

the High Court. The aspect that has been raised by my hon. friend will be duly taken into account, and the last vacancy will be filled up as early as possible.

Then my hon. friend Shri Raghavachari stated that there ought to be a Bench of the Andhra High Court at Anantapur. I might point out to him that hardly six months have passed since the establishment of the Andhra High Court. It is very early, if not premature, to consider the question of the establishment of a Bench of the High Court at some other place. Some time has to go and we must have some more experience as to the way in which the Andhra High Court will be working before we can consider whether it will be advisable to have one more Bench. That is a question which can, again, be considered by the popular Government of Andhra after one has been established. Therefore I would request him to wait for some time so far as this question is concerned.

One more point was stated that the Andhra Government offices have not been removed from Madras. Now, that depends upon the availability of accommodation at Kurrool or elsewhere. This is also being considered, and to the extent that it is possible, offices are being gradually removed from Madras to areas in the Andhra State.

I think I have answered all the points raised by my hon. friends in the course of the debate.

**Mr. Deputy-Speaker:** It is 1—10 now. This will stand over. The Demands will not be put to the vote of the House now, but at 2-30 when the Appropriation Bill also will be moved. Now the House will take up the next time on the agenda.

#### DELIMITATION COMMISSION (AMENDMENT) BILL

**The Minister in the Ministry of Law (Shri Pataskar):** I beg to move:

"That the Bill further to amend

the Delimitation Commission Act, 1952, be taken into consideration."

The facts which have necessitated this Bill are briefly stated in the Statement of Objects and Reasons. As we all know, in the Act of 1952, section 8 provides that the Commission shall, in the manner hereinafter provided, determine on the basis of the latest census figures, the number of seats to be allotted to the States, and so on. Provision was made that these constituencies should be delimited on the basis of the latest census figures. However, it appeared that in the case of certain States, there was some obvious mistake. In the case of Scheduled Castes, there is an Order by the President under article 341 of the Constitution and under that Order, certain castes and communities were mentioned either as Scheduled Castes or Scheduled tribes. As we all know, for a period of ten years, they have been having some special representation. It is for this purpose that the Order was made. The Order had to be made by the President in the first instance. Then, Parliament may subsequently add to or alter it. That question does not strictly arise so far as the present Bill is concerned.

As a matter of fact, there was a previous census in the year 1941. After ten years, there was a subsequent census in 1951. Both under the Constitution and under the Delimitation Act, for the purpose of determining these constituencies, we are to go by the figures ascertained at the last census. In this case, the last census was in 1951. What happened was, at the time of the census in 1951, when the enumerators went about, they only entered the names of such communities as were mentioned in the Order by specific name. Apart from the Scheduled Castes and Scheduled Tribes, in certain parts of the country, for example in the West Khandesh district, there are people called Konkana and Konkane. It was contended in the election petitions that

[Shri Pataskar]

those who were calling themselves Konkana did not belong to the tribe called Konkane. As a matter of fact, Konkana and Konkane are the same name and they apply to both. The result was that there was no uniformity so far as the enumeration of the Scheduled Castes and Scheduled Tribes in the different States concerned. Naturally, at the time when the census was made, they were not cognisant that subsequently the Delimitation Act was going to be passed which will be used for that purpose. From the facts, it appears that in Hyderabad and Saurashtra, there was some mistake on this basis. In Hyderabad, for the first time, the contention was raised that while there was a general increase in the population as a whole, so far as Scheduled Castes and Scheduled Tribes were concerned, as compared with the census figures of 1941, there was a decrease. Therefore, the matter had to be examined and after it was examined, it was set right, by ascertaining the correct number of the Scheduled Castes and Scheduled Tribes in that State. On that basis, they got some additional seats. Similar was the case in Saurashtra. It is possible that there may have been some such mistakes in respect of other States also. I am not sure whether all of them could be removed by this Act so that we may have a clean slate.

So far as this Bill is concerned, that is a matter which is entirely distinct and different. We are making every effort to see that no injustice is caused to these Scheduled Castes and Scheduled Tribes for whom special provisions have been made. It is the desire of the Government that there should not be any unfairness to these people and they are taking all possible steps. In U.P. also, a similar question was brought to their notice. This is so probably in some other States also. In some cases, possibly the material is also readily available by which all these could be corrected.

We want to remove this anomaly. Wherever we can give this relief, the present Bill seeks to add section 9A. The new section reads thus:

"(1) Where at any time before the publication in the Gazette of India of the final order of the Commission determining in respect of any Part A State or Part B State the matters referred to in sub-section (2) of section 8, the census figures pertaining to the population of the scheduled castes or scheduled tribes of that State are corrected by the competent census authority in order to rectify any *bona fide* mistake or omission during enumeration and the corrections so made are duly published by that authority and brought to the notice of the Commission,—

- (a) the staff figures as so corrected shall be taken to be the latest census figures for the purpose of section 8;"

It is section 8 that prescribes the basis for delimitation of constituencies. The corrections will be published and the rest follows. There seems to have been some mistakes in Rajasthan and U.P. I will examine it in the case of other States also. It appears to us that where final orders have not been issued, by this amendment, it should be possible to do justice to these people in respect of whom such mistakes have occurred. It is with that limited intention that this Bill has been brought.

The urgency of the measure is due to the fact that the work of the Delimitation Commission has progressed far enough and probably if this Bill is not passed very early, the whole thing might be disturbed. There is another question to which I would like to refer briefly without taking much of the time of the House. People say, what right has this Parli-

ment got to bring forward this measure and what right has the census authority to amend. There is no attempt here to do anything under the Constitution, article 241(2). Of course, if we have to add certain other castes or categories as belonging to the scheduled castes and scheduled tribes, the procedure will be entirely different. That would be a distinct matter, from what is done here. What we are trying to do is only to correct an anomaly for which at the present moment record is available in the census office. For instance, I may tell the hon. Members that in the case of Hyderabad, nothing more was necessary. It is just possible that there were some castes called themselves as Konkana and Konkane or some such synonyms. The enumerator went there and asked them and the person who was asked, gave the description. The enumerator looked into the lists of these castes and finding that there is some difference, omitted it. Therefore, it is not so much a matter of adding to the list as a matter of correcting what has been put down incorrectly. Therefore, there is no constitutional difficulty in what has been done in respect of Hyderabad and Saurashtra. What we propose to do may be done in respect of other States wherever it is possible to rectify the mistake. I am aware that there might be cases where the provisions of this Bill may not be enough to do what is necessary. That is a problem which will have to be tackled in a different manner and at a different level. Therefore, so far as this Bill is concerned, it only enables us to do what we were not able to do because of the difficulty that there was a final order issued. The Commission may issue orders to remove these difficulties.

**Shri Raghbir Sahai** (Etah Distt.—North East cum Budaun Distt.—East): What are the States in which final orders have not yet been passed?

**Shri Pataskar:** I think I may say that excepting in the case of a few

States, probably in most of the States the final orders have been passed.

**Mr. Deputy-Speaker:** What is the object of restricting it only to a few cases? Once an Act is passed, why not apply it to all the cases?

**Shri Pataskar:** The difficulty is that so far as this Bill is concerned, we could do it in the case of a few States only, and it will not be for me to say that because we could do it in the case of a few States, therefore this Bill will enable the other cases also to be tackled. What I propose doing is that wherever we could do it—as we could do in the case of Hyderabad and Saurashtra—we will do it. In other cases, if defects are found out after examination of the proper census records, wherever such records are available, we shall come forward to rectify them with some other methods, because I find that it is not merely by an amendment of the Delimitation Commission Act that the whole purpose could be achieved; it is a larger question. But what could be settled for the time being by amending these provisions should be settled, and I think there should be no objection to that.

**Mr. Deputy-Speaker:** The mistake seems to have crept in this way. In some cases, there are persons who are called themselves Harijan or achuts. This is what happened. Harijans and achuts are not names which have been put in the list of Scheduled Castes, and therefore, they have not been counted amongst the Scheduled Castes, for purposes of the Scheduled Castes population. That has been brought to notice in Hyderabad. There are other cases also where the enumerators might have proceeded on that basis and ignored achuts and Harijans. If those mistakes are corrected now by the Census Commissioner, why should they not also be included within the scope of this Bill? Wherever it has happened, it should be corrected, whether it is before or after the passing of this Bill. Why should any distinction be made?

Some Hon. Members: This is the point.

Mr. Deputy-Speaker: Either you make no provision at all, or try to do it only with respect to the future, and not with respect to the past where the thing has been done. What is the reason adduced by the hon. Minister?

Shri Pataskar: I am amenable to accept the suggestion which has been made. But in the Bill, we have only got the words 'Where, at any time before the publication...'

Mr. Deputy-Speaker: You can add 'or after'.

Shri Pataskar: We can consider that. Therefore, if a small Select Committee is proposed, I am prepared to sit with those people and see that whatever relief is possible is given. I might give the assurance just now that whatever relief is possible will certainly be given by Government. But this should not be mixed up with other questions. Otherwise, it may be very difficult to deal with the question, because there might be some other matters also which may crop up.

So far as this question is concerned, Government have no desire to discriminate between one State and another or between when happened in the past and what might happen in the future; and they will try to take whatever steps are possible in this regard. From that point of view, I am amenable to accept the proposition that a small Select Committee may go into this matter and examine it.

As I explained, it is a *bona fide* mistake that has occurred in 1951, under certain circumstances which probably were not foreseen then. So, I am prepared to examine this question. But so far as this Bill is concerned....

Sardar Hukam Singh (Kapurthala—Bhatinda): A *bona fide* mistake did

occur. So far as I know, I am told that in 17 States, the final orders have been passed, and in the case of the remaining States, they might be passed by the 23rd or 24th of this month. So, this Bill may not be of avail to them as well. As it is, this Bill would have a restricted application only to one or two States. Therefore, we welcome this suggestion that a small Select Committee may be appointed to go into this matter.

Shri Pataskar: I have already said that I am amenable to that suggestion. We can thrash it out in the Select Committee, and whatever relief could be given we are prepared to concede and give.

