

**Mr. Chairman:** The hon. Minister is not yielding. Mr. Hoover, you must resume your seat.

**Shri A. K. Sen:** What I am saying is, my speech is not admissible in a court of law. But, the interpretation of the section that I am putting forward before the House is an interpretation which is the only interpretation possible. That is the reason why I say that the apprehensions expressed by many hon. Members are not at all founded on proper grounds. I wish, therefore, we proceed with the disposal of the Bill. Already we have taken enough time. We have considered this matter from all points of view. If, in future, such things appear to cause real hardship, expression of legitimate grievances, I am sure, is saved.

15.55 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

**Mr. Deputy-Speaker:** I suppose the hon. Minister has nothing more to say.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** No, we have nothing more to say.

**Shri Hynniewta:** I have made a request that I may be allowed to say a few words on this clause.

**Mr. Deputy-Speaker:** I am sorry. There is no time. I believe the hon. Member had an opportunity to speak on the motion for consideration.

**Shri Hynniewta:** I had an opportunity to speak on the principles of the Bill.

**Mr. Deputy-Speaker:** There is no amendment in the hon. Member's name.

**Shri Hynniewta:** There is no amendment.

**Mr. Deputy-Speaker:** He has already spoken in the general discussion on the clauses also. I shall now put the clause to vote.

**Shri Balraj Madhok (New Delhi):** I have an amendment to this clause.

**Mr. Deputy-Speaker:** It was not moved. I called out the names of hon. Members who had amendments. The hon. Member was not present then.

The question is:

"That clause 2 stand part of the Bill".

*The motion was adopted.*

*Clause 2 was added to the Bill.*

**Mr. Deputy-Speaker:** There is amendment No. 16 seeking to insert a new clause 2A. That is out of order.

The question is:

"That clause 3 stand part of the Bill".

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*Clause 4 was added to the Bill.*

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

**Shri Datar:** I beg to move:

"That the Bill be passed".

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

"That the Bill be passed."

*The motion was adopted.*

15.57 hrs.

## REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

**The Deputy Minister of Law (Shri Hajarnavis):** I beg to move:

"That the Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951, and to make certain minor amendments

in the Two-Member Constituencies (Abolition) Act, 1961, as reported by the Select Committee be taken into consideration."

After the House committed this Bill to the Select Committee, the Bill was very carefully considered there, and the Select Committee has made a few changes, which I shall presently advert to.

The first change that they have made is in the Long Title. As I had indicated in my opening remarks when I introduced the Bill here and moved for reference of the same to the Select Committee, the Bill as introduced dealt with three Acts, namely the Representation of the People Act, 1950, the Representation of the People Act, 1951 and the Two-Member Constituencies (Abolition) Act, Clause 33 which sought to give power to the Election Commissioner to make consequential changes has been omitted by the Select Committee, with the result that the change has affected the Long Title also, because this Bill no longer deals with the abolition of two-member constituencies.

In regard to clause 3, the original proposal was that the fee which was to be lined was to be prescribed by rules. The Select Committee felt that such an unlimited power ought not to be given to the Election Commissioner, and they have recommended that the fee should now be reduced to 50 nP, where it was Re. 1 before, and to Rs. 3 where it was Rs. 5 before. The amendments made in clause 6 are of a purely verbal nature, because the district boards in Madras have now been substituted by Panchayat Union Councils, and the District Boards in Punjab have been replaced by Panchayat Samitis.

In the original clauses 19 and 20, the proposal was that the election petition and the order made by the election tribunal ought not to be published in the gazette. That was a proposal that did not find favour with the Select

Committee. So, the original provisions in the Act have been retained.

Then, clauses 23 and 26 have been redrafted in order to make the meaning clearer.

These are the main features of the Bill as reported by the Select Committee which I commend to the acceptance of the House.

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

"That the Bill further to amend the Representation of the People Act, 1950, and the Representation of the People Act, 1951, and to make certain minor amendments in the Two-Member Constituencies (Abolition) Act, 1961, as reported by the Select Committee, be taken into consideration."

**Shri S. M. Banerjee:**

**Shri Surendranath Dwivedy (Kendrapara):** There is an amendment tabled by Shri Khushwaqt Rai. He is not present. I may be permitted to move it.

16 hrs.

**Mr. Deputy-Speaker:** Shri Khushwaqt Rai is not present. Therefore, that amendment cannot be moved.

**Shri S. M. Banerjee (Kanpur):** I have very carefully read the Bill as it has emerged from the Select Committee, as also the Minutes of Dissent. Particularly, I have gone through every line of the Note of Dissent given by Shrimati Renu Chakravartty. She raises certain points which, unfortunately, have not been considered favourably by the Select Committee.

**Mr Deputy-Speaker:** Would he like to continue?

**Shri S. M. Banerjee:** Yes, Sir.

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