—start from the border of the neighbouring State, start from the northernmost border and then work up to the southernmost area upto Cape Comerin. In delimiting constituencies whether there were mountains—passable or impassable—whether there were rivers over which there were bridges or not, whether there were roads or no roads, whether the constituencies were in such a manner that voters could exercise their franchise without difficulty—all these were not the considerations before the Commission. All that they have done is that taking that map....

Shri K. K. Basu: A bold statement to make.

Shri S. V. Ramaswamy: I am telling the truth. I will prove it. This is only a mechanical process that has been done. In order to adjust the population figures, they have just added a *firka* here or subtracted a *firka* there without reference to contiguity or compactness or the convenience of the electorate in a particular constituency.

Sir, in the letter three principles were stated, and subsequently a letter was also addressed to the Tamil Nad Congress Committee. I am mentioning this to show that in amending the Act we should not merely take these principles, but I am also illustrating that these principles have not been accepted. Contrary to these, the constituencies have been delimited. This memorandum was submitted to a Member of this House who is an associate member of the Commission and I am surprised to see that there is no mention about it at all. The first principle that is stated is that as far as possible, all constituencies should be kept intact

and wholesale change should not be resorted to. I am not going to repeat the several argument that my hon. friends who have preceded me have adduced. I shall only reiterate that unless there is some certainty about the constituencies, we shall not be able to keep in touch with the electorate. It is not merely territory, Sir. We are dealing with the lives and welfare of the people; we represent the people, not an area, not a geographical area. It may be that I am a Member here now and next time I may not be returned, but if there was some continuity in the constituency, whoever comes here will have a living touch with the people. All that you can do is to slice off a portion here or a portion there in order to make up that figure which has been fixed by Parliament. That has not been done. In Salem we had four single-member constituencies, Hosur, Krishnagiri, Dharmapuri and Tiruchengode. What has now been done is that three constituencies have been formed giving four seats though, as I shall presently point out, Salem district as such is entitled to five on a population basis. There was no constituency like Hosur.

It was Krishnagiri before. The name itself is changed. What is more important is that the content has been changed—Hosur, Krishnagiri and Harur. Now, the whole of Krishnagiri taluk minus one *firka* is taken over to North Arcot and tacked on to it. The constituency disappears, the talk itself goes to North Arcot which has come further south. This constituency now extends to 120 miles whereas we had a compact area before. It has lengthened out.

Shri Biswas: May I enquire of my hon. friend whether these objections which he is stating to the House—many of them may be very sound objections—had been placed before the Delimitation Commission after their proposals had been published?

Shri S. V. Ramaswamy: Yes, Sir. These were submitted to an hon. Member of this House who was an associate member of the Commission.

Shri Biswas: Were these objections placed before the Delimitation Commission? As we know, the Delimitation Commission are required under the Act to publish their proposals. Objections are invited. Those objections are submitted to them and they consider those matters. I want to know whether the objections he is stating had been placed before the Delimitation Commission in response to their public invitation of objections.

Shri S. V. Ramaswamy: These objections had been put before them by an associate member of the Commission. As such, they were his own suggestions.

Mr. Deputy-Speaker: The hon. Member evidently means that at the preliminary sitting of the Commission, when they had to formulate certain proposals and advertise them for public criticism or suggestion, representations were made by one of the associate members and principles were enunciated, but not one of them has been published or even as an alternative taken up. Nothing of the kind has been done, let alone the views expressed in the earlier stage.

Shri K. K. Basu: The minutes of dissent of all the members could be published.

Shri S. V. Ramaswamy: That is exactly my complaint. The hon. associate member of the Commission submitted his own proposal. It may be that he was not aware that it should be submitted as a minute of dissent. But it is an alternative proposal. The Commission ought to have published it.

Shri Biswas: There is also a public sitting again at which these objections are considered.

Shri S. V. Ramaswamy: True, Sir.

Mr. Deputy-Speaker: The suggestion is that the alternative proposals also must have been published. Suggestions were made on principles, not upon particular portions only—of adding or subtracting this portion or that

portion. Other hon. Members have submitted their proposals by way of minutes of dissent which were added on. But in this particular case what Mr. Ramaswamy seems to say is that even though the hon. Member did not know that it should be put in as a minute of dissent, the Commission itself should have published those alternative proposals, instead of publishing only some proposals.

Shri Sarangadhar Das (Dhenkanal-West Cuttack): May I make a submission? As I understand it, when the associate members are invited and they verbally or in writing communicate some alternative proposals, those are the reactions that the Commission takes from the associate members. No member of the public is present. Then they come to a decision—whether they accept those reactions or not—and revise their proposals or keep the proposals as they were in the beginning. Thereafter they are given to the associate members and if they have any objection, they give their notes of dissent. After a certain lapse of time—two or three weeks—their final proposals with the minutes of dissent will be published and the public will be invited. Then the objections from the public, whether they agree with the Commission's proposals or with the associate members' proposals, will be considered and the report finalised.

Shri Biswas: So far as the proposals are concerned if there are any dissenting proposals from the associate members, they also should be published.

Mr. Deputy-Speaker: His complaint is that it has not been done.

Shri S. V. Ramaswamy: Yes. I will give another example in respect of Tiruchengode. There are two taluks Trichengode and Namakal. Now Namakal has been taken away and a portion of another taluk is tacked on to it. Take, for instance, Salem. Salem was a constituency. Now three more taluks are added so that the constituency covers almost half of this district—it is 150 miles long and 50 miles broad. One half of this district is constituted

[Shri S. V. Ramaswamy]

into a constituency. I shall stop this point here.

The other point is this. The integrity of a district must be maintained. A district forms the basis of all administrative actions. If you are going to distort a district, take away chunks here and chunks there and tack on some taluk with some other district. How can the election machinery itself function? How can the jurisdiction of one Collector run into the other? There will be a clash. Even for the conduct of the elections, it will be difficult, let alone the fact that our feelings are in some sense district-wise. We feel that a district is a unit for all administrative purposes, as I said, and it should not be disturbed. In that context, I submit that the whole of the Krishnagiri taluk: minus one *firka* has been tacked on to the South Arcot district. Coming down to the south, the whole of Attur taluk minus one *firka* has been tacked on to the South Arcot district. That is a grave iniquity. When after allowing a quota of seats to the district, there is a surplus of votes, that district should be given another seat when the surplus is more than half. For example, my district contains 33.71 lakhs of population. Taking it as the basis, it comes to 7.2 for each constituency. So, we are entitled to 4.6 seats in the House of the People. Of course, I am giving the exact number for the purpose of calculation. Not that a gentleman is going to be .6 here and .4 there. If you accept this principle, then, by virtue of this principle, we are entitled to five seats. If it is readjusted on the lines mentioned, we need only indent upon one lakh of population from the neighbouring district.

