

[Shri Achustan]

So far as my State is concerned, we have, as I said, to import a lot of food materials. Everybody knows that food is one of the essentials of existence. Then there is cloth. We see that with regard to cloth, the raw material—raw cotton—has been included. I appreciate the point made by the hon. Minister when he says that the States have got representative governments, they are responsible people and they will consider all these aspects. But the point is that there are surplus States. They may think that because those commodities would be essential commodities, they should raise sales tax on those commodities because a portion of those commodities goes to other States. Even though the provision regarding inter-State trade is there—that will be the only limitation here—still there may be other devices adopted by State Governments which are not deficit States but surplus States. They can so manage things that a tax is levied on those goods which go to other States. This will hit the people of the consuming States.

It would have been better for the Finance Minister to have called all the Finance Ministers or Chief Ministers of the States concerned and worked out a formula. Since cotton has been included in the list, foodgrains also should have found a place. Even now we have not lost hope. The Finance Minister has stated that the National Development Council is meeting and he will watch the repercussions; also Parliament will be sitting and we can raise our voice here and the matter can be decided. But this is an important matter. I am not finding fault with the recommendations of the Taxation Inquiry Commission. They are quite right. But since the situation in India with regard to foodstuffs is not almost on the same level—though some States are excessively surplus and others are deplorably deficit—the Finance Minister must adopt an appeasing or softening attitude and assure the

people of the deficit States that the Centre will not shut its eyes when sales tax is levied on such materials which find a market in the deficit States.

**Shri T. T. Krishnamachari:** The point raised by my hon. friend is a point which I dealt with before. In so far as surplus areas are concerned, foodgrains or such other essential commodities will bear the same rate of taxation which the Government of that area imposes on its people. If some other State is getting the goods, they can certainly see that the people do not pay any additional tax which adds to this burden. It is for the consuming State to make a provision to that effect. But so far as the taxing State is concerned, it cannot tax the goods that go out at a rate higher than that levied on the same goods consumed in that State. So again the question of responsibility to the consumer in the State is the factor unless it be that the State is producing something which is not consumed in that State but is only taken out and that cannot be so, particularly in the matter of foodgrains. The question of the responsibility of the State to the consumer in the State is an effective guarantee against any arbitrary increase in the sales tax unless it be that something is produced which is consumed only far away from the State of production. So far as surplus States are concerned, the provision is already there and beyond that I cannot say anything.

**Mr. Deputy-Speaker:** The question is:

"That the Bill, as amended, be passed"

*The motion was adopted.*

REPRESENTATION OF THE PEOPLE  
(FOURTH AMENDMENT) BILL

The Minister of Legal Affairs (Shri Pataskar): Sir, I beg to move:

"That the Bill further to amend

the Representation of the People Act, 1950, be taken into consideration."

14-11 hrs.

[SHRIMATI SUSHAMA SEN in the Chair]

As we all know, recently, only a few months back we passed a Bill amending the Representation of the People Act in order to enable displaced persons being registered as voters. That was necessary because we had passed recently a Citizenship Act and those people had become entitled to be voters. But it was very difficult to get their names on the voters' list. It was to remove that difficulty that we passed a Bill which was up to the 1st of November. Actual experience has shown that there are still a large number of displaced persons who have failed to register themselves as citizens. It was with a view to enable them to get themselves registered as citizens that the time was extended from 1st November to 1st December by an ordinance and this Bill has been brought forward only to replace that Ordinance. So, I think, there would be hardly any discussion on this Bill because this Bill has been brought forward to enable the displaced persons who had not been able to get themselves registered as citizens to get themselves registered. I need not add anything more.

Mr. Chairman: Motion moved.

"That the Bill further to amend the Representation of the People Act, 1950, be taken into consideration."

Shri M. S. Gurupadaswamy (Mysore): Just a clarification. May I know where there is any difficulty in extending this time up to 1st January, 1957—any practical difficulty?

Shri Pataskar: The practical difficulty is not, of course, with regard to any particular date. But the voters' lists have to be finalised before the elections, and in proper time. I think some date has to be fixed. So far as the Election Commissioner is

concerned, he thinks that we could not probably, extend it. I have tried to see that it is extended and we can probably extend it up to the 16th December. I see there is an amendment to that effect. But I do not know whether it will be pressed. I shall be prepared to extend the time up to the 16th December, if so desired. Beyond that, I am told, it may not be possible to extend the time.

Shri M. S. Gurupadaswamy: So, you are accepting that amendment?

Shri Pataskar: Yes; provided somebody moves it.