Shri T. N. Singh (Banaras Dist.—East): May I seek a clarification on one point?

Sardar A. S. Saigal (Bilaspur): I will give you one instance regarding Madhya Pradesh. The hon. Minister may or may not accept it. As far as Madhya Pradesh is concerned, the final order has been passed. You will see that the general population in 1941 was.....

Mr. Deputy-Speaker: I shall give an opportunity to the hon. Member to speak later. The hon. Minister may continue now.

Shri Pataskar: I have nothing more to add except to say that there is no desire on the part of Government to make any discrimination in this matter. The mistake has happened in the case of two States. If it has occurred in the case of a few other States as well, certainly we are prepared to consider that in the Select Committee that we are proposing now, and see that wherever relief could be given, that relief is given, and justice is done.

The point is that these things should be finished within a short duration. As my hon. friend Sardar Hukam Singh was saying, the Delimitation Commission is about to finish its work, and some dates also may be fixed for that; so, we do not

want to add to the complications. We can sit across the table and look into the whole question.

**Sardar Hukam Singh:** This Bill should not prolong its life.

**Shri Pataskar:** I have no desire to do that. I think probably we may have a small Select Committee where all these things could be thrashed out, and the Committee might submit its report even by Monday. I am prepared to sit with all those who are interested in the matter, and we can dispassionately consider the whole thing.

**Pandit Balkrishna Sharma** (Kanpur Distt.—South cum Etawah Distt.—East): May I ask one question? Some of us in the House are of the opinion that as this Bill only seeks to amend section 10....

**Shri Pataskar:** It is introduction of a new section 9A.

**Pandit Balkrishna Sharma:** My only submission on this matter was whether the Members sitting across the table would be entitled to suggest to the hon. Minister to incorporate in the Bill the powers of Parliament, which powers Parliament itself at one time gave to the Commission, or in other words, whether it will be possible to have an amendment to the effect that the recommendations of the Delimitation Commission should be considered final only after Parliament has either accepted them or approved of them with some amendments.

**Shri Pataskar:** That would clearly be outside the scope of the Bill.

**Sardar Hukam Singh:** There are amendments to that effect. So, this question could be discussed when those amendments are taken up, and the hon. Minister may perhaps give his reactions at that time. There are amendments given notice of simply for that purpose.

**Shri Pataskar:** So far as section 10 is concerned, my hon. friend Pandit Balkrishna Sharma will find that

there is nothing much in that section at all. It only seeks to correct some clerical errors.

**Sardar Hukam Singh:** Therefore, it is admitted that some correction is required. And it is only for the purpose of correction of errors that we want this.

**Shri Pataskar:** So far as this Bill is concerned, the limited purpose in view is to give relief in the case of those Scheduled Castes and Scheduled Tribes in respect of whom an injustice has occurred on account of certain things that happened in regard to the maintenance of the census register. But to go beyond that and say that there should be some revising authority, and that the revising power should be given to the Commission itself or to Parliament, is a thing, which, I think, will be outside the scope of this Bill. But if at any time it is thought necessary that certain things are to be done even from that point of view, certainly there is nothing to prevent Parliament from considering them, but to put them in this Bill is certainly not proper, because as I said this Bill has got only a limited object in view.

**Shri T. N. Singh:** On a point of information. Under article 341(2) of the Constitution, an addition or inclusion in the list of Scheduled Castes as declared by the President can be done only by Parliament. I have every reason to believe that in the revised lists and revised figures of Saurashtra and Hyderabad, and particularly of Saurashtra, certain castes have been included which are neither synonyms nor generic names. I have great doubts as to whether *Dhed*, a Scheduled Caste which was included in the Saurashtra list in the revised figures is a synonym or generic name of any other caste which was already there in the list as declared by the President. If such a thing occurs—I hope it has been examined—then the delimitation of Saurashtra or Hyderabad as done by the Commission will become *ultra vires*, because Parliament has not amended that list.

**Pandit Munishwar Datt Upadhyay** (Pratapgarh Distt.—East): Why not U. P. also?

**Shri T. N. Singh:** I hope this point is before Government, and this aspect may be considered at least in the Select Committee when we go into it.

**Shri Pataskar:** I shall make it clear once again. We do not propose in this Bill to add to the lists of the castes which have been enumerated in the President's order under article 341(2). The question now is this: Supposing we have done something of that kind, and by an administrative order of the Census Commissioner some such thing has been done, will that be valid? That is the question raised, the point being that this can be done only by Parliament.

So far as I am aware—I have made enquiries—we have not done any such thing. What happens is this. Suppose a man, a *valmiki*, when he was asked said he was a *Harijan*, there is no such caste as *Harijan*. *Harijan* is a generic term including so many people of different castes, whether they are included or not included in this. So, wherever our records show, whether in Saurashtra or others, the caste is included. So we have not done anything like adding to the caste. If there has been a wrong or synonymous description as to whether that particular person belonged to that caste which is mentioned in the order of the President, we have tried, as far as our records show, to find it out and then rectify it. So far as we are concerned, we have examined the question and there is no chance of its being declared *ultra vires* at the present moment. With respect to the question of adding to certain castes just because they are excluded from the President's order, that is entirely a distinct matter. So I say that it would be worthwhile for Parliament and also for Members who are interested in justice being done not to mix up all these three questions. The list is a different matter. What should be the powers of the Delimitation Commis-

sion, whether it should be subject to any revision or authority, that, again, is another matter.

**Pandit Munishwar Datt Upadhyay:** But that list is the basis of all this delimitation.

**Shri T. N. Singh:** The only point if in the revised figures as supplied by the Registrar-General of Census, there is addition to the list, in that it is not a synonym or generic name, then we are taking away the powers of Parliament by passing this Bill because Parliament alone is entitled to add to or subtract from the list.

**Shri Pataskar:** According to what I have been able to gather from the figures supplied to me, they have not done anything of that kind. (Interruptions). I do not mean that that information is absolutely correct. My submission is that we should take all these questions separately on a different level, and I think there should be absolutely no anxiety on the score that Government will not rectify wherever something has been done by mistake. I can assure hon. Members of that. So far as this Bill is concerned, being limited to that—whatever is there—whatever the Select Committee say, we will consider. But I cannot say that all these things about constitutional amendment will be included in this Bill because that will be going too far and it will be too much to expect.

**Pandit Balkrishna Sharma:** I would only point out one thing. It is not only the generic terms that have been included by the Census Commissioner, but even particular caste names also have been included, and as a result of that the Commission have given special representation to such people. For instance, *dheds* is not a generic term; it is a definite caste name. That has been included here.

**Mr. Deputy-Speaker:** I will give opportunity to hon. Members to speak. Every one may speak. Let me first put the motion before the House.

**Shri Pataskar:** So far as I am concerned, I am not making any amendments. I will reply to any points raised later.

**Shri Dasaratha Deb (Tripura East):** I only want to ask for some information.

**Mr. Deputy-Speaker:** I will give every hon. Member an opportunity to speak.

**Shri Dasaratha Deb:** I only wanted to ask for some information; I did not want to speak.

**Mr. Deputy-Speaker:** After I put the motion,

Motion moved:

"That the Bill further to amend the Delimitation Commission Act, 1952, be taken into consideration."

There are some amendments tabled to this. One is by Shri Ramji Verma for reference to a Select Committee. But he has not given the names. Another, by Shri R. D. Misra, is to the effect that the Bill be circulated. Does he want to move it, in view of the statement of the Minister?

**Shri B. D. Misra (Bulandshahr Distt.):** I do not want to move it.

**Shri T. N. Singh:** There has to be a regular motion before the House for reference to a Select Committee. Is the Minister going to move it? If he is not going to move it, then this may be taken up for consideration.

**Mr. Deputy-Speaker:** I am coming to all those motions. I am not going to allow any motion which is not before me here.

Then there is an amendment by Sardar Hukam Singh for reference to a Select Committee.

**Sardar Hukam Singh:** Yes. But if the other motion is going to be moved, then I would be content with it. This is only an alternative.

**Shri Barman (North Bengal—Reserved—Sch. Castes):** I beg to move:

"That the Bill be referred to a Select Committee consisting of

Shri Venkatesh Narayan Tivary, Shri Raghunath Dayal Misra, Shri Narayan Sadoba Kajrokar, Shri Trilohuan Narayan Singh, Pandit Algu Rai Shastri, Shri Risham Lal Jangra, Shri Balesudurbhai Kunthabhai Patel, Shri S. Murthy, Shri N. C. Chatterjee, Shri Jitendra Prasad Sinha, Shri Awadheshwar Prasad Sinha, Shri M. G. Uikey, Shri T. Sanganna, Shri Mangalagiri Nanada, Shri P. Ramaswamy, Dr. A. Krishnaswami, Shri Panna Lal Barupal, Shri N. Rachiah, Shri Sitanath Brohmo-Choudhury, Shri Ramji Verma, Shri Nikunja Behari Chaudhuri, Sardar Hukam Singh, Shri Rameshwar Sabu, Sardar Amar Singh Saigal, Shri H. V. Pataskar and the Mover with instructions to suggest and recommend amendments to the Bill in order to remove the underestimation in 1951 Census of the Scheduled Castes or Scheduled Tribes, if any, in any State to give such castes or tribes the proper representation in the delimitation of constituencies, and also to remove any other difficulty in delimitation of constituencies as the Committee thinks proper and to report on or before the 22nd December, 1954".

Shall I speak now?

**Shri Pataskar:** There is some difficulty about the last sentence, because I think it is too wide. I do not know what is covered by it. It may be looked into by the Select Committee. It says:

"...in any State to give such castes or tribes the proper representation in the delimitation of constituencies, and also to remove any other difficulty in delimitation of constituencies as the Committee thinks proper."

Therefore, it does not mean that the whole Act should be amended.

**Shri T. N. Singh:** I suggest that the words "relevant or connected" be added before "difficulty".

The Minister of Defence Organisation (Shri Tyagi): Difficulties might arise. Once the Scheduled Castes constituencies are changed, others would be affected.