The fourth principle that has been stated is this. Scheduled Castes constituencies should be located in areas which have a larger percentage of Scheduled Caste voters than in the rest. Actually, in dumping a double-member constituency on Salem, which it never had, what has been done is this. Salem taluk itself has got

5,21,000 people, covering more than one-third of the area of the entire constituency which is now sought to be carved out of the district. In that constituency, the percentage of Scheduled Castes is only 7.2. Taking the over-all aspects of the constituencies, they have arrived at the figure of 15.47 per cent. for Scheduled Castes for that new constituency. Ignoring the fact that in another contiguous taluk, there is a higher percentage of Scheduled Castes, if the proposed taluks are tacked on, the percentage will be somewhere near 19. Instead of giving the constituency to a 14.47 per cent. area, they should give it to the 20 per cent area. In all these points, I would earnestly urge that we must know the principle on which the changes are based. I hope the hon. Law Minister will find out what is the basis, what is the principle, under which they have arrived at these changes. I may be mistaken, and they may be working out the constituencies in whatever manner they may like. But we are entitled to know the principles. It cannot be their caprice. It cannot be their own whims and fancies. There must be a rational understanding of the Act. There must be some principles which all of us—even the men in the street—can understand. I would request the hon. Minister to let us know the principles by which the Delimitation Commission has been guided.

Shri Matthen (Thiruvellah): I just want to say a few words as to the reaction of my poor State to the proposals of the Delimitation Commission. I entirely agree with my friend, Dr. Krishnaswami, when he stated that it was not a redrawing of the constituencies but a readjustment that was expected of the Delimitation Commission. What was done in my State is actually a redrawing of the constituencies. My friend, Mr. Velayudhan has dealt with it, but I can tell you a word about my own constituency. It is known as Thiruvellah constituency. A major part

of the Thiruvellah taluk has been taken away. The adjoining area has also been taken away, to distant places. I cannot understand the logic of it. Even the municipal limits of Kalluppara area which is adjoining the municipal limits of Thiruvellah has been taken away. I cannot understand the purpose behind this change.

My friend, Mr. Raghuramaiah said there was no personal factor in this affair, but I am not quite sure of it, because, from the original proposals, radical changes were made. In fact, the representations made by the people of the Congress Party or the Congress Government were ignored. Of course I cannot say why it was done, but it is quite possible that the learned Chairman of the Commission has no kind recollections of my state. In any case, the impression left in my mind is that it has been very unfair to the Congress side.

Shri Sarangadhar Das: May I know if the hon. Member means that the Congress Party was consulted by the Commission, or, without their invitation the Congress Party gave some proposals before the Commission?

Mr. Deputy-Speaker: Everybody is entitled to give a proposal.

Shri Matthen: The Congress Government had given some proposals which were absolutely ignored.

Shri Biswas: That shows the independence of the Commission.

Shri Matthen: Yes; that shows their independence. They are good boys. That is exactly my complaint. That is why I said I cannot agree with Mr. Raghuramaiah that there is no personal factor in this.

Let me take one instance, namely, the Divicolam-Peermade constituency. That is our Plantation area where tea is grown. In fact, the distance by a good road between Divicolam and Peermade is about 185

miles. I am talking of the Assembly constituency, not the Parliamentary constituency. But by a new road, through the reserved forests, the distance is about 65 miles. The proposal of some of the associate members from the State was to divide this area into two. But the Commission has made it a joint constituency. Now,—let me not be misunderstood—you must have been aware of the agitation of the Tamilnad Congress there. If it were two constituencies, it would have been quite possible, or probable, that Peermade could have a non-Tamilnad candidate. But by joining the constituencies into one, the result is otherwise. Of course, I am sorry to tell you this, and it is not a pleasant task to tell you this.

Mr. Deputy-Speaker: Does the hon. Member say that as much representation to the people must be given, as possible, and one State should not be made to lose and another State take the advantage?

Shri Matthen: That is my point. The worst part of it is, even though the provisional proposal was to make it two, it was rumoured, before the Commission actually came to Travancore-Cochin, that it will be a double-member constituency. It was done so. I do not know whether any other factor was involved in it. But I am telling you the facts.

Shri A. M. Thomas: Was there any proposal by any associate member to have them combined into one constituency?

Shri Matthen: I am not aware of any such proposal. In fact, the associate members wanted to make it into two constituencies, and I think it was made a double-constituency. But it was rumoured, even before the Commission visited Travancore-Cochin, that it was going to be made a double-constituency.

Shri Velayudhan: Previously also, it was a double-constituency.

Shri Matthen: Yes, provisionally, it was so. I already stated that the distance by road between the two places is about 160 miles. I entirely agree that something ought to be done to do some justice, at least regarding my State.

Shri Punnoose: Sir, I have not much to say except to make a few general observations. When Mr. Ramaswamy speaks from there or Mr. Matthen speaks from here, much of what is said is not understood by many. I could understand Mr. Matthen speaking about Deviculam and Peermade but when Mr. Ramaswamy makes out a case for placing this area there or that area here, it makes no meaning to me. I do not know the areas and such discussions on the issue in the House will not be very much profitable. I do not say that the Commission has not committed any mistakes at all. It is quite possible, when a Commission has to go into such details and has to do such a big job, and naturally when various interests are concerned, it might commit a few mistakes. The only question is what exactly can be done and what is the alternative.

Sir, I have heard a story of a chicken taking it into its head that the sky was falling. It took fright and ran and so many other chicken also followed. A fox which was there showed them the way to its own den with the result that none of them returned. When Mr. Velayudhan made a suggestion that all the proposals of the Commission should be placed before the Parliament, my friend Mr. Raghuramaiah was good enough to support it. I am against it.

An Hon. Member: You are against it?

Shri S. V. Ramaswamy: Do you not know that there was a provision like this in the Act of 1950, section 13(3), that these proposals shall be placed before Parliament, as soon as may be after its meeting and shall

be subject to such modifications as Parliament may make on a motion made within 20 days?

Can we not have it back?

Shri Biswas: May I remind my hon. friend that that was debated at considerable length when this Bill became law and it was purposely, and after deliberation, decided that we shall scrap the old procedure which had led to a lot of gerrymandering?

Shri Velayudhan: There was no gerrymandering then.

Shri Punnoose: I do not question the sagacity of Parliament. We know the position of the Government. We know we have party governments and we know what things happen in Parliament. I am quite sure that all the decisions will go in favour of a particular party.

Shri Velayudhan: Is he prepared to leave everything to the Commission without bringing anything to Parliament?

Shri Punnoose: It does not mean that we shall not discuss anything at all. Certainly when there is some miscarriage and certain issues have to be thrashed out in the Parliament. We can do so. I can fully understand it. Dr. Lanka Sundaram was saying that a District Magistrate was not consulted and Mr. Matthen was saying that the proposals of the Travancore-Cochin Government were rejected. It is no secret, Sir, that we on this side of the House, the communists and other leftists in Travancore-Cochin were awfully worried at that time about the proposals referred to by Mr. Matthen. What we were afraid was that the proposals submitted by the Travancore-Cochin Government would be accepted in toto. That would have placed us in a very disadvantageous position. Mr. Matthen says that he is sorry that his Government's proposals were rejected. We are happy.

Shri Matthen: What about Thiruvellah?

Shri Velayudhan: We do not say that the State Government's proposals should be accepted. Let those proposals be brought before Parliament and let us discuss and decide them here.