Shri U. M. Trivedi (Chittor): It can be moved even now.

Shri B. K. Das (Contai): The hon. Minister can move it.

Shri M. S. Gurupadaswamy: Yes, with the permission of the Chair.

Mr. Chairman: It can be moved.

Shri U. M. Trivedi: This is a very small Bill no doubt and the object of the Bill is laudable. We should not leave out any of our countryman from the list of voters and deprive them of the right to vote in the elections that are forthcoming. It is only an unfortunate event in the history of our country that these countrymen of ours found themselves not the citizens of India. They were citizens of India in 1947 and force of circumstances made them aliens. These unfortunate persons are really the sufferers on account of our independence, the independence that we are enjoying today. They must at least be allowed the privilege or the right at our elections. It is quite in the fitness of things that the Government has brought forward this Bill. But, I do not understand why it is stated in clause 1 (2) that it shall be deemed to have come into force on the 8th day of November, 1956. No explanation is given about that.

Shri Pataskar: I shall give it.

Shri U. M. Trivedi: I am trying to find out an explanation from this Bill. It is mentioned in the Statement of Objects and Reasons that

[Shri U. M. Trivedi]  
The Representation of the People (Third Amendment) Act, 1956, was enacted to effect the prompt enrolment as electors of those displaced persons who register themselves as citizens of India under section 5(1)(a) of the Citizenship Act, 1955, before the 1st November, 1956. It was then thought that the bulk of eligible displaced persons would have been registered as citizens of India before the 1st November, 1956.

Now, between 1st November and 8th November, there is a gap of 7 days. I have not understood the significance of this gap of 7 days. As I said, the purpose of this Bill is laudable and the hon. Minister has agreed to extend the period from the 1st December to the 16th December, 1956. I do not know whether the purpose can be served and people will be able to take advantage of this Act by the 15th December, 1956, unless it is given very wide publicity all over the country by the radio and the newspapers and all the newspapers are made to co-operate with the Government in this respect. Unless it is done, it will be difficult for the displaced persons who are scattered in various places, far into the interior in many places in Rajasthan and Madhya Bharat to know of this piece of legislation. Already it is the 5th of December. If it were kept as 1st December, it would be only mock legislation. If it is extended as agreed to by the hon. Minister it may be of some use. Even then, I do not know whether people will be able to take advantage of it, and whether it will be passed before that date, because this has to go to the other House and be passed there. I do not know whether by the time it becomes law those people would be able to come to know of it. Under these circumstances, it will be very very helpful if the hon. Minister would see his way to have this period extended up to the 31st December, 1956. He need not change this 'December,' or even the '1st'; he need only put one '3' before the '1'. I hope the

hon. Minister would concede this and extend the time.

I see the desire on the part of Government to be helpful. But as things stand, the help would be merely a mirage. It will not be a very tangible thing that he is offering. We should not forget—and we should remember it always and anon—that it was on the shoulders of these people and the blood of these people that we have secured our independence. We are thinking that we have got this independence for India without bloodshed. I say that it was the greatest bloodshed in the history of the world when this independence was secured. We should never forget that these people saved us and saved our skins but shed their blood. It is for these people that this Bill is brought forward. Therefore, I request the hon. Minister to accede to my request for extending the time.

**Shri B. K. Das:** Madam, when the Citizenship Bill was discussed in this House, I expressed my doubt whether the provision for registration would be of much benefit to the displaced person. As you know, the provision for registration and giving franchise concerns more the displaced persons from East Pakistan because they are the persons who have got to be registered in very large numbers, and most of them have not been in our electoral rolls. For this purpose the Bill seeks to extend the time so that a large number of persons may be placed in the electoral rolls. We have not got the figures from the hon. Minister as to how many have by this time been registered and how many are already on the rolls. We have no idea about it, but I should think that only a very small number of them have been registered by this time. I do not know what machinery has been set up, what procedure has been adopted. The assurance was given by the hon. Home Minister when replying to the debate that there would be an elaborate machinery, and the procedure also would be simple, so that many

people might get themselves registered very easily and be able to exercise their franchise. If that has not been fulfilled, I have still my doubts whether the purpose will be achieved even by extending the time up to the end of December as sought by an amendment that has been tabled but not yet moved. The hon. Minister has expressed already his willingness to extend the time up to the 15th December, instead of the 31st December, because he thinks that there will be no difficulty about the election procedure being gone into if the time is extended up to that time, that is, 15th December, 1956. Under the circumstances, we have no alternative but to choose a date which can be conveniently done. Otherwise there may be difficulty in having our electoral register completed before the ensuing election.

