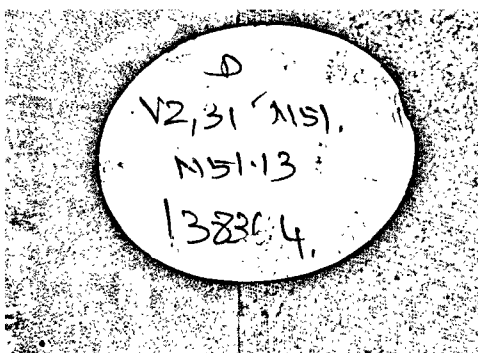




66/9/51

THE
PARLIAMENTARY DEBATES
(Part II—Proceedings other than Questions and Answers.)
OFFICIAL REPORT

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PARLIAMENT OF INDIA

Thursday, 7th June, 1951

The House met at Half Past Eight of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

10-33 A.M.

LEAVE OF ABSENCE FROM THE HOUSE

Mr. Speaker: Before the House proceeds with any other business, I would like to inform hon. Members that Shri P. M. Audikesavalu Naicker has requested for leave of absence under article 101(4) of the Constitution till the end of the current session as he is not well.

Is it the pleasure of the House to grant him leave?

The leave was granted.

BUSINESS OF THE HOUSE

Mr. Speaker: Before the House proceeds with any further business, I want to be clear about the time-table of the House. I find that we have some important business which we have to put through. The Representation of the People (No. 2) Bill will, I think, be concluded within a short time; that is what I believe. Then, the most important item will be the motions about Delimitation. I presume that the House is determined—I presume so—to see that by about six o'clock on the 9th, Saturday, we finish the present session.

Hon. Members: Yes.

Mr. Speaker: If that is so, then, we must have a strict time-table, strict
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time-limit and rationing of time for everything.

Hon. Members: Yes.

Mr. Speaker: Otherwise, we shall be dragging.

Shri Sidhva (Madhya Pradesh): And not add new Bills.

Mr. Speaker: It is not a question of adding or subtracting; it is a question of urgent business having to be put through. I do not think that there is any possibility of new urgent things coming up; but one does not know. I was therefore suggesting that the House may meet in the afternoon today and tomorrow also...

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): Let us fix the time for today.

Mr. Speaker: About the timings, we shall see later on. We sit even in the afternoon and if necessary we sit again tomorrow afternoon, but not on Saturday afternoon. If the session is to end in the afternoon, Members will require some time for packing. Shall we sit at 4-30 today?

Shri Satya Narayan Sinha: We may sit from 4-30 to 6-30 today.

Mr. Speaker: We shall sit from 4-30 to 6-30. Tomorrow, we shall see how we adjust the time.

Shri Sidhva: Am I clear, Sir, that the session will end on Saturday?

Mr. Speaker: Now, the House has agreed. If the House wishes to discuss other matters, I shall use the method of guillotine. We have now reached an agreement. All questions undisposed of at one o'clock on Saturday, will be put to the vote without any further discussion. I think that is the only procedure.

Shri Kamath (Madhya Pradesh): Will you please tell us, Sir, whether Government is anxious to put through

[Shri Kamath]

all the Bills in the List of Business or whether they wish to put through only a few of them? There are some unimportant Bills, in my humble judgment.

Mr. Speaker: The whole position is clear. It does not require any statement which will take its own time. We have the Representation of the People (No. 2) Bill. That is important obviously. Then, the Delimitation motions which are obviously important if the elections are to come off. Then, there are two Bills on the anvil: one is the Rajghat Samadhi Bill.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): It is a small one.

Mr. Speaker: The Rajghat Samadhi Bill is already on the anvil.

Shri Jawaharlal Nehru: There are two resolutions.

Shri Satya Narayan Sinha: The Industrial Disputes (Amendment and Temporary Provisions) Bill is very important.

Shri Sidhva: No new Bills.

Shri Hussain Imam (Bihar): It is a big Bill which will require a great deal of discussion.

Shri Jawaharlal Nehru: The hon. Member has mistaken it for another. This is a brief Bill dealing with bank disputes only.

Mr. Speaker: In view of the shortness of the time, let us not take more time. Hon. Members will confer amongst themselves and decide.

Shri T. Husain (Bihar): We do not meet after the 9th: I want to have an official announcement.

Mr. Speaker: We do not meet not only after the 9th, but also after one o'clock on the 9th.

Shri Kamath: May I remind you, Sir, about the Question Hour tomorrow? The questions of the 29th were postponed to tomorrow. I think that is all.

Mr. Speaker: Yes, I thought the hon. Member was suggesting that the Question Hour should be dispensed with.

Shri Kamath: No.

Shri Biswanath Das (Orissa): Notice of three resolutions has been given by

Government. Is it the idea to drop any one of these?

Mr. Speaker: Are there three resolutions or two?

Shri Satya Narayan Sinha: Three.

Mr. Speaker: There are three resolutions.

The Minister of State for Transport and Railways (Shri Santhanam): I am quite willing to postpone my resolution.

Mr. Speaker: That means there are two.

Pandit Kunzru (Uttar Pradesh): I have not been able to follow the discussion. There is so much noise that it was very difficult to hear either what you said or what any other Member said. I therefore want to be sure what it is that you intend to do at one o'clock on the 9th. You have said, Sir, I believe, that all business that is undisposed of at one o'clock will be put to vote. But, I take it that you do not include Bills on the agenda paper in the business.

Mr. Speaker: Order, order. The hon. Member will be in a position to clarify from the other hon. Members so that I need not take up again the time of the House. But, I shall only say, in short, this much. We have some important business which must be put through before we adjourn. Amongst them are two resolutions of Government, and the Delimitation motions. Then, of course, I said, the Representation of the People (No. 2) Bill which is already at the third reading stage. There is the Rajghat Samadhi Bill which is already in possession of the House and is under discussion and the Industrial Disputes (Amendment and Temporary Provisions) Bill. I do not remember there is anything else. These are the important items which must be put through. Therefore, I suggested that as we are now unanimous or almost unanimous—there may be perhaps a dissentient voice—

Shri T. Husain: Unanimous.

Mr. Speaker: I do not know what is in the mind of the hon. Member—we now adjourn at one o'clock on Saturday the 9th, not to meet again till the next session. Therefore, in order to facilitate discussion of all these things and to see that the whole business is put through, I suggested originally that the House might sit even in the afternoon of today and tomorrow. We have decided that today we sit from 4-30 P.M. to 6-30 P.M.

MADHYA PRADESH ORDER

Shri M. A. Hasan (Madhya Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

MADRAS ORDER

Shri Kanaka Sabai (Madras): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri V. J. Gupta (Madras): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

The Minister of Law (Dr. Ambedkar): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

UTTAR PRADESH ORDER

Pandit Balkrishna Sharma (Uttar Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Mr. Speaker: I do not know what the Government proposes to do about the motions in respect of the U. P. Order. The motions have to be moved to-day.

Dr. Ambedkar: I am in a difficult situation, because the revised Order is not yet ready.

Mr. Speaker: Will it be ready by one o'clock to-day?

Dr. Ambedkar: We are trying our best and I shall let the House know and let you also know before one o'clock how the position stands.

Mr. Speaker: The point is that before one o'clock the motions must be made in the House. Otherwise, perhaps, the motions will not be admissible at all. Therefore, I would suggest the motions may be moved and examined and then it will be possible to suggest amendments in the motion. That would be one of the courses open. The hon. Law Minister may consider that, I mean amendments so far as language and other such things are concerned and not amendments of substance.

Dr. C. D. Pande (Uttar Pradesh): I have given notice of amendments and without going into their details...

Mr. Speaker: He need not read out the whole motion.

As for tomorrow we shall settle after we see how far it is necessary to meet again and at what time. If necessary, we can meet after consulting the convenience of all. Therefore, I have suggested that there should be a time-limit for everything. Even if a few or one Member feels that some point has not been discussed sufficiently, in view of the unanimous desire of the House, or almost unanimous desire of the House, I shall at one o'clock on Saturday put to vote all the outstanding questions with reference to the matters which I have pointed out, and not with reference to other matters.

Now, let there be no more discussion on this.

Shri Hussain Imam: Sir, I would like to...

Mr. Speaker: No more discussion of this. We now go to the next item.

PAPER LAID ON THE TABLE

NOTIFICATION UNDER SECTION 4A OF INDIAN TARIFF ACT, 1934

The Minister of State for Finance (Shri Tyagi): I beg to lay on the table a copy of Ministry of Finance Notification No. 51-Customs, dated the 1st June, 1951, in accordance with subsection (2) of section 4A of the Indian Tariff Act, 1934. [Placed in Library. No. P-176/51].

MOTIONS RE. DELIMITATION OF CONSTITUENCIES ORDERS 1951

Mr. Speaker: Now we take up the motions re. Delimitation of Constituencies Orders 1951. Today is the last day for the second set of motions. We all follow the same procedure that we had yesterday. I am calling out the names and hon. Members who are present, if they say "yes", we shall take it that their motions are moved. They may say "yes" loudly enough so to enable me to hear it.

BOMBAY ORDER

Shri Hiray (Bombay): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Deogirikar (Bombay): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Sonavane (Bombay): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Bharati (Madras): That is quite correct. The acoustics are not good.

Dr. V. Subramaniam (Madras): In view of the various amendments that have been adopted, we want the printed copies of the Bill to be circulated to all hon. Members as soon as possible.

Mr. Deputy-Speaker: It is published in the Gazette.

Dr. V. Subramaniam: It will take a long time. I hope you will consider my suggestion.

Shri Bharati: Apart from the Act we want to get the rules made thereunder. In fact the rules made under the Representation of the People Act 1950 I could not get from the Library. They contain important rules. I would request you to direct that rules should also be sent to Members. The rules made under that Act and the rules that may hereafter be made under this Act may also kindly be sent to hon. Members and I would request you to give a direction in the matter.

Mr. Deputy-Speaker: A general direction is given and any hon. Member who does not get them will write to the Secretary.

Shri Bharati: All Members are naturally interested in the rules. A general direction may be given that the rules made under the Acts may be sent to Members, irrespective of whether they apply or not.

Mr. Deputy-Speaker: Any Member who does not receive them may write to the Secretary.

RAJGHAT SAMADHI BILL—Concl'd.

Clause 4.—(Composition of the Committee.)

Pandit Munishwar Datt Upadhyay (Uttar Pradesh): I beg to move:

(i) In part (b) of sub-clause (1) of clause 4, for "three" substitute "two".

(ii) In part (c) of sub-clause (1) of clause 4, for "three" substitute "four".

The number of officials to be nominated is three, which should be reduced to two and the number of non-officials should be increased to four. Though the demand has been made by some hon. Members that there should be an elected Committee and not a nominated Committee, I do not go to that extent. There should be nominated persons but they should not be in this proportion. The number of offi-

cials should not be equal to the number of non-officials. It should be a non-official body. If it is not possible to have a non-official Committee we should have only two official members and four non-official members and one of them will be a chairman of the municipal committee. That would be the right composition of the Committee.

The Deputy Minister of Works, Production and Supply (Shri Buragohain): I cannot accept the amendment. We have already four non-officials. The president of the municipal committee is also a non-official and the Central Government has power to nominate the Chairman who may be a non-official.

Pandit Munishwar Datt Upadhyay: I do not press my amendments.

Shri Kamath (Madhya Pradesh): I beg to move:

After part (c) of sub-clause (1) of clause 4, add:

"(d) two persons elected by Parliament."

I referred to this point in the course of my brief remarks at the consideration stage a couple of days ago. I do not wish to repeat the arguments that I advanced on that occasion. I would only stress this aspect of the matter with reference to the reply given by the hon. Minister to the point raised by me. The hon. Minister, Mr. Gadgil, said—I am reading from the Reporters' uncorrected copy:

"Two points have been raised by my friend Mr. Kamath. One was that there must be a Member of Parliament on the Committee and he should be elected by the House. The provision as it is does not prevent Government from nominating one of the members from the Members of Parliament. I can assure Mr. Kamath that his suggestion will be kept in view and one of the members among the three non-officials would normally be a Member of Parliament."

We have become used in this Parliament to Ministers' assurances. From the Prime Minister to the last of his colleague—not last in the sense of importance, but in the order of precedence—we have been treated to assurances in the House from time to time. I do not mean to say that those assurances have not been kept but the memory of the House is not so short that they can forget the fact that some of the assurances, at any rate, have not been implemented. The other day my hon. friend Dr. Mookerjee referred to an assurance given

only two days earlier by the Prime Minister, which was not honoured later on. Therefore, so far as I am concerned—and I am sure that most of my colleagues present here in this House today will agree with me in this matter—I for one feel that an assurance from whomsoever it might come and in whatever spirit it may be made in this House, cannot be accepted at its face value. After all, Mr. Gadgil may assure us today, someone else may take his place tomorrow, and in that eventuality how will an assurance given by Mr. Gadgil bind his successor? When even the decisions and Acts of a Parliament do not bind a successor Parliament, how can a mere assurance bind the successor of a Minister? Therefore, it has been held, not merely here but in Parliaments all over the world, that an assurance as such is not effective enough, has sometimes practically no value at all, and that if anything is meant by a Minister to be implemented in earnest it has got to be incorporated in the Act itself. The Minister said that "Mr. Kamath's suggestion will be kept in view and one of the Members would normally be a Member of Parliament". I do not wish to disclose the private talk I had with the Minister, because I suppose that will be ruled out of order and may not be quite appropriate on the floor of the House, because he told me something in private, and an assurance was given of a different kind. (Interruption). I am not disclosing the contents of that private talk.

I would therefore urge upon the Minister the necessity of amending this clause specifically to the effect that one of these three non-official members will be elected by Parliament. My amendment is that two should be elected by Parliament, but while pressing this amendment I would, however, be content if the Minister meets me half way and agrees to provide in the Bill itself that one of the members of this Committee will be elected by Parliament. I can give him another alternative. I hope he does not stand on prestige; his Deputy is here watching the interest of his principal, I will not say principal, of his chief, and I hope he is more receptive to suggestions than his chief—but I do not know if he has had any instructions which cannot be disregarded and whether he has therefore been instructed to stick to his guns, big or small, but, I would give him a second alternative and that is this. It could be stated specifically by adding a comma after "three non-officials nominated by the Central Government" and saying, "of whom one at least shall

be a Member of Parliament." That will keep the field open. If Government wants and Parliament brings pressure to bear upon Government they might nominate all the three non-officials from among Members of Parliament, or nominate only two or one. Therefore, if these words, "of whom one at least shall be a Member of Parliament", are added to that part of the clause, that might be, though it is half-hearted, some sort of resolution of this difficulty.

While asking the Minister to accept this suggestion of mine, I also hope the House will not stultify itself by not accepting the amendment of mine, because my amendment is intended to enhance the dignity, the power, the strength, the prestige of this House, and I hope my hon. colleagues will see to it that this important Bill relating to the Samadhi of the Father of the Nation does contain a provision which will make it obligatory for Members of this House to serve on the Committee intended for the maintenance, preservation and administration of the Samadhi of the Father of the Nation.

I commend my amendment for the acceptance of the House.

Mr. Deputy-Speaker: What is the difficulty for the Government when they have given an assurance?

Shri Buragohain: I will explain the position. Mr. Kamath's second amendment has been accepted in principle...

Shri Kamath: No.

Shri Buragohain: In substance it has been accepted, and the hon. Minister has given an assurance.....

Shri Kamath: We do not accept your assurances.

Shri Buragohain:and the Government will stand by their assurance.

Shri Kamath: Which Government? This Government may go tomorrow and another Government may come.

Shri Buragohain: According to the provisions of the Bill it is conceivable that more Members of Parliament than one may be taken into the committee. No limit has been fixed in the provisions of the Bill.

Mr. Deputy-Speaker: Has the hon. Minister considered the other suggestion of the hon. Member, namely:

"of whom one at least shall be a Member of Parliament."

Shri Buragohain: I have already stated that an assurance has already been given by the hon. Minister to that effect.

Mr. Deputy-Speaker: What is the harm in including it here?

Shri Buragohain: As I have already stated, it may be that we may have even five non-official members from among Members including the Chairman. Why should we limit the number explicitly to one?

Shri Kamath: At least one.

Shri Buragohain: Even at least one. That is why it is much better to leave it to the discretion of the Government because it is just possible that in a Committee of this kind eminent persons from various parts of the country and various sections of the population would like to be associated. It is much better that it should be left to the discretion of Government.

Shri Kamath: It will enhance the prestige of Parliament including that of the Deputy Minister.

Mr. Deputy-Speaker: Is it the desire of the hon. Member that I should put his amendment to vote?

Shri Kamath: Yes, Sir.

Mr. Deputy-Speaker: The question is:

After part (c) of sub-clause (1) of clause 4, add:

"(d) two persons elected by Parliament."

I think the Noes have it.

Shri Kamath: The Ayes have it.

Mr. Deputy-Speaker: Let the House divide.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): rose—

Shri Kamath: On a point of order, are any speeches allowed at this stage, Sir?

Mr. Deputy-Speaker: The hon. the Prime Minister will accept the amendment.

Shri Jawaharlal Nehru: It is for you, Sir, to determine whether I am in order or not. I do not know. I was not here at the earlier stage. But this is hardly a matter I should have thought on which the House would divide itself. This is a suggestion to be welcomed even from the point of view of the House itself. I do not

know if I may suggest to the Move Clause 5:—(Powers and duties of the Committee.)

Shri S. N. Das (Bihar): I beg to move:

After part (b) of clause 5, insert:

"(bb) to organise and maintain a public library or reading room containing Gandhian literature or literature pertaining to the life and teaching of Mahatma Gandhi including his Sarvodaya ideals;

(bbb) to receive and collect funds from the Government and the general public and administer them for the maintenance, preservation and administration of the Samadhi and activities attached therewith;"

Mr. Deputy-Speaker: Yes.

Shri Kamath: This, Sir, is a reasonable compromise, but on a point of procedure, I would like to know whether it is in order for a motion to be amended after it is put to the vote of the House?

Mr. Deputy-Speaker: By agreement anything can be done.

Shri Sivan Pillay (Travancore-Cochin): What will be the term of those members?

Mr. Deputy-Speaker: Wherever Members are elected or nominated to serve on committees outside the House their term depends upon the term of other members of the committee. Therefore, we need not make any special provision about it.

Shri Sivan Pillay: Suppose they cease to be Members of Parliament.

Mr. Deputy-Speaker: That can be considered later.

But there is one difficulty in the form of the amendment. The House of the People will come into existence only after the General Elections. If we put 'Speaker of Parliament' he can nominate two Members as soon as this Bill is passed.

The Minister of Home Affairs (Shri Rajagopalachari): He is the only person who is called "Speaker". Therefore the word "Speaker" would do.

Mr. Deputy-Speaker: The question is:

After part (c) of sub-clause (1) of clause 4, add:

"(d) two Members of Parliament to be nominated by the Speaker."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

"That clause 4, as amended, stand part of the Bill."

The motion was adopted.

Clause 4, as amended, was added to the Bill.

ऐसा भी किया जाय कि जो लोग समाधि पर पहुँचें उन का चित्त महात्मा गांधी के आदर्श की तरफ भी खिंचे। हिन्दुस्तान में तीर्थ स्थानों की कमी नहीं है। मगर दिल्ली में कोई ऐसा तीर्थ नहीं है जहाँ सारे हिन्दुस्तान से लोग आया करें। यह राजनीति का स्थान रहा है और राजधानी रही है। बड़े बड़े राजे महाराजों की समाधियाँ यहाँ बहुत हैं। महात्मा गांधी की समाधि अगर उस श्रेणी में आ जाय तो मैं समझता हूँ कि यह उचित नहीं है। महात्मा गांधी की समाधि के साथ साथ हमें कुछ ऐसे काम करने चाहियें जिस से महात्मा गांधी के काम की तरफ लोगों का ध्यान बराबर खिंचता रहे। इस लिये मैं चाहता था कि कन्व इस के कि इस विल पर विचार किया जाय मैं अपने विचार प्रकट कर दूँ। मगर उस समय मौका नहीं मिला। इसी लिये मैं ने यह संशोधन आप के सामने रक्खा है कि उस समाधि के साथ हम कुछ ऐसे काम भी रखें जिन पर जनता का ध्यान जाय, और उन लोगों का भी ध्यान जाय जो बाहर से आ कर समाधि पर जायें, ताकि गांधी जी की बातों की ओर वह आकर्षित हों। इस लिये मैं ने अपने संशोधन में कहा है कि इस कमेटी का यह भी काम हो कि वहाँ एक सार्वजनिक पुस्तकालय का निर्माण करे जिस में गांधी जी के साहित्य को और उनके आदर्शों के साहित्य को वहाँ पढ़ पढ़ने की व्यवस्था हो। और अगर कमेटी उस काम को हाथ में ले तो उस का यह भी काम होगा कि सरकार ने पैसे ले कर या सार्वजनिक चन्दा ले कर उस से इस समाधि और उस के साथ संलग्न कार्यों की समुचित व्यवस्था करे।

मैं सभा का ज्यादा समय नहीं लेना चाहता हूँ यद्यपि यह महसूस करता हूँ कि

[श्री एस० एन० दास]

विल को उपस्थित करने में माननीय मंत्री ने शायद उस के कानूनी क्षेत्र को संकुचित करने के इरादे से ही ऐसा किया है। लेकिन मैं समझता हूँ कि इस में इस प्रकार की व्यवस्था करना बहुत जरूरी है। इस विल के निर्माण में मैं आशा करता हूँ कि माननीय निर्माण मंत्री इस संशोधन पर विचार करेंगे और उस के बाद इसे स्वीकार कर लेंगे।

(English translation of the above speech)

Shri S. N. Das: I beg to move:

After part (b) of clause 5, insert:

"(bb) to organise and maintain a public library or reading room containing Gandhian literature or literature pertaining to the life and teaching of Mahatma Gandhi including his Sarvodaya ideas;

(bbb) to receive and collect funds from the Government and the general public and administer them for the maintenance, preservation and administration of the Samadhi and activities attached therewith;"

What I mean by the amendment that I have put forward is that the scope of the functions of this Committee, which will be formed to manage and look after Gandhiji's Samadhi, should be widened. If the function of the Committee is just to look after the Samadhi and nothing else I think it will not be anything more than an ordinary *mela*, when people would be coming in their thousands to visit the place. We thought when this matter would come up before the Parliament some such functions will be associated with it which would attract people's attention towards the teachings of Mahatma Gandhi. In my opinion, there was no necessity of setting up such a large Committee if the Samadhi is to be maintained in this very form. There is a large number of such Samadhis and such places in India where people go in their thousands and pay their homage. What I fear is that this place may also not be converted into a place where people, just as they go to various other places for idol-worshipping, might come and simply worship and forget the teachings and ideals which Mahatma Gandhi put before us. I want that something must be done through this Bill so that

those who visit the Samadhi may also have a Harijan colony, library, have an opportunity to pay some attention to the teachings of Mahatma Gandhi. India does not lack in places of pilgrimage but there is no such sacred spot in Delhi where people from all over the country may come. Delhi has since long been a capital and after it as a sacred place, keeps proper centre of politics. There are a large number of Samadhis of famous princes and rulers here. I do not think it will be proper if we place Mahatma Gandhi's Samadhi too in this category. Some such activities should be associated with the Samadhi of Mahatma Gandhi as may constantly draw people's attention towards his achievements. I, therefore, wanted that the Bill should express my views on this matter before the Bill was taken up for consideration in the House. But I could not get an opportunity at that time and hence I have moved this amendment now that some activities should be associated with the Samadhi so that the people of this country and all those who visit the place, may pay their attention towards the teachings and ideals of Gandhiji. It is therefore have stated in my amendment that the function of the Committee should also be to set up a public library containing Gandhian literature with arrangements for the study of literature pertaining to his teachings and ideals. If this Committee undertakes this work it will also be its duty to receive and collect funds from the Government or the general public for the maintenance, preservation and administration of the Samadhi and carrying on the activities attached therewith.

I do not want to take any more time of this House although I feel that the hon. Minister, in presenting this Bill before the House, has done so only with a view to circumscribe its legal scope. But I think it is very necessary to make these provisions in the Bill. I hope the hon. Minister of Works will give his consideration to my amendment and accept it.

Shri Jawaharlal Nehru: It seems to me that there is perhaps some misapprehension about the objects of this Bill. This is meant merely to look after that place as efficiently as possible. Hon. Members know that there are a large number of schemes, partly Governmental but chiefly under the Mahatma Gandhi Memorial Trust, to have libraries and many other things in connection therewith. I think to mix up the two would be undesirable. We can have very good libraries not perhaps situated right there but in some other part of Delhi, not in this particular area but across the road

here. There is, I believe, a big proposal to have a Harijan colony, library, have an opportunity to pay some attention to the teachings of Mahatma Gandhi. India does not lack in places of pilgrimage but there is no such sacred spot in Delhi where people from all over the country may come. Delhi has since long been a capital and after it as a sacred place, keeps proper centre of politics. There are a large number of Samadhis of famous princes and rulers here. I do not think it will be proper if we place Mahatma Gandhi's Samadhi too in this category. Some such activities should be associated with the Samadhi of Mahatma Gandhi as may constantly draw people's attention towards his achievements. I, therefore, wanted that the Bill should express my views on this matter before the Bill was taken up for consideration in the House. But I could not get an opportunity at that time and hence I have moved this amendment now that some activities should be associated with the Samadhi so that the people of this country and all those who visit the place, may pay their attention towards the teachings and ideals of Gandhiji. It is therefore have stated in my amendment that the function of the Committee should also be to set up a public library containing Gandhian literature with arrangements for the study of literature pertaining to his teachings and ideals. If this Committee undertakes this work it will also be its duty to receive and collect funds from the Government or the general public for the maintenance, preservation and administration of the Samadhi and carrying on the activities attached therewith.

Mr. Deputy-Speaker: Need I place this amendment before the House?

श्री एस० एन० दास: प्रधान मंत्री ने जो वक्तव्य दिया है उस को देखते हुए मैं अपने संशोधन पर जोर नहीं देता।

[Shri S. N. Das: In view of the statement made by the Prime Minister, I do not press my amendment.]

Mr. Deputy-Speaker: So it is not necessary. What about the hon. Member Pandit Munishwar Datt Upadhyay?

पंडित मुनीश्वर दत्त उपाध्याय: प्रधान मंत्री के वक्तव्य के बाद मैं उस पर जोर नहीं देता।

[Pandit Munishwar Datt Upadhyay: I do not press it after the Prime Minister's statement.]

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 8

Shri Kamath: Now that the House has agreed to associate Members of Parliament with the Committee of the Rajghat Samadhi I do not propose to move my amendments to clauses 6 and 7.

Mr. Deputy-Speaker: Then I will put all the three remaining clauses together.

The question is:

"That clauses 6 to 8 stand part of the Bill."

The motion was adopted.

*Clauses 6 to 8 were added to the Bill.

The Schedule was added to the Bill.

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

Shri Buragohain: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill, as amended, be passed."

सेठ गोविन्द दास: राजघाट समाधि के जिस प्रकार बनाये जाने की योजना है और अभी जो कुछ उस के लिये हमारे प्रधान मंत्री जी ने कहा है उस का मैं हृदय से समर्थन करता हूँ। उन के कमरे में उस मानचित्र को भी मैं ने देखा जो कि इस समाधि के निर्माण के लिये एक अमरीकी कलाकार ने बनाया है। वह चित्र बड़ा सुन्दर है इस में सन्देह नहीं। माननीय प्रधान मंत्री जी ने स्वयं मुझे उसे दिखाने और समझाने की कृपा की थी। परन्तु कलात्मक वस्तुओं की भव्यता और सौंदर्य सदा बढ़ाया जा सकता है; और यह नहीं कहा जा सकता कि जहाँ तक भव्यता और सौंदर्य का सम्बन्ध है वहाँ तक कोई भी वस्तु पराकाष्ठा को पहुँच चुकी है। अमरीका को मैं कलात्मक संसार में कोई सब से महान देश नहीं मानता। उस ने धन का बड़ा भारी संग्रह किया होगा, सोना चांदी के निर्जीव टुकड़ों का वहाँ पर विपुल संग्रह होगा जहाँ तक उत्पादन का

[पंडित ठाकुर दास भार्गव]

कि चाहे वहां कोई इमारत बने या न बने हमारे दिलों में उस जगह की इमारत बनी हुई है। मैं अर्ज करना चाहता हूं कि जब तक जमुना और गंगा बहती हैं उस वक्त तक हमारे देश भाइयों के लिये राजघाट एक तीर्थ स्थान रहेगा। जब कोई शख्स पहले दिल्ली में आता है तो वह सब से पहले राजघाट के दर्शन करने जाता है। और बाहर से भी जो बड़े बड़े आदमी आते हैं वह राजघाट पर जा कर अपनी श्रद्धा के फूल चढ़ाते हैं। मैं जो बात यहां पर अर्ज करना चाहता हूं वह राजघाट से जरा सी मुस्तलिफ है और वह यह है कि जहां महात्मा गांधी की असली समाधि हुई थी, जहां महात्मा गांधी का दरअसल देहान्त हुआ था, जहां पर स्प्रिचुअल फोर्सेज ने दुनिया की फिजिकल फोर्सेज पर फतह पाई थी, वह जगह आज तक पब्लिक के कब्जे में नहीं है। मैं अदब से अर्ज करना चाहता हूं कि इस हाउस के सारे मेम्बरान की यह ख्वाहिश है, और मैं यह जानते हुए कि राजघाट की समाधि से जिस के बारे में यह बिल लाया गया है इस का कोई डाइरेक्ट ताल्लुक नहीं है, गवर्नमेंट की खिदमत में और मेम्बरान की खिदमत में आप के जरिये यह अर्ज करूंगा कि हिन्दुस्तान की रूह को उस वक्त तक तृप्ति नहीं होगी जब तक कि वह जगह जहां पर कि महात्मा गांधी की दरअसल समाधि हुई थी पब्लिक प्रापर्टी न बन जाय और उस जगह कोई नया मेमोरियल न बन जाय। मैं अदब से अर्ज करना चाहता हूं कि हम बहुत सारे मन्दिरों की पूजा करते हैं। हम यह समझ लेते हैं कि मूर्ति के अन्दर परमात्मा का वास हो गया है और हम लोग इस किस्म की चीजों में यकीन कर लेते हैं लेकिन फिर भी यह नहीं हो सकता कि कोई आदमी दिल्ली में आये, समाधि के दर्शन करे पर उस स्थान के दर्शन किये बिना तृप्त हो जाय

जिस जगह कि महात्मा गांधी ने राम राम कहते हुए अपने देह का त्याग किया था कौन नहीं चाहता कि वह उस जगह को जरूर जाय जहां शान्ति स्थापित करने में महात्मा गांधी ने एक बहुत बड़ा कदम उठाया था और उस के लिये अपने प्राण त्याग दिये थे। इसी लिये मेरे दोस्त श्री जसपत राय कपूर ने हाउस में जो कहा था उस चीज को मैं दुहराना चाहता हूं कि जिस जगह पर महात्मा गांधी को गोली लगी थी उस जगह को जरूर हिन्दुस्तान के वास्ते गवर्नमेंट एक्वायर करे और उस जगह पर एक पब्लिक मेमोरियल बनवाया जाय। जहां तक उस खानदान का सवाल है जिस का कि यह मकान है मैं उन के जजबों को अच्छी तरह जानता हूं और मैं उन से बखूबी वाकफ हूं और मेरे उन से बहुत अच्छे ताल्लूकात हैं। मैं उम्मीद करता हूं कि अगर गवर्नमेंट चाहेगी तो हरगिज हरगिज बिरला फैमली इन्कार नहीं करेगी और उस को गवर्नमेंट के या पब्लिक के सुपुर्द कर देगी। मुझे उम्मीद तो नहीं है कि इस मामले में कोई इन्कार करे। लेकिन मैं अदब से अर्ज करना चाहता हूं कि पब्लिक के अन्दर जो जजबे हैं उन के सामने किसी प्राइवेट आदमी के जजबों की कोई हैसियत नहीं रह जाती। महात्मा गांधी बिरलों के नहीं थे, वह सिर्फ हिन्दुस्तानियों के भी नहीं थे, वह तो सारी दुनिया के वास्ते थे। मैं समझता हूं कि अगर उस जगह का पता लग जाय जहां पर कि ईसा मसीह को सूली लगी थी तो मैं समझता हूं कि वह सारी दुनिया के वास्ते सीट आफ फिलग्रिमेज हो जायेगी। जिस जगह महात्मा गांधी का देहान्त हुआ था वह ऐसी जगह है कि जहां सारी दुनिया के लोग आयें और अपनी आत्माओं को शान्ति दें। यह जगह एक ऐसा इलेक्ट्रिक पावर हाउस है जहां से कि सारी दुनिया को चार्ज

किया जा सकेगा। वह जगह एक ऐसा ज्वाला मुखी है कि जिस से ऐसी रोशनी निकलेगी कि जो सारी दुनिया को मुनव्वर कर दे। उस जगह को जहां महात्मा गांधी का देहान्त हुआ है इस निगाह से देखना चाहिये। राजघाट तो वह जगह है जहां हम ने उन के शरीर का दाह किया था। लेकिन वह जगह जहां कि उन को गोली लगी थी और उन्होंने राम राम कहते हुए अपने शरीर को छोड़ा था वह सारे हिन्दुस्तान के लिये और सारी दुनिया के लिये एक पवित्र स्थान है। अगर हम उस की अहमियत को महसूस नहीं करते तो यह हमारी गलती है। मैं जानता हूं कि हर मेम्बर के दिल में यह बात है और इस लिये मैं अपनी तरफ से और सारे हाउस की तरफ से गवर्नमेंट की खिदमत में यह अर्ज करूंगा कि वह ऐसा कदम उठाये कि इस जगह को पब्लिक प्रापर्टी बना दे और इस पर चाहे जितनी रकम खर्च करनी पड़े या किसी को नाखुश भी करना पड़े तो इस की कुछ भी परवाह न करे। यह जरूर है कि उस जगह के दर्शन की इजाजत है। पर इजाजत और चीज और एक पब्लिक प्रापर्टी और चीज है। अगर आप दरअसल चाहते हैं कि अगर कोई आदमी दिल्ली आ कर महात्मा जी के आदर्श से मुतासिर हो तो उस के लिये यह बहुत जरूरी है कि वह उस जगह का दर्शन करे जहां कि महात्मा गांधी ने अपने शरीर को त्यागा था। राजघाट अपनी जगह पर एक मुतबरिक जगह है लेकिन जिस जगह महात्मा गांधी ने अपने प्राण त्यागे थे वह उस से ज्यादा मुतबरिक जगह है। मैं जानता हूं कि जो लोग दिल्ली आते हैं और राजघाट की समाधि का दर्शन करते हैं तो उस के बाद वह पूछते हैं कि वह जगह कहाँ है कि जहां महात्मा जी ने अपना शरीर छोड़ा था। वह ऐसी जगह है कि जिस की लोगों के दिलों में बहुत ही बड़ी इज्जत

है। मैं चाहता हूं कि गवर्नमेंट यह कोशिश करे कि वह जगह पब्लिक प्रापर्टी हो जाये, और वहां पर एक पब्लिक मेमोरियल कायम किया जाये। मैं अदब से अर्ज करना चाहता हूं कि इस बिल का समर्थन करते हुए मैं अपने दिल से यह चीज दूर नहीं कर सकता कि हमारे ख्यालात की तर्जमानी उसी वक्त हो सकती है जब कि उस जगह एक मेमोरियल कायम हो जो कि हमारी कौम की जो महात्मा गांधी की तरफ श्रद्धा है उस का इंडीकेशन हो।

(English translation of the above speech)

Pandit Thakur Das Bhargava (Punjab): Speaking after such a fine speech by hon. Seth Govind Das, in which he has sketched the building proposed to be built at Rajghat, sounds like prose after a piece of poetry. I submit that Rajghat, to which the present bill relates, is looked upon with so much reverence by all our countrymen including myself that it is always pictured in our minds irrespective of the fact whether a building exists there or not. For all times to come it will remain a sacred shrine or a place of pilgrimage for our people. The first thing an individual does on first arrival in the capital, is that he goes to visit Rajghat. Again all great persons of our times go to pay their homage at Rajghat as early as possible after their arrival in Delhi.

