

- (4) S.R.O. No. 3575, dated the 9th November, 1957,
- (5) S.R.O. No. 3576, dated the 9th November, 1957,
- (6) S.R.O. No. 3577, dated the 9th November, 1957, and
- (7) S.R.O. No. 3625, dated the 16th November, 1956. [Placed in Library. See No. LT-396/57].

### MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 25th November, 1957, agreed without any amendment to the Public Employment (Requirement as to Residence) Bill, 1957, which was passed by the Lok Sabha at its sitting held on the 14th November, 1957".

### COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

#### TENTH REPORT

Sardar Hukam Singh (Bhatinda): I beg to present the Tenth Report of the Committee on Private Members' Bills and Resolutions.

### DELHI MUNICIPAL CORPORATION BILL—contd.

Mr. Speaker: The House will now resume further discussion of the Delhi Municipal Corporation Bill. Out of 4 hours agreed to by the House for the general discussion, 2 hours and 3 minutes have already been availed of, and 1 hour and 57 minutes now remain. After the general discussion is over, clause by clause consideration and third reading of the Bill will be taken up for which 6 hours will be available.

Ch. P. S. Daulta may now continue his speech.

Shri Jaipal Singh (Ranchi West—Reserved-Sch. Tribes): May we know what is the time-table for this afternoon?

Mr. Speaker: At 15.30 hours, we start discussion on the Motion tabled.

Shri Jaipal Singh: How long?

Mr. Speaker: The time that is provided is 2½ hours.

Shri Heda (Nizamabad): We have the Vice-President's party at 16.30 hours.

Mr. Speaker: If it is the general desire, we may adjourn at 16.30 hours and continue the discussion tomorrow.

Shri Jaipal Singh: That is why I raised this question.

Shri Frank Anthony (Nominated-Anglo-Indians): I do not wish to appear discourteous, but it would be better for us to postpone the discussion of the question. Are we setting a healthy practice by postponing the business of this House, however estimable a person may be? I cannot understand that even the Head of the State and his programme was such that they could not help having the party at half past four. I feel it is not a very healthy precedent for us to break into the business of this House.

Mr. Speaker: The Chairman of the other House is giving the party. We can resume further consideration tomorrow, if it is the general desire. There is no harm if hon. Members get to know of the discussion, think it over and start again tomorrow. So far as today is concerned, let us create an exception. They have gone so far, and this is winter particularly. Nothing will be lost, but I would not like that this should be a precedent for any future request on this point.

We shall adjourn at 16.30 hours and then continue the discussion for 1½ hours tomorrow, so that hon. Members may come fresh.

Shri T. K. Chandhuri (Berhampore): If we adjourn at 16.30 hours, there will be only one hour's discussion and it would not serve any purpose. Moreover, this is an integrated discussion. If there is a break, the purpose may not be served.

Mr. Speaker: Suppose I say at 17.00 hours, 'We will adjourn till the next day?'. Now Ch. P. S. Daulta may continue.

श्री० प्र० सि० बोलता (अज्जर) :  
जनाब स्पीकर साहब, आल्डरमैनो के सिलसिले में मैं यह कहना चाहता हूँ कि दिल्ली कारपोरेशन में मुन्तखिबशुदा मेम्बरों के अलावा किसी और अन्सर को लाने की जरूरत नहीं है। एक दलील यह दी जाती है कि कुछ आदमी ऐसे हैं जो एलेक्शन के गर्द व गुबार को बर्दाश्त नहीं कर सकेंगे, लेकिन उन को लाने की जरूरत है। मेरी अर्ज यह है कि दिल्ली में गर्द व गुबार है ही नहीं, और कोई भी आदमी जो एलेक्शन में दिलचस्पी रखता है, वह जानता है कि दिल्ली सब से अच्छी जगह है जहां दर्जनो अखबार छपते हैं, जहां के नेता लोग हर वक्त तकरीरे करते रहते हैं। दिल्ली का माहोल एक ऐसा माहोल है कि वहां का कोई भी आदमी काफिडेस के साथ एलेक्शन की अखाडे में कुद सकता है और अहालियाने दिल्ली की जो काबिलियत है, सयासी शऊर है, उस की पुस्तगी में वह यकीन रख सकता है। इस लिये इस के मुताल्लिक ज्यादा वक्त न लेते हुए, मेरी यह अर्ज यही है कि बुनियादी कमेटियों में जो नामीनेटेड अन्सर हैं वह नहीं होना चाहिये।

अब मैं एक जरूरी चीज की तरफ तबज्जह दिलाना चाहता हूँ। यहां न होम मिनिस्टर हैं और न डिप्टी मिनिस्टर हैं। (An Hon. Member: He is here) He is roaming about. He is not attentive to me. I am not supposed to speak in the air.

The Minister of State in the Ministry of Home Affairs (Shri Datar): I am here.

श्री० प्र० सिंह बोलता : मैं अर्ज करूँ कि इस कारपोरेशन का सब से मायूसकुन पहलू है देहात की रूरल कमेटी। तबारीक में, जैसा होम मिनिस्टर ने कहा, कोई मिसाल नहीं मिलती कि एक शटके के साथ ऐसे बड़े इलाके को कारपोरेशन के साथ जोड़ दिया गया हो। उन लोगों को, जिन्हें स्टेट प्रसेम्बली से महकूम होना पड़ा, आप डिस्ट्रिक्ट बोर्ड से भी महकूम कर रहे हैं और उन्हें दे रहे हैं रूरल कमेटी, जो कमेटी इतनी अस्त्यार वाली भी नहीं है। जितनी की ट्रांसपोर्ट, पानी या बिजली वाली कमेटी है। जहां तक नई दिल्ली को निकालने का ताल्लूक है इस रकबे को होम मिनिस्टर साहब ने बड़ी अहमियत दी है। मैं अर्ज करूँ कि आबादी के लिहाज से जो शहरी या अर्बन यूनिट है वह देहाती यूनिट के मुकाबिले में आठ गुना है, लेकिन रकबे के लिहाज से देहाती यूनिट शहरी यूनिट के मुकाबिले में बारह गुना है। लेकिन देहाती यूनिट को स्कीम ग्राफ दी बिल में कोई अहमियत नहीं दी गई। जो कमेटी बनी है, पहले ऐड-वाइजरी थी। आप कहते हैं कि रिक्मेंडेटर होगी। मेरी अर्ज यह है कि वह स्टैंडुटरी बाड़ी होनी चाहिये। अगर वह डिस्ट्रिक्ट बोर्ड बोर्ड से कुछ ज्यादा न हो तो कम से कम डिस्ट्रिक्ट बोर्ड जितनी तो होनी चाहिये। लेकिन आप को उसका एहसास नहीं है।

दूसरी चीज में देहात के बारे में जो अर्ज करना चाहता हूँ वह डेफिनिशन के बारे में है। जो डिस्ट्रिक्ट बोर्ड का रकबा होगा वही रूरल एरिया का रकबा होगा। मैं कहना चाहता हूँ कि जो देहात म्यूनिसिपल कमेटी में मिला लिए गए लेकिन जिनका नबयती करेक्टर बिल्कुल देहाती है, वह रूरल एरिया को दिए जाएं। यानी नई दिल्ली और पुरानी दिल्ली को छोड़कर दिल्ली स्टेट का जो भी बाकी हिस्सा है वह सारे का सारा रूरल एरिया को, देहाती

यूनिट को, मिलना चाहिये । जो स्माल टाउन्स की मूनिसिपल कमेटियाँ हैं वह अर्बन एरियाज में नहीं होनी चाहियें, वरना छोटे छोटे जजीरे बन जाएंगे ।

तीसरी चीज यह है कि शेड्यूल ३ के मुताबिक बड़ी भारी गलती हुई । शेड्यूल ३ नकल है बम्बे ऐक्ट की । उस में दूष देने वाली भंश पर ५० रु०, बैलगाड़ी पर ७५ रु०, बैलो पर भी बहुत बड़ा टैक्स । इतना टैक्स लाद दिया गया है कि देहात की आबादी का, अलावा दूसरे टैक्सों के, इस टैक्स से कच्मर निकल जाएगा । यह नकल बम्बे ऐक्ट से की गई है, लेकिन बम्बई से मिला हुआ कोई लम्बा चौड़ा इलाका देहात का नहीं है । इस लिये महज डिस्ट्रिक्शन पर इस चीज को नहीं छोड़ना चाहिये कि जो कारपोरेशन आइन्दा वजूद में आएगा उस के मेम्बरान फैसला कर लेंगे कि कोई टैक्स लागू हो या न हो । मैं इस चीज को स्पेसिफिक चाहता हूँ । खास प्राविजन हो कि सिवा अर्बन एरिया के कहीं टैक्स न लगे । नई दिल्ली में कोई भंश बाधता है, वह शहर की खूबसूरती खराब करता है और नई दिल्ली में आप नहीं चाहते कि कोई खालिस दूष पिए, तो वहाँ पर टैक्स लगा दीजिए, मुझे कोई एतराज नहीं । लेकिन देहात के जो किसान हैं, जिन का हलो, बैलो के बगैर गुजारा नहीं चल सकता, उन पर ५०, ५० रु० टैक्स नहीं होना चाहिये । इस के लिये स्पेसिफिक प्राविजन हो कि यह सिर्फ अर्बन यूनिट पर, जो कि कारपोरेशन में होगा, लागू होगा । देहात के मवेशियो पर यह लागू नहीं होगा ।

अब मैं इस कारपोरेशन के इन्तख़ाब के ऊपर कुछ अर्ज करना चाहता हूँ । आप ने प्लूरल कांस्टिट्यून्सी के साथ डिस्ट्रिक्टिव सिंगल वोट का जो सिस्टम कायम किया है, मुझे शक है कि कोई भी ठेठ देहाती इस तरह के इन्तख़ाब में एलेक्ट हो सकेगा । अगर आप बम्बई की नकल करते हैं तो पूरी नकल कीजिए, वह भी मुझे मज़ूर है । अगर वह नहीं तो जिस तरह इस वक्त हमारी पार्लियामेंट

और असेम्बलीज के एनेक्न्स हो रहे हैं, सिंगल कांस्टिट्यून्सी, सिंगल वोट, रिजर्वेशन एपार्ट बिल्कुल उस पर कीजिये ताकि देहात के नुमाइन्दे आ सकें । यह जो देहात का इलाका है दिल्ली के चारों तरफ की आबादी का, उस के लिए डिस्ट्रिक्ट बोर्ड को जो मलसूस हुकम हैं उन का प्राविजन बन सकता है इस स्टैट्यूटरी कमेटी में । उन का अपना फाइनेन्स, अपना टैक्सेशन । जो टैक्स लगे हुए हैं उन के अलावा कोई ऐडिशनल टैक्सेशन नहीं लगना चाहिये । लैंड रेवेन्यू का एक ग्रहम हिस्सा उन को मिलना चाहिये देहात को डेवेलप करने के लिये और वह स्टैट्यूटरी कमेटी का जो अपना फाइनेन्स है उस में जाना चाहिये ।

देहात की कमेटी के बारे में जो मुझे मीरियस आन्जेक्शन है, जो स्क्रीम आफ बि बिल है उस के बारे में, जो दूसरा बिल दिल्ली के डिवेलपमेंट के बारे में आएगा, उस वक्त अर्ज करूंगा । इस वक्त तो सिर्फ यह अर्ज करना चाहता हूँ कि तमाम एरिया जो दिल्ली और नई दिल्ली का है उस को छोड़ कर, मारा एरिया देहाती यूनिट में आना चाहिये और उस को आप उस में शामिल कीजिए । शेड्यूल ३ में बिल्कुल स्पेसिफिकली कर दिया जाये कि वह सिर्फ अर्बन एरिया पर लागू होगा । एलेक्शन सिस्टम को तब्दील किया जाये वरना देहात के लोग जो बदकिस्मती से इस नई दिल्ली का पोशन बन गए हैं, जो थकरी ऊट के साथ बाध दी गई है वह हमेशा पछताती रहेगी और उस का कोई सोल्यूशन नहीं होगा ।

**Shrimati Sucheta Kripalani (New Delhi):** Mr. Speaker, Sir, the Delhi Corporation Bill is a long awaited Bill. The People of Delhi, since the abolition of the democratic set up here, have been looking forward to this Bill as a substitute, however defective it may be. Even today they are keenly watching the progress of the Bill and they want to see in what shape it will ultimately come out.

[*Shrimati Sucheta Kripalani*]

This Bill, as it has come back from the Joint Committee, is considerably improved with many amendments. I would like to say a word of appreciation about the work of the Chairman of the Joint Select Committee. He was very considerate; he allowed everybody ample opportunity to express his views and tried to adjust various viewpoints. The Bill, therefore, rectifies many of the defects of the present Delhi municipal administration—the defects which caused conflict and inefficiency in the past. As you know, Delhi suffered from a multiplicity of local bodies and authorities, some independent, some autonomous; and, as a result, there was considerable conflict and overlapping. This conflict sometimes gave rise to very disastrous results. As you know, when the jaundice epidemic broke out, there was a feeling—and I think rightly—that because there was no proper adjustment between the authorities such an occurrence could take place.

The Bill remedies many of these defects, all the authorities and all the areas of local administration have now come under the Corporation. But, Sir, I am very sorry to say that the Bill does not go far enough. Two areas, the New Delhi area and the Cantonment area, have been excluded and the D.D.A. will continue as an independent authority. This has caused considerable disappointment to the people of Delhi. Our Chairman who was very willing to compromise on all points, however, did not show any inclination to compromise on these points. Maybe it was our fault; we could not convince him. I hope even at this late stage we shall be able to convince him that by bringing these bodies under one authority one administration, we shall further improve....

*Acharya Kripalani (Sitamarhi)*: But where is he?

*Shrimati Sucheta Kripalani*:...The municipal administration of Delhi. I for one would have reconciled myself to the exclusion of these bodies from the Corporation if I were convinced that this would lead to better administration. We should, therefore,

assess if the administration would improve by the exclusion of those authorities.

Let us take the D.D.A. first. I do not know why the D.D.A. is being given this special treatment. All other bodies have been included under the Corporation. The hon. Home Minister, yesterday, in introducing the Bill told us that the scope of the D.D.A. would be very limited both in function as well as in area. We know that the work of the preparation of the development plan and the execution of the development of projects will be done by the Union Ministry. The services on which the plan would relay would be under the Corporation. If that is so, what is the special function of the D.D.A.? How is the separate existence of the D.D.A. justified and what is its utility? I may say a very convincing case has not been made out for the continued separate existence of the D.D.A.

Now, I come to the point of the exclusion of New Delhi and the Cantonment from the scope of the Corporation. Here, I would like to deal with it at a little length. I happen to represent New Delhi here and I am in close touch with the people and I know their difficulties and their troubles. As you know there was a strong opinion in Delhi for the inclusion of New Delhi and the Cantonment areas in the Corporation. It is also a fact that some representations have come to the Government from people who hold a contrary opinion. I do not want to hide that. There are some people in New Delhi who want it to remain separate.

*Mr. Speaker*: The hon. Member would kindly resume her seat. I would like to know how long the hon. Minister would like to take for his reply.

*Shri Datar*: About half an hour or three-quarters of an hour.

*Mr. Speaker*: What remains out of the 4 hours allotted for general discussion is 1 hour and 57 minutes—roughly 2 hours. We started at about

12.5 or 12.6 and we must conclude by about 2 o'clock. The hon. Minister will be called at.....

**Shri Datar:** At 1.15 or even at 1.30. I have no objection.

**Mr. Speaker:** So, hon. Members will be short and sweet. I will call the hon. Minister at 1.15. The hon. Member may now continue.

12.17 hrs.

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

**Shrimati Sucheta Kripalani:** We should, therefore, study the background and see how these two municipalities came into existence. Under the alien British rule an exclusive government township was created in New Delhi for offering them better municipal facilities. At that time the intention was to have a small town. You know the houses were big with large grounds meant for the white officials with certain areas for the clerks and peons, in slightly more congested areas. The idea was not to allow private construction, as far as possible, within these areas. The whole purpose was to have a town for the white rulers with their necessary staff. These conditions do not obtain now.

Now, I am sure the mentality both of the people and of the Government has changed. The Government is not keen to have this township exclusively for a certain class of people. The people, too do not like to see any discrimination between persons living in one part and those living in another part of Delhi. Besides, a very large number of private constructions have been built. New Delhi is no longer just a government town. There are certain areas which are occupied exclusively by private buildings. For instance, take the Baber Road, take the Barakhamba Road, the Curzon Road and other roads. I can mention other areas where there is hardly a single government construction; they are all private buildings. What is the justification for excluding these areas

from the Corporation? We, the M.Ps. of Delhi had given an amendment by which we had tried to bring in all the private buildings under the Corporation. But even that amendment was not accepted on the ground that that would leave too small an area for the New Delhi Administration.

The other argument advanced by the Government is that because government servants largely live here they cannot stand for election, therefore this area need not be included under the Corporation. It may not be possible for them to stand for elections, but, they certainly have a right to exercise their vote. This is done everywhere else. Let us take Bombay; let us take Calcutta. I am sure a large number of government servants live there. They may not stand for election; but they do exercise their franchise and send their own representatives to represent them in the local bodies.

The other ground forwarded is an economic one that, it is not advisable to allow New Delhi to come under the Corporation because there are many government buildings which would be tax-free, and therefore additional financial burden would fall on the Corporation. This argument too is not convincing because, after all, the New Delhi Municipal Committee is financed by the Central Government. It would have to be heavily financed by the Central Government if they want to maintain a better standard of efficiency. Had it been added to the Corporation the Central Government could have given the same aid to the Corporation in order to enable it to carry on its work in this area.

Then the biggest point made out is that in New Delhi we want a better standard of municipal administration because this is the capital and foreign diplomats stay here. My real criticism is on this account. We want better functioning of the administration here. But what is the standard of efficiency of the work of N.D.M.C.? Is the setup such that we have better adminis-

[*Shrimati Sucheta Kripalani*]

tration? I am very sorry to say that the present set-up of New Delhi municipal administration is such that it cannot function efficiently. It has very many defects.

For instance, all N.D.M.C. construction is done by the CPWD. NDMC has no hand or control over the unit of the CPWD that undertakes these constructions. There is no proper control over the efficient and good working of this department. We also suffer from multiplicity of authorities in New Delhi. What is the position in New Delhi in this respect? How many authorities have we to deal with? I have personal experience because I take up the cases of the people and go from door to door. Just to quote one instance. For a single case, I have gone for two years knocking at different doors without knowing which is the proper authority to deal with. We have to deal with the Health Ministry, Home Ministry, Delhi Administration, NDMC, and DDPA. There are these five authorities concerned with the municipal administration of Delhi. I am very sorry. The hon. Home Minister is not here. Once over a small matter, I had gone to him. He is usually very kind and he wants to help. He immediately directed me to Shri Mukerjee, of the Delhi Development Provisional Authority. When I went to him, I was told that it was not his business at all and that I should go to somebody else. I next went to the New Delhi Municipal authorities and kept on knocking at their door. Such is the multiplicity of authorities in the administration of N.D.M.C. The NDMC has not also got proper powers to enable it to function efficiently and well.

I am ashamed and my head hangs in shame when I think of the performance of the NDMC vis-a-vis the slum dwellers of New Delhi. There are thousands of slum dwellers. We have a few huge coolie camps or colonies where people employed in the construction work live. Their number goes up to 32,000. Besides this construction labour which is by its nature

temporary, there are other slum dwellers who are the third and the fourth grade servants of the Government of India, other domestic servants serving the officers and other highly placed people in New Delhi. All these people by the very nature of their work have to live in New Delhi. Some provision must be made for them to stay. Whenever I have requested for any improvement of the slums, my request had been turned down on the ground that these are temporary colonies or unauthorised colonies, therefore no facilities should be given, and that if facilities are given, the people would stay there permanently. Some of these colonies are existing in these areas for the last 5-10 years. They are living in these areas without latrines, water and without the basic municipal amenities. We want that New Delhi should give us an example of municipal administration. The standard of municipal administration should be so good that it should be much better than that of old Delhi. On this ground it is being kept away from the Corporation but its performance does not justify that argument.

