

R. Narasimhan, Shri M. K. Jinachandran, Shri Kanhaiyalal Khadiwala, Shri Mohanlal Bakliwal, Shri Inder J. Malhotra, Shri Laxmanrao, Shrawanji Bhatkar, Shri Akbarbhai, Chavda, Shri Anirudha Sinha, Shri Chandrameni Lal Choudhry, Shri K. S. Ramaswami, Shri mati Uma Nehru, Shri T. C. N. Menon, Shri Baishnab Charan Mullick, Shri Jagdish Awasthi, Shri Amjad Ali, Shri Kamal Singh, Shri Balasaheb Salunke, Shri Atal Bihar Vajpayee, Shri Prakash Vir Shastri, Dr Sushila Nayar and Shri S. K. Patil"

The motion was adopted.

12-58 hrs.

#### DEMANDS FOR SUPPLEMENTARY GRANTS (KERALA)\*

##### DEMAND No. XI—ELECTIONS

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 15,00,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Elections'."

##### DEMAND No. XV—POLICE

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 2,76,400 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Police'."

##### DEMAND No. XVII—EDUCATION

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 9,300 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course

of payment during the year ending the 31st day of March, 1960, in respect of 'Education'."

##### DEMAND No. XXV—MISCELLANEOUS DEPARTMENTS

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs 100 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Miscellaneous Departments'."

##### DEMAND No XXXIV—CONSTRUCTION OF IRRIGATION, NAVIGATION, EMBANKMENT AND DRAINAGE WORKS (NON-COMMERCIAL)

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 42,300 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Construction of Irrigation, Navigation, Embankment and Drainage Works (Non-Commercial)'."

##### DEMAND No. XXXVIII—CAPITAL

##### ACCOUNT OF CIVIL WORKS OUTSIDE THE REVENUE ACCOUNT

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 35,100 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Capital Account of Civil Works Outside the Revenue Account'."

\*Moved with the recommendation of the President.

**DEMAND No. XLIX—LOANS AND  
ADVANCES BY STATES GOVERNMENTS**

Mr. Deputy-Speaker: Motion moved:

"That a supplementary sum not exceeding Rs. 1,00,000 be granted to the President out of the Consolidated Fund of the State of Kerala to defray the charges which will come in course of payment during the year ending the 31st day of March, 1960, in respect of 'Loans and Advances by State Government'."

The hon. Minister.

The Minister of State in the Ministry of Home Affairs (Shri Datar): There are some out motions. Hon. Members can speak. I shall reply.

Mr. Deputy-Speaker: I wanted to know whether he would like to say something in the beginning

Shri Datar: I have no objection

Shri Narayanankatty Menon: (Mukandapuram): It is an infiction.

Shri Datar: I said, I would reply

Shri Narayanankatty Menon: You are being compelled to speak.

Shri Datar: I was prepared to answer the points that would be raised. If you desire, I would say a few words.

Mr. Deputy-Speaker: That would be better

Shri Datar: Sir, so far as the supplementary demands are concerned, the main item of expenditure of Rs. 15 lakhs is in connection with the election. In this respect, may I point out, when general elections were held in Kerala in 1957, Rs. 18 lakhs was the amount spent over it. The elections now, general election, or mid-term election as they are called, will have to be held for the legislature of the Kerala State, not to Parliament. Therefore, all the machinery will have

to be geared up and all the necessary staff will have to be secured. Electoral rolls will have to be properly prepared. And a number of steps will have to be taken in this respect. For that purpose, a sum of Rs. 15 lakhs has been asked for in the Supplementary Demand. This amount will be spent during the current year, that is, the year that will end on 31st March, 1959. By that time, the elections will have to be completed, and this expenditure will have to be incurred. So, you will find that out of a total amount of Rs. 19,91,400, a large portion of it has been asked for this purpose.

14 hrs

The second amount that calls for some attention is with regard to the police. So far as the police are concerned, there was a general feeling long ago, a feeling entertained by the ex-Communist Ministry there, that the police department was understaffed. Taking into account the general standards that are followed in other States and the criteria that have been kept in this respect, it was found that the staff was not sufficient for meeting the different situations. Therefore, the ex-Communist Ministry had already added two Companies, one to the Malabar Special Police and the other to the Special Armed Police Battalion. After this action was taken, then, naturally, it was considered that this ought to be continued

In the Kerala State, there is a rule according to which all matters which, though not strictly constitute a new service, yet require an expenditure of more than Rs. 10,000, will have to be included in the Supplementary Demand. Of course, here we do not follow that particular course except where the matter concerns a new service, in which case, whatever might be the amount, a supplementary demand is asked therefor. But in Kerala, they have got a different rule, and that is the reason why in respect

of these Demands relating to the police, we have to ask for money.

