

[Mr. Deputy-Speaker]

they will have to make an approach to the hon. the Speaker. That is the convention. If in spite of it...

**Shri V. P. Nayar:** Can I take it that your ruling is that we can discuss a matter relating to the Secretariat and the Speaker and Deputy-Speaker on the floor of the House or that we should go to the Chamber....

**Mr. Deputy-Speaker:** No, no. Order, order. There is an Act of Parliament. There is no question of discussing about the Speaker or the Deputy-Speaker or the Secretariat.

**Shri V. P. Nayar:** Not in ...

**Mr. Deputy-Speaker:** Order, order. I am not prepared to answer the hon. Member. It is not cross-examination of any particular person. I have already said that so far as that matter was concerned, if there had been no guillotine, I would have considered it as to whether it ought to be allowed or not. That is the only thing that arises. I am not here to answer hypothetical questions.

**Shri V. P. Nayar rose—**

**Mr. Deputy-Speaker:** Order, order. The hon. Member introduces all sorts of irrelevant matters, notwithstanding the fact that I have told him very often....

**Shri V. P. Nayar:** There is a difference in understanding.

**Mr. Deputy-Speaker:** I shall now take up the Appropriation Bill.

#### APPROPRIATION (No. 5) BILL

**The Deputy Minister of Finance (Shri M. C. Shah):** I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1953-54.

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

"That leave be granted to introduce a Bill to authorise payment

and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1953-54.

*The motion was adopted.*

**Shri M. C. Shah:** I \*introduce the Bill and beg to \*move:

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1953-54, be taken into consideration."

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

"That the Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the service of the financial year 1953-54, be taken into consideration."

*The motion was adopted.*

*Clauses 1 to 3, the Schedule, the Title and the Enacting Formula were added to the Bill.*

**Shri M. C. Shah:** I beg to move:

"That the Bill be passed."

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

"That the Bill be passed."

*The motion was adopted.*

#### DEMANDS FOR SUPPLEMENTARY GRANTS IN RESPECT OF P.E.P.S.U. FOR 1953-54

**Mr. Deputy-Speaker:** Now, are there any cut motions regarding PEPSU?

**Dr. Rama Rao (Kakinada):** Sir, I have a cut motion.

**Mr. Deputy-Speaker:** That is general policy; it is not allowed.

\*Introduced and moved with the recommendation of the President.

Demand No. 11. Elections; it is again a matter of policy. I will put all the Demands to vote.

**Sardar Hukam Singh** (Kapurthala-Bhatinda): Sir, cannot we speak on this Demand?

**Mr. Deputy-Speaker:** Oh, yes, certainly. The hon. Member will never be prevented from speaking.

**Sardar Hukam Singh:** I thought it was being put to the vote.

**Mr. Deputy-Speaker:** The speech must be confined to the supplementary demand. What is the demand on which he wants to speak?

**Sardar Hukam Singh:** Demand No. 11, Sir.

**Mr. Deputy Speaker:** Then I will retain this Demand No. 11 and put the others to vote.

The question is:

"That the respective supplementary sums not exceeding the amounts shown in the third column of the Order Paper in respect of Demands Nos. 8, 28, 34, 36, 41, 42 and 45, be granted to the President out of the Consolidated Fund of the State of Patiala and East Punjab States Union to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of the corresponding heads of Demands entered in the second column thereof."

*The motion was adopted.*

[The motions for Demands for Supplementary Grants in respect of P.E.P.S.U. which were adopted by the House are reproduced below—Ed. of P.P.]

#### DEMAND NO. 8—IRRIGATION

"That a supplementary sum not exceeding Rs. 7,64,700 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Irrigation'."

#### DEMAND NO. 28—MEDICAL

"That a supplementary sum not exceeding Rs. 6,00,000 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Medical'."

#### DEMAND NO. 34—MISCELLANEOUS DEPARTMENTS

"That a supplementary sum not exceeding Rs. 75,400 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Miscellaneous Departments'."

#### DEMAND NO. 36—CIVIL WORKS

"That a supplementary sum not exceeding Rs. 25,37,700 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Civil Works'."

#### DEMAND NO. 41—STATIONERY AND PRINTING

"That a supplementary sum not exceeding Rs. 3,88,200 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Stationery and Printing'."

#### DEMAND NO. 42—MISCELLANEOUS

"That a supplementary sum not exceeding Rs. 9,96,000 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Miscellaneous'."

**DEMAND NO. 45—COMMUNITY DEVELOPMENT PROJECTS**

"That a supplementary sum not exceeding Rs. 4,39,800 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Community Development Projects'."

**DEMAND NO. 11—ELECTIONS TO LEGISLATURES**

**Mr. Deputy-Speaker:** Motion is:

"That a supplementary sum not exceeding Rs. 9,70,500 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Elections to Legislatures'."

**गृह-कार्य तथा राज्य मंत्री (डा० कादजू) :**  
अब आप क्या कहेंगे ?

**सरदार हुकम सिंह :** अगर आप चाहें तो मैं कुछ नहीं कहता ।

**Mr. Deputy Speaker, Sir**.....

**डा० कादजू :** अगर आप एलेक्शन नहीं चाहते, तो न करवाया जाय ।

**Mr. Deputy-Speaker:** All hon. Members must speak only through the Chair. The hon. Member may go on. I am sorry he has been interrupted.