Mr. Deputy-Speaker: The hon. Member has had his say. Mr. Punnoose says this ought not to be brought before Parliament. There can be two views about it.

Shri Punnoose: In 1948 we had our general election in Travancore-Cochin and Mr. Matthen was not a Congressman at that time.

Shri Matthen: Long before that I was a Congressman.

Shri Punnoose: There were eminent Congressmen of our State on the then Delimitation Commission. The result was that the constituencies were so carved out not only the Communist Party but no leftist party could get a single seat. If you now go to Travancore-Cochin you will hear complaints about present arrangements from the leftists also. There are instances where you get complaints that this place has been taken over from this constituency and put in that constituency and all that. But, on the whole, by and large, is it fair or not? That is the real question.

I had an occasion to appear before the Commission. Mr. Thomas was there on the Commission. So many eminent Congressmen were there. If he was very anxious about his constituency, Mr. Matthen should have gone there. It was not a secret meeting. The public were invited and the papers published the news. I went there and so many others too.

Shri Matthen: You suggested about the Thiruvellah constituency?

An Hon. Member: His suggestions were ignored.

Shri M. S. Gurupadaswamy: I happened to be.....

Mr. Deputy-Speaker: The hon. Member may have his time.

Shri Punnoose: We heard a complaint from Dr. Lanka Sundaram about the Commission refusing to postpone a Committee meeting. If it was not acceded to, it was bad.

There is another side of it. The commission will have a series of problems to face. Let us not be led away by prejudices. I would request the Members to place their views before the Commission in regard to the delimitation of constituencies and get them corrected. Why not that be done?

I must say a word about the Deviculam-Peer made constituency which case was made out by Mr. Matthen. It is a plantation area, as he said. There the majority of the workers belong to Tamil Nad. They have come there for work. The original proposal was that Deviculam may be tacked on to a Malayali majority area down below and made a double-member constituency. So also, Peer made was tacked on to another Malayali majority area down below and made another double-member constituency.

Shri S. V. Ramaswamy: It does not make sense.

Shri Punnoose: Naturally, I do not expect it from you.

Shri Kottukappally (Meenachil): That was for the purpose of easy communication. One place is 30 miles and the other is 160 miles.

Shri Punnoose: The result was that if elections had been conducted with those constituencies, it was almost sure that the Tamilians would not have been able to return a member of their choice.

Shri A. M. Thomas: Does he mean to say that the constituency was to be demarcated with a view to give guarantees for representation to the Tamilians? It comes to that.

Shri Punnoose: That question should be asked of the Commission, not of me. To me it would appear that it is highly unfair to make it impossible for a large section of people to get themselves elected.

Shri Kottukappally: Is Peermade a Tamil area?

Shri Punnoose: The Malayali Congressmen wanted to do this.

Shri Matthen: His statement is not correct.

Mr. Deputy-Speaker: The hon. Members have had their say; let him have his say.

Shri Punnoose: Therefore, these questions need not be gone into here. It will not serve any useful purpose discussing them now. My suggestion is that in the first place, the facts on which the Commission bases its proposals should be given to the associate members so that they may discuss these things and come to a decision.

Mr. Deputy-Speaker: The hon. Member means the principles on which they delimit.

Shri Punnoose: The Commission should be asked to place the facts and reasons when such changes are made. When the Commission makes changes they must be made known.

Mr. Deputy-Speaker: Changes means changes in existing constituencies?

Shri Punnoose: Yes, Sir. Further when there are major changes, more time should be given to the public to give their opinion, to file their objections, to place their petitions and views. Anyway, I would strongly oppose any idea of the State Governments or the Central Government being consulted and their opinion being taken in this matter. I would also request Parliament not to take upon itself the responsibility of examining all the proposals and then finalising them, because it will not at

least add to the prestige of the Parliament.

Shri Gidwani (Thana): I may be excused for saying that from my experience as an associate member of the Delimitation Commission for Bombay State I have felt that the associate members are being treated as urchins.

Mr. Deputy-Speaker: The contagion seems to be spreading, so far as 'urchins' are concerned!

Shri Gidwani: We, Members belonging to the Opposition, as well as of the Congress Party in Bombay State gave our proposals regarding the number of seats to be allotted to the State. Our recommendations were rejected, though they were unanimous. That is one thing.

The other thing is this. There was an announcement in the Press that the Delimitation Commission was sitting to hear objections regarding the same. I was an associate member of the Delimitation Commission, but I had no knowledge of it. We had it only from the Press. As soon as I read it I issued a Press statement which I shall read out to you:

"I am extremely surprised to read the Press announcement regarding the holding of public sittings of the Delimitation Commission on 7th July 1953 at Calcutta and on 10th July at Delhi to hear the objections and suggestions of people of a number of States with regard to their proposals about the number of seats to be allotted in the House of the People and the State Legislative Assemblies of those State.

The Commission has invited people from West Bengal, Assam, Bihar and Orissa and Calcutta on the 7th July, and from as many as 13 States of Rajasthan, Himachal Pradesh, Uttar Pradesh, Punjab, Pepsu, Delhi, Ajmer, Madhya Bharat, Vindhya Pradesh,

Bhopal, Madhya Pradesh, Saurashtra and Bombay at Delhi on the 10th July for the purpose.

I would like to inquire from the members of the Commission as to how it would be possible for people from various States to undertake long journeys and incur heavy expenses to offer any suggestions or raise any objections with regard to their proposals. If the Commission is really desirous of hearing their views surely this is not the method of achieving that object.

What about the associate members of the Commission from the various States? It seems that the Commission has no intention of inviting them to be present at the above public sittings.

With due respect to the members of the Commission I am of the opinion that this will be reducing the whole procedure to a farce and defeating the very purpose for which this provision was made in the Delimitation Act."

Of course I got a reply from the Secretary of the Delimitation Commission, and, if you like, in fairness to them, I shall read that also and then I shall offer my remarks:

"The Commission has seen your Press statement regarding the proposed public sittings of the Delimitation Commission at Calcutta and Delhi, wherein you have expressed surprise as to how the Delimitation Commission could have invited people from four States, West Bengal, Assam, Bihar and Orissa at Calcutta on July 7th and from as many as 13 States at Delhi on July 10th for the purpose of hearing the objections and suggestions. The Commission would have been very glad to explain the position to you if, in your

capacity as an associate member of the Commission, you had written to it direct.

According to clause (c) of sub-section (3) of section 8 of the Delimitation Commission Act, 1952, only those objections and suggestions which have been received by the Commission before the 3rd June, 1953, the date specified by it under clause (b) of that sub-section, have to be considered at the public sittings. No suggestion or objection has been received by the Commission in respect of its proposals relating to Bombay, Madhya Pradesh, Orissa, Punjab, Patiala and East Punjab States Union, Ajmer and Bhopal. A few objections and suggestions have been received in respect of the Commission's proposals relating to Assam, Bihar, Uttar Pradesh, Madhya Bharat, Rajasthan and Saurashtra, but there is hardly any substance in any of them and some are contrary to the provisions of the Constitution and the law. The Commission has, therefore, decided that it is not necessary to consider these at a public sitting in the particular States.