I think all these matters, which concern us deeply, arise out of the discussion of this Bill, and in future also the same difficulty will remain. If there is no good machinery, no proper publicity, no simple procedure so that all eligible persons can be registered within a reasonable length of time and put in the electoral rolls, then they will remain disenfranchised probably for no fault of their own. So, I think we should be satisfied that everything has been done for the registration of those people and everything will be done for their registration so that they can come in our register in proper time.

With these words I support the Bill and I hope that the hon. Minister will go to the utmost length about fixing this particular date.

**Shri Pataskar:** With respect to the point raised by my hon. friend as to why the date, 8th November, is there, the explanation is very simple. What happened was that the original Act had extended the period up to the 1st November.

It was brought to the notice of Government that this process of registering of citizens should continue because people would register them-

selves as citizens only if they were sure that they would get this right to vote, and for that purpose, this provision was made, and we had to issue an ordinance on the 8th November. We made it clear in clause 2 that for the words, letters and figures "the 1st day of November, 1956", the words, letters and figures "the 1st day of December, 1956" shall be substituted and shall be deemed always to have been substituted. Therefore, there is no question of any gap. The date, 8th November, is mentioned simply because on that day the ordinance was issued, and that is now being ratified by this Act of Parliament.

So far as the question of trying to enrol as many displaced persons as possible is concerned, every one of us has sympathy for them and we will do everything consistent with carrying out our programme of election, etc. Every attempt is being made to see that they get enrolled as voters. I need not repeat the provisions which were already made, and it is with that anxiety that I took the earliest step to extend the period by having an ordinance issued.

With regard to the question as to what date should be there, the date that was proposed in the ordinance at that time was 1st December, 1956. By the time the Bill has come to this House, I think from all the enquiries which I have been able to make that we can legitimately, without creating any problems for the Election Commission, extend the date up to the 15th December. Therefore, as I said in the beginning, I am prepared to extend the period up to the 15th December, 1956.

As regards our efforts, even all political parties, the Election Commission and all others are trying their best to see that all such persons are registered. It will be remembered that unless a person becomes a citizen of India, his name cannot appear in the electoral roll. We all sympathise with this problem of displaced persons, who are already there, who might come again from other parts of the country, and we want to do our

[Shri Pataskar]

utmost in being that at any rate they get their right to vote. It is only from that point of view that we cannot really go beyond the 15th December, 1956.

**Shri B. K. Das:** What is the number so far registered?

**Shri Pataskar:** I have not got the exact figure, but I can say that a large number of persons have been able to enrol themselves as citizens. Of course, there are some still to be registered, but that is on account of the very nature of the problem itself. We all realise the difficulties and I need not go into them. The numbers are increasing every day. It is not possible to give any accurate figure for today. I can only assure the House that the Election Commission and all others, including the political parties, are co-operating in this matter, and we are trying to extend the date to the maximum that we can.

**Shrimati Renu Chakravarty (Basirhat):** May I just say a word or two on this Bill? Of course, we welcome the Bill, which seeks to replace the ordinance.

The only point that I would like to make is that actually the registration of the elector will have to be preceded by the registration of the person as a citizen of India. This is a rather difficult process especially when one considers that there are large numbers of refugees in the interior of the villages who are being sent to the various work site camps spread out throughout the length and breadth of our State, the State of West Bengal. That is why, whilst I welcome the acceptance by the hon. Minister of the extension of the date up to the 15th December, 1956, I was just wondering whether it would not be better if he could accept it to be extended up to the end of December, 1956. The reason for that is this. Even the day before I arrived here, that is, on the 28th November, I was going in my constituency rather into the interior where I met some of the registrars who are actually being used by

the Directorate of Rehabilitation to go to the work site camps for registering these men and women. Actually this lady told me that as yet they had not been able to complete their work. That was on the 28th November. I am still doubtful whether they will be able to complete in respect of those who are already here and who are actually in the work site camps, and whether they will be able to complete the list of those people who have already become citizens. There will still remain a large number of persons who may not be able to come on the rolls. They may not have attained citizenship—I mean even those who are already here in these camps. Therefore I think it will be a much more practical proposition to extend the date till the last day of this year. Considering that we shall not be having the elections till the 1st of March, there will be a reasonable time left for the preparation of the electoral rolls. In view of the large amount of work still outstanding I would propose that, if possible, the Minister should accept the last day of this year as the final date.