**Sardar Hukam Singh:** I thought I will take notice of that, Sir.

**Mr. Deputy-Speaker:** That is why I said that every hon. Member can speak only through the Chair.

**An Hon. Member:** Sir, there is no quorum.

[**PANDIT THAKUR DAS BHARGAVA in the Chair**]

**Sardar Hukam Singh:** Mr. Chairman, Sir, under Demand No. 11, there

is an amount of Rs. 1,70,000 for printing of electoral rolls. When the previous Constitution was suspended, in the last budget we had voted about Rs. 2 lakhs and something for the printing of electoral rolls and their revision. It was considered at that time that perhaps we have to hold these elections under the new law and therefore the Election Commissioner thought that we might have fresh rolls altogether. The rolls for 1952 had been revised and even for 1953. Even then I brought it to the notice of the authorities in Parliament, that there was no use in taking up the question of fresh rolls and wasting this money as they had been revised up to 1953. This sum of Rs. 1,70,000 has been wasted and now we are told that the elections would be held under the old law. When we were discussing the Representation of People's Act on 4th August 1953, it had been brought to the notice of the Law Minister that there were many defects in the old law and that a comprehensive Bill should be brought before the House as much experience had been gained by the judgments and decisions of Election Tribunals and we had learned a great deal. Then the reason given was that so far as PEPSU was concerned, we wanted early elections and the words used are "It would be a pity if those elections were to be held under the existing law and not under the new law which will be on the statute book if the Bill is passed." In spite of that, it is a pity now that those elections are to be held under the old law and the defect that we found then has not been remedied. When the Constitution was suspended, it was emphasised as one of the reasons that because there have been so many rejections, improper rejections, and acceptances of nomination papers a large number had to be re-elected and the hon. Minister then characterised it as if it was going to be a miniature general election there. We thought that it was wasting the time and energy of the candidates and also the money of the exchequer to allow that law to con-

tinue, but now we find that this election in PEPSU, for which we are providing here Rs. 9,70,500, is going to be held with all those defects in the law and people would not be able to get any advantage of the experience that had been gained during the elections. Then, Sir, my fear is that, as happened before, perhaps there might be the same process repeated again. It was Congress regime then, when all those defects came out—such a large number of nomination papers was rejected or accepted unduly. We have been hearing for some time past that even responsible leaders have been going from Delhi and have been talking about in public and in private to give an impression to the people that though elections are coming, Congress is sure to win, whatever methods might be adopted. If it does not come out successful in the elections and some other party gets into power and secures the majority, then the same process is going to be repeated. It shall not be allowed to rule in that State and it would be Congress again. Therefore, people will be wasting their efforts if they vote for any other party. Maybe, Sir, that with that object in view, the same process might be repeated. Our fears get confirmed when we find that if any other party is returned and the same objections and election petitions are there, this also might be used as one of the grounds for throwing that party out as was done in the last case, because this was also considered to be one of the valid reasons why the Constitution had to be suspended in that State.

Now, Sir, when the last general elections took place, it was made clear here that during the elections ballot-boxes had been broken; votes had been transported from one box to another and certain other meddling was done with the boxes, so that people had numerous complaints that the elections were not free and fair. Even in this House, our hon. Prime Minister had to admit that this taking away of the outer label on a box and then replacing it subsequently, when the day's polling had concluded,

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could be done very easily and the complaints were that that had been resorted to very frequently and, therefore, free election could not be held. So the results were different from what the voters desired. It was argued when the Constitution was suspended by the hon. Home Minister, that the people had lost confidence, and we were not sure whether free and fair elections could take place in the atmosphere that existed when the Constitution was suspended; he argued that though there was the Chief Election Commissioner and the Election Commission as the agency to conduct this election, because the machinery that had to be employed was of the State, there could be no confidence under the circumstances and every party would have complaints that the elections had not been free and fair. He was talking of the bye-elections that were to be held then when he was making that speech. Now, I want to know from the hon. Minister whether he has taken any steps to ensure that the elections would be free, whether he had taken any steps to change those rules; whether there are any measures taken to see that the same course would not be adopted even now; whether elections would be free from any possibility of meddling. What action has been taken at this time to ensure that the elections would be free and fair. It is very easy to say, as has been remarked by a friend of mine, that every action has been taken, and exactly that would be the reply that would be given by the hon. Minister of Home Affairs "that every possible action would be taken".

**Shri K. K. Basu** (Diamond Harbour): It is simple.

**Sardar Hukam Singh:** It is very simple, Sir, but would that satisfy the parties? Would that be a guarantee that the election would be free and fair? There are suspicions which we gave expression to at that time as well, that this Constitution was suspended to bring, to resuscitate, the Congress into power. Those doubts have been re-

[Sardar Hukam Singh]

confirmed: the machinery that was set up to carry on the administration in the name of the President has been busy all through to bring about circumstances which would enable the Congress to come into power. They have worked to their utmost capacity to bring about the success of the Congress. So far as the other parties are concerned, they are afraid that that machinery would now exert its best to show those results for which they have been very anxious. My submission at this hour is that mere declarations and professions would not do.