Shri Pataskar: What is the question? This is rather too

Shri E. D. Misra: There are other difficulties too.

Shri Barman: They may be examined.

Shri Kakkan (Madurai-Reserved—Sch. Castes): May I point out that there is no Harijan from Madras State on the Committee?

Mr. Deputy-Speaker: Why not add the name of Shri Kakkan?

Shri Barman: I am including Shri Kakkan also on the Committee.

श्री नवल प्रभुकर (बाह्य दिल्ली—रिजर्व—अनुसूचित जातियाँ) : दिल्ली का तो खास मामला है। इस में पहले भी यह भी कि दिल्ली की लिस्ट बूज नहीं की गई, पंजाब की लिस्ट बूज की गई है और साथ में दूसरी गलतियाँ भी हैं। मैं इस हाउस में इस मामले को पहले भी उठा चुका हूँ लेकिन इस संसेक्ट कमेटी के अन्दर दिल्ली का कोई मम्बर नहीं लिया गया।

Shri Barman: This Bill seeks to remove the constitutional and legal difficulty that has arisen because of the detection of certain mistakes in certain States. The four Main States that have got some relief—I should not say full relief—as regards this discrepancy in the enumeration of the census figures of Scheduled Castes and Scheduled Tribes are Hyderabad, Saurashtra, Rajasthan and Uttar Pradesh. In the case of two States, that is, Saurashtra and Hyderabad, the correction was done by some method which I shall relate shortly. Also, some corrections have been made in the case of three Part C States. That is also by a process which I shall have to relate to the House shortly.

Now, the hon. Minister has himself stated that in the case of Hyderabad

it was detected that the population as enumerated by the 1951 census of the Scheduled Castes and Scheduled Tribes, is such that instead of being on a par with the growth or increase in the case of general population, it had rather gone down. When that fact was detected early steps were taken to rectify it by an ingenious method. I should like to point out to him that similar injustice or similar discrepancies will be found in the case of other States. I shall say, for example, take the case of Madhya Pradesh. The census figures will show that in the case of Madhya Pradesh the general population shows an increase of 8.18 per cent.

Sardar A. S. Saigal: 8.18 per cent.

Shri Barman: It is almost the same. Between 1940-41 and 1950-51 the population of the Scheduled Castes went down by 12.42 per cent. I should just like to ask the hon. Minister and ask this hon. House to consider whether the injustice which was detected in the case of Hyderabad could not be detected by the Government or those who were in charge of delimitation in the case of Madhya Pradesh. Now, in the case of Hyderabad certain representatives or ordinary public had pointed out this mistake that is going to be remedied in a certain round-about way. But, is it not proper for the Government to look into the case of similar injustices and discrepancies in other States? It would be a case of discrimination for which the Government will have no answer to the people of those States where these injustices remain.

The hon. Minister has stated that delimitation has been done in most of the States and if revisions are made again they will create enormous difficulties. I understand it very well. But, would that administrative difficulty stand in the way of doing similar justice to all the States that is going to be administered in the case of only four States? Will the Government have any answer to the people of



other States unless they remedy the injustice?

What I say, Sir, is this. Once the Delimitation Commission has determined the constituencies it would be very difficult later on. As the hon. Minister says that he may take up the question of other States later on if he finds any difficulty, I would point out to him that once the delimitation is made and the constituencies are settled, these constituencies will remain for a certain number of years and it cannot be altered every six months or every alternate year. Therefore, that difficulty will arise and whatever promises he may give to the House at this stage, I think, he will not be able to keep those promises later on. More than that, even at the very outset, nobody is going to be affected and Heaven is not going to fall if this delimitation of constituencies be deferred by six months or a little more. The old constituencies will be there and any by-election that will be held can be held under the constituencies delimited already. I therefore, submit that an even-handed justice should be meted throughout India and to all the castes and communities. This will create a psychology which I would request the Government to consider thrice. It will not be to the benefit of the Government to allow these injustices to remain.

Sir, I may state how these things had occurred. It is given in page 2 of No. 4 of the census papers that the Census Superintendents of each State had issued orders to their subordinates while enumeration was going on just to record the names of those castes which appear in the list under articles 341 and 342 and if such a name does not appear in that list they have been advised by the Census Superintendents just to write "O", that is "others". Therefore, it was an optional matter for any State Superintendent to record castes like Achuts, Harijans, Dheds etc. if they so like, but in most of the States these have not been recorded.

Now the point arises only in regard to those cases. The hon. Minister says that we may have a small Select Committee and we may make slight alterations in the Bill so that we can cover similar cases in other States. I say Sir, that, that will not meet with the requirements of the moment because, so far as I know, in most of the States wherever the caste of the person was not within the list, it has been recorded simply as "others". Therefore, by this rough method no justice can be done to the other States whatever time the hon. Minister may take. As I understand from his version, he thinks that if slight modifications in the light of Hyderabad can be made in other States he is ready to take them. I have to tell him that even if he finds in one or two States—as we find in the National Register—that there are names recorded like Achuts or Harijans, in those cases also he has got to revise the constituencies and delimit the Constituencies again. So, where is the saving. Once he starts the process he cannot keep it half way.

[SARDAR HUKAM SINGH in the Chair]

Now, Sir, in this Census paper on page 2 it is stated:

"Write the name of a caste, tribe or class as given in the list. If he is an Anglo-Indian, write 'A'. In all other cases write 'O'."

So, it appears from this that this was the advice given. Then at the bottom of the page the statement given is:

"The figures of Scheduled Castes given in this brochure do not include persons who grouped themselves under a caste name which, though local people believe to be identical with Scheduled Castes such as Harijans, Achuts etc., is not specifically named as such in the instructional order. Members of Scheduled Castes who maintained that they were not members of any caste or tribe are also not included."

That being the case, what has happened? I am just giving, Sir, in a nutshell the position of the different States. In Assam the general popula-

[Shri Barman]

tion increased by 17.67 per cent. between 1941 and 1951 but the Scheduled Castes population during the same period went up only by 12.48 per cent. In Bombay the general population showed an increase of 21.85 per cent. but the Scheduled Castes population increased by 18.88 per cent. The case of Madhya Pradesh I have already stated which is more startling. The general population shows an increase of 8.15 per cent.—though my hon. friend says that it is 8.18 per cent., whatever that may be—but the Scheduled Castes population went down during the same period by 12.42 per cent. What is the explanation for it? Was there, what we call, some kind of calamity among the Scheduled Castes so that only their population went down? What is the explanation?

Shri B. S. Murthy (Eluru): Magic please.

Shri Barman: In Madras, including Bellary district, the general population increased by 14.39 per cent. but the population of Scheduled Castes went up only by four per cent. In Bihar the Scheduled Caste population is said to have gone down by two lakhs in the course of the twelve months between 1950 and 1951. So, that is the general picture. In the case of the Scheduled Tribes, the figures are more striking.

Fandit Munishwar Datt Upadhyay: There are a large number of Members wishing to speak, and I think the time should be limited. Otherwise, it would be difficult.

Mr. Chairman: Yes, there are so many Members yet to speak.

Shri Barman: I shall try to be as short as possible.

Shri Tyagi: If it goes to the Select Committee, you can speak again.

Mr. Chairman: Because he is the mover now, he has the right to speak,

even if he would be on the Select Committee.

Shri Barman: The House should know why the Bill is sought to be sent to the Select Committee. That is the object of my speech. Otherwise, it is no use speaking.

Mr. Chairman: The hon. Member may continue his speech with the idea that he should finish soon.

Shri Barman: Yes, Sir. I shall not go into details. I shall simply point out to the House the report of the Commissioner for Scheduled Castes for the year 1952, which was published in 1953. It gives the figures according to the 1951 census. As compared to the figures for 1941 which was 2,47,12,000 the figures for 1951 had decreased and the population of Scheduled Tribes in 1951 stood at 1,91,16,498. These are the facts. It is for the Government to consider whether they are going to rectify their mistake without additional cost, or whether they are going to ask the Delimitation Commission to renew this work. My submission is that the Government should not mind the trouble, should not mind the delay involved in coming to the correct conclusion about the population. There should be some justice done to all parts of India in an even way. There is one difficulty. In the case of States such as Hyderabad, a generic name has been adopted for enumeration of the Scheduled Castes, and that name has been recorded, while in some other States, it has not been recorded, likewise. If the Government want to do justice for all parts of the country, one thing can be done, and that is, to increase the ratio of the Scheduled Castes to the same ratio as is found in regard to the increase in the general population, considering the figures obtained from the census of 1941 and 1951. That is the shortest and surest way.

of doing justice. Of course, it lies with the Government to do what is feasible. I should again appeal to the hon. Minister not to try to cut short this matter in a half-hearted manner or do half-hearted justice, because if injustice is done in some States and the correct figures are taken into account in other States, the result will not be good.

Mr. Chairman: Motion moved:

"That the Bill be referred to a Select Committee consisting of..."

Shri Barman: I suggest that the name of Shri Naval Prabhakar may also be added in the list.

Mr. Chairman: Yes.

Shri T. N. Singh: May I suggest that the name of Shri H. N. Mukerjee may be added?

Mr. Chairman: Has the mover any objection?

Shri Barman: I have no objection.

Shri B. S. Murthy: I do not think Shri H. N. Mukerjee is keen about it. He is not keen about it.

Mr. Chairman: Whether he is keen or not, if the House agrees, we can have his name also.

Shri T. N. Singh: He is there in the back-bench. He has no objection.

