

[Shri H. N. Mukerjee]

surely we will be in a position to understand what we should do in regard to the constitutional amendment.

I reserve my right to express myself in regard to the other amendment which I have given notice of, later on. But I do hope that the hon. the Law Minister will respond to the amendment I have given notice of, because I feel that this ought to be accepted by the Government straightway.

Shri Syamandan Sahaya (Muzaffarpur Central) rose—

The Minister of Law and Minority Affairs (Shri Biswas): May I interrupt my hon. friend at this stage and state, with your permission, Sir, that having regard to the views which have been expressed here and the views which have been expressed to me outside the House I would accept an amendment for circulating the Bill for eliciting public opinion. I propose to do this also in connection with the next Bill relating to the Delimitation Commission.

10 A.M.

Mr. Speaker: So, I would put it straightway. There is not much scope for argument now. I would put the amendment of Mr. Mukerjee that the Bill be circulated for the purpose of eliciting public opinion by the hon. the hon. Minister agree to the date also?

The Prime Minister (Shri Jawaharlal Nehru): If I may suggest, the date could be shortened. You may say, three months from now or the end of September.

Mr. Speaker: Is he agreeable?

Shri H. N. Mukerjee: Three months?

An Hon. Member: End of October.

Shri Jawaharlal Nehru: I think three months from now would be quite sufficient.

Shri H. N. Mukerjee: I am agreeable.

Shri Nand Lal Sharma (Sikar): I do not think three months will do. It should be sufficiently circulated.

Mr. Speaker: Let me see. Today is the 9th. Three months from now will mean up to the 9th October.

Shri A. K. Govalan (Cannanore): You may make it 15th October.

Mr. Speaker: I shall accept a compromise, although it is not for the Chair to do so. I hope, however, the hon. Members will accept it. I will say 15th October.

The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th October, 1952."

The motion was adopted.

REPEALING AND AMENDING BILL.

The Minister of Law and Minority Affairs (Shri Biswas): I beg to move:

"That the Bill to repeal certain enactments and to amend certain other enactments, be taken into consideration."

There is one amendment of which I have given notice for the purpose of filling an omission which should have been filled long ago. This is due to the change in the age of marriage under the Child Marriage Restraint Act. The limits there now are 18 years for the bridegroom and 15 years for the bride. In the Indian Christian Marriage Act of 1872 the limits had been laid down otherwise. The amendment is that in the Second Schedule under the Indian Christian Marriage Act (Act XV of 1872) I propose to insert this new provision: In Section 60, in condition No. (1), for the words 'shall exceed sixteen years' and 'shall exceed thirteen years' the words 'shall not be under eighteen years' and 'shall not be under fifteen years' shall respectively be substituted. This is to bring it in conformity with the Child Marriage Restraint Act. It is a purely formal amendment, which is long overdue. A Christian missionary drew our attention to this. That is why I have tabled this amendment.

Mr. Speaker: The question is:

"That the Bill to repeal certain enactments and to amend certain other enactments, be taken into consideration."

The motion was adopted.

Clauses 1 to 4 were added to the Bill. The First Schedule was added to the Bill.

Amendment made: In page 6, Line 15.

In column 4, before "In section 81" insert:

"In section 60, in condition No. (1), for the words 'shall exceed sixteen years' and 'shall exceed thirteen years' the words 'shall not be under eighteen years' and 'shall not be under fifteen years' shall respectively be substituted."

[Shri Biswas]

The Second Schedule, as amended, was added to the Bill.

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

Shri Biswas: I beg to move:

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

Mr. Speaker: The question is:

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

The motion was adopted.

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

DELIMITATION COMMISSION BILL

The Minister of Law and Minority Affairs (Shri Biswas): I beg to move*:

"That the Bill to provide for the readjustment of the representation of territorial constituencies in the House of the People and in the State Legislative Assemblies and for matters connected therewith, be taken into consideration."

As I explained, while moving the earlier Bill for amendment of the Constitution, the two Bills are connected. The present Bill has been placed before the House in accordance with the provisions of clause (3) of article 81 of the Constitution, which reads thus:

"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."

As I explained yesterday, the delimitation of constituencies now in force will remain effective until the 26th January 1953, and we have got to take steps in order to get a fresh delimitation of constituencies ready as soon thereafter as possible. That is the object of these two Bills.

As the two Bills are linked up and as the other one is going to be circulated for eliciting public opinion, it is just as well that this Bill should also be treated in the same way. I

do not propose to make any long speech in moving for consideration, because the matter will stand over till opinions are received.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide for the readjustment of the representation of territorial constituencies in the House of the People and in the State Legislative Assemblies and for matters connected therewith, be taken into consideration."

Shri Biswas: If the House permits me I will move the amendment to the effect that the Bill be circulated for the purpose of eliciting opinion thereon by the 15th October 1952.

Dr. P. S. Deshmukh (Amravati East): There is no need of an amendment. This will be the only motion; the motion for consideration need not be put.

Mr. Deputy-Speaker: Without the motion for consideration this motion cannot come. I am only considering whether the hon. Minister himself can move the amendment.

Shri Syamaandan Sahaya (Muzaffarpur Central): A Member who has moved a motion for consideration, and particularly the Member who is presenting the Bill, has a right to move, even after moving his consideration motion, that the Bill be circulated for eliciting opinion, or that it may be referred to a Select Committee. I think the rules provide for it.

Dr. S. P. Mookerjee (Calcutta South-East): He cannot move both.

Shri Venkataraman (Tanjore): May I invite your attention to rule 74 which says that when a Bill is introduced or on a subsequent occasion the Member in charge may make one of the following months, the last being that it be circulated for eliciting opinion thereon. Therefore, it is quite competent for the Minister to move the second motion.

Shri Biswas: I have previously moved that it be taken into consideration. Having done that, it is not open to me to move the alternative motion.

Mr. Deputy-Speaker: Anyhow, why should there be difficulty in a matter where there is agreement. Dr. Mookerjee will move the amendment.

Dr. S. P. Mookerjee: I beg to move:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th October, 1952."

*Moved with the previous recommendation of the President.