In this respect, there is also one more item which has to be taken into account. That item relates to the appointment of what is known as the Police Reorganisation Committee by the former Communist Ministry. The chairman of that committee is Shri N. C. Chatterjee of Calcutta. That committee held two sittings, one of which I believe was in Delhi,—if I mistake not—and certain witnesses were examined.

Shri Narayanankutty Menon: Why 'of Calcutta'? He should say 'of Delhi'. Shri N. C. Chatterjee is a member of the Supreme Court Bar.

Shri Datar: Yes I shall say 'of Delhi'. I have no objection I accept the hon. Member's correction.

So, what was done was that two meetings were held; and for that purpose, a certain amount was expended over it. That committee is still existing, and, therefore, some provision will have to be made for that committee. That is the reason why provision has been made in the Supplementary Demand for that committee also.

In addition, there is also the police training school, so far as the constabulary is concerned. For this, a token amount of Rs. 100 has been asked for.

Then, there are certain items in respect of some of which there are cut motions, while in respect of the others, there are no cut motions, and I need not go into these others because the purposes are of a non-controversial nature.

Demand No. XVII deals with professional colleges, and with the plan to expand the training capacity of the engineering College at Trivandrum; for that purpose, amounts have been asked for.

Similarly, there are other Demands regarding labour and emigration, welfare of Scheduled Castes and Scheduled Tribes and other backward classes, welfare measures for these purposes, and Centrally sponsored schemes etc. Three pilot schemes in certain places have also to be taken into account. The other Demands relate to irrigation, navigation and other purposes. Some additional staff is required for the Irrigation Branch of the Public Works Department, for the study of inter-State waters and also for the collection of data and preparation of schemes. An additional irrigation division was also sanctioned at Kanhangad.

Then, for the Medical College Hospital at Trivandrum, some more amount is required under the heading 'Medical'. You will find from Demand No. XXXVIII that for the construction of a building for the installation and working of the Cobalt 60 Therapy Unit in the Medical College Hospital, Trivandrum, for the construction of a library and examination hall in the Medical College and for the construction of a building for the Medical College, Calcut, an additional amount has been asked for, and the total amount comes to Rs 35,100 under this Head.

Under Demand No XLII, you will find that there were certain decrees passed against the Kerala Government, and those decrees have to be satisfied; so, for that purpose, a small amount Rs. 2,900 has been asked for, in order to satisfy those decree debts.

So, you will find that all these Supplementary Demands are meant for carrying on the work of the Government. In particular, I would invite, as I have already done, the attention of the House to the election expenditure that has to be incurred as early as possible, and by stages, because the preparation has to be made and has to start from now.

**Mr. Deputy-Speaker:** These Supplementary Demands are now before the House for discussion.

Now, Shri Narayanankutty Menon. I hope hon. Members would be brief in their observations.

**Shri Warior (Trichur):** The cut motions may be taken up first. I would like to know whether they are in order or not, because then only I shall be able to move them.

**Mr. Deputy-Speaker:** As they come, they can be dealt with. But if the hon. Member wants me to look into them first, I shall do so.

First, I shall take up cut motion No. 1. Does the hon. Member want to move it?

**Shri Warior:** I move all the four cut motions in my name.

**Mr. Deputy-Speaker:** Cut motion No. 2 is out of order, as the hon. Member knows himself; and perhaps, this is what he was referring to. This relates to reservation of seats for Scheduled Castes. That would mean an amendment of the Constitution. That cannot be done by way of a cut motion.

**Shri Warior:** The point is that I want to bring it to the notice of Government that if the elections are not held within that period, that is, before 26th January 1960, then

**Mr. Deputy-Speaker:** This relates to the need for extending the period.

**Shri Warior:** They are spending a lot of money for the preparation of the electoral rolls.

**Mr. Deputy-Speaker:** The hon. Member may say whatever he wants to say when he speaks. But so far as the cut motion is concerned, that is out of order.

**Shri Warior:** When this point was raised last time, the Speaker was kind enough to mention that this

could be taken up at the time when the Supplementary Demands would come up.

**Mr. Deputy-Speaker:** Not by way of a cut motion.

So, the cut motions to be moved are Nos. 1, 3 and 4.