Mr. Chairman: I see he has no objection, and the House has no objection. Shri Mukerjee's name is also added. Amendment moved:

"That the Bill be referred to a Select Committee consisting of Shri Venkatesh Narayan Tivary, Shri Raghbir Dayal Misra, Shri Narayan Sadoba Kajroikar, Shri Tribhuan Narayan Singh, Pandit Algu Rai Shastri, Shri Resham Lal Jangde, Shri Bahadurbhai Kuntabhai Patel, Shri B. S. Murthy, Shri N. C. Chatterjee, Shri Jaipal Singh, Shri Awadheshwar Prasad Sinha, Shri M. G. Uikey, Shri T. Sanganna, Shri Mangalagiri Nanadas, Shri P. Ramaswamy, Dr. A. Krishnaswami, Shri Panna Lal Barupal, Shri N. Rachiah Shri Sitanath Brohmo-Chaudhury

Shri Ramji Verma, Shri Nikunja Dehari Chaudhuri, Sardar Hukam Singh, Shri Rameshwar Sahu, Sardar Amar Singh Saigal, Shri P. Kakkan, Shri Naval Prabhakar, Shri H. N. Mukerjee, Shri H. V. Pataskar and the Mover, with instructions to suggest and recommend amendments to the Bill in order to remove the under-estimation in 1951 Census of the Scheduled Castes or Scheduled Tribes, if any State to give such castes or tribes the proper representation in the delimitation of constituencies, and also to remove any other difficulty in delimitation of constituencies as the Committee thinks proper and to report on or before the 22nd December, 1954."

Now, there is amendment No. 7. Does Shri R. D. Misra want to move it? Now that the motion for referring the Bill to the Select Committee has been moved, his motion goes away, I suppose. May I know the reaction of the hon. Member?

Shri R. D. Misra: I am moving my amendment.

Mr. Chairman: The motion is there now. Perhaps the hon. Member does not want to move his own.

Shri R. D. Misra: My submission is that I want the provisions of the parent Act should be amended. I want to move it.

Mr. Chairman: Then he might move it.

Shri R. D. Misra: I beg to move:

"That the Bill be referred to a Select Committee consisting of Shri H. V. Pataskar, Pandit Thakur Das Bhargava, Dr. Lanka Sundaram, Pandit Munishwar Datt Upadhyay, Dr. A. Krishnaswami, Shri Diwan Chand Sharma, Shri Awadheshwar Prasad Sinha, Sardar Amar Singh Saigal, Sardar Hukam Singh, Shri Radheshyam Ramkumar Morarka, Shri Ramji Verma, Shri Narayan Sadoba Kajroikar, Shri Jaipal

[Shri R. D. Misra]

Singh, Her Highness Rajmata Kamlendu Mati Shah, Shri Bheekha Bhai, Shri A. M. Thomas, Shri Dodda Thimmaiah, Shri Nikunja Behari Chowdhury, Shri Vishwambhar Dayal Tripathi, Shri Panna Lall, Pandit Balkrishna Sharma, Shri N. Rachiah, Shri Bahadurbhai Kunthabhai Patel, Dr. Satyanarain Sinha, Shri M. G. Uikey, Shri B. S. Murthy, Shri Rameshwar Sahu, Shri T. Sanganna, Shri Upendranath Barman and Shri Raghubir Dayal Misra with instructions to suggest and recommend amendments to any other sections of the parent Act not covered by the Bill, if in the opinion of the said Committee such amendments are necessary and to report on or before the 1st March, 1955."

Mr. Chairman: Then there is amendment No. 10 by Sardar A. S. Saigal.

Sardar A. S. Saigal: My amendment is to refer the Bill to a Select Committee.

Mr. Chairman: That Select Committee is now there.

Sardar A. S. Saigal: As regards the names, you can go through the names which I have already submitted.

Mr. Chairman: The motion is the same.

Sardar A. S. Saigal: Then I withdraw.

Pandit Munishwar Datt Upadhyay: I beg to move:

"That the Bill be referred to a Select Committee consisting of:....."

Mr. Chairman: If the names are the same as those suggested in the previous amendment, the hon. Member need not read the names.

Pandit Munishwar Datt Upadhyay: They are not quite the same.

Mr. Chairman: All right.

Pandit Munishwar Datt Upadhyay  
I beg to move:

"That the Bill be referred to a Select Committee consisting of Shri Upendranath Barman, Sardar Amar Singh Saigal, Shri Narayan Sadoba Kajrolkar, Shri R. L. Jangde, Shri V. N. Tivary, Shri T. N. Singh, Pandit Algu Rai Shastri, Shri Raghubir Dayal Misra, Shri Nikunja Behari Chowdhury, Sardar Hukam Singh, Dr. A. Krishnaswami, Shri Ramji Verma, Shri Natu Sucheta Kripalani, Pandit Balkrishna Sharma, Shri H. V. Pataskar, Shri P. Kakkan, Shri Hirendra Nath Mukerjee and the Mover, with instructions to report or before the 22nd December, 1954."

It is a new amendment. There is a title modification.

Mr. Chairman: The amendment moved by Shri Barman has already been placed before the House. I am now placing the other two amendments before the House.

Amendments moved:

(1) "That the Bill be referred to a Select Committee consisting of Shri H. V. Pataskar, Pandit Thakur Das Bhargava, Dr. Lanka Sundaram, Pandit Munishwar Datt Upadhyay, Dr. A. Krishnaswami, Shri Diwan Chand Sharma, Shri Awadheshwar Prasad Sinha, Sardar Amar Singh Saigal, Sardar Hukam Singh, Shri Radheshyam Ramkumar Morarka, Shri Ramji Verma, Shri Narayan Sadoba Kajrolkar, Shri Jaibal Singh, Her Highness Rajmata Kamlendu Mati Shah, Shri Bheekha Bhai, Shri A. M. Thomas, Shri Dodda Thimmaiah, Shri Nikunja Behari Chowdhury, Shri Vishwambhar Dayal Tripathi, Shri Panna Lall Barupal, Pandit Balkrishna Sharma, Shri N. Rachiah, Shri Bahadurbhai Kunthabhai Patel, Dr. Satyanarain Sinha, Shri M. G. Uikey, Shri B. S. Murthy, Shri Rameshwar Sahu, Shri T. Sanganna, Shri Upendra-

nath Barman and Shri Raghur Dayal Misra with instructions to suggest and recommend amendments to any other sections of the parent Act not covered by the Bill, if in the opinion of the said Committee such amendments are necessary and to report on or before the 1st March, 1955."

(2) "That the Bill be referred to a Select Committee consisting of Shri Upendranath Barman, Sardar Amar Singh Saigal, Shri Narayan Sadoba Kajrolkar, Shri R. L. Jangde, Shri V. N. Tivary, Shri T. N. Singh, Pandit Algu Rai Shastri, Shri Raghur Dayal Misra, Shri Nikunja Behari Chowdhury, Sardar Hukam Singh, Dr. A. Krishnaswami, Shri Ramji Verma, Shrimati Sucheta Kripalani, Pandit Balkrishna Sharma, Shri H. V. Pataskar, Shri P. Kakkar, Shri Hirendra Nath Mukerjee and the Mover with instructions to report on or before the 22nd December, 1954."

**Shri Radbelal Vyas (Ujjain):** On a point of order. The amendment of Shri Barman which was moved just now, is already there. When such an amendment has come before the House, is it competent for another Member to bring another amendment for reference to the Select Committee? He can bring of course an amendment to this amendment, and I submit that no other amendment of this type can be brought in. There is already one amendment for reference to the Select Committee.

2 P.M.

**Mr. Chairman:** If they were identical or even similar, I would have ruled the other one as barred; but, now they are different, their imports are different and therefore both will stand.

**Pandit Thakur Das Bhargava (Gurgaon):** With your permission, may I make a suggestion? The only difference is in the names. I would respectfully ask.....

**Mr. Chairman:** That is not the case. It is not only a difference in names. I have seen that.

**Pandit Thakur Das Bhargava:** Apart from that, there is some difference so far as the substance is concerned. I would beg of the hon. Members who have moved such amendments to give an agreed list of names. There is no difficulty in that. At the same time, the widest possible scope may be given to the motion. There may be only one amendment and it would otherwise be difficult to vote.

**Shri Pataskar:** If it is acceptable to all the Members who have given notice of such amendments for reference to the Select Committee. There is already one amendment of Shri Upadhyay which may be accepted. I am prepared to accept it. If anybody is interested in making any additions to the names, I have no objection.

**Mr. Chairman:** If the hon. Members agree and the Movers can compromise, that is all right. I shall not have any objection to that. Unless that is done, I cannot rule out any of these. Let the discussion proceed, and let the hon. Members come to an agreement. I do not find any other amendment.

**Shri B. S. Murthy:** Sir, I have an amendment. My name and Upadhyay's names have been linked.

**Mr. Chairman:** It has already been moved. What else does the hon. Member want?

There is another amendment, No. 12. That is also for reference to Select Committee. When the motion for reference to Select Committee is already before the House, I do not think the hon. Member need move his amendment except that there might be some difference in the names. We can add here and there.

**Pandit Munishwar Datt Upadhyay:** Certain names are being suggested; if they come in, I shall accept them.

**Mr. Chairman:** The hon. Member may also be consulted and his consent taken.

**Shri Jangde (Bilaspur—Reserved—Sch. Castes):** Sir, I want to move my amendment.

**Mr. Chairman:** I have been asking whether any other Member also wanted to move his amendment. What is that amendment?

**Shri Jangde:** List No. 4; I have just given it today.

**Mr. Chairman:** It is an amendment to a clause. They are not being taken up now.

**Shri R. N. Singh (Ghazipur Distt.—East-cum-Ballia Distt.—South West):** Sir, I want to move my amendment, No. 6.

**An Hon. Member:** He was not here when his name was called.

**Mr. Chairman:** The hon. Member was called but he was not in his seat.

**Pandit Munishwar Datt Upadhyay:** Sir, I have read out my amendment just now. I will just repeat the substance of it.

**Mr. Chairman:** If the hon. Member wants he may read it out again; the names need not be read out.

**Pandit Munishwar Datt Upadhyay:** I beg to move that the Delimitation Commission (Amendment) Bill, 1954 be referred to a Select Committee consisting of the names which were read out—18 names are there with instructions to report to the House before the 22nd December, 1954.

**An Hon. Member:** What is the scope; what instructions are to be given?

**Pandit Munishwar Datt Upadhyay:** I have read out the entire thing.

**Mr. Chairman:** Let the hon. Member now proceed.

**Shri B. S. Murthy:** Sir, I think his amendment is different from mine though it is bracketted. My amendment is No. 11.