I want to refer here to another aspect which is somewhat different from Rajghat itself. I submit that the real 'Samadhi' or the actual spot, where Mahatma Gandhi breathed his last or the particular place where the spiritual forces gained victory over the physical forces is still not in public possession. I am aware that every hon. Member of this House entertains that wish and although this subject, strictly speaking, has no direct bearing on the subject of the Samadhi at Rajghat to which this present Bill relates, I want to convey to the Government that India will not be satisfied till the place where Mahatmaji actually breathed his last, is converted into public property and a new memorial is built there. We in India worship so many temples. We have the belief that the idol we worship, is the very incarnation of God. We entertain many similar beliefs. Yet

[Pandit Thakur Das Bhargava]

it is impossible that an individual, on arrival in Delhi should feel satisfied with a visit to the 'Samadhi' alone and go without paying homage at the spot where the Mahatma actually left his mortal coils with "Ram, Ram" on his lips. Who does not wish to make it a point to visit that spot where the great Mahatma took that fateful step to establish peace in the country and where eventually he had to give even his life? For that consideration I want to repeat what my hon. friend Shri Jaspal Rai Kapoor has said in the House earlier. I call upon the Government to see to it that the spot where Mahatma Gandhi was shot, is positively acquired for India and that a public memorial is built there. As for the family to whom that House belongs, I claim to know its members well and I have good relations with them. I have every hope that the Birla family, if approached by the Government, will never refuse this request and they will gladly give that house to the Government or to the public. Personally I do not think anyone could refuse such a request. I, however, wish to say that a private individual's sentiments count very little where the sentiments of the people at large are concerned. Mahatma Gandhi did not belong to the Birlas or even to India alone; he belonged to the whole world.

I feel that if, somehow, or the other, we could locate today that spot where Christ was crucified, then that place is sure to be converted into a seat of pilgrimage for the whole world. The spot where Mahatma Gandhi fell is sublime enough to pacify the disturbed souls of the whole world. It is like a Power House from where the whole world can be charged. It is a Light House of the kind which can emit light capable of lighting up this entire universe. The spot where the Mahatma fell should be viewed by us with these thoughts in our mind. Rajghat is, on the other hand, the place where only his body had been cremated. But the place where he was shot at and where his soul left the body with "Ram, Ram" on his lips, is sacred and will continue to be sacred for the whole of India as also for the entire world. We shall be committing a mistake if we try to belittle its importance in any way. I am aware that every hon. Member entertains the same sentiment and, for that very reason I wish to request the Government on behalf of the House as well as on my own behalf to take steps to turn that spot into public property and to that end spend as much on it as is required. In doing so they should not mind incurring the displeasure of any person whatsoever.

It is true that all are even now permitted to visit that place. But there is a difference between this sort of permission and the idea of a public property. If you really want that people coming to Delhi may receive inspiration from the ideals of the Mahatma, then it is very necessary that they visit that particular place where he breathed his last. Rajghat is, of course, sacred in its own way, but the spot where the Mahatma passed away, is even more sacred than Rajghat. I have the personal knowledge that after the people arriving in Delhi have visited Rajghat they make enquiries about the place where Mahatma actually breathed his last. That spot occupies a reverential place in the minds of our people. Therefore, desire that the Government should strive to have that place turned into a public property and to have a public memorial erected there. Further, while supporting this motion, I am unable to remove this thought from my mind that our desires on the issue will be realized only when a memorial is erected there which should serve as an indication of all our reverence towards Mahatma Gandhi.

Shri A. C. Guha (West Bengal): I welcome this Bill to be passed by this House. It is in the fitness of things that Government and the House have taken this step to perpetuate the memory of a man, whose memory needs no material symbol to perpetuate. But we are mortal beings, and this House being a material organisation, we have some responsibility to discharge our obligations to his memory.

This Rajghat Samadhi is the Samadhi of a person who is the product of our culture. But, in his life, in his activities, in his outlook, in his philosophy of life, he transgressed all limitations of time and space. I think there is hardly any person in India or in the world who would not recognise this transcendence of Gandhiji's personality. He belongs to no particular country or to no particular community. He belonged and even now he belongs to the universe for all time to come. He lived a life of simplicity and I think he gave a new interpretation, a new turn to the culture of the world. This Samadhi should be symbolic of that culture. About 100 years ago, Marx gave a new interpretation to the culture and history of the world. Gandhiji supplemented the shortcomings of the Marxian outlook and Marxian social philosophy. I think that this Samadhi and anything which this Government may do in perpetuation of his memory should be symbolic of that new outlook and new culture, that is, the culture of

the other day, in this House, through interpellation, it was revealed that statue 144 or 114 feet high was being erected. I think most of the Members consider such a proposal repugnant to the ideal which was Gandhiji's life mission. Such a titanic image of Gandhiji.....

Mr. Deputy-Speaker: Are we now discussing the various forms of memorials? There is no good in taking the time of the House...

Shri A. C. Guha: I shall finish in a few minutes, Sir.

Mr. Deputy-Speaker: ...by going into various forms of memorials. Say, in advance that something is titanic last. That spot occupies a reverential place in the minds of our people. Putting the people to inconvenience.

Shri A. C. Guha: This Samadhi, I should like to see, will not contain any such image or statue, nor any big structure. It should be simple. It should be in tune with the life that he lived here and should be in consonance with the philosophy and social ideal that he reached through his life and through his activities.

In this connection, I should also refer to the spot where Gandhiji was shot and where he laid down his life uttering "हे राम". That portion of the House, as far as I know has already been segregated and kept apart from the main building of the House. That portion, also, I think should be acquired by the nation if necessary through proper land acquisition proceedings. Or, I think the Birla family would not grudge making a gift of that portion to the nation. That should be attached to the Schedule as a property of Rajghat Samadhi.

In India, we have had great men. Lord Krishna laid down his life in Prabhasa and that is a place of pilgrimage for all in India. Lord Buddha laid down his life at Kushinara near the borders of Nepal and that is also a place of pilgrimage. Certainly, this Samadhi will be a place of pilgrimage for people all the world over, and for all time to come. So, I support this Bill. I welcome the proposal of the Government—hoping that it would be simple and unassuming memorial to the memory of Gandhiji.

कैप्टन ए० पी० सिंह : मैं केवल दो तीन मिनट में अपना भाषण समाप्त कर दूंगा। मुझे केवल उस बात का पृष्ठपोषण करना है जो कि मेरे मित्र श्री जसपत राय 198 PSD

कपूर तथा भार्गव जी और गुहा जी ने कहा है कि वह स्थान जहाँ महात्मा गांधी की हत्या की गई है उस पर गवर्नमेंट को विशेष ध्यान देना चाहिये। मैं स्वयं कई बार उस स्थान पर गया परन्तु जिस प्रकार सफाई इत्यादि उस के आस पास होनी चाहिये वह वहाँ देखने में नहीं आती। बहुत से लोग उस को देखने के लिये आते हैं और वह इस बात की शिकायत करते हैं कि जिस प्रकार से वह जगह होनी चाहिये उस प्रकार से वह स्थान नहीं है। मेरी भी गवर्नमेंट से प्रार्थना है कि वह इस की जाँच करे और उस स्थान को ले कर उसे ऐसा कर दिया जाये कि जो लोग वहाँ जायें उन के लिये वहाँ आकर्षण हो।

दूसरी बात अभी हमारे मित्र सेठ गोविन्द दास जी ने कही है समाधि के संबंध में। वहाँ कुंज और लतायें होनी चाहियें यह ठीक है परन्तु मैं समझता हूँ कि जिस प्रकार से बिरला मन्दिर में स्तूप आदि हैं और उन पर उपनिषद् और गीता के श्लोकों की एन्ग्रेविंग्स (लिखावट) है, उसी प्रकार से इस समाधि के स्थान पर भी आवश्यक है ताकि जो लोग वहाँ जायें, उन के मस्तिष्क में भी एक नई भावना पैदा हो जाये जबकि वह वहाँ के श्लोकों को पढ़ें। वह अंग्रेजी भाषा में भी मिल जायेंगी, बाइबिल से भी मिल जायेंगी, पुराणों से भी मिल जायेंगी, और दूसरे धर्मों से भी ली जा सकती हैं, परन्तु वह वहाँ होना जरूर चाहिये और कम से कम गीता और उपनिषद् को उस में काफी स्थान मिलना चाहिये। जब कि हम इन ग्रंथों को देखते हैं और अलाहिदा अलाहिदा श्लोकों को पढ़ते हैं तो हम लोगों को ज्यादा प्रसन्नता होती है और ज्यादा एलिवेशन आफ माइंड (उच्च विचार) हुआ करता है। पूरी किताब पढ़ते

[कैप्टिन ए० पी० सिंह]

हैं तो उतना आनन्द नहीं होता लेकिन जब एक श्लोक अलग कर लिया जाता है तो उस का बहुत ज्यादा असर पड़ता है। अगर हम वहाँ जायें और यह श्लोक पढ़ें :

इतो न किञ्चित् परतो न किञ्चित्
यतो यतो यामि ततो न किञ्चित् ।
विचार्य पश्यामि जगन्न किञ्चित्
स्वात्मावबोधदधिकं न किञ्चित् ॥

और, इस प्रकार के भाव अगर वहाँ जाने से हों तो हम को एक त्याग की भावना मिलती है और संसार की ओर से जी हटाने की भावना मिलती है। अगर हम ऐसा करेंगे तो बड़े बड़े कामों को कर सकेंगे क्योंकि स्वार्थपरता हमारे दिमाग से निकल जायेगी। अगर ऐसी भावना हम वहाँ रखेंगे तो यह निश्चित है कि हमारा लाभ होगा चाहे वह बातें त्याग की हों या और फिलासफी की ऊँची बातें हों। महात्मा जी का सिद्धान्त हो जैसे :

अभितो ब्रह्म निर्वाणं वर्तते विदितात्मनाम् ॥
अहिंसा सत्यमक्रोधस्त्यागः शान्तिरपैशुनम् ॥
आज्ञाभंगो नेरन्द्राणामशस्त्रं वध उच्यते ॥

इत्यादि इसी प्रकार की भावनायें हम वहाँ रखें तो हमारा ज्यादा फायदा होगा। इस लिये स्तूप बनाये जावें और उन स्तूपों पर जैसे बिरला मन्दिर में श्लोक लिखे हुए हैं उसी प्रकार से यदि इस समाधि पर भी उन स्थानों पर जहाँ लोग जा कर बैठें उन के सामने ऐसी भावनायें रहें तो वहाँ पर लोग बैठ कर इन विचारों पर ध्यान देंगे और उन की नैतिक उन्नति होगी। इसी लिये मेरे कहने का मतलब यह है कि वहाँ इस प्रकार की चीजों का रहना जरूरी है।

(English translation of the above speech)

Capt. A. P. Singh (Vindhya Pradesh) : I shall finish my speech within two or three minutes. I have only to support what my friends Shri Jaspat R. Kapoor, Bhargavaji and Guhaji have said, that the Government should pay special attention to the place where Mahatma Gandhi was murdered. I myself have several times been to that place but the cleanliness that should have been there is not seen. Many visitors come to that place and they complain that the place is not so properly maintained as it should have been. It is also my request to the Government that they should enquire about the place and after acquiring the place make it attractive for the visitors.

The second point just put forth by our friend Seth Govind Das is in connection with the Samadhi. It is a right that there should be groves and creepers, but I think just as there are stupas etc. in the Birla Temple with engravings from Upanishads and shlokas from the Gita they should also have them at this place in order that the people who go there may be inspired with a new spirit when they read them. These maxims can be drawn from the English language also. They can be found in the Bible, in the Puranas as also in other religious scriptures. But these must be there and quotations from Gita and Upanishads must find a prominent place among them. When we look at these scriptures and read the shlokas here and there we get more of joy and the elevation of the mind. Reading the whole of the book does not give so much delight as reading a stray shloka dissociated from its context, where it creates a deep impression. If we go there and read this Shloka:—

*Ito na kinchit parto na kinchit
Yato yato yami tato na kinchit
Vicharyya pashyami jaganna kinchit
Swatmanavabodhadadhikam na kinchit.*

(Nowhere in this world do I find any substantiality. When I ponder over, I feel the world is a mere shadow. There is nothing higher than the knowledge of the self.)

If such ideas are communicated to our minds in going there we are inspired with the spirit of sacrifice and the feeling of renunciation. If we do so, we shall be able to perform big tasks, for the spirit of selfishness will go out of our minds. The presence of such feelings in us would certainly

benefit us, be they the feelings of sacrifice or of high philosophy or those relating to some principles of Mahatma Gandhi such as:

*Abhito Brahma Nirvanam varatate
Viditatanam.*

*Ahimsa, satyamakrodhastyaagah
Shantirapaisunam.*

*Ajnabhango narendranamashastra
Adh uchyaate.*

(Those who have attained self-realization have salvation all round them. Ahimsa, Truth, Forbearance, Sacrifice, Calmness and avoidance of Calumny. Violation of a king's order amounts to his murder without arms.)

If we cherish thoughts like these they will do us a lot of good. Therefore, if we build stupas in the Samadhi area, such as there are in Birla Temple, they will inspire the people who go there with these thoughts and will elevate them morally. So I say that things like that must be provided.

1 A.M.

Shri R. Velayudhan (Travancore-Cochin): I wish to speak only a few words on this historic Bill in which they feel deeply interested. Besides the natural psychological interest of the whole nation on this Bill it has deep interest for all those who have tried to follow Mahatma Gandhi in the struggle for the independence of the place among them. I welcome this measure and we should work in the spirit in which Gandhiji worked and died.

The suggestion was made and views were expressed here that Birla House, where the Father of the Nation was assassinated, should be acquired by legal means. I would like to submit that I am not in favour of that step because Gandhiji never liked such things. And I feel that if Government worked in the spirit in which Gandhiji worked, what of Birla, even persons greater than Birla would come and prostrate before the Government and make a present of the spot. I do not know whether this House or hon. Members here who are dedicated to the principles of Gandhiji have made a request to the great host of Gandhiji in this connection. I think that has not been done. I humbly believe that no legal or coercive measures should be taken in order to acquire the spot where Gandhiji was assassinated. We want to perpetuate the memory of Gandhiji not only in books and classics, but also in the spirit in which he worked and died and if we do that, Birlaji himself will come forward and

make a present of the spot to the nation.

With these words I welcome this Bill and hope that this will come to be a memorial not only for India but for the whole world.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That the question be now put."

Mr. Deputy-Speaker: The question is:

"That the question be now put."

The motion was adopted.

Shri Buragohain: I do not wish to take more than a couple of minutes of the time of the House. Some suggestions have been made here regarding the memorial, but I feel that these relate to the work of the Memorial Designs Committee and not to that of the Committee that present Bill seeks to set up. I can assure the hon. Members that all these suggestions that were made with regard to the form of the memorial will be placed before the Memorial Designs Committee when they meet next time and I hope they will be considered by them.

With regard to the other suggestion regarding acquiring the place in Birla House, I do not think I can helpfully say anything at the moment beyond saying that the views expressed here by hon. Members will be borne in mind by Government.

Mr. Deputy-Speaker: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

SCHEDULED AREAS (ASSIMILATION OF LAWS) BILL

The Minister of Home Affairs (Shri Rajagopalachari): I beg to move:

"That the Bill to assimilate certain laws in force in the scheduled areas to the laws in force in the districts of Darrang and Lakhimpur of the State of Assam, be taken into consideration."

I may explain that this is a very necessary administrative change that has to be made and...

Dr. Deshmukh (Madhya Pradesh) : Sir, this Bill was not one of the items listed this morning by the hon. Speaker for disposal before one o'clock Saturday.

Shri Rajagopalachari: I will explain the position. This is an absolutely uncontroversial thing and it is already there on the Order Paper as item No. 5. I thought that hon. Members would give some twenty minutes for this Bill because there are certain areas in Assam which have not been included in the scheduled areas and they would therefore have to be provided for and the laws in force there-in would have to be changed. The legislature of Assam has already changed them, and to the extent of concurrent and Parliamentary legislations we have to make the change.

Dr. Deshmukh: We do not question the urgency of it, nor the fact that it is not complicated and could be pushed through without much time. But what I wanted to bring to your notice is that the Speaker had decided this morning to apply a sort of a guillotine at one o'clock on Saturday and so he enumerated the list of business that should be put through and I am afraid this Bill was not mentioned at that time by the Speaker.

Shri Rajagopalachari: If this interferes with any other business of the House I do not intervene. But I assumed that instead of the resolution which has now been postponed this urgent measure could be taken up and passed. Of course, I leave it to you to decide.

Shri Chaliha (Assam): I think the Speaker did mention this Bill.

Mr. Deputy-Speaker: The position is like this. There are three resolutions on the Order Paper. One of them was in the name of Shri Santhanam and that, he said, he was not pressing for the acceptance of the House now. There were then two other resolutions. One of them was that of the Finance Minister and I understand that he has agreed to postpone that resolution, thus making way to Shri Rajagopalachari to move this Bill. I do not think the Finance Minister is moving his resolution to-day.

The Minister of Finance (Shri C. D. Deshmukh): I was thinking of moving it tomorrow because I find copies of the notification were available to Members only this morning.

Mr. Deputy-Speaker: And so, the time that would otherwise have been taken up by the resolution of the Finance Minister is now proposed to be utilised for this Bill of the Home Minister. Apparently the hon. Member who hails from Assam is deeply interested in this measure and would like it to be passed today.

As regards the other items which may have to be taken up tomorrow, whatever alterations have to be made will be made by the Speaker.

Shri Sidhva (Madhya Pradesh): I have no objection to this Bill being taken up now. But my point is, Mahtab's resolution also is very important and that will take some time perhaps the whole of today. And when the guillotine is applied on Saturday, we would not have had any factory discussion of many matters.

Mr. Deputy-Speaker: The Finance Minister's resolution was to have been taken up today and in its place, clause 3 has been put very well and it Bill moved by the Home Minister provided that in case of certain being taken up. And whether if the Finance Minister's resolution is taken up tomorrow it will interfere with some other matter, it is for the Speaker to decide.

Shri Sidhva: We do not want to reopen these matters tomorrow. My point is Shri Mahtab's resolution could go on till tomorrow. This may be deferred till tomorrow. Deshmukh's resolution will not take more than a few minutes. I do not think it is controversial.

Mr. Deputy-Speaker: Nor is the Bill likely to take much time. There are no amendments.

Shri Rajagopalachari: With your permission, Sir, I shall try to even out the time I had intended to take. There are three areas described in the Schedule to the Bill. In these areas, certain laws have been in force but by reason of the President's order by which these areas do not fall under the scheduled tribe areas, we have to provide laws for them and the Legislature has provided the laws for Darrang and Lakhimpur. We have provided that so far as the concurrent and Parliamentary legislation is concerned also, the laws that are in force in Darrang and Lakhimpur shall apply to this area. This is the only provision that has been provided for in this Bill plus a few difficulty-clauses that during the transitional period no suit or trial shall find any difficulty in disposal and if there is any unexpected difficulty in the application of law, it will be open to have the old law continued to that extent.

With these words I ask the House to take up the Bill for consideration.

Mr. Deputy-Speaker: Motion moved.

"That the Bill to assimilate certain laws in force in the scheduled areas to the laws in force

in the districts of Darrang and Lakhimpur of the State of Assam, be taken into consideration."

Shri Chaliha: I welcome this Bill because it is a long-felt want. During the British time these areas were taken out of the ordinary administration and ruled autocratically. We had established an All-Assam Excluded Areas Association. We tried to get these regulations so that we came to the ordinary administration of the country. The agitation has been going on for the last 20 years. It was in the fitness of things that this Bill should give them democratic laws and we welcome this. I find that clause 3 has been put very well and it Bill moved by the Home Minister provided that in case of certain being taken up. And whether if the Finance Minister's resolution is taken up tomorrow it will interfere with some other matter, it is for the Speaker to decide. In clause 4 the time has been limited to 12 months which is also a welcome feature otherwise there may be a tendency among local officials to continue them as long as possible. In both ways these provisions are well drafted. These areas, viz, Balipara Frontier Tract, Sadia Frontier Tract and Tirap Frontier Tract, which are inhabited by the civil population, under the Government of India Act 1935, were excluded from the normal administration. Some of these areas, from ancient times were under the Rajas there and were inhabited by very advanced people. Once I went in 1915 there and I was requested by the headmaster of the school to inspect it. When I was inspecting it the Political Officer came and asked him why I was allowed to come there. Then the poor man felt very much depressed and he came and informed me about it. That was the sort of administration then, and even now our own Indian Officers are not very much removed from that frame of mind. Therefore it is in the fitness of things that these areas should be brought under the normal laws of the state and I congratulate the Home Minister for doing the justice to them. These places will now get the advantage of elections and the ordinary laws of the State. I welcome the motion.

Shri J. N. Hazarika (Assam): I also welcome the Bill and this is a most important measure. There are about 75,000 people in these areas and we are now giving them civil rights. They were politically governed, and their relations in matters of administration were not like that in the other areas of the State. According to the voters' list these areas comprise 22,811 voters. Of these about 5,581

are non-tribes. That means 17,230 voters are tribal voters. This has been already expedited and they have been enfranchised. Therefore, it is just proper to bring these areas under the civil administration. Till now we used to see a few officials and tribal labourers here and there in these areas and very few people thought of their development, educationally, politically or economically. It was for a long time governed by the Government of India and the Assam Government had nothing to do with that and these people were excluded from the rest of the country and we had to take special permission from the authorities concerned to go to those areas and to work for them there. This was one of the great difficulties due to which our country more or less got some disadvantages for social welfare. Under the new Constitution these areas are in Part B tribal areas. Now Part B areas have been brought under civil administration and they have not been transferred to the autonomous tribal areas. I do not know how it would have been wise to make their areas "scheduled areas" instead of bringing them under civil administration. There is no provision in the Constitution for the creation of "Scheduled Areas" in the State of Assam; and so there is no other alternative but to bring the whole of this area under the civil administration. It is said that the laws by which certain tribes are governed will not be applicable to such scheduled tribes. These scheduled tribes are specified in Item 2 of Part I—Assam, of the schedule to the Constitution (Schedule Tribes) Order, 1950. These are hill tribes though they are living in the plains—some of them. Now, the scheduled tribes who have been enumerated in Item 2 of the said Order, are the Abors, Akas, Apatanis, Deflas, Galongs, Khamptis, Mishmis, Any Naga tribes, Singphos, Mombas, and Sherdukpens. There are the Miris who are mentioned in Item 3 of the Order. The Miris are a tribe which was originally connected with the Abors. Gradually they came to the plains and settled down there and have become one of the plain tribes. But there are hill Miris also who observe the same customs and habits, broadly speaking. There is a provision that any other tribe specified by the Government may be governed by regulation laws. If not in the case of the other tribes, at least in the case of the hill Miris, the old law should be made applicable.

I am very glad to inform the House that the Government of Assam has brought many other autonomous areas to the level of their civil administration. Certain areas have been brought from

[Shri J. N. Hazarika]

the Khasi hills which are autonomous. Also certain portions have been brought to the Sibsagar and Nowgong districts, from the Mikir hills which were also an autonomous area. Thus the civil administration of Assam is being widened. I welcome this Bill and I hope the House will pass it.

Shri Rajagopalachari: I have nothing to add, in view of the fact that two Members from Assam have welcomed the Bill.

Mr. Deputy-Speaker: The question is:

"That the Bill to assimilate certain laws in force in the scheduled areas to the laws in force in the districts of Darrang and Lakhimpur of the State of Assam, be taken into consideration."

The motion was adopted.

Clause 2 to 6 were added to the Bill.

The Schedule was added to the Bill.

Clause 1 was added to the Bill.

The Title and the Enacting Formula were added to the Bill.

Shri Rajagopalachari: I beg to move:

"That the Bill be passed."

The motion was adopted.

RESOLUTION RE. CONTINUANCE FOR FURTHER ONE YEAR OF POWERS OF PARLIAMENT TO MAKE LAWS WITH RESPECT TO (i) TRADE AND COMMERCE WITHIN STATE AND (ii) PRODUCTION, SUPPLY AND DISTRIBUTION OF GOODS—Concld.

Shri Sidhva (Madhya Pradesh): This resolution is both important and urgent. It is important because there are many items regarding the continuance of control on imported articles and it is urgent because the resolution of the 12th August last will expire. The urgency being there, if the House does not meet before then, the President would have had to issue an Ordinance which we all would like to avoid. Therefore from that point of view I welcome this resolution.

I also approve of the idea to continue the control for another year, because those who know do feel that the commodities mentioned here are scarce and their prices fluctuate to a great extent. They are essential commodities like bicycles and their parts, infant foods like horlicks, glaxo, ostermilk, cow's milk, etc.

While I welcome this measure, as we did last time, for many reasons, I feel that it is not being properly implemented as far as the prices are concerned, which is the main object of the resolution. It is interesting to note that an advisory board for fixing prices has been introduced. I feel that the consumers' interests are not properly looked after. The controls are mainly meant to safeguard the interests of the consumers but in the board the other interests are represented in a preponderating number. There may be a representative of the consumers, who may really not represent their interests. I have seen the working of this advisory board. While I do not want to say anything, I would like the hon. Minister to bear in mind that he should put in one or two more representatives of the consumers' interests. I do not want the other interests to be larger in number on the board; there may be an equal number. In fact I would go to the length of saying that the number of consumers' representatives should exceed the representation of other interests. I do not want to be understood as saying that interested parties who have financial interests should be unrepresented in any way. I do feel that it should be 50:50, because control is meant to check prices in the interest of the consumers.

I have also felt that while we have given this power to State Governments to administer this law, some of the State Governments are not vigilant. When a law is made here the Central Government should have some overriding authority or supervisory control over the States. Unfortunately it is not so.

The resolution provides that the price lists should be exhibited at each shop but this is not being followed. I can give a number of examples in Bombay. I have complained about it and the Bombay Government also have no expeditious and proper supervising authority. They merely issue orders but nobody sees that they are followed. While we are ready to support the Government in such measures which are meant to safeguard the consumers' interests, they must also see that their orders are strictly followed. Otherwise the controls get a bad name in the nation as a whole and people blame Government for no fault of theirs. Therefore I would go to the length of saying that although we have no power, the State Governments should be asked to send periodical statements regarding the staff employed by them to implement the orders and how generally the controls are administered. The Central Government has a duty in this

matter. Merely passing a law and leaving it to the State Governments will not do. The State Governments have controls of their own and they do not want to increase their staff on grounds of economy. Therefore good laws merely remain on the statute book without being operated successfully.

I would like the hon. Minister to consider adding one more item, ovaltine, to the list of infant foods mentioned. Ovaltine is used by both children and adults. There is a heavy demand and the prices fluctuate abnormally. Doctors prescribe ovaltine for sick and convalescent people. Sometimes it is available in the market but sometimes it goes underground and the prices are put up abnormally. So there may be control on the price of ovaltine as well. That was the only item that I wanted to add.

As I have already stated, the administration of this Act is defective in the sense that the State Governments do not apply their minds to its enforcement in the manner they ought to. This question should be considered by the Minister. I have made some suggestions here in this matter but if he finds they are not acceptable then he himself should find out a way so as to put the administration of this measure on a sounder footing in the interest of the consumers. The interests of importers are at present predominant in the Prices Advisory Board, and, naturally, there was a tussle, I understand, in regard to fixation of prices, between the interested parties and the consumers' representatives and that ultimately the interested parties' views prevailed. I do not know what the composition of the advisory board is just now, but whatever it be it should be remembered that the consumers' interests should be safeguarded and therefore their representatives should be present in the board in greater numbers.

The prices of certain commodities covered by this measure have not yet been brought down and we may have to continue these powers for a greater period. The present resolution seeks power for one year. I welcome this resolution, but would ask Government to institute a little more check on distribution control, price control, etc. of certain articles so as to bring them to the requirements of the people. At present these measures are there on paper but I request the Minister that he will take steps to enforce these laws and also that next year when he comes—if prices do not go down or more imports do not come in on account of the international situation—he should give

the House a survey of the action taken to show that the law is properly administered by the State Governments. He should not come and tell us, "We have discharged our duty, it is the State Governments that have not functioned." It will not be a party to such a measure, if it has to be there, in which Parliament has no voice. Exercise the control either yourself or let the State Governments do it, but please see that it is done properly. This is a Central legislation for control measures and as such Parliament is responsible for ensuring that these powers are exercised. People come to us and ask as to what has been done in the matter. Therefore, Government cannot get over the responsibility by saying that the State Governments implement it. I say the Central Government should supervise in this matter. There can be no *via media* in the matter.

