

Clause 1.—(Short Title and Commencement)

Mr. Deputy-Speaker: Are there any amendment to clause 1?

Shri A. N. Vidyalankar (Jullundur): I have amendment No. 93 which reads:

'In page 1, line 4, for "salaries and allowances" substitute "Compensatory Allowances".'

Mr. Deputy-Speaker: What is this compensation? I think the hon. Member is not pressing it.

Shri A. N. Vidyalankar: I am not pressing it.

Mr. Deputy-Speaker: There are other amendments to clause 1. There is one in the name of Shri B. N. Misra. There is one in the name of Shri S. V. Ramaswamy seeking to substitute the word 'Honorarium' for 'Salaries', and another to the same effect by Shri D. C. Sharma. The hon. Members concerned are not moving these amendments. So, I shall put the clause to the vote of the House.

The question is:

"That clause 1 stand part of the Bill".

The motion was adopted.

Clause 1 was added to the Bill.

Mr. Deputy-Speaker: I find that for the Long Title also, there are amendments to the same effect as for Clause 1. I take it that no amendments are moved to the Long Title. However, I shall defer placing this to the vote of the House, until after clause 7 is disposed of.

We have about fifteen minutes more left now. What is the desire of the House? Shall we adjourn?

Some Hon. Members: Yes.

Mr. Deputy-Speaker: The House will now stand adjourned and meet again at 5 P.M. today.

The House then adjourned till Five of the Clock.

The House re-assembled at Five of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

SALARIES AND ALLOWANCES OF MEMBERS OF PARLIAMENT BILL, 1954—Contd.

Mr. Deputy-Speaker: Has any agreed solution been found?

Shri Satya Narayan Sinha: With your permission, I would like to add to the amendment which I had moved and I think it will meet with the general approval of the House, because the point which has been raised is made clear in this.

I beg to move:

In page 4,—after line 40, insert—

"(1A) The Joint Committee constituted under sub-section (1) shall elect its Chairman and shall have power to regulate its procedure".

Mr. Deputy-Speaker: May I have a copy of it?

Shri Satya Narayan Sinha: Yes.

Dr. Lanka Sundaram: This amendment has just been made available to this hon. House and if you would relax the rules in my favour, I would like to move an additional amendment to it. I would like to add:

'In the new amendment proposed by Shri Satya Narayan Sinha as sub-clause (1A) to clause 7, after "Chairman" insert "from among Members of the House of the People".'

Shri Velayudhan: No, no.

Mr. Deputy-Speaker: Hon. Members need not get agitated over a suggestion.

Shri Velayudhan: It is an unpopular amendment.

Dr. Lanka Sundaram: I would sustain it with arguments at the appropriate stage. I am only asking for the right to move a verbal amendment to the amendment which has been moved.

Mr. Deputy-Speaker: I shall place it formally before the House. The hon. Minister has moved two amendments, Nos. 119 and 120 to clause 7. Amendment No. 119 stands except that for the word 'will', the word 'shall' shall be substituted. After that he desires to add another sub-clause—sub-clause (1A).

Amendment moved:

In page 4,—after line 40, insert—

“(1A). The Joint Committee constituted under sub-section (1) shall elect its Chairman and shall have power to regulate its procedure”.

This was the lacuna which was pointed out; it has now been filled up. Now, what does Dr. Lanka Sundaram want?

Dr. Lanka Sundaram: I rely upon article 117 of the Constitution.

Mr. Deputy-Speaker: What is his amendment?

Dr. Lanka Sundaram: My amendment is this. I beg to move:

‘In the new amendment proposed by Shri Satya Naryan Sinha as sub-clause (1A) to clause 7, after “Chairman” insert “from among Members of the House of the People”.’

Mr. Deputy-Speaker: So, the Committee shall elect its Chairman from among the Members of the House of the People. That is his intention, whatever might be the desire of the House ultimately. As these amendments have been moved now, it is open to any hon. Member to move an amendment.

Dr. Lanka Sundaram: May I make a couple of submissions in favour of my amendment?

Mr. Deputy-Speaker: The amendment is:

“(A) The Joint Committee constituted under sub-section (1) shall elect its Chairman.....”

That is part of the amendment now tabled by the hon. Minister of Parliamentary Affairs. Now, Dr. Lanka

Sundaram wants that after the word ‘Chairman’, the following additional words be inserted, namely,—

“from among Members of the House of the People.”

Dr. Lanka Sundaram: The House will concede me the important point that I have been very seriously involved in some of these controversies for the past two years. I have not given notice of this amendment in a frivolous manner. Only this morning you had given at least two rulings indicating that the present Bill is a money Bill. These rulings were given when certain amendments were sought to be moved raising the upper limit or lower limit or some provisions to that effect in regard to the Bill.

Mr. Deputy-Speaker: Certain amendments were sought to be moved implying expenditure from the Consolidated Fund.

Dr. Lanka Sundaram: This Bill is almost in the nature of a money Bill. I am sure every hon. Member of this House will bear with me and I am sure they will all agree with me that as regards Money Bills, under article 117 of the Constitution, this House is supreme. This is the reason why in the morning also, I raised the same point, namely, that it is a peculiar procedure that was sought to be adopted by my friend, the hon. Minister of Parliamentary Affairs, this morning. I have not come across any precedent so far in legislation undertaken for this reason. During the past two years, wherever and whenever a motion of this character was moved, the position of the Chairman was not only not left vague, but also not left without any control as far as the Speaker of this hon. House is concerned. So, without labouring the point any further, I would restate the point, namely, that this is a Money Bill and as such, the powers of this House are supreme and the Chairman may be elected under the new formula, but he must be elected from among the Members of this House.