I do not want to blame unnecessarily any body. I have sympathy for their difficulties. I know the refugees came to Delhi and the NDMC had to bear great strains. But all the same we cannot shut our eyes to the needs of the slum dwellers. I have repeatedly urged this point that if you cannot clear the slums immediately, at least have some interim slum improvement scheme. Have the slum clearance scheme side by side with slum improvement scheme. If the people have to stay temporarily in any area for a number of years, at least give them the basic amenities even for the interim period. But so far nothing has moved.

If I were to tell you some of my harrowing experiences in one of these bastis near Lodi Coloni, it will be a long story. There is a Basti called Badwala camp where about 4,000 people live. There was a large open

area which they could use for latrine purposes. But as buildings grew up all the extra land has got covered. Now, these 4,000 people, the slum dwellers are practically without any latrines. There are just a few latrines. About 2½ years back a new block of latrines was built but even after repeated requests because of some confusion of authorities, there was some difficulty and the latrines could not be used. I went from pillar to post, I represented and fought out as much as possible but nothing could be done. I do not know the latest position whether it has been opened or not, but till a few weeks back, it had not been opened. It is the same story about water. These people who are building New Delhi and contributing to the beautification of New Delhi at least they should be given latrine and water facilities. The New Delhi authorities as well as the Union Government have undertaken a large programme of construction. They should think of the people who are going to construct the buildings. If they have to stay in temporarily colonies at least let them live under certain human conditions of living. Those human conditions, we do not find now.

Under the provisions of the Bill we know that New Delhi will not come under the Corporation but we do not know also what is going to be its future set-up. I beg the Home Minister to give his attention to this matter. The present set-up in New Delhi Municipal Committee is not good enough to shoulder the responsibilities. If the people of New Delhi who are enlightened, educated and are denied their democratic rights and are being prevented from exercising their vote, at least give them an administration which would offer them the basic amenities of municipal life. It is not enough to build palaces and Ashoka Hotels when adjoining to them are huge coolie colonies. I am very sorry to say this. But when the Ashoka Hotel was built and the UNESCO Conference took place here, I happened to meet some of the foreign delegates. One of them asked "who live

here in these shacks?" My head hung in shame. I had no reply. If that is the condition, it does not redound to the credit of the administration of New Delhi Municipal Committee. Something has to be done to improve the administration of the N.D.M.C.

Leaving the slums apart take their other activities. I had a representation from the people living in Golf Link and Jor Bagh about the bad condition of the roads. These are rich areas; big houses have built, but the roads are full of holes with their surface torn up, and they have been recently built.

In its present set-up, New Delhi Municipal Committee is a wholly nominated body. On principle, I am against nomination to local bodies. Before independence, we opposed even partially nominated local bodies. Today we have in the capital of India a wholly nominated body. What is the justification? Apparently, it is there on the belief that such a nominated body will function better and that there would not be any politics and that they shall function harmoniously. But, there is no harmonious functioning. Even the few nominated members are fighting with each for places, and positions for one or two elected posts that exist there. As a result there is constant friction, delay, inefficiency, etc. I know the last two Senior Vice Presidents. I have great regard for them. Both of them were good workers. I would request the hon. Home Minister to talk to them and find out what happened. They felt frustrated, they felt defeated in their efforts to serve this area. Therefore, the justification for perpetuating an undemocratic arrangement on the grounds of efficiency is not there. I would even at this late stage urge upon the Home Minister to reconsider the matter and bring in the New Delhi area under the Corporation so that the people may have the right to elect their own representatives and the organisation may function better.

I would also like to trace the history of the Cantt. area Sir. The British

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wanted the army to be kept apart from the general population. It was very natural for them and they did this for political reasons. They did not want the army and the civilian population to have any close relations or sympathy with each other. They wanted to use the army for certain purposes. So, these cantonment areas came into existence. The civilian area of the cantt. and the civilian population there used to be very small. There were very small bazars and very few civilians lived there. Only such people lived there who had something to do with the Army. Now the position has totally changed. Big bazars have developed and a number of civilians have built houses in cantonment areas. For what reason are these non-Army personnel living there and being deprived of their democratic rights? Therefore, I would urge that let the land actually occupied by the Army be under the Cantonment, but the bazars and the civilian area of the Cantonment should be taken within the Corporation.

I feel Sir, there is a very strong case for a completely unified and integrated Corporation in Delhi. The demand for a unified and integrated Corporation is of very old standing. As Shri Brahm Perkash pointed out yesterday, even in 1938 Shri Asaf Ali in his resolution to the Government urged the creation of such a Corporation. The Enquiry Committee for Municipal Reorganization in 1946 also made a similar recommendation. The recommendation of the States Reorganisation Commission is the strongest on which we can take our stand. The States Reorganisation Commission, when it recommended the abolition of the democratic set-up in Delhi, said in very clear words that the set-up of Municipal Corporation should include the entire area. They went out of their way to mention that there was really no justification for keeping New Delhi and Old Delhi separate.

I would say, therefore, that even now the Government should reconsider their views on this matter. I am

happy to welcome the Bill. I know this Bill is a great advance on the existing municipal administration in Delhi, but I would like to see these major defects remedied so that all the citizens of Delhi can whole-heartedly welcome the Bill and, afterwards work for a better and more beautiful Delhi.

श्री नवल प्रभाकर (बाह्य दिल्ली-रक्षित-अनुसूचि जातिया) : सभापति महोदय, इस बिल के सम्बन्ध में आम तौर से तीन चार बातें कही गई हैं। उधर बैठे हुए मेरे एक दोस्त ने देहाती इलाके के लिये बहुत ज्यादा जोर से कहा। वह प्रवर समिति के भी एक सदस्य थे। प्रवर समिति में उन्होंने क्या सुझाव दिए, यह मुझे पता नहीं है। अगर उन के दिल में देहात के लिये दर्द होता, तो वह वहां इस बारे में सुझाव देते, किन्तु यहां पर उन्होंने बहुत जोर से कुछ बातें कही और देहात को कारपोरेशन के अन्तर्गत लाने के सम्बन्ध में उन्होंने कहा कि ऊंट के साथ बकरी को जोड़ दिया गया है। यह बड़ी अजीब बात है। अगर वह इस बिल को पढ़ते और उस में जो नई धाराएं जोड़ दी गई हैं, उन को देखते, तो उन को यह स्पष्ट हो जाता कि देहात में जो कुछ भी काम होने वाला है, वह देहात के मदस्यों के द्वारा ही होने वाला है। जो देहात कमेटी बनेगी, उस की सिफारिश से ही देहात सम्बन्धी सब कार्य किए जायेंगे। अगर देहात कमेटी रिकमेंड करेगी, तभी देहात में टैक्स लगाए जायेंगे। अगर वह सिफारिश नहीं करेगी, तो कोई टैक्स लगाने वाला नहीं है।

मेरे भाई ने यह भी कहा कि डिस्ट्रिक्ट बोर्ड ही इससे अच्छा है। अगर आज के डिस्ट्रिक्ट बोर्ड के हालात उन को मालूम होते, तो शायद उन्होंने यह बात न कही होती। उन्होंने दस्तखतों की बात भी कही। मैं कहना चाहता हूं कि गांवों में जो दस्तखत कराए गए, वह लोगों को गलत बातें कह कर कराए गए। उन से कहा गया कि तुम्हारी



गाय-भैरों पर और मकानों पर टैक्स लगाए जा रहे हैं, इस लिए यहां दस्तखत कर दो। अगर माननीय सदस्य को वर्तमान डिस्ट्रिक्ट बोर्ड का पता होता कि वह किस अवस्था में चल रहा है, तो वह ऐसा न कहते। आज डिस्ट्रिक्ट बोर्ड को केवल घाठ लाख की ग्रामदनी है, जब कि जाने वाले समय में आयंट वाटर एंड सियुएज बोर्ड की जो ग्रामदनी होगी, ट्रांसपोर्ट की जो ग्रामदनी होगी, बिजली की जो ग्रामदनी होगी, उस सब का भाग देहात को मिलने वाला है। उस में से देहात को कुछ विशेष मिलने वाला है। आज तो उन की आर्थिक अवस्था इतनी दयनीय है कि वह प्राइमरी स्कूल तक नहीं चला पाते। डिस्ट्रिक्ट बोर्ड ने एक रेजोल्यूशन पास कर के सरकार को कह दिया है कि हम प्राइमरी स्कूल चलाने के काबिल नहीं हैं, क्योंकि हमारे पास फंडज नहीं हैं। इस लिये दिल्ली प्रशासन को उन के प्राइमरी स्कूल चलाने पड़ रहे हैं।

आज डिस्ट्रिक्ट बोर्ड की हालत क्या है? मुझे मालूम है कि डिस्ट्रिक्ट बोर्ड को चार भागों में विभक्त किया हुआ है। वहां चार सैनिटरी इंस्पेक्टर हैं, जिन के नीचे मामूली सा स्टाफ है।

जो डिस्ट्रिक्ट बोर्ड का चेयरमैन है या मिनिस्टर साहिबान हैं वे जब वहां आते हैं तो वहां पर उन गलियों और मुहल्लों की जहां उनको जाना होता है, सफाई कर दी जाती है। इसके अतिरिक्त डिस्ट्रिक्ट बोर्ड के पास न तो कोई सफाई का इंतजाम है न वह सड़कें ही बना सकता है। दिल्ली प्रशासन द्वारा ही आजकल सड़कें बनवाई जाती हैं। ज्यादा से ज्यादा जो वह करता है वह यह है कि वह रास्तों को लेवेल करवा देता है। इतना ही आज उसका काम है। जाने वाला समय बतलायेगा कि वह जो कारपोरेशन की रूपरेखा है और जैसा कि इस विधेयक को देखने से मालूम होता है, कि देहातों को आज के डिस्ट्रिक्ट बोर्डों से

कहीं अधिक मिलने वाला है। मैं ने अक्सबारों में पढ़ा और इसकी बहुत चर्चा भी हुई और इसके बारे में बहुत कुछ लिखा भी गया कि ११ तारीख को एक बहुत भारी प्रदर्शन होने वाला है और जिस को कि देहात के लोगों की तरफ से आर्गनाइज किया जायगा। लेकिन जिस वक्त देहात के लोगों को यह पता चला कि कुछ स्वार्थी तत्वों की तरफ से, कुछ राजनीतिक तत्वों की ओर से उनको गलतफहमी में डाला गया है तो उन्होंने इस प्रदर्शन में हिस्सा लेने से साफ इन्कार कर दिया, उन्होंने प्रदर्शन करने से साफ इन्कार कर दिया। अगर उन लोगों की बात में कोई सच्चाई है जो इस प्रदर्शन को करवाने वाले थे, तो आज को यह प्रदर्शन अवश्य हो गया होता। लेकिन चूंकि वह नहीं हुआ, इस वास्ते मैं समझता हूं कि उनकी बात में सच्चाई नहीं थी। अब मैं समझता हूं कि उनको यह बात साफ हो गई होगी।

एक बात मेरे भाई ने कही है कि ऊंट के साथ बकरी को बांध दिया गया है। इसके सम्बन्ध में मैं यह कहना चाहता हूं कि अगर वह एक बैलगाड़ी है तो उसके ऊपर बैठा हुआ कोचवान, जो उस बैलगाड़ी को चलाने वाला है, वह देहात का आदमी है। देहात का जो मेम्बर है उसको यह हक हासिल है कि वह देहात के सम्बन्ध में अपनी राय का इजिहार कर सके, इसका उसे पूरा अधिकार है और साथ ही साथ तमाम दिल्ली के निर्माण के लिये भी अपना सहयोग प्रदान करे। इस तरह से उसको देहाती क्षेत्रों तथा शहरी क्षेत्रों के बारे में काफी अधिकार है, काफी हक हासिल है। लेकिन जो शहर का मेम्बर होगा उसको इतना हक हासिल नहीं होगा। उसको देहात के सम्बन्ध में कोई हक हासिल नहीं होगा और वह किसी तरह से भी उसमें मुदाखलत नहीं कर सकेगा। मैं समझता हूं कि अब यह बात उन मेम्बर साहब की पूरी तरह से समझ में आ गई होगी और उनको मालूम हो गया होगा कि देहात के मेम्बर को काफी अधिकार हासिल है

[श्री नवल प्रभाकर]

धीर वे अधिकार हासिल हैं जो शहर के मैनबर को नहीं हैं ।

नई दिल्ली के बारे में बहुत कुछ कहा गया है । मैं बड़े भद्र के साथ यह कहना चाहता हूँ कि नई दिल्ली एक सजी हुई दुल्हन है और उसको कारपोरेशन के साथ जोड़ कर किसी गरीब के पल्ले बांधना आप क्यों चाहते हैं और आप जानते ही हैं कि इसके साथ दहेज भी दिया जाता है—बैसे दहेज देना तो नहीं चाहिये—आज के जमाने में दहेज भी रह जायगा अगर उसके देने की मनाही है । ऐसी दशा में वह नई दिल्ली हमको नहीं चाहिये क्योंकि उसके नाज और नखरे हम बर्दाश्त नहीं कर सकते । मुझे मालूम है कि जो कमेटी का मैनबर होता है वह ज्यादा उसी स्थान की परवाह करता है जहाँ से चुन कर वह आता है । मैं यह इसलिये कह रहा हूँ कि मैं भी दिल्ली म्यूनिसिपल कमेटी का मैनबर रह चुका हूँ । नई दिल्ली में पार्लियामेंट हाउस है, यहाँ सैक्रेटेरियट है, यहाँ दूतावास है, और यहाँ पर कोई मतदाता नहीं रहते हैं । ऐसी सूरत में इस नई दिल्ली की कौन परवाह करेगा । ऐसी अवस्था में यहाँ पर सफाई का इतिजाम अच्छा नहीं होगा तथा दूसरे प्रबन्ध ठीक नहीं होंगे, और जब ये इतिजाम ठीक नहीं होंगे तो यहाँ के बड़े बड़े मिनिस्टर कारपोरेशन के मामले में दखल देंगे और कारपोरेशन से कहेंगे कि सफाई नहीं होती है, पानी का अच्छा इतिजाम नहीं है या दूसरी तरह का इतिजाम अच्छा नहीं है । उस अवस्था में वह कहा जाएगा कि हमारे काम में दखल दिया जाता है और इसके बारे में खूब चिल्लाया जाएगा और हल्ला मचाया जायगा । मैं समझता हूँ कि बहुत सोच समझ कर नई दिल्ली को बाहर रखा गया है और नई दिल्ली को बाहर रखा जाना चाहिये । इसको बाहर रखने के बारे में यह बलील काफी नहीं है कि यहाँ ६०

प्रतिशत सरकारी कर्मचारी रहते हैं या दूतावास हैं या सरकारी मकान हैं लेकिन यहाँ का जो स्टैंडर्ड है वह बहुत ऊँचा है । आप देखें तो आपको पता लगेगा कि पुरानी दिल्ली और नई दिल्ली के स्टैंडर्ड में बहुत फर्क है । अगर पुरानी दिल्ली वालों से टैक्स वसूल करके नई दिल्ली वालों पर खर्च किया जायगा तो वह ठीक है कि नई दिल्ली को तो फायदा हो जायगा लेकिन पुरानी दिल्ली का उस सूरत में क्या बनेगा ? अब भी लोग कहते हैं कि जो केन्द्रीय सरकार है वह नई दिल्ली को कुछ देती है । यह बात ठीक हो सकती है । लेकिन जब आपस का बटवारा होने लगा तो उसने काम नहीं चल सकता है । साथ ही उस सूरत में यह भी कहा जाता है कि इतना इसका बजट है और उसमें से ही काम चलाया जाये । वैसे हालत में जो पिछड़े हुये इलाके हैं उनका विकास कैसे सम्भव होगा । आज भी पुरानी दिल्ली के अन्दर बहुत सी गन्दी बस्तियाँ हैं, वहाँ की जो सड़कें हैं उनका विकास करना है, वहाँ पर बहुत छोटी छोटी सड़कें हैं, जिन को चौड़ा करना है । वहाँ गलियारे हैं, वहाँ ऐसी गलियाँ हैं जिन के अन्दर सड़कें पक्की नहीं बन पाई हैं, वहाँ पर बिजली नहीं है, वहाँ सीवेज सिस्टम नहीं है, गन्दगी बहुत ज्यादा है और इस सब चीज को हमें ठीक करना है । आज ज़रूरत इस बात की है कि दूल्हे को पहले संवारा जाये, उसको सजाया जाये फिर जब वह नई दिल्ली के स्टैंडर्ड के बराबर आ जाये, तो उसके साथ नई दिल्ली को जोड़ा जाये । जब ऐसा हो जायगा तो मैं इस हाउस के अन्दर इस बात की माग करूँगा कि अब हमारा स्टैंडर्ड बराबर हो गया है और अब हमें नई दिल्ली को दे दीजिये और अब हम उस दुल्हन के नाज नखरे सहन करने को तैयार हैं ।

डी० डी० ए० के सम्बन्ध में भी यहाँ काफी चर्चा हुई है । दिल्ली डिबेलेपमेंट

अधिकरण के सम्बन्ध में कहा गया है कि वह हमें मिलना चाहिये। मैं बड़े भ्रष्टाचार के साथ कहना चाहता हूँ कि वह एक सफेद हाथी है और वह हमें नहीं चाहिये। उस में केवल खर्चा ही खर्चा है, आमदनी कुछ नहीं है। उसको विकास कार्य करने में बिना आमदनी के। अगर हम चाहते हैं कि दिल्ली वालों के गाढ़े पसीने की कमाई को लेकर हम दिल्ली डिवेलपमेंट अधिकरण को दें तो इस अधिकरण को हमें अवश्य सौंपा जा सकता है लेकिन हम यह नहीं चाहते। माननीय गृह मंत्री जी ने कल 'ह' कहा कि जहाँ तक विकास का सम्बन्ध है वह कारपोरेशन करेगी और अगर कारपोरेशन किसी बात में यह कहेगी कि यह हमारे बस की बात नहीं है तो वैसी अवस्था में जो विकास अधिकरण है वह उसको करेगा। ये कुछ वास्तविकताएँ हैं, कुछ तथ्य हैं, जो मैं आपके सामने रखना चाहता था।

मेरे भाई ने कहा कि साहब जो मल्टी कंस्ट्रिक्ट्युएन्सीज रखी गई है वह बहुत विचित्र बात है। जब किसी पार्टी को यह दिखाई देता है कि निर्वाचन की एक ऐसी प्रणाली प्रणाली जा रही है जिस में उसका कोई एक भी व्यक्ति चुन कर आने में असमर्थ है, तो उसको वह बहुत विचित्र बात लगती है। वह कहते हैं कि देहातो के अन्दर जो मल्टी कंस्ट्रिक्ट्युएन्सीज रखी गई है वह बड़ी अजीब लगेगी। आज भी मैं आपको बतलाना चाहता हूँ कि जो देहातो में निर्वाचन होते हैं वे इसी आधार पर होते हैं। देहातों को चार हिस्सों में विभक्त कर दिया जाता है और उसके साथ ही जो रिजर्वड कंस्ट्रिक्ट्युएन्सीज होती है, उनसे जो खड़ा होता है वह ही इन चार इलाकों के द्वारा, इन चार बाडों के द्वारा चुना जाता है। ठीक इसी तरह के निर्वाचन क्षेत्र अब बनने वाले हैं। मैं समझता हूँ कि जो लोग मल्टी कंस्ट्रिक्ट्युएन्सीज का विरोध करते हैं वे इस वास्ते करते हैं क्योंकि वे पूँजीवाद का समर्थन करना चाहते हैं, उन लोगों का समर्थन करना

चाहते हैं जो पैसा लेकर बोट खरीदना चाहते हैं, उन लोगों का समर्थन करते हैं जो यह समझते हैं कि जात पात में भास्था रहनी चाहिये, जो बिरादरी के नाम पर बोट मागना चाहते हैं। . . . . .