Shri A. C. Guha (West Bengal): I support this resolution of the hon. Minister, but in doing so I have many misgivings also as to the results so far achieved. It has been stated here that the Act has achieved a "reasonable degree of success". This language leaves sufficient scope for doubt. I do not know what the hon. Minister means by "reasonable degree of success". It is also stated here that the prices had been revised on several occasions. It would have been better if he had given us information as to how and on how many occasions, from August 1950 up to this time, prices of these controlled articles have varied, how the prices have increased even after the passing of the measure, and by what percentage prices have risen, and in what articles.

The main purpose of this measure, as stated by the hon. Minister, is to serve the interests of consumers so that they may get these articles at reasonable prices. However, from our own experience we can say that many of these articles are very often not available in the open market. For example, horlicks, I know, was not available some months ago at the controlled price. The House is aware of the position as regards soda-ash, castic soda and sulphur. Recently there has been an international conference for the allocation of raw materials but our representative at that conference has not been very successful in achieving anything substantial. It is stated in this resolution that some of these articles are subject to international allocation and that there is therefore all the more necessity for Government to take control of them; but unless we can get better allocation from the international body, I do not know how the aim of

[Shri A. C. Guha]

the Act passed under this resolution would be successful.

As regards the Prices Advisory Board, here too the hon. Minister could have given us more details about how it is composed, how often it has met,—it is stated here that it first met on 31st October, 1950 and I do not know if that was also the last—what articles were considered, how the prices were revised on several occasions. All these things the House should have been allowed to know.

As the previous speaker said regarding enforcement of the Act itself, it is a curious thing that we pass certain measures here and then delegate the working of those measures to State Governments. In such cases this Government is almost taking a sort of vicarious responsibility and we do not know what would be the achievement flowing from these measures. So, I hope the Central Government should have an overriding authority to supervise the action taken by the State Governments in enforcing this legislation.

Shri R. Velayudhan (Travancore-Cochin): I remember about nine months ago, when the hon. Minister moved a similar resolution in this House, I also had a chance of speaking on it. In fact, I was one of those who welcome this new innovation because at that time in the country as a whole there was great difficulty on account of the rise in prices and the increase in the cost of living. When the House approved that resolution with great enthusiasm, ovation and joy, an Act based on that resolution was passed later on, but with no significant purpose or result at all. When that Bill was brought before the House, we found it had omitted almost all the essential articles which the common man, or even the middle or lower middle classes, use in their daily life. Therefore I say the purpose of that resolution was nullified. Only articles of use as industrial raw materials—apart from minor things like milk powder etc.—were included, articles which were mostly used by the capitalists and the upper classes. This is a significant fact that this House as well as the country will have to remember. We pass legislation here with loud voices and thunderous cheers but without any significance at all to the community whom we represent in this House. The note now circulated by the hon. Minister says that it has partially succeeded or completely succeeded in maintaining the price structure of the country. I do not know whether the hon. Minister is aware, or whether he has

gone through the cost of living index numbers published by his own Ministry and compared them with the statistics published by his own Ministry for last year. The prices of the commodities today have increased more than 50 per cent. since this legislation was passed last year. The hon. the Finance Minister also took credit for that Act in his Budget speech, but that Act was meant only for the capitalists of the country, and not for the common man or the lower middle classes of the country. Therefore, this resolution is intended only for those classes which have become and which are becoming richer at the expense of the poor man in the country.

Now, what was the working of this Act? Has Government given any careful consideration about its working by the States. They said that the States have looked after it and have worked it satisfactorily. But has the hon. Minister scrutinised the results of the working of this Act in the States? Even the commodities that are included in the list cannot be got in the market and can only be got in the black-market. The hon. Minister, the House as well as the people know it very well. Yet he has now the temerity to say that the States have worked this Act to his complete satisfaction.

Of course the bane of India today is not that this Parliament as it is constituted today is not able to do its duty, but that the States have gone far ahead and all sorts of mismanagement are now seen, which has resulted in chaos and confusion in the country. Let me tell you, Sir, that the passing of this resolution and the continuance of the same Act, without inclusion of essential commodities which the common man consumes, will not serve any useful purpose. I know the Government is anxious to bring a resolution like this because they have to satisfy the capitalists, the great industrialists and the great employers of this country. I know this Government represents those interests more than the British Government represented them in the same House before. It is my firm conviction that if we had a Government which represented the true interests of the people and the aspirations of the people, if a Socialist Government had been in power, a thing like this would not have happened, a resolution like this would not have been brought forward with a view to deceive this House, to deceive the people and to deceive the State. What we are lacking today is that we have not got a basic political ideology to work. I do not want to blame any

individual; I do not find fault with any party; I do not find fault with the Government for that, because unless and until there is a change in the philosophy and in our ideology, no Government can succeed, no party can succeed and the Government will go to the dogs, if not today, to-morrow. Let me say if there was a Government which.....

Shri Chaliha (Assam): Is the expression 'go to the dogs' parliamentary?

Mr. Deputy-Speaker: The hon. Member could have said go to the wall.

Shri R. Velayudhan: I am prepared to go to war if this Government continues as it is today.....

Mr. Deputy-Speaker: I said "go to the wall".

Shri R. Velayudhan: I am sorry. Let us be sincere when we pass this resolution. Let us search our hearts and ask whether this resolution will in any way help the common man in the country who is suffering by the rising spiral of prices. I know the hon. Mr. Mahtab knows it as well or as much as I do, because I know he has got the interests of the common man at heart. But the party to which he belongs has got the capitalist ideology behind it. This is the bane and the ill under which we are suffering today. Therefore instead of bringing forward a resolution like this, extending the Act, let him bring a Bill which will consist of all the commodities which are essential to the common man in the country and then not only this House, but the whole of India will welcome it and the whole country will change within six months' time.

The greatest trouble of the country is not the trouble of conflict in political ideologies; it is not the trouble arising because of the warring spirit of one party, or the so-called 'violent situation' that was referred to by the hon. the Prime Minister the other day. The main trouble is the rise in the price structure in the country and the difficulties of the common man to meet the expenditure. How many people are dying in the country today? What right have you to continue as a Government when millions are dying daily in the country?

An Hon. Member: Millions?

Mr. Deputy-Speaker: The hon. Member means metaphorically.

Shri Kishorimohan Tripathi (Madhya Pradesh) rose—

Shri R. Velayudhan: I am not going to yield to anybody in this matter, because I know I represent the interests

of the common man; I express here the interests of the common man in the country. How many people are dying in the country because of lack of purchasing power? Even an hon. Minister the other day admitted that people are dying not because of lack of food, but because they have not got the purchasing power. I know in South India in my State in Madras.

Shri Kamath (Madhya Pradesh): The hon. Member means suffering and dying, not actually dead.

Shri R. Velayudhan: They are dying because of starvation. There have been starvation deaths in the country, but Government have not accepted them.

Shri Sidhva: The hon. Member may say what he likes; but he should not put into the mouths of Ministers what they have not said.

Shri R. Velayudhan: I know Ministers will never die. But the common man has not got enough purchasing power today. Has the hon. Minister of Commerce and Industry thought for a while before bringing forward this resolution? Has he got any desire to bring a measure before this House by which the price structure can go down? If he does that I would welcome that measure. I will be very grateful to him and I will certainly think that he is going to change the country within six months' time. The whole psychological atmosphere in the country will at once change. But he will not be able to bring a Bill like that, because he represents the capitalist interests of the country. You have got iron and steel here. What has the common man to do with it, except that he has to purchase a knife to cut his vegetables?

This is a matter which concerns a vital problem of the country. You cannot solve it by these white-washing methods, by passing a resolution and sending it to the States. You will have to change your ideology and unless and until that is done you are not going to succeed.

Shri Ramalingam Chettiar (Madras): So far as the extension of the period of the resolution is concerned I do not think there is any difference of opinion. In view of the present conditions of supply and also the difficulties in getting the supply distributed properly, I think the power has to vest in the Government with regard to these matters. But the complaint that is made is with reference to two or three other matters concerned. The first objection that was raised the other day was that sufficient information was not made

[Shri Ramalingam Chettiar]
available to Parliament as regards the action that has been taken and also as regards the administration of the Act. A note has been circulated by the hon. Minister now and it gives some information. But I would not say that it is a very exhaustive note or anything like that. In this connection I would suggest that such important matters ought to have been placed before the Standing Committees before they are brought to Parliament itself. The Standing Committees are there not merely to consider the proposals for legislation but also to look to the administration of the legislation that has been undertaken and also with reference to extensions like this. I may say that during the last one year or so the Standing Committee has not been taken into the confidence of the Minister or the Department to the same extent it was before the present Minister came into office. In the old days, in most matters the Ministers used to think that they should consult the Advisory Committees and also to give them information as to what is being done and what was proposed to be done. But now no such thing is done. Meetings are held very rarely, and even at those meetings very little information is given as regards either the administrative matters or the other matters which come before Parliament.

Having said that, I think the defects that have been pointed out in the country with reference to the administration of this measure are, in the first place, about the paucity of goods that have been brought under the measure and also with reference to delay in some cases in bringing them under this Act. It may be explained with reference to the latter defect that Government cannot take action immediately and that they will have to wait for some time, see how the prices go and how the supply position is, and then only take action. Anyway, in the present state of affairs where it is so difficult to get imported articles and also having regard to the very high rise in the scale of prices all over the world, I think it will be good if the Government is on the watch and is able to bring under control such of the goods as may require to be so brought.

But the greater objection that has been felt in the country is with regard to distribution. Things are got. Naturally the prices outside are very high. On account of the scarcity of the goods and also the high prices ruling outside, the black market seems to be the order of the day in almost all goods. It may be said that distribution is in the hands of the State Governments. No

doubt it is so. But with regard to all essential goods—all these goods and also other goods—distribution is the bottle-neck. That has been in the way of people getting goods properly, in time and at reasonable prices. It has been said that the co-operative agency may be utilised for the purpose of distribution. That has been a pious wish expressed in almost every document issued by the Government of India or the State Governments. But, as a matter of practice, the co-operative societies are not utilised to the same extent to which they can be utilised, with the result that the black market continues in all these and it goes on merrily. I only the Government of India will issue instructions that on account of the complaint received with reference to private agency the co-operative agency may be utilised to a greater extent for the distribution of these articles, thing will be better.

The third objection that is raised is with reference to the prices. I mean there has been some plea that in the interests of producers the prices may be fixed in such a way that they are helped and not the consumer. Ever when the matter came up before the House in connection, I think, with the Tariff (Amendment) Bill, the question was raised that the consumers' interests were not taken into consideration to the same extent as those of the producers, even though the producers are not in a position to supply all the goods that are wanted. And the position has not changed very much. This objection was specially raised with reference to bicycles and motor parts and things like that. But, as I said, things do not seem to have changed very much. No doubt some items are being produced now which were not produced in the old days. But the other goods in respect of which there are high duties and high prices are not available. So, in fixing the prices consumers' interests should always be taken as the dominating factor and prices ought to be fixed accordingly.

The Price Fixing Board is said to be in charge, but I do not know what exactly is done by that board. I was once a member of the board and I attended one or two meetings. But nothing really was done. One or two papers were circulated stating what action the Government had taken, and we simply dispersed after that. I do not know whether things have changed since and whether these price fixing boards have really anything to do in fixing the prices and all that. I hope that they will be consulted and that more of the business people who are dealing with these goods are taken

into those committees and asked to say what can be done with reference to these things.

So these are the matters which will have to be gone into by the Ministry in the administration of this law. Otherwise I welcome this and I fear that in the present circumstances of the international as well as the internal situation this law will have to continue in force for some more time. That cannot be avoided. I only hope that in the administration the Ministry will take proper care of the interests of the consumers and also bring into the list as many goods as are necessary and fix the prices so as to suit the interests of the consumers.

Shri T. T. Krishnamachari (Madras):
The resolution before the House, considered on its merits, should not provoke any serious opposition, nor can this occasion be made the subject of any detailed discussion of the economic policy of Government. The note that was circulated to Members of this House by the hon. Minister has indicated that Government have not set before themselves a very wide or big task but have used these powers to a comparatively narrow extent only where it was considered absolutely necessary. So far as the difficulties that Government have to face in this respect, which evokes criticism from the Members of this House and from the public, are concerned, I must say that my sympathies happen to be with Government, because it is an extraordinarily difficult thing to fix prices in regard to commodities which are in short supply and also ensure that the prices are observed by all the people who are interested in the trade. Fixing a price, if it is an economic price, one that would suit the consumer, often would act in such a manner that it would drive the goods into the black market. And that happens practically in all cases

12 Noon

The Central administration, placed as it is, cannot hope to follow the movement of goods to its logical end, namely, to the consumers' hands, when normal economic factors do not operate. So, however vigilant the Government might be, whatever might be the staff at its disposal, all that the Government can do is to check the rise in prices in these commodities which are in short supply up to a particular point in the course of its distribution and not beyond that. I therefore, think that the Ministry has wisely chosen those commodities where their influence can be exerted; particularly commodities which are needed as raw

materials for industry and have chosen to concentrate their attention thereon. To that extent, I think, they have been successful but in the region of commodities which are in the nature of consumer goods, the inherent nature of the difficulties and the wide divergence in the methods of distribution, make it impossible for Government to exercise any adequate check on prices. There is no use my hon. friend Mr. Sidhva saying, "include ovaltine today" and somebody saying, "include some other commodity". The number of commodities that have got to be included are so many. Mr. Sidhva also says: Why do you not follow the Estimates Committee's recommendations and reduce the staff of the Government? Well, the inclusion of more commodities means more staff and at every stage there is difficulty in regard to obtaining the finance for necessary staff. Suggestions we can make and quite a lot of them and as I say the whole thing is backed by good intentions but all the good suggestions on these matters cannot be implemented. Therefore in a matter of control, we have an economy which is a mixed economy and we have a Constitution where the Provincial Governments have a certain amount of autonomy in their own field, and all that the Central Government could do is only to see that in the commodities which are necessary for the economy of the country so far as industry and other similar things are concerned, whether they could probably establish a pool, whether they could effectively control the incoming of goods imported or control the prices that industries charge. But in the vast list of commodities that are used by the consumers, it is a very difficult thing and if Mr. Sidhva has the experience of people who have the experience of trying to control prices even to the extent that they can and find ultimately it ends in a failure, we have only to sympathize with Government and hope for better times. Therefore, I think that any serious charge laid at the doors of the Ministry in this regard, unless it is substantiated by facts in relation to any particular industry or any particular commodity, need not be taken very seriously. But that does not mean that the administration cannot be improved. I have no doubt that the hon. Minister would be the first to admit that at every stage the administration is capable of being improved and at all times the room for improvement is there and I have no doubt that he will accept that position, but what has to be done really is largely in the Provincial field, in the State field where the States administration will have to deal with this matter.

[Shri T. T. Krishnamachari]

I can tell my hon. friend, Mr. Sidhva about one commodity which is put in this list, namely, horlicks which Mr. Guha mentioned. What happened is that horlicks is more or less a commodity under monopolist control and it is imported by one firm into India and I believe the I.C.I. are agents here. (Interruption) They agree to a particular price and the quantity that they import is limited but it happens that you can increase the quantity if you import it from New Zealand, from Australia or other parts and if you import it from those parts the cost will go up. It will not be Rs. 3-9-0 a bottle; it might be Rs. four and that would make a difficult thing to have one price. Actually, I know, six or seven months back, people were importing from other countries and the cost was considerably higher than Rs. 3-9-0 which was the price fixed by Government. So we are in a sort of a quandary. If you fix the price the monopolists give you, that means you are shutting off imports of commodities from other sources and if you allow the commodities to be imported by all kinds of people, the prices will have to go up and so a compromise has to be made somewhere. I agree with Mr. Guha that the commodity is in short supply. The alternative is for the Government to raise the prices and in every commodity, this difficulty crops up; the source of supply, the cost of transport, differing freight charges all come in if you get from different sources and a uniform price becomes impossible. There is not much use blaming the Government, so long as world conditions are what they are and the other alternative is for us to limit our demand of such consumer goods as are manufactured in other countries and where supplies are short.

In regard to the application of these controls, so far as locally manufactured commodities are concerned, I think it is very necessary because the contour of trade is constantly changing. Take for instance, an article like Soda ash; some portion of our supply is being manufactured by local factories and this House had recently sanctioned a measure of protection for this industry but all of a sudden it happened that the protection was not necessary because the prices charged by importers rose and the Government has to make up its mind to fix a higher price, because our needs are greater than we could produce and importers cannot import unless a higher price was given and Government had to make changes even in regard to local prices. The

necessity for empowering the Government with powers of this nature, so that they could act quickly has to be realised by people because of the changes in the economic condition of the world and the frequent changes in the cost of production in regard to imported articles, which have their effect, whether you want it or not, on the price of the locally produced article. Therefore, I think with all its imperfections, we cannot but arm the Government with this power and leave it to them and to the administration's good sense to do what they can for the people as best as they could.

There is one aspect of this matter on which I would like to place stress and I know it will not be very popular from the point of view of many hon. Members of this House. My hon. friend, the Mover of this resolution mentioned that about 234 people have been put under preventive detention in respect of the working of controls envisaged by this resolution. I am not one of those who sympathize with anybody, no matter what community or colour or class they belong, if they go off the rails and flout the Government and the law. I think they ought to be punished, punished heavily but, I cannot for a moment look upon with equanimity on any class of people whom it is possible to bring to a court of law being put under preventive detention. I have heard it said in this House before: "Put a black marketer in prison under Preventive Detention Act". People in this House without understanding why a preventive detention law has to be framed merely point out that it is an easy way of punishing somebody who is a disagreeable person. I think that is a wrong attitude particularly when in this House, several people have protested against arming the Government with more powers by the amendment of article 19(2) of the Constitution. I want that their conscience should not be so elastic as to be able to take a different view when Government acts in regard to black marketers in one way but view differently when they act in regard to people who hold political opinions divergent from the views of the party in power. The preventive detention provisions in the Constitution, if I understand it aright, have been put in only for one purpose, where the Government cannot bring out all the evidence that it has against an individual who has committed a crime and put it before the court for the reason that the disclosure of that evidence would greatly strengthen the forces that are working against Government in this country. There is some justification for using the preventive detention provi-

sions of the Constitution and the Preventive Detention Act in such cases but in no other case is it justifiable to use any short cuts. Therefore, much as people in this House who are perhaps socialist-minded feel that black marketers ought to be put under detention and the preventive detention law should be used I would suggest to my hon. friend and to his colleagues of the Treasury Benches that while the black marketers should be punished heavily; they should be tried in a court of law; evidence should be adduced and the publicity that will attach to their misdeeds will be useful deterrent so far as the public is concerned rather than by the use of the Preventive Detention Act by which they are put in prison without trial and perhaps a mention is made in a newspaper and occasionally the hon. Minister says here: "We have put in 234 persons all over India under the preventive detention for black marketing offences."

Shri B. Das (Orissa): Let us have both: preventive detention and prosecutions.

Shri T. T. Krishnamachari: I think in regard to any offence committed in respect of any Act that may be passed by virtue of a resolution of this nature, arming the Government with greater powers, it should not be impossible for the State Governments to prosecute the offending people, and get them sentenced very heavily, and if necessary, to make an example of them, to broadcast the proceedings in regard to those trials, so that it may deter other people, rather than use a provision intended for a totally different purpose, that is, where the Government finds itself unable or unwise to disclose the entire lot of evidence that they have against a particular person, who is acting in an unsocial manner. That is the only point I wanted to make in this connection. I have no doubt that my hon. friend the Minister will appreciate this point of view and he and his colleagues on the Treasury Benches will instruct the State Governments not to use the Preventive Detention Act except where it is absolutely necessary, where they can get no evidence whatsoever. Wherever they have evidence, they must bring to trial the persons who offend against the laws which have been passed because of this resolution and not use short-cuts however easy they might be. After all, it must be understood that Governments would like to use short-cuts if it is possible. My hon. friends who have times out of number opposed Government proposals to arm them with greater powers do so on the ground that the temptation to use short-cuts is always there. I would rather that the Government of this

country seeks to remove that temptation from the State Governments so that they can bring these persons to trial and get them convicted rather than use short-cuts. That is the only submission I would like to make while entirely supporting the resolution before the House.

Shri Iyyunni (Travancore-Cochin): While I have not the slightest objection to extend the period that is to be granted to the Minister for enforcing the law passed by the House, I would like to bring to the notice of this House one matter, which is rather painful to me, and to our country, and that is, that the Minister has not done full justice in regard to the question of price of rubber.

The House will kindly remember that the largest quantity of rubber that is produced in India comes from Travancore-Cochin. The price fixed was only Rs. 90-8-0 when the world market price was more than Rs. 250. That has continued for a very long time in spite of our deputations to the Minister. After a few months, the price was increased to Rs. 122-8-0 and subsequently, I understand that it has been raised to Rs. 128-8-0. The House will also remember that this is one of the materials that has been brought under the Supply and Prices of Goods Act. I can understand if the price of raw rubber is small when compared to the market price in the world, if an equal kind of control is exercised with regard to rubber-manufactured articles here. Two firms who are manufacturing articles of rubber are: The Firestone Co. and Dunlops. I understand that most of the shareholders of these two firms are foreigners. They are selling their manufactured goods at the world market price. The rubber that is purchased by them in India is used for the manufacture of motor tyres. It is strange that they are not brought under the Schedule to this Act, whereas cycle tyres have been brought in. A major portion of the rubber that is purchased by these companies, is used for the manufacture of articles which are being sold at the world market prices. Is it fair, I ask? It has been brought to the notice of the Minister; but the Minister has not chosen to bring that into the Schedule. When there is short supply of an article, there would be a little bit of black marketing and things of that kind as such cannot possibly be prevented by any Government for that matter, unless the Government is very strict and takes very strong and stringent action against black-marketers. In these days, owing probably to the fact that Government has also to depend upon the richer classes or the industrial magnates, it

[Shri Iyyunni]

is also winking or shutting their eyes to some of the misdeeds that are being done by the industrial magnates. What I beg to submit to this House is that at least the motor tyres that are produced in India out of rubber that is purchased at a low price here, may be brought under control, and the prices of those articles fixed.

With regard to the administration of the law, we have heard from all sides complaints not of a minor nature, but of a very serious nature. I do hope that proper attention will be paid to see that such of the articles prices of which are fixed, are made available to the consumers at that price.

Shri Hussain Imam (Bihar): May I say that while the spirit of the resolution is unexceptionable, the working of the powers of the Government is anything but satisfactory. The fact that you have shifted the burden of the administration to the shoulders of the States, without giving them any help in the shape of monetary gains, has made it like a step-child. The States have all the powers; but scarcely have they ever used them. The test of the pudding consists in eating it. The fact that you have made rules and regulations is not enough. What we want is that the articles should be available to the consumers at controlled prices and in sufficient quantities. The whole difficulty is that the Commerce and Industry Ministry frames the finest rules and regulations and makes it so difficult and almost impossible for ordinary persons to get the articles in time at the controlled rates. The option is either to wait for the article to be available in God's own good time, at the controlled price or if you are in need of the article urgently, to go to the black market. Things move very very slowly. The real cure for our troubles does not lie in framing rules and regulations. Either we must start manufacturing most of the articles used in India or start importing them in larger quantities. I quite see the fact that there are certain things which are in short supply. Many of the articles are in short supply on account of the policy of the Commerce Ministry which has always been pennywise and pound foolish. I can recount any number of instances. Sir, you well know that in the matter of our trade with Pakistan in jute, they were anxious and were offering us at the rate of Rs. 30 per maund. We refused it. Today, we are purchasing for Rs. 105. And a number of other things have also happened. The question of sugar was discussed, which was taken up because it was

offered at a cheap rate in June but Government would not buy it then, and when they decided to buy it, the prices had gone up.

I personally feel that in the matter of essential raw materials, the policy of the Government should be to allow open general licence to the consumers only. These intermediaries come into the trade only for cornering purposes and all these difficulties which result finally end in greater burdens on the consumers. He is the person who finally pays through his nose. In the administration of the whole matter, we find that Government have no settled policy of its own. It is always experimenting. It is always a case of trial and error. Are we to go on like this? Are we never to become an accomplished and finished Government? How long are we going to remain beginners? Are we never to get qualified and become a Government which knows its job? If we cannot handle the job, let us throw it up and say that this thing which the Government has found it impossible to handle should be left to private trade. If you do not leave it to the private trade, then control it well. If you cannot control it well, then leave it to the private trade. One of these two courses must be adopted. The present policy of the Government according to which one day a thing is allowed to be obtained freely, and then it is restricted partly and later it may be that it becomes completely restricted, that is to say, its import is absolutely stopped is something which will do the country no good. Let the Government have direct contact between the foreign market and the users as for instances in materials like soda ash, tanning materials etc. which are required by the industries. Why should not the industries have a co-operative organisation and import these things at certain prices and also sell them at stipulated prices? Should we not force the industries to be able to stand on their own legs? Should not this spoon-feeding stop? You go on buying things at higher and higher prices and the prices of the finished products also go on increasing. Take for instance this textile industry of ours. That has never been able to get its cotton in a centralised way, just as you had in the case of jute, though even in that case, they forced the price up by means of some individual action. I think we must have some plan, that Government should plan and plan well after good thought and this spoon-feeding must stop. Let the industry buy its materials in the open market and sell the finished products also just as they like. And we will import from outside such quantities as are required to correct

the internal position. - I feel that is the way to force the industries to stand on their own legs. These controls are not really effective. For instance, look at the long queues at the cloth shops. Most of the persons standing there, even though they look like consumers, they are not, as they generally buy the cloth from these shops and then sell it on to the black-marketer. Such things are bound to happen in a huge country like ours. And this kind of tinkering at the problem will not help. You have to tackle it at the root and that consists of making the industries work in a co-operative manner, and have purchase organisations of their own and also a sales organisation of their own. Unless you do that, you will not remedy the present evil. You ask these powers for one year. What happens afterwards? Will the world situation cool down by then?

Shri T. T. Krishnamachari: It can be taken only for one year.

Shri Hussain Imam: That is what I say. That is exactly my complaint. You have to give up this hand to mouth existence. You have found it necessary to bring in article 249(2). But why have these yearly extensions? The whole trouble arises because you are not having any settled policy and you do not look sufficiently ahead. Trade and commerce is not a thing in which the Government should dabble, and if Government does intervene, then it must do so with determination and with a full understanding and knowledge. In this matter of trade it is difficult to discriminate or decide properly. A man may come and tell you that such and such a thing must be imported. And he may be a bear who wants to bring down prices and thus make tons of money. Another may ask you to stop all imports of a particular thing. He may be a bull and if you stop the imports, he may make tons of money. And so the thing is very difficult. And the very fact that you have these powers only for one year makes the position secure for the black-marketer, for he can corner things and be sure of getting a good price at the end of one year. Therefore, I say the Government should have a consistent and long-term policy and not depend on this hand to mouth method.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): Sir, the question be now put.

Mr. Deputy-Speaker: I have called Dr. Deshmukh.

Dr. Deshmukh (Madhya Pradesh): Though many speeches have been made, I do not think the attention of

the House has been drawn to the fact that we are doing something here which is not ordinary. The procedure laid down in article 249 of the Constitution is an extraordinary procedure and it is a procedure for an emergency. Here we are dealing with certain provisions which have existed for one year and the hon. Minister wants them, I mean these provisions, to be extended for another year. Well, it is pertinent to ask whether this period of one year is sufficient for the purpose for which these powers are asked? Or will these provisions be extended year after year and in a way become more or less permanent on the statute book? That is one thing which the Government must ask itself and let us have an answer. I feel that as things are, we require an extension not for one year, but may be for five years and even then it may not be possible to dispense with these powers. I think it would not be consistent with the provisions of the Constitution to grant an extension, *ipso facto*, without being satisfied that the temporary nature of the enactment would be borne in mind and there will be an end to the exercise of these extraordinary powers at the end of a certain definite period.

Coming to the merits of the law, it seems to me that nobody can have any quarrel because everyone wants that the prices should be controlled and that the consumer should not be cheated in the way in which he has been for so many years; but to what extent these provisions have been effective is a pertinent question to which we have had only a 'hazy' answer. I do not think any hon. Member of this House can feel satisfied that price control has at any time worked so effectively as to give the consumers any relief they want. From the way in which hon. Members have expressed their dissatisfaction at the way in which these powers have been conferred and executed, I think there is room for improvement. There is also the complaint that although the Price Advisory Board has been constituted, only one meeting had been held in October 1950 and those Members who were associated with it do not feel satisfied that they have done anything effective. Nor are they quite pleased with the extent to which their suggestions have had any salutary effect.

I would point out that in para. 4 of this note, that the hon. Minister has given us, are mentioned many methods of control like Control on price, Control on movement or distribution, limitation of the quantity that may be sold on any one occasion etc. I would like to know whether these various methods

[Dr. Deshmukh]

of control are operating in the alternative i.e., in the way in which they have been given here or whether one commodity or any of the commodities are subjected to more than one method of control. For example, if we look at cycle tyres, they are mentioned under two heads but that is not the case with regard to other articles. I would like to know whether these methods of control are operating in the alternative or whether more than one method of control are exercised on any of these articles and whether it is the intention of Government to enlarge these controls or whether they wish to leave out certain articles. If they wish to increase, what are the articles they are likely to add. As everybody knows, the prices in spite of these laws and what the States or the Central Government wish to do, are going up and every day we find certain amount of increase of prices of the various goods which are imported into the country. So much so, that the margin of profit which the traders make must be enormous. Unfortunately the Government of India is totally unaware of the margin of profit not only of the small commodities but even of goods sold and bought in large bulks. I have been asking questions about this and every time they say they have not the information. I was glad to hear from the Deputy Minister that some effort is being made to ascertain prices at which goods are purchased and prices at which they are sold but so far as these articles are concerned, I would like to know to what extent Government can inform us how the consumers' interests are protected. It is very good to say in a general way that on the whole it is working satisfactorily but can they give us any data from which it can be calculated as to the way in which these controls are working and what prices the consumers are charged, how much of profit the trader is making and to what extent the controls are set at naught etc.? That would be something to go upon definitely. General statements cannot help either us or the Government.

There is one point which my friend Mr. Chettiar has made viz., with regard to the co-operative methods of distribution. There are many of these articles which could be ideal articles for distribution through the co-operative societies. I think both the hon. Ministers are firmly convinced that co-operation is one ideal which we must strenuously strive to achieve. If that is so, I think a double purpose would be served. Not only the co-operative societies will be helped but probably the consumers also will not be cheated as hitherto. I

hope in the course of the next year a larger effort would be made to see that as many of these articles as are suitable for being distributed through the co-operative societies are so distributed and also if necessary a larger number of other manufactured articles are added to it, so as to give greater experience to the co-operative societies. It would be a great and beneficial experiment by which the consumers will be in a position to obtain articles at a lower price.

I would also like to know what has happened to the anti-hoarding and profiteering Ordinance. If you want that these laws should be properly exercised and given effect so there should be some enactment against hoarding and profiteering. There used to be such an Ordinance during the war and I do not know why the Government was in such great hurry to take it away. I want to know whether it is contemplated that it is to be substituted by some other enactment. If we have any serious intention that the prices do not go above a certain level, if we want to see that the prices fixed are the prices at which the goods are sold and if we want also that monthly stock returns are given correctly, it is necessary to have some law against hoarding and profiteering.

On the whole I do not feel that this matter of extension of the period is quite an easy matter, because it is after all an invasion upon the State administration. Under article 249 we are depriving the States of certain powers which are legitimately theirs. Government will have to consider whether next year will see the end of this encroachment on the State list and whether it would not be necessary any further. If it is necessary what will take its place would be extension of the period by a fresh resolution.

Prof. S. L. Saksena (Uttar Pradesh)
rose—

Mr. Deputy-Speaker: There was already a motion that the question be put. The hon. Member was not in his seat then.

Shri Satya Narayan Sinha: I beg to move:

"That the question be now put."

Mr. Deputy-Speaker: The question is:

"That the question be now put."

The motion was adopted.

The Minister of Commerce and Industry (Shri Mahtab): I must express my regret that I have not been able to

place as much material in the hands of hon. Members as I intended to do. I could have done it but for the fluctuating programme of Parliament. Otherwise the resolution could have come up for discussion after I had placed all the materials regarding the working of the controls. Hon. Members would have then been generally satisfied that the control under this law is more or less satisfactory.