**Shri Datar:** So, cut motion No. 2 does not survive?

**Mr. Deputy-Speaker:** No.

*Necessity of conducting free and fair elections at the earliest possible date*

**Shri Warior:** I beg to move:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs 15,00,000 in respect of 'Elections' be reduced by Rs 100"

*Failure to handle law and order situation effectively and establish peace and tranquility after Presidential Proclamation*

**Shri Warior:** I beg to move

"That the Demand for a Supplementary Grant of a sum not exceeding Rs 2,76,400 in respect of 'Police' be reduced by Rs 100"

*Necessity to expedite work of Police Reorganisation Committee*

**Shri Warior.** I beg to move:

"That the Demand for a Supplementary Grant of a sum not exceeding Rs 2,76,400 in respect of 'Police' be reduced by Rs 100"

**Mr. Deputy-Speaker:** These three cut motions are now before the House.

**Shri Narayanankutty Menon:** Regarding Demand No. XI which the hon. Minister has emphasised, it has become a *fait accompli* that this will have to be granted, if the elections are to be conducted; and there is no difference on that on any side of the House. But the question is whether

the State of Kerala with a total revenue or income of Rs. 27 crores a year, out of which it spends Rs. 12½ crores for education alone, and which is quite hard out for money—as was evident from the questions put by hon. Members opposite during question hour today, relating to the overdraft that it has taken from the Reserve Bank—should be penalised to supply this amount; for, the elections were necessitated by the advice of the Central Government to the President. I am submitting this factor . . .

**Mr. Deputy-Speaker:** The Home Minister should pay?

**Shri Narayanankutty Menon:** I am submitting that because these elections have to be conducted under an extraordinary circumstance, this sum of Rs. 15 lakhs should be shouldered by the Central Government, because the Central Government were responsible for experimentation about their conceptions of democracy, if they want to carry out the experiment with their own conceptions of democracy, certainly, the Central Government should come forward to bear this burden also. It is impossible for the Kerala State to bear this expenditure. As far as the Central Government are concerned, a sum of Rs. 15 lakhs might be a tiny little figure compared to the Central budget, but as far as the Kerala State is concerned, compared to its budget of Rs. 27 crores, it is not a very small amount. Because of the act of the Central Government which necessitated these elections and also because of the very small income of the State, my submission is that the State of Kerala and the people of Kerala should not be penalised for something they were not responsible for. Therefore, this amount of Rs. 15 lakhs should come from the Central exchequer and the Central Government should come to the assistance of the State to subsidise the elections that are coming.

Elections in Kerala have to be conducted now because of an extraordinary situation, situation which

has never arisen since the Constitution came into force. The Constitution provided various exigencies whereby elections could be conducted. Apart from that, certain new definitions and conventions are introduced into the Constitution. Now other State Governments will be warned because of this Supplementary Demand in that whenever they formulate the budget of a particular year, they should make provision for the 'mass upsurge' also so that they should not come with a Supplementary Demand in Parliament. I say that the entire liability of whatever has to be spent by way of elections cannot be shouldered by the Kerala State, it is the responsibility of the Central Government and they should definitely subsidise the State by meeting the entire expenditure required for the elections there.

Then there is another point. When this amount is going to be expended for election purposes, certain things have to be said regarding the preparation of electoral rolls. So far in enumeration and also in getting the names of new voters into the register, under the ordinary law that is, the Evidence Act, any certificate that is issued by a priest was accepted as evidence of the age of a single voter. There was a presumption that the clergy, whether in Kerala or anywhere else, was neutral as far as policy was concerned, and any chit written by a clergyman used to be accepted as evidence of the age of that particular voter. Now a peculiar situation has arisen. As everybody knows, and has accepted, the Catholic Church there has taken a positive stand as far as the politics of the State is concerned. Now when intensive re-enumeration has been started in all the constituencies, my submission is that the Election Commission should take a positive stand to the effect that the chits issued by the Catholic Church in Kerala should not be accepted as conclusive proof of the age of people whom it certifies, because there is an inherent danger that people of the age-group

[Shri Narayanankutty Menon]

17-39 may be marshalled down into the voters list by the simple acceptance of the prevailing law. The Election Commission should direct the enumerators, and also the election officers, there that they should insist upon verification from the book that is kept in the Church, that is, the baptism register.

Shri V Eacharan (Palghat) For verification purposes, there is a village register kept in every village.