Constructive suggestions and material objections have been received only in respect of the Commission's proposals relating to West Bengal and Delhi. In these two cases the Commission has decided to consider those suggestions and objections at a public sitting at Calcutta and Delhi respectively along with the associate members from those States. If the Commission's experience of its public sitting at Bangalore is any guide, it will be safe to assume that even with this seemingly crowded programme the Commission will not have a full day's work either at Calcutta or at Delhi.

The Commission considers that it will be a waste of public money

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to hold a public sitting even in a State from which no objection or suggestion in respect of the Commission's proposals relating to that State has been received.

If you wish to have any further information, the Commission will be ready to furnish the same."

12 Noon

They say that objections and suggestions have been received in respect of Assam, Bihar, Uttar Pradesh, Madhya Bharat, Rajasthan and Saurashtra, but there is hardly any substance in any of them. But I wish to know why the associate members were not associated before deciding whether there was any substance in the objections and before coming to the decision that the sittings should not be called in those States and that the people of those States should be invited to Delhi.

Besides that, you are aware that in India all the people do not read papers. And particularly just one announcement in the Press is not sufficient information for the people.

Mr Deputy-Speaker: Is it optional for them to take the advice of the associate members?

An Hon. Member: The advice is not binding.

Mr. Deputy-Speaker: It is one thing to say it is not binding and another thing to say they may or may not consult.

Shri A. M. Thomas: They have no option.

Mr. Deputy-Speaker: So consulting may not be optional and may be compulsory, but acting on the advice may be optional. If that is so, according to the hon. Member Shri Gidwani it does not appear that even consultation of the associate members has been done, and without consulting them decisions appear to have

been taken that the suggestions are all useless and cannot be accepted.

Shri Gidwani: That is exactly my point, Sir.

Pandit Thakur Das Bhargava: I understand that the criticism of the public was in the shape of objections made against the published proposals and objections were decided in the presence of the associate members. Ultimately at the time of actual decision they were reconulted.

Mr. Deputy-Speaker: What the hon. Member said does not refer to every State. He was speaking about a particular State.

Shri Altekar: So far as associate members are concerned, clause (4) of section 5 of the Delimitation Commission Act says that "none of the associate members shall have a right to vote or to sign any decision of the Commission". That necessarily means that they will have to be consulted and that discussions will have to be made with them: only they will not be in a position to vote. That is the only restriction. Otherwise their rights must be the same as those of any other member of the Commission.

Shri Gidwani: Then my objection becomes stronger. We were not even invited, and before inviting our opinion the Commission decided that there was no substance in the suggestions and objections, and therefore they need not be called. That is my point about this matter. Of course so far as the delimitation of constituencies is concerned, that thing has not yet taken place in the State of Bombay. This is only in relation to the number of seats allotted. As I said already, our unanimous recommendations, from the Congress Party as well as from the Opposition, have been ignored and the Commission decided the question in their own way.

I do not want to go further. But I go to the root of the question. Where is the need for the Delimitation Commission functioning when the Boundary Commission has been appointed? I think it is time the Commission was wound up.

Shri Raghavachari: I have been listening to this debate and I feel one thing. Every Member has reason to feel disappointed and has some complaints. It is something like this. Each Member exists here because of his constituency. Now we have so much of an atmosphere of marriage and divorce that almost every man's constituency is divorced from him! In fact, they have now found new wives and we are asked to get on with them. I must say that they do not seem to have applied any principles because no principles were laid down in the Act to be followed.

Mr. Deputy-Speaker: Do the new brides reconcile themselves to the changed conditions?

Shri Raghavachari: Unfortunately they are not new brides; they are all old wives. Now, I come from a constituency, which was a part of a district. They have merged the other part of the district with my old constituency, put them together and have said that this is a double member constituency. Reservation for Scheduled Castes has been given to Anantpur District. If you ask them why they brought it here they will say that those communities are concentrated there. May be, it was to relieve a double constituency in Chittoor District which now becomes a single constituency. Not only that. Take the case of Assembly constituencies in Anantpur. I know from previous experience that reservation for Harijans was first given to Anantpur and Kalyandrug. Some members felt that it would be inconvenient for them and they substituted in place of Anantpur Gooty; yet the members who hoped to be returned were not returned. Now, what they have done

is that they have tacked on Kalyandrug to Dharmavaram for this reservation. I have examined the Assembly constituencies in my district and I find that all constituencies have been changed beyond recognition. What are the principles underlying all these things which they are following? It looks to me that the wishes of somebody who feels that it would be advantageous to him, are being followed. I can understand the local or State Governments being interested one way or the other; but what about the Election Commission? The Commissioner himself is a member of the Commission. He must have had some idea of the meaning of the word 'readjustment'. Is it that the identity of the old constituency must be so changed that it would be difficult for anyone to recognise the constituency from which he came? I am speaking only in a general way—I may not care to stand for the next election, that is another matter. But, my constituency is added on with some other constituency and we are asked to seek election from the whole district and a part of the other district also. How is it possible? The proposed constituency is nearly some 200 miles this way and 200 miles that way. Therefore, the unfortunate thing is, when particular constituencies which have elected their representatives are this way touched, naturally every Member gets dissatisfied. They come and say that the principles have not been defined in the Act. Even the Associate members also say: "we have been neglected; we are treated as urchins" and so on. Therefore, it seems to me that there has been justifiable dissatisfaction on all quarters.

One other thing I want to say is that the Law Minister said that these details have not been given to him earlier and therefore he cannot answer the points. My point is the whole thing is in his records; the plan about the constituencies, etc. He has to take the facts and figures and

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frame the proposals. The Law Minister says that the other members of the Delimitation Commission are not here; Are their personal views necessary...?

Shri Biswas: The hon. Member thinks that the Law Minister within the few hours that were available to him should have read the preliminary proposals in respect of these constituencies and the final proposals. You have to match one with the other, compare them, consider what was the state of things before this and what is the state of things now in existence, which constituency must be cut, changed and so on. If these things are going to be discussed here, naturally I should like to have time to examine the proposals.

Shri A. M. Thomas: It will be sufficient before the next election.

Shri Raghavachari: The Law Minister said that the other members of the Delimitation Commission are not here: I am only referring to that. His records are here; the Election Commission is in possession of those things; the principles which are not followed are mentioned here; take a day—24 hours; then you have a big staff, consider all points and then answer the problem as to whether this can or cannot be done. Anybody who listens to the kind of debate....

Shri Biswas: I have never been to this area; that is the difficulty.

Shri Raghavachari: I am sorry, no member of the Government is expected to decide matters only on personal knowledge by local inspection. I would say, it is impossible.

Mr. Deputy-Speaker: Evidently the hon. Member and the other Members who have spoken do not want the hon. Law Minister to go into the details of each constituency. These seem to be illustrations of the main principle that the original delimitation which is already there and on

which hon. Members have come to this House during the last election, has been completely changed.

Shri Biswas: I can quite understand that point. As I said before that involves a question of interpretation of the Constitution and as to what procedure should be followed. I am in a position to answer that. But, if you go into details as to what has happened here, what has happened there, how this has been demarcated, whether this has been cut into two or three and so on, it is impossible for me to reply without getting sufficient time to study these things.