I would now give the House the price fluctuations since 15th June 1950 to the 1st of April 1951 to show how this law has been able to keep the prices generally under control:

	Bicycles	15th June 1950	1st April 1951
		Rs.	Rs.
Hercules		280	265
Hind		148	142

These were the prices which they came down to after various stages.

Similarly with regard to tyres. On the 15th June 1950 it was Rs. 4-8 and today after passing through various stages the price is Rs. six. With regard to electric bulbs the price was Rs. 2-4 on the 15th June 1950 and after several stages the price today is Rs. 1-4. The House will remember that the price of cycle tyres was increased in February on account of certain conditions. This question has been many a time discussed in the House and there was also a half-an-hour discussion on this particular subject.

Although some commodities have been brought under control, the prices of some commodities have not been controlled for various reasons in consultation with the members of the advisory board. It is not that there is no member representing the consumers.

Shri Sidhva: We do not say there is no representative—we say their number is not sufficient.

Shri Mahtab: To refresh the memory of hon. Members I can read out the names of the members and they will see that the board as it is constituted should give satisfaction generally to all. The members are: Shri Manu Subedar, Shri M. R. Masani, Shri P. D. Himatsingka, Shri Ramalingam Chettiar, Shri N. P. Sahukar, Shri Narielwala, Shri S. P. Jain, Shri Tulsidas Kilachand and Shri J. F. Sinclair.

Shri Sidhva: Only two or three representing consumers, the rest are for the interested parties.

Shri Mahtab: A point has been made as to why many meetings of the 198 PSD

board have not been called. If hon. Members would look into the proceedings of the first meeting they will see that some method was devised by the board about how to fix prices. Accordingly the prices are fixed. The formula fixes the percentage of profit which will be given to the traders after considering the landed cost and other factors. Taking into consideration the various factors as laid down in the formula we proceed to fix the prices of commodities. There are other commodities the price is Rs. six. With regard to other commodities the prices of which are fixed either by the policy of protection given to industry or by some other method. Take the case of tyres, for instance, which commodity is related to rubber. The price of rubber has been fixed in consultation with the Tariff Board. The point was raised as to why prices of motor car tyres and cycle tyres were not controlled. I have noted this suggestion and shall look into the matter. *Prima facie* I can say there is a case for considering the question of controlling the prices of this article because it has something to do with the price of rubber the price of which has been controlled on the recommendation of the Tariff Board. Then Mr. Krishnamachari referred to soda ash. It will be very difficult for me to explain how we passed through several stages, through several kinds of difficulties, in order to fix a price for that commodity, but on the whole the recommendations of the Price Advisory Committee are being followed closely and the prices are being fixed according as they have advised us and according to the formula they have given us. As regards meetings of the Committee, whenever necessary meetings will be called. No new situation has arisen since October with regard to fixation of prices and therefore a meeting had not been called. The problem today is very complicated on account of the fact that many commodities are not available, and while prices depend on availability of commodities, because of non-availability it has been very difficult to keep the prices steady; on the other hand the world fluctuations in prices are so rapid that it is very difficult for us to fix the prices.

Another point has been made, and many Members referred to what I said, incidentally, in my opening speech. I said the administration of this price control has been left to the States. Now I do not like to take shelter under that. Whatever is happening in the States I am prepared to take the entire responsibility for that. When I approach Parliament for giving certain powers then I must take the entire responsibility for their administration. If

[Shri Mahtab]

a certain State does not do the work properly that responsibility is also mine in the sense that I have not been able to persuade that State to do the work properly. Therefore, I am prepared to take the entire responsibility. I entirely agree with Mr. Sidhva that there should be some machinery to call for reports from the State Governments so that these reports could be placed before Parliament whenever called for or that we may have some kind of supervision over the administration of the measure. We have to carry the States with us somehow and we have to see that the thing is done. Because there is no other course open to us—the Government of India cannot have a duplicate administrative machinery all over the various States to give effect to these price control orders. Necessarily they will have to depend on the State Governments in this matter. I am quite sure in my mind that all the State Governments are doing their job as best as they can. It may not be to our satisfaction, but they are doing their best and I shall take steps to call for reports from them as to how the various controls are being worked. I could have placed a general report before the House if I had more time. But I can assure the House that I shall take the earliest opportunity to acquaint the House with the progress which the States have made with regard to the administration of controls.

Shri Kamath: Cannot the State Governments be asked to submit monthly reports?

Shri Mahtab: As to whether it will be monthly or quarterly is a matter which may as well be left to us. What I say is this. I agree that Members of Parliament should be in a position to know as to how these laws are being administered in the States and no scope or loophole should be allowed to the Central Government to take shelter under the excuse that the State Governments are administering this law—therefore, the Central Government has no responsibility. I have never done that and I do not propose to do that.

I have nothing more to say. I am very glad the House has agreed to extend this time-period. The constitutional point which has been raised is a very interesting one, but I do not propose to discuss it on this occasion. I would not have referred to another point but for the eloquence which was shown by my hon. friend the new convert with his natural enthusiasm with regard to the general attitude of Government. I am very sorry to say that he has not read this resolution nor

is he acquainted with the law. The law which has been enacted under this resolution has nothing to do with common articles. Common articles come under the Essential Supplies (Temporary Powers) Act. We are now discussing commodities which have relation with industries. Therefore, that kind of general criticism probably was not necessary on this occasion. But that can be excused because it came from a new convert.

Shri Satya Narayan Sinha: Renegade.

Shri Mahtab: I would request the House, therefore, to pass this resolution unanimously.

Shri Sidhva: In the new composition now read out by the hon. Minister will he be prepared to expand the advisory board by taking more members representing consumers?

Shri Mahtab: I am prepared to consider that.

Dr. Deshmukh: What steps are being taken to publish these prices, so that every citizen of India or as many as possible would come to know of them? Are any periodical announcements made?

Shri Mahtab: The hon. Member knows well that whenever prices are fixed it is published in the Gazette and it is published in all the papers. Apart from that there is an order under the law that shop-keepers should also exhibit the prices for various commodities.

Dr. Deshmukh: That is observed more in the breach.

Shri Mahtab: That is another matter. If the shop-keepers are not observing them, steps will be taken against them. These are the steps which are taken for publicity of the prices for various commodities.

Mr. Deputy-Speaker: I shall now put the question to the vote of the House.

The question is:

"Whereas this House has declared by resolution passed on the 12th August, 1950, in pursuance of clause (1) of article 249 of the Constitution, as adapted by the President under article 392 thereof and as at present in force, that it is necessary in the national interest that Parliament should for a period of one year from the 15th

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August, 1950, make laws with respect to the following matters enumerated in the State List, namely:

(i) trade and commerce within the State subject to the provisions of entry 33 of List III, and,

(ii) production, supply and distribution of goods subject to the provisions of entry 33 of List III;

And whereas it is necessary in the national interest to continue in force the said resolution;

This House do resolve in pursuance of the proviso to clause (2) of the said article, that it approves the continuance in force of the said resolution for a further period of one year from the date on which it would, but for this resolution, cease to be in force."

The motion was adopted.

Shri Kamath: Has it been carried unanimously?

Mr. Deputy-Speaker: Yes, unanimously. There was no opposition.

Shri Kamath: I think you might find out if there are any abstainers.

Mr. Deputy-Speaker: Are there any neutrals, any persons who abstained? So far as the vote is concerned I took it that it was a unanimous vote. Mr. Kamath points out that I may ask the House if there are any abstainers or neutrals. If there are any persons who are not voting either for or against the motion they may kindly stand in their seats.

As no one has stood up I declare that the resolution is carried unanimously.

MOTIONS RE. DELIMITATION OF CONSTITUENCIES ORDERS 1951 —Contd.

Mr. Deputy-Speaker: So far as the Delimitation Orders are concerned I will first read the list of absentees. If any of the hon. Members are present here they may move their motions. If they are not present now they will lose their chance.

Dr. Deshmukh (Madhya Pradesh): Several Members have given notice of the same motions. So it does not matter.

Shri Hussain Imam (Bihar): You may ring the bell.

Mr. Deputy-Speaker: Ringing the bell is done only for division. Hon

Members who are interested in the same matter may send for them. Otherwise it may be something like the child crying "Tiger, tiger!"

UTTAR PRADESH ORDER

Shri Chandrika Ram (Bihar): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Sunder Lall (Uttar Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Mr. Deputy-Speaker: Then I take up the list of new Members who will move the motions just now in regard to the Delimitation Orders laid on the table on 18th May 1951.

PUNJAB ORDER

Ch. Ranbir Singh (Punjab): I beg to move.

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Pandit Thakur Das Bhargava (Punjab): I beg to move:

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a certain State does not do the work properly that responsibility is also mine in the sense that I have not been able to persuade that State to do the work properly. Therefore, I am prepared to take the entire responsibility. I entirely agree with Mr. Sidhva that there should be some machinery to call for reports from the State Governments so that these reports could be placed before Parliament whenever called for or that we may have some kind of supervision over the administration of the measure. We have to carry the States with us somehow and we have to see that the thing is done. Because there is no other course open to us—the Government of India cannot have a duplicate administrative machinery all over the various States to give effect to these price control orders. Necessarily they will have to depend on the State Governments in this matter. I am quite sure in my mind that all the State Governments are doing their job as best as they can. It may not be to our satisfaction, but they are doing their best and I shall take steps to call for reports from them as to how the various controls are being worked. I could have placed a general report before the House if I had more time. But I can assure the House that I shall take the earliest opportunity to acquaint the House with the progress which the States have made with regard to the administration of controls.

Shri Kamath: Cannot the State Governments be asked to submit monthly reports?

Shri Mahtab: As to whether it will be monthly or quarterly is a matter which may as well be left to us. What I say is this. I agree that Members of Parliament should be in a position to know as to how these laws are being administered in the States and no scope or loophole should be allowed to the Central Government to take shelter under the excuse that the State Governments are administering this law—therefore, the Central Government has no responsibility. I have never done that and I do not propose to do that.

I have nothing more to say. I am very glad the House has agreed to extend this time-period. The constitutional point which has been raised is a very interesting one, but I do not propose to discuss it on this occasion. I would not have referred to another point but for the eloquence which was shown by my hon. friend the new convert with his natural enthusiasm with regard to the general attitude of Government. I am very sorry to say that he has not read this resolution nor

is he acquainted with the law. The law which has been enacted under this resolution has nothing to do with common articles. Common articles come under the Essential Supplies (Temporary Powers) Act. We are now discussing commodities which have relation with industries. Therefore, that kind of general criticism probably was not necessary on this occasion. But that can be excused because it came from a new convert.

Shri Satya Narayan Sinha: Renegade.

Shri Mahtab: I would request the House, therefore, to pass this resolution unanimously.

Shri Sidhva: In the new composition now read out by the hon. Minister will he be prepared to expand the advisory board by taking more members representing consumers?

Shri Mahtab: I am prepared to consider that.

Dr. Deshmukh: What steps are being taken to publish these prices, so that every citizen of India or as many as possible would come to know of them? Are any periodical announcements made?

Shri Mahtab: The hon. Member knows well that whenever prices are fixed it is published in the Gazette and it is published in all the papers. Apart from that there is an order under the law that shop-keepers should also exhibit the prices for various commodities.

Dr. Deshmukh: That is observed more in the breach.

Shri Mahtab: That is another matter. If the shop-keepers are not observing them, steps will be taken against them. These are the steps which are taken for publicity of the prices for various commodities.

Mr. Deputy-Speaker: I shall now put the question to the vote of the House.

The question is:

"Whereas this House has declared by resolution passed on the 12th August, 1950, in pursuance of clause (1) of article 249 of the Constitution, as adapted by the President under article 392 thereof and as at present in force, that it is necessary in the national interest that Parliament should for a period of one year from the 15th

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August, 1950, make laws with respect to the following matters enumerated in the State List, namely:

(i) trade and commerce within the State subject to the provisions of entry 33 of List III, and,

(ii) production, supply and distribution of goods subject to the provisions of entry 33 of List III;

And whereas it is necessary in the national interest to continue in force the said resolution;

This House do resolve in pursuance of the proviso to clause (2) of the said article, that it approves the continuance in force of the said resolution for a further period of one year from the date on which it would, but for this resolution, cease to be in force."

The motion was adopted.

Shri Kamath: Has it been carried unanimously?

Mr. Deputy-Speaker: Yes, unanimously. There was no opposition.

Shri Kamath: I think you might find out if there are any abstainers.

Mr. Deputy-Speaker: Are there any neutrals, any persons who abstained? So far as the vote is concerned I took it that it was a unanimous vote. Mr. Kamath points out that I may ask the House if there are any abstainers or neutrals. If there are any persons who are not voting either for or against the motion they may kindly stand in their seats.

As no one has stood up I declare that the resolution is carried unanimously.

MOTIONS RE. DELIMITATION OF CONSTITUENCIES ORDERS 1951—Contd.

Mr. Deputy-Speaker: So far as the Delimitation Orders are concerned I will first read the list of absentees. If any of the hon. Members are present here they may move their motions. If they are not present now they will lose their chance.

Dr. Deshmukh (Madhya Pradesh): Several Members have given notice of the same motions. So it does not matter.

Shri Hussain Imam (Bihar): You may ring the bell.

Mr. Deputy-Speaker: Ringing the bell is done only for division. Hon

Members who are interested in the same matter may send for them. Otherwise it may be something like the child crying "Tiger, tiger!"

UTTAR PRADESH ORDER

Shri Chandrika Ram (Bihar): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Sunder Lall (Uttar Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Mr. Deputy-Speaker: Then I take up the list of new Members who will move the motions just now in regard to the Delimitation Orders laid on the table on 18th May 1951.

PUNJAB ORDER

Ch. Ranbir Singh (Punjab): I beg to move.

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Pandit Thakur Das Bhargava (Punjab): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Sondhi (Punjab): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Master Nand Lal (Punjab): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Sardar B. S. Man (Punjab): I beg to move:

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Sardar Ranjit Singh (P.E.P.S.U.): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Sardar Sochet Singh (P.E.P.S.U.): I beg to move:

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[Shri Mahtab]

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MOTIONS RE. DELIMITATION OF CONSTITUENCIES ORDERS 1951—Contd.

Mr. Deputy-Speaker: So far as the Delimitation Orders are concerned I will first read the list of absentees. If any of the hon. Members are present here they may move their motions. If they are not present now they will lose their chance.

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Members who are interested in the same matter may send for them. Otherwise it may be something like the child crying "Tiger, tiger!"

UTTAR PRADESH ORDER

Shri Chandrika Ram (Bihar): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Sunder Lall (Uttar Pradesh): I beg to move:

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Mr. Deputy-Speaker: Then I take up the list of new Members who will move the motions just now in regard to the Delimitation Orders laid on the table on 18th May 1951.

PUNJAB ORDER

Ch. Ranbir Singh (Punjab): I beg to move.

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Pandit Thakur Das Bhargava (Punjab): I beg to move:

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Shri Sondhi (Punjab): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Master Nand Lal (Punjab): I beg to move:

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Sardar B. S. Man (Punjab): I beg to move:

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Sardar Ranjit Singh (P.E.P.S.U.): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Sardar Sochet Singh (P.E.P.S.U.): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

UTTAR PRADESH ORDER

Shri J. R. Kapoor (Uttar Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Prof. S. L. Saxena (Uttar Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

MADHYA PRADESH ORDER

Shri Jangde (Madhya Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Kishorimohan Tripathi (Madhya Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Mr. Deputy-Speaker: Of the new Members only Dr. Tek Chank is absent, I find.

Shri Sondhi: He is busy on a Committee.

Mr. Deputy-Speaker: I cannot help it.

Shri Hussain Imam: You may ring the bell.

Mr. Deputy-Speaker: I have already stated that only for division it can be done.

Shri T. N. Singh (Uttar Pradesh): I had given notice of an amendment yesterday in regard to the delimitation of constituencies and my name was read out in respect of one of them, and I had moved it. But my name does not find a place. Is it just a clerical error?

Mr. Deputy-Speaker: Does it relate to the first set or the second set?

Shri T. N. Singh: Second set.

Mr. Deputy-Speaker: Mr. T. N. Singh informs me that he wishes to move the amendment which he has tabled. I will take it as moved.

Shri T. N. Singh: I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Kamath (Madhya Pradesh): Dr. Ambedkar said he would move in regard to the Uttar Pradesh Order at one o'clock.

Mr. Deputy-Speaker: I have called upon hon. Members who have stated that they have tabled motions of amendments. If the notice of amendments has already been sent to the

office, then their motions here will be in order; otherwise it would not.

Dr. Deshmukh: What about Dr. Ambedkar's motions?

Shri Sidhva (Madhya Pradesh): The Speaker said that if he does not present it before one o'clock, it will not be admitted.

Mr. Deputy-Speaker: I have received notice of a motion regarding the delimitation of constituencies from the Punjab signed by a number of hon. Members. I shall read out the names of hon. Members and take it that each hon. Member has moved, whoever is present.

PUNJAB ORDER

Lala Achint Ram (Punjab): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Sondhi: I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Ch. Ranbir Singh: I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Sardar B. S. Man: I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Pandit Thakur Das Bhargava: I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Sardar Hukam Singh (Punjab): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Master Nand Lal: I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Mr. Deputy-Speaker: Hon. Members who are absent are: Prof. Yashwant Rai and Giani G. S. Musafir.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): I suggest that we can keep the motion to be moved by Dr. Ambedkar for the afternoon. It may be extended to 6-30 P.M.

Mr. Deputy-Speaker: The time for moving the amendments will be extended till 6-30 P.M. today. After that, no more amendments will be allowed.

The House then adjourned till Half Past Four of the Clock.

The House re-assembled at Half Past Four of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

Mr. Deputy-Speaker: I request hon. Members who have been absent, and who have given notice of motions re. the Delimitation of Constituencies Orders to move their motions. Unless the motions, whether by the Government or by other hon. Members are moved before the House rises this evening, they would be out of order. They cannot be moved later on.

Shri Sidhva: Dr. Ambedkar is in charge. He is not here.

Mr. Deputy-Speaker: I shall wait. We will go on with the other business. After he comes, he may move his motions. Perhaps he is drafting them. Any other non-official Member may move his motions. Shall I take it that there are none?

Dr. Deshmukh: What about making the time twelve midnight?

Mr. Deputy-Speaker: I shall call out the names.

MADHYA PRADESH ORDER

Shri Mani Dixit (Madhya Pradesh): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

RESOLUTION RE. RAISING OF EXPORT DUTY ON CLOTH

The Minister of Finance (Shri C. D. Deshmukh): An export duty of ten per cent. *ad valorem* was imposed with effect from 1st March 1951, as the House will recall, on medium and coarse cloth.

I am sorry, Sir. I shall move the resolution, first.

I beg to move:

"In pursuance of sub-section (2) of section 4A of the Indian Tariff Act, 1934 (XXXII of 1934), Parliament hereby approves of the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 51-Customs, dated the 1st June, 1951, by which the export duty on cloth, medium and coarse, was raised from 10 per cent. *ad valorem* to 25 per cent. *ad valorem*, with effect from the date of the said notification."

As I explained in my Budget speech, the cloth covered by the duty was most-

ly made from Indian cotton and therefore enjoyed a price advantage and therefore, a moderate export duty was deemed justified. We decided to impose initially a low rate on account of the unfavourable reactions in the past to cloth export duty. That was first levied in 1948 and had to be withdrawn the next year. One of the criticisms during the Budget discussion was that the rate of export duty levied in the Finance Bill was on the low side and some speakers said that it was even lower than what the trade had expected. The question of the adequacy of the duty has since then been continuously under examination and we have examined various possible scales. One of the criticisms also was that the duty was imposed somewhat late. The reason for the delay in the imposition of the duty was the desire to avoid dislocation of existing contracts resulting in a heavy tax being imposed during the inter-budgetary period. We feel that at present the time is opportune for a change as price changes for textiles were made only recently and allocations of new export quotas are being made for the next export year. Various estimates of the profits made by exporters on the export of cloth have been made; some place it at 50 and some place it at 100 per cent. The latter are undoubtedly exaggerated. But, there is no doubt that a substantial profit margin can easily be earned on export of medium and coarse cloth even after payment of the present ten per cent. *ad valorem* duty. The level of prices on which we have decided to impose originally a low rate of duty continues to be maintained as the world prices remain high. That is why by notification dated 1st June 1951, the rate of export duty has been raised with effect from that date from ten per cent. *ad valorem* to 25 per cent. *ad valorem*. This enhancement is likely to yield an additional revenue of about three crores per year.

Now, side by side with the question of an export duty on coarse and medium cloth, we have considered the question of a similar duty on fine and superfine cloth. This kind of cloth is made out of imported varieties of cotton for which the world prices still continue to be high. Inasmuch as we do not enjoy any special production advantage as in the case of coarse and medium cloth for which, as I said, the prices of short staple Indian cotton afforded an advantage, it has been considered that the imposition of a duty on the export of fine and superfine cloth might adversely affect the Indian exports *vis-a-vis* those of other competing countries. At the same time, we have taken notice of the fact that

[Shri C. D. Deshmukh]

there is a fair margin of profit on the export of fine cloth, and in the circumstances, as an alternative to the levy of an export duty, Government have decided to deprive the trade of an alternative tariff concession, namely, the grant of a rebate on customs duty on the imported cotton contained in fine and superfine cloth exported out of India. At present, this is allowed on an *ad hoc* basis at the rate of two annas per pound of cloth, being the equivalent per weight of the import duty on raw cotton. This concession, which is not strictly justified by the draw-back rules, has been given with effect from 8th March 1950 in order to encourage the export of fine and superfine cloth of Indian manufacture. That was a part of the concession that was allowed at the time when, in order to bring down the internal prices, Government ordered a reduction in the rate of excise duty and also sought to give a definite fillip to exports. Since then, the price margins have widened so that the continuance of this advantage for the Indian exporter is considered unnecessary and it only costs the fisc over a crore of rupees. This concession was, therefore, withdrawn with effect from the 1st of June, that is, the date on which the export duty on cloth other than fine and superfine has been raised from ten per cent. *ad valorem* to 25 per cent. *ad valorem*.

Since this notification was issued, as usual, we have received telegrams and letters both of approval and of protests, and the protests have been in both directions. On the one side it is claimed that it introduces another disturbing element in the existing contracts, and therefore it is likely to prejudice our export trade. And on the other hand those who are perhaps not specially interested in the export of coarse and medium cloth have urged that a higher percentage of duty might have been levied. When we decide on the precise level of duties, we have to take into account various considerations, one of them is the existence of contracts. And no matter what date you might select, you are always up against existing contracts although we have endeavoured to choose a date which would interfere to the least possible extent with any uncompleted contract. And apart from existing contracts, there are the considerations that any export duty that might be selected should be capable of being continued for some time. In other words, it is regarded as undesirable to keep changing the level of export duties from time to time. Now, the

international situation is very uncertain, and the cotton situation in particular is also somewhat fluctuating. The forecasts of the world production of cotton seem to indicate the possibility of much more cotton being available during the next season than was the case last season. Internally also, although so far it is our intention to hold the price level, one has to take into account the vagaries of the monsoon and consider the possible effect of a short cotton crop. So, taking these and similar considerations into account, we thought that the level of export duty that we have chosen is adequate so far as the requirements of the fisc are concerned, and that it is certainly fair or more than fair to the exporter and that here is a reasonable possibility of our being able to hold this level for a long time to come during the coming year.

Mr. Deputy-Speaker: Resolution moved:

"In pursuance of sub-section (2) of section 4A of the Indian Tariff Act, 1934 (XXXII of 1934), Parliament hereby approves of the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 51-Customs dated the 1st June, 1951, by which the export duty on cloth, medium and coarse, was raised from 10 per cent. *ad valorem* to 25 per cent. *ad valorem*, with effect from the date of the said notification."

Shri Ramalingam Chettiar (Madras): I am glad that at least now the Government has found the necessity for increasing the duty and has come to this House for approval of the action they have taken in the matter. This action, however, has been very tardy. I feel that this action should have been taken by them at least a year back and this will be admitted by everybody who knows anything about this business. Not only was the action tardy, but even when they took the action, they have been so hesitant that they have now fixed a rate of increase which is so low that it is difficult for one to understand why it has been fixed so low as that. The price of the cotton that goes into the manufacture of coarse and medium cloth is fixed at Rs. 1,000 per kandy and less here in India. This is a controlled commodity. The price is controlled and the cotton has to be sold at Rs. 1,000 per kandy and less for the manufacture of these goods. The same grade of cotton fetches about Rs. 1,800—taking the lowest figures for the last few months in Pakistan—and it

costs more than Rs. 2,000 in America. That is to say, there is a difference of about 100 per cent. in the prices of cotton, that is to say, between the controlled price in India and the price ruling elsewhere.

Now, what is being done is this. The local cotton which is controlled is being purchased at the low price and cloth manufactured and that is being exported to outside countries and there this cloth competes with cloth made of cotton which has been purchased at Rs. 2,000 per kandy. That means that the difference between the two prices is pocketed by the manufacturers. And that comes to crores and crores of rupees—not a small amount—and this fact has to be taken into consideration.

I have raised this question several times here, both in the interest of the consumer and in the interest of the State's revenues. What is manufactured out of the low-price cotton is sent away for the benefit of the manufacturer and to that extent the consumer in India suffers. And he has to pay a higher price for the cloth manufactured from the imported cotton—the fine and superfine varieties and things like that. The coarse and medium cloth which is so much in demand is sent away because it is more profitable for the manufacturer to send it out than to sell it here where the price of cloth is also fixed with reference to the price of cotton obtaining here. So we are suffering for want of cloth on account of this arrangement. And as I said we suffer because all the profits go to the manufacturers who get cotton at the low price in India and who send the cloth made of it to outside countries.

This question, as I said, has been raised here several times, but somehow or other the Government was not prepared to consider the matter at all. Even last time, I believe, it was during the Budget session, I raised this issue and informed the House that this was the state of affairs, but nobody seems to have taken it up, much less the Government, and pursued the matter. I raised both these issues—the question of the difficulty felt by the consumer on account of this large export that is being allowed and also the fact that large profits were made by manufacturers in this country. Now the difference between the price at which this cloth—coarse and medium—is manufactured here and what it would fetch outside when competing, with the prices elsewhere will be somewhere between 60 to 70 per cent. The price of cotton differs to the extent of 100 per cent. but only 60 to 70 per cent. of the price goes for the price of cotton

and the rest is covered by manufacturing costs. Now the profit to the extent of 60 to 70 per cent. is retained by the manufacturer and this tardy measure proposes to take 25 per cent. out of that. The argument advanced by the hon. Finance Minister today is two-fold: One is, he is not sure that the cotton prices will stay where they are. The difference at present is 100 per cent. Even supposing it goes down, to what extent it will go down? I would not suggest to him that the rate should be raised to 60 or 70 per cent. to which the rate can be raised as things stand at present. I would suggest to him to be cautious but not over-cautious to the extent of putting it at 25 per cent. when the actual difference is 60 per cent. So I would suggest that the duty may be raised to 40 per cent. at least. Taking into consideration all fluctuations that may come about in the course of the year and also considering the other circumstances, I think raising the duty to 40 per cent. will be most equitable both to the revenues of the State and also to the manufacturer and in a way, it may also help the country because probably a little more of the cloth of the coarse and medium varieties may be made available to the country. For all these reasons, I think that Government is quite wrong in fixing the rate of duty at 25 per cent. I would ask them to reconsider the matter and raise it to at least 40 per cent. and thereby earn some money for the coffers of the State and also do justice.

There is a feeling in the country that the capitalists are having their own way and the Government itself is a capitalist Government. It is things like these that give a handle to these accusations. Why should Government be so hesitant, why should they have taken so much time to raise the duty and then coming to this Parliament to raise it to 25 per cent. instead of a very much higher duty? So I would request the Government, while this notification may be approved at present, to reconsider the matter and in the course of a month at least, to raise the duty to at least 40 per cent. and thereby do justice both to the country and to the coffers of the State and meet the accusation that is justly aimed at Government and others concerned in the business that they are favouring capitalists over much.

Shri Khandubhai Desai (Bombay): I fully support the resolution that has been placed before the House by the hon. Finance Minister. While giving my support, I associate myself entirely with the remarks that have been

[Shri Khandubhai Desai]

made by Mr. Chettiar. This is just an example of an unimaginative and hesitant policy of the Government of India. They have now come out to impose an additional duty of 15 per cent. on the export of cloth. It is just like bolting the stable after the horse has been stolen. I may just remind the House that immediately after the Korean war started nearly 60 per cent. of our good cloth manufactured from Indian cotton had been exported during the period from August 1950 to March 1951, and according to my calculation, no less than about 50 crores yards of cloth was exported during this period as far as medium and coarse count was concerned. According to my own information, the profits made on those 50 crores yards of cloth exported is anywhere between 75 to 100 per cent. on the ex-mill price. It means that the profits made on the export of that cloth alone would roughly amount to about Rs 25 crores. That is lost to the exchequer which is entitled to mop up a big slice from this profit. Some of us had occasion in the Budget debate to make reference to this factor but as usual the Finance Minister or his advisers were very hesitant. It is just reasonable that when in parity the Indian cotton prices have been fixed at a lower level, they should have understood it and there was no imagination required to know that the cloth manufactured from the Indian cotton is any day cheaper than the cloth manufactured in any other country from the cotton which was available in the foreign countries. Immediately at that very time they should have increased the duty to such an extent so as to benefit the country. This would have given them money for their coffers and that money could have been utilized to reduce or to do away with the excise duty. It is an accepted principle of modern economic thought when a particular exportable indigenous product is cheaper and is able to compete advantageously in the foreign market, the export duty obtained from that commodity would be utilized in subsidising the indigenous consumer but it has not been done. Anyway better late than never.

Now our Finance Minister feels that this raising of duty will bring to him about three crores and as far as the cloth manufactured from foreign cotton is concerned, a rebate to the extent of one crore will not be given. I am very definitely of the view that a duty even on the export of cloth manufactured from foreign cotton would have been also desirable because even in the cloth that is exported, cloth that is

manufactured from foreign cotton, though the profits are not as high but still, according to my estimate, the profits are to the extent of 30 to 40 per cent. and the price of that cloth being higher, the profits also to that extent are bound to be very much higher in terms of money.

I fully support the suggestion of Mr. Chettiar that the export duty should have been at least, even as late as today, 40 per cent. and not 25 per cent. because even today, according to my information, the profits realized on the coarse and medium cloth are from 75 to 100 per cent. on ex-mill prices.

The bogey of contract is always being raised in season and out of season but according to my information, as far as export duty is concerned, the general trade practice is that whatever the export duty may be it is paid by the importing countries because there is always in the contract that particular condition. Therefore I feel that Government would not be losing anything if they increased the duty from 25 to 40 per cent. and even if there is some loss to exporters, it will come out of the huge profits they have made during the last six months.

Incidentally I would like to mention that an export duty of higher dimensions would also relieve to an extent the anxiety felt in the country regarding the supply of cloth. It should be realised that the export duty on cloth was not levied when it should have been levied, namely last September or October. There was a race among the manufacturers and the middlemen to export with hundred per cent. profit any piece of cloth available, with the result that during the last six months, namely from September to March, the country has been practically denuded of 60 per cent. of its production and that is reflected today in the scarcity of cloth felt in the country. Thank God, the Ministry of Commerce and Industry, though late, has realised the position and has staggered the export of cloth to some extent. At the same time they have also put a sort of limit to the export of cloth during the year and the hon. Minister has assured us that during the next two months cloth will be available and there will not be such scarcity. In order to create the proper psychology in the country the export duty on cloth should not be 25 but 40 per cent. In conclusion I support the action of the Finance Minister, though it is belated.

Dr. Deshmukh (Madhya Pradesh): I hope I would be forgiven if I describe the position with regard to cotton yarn and textiles as thoroughly chaotic and we have all suffered on account of these chaotic conditions. The grower has suffered on occasions the millowners have suffered and the whole burden has fallen on the consumers who have been suffering all along. It is unfortunate that our remedies are almost always belated. My friend Mr. Khandubhai Desai is correct in saying that the Government of India are trying to lock the stable after the horse is stolen. It should be quite apparent to every one that when within two or three months we have to raise the duty to such a level as to amount to 150 per cent. of the original, there must have been some error somewhere.

The two hon. Members who have spoken have experience of the trade and know what they are talking about. They were right when they said that a duty of 40 per cent. not only now but for the past year would have been quite warranted and necessary.