श्री० १० सि० बी० ११ : मैं यह कहना चाहता हूँ कि जो रिजर्वेशन चाहते हैं, जो अपने आपको पिछड़ा हुआ कहते हैं और उस बिना पर कंस्टीट्यूशन में जिन्होंने अपने लिये सीट्स रिजर्व करवा ली हैं, जो जन्म की बिना पर इन बिरादरियों को चाहते हैं कि रिप्रेजेंटेशन दी जाए।

Mr. Chairman: The hon. Member has no right to make a second speech

श्री नर १ राकर : सभापति महोदय, मैं यह कह रहा था कि जो निर्वाचन क्षेत्र बनेंगे वे बहुत लम्बे चौड़े होंगे और उन में मतदाता अधिक होंगे और वहाँ पर किसी एक जाति और विरादरी का बोल बाना नहीं होगा और जो लोग जात पात में विश्वास रखते हैं, जो लोग पैसा लेकर मतदाताओं को अपने हक में करना चाहते हैं, से इन में कामयाब नहीं हो सकेंगे। ऐसा देखा गया है कि जब कम्युनिस्टिक कमेटी के चुनाव हुए थे और होते हैं उन में पैसा बहुत चलता है, रिश्वत चलती है और बहुत सी अनियमितताएँ होती हैं। कम्युनिस्टों की तरफ से तथा उन लोगों की तरफ से जो पैसे वाले हैं जो पूँजीवादी होते हैं उन की तरफ से इस का विराध होता है और मेरे स्थान में जो कम्युनिस्ट हैं और जो पूँजीवाद में विश्वास नहीं करते, वे इस का कैसे समर्थन कर सकते हैं। जब इन की तरफ से ऐसी चीजों का समर्थन होता है, तो इस से मुझे अफसोस ही होता है।

श्री बी० च० शर्मा (गुरदासपुर) : वह जाट है।

श्री नर १ राकर : आप ज्यादा जानते हैं क्योंकि आप पंजाब के रहने वाले हैं और वह भी वही के रहने वाले हैं।

श्री डी० चं० शर्मा : अब तो हम भी दिल्ली वाले हैं ।

श्री मन्त्र प्रभाकर : मैं यह कह रहा था कि इस पद्धति से उन्हीं व्यक्तियों के चुने जाने की उम्मीद होगी जो लोगों की सेवा करेंगे, जिन में लोगों का विश्वास होगा और लोग समझेंगे कि वे वहां जा कर उन की सेवा कर सकते हैं । केवल इसी तरह के लोग चुन कर आ सकेंगे और जो पैसे वाले हैं और जो जात और बिरादरी के नाम पर चुन कर आना चाहते हैं उन के लिये कोई खास गुंजाइश नहीं रहेगी ।

इस के अतिरिक्त और बहुत सारे प्रश्न यहां पर उठाये गये हैं । मैं उन सब को न लेकर यह कहना चाहता हूं कि जो वर्तमान विधेयक है वह पूर्ण है और वह जितना भी अच्छा से अच्छा हो सकता है और दिल्ली वालों के भले के वास्ते जितना कुछ हो सकता था और इस में रह सकता था वह इस में है ।

दिल्ली विधान सभा की बात यहां पर कही गयी कि पहले यहां पर एक विधान सभा थी और यहां पर पहले एक राज्य सरकार थी । यह बात जरूर है कि यहां पर पहले एक विधान सभा थी और एक राज्य सरकार थी लेकिन यह भी तो देखना चाहिये कि उस विधान सभा के अधिकार कितने थे और इस कारपोरेशन को इस विधेयक के द्वारा कितने अधिकार मिलने जा रहे हैं । यहां पर यह बात बड़े जोर से कही गयी कि यह वर्तमान विधेयक बिल्कुल अधूरा है और इस के अन्दर जो हमें अधिकार प्राप्त हो रहे हैं, वे बहुत कम हैं लेकिन मैं उन से पूछना चाहता हूं कि जब यहां दिल्ली में असेम्बली थी और दिल्ली का मंत्रिमंडल था तब कैसी हालत थी ? जब दिल्ली विधान सभा में ट्रान्सपोर्ट के विषय में पूछा जाता था तो दिल्ली के मंत्री महोदय खड़े हो कर ट्रान्सपोर्ट अधीनस्थ से जो जवाब बन कर आता था उस को केवल पढ़ देते थे । सभापति महोदय, तब दिल्ली के मंत्री महोदय को यह अधिकार नहीं था कि वह यातायात

के सम्बन्ध में अपना कुछ विचार विमर्श कर सकें । वे केवल उन को अपनी सलाह दे सकते थे, यह उस अधीनस्थ का कर्तव्य था कि वह उसे मानती या न मानती ।

इसी तरीके से जहां तक वाटर एंड सीवेज बोर्ड और एलेक्ट्रिसिटी बोर्ड का सवाल है, वह पहले दिल्ली सरकार के पास नहीं थे लेकिन हमारे केन्द्रीय गृह मंत्री महोदय ने कृपापूर्वक यह सब हमें दे दिया । मैं देखता हूं कि हमारे यहां पहले जो विधान सभा थी उस से इस निगम में हम को अधिक अधिकार मिल रहे हैं और हमें अधिक अधिकार प्राप्त हुए हैं और मैं इसलिये इस बिल का पूर्णतया स्वागत करता हूं और समर्थन करता हूं ।

श्री राधा रमण (बांदनी चौक) : सभापति महोदय, कल इस सदन में इस विधेयक के सम्बन्ध में जो विचार रखे गये, उनमें यह एक फिजा यह एक हवा सामने आई कि यह विधेयक जो गृह मंत्री द्वारा इस सदन के सामने रक्खा गया है वह बहुत ही अपूर्ण है और उसमें अनेक त्रुटियां हैं और यह उन तमाम जम्हूरी असूलों के खिलाफ है जिनकी कि बुनियाद पर हमारे देश में विभिन्न राज्यों में प्रजातांत्रिक शासन चल रहे हैं । मैं इस खयाल का जो कल रक्खा गया था उसका विरोध करते हुए यह कहना चाहता हूं कि इस सदन को पहले और उसके बाद ज्वाइंट सेलेक्ट कमेटी की मार्फत काफी इस बात का मौका मिला है कि विधेयक के एक एक हिस्से पर गौर किया जाये और जो भी ज्यादा से ज्यादा इसकी मुनासिब शकल बन सकती है, आज के हालात में, उस शकल को बनाकर आपके सामने लाया जाये । मेरी यह एक पुस्ता राय है कि विधेयक को पेश करने से अब तक और जो प्रवर समिति से यानी ज्वाइंट सेलेक्ट कमेटी से इसकी शकल आई है, उसमें अनेक ऐसे सुधार हुए हैं जो मुनासिब हैं और जिनकी कि बिना पर हमें इस बात की खुशी हो सकती है कि यह विधेयक बहुत सी उन त्रुटियों से रहित हो गया है जो कि

जब यह शुरू में यहां पर पेश किया गया था उसमें मौजूद थीं। मैं यह प्रार्थना करना चाहता हूं कि जिन हालात में से हमारी दिल्ली गुजर रही है और हमारा मुल्क गुजर रहा है उन हालात को लेते हुए जो विधेयक की इस वक्त की धारारें हैं उन धाराओं में जितना अधिक से अधिक संशोधन किया जा सकता था, प्रवर समिति में उनको संशोधित कर दिया गया है। सिवाय दो बातों के जिन पर की काफी एक्सलाफ राय है बाकी सब बातें मंजूर हो गई हैं, जो हम लोग चाहते थे। हमें खुशी होनी चाहिये कि गृह मंत्री महोदय ने इस विधेयक से सम्बन्धित जितने भी संशोधन थे, उन पर खूब विचार कर के कबूल कर लिया है। कुछ बातों में विरोध है और यह हमारी बदकिस्मती है। उन मामलों में हम उनको अपने खयाल का नहीं बना सके और न मैं यह कहने को तैयार हूं कि जो बातें इस सम्बन्ध में उन्होंने हमारे सामने रखी हैं वे हमें पूर्णतया स्वीकार हैं।

नई दिल्ली का मसला आया। हमारी बहिन श्रीमती सुचेता कृपालानी ने बड़ी तफसील के साथ यह बताया कि उसकी इस वक्त क्या ग्रहणियत है और किन हालात में हम यह चाहते हैं या चाहते थे कि सारी नई दिल्ली को इस कारपोरेशन में शामिल किया जाये। उन्होंने इस बात का भी बर्चा किया कि जब स्टेट्स रिआर्गेनाइजेशन कमीशन की रिपोर्ट पर विचार हुआ था तब यह मंजूर किया गया था कि यह मुश्किल होगा कि नई दिल्ली और पुरानी दिल्ली के ऐरियाज को बहुत अच्छे तरीके से डिमाकेंट किया जा सके और उनको अलग अलग रक्खा जा सके या उनमें दो किस्म के म्युनिसिपल ऐडमिनिस्ट्रेशन हों। इस सदन में भी हमारे माननीय गृह मंत्री ने भाषण दिया था उस समय उन्होंने यह स्थल जाहिर किया था कि मेरी अपनी राय है कि नई दिल्ली को जहां तक भी हो सके अलग न रक्खा जाये और अगर अलग रक्खा भी जाये तो उसके केवल उतने हिस्से को ही अलग रक्खा जाये जितना

कि अलग रक्खा जाना बहुत जरूरी हो। आज जो हिस्सा अलग रक्खा गया है, उसके सम्बन्ध में हमारी और उनकी राय में थोड़ा सा भेद है और वह भेद यही है कि हम यह समझते हैं कि नई दिल्ली इस कारपोरेशन का हिस्सा होना चाहिये और अगर वह नहीं हो सकता तो इसके कम से कम हिस्से को उस से अलग रक्खा जाये बाकी सब कारपोरेशन में शामिल कर देना चाहिये। जैसा कि अभी हमारी बहिन श्रीमती सुचेता कृपालानी ने कहा हमारी सब की यह राय थी कि इस नई दिल्ली के हिस्से में से कुछ हिस्से को निकाल कर इसको और छोटा किया जाता लेकिन दुर्भाग्य से हम इसे मंजूर नहीं करवा सके और आज की परिस्थिति में गृह मंत्री महोदय ने मुनासिब समझा कि १५ वर्गमील तक नई देहली के भाग को इस प्रस्तावित कारपोरेशन से अलग रक्खा जाये। हम यह मानने को तैयार हैं कि हमारा तजुर्बा, हमारी समझ उनके मुकाबिले की नहीं है और जो फैसला उन्होंने किया है वह निहायत सोच समझ कर किया है और इसलिये किया है कि वह हमारे फायदे के लिये है और इस लिये हम आज उसे कबूल करने को बाध्य हो गये हैं और आशा रखते हैं कि जो कारपोरेशन की शक्त आज बनी है, उसके मुताबिक अमल होने पर हम नई दिल्ली के हिस्से को कारपोरेशन का हिस्सा बनवा सकें।

इस सिलसिले में मैं यह भी प्रार्थना करना चाहता हूं कि जहां नई दिल्ली के ऐरिया को अलग म्युनिसिपल ऐडमिनिस्ट्रेशन दिया जायेगा वहां यह बात भी सामने आती है कि उस की शक्ल क्या होगी, त्रुटि नामजद मेम्बर्स होंगे या चुन कर सदस्य रक्खे जायेंगे। मैं नामजदगी के हक में नहीं हूं हालांकि नामजदगी से कुछ मुझे ऐसा परहेज है जैसा कि कई भाइयों ने कहा कि वह तो एक चोर दरवाजा है, पीछे से लाने का रास्ता है और उस को अमल में लाने से जम्हूरियत का तूष्कार होता है ऐसी बात मैं नहीं मानता। जम्हूरियत के

## [श्री राधा रमण]

उसूलों पर रहते हुए भी हम ने नामजदगी को मंजूर किया और हमारी पार्लियामेंट के अन्दर भी नामजद किये हुए कुछ मेम्बर्स हैं और नामजदगी को हम ने अपने हाथों रखते हैं, इसलिये यह कहना कि अगर हम ८० मेम्बर्स के इस कारपोरेशन में ६ आल्डरमेन रख लेंगे और जिस कारपोरेशन की तादाद बढ़ कर १०० तक हो सकती है, उन ६ आल्डरमेन के लिये यह कहना कि ऐसे ग्रहण लोग लाकर उन ६ नामजद जगहों पर रख दिये जायेंगे जो कि ८० या १०० मेम्बर्स का गला घोट देंगे और उन की जवान बन्द कर देंगे, तो मैं समझता हूँ कि यह नामुनासिब बात है। इस तरह का एक अंदेश और मन में डर रखना उचित नहीं होगा। अलबत्ता यह मुमकिन हो सकता है कि जो ६ आल्डरमेन उस में रखे जाने हैं, तो उन जगहों पर ऐसा एलिमेंट आ सकता है जिन की कि सलाह से या जिन के कि तजुबों से और जिन के साथ काम करने से हम अपने आप को ऐनरिच कर सकें और ज्यादा कामयाबी के साथ अपने फरायज को अंजाम दे सकें। इसलिये हम ने जम्हूरियत के उसूलों की खिलाफवर्जी न करते हुए इस बात को मंजूर किया कि कारपोरेशन में ६ आल्डरमेन होने चाहिये और उन को भी हम ने एक तरीके से इंटरनेल ऐलेक्शन के द्वारा ही वहां पर लाने का फैसला किया है। यानी सिंगल ट्रान्सफरेबिल वोट। इसलिये यह हमारी राय है, और मैं समझता हूँ गृह-मंत्री श्री भीमः उस की कद्र करते हैं और उन्होंने ने आश्वासन दिया है कि नई दिल्ली में किम तरह का निजाम हो सकता है और क्या उस में इलेक्टिव एलिमेंट भी डाला जा सकता है इस पर वे गौर करेंगे। इसलिये मैं अर्ज करूंगा कि जो विधेयक इस वक्त हमारे सामने है उस में बहुत सारी त्रुटियां हैं जो अंतर त्रुटियां आज बतलायी जा रही हैं उस से ज्यादा त्रुटियां तब नजर आयेंगी जब हम इस को अमल में लायेंगे। लेकिन इस विधेयक में कोई दरवाजा बन्द नहीं किया

गया है, दरवाजा खुला है। जैसे जैसे तजर्बा बढ़ता जायेगा, जैसे जैसे इन्तजाम को सही तौर पर करते जायेंगे और उस का अच्छा असर दिल्ली वालों पर पड़ता जायेगा, वैसे वैसे ही उस के अन्दर नई नई तरकीबें और तबदीलियां ला कर जितना इस विधेयक को परिपूर्ण हो सकेगा उसे बनाया जायेगा।

चन्द दिन हुए जब हमारे माननीय श्री एस० के० पाटिल साहब ने बताया था कि जब बम्बई का कारपोरेशन विधेयक वहां पास हुआ और उसे लागू किया गया तो उस के अन्दर बहुत सारी खामियां थी। उन का आहिस्ता आहिस्ता दूर किया गया और आज २५ बरस के तजर्बों के बाद जो शकल बम्बई के विधेयक की है उसी के मुताबिक कुछ इधर उधर तबदीलियां कर के यह विधेयक बनाया गया है। इस के यह मानी नहीं है कि यह मुकम्मल है और आगे चल कर इस में खामियां नजर नहीं आयेंगी। या उन को दूर करने के लिये इसमें तबदीली की जरूरत नहीं होगी। मैं समझता हूँ कि यह सब चीज होगी। लेकिन आज हमारे बुजुर्गों, हमारी सरकार और हमारे नेताओं का यह ख्याल है कि जो विधेयक वह हमें दे रहे हैं वह जिम्मेदारियों से भरा है। इस को अमल में लाने के लिये मरकजी हुकूमत से रुपया मांगना होगा और वह देगी। जब दिल्ली में लोक प्रिय सरकार कायम थी उस वक्त भी मरकजी हुकूमत हम को रुपया देती थी और आयन्दा जो यह विधेयक लाया गया है उस के लिये मरकजी हुकूमत से रुपया मांगना पड़ेगा। लेकिन अगर यह कहा जाता है कि हम खुदमुखतार हों और अपने नगर का सारा इन्तिजाम अपने हाथों में रखें, तो शायद आप को यह बहुत ज्यादा शोभा नहीं देगा कि आप हर वक्त मरकजी सरकार के पास जायें और कहें कि हम को रुपया की जरूरत है, हम को रुपया दीजिये, और टैक्सों के जरिये बसूल न करें। उस हालत में आप को रुपया टैक्सों के जरिये बसूल करना होगा और जब आप ऐसा करेंगे और अपनी जिम्मेदारियों

को बढ़ावेंगे तो लाजिमी तौर पर आप को तकसीफ होगी और आप देखेंगे कि हमारे नेताओं ने शुरू में ज़िम्मेदारियाँ कम रख कर दानिषामन्दी की थी और हम पर कम से कम बोझा डालते हुए जितनी ज्यादा से ज्यादा ज़िम्मेदारियाँ दी जा सकती थीं। इसलिये मैं यह अर्ज करना चाहता हूँ कि कुछ लोगों का यह ख्याल है कि यह विधेयक बिल्कुल एक शो पीस है, बिल्कुल नाकारा है या माथ ईटिन है, एंटी डेटेड है, इस ख्याल में सचाई नहीं है बल्कि इस में सियासत का रंग है। हालात को देखते हुए दिल्ली की एक अलग हैसियत है। उस को सारे हिन्दुस्तान के दूसरे प्रदेशों जैसी शकल देने की कोशिश करना गलत है। हमारे नेता इस बात को जानते हैं। जो लोग दिल्ली में रहते हैं वे कुछ फायदे उठाते हैं तो उन को कुछ दिक्कत उठाने के लिये भी तैयार रहना चाहिये। आज इस विधेयक के जरिये जो हुक्क दिये जा रहे हैं वे उन से ज्यादा हैं जो कि मेरे ख्याल से लोकप्रिय सरकार को हासिल थे। विधेयक में खामियां होगी इस का मुझे अन्दाजा है और इस बात से मैं ऐंभी करता हूँ। यह हमारी और तमाम दूसरी राजनीतिक पार्टियों की स्वाहिश थी कि इस विधेयक में देहली कंटोनमेंट और नई दिल्ली को भी शामिल कर लिया जाता और इस से अलग डी० डी० ए० न होती। लेकिन हमने विधेयक को सिर्फ इस ख्याल से अज़ूर किया है कि इस के हम को एक आजमाइश में पड़ने का मौका मिल रहा है। अगर हम इस को अच्छी तरह काम में ला सकेंगे और लोगों को यह दिखला सकेंगे कि जो अस्तियारात हम को मिले हैं हम ने उन का लोगो के फायदे के लिये इस्तेमाल किया है तो कोई बजह नहीं है कि हम को और अस्तियारात न दिये जायें। मैं नहीं समझता कि सारे अस्तियारात न देकर हमारे नेताओं ने हमारी हकतन्फी की है या वे कुछ अस्तियारात से खुद चिपके रहना चाहते हैं। तो मैं यह अर्ज करना चाहता हूँ कि इस वक्त मेरे ख्याल के मुताबिक यह विधेयक

निहायत अच्छा विधेयक है, हम को इस का स्वागत करना चाहिये और जनता को और सरकार को दोनों को यह बता देना चाहिये कि इस विधेयक के जरिये हम ने जनता को कितना फायदा पहुंचाया है तब हम इस बात को उम्मीद कर सकते हैं कि जो हुक्क इस में रह गये हैं वे भी हमें दिये जायें।

13 hrs.