Shri Raghuramaiah: I do not understand how a general principle can be stated and supported except by a reference to particular details.

An Hon. Member: How to know whether the illustrations are fully applicable or not?

Mr. Deputy-Speaker: Hon. Members are giving illustrations, of course some may be correct and some may not be correct, but they are all intended for the purpose of illustrating the principle. Therefore, in this case the original delimitation has not been taken as the basis and some adjustment made but an entire overhaul has been done as if it is for the first time that the constituencies are being created. Therefore, hon. Members are afraid as to what will happen in the next election. There can be no certainty for any Member of his constituency, so much so Shri Raghavachari goes to the length of saying that there is no certainty having regard to the divorce question.

Shri Biswas: The changes of which he complains might be inevitable in the circumstances, and so they were bound to come.

Shri Raghavachari: We expect that a Member of Parliament must have some intimate contact with the people, with the human beings of

his constituency and not mountains and rivers, and if we go on changing the constituencies every day.....

Shri Biswas: With regard to candidates for Parliament, certainly, they would not do it.

Shri Raghavachari: The new constituencies are so formed that the 'nose' of this constituency and the 'hand' of the other constituency are joined together and a new person is figured out in the Tenali Rama's way of saying "the tail is on this wall and the rest is on the other wall". These are the kind of constituencies that are being formed. Therefore, there appears to be no principle and there has been universal dissatisfaction. Because you have changed the constituencies of all, almost every individual that gets up has some sort of criticism against the method of their new formation.

Shri Biswas: Universal dissatisfaction is felt only after so many months have passed and after the Delimitation Commission has completed its labours as regards, I believe, 10 such States. After that two elections have been held in Travancore-Cochin and PEPSU.

Shri A. M. Thomas: No, no. Only one.

Shri Raghavachari: This is the only occasion when the matter comes before the Parliament, for us to voice the protest against the irregular way in which the matter is being conducted. In the papers, in the press, in almost every district and provincial papers these things have already been expressed. It is not correct to say that these things have not been voiced at all. This is the only occasion when the Law Minister's and the Commissioner's attention can be drawn to the necessity of following certain well-laid principles for readjustment and that readjustment does not mean creating a new constituency altogether.

Mr. Deputy-Speaker: Shri Naval Prabhakar.

Shri Ganpati Ram rose —

Mr. Deputy-Speaker: The hon. Member has not given me a chit.

An Hon. Member: Delhi should get a chance now.

Mr. Deputy-Speaker: Hon. Members, whoever wanted to take part must have sent me a chit. Shri Naval Prabhakar has sent me a chit and therefore I have called upon him.

श्री नवल प्रभाकर (बाह्य दिल्ली—रक्षित—अनुसूचित जातियाँ) : उपाध्यक्ष जी, मुझे डिलिमिटेशन कमीशन का कटु अनुभव है और उसके सम्बन्ध में मैं कुछ बातें बतलाना चाहता हूँ ।

दिल्ली राज्य विधान सभा की कांस्टीट्यूटिंस के सम्बन्ध में मैं एक मिसाल दे कर आपको बतलाना चाहता हूँ कि देवनगर पहले एक डबल सेक्टर कांस्टीट्यूटिंस थी, उसके अन्दर हरिजनों का बहुमत था, लेकिन उस कांस्टीट्यूटिंस को इस तरह से तोड़ दिया गया और उसके अन्दर एक म्युनिसिपल वार्ड ऐसा मिला दिया गया जिसमें बहुत सी मामूली हरिजनों की तादाद है, जब कि इस के पहले दूसरा बराबर में जो एक वार्ड था और जिसको उन्होंने उसमें से हटा दिया, उसमें हरिजनों का बहुमत था। इसी तरह से एक सदस्य ने जब कि पब्लिक मीटिंग हुई उस (पब्लिक) मीटिंग के अन्दर आब्जेक्शन किया और उन्होंने एक ग्रामीण क्षेत्र के एक गांव के बारे में कहा। दिल्ली राज्य कांग्रेस के एक जिम्मेदार आदमी ने आब्जेक्शन किया तो जो चेयरमैन महोदय थे और जो एक नक्शा अपने दिमाग में बना कर लाये थे उन्होंने ठीक उसी तरह से बर्ताव किया जैसे कि मैं कहूँ कि दिल्ली के अन्दर यहाँ आये दिन चालान होते हैं और जब कोई आदमी जा कर खड़ा होता है तो उसके जाते ही उसको जर्माना सुना दिया जाता है और कोई सुनवाई नहीं होती, ठीक उसी तरह से वह उस सदस्य

[श्री नवल प्रभाकर]

से पेश आये, उन्होंने उनके आब्जेक्शन पर क्रास मार्क लगा कर कहा कि अच्छा बस अब आप चुप हो जाइये। जिस सज्जन ने आब्जेक्शन किया था उन्होंने कहा कि देखिये इसमें चुप होने की बात नहीं है। मैं अपने आब्जेक्शन के पक्ष में आर्गुमेंट देना चाहता हूँ, आप उनको सुनिये और तब उस सदस्य ने उन्होंने जो एक परिधि बनाई हुई थी उस परिधि के अन्दर, उन्हीं के नियमों के अन्तर्गत बताया कि आपके इन नियमों के अन्तर्गत ही यह गांव भी इसमें शामिल हो सकता है और तब उनको उनकी बात माननी पड़ी और उस गांव को उन्होंने शामिल किया।

तो मैं कहना चाहता हूँ कि इस तरह से जो कमीशन के माननीय सदस्य हैं वह अपने दिमाग में एक नकशा बना कर लाते हैं, और वही चित्र वह पब्लिक मीटिंग के अन्दर मनवा लेना चाहते हैं। मैं आपको बताना चाहता हूँ कि दिल्ली के डिलिमिटेशन के सम्बन्ध में यहां की गवर्नमेंट के प्रोपोजल थे, यहां की कांग्रेस पार्टी के प्रोपोजल थे, यहां की सोशलिस्ट पार्टी के प्रोपोजल थे, यहां के लोगों के व्यक्तिगत प्रोपोजल थे, एम० एल० एज० और एम० पीज० के प्रोपोजल थे, लेकिन उनको वहां पर ठुकरा दिया गया, सभी पार्टियों के प्रोपोजल्स को ठुकरा दिया गया, दिल्ली के लोगों के प्रोपोजल को भी ठुकरा दिया गया, और उनकी जगह उन्होंने जो अपनी विचार धारा बनाई थी, उस को लागू कर दिया।

मैं आपके सम्मुख यह भी बताना चाहता हूँ कि पिछले दिनों जब कि होम मिनिस्ट्री के ऊपर बहस चल रही थी, मैं ने यहां इस हाउस में बताया था कि दिल्ली के अन्दर हरिजननों की जो जन संख्या है, वह गलत बताई गई है। १९५१ के अन्दर २५ बिरादरियां ऐसी थीं जिनके आंकड़े सम्मिलित नहीं किये गये।

Shri S. N. Das (Darbhanga Central): The figures have been provided by the Census Commissioner. How can the Commission change the figures?