I wish to speak from the point of view of the cotton grower. In this field there are ample anomalies. The controlled prices of short staple cotton which we are exporting are in the neighbourhood of Rs. 600 per kandy and because we need foreign exchange badly it is necessary to export some of it to foreign countries. It has been pointed out more than once that the margin of profit is Rs. 500 per kandy. If you take the case of cotton waste there is such a demand from foreign countries that the prices range between Rs 1100 and 1300 per kandy. Under the guise of cotton waste the merchants are able to supply even the best of cotton that is available because the controlled price level is so low. In Madhya Pradesh the maximum price of Jarila cotton is Rs. 865. If cotton waste could fetch Rs. 1300 where is the harm if merchants bought good cotton at Rs. 860 and sold it at 1300 as waste so as to realise a profit of Rs. 440? Even though the hon. the Minister of Finance may quarrel with the figures of 50 or 70 crores as profits or loss of revenue, the Finance Minister will have to admit that there have been substantial profits. I do not think he can deny that. Very substantial profits have been made by the millowners on one hand and the middlemen such as the exporters on the other. Where has all this profit come from? From nobody else's pocket but that of the cotton grower. The prices paid to him are unreasonably low as compared with the prices we are prepared to pay to any foreign

country from where we can get cotton. I have been repeatedly asking questions whether any cotton is obtainable from Pakistan and every time the Commerce and Industry Minister has said that it is not possible to get it, because the prices are high. What is the difference between Pakistan cotton and our cotton? The difference is near about 300 per cent.—that is the difference between the prices fixed and controlled by the Government of India and the prices at which Pakistan cotton is being sold and is not available to us. If there is so much difference and such a big margin of profit, it is evident that the whole of the profits, both to the middlemen and the millowners, have come from the pockets of the growers. Nowhere in the world you can get cotton so cheaply as in India.

My friend was quite right in stigmatising this action as belated. If not for anything else, at least for deriving revenues for the State, the duty should have been imposed long ago. Even now the duty is unsatisfactory; it should be in the neighbourhood of 40 per cent.

I am mostly interested in the cotton growers. I do not see why the Finance Minister should be so hazy in his calculation. After all these textile exports take place from a few definite places and not from everywhere. There are the shipping figures and it would not be too much to expect Government to find out at what rates and prices these exports are being made. They could also insist upon the contracts being submitted to them. They are the persons who issue the licences and it should not be difficult to find out what the margin of profit is, that is, the difference between the purchase price and the sale price and what must be the approximate profits made by the industry as well as the middleman. It should also be possible to ascertain the date from which and up to which the profits have been made and at what rate. If that be so, it should be quite possible to ascertain what the contribution or the sacrifice of the growers has been. I hope, at any rate, at this stage the Government will ascertain as to what the cotton grower is contributing towards the profits not only of the middleman and millowner but also indirectly to the revenues of the State. After investigating this matter from that point of view it should be possible for Government to make a reasonable addition to the price offered to the growers.

I for one do not agree with the hon. Members who think that we must at

[Dr. Deshmukh]

all cost grow the utmost possible amount of food in the country. I would rather examine the growing of a crop from the point of view of the economic benefit that the country derives. Looking to the prices of foodgrains in the country it is in no way unwise to encourage even cotton and jute growing, because it does bring us more foreign exchange. If for the same money you can buy more food than we can grow, I am sure it is arguable and it should appeal to hon. Members that it is not very wrong or unwise to grow crops other than foodgrains and import foodgrains wherever we can get them from. From that point of view I would suggest that this investigation should be carried on and cotton and jute growing should be encouraged, because that is more profitable. If our peasantry becomes rich, that is the greatest indication of the prosperity of the nation. The prosperity of no other section is likely to help the nation more than the prosperity of the peasant and the farmer. That is the basic factor. If he prospers, if he has money, everybody else is bound to prosper because it is through him that everybody derives his wealth and prosperity. I therefore urge that the cotton-grower of India should not be treated in the way he has been treated so far and that a more sympathetic consideration should be given to his condition and to the price that he gets for the cotton grown by him.

Shri M. C. Shah (Bombay): I wholeheartedly support the resolution moved by hon. Finance Minister for raising the export duty on coarse and medium cloth from 10 per cent. to 25 per cent. I agree with the previous two speakers, Mr. Chettiar and Mr. Khandubhai, that it is a belated action. Since August last we were suggesting that the export of coarse and medium cloth should either be stopped or a heavy export duty ought to be levied on its export. But it was a cry in the wilderness. As a matter of fact, last year out of nearly 1250 million yards of cloth exported, nearly 750 million yards was coarse and medium cloth which was exported to the great disadvantage of the home consumer. As is well-known, cotton prices are controlled and as has been stated, when compared with prices outside India our prices of cotton are very much low. Of course it ought to be so under the present circumstances because the moment you want to raise the prices of cotton you will have to raise the prices of foodgrains and of other articles also, so that it will be a vicious circle. So, the control of

cotton prices is a necessity in the economic interest of the country. But when the price of cotton is controlled, the cloth spun and woven from that cotton ought to be given to the home consumers. But that has not been done and the Indian consumer is made to pay very high prices for the fine and superfine cloth he is made to consume, which is spun and woven from foreign cotton costing very much higher. If fine and superfine cloth is exported in greater quantities nobody would object to it, but coarse and medium cloth is being exported and was exported to the great detriment of the country. Even when the Finance Bill was considered in the Select Committee, the Select Committee was pleased to note that export of coarse and medium cloth should, as a matter of economic importance, be prevented, but the argument was that the question of foreign exchange comes in the way and therefore some export ought to be allowed. I believe that when cotton prices are controlled in the interest of the country, coarse and medium cloth should not be allowed to be exported, and if it should be allowed, there ought to have been a heavier export duty. At the time of the Budget discussion only two months ago, it was suggested that the ten per cent. export duty was rather low and that as a matter of fact it ought to have been heavier. Any way, now it has been raised to 25 per cent. and I believe that under the present circumstances this increase is quite justified.

It has been suggested by some hon. Members that it ought to have been higher. Forty per cent. is suggested. But I would tell them that we have to take a far-sighted view of the situation. We have to consider the fact that the textile industry of India is one of the main industries of our country and in order to maintain the export trade which has been developed very recently we must also see that the export trade is not too much disturbed. The prices of cotton in foreign countries were, no doubt, very high, but since the last month and a half, cotton prices in those foreign countries have been dropping. Egyptian cotton has gone down by about 20 per cent., American cotton has also gone down and there is every possibility that with a big crop in America the prices of cotton will go down further. Also, Egypt has just taken away the 75 per cent. export duty on cotton which means that Egyptian cotton will be somewhat cheaper. Therefore, we have to bear in mind that as the prices of foreign cotton might go down, the prices of cloth spun and woven from that cotton also will go down.

We have to compete with Japan and other countries; Japan is now returning to the field. In view of these factors, if we raise the export duty to a very much higher level, then there is the danger of disturbing the export trade which we have only very recently established. Of course, I would be naturally in favour of raising the export duty. I am entirely in favour of mopping up the profits that go to the manufacturers and to the middlemen, to a very great extent—they must be allowed only their legitimate profit. So, I believe that the 25 per cent. export duty on coarse and medium cloth is today justifiable under the present circumstances.

Dr. Panjabrao spoke about cotton waste and giving of higher prices to the grower. I entirely agree that the cotton grower is in a disadvantageous position today. But that has also to be looked at from point of view of the other controlled commodities in the country. Today we have a controlled economy under which we have to control prices. We cannot afford to allow prices going high, but in fact prices are going high and though there have been promises from the Government side that prices will be brought down they have not been successful in doing so. And in order to lower the prices all round we have to control cotton prices too. I know there is a move that cotton prices should be raised. I say that if you want to keep the economy of the country undisturbed and if you want to resist the trend of rising prices, then the cotton prices also ought to be controlled. Therefore, even though it is disadvantageous to the cotton grower it is in the best interest of the country that these prices should be controlled. Otherwise the position will be that there will be too much of cotton growing done and we will be deficit in cereals to a greater extent. We are today very much deficit in cereals. We wanted to be self-sufficient by March, 1952 but today we are told that we will not be self-sufficient even within the next six years. We have to import about 40 lakh tons of foreign cereals for which we have to find foreign exchange. All these circumstances have to be taken into consideration when we levy certain duties. And so I submit that the levy of 25 per cent. in the present circumstances is quite justifiable.

Even about the cotton waste to which my friend, Dr. Panjabrao referred, let me tell him that there is an *ad valorem* duty of 50 per cent. on waste cotton. Even if it fetches a price of Rs. 1200 or 1300 a kandi—and

I am not sure that it does—there is an *ad valorem* duty of 50 per cent. on it through which Government gets an export duty of some two or three crores. At the same time, at the suggestion of some people who knew something about it, certain types of cotton waste which could be re-spun, have been banned from being exported. Only such cotton waste as cannot be used for such purpose and which will remain idle here, to be burnt away, as was done some time back, is allowed to be exported.

In conclusion, I would say that looking at the question from all points of view, looking at it from the far-sighted point of view of the industry as such, looking at it from the export trade point of view, from the point of view of establishment and strengthening of that export trade, I believe that the export duty that has been imposed now is quite justifiable. It is correct to say that we have moved in the matter very late and, as was stated by my friend, Mr. Khandubhai, we have lost some crores of rupees by allowing export of coarse and medium cloth without a higher export duty, but there is no use crying over spilt milk. We should now congratulate the Finance Minister that even at this stage he has realised the position and has moved this resolution.

I fully support the resolution that has been moved by the hon. Finance Minister.

Shri Goenka (Madras): I do not want to inflict a long speech, although the textile trade and the industry demand a long speech. It must be admitted in this connection that the textile industry has been working in a chaotic condition. I do not want to repeat what my hon. friend Shri Khandubhai Desai and others have said. The fact, however, remains that the coarse and medium counts of cloth are now manufactured from the Indian cotton which is a controlled commodity and the price of which is practically 50 per cent. of the price prevailing in other countries. Now I would like to know from the Finance Minister definitely as to what is the margin of profit between the cost of production from the Indian cotton and what is the price which this cloth fetches in foreign markets? Our information is that the margin of profit is between 75 to 100 per cent. He has not told us in his speech as to what his information is.

Shri C. D. Deshmukh: I said that estimates of between 50 to 100 per cent. have been made.

Shri Goenka: I would like to know what is the estimate of the Govern-

[Shri Goenka]

ment of India. Many estimates have been made by different persons; but I would like to know from the Government of India as to what their information is and even if their information is that it is 50 to 100 per cent., I would say that the proposed duty of 25 per cent. is on the low side. The information of the people who are in the trade is that it is 75 to 100 per cent.

We have had experience of the way in which the Government of India have been behaving in regard to this export trade. We had the experience of jute. The export duty was levied after a very long time and as Mr. Khandubhai said the stable was locked after the horse was stolen away. The same is the case in regard to the textiles. There is a clamour for export licences—that nobody can dispute. The industry's main attraction is now export trade and not the internal trade. It is an admitted fact. If that is so, we should prevent it. I say that we should levy a duty which will be as high as to make it attractive for the mills to manufacture goods for home consumption and the home trade and export trade should be practically at par in consideration of the mills for the purpose of manufacture. I do not want to enter into details. All that I submit is this that export trade has become the main attraction of the industry, because where there is large money there is attraction. Since this large profit is due to the controlled price of cotton, I submit that an export duty of 40 per cent., as has been suggested by other hon. Members here, should be levied by the Government of India. Even admitting that the margin of profit is only 50 per cent., suppose we levy a duty of 40 per cent., there is still a margin of 10 per cent., which is the margin they get in the matter of internal sales. I therefore feel that a duty of 40 per cent. is just and fair.

The hon. the Finance Minister said that there were complaints from the other side. There are bound to be. People who are interested in the trade are bound to complain even if you take away one per cent. out of their 100 per cent. profit. Therefore it is for the Government of India to go into facts and figures; it is for them to make enquiries into the matter and if they come to the conclusion that the profit is even as large as 50 per cent., the minimum figure which the Finance Minister himself has given, there is ample justification for the imposition of a 40 per cent. duty.

I do not want to say much, except to say that since devaluation some of us have been insisting on the Government of India to look into the export trade so far as cotton and jute are concerned and although they looked into it at a very late stage, the action they took in the matter was halting one, which has cost this country an enormous fortune.

Shri Himatsingka (West Bengal): support the resolution moved by my hon. friend the Finance Minister and in doing so I endorse what has been said by my hon. friend Mr. Shah from Ahmedabad. There are two aspects which you have to take into consideration. If you want to encourage export trade you have to fix the duty on a particular basis; if you want that there should be less export and more left for internal consumption, the duty should be fixed in a different way.

At the present moment it seems to me that the shortage in the country is so acute that it is impossible for the people to have medium and coarse cloth and consequently they have to pay very high prices, much higher than the controlled prices. Therefore, at least for some time to come, steps should be taken to see that the exports are reduced to a minimum. I made enquiries just now and it appears to me that the prices prevailing in foreign countries vary from country to country. In Australia it is 100 per cent. higher than the Indian prices; but in Pakistan it is only about 30 per cent. higher. If you look to Burma, which used to import very large quantities from India, there is now a very large accumulation of stock that the prices have gone down considerably. Therefore, it is not correct to say that prices are ruling about 100 per cent. higher in a general way. They vary from country to country. So in the matter of fixation of the duty you have to take into account all these different factors—as to which country is importing and what goods it is importing and so on. But as I have already said there is a very big shortage in the country. Of course as a result of higher production things are looking up. But Government should at the same time see that all the coarse and medium cloth that is produced in the country is not allowed to go out of the country. Two or three months after there may be goods available at reasonable prices and the prices in the country might come down. That is the feeling at the present moment and if the Government gives a little more push to production and does not allow cloth to go out of the country, I feel that coarse and medium cloth will be

available at reasonable prices to consumers. Therefore even though the duty is kept at 25 per cent., Government should restrict exports of coarse and medium varieties of cloth at least for some time.

So far as prices of cotton are concerned, I speak subject to correction, I think, the prices of cotton were controlled, but not of *kapas*. Therefore the mills were buying *kapas* at a higher price and converting it into cotton. Cotton was not available at controlled prices. That is how the mills have been getting supplies of cotton, by buying *kapas* which was not controlled. In any event the present position demands that Government should see to it that exports are limited to as minimum a quantity as possible having regard to their needs for foreign exchange, so that the situation in the country may improve considerably and this scarcity of cloth might be removed.

चौधरी रनबीर सिंह: मैं इस प्रस्ताव का समर्थन करते हुये यह कहे बिना नहीं रह सकता कि एक दिन मेरे लायक दोस्त श्री अमोलक चन्द जी ने यह प्रश्न उठाया था कि जो लोग कपड़े के व्यापारी हैं और जो पहले एक्सपोर्ट (export) किया करते थे उन के दिल में जलन पैदा हो रही है कि उन्हें लाइसेंस (licence) नहीं दिये जाते और मिल वालों को लाइसेंस (licence) दिये जा रहे हैं। मिल वालों को व्यापारियों के होड़ में आने का कारण विदेश के अन्दर हमारा महंगा कपड़ा बिकना है। चूंकि उस के अन्दर उन्हें बहुत ज्यादा फायदा है इसलिये हर कोई आदमी उस होड़ में आना चाहता है। व्यापारी भी और मिल ओनर भी। मुझे तो जाती तौर पर इस में कोई गिला नहीं होगी अगर मिल वालों को लाइसेंस दे दिया जाये क्यों कि इस तरह एक इंटरमीजियरी (Intermediary) खत्म होता है। हम जमीन के ऊपर से इंटरमीजियरी खत्म करते हैं तो दूसरी जगहों पर भी इंटरमीजियरी क्यों रहने दें। इंटरमीजियरी को रखना मैं कोई ठीक नहीं मानता। कोई भी सिस्टम

(system) हो उस में जितने ज्यादा इंटरमीजियरी होंगे उतनी ही ज्यादा खराबी होगी।

इस के साथ साथ मैं यह बात भी कहे बगैर नहीं रह सकता जिसे कि मेरे लायक दोस्त डाक्टर पंजाब राव देशमुख ने बताया कि एक तरफ तो वह आदमी है जो कपास को पैदा करता है, वृष, गरमी और सरदी को सहता है, सारी तकलीफ उठाता है, एड़ी से चौटी तक पसीना आता है, एक तरफ तो वह आदमी है जो खेत में मुश्किल से कपास पैदा कर के पैसा चाहता है, दूसरी तरफ मेरे लायक दोस्त ने अभी बताया कि काटन वेस्ट (cotton waste) पर ५० पर सेंट एक्सपोर्ट ड्यूटी (export duty) देकर भी लाभ में रहता है। लेकिन इस के बावजूद क्या वह इस बात से इन्कार कर सकते हैं कि जितनी कीमत कपास के पैदा करने वाले को सरकार देती है उतनी कीमत तो कम से कम हर मूरत में व्यापारी काटन वेस्ट बाहर भेज कर हासिल कर लेता है तो क्या जो कपास का पैदा करने वाला है उस की कपास की कीमत काटन वेस्ट के बराबर लगाई जायेगी? क्या यही आप की सरकार से न्याय की तबक्को की जा सकती है फिर यही नहीं, हमारे मौननीय मंत्री महोदय श्री हरेकृष्ण महताब जी से धोती का क दफा सवाल उठाया गया। उन्होंने कई दफ हाउस में आश्वासन दिया कि धोती व पैदावार बढ़ाई जा रही है और फलों मही में ज्यादा पैसा हो रही है। अब फैक्टरि (factories) को हुकम दे दिया गया है। लेकिन जब यह हाउस बैठा व वक्त जब हम यहां आये थे तो धोती की क्री देहात में ब्लैक (black) में रुपये थी। मगर आज २२ से बढ़ कर ३२ रुपये हो गई है। वह तो कहते हैं

[श्री चौधरी रनबीर सिंह]

धोती की पैदावार बढ़ाई जा रही है। मैं उन को बताना चाहता हूँ कि बाजार में धोती की कीमत बढ़ती जा रही है इस का क्या कारण है ? इस का किस तरह इन्तजाम करन है यह आप की जिम्मेवारी है ।

यही हीन, मैं तो यह कहता हूँ कि कपड़े का जहाँ तक वास्ता है, आप जब सन् ४७ में ताकत में आये तब से ले कर अब तक के हालात का आप मुलाहजा कर लें, इस पर गौर करें, तो आप को मालूम होगा कि यह एक अजीब कहानी है। सन् ४७ के अन्दर कपड़े पर कंट्रोल (control) था। लोगों ने कहा कि हमारे कारखानों में कपड़ा सड़ रहा है, कपड़े को डी-कंट्रोल (decontrol) किया जाये। गवर्नमेंट ने उन की आवाज को माना और उन की आवाज के असर में आ कर डीकंट्रोल कर दिया। लेकिन डीकंट्रोल के कुछ दिन बाद ही कपड़े की कीमत जब कंट्रोल था उस से दुगुनी और दुगुनी से भी ज्यादा तिगुनी कीमत पर लोगों को मिलने लगा। फिर सरकार इस बात पर मजबूर हुई कि कंट्रोल करे और राशन (ration) करे। कंट्रोल जारी किया गया। लेकिन वह कंट्रोल पहिली कीमत पर नहीं हुआ, बल्कि उस के मुकाबले में मेरे ख्याल में कम से कम शायद २० फी सदी के करीब ज्यादा कीमत पर कंट्रोल हुआ। इस के बाद फिर एक ऐसा वक्त आया कि कारखाने वालों ने कहा कि कपड़ा हमारे पास बहुत फालतू है, हमारा कपड़ा सड़ रहा है, उस के बाद फिर कंट्रोल को ढीला किया गया, राशनिंग को हटाया गया और फिर एक तरह से कपड़ा मारकेट (market) में तकरीबन डीकंट्रोल के हिसाब से बिकने लगा। लेकिन उस के बाद हम आज क्या

हालत देखते हैं ? आज फिर वही कहानी है कि कोई भी कपड़ा हो, चाहे वह कोर्स (coarse) हो चाहे फाइन (fine) हो, कपड़ा कंट्रोल के भाव से बाजार के अन्दर नहीं मिलता। यही नहीं, वह धोती जिस की कीमत १२ रुपये कंट्रोल के हिसाब से है उस का भाव आज मारकेट ने ३२ रुपया है।

दूसरी तरफ मेरे लायक दोस्त ने कहा कि कपास की कीमत इसलिए नहीं बढ़ाई जा सकती कि उस की कीमत का असर अनाज की कीमत पर पड़ेगा और फिर अनाज की कीमत बढ़ जायेगी और इस तरह कीमतों को बढ़ाने की तरफ रुतबा होगा। मैं उन से और माननीय मंत्री जी से पूछना चाहता हूँ कि वह बतलाये कि पाकिस्तान के अन्दर कपास की क्या कीमत है और अनाज की क्या कीमत है अगर आप की बात में जोर है तो पाकिस्तान में उस का जोर क्यों नहीं है। हिन्दुस्तान के अन्दर ही इस बात का असर क्यों होता है। वहाँ कपास हमारे यहाँ से तिगुनी कीमत पर बिकती है। अनाज वहाँ पर हमारे यहाँ से आधी कीमत पर बिकता है। कई एक मेरे लायक दोस्त समझते हैं कि हर जमीन में जहाँ कपास पैदा की जा सकती है वहाँ गेहूँ या धान पैदा हो सकता है। जिस जमीन में हम शार्ट स्टेपल (short staple) कपास पैदा करते हैं उस में लॉग स्टेपल (long staple) कपास पैदा नहीं हो सकती, उस के अन्दर धान पैदा नहीं हो सकता है। जिस जमीन के अन्दर धान पैदा हो सकता है उस में गेहूँ पैदा नहीं होता और यह कोई जरूरी नहीं है कि जिस के अन्दर ज्वार पैदा हो उस में दूसरी चीजें भी पैदा हों। हर एक चीज के लिये पानी की बिकदार मात्रा चाहिए, जमीन की किस्म मुश्तक़िफ़ बाहिये। एक जमीन जिस में कपास पैदा करने में

(English translation of the above speech)

ज्यादा फायदा हो उस में अगर अनाज उगाया जाये तो शायद इतना फायदेमन्द न रहे। तो यह जो मेरे लायक दोस्त ने कहा कि कपास की कीमत को बढ़ाने की कोई बहुत अच्छी पालिसी (policy) नहीं होगी तो मैं तो एक बात कहता हूँ। या तो आप कपड़े का इन्तजाम कीजिये, जिस तरह आप कंट्रोल के भाव पर कपास लेते हैं, या फिर आप कपास को भी डीकंट्रोल के भाव पर बिकने दीजिये और इस तरह अन्याय न होने दीजिये कि आज व्यापारियों की जो काटन बेस्ट है उस के बराबर भी वह कपास न बेच सकें। मेरा इतना ही निवेदन है।

मैं समझता हूँ कि २५ फी सदी जो है यह कोई ज्यादा नहीं है। इस को तो मैं समझता हूँ कि १०० फी सदी रख दिया जाये तो भी शाब्द अन्याय न हो क्योंकि पिछले साल उन्होंने करोड़ों रुपये का फायदा देश से बाहर कपड़ा भेज कर हासिल किया है। दूसरा सब से अच्छा ढंग यही हो सकता है कि आप स्टेट ट्रेडिंग कारपोरेशन (State Trading Corporation) बनाइये और यह जो झगड़ा कभी कहते हैं कि कपड़ा ज्यादा हो गया, कभी कहते हैं कम हो गया, कभी कहते हैं कंट्रोल हो, कभी कहते हैं डीकंट्रोल हो, और जो लाखों और करोड़ों रुपया लोग बनाते हैं और उस के इनकम टैक्स (income tax) के लिये इन्वेस्टीगेशन कमीशन (Investigation Commission) बनाते हैं यह सब झगड़े आप के सामने नहीं होंगे। इस से आप के यह सारे मसले हल हो जावेंगे, अगर आप स्टेट ट्रेडिंग कारपोरेशन बनावेंगे और उस से जूट (jute) और यह दूसरी चीजें हैं दूसरे देशों से व्यापार करेंगे।

Ch. Ranbir Singh (Punjab): While supporting this resolution I cannot help referring to the point raised the other day by my learned friend Shri Amolak Chand. He observed that the cloth dealers who used to export cloth previously were feeling bitter as they were not being issued licences whereas the mill-owners were being issued the same. The reason behind the present competition between the cloth dealers and the mill-owners is to be found in the high sale prices of our cloth in the foreign markets. As the margin of profit is very wide, everybody whether he is a dealer or a mill-owner is desirous of participation in this competition. Personally I have no objection to the grant of licence to the mill-owners because that would abolish the agency of intermediaries. Consistency demands that if we want to abolish intermediaries in the sphere of land settlement, we should not allow them to remain elsewhere either. I do not consider it to be proper to let the intermediaries continue. Whatever the system, it is bound to be rendered more and more defective with the increasing number of intermediaries.

I also cannot help referring to what has been stated already by my learned friend, Dr. Punjab Rao Deshmukh. He has said that on one side there is the producer of cotton who endures all sorts of hardships of hot and cold weather and the scorching sun. He puts in the hardest labour and it is with extreme difficulty that he can produce cotton. It is only after enduring all these hardships that he wants money in exchange for the cotton that he has produced. Here is the other side of the picture which has just been placed before the House by my learned friend. He has said that trade in cotton waste is profitable even after paying 50 per cent. export duty. Despite all this, could it be denied that the prices paid to the producer by the Government are made good by the dealer by the export of cotton waste alone? Does it mean that the producer of cotton is to be paid at the rate of export prices of cotton waste? Is it the type of justice which can be expected from this Government? It does not end here. The hon. Minister Shri Harekrushna Mahtab has been faced several times with the question of the non-availability of dhoti. Several times he has given an assurance that a larger number of dhotis would be produced and that the increased production of dhotis would actually begin from this or that particular month. Several times he has

[Ch. Ranbir Singh]

conveyed us the information that the factories have now been issued orders to that effect. At the commencement of the present session, the sale price of *dhotis* in the country-side was Rs. 22 but since then it has gone up to Rs. 32. He is giving assurances about the increased production of *dhotis*, but, on the other side, I may tell him that the prices of *dhoti* are daily going up in the market. What is the reason? The situation has to be controlled somehow or the other and to control it is solely your responsibility.

That is not all. So far as the cloth situation is concerned, I would like you to look back and consider the developments that have taken place since you assumed power in 1947. The whole story will be found very strange indeed. In 1947 cloth was under control. People demanded its decontrol on the ground that so much cloth was lying waste in the mills. The Government conceded that demand and the effect was that cloth was decontrolled. The prices were, however, still controlled. The decontrol of supply resulted in a rise of prices, as much as two fold and even more. The Government were forced to reimpose the control and introduce rationing. This way the cloth control began to function. But this time the prices were not the same. I think they fixed prices at least 20 per cent. in excess of the original prices. Again a stage came when the mill-owners complained that a large quantity of cloth was lying useless with them and once more the control provisions were somewhat relaxed and rationing was abolished. Thereafter cloth began to be available in the market as if there was no control. What is the position today? It is the same old story. No cloth whether coarse or fine is available in the market at controlled rates. Not only that, the original price of Rs. 12 of a *dhoti* has shot up to Rs. 32.

On the other side, my learned friend is not in favour of increasing the prices of cotton on the ground that that would affect the prices of foodgrains which are sure to rise by any such action and that the prices, in general, would have an upward tendency as a result thereof. Will the hon. Minister kindly tell us what are the prices of cotton and foodgrains in Pakistan at present? If you consider that your argument has any force, why is that force lost when that argument is applied to Pakistan? In Pakistan cotton is selling at almost three times the prices in our country and foodgrains too are available at higher prices than they are on this side of the border.

Several of my hon. friends are under the impression that the land where cotton is cultivated is also capable of producing wheat or rice. The case is, however, the reverse. We cannot grow even long staple cotton on the land where short staple cotton has been grown previously; much less can rice be produced thereon. Further, the land where rice has been grown, can not be utilized usefully for having even a crop of wheat; maybe even jawa or any other commodities are difficult to be cultivated thereon. For every commodity the extent of irrigation and the kind of soil differ. The land where cotton can be grown with profit may not be tilled usefully for the cultivation of other types of produce. I therefore, want to submit one thing with regard to the observation of my able friend that increase in the prices of cotton would not be a good policy to follow. Either you arrange the supply of cloth at the controlled prices at which cotton is purchased or you permit the sale of cotton also at the decontrolled prices so that this kind of disparity and injustice may be removed whereby they are not able to sell cotton at prices at which the dealers can sell even their cotton waste. This is my simple request.

I think that the 25 per cent. levy fixed by you should not be too much. I go a step further to say that even a levy of 100 per cent. cannot be called unjust. The reason is they have made a profit of crores of rupees by exporting cloth to foreign countries. This way they have harmed their own country. Another and the best way is to establish a State Trading Corporation which would put an end to all sorts of complaints heard from time to time, such as excess or otherwise of cloth and the necessity of control or decontrol. There should then be no necessity left for the appointment of Investigation Commissions to enquire into the Income-tax evasion by people who have made profits totalling to lacs of rupees. You would not have to face any such troubles then. The establishment of such a Corporation entrusted with the work of trading with foreign countries in jute and all other commodities and articles, would provide a satisfactory solution to all these issues.

Shri C. D. Deshmukh: I think much of the criticism that has been levelled against our not selecting a higher figure than 25 per cent. represents the residual indignation in regard to cloth export policy and to that extent really, so far as the Finance Ministry is concerned at the moment, there is no

responsibility. Adequate answers have been given in the past and if errors have been committed they have been admitted and corrective measures have been taken.

I think one has to consider this question on its merits. Now, you consider this either on the basis that you want exports or that you do not want exports. If you do not want any exports at all, certainly it is very desirable to have a level of duty which is not 25 per cent. but 100 per cent. or 150 per cent. That will be a very effective means of ensuring that you do not collect any export duty at all. But when from the point of view of the fisc we have an export duty we have to take into account the possibility of some exports being possible and being permitted.

So far as the quantum of export is concerned, I believe, now steps have been taken which should prove effective to ensure that only a limited quantity will be exported. I believe that out of about 800 million yards, possibly about 180 or 200 million yards may be coarse and medium cloth that would be exported for the next year and it may be that there is about 50 to 70 million yards which will be exported out of the contracts which were made before June. So you would save 250 million yards. Once that quantum is fixed, then I do not think it is necessary to consider this question of export duty from the point of view of what would be a deterrent level of export duty.

In some of the criticism calculations have been made which seemed to me to be oversimplifying the problem. Mr. Goenka's calculation, for instance, was that the profit is certainly 75 per cent. He challenges me to produce figures. I am sorry I cannot produce figures for the reasons given by Mr. Himatsingka. There are prices which vary for all countries and all varieties and the profit margin is not a uniform mathematical figure and indeed there are some lines of exports, which will not bear any export duty at all and that is the reason why varieties like towels and bed-sheets and furnishing fabrics have been specifically excluded from the export duty. If one were to believe the figure of 75 per cent. profit on everything that is exported to any country whatsoever, then Mr. Goenka may as well have charged us with being partial to capitalists for having specifically excluded towels, bed-sheets and furnishing fabrics and so on. I quote this in order to prove that a great deal of thought is given to this matter before a figure is chosen. I do not claim that that figure will

prove right for the next six or eight months or any reasonably lengthy period. It may be that our estimates may be falsified, but in choosing the figure one has to take into consideration the dilemma of the exporter, that is to say the exporter has to nurse his own market and it may be that a discriminating exporter will not try to milk the market to the maximum extent. He may wish to keep his prices low in order to ensure that his goods will be in demand over a very long period. I do not like to mention names, but there are mills who follow this conservative, and yet I have no doubt in the long term, wise policy. Then there is the question of competing nations. Again I do not wish to mention names, but there are certain competitions which are growing apace and there is not a consideration of merely the cotton prices, that is to say, the assumption that everyone who manufactures cloth buys the cotton at a uniform price, and then proceeds to process it at a uniform price. Certain nations have a distinct advantage in the manufacturing costs or they may have special reasons for foregoing any profit advantage and they may be prepared to sell their goods in other markets. We have to compete with such nations, so that once we satisfy ourselves by direct means we are going to put a limit on the cloth that is going to be exported. Thus one should take into consideration how one ought to be able to maintain the export markets of one's choice.