**Mr. Chairman:** We have got another also of that import. As the hon. Member has already moved it, we can discuss that, whether this should have wider scope and all other sections should also be opened. That has also been moved. The hon. Member may proceed.

**Pandit Munishwar Datt Upadhyay:** The Bill that is before the House is very limited in scope. It can really benefit only U.P., if it can benefit any State at all. My submission is that it is not going to benefit, as a matter of fact, any State. It appears that the final orders have not been passed in respect of U. P. and therefore before the final orders are passed, the revised figures of the Scheduled Castes in U.P. have been obtained and they are before the Commission. So, according to the revised figures now, they will delimit the constituencies. They will fix the number of seats. But the whole difficulty is there and it applies to almost all the final orders that have so far been passed in respect of any State. That will apply to U.P. as well, with one difference only that here the Commission has got the power. As regards other States, six months have elapsed after the final orders have been passed. Therefore, the Commission has no power to correct even a clerical error or arithmetical mistakes. In this case, because the final orders have not been passed, therefore, it is within the power of the Commission to act on the basis of the revised figures and to fix the seats and delimit the constituencies.

But, this is not the only difficulty. The six months' period was not the only difficulty that is provided in section 10 of the Delimitation Act of 1952. The main difficulty is the phraseology of the President's order. That con-

tains an exhaustive list of the Scheduled Castes who can be considered as such during the census operations. During the last census operation, the list of cases, according to the President's Order was taken into consideration and on the basis of that list the population of the Scheduled Castes was determined. After this revision had been made, a number of other castes have also been accepted as Scheduled Castes. Because those castes have been accepted as Scheduled Castes, the number has increased and therefore, that figure is very much different—there is a difference of four lakhs or a little more.

**Shri B. S. Murthy:** Where?

**Pandit Munishwar Datt Upadhyay:** In U.P. My submission is that this is not possible unless the order of the President is revised, unless these caste names or generic names or synonyms are added to the list of the Scheduled Castes in the President's Order, according to article 341 (1). If any question is raised how these figures were revised and on what basis the difference of four lakhs has come into being, there will be no reply. I shall read out only a line from article 341 as I think that will make the whole position clear. It is really this vital trouble that has been there all along and which some of our friends now think that simply by revising that figure and fixing the seats on the basis of the revised figure and also delimiting the constituencies would be correct. I would submit that that also would be *ultra vires* and illegal ultimately.

The article says—

“by public notification, specify the castes, races or tribes or parts of or groups within castes, races or tribes which shall for the purposes of this Constitution be deemed to be Scheduled Castes in relation to that State.”

It is for the President alone to alter that list. If any number of people who have been classed as Harijans, Achuts and Dheds as just now suggested by one hon. Member, are now

counted as Scheduled Castes, the counting would be incorrect although, in fact, these people are Scheduled Caste people, because they are not on the list under the President's Order. Therefore, it is not possible to include them unless by an Act of Parliament that list is changed and that Order is modified.

**Mr. Chairman:** But the present plea is that they were included in that Scheduled Caste Order, that they are Scheduled Castes as are enumerated there, and that only by mistake, because that name was given, they have not been counted.

**Pandit Munishwar Datt Upadhyay:** Unless they find a place on the list, they cannot be counted as Scheduled Castes, because it has been defined that the Scheduled Castes would be only those whom the President, by his order under article 341, declares to be Scheduled Castes. If that question is raised, I do not think that there can be any effective reply, and the figures that have now been received after revision will not be the correct figures of the Scheduled Castes. They might be correct figures according to the notion of Scheduled Castes, but legally the President's Order shall be strictly constructed, and on the basis of that construction, it shall not be possible to accept these castes as Scheduled Castes and the revised figures would be again incorrect. As a matter of fact, this revision does not very much help even U.P. although it is said that this is going to help U. P. I accept that if it can help any State at all, it can help only U.P., but I do not want that it should be limited to U.P. only; it should be for all States. Why should the Scheduled Castes of other States suffer? Why should an invidious distinction be made in favour of our State? That is what I do not want. So, if it applies to U.P., it should apply to all other States also. But what I am submitting is that it does not help even U.P. The wording of the Bill is “in order to rectify any bona fide mistake or omission during enumeration”. These omissions of figures were quite

[Pandit Munishwar Datt Upadhyay] deliberate and there was no mistake about it. It will be quite clear if I read out a sentence or two from the *Census of India, Paper No. 4, 1953* at page 2 near about the bottom—

“The figures for Scheduled Castes given in this brochure do not include persons who returned themselves under a caste name which, though locally believed to be identical with a Scheduled Caste (e.g. Harijan, Achut etc.), is not specifically named as such in the President's Orders. Members of Scheduled Castes who maintained that they were not members of any caste or tribe are also not included.”

As a matter of fact, there was a list, these people were there, the figures were there, but these figures were deliberately left out because they were not included in the list of the President's Order. Therefore, they were left out, it was deliberately done and it was done *bona fide* and there is no mistake in their omission. The omission is deliberate because they were not on the list prepared under article 341, by order of the President. I think this trouble will arise in the case of U.P. also, and as regards others, my submission is that if anything is done for the U.P., it should be done for all other States also.

The other point is in respect of Hyderabad and Saurashtra States. Their order is illegal and *ultra vires* because the revision of the figures in regard to Hyderabad and Saurashtra was done probably in the manner in which it has been done in U.P. There also, certain castes which should have been included among the Scheduled Castes have not been included. Deliberately they were left out, because the names of their castes did not find a place in the list prepared under the orders of the President. Any revision of figures on the basis of certain castes now being taken as Scheduled Castes, although they were not on the list that was prepared under the orders of the President, will not make it valid.

Any final order passed in respect of Hyderabad and Saurashtra will also be questionable. This difficulty appears to be in respect of three States. As regards the other States, final orders have already been passed. When the final orders were passed, they were passed on the basis of figures that were not revised. These castes did not at all come in the original figures, on the basis of which orders were passed. They are also questionable, probably a little more than the others. Probably all the orders that are proposed to be covered by the Bill are in respect of U.P. and Rajasthan. I am afraid none of them will be legal if anybody goes to a court of law and questions their validity.

**Shri Raghbir Sahai:** There is a provision that they cannot question it in any court of law.

**Mr. Chairman:** I have not fixed any time limit, but I would request the hon. Member to exercise restraint on himself and finish his speech quickly.

**Pandit Munishwar Datt Upadhyay:** I will finish in a minute or two. I would refer to the letter from the Commission itself. They have accepted this position, namely, that unless the President's Order is revised, it is not possible to fix the seats and delimit the constituencies on the basis of the revised figures. They have written a letter to Mr. V. N. Tivary and in that they have said:

“Any classification of particular groups as Scheduled Castes in the National Register of citizens cannot be given effect to in the absence of a specific amendment or correction by Parliament.”

They also say that it is only Parliament which can correct it; nobody else can correct it. In these circumstances to leave things as they are and not to amend the President's order which can be done only by Parliament.....

**Shri Pataskar:** It cannot be done in this Bill.

**Pandit Munishwar Datt Upadhyay:** I know it cannot be done in this Bill.



This Bill cannot correct this fundamental defect; it is helpless in this matter. So, we must take up the entire thing and see that all the States get the benefit of the revised figures by a separate legislation.

**Mr. Chairman:** But the hon. Member's motion does not contemplate that.

**Pandit Munishwar Datt Upadhyay:** I had a talk with the hon. Minister. He said that he can accept only this much and if the other difficulties are brought to his notice, he will consider them and try to remedy them later.

श्री आर० श्री० मिश्र : यह जो बिल इस हाउस के सामने है मैं इस का स्वागत करता हूँ और वह इसीलिये कि जो ज्यादाती में सब के शिड्यूल कास्ट भाइयों के साथ हुई थी उस ज्यादाती को यह बिल दूर करना चाहता है। हम ने डिलिमिटेशन कमीशन इसीलिये बनाया था कि वह तमाम कांस्टिट्यूएंसीज का बंटवारा कर दे और क्योंकि आबादी बढ़ रही थी इस वास्ते इस कमीशन को अस्तित्व दे दिया गया था कि वह कांस्टिट्यूएंसीज को रिइजस्ट कर दे और उन को ठीक ठीक कर दे। इतना ही काम इस कमीशन के सिपुर्द किया गया था। इस बीच में कुछ गलतियाँ सामने आईं और सन् १९५० में प्रेसीडेंट का आर्डर जारी हुआ और उस आर्डर में कुछ जातियों के नाम लिखे गये कि फलां फलां जगह पर फलां फलां जातियों को शिड्यूल कास्ट जातियों माना जायगा। बक्सिस्मती से गवर्नमेंट के काम कुछ इस तरीके से चलते हैं कि मैं न तो उनकी तारीफ ही कर सकता हूँ और न बुराई ही। हम सब जानते हैं कि इस देश के अन्दर भंगी अछूत होते हैं, मांची अछूत होते हैं और महेतर भी अछूत होते हैं। लेकिन प्रेसीडेंट के आर्डर में उत्तर प्रदेश में न भंगी अछूत हैं न मांची अछूत हैं और न ही महेतर अछूत समझे जाते हैं। इन जातियों को शिड्यूल कास्ट सिर्फ इस वास्ते नहीं माना जाता क्योंकि इन का प्रेसीडेंट के आर्डर में कोई जिक्र नहीं है। सन् १९५२ में हिदायतें दे दी गई कि जिन्होंने अपने नाम के साथ बाल्मीकी

लिखवाया हो उन को शिड्यूल कास्ट समझा जायगा इसीलिये जिन्होंने अपने नाम के साथ भंगी या साकरुब या महेतर लिखवाया था उनको शिड्यूल कास्ट की कटगरी में शामिल नहीं किया गया। हम जानते हैं कि उस वक्त ये लोग अपने आप को भंगी या साकरुब या महेतर के नाम से पुकारा जाना नहीं चाहते थे और अपने आप को हरिजन या बाल्मीकी कहते थे। महात्मा गांधी ने इन को हरिजन का नाम दिया था। कहने को तो वे हरिजन हो गये लेकिन उनका काम चमार, महेतर और मांची का ही रहा। लेकिन प्रेसीडेंट के आर्डर के मुताबिक सिर्फ उन का नाम ही शिड्यूल कास्ट में रखा गया जिन्होंने अपने नाम के साथ बाल्मीकी ही लिखवाया और मांची महेतर वगैरह को इन की गिनती में शुमार नहीं किया गया।

**Mr. Chairman:** Order, order. I find there is a regular conference on my right which has been growing in numbers and in loudness of voice as well.