श्री नवल प्रभाकर : सुनिये तो आप।

उसके बाद मैं कमीशन के सामने गया; मैं माननीय सदस्यों का बताना चाहता हूँ कि मैं कमीशन के सामने गया और गवर्नमेंट का मेमोरेण्डम दिखाया, जो कि गवर्नमेंट की अधिकृत चीज थी, मैं ने पेपर नं० ४ जो है उसको दिखाया और कहा कि इसमें यह खामी है। इसलिये मैं आपसे प्रार्थना करता हूँ कि जब तक गवर्नमेंट सही सही आंकड़े न दे, तब तक आप अपने इस कार्य को रोके रखिये। इसके लिये कांग्रेस कमेटी ने भी प्रार्थना की, लेकिन कमीशन के मेम्बरों ने, यह सब जानते हुये भी, कि हां, एक मेमोरेण्डम गवर्नमेंट की तरफ से आया हुआ है और उसमें इस भूल को स्वीकार भी किया गया है जो कि यहां की पापुलेशन के सम्बन्ध में है, कोई सुनवाई नहीं की। माननीय गृह मंत्री ने उस दिन हाउस में यह कहा था कि यह उनका काम नहीं है, यह डिलिमिटेशन कमीशन का काम है। लेकिन जब मैं डिलिमिटेशन कमीशन के सामने जाता हूँ तो वह कहता है कि यह उसका काम नहीं है, यह गृह मंत्रालय का काम है। मेरी समझ में नहीं आता कि यह किसका काम है। जब मैं गृह मंत्रालय के पास जाता हूँ कि लाइये मुझे आंकड़े दीजिये ताकि मैं भी कमीशन के पास जाऊं तो वहां पर कोई सुनवाई नहीं होती है। जब मैं डिलिमिटेशन कमीशन के सामने जाता हूँ और उनको कहता हूँ कि यह एक भूल हुई है और इसके लिये आप थोड़ा ठहरिये ताकि मैं इसके लिये कुछ कर सकूँ, तो डिलिमिटेशन कमीशन के माननीय सदस्य मेरी बात सुनने के लिये तैयार नहीं ह, वह थोड़ा सा भी ठहरने के लिये तैयार नहीं है।

में माननीय लॉ मिनिस्टर साहब से प्रार्थना करना चाहता हूँ, एक बार मैं उन से मिला भी था और फिर प्रार्थना करना चाहता हूँ, कि इस तरह का प्राविजन जरूर होना चाहिये कि अगर जनसंख्या के आंकड़े गलत हों तो उस अवस्था के अन्दर जितने प्रपोज़ल्स हों उनको रोक देना चाहिये और जब तक गवर्नमेंट किसी निर्णय पर न पहुँचे, तब तक कमीशन को अपना निर्णय नहीं देना चाहिये। जैसा अभी कुछ माननीय सदस्यों ने बताया कि जब कमीशन अंतिम निर्णय दे देता है तो उसके बाद कुछ नहीं हो पाता है। इसलिये मैं माननीय लॉ मिनिस्टर से आपके द्वारा प्रार्थना करना चाहता हूँ कि वह उस डिलिमिटेशन ऐक्ट में इस तरह का प्राविजन करें कि यदि कुछ आंकड़ों सम्बन्धी भूल हो तो जब तक उसका कोई निर्णय न हो जाय तब तक उसपर कोई फाइनल आर्डर न दिया जाय।

यही मेरा निवेदन है।

Some Hon. Members rose—

Mr. Deputy-Speaker: Shri Gurupadaswamy.

Shri Achuthan (Crangannur): I have given my name.

Mr. Deputy-Speaker: A number of names have been given.

Shri Velayudhan: He was an associate Member.

Mr. Deputy-Speaker: I have called Mr Gurupadaswamy. After him, I will call the others.

Shri M. S. Gurupadaswamy: I do not want to take much time so that other Members may speak. I want to say something which relates to my experience.

I was an associate member with the Delimitation Commission at Mysore. There, in a short period I found that this Commission did not adopt any fixed principles or any

basis for the re-drawing of the constituencies. There was neither logic nor rhyme nor reason in delimiting the constituencies. That is my first complaint.

There is another complaint which is more important. That is against the Commission itself—about the behaviour of the Commission, how they behaved, in what fashion they behaved. Their behaviour created a sort of suspicion in us that it went against all impartiality or objectivity.

On an occasion when we were discussing the proposals, one member of the Commission was called by the Law Minister of Mysore for discussion. At that time we were discussing the constituency of the Law Minister of Mysore State and according to the proposals, his constituency was badly affected. It was a reasonable course, it was based on certain principles. Naturally, the Law Minister was upset and he wanted to discuss it with a member of the Commission. Some member of the Commission went to his Chamber, had a long discussion with him. And another time, he took one of the associate members aside—we were all seeing it—and he was actually canvassing: "No, no. You should not accept these proposals. Why not this way, that way." So, this sort of canvassing was being done by the Commission members. It is very unfortunate.

Shri C. E. Narasimhan (Krishnagiri): Is it proper to make such allegations?

Shri M. S. Gurupadaswamy: It is an actual fact. This is what happened.

Shri C. E. Narasimhan: I want to rise on a point of order. Is it proper in this House to make personal aspersions or allegations against members of statutory commissions composed of high judicial dignitaries?

Shri S. N. Das: And that also by an associate member who participated

[Shri S. N. Das]

in it? We do not know what suggestions were made by him and not accepted. The members who were associated with the Commission were interested in a way and some of them can stand up and make charges against the members who constituted the Commission.

Mr. Deputy-Speaker: A point of order has been raised. With respect to high dignitaries and their personal conduct—of course, this impeaches their credit, their impartiality—there is a way of removing them. Except in that case, these matters might not be referred to. There is only an assertion. Those five members of the Commission are not here to justify their stand. It will otherwise become only one-sided. Under the rules of this House it is said high dignitaries can be removed only in a particular manner and notice has to be given about particular points which are not of a general nature relating to principles, but going against their conduct and credit. I would therefore suggest since the member of the Commission is here to answer...

Shri M. S. Gurupadaswamy: I am not referring to any particular member by name.

Mr. Deputy-Speaker: Even then, the whole Commission is impeached.

Shri S. S. More: May I bring to your notice that we had criticised the Industrial Finance Corporation, which is also a statutory body? Not only that. Certain allegations were made and Government were pleased to appoint a committee to go into it. If, every time it is expected dignitaries who are members of the bureaucracy also should be here, it is impossible to have any discussion under the rules.

Shri C. R. Narasimhan: I want to know your advice whether it should be expunged or not.

Mr. Deputy-Speaker: I have not yet come to a conclusion.

Shri Bhagwat Jha Azad (Purnea cum Santal Parganas): As you have given your opinion on this point, we would like to know one thing. What is the redress for a Member, who is associated with some commission, and who, in the course of his actual working with the commission, finds that there are some difficulties and that there are certain novel procedures which are being adopted by that commission? Is not the Member entitled to speak in this House on that point, without naming the member of the commission?