Shri Narayanankutty Menon: My hon. friend comes from that part of Kerala which was part of the old Madras State, where in every village a birth and death register was maintained. But unfortunately, he is not aware of the position in the bigger part of Kerala, that is, Travancore-Chocin, where the law came very recently in force. As far as people of the age-group 18-21 are concerned there has been no register of births and deaths kept, and the only authority on the basis of which the age of a person is calculated is the chit issued by the catholic priest. Therefore I urge upon the hon. Minister that specific instructions will have to be issued to the effect that in the case of new entrants, the officers concerned should insist upon verification from the baptism register.

Shri V Eacharan: He is talking of the Christians. What about the Hindus?

Shri Narayanankutty Menon: I am talking of the Christians. He can speak about the Hindus.

Therefore, strict instructions will have to be issued that the baptism register, which is accepted under the Evidence Act, as proof of age, will have to be scrutinised for verification of age by the enumerators. I am just pointing out this difficulty because a large number of voters are coming into the rolls and strict measures will have to be taken for verification. I will add that in the case

of Hindus, the enumerators could be directed to insist upon strict proof, whatever that may be, in law about their age. My hon. friend may know about it—in all cases.

I was pointing out only one difficulty where this usually happened. As far as Hindus are concerned, there is no authority as a catholic priest to issue these chits. In their case, the proof of age is obtained either from the school certificate or any other certificate that is there. Also, as far as the Hindu entrants are concerned, the danger does not exist because no priest of the Hindus exercises this unquestioned right and authority to issue chits regarding age which becomes binding on the enumerating officer.

Then I come to only one more item, that is demand No XV. I welcome that Demand. It is quite necessary that the entire police should be reorganised. A Committee was appointed for that purpose. The Committee did function for some time. We are very glad that even after the presidential proclamation the Committee's life did not come to an end and that it is going to do its work properly.

Regarding the other item of having a reorganised police force and having more officers, while welcoming the Demand, I have to point out certain things that have happened immediately after the presidential proclamation. Immediately after the presidential take-over, certain far-reaching changes were effected in the way in which the police officers were given their cadres. I will point out a specific instance concerning three Deputy Superintendents of Police who were given promotion by the previous Government, but were demoted immediately after ushering in the presidential rule. Unfortunately all these three Deputy Superintendents of Police belong to the backward classes. I bring this to the notice of the hon. Minister.

because the so-called liberation struggle in Kerala started with a clarion call from Shri Mammath Padmanabhan that the reservation that has been granted to the backward classes will have to be put an end to, and the mass struggle started with the slogan 'Down with the reservation'. The whole momentum of the 'liberation struggle' developed on this one slogan that the reservation guaranteed, both under the Constitution and also by the State Government and the State Legislature, will have to be curtailed and the backward classes should not be given that reservation. Unfortunately, the three people who were promoted belong to the backward classes.

**Shri Palaniyandy (Perambalur):** That is the tactics of the Communist party.

**Shri Narayanankutty Menon:** One of them belongs to be community of Ezhavas who are 4 million in number, another belongs to another backward class and the third is a member of the Muslim community. Immediately after presidential rule came, they were de-promoted. Newspaper reports appeared to the effect that the Congress leaders and the liberation leaders demanded that whoever had been promoted during the period of office of the Communist Government was a Communist or was siding with the Communists.

**Shri Palaniyandy:** Is it not a fact that the Chief Justice of the Kerala State is an Ezhava?

**Shri Narayanankutty Menon:** Yes, the Chief Justice of Kerala High Court is an Ezhava. There is no doubt about it. But my hon. friend cannot just deny that one of the Deputy Superintendents of Police who was de-promoted is also an Ezhava. He cannot deny that in spite of the fact that the Ezhava community is 4 million in number, that community has not got 1/10th representation in the State's services.

**Shri Datar:** Are we concerned with all these matters except the reorganisation of the police?

**Shri Narayanankutty Menon:** In the reorganisation is included the de-promotion of the three Deputy Superintendents of Police and the de-promotion of a Circle Inspector. I am pointing this out because there is a genuine fear in the minds of many police officers belonging to the backward communities who, because of the reservation and also because of their seniority, had been recommended by the Inspector General of Police and their immediate superiors for their legitimate promotion, and were given that promotion due to a certain policy of the State Government, are de-promoted immediately after presidential rule came. That de-promotion, which has come as a pointer in the presidential proclamation, along with the declaration of the liberation leaders 'Down with the reservation' raises a reasonable apprehension in the minds of so many backward class people. I am pointing this out to the hon. Minister who, when taking out this money, should see that just because they belong to the backward community, they should not come under the crucifixion of the presidential rule in the Kerala State. That is what I wish to point out.