एक बात में इस सिलसिले में और अर्ज करना चाहता हूँ। जब मैं इस विधेयक पर विचार करता हूँ तो एक चीज मुझे साफ तौर पर नज़र नहीं आती। और उसकी तरफ मैं गृह मंत्री जी का ध्यान खीचना चाहूंगा। वह यह है कि हमने प्राइमरी एजुकेशन को कारपोरेशन के मातहत रखा है और उसको यह अस्तियार दिये हैं कि जितने एडेड स्कूल हैं और अपने आप खोने गये स्कूल हैं उनका इन्तिजाम वह खुद करेगा और उन स्कूलों के बारे में सारे अस्तियारात म्युनिसिपल प्रान्पोशन को होंगे। आज हालत यह है कि प्राइमरी एजुकेशन के मुताबिक करीकुलम मुकरर करने का और यह कि कौन हिसाब पड़ायी जाये वगैरह के अस्तियारात डाइरेक्टोरेट के मातहत है और बाकी का हिस्सा म्युनिसिपल कमेटी के हाथ में है। तो मैं यह चाहता हूँ कि गृह मंत्री जी यह साफ करें कि आया इस विधेयक में सारे अस्तियागत म्युनिसिपल कारपोरेशन को होंगे या कि इसी तरह काम चलेगा जैसा कि इस वक्त चल रहा है यानी कुछ चीजे डाइरेक्टोरेट के अधीन रहेंगी और बाकी कारपोरेशन के हाथ में रहेंगी। मैं चाहता हूँ कि गृह मंत्री साहब इस बात को साफ कर दें कि करीकुलम का बनाना, किताबों का फैसला करना, इन्तिजाम और कंट्रोल सब कारपोरेशन के मातहत होगा।

इसके बाद देहात के बारे में भी मैं दो एक मिनट में कुछ अर्ज कर देना चाहता हूँ। मेरे दोस्त ने यह स्वीकार किया है कि देहात के बारे में स्टेट्यूटरी कमेटी बनाने की जरूरत नहीं है। लेकिन यह ख्याल साथ २

[श्री राधा रमण]

बल्ला है कि अगर कोई अलग स्टेट्यूटरी कमेटी नहीं होगी तो देहात का काफी मुकसान होगा और बहुत सारी दिक्कतें सामने आयेगी। मैं समझता हूँ कि आज जो यह विधेयक हमारे सामने है इसमें यह नक्शा रखा गया है कि देहात के लिए एक स्टेट्यूटरी कमेटी नहीं होगी बल्कि एक एडवाइजरी कमेटी होगी और कन्वेंशन और प्रेक्टिस के जरिये हमें उसको ऐसा एस्टे-बलिश करना होगा कि देहात के सिलसिले में जो भी काम हो, मसलन अगर कोई टेक्स लगाना हो गाय पर, भैंस पर या जानवर पर इत्यादि, या हाउस टेक्स हो, तो उसके मुताल्लिक एडवाइजरी कमेटी की राय काफी असर रखने वाली हो और हमको यह आश्वासन मिला है कि अगर किसी मामले में एडवाइजरी कमेटी की राय विपरीत होगी तो कोई बजह नहीं है कि उस कदम को उठाया जाये जिसको कमेटी पसन्द नहीं करती। मैं समझता हूँ कि यह मुनासिब बात है। इस एडवाइजरी कमेटी को जब इतने हक हासिल है तो कोई बजह नहीं है कि अपने लिए सकुचित दायरे में काम करने का मौका ले और जो दूसरा हिस्सा है उसको भी मौका न दे कि उसके साथ काम कर सके। क्यों न हम सब मिल कर देहात और शहर के समस्याओं पर विचार करें जैसे कि हम यहाँ बैठकर सारे देश के बारे में विचार करते हैं। इसलिए हमें यह चाहिए कि हम देहात में उतनी ही दिलचस्पी लें जितनी कि शहर में लेते हैं। अगर हम ऐसा न करें तो यह हमारी कमजोरी है। हम दिल्ली में रहे हैं, दिल्ली के नागरिक हैं, हम देहात के नागरिक नहीं हैं, हम यहाँ के नागरिक नहीं हैं, वहाँ के नागरिक नहीं हैं, इस किस्म के अलग अलग टुकड़ों की बात कहना और इस ब्याल को सामने रखना मैं गैर मुनासिब समझता हूँ।

इन ब्यालात के साथ मैं इस विधेयक का हार्दिक स्वागत करता हूँ और गृह मंत्री जी को इसके लिए बधाई भी देता हूँ कि उन्होंने ने इस विधेयक को जिसका बहुत दिनों से इंतजार था, हमारे सामने रखा। मुझे यह पूरी उम्मीद है कि इस विधेयक को कार्यान्वित करने का वह हमें पूरा मौका देंगे। अन्त में मैं गृह मंत्री जी से यही कहूँगा कि जो कामियाँ इसके अन्दर रह गई हैं, जो स्वाहिशात हमारी पूरी नहीं हुई है, वह उन्हें पूरा करके हम सब को अनुग्रहीत करें।

**Shri Ansar Harvani (Fatehpur):** Mr. Chairman, I congratulate the hon. Home Minister for having come forward with far-reaching civil reforms for this great and ancient city of ours. He is one of the greatest exponents of civic reforms in this country. Coming as I do from his own State, I have seen that he has carried local self government and civic reforms right to the far off villages in the form of panchayat raj and in the form of gaon sabhas. When he promised to come forward with a Bill before this House, I expected it to contain far-reaching reforms. I know it envisages far-reaching reforms.

As he pointed out yesterday, that it is more or less based on the Bombay Corporation lines, I felt there is some difference between the situation in Bombay and the situation in Delhi. Bombay is essentially a commercial and port town. Bombay has hardly any past history of culture. Bombay has a history of about 200 years and even today it is torn between Maharashtra and Gujarat, while this city of ours with its ancient civilisation, this city of Kauravas and Pandavas, this city of Asoka and Akbar, of Nehru and Pant has its past history.

Ever since 1857, we have seen that this city has hardly ever been allowed any local self government. While in the neighbouring townships of Ghaziabad and Gurgaon they enjoy civic



liberties and they have municipal organisations with non-official Chairman and non-official Presidents, this city was kept under the iron heels of the District Magistrates till 1946. Even today, in New Delhi, we find the District Magistrate is the Chairman of the Municipal organisation. This was deliberately done by the past regime because they wanted to keep this city absolutely in their pocket and not to permit the people to have their say. We thought that things will change after freedom. I know that they have changed considerably.

In 1946, a Committee was appointed as a result of long agitation which was carried on by eminent citizens of the city like Hakim Ajmal Khan, Dr. Muktar Ahmad Ansari, and Shri Asaf Ali, under the chairmanship of a senior I.C.S. officer, Mr. Abdul Aziz. When I go through the pages of this voluminous Bill, I find that most of this Bill is based on those recommendations. I have no prejudice if the Bill is based on the recommendations of an I.C.S. officer. To some extent, it reflects the desires and aspirations of the people of the city.

We have seen that before the dissolution of the last Legislative Assembly, it passed a resolution requesting for a Corporation with wide powers covering the entire city. We have known that even the Municipal Committee in Delhi passed a resolution demanding a municipal corporation covering the entire city. We have seen a resolution signed by congressmen as well as people of the opposition asking for a corporation with wide powers.

Delhi has a unique position, as I said in the beginning. While Bombay is under the Bombay Government and its representatives sit in the Bombay Legislative Assembly, somehow or other, representatives of Delhi have no opportunity to express themselves in a Legislative Assembly. Their representatives are in Parliament and I know that the destiny of the Delhi people is completely safe in the hands of democrats like our Home Minister. But even then, some sort of people's co-operation, people's participation is

necessary in the administration of Delhi. When I said that Delhi has a unique position, I felt that even New Delhi ought not to have been excluded from the purview of the Corporation. I hope that after some experience it may be possible to include New Delhi within the purview of the Corporation. I am sure that after some experience of the working of this Bill, the hon. Home Minister will come forward with an amendment giving back New Delhi to the Corporation itself.

An argument is often raised that New Delhi is a city of Government servants. It is not a very correct argument. After all, New Delhi does not mean only Hastings Road and Tughlak Road where Victorian palatial buildings are built for our officers. It does not mean only Vinay Nagar and Lodi Colony where tottering and leaky houses have been built for clerks. It does not mean only Connaught Place which has become the hub and centre of our commercial life. It also includes Parliament Street, only a few yards away, where huge mansions are being built for banking and insurance organisations. Therefore, to deny the facilities of municipal organisation to this sector of New Delhi, I think, will not be very much justified. However, the hon. Home Minister is a better judge of things, and I quite support his measure. Only I hope that after two or three years of experience it may be possible for us to include New Delhi also within the purview of the Corporation.

This Bill has given us a Mayor who has hardly any power. Delhi wanted a Mayor with wide powers. We do not want to have a Mayor who may just spread the red carpet in the Red Fort, repeat like a parrot a welcome address whenever a distinguished visitor comes here. We want a real representative of the people to serve the people, and therefore, certain more executive powers ought to have been given to the Mayor.

We have provided for a Commissioner who has got very wide powers. Fortunately we are going to have a

[Shri Ansar Harvani]

Commissioner who has very wide experience of administrative and civic work in Bombay, but it is quite possible that after some time the Municipal Commissioner becomes the Cazar of the city. Therefore, certain more checks ought to have been put on his power.

I do not want to take more time of the House, but I once again congratulate the hon. Home Minister for this Bill and I thank him on behalf of all of us in Delhi. For once this great city has not been neglected; it has been given civic powers which were denied to it from 1857, and we wish godspeed to this Bill.

**The Minister of Home Affairs (Pandit G. B. Pant):** Since I had the privilege of making my motion for the consideration of this Bill, a number of speeches have been delivered. I am perplexed by some of the remarks that have been made. I am not sure if some of the hon. Members who spoke yesterday fully appreciated the scope of the Bill or the implications that their own suggestions contained.

I think we have tried to make this Bill as liberal as it can be. We have been guided only by the sole consideration of the welfare of the people whose affairs will be administered in accordance with the scheme embodied in this Bill. There is no desire to withhold anything from the Corporation, but there is certainly every desire not to overload the Corporation in such a way that it may be handicapped, if not crippled, at the very initial stage.

We must remember that Delhi, even leaving out the 15 square miles of New Delhi is an extensive town with a fairly vast population. The people of Delhi have the good fortune of having the capital of India at Delhi. This has certainly benefited them in various ways. The population of Delhi has grown almost ten-fold since the Capital of this great country was established here, and in every way Delhi has come to assume a conspi-

cuous place in administrative, national, economic and other affairs. It has a very distinct place in the map of our country. Madras, Calcutta and Bombay may be bigger so far as population is concerned—I doubt if Madras is so—but they do not enjoy that prestige and all those facilities which Delhi enjoys today. So, let us not forget the advantages that have occurred to Delhi because of its being the metropolis of India.

There has been some feeling of disappointment expressed here on account of the State Legislature not functioning here, not being in existence here. I need not go into that question. That was considered by the States Reorganisation Commission and by Parliament, and all were agreed that we should not have a Legislature here. It is also true that the budget of this Corporation is going to be bigger than that of the State of Delhi. This Corporation will have a budget of about Rs. 10 crores while the Delhi State, so far as I am aware, even taking into account the subsidies and the assistance received from the Centre, had a budget not exceeding Rs. 9 crores. So, this Corporation is certainly worthy of being treated with a certain degree of respect, and those who have been associated with the framing and evolution of this scheme have no reason to feel sorry for what they have done.

Even in the course of the speeches here I found that there was an undercurrent in the Benches opposite at least against the reopening of the creation of a Legislature in Delhi. I received resolutions even previously that no legislature was necessary in Delhi from certain bodies. So, let us not hanker after that now, and let us not, on that account fail to judge the scheme of this Corporation in a straightforward, equitable and fair way, for, if the two conceptions had not been mixed up, I am sure that almost every Member in this House would have hailed this Bill not only with satisfaction, but also with a certain degree of appreciation for those

who were responsible for the framing of this Bill.

13.20 hrs.

[Mr. DEPUTY-SPEAKER in the Chair]

We are often told these people are being disenfranchised, and that Delhi will be under bureaucratic administration. That is utterly wrong. The Delhi Corporation will have a larger number of members than the Delhi Assembly ever had. It will have eighty members with a possibility of their number going up to one hundred. There will be besides six Aldermen.

Then, it is nothing strange, in fact, in so far as this particular Delhi area is concerned, it has the privilege of being administered by Parliament itself. It is not under bureaucratic regime, pure and simple. It is governed by the representatives of the people of the entire country. In that respect, it enjoys a higher status. It may not satisfy the local sentiment, as there is no opportunity for electing members to a local legislature. But if you look at it dispassionately, the people of Delhi enjoy an advantage over others, inasmuch as Parliament has responsibility even for their local and State affairs. This is at least one advantage.

Delhi gets financial aid from the Centre to a larger extent than any other area with a similar population has or can expect to get in future. So, when we use expressions loosely, let us not forget that the entire country is under Parliament, and if Delhi which is under the very eyes of the Members of Parliament is to be governed by them, it can look forward to an era of speedy progress and prosperity. So, they have the right to elect their representatives to Parliament. But take the case of other capital cities in the world. The name of Washington is perhaps known to hon. Members. In Washington, no one living there has the right to elect any one whether to the House of Representatives or to the Senate or to any other elective body. It is entirely

under the control of the administration there. There are three advisers, so-called, to the President, one of whom is a military officer, who control and regulate the affairs of Washington, because Washington is the capital of that great State, namely the United States of America.

Shri D. C. Sharma: A retrograde step.

Pandit G. B. Pant: Well, I am not commenting on the other country's affairs. I am only giving an example. I do not think the people of America revel in reactionaryism. They may adopt certain policies with which we may not find ourselves in agreement. But they are today the most powerful nation in the world, and their capital has no representation even in their Parliament, whether in the House of Representatives or in the Senate. But we have representation here, and I would venture to say that the representatives of Delhi are also members of the Delhi Consultative Committee, and I think they perhaps find greater response from Government than members of other legislatures perhaps receive from their respective governments. So, even if the form had changed, the spirit, instead of being weakened, has been further revitalised. So, I do not think there is any occasion for any sort of disappointment.

Certain objections were raised here which took me by surprise. Some of the hon. Members have objected to the inclusion of the rural areas in the areas that will be governed by the corporation. Well, these areas are now under the District Board of Delhi. The District Board has no more than Rs. 8 or 9 lakhs of income. Its total revenue comes to that only, and one can understand the extent of the service and the character of the service that the board can render with these attenuated resources. As against Rs. 8 or 9 lakhs, we have Rs. 10 crores here, which is one hundred times as much. The people in the rural areas will form a very

[Pandit G. B. Pant]

substantial proportion of the population of the corporation area. They will by themselves be a force which cannot be ignored or neglected. But other provisions have been made to safeguard their interests.

I did not hear a word, before I listened to some of the speeches here yesterday, whether in the Delhi Consultative Committee or in the Joint Committee, against this provision. The report was unanimous, the whole House was unanimous, and everyone of the Members of the Joint Committee was in favour of the rural areas being included in the jurisdiction of the Corporation. I do not know how overnight people forget all that they have done. We are not so plastic in our views or approaches. We are guided by certain principles, and those principles do not shift like the minutes of sand. So, I do not see how much an objection has been raised. It is altogether incomprehensible to me.

I must say that it is in the interests of the villages and the people living there that this Corporation should also look after their affairs. Especially, they have to serve the urban part of Delhi. The relations between the two are not only interlinked but they are inextricably bound up. It is in the interests of both that they should work together, live together and function together for the betterment of both areas. I have no objection if even now there will be a general demand that the District Board should be maintained and that this Corporation should have no control over this area, but I shall resist that because I feel. . .

Shri C. K. Nair (Outer Delhi): There is no demand like that at all.

Pandit G. B. Pant: . . . that any such move will be detrimental to the interests of the people who lag behind others within the territory of Delhi. They deserve foremost attention, and it should be the duty of the Corporation, and I hope it will

bear it in mind constantly that it should look after the interests of these simple folk who have served us in the past and on whose generosity we have virtually thriven so far, and that it is their duty to serve them not only with honesty, which I assume will always be there, but also with zeal, energy and enthusiasm. So, that is altogether unintelligible to me. I do not know how this idea was born after the report of the Joint Committee had been presented here.

There has been some objection to the six Aldermen who are to be elected by the members of the Corporation. Some friends have said that they are against nomination. I do not know where nomination comes here. So far as the Aldermen are concerned, every Corporation—I think the Corporation of Bombay, the Corporation, at least of Calcutta, I am not so sure about Bombay—has this system of Aldermen. The London County Council elects one-third of its strength as Aldermen. So it is not something which is being done here for the first time. It is not a novel step.

But I may say that according to the original scheme of our Bill, there was no provision for Aldermen. It was to meet the demand of the people in general that the number should be raised that I agreed to have six more as Aldermen. Besides, I also consider it advisable and desirable that some men of light and learning, some persons of experience, some who had been familiar with the administration of local bodies may be returned by the Corporation itself. They may not be prepared to stand for election or they may not be otherwise easily available. The Corporation should have the assistance and co-operation of all classes of people, especially of the intellectuals in Delhi.

So this system of Aldermen will enable the Corporation to have the benefit of the experience and knowledge of people of this type. So far as representative character goes, our

Council of States consists of persons who are elected only by Legislative Assemblies, and Legislative Councils also consist of members elected by the Legislative Assemblies. So there is no question of nomination. It is election by the Corporation of certain persons. As I said, the step has been in response to the desire generally expressed by the Members.

There was also some reference to the multi-member constituencies. Again, we were thinking of single-member constituencies ourselves. There was, however, a demand by others and we agreed to have multi-member constituencies. It was said that in single-member constituencies, people could be duped, cajoled, coerced in many ways, and these being small pocket borough sort of things, it would be better to have bigger constituencies, so that such influences may not work.

Accordingly, we agreed to multi-member constituencies, but if you combine the system of the cumulative voting with multi-member constituencies, then the forces of disintegration will assert themselves. Suppose in a multi-member constituency, the members of a particular caste are spread over that area and they form an appreciable portion of the total population. Then there will be propaganda amongst them and they will be asked to cast all their votes for their own caste-men. We want to avoid that. Similarly, other cries will be raised. I say, if you have to reserve anything for anyone, reserve it in a straightforward way. But do not let this canker and poison spread further. We have paid heavy penalty for this and it is time that we resisted all such attempts.

So we agreed, in view of the opinion expressed by hon. Members, to this system of multi-member constituencies but with a distributive vote. That is what our Constitution and our Parliament have accepted. It is a basic matter. Even in double-member constituencies, we have distributive vote. We have not the multiple

or the cumulative vote there. So whether the constituency is single or multiple, one member or one voter should not be allowed to cast more than one vote for one candidate. Otherwise, it will lead to anomaly, to disruption, and the advantages of multi-member constituencies will be lost and disadvantages of single-member constituencies will be enhanced and aggravated.

As to the Mayor being the executive head of the Corporation, I think that would be going against the very essential soul of the Bombay system. The success of the Bombay Corporation is due to the executive functions being separated from the deliberative. Those who are returned by the people are there to determine policy. Those who are appointed to perform executive functions have to carry out the policy laid down by them. Anything else would be exceedingly harmful and would come in the way of the efficient discharge of its functions by the Corporation. In fact, the President of the Delhi Municipal Committee was very emphatic about it. The question was:

"You have enough experience of municipal administration and you would have confronted many difficulties. Do you feel that the Corporation should be a deliberative body and the Commissioner should be in charge of the executive functions?"

The answer was.

"This particular feature, I welcome, in that there is a separation of the deliberative from the executive functions. That is a most essential thing for the purpose of efficient working. My experience of the last 13 years and as President for the last three years is that there is day to day interference in promotions, in increments, transfers etc. Members take interest in these individually and this leads to very much of trouble. That is a fact".

[Pandit G. B. Pant]

The principle is sound by itself and it has been adopted all over. It is a universally accepted canon of administration, but here I quoted these remarks because they refer specifically and directly to the affairs of Delhi itself.