**Mr. Chairman:** The question is:

"That the Bill further to amend the Representation of the People Act, 1950, be taken into consideration."

*The motion was adopted.*

**Clause 2.— (Amendment of Section 24).**

**Mr. Chairman:** There are some amendments. Are they being moved?

**Shri Sadhan Gupta (Calcutta South-East):** Madam, I am moving my amendments Nos. 1 and 2.

I beg to move:

(i) Page 1, line 9.

for "1st day" substitute "16th day"

(ii) Page 1, line 10.—

for "December, 1956" substitute "January, 1957".

The purpose of my amendment has just been explained by Shrimati Renu Chakravarty. While the Citizenship

Bill was under discussion, we pressed very hard for not imposing any formality before admitting the displaced persons as citizens. The reason was that they were as much Indians as anyone born on Indian soil and therefore there was no rational justification for differentiating against them in the matter of grant of citizenship. But, when that differentiation has been made, it is very much necessary that conditions should be created which will enable them to be registered as electors to the maximum possible extent so that they may participate in the general elections. Last time it happened that literally millions of refugees were deprived of their votes. They could not participate in the work of electing persons to various representative bodies, including this House. To that extent, this House has failed to be representative of the population of this country. That contingency should be avoided this time.

The Bill as it stands provides for enrolment of refugees who have been registered up to the 30th of November. That is of no use and it is good that the Minister has accepted the extension of the date up to the 15th of December. Even that would not be of much use because today we are on the 5th of December. By the time it is passed into an Act, it will probably be 15th December or very near that date. Before the Act is passed, perhaps the officers will not take any steps to get these refugees registered as electors. Even if they take steps, there are precious few days remaining and so some allowance must be made so that the officers may register as electors the great bulk of the refugees. That is why we have suggested the last date of the year as the date on which the registration of citizenship should be completed in order to enable those registered persons to enrol as electors.

I do not think there will be any difficulty in that. After all you can take the register of citizens and transfer the names to the electoral rolls. There would not be much diffi-

culty. I would also suggest that the officers should be sent to all work-sites, refugee camps and colonies which are called squatters' colonies and to other places wherever there is a concentration of refugee population so that the registration of refugees as citizens may be smooth effective and the largest number may be covered. They should be sent to the interior villages. Instead of expecting them to come and register themselves and their families, the officers should go and do this. If that is to be done, it would be necessary to extend the time right up to the end of this year. Otherwise, it cannot be done effectively. The purpose of the Bill and the extension of the time itself will be defeated. I hope that the hon. Minister will not hesitate to accept the extension of the date till the last day of this year.

**Mr. Chairman:** Amendments moved:

(i) Page 1, line 9—

for "1st day" substitute "16th day"

(ii) Page 1, line 10—

for "December, 1956" substitute "January, 1957"

**Shri U. M. Trivedi:** Madam, I have got an amendment which I beg to move:

Page 1, line 9—

for "1st day" substitute "31st day".

My amendment is practically on the same lines as the amendment of Shri Sadhan Gupta. I had already spoken at the consideration stage and drawn the attention of the hon. Minister. I have now, with your permission, moved my amendment and I want that the words "31st day" be substituted for the words "1st day".

The difficulty is very obvious. I do not know what the difficulties of the hon. Minister are. We are not holding the elections in the month of December or January or even in February. We do not know whether it will be in the 1st week of March because 15th of March is *holi*. We do not know whether they will be before or after that festival. Even supposing

[Shri U. M. Trivedi]

that they are to be held before that date, the Government can very well advise the Election Commissioner to have them after the 21st of March. The date, 15th of December has no meaning and it will not serve any useful purpose; it appears to be merely a joke. Registration under the Citizenship Act has to be done. Then only, the electoral roll can be prepared. As the law stands today, the date is 1st November, 1956. That day has gone and the Ordinance also extended it till the 1st December, 1956. That was also passed, according to the hon. Minister, on the 8th of November. This measure has now come before this House. The House is trying to apply its mind to the proposition to extend it till the 15th of December.

It is only through this House and the speeches that are made here that the people get to know about the legislative business for the whole country. Even if the Ordinance is passed, who is going to read your gazettes. No one knows about it.

The main question is this. If you want to do something helpful to the displaced persons, you must be right earnest and give them enough time.