श्री आर० श्री० मिश्र : मैं कह रहा था कि प्रेसीडेंट का वह आर्डर गलत था इसीलिये जरूरत इस बात की है कि प्रेसीडेंट के उस आर्डर को बदला जाय। प्रेसीडेंट का आर्डर सिवाये पार्लियामेंट के कोई नहीं बदल सकता और वह बात हमारे सामने आ चुकी है। अभी माननीय उपाध्याय जी ने वह पत्र पढ़कर सुनाया है जो कमीशन ने श्री वी० एन० तिवारी को लिखा है। उसमें कमीशन ने यह बात साफ कर दी है कि जो फिगरज रीजस्ट्रार जनरल ने नेशनल रीजस्ट्रार की बिना पर भेजी हैं जिस में वह लोग शामिल किये गये हैं जिन्होंने सेन्सस के समय अपनी वह जाति लिखाई है जिस का शिड्यूल जिक्र आर्डर में नहीं है। कमीशन का कहना है कि रीजस्ट्रार जनरल को शिड्यूल कास्ट को इस प्रकार ठीक करने का अधिकार नहीं है, सिर्फ पार्लियामेंट ही इस प्रेसीडेंट के आर्डर को बदल सकती है। तो एंसी सुरत में जरूरत इस बात की हो जाती है कि पहले उस आर्डर को बदला जाये चाहे इस एंक्ट के जरिये से या दूसरे एंक्ट के जरिये। प्रेसीडेंट साहब के गलत

[श्री जारो ही० मिश्र]

आर्डर के कारण ब्रिटीश भी गलीतियाँ अछूत भाइयों की गणना के संबंध में हिन्दुस्तान में हुई हैं, उनको न सिर्फ उत्तर प्रदेश में या हैदराबाद में या सौराष्ट्र में बल्कि सभी स्टेटों में उन तमाम गलीतियों को हटा दिया जाना चाहिये। इस के लिये मैं यह दखला हूँ कि इस बिल में कोई गुंजाइश नहीं है। इस बिल से तो सिर्फ उत्तर प्रदेश वालों को यह हक मिल जाता है कि उनके साथ जो ज्यादाियाँ हुई हैं उनको ठीक किया जा सके और चूंकि कमीशन ने जो बात सौराष्ट्र और हैदराबाद में ठीक समझा वह यू० पी० के संबंध में ठीक नहीं मानी इसीलिये यह बात पार्लियामेंट के सामने आई है। यह ठीक है कि इससे उत्तर प्रदेश को दो तीन सीटें और मिल जायेंगी। लेकिन इस बिल के जरिये तमाम हिन्दुस्तान के अछूतों के साथ जो ज्यादाियाँ हुई हैं वह दूर नहीं हो सकती हैं। इस बात का मैं स्वागत करता हूँ कि जहां तक उत्तर प्रदेश का सम्बन्ध है वहां के अछूतों के साथ जो ज्यादाियाँ हुई हैं उनको बुरुस्त करने की वह बिल कोशिश करता है लेकिन दूसरी स्टेटों के बारे में नहीं। हमारे माननीय मंत्री जी ने मुझे यकीन दिलाया है कि और स्टेटों में जहां कहीं ज्यादाियाँ हुई हैं उनको भी बुरुस्त करने के लिये संस्कार हैं। मैं उनके इस आश्वासन का भी स्वागत करता हूँ और उम्मीद करता हूँ कि जो ज्यादाियाँ अछूत भाइयों के साथ हुई हैं उनको दूर करने के लिये अब यह बिल रिसेंट्रल कमेटी में आवेगा जो हर मुसिकन कोशिश की जायेगी और उनके साथ न्याय किया जायेगा।

दूसरी बात जो मैं कहना चाहता हूँ वह यह है कि पार्लियामेंट ने जो एक्ट पास किया है, डिप्लिमेंटेशन एक्ट, उसकी दफा ६ में कहा गया है कि जो कुछ कमीशन लें करेगा, ऊप जान के बाद वह सा हो जायेगा और किसी अदालत में भी उसके मुताबिक सवाल नहीं उठाया जा सकता और उसका इस पार्लियामेंट में आने का संशय भी नहीं है। बहुत से ऐसे

मामलात हमारे सामने आये हैं कि जिन में कमीशन ने जान बूझ कर गलती की है और कांस्टीट्यूशन के आर्टिकल ५९ और ९० के खिलाफ गया है। जो हिदायतें दफा ५ डिप्लिमेंटेशन एक्ट की सब क्लॉज 'ह' में दी हुई हैं और जो मॉडर्न हैं और जिनको माना जाना चाहिये कमीशन उनके खिलाफ गया है और इसने उनको नहीं माना है। कांस्टीट्यूशन के आर्टिकल ५९ में दिया हुआ है कि साई सात लाख की आबादी के पीछे एक मॅम्बर पार्लियामेंट में आये सारे हिन्दुस्तान में प्रतिनिधित्व का अनुपात एक रहे लेकिन इस पर अमल नहीं किया गया है और कहीं पर थोड़े लोगों को एक मुम्बाइदा इस हाउस में भेजने के लिये कमीशन ने ज़ेब बनाया है और कहीं से बहुत ज्यादा लोगों को एक मुम्बाइदा घुनने का ज़ेब बनाया है। इसके लिये एक संवार होना चाहिये जो कि तमाम हिन्दुस्तान के लेंगथ और बूँदूध पर लागू हो। फाइनेल सेंसिस में ७,२७,००० पर एक कॅन्डिडेट आता है और इस अनुपात से ही कमीशन को घुनाव ज़ेब बनाना चाहिये बं लेकिन कमीशन ने इस अनुपात का ठीक ध्यान नहीं रखा है। उसने ऐसा नहीं किया। कुरु, हिमाचल प्रदेश और दिल्ली में उसने इस तरीके की मुम्बायन्दगी दी कि दिल्ली में १७ लाख के ऊपर तीन सीटें। दूसरी जगह १२ हिमाचल में १० लाख की आबादी पर दो सीटें, गोपाल को ८,२६ लाख पर दो सीटें और कुरु को २.२६ लाख पर एक सीट। उसने आर्टिकल ५९ के बिनाकुल खिलाफ काम किया है कि जिसके मुताबिक हमारे मुल्क में एक एवरज होना चाहिये। इसका उधको कोई कावनी हक नहीं था।

दूसरी बात यह है कि डिप्लिमेंटेशन एक्ट के सेक्शन ५ में यह दिया हुआ है कि वह रिसेंट्रल कमेटी करेगी। वहां पर उनको यह अस्तिथार नहीं दिया गया है कि वे अवसर नों सारी कांस्टीट्यूएंसिज बनायेंगे। उसको सिर्फ यह अस्तिथार दिया गया है कि वे रिसेंट्रल कमेटी करेगी। इसका मतलब यह है कि अगर लम्बी

की आबादी बढ़ गयी है तो वहां सीट बढ़ा दें, या उस कांस्टीट्यूएन्सी के कुछ हिस्से को निकाल दें, या अगर किसी कांस्टीट्यूएन्सी की आबादी घट गयी है तो उसमें कुछ और हिस्सा शामिल कर दें। लेकिन अगर किसी इलाके में या स्टेट में जहां पर कोई आबादी नहीं बढ़ी है वहां ऐसा करने की कोई जरूरत नहीं है। जैसे उत्तर प्रदेश में ५२ जिले हैं। वहां पर सात जिलों में आबादी बढ़ी है और सात जिलों में घटी है। तां इन्हीं जिलों पर आबादी घटने या बढ़ने का अंतर पड़ना चाहिये। बाकी जिलों और जिले बचते हैं उनमें रिप्रेजेंटेशन की कोई जरूरत नहीं रहती। लेकिन कमीशन ने इसके खिलाफ किया और जहां रिप्रेजेंटेशन की जरूरत नहीं थी वहां भी फर्क कर दिया।

सेक्शन ५ ई० में दिया गया है कि कमीशन इस बात का ख्याल रखेगा कि कोई एंटीमिनिस्ट्रीटिव यूनिट न तैयार जाय। लेकिन मैं ने देखा है कि उसने एंटीमिनिस्ट्रीटिव यूनिट तोड़ दिये हैं। मर जिले में कोई आबादी नहीं बढ़ी है। चिफ सौ आदीमियों का फर्क पड़ा है। वहां से दो सीटें हैं। वह पार्लियामेंट की सीट में तो कोई तबदीली नहीं कर सके, वहां से १५ लाख की आबादी है। लीजिस्ट्रीटिव असंबली की सीट की संख्या में भी कोई फर्क नहीं कर सके। लेकिन उसने एक परगने को एक तहसील में से निकाल कर दूसरी तहसील में डाला है और दूसरी में से निकाल कर तीसरी में आस है। इस तरह से उसने एंटीमिनिस्ट्रीटिव यूनिट तोड़े हैं। ऐसा करने की कमीशन को जरूरत नहीं थी लेकिन उसने समझ लिया कि हमको से कुछ तोड़ फेंक करनी है। न डिजिटिमाइजेशन एक्ट उसका इच्छा अस्तित्व देता है न कांस्टीट्यूशन अस्तित्व देता है। लेकिन वह अपनी जगह जो उसके मन में आता है कर लेता है। मैं ने अपने इलाके में यह चीज देखी। उससे मेरा कहना है कि २० पी० में जब चिफ सात जिलों में आबादी बढ़ी है और सात में घटी है, और बाकी में कोई खस फर्क नहीं पड़ा है तब तय्यम सूबे में गड़बड़ी करने की क्या जरूरत है। कानून की मुताबिक सारी