Suggestions were made that stamp revenue, registration revenue, sales tax and so on should be transferred to the Corporation. We know there is a pattern which is in vogue in this country. We have to take care that we do not embarrass other States by adopting any particular course of action. I would not like the Delhi Corporation to be starved. I would also very much like the Central Government to treat the Corporation generously and to give it financial aid so that it might discharge its onerous duties efficiently and well. But the Local Bodies Taxation Enquiry Committee as well as other bodies which have dealt with this question have all, so far as I am aware, discouraged the transfer of these assets to the local bodies. I am not particular about the income that is yielded by the rates and I would not be sorry if an equal amount or something more or less were given to the Delhi Corporation because, as I said—and as I have repeated it, perhaps, more than once—I do not want the Corporation to be handicapped in the discharge of its duties for want of necessary funds. Of course, it will have to make good use of its own resources. But, we cannot introduce a novel arrangement which will embarrass all other States and which will run counter to the decisions taken by expert bodies appointed from time to time to deal with these matters.

Some suggestions were also made about the transfer of health and secondary education. The Corporation will be in charge of Health; it will also have much to do with education. The entire primary education will be its charge. All secondary schools that are now being run by the Muni-

icipal Committee will also be run by the Corporation hereafter and we have provided in the Bill now a special committee for education which will also include 3 experts. So, there is ample provision for that.

It was said that in Bombay there was a special committee for health, a statutory committee. So far as I am aware, it is not so; but I cannot vouch for it. That is my information. But, we have tried to do what we can. So far, hon. Members may or may not be knowing that even the Delhi State was not in charge of all the hospitals in Delhi. But, most of the hospitals and dispensaries in Delhi will now be placed in charge of the Corporation except those which cannot be financed by the Corporation or which cannot be taken over by the Corporation being central institutes or central all-India institutions, and also those which may be connected with colleges now or hereafter. There is so much to be done that if the Corporation can be relieved of expenditure on any hospital, and if it is maintained by Government out of its own revenue, the Corporation can start, 3, 4, 5 or even 10 new hospitals in areas where there are no hospitals. Why should it not do what it can in order to extend the benefit of the modern system of treatment to the areas which have not got hospitals today, although it will have most of the hospitals that are in the city at present?

Then the ward committees. They are to consist of elected members of the Corporation belonging to the wards and they will also have the option of having three other members from that locality. So, it will be an elected body. Those who want elected bodies should have no grievances on account of its being a nominated body. It is not so.

There was a suggestion that secondary education should be made over to the Corporation. I must say that

there was a time when I also had given some thought to that matter. But, when the academic session started this year I found that the primary schools in Delhi were in a very wretched, miserable and pitiable condition. I was really shocked when I heard of the manner in which they had been maintained. They had no rooms; they had no seats and in every way they were in a very unenviable position. I requested the Education Department and succeeded in securing Rs. 26 lakhs just to set them right. So, I felt that there is an enormous lot to be done in Delhi for primary education. We want to make primary education universal, compulsory and also efficient. So, there is a vast field which has to be nurtured. In the circumstances, it would not be right if the burden of secondary is imposed on it.

The Chairman has admitted—and we have got his evidence—that he has not got the resources for running the secondary schools here. The Vice-Chancellor of the Delhi University has been very strongly and firmly opposed to the transfer of secondary education—secondary schools—to the Corporation. The Ministry of Education and the Secondary Education Conferences that have been held from time to time have indicated that that would be a wrong step. You know higher secondary education is going to cost an enormous amount. These multi-purpose schools can be run only by States that can afford to provide not only the money but the men of the right type. So, in these circumstances, while the Delhi Corporation can run its own secondary schools nothing can be gained by imposing the burden of running the whole system—every one of the secondary schools—on the Corporation.

Sir, I have dealt with some of the major points. There was again a reference to New Delhi. That, I think, has become almost an obsession with some of my colleagues. As I said before, the New Delhi area that

has been left out is not more than 3 per cent. of the total area that the Corporation will have in its charge. There is a lot of work to be done there. The standards of health, of cleanliness, of sanitation and of education and of almost everything in a large sector of that area call for special attention. They will be providing sinews as the revenues will be collected from them. If the portion of 15 sq. miles which has been kept out of the Corporation is transferred to the Corporation, this area will swallow most of that revenue. If they could not find funds, they will be criticised every day by Members of Parliament. Prejudice will be created against them. They will not be able to get even such grants as they might otherwise deserve. Then, no revenue can be collected here as 92 per cent of the houses belong to the Government and under the law Government houses or buildings are not subject to local taxes. Then further, so far as the people of New Delhi are concerned, the population consists of Government servants and their families. The Government servants cannot be elected as members of the Corporation. What does democracy mean, if people want to remain aside and if they can have that opportunity because the area is compact, should they necessarily be placed under the others? Is it essential? The people of Delhi, living in Delhi, are there, not one of them is being asked to be subject to the administration of New Delhi. Their affairs will be managed by their own representatives. The people here are all such a type that under our own statute they could not be elected to the legislature. They do not want to be at present included in the Corporation. What does democracy mean? I do not know. If the wishes of the people are to be consulted, I dare say that most of those living in New Delhi do not want to join the Corporation at least at this stage. About Government servants it is clear. About the trading and other communities, we have received representations from a number of bodies and I will give the

[Pandit G. B. Pant]

names of some: New Delhi Traders' Association, Joint representation signed by 100 firms of New Delhi area, Rajendra Nagar Association, Sundernagar Association, Jor Bagh Association, Nizamuddin Association, Delhi Property Owners' Association, Lajpatnagar Residents Welfare Association, Golf Link Colony Association, Delhi Caterers' Association and so on.

**Shri C. K. Nair:** What is the burden of their argument?

**Pandit G. B. Pant:** It is that the Corporation will just be starting its career. They are at present enjoying a number of amenities. They feel that it is in their interest that they be left to themselves as "people who come within the jurisdiction of the Corporation will be managing their affairs and they will not interfere with them. So, they think that it would not be unfair if they are left to manage for themselves too. It is an argument which does not seem to be unfair.

**Shri C. K. Nair:** It is self-interest, rather than democracy.

**Mr. Deputy-Speaker:** That is always there.

**Pandit G. B. Pant:** I do not want to rub that point further because I have referred to it more than once.

**Shri C. K. Nair:** I want to know if all the water and electricity consumed by New Delhi both by the Government and the private concerns will all be charged or taxed.

**Pandit G. B. Pant:** That will all be under the Delhi Corporation. So, the people of this area will be at their mercy—not that the people of Delhi governed by the Corporation will be at the mercy of the people of New Delhi but the New Delhi people will be under their mercy. So they throw themselves on their mercy even now and expect consideration even hereafter.

Some suggestion was made by some Members: Divide this further; keep some part of New Delhi but leave the rest. It is neither fish nor fowl. Because, if we have a unit, that unit must be capable of being administered in an efficient way. Then, the area that we have kept is just a reasonable sort of a block that can form one unit. It is possible that we may devise some methods which will enable these people also to have some voice in the affairs of New Delhi. The Chairman of the Municipal Board, when this question was put to him, said: "No. I do not want. Do not bifurcate it. Take the whole of it if you like but do not cut it away. A little addition to what we have will do us no great good." That was his view. I am not giving exactly his words but the sense of what he has said.

There was some reference to the Development Authority. I have explained that previously and I do not think that I should repeat it again. I may, however, inform the House that this Delhi Corporation is being given greater and larger powers than the Delhi Legislature has ever had. The Delhi Legislature had no control over electricity, water, transport and so on. All these were under the Central Government.

**An Hon. Member:** Shadow powers.

**Pandit G. B. Pant:** It may be shadow but they did not have even the shadow. So, this Corporation is being given all these powers. I hope that the Corporation will prove equal to the task that is being imposed on it. It has a bright future and I have every hope, confidence and trust that it will prove equal to our expectations.

**Shri Radha Raman:** There is one little point for clarification. As I mentioned in my speech, in the primary education at present, there is some dual control—that is about curricula and other things. It has to



depend upon the directorate whereas the other things are managed by the Municipal Committee. I want to know whether in the new scheme of things—it is not clear from the Bill—it will be entirely under the control of the Corporation or whether it will be the same as it is now.

**Pandit G. B. Pant:** That is not a matter for legislation. But, I shall be prepared to discuss it with the members of the Consultative Committee.

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

"That the Bill to consolidate and amend the law relating to the municipal government of Delhi, as reported by the Joint Committee, be taken into consideration."

*The motion was adopted.*

**Clause 2 — (Definitions)**

**Shri Tangamani (Madurai):** Sir, I beg to move:

Page 2, line 35,—

for "except" substitute "including"

**Shri Hem Barua (Gauhati):** Sir, I beg to move:

Page 2, line 35,—

for "except New Delhi and Delhi Cantonment" substitute "and New Delhi excluding Delhi Cantonment".

**Shri Vajpayee (Balrampur):** Sir, I beg to move:

(i) Page 2, line 35—

omit "New Delhi and".

(ii) Page 8, line 2—

omit "bicycle, tricycle,"

**Mr. Deputy-Speaker:** These amendments to clause 2 are before the House.

14 hrs.

**श्री बाबूदेवी :** उपाध्यक्ष महोदय, जो संशोधन उपस्थित किए गए हैं उनमें पहले का उद्देश्य नई दिल्ली को प्रस्तावित

कारपोरेशन में शामिल करने के सम्बन्ध में है। प्रथम वाचन में जो भी विवाद हुआ है और भिन्न-भिन्न दलों के सदस्यों ने उस पर जो भी भाषण किए हैं, उससे यह स्पष्ट है कि केवल विरोधी दल ही नहीं, बल्कि सत्तापक्ष दल में भी नई दिल्ली को प्रस्तावित कारपोरेशन में शामिल करने के बारे में बड़ी प्रबल भावना है। माननीय गृह-कार्य मंत्री महोदय ने जो भी तर्क दिए हैं, वे तो दिल्ली की जनता को भी इस बात के लिए तैयार नहीं कर सके कि वह नई दिल्ली को अलग रखना स्वीकार कर ले। मैं एक बार पुनः इस बात की अपील करता हूँ कि अभी भी सुधार के लिए समय है। नई दिल्ली को प्रस्तावित कारपोरेशन में शामिल करके, इस कारपोरेशन को ऐसा रूप दिया जा सकता है कि सभी वर्गों के जो पैसे के लिए वह स्वीकार्य हो।

मेरा दूसरा संशोधन बाइसिकलों और ट्राइसिकलों के ऊपर टैक्स लगाने के विरोध में है। बाइसिकल आम आदमी की सवारी है—उस आदमी की जो आज महंगाई और टैक्सों के पाटों में पिस रहा है। मैं नहीं समझता कि साइकलों पर टैक्स लगा कर उस पर और अधिक बोझ डाला जाना चाहिए। यही बात ट्राइसिकलों के सम्बन्ध में है। अगर आप सचमुच में आम आदमियों को, विशेषकर मध्य वर्ग के लोगों को कोई राहत पहुंचाना चाहते हैं और अधिकतर मध्यम वर्ग के लोग ही सरकारी कर्मचारी, बाबू लोग, हैं और वे ही साइकलों का उपयोग करते हैं, तो इन साइकलों और ट्राइसिकलों पर आप टैक्स न लगायें। इस बात का मैं आप्रह्व करना चाहता था और इसी के सम्बन्ध में मेरा यह संशोधन है।

**Shri Hem Barua:** Mr. Deputy-Speaker, Sir, my amendment No. 127 reads:

Page 2, line 35,—

for "except New Delhi and Delhi Cantonment" substitute

[Shri Hem Barua]

"and New Delhi excluding Delhi Cantonment".

I have just tried to follow the arguments offered by the Home Minister in this connection but, somehow or other the arguments could not convince me. I should like to compromise with one thing, that is the exclusion of Delhi Cantonment, because there may be defence installations and it may not be proper for us to extend the civic rights or other democratic rights to that area.

But, so far as New Delhi is concerned, I do not know why these democratic rights are not extended to this area. What about New Delhi? New Delhi reminds us of our connection with the British rule. Wherever the Englishmen went they built a club with imitation Piccadilly Circuses and imitation Hyde Parks. That is the history of New Delhi. But when we have a New Delhi and an Old Delhi the line of demarcation is very thin between the two and there is so much connection between the two. That is why I feel that democratic rights should be given to the people living in this New Delhi area.

So far as the argument that some trade associations have submitted different memoranda to the Home Ministry requesting the Ministry not to include New Delhi area in this new Corporation is concerned, I would say that this is only a request of the privileged people and privileged class, and if we have to twist democracy to suit the wishes of the privileged class in that case democracy would not have any meaning. That is why we say that these rights should be extended to cover New Delhi as well.

So far as Government buildings are concerned, the Home Minister said that Government buildings cannot be taxed. That may be true. But, at the same time, the Government can make a grant in order to compensate for the loss sustained by the Corporation. That can be done.

At the same time, the right to vote, the right to elect their representatives should be given to New Delhi citizens. For instance, the right to elect representatives to the legislative bodies is granted to these citizens. If that right could be granted, the argument that they cannot stand as candidates does not hold any water. The argument that they are officials and they cannot stand as candidates does not carry any weight. If they can vote for their candidates to the legislative bodies, why cannot they vote for their candidates to the Corporation? Therefore, that argument cannot stand, and I want this clause to be amended in the light of the amendment that I have suggested.

Shri Tangamani: Sir, I have moved amendment No. 100. With that amendment sub-clause (10) of clause 2 will read:

"Delhi means the entire area of the Union territory of Delhi including New Delhi and Delhi Cantonment;"

Sir, much has been said during the course of the first reading about the exclusion of New Delhi and the Delhi Cantonment. I would not like to add to what the hon. Members have already stated. But I would like to say this much, that there is a strong feeling not only in Delhi but in the country also that, if by such legislations areas which would normally come under a particular jurisdiction are excluded, what is going to come in the future.

In Delhi also as many as 6718 inhabitants of Delhi have presented a petition to this House on the subject, and those petitions were countersigned by me and two of my colleagues. One of the demands which these petitioners put forward is that the hopes and aspirations of the people of Delhi are being frustrated inasmuch as New Delhi and Cantonment have been excluded from the jurisdiction of the proposed Municipal Corporation for Delhi. Sir, although it is

a repetition, it is not out of place to mention in what strong terms the States Reorganisation Commission has stated about the case for Delhi.

Here was a State which was having autonomy. Now the autonomy is being taken away because of the States Reorganisation. As a result of that what is it that we find. We do not find either a Corporation or an autonomous unit. It is in between the two. And, we are told that they are following the Bombay Corporation Scheme. But I do not know how far they are following it.

But I should like to mention that a similar question arose as to how to reorganise the Local Boards and Municipalities in the Madras State, and as early as 1949 the Ponnuswamy Mudaliar's Committee was set up which produced a very interesting report. Even then the point they mentioned was that according to historical traditions and also the various connections of a particular area, those areas must be included in the Municipal Corporation, otherwise it will be impeding at each stage the municipal administration.

Even though we take it in the limited scope of municipal administration, the exclusion of New Delhi and Cantonment will not help matters. I do not know how the point that it is only 3 per cent of the land or persons living in this area will be a good argument. It is an integrated whole. That has been accepted politically. That has been accepted by all political documents. Many Commissions on municipalities have said that if there is an integrated whole it should not be disturbed but, if necessary, you can add more areas to this.

Under the circumstances, in deference to the wishes of many of my friends on the other side—I am also expressing the views of a number of hon. Members on this side—this is an amendment which meets with the aspirations of the people not only of New Delhi but the whole of this country.

**Shri D. C. Sharma:** The hon. Home Minister just now said that New Delhi was an obsession in the minds of some persons. I think I am one of those persons with whom New Delhi is an obsession. I think also that this is the right kind of obsession. I am proud of this obsession. I would say that that kind of argument which has been given with regard to the exclusion of New Delhi and also the cantonment area does not convince me at least.

The fact of the matter was this. On the floor of this House, the Defence Minister has been telling us that the administration of the cantonment boards is going to be so modified and so changed that they will all come within the purview of other local self-governing bodies. But here I think that the Delhi Cantonment is being denied that right.

Again, it has been said that New Delhi is mostly inhabited by Government servants. Of course it is inhabited mostly by Government servants. But, in the first place, I do not think by what canons of democracy you can deprive the Government servants of their right to elect their own representatives to a Corporation, when you give them the right to elect their representatives to the Parliament. If they have that right, the right of election to Parliament, why cannot they have this right here. You give them the bigger right and deprive them of the smaller right. I do not see any logic in that. I concede that the Government servants are there. But they have their wives, they have their children—their sons and daughters. Have the wives, sons and daughters of these Government servants also to be disenfranchised? No. I think they deserve to be enfranchised and they deserve to be given the right to vote. I do not see any reason why this thing is being done in the name of those Government servants.

The analogy of Washington has been given. I would be the last person to criticise the administration of any

(Shri D. C. Sharma)

foreign country, of whatever kind that be. But I do not know when the constitution for Washington was framed. If I am not wrong, I think it was done some years back. But, if Washington was not given this right some years back, I do not see any reason why New Delhi should not be given this right in 1957. Time changes. Time changes our attitudes, our concepts of things. Democracy undergoes changes. Everything undergoes change. I think everything should undergo a change for the better. If Washington did something some years ago, I do not see any reason why New Delhi should do that thing now.

I believe that there is no valid argument given for the exclusion of New Delhi and the cantonment area from the purview of this Corporation. I believe that our Home Minister who is the supreme exemplar of happy compromises and who is the supreme exemplar of democratic conventions should have been responsible for this kind of thing.

It has been said that some traders and others have submitted petitions that this should not be done. I have all respect for them; they have said that they do not want to be included in the Corporation. I have respect for them. But, in this morning's papers which were circulated to us by the Lok Sabha I found a petition in which it has been said that New Delhi should be included in the Corporation. I do not know whom to believe. I do not know where I should stand—whether I should believe those persons who have sent their representations to the Home Ministry or those persons who have sent their representation to the Secretary of the Lok Sabha. Being in doubt, I must get the benefit of the doubt, and the benefit of the doubt, which I take, is this. New Delhi and the cantonment board area should be included in the Corporation.

Mr. Deputy-Speaker: The doubt is in one place. The benefit is given by the other. It is not that the doubt may

be in the Member's mind and the benefit also should be given to him.

Shri Heda: The benefit of the doubt is given to the culprit.

Shri D. C. Sharma: What I was driving at is this. This is a kind of dualism, if I may use that expression, and this will not make for the good of Delhi.

It has been said that this Delhi Municipal Corporation Bill is modelled on Bombay. Why should it be modelled on Bombay? The Delhi Municipal Corporation Bill should have been a model for Bombay, for Calcutta and for other big cities. We are having a Corporation for Amritsar and Kanpur and other places. Delhi should set an example. Instead of setting an example, we are trying to copy the examples of other cities. This, I submit with all due respect, is not the kind of approach that should be made to solve the problem of Delhi. I would, therefore, strongly oppose the fact that New Delhi and the cantonment board areas should not be included in the Delhi Corporation.

Shri Datar: This question has been discussed threadbare not only now but even before this particular Bill was submitted to the Joint Committee. The weighty reasons that weighed with the Government have been pointed out by the Home Minister just now. We have the experience of persons who know what the thing is about. Under the circumstances, this question, in my opinion, does not deserve any further answer or clarification.

One point may be noted. So far as the cantonment area is concerned, except slightly or casually making a reference to the cantonment area, most of the opponents of this particular policy of the Government have referred or laid greatest emphasis only on the exclusion of certain New Delhi areas. Under the circumstances,

I believe that there is no great or substantial opposition so far as the exclusion of the cantonment area is concerned.

Coming to the New Delhi area, the general arguments were addressed to the House stating that there has been a complete disenfranchisement in respect even of the municipal affairs. Certain passages were quoted from the report of the States Reorganisation Commission. In paragraph 593 of that report, they considered the whole question regarding what was known as the benefits of popular government. They have quoted an instance. They have also pointed out the special circumstances, saying that Delhi is a city by itself because it is the metropolis of the Indian Union. They have given this reason also:

"People residing in national capitals enjoy an advantageous position and they must be prepared to pay some price for it".