Many things happen District Superintendents of Police who are in charge of districts are being threatened by Congressmen today. One ex-Chief Minister issued a statement from Trichur saying that certain things happened in that State because the District Superintendent of Police is partial, and so he should be transferred. Within 24 hours the order comes from Trivandrum that that particular police officer is transferred.

**Pandit K. C. Sharma (Hapur):** He should welcome that.

**Shri Narayanankutty Menon:** Whether it is good or bad, because of the reason I mentioned earlier a reason-

[Shri Narayanankutty Menon]

able apprehension has arisen in the minds of the police officers in the State, and in view of the declarations made by the rulers there—it is not the Governor that is ruling there but the liberation leaders are ruling—the hon. Home Minister should see that this sort of threats by the political leaders against police officers of the State which are going on unstinted are not carried into practice by the administration. That will definitely jeopardise the morale of the police officers and other officers of the State. Whatever Government might come afterwards this will have to be prevented immediately and the apprehension in the minds of the people that the rule of a few people will not be there—whatever be their status vis-a-vis the President's rule—and that the President's rule will be there. I, therefore, submit that justice should be done to these three demoted police officers who actually belong to the backward communities

Let the hon Minister call for the files and see whether they have got actual seniority, whether the promotions were actually recommended in the due course by the administration that is by the senior police officers sitting above and what were the circumstances that compelled the Governor, immediately after taking over the Administration, to demote these three officers of the backward classes. I hope the hon Minister will look into these matters to see whether the demotion of these three police officers calls for any action

One more point and I will finish. That is regarding the Demands for Irrigation. A lot of money has been included in the Budget for 1959-60 for this item of irrigation. It has been a very chronic feature that in that State a large part of the amount that has been set apart for irrigation could not be spent for the last 2 years. The hon. Minister can find out that

because of the cooperation of a large section of the people which could be obtained lately that it was possible to start a large number of schemes so that in the last Budget there was absolutely no money left. In the Budget of 1959-60 also some amount was included but because of this liberation struggle followed by the President's proclamation the amount that has been provided for minor irrigation in the State should not be allowed to lapse. Somehow the Government should try its level best to get the cooperation of all sections of the people including the peasantry and cut across the red tape that has been there and which is still there to an extent and see that the entire money allotted for minor irrigation work should be expended before the year runs at because it so happens that the President's proclamation would also go when the year comes to an end. I would appeal to the hon Minister to take particular care to see that whatever was allotted for the minor irrigation projects in the State in the previous year should be allotted this time also

I would once again make an appeal that regarding the Rs 18 lakhs, Government should see that the money is spent by the Central Government; secondly, regarding the reorganisation of the police organisation, the apprehension that has arisen in the minds of the people that because they belong to the backward communities they are being adversely affected should be removed and the injustice that has been done to these three police officers should be remedied, and thirdly the entire money allotted for minor irrigation works and other items of irrigation should not lapse when the President's rule comes to an end somewhere in March or April

Mr. Deputy-Speaker: Shri Eacharan.

Shri Warier: On a point of order, Sir. On this Bill is printed that it is



as recommended by the President, but not the article under which the recommendation is made. That should also be printed so that it may be all right.

Mr. Deputy-Speaker: The hon Member knows it already

Shri Warrior: The President can sanction under article 117 and under article 274. Which of the articles applies here is the question.

Mr. Deputy-Speaker: I have just called the other hon Member. After that I will call the hon Member. He may make this point also.

14.25 hrs

Shri V. Eacharan. Sir, I have to make a few observations about the Demand XV under the head 'Police'. The present police force of Kerala is sufficient to carry on the administration without any difficulty. I do not know why this additional provision for the creation of MSP and Armed reserve is made. The Reorganisation Committee has also been appointed. Even without the committee's recommendations the previous Government had started a policy of declaring that the police is a party police. So, with this policy and the policy of annihilation they were going on. At the same time they appointed 2 IGs. In this way they made whatever changes they wanted in the police policy.

As regards the MSP, the MSP is always behaving in excess in the execution of their duties. Whenever they get a chance they harass the people. The MSP enter even private places and terrorise the people. This is the practice which has been prevailing for a long time. Many of these new people are from the dismissed MSP. Some of them, about 50 are from dismissed people. (Interruptions).

Shri Datar: What does the hon Member say about dismissed people?

Shri V. Eacharan: Dismissed police servants are recruited for these posts. So the constitution of the armed service is not at all necessary.