स्टेट में आबादी का मंयार बांध लेना चाहिये था। अगर कहीं रास्ते की दिक्कत हो या तनासुब की दिक्कत हो तो थोड़ा बहुत फर्क किया जा सकता है। लेकिन ऐसा नहीं किया गया है। उसने यह किया कि तमाम २० पी० का अनुपात न रख कर चिले वार अनुपात निकाल कर प्रत्येक जिले को एसम्बली की नुमायन्दी दे दी है जिससे बड़ी गड़बड़ हो गई है उस ने यह भी ख्याल नहीं किया कि जहां आबादी कम और रकबा ज्यादा है उस में कुछ फर्क करे जैसे गढ़वाल जिले में जहां एक जगह से दूसरी जगह जाने जाने का रास्ता नहीं है, रेल नहीं है बीच में नदियां पड़ती हैं। यहां आबादी बहुत कम है। लखनऊ या फर्रुखाबाद में जहां पर बहुत घनी आबादी है वहां छोटे से एरिया में बहुत बड़ी तादाद हो जाती है इन में कुछ अन्तर होना चाहिये। उसने इस बात का कोई ख्याल नहीं किया कि कहां बीच में पहाड़ पड़ता है, कहां दरिया पड़ता है या नहीं पड़ता है। जो धुन आयी उसके मुताबिक उसने कांस्टीट्यूएन्सी बना दी। इस का नतीजा यह होता है कि एक जगह से दूसरी की अन्दर एक कांस्टीट्यूएन्सी बन जाती है और दूसरी तरफ एक एंसी कांस्टीट्यूएन्सी बन जाती है कि जहां मेंबर को थोड़े से आदीमियों का यह क्लेममेंट है कि मैं खड़ा हुआ हूँ बहुत वक्त लगता है। जैसे कि गढ़वाल में मैं जहां कि एक जगह से दूसरी जगह जाने में सात साठ दिन लग जाते हैं। इसलिये हमको अपने कमीशन से कहना चाहिये कि यह ठीक नहीं है कि आप बड़े जवाब हैं, अब इंडियनैटली काम करते हैं, लेकिन यूनिट आपके आउर फायनल है इसलिये आप बड़े से सम्बन्धों कि मेंबरों की आजाय का मतलब क्या है, लफ्ज "सेल" का मतलब क्या है और सेक्शन ६ ई० में जो रिप्रेजेंटेशन का लफ्ज दिया गया है उसका मतलब क्या है, और कांस्टीट्यूशन में जो आर्टिकल ५९ और दूसरे आर्टिकल दिये गये हैं उनको ध्यान में रखकर उसने ऐसा नहीं किया है मैं यह समझता हूँ कि अगर उसने कहीं छे के साथ की आबादी पर एक सीट दे दी है और कहीं ५ लाख की आबादी पर। इसका कांस्टीट्यूशन एक्ट नहीं कहता है, डिजिटिमाइजेशन एक्ट ऐसा

[श्री आर० डी० मिश्र]

नहीं कहता हूँ। और इसका कोई इलाज नहीं है। अगर हम अदालत में जाना चाहें तो संकशन ६ के मुताबिक नहीं जा सकते हैं। न सुप्रीम कोर्ट में जा सकते हैं न हाई कोर्ट में जा सकते हैं। हम पार्लियामेंट में जरूर जा सकते हैं, लेकिन इसके लिये भी आपने रास्ता बन्द कर रखा है यह कह कर कि हमने उसका अस्तित्वागत दूँ दिये हैं। अगर आप अस्तित्वागत देना चाहते हैं तो जरूर दीर्घव्यं लेकिन उनसे कहिये कि वे इंडिपेंडेंटली और ठीक तौर पर काम करे वना कोई न कोई आभारिटी होनी चाहिये जो कमीशन की इस नाजबव कार्यवाही को जो कि वह कांस्टीट्यूशन के खिलाफ, डिस्टीमिंटेशन एक्ट की मेनडेटरी प्रावीजन्स के खिलाफ, करता है दूँ सके। चाहे वह आभारिटी हाईकोर्ट हो, सुप्रीम कोर्ट हो, कोई मिनिस्टर हो, या पार्लियामेंट की कोई कमिटी हो, जो कि अगर कमीशन शिड्यूल्ड कास्ट वालों के साथ ज्यादाती करे या और कोई गलती करे तो उसको दूँ सके। कमीशन ने सौराष्ट्र में जो कुछ किया, हैदराबाद में किया वही उसको ५० पी० में करना चाहिये था, लेकिन जब वह ५० पी० में आया और उससे कहा गया कि अब इस तरह से कीर्णव्यं जो आपने वहाँ सौराष्ट्र और हैदराबाद में किया है वही यहाँ भी कीर्णव्यं तो कमीशन ने कहा कि कांस्टीट्यूशन के मुताबिक ऐसा नहीं हो सकता है। लेकिन उत्तर प्रदेश के मंत्री तो पढ़े सिले हैं। उन्होंने कहा कि हम कांस्टीट्यूशन को जानते हैं और उन्होंने कमीशन को कांस्टीट्यूशन सिलाना शुरू किया। तो कमीशन ने कहा कि पार्लियामेंट में जाओ। हमने बड़ा जोर लगाया, पार्टी के लीडर के सामने अपना रिप्रजेंटेशन रखा, मिनिस्टर के पास भेजा, जब कमीशन ने भी इस बात को मान लिया कि इस गलती को पार्लियामेंट ठीक कर सकता है तब बड़ी मुरकल से यह कार्यवाही चली और गवर्नमेंट इस बिल को लेकर आई है। लेकिन इस बिल से कुछ नहीं होगा। आपको चाहिये कि आप पैरेंट एक्ट में तरमीम करें और इस पार्लियामेंट को अस्तित्वागत दीर्घव्यं कि वह उसकी गलत कार्य-

वाही को बदल सके। कोई न कोई तो उसकी गलतियों को दूँ सके के लिये होना चाहिये। लेकिन मैं यह पसन्द नहीं करता कि कमीशन के मंत्री चाहे कुछ करें और पार्लियामेंट उसमें कुछ न कर सके। मैं इस मामले को इसीलिये पार्लियामेंट के मंत्री के सामने रख रहा हूँ और कहना चाहता हूँ कि आप पार्लियामेंट के मंत्री हैं। जो ज्यादाती आपके इसके में होती है अगर उसको आप दूर नहीं कर सकेंगे तो कौन दूर कर सकेगा। इसीलिये मैं कहता हूँ कि आप कोई कमिटी बनायें जो कि इन चीजों को दूँ सके। मैं यह नहीं कहता कि खुद पार्लियामेंट ही इस अस्तित्वागत को ले ले। लेकिन किसी को तो रखिये। आप हाईकोर्ट को ही यह अस्तित्वागत दीर्घव्यं।

अभी हमारे भाई मुनीश्वर दत्त जी ने अमेंडमेंट दिया। मुझे उसे दूँ कर बड़ा लज्जुब हुआ। मेरी समझ में उनका अमेंडमेंट नहीं आया। उसमें सिलेक्ट कमिटी के लिये कोई इंस्ट्रक्शन ही नहीं है। अभी अभी क्रिमिनल प्रोसीज्योर पास हो चुका है। उसमें जोइन्ट कमिटी को इंस्ट्रक्शन दिये थे। इस अमेंडमेंट से हम सिर्फ कमिटी में जा कर इस बिल पर ही बात चित करेंगे। वहाँ से लौट कर आने पर कहा जायेगा कि इससे बाहर नहीं जा सकते। श्री मुनीश्वर दत्त उपाध्याय के अमेंडमेंट का यह नतीजा होगा कि हम यहाँ से जाकर वहाँ बैठें रहेंगे क्योंकि उसमें कोई इंस्ट्रक्शन नहीं है और उत्तर प्रदेश के सिर्फ तीन ही मंत्री रह जायेंगे। सिलेक्ट कमिटी इससे बाहर नहीं जायेगी। उत्तर प्रदेश में शिड्यूल्ड कास्ट के सिर्फ तीन ही मंत्री रह जायेंगे। हम चाह रहे थे कि जो लोगों के साथ पहाड़ों में और दूसरी जगह ज्यादातियां हुई हैं उनको दूर कर दिया जाय और हम अपने कानून को ऐसा बनायें कि जिससे किसी के साथ अन्याय न हो। इसीलिये मैंने अपना अमेंडमेंट मूव किया है। मैं चाहता हूँ कि पैरेंट एक्ट में तबचीली होनी चाहिये। लेकिन मैं नहीं जानता कि गवर्नमेंट की मींसनरी कैसे चलती है। हम यहाँ