An instance has been quoted—that of Columbia in the U.S.A. The report says:

"It may be pointed out that the legal residents of the District of Columbia in the U.S.A. are at present totally disfranchised and do not in anyway participate in Government at either the federal or State or even the municipal level."

My friend, Shri D. C. Sharma, will kindly find out that here, in this case, they have not got even the rights so far as municipal affairs also are concerned. Therefore the S.R.C. have definitely stated that in making the proposals that they have made, so far as Delhi is concerned, there is no question of disenfranchising the people of Delhi or any other centrally administered area.

Then, it may also be noted that while making further observations, they have never stated that for the whole of Delhi area, meaning Delhi, New Delhi and the village area, there

ought to be only one Corporation. That is not what they have stated. In fact, in the next paragraph they have envisaged the possibility of giving more Corporations than one. Under these circumstances, it would not be proper to quote the S.R.C.'s recommendations as favouring the idea of a complete integration of all the areas in the Delhi State. Under these circumstances, it is not necessary to reply to this argument any further.

**Shri Sinhasan Singh (Gorakhpur):** Was the exclusion of New Delhi on the representation of the officials living in New Delhi or was it done *suo motu* by the Government? I am asking this question because thousands of people living in Delhi wanted New Delhi to be included in the Corporation. Has the exclusion clause been inserted because of the representation of the officials or was it done by Government themselves of their own account?

**Shri Datar:** Government has considered all aspects of this question and the most important point that weighed with Government was the question as to whether the responsibility for running the civic administration in New Delhi should be imposed upon the new corporation. It has been very clearly pointed out that great difficulties will arise and that they would perhaps not be in a position to meet the requirements of New Delhi, if New Delhi were transferred to a municipal corporation at the outset.

**Mr. Deputy-Speaker:** Is there any amendment which I am required to put separately? Since no hon. Member wants any amendment to be put separately, I am putting Amendment Nos. 100, 127, 3 and 4, to the vote of the House.

The question is:

Page 2, line 35—

for "except" substitute "including"

The motion was negatived.

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

Page 2, line 35—

for "except New Delhi and Delhi Cantonment" substitute "and New Delhi excluding Delhi Cantonment".

*The motion was negatived.*

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

Page 2, line 35,—

omit "New Delhi and".

*The motion was negatived.*

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

Page 8, line 2,—

omit "bicycle, tricycle,"

*The motion was negatived.*

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

"That clause 2 stand part of the Mill".

*The motion was adopted.*

Clause 2 was added to the Bill.

Clause 3.—(Establishment of the Corporation)

**Mr. Deputy-Speaker:** What are the amendments to be moved?

**Shri Vajpayee:** My amendments are Nos. 5, 6 and 7.

**Shri Hem Barua:** My amendments are 128, 129 and 130

**Mr. Deputy-Speaker:** I find that amendment No 128 is the same as Amendment No 5 and amendment No. 129 is the same as Amendment No. 6. There is no point in moving them separately. Now the amendments to be moved are 5, 6, 7 and 130

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

(i) Page 8, lines 30 and 31,—

omit "and aldermen".

(ii) Page 8, lines 34 to 36—

omit "and aldermen shall be chosen by the councillors from among persons who are qualified to be councillors but are not councillors themselves."

(iii) Page 9—

omit line 20.

**Shri Hem Barua:** I beg to move:

Page 9—

(1) line 2, for "eighty" substitute "one hundred".

(ii) line 3, for "eighty" substitute "one hundred".

**Mr. Deputy-Speaker:** These amendments are before the House.

श्री बाजपेयी : उपाध्यक्ष महोदय, इन सशोधनो का सम्बन्ध, जो कारपोरेशन में कारपोरेशन के सदस्यों के द्वारा अप्रत्यक्ष निर्वाचन पद्धति से ऐल्डरमैन चुने जाने वाले हैं उनके बारे में है।

जो व्यवस्था की गयी है उसका सदन के सभी क्षेत्रों ने विरोध किया है।

कुछ माननीय सदस्य नहीं किया है।

श्री बाजपेयी प्रायः । और जो भी कारण दिये गये हैं कुछ लोगों को चोर दरवाजे से लाने के लिए वे कारण तर्कशुद्ध नहीं हैं । अगर कारपोरेशन का रूप सचमुच में लोकतांत्रिक रखना है तो ऐल्डरमैन के चुनाव की बात उसमें निकाल दी जानी चाहिए । कल जो मैंने कहा था उसे दुहराने की आवश्यकता नहीं है कि दिल्ली की जनता पर इस बात के लिए विश्वास किया जाना चाहिए कि वह अपने प्रतिनिधियों का निर्वाचन अच्छे ढंग से करेगी, और अगर वह कारपोरेट्स ठीक ढंग से चुन सकती है और उनमें सभी तरह की योग्यता वाले व्यक्तियों का समावेश हो सकता है तो यह ऐल्डरमैन की व्यवस्था के लिए कोई कारण नहीं है ।

माननीय मंत्री महोदय ने नई दिल्ली के सम्बन्ध में संशोधन स्वीकार नहीं किया है, लेकिन यह संशोधन मेरी समझ में इतना विवादास्पद नहीं है और यदि कुछ गिव एंड टेक की भावना से काम करना है तो मैं उनसे अपील करूंगा कि कम से कम यह संशोधन स्वीकार कर लिया जाना चाहिए।

**Shri Hem Barua:** My amendment says "and aldermen shall be chosen by the councillors from among persons who are qualified to be councillors but are not councillors themselves". There is an attempt to provide for indirect election to take into the Corporation men who are afraid of facing the electorate. This system of indirect election must be given a go-by because that touches the fundamental roots of democracy.

At the same time, the argument that is generally offered is that they are preferred for election as aldermen in an indirect way because of the fact that the Corporation wants to rely on men of talents, men who have gifts. I just remember that George Barnard Shah, while speaking on democracy, said: democracy always prefers the second best. But that is not always true. There are instances of democracy preferring the very first. Shri Jawaharlal Nehru and Pandit G. B. Pant could not have been here, if that is not so. So, if democracy is given the first preference, there are instances in which we have got men of talent, men of knowledge and wisdom who have come by the process of direct elections.

If the aldermen can be elected Mayor of the Corporation then the Mayor is to be responsible to the voter that is, the people in general. He should be a direct representative of the people. A man who comes through the backdoor cannot be called a representative of the people in the proper sense of the term.

This is a hang over from the British system and the British system of administration was a conservative system of administration. It was a

sort of tradition-bound administration. And when we are building up a new democracy, we do not want to copy that tradition-bound British system of administration. And aldermen is only a shadow of that type of administration. I think the aldermen should go and then there should be provision for direct election. Under those provisions the councillors should be directly responsible to the voters because they are elected by the elector, not by an indirect process of election.

**श्री श्रीनारायण दास :** (वरमंगा): उपाध्यक्ष महोदय, कल से जब से इस विषयक पर विचार शुरू हुआ तब से लोकतंत्र की बहुत चर्चा हुई है। इस क्लाइ के सम्बन्ध में भी हमारे चन्द माननीय सदस्यों ने यह भावना प्रकट की है कि लोकतंत्र की हत्या हो रही है। यह ठीक है कि लोकतंत्र का तरीका है कि बहुमत से जो चुना जाय वही निर्वाचित समझा जाता है। लेकिन साथ ही साथ यह भी सोचना चाहिए कि क्या लोकतंत्र यही है कि १०० मतदाताओं में से ५१ ने जिसको चाहे लिया वही जनता का प्रतिनिधि हो गया और उसी का समावेश सब जगह होना चाहिए? क्या जनतंत्र का यह तकाजा नहीं है कि १०० में से ५१ के अतिरिक्त ४९ लोगों के मत का कोई ब्याल किया जाए।

**श्री बाजपेयी :** अगर ४९ की बात सुनी जाती तो आप यहां नहीं होते।

**श्री श्रीनारायण दास :** जो बहुमत की बेगरीज होती है हमें उसका भी ध्यान रखने की जरूरत है। समाज की रक्षा के लिए लोकतंत्र ठीक है, बहुत ही अच्छी चीज है, लेकिन लोकतंत्र में जो अल्पमत वाले लोग हैं उनका कोई भी ब्याल न रखा जाए? क्या लोकतंत्र द्वारा चुनाव का तरीका ही अप्रदर्श तरीका है। क्या उसे हमें सही कहा जा सकता है? क्या उसमें सच्चा

## [श्री श्रीनारायण दास]

प्रतिनिधि ही चुना जाता है? इसलिए इस क्लाइ के अन्दर जो आल्डरमैन का समावेश किया जा रहा है वह लोकतंत्र के मत को और बढ़ाने के लिए ही है। अगर लोकतंत्र का क्याल न किया जाए, सिर्फ यही क्याल किया जाए कि स्पष्ट बहुमत से जो लोग चुने जाएं वही लोकतंत्र को चना सकेंगे, तो १०० में से ४६ आदमियों की कोई रक्षा करने वाला नहीं है।

हमारे माननीय सदस्य ने यह सवाल भी उठाया कि यह बड़ा कजबेटिव है। क्या माननीय सदस्य को यह नहीं मालूम है चुनाव के अन्दर कोई जरूरी नहीं है कि जो समाज की जनता होती है उसका अच्छे से अच्छा आदमी ही एलेक्शन में कामयाब हो। एलेक्शन में जो खर्च होता है, उनमें कैंडिडेट को जो तबाहियां उठानी पड़ती हैं उनके होते हुए समाज का अच्छे से अच्छा आदमी चुनाव में खड़े होने की भी हिम्मत नहीं कर सकता। मैं समझता हूँ कि आजकल के जमाने में डिमाप्रेसरी ही सबसे अच्छा तरीका है, लेकिन डिमाप्रेसरी में भी बहुत सी बुराइयां हैं। इसलिए समाज के जो विभिन्न वर्ग हैं, हमारा कर्तव्य है कि उनके लिए हम समाज की बेगरीज के विरुद्ध सेफगार्ड रखें। चुनाव का जो तरीका है, जिसको हम अब तक आदर्श नहीं बना सके हैं, उसमें रुपए का प्रभाव चलता है, जाति पांश का प्रभाव चलता है, उसमें कितनी ही और छोटी-छोटी नैरोनेस की बातें भी आती हैं। इसलिए प्रजातंत्र को आगे बढ़ाने के लिए जरूरी है कि जहां बहुत बड़ी तादाद में लोग चुनाव में चुन कर जाए वहां कुछ ऐसे लोग, जो सस्था के काम को आगे बढ़ा सकते हैं, सस्था के काम में मदद कर सकते हैं और चुनाव में खड़े होने वाले नहीं हैं, भी लिए जाएं। इस कारपोरेशन में ६ आल्डरमैन लिए जा रहे हैं। मैं नहीं समझता कि इसमें कोई प्रजातंत्र की हत्या

हो रही है। कारपोरेशन के अन्दर जहां ८० सदस्य चुनाव में चुने हुए होंगे अगर वहां ६ और सदस्य होंगे, तो भी सरकार द्वारा मनोनीत नहीं, जो बनता द्वारा चुने हुए प्रतिनिधि आएंगे, वह ८० सदस्य मिला कर, जिसको दिल्ली के अन्दर अच्छा से अच्छा समझेंगे, अपने बहुमत से चुनेंगे तो मैं नहीं समझता कि इसमें कहां प्रजातंत्र की हत्या हो रही है। यह चाहे और किसी देश में हो या न हो, ब्रिटेन में हो, अमरीका में न हो, कुछ भी हो, लेकिन देश के प्रजातंत्र के लिए मैं इसे जरूरी समझता हूँ कि जहां बहुत बड़ी तादाद में चुनाव में जीते हुए व्यक्ति आए वहां इस बात की भी गुंजाइश हो कि कारपोरेशन जैसी सस्था में वे लोग भी आए भले ही वे परोक्ष प्रणाली से चुने जाएं। अगर हमारे कारपोरेशन में ऐसे सदस्य चुने जाएं तो मैं समझता हूँ कि यह बहुत ही स्वास्थ्यप्रद प्रणाली होगी और इससे कारपोरेशन का काम बहुत अच्छी तरह आगे बढ़ सकेगा। इसमें कहा लोकतंत्र या जनतंत्र की हत्या है? माननीय सदस्य ने कहा कि लोकतंत्र में ८० फीसदी सदस्य चुन कर आगें जनता के। इसमें भी मैं कुछ सन्देह करता हूँ। लोकतंत्र किन लोगों का बना है इसका हिसाब कर लिया जाए। लेकिन खैर, मैं इस सवाल का छाड़ता हूँ। ८० चुने हुए आदमियों के साथ अगर ६ आदमी जो कि शहर के अन्दर प्रतिष्ठित होंगे, जो गुणवाने होंगे, कारपोरेशन के काम में मदद करने वाले होंगे, अगर उनको स्वयम् चुने हुए प्रतिनिधि चुन लेंगे तो इसमें लोकतंत्र की हत्या कही होती है?

इसलिए जो संशोधन पेश किया गया है, उसे मैं मानने के लिए तैयार नहीं हूँ। अगर कारपोरेशन की योग्यता बढ़ेगी, और उसका काम अच्छा होगा तो ८० चुने हुए सदस्यों के साथ ६ सदस्यों का आल्डरमैन के रूप में रहना अच्छा ही होगा।



श्री मन्मथ प्रसाद : उपाध्यक्ष महोदय, इन वरिष्ठ सदस्यों का भी एक इतिहास है। जब दिल्ली निगम विधेयक आने वाला था तो दिल्ली के बहुत से वर्गों के लोगों ने यह मांग की कि उसमें उनके भी प्रतिनिधि होने चाहिए। हम यह सोचते थे कि नामिनेशन्स से कोई भी व्यक्ति यहाँ नहीं आना चाहिए। लेकिन कुछ वर्ग ऐसे होते हैं जैसे कि मजदूरों का वर्ग, व्यापारियों का वर्ग उन्होंने यह मांग की कि उनके भी प्रतिनिधि होने चाहिए। यह सोचा गया कि यदि इन लोगों को नामिनेट किया जाय तो फिर यह कहा जाएगा कि लोकतंत्र की हत्या हो रही है, जनतंत्र की हत्या हो रही है। इसलिए उचित यह समझा गया कि जो भी इस तरह के लोग चुनाव में नहीं आ सकते हैं वे इस प्रकार के वरिष्ठ सदस्य बन कर सिंगल ट्रांसफरेंसल वोट में आएँ। ये ऐसे आदमी हैं जो कि चुनाव में खड़े नहीं हो सकते। अध्यापकों को यह भी हक नहीं है कि वे अध्यापकों के वोट ले सकें क्योंकि वे स्कूल में पढ़ाते हैं। इसी तरह से मजदूर वर्ग में काम करने वाले लोग हैं। मजदूरों के क्षेत्र अलग अलग बने हुए हैं। मान लीजिए दिल्ली के अन्दर राजधानी के बाहर नफरगढ़ की एक इंडस्ट्रियल एरिया है, एक मोखला की तरफ है, एक शहादरा की तरफ है। अगर वहाँ से कोई मजदूर खड़ा होना चाहे तो वह खड़ा नहीं हो सकता क्योंकि उसका मजदूरों का समर्थन प्राप्त नहीं होगा। मजदूर दिल्ली में बहुत थोड़ी थोड़ी तादाद में हैं। वह लोग जो उधर से मजदूरों का दम भरते हैं, वह कभी यह भी तो खयाल करें कि मजदूरों के लिए यहाँ दिल्ली में कोई चांस नहीं है।

इस तरह से उनकी जो पार्टी है, साम्यवादी या समाजवादी पार्टी है, उसके यदि ११ या १२ सदस्य आ जाते हैं तो आपको पूरा अखत्यार होगा कि आपका एक सदस्य और बढ़ जाये और आप उसको बढ़ा दें। इसमें

जो वरिष्ठ सदस्य को मिया गया है, मैं इसका पूर्ण समर्थन करता हूँ और जो संशोधन उपस्थित किया गया है, उसका विरोध करता हूँ।

Shri D. C. Sharma: I welcome this new experiment in democracy. For instance, here, in the Lok Sabha we have a very large majority of persons who are elected. We have given nomination to some persons. By and large, we have the principle of election in Lok Sabha whereas in the Rajya Sabha, we have the principle of indirect election and also the principle of nomination. But, this new type of democracy which we are going to have in the Delhi Corporation Bill is going to be a mixture of direct election and indirect election. I think this is a new experiment and as democracy is liable to be interpreted in different ways, there is no harm if we interpret it in this way.

But, one thing is there. We have not tried the experiment in any of the municipalities. We have not tried the experiment in any of the Vidhan Sabhas. We have not tried this experiment even though we have five or six nominated Members, in the Lok Sabha. If we are going to embark on this experiment,—I am not a prophet—I will say that this experiment will have to be extended all along the line. If you think men of learning, men of knowledge should be brought into the Delhi Corporation, if you are in favour of democratic representation and functional representation, I do not see any reason why we should not have democratic representation all along the line. In the Lok Sabha, in the Vidhan Sabhas, everywhere, you should have this combination. Therefore, I say, being a person who is interested in the proper functioning of democracy, who is interested in experimentation with democracy, I welcome this measure because I think it may be a pointer to us for changing the entire concept of

[Shri D. C. Sharma]

democracy in this country. I, therefore, support this measure of having aldermen.

श्री रा० क० बर्मा (निमाड) : उपाध्यक्ष महोदय, जो संशोधन रखा गया है, उसका विरोध करने के लिए मैं बड़ा हुआ हूँ और जो मूल विधेयक मैं व्यवस्था है, उसका मैं समर्थन करता हूँ।

इस सम्बन्ध में मैं जो बात कहने जा रहा हूँ वह कोई दिमागी बात नहीं है या पार्टी के आधार पर मैं उसे नहीं कहने जा रहा हूँ। मैं अपने अनुभव के आधार पर अपने विचार रखना चाहता हूँ। भक्तसर यह देखा गया है कि जो एलडरमैन रखने की व्यवस्था विधान में की जाती है वह इसलिए की जाती है कि जो लोग सीधे चुन कर जाते हैं उनकी व सहायता करें, उनको गाइडेंस दें और इस प्रयोजन को सिद्ध करने के लिए कोसिलरो द्वारा एलडरमैन चुनने का विधान किया जाता है। लेकिन जो पार्टी चुनकर जाती है उसमें तथा दूसरी पार्टियों में पहले से ही आपस में सौदा हो जाता है कि आप अगर हमारे लिए ऐसा करेंगे तो एलडरमैन के तौर पर हम फना आदमी को ले आयेगे। यह अनुभव आज का नहीं बल्कि वर्षों से मेरा चला आ रहा है। कमजोर पार्टियाँ आपस में इस तरह के गठबन्धन कर लेती हैं कि दैव-योग से अगर उनका लोग चुन कर आ गए तो वे इस तरह के आदमी को लाकर बैठा देती हैं जो कि चुनाव से जीत कर आए हुए आदमियों से भी गया बीता होता है। जो मूल विधान के अन्दर चीज रखी गई है उसका खास उपयोग यह होना चाहिये कि बहुत से जो रिटायर्ड आदमी होते हैं, प्रोफेसर होते हैं, डाक्टर होते हैं, इंजीनियर होते हैं और जो किसी पार्टी के द्वारा चुनकर नहीं आना चाहते और घर बैठे ही सेवा करना चाहते हैं, उनको वहाँ पर लाया जा सकता है और यदि वे वहाँ

जायेंगे, होशियारी से काम करेंगे, सिविलियन से काम करेंगे, और अच्छा काम होगा। लेकिन जो संशोधन मेरे साथी ने रखा है और जिस प्रदेश के वह हैं, और वहाँ जो कारपोरेशन बनी है, उसमें भी सीधे ही चुनाव की उनकी बात को स्वीकार नहीं किया गया है।

श्री बाबूदेवी : मेरे प्रदेश में अभी कोई कारपोरेशन नहीं बनी है।

श्री रा० क० बर्मा : आपका शिक्षण सारे का सारा मध्य भारत में हुआ और वहाँ आप काफी अर्थ तक रहे।

उपाध्यक्ष महोदय : इसको चिह्न करने की अब आवश्यकता नहीं है।

श्री रा० क० बर्मा : वहाँ कारपोरेशन बनी है और उनका जो सुझाव है उसको भी वहाँ नहीं माना गया है।

मेरे एक साथी ने कहा है कि मजदूरों के प्रतिनिधि नहीं आयेंगे। श्रीमन्, मैं यह निवेदन करना चाहता हूँ कि वर्ग के आधार पर भी इस चीज को नहीं लेना चाहिये क्योंकि वर्ग के आधार पर लेने से वही की वही बात होती है। अगर हम कारपोरेशन को चलाना है और जनता की सेवा करनी है तो एलडरमैन के तौर पर ऐसे आदमी आने चाहिये जो टेक्निकल दृष्टि से, अनुभव की दृष्टि से अच्छे हों और निष्पक्ष रह कर—पार्टी की दृष्टि से नहीं—अच्छी से अच्छी तरह सेवा कर सकें। इस काम को शासन की नोमिनेट या विधेयक में रखी प्रथा के सिवाय दूसरा कोई नहीं कर सकता है। इस सम्बन्ध में मैं यह भी निवेदन करना चाहता हूँ कि फूड सिप्लेशन के बारे में गवर्नमेंट ने एक कमेटी नियुक्त की थी और उसका चेयरमैन उसने ऐसे आदमी को नियुक्त किया जो उस काम के लिये अच्छे से अच्छा था, अनुभवी था,

और सब दृष्टियों से ठीक था किन्तु वह कांग्रेस पार्टी का नहीं था। आज हिन्दुस्तान के अन्दर कांग्रेस के सिवाय ऐसी कौन सी पार्टी है, जो नोमिनेट करने का ऐसे व्यक्तियों का चुनाव कर सकती है और कौनसी पार्टी ऐसे व्यक्तियों को चुन कर भेज सकती है जो देश की जनता की सेवा कर सकें।

इसलिए जो चीज मूल विधेयक में रखी गई है, मैं उसका समर्थन करता हूँ और जो संशोधन पेश किया गया है, उसका मैं विरोध करता हूँ।

**Shri Datar:** I was very sorry to hear arguments based on the theory that aldermen are almost nominated persons and the use of such highly offensive expressions like "back-door" in this connection. Both are entirely wrong. These are not nominated members, and they come by the front door.