Then the next criticism made was that this action was belated. Well, in the Government field, I think, all action is somewhat belated. One has to observe trends and make sure that certain definite trends are established, before one takes action. It is not speculation. It may be in private life or even in private business; one may have a flair for things and take action and then pat oneself on the back if returns turn all right or condole with the shareholders if they turn out to be wrong. In the case of Government operations, there is this burden of anxiety as to whether a particular action which is going to be taken is right and that, as I repeat, inevitably leads to a certain amount of delay. In the case of cloth export there has also been this consideration that at one time we could only export coarse and medium cloth, that is to say, our markets were only accustomed to coarse and medium cloth and at least we were not accustomed to sell any fine or superfine cloth and that is why in the first year when we started, we congratulated ourselves that we had now started exporting cloth for the first time and that

[Shri C. D. Deshmukh]

we have exported 600 or 800 million yards. Then came the next year when things became easier for our exports and perhaps we exported a little more than we should have done. After that, we realised that certain circumstances had changed in our favour and it became possible for us to export fine and superfine cloth, although we were not quite sure that it would have a market. I believe, it began with a very low export—200 million yards. Gradually, now I think, it has gone up to 500 million yards and it may be that we shall arrive at a stage where the bulk of our export will be in fine and superfine cloth and we shall only be exporting coarse and medium cloth to the very limited extent to which we decide to export it. That is the explanation why sometimes in this field, action has to be belated.

Then reference has been made to profits made in the meanwhile by the textile mills, at least by such of them as have been in a position to export. That is the inevitable consequence of delay. The only circumstance that redeems the situation is that about half of these profits come back to us again. So we need not regard this as a total loss.

Dr. Deshmukh: Are you sure of the percentage?

Shri C. D. Deshmukh: Well, I think, with most mills, it would be very difficult not to disclose the profits from export trade. So I am assuming that there will be a loss of efficiency in collection but out of this Rs. 25 crores, I should expect that in the fullness of time, we might get about Rs. ten crores back. They might not come this year.

There was some reference made to trade practices and it being unnecessary for Government to worry about the foreign buyer. Trade practices differ. I was told that so far as buyers in U.S.A. are concerned, the usual practice was for them to contract themselves out of any liability, notwithstanding the provisions of the Sale of Goods Act. On the other hand, I have communications here which seem to show that at least in some of the newer lines of exports, it is the buyer who has to bear the brunt of this export duty. I shall read out one or two telegrams that have been sent to me.

"Object strongly arbitrary unethical measures. Definitely refuse increase letters of credit. Draw attention case your authorities persisting high-handed attitude."

Feel all outstanding contracts will be cancelled. Attention situation bound cause....."

This does not read well; but that is how it is.

Shri T. T. Krishnamachari (Madras) It is only a telegram.

Shri C. D. Deshmukh: The phrase here is:

"unfavourable impression throughout South American market. Foresee all clients abstaining future any further purchases. Indian view lacking most elementary guarantee execution."

That is one telegram. Another one says:

"Most regrettable view definitely unacceptable since throwing prices beyond world market level. Therefore cable separately enable you lodge our official protest. Understand competitors adopting same attitude....." and so on and so forth.

I read these out in order to draw attention to a real difficulty. We may say that we might ignore what these buyers say and that they are bound to squeal, as Mr. Goenka said. Apart from any other consideration whether one should be fair to one's buyers, from a long term point of view, these resiliences are not things to be ignored for all time. They build up an opinion, that spreads in the community and from the community it spreads to Governments and various other consequences follow. Therefore, it is worth our while to take stock of the situation and I wonder whether it is better to drive our points home and recover another three or four crores of rupees and lose perhaps various other intangible, or, may be, tangible benefits. It is very difficult to put this argument more precisely. But, the consideration is there and has to be taken into account by the Government.

The calculations, as I said, that have been made, rather assume that everything would stand still. Fortunately, a couple of Members supported me and gave an instance which I was going to give, namely, that of Egyptian cotton. The Egyptian Government have reduced the export duty as the world was not purchasing cotton from them.

Shri Khandubhai Desai: Does that apply to cloth manufactured from Indian cotton on which the duty is imposed?

Shri C. D. Deshmukh: It applies in this way. Mr. Ramalingam Chettiar d, Egyptian cotton is purchased at a certain price, that is, Rs. 2,000 and Indian cotton at Rs. 1,000; therefore, the difference is Rs. 1,000; then 60 per cent. that is gone and there, 60 per cent. the minimum profit. To the extent which world cotton drops, this calculation must be affected. To the extent to which Indian cotton moves up, its calculation must be affected. If it starts moving together, your 60 per cent. will disappear in a very short time.

The other example which I would like to give you is.....

Shri Ramalingam Chettiar: Egyptian cotton is not used for coarse and medium cloth.

Shri C. D. Deshmukh: I gave an illustration of what might happen if certain cotton prices were to drop: not only Egyptian cotton, but there may be other cotton. An illustration is only an illustration. I am going to give another illustration about jute. The hon. Member may say that jute has no connection with cotton. I am only going to say that when we put this Rs. 500 duty on, everybody said, "You are so usual being partial to capitalists; you may easily add another Rs. 1,000 to this duty". We must have said at that time, that we believe in being conservative and we do not know what the events are going to be and how the Indo-Pakistan Agreement is going to work. As it has happened—I do not say it is going to happen in cotton—jute prices have gone up to the extent that U.S.A. for a time stopped purchasing our jute goods and an agitation for a lowering of the export duty on jute has already started.

Shri T. T. Krishnamachari: That is because of stock-piling in other countries.

Shri C. D. Deshmukh: That may be. I say that various factors do exist and that possibility has to be taken into consideration. I do not wish to overstrain this illustration.

That brings me to the next point and that is the plea that was entered so emphatically in favour of the cotton grower. If that plea were to be accepted, of course, it would mean that there should be no export duty at all. Obviously, therefore, I take it that the hon. Member naturally agrees with me that 25 per cent. is, if at all, on the high side.

Dr. Deshmukh: There is a demand to raise it to 40 per cent. You have

raised it to 25 per cent. There is a margin of 15 per cent. for increase of prices.

Shri C. D. Deshmukh: What I meant was, if the argument was that cotton prices should be raised, in that case, there is no case for an export duty. The hon. Member is in a different court altogether. I know he had certain views on currency matters. That again would seem to argue against any high export duty. I am only indicating the sort of dangers that exist in the way. All I claim is that we have made an honest attempt to select a level of duty which we think could be maintained over a long period. If we find for instance, that the trends are such that our present expectations are bettered, then, there is nothing to stop us from reconsidering the matter although we shall have lost a bit. I have no doubt that we shall be criticised again for taking belated action. We are in search of what we regard more or less as a semi-permanent basis.

With these remarks, I would commend my resolution to the House.

Mr. Deputy-Speaker: The question is:

"In pursuance of sub-section (2) of section 4A of the Indian Tariff Act, 1934 (XXXII of 1934), Parliament hereby approves of the notification of the Government of India in the Ministry of Finance (Revenue Division) No. 51-Customs, dated the 1st June, 1951, by which the export duty on cloth, medium and coarse, was raised from 10 per cent. *ad valorem*, to 25 per cent. *ad valorem*, with effect from the date of the said notification."

The motion was adopted.

INDUSTRIAL DISPUTES (AMENDMENT AND TEMPORARY PROVISIONS) BILL

The Minister of Labour (Shri Jagjivan Ram): I beg to move:

"That the Bill further to amend the Industrial Disputes Act, 1947, and to make certain temporary provisions relating to pay and allowances of certain workmen, be taken into consideration."

I do not want to make any speech. The House is aware that by a judgment of the Supreme Court, the award of the Bank Tribunal was held invalid. Then, I made an announcement in the

[Shri Jagjivan Ram]

House that we are going to make provisions so that the scales of salaries of the employees, as they prevailed on 1st April 1951, will not be disturbed, and the different allowances drawn by the employees on the 1st April may not be reduced by the employers.

[SHRIMATI DURGABAI in the Chair]

The announcement further said that efforts will be made to resolve disputes between employers and employees and for that purpose, if necessary, a tribunal will be set up. This Bill provides for these two contingencies. This occasion has been availed of also to lay down a limit to the period of conciliation to two months as it exists at present in the Industrial Disputes Act in the case of public utility services. Provision has also been made for the recovery of arrears of the pay and allowances of the employees by a simpler process. These are the two or three important provisions which are sought to be made by this short amending Bill. The House is aware of the circumstances which have led us or rather made it necessary for the Government to come forward with this short piece of legislation. I do not want to take up any more of the time of the House and I commend my motion for the acceptance of the House.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Industrial Disputes Act, 1947, and to make certain temporary provisions relating to pay and allowances of certain workmen, be taken into consideration."

6 P.M.

Shri Khandubhai Desai (Bombay): I support the Bill that is placed before the House by the hon. Minister of Labour, Shri Jagjivan Ram. This is in consequence of a particular decision of the Supreme Court which upset the award given by the Banking Tribunal and it created a very dangerous situation from everybody's point of view. The Bill has been brought in with a view to improve, or I may say rectify certain inherent implications arising out of the judgment of the Supreme Court. For the first time the country has been faced with the possibility of a situation which might arise particularly in industrial disputes when awards are set aside by any higher tribunals or courts. The risk inherent in dealing with industrial disputes, concerning as they do thousands of workers on the one side and scores of industrial establishments on the other, is, I believe

by now apparent to the House. The ordinary laws, the ordinary procedure and the normal technique of litigation in the matter of industrial disputes, in my opinion, are not only undesirable but highly explosive if we seek to deal with industrial questions in the same traditional way. The very fact that the Government has to come before this House within two months after the Supreme Court's decision to enable the Government to maintain the status quo as it obtained as a result of the award, proves that the delay in the matter of implementing industrial arbitrations' decisions is highly dangerous. This conclusion may be borne in mind for the future also. And steps may have to be taken to avoid any future possibilities of such validating Bills coming before the House in future. It is possible to amend the pending Labour Relations Bill which will be considered by Parliament in its next session in such a way that it may not happen. In that Bill sufficient provisions should be made so that as far as possible appeals are reduced to the minimum extent, only necessary to be in accord with the Constitution.

I may just tell the House that there are some cases of industrial disputes in the States of Bihar and Bombay which were referred to the Industrial Tribunal by the respective States. But in the first place the employers challenged the very validity of those references. They went through various courts on the plea that it was *ultra-vires* of these Governments to refer these disputes to arbitration. The High Court, in both the cases, decided that it was *intra-vires* of the States and the States were entitled to refer the dispute to arbitration. Then the employers, with the advice of lawyers—they always get any advice on payment of fees—have come as far as Delhi and to the Supreme Court, in appeal against High Courts. Fortunately in one case—the one in Bombay—the Supreme Court has held that reference was legal. I do not know what may happen in the case of the Bihar appeal. The House will be surprised to know what happened in the Bihar case. The question has been referred by the Bihar Government to arbitration, that is to say, the adjudication of the Industrial Tribunal about nine or ten months back. Proceedings could not continue because an injunction was served and the Tribunal's work came to a standstill. When the decision will be reached that the matter can be referred to the Tribunal, only then will the Tribunal be seized of this question. And one does not know what time that will take.

After all the country has to make a choice. It should either follow the

law of the jungle to prevail between industry and the employees, that is to say, the law of direct action. Or they have to evolve a machinery or system which is quick, prompt and without any unnecessary legalistic techniques. If it is the other way, then I am very doubtful about the future of the whole industrial peace in the country. An opportunity has been taken in this Bill to say that conciliation proceedings should be completed within two months. This is a very healthy and salutary suggestion. But there is just one matter to which I would like to invite the attention of the hon. Minister of Labour. In this Bill it has been provided that in a future tribunal that may be appointed, a banking expert may be included. Well, I do not mind the inclusion of a banking expert, because I know that some of the awards that have been given by tribunals were found by both parties to be incapable of being implemented, because on the tribunal there were only judicial people who had not sufficient experience of industries. And so I say this is a healthy provision to have a banking expert on the tribunal. But along with such an expert, I suggest that there should be a person who knows the labour problems also. Unless you include such a person also, I am afraid that the decisions are likely to be not only unfavourable to the employees, but they would not create the confidence that is necessary, among the employees. And therefore I suggest that along with the expert on banking matters, a person who knows labour problems should also be included.

With these words I support this Bill. It is a small Bill and I need not expatiate long on it. I would only repeat that we should not now forget the costly lessons that we have learned as a result of this particular matter or particular judgment and in order to avoid future difficulties, bring necessary amendments in the Labour Relations Bill that is pending before Parliament.

Shri Venkataraman (Madras): In so far as this Bill seeks to validate the award of the All-India Industrial Tribunal for banks in respect of wages and allowances, I am in whole sympathy and agreement with the provisions of the Bill. You are aware that a very competent Tribunal was appointed to go into the question of wages, allowances, conditions of service etc. of the employees in the banks and that award, which after a great deal of deliberation spread over nearly a year or more, was set aside by the Supreme Court on a technical ground that one of the members of the Tribunal did not sit during certain stages of the

enquiry and ultimately signed that report after his resumption of his duties as a member of the Tribunal. It may be all right for lawyers to see the technical error in it and to say that such an award is vitiated by the absence of a member of the Tribunal but to the labourers, to the employees in the several banks, it came as a rude shock because they said that the dispute between the employees and the employers did not unfortunately relate to the question whether Mr. Chandrasekara Ayyar sat in the Tribunal or not but it related to something else *viz.*, wages, dearness allowance and conditions of service etc. and why should the award be set aside on the question of a member sitting at the time and not sitting at another time while there is clearly no case whatsoever for setting aside the award on the merits in relation to those items in dispute. The Government have done very well indeed and I am sure they have earned the gratitude and thanks of the thousands of bank employees in coming forward to validate the award and not sticking to the technicality that the award has ceased to be valid.

The Government to-day, so far as labour administration goes, has showed itself to be very responsive to the general opinion of the bank employees in this regard and at the recent conference of the bank employers and employees, when the suggestion was mooted that Government should validate the portions of the award relating to the conditions of service, Government readily agreed and it was, I must say in fairness to the employers, the banks, accepted by them also. Therefore in so far as this Bill seeks to validate those portions of the award of the All-India Industrial Tribunal for banks, it has the united support of the employers, employees and the public in this country.

But I am rather disturbed by a subsequent provision in this Bill and that relates to the appointment of a person who is a specialist or who has experience in banking or insurance whenever there is a dispute relating to banking or insurance. To a judicial mind this will result, you will agree, in weighting the scales in favour of the employers. A specialist in banking and insurance, if he is appointed as a member of the Tribunal, will carry a certain amount of bias in favour of the employers because he would largely be drawn from that class and to that extent I am quite apprehensive that the interest of the employees will suffer. There are provisions in the Industrial Disputes Act itself which can be invoked to guard against any unreasonable decision of a single judge who has

[Shri Venkataraman]

no acquaintance either with banking or insurance or with the conditions in industry. Unfortunately that provision has not been used at all or if it has been used, it has been used so sparingly that it has not borne fruit. That is sub-section (5) of section 11 which says that with the consent of parties to the dispute, a court or a tribunal may, if it so thinks fit, appoint one or more persons as assessors to advise the court proceedings. Wherever there is any point of technicality to be cleared, wherever certain information has got to be gathered, it is quite open to the tribunal to appoint assessors, one from the employers and one from the employees to assist them in the disposal of the matter in dispute and that would have yielded the best results. During my recent visit to those countries where compulsory arbitration has been very successful, I found that almost every case in which there was an industrial dispute, parties were represented by the assessors—the employees send one representative and the employees send another—and it is a court consisting of one judge and two assessors that disposed of every matter. Now if that is resorted to, there would be absolutely no necessity for having the provision as is now contemplated under this Bill. I may also say that the employees will feel that this provision is more or less inserted to weight the scales of judgment of the court against the employees and in favour of the banks and insurance companies.

This is not a new provision. This was introduced in the Select Committee on Labour Relations Bill and there was a very bitter controversy and the motion in the Select Committee was carried by a narrow majority of one. Opinion on this matter is so divided that it would not be fair to the hon. Minister himself to rush this provision in this Bill which is now taken up just for the purpose of validating certain previous proceedings. A controversial matter ought not to be taken and rushed in this manner. Let us discuss this fully when the Labour Relations Bill is taken up, let us hear the pros and cons of having this provision at all, let us then decide whether it is proper and just that a specialist in banking and insurance should be sitting as a member of the tribunal.

I would also endorse in this connection the suggestion of my friend Mr. Khandubhai Desai that whenever a person who is considered to be a specialist in banking or insurance is appointed to sit as a member of the tribunal, another person who is well versed or experienced in labour problems shall also sit as a member of the

tribunal. Otherwise I am afraid the scales will be weighted against the employees and whether it is weighted or not, I do not care, the impression would be created which is something worse than the actual thing. In no field of judicial activity is the dictum that justice should not only be done but must appear to be done, more necessary than in industrial disputes. We are not concerned with individuals, we are not concerned with the rights of particular members but we are here concerned with the classes of society and if there we do not create a proper atmosphere, we do not have the proper confidence among the parties that justice is going to be done, the institution itself will fail. I will appeal very strongly to drop this provision or alternatively accept the other amendments which I have given that whenever a specialist in banking or insurance is appointed as a member of the tribunal, there should be another person who is well versed in labour problems and who should sit as a Member of the Tribunal.

I have only one more small matter to refer to, that is, with regard to clause 5 where the period of conciliation is limited to two months. I consider that the period of two months is too long for conciliation. In fact the Labour Minister himself has agreed that a conciliation ought not to take more than 15 days. When we are trying to change the law, why not change it for better and set the pace so that when we take up the Labour Relations Bill, we may reduce the period of conciliation to not more than two weeks. I know in the name of conciliation, proceedings are being dragged on for months and months and I am anxious that the conciliation, in order that it may be fruitful, should be as quick as possible. If a matter cannot be settled within two weeks, I am quite positive it will not be settled even in two years. The necessary frame of mind does not last longer than two or three weeks. I would appeal to the Minister to see whether he cannot reduce the period—at any rate let him at least have it in mind when we consider the provisions relating to the Labour Relations Bill.

I give my qualified support to this Bill and I urge that provision relating to appointment of the specialist be dropped for the present in a measure which is primarily intended to validate certain award and not intended to cover a wider field.

Mr. Chairman: Before Mr. Sidhva begins, I would ask him to finish his

speech by 6-25 P.M. as I want five minutes for asking Members to move their amendments.

Shri Sidhva (Madhya Pradesh): I am not going to take more than five minutes.

श्री सिद्धा : सभापति जी, मैं एक ख़ुलासा पूछना चाहता हूँ। क्या अवसर चाहती हो कि यह सब आज साढ़े ६ बजे तक ख़त्म हो जायगा।

[Shri Bhatt (Bombay): Madam, on a point of information, do you want all this to be finished by 6-30 P.M. today?]

मिस्टर चैयरमैन : यह आज ६ बजे कर २५ मिनट तक ख़त्म हो जायगा और अगर आवश्यकता हुई तो इस विल पर डिस्कशन (discussion) कर ली जायेगी।

[Mr. Chairman: It will finish by 25 minutes past six in the evening today and, if necessary, discussion of this Bill will be resumed tomorrow.]

Shri Sidhva: I rise to support this Bill as it stands with all its clauses. I am really glad that the hon. Minister has brought forward this Bill in view of the unfortunate situation created by the Supreme Court by rejecting the award on some technical ground.

Dr. Deshmukh (Madhya Pradesh): Rejected by the Supreme Court ruling.

Shri Sidhva: I support particularly the appointment of a banking expert. After all we are talking of mixed economy, mixed benefits to the industrialists as well as the workers. This particular Bill is for the benefit of the workers, namely, the clerks for whom I have always had sympathy in my life. The industrial workers have their unions through which they can voice their grievances and have them redressed. The clerks have no such organisation. It is only now that they have come into prominence and I am glad that their interests are safeguarded here.

At the same time the banks are not only meant for workers but for the business classes as well. While I have every sympathy for the workers, the workers must also admit that it is in the interest of a balanced economy of the country to see that business does not suffer. After the banking award businessmen have been complaining that the banking hours on Saturdays are such that practically no business could be done after eleven o'clock. The banks open at 10-30 A.M. and after half

an hour no cheques are accepted. I put a question the other day to the Minister of Finance. This is a matter of very great importance: At present the banks suffer, the businessmen suffer, because they cannot cash their cheques until the following Monday. The Finance Minister admitted this state of affairs and said that he would take steps to see that this matter is remedied. At that time the award was not disturbed. But on the next occasion when the award had been disturbed I put another question. The Finance Minister said that now that the award had been disturbed by the Supreme Court he would see that this particular difficulty experienced by businessmen is rectified.

As is well known I have my whole-hearted sympathy for the workers, particularly this class of workers. I hope the hon. Minister will bear this point in mind and place it before the conciliation board so that with regard to business people who suffer on Saturdays sufficient provision shall be made. Probably from that point of view the hon. Minister has put in this expert on banking. I have no quarrel with Mr. Khandubhai Desai if he wants a labour expert put in. I entirely agree with him, that if one expert is there another expert can also be there. But it must not be of one class of people. Banking is not meant for one class of people only. Therefore I would request the hon. Minister to place this point of view of the business people before the board. I am supporting the working classes but I do so in the interest of every one.

Mr. Chairman: I suppose this speech may be taken as the last one on the motion. (Hon. Members: No, no. We want to speak) Then the debate will continue tomorrow.

MOTIONS RE. DELIMITATION OF CONSTITUENCIES ORDERS 1951 —Contd.—

Mr. Chairman: I will now call those Members who did not move their motions at 4-30 P.M. in regard to the Delimitation Orders laid on the Table on the 18th May, 1951.

BOMBAY ORDER

Shri Kumbhar (Bombay): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Mr. Chairman: I will now ask new Members to move their motions on the assumption that they have already given notice.

MADRAS ORDER

Shri Alagesan (Madras): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri R. Subramanian (Madras): I beg to move:

(For text of the motions see Appendix XXXIII, Annexure No. 4)

Shri Jhunjhunwala (Bihar): I have given notice of an amendment to an amendment.

Mr. Chairman: If the hon. Member wants to move it he can, subject to the orders of the Speaker with regard to its admissibility. But is this particular amendment with regard to West Bengal?

Shri Jhunjhunwala: Yes, it is.

Mr. Chairman: I am afraid the time has already lapsed and it cannot be moved.

The House then adjourned till Half Past Eight of the Clock on Friday, the 8th June, 1951.

THE

PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers.)

OFFICIAL REPORT

1450

10451

PARLIAMENT OF INDIA

Friday, 8th June, 1951

The House met at Half Past Eight of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-30 A.M.

MOTION FOR ADJOURNMENT

EXCLUSION OF HINDI FROM THE SYLLABUS OF I.A.S.

Mr. Speaker: Now I shall take up the postponed adjournment motion regarding the exclusion of Hindi from the syllabus of administrative service examinations, such as I.A.S. etc. I call upon the hon. Home Minister to give the information on the subject which he promised, after which I will decide upon the motion.

The Minister of Home Affairs (Shri Rajagopalachari): There is no question of exclusion of Hindi from the syllabus by any order issued recently. The question of including Hindi was raised by the Sahitya Sammelan who desired it to be made a compulsory subject in the Combined Competitive Examination. The Union Public Service Commission's considered view on the subject was that effective measures should be taken for the teaching of Hindi throughout the States before including Hindi as a subject in the Competitive Examinations for the Administrative and other Services. They were of the opinion that a premature step in this direction would be looked upon as discriminatory by candidates whose mother-tongue happened to be other than Hindi. In the view of the Union Public

Service Commission, further, if Hindi be made an optional subject, it would also give an undue advantage to a section of candidates who would be able to score heavily in that subject. If Hindi was to be introduced as an optional subject, it was their opinion that other Indian languages also should be included as alternatives. Apart from involving a large measure of arrangement for examining candidates in all these languages it is obvious that it would be of no great use in testing the comparative merits of candidates who have already gone through a good course of University education and whose special fitness for absorption into higher cadres of the public services is to be tested in the Competitive Examination. The Commission came to the conclusion that considering all the circumstances Hindi might be made a compulsory subject for the Combined Open Competitive Examination for the Indian Administrative Service and other Services with effect from 1955, provided that the standard was not high, that the test was merely a qualifying one, and the marks obtained in that subject are not added to the total for ranking the candidates. They desired that an immediate announcement to this effect may be made so that people may be ready by 1955. The Cabinet, after full consideration, decided not to issue this announcement at present but rather to lay stress on including Hindi in the Departmental Examinations which candidates had to take after entering the Services. The view held by the Government is that before making it a subject in the Competitive Examination effective measures should be taken to spread the study of Hindi. There are large areas where it is not the language spoken by the people. Nor is it understood even among the educated sections of the people in those areas. Whatever steps we may initiate to make Hindi take its proper place, they should be such as not to rouse a feeling that undue advantage is being taken by those whose mother-tongue happens

[Shri Rajagopalachari]

to be Hindi and that the people of other areas are put under a disadvantage in the matter of public employment. We should remember and appreciate the considerable work that has been done in those areas with the full support of the people in those areas during the last 30 years for the spread of Hindi even before it was made the State language and it would be unwise to create any wrong impression that discriminatory steps are being initiated under the new Constitution placing the intelligentsia of certain areas at a very great disadvantage which might block for them the avenues of public service. In accordance with this view the Cabinet decided on December 8, 1950 that provision for Hindi should be made in the Departmental Examinations which candidates have to take after entry into service and that it might be explained that a knowledge of Hindi would be of advantage to those who enter the Services and enable them to pass the Departmental Examinations.

I contacted the Chairman of the Union Public Service Commission again on receipt of the notice of this motion. He adheres to the view already expressed.

Speaking on a personal plane, Sir, with your permission I may say that I took my part in the work of encouraging the study of our national *lingua franca* 32 years ago and have continually worked for it, through an organisation in Madras which I may claim truthfully and with pride has done more work than any other single body in India for this cause. I introduced the compulsory teaching of Hindi in the province of Madras during the first three years of the secondary course in all schools. This resulted in a mock *Satyagraha* on the part of certain well organised parties in Madras who made life unpleasant for me during the two years of my premiership in Madras but the work went on. Advice given by me may not be discarded by my friends in North India.

Seth Govind Das rose—

Mr. Speaker: The question now is whether the adjournment motion is to be accepted or not. Obviously I cannot accept the motion.

PAPERS LAID ON THE TABLE

(i) APPROPRIATION ACCOUNTS (CIVIL) 1948-49

(ii) APPROPRIATION ACCOUNTS (POSTS AND TELEGRAPHS) 1948-49.

The Minister of Finance (Shri C. D. Deshmukh): I beg to lay on the Table a signed copy of each of the following documents under Article 151 of the Constitution:

(i) Appropriation Accounts (Civil) 1948-49 and the Audit Report 1950. [Placed in Library. See No. IV.O.1(1)].

(ii) Appropriation Accounts (Posts and Telegraphs) 1948-49 and the Audit Report 1950. [Placed in Library. See No. IV. N.O.(6)].

STATEMENT SHOWING PROGRESS MADE re RECOMMENDATIONS OF ESTIMATES COMMITTEE.

The Minister of State for Finance [See Appendix XXXI] I regret that Parliament on 30th May 1951 to Question No. 4688 put by my hon. friend Shri Sidhva, I had stated that we would lay on the Table of the House, before the conclusion of the present session, a statement showing the progress made in regard to the recommendations of the Estimates Committee.

I have much pleasure now in laying the promised statement on the Table. [See Appendix XXXI] I regret that owing to other pre-occupations, we have not yet been able to finalise the statement in regard to the recommendations contained in the Third Report relating to the Ministry of Commerce as well as certain recommendations included in the Fourth Report. The matter, however, is under active examination and at the earliest opportunity. I hope to submit a further statement to Parliament. I may also mention that these Reports contain certain recommendations of a general nature which also find place in other Reports. The progress made in regard to such recommendations has been indicated in the statement pertaining to the latter Reports.

In regard to the statement placed below, I would also like to emphasise, that all the points dealt with therein, will remain under constant review until final decisions are taken in respect of all items.

Finally, I should like again to thank the members of the Estimates Committee for the valuable suggestions contained in most of their recommendations, which have received and are further receiving the most serious consideration of Government.

ELECTION TO COMMITTEES

COMMITTEE ON ESTIMATES

The Minister of State for Parliamentary Affairs (Shri Satyanarayan Sinha): I beg to move:

"That the Members of this House do proceed to elect in the manner required by sub-rule (4) of rule 145 of the Rules of Procedure and Conduct of Business in Parliament, one Member from amongst their number to serve on the Committee on Estimates for the unexpired portion of the financial year 1951-52 vice Shri Raj Bahadur, resigned."

Mr. Speaker: The question is:

"That the Members of this House do proceed to elect in the manner required by sub-rule (4) of rule 145 of the Rules of Procedure and Conduct of Business in Parliament, one Member from amongst their number to serve on the Committee on Estimates for the unexpired portion of the financial year 1951-52 vice Shri Raj Bahadur, resigned."

The motion was adopted.

STANDING COMMITTEE FOR THE MINISTRY OF LABOUR

Shri Satyanarayan Sinha: I beg to move:

"That this House do proceed to elect in such manner as the hon. the Speaker may direct, one Member to serve on the Standing Committee to advise on subjects dealt with in the Ministry of Labour for the unexpired portion of the financial year 1951-52 vice Shri R. Venkataraman, resigned."

Mr. Speaker: The question is:

"That this House do proceed to elect in such manner as the hon. the Speaker may direct, one Member to serve on the Standing Committee to advise on subjects dealt with in the Ministry of Labour for the unexpired portion of the financial year 1951-52 vice Shri R. Venkataraman, resigned."

The motion was adopted.

STANDING FINANCE COMMITTEE

The Minister of Finance (Shri C. D. Deshmukh): I beg to move:

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, one Member from among themselves to serve on the Standing Finance Committee for the unexpired

portion of the financial year 1951-52, vice Shri R. Venkataraman, resigned."

Mr. Speaker: The question is:

"That this House do proceed to elect, in such manner as the hon. the Speaker may direct, one member from among themselves to serve on the Standing Finance Committee for the unexpired portion of the financial year 1951-52, vice Shri R. Venkataraman, resigned."

The motion was adopted.

INDIAN COUNCIL OF AGRICULTURAL RESEARCH

The Deputy Minister for Food and Agriculture (Shri Thirumala Rao): I beg to move:

"That in pursuance of Rule 2(6) of the revised rules of the Indian Council of Agricultural Research, the Members of this House do proceed to elect, in such manner as the hon. the Speaker may direct, two members from amongst themselves to be members of the Indian Council of Agricultural Research vice Dr. B. Pattabhi Sitaramayya and Chaudhari Ranbir Singh, resigned."

Mr. Speaker: The question is:

"That in pursuance of Rule 2(6) of the revised rules of the Indian Council of Agricultural Research, the Members of this House do proceed to elect, in such manner as the hon. the Speaker may direct, two members from amongst themselves to be members of the Indian Council of Agricultural Research vice Dr. B. Pattabhi Sitaramayya and Chaudhari Ranbir Singh, resigned."

The motion was adopted.

Mr. Speaker: I have to inform hon. Members that the following dates have been fixed for receiving nominations and holding elections, if necessary, in connection with the following Committees, namely:—

	Date for nomination	Date for election
(1) Committee on Estimates.	8-6-51	9-6-51
(2) Standing Committee for the Ministry of Labour.		
(3) Standing Finance Committee.		
(4) Indian Council of Agricultural Research,		

[Mr. Speaker]

The nominations for these Committees will be received in the Parliamentary Notice Office up to 4 P.M. today. The elections, which will be conducted by means of the single transferable vote, will be held in the Assistant Secretary's room (No. 21) in the Parliament House between the hours 10-30 A.M. and 1 P.M.

Shri Kamath (Madhya Pradesh): On a minor point of clarification, Sir. Regarding the second motion moved by my friend, Mr. Satya Narayan Sinha, it is not clear whether the "one member" is from among ourselves or from outside—that is not mentioned.

Mr. Speaker: The hon. Member must know that it must be a Member of Parliament. There may be a slip but we need not take the time of the House in pointing out slips.

BUSINESS OF THE HOUSE

Mr. Speaker: Now before we go to the next item of business, namely the motion of the hon. Prime Minister, I would like to say something about the timings, as to when we meet again. I understand that it is the desire of the hon. Members not to meet this afternoon in order to enable them to have informal discussions on many matters before they come formally before the House.

Some Hon. Members: Yes.