Mr. Deputy-Speaker: I agree that it is a very difficult matter, when particularly a Member who is associated with a commission finds that the other members of the commission are not giving or taking that kind of a co-operation which they should. But in all these matters, I may refer to the inconvenience that arises. Even on a prior occasion, in regard to the Industrial Finance Corporation, I remember to have said that prior notice may be given,—not notice of twenty-four hours, or two days or one month, but some notice—and the hon. Minister put in possession of this information, so that he may gather information and say whether it is true or not, and state the other side of the picture. Otherwise, it will only be one-sided accusation. It may be that there may be justifiable ground for acting in a particular manner, or the information itself may not be quite correct or accurate. If only one side is represented, but not the other side, then we would not be doing justice to the case. Under these circumstances, I would suggest, that not only now, but hereafter also, whichever hon. Member wants to raise any point in regard to dereliction of duty or bad conduct on the part of a member of any particular statutory body or any high official, shall inform Government in advance, so that Government may come prepared to answer

the points. That is under the rules themselves.

Shri S. S. More: If we make any speech here, we are privileged, but supposing, we write to Government, as you suggest...

Mr. Deputy-Speaker: Through the Secretary here, give it.

Shri S. S. More: Even then, the point will be whether we will be protected, so far as defamation is concerned. That is our difficulty, and this is a matter which will have to be explored.

Shri Velayudhan: In the course of your clarification, you said that the members of the Commission are high dignitaries. I would very humbly suggest that there are no high dignitaries in India. Even the President cannot be called a high dignitary. (*Interruptions*).

Sardar A. S. Saigal: There are.

Shri C. R. Narasimhan: High authorities.

Shri Velayudhan: We are not in an empire.

Mr. Deputy-Speaker: Hon. Members may leave it at that.

Shri M. S. Gurupadaswamy: I now come to my next point. I do not want to go into this point any further. My next point is this. The Commission said at one stage that if there is unanimity on any particular constituency, if the public and the associate members are all agreed on any particular proposal for delimitation, then they would adopt that proposal.

Mr. Deputy-Speaker: Let me clarify the position. Am I to understand that the hon. Minister does not intend to intervene today?

Shri Biswas: On this? I am not in a position to reply today.

Mr. Deputy-Speaker: I have heard it said by the hon. Minister of Parliamentary Affairs several times, that 187 P.S.D.

if, in the normal course, the work is not completed, but is postponed to the afternoon, very often he finds it difficult to have quorum, and therefore, he would not take the responsibility. If the hon. Minister wants to have his right of reply tomorrow afternoon, who is to be responsible for the quorum?

Shri Velayudhan: He will be responsible. (*Interruptions*)

Shri Biswas: I should be quite prepared to come in the evening and give my reply.

Mr. Deputy-Speaker: That is true. But I can sit here only when there is a quorum.

Shri Biswas: Quite so, but I cannot undertake to provide a quorum.

Mr. Deputy-Speaker: Therefore, I shall call upon the hon. Minister to reply now. But my difficulty is this. I have no objection to give an opportunity to the hon. Minister to reply tomorrow. But since tomorrow morning is intended for the Salaries and Allowances of Members of Parliament Bill, this can come up only in the afternoon. I find that the hon. Minister of Parliamentary Affairs is just here. He can settle the issue.

An Hon. Member: The written reply may be circulated. (*Interruptions*)

Mr. Deputy-Speaker: I shall now call upon the hon. Minister to reply, and he can say what he wants. If he says anything regarding adjournment, I shall consider. If he wants to reply now, he can reply, or if he wants adjournment, we shall have to consider it. (*Interruptions*)

Shri Sarangadhar Das: Two minutes for me.

Shri Damodara Menon (Kozhikode) rose—

श्री गणपति राम : यू० पी० के किसी सदस्य को अपना केंस रिप्रेजेंट करने का मौका नहीं मिलता है ।

Mr. Deputy-Speaker: Order, ordér.

Shri Biswas: At a much earlier stage in the debate, I had asked for time, if I were to make a reply to all the various points which have been raised on the floor of the House.

So if I have to reply now, it will be in very general terms.

Mr. Deputy-Speaker: Let the hon. Minister not be under the impression that I am not going to allow time. I am prepared and the House is also willing to hear him by way of reply. But tomorrow there is the Salaries Bill—it has to be passed. The other people wanted to have this discussion concluded before the 17th. So let there be no misunderstanding about this matter. Unless the Government are willing to allot or ask for, a particular day or time when they will be ready with quorum, I am not prepared to adjourn this to any other day. Now there is time and the hon. Minister can reply. But if he wants to do it tomorrow afternoon, as he has suggested to me, the responsibility for getting the quorum is entirely upon him and the Government. (*Interruptions*)

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): The House is aware that tomorrow is a half-day, it being a non-official day for Resolutions. So we have got 1½ hours for official business. Tomorrow the Salaries Bill is going to be considered by the House; it is more or less a non-official Bill. According to the decision of the Business Advisory Committee two hours were allotted to it and the House also stands committed to it. We can just finish the official Bill and then take this up. But the difficulty....

Mr. Deputy-Speaker: The hon. Law Minister says it will be in the afternoon.

Shri Satya Narayan Sinha: There are only two alternatives. Either out of these 2½ hours which will be left for non-official business, half an hour or 15 minutes might be taken for the hon. Law Minister to reply, or if that is not agreeable to the majority of the Members of this House, the next alternative will be that we have to sit on a day in the afternoon before the 17th and finish it. In that case, we might sit in the afternoon for half an hour or so and we shall try to have the quorum.

Shri Radhelal Vyas: There is one more alternative. We may do away with the question hour one day.

Mr. Deputy-Speaker: I am not going to do that.

Shri L. N. Mishra (Darbhanga cum Bhagalpur): We must have the question hour.

Mr. Deputy-Speaker: Tomorrow afternoon we may sit at 4 p.m.

Shri Satya Naryan Sinha: May I suggest that instead of 4 p.m. it be 5 p.m.? If hon. Members are willing, they might come for half an hour and then go.

Mr. Deputy-Speaker: How long does the Minister expect to take tomorrow?

Shri Biswas: About half an hour or three quarters of an hour.

Mr. Deputy-Speaker: At the most one hour. Regarding the Hindu Marriage and Divorce Bill, I will call upon the hon. Minister at 12.45 to reply.

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): There is one other item before us—a formal item.

Mr. Deputy-Speaker: Very well.

Shri M. S. Gurupadaswamy: The Commission framed the proposals and placed those proposals before us. We discussed those proposals and

published those proposals for eliciting public opinion. It was intended that public opinion should be invited on those proposals, and we were also informed. But this is what happened. In cases where there was absolute unanimity among the public and among the associate members and even after the Commission had agreed before us that they had no objection and they completely agreed with the associate members and the public, they came back to Delhi and issued the final order of delimitation, changing all these things. So I want to know for what purpose public opinion was taken.

Mr. Deputy-Speaker: Do they not keep minutes of the proceedings of the meetings?