I agree with Shri Shree Narayan Das when he stated that democracy does not necessarily mean direct elections in all the cases. In fact, there are circumstances when first there is a direct election by the electorate; in such cases sometimes deficiencies arise and in order to make the deficiencies, it is advisable to have recourse to indirect elections as well. That is the principle on which we have got the institution of the second chambers, the Rajya Sabha here and the Councils in some of the States. In the circumstances, it would be entirely wrong to contend as some hon. Members have done that merely because the institution of aldermen has been reintroduced here, it is either a back-door method or undemocratic method. Both these charges are entirely wrong.

Secondly, I may point out that so far as India is concerned, there are two municipal corporations where we have aldermen, that is, Calcutta and Madras. In addition, it might be also

noted that we have the institution of aldermen in the London County Council. The number there it may be noted is twenty whereas here we have only six against 80 now which might in course of time be six against 94. Therefore, the number that we have proposed is very small, and as pointed out by Shri Naval Prabhakar there might arise occasions where certain interests might not find themselves properly represented when their representation is absolutely essential and legitimate. It is for the purpose of making up such deficiencies that power has been given to the Councillors, who themselves are elected by direct franchise, to elect the aldermen. If these persons are elected and if they amongst themselves elect six persons, then where is the denial of democracy, where is the murder of democracy as some hon. Members would have it?

**Shri Hem Barua:** Nobody said like that.

**Shri Datar:** Under these circumstances I submit that this is a very good institution, and we shall have very experienced people, men of light and learning in addition to those who have been elected by direct franchise. As some hon. Member pointed out the other day, in Calcutta in a very large number of cases Mayors have been chosen from aldermen as well. In the circumstances, we should not put them on a lower footing. Perhaps there would be greater advantage by having aldermen. Hence I oppose all these amendments. Certain other points have been raised to which I need not reply now.

**Mr. Deputy-Speaker:** I now put amendments 5, 6, 7 and 130.

The question is:

(i) Page 8, lines 30 and 31—

omit "and aldermen".

(ii) Page 8, lines 34 to 36—

omit "and aldermen shall be chosen by the councillors from

[Mr. Deputy-Speaker]

among persons who are qualified to be councillors but are not councillors themselves"

(iii) Page 9—

omit line 20.

(iv) Page 9—

(i) line 2, for "eighty" substitute "one hundred".

(II) line 3, for "eighty" substitute "one hundred".

Those in favour will say "Aye"

Some Hon. Members: Aye

Mr. Deputy-Speaker: Those against will say "No".

Some Hon. Members: No

Mr. Deputy-Speaker: The Noes have it.

Shri Vajpayee: The Ayes have it. I demand a division.

Mr. Deputy-Speaker: Let the lobbies be cleared. Shri Vajpayee has moved amendments Nos. 5, 6 and 7. He does not want indirect election of aldermen I shall put these three amendments together to vote. I shall put amendment No. 130 of Shri Hem Barua separately.

First, I shall put amendments Nos. 5, 6 and 7 to vote.

The question is:

Page 8, lines 30 and 31—

omit "and aldermen"

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 8, lines 34 to 36—

omit "and aldermen shall be chosen by the councillors from among persons who are qualified to be councillors but are not councillors themselves."

The motion was negatived.

Mr. Deputy-Speaker: The question is:

Page 9—

omit line 20.

The motion was negatived.

Mr. Deputy-Speaker: I shall now put amendment No 130 to vote.

The question is:

Page 9—

(i) line 2, for "eighty" substitute "one hundred"

(ii) line 3, for "eighty" substitute "one hundred".

The motion was negatived.

Mr. Deputy-Speaker: So, the amendment is lost.

Shri Vajpayee: The 'Ayes' have it.

Mr. Deputy-Speaker: It is too late.

The question is:

"That clause 3 stand part of the Bill."

Shri Vajpayee: I want division on this.

Mr. Deputy-Speaker: Let the lobbies be cleared.....

The Lok Sabha then divided: Ayes 100; Noes 19.

## Division No. 5]

## AYES

[14.51 hrs.]

Abdur Rahman, Molvi  
 Achar, Shri  
 Agadi, Shri  
 Bakshi, Shri  
 Banerji, Shri P. B.  
 Bhargava, Pandit M. B.  
 Birbal Singh, Shri  
 Chaturvedi, Shri  
 Chuni Lal, Shri  
 Daljit Singh, Shri  
 Damani, Shri  
 Dasappa, Shri  
 Das, Shri Ramdhani  
 Das, Shri Shree Narayan  
 Datar, Shri  
 Deb, Shri N. M.  
 Desai, Shri Morarji  
 Dindod, Shri  
 Dube, Shri Mulchand  
 Dwivedi, Shri M. L.  
 Elayaperumal, Shri  
 Ganga Devi, Shrimati  
 Ganpati Ram, Shri  
 Ghosh, Shri M. K.  
 Halder, Shri  
 Harvani, Shri Anwar  
 Hasda, Shri Subodh  
 Heda, Shri  
 Jangde, Shri  
 Joshi, Shri A. C.  
 Kalika Singh, Shri  
 Karmarkar, Shri  
 Kedaria, Shri C. M.  
 Keshava, Shri

Keskar, Dr.  
 Khedkar, Dr. G. B.  
 Kripalani, Shrimati Sucheta  
 Kureel, Shri B. N.  
 Lachhi Ram, Shri  
 Lahiri, Shri  
 Maiti, Shri N. B.  
 Mallik, Shri U. S.  
 Malviya, Shri Motilal  
 Maniyangadan, Shri  
 Menon, Dr. K. B.  
 Mishra, Shri B. D.  
 Mishra, Shri R. D.  
 Mishra, Shri R. R.  
 Mohammad Akbar, Saikh  
 Munisamy, Shri N. R.  
 Mukerjee, Shri H. N.  
 Naidu, Shri Govindarajulu  
 Nanjappa, Shri  
 Narasimhan, Shri  
 Nek Ram Negi, Shri  
 Oza, Shri  
 Padam Dev, Shri  
 Pande, Shri C. D.  
 Pandey, Shri K. N.  
 Panna Lal, Shri  
 Patel, Shrimati Maniben  
 Pillai, Shri Thanu  
 Prabhakar, Shri Naval  
 Radha Raman, Shri  
 Ramakrishnan, Shri  
 Raman, Shri Pattabhi  
 Ramaswami, Shri S. V.

Rao, Shri  
 Rangarao, Shri  
 Rao, Shri R. J.  
 Sadhu Ram, Shri  
 Samanta, Shri S. C.  
 Samantasingh, Dr.  
 Sanganna, Shri  
 Sarhadi, Shri Ajit Singh.  
 Satyabhama Devi, Shrimati  
 Satyanarayana, Shri  
 Shah, Shrimati Jayaben  
 Shakuntala Devi, Shrimati  
 Shankaraya, Shri  
 Sharma, Shri D. C.  
 Sharma, Shri R. C.  
 Shivanenappa, Shri  
 Siddanappa, Shri  
 Singh, Shri Babunath  
 Singh, Shri D. N.  
 Singh, Shri H. P.  
 Singh, Shri M. N.  
 Sinha, Shri B. P.  
 Sinhaan Singh, Shri  
 Snatak, Shri Nardeo  
 Subbarayan, Dr. P.  
 Sumat Prasad, Shri  
 Sunder Lal, Shri  
 Thimmaiah, Shri  
 Thirumala Rao, Shri  
 Uske, Shri  
 Varma, Shri R. K.  
 Vedakumari, Kumari M.  
 Wadiwa, Shri

## NOES

Banerjee, Shri Pramathanath  
 Banerjee, Shri S. M.  
 Barua, Shri Hem  
 Chandramani Kalo, Shri  
 Elias, Shri M.  
 Ghosal, Shri  
 Goundar, Shri Shanmuga

Jaspal Singh, Shri  
 Kumbhar, Shri  
 Kumhar, Shri  
 Majhi, Shri R. C.  
 Manay, Shri  
 Mullick, Shri B. C.

Pandy, Shri Sarju  
 Rao, Shri T. B. Vittal  
 Sharma, Shri H. C.  
 Supakar, Shri  
 Tangamani, Shri  
 Vajpayee, Shri

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*Clause 4 was added to the Bill.*

*Clause 5—(Delimitation of wards)*

**Shri Vajpayee:** I beg to move:

(i) Page 10, line 3—

for 'multi-member' substitute  
 'single-member'.

(ii) Page 10—

after line 3 add:

"Provided that wards where  
 from reserved seat councillors  
 are to be elected shall be  
 double-member wards."

(iii) Page 10—

after line 10, adds:

"Provided that delimitation of  
 wards shall be carried out in

[Shri Vajpayee]

such a manner that the ratio between the population of each ward and the number of seats allotted to it is, so far as practicable, the same throughout Delhi"

**Mr. Deputy-Speaker:** Then, Shri Hem Barua has amendments Nos. 137 and 138. Amendment No. 137 cannot be moved, since it is the same as amendment No. 12

**Shri Hem Barua:** 'I beg to move

Page 10—

after line 3, add

"Provided that the wards, where reservation is made for the election of Scheduled Caste councillors, shall be divided into double-member wards"

I have an objection to dividing the Delhi Corporation wards into multi-member wards. I say that these wards must be single-member wards, an exception being made in the case of wards where there is reservation for Scheduled Castes, so that such wards may be double-member wards.

**Mr. Deputy-Speaker:** All these amendments to clause 5 are before the House.

**श्री वाजपेयी :** उपाध्यक्ष महोदय, इस विधेयक की पाँचवीं धारा में कारपोरेशन के सदस्यों का चुनाव जिस पद्धति से किया जायेगा उसका निरूपण किया गया है और यह व्यवस्था की गई है कि सदस्यों के निर्वाचन के लिए मल्टी मेम्बर कांस्टीट्यूएन्सीज अर्थात् बहुसदस्यीय निर्वाचन क्षेत्र बनाये जायें। पिछले अनेक वर्षों से जिस चुनाव पद्धति का देश ने अनुभव किया है उसका यह निष्कर्ष है कि बहु सदस्यीय निर्वाचन क्षेत्र उपयुक्त नहीं हैं। अभी पिछले आम चुनावों में जो डबल मेम्बर कांस्टीट्यूएन्सीज थीं, उनके सम्बन्ध में भी कुछ इसी तरह का अनुभव आया है। देखा यह जाता है कि अगर

बहुसदस्यीय निर्वाचन क्षेत्र हैं तो उन में जो मत दाता हैं वे मजहब के आधार पर या जाति के आधार पर बंट जाते हैं और उसमें एक गुप या गुट अपना प्रभाव स्थापित करने में सफल होता है। देश में हम लोकतन्त्र व्यवस्था की जो स्वस्थ परम्परा का निर्माण करना चाहते हैं उसकी दृष्टि से यह मल्टी मेम्बर वार्ड्स की व्यवस्था करना उचित नहीं है और इसलिये मैंने यह सशोधन रक्खा है कि मल्टी कांस्टीट्यूएन्सीज के स्थान पर सिंगल कांस्टीट्यूएन्सीज होनी चाहियें। और उसमें जो परिगणित जाति के सदस्य आने हैं उनके लिए पृथक् से व्यवस्था की जा सकती है। मेरी समझ में यह सशोधन काफी उपयुक्त है और इसको स्वीकार किया जायेगा।

**Shri Datar:** This question was considered fully by the Joint Committee. The original proposal was that there should be single-member constituencies. But after considering both the aspects of this case, it was considered proper and advisable to have multi-member constituencies. I believe it has certain advantages. Therefore, it would be better to have the recommendation of the Joint Committee in this respect.

**Mr. Deputy-Speaker:** I shall now put amendments Nos. 12, 13, 14, and 138 to the vote of the House.

The question is:

Page 10, line 3—

for "multi-member" substitute "single member".

The motion was negatived.

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

Page 10—

after line 3, add:

"Provided that wards wherefrom reserved seat councillors are to be elected shall be double-member wards."

The motion was negatived.

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

Page 10—

after line 10, add:

"Provided that delimitation of wards shall be carried out in such a manner that the ratio between the population of each ward and the number of seats allotted to it is, so far as practicable, the same throughout Delhi."

*The motion was negatived.*

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

Page 10—

after line 3, add:

"Provided that the wards, where reservation is made for the election of scheduled caste councillors, shall be divided into double-member wards."

*The motion was negatived.*

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

"That clause 5 stand part of the Bill".

*The motion was adopted.*

*Clause 5 was added to the Bill.*

*Clauses 6 to 9 were added to the Bill.*

**Clause 10— (Right to vote).**

**Shri Hem Barua:** I beg to move:

Page 13, lines 22 and 23—

for 'but no elector shall at any election give more than one vote to any one candidate' substitute—

'and an elector may cast his vote or votes in favour of one or more candidates'.

Now, there are going to be plural member constituencies. As I have stated already, I am opposed to it in principle. The purpose for which it is granted will be nullified if we stick on to distributive votes and not to cumu-

lative votes. If we want to do good to certain minorities in certain wards or in certain areas, we have to grant them the cumulative system of vote, or else the very purpose of safeguarding their interests or the claims of the minorities would be nullified, and as a result of our own measures we would not be able to give them proper representation.

That is why I say that instead of distributive votes, there should be cumulative votes, so that an elector may cast his vote in favour of one or more candidates as he chooses.

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

Page 13, lines 22 and 23—

for 'but no elector shall at any election give more than one vote to any one candidate' substitute—

'and an elector may cast his vote or votes in favour of one or more candidates'.

**Shri Datar:** I oppose this amendment.

**Shri Shree Narayan Das:** I would like to point out one thing in this connection. In sub-clause (2) of clause 10, we find:

"... no elector shall at any election give more than one vote to any one candidate."

But there is no penal provision in this respect. In the Representation of the People Act, there is a provision that if in a double-member constituency, any voter casts two votes in one box, then one vote becomes invalid. But here there is no such penal provision. I think it would be better if it is specifically stated that in case a voter casts both his votes for one candidate, then both the votes will become invalid. This must be clarified fully, and I think the Minister should incorporate the necessary amendment for this purpose. Although

[Shri Shree Narayan Das]

I have not given notice of any amendment to this effect, I would urge the Minister to make the amendment that in case a voter casts more than one vote for a single candidate, then all the votes will become invalid.

15 hrs.

**Shri Datar:** It is not necessary to have any such provision. Secondly, it is a penal provision and it need not be considered at this stage. If necessary, provision might be made in the rules in this respect.

**Mr. Deputy-Speaker:** I shall now put amendment No. 141 to vote. The question is:

Page 13, lines 22 and 23—

for "but no elector shall at any election give more than one vote to any one candidate" substitute—

"and an elector may cast his vote or votes in favour of one or more candidates".

*The motion was negatived.*

The question is:

"That clause 10 stand part of the Bill".

*The motion was adopted.*

Clause 10 was added to the Bill.

Clauses 11 to 15 were added to the Bill.

Clause 16—(Relief that may be claimed by the petitioner).

**Shri Shree Narayan Das:** Here the words 'returned candidate' are being defined. In view of the fact that during the last general elections, petitions have been filed on the ground of who is a contesting candidate, who is a candidate and returned candidate, I think it is better if the words 'contesting candidate' are also defined.

There are three provisions in the Representation of the People Act. One is that there is a list of candidates published. Then a certain time

is fixed and within that period if any candidate withdraws, he will be treated as a contesting candidate, although there is no definition in regard to that. Then there is a provision for a candidate to retire during a certain period. Now the question has arisen whether a person who retire before the fixed date is a contesting candidate or not.

Therefore, in view of the fact that certain doubts have arisen, I think it will be better if the term 'contesting candidate' is also defined as 'returned candidate' is being defined. If this is not possible here, then provision should be made for this also in the rules under the Act.

**Mr. Deputy-Speaker:** Nothing to be said?

**Shri Datar:** No.

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

"That clause 16 stand part of the Bill".

*The motion was adopted.*

Clause 16 was added to the Bill.

Clauses 17 to 36 were added to the Bill.

**Mr. Deputy-Speaker:** Amendment No. 34 relating to new clause 36A is not moved.

Clauses 37 and 38 were added to the Bill.

Clause 39—(Rural Areas Committee and Education Committee).

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

Page 27, line 29—

for "the rural areas" substitute:

"any of the matters specified in sub-clauses (i), (ii) and



(iii) of clause (a) of sub-section(3)".

**Shri T. B. Vittal Rao (Khammam):**  
I beg to move:

(i) Page 27, line 6—

before "of" insert "and a Finance Committee".

(ii) Page 28—

after line 3, insert:

"(6A) The Finance Committee shall consist of seven members including the Municipal Chief Accountant and the Municipal Chief Auditor and the rest elected by the members of the Corporation after each general election or as soon as possible at any other meeting subsequent thereto.

(6B) It shall be the duty of the Finance Committee—

(a) to examine the estimates of expenditure under various heads and submit its reports to the Corporation;

(b) to examine the expenditure incurred for the various items of expenditure under the Municipal Corporation and submit its reports to the Corporation;

(c) to discharge such other functions of examining the estimates of expenditure or expenditure incurred as may be assigned to it by a resolution of the Corporation in this behalf".

(iii) Page 28, line 5—

before "shall" insert "and the Finance Committee".