Mr. Speaker: Well, if that is the desire, we need not meet this afternoon, but so far as possible I would like to stick to the 1 P.M. time-limit fixed for tomorrow. If, however, it is unavoidable we might consider sitting beyond that time and in that case it will be an afternoon session. But so far as possible let us stick to the time-limit.

The Prime Minister (Shri Jawaharlal Nehru): I would not venture to suggest any change in the programme you have suggested, Sir, but if time allows today or tomorrow I would like the House to take up two rather simple but important—in their own way—Bills dealing with the Banaras University and the Aligarh University. I do not wish the House to extend the session for that purpose, but if other matters in the order paper are disposed of and there is time we might take them up today or tomorrow morning as the House chooses.

Mr. Speaker: Of course within the time-limit and subject to the desire of the House; if there is time I think there should be no objection to have these two Bills also.

Shri Kamath (Madhya Pradesh): Am I to understand that tomorrow evening we sit as long as necessary or, if there is any time-limit?

Mr. Speaker: No, no. Up to 6 or 6.30 P.M., but so far as possible we must finish at 1 o'clock.

MOTION Re CONDUCT OF SHRI M.P.—contd.

Mr. Speaker: Now we will take up the motion moved by the hon. Leader of the House. To this motion I have received amendments of Mr. Kamath which have been circulated and which therefore need not be read out in extenso.

The Prime Minister and Leader of the House (Shri Jawaharlal Nehru): In regard to Mr. Kamath's amendments—there are ten—as a matter of fact, nearly all of them are verbal amendments. Mr. Kamath with his eclectic knowledge of the English language has tried to improve upon the wording of the Resolution. Well, I bow to his superior English and have no objection to improving the wording if you, Sir, approve of it. They all deal with the wording, except two or three of them. Amendment No. 3 says that the report should be presented on the opening day of the next session. Well, Sir, I suppose inevitably it will have to be about that time, but whether it is necessary to put it in or not, I have no objection to put it in if you approve. But as regards amendment No. 6, I think it is not desirable at all to bring in the approval of the Committee of Privileges in regard to some matters. This Committee is an independent Committee and to tie it on to the Committee of Privileges would merely confuse the issue and delay matters. So I am not prepared to accept that amendment. As for No. 10, it is more or less open to the Committee to do what is proposed therein and the House will remember the last part of my motion leaves further direction or directives etc. to the hon. Speaker. Therefore, all that is really included.

So I suggest, if I may, subject to what you, Sir, think proper about the language, that the linguistic amendments might be accepted, although I might say that the motion I put forward was largely framed to conform to some similar motions in the House of Commons in the United Kingdom and I took the language of those similar motions to frame the present one—I did not indulge my fancy very much in this matter. However, it is immaterial what the language is, provided the meaning is clear.

So I suggest to Mr. Kamath that amendment No. 6 should not be pressed because it does confuse the issue. As for No. 10 it is already included and he need not press that either. As for the others, I leave it to you, Sir, and the House.

Shri Kamath (Madhya Pradesh): On a point of clarification, Sir.....

Mr. Speaker: Let me first say what is my own reaction since the Leader of the House has left the discretion to me to some extent. As the hon. Leader of the House has stated, the motion proceeds on the basis of similar motions in the House of Commons. Now amendment No. 2 proposes that instead of the word "advantages" the word "advantage" should be substituted. As regards No. 3, it says that the Committee should report "on the opening day of the next Session". I should myself be inclined to think that there should be some latitude to the Committee. It is just possible they might want three or four days or a week more time. In any case, all that we want, I believe, is that the report should be in the hands of Members in sufficient time to enable them to read it and then to have a discussion in the House. If that is achieved, I think we need not be specific and bind down the hands of the Committee. That is my own reaction but it is for the House to decide as to what they should do. It is just possible that the Committee may not be able to finish its work, we do not know what materials are going to come before the Committee and what time it will take. So, that disposes of amendment No. 3.

Amendment No. 4 is also consequential to No. 3.

As regards No. 6 the hon. Prime Minister has already stated his view. As regards No. 7 the motion as was said previously, follows the wording of rule 191. The amendment says:

"The Committee shall have the power to require the production of such documents as they think necessary for purposes of the inquiry."

Shri Jawaharlal Nehru: I am prepared to accept that.

Mr. Speaker: It makes no difference. The power is already there, but if the Leader of the House is prepared to accept amendment No. 7 then the Chair has no objection to it being accepted by the House. I am merely giving my reactions.

Then again, as regards amendment No. 8, the language, again is taken from a similar motion in the House of Commons.

No. 9 is almost the same as No. 8.

No. 10 is already covered by the terms of the motion. That is how it stands. If the hon. Member Mr. Kamath is agreeable he may move parts 5 and 7. That would curtail all further arguments and save the time of the House. In fact I would have left No. 5 to Mr. Naziruddin Ahmed!

Shri Kamath: Sir, I would like, by your leave, to have certain doubts that still linger in my mind cleared in regard to the amendments that I have tabled. The hon. the Prime Minister paid me an undeserved compliment about my linguistic ability, but I am always prepared in that matter to learn from him and not vice versa.

As regards amendments No. 3 and 4, the point of these was, in case there is no specific mention in the motion itself as to when the report should be presented to Parliament my hon. friend Mr. Mudgal may be handicapped to a certain extent if he intends standing as a candidate for, or contesting the next General Elections. In case the report is not ready before the General Elections, he will be under a handicap. Therefore, to be fair to Mr. Mudgal we must see to it that well in time before the General Elections are on, the House should come to a finding, whatever it may be, on this particular matter. That was the idea underlying my amendment.

But if the Leader of the House can give the House an assurance here today that the report of the Committee will be available to the House well in time for its consideration and decision during the next session of Parliament or during the adjourned session, in case the session is going to be adjourned, in case such a definite, specific and categorical assurance is forthcoming from the Leader of the House, then I do not wish to press this amendment...

You yourself were good enough to observe that the whole point and purpose of the motion is to see that Parliament gets the report well in time for consideration and final decision. If that, Sir, is the understanding and assurance, then I will not move amendments No. 3 and 4.

May I have this point cleared before I proceed further?

Shri Jawaharlal Nehru: Personally, Sir, I can give no assurance in the sense that the matter goes into the hands of the Committee and the hon. Speaker. But so far as I am concerned, I would be prepared, subject to your approval, to put a date as the first week of the next session or some such date.

Mr. Speaker: We may put that date—it does not matter. Even if we do not put it, it will be one of my directions to the Committee to report by that time. But it will be for the committee to expedite the report. I cannot visualise today the difficulties in their way.

Shri Kamath: But they are functioning under your directions, Sir.

Mr. Speaker: But they can function only with the cooperation of forces outside. Even if we put in a date, I do not know how it improves the position. Anyhow let us have the wording as suggested by the hon. the Prime Minister—"the first week of the next session".

Shri Kamath: My amendment No. 7 has been accepted by the Prime Minister. But in that connection the point strikes me as to whether the committee will have power to compel attendance of witnesses. If any witness refuses to appear, what action will be taken against him?

Mr. Speaker: It is very clear that the committee will have the power of compelling attendance. I may further go and say that, if any person refuses to appear or answer questions that conduct will be a contempt of the House and punishable as such.

Shri Kamath: So, my amendment No. 1 is. I suppose, out of order. No. 2 I will leave to the draftsman. No. 3 has been accepted in an amended form. In regard to No. 4 may I know whether the House will be prorogued?

Mr. Speaker: I cannot be definite about it; but I think it will be so.

Shri Kamath: Because it has been our unfortunate experience that in regard to the Delhi Premises (Eviction) Bill...

Mr. Speaker: Order, order. The hon. Member need not go into all that.

Shri Kamath: In regard to No. 6, I remarked the other day that the Committee of Privileges had been bypassed in this matter. Is it not fair and proper that this Committee of Privileges appointed by you should go into this matter at some stage or other before the report finally comes to Parliament? This Committee is appointed by you and has a status all its own. This matter may be on the border line of privilege and something else. I do not venture an opinion on that point. But I think personally that the committee appointed by you and enjoying a special status should come into the picture at some stage or other, though the committee itself

will not enquire into the matter at this stage. I would be obliged if you could give your ruling on that point.

Mr. Speaker: As the hon. Member himself has suggested, at present without further enquiry, it is a question of some doubt as to whether the matter involves any definite breach of privilege or not. The real question of the breach of privilege of the House if any, will arise after the definite findings of the committee are known. At the present stage, as was explained by the hon. the Prime Minister we are more or less concerned with what is alleged as an improper conduct on the part of a Member, not keeping with the dignity of the House, and not coming up to the standard expected of a Member of this House. It does not go beyond that. But if it is found later on, as the result of investigation by the committee, and the evidence taken by them, that the statement made by the President of the Bullion Association were in fact made and were in fact untrue, then, so far as the President of the Bullion Exchange is concerned, there will be definitely a *prima facie* case of the breach of privilege of this House, in so far as the President has made unfounded allegations against an hon. Member of this House. Therefore, it is better to keep the Committee of Privileges apart. Let it not be associated at this stage in the investigation and let its mind not be prejudiced at this stage with reference to the possible future issue that may arise.

10 A.M.

As regards the other point, this Committee will also be functioning under the directions of the Speaker. Therefore I do not think there is anything derogatory to the Speaker's position so far as this Committee being appointed to investigate into this matter is concerned. And we need not go into the question of the Privileges Committee. There is a further point also that the Committee, though proposed by the hon. the Leader of the House, if the motion is adopted, will be a Committee appointed by the House under the direction of the Speaker. And the hon. Member will agree with me that though the Speaker represents the dignity of the House, the decisions of the House are of a higher level than the decisions of the Speaker or any other authority functioning under the House. So he need not have fears on that ground of supposed interference with the dignity of the Chair or with the decision of the House. That is how I feel about this.

Shri Kamath: On the question of privilege you referred to, in Thomas

Ersine May's treatise, it is definitely stated that "the acceptance by any Member of either House of a bribe to influence him in his conduct as such Member or of any fee, compensation or reward in connection with the promotion of or opposition to any Bill, Resolution, matter or thing submitted or intended to be submitted to the House or any Committee thereof is a breach of privilege."

Mr. Speaker: I think the hon. Member is confounding the issue. I am sure, during his service as a Magistrate, he has taken evidence and considered law also. At present, unless the thing is gone into, so far as the hon. Member of the House is concerned, we cannot proceed on the basis that there has been a breach of privilege by him. We must go further into the evidence and decide whether those allegations are correct. So he is mixing up breach of privilege by hon. Member of this House with breach of privilege by the outsider. That case of breach will arise after the investigation. The breach which he thinks the hon. Member is being charged with is not yet a matter of any charge, so far as the motion is concerned. He will see that the hon. the Prime Minister's motion does not go the length of saying that the hon. Member of this House has committed any breach of privilege by accepting a bribe. No. He is only saying that *prima facie* allegation shows that, if true, the conduct of the hon. Member is not consistent with the dignity of the House and is not up to the standards that are expected from the Members of this House. It does not go any further at this stage. Therefore, when he says there is a *prima facie* case for going into the matter, it means nothing more against the hon. Member. It is not a case yet of a breach of privilege. The motion is not pressed on that basis. It is possible as a result of enquiry, if the allegations are found true, then they will be referred to the Privileges Committee later on. That is how it will happen.

Dr. Parmar (Himachal Pradesh): I wanted a clarification. In view of your ruling on amendment No. 7, is it necessary at all to have this 4(a) introduced? If it is, would it not be proper to add also the attendance of witnesses therein? Otherwise, the omission may lead to an inference that the Committee cannot do it.

Mr. Speaker: In view of the point raised I think the original wording is much wider—the original wording without this amendment—that the Committee may hear or take evidence, which will mean documentary as

well as oral. I think that would be better. Instead of now trying at the last minute to improve upon the wording it will be better if we accept the original language.

Shri Kamath: On the clear understanding that the Committee would have power to compel the attendance of witnesses and the production of documents and that anybody refusing to do so will be hauled up for contempt of the House?

Mr. Speaker: That is so.

Shri Jawaharlal Nehru: The words "power to hear and/or to receive evidence" will cover it.

Mr. Speaker: I am now trying to amend the wording of the original motion, of sub-clause (b) of 4. "That the Committee shall have power to hear and/or receive evidence, oral or documentary"—will that be all right? (Interruption). Let us not try to be too legal about it. The matters will be covered by the directions of the Speaker if necessary.

Shri Kamath: There are no rules extant, and we have framed not rules for initiation of proceedings in case of contempt of the House committed by any person or party. In case a witness refuses to appear or a party refuses to produce a document how will proceedings be initiated in regard to contempt of the House?

Mr. Speaker: Whenever they have any difficulty they will report to the Speaker. The Committee will function through the Parliament Secretariat and the Speaker will give directions from time to time. If it is found that there is any difficulty in the way of the Speaker he immediately comes to the House and gets the powers. But, at present, I do not visualize any difficulty at all.

Thakur Krishna Singh (Uttar Pradesh): Supposing somebody makes a false statement, then what offence does he commit?

Mr. Speaker: I should not be called upon to give a ruling on such things. He will be liable, if anything, for the offence of making a false statement.

Shri Kamath: Will the rules of the Evidence as in the Evidence Act apply to proceedings before the Committee?

Mr. Speaker: Let us not go into these details.

Shri Himatsingka (West Bengal): May I draw your attention to clause 5. I feel that the word 'the' in sub-clause 5 should go. If you say "the

[Shri Himatsingka]

Counsel that will be appointed by Shri Mudgal" he is the person who must appear for the other party also; it may be that the other party may like to be represented by any other counsel and hence the word 'the' must be deleted.

Mr. Speaker: The word 'the' is a misprint. It is not in the original note. It will go.

Shri Kazmi (Uttar Pradesh): I want to suggest that the Committee shall have the powers of a civil court for purposes of summoning witnesses and all that.

Mr. Speaker: We are not constituting this as a regular court. In the exercise of sovereign powers of Parliament, we constitute it as a Court of honour and not necessarily as a Court of law, but it will have, for all practical purposes, all the powers. Under the parliamentary convention the House will be exercising those powers. So, I shall put the motion slightly amended by me to the House. The question is:

"1. That a Committee consisting of:

Shri T. T. Krishnamachari, Professor K. T. Shah, Syed Nausherali, Shrimati G. Durgabai, and Shri Kashinathrao Vaidya be appointed

(a) to investigate the conduct and activities of Shri H. G. Mudgal, Member of Parliament, in connection with certain dealings with the Bombay Bullion Association, which include canvassing support and making propaganda in Parliament on problems like option business, stamp duty, etc., and receipt of financial or business advantages from the Bombay Bullion Association; and

(b) to consider and report by the last day of the first week of the next Session whether the conduct of the hon. Member was derogatory to the dignity of the House and inconsistent with the standards which Parliament is entitled to expect from its Members;

2. That Shri T. T. Krishnamachari be appointed Chairman of the Committee;

3. That the quorum of the Committee shall be three;

4. (a) That the Committee shall have power to hear and/or to receive evidence, oral or documentary connected with the matters referred to the Committee or relevant to the subject matter

of the inquiry and that it shall be in the discretion of the Committee to treat any evidence tendered before it as secret or confidential; and

(b) That the Committee shall have power to hear and/or to receive evidence, oral or documentary in Bombay and/or any other place in India as the Speaker may decide;

5. That Shri H. G. Mudgal has leave to be heard before the Committee by himself or by Counsel, if he thinks fit and that the Committee may hear counsel to such extent as they think fit on behalf of any other person;

6. That the hon. the Speaker may, from time to time, issue such directions to the Chairman of the Committee, as he thinks necessary for regulating the procedure and organisation of the work of the Committee."

The motion was adopted.

INDUSTRIAL DISPUTES (AMENDMENT AND TEMPORARY PROVISIONS) BILL

Mr. Speaker: We will now proceed with the Legislative business. The following motion was moved by hon. Shri Jagjivan Ram yesterday:

"That the Bill further to amend the Industrial Disputes Act, 1947, and to make certain temporary provisions relating to pay and allowances of certain workmen, be taken into consideration."

We shall now proceed with the further considerations of that Bill.

श्री भट्ट : माननीय अध्यक्ष महोदय, जो बिल हमारे सामने आया है वह स्वागत करने योग्य बिल है और सरकार ने जो नीति कई दिनों के पहले जाहिर की थी उस को कार्यान्वित करने के लिए यह बिल पेश किया गया है। मैं मानता हूँ कि बैंक के कर्मचारियों को यह बिल आशीर्वाद रूप होगा। इस बिल के दो हिस्से हैं। एक तो जो इंडस्ट्रियल डिसप्यूट्स ऐक्ट सन् १९४७ का है उस को संशोधित करने का मतलब है और दूसरे बैंकों के झगड़ों का जो निवटारा

ट्रेड्यूनल ने किया था और जिस को किसी नुकस के कारण सुप्रीम कोर्ट ने रद्द कर दिया था और उस के कारण जो परिस्थिति पैदा हो गई और बैंकों के कर्मचारियों को जो नुकसान हो रहा है उस नुकसान को फिर से ठिकाने पर लाने के लिए इसमें टेम्पोरेरी क्लोजेज आए हैं, यह इस का दूसरा हिस्सा है। इस बिल से एक बात यह साफ होती है कि सरकार साधारण जनता को जितने मदद पहुंचाने के मौके आते हैं उनको वह जाने नहीं देती है। यहां भी यही दृष्टान्त है। जब साधारण जनता के दुःख-दर्द का सवाल आया तो सरकार सोच रही थी कि इसको किस रीति से हल किया जाय। हल करने के लिए कनसीलेशन बोर्ड्स वगैरह का एक तरीका तो अस्तित्व में आ चुका है। लेकिन सब से ज्यादा अहम बात और असरकारक जो बात है वह यह बिल है। इस बिल के जरिए बैंक के कर्मचारियों को जो नुकसान होने वाला था वह नुकसान उन को आयन्दा न हो और जब तक उस का निवटारा न हो तब तक उन का जो कुछ ट्रिव्यूनल ने फ्रैसला किया था उस फ्रैसले के अनुसार उन को दा मिलता रहे यह इस बिल का य है।

अब यह सोचा जायगा कि इस ५ को यहां इस तरह लाने की क्या रत थी जब कि इंडस्ट्रियल डिसप्यूट्स सन् १९४७ का मौजूद है। उस की वीं कलम में जो चीज रखी गई है में और इसमें क्या फर्क हुआ है। तो मैं फर्क मह देखा जाता है कि वहां शन ७ के मुआफिक जो पंच के

सदस्य नियुक्त होते थे वे सब के सब जज की हैसियत के होने चाहिए थे या जज बन सकें ऐसी उन की लियाकत होनी चाहिए थी। लेकिन इसमें जो खास बात देखभाल करने की है और संशोधित किए जाने वाली बात है वह यह है कि पंच का जो सदर होगा जो उस का प्रमुख होगा, चैयरमैन होगा वह सिर्फ जज की काबलियत का रखा गया है। दूसरे जो सदस्य होंगे वह जज हों या न हों। वे व्यावहारिक ज्ञान वाले आदमी हो सकते हैं, चाहे बैंकों का ज्ञान हो, जब कि बैंकों के मामले आवें, और जहाँ मिलों का सवाल हों तो वहाँ मिल के बारे में ज्ञान रखने वाले हों और मजदूरों के सवाल हों तो मजदूरों का ज्ञान रखने वाले आदमी हो सकते हैं। तो इस रीति से उसमें यह एक बड़ा फर्क किया जा रहा है और यह फर्क कोई मामूली सा फर्क नहीं है। इंडस्ट्रियल रिलेशन्स बिल, जिस की सिलेक्ट कमेटी की रिपोर्ट आप के सामने है, उसमें जो चीज आने वाली है उसी चीज को यहाँ लाने की कोशिश की गयी है। तो यह कोई मामूली सा फर्क नहीं है बल्कि बहुत ही जरूरी, आवश्यक और लाभकारी फर्क किया जा रहा है।

अब पूछा जायगा, जैसे कि मेरे मित्र मिस्टर बैंकटरमन को आपत्ति है कि ऐसा इसमें क्यों लिखा जाता है कि बैंक के और इंड्योरेंस के मामलों के झगड़ों के निवटारे का सावल उन के सामने आवेगा तो इसमें इस का ज्यादा ज्ञान रखने वाले आदमी होंगे। यह एक पेचीदा सवाल है। सम्भव है कि इस बिल में क्लोज ३ की जो चौथी धारा है उसमें "such qualifications as may be prescrib-

[श्री भट्ट]

ed" यहाँ पर अगर सरकार रुक जाती तो उस में कोई आपत्ति नहीं थी। लेकिन सरकार के सामने शायद कोई व्यावहारिक कठिनाई आई होगी और बैंक वाले और इंडस्ट्रियल वालों को एक तसल्ली देनी चाहिए होगी कि भाई यह जो आपके झगड़े निपटा देंगे तो उस में आप लोगों के जो धन्ने हैं, रोजगार हैं उसका ज्ञान रखने वाले आदमी भी लिये जावेंगे। तो मैं समझता हूँ कि यह एक सन्तोष देने की बात है और एक व्यावहारिक तरीका है। इस लिये हमारे माननीय मंत्री जी ने यह चीज यहाँ रखी है और यह चीज इण्डस्ट्रियल रिलेशन्स बिल में भी सिलेक्ट कमेटी की रिपोर्ट में लाई गयी है। तो इस में अगर कोई खास आपत्ति न हो, हमारे माननीय मंत्री जी को, और अगर बैंक के मालिकों को खास आपत्ति न आने वाली हो और उन को कोई चोट न पहुँचने वाली हो, तो यह चीज वहाँ तक ही रखी जाय तो ज्यादा अच्छी हो जायगी। इस से हमारे मजदूर नेता भी संतुष्ट हो जायेंगे और उन के दिल में भी यह नहीं होगा कि यह एक प्रकार का पक्षपात किया जा रहा है। लेकिन मैं उन को एक बात यह कह देना चाहता हूँ कि इस बिल का मकसद क्या है। यह बिल जिस उद्देश्य से लाया गया है वह यह है कि जो बैंक के फ़ैसले सुप्रीम कोर्ट की तरफ़ से नामंजूर किये गये हैं उन फ़ैसलों को फिर से जांचने की बात है इस लिये इस में यह चीज खास तौर से रखी जा रही है। इसमें अगर हमारे मजदूर नेताओं को खास आपत्ति न हो तो वे भी माननीय मंत्री जी की सलाह को मान लें और जैसे वे रखना चाहते हैं उस को मंजूर कर लें।

श्री कामत : क्या आप मजदूर नेता नहीं हैं ?

श्री भट्ट : मैं तो नेता नहीं हूँ, फिर मजदूरों का नेता कहाँ से बन सकता हूँ। अब आगे जा कर जब संशोधन पर हम बहस करेंगे तब मैं इस विषय में और बातें बताऊंगा।

[MR. DEPUTY SPEAKER in the Chair]

अब इस का जो दूसरा हिस्सा है, कर्मचारियों को फिलहाल राहत पहुँचाने का, उन को जो नुकसान हो रहा था उस नुकसान को दूर करने का, वह हिस्सा बहुत ही ज़रूरी हिस्सा है और इस बिल को अगर यहाँ लाया गया है तो इस का कारण भी यही है कि हम पहले जो कर्मचारियों को नुकसान होने वाला था वह नुकसान न होने दें। इस लिये मैं इस बिल का स्वागत करता हूँ और इस के संशोधन के बारे में जब संशोधन पेश होंगे तब आगे कहूंगा।

(English translation of the above speech)

Shri Bhatt (Bombay): Sir, the Bill that has been brought before the House is a welcome measure. It has been brought forward with a view to give a practical shape to the policy announced by the Government some days ago. I concede this Bill is going to be a blessing to the bank employees. It has two parts. One seeks to amend the Industrial Disputes Act, 1947. The second part comprises temporary clauses which are intended to compensate the loss suffered by bank employees as a result of the situation that arose from the rejection by the Supreme Court, on account of a serious flaw, of the award given by the Tribunal, resolving bank disputes. One thing becomes clear from this Bill that the Government does not let go an opportunity that comes its way of helping the common people. That is what happened in the present case. When the Government was faced with public hardship it started thinking how to find a solution to the difficulty. One of the means adopted was to resort to conciliation boards etc. But the most effective remedy is the present Bill. What the Bill aims at is that the bank employees should not have to suffer the loss which they are going to suffer, and that, until a final settlement takes place, they should be

enjoying the advantages which accrued to them under the award of the Tribunal.

Now it might be asked where was the need of bringing forward this Bill in its present form when the Industrial Disputes Act, 1947, was already there, and also what was the difference between Section 7 of that Act and the corresponding provision in the present Bill. Now, the difference is that according to Section 7 of the said Act all the persons eligible for appointment as members of the conciliation board should be of the status of a judge or be possessed of qualifications which make them eligible for appointment as a judge. Now the important difference in the present case is that according to this Bill only the Chairman of the board shall have to be possessed of the qualifications of a judge. The other members need not possess such qualifications. They might be people with professional knowledge. For instance, they might be persons with knowledge of banking when the disputes relate to banks, persons with knowledge of mills when the disputes relate to mills, or persons with knowledge about labour when the question involved relates to labour. Now this is not a small variation. An effort has been made to bring in the same kind of provision as is fore-shadowed in the Industrial Relations Bill, the Select Committee report of which is at present before you. Thus, the change being introduced is going to be both essential and useful.

Now, it will be asked, as my friend Mr. Venkataraman has done, why it is being provided herein that when the matter in dispute relates to banking and insurance, people with special knowledge of those subjects would be taken in. This is a complex question. It is just possible that if the Government had not gone beyond the words "such qualifications as may be prescribed" used in clause 3, sub-clause 4 of this Bill, there might have been no objection. But, possibly, the Government must have experienced some practical difficulty. They might have wanted to say to the banking and insurance people by way of reassurance, 'In settling your disputes we shall take in persons who have knowledge of your trades'. Hence, I think this is meant to be a sort of reassurance and a practical way of doing things. That is why the hon. Minister has introduced this provision which also finds a place in the Select Committee report of the Industrial Relations Bill. Hence, if there be no particular objection to the hon. Minister or to the proprietors of banks and it does not cause them any great injury it

would be better to keep it that far. This would also gratify our labour leaders who would not go with the feeling that any kind of partiality is being shown. But, let me tell them what is the object behind this Bill. It seeks to enable reconsideration of the ruling of the Supreme Court whereby the bank award has been held void. That is why this provision has been specially brought in. Let our labour leaders, therefore, accept the advice offered by the hon. Minister and agree to this provision in its present form.

Shri Kamath (Madhya Pradesh): Are you not a labour leader?

Shri Bhatt: I am not a leader at all, much less a labour leader. I shall tell you more about this when we have a discussion on the amendment.

[MR. DEPUTY SPEAKER in the Chair]

Now, the second part of this Bill, which relates to the affording of interim relief to the employees and saving them from the loss that was imminent, is a very important part. In fact, the primary object behind the introduction of this Bill was to indemnify them against that loss. Hence, I welcome this Bill and shall speak on the amendments when they come up.

Shri B. Das (Orissa): Yesterday, I got a shock when my two labour leaders friends Mr. Venkataraman and Mr. Khandubhai Desai spoke in a strain that was contrary to the understanding which was arrived at the Conference between Bankers, the Labour Minister and the labour leaders. Yesterday, they spoke in a strain as if the welfare of labour is the criterion which should govern industrial development of India. I was gratified last July-August when my hon. friend Mr. Jagjivan Ram said at Geneva that the workers must work for the benefit and development of industry. Recently, the Secretary of the Ministry of Labour, Mr. V. K. R. Menon has also spoken almost in the same strain at Geneva. That was very gratifying.

For the last two or three years, I have been painfully watching labour legislations on the floor of the House. The Government of India and the Cabinet as a whole, do not function as a composite body. Labour legislation has been advanced in blind imitation of the Geneva regulations and Geneva conventions, without any bearing on the economic and industrial prosperity of India and we know what has happened. I was surprised when I read these reports of the Arbitration tribunals on the banking disputes. I cannot understand how banking has become an industry. If my hon. friends

[Shri Sarangdhar Das]

bankers in including a man with banking experience in a tribunal that considers banking and insurance matters, then with equal justice he must include also a man who has experience of labour matters, as was pleaded by the previous speakers yesterday such as Shri Khandubhai Desai and Mr. Venkataraman. I understand that Mr. Venkataraman has an amendment to that effect. If that is accepted it would keep the balance steady and there would be no weightage for one party or the other to a dispute. This is only bare justice.

I do not agree with my friend who claims to be the father of the House. Being a father he belongs to the 19th Century. He talks of the Labour Minister's Labour Relations Bill as being revolutionary and he thinks that the banking structure of the country is collapsing. I ask him how did the Indian-managed banks during the last quarter of a century collapse? Is it not because of the directors who have swallowed all the capital that the banks collapsed? Even today there are banks which are collapsing for this reason. It is not because the employees have formed trade unions that the banks are collapsing. As a matter of fact the banks have certain hours of business, perhaps three or four hours, when the outside public can transact their banking business. Then after the doors are closed nobody knows what is happening inside there. It is very rarely that the public knows that the employees are made to work longer hours, far into the night. That is why I say that when the doors are bolted we from the outside do not know whether they are working till 8 or 10 P.M. (Interruption). That is why I say that trade unions are necessary, whether the institution is a bank, an insurance company or the Maharaja of Baroda's household. They are necessary to safeguard the interests of the workers and I am rather surprised that a man of his experience, particularly with experience of this Parliament and the former Assembly, should be frightened by the labour unions. The Constitution itself has given equal political rights to all people. During the last two or three years revolutionary changes have taken place which you have not seen in the 19th or early 20th century. You cannot keep the workers tied down as slaves any more. The workers have come to their adult age and if you do not in justice concede their demands for better working conditions, housing and so on, so that they will be just as good human beings as the managing director of a big bank, they are not going to stand their slavery conditions

any longer, which they have borne so long. It is no use now shedding tear over the change of the times. Today labour stands up and says "I am a factor in the production of wealth whether from the land, from the factory or from the bank." Banking is certainly one of the most important industries. Wherever wealth is being produced, no matter in what way, is an industry. The managing director, the manager, the accountants, the cashiers, the clerks, and the peons all combine to make the one rupee into a rupee and four annas or two annas at the end of the year and therefore banking is an industry. I was surprised when it was said that it was not an industry.

Therefore, my appeal to the Labour Minister is that he should now do justice to the employees of the bank and to see if it is necessary, in my opinion it is not necessary, that in the tribunal there should be a man with banking experience or insurance company experience. If you say that, the if there is a textile dispute there must be a man in the tribunal with textile experience, or that if there is a sugar dispute there must be a man with sugar experience, I say it is not at all necessary. But if you do think it necessary—I know the bankers have pressed that in the matters of banking and insurance company disputes a man with banking experience should be on the Tribunal, and if you do concede that—then you must concede the demand of the workers, and along with the banker there must be a man on the Tribunal with experience of labour conditions, working conditions, wages and so on and so forth. This is very necessary. Otherwise the agitation will be stronger and stronger and it will be said that the Government has yielded to the pressure of the banker.

Another point which I wish the Labour Minister to clarify is that in the "allowances" that have been validated, there is no mention of hospital allowances. Hospital allowances were included in the award. I do not know if there will be any further adjudication in that matter. I request the hon. Minister to clarify this point.

With this proviso that I lodge my protest regarding the inclusion of the banker in the Tribunal, I support the motion.

Shri T. T. Krishnamachari (Madras) I must congratulate my hon. friend the Mover of this Bill for the alacrity he has shown in bringing forward this measure before the House in order to solve a rather difficult position in the country. But at the same time

must join issue with the previous speaker when he accused the Government of being dilatory. I think the hon. Minister has brought forward this measure with all possible alacrity and the fact that the House is sitting practically at the rag end of the session to consider this important measure must have shown to my hon. friend who spoke before me that the hon. Minister is anxious, the Government is anxious, and the Party behind the Government is very anxious to solve this difficult problem that has arisen because of the judgment of the Supreme Court adjudging the Industrial Tribunal's award in respect of Bank employees null and void.