When the other State Administrations of the Southern Zone proposed a common police force, the Kerala Government refused to accept the proposal. If that proposal had been accepted no new police force would have to be created for any emergency. That could be used. When we say that the State is poor why should we spend so much unnecessarily for the police?

As regards the Reorganisation Committee, that committee is meeting at Delhi. But it is meant to enquire into and make necessary recommendations for the police administration of the State. What is the use of having a committee sitting here and making recommendations without seeing the conditions there? For that purpose also the services of a senior police officers have been requisitioned. That is also a waste of the State's money.

My friend, Shri Menon was talking about reservations. I have to point out that the committee appointed by the previous Communist Government to make recommendations regarding administrative reforms itself had recommended to the Government that there should not be any reservation. It was not Shri Mannath Padmanabhan that advocated that principle. Whenever the backward communities including the Harijans agitated for the retention of the reservation in services, it was not Mannath Padmanabhan who said a word against it but it was only the Reforms Committee that made such a proposal.

Shri Vasudevan Nair (Thiruvella): May I know whether the hon Member has read that report?

Shri V. Eacharan: Yes, I have read it. They have recommended the removal of the reservation for backward classes.

**Shri Vasudevan Nair:** Does the hon. Member know that there is no such recommendation?

**Shri V. Kacharan:** There was an agitation and Mannath Padmanabhan has not said anything against the reservation, as far as the Scheduled Castes are concerned.

Then about the election. The enumeration was necessitated by you, because of a large number of inflated numbers on the electoral rolls. Shri Menon said that there are so many things going on. But when they were ruling they had done so many things. They have infiltrated the electoral rolls. Now they find it difficult and say that the Church might make a mistake in issuing the age certificates. But the officers are there. They are strong enough to look after the interests of Government and to see how justice should be done in the matter of preparing these electoral rolls. So, there is no point in saying that the Church is either ruling or taking advantage of the preparation of the electoral rolls. I want to submit another point on the last Demand relating to the provision of Rs 9 lakhs for the middle-income group houses. Government has pointed out that the people are not coming forward to make use of the loan. There are so many difficulties. The procedure adopted at present is very difficult. That is why people are not coming forward to take advantage. Necessary amendments should be made in the rules to simplify them and remove or minimise the difficulties. At present an applicant has to execute an agreement on stamped paper. It is not so in the other States. After that they have to go to the Registrar's office for registering it. But after repaying the loan, the Government officer will issue a certificate. That will be the only authority that he has repaid the amount. Suppose he wants to dispose of the property after repaying all the loan amount, there is no record of that in the Registrar's office that he has cleared all his

debts. So, these are some of the difficulties in the way of taking advantage of the loan. I support the demands.

**Mr. Deputy-Speaker:** This discussion will be continued tomorrow. We will now take up the other business.

14.32 hrs.

#### MOTION RE: FOURTEENTH REPORT OF LAY COMMISSION

**Shri Ram Krishan Gupta (Mahendragarh):** Sir, I beg to move:

"That this House takes note of the Fourteenth Report of the Law Commission on the Reform of Judicial Administration (Volumes I and II) laid on the Table of the House on the 25th February, 1959."

डिप्टी स्पीकर साहब, सब से पहले मैं ला कमिशन को डिमिट पे करता हूँ कि उन्होंने ने काफी डिटेन्ड स्टडी के बाद, बेज के तकरीबन सभी डिटेन्ड का दौरा करने के बाद, एक कम्प्रिहेंसिव रिपोर्ट पेश की है उस ने जो हमारे देश का एग्जिस्टिंग ला सिस्टम है, उस को खूब धक्की तरह से स्टडी किया है, उस के अन्दर जो डिफैक्ट है, उन्हे प्वाइंट घाउट किया है और बड़ी खुशी की बात है कि इस रिपोर्ट पर जो कि बहुत ज्यादा महत्त्व रक्खती है, आज बहम हो रही है।

कमिशन ने जो रिक्मेंडेशन्स की हैं, उन में से मैं चन्द एक को, जिन को मैं बहुत जरूरी समझता हूँ, हाउस के सामने पेश करना चाहता हूँ। मैं सबसे पहले उसी सिफारिश को लेता हूँ जिस के अन्दर उन्होंने ने जजिज के सिनैक्शन के बारे में कहा है। इस बारे में कमिशन की यह राय है कि:

"Political, communal, regional and executive influences are the main factors which influence in the appointment of Judges at present."

They further say that merit alone should be the basis for the selection.