पार्लियामेंट में आ गये लेकिन यहाँ भी हम अपना काम नहीं कर पाते हैं। हम अपने हलकों में गलती होते देखते हैं, हम देखते हैं कि हमारी कांस्टीट्यूएन्सी का सत्यानाश हुआ जा रहा है, अब अगर हम उस गलती को दूर नहीं करा सकेंगे तो कौन कर सकेगा। तो मैं चाहता हूँ कि पेरेंट एक्ट में तबदीली की जाय। हम चाहते हैं कि अगर हम इन गलतियों को ठीक नहीं कर सकते हैं तो कोई कमेटी उनको दूर करे। डिलीमिटेशन कमीशन ने जो गलतियों की हैं उन पर कमेटी गौर करे इस हाउस के सामने मुनासिब बिल लाये तो मैं समझता हूँ कि उसकी रिपोर्ट को गवर्नमेंट मंजूर करेगी, हाउस मंजूर करेगा, और मिनिस्टर साहब मंजूर करेंगे। अगर कहीं ज्यादाती है तो उसको दूर कीजिये अगर नहीं है तो दूर न कीजिये। मत कहना आप साहबान से यह है कि आपके साथ और आपके हलके के साथ जो ज्यादाती हो रही है उस ज्यादाती को दूर कराने के लिये कदम उठाये। यह चुनाव का मामला है, डिलीमिटेशन का मामला है, मैं हम म्ममले में वकालत की बात नहीं करना चाहता लेकिन इतना बकरू कहूँगा कि यह जो कमीशन को अस्तित्वा दिया गया है वह इन्सिगेंट एम्बारटी है और उसके अस्तित्वा से बाहर का हुकूम कहां तक ला हो सकता है, मैं उसे डाउटफुल समझता हूँ। कमीशन का आर्डर ला भी होगा या नहीं होगा, इसमें यह साफ नहीं होता है। मैं अपने अमेंडमेंट में सिर्फ वही बात रख रहा हूँ कि पेरेंट एक्ट को अमेंड करने के इन्स्ट्रक्शंस सिलेक्ट कमेटी को दे दिये जाय, वहां पर भी आप ही उसको करने वाले हैं, अगर वहां पर कमेटी यह देखे कि कोई गलत बात दूर होनी चाहिये तो वह उसके लिये इस बिल की दफा में एंसी बात रखे वही जिससे वह गलती दूर हो जाय जैसे कि प्रेसीडेंट का आर्डर बदलना चाहिये। प्रेसीडेंट के आर्डर के मुताबिक जो बात शिकायत हुई है उनको रफा करने के लिये इस बिल की किसी दफा में ऐसे साफ इन्स्ट्रक्शंस रख दीजिये कि कमीशन को जहां गलतियां मालूम पड़े, उन गलतियों को वह दुरुस्त कर सके और वह भी

[MR. DEPUTY-SPEAKER in the Chair]

आप देखें कि कमीशन की गलतियां कोई एम्बारटी देखे, अब उस काम के लिये आप चाहें तो पार्लियामेंट के लिये यह एम्बारटी रख दीजिये कि वह उसकी गलतियों को देखे। इस सिलेसिले में मैं आपको बतलाना चाहता हूँ कि अभी पिछली मर्तबा जब डिलीमिटेशन आफ कांस्टीट्यूएन्सीज के बारे में यहां पर डिस्कशन हुआ था तो उस मौके पर तमाम जगह के मम्बरान चित्लाते थे, अपोजिट पार्टी के मम्बर चित्लाते थे, सरदार हुकूम सिंह और डा० लंका सुन्दरम् का मैं ने चित्लाते देखा था। जितनों से मैं ने बातचीत की मैं ने यही पाया कि हर आदमी डिलीमिटेशन कमीशन के काम से परेशान है। मैं और ज्यादा न कह कर अपने मिनिस्टर साहब से आशा करता हूँ कि वह मेरा अमेंडमेंट मंजूर कर लेंगे लेकिन अगर वह बर्न साहब का संशोधन स्वीकार कर लें तो मैं उस पर इत्तफा करने के लिये तैयार हूँ।

**Shri Patankar:** May I intervene for a moment because the discussion may be made shorter? There is an amendment moved by Pandit Munishwar Datt Upadhyay. There I am prepared to consider "so far as this Bill is concerned and anything connected therewith", though I cannot imagine all sorts of difficulties in the whole of the Delimitation Act. But if this will satisfy hon. Members, that is, "the provisions of the Bill as well as matters connected therewith on or etc." I am prepared to accept it.

But my friends will realise that the present Bill is confined only for solving a part of the problem which has arisen on account of the work of the Delimitation Commission. Suppose, as I said in the beginning, in Hyderabad something has been said. Wherever possible something could be done by an amendment in this Bill. It is not the intention of the Government that they should discriminate between State and State or between persons and persons. Therefore I am prepared to reassure my friends on that point, and I am prepared to this addition "the provisions of the Bill as well as

[Shri Pataskar]

matters connected therewith on or before etc."

Even as regards the general complaints about the work of the Delimitation Commission it is certainly not within the scope of the Bill, but nothing debars Members from approaching in the right manner wherever there is a just grievance and I can assure them, instead of taking time here, that all those things will be considered by Government from a proper point of view, from the point of view of the interests of all concerned. It is nobody's intention to deny any individual's rights or to cause inconvenience to any people. But I cannot assure anything, that I will do this or that, in a Bill which has a limited object.

Even with regard to that I find that if I keep it like this some friends probably think that something might be omitted. Therefore I have intervened to say that all that will be done. Even with respect to others, whatever they have got to say, that will be considered. Beyond that I cannot say, and if we can come to a decision on this and pass it that will help because we have another equally important Bill and that must be passed. That is the Prevention of Disqualification Bill. That will not take time, but it has to be passed before the end of this year. I hope that after this intervention the House will agree to this motion.

**Mr. Deputy-Speaker:** In view of the statement and in view of the fact that the Bill is going to Select Committee is it necessary to pursue the matter further here?

**Some Hon. Members:** No.

**Pandit Munishwar Datt Upadhyay:** Let this amendment be moved.

**Mr. Deputy-Speaker:** Amendment to the amendment?

**Shri Kajrolkar (Bombay City—North—Reserved—Sch. Castes):** Yes. I beg to move:

That in the amendment moved by Pandit Munishwar Datt Upadhyay, after "to report" insert "on the provisions of the Bill as

well as matters connected therewith".

**Shri Pataskar:** If it becomes necessary, as a result of this, that some other section has also to be considered, I will take it into account. So far as this matter is concerned there is nothing which has been kept behind in my mind.

**Mr. Deputy-Speaker:** What is the other amendment? The hon. Member will kindly pass it on to the Chair. I am waiving the notice because the Mover of the Bill has accepted it. Otherwise I would have insisted upon notice.

I will now put to the vote of the House this amendment by Shri Kajrolkar to the amendment moved by Pandit Munishwar Datt Upadhyay.

The question is:

"That in the amendment moved by Pandit Munishwar Datt Upadhyay, after "to report" insert "on the provisions of the Bill as well as matters connected therewith".

I think the Ayes have it.

**Shri B. S. Murthy:** No the Noes have it.

**Mr. Deputy-Speaker:** I will put it once again,—the amendment of Shri Kajrolkar to the amendment moved by Pandit Munishwar Datt Upadhyay. The question is:

"That in the amendment moved by Pandit Munishwar Datt Upadhyay, after "to report" insert "on the provisions of the Bill as well as matters connected therewith".

The motion was adopted.

**Mr. Deputy-Speaker:** I will now put Pandit Munishwar Datt Upadhyay's amendment, as amended.

The question is:

"That the Bill be referred to a Select Committee consisting of Shri Upendranath Barman, Sardar Amar Singh Sehgal, Shri Narayan Sadoba Kajrolkar, Shri R. L. Jangde, Shri V. M. Tivarky, Shri T. N. Singh,

Pandit Algu Rai Shastri, Shri Raghubar Dayal Misra, Shri Nikunja Behari Chowdhury, Sardar Hukam Singh, Dr. A. Krishnaswami, Shri Ramji Verma, Shrimati Sucheta Kripalani, Pandit Balkrishna Sharma, Shri H. V. Pataskar, Pandit Munishwar Datt Upadhyay, Shri P. Kakkan, and Shri Hirendra Nath Mukerjee with instructions.....”

**Shri B. S. Murthy:** Not even one Harijan has been taken from the Opposition.

**Mr. Deputy-Speaker:** Shri Kakkan is there.

**Shri B. S. Murthy:** Shri Kakkan is not from the Opposition.

**Mr. Deputy-Speaker:** The further amendment is to add the name of Shri B. S. Murthy.....

**Some Hon. Members:** And Dr. Manik Chand Jatav-vir and Shri Rameshwar Sahu.

**Shri Kajrolkar:** And Shri N. A. Borkar.

**Shri Uikey (Mandla-Jabalpur South—Reserved—Sch. Tribes):** Not a single Adivasi has been taken on the Select Committee.

**Mr. Deputy-Speaker:** What is the name?

**Shri Rameshwar Sahu (Muzaffarpur cum Darbhanga—Reserved—Sch. Castes):** Shri M. G. Uikey.

**Mr. Deputy-Speaker:** I am adding these names.

**Some Hon. Members:** And Shri Sanganna.

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

“That the Bill be referred to a Select Committee consisting of Shri Upendranath Barman, Sardar Amar Singh Saigal, Shri Narayan Sadoba Kajrolkar, Shri R. L. Jangde, Shri V. N. Tivary, Shri T. N. Singh, Pandit Algu Rai Shastri, Shri Raghubar Dayal

Misra, Shri Nikunja Behari Chowdhury, Sardar Hukam Singh, Dr. A. Krishnaswami, Shri Ramji Verma, Shrimati Sucheta Kripalani, Pandit Balkrishna Sharma, Shri H. V. Pataskar, Pandit M. D. Upadhyaya, Shri P. Kakkan, Shri Hirendra Nath Mukerjee, Shri B. S. Murthy, Dr. Manik Chand Jatavvir, Shri Rameshwar Sahu, Shri M. G. Uikey, Shri Nama Arjun Borkar, Shri T. Sanganna, with instructions to report on the provisions of the Bill as well as matters connected therewith on or before the 22nd December, 1954.”

*The motion was adopted.*

**Mr. Deputy-Speaker:** The Bill is referred to the Select Committee. All the other amendments so far as the *Delimitation Commission (Amendment) Bill* is concerned, are barred.

#### DEMANDS FOR SUPPLEMENTARY GRANTS FOR 1954-55—ANDHRA

**Mr. Deputy-Speaker:** I shall now put to the vote of the House the Supplementary Demands. Any hon. Member pressing his cut motion? I find none. I shall put all the cut motions moved so far.

The question is:

“That the demand for a supplementary grant of a sum not exceeding Rs. 6,10,000 in respect of ‘Irrigation’ be reduced by Rs. 100”.

*The motion was negatived*

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

“That the demand for a supplementary grant of a sum not exceeding Rs. 6,10,000 in respect of ‘Irrigation’ be reduced by Rs. 100”.

*The motion was negatived.*

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

“That the demand for a supplementary grant of a sum not ex-