The Prime Minister and Minister of External Affairs and Defence (Shri Jawaharlal Nehru): I object. We cannot accept this amendment of Dr. Lanka Sundaram. Whether it is technically a Money Bill or not is for you to decide. But obviously, it has no relation to a normal Money Bill. Here is a Committee to consider rules and regulations, relatively minor rules and regulations, relating to what this Bill will contain—payments of travelling allowance, etc. There is no encroachment on the Consolidated Fund, etc. It is the rules and regulations about which both Houses are concerned. It is true that more Members from this Houses are concerned with it, but that is because there are more Members here, in the House of the People. Otherwise, both are concerned, both are paid the same salary etc. Because the numbers are different in this Committee—there will be ten members from the House of the People and five from the Council of States—obviously, the House of the People will have very substantial majority. Now, to say that the Chairman must be from them—the House of the People,—seems to me not only unnecessary but totally undesirable. It may be—conceivably—that a highly respected Member from the Council of States is among them, whom the House of the People would like to become the Chairman. The fact that he is Chairman does not give greater authority or take away the right of vote of the ten Members. But, in any event, this approach of Dr. Lanka Sundaram in this matter, if I may say so, is not a healthy approach, and we should not encourage such an unhealthy approach.

Mr. Deputy-Speaker: I shall place the amendment to the vote of the House,—the amendment of Shri Satya Narayan Sinha.

The question is:

In page 4, for lines 35 to 40, substitute—

“7. Power to make rules.—For the purpose of making rules under this section, there shall be constituted a Joint Committee of

both Houses of Parliament consisting of five members from the Council of States nominated by the Chairman and ten members from the House of the People nominated by the Speaker.”

The motion was adopted.

Mr. Deputy-Speaker: Now, I will take up the amendment regarding (1A).

In page 4, after line 40, insert—

“(A) The Joint Committee constituted under sub-section (1) shall elect its Chairmen and shall have power to regulate its procedure.”

To this amendment moved by Shri Satya Narayan Sinha, Dr. Lanka Sundaram has moved another amendment.

The question is:

“In the new amendment proposed by Shri Satya Narayan Sinha as sub-clause (1A) to clause 7, after “Chairman” insert “from among Members of the House of the People.”

The motion was negated.

Mr. Deputy-Speaker: Now, I will put the amendment for the addition of sub-clause (1A) to the vote.

The question is:

In page 4, after line 40, insert—

“(1A). The Joint Committee constituted under sub-section (1) shall elect its Chairman and shall have power to regulate its procedure.”

The motion was adopted.

Mr. Deputy-Speaker: Now I will put the next amendment standing in the name of the Minister for Parliamentary Affairs, amendment No. 120.

The question is:

“In page 5, lines 12 and 13 for “by the Speaker of the House of the People after consultation with the Chairman of the Council of States” substitute “by the Chairman of the Council of States and the Speaker of the House of the People.”

The motion was adopted.

Mr. Deputy-Speaker: I will now put clause 7, as amended, to the vote.

The question is :

"That clause 7, as amended, stand part of the Bill."

The motion was adopted.

Clause 7, as amended, was added to the Bill.

Mr. Deputy-Speaker: I will now put the long Title and the Enacting Formula. I have already ruled out the various amendments that have been tabled.

The question is:

"That the Long Title and the Enacting Formula stand part of the Bill."

The motion was adopted.

The Long Title and the Enacting Formula were added to the Bill.

Shri Satya Narayan Sinha: Sir, I move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

DELIMITATION OF CONSTITUENCIES—contd.

Mr. Deputy-Speaker: Now, the House will take up further discussion regarding the delimitation of constituencies.

The Minister of Law and Minority Affairs (Shri Biswas): Mr. Deputy-Speaker, Sir, I come from a State where we turn to the South for soft and cool breeze. I found yesterday that a devastating storm can also blow from the South. I did not quite know whether I should be able to keep my feet.

Several Hon. Members: Why?

Shri Biswas: Because of the sudden fury of the storm. Sir, I am grateful to you that you gave me some respite and I had a few hours to examine the charges that were levelled against the Delimitation Commission and, in passing, against the Law Minister. I am now in a position to say I was really pleased that there was such a discussion.

For one thing, it has shown that there is a strong volume of opinion against the proceedings of the Delimitation Commission.

An Hon. Member: Very strong.

Shri Biswas: It is my regret and disappointment that not a whisper of it had been brought to my notice in the last one year and a half. The Delimitation Commission has been functioning for quite a long time. It was set up in 1952 and still I had not the slightest inkling of any dissatisfaction at the way in which it had been proceeding. Some complaints were made in respect of Madras and Andhra.....

Shri Matthen (Thiruvellah): Travancore-Cochin also.

Shri Velayudhan (Quilon cum Malvelikkara Reserved—Sch. Castes): We also did make complaints.

Shri Biswas: There are also many other States affected but the complaint was in respect of the two States.

Mr. Deputy-Speaker: There were also a number of Members from Travancore-Cochin.

Shri Biswas: They joined in the discussion, that is all, but the initiative was from those who were interested in the two States which I have mentioned. Be that as it may, I am accepting the tirades which poured out from all sections of the House as having been very useful in a way. I may say at once that in respect of Andhra and Madras, the point came to notice very prominently, because the 17th May had been fixed as the date for a certain pur-