If you want to do it in right earnest, then there is great force in the suggestion made by Shri Sadhan Gupta. He said that up to 15th December this will not even become a law. Therefore, extending it up to 15th December will be just putting a thing on the statute-book which will not serve any purpose whatsoever for which it is being brought. Fifteen days here or there is not going to create any legislative difficulty for the Government, and much less for the Election Commission. If the elections are held fifteen days this way or that way, that also is not going to make heavens fall down. I would, therefore, suggest that the amendment suggested by me and by Shri Sadhan Gupta, and supported by all the Members present in this House just now, will be a good thing to be done.

Mr. Chairman: Amendment moved:

Page 1, line 9—

for "1st day" substitute "31st day".

Shri Pataskar: As I have already said, so far as the question of enabling the displaced persons to be entitled to vote and for that purpose to have their names entered on the rolls is concerned, there is absolutely no difference in the anxiety either on the part of Government or on the Opposition. So I need not go into that question, because our *bona fides* were first of all assured by the fact that so far back as the month of May we passed an amendment by which we said that they should all be registered by the 1st November. After the 1st November, as soon as we found that we could probably extend some time an Ordinance was issued and the time was extended up to 1st December. It is not a matter as to whether there is provision in the Ordinance which would enable those displaced persons, who have not got themselves entered firstly as citizens and secondly as voters, to do it. I am sure, as our sister Shrimati Renu Chakravartty said, the people are trying, as far as they can, in that direction. Of course, the problem is enormous, and I cannot guarantee that, to whatever date it may be extended, there may not be any displaced persons whose names are not on the roll. That is clearly to be seen even by the amendment itself. I am glad that in this case the amendment itself haltingly suggests that it may be the 16th or 31st, because there is no difference of opinion with respect to their names being brought on the record. The only difference is on what is administratively possible. Considering that we have to rely and be guided by the advice of the Election Commission, and the Election Commission is clearly of opinion that the utmost to which we can extend the date will be about the middle of December, that is the maximum we can do. If after that the date is extended the Election Commissioner does not think he can see that all those names are covered on

the electoral roll. I think it is much better we should rather be guided in these matters by the opinion of the Election Commissioner who has to do all these things. I think he has been holding consultations with the different parties also. From this point of view it is not a question of this Government, it is a question more of administrative convenience and the maximum we can do has been done.

Therefore, I am prepared to accept the first amendment of Shri Sadhan Gupta and not the others.

**Mr. Chairman:** I shall now put that amendment to the vote of the House.

The question is:

Page 1, line 9—  
for "1st day" substitute "16th day".

*The motion was adopted.*

**Mr. Chairman:** I take it that the other amendments are not pressed.

*The amendments were, by leave, withdrawn.*

**Mr. Chairman:** The question is:

"That clause 2, as amended, stand part of the Bill."

*The motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

*Clause 3 was added to the Bill.*

*Clause 1, the Enacting Formula and the Title were added to the Bill.*

**Shri Pataskar:** I beg to move:

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

**Mr. Chairman:** The question is:

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

*The motion was adopted.*

FINANCE (NO. 2) BILL AND  
FINANCE (NO. 3) BILL.

**Mr. Chairman:** We shall now take up the Finance Bill.

**Shri U. M. Trive- li** (Chittoor): May I point out that there is no quorum in the House?

**Shri A. M. Thomas** (Ernakulam): When such an important Bill is being moved there must be at least quorum.

**Mr. Chairman:** The bell is being rung. There is quorum now. The hon. Minister may move his motion.

**The Minister of Finance and Iron and Steel** (Shri T. T. Krishnamachari): May I with your permission take up both the Bills, Finance Bill No. 2 and Finance Bill No. 3 together? Discussion might be had on both the Bills together and when the voting comes we can take them separately.

**Mr. Chairman:** Yes.

**Shri T. T. Krishnamachari:** I beg to move.

(1) "That the Bill to increase or modify the rates of duty on certain goods imported into India and to impose duties of excise on certain goods produced or manufactured in India and to increase the stamp duty on bills of exchange, be taken into consideration."

(2) "That the Bill further to amend the Indian Income-tax Act, 1922, for the purpose of imposing a tax on capital gains and for certain other purposes and to prescribe the rate of super-tax on companies for the financial year 1957-58 be taken into consideration."

**Mr. Chairman,** when I sought leave of the House to introduce the Bills on the 30th of November, I explained at considerable length the reasons for bringing forward these two measures and I do not, therefore, propose to take up the time of the House in repeating what I said that day. Even so, I think it would perhaps be worthwhile just mentioning some of the salient reasons for the step that we have taken.

As I have said in my speech that day, the resources of the Plan needs to be augmented, and it has to be the constant endeavour of Government to see that the Plan does not suffer