Shri M. S. Gurupadaswamy: There are minutes. There is mention that there was unanimity of opinion both among the public, and among the associate members about certain proposals regarding constituencies. Still, at the time of passing the final orders, they have changed and disfigured the constituencies. I wrote a letter to them asking them why they have done so in one particular case and why they have done such and such a thing in another particular case. Then they replied: "We do not want to assign reasons. The Commission has thought it fit to change." That is the reason they have given to me. Then, for what purpose was the public called for? For what purpose were the associate members invited? What was the use of it? The whole thing became farcical. The Commission acted in a fashion which created in our mind the impression that it has not acted democratically, responsibly and to the satisfaction of all the associate members and to the satisfaction of the public. So, finally, I say that the final orders which they have passed in respect of certain States should be reopened again. The whole matter should be reopened and it should be discussed once again. For this purpose, we want the amendment of this

Act. A Parliamentary Committee consisting of all the party leaders may be constituted for this purpose and the whole matter should be discussed by them *de novo*. The final orders passed by the Commission should be entirely reviewed by the Parliamentary Commission. I again emphasise that a Parliamentary Commission should be established and an amendment should be moved for this purpose. Unless this is done, I think we cannot accept the proposals of the Delimitation Commission, as the orders issued by them are not fair and impartial. I say that the Delimitation Commission have not done their work properly and fairly.

Shri Ganpati Ram rose —

Mr. Deputy-Speaker: How can the hon. Member claim a right? If I do not call him, he cannot stand up and speak. Again and again, I have been noticing this. It is only just now that he handed over a slip. Am I to follow the rules or merely be guided by the hon. Member, merely because he talks loud?

Shri Damodara Menon: The purpose of the debate, as I understand, is to invite the attention of the Delimitation Commission to some of the suggestions and views of the Members regarding the way in which they are to do their work or on the work that has been done so far, and also to invite the attention of the Law Minister to the necessity of bringing these matters before the attention of the Commission.

Regarding the delimitation orders which have been finalised, probably the only remedy is by an amendment of the Act or by a fresh Bill to change them. But my proposition is this. Regarding those delimitation proposals which are tentative, those which have already been placed before the public, I have to suggest that the hon. Minister must bring this matter before the Commission that more time must be given to us. As has been said now, 17th May is

[Shri Damodara Menon]

the last date. Most of the Members of Parliament are here. It may not be possible for us to go to Madras before the 17th and place before the Commission our views, because, this is a matter in which not only our objections must be submitted to the Commission but we must also submit before them positive alternate proposals. All that requires time, and my suggestion, therefore, is that the Minister must see that the Commission extends the time for inviting public opinion in this matter.

It has been already pointed out that the proposal regarding Madras State requires a lot of amendments. I come from Malabar. In that district, I say that the Commission's proposals, the tentative proposals, require a lot of amendments. They have been done in a haphazard manner. Some constituencies have been totally mutilated. I come from the Kozhikoda constituency. It has been mutilated beyond recognition. More than half of that constituency has been added to the Ernad taluk and another portion has been added to another taluk, with the result that the present constituency has ceased to exist. In doing so, the Commission has not given proper consideration to such matters as geographical contiguity and all those factors which are mentioned in the Act itself. Section 8(e) of the Delimitation Act says:

"(e) all constituencies shall, as far as practicable, consist of geographically compact areas, and in delimiting them, regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and public convenience."

I want to bring one instance to the notice of the hon. Minister. Wyanad is a hilly taluk and to that Nadapuram, an area in the Kurumbarnad taluk is added. If we look at the map of Malabar, probably, they will

appear as geographically contiguous areas but they are divided by impassable mountains and if one is to reach Wyanad from Nadapuram one will have to go to Calicut or to Telli-cherry and then go by another route. Actually, there is no geographical contiguity.

I wish to bring to the notice of the Commission another matter. A reference was made by Shri Velayudhan to that. Previously, in Malabar one seat was allotted to the scheduled castes. Now, that has been taken away. The number of seats in the Malabar district has been raised from six to seven. In spite of that, the seat for the Scheduled Castes has been taken away; that is injustice done to them. You will find in the Act that in reserving a seat, it has been specifically stated that care should be taken to distribute the reserved seats in different areas of the State. The Malabar coast is a particular linguistic area. When you are taking away a seat reserved for Harijans in that State, you are really doing something which is unjustifiable. I understand that this has been given to Ramnad. When the number of seats has been raised, it was not because there has been an increase in the number of the other communities alone but also of Harijans. It is preposterous that this has been done. Therefore, especially regarding Malabar the tentative proposals of the Commission require a lot of amendment. I hope that the Minister will see his way to impress upon the Commission that they must give more time and proper facilities to Members of Parliament to place their views before the Commission.

I want to say one word more. In these matters, I agree with the other Members also that this Parliament is a supreme body and must have a final voice. But, I also feel that we should not unnecessarily interfere with the Commission. The Commission is

an independent body set up by Parliament and in doing their work, we must have some faith in the way they carry on the work. If the Commission is not doing its work properly and if there are irregularities, of course, we can ventilate those grievances and see that they work properly. For that the proper forum is the Parliament. I hope the hon. Minister will take note of the views expressed here and see that the Commission adapts itself to the suggestions made on the floor of the House.

Mr. Deputy-Speaker: The hon. Minister will reply tomorrow evening at five o'clock so far as this matter is concerned.

COFFEE MARKET EXPANSION
(AMENDMENT) BILL, 1952

Mr. Deputy-Speaker: The House will now take up legislative business.

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg for leave to withdraw the Bill further to amend the Coffee Market Expansion Act, 1942.

The reason is merely this. The Bill has been before the House for more than a year and a half. Certain changes were necessary. But, most of these changes could be made later in the Select Committee but there will be a certain amount of procedural difficulty with regard to one particular change, namely, we have suggested that the cess that should be levied by the Coffee Board should be raised and for this we have to get the sanction of the President. So, I have obtained the sanction of the President and, if the House will permit me to withdraw the Bill, I shall be moving another Bill in which we are putting in this provision amongst others for levying a higher rate of cess for the necessary sanction has been obtained.

Mr. Deputy-Speaker: Is it annexed?

The Minister of Commerce (Shri Karmarkar): Yes; it is annexed.

Mr. Deputy-Speaker: The question is:

“That leave be granted to withdraw the Bill further to amend the Coffee Market Expansion Act, 1942.”

The motion was adopted.

COFFEE MARKET EXPANSION
(AMENDMENT) BILL

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to move for leave to introduce a Bill further to amend the Coffee Market Expansion Act, 1942.

Mr. Deputy-Speaker: The question is:

“That leave be granted to introduce a Bill further to amend the Coffee Market Expansion Act, 1942.”

The motion was adopted.

Shri T. T. Krishnamachari: I introduce* the Bill.

HINDU MARRIAGE AND DIVORCE
BILL—Contd.

Mr. Deputy-Speaker: The House will now proceed with the further consideration of the motion moved by Shri Biswas on the 10th May, 1954, in respect of the Hindu Marriage and Divorce Bill.

Shri Tek Chand (Ambala-Simla): May I make a submission? I had not quite concluded my submissions yesterday, and if I were to be given a few minutes more I will feel grateful that I may at least be able to finish my unfinished say.

Mr. Deputy-Speaker: Yesterday, it was said definitely that I will call upon the Law Minister, that all discussion regarding this Bill was over

*Introduced with the recommendations of the President.