**Dr. Krishnaswami** (Knachepuram): The Home Minister is not listening.

**Sardar Hukam Singh**: I do not mind. Even if he is listening, it would not have any effect.

The greatest change that is said to have been brought about is the elimination of dacoits. But there was no allegation at that time that any dacoits had tampered with the ballot boxes, that they had run away with any votes. The allegations were that it was one party or influential persons who had been going round and tampering with the boxes. The executive had helped them. The allegations were that the officers who had been entrusted with the task of conducting free and fair elections had taken part in those corrupt practices. So, the claim that has been made that the law and order position in PEPSU has improved, has not at all altered the conditions wherein those suspicions arose. My submission is that unless some practical steps are taken, there cannot be any surety, any guarantee that the elections would be free and fair. I want to warn the Government that unless they can give an assurance on this matter, people would lose their faith in democracy, and if that comes about it would be a tragedy for the country. The Congress also should look at this matter from a long range point of view. If only it is concerned about

creating circumstances whereby it could again come into power, thereby shaking the confidence of people in democratic principles, when people feel convinced that this Government would not allow any other party to come into power by fair and just means, I say it would be tragic for the country as also for the Congress and for everybody who wishes that these democratic institutions should thrive in our country.

My submission is that mere professions would not do, unless practical steps are taken to see that, when such a large sum is going to be spent on these elections, they are held according to the sacred principles which we have laid in our Constitution which we all revere.

**Dr. Katju**: Mr. Chairman, I have got very great respect and indeed admiration for my hon. friend. Though I have heard a long discourse from him, I have failed to understand what he wants me to do. Does he want the elections to be postponed? If he wants the President's rule to continue for another twelve months, well and good, we will have no elections at all: the money will be saved.

**Sardar Hukam Singh**: That was the complaint which my hon. friend made that the Home Minister was sleeping. I did not take notice of it then. I now find that all that I have said is in vain.

**Dr. Katju**: He was talking about the new Bill and old Bill and defects and all that. If his apprehension is that there should be no election till the new Bill is passed, we all know that the Bill will not be passed now. It will be taken up only in the budget session. You, Sir, had something to do with the Select Committee. There are ten dissenting minutes. Very large changes have been made. I think the House will take at least five or seven days in discussing it. Then it will go to the Council of States. I can then say publicly: At the request of my friend Sardar Hukam Singh, the respected leader of

a particular party in PEPSU elections have been postponed and President's rule will continue.

**Sardar Hukam Singh:** Therefore, Sir, my suspicion is confirmed that the Home Minister has been sleeping.

**Dr. Katju:** I shall issue a statement stating the grounds.

If you leave that aside, it was raising a mountain on the basis of a molehill. Here unfortunately even that molehill does not exist. All imaginary apprehensions—"we have heard this, that and the other", my friend said. But he is an old gentleman with great knowledge and experience in law courts. For God's sake do not believe in rumours—such as that one Congressman said "we are going to bring the whole thing again".

I imagine there have been lots of rulings by Election Tribunals. One defect pointed out in the earlier election was that a number of nomination papers were improperly accepted or rejected. I am hoping it will not happen. So far as fair and free and unfettered elections are concerned, what can I do? He won't believe me, he has completely lost faith in me. Therefore my professions will not do. What concrete step does he want me to take? Suppose I say: please give me a chit.....

**Dr. Krishnaswami:** Make him Home Minister.

**Sardar Hukam Singh:** I could suggest many.

**Dr. Katju:** This is all imaginary sermon you have delivered just now. We had it two days ago in the newspapers that the Adviser has issued the strictest possible instructions to all government servants to keep away from the electoral machinery. I imagine in the coming two months if the election is held, then all the contending parties will do their utmost to try to persuade the electorate to their favour—my hon. friend's party, the Congress party, every one will do his best. We can only see that they will do their best in the right line. And when the actual

polling commences it will be for the Election Commission or its officers to see that the ballot boxes are not tampered with, that the things are sealed properly and all that. What can I do? So, if he will allow me to say so, the speech he delivered was not really intended for us; it was intended for external consumption.

**Sardar Hukam Singh:** Because you can't digest it.

**Shri Chinaria** (Mohindergarh): Sardar Saheb has voiced the view of the masses there, because they are quite happy under the President's rule.....

**Mr. Chairman:** Order, order. What is the topic he wants to discuss? The Minister has already replied.

The question is :

"That a supplementary sum not exceeding Rs. 9,70,500 be granted to the President out of the Consolidated Fund of the State of PEPSU to defray the charges which will come in course of payment during the year ending the 31st day of March, 1954, in respect of 'Elections to Legislatures'."

*The motion was adopted*

PATIALA AND EAST PUNJAB STATES UNION APPROPRIATION (No. 3) BILL

**The Deputy Minister of Finance** (Shri M. C. Shah): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Patiala and East Punjab States Union for the service of the financial year 1953-54.

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

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of the State of Patiala and East Pun-