**Mr. Deputy-Speaker:** All these amendments are before the House.

**Shri T. B. Vittal Rao:** The amendments are self-explanatory. In addition to some of the Committees that are there like Education Committee, Rural Areas Committee and some

other Committees, I would like that a Finance Committee be also elected. This would look into the various items of expenditure and estimates and make certain recommendations and submit periodical reports to the Corporation, to be taken note of by the Corporation. This Committee will be a fully elected Committee, with the members including the Municipal Chief Accountant and Municipal Chief Auditor. The functions of this Committee will be to examine the estimates of expenditure under various heads, expenditure incurred for the various items and to submit reports to the Corporation. It will also discharge such other functions of examining the estimates of expenditure or expenditure incurred as may be assigned to it by a resolution of the Corporation in that behalf.

This is similar to, I do not say the same as, our Estimates Committee or Public Accounts Committee. But the idea is more or less the same, so that this Committee would be of valuable assistance in the working of the Delhi Municipal Corporation.

With these few words, I request the Minister to accept my amendments.

**Shri Datar:** I oppose all these amendments except mine.

**Shri T. B. Vittal Rao:** We want the reasons.

**Shri Datar:** No reason is necessary.

**Mr. Deputy-Speaker:** I shall now put amendments Nos. 149 to 151 to vote.

The question is:

Page 27, line 6—

before "of" insert "and a Finance Committee"

The motion was negatived.

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

Page 28—

after line 3, insert:

“(6A) The Finance Committee shall consist of seven members including the Municipal Chief Accountant and the Municipal Chief Auditor and the rest elected by the members of the Corporation after each general election or as soon as possible at any other meeting subsequent thereto.

(6B) It shall be the duty of the Finance Committee—

(a) to examine the estimates of expenditure under various heads and submit its reports to the Corporation;

(b) to examine the expenditure incurred for the various items of expenditure under the Municipal Corporation and submit its reports to the Corporation;

(c) to discharge such other functions of examining the estimates of expenditure or expenditure incurred as may be assigned to it by a resolution of the Corporation in this behalf.”

*The motion was negatived.*

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

Page 28, line 5,—

before “shall” insert  
and the Finance Committee”

*The motion was negatived.*

Now, I shall put amendment No. 153 to the vote of the House. The question is:

Page 27, line 29—

for “the rural areas” substitute—

“any of the matters specified in sub-clauses (i), (ii) and (iii) of clause (a) of sub-section (3)”.

*The motion was adopted.*

The question is:

“That clause 39, as amended, stand part of the Bill”.

*The motion was adopted.*

Clause 39, as amended, was added to the Bill.

Clauses 40 and 41 were added to the Bill.

Clause 42—(Obligatory functions of the Corporation)

**Shri Vajpayee:** I beg to move:

Page 30, line 17 after “primary” insert “and secondary”.

इस संशोधन का सम्बन्ध कारपोरेशन को शिक्षा के सम्बन्ध में जो कार्य क्षेत्र दिया गया है उस से है। उपस्थित विधेयक में जो व्यवस्था की गई है उस के अनुसार कारपोरेशन को केवल प्राथमिक शिक्षा के संचालन का अधिकार होगा। इस संशोधन के द्वारा मैं ने यह माग की है कि माध्यमिक शिक्षा को, सेकेंडरी एजुकेशन को, भी कारपोरेशन के अन्तर्गत दे दिया जाय। अभी भी दिल्ली में जो माध्यमिक शिक्षा चल रही है उस के लिये धन राशि की व्यवस्था करना सरकार का काम है और अगर कारपोरेशन को माध्यमिक शिक्षा दे दी जायेगी और उस के साथ ही केन्द्रीय सरकार धन राशि देती रहेगी तो कारपोरेशन माध्यमिक शिक्षा का ठीक तरह से निर्वाह कर सकेगा। दिल्ली में माध्यमिक शिक्षा के अनेक स्कूल हैं, उन की अपनी समस्याएँ हैं। दिल्ली में असेम्बली नहीं है। क्या हम यह चाहते हैं कि माध्यमिक शिक्षा सम्बन्धी जो छोटी छोटी समस्याएँ हैं, उन के स्कूलों की, उन के अध्यापकों की, वह पार्लियामेंट के सम्मुख रखी जायें? पार्लियामेंट का सम्बन्ध अखिल भारतीय समस्याओं से है। अगर हम कारपोरेशन को वास्तविक रूप में अधिकार देना चाहते हैं

तो मैं समझता हूँ कि इस सशोधन को स्वीकार करने में गृह मंत्री जी को आपत्ति नहीं होनी चाहिये ।

Mr. Deputy-Speaker: Amendment moved:

Page 30, line 17—

after "primary" insert "and secondary".

श्री नवल प्रभाकर : उपाध्यक्ष महोदय, श्री श्री वाजपेयी जी ने जो सशोधन रक्खा है, मैं उस का विरोध करता हूँ । इस का कारण यह है कि दिल्ली में प्राथमिक और माध्यमिक शिक्षा की व्यवस्था इतनी खराब है कि जिस का वर्णन नहीं किया जा सकता । प्राथमिक शिक्षा की बात मैं कहा तक बतलाऊँ । जो वर्तमान म्यूनिसिपल कमेटी है या जो दूसरी म्यूनिसिपल कमेटियाँ हैं उन के अन्तर्गत जो प्राथमिक शिक्षा दी जाती है उस में कुछ अध्यापकों के नीचे ७०, ७० लड्डके पढ़ाये जाते हैं । आप विचार कर सकते हैं कि ऐसी अवस्था के अन्दर प्राथमिक शिक्षा पर ही ध्यान देना अत्यन्त आवश्यक है । दिल्ली नगर निगम का जो विधेयक है उस में प्राथमिक शिक्षा को तो रक्खा गया है लेकिन जहाँ माध्यमिक शिक्षा का सम्बन्ध है, मैं कहना चाहता हूँ कि जो प्राथमिक शिक्षा को नहीं सम्भाल सका वह माध्यमिक शिक्षा को क्या सम्भाल सकेगा । इसलिये शिक्षा के प्रश्न को सरकार के ऊपर छोड़ दिया जाय । केन्द्रीय सरकार का उस के ऊपर चेक रहेगा । जैसाकि माननीय गृह मंत्री जी ने कहा कि दिल्ली में एक कंसल्टेटिव कमेटी है । उस को पूर्ण अधिकार है । वहाँ पर प्रश्न किया जा सकता है, वहाँ विवाद हो सकता है, वहाँ दिल्ली के हर मामले पर विचार किया जा सकता है, हर मामले को उठाया जा सकता है चाहे वह केन्द्र से सम्बन्धित हो चाहे दिल्ली प्रशासन से सम्बन्धित हो । मैं नहीं समझता कि वह प्राथमिक शिक्षा पर तो विचार करेगी लेकिन माध्यमिक शिक्षा पर क्यों नहीं करेगी । माध्यमिक शिक्षा की जो

बुराईयाँ हैं उन को हम जानते हैं । आज भी माध्यमिक शिक्षा के लिये जो हायर सेकेंडरी स्कूल हैं उन में अध्यापकों की कमी है, लेकिन इस का कारण क्या है ? इस का कारण यही रहा है कि वे या तो बिल्कुल म्यूनिसिपल कमेटियों के पास रहे हैं या फिर दिल्ली प्रशासन के पास रहे हैं । अब वह केन्द्र सरकार की देख रेख में चल रहे हैं और उन में इस वर्ष काफी सन्तोषजनक काम हुआ है । जहाँ तक माध्यमिक शिक्षा के स्कूलों का सम्बन्ध है, उन के भवनों का सम्बन्ध है, वे सारे स्कूल टेंटों में चलाये जाते थे । यह बड़े हर्ष की बात है कि जब से केन्द्रीय सरकार ने इस काम को सम्भाला है, जगह जगह पर उन के भवन निर्मित हो रहे हैं । अतः श्री वाजपेयी ने जो सशोधन रक्खा है, मैं उस का विरोध करता हूँ ।

Shri Datar: May I point out, as the hon Home Minister has already done, that the responsibility in respect of primary education is sufficiently heavy? He has also pointed out the circumstances under which he had to find a large amount—in terms of lakhs—for the purpose of giving good buildings to the extent he can so far as primary education itself was concerned. It is also a point which might be noted that it is open to the Municipal Corporation to run or maintain certain secondary schools. But that does not mean that the whole liability of having an establishment or a department for secondary education—taking the whole burden of aiding or recognising or doing other things as a department—should be thrown entirely on the Corporation itself. I believe that under the present circumstances the Municipal Corporation will have sufficient work so far as primary education is concerned and it would not be in the interests of the Municipal Corporation itself to fasten on it more burdens at least at this stage.

It would be open to the Municipal Corporation, in a proper case, after

[Shri Datar]

they find that they can deal effectively with this to take over this question, because it has been mentioned in the discretionary subjects. The question is, should it be a compulsory subject to start with. I believe that the provisions that have been made are perfectly reasonable and would give the Corporation sufficient time for first putting primary education on a sound footing and then considering the further question as to whether secondary education should also be taken over by them.

**Mr. Deputy-Speaker:** I will now put the amendment to the vote. The question is:

Page 30, line 17—

after "primary" insert "and secondary".

*The motion was negatived.*

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

"That clause 42 stand part of the Bill."

*The motion was adopted.*

*Clause 42 was added to the Bill.*

*Clauses 43 and 44 were added to the Bill.*

**Clause 45—**(Constitution of the Standing Committee)

**Shri Vajpayee:** Sir, I beg to move:

Page 33, line 11—

add at the end:—

"and such election shall be held in accordance with the system of proportional representation by means of the single transferable vote."

श्री वाजपेयी : उपाध्यक्ष महोदय, क्लॉज ४५ का सम्बन्ध स्टैंडिंग कमेटीयों के निर्माण और उन की चुनाव पद्धति से है। इस की एक धारा में मैं ने कुछ जोड़ने के लिये संशोधन

रखा है। जो भी स्टैंडिंग कमेटीयां बनेंगी, उन के सदस्यों का चुनाव किस पद्धति से होगा, इस का यहां स्पष्टीकरण नहीं किया गया है। मेरा सुझाव है कि ४५वीं धारा के पहले उपबन्ध में अन्त में यह जोड़ दिया जाय :—

and such election shall be held in accordance with the system of proportional representation by means of the single transferable vote.

मे समझता हूं कि यह संशोधन बहुत आवश्यक है और इस दृष्टि से भी आवश्यक है कि कारपोरेशन के जो भी सदस्य होंगे उन सभी को स्टैंडिंग कमेटीयों में उन की संख्या और शक्ति के हिसाब से प्रतिनिधित्व मिल सके। साथ ही साथ इस बात की आशंका है कि स्टैंडिंग कमेटीयों में उसी पक्ष के सदस्य बहुत बड़ी संख्या में पहुंच जायेंगे जिन का बहुमत कारपोरेशन में है। यह व्यवस्था ठीक नहीं होगी। इस से स्टैंडिंग कमेटीयां कारपोरेशन के सभी पक्षों का समर्थन प्राप्त करने में सफल नहीं हो सकेंगी। इस दृष्टि से मैं ने यह संशोधन उपस्थित किया है कि स्टैंडिंग कमेटीयों के सदस्यों का चुनाव प्रोपोर्शनल रिप्रेजेंटेशन की पद्धति से होना चाहिये। मैं समझता हूं कि कम से कम यह इतना छोटा सा संशोधन तो मान ही लिया जायेगा।

**Shri Datar:** I am not accepting this amendment for the reason that in all cases when members of Standing Committees are to be elected, they ought to be elected by the ordinary method so that there would be greater harmony and greater cohesion between the members and the work will be more effective than by having proportional representation.

**Mr. Deputy-Speaker:** I will now put the amendment to the House.

The question is:

Page 33, line 11—

*add at the end:—*

"and such election shall be held in accordance with the system of proportional representation by means of the single transferable vote."

*The motion was negatived.*

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

"That clause 45 do stand part of the Bill."

*The motion was adopted.*

*Clause 45 was added to the Bill.*

*Clauses 46 to 53 were added to the Bill.*

**Clause 54—(Appointment, etc. of the Commissioner)**

**Shri Vajpayee:** Sir, I beg to move:

Page 37, lines 4 and 5—

for "not less than three-fifths of the total number of members," substitute "the total number of members and by a majority of two thirds of those present and voting."

उपाध्यक्ष महोदय, इस विधेयक की जब प्रालोचना की गई थी, उस समय इस बात पर भी आपत्ति हुई थी कि कारपोरेशन के साथ जो कमिशनर का पद जोड़ा गया है, उस पद के साथ आवश्यकता से अधिक अधिकार जोड़ दिये गये हैं और कारपोरेशन के लोकतन्त्रात्मक स्वरूप पर इस तरह से भी प्रतिबन्ध लगाने का प्रयत्न किया गया है। कमिशनर के पद के लिये जो भी सज्जन नियुक्त हुए हैं, उन की योग्यता के सम्बन्ध में मैं कुछ भी कहना नहीं चाहता। सुना जाता है कि वे बड़े योग्य हैं। लेकिन उन के हाथ में इतने बड़े अधिकार दे दिये जायें यह ठीक नहीं होगा। दूसरी ओर बुने हुए जो सबन्ध हैं और जो मेयर हैं उस के कार्य करने के क्षेत्र को यह सीमित करना होगा।

कमिशनर महोदय को हटाने के संबंध में भी जो व्यवस्था की गई है वह बड़ी कठोर है, उसे भी कुछ सरल किया जाना चाहिये। यदि कमिशनर महोदय कारपोरेशन के बहुमत का विश्वास खो देते हैं और हम बहुमत का विश्वास खो देने मात्र पर उन को हटा देने की व्यवस्था नहीं करते तो इस का परिणाम यह होगा कि कारपोरेशन के कार्य में गतिरोध पैदा हो जायगा। उन को सीधे सादे सरल बहुमत से हटा दिया जाय, इस मत का तो मैं भी नहीं हूँ। लेकिन जो व्यवस्था की गई है, उस में मैंने एक संशोधन उपस्थित किया है। अभी विधेयक में इस सम्बन्ध में जो धारा है, वह इस प्रकार है :—

**The Central Government**

(a) shall remove the Commissioner from office if at a special meeting of the Corporation called for the purpose a resolution for such removal has been passed by a majority of not less than three-fifths of the total number of members;

मेरा संशोधन यह है कि three-fifths of the total number of members की जगह the total number of members and by a majority of two-thirds of those present and voting

यह रख दिया जाय और इस तरह से इस धारा का संशोधन कर दिया जाय।

**Shri Datar:** So far as this question is concerned, the approach of the hon. Member is wrong. The Municipal Commissioner is appointed for the purpose of carrying on his duties. Only in exceptional circumstances, when there is any gross irregularity or wrong conduct on his part, the Corporation will remove him. In these circumstances, if the removal is made extremely easy, it might create difficulties. Therefore, I would submit

[Shri Datar]

that the provision here has been accepted by the Joint Committee after full consideration. If there is a majority of not less than three-fifths, that ought to be sufficient. That would act as, restraining influence so far as the Municipal Commissioner's conduct is concerned and that would add to healthy traditions. So, the approach of the hon. Member to this question is wrong.

**Mr. Deputy-Speaker:** I shall put amendment No. 48 to the vote of the House.

The question is

Page 37, lines 4 and 5—

for "not less than three-fifths of the total number of members," substitute "the total number of members and by a majority of two thirds of those present and voting."

*The motion was negatived.*

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

"That Clause 54 stand part of the Bill"

*The motion was adopted.*

Clause 54 was added to the Bill.

Clause 55.—Salary and allowances of the Commissioner)

श्री बाजवेयी उपाध्यक्ष महोदय, इस विधेयक की धारा ५५ पर मैं अपना ४६ नम्बर का सशोधन पेश करना चाहता हूँ जोकि इस प्रकार है

Page 37—

after line 21, add—

"Provided further that in fixing such salary or allowances or in varying them, the Government shall take into consideration the recommendations if any, made by the Corporation in this regard."

क्लाज ५५ में जो म्युनिसिपल कर्मचारी होंगे, उन की तनस्वाह और उन के भत्ते के बारे में निर्णय करने के अधिकार के

सम्बन्ध में विवरण दिया गया है और जो भी व्यवस्था की गई है उस के अनुसार इस सम्बन्ध में कमिशनर को सर्वाधिकार दे दिया गया और यह कहा गया है कि कमिशनर और केन्द्रीय सरकार द्वारा निर्धारित जो भी वेतन भत्ते होंगे, उन के अनुसार कर्मचारियों को भदायगी करेगा। मेरा सुझाव है कि इस सम्बन्ध में यदि कारपोरेशन कोई सिफारिश करे तो उस का भी विचार किया जाना चाहिये।

मेरे सशोधन का अर्थ यह नहीं है कि कारपोरेशन से पूछा ही जाय लेकिन यदि कारपोरेशन बहुमत से इस बात का निर्णय करे कि तनस्वाह और भत्ते के बारे में उसे भी कुछ सिफारिशें करनी चाहियें तो इस विधेयक में इस बात की व्यवस्था होनी आवश्यक है कि इस तरह का प्रबन्ध किया जाय।

[MR SPEAKER in the Chair]

15 27 hrs

असल में मैंने यह सशोधन प्रस्तुत किया है कि ५५वी धारा के अन्त में यह जोड़ दिया जाय

"Provided further that in fixing such salary or allowances or in varying them, the Government shall take into consideration the recommendations, if any, made by the Corporation in this regard."

मैं समझता हूँ कि यह सशोधन बड़ा रीजनेबल है और इसे स्वीकार किया जायगा।

**Shri Datar:** I am afraid this is neither reasonable nor practicable. The Commissioner is to be a very high officer. It would be open to the Government to appoint a high officer and naturally the Corporation has to give the pay and allowances which he general gets. In those circumstances, there should be no recommendation

so far as the question of pay is concerned. The high post that he occupies should be such that that alone should be taken into account and not merely the question of pay. If, for instance, we insist upon having an officer of a lower grade of pay, then it may be found that he may not be a suitable officer. Difficulties might arise. They are very heavy responsibilities. In these circumstances, I am afraid that the hon. Member's approach is not correct.

**Mr. Speaker:** I shall put amendment No. 49 to the vote of the House.

The question is:

Page 37, after line 21, add:

"Provided further that in fixing such salary or allowances or in varying them, the Government shall take into consideration the recommendations, if any, made by the Corporation in this regard."

*The motion was negatived.*

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

"That Clause 55 stand part of the Bill."

*The motion was adopted.*

Clause 55 was added to the Bill.

Clauses 56 to 58 were added to the Bill.

#### MOTION RE: STATEMENT BY FINANCE MINISTER ON HIS VISIT ABROAD

**Mr. Speaker:** There is only one more minute. We will take up the other work.

**Shri M. R. Masani (Ranchi—East):** Sir, before I commence, the House would like to know when the debate, which would be adjourned today, will be resumed.

**Mr. Speaker:** It will be resumed tomorrow as the first item after Question Hour.

**Shri C. D. Pande (Naini Tal):** May I also enquire if it is possible to extend the time to four hours at least instead of 2½ hours. It is a very important question. Many people who have not spoken would like to speak on this as it is a question of policy—economical as well as political. So, more time should be given.

**Shri Yajnik (Ahmedabad):** There are 52 persons who sent in this, Sir.

**Shri C. D. Pande:** There are 400 on this side.

**Mr. Speaker:** This ought to have been part of planning, I said. But we will take this up independently. We will consider this matter and we shall see as we proceed.

**Shri M. R. Masani:** Mr. Speaker, Sir, the notice of motion which stands in my name has been put before the House on behalf of the Independent Parliamentary Group and the Ganatantra Parishad Group in this Parliament, and I have great pleasure in moving this motion. I beg to move:

"That the statement by the Finance Minister on his visit to the U.S.A., Canada, the U.K., and West Germany, laid on the Table of the House on the 13th November, 1957, be taken into consideration."

The purpose of raising this debate on the statement laid on the Table by the Finance Minister is to focus attention to this country's great need for foreign capital, and to consider ways and means by which we can create in this country a climate which will attract that capital. I hope, Sir, that this debate will not be diverted from this essential purpose in the national interest into the realm of extraneous controversies.

It is not necessary, at this stage in our economic development, to stress the need for foreign capital. The immediate gap in our foreign exchange position with which we are faced has