My point in intervening in this debate is to place before the House and before the public certain facts which I believe have led to a misunderstanding of the position of the bank employees generally in their relation to the public. I was one of those who felt at one time that the manner in which the Bank Tribunal's award was worked created a situation in the country where the public were placed in such a position that they were not only not able to appreciate the difficulties of the bank employees but rather lost all sympathy with the position of the bank employees as such. That was largely because of the manner of interpretation by bankers of the Bank Tribunal's Award by reason of their cutting down the working hours of banks during which the banks were serving the public, and also by cutting down the number of working days in a week by one so that the public generally felt, "Here is something done by the Bank Tribunal which has resulted in taking away banking facilities so far as the public is concerned". I am also aware, Sir, that in relation to the working of the Shop Assistants Act, the manner in which certain State Governments work that Act also creates an impression in the minds of the public that labour is getting some undue advantage over the public and service to the public that is due is denied. This is largely because of the manner in which these awards and these Acts are worked, rather than from any desire on the part of labour not to serve the public. When the Banking Companies Act was on the anvil of the House, I could take credit, Sir, that I did draw the attention of the Finance Minister at that time that it was not enough to have a Banking Companies Act without at the same time statutorily providing for fair wages and fair treatment to bank employees. And I was very happy that in some form or other it was ultimately brought to the notice of the hon. Labour Minister and the

industrial tribunal for bank employees was established.

The position now has been more or less a stalemate because the Supreme Court has adjudged that the award was not valid, not for reasons of some intrinsic defect in it but for some technical reasons. In any event I think some kind of revision would have been necessary at any rate to bring home to the banks that they could not use the award in such a manner as to put banking labour in juxtaposition with the public. That kind of interference was called for. I think some of us represented that to the Finance Minister and also to the Labour Minister in this House that a revision was necessary. Any way, out of evil cometh good and the Supreme Court judgment has provided an opportunity for the Government to establish a new tribunal so that all facts of the case could be brought again before it and the new terms in respect of wages and working hours fixed so that the public would understand that it is not the mistake of the bank employees but that of the employers if they have been denied any service so far as banking hours are concerned. That I think is very necessary because my hon. friend, Mr. B. Das, about whose good intentions nobody in this House has any shadow of doubt, believes that the best way to serve the public through banks is to pay the employees as little as possible so that banks will work successfully and return big dividends to shareholders. Well, if that is the only way in which banks can work in this country, I think we better not have any banks at all. I cannot see how one set of industrial labour can have provisions by which it could agitate collectively for better treatment but another set of workers should be left unprotected merely because somebody thinks that industry involved is an important industry or is an important business which is very necessary for the economy of the country. I attach very great importance to the future of banking. I also feel that the Government as a whole, notwithstanding the fact that I belong to a Party which supports the Government. I feel that the Government as a whole has not appreciated the importance of banking to the future economy of this country. If they had done so, well, our banking system would change. But that does not mean that banking should be based on a wholly competitive system in our economy. In fact, there are a large number of banks in the country often competing with one another which does no good so far as the borrower is concerned, does no good so far as the depositor is concerned.

[Shri T. T. Krishnamachari]

but only does harm so far as the employee is concerned; because the banks concerned are unable to pay decent wages. I do not see why un-economic banks should not close down. If, as a result, a problem of unemployment ensues it is a problem for Government to face. But I cannot understand the argument of any person, sane and wise as bankers are in this country, when they say, "Well, it is uneconomic proposition as we cannot run the bank and pay decent wages", if they cannot pay decent wages let them better close down a few of their branches. Let there be rationalization, let there be fewer banks to serve the people better. That, however, does not mean that decent wages should not be paid to employees nor that hours of work should be regulated.

With regard to the proposed composition of the Committee much was said by my hon. friend, Mr. Sarangdhar Das who spoke before me. There is undoubtedly a point which the hon. Minister should bear in mind, that in a fairly technical business like banking, not insurance,—I take insurance away from the field because it is not of such a technical nature—some kind of expert guidance will be necessary for the Tribunal to make up its mind. Mr. Venkatraman suggested yesterday that there may be assessors to help the tribunal. That probably is one point of view. But in the narrow circumstances in which this particular tribunal will operate, there will not be any great harm if perhaps somebody with knowledge of banking is included and it is not generally insisted that an employee of a bank or Managing Director of a Bank should be there. That is a matter for adjustment and I have no doubt that the hon. Minister for Labour, who is interested in the well-being of bank labour as much as any body else in this House will see that the dice is not loaded against them. But that does not mean that it should be made into a political point to smash the whole Bill, as my hon. friend who has left the House who apparently wants that this Bill should be dropped, in which case the position of the bank employees will be no better and they will not thank him for the service that he has done to them.

11 A.M.

The only point that I would like to insist on before I sit down is this that the labour representatives who plead this cause of Bank employees should not completely lose sight of the public service aspect of institutions like banks, or even for that matter shops

and other things. They must safeguard or take care to see that the public do not get wrong impression that the employees are trying to manipulate the hours of working by denying service to the public. I am afraid that the labour leaders who were associated with the enquiry when the Industrial Tribunal for banks was operating had lost sight of this particular fact. In the rather transitional stage in which our economy is in, even those amongst us who have the interests of labour at heart cannot afford to create a wrong impression in the minds of the public that here is labour asking for something which is not right and which is improper and by reason of the grant of concession in this respect public interest suffers. Banking is a public utility service and the hours of work and standards of pay should be based on the same basis as in public utility services like electricity undertakings, municipal services and so on. Therefore, I would urge upon those friends of mine here who represent labour organisations not to lose sight of this particular fact, because that is the only way in which we can get the public to sympathise with the demands of workers, whatever might be their category. So far as this point is concerned, though perhaps a few people like Mr. B. Das feel that a change might perhaps adversely affect Banking business, practically the bulk of the House is behind the Minister for Labour in his attempt to improve the position of labour in this country and there need be no doubt at all in spite of the views of the political opponents, that the Congress is ever likely as a body, as a whole, to give up the interests of labour as against any vested interests.

I do hope that the Bill will be accepted by the House without any serious deviation and some goodwill result out of the work of the tribunal that would be appointed as a result of the passing of this Bill.

Pandit Munishwar Datt Upadhyay (Uttar Pradesh): A peculiar situation has arisen on account of the judgment of the Supreme Court setting aside the award of the Tribunal and some remedy was to be found for it. The most important of the remedies necessary at the time was that there should be some provision for safeguarding the interests of the employees, because it was feared that on account of the setting aside of the award it was very likely that the employers might try to withhold certain amount of their pay or allowances or they might try to curtail their conditions of service. So, while making provision

to safeguard the interests of the employees, the hon. Minister has also taken the opportunity to reconstitute the Tribunals. I think it is a very welcome measure, because if this lacuna had remained, these difficulties might arise over and over again. The setting aside of the award of the tribunal was on a very technical ground. The position as it stands today is that the employees for no fault of theirs and for no fault on the part of anybody else, only on account of some lacuna in the provisions of the Act, are being deprived of the benefits of the decisions of the Tribunal, decisions which were unanimously signed by all the persons concerned without any dissentient note. On account of the fact that some of the members could not participate in the proceedings, on that very technical ground, the award was set aside. My submission is that when the award was set aside on that technical ground it is very necessary for making provision for safeguarding the interests of the employees and from that point of view this Bill is a welcome measure.

As regards the complaint that there has been delay, I would submit that the judgment was given on the 9th of April, 1951 and it is not even two months yet and the hon. Minister has come with a measure before the House and it is going to be enacted today. So the complaint of delay is not a justifiable one.

I now come to the Constitution of the Tribunal. A suggestion has been made that a person with banking experience should also be on the Tribunal. I think that would be wrong. In case you have a representative of the Banks, it would be necessary to have a representative of the labour as well. My hon. friend Mr. B. Das said that he was not enamoured of having High Court Judges on the tribunals, as they were not likely to have intimate knowledge of banking and insurance. I am sure they are not expected to have an intimate knowledge of labour either. So in case you have persons having experience of banking it is as well to have persons having a knowledge of labour conditions as well. Therefore I would like that this provision should be omitted if the hon. Minister agrees to it.

There is another restriction that has been placed in the proviso to sub-clause (3). They say that in regard to those who are not High Court Judges there should be a certificate from the High Court that they are fit persons to be on the Tribunal. I think that 200 PSD

restriction is absolutely unnecessary. I think independent persons with a high position in society would be quite competent, and this sort of certificate by the High Court, in respect of persons who may even be District Judges and considered qualified for appointment to the High Court, that they are fit to serve on the Tribunal is a very heavy restriction and should be removed.

In the end I would like to say that the judgment of the Supreme Court is welcome to me in this respect that it came at a time when the House was sitting and the hon. Minister immediately came with a measure to amend the provisions in such a manner that such difficulties may be removed and now we shall know that no award will be set aside on technical grounds. Therefore it was very right that they gave judgment on the 9th April and the hon. Minister took the opportunity of amending the Act on those lines. I think therefore that this was a very timely judgment they gave.

I wholeheartedly support the Bill with the exception of certain provisions which I have mentioned in my speech.

Shri Ramalingam Chettiar (Madras): I am glad that the Labour Minister has brought the Bill so as to avoid difficulties in the interim period. But I think the new Tribunal that is going to be appointed will go into the matter more in detail than the Tribunal that passed the award.

While we are talking here about banks we are thinking of banks like the Central Bank of India or the United Commercial Bank and other banks which pay Rs. 5,000 and Rs. 10,000 to their Secretaries and which employ a large number of clerks. We do not at all think of those numerous banks in the countryside with a capital of Rs. 10,000 to Rs. 1 lakh and which employ Secretaries on a pay of Rs. 100, 150 or 200 and which sometimes employ a clerk and sometimes do not employ even a clerk. Such sort of banks are never thought of. When we think of banks and bank employees we generally think only of those large banks. No doubt the Tribunal which went into this question did so at the instance of the employees of big banks and naturally they concentrated their attention on the conditions of these employees and the capacity of the banks to pay them. I have no quarrel about that. But special provision ought to be made for these small banks which cannot afford to pay large salaries and which are serving a very necessary purpose, namely the purpose of giving finance to the rural areas and the semi-rural areas. That

[Shri T. T. Krishnamachari]

but only does harm so far as the employee is concerned; because the banks concerned are unable to pay decent wages. I do not see why uneconomic banks should not close down. If, as a result, a problem of unemployment ensues it is a problem for Government to face. But I cannot understand the argument of any person, sane and wise as bankers are in this country, when they say, "Well, it is uneconomic proposition as we cannot run the bank and pay decent wages", if they cannot pay decent wages let them better close down a few of their branches. Let there be rationalization, let there be fewer banks to serve the people better. That, however, does not mean that decent wages should not be paid to employees nor that hours of work should be regulated.

With regard to the proposed composition of the Committee much was said by my hon. friend, Mr. Sarangdhar Das who spoke before me. There is undoubtedly a point which the hon. Minister should bear in mind, that in a fairly technical business like banking, not insurance,—I take insurance away from the field because it is not of such a technical nature—some kind of expert guidance will be necessary for the Tribunal to make up its mind. Mr. Venkatraman suggested yesterday that there may be assessors to help the tribunal. That probably is one point of view. But in the narrow circumstances in which this particular tribunal will operate, there will not be any great harm if perhaps somebody with knowledge of banking is included and it is not generally insisted that an employee of a bank or Managing Director of a Bank should be there. That is a matter for adjustment and I have no doubt that the hon. Minister for Labour, who is interested in the well-being of bank labour as much as any body else in this House will see that the dice is not loaded against them. But that does not mean that it should be made into a political point to smash the whole Bill, as my hon. friend who has left the House who apparently wants that this Bill should be dropped, in which case the position of the bank employees will be no better and they will not thank him for the service that he has done to them.

11 A.M.

The only point that I would like to insist on before I sit down is this that the labour representatives who plead this cause of Bank employees should not completely lose sight of the public service aspect of institutions like banks, or even for that matter shops

and other things. They must safeguard or take care to see that the public do not get wrong impression that the employees are trying to manipulate the hours of working by denying service to the public. I am afraid that the labour leaders who were associated with the enquiry when the Industrial Tribunal for banks was operating had lost sight of this particular fact. In the rather transitional stage in which our economy is in, even those amongst us who have the interests of labour at heart cannot afford to create a wrong impression in the minds of the public that here is labour asking for something which is not right and which is improper and by reason of the grant of concession in this respect public interest suffers. Banking is a public utility service and the hours of work and standards of pay should be based on the same basis as in public utility services like electricity undertakings, municipal services and so on. Therefore, I would urge upon those friends of mine here who represent labour organisations not to lose sight of this particular fact, because that is the only way in which we can get the public to sympathise with the demands of workers, whatever might be their category. So far as this point is concerned, though perhaps a few people like Mr. B. Das feel that a change might perhaps adversely affect banking business, practically the bulk of the House is behind the Minister for Labour in his attempt to improve the position of labour in this country and there need be no doubt at all in spite of the views of the political opponents, that the Congress is ever likely as a body, as a whole, to give up the interests of labour as against any vested interests.

I do hope that the Bill will be accepted by the House without any serious deviation and some goodwill result out of the work of the tribunal that would be appointed as a result of the passing of this Bill.

Pandit Munishwar Datt Upadhyay (Uttar Pradesh): A peculiar situation has arisen on account of the judgment of the Supreme Court setting aside the award of the Tribunal and some remedy was to be found for it. The most important of the remedies necessary at the time was that there should be some provision for safeguarding the interests of the employees, because it was feared that on account of the setting aside of the award it was very likely that the employers might try to withhold certain amount of their pay or allowances or they might try to curtail their conditions of service. So, while making provision

to safeguard the interests of the employees, the hon. Minister has also taken the opportunity to reconstitute the Tribunals. I think it is a very welcome measure, because if this lacuna had remained, these difficulties might arise over and over again. The setting aside of the award of the tribunal was on a very technical ground. The position as it stands today is that the employees for no fault of theirs and for no fault on the part of anybody else, only on account of some lacuna in the provisions of the Act, are being deprived of the benefits of the decisions of the Tribunal, decisions which were unanimously signed by all the persons concerned without any dissentient note. On account of the fact that some of the members could not participate in the proceedings, on that very technical ground, the award was set aside. My submission is that when the award was set aside on that technical ground it is very necessary for making provision for safeguarding the interests of the employees and from that point of view this Bill is a welcome measure.

As regards the complaint that there has been delay, I would submit that the judgment was given on the 9th of April, 1951 and it is not even two months yet and the hon. Minister has come with a measure before the House and it is going to be enacted today. So the complaint of delay is not a justifiable one.

I now come to the Constitution of the Tribunal. A suggestion has been made that a person with banking experience should also be on the Tribunal. I think that would be wrong. In case you have a representative of the Banks, it would be necessary to have a representative of the labour as well. My hon. friend Mr. B. Das said that he was not enamoured of having High Court Judges on the tribunals, as they were not likely to have intimate knowledge of banking and insurance. I am sure they are not expected to have an intimate knowledge of labour either. So in case you have persons having experience of banking it is as well to have persons having a knowledge of labour conditions as well. Therefore I would like that this provision should be omitted if the hon. Minister agrees to it.

There is another restriction that has been placed in the proviso to sub-clause (3). They say that in regard to those who are not High Court Judges there should be a certificate from the High Court that they are fit persons to be on the Tribunal. I think that 200 PSD

restriction is absolutely unnecessary. I think independent persons with a high position in society would be quite competent, and this sort of certificate by the High Court, in respect of persons who may even be District Judges and considered qualified for appointment to the High Court, that they are fit to serve on the Tribunal is a very heavy restriction and should be removed.

In the end I would like to say that the judgment of the Supreme Court is welcome to me in this respect that it came at a time when the House was sitting and the hon. Minister immediately came with a measure to amend the provisions in such a manner that such difficulties may be removed and now we shall know that no award will be set aside on technical grounds. Therefore it was very right that they gave judgment on the 9th April and the hon. Minister took the opportunity of amending the Act on those lines. I think therefore that this was a very timely judgment they gave.

I wholeheartedly support the Bill with the exception of certain provisions which I have mentioned in my speech.

Shri Ramalingam Chettiar (Madras): I am glad that the Labour Minister has brought the Bill so as to avoid difficulties in the interim period. But I think the new Tribunal that is going to be appointed will go into the matter more in detail than the Tribunal that passed the award.

While we are talking here about banks we are thinking of banks like the Central Bank of India or the United Commercial Bank and other banks which pay Rs. 5,000 and Rs. 10,000 to their Secretaries and which employ a large number of clerks. We do not at all think of those numerous banks in the countryside with a capital of Rs. 10,000 to Rs. 1 lakh and which employ Secretaries on a pay of Rs. 100, 150 or 200 and which sometimes employ a clerk and sometimes do not employ even a clerk. Such sort of banks are never thought of. When we think of banks and bank employees we generally think only of those large banks. No doubt the Tribunal which went into this question did so at the instance of the employees of big banks and naturally they concentrated their attention on the conditions of these employees and the capacity of the banks to pay them. I have no quarrel about that. But special provision ought to be made for these small banks which cannot afford to pay large salaries and which are serving a very necessary purpose, namely the purpose of giving finance to the rural areas and the semi-rural areas. That

[Shri Ramalingam Chettiar]

is a matter which will have to be taken into consideration and the new Tribunal that is going to be appointed will have to provide for these also separately. In addition to (a), (b) and (c) which they have provided they will have to add probably (d) for dealing with the rural areas and the conditions of these small banks. That is a thing which will have to be borne in mind. I would also appeal to the hon. Minister for Labour that he should in any reference he makes ask for special provision being made for small banks as well as for large banks and not treat them alike. These small banks are serving a very necessary purpose. Even the Rural Banking Committees and Conferences that have been held have gone into the matter and said that the scheduled banks, these big banks, cannot serve the purpose of giving finance for the rural areas. So it is absolutely necessary that these small banks should continue. It is not a question of saying "If you cannot pay the Secretary the amount which we are going to fix, you better go out of existence". If they go out of existence who is going to serve the purpose that they have been serving? They will be very necessary in the national economy and therefore I hope that they will pay due attention to this aspect of the matter and provide for them.

Shri Jagjivan Ram: I must express my thanks to the hon. Members who have extended their support to the Bill and have welcomed it. There has been only one rather semi-discordant voice coming from my esteemed friend Mr. B. Das. I must congratulate him for reminding me of the speech that I made last year at Geneva and which he very much appreciated. In that connection I would like to point out to him that in that very speech I said something about the employers too. I wish he remembered that portion of my speech as well.

In any industry, capital and labour are indispensable partners in the existing framework of our economy. As Mr. Sarangdhar Das has pointed out, nothing can be produced without the co-operation and collaboration of employers and employees. It can be argued, not wholly theoretically, that if co-operation is not forthcoming from both the sides, the wheel of production will come to a standstill. Therefore what I said at Geneva was that the stage has come in the world today—and I think that that was a new orientation of the labour policy not only of India but of the world—when labour should not strike for their right to strike but they should strive for their right to work. But a right to work

in a capitalist society is not an absolute right. It has to depend on the co-operation of the industrialist or the capitalist class as such also. Therefore I would request friends like Mr. B. Das to realise that the time has come when the employers will also have to change their attitude toward labour and will have to realise that labour is not a commodity of commerce. Labour is also a human being. It has also its aspirations. And when today one complains of indiscipline among workers one should not forget that what yesterday was regarded as discipline by the labour itself is today regarded as humiliation on their part. And when they refuse to submit to these things and protest against them, the way to enforce discipline among them is to treat them sympathetically and treat them as human beings. I do appreciate that point and I have myself emphasized it more than once that the well-being and welfare of labour depend upon the overall prosperity of the country and even if other sections neglect their duties and responsibilities, labour should not because it is the poorer classes which stand to gain if the prosperity of the country increased. I have always emphasized that point to labour leaders and the workers in this country. I am glad to say that they have magnificently responded to that appeal in spite of hardships and inconveniences they are faced with and in spite of the lack of co-operation from certain quarters; they have realised their responsibility to the country and the community. If hon. Members look to the figures of production during the past years, they will find that there has been a steady progress, in spite of difficulties in the supply of raw materials and other factors standing in the way. I need not elaborate this point, Sir. My hon. friend, Mr. B. Das raised another point: How banking is an industry? May I pose another question to him, Sir? If banking is not an industry, what is it?

Shri B. Das: Professor K. T. Shah says 'service'.

Shri Jagjivan Ram: Perhaps Professor Shah has in view a very narrow and limited conception of industry. That is perhaps the 18th or 19th century conception of industry. That conception has very much changed today. But I will not quarrel on that point whether banking is or is not an industry, the question is whether it is an institution where the relation between employers and employees has got to be regulated and whether the Government as custodian of the welfare of the community as a whole should regulate the relation between

the employers and employees in banking institutions or not. I will not pause for a reply from my hon. friend, Mr. B. Das. What is the alternative, Sir? If we are not to treat the employees in banking institutions as workers, if we are not to permit them to organise themselves into trade unions, and if we are not to regulate relations between employers and employees in banks what will be the consequences? Suppose there is a strike, there is a cessation of work on the part of the employees. Are we to stand aside and watch the whole scene? Does my hon. friend, Mr. B. Das envisage that situation? I think he will not. He will in that case request the Government to intervene in the matter and try to resolve the dispute, and that is what I am trying to do. Banking is a very delicate institution. A stoppage of work even for a few hours may cause havoc not only in the banks, but in the business world. It is, therefore, necessary that in respect of a delicate institution like banks Government should have ample power to deal with the situation, whenever it arises. It is perhaps too late now and too antiquated as well to say that the employees in the banks should not be treated as workers; that they should have no right to organize. Sometimes I shudder to think that if the workers in the banks were to be deprived of their right to organize and if they were to behave with their employers as a disorganized lot, what will be the fate of the banking institutions or the banking industry in this country. I think my hon. friend, Mr. Das was not serious at all when he posed that question. Sir, I leave it at that.

The other point that he raised was that we have been blindly following Geneva, rather he used the expression 'blind imitation of Geneva'. I think that Mr. Das did not do any justice to himself when he used that expression. He is a very old parliamentarian, an experienced legislator and I expect something more from him. I ask, whether our legislations were a blind imitation of Western countries or not. If he says that they are a blind imitation of the Western countries, then I am afraid, he has not discharged his duty as a legislator because he has not cared to go through the legislations put through by the Labour Ministry. If he will still care to go through them, he will find that they are not blind imitations but they have been adapted to the conditions prevailing in this country. He will also find that they contain provisions which are not to be found in any of the legislations in any other country; they have been devised to suit the conditions of

this country. So, to say that they are blind imitations of Geneva is not to do justice to himself. I do not want to pursue that point but whether we imitated Geneva or not, whether we imitated the Western countries or not, India will not be allowed to maintain or preserve those conditions which were prevailing in this country hundred years ago.

Shri B. Das: That I agree.

Shri Jagjivan Ram: Whether a certain section of the society wishes it or not, whether it relishes it or not, whether it finds it to its advantage or not, a consciousness has dawned upon the working classes in this country and any sane and sensible Government cannot but realise the situation which will be created if that consciousness of the working classes was not to be reckoned with. Still I admit that the workers have not yet attained their age of majority. They are still trying to stand on their own legs. Difficulties in their way are manifold.

I will pass on to Mr. Sarangdhar Das's criticism. I do not find him in his seat. Perhaps it is a fashion with him to criticise every measure, whether it is beneficial to the workers or not. Trade unionism in this country for certain sections of leaders has become a pawn on the chess-board of political manoeuvring and a measure even if it is beneficial to the workers but does not suit the political manoeuvring of a particular party is always criticised. That has been the most unfortunate part of the trade union movement in this country where efforts have been made to utilise workers—who have been exploited by the employers, no doubt—for political purposes. After all, what is there in this Bill to which exception can be taken? I shall come to one particular provision about which something has been said by him. I must say that to make a grievance that this Bill has come rather too late is to ignore the situation. The Supreme Court judgment was delivered only on the 9th April last. Since then, all possible steps have been taken—even though a legal provision has not been made,—to see that the scales of salary and allowances of the employees are not reduced. A tripartite conference was called here in Delhi, which was attended by some hon. Members of this House as well. In that conference of employers and employees, efforts were made to see that even without having recourse to legal action or legal sanctions, a compromise might be effected by which the working conditions of the employees in the banks, as they prevailed in accordance

[Shri Jagjivan Ram]

next shift. Anyway, the whole question is being referred to conciliation in the first instance and then to a Tribunal next. All these questions will be considered and if there is a scope that longer hours of work should be provided, the Tribunal will do accordingly and when the award is given, we will see that that is enforced by both the sides.

I think I have met all the points raised during the debate. My friend Mr. Sarangdhar Das raised the question of hospital allowance. That is a point on which we tried to come to a certain agreement in the Conference itself and something was offered by the employers. We are taking up that question again and I hope some satisfactory solution will be found out by negotiation because there are so many things which we are not including in this bill but it does not mean that they are going to be disturbed to the disadvantage of the employees. Take for example, the hours of work. We have not included hours of work in this Bill but we have reached a settlement by which the hours of work as they exist will not be disturbed till the settlement is made either in conciliation board or an award is given by a tribunal. So we are trying to take care of the other things by negotiation and conciliation with the employers and the employees' representatives.

I once more thank the hon. Members of the House who have given their welcome to this measure.

Pandit Munishwar Datt Upadhyay: Is the approval of the High Court necessary for the candidature of persons to be appointed on the tribunal?

Shri Jagjivan Ram: The provision that we have made is that the member of the tribunal should be one qualified to be a High Court judge and there the approval of the High Court is taken. But where the person happens to be a district judge we have not made that provision. The experience at present has been that often we urgently require the services of some High Court or district court judges. There is so much dearth of retired High Court judges that they are not available for this purpose. So we have to draw from district judges for the tribunals, though we have not done so yet in any case. I am afraid we have reached a stage where we do not find High Court judges and I am not going to take the risk of appointing persons who are only qualified to be High Court judges at this stage. So

we will have to take from district judges and in their case it is not necessary to have the sanction of the High Court. We are not taking them because they are qualified to be High Court judges, but because they have experience of judicial work as district judges. In their case therefore, the approval of the High Court is not necessary.

Dr. Deshmukh (Madhya Pradesh): Why not appoint senior advocates?

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Industrial Disputes Act, 1947, and to make certain temporary provisions relating to pay and allowances of certain workmen, be taken into consideration."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.—(Amendment of Section 7)

Shri Venkataraman: Sir, there are other amendments also of which I have given notice but I am not going to press them. I am going to press only this amendment of which I have given notice just now, if the hon. Minister accepts. Sir, I move:...

In page 1, line 30 omit "and experience in".

Mr. Deputy Speaker: I would suggest to the hon. Member that the sub-clause must be stated. Nobody can understand this.

Shri Venkataraman: This is the new form which has been suggested by the Secretary. That is an instruction which I am afraid you have to give to your office, because I gave the amendment in the usual form.

Mr. Deputy-Speaker: I will allow it now.

Shri Venkataraman: I will briefly explain the point of the amendment. I submitted to the House yesterday that the appointment of a person with knowledge and experience of banking may be misunderstood by labour as weighting the tribunal in favour of the employers. That is why I have suggested that the words "and experience in" may be omitted. The Government will take the power to appoint a man who has special knowledge of banking and insurance but the person need not necessarily be a banker. He may even be a professor of economics or some person in public life and affairs who is competent to judge things from the point of view of

society as a whole. I therefore move my amendment for the deletion of the words "and experience in".

Shri Jagjivan Ram: I accept the amendment.

Shri B. Das: Does it mean that professors with knowledge of economics become members of the tribunal? I object to it. Banking experience is necessary in some stage of the man's life.

Shri T. T. Krishnamachari: It may be it is Mr. Das himself who has the experience.

Mr. Deputy-Speaker: The question is:

In page 1, line 50 omit "and experience in".

The motion was adopted.

श्री भट्ट: माननीय उपाध्यक्ष महोदय, मेरे जो संशोधन हैं वह वाक्य रचना और शब्द रचना के बारे में हैं। मैं यह चाहता हूँ कि जो भाषा इंडस्ट्रियल डिस्प्यूट्स (Disputes) ऐक्ट सन् १९४७ में रखी गई है वही की वही भाषा इसमें भी रखी जाय जिससे कि यह ऐक्ट भी उसी शक्ल में रहे। मैं कोई बड़ा फर्क नहीं करवा रहा हूँ। मैं सिर्फ यही कह रहा हूँ कि इंडस्ट्रियल डिस्प्यूट्स (Disputes) ऐक्ट सन् १९४७ की सातवीं धारा में जो शब्द रखे गये हैं वही शब्द इसमें रखे जायें और इस लिये मैं चाहता हूँ कि "may thinks fit to appoint" के बजाय "thinks fit" रखा जाये और जो दूसरे शब्द हैं उन्हें एक ही वाक्य में न रखा जाय। इसमें दो अलग अलग विचार हैं। एक तो यह कि ट्रिब्यूनल की रचना कैसी होगी और दूसरा यह कि चेयरमैन कौन होगा। तो चूंकि यह दोनों विचार अलग अलग हैं इस लिये इन दोनों वाक्यों को अलग कर दिया जाय। मैं यह नहीं मानता हूँ कि इस के मानने में माननीय मंत्री जी को कोई आपत्ति होगी।

Mr. Deputy-Speaker: What is the difference between "may think fit" and "thinks fit"?

श्री भट्ट: फर्क तो इतना ही है कि पहले जो भाषा थी वह क्यों नहीं रखी जाती और शब्दों को खास तौर से क्यों बदल दिया जाता है।

सेक्शन ५ में तो वही की वही भाषा है। तो सारे ऐक्ट (Act) में जो भाषा रखी गई है वही की वही चालू रखी जाय।

Mr. Deputy-Speaker: It does not introduce any change in substance. Already the expression is there.

Shri Jagjivan Ram: There is no difference. I do not think it makes any change even if it remains as it is.

Mr. Deputy-Speaker: The amendment is not accepted.

श्री भट्ट: तो इस में इन्कॉन्सिस्टेंसी (inconsistency) कुछ नहीं है। दूसरी बात मैं माननीय मंत्री जी से यह पूछना चाहता हूँ कि क्लॉज ३ की उपधारा (३) में लिखा हुआ है कि:

"Provided that no appointment under this sub-section to a Tribunal shall be made of any person not qualified under clause (a)..."

तो इस के माने डिस्ट्रिक्ट जज (District Judge) के होंगे तो क्या इस के लिये आप हाई कोर्ट (High Court) के जज को पूछोगे?

Mr. Deputy-Speaker: First of all you indicate the amendment to the House.

श्री भट्ट: मेरा अमेण्डमेंट (amendment) यह है कि सेक्शन (section) ए के साथ सेक्शन (section) बी को भी जोड़ा जाय।

(English translation of the above speech)

Shri Bhatt: My amendments relate to the construction of sentence and selection of words. I want the words and expressions contained in the Industrial Disputes Act

[Shri Bhatt]

1947, to be adopted in this Act also so as to make it similar to the former. I am not seeking to effect any big change. I am simply asking for the wording of Section 7 of the Industrial Disputes Act, 1947, to be adopted in this Act also and, therefore, I want that the words "thinks fit" be substituted for "may think fit to appoint" and that the other words should not be inserted in the same sentence. They relate to two separate matters, namely, how the tribunal shall be appointed and who shall be its Chairman. Since these are two separate matters the two sentences should be separated. I do not think the hon. Minister will have any objection to accept this.

Mr. Deputy-Speaker: What is the difference between "may think fit" and "thinks fit"?

Shri Bhatt: Not much of a difference, but why is the old language not being adhered to and why are words being purposely changed? Section 5 retains the same language. Then, why not adhere entirely to the language of the Act?

Mr. Deputy-Speaker: It does not introduce any change in substance. Already the expression is there.

Shri Jagjivan Ram: There is no difference. I do not think it makes any change even if it remains as it is.

Mr. Deputy-Speaker: The amendment is not accepted.

Shri Bhatt: There is no inconsistency in it. May I submit to the hon. Minister that the proviso to sub-clause (3) of Clause 3 reads: "Provided that no appointment under this sub-section to a Tribunal shall be made of any person not qualified under clause (a).....". So, that would imply a district judge. Will, in that case, the previous approval of the High Court be taken?

Mr. Deputy-Speaker: First of all you indicate the amendment to the House.

Shri Bhatt: My amendment is that part (b) be also added to part (a).

Shri Venkataraman: When the Labour Minister was explaining the point to my friend, Mr. Upadhyay, he said that district judges need not be appointed in consultation with the High Court.

Pandit Munishwar Datt Upadhyay: That is my amendment.

Mr. Deputy-Speaker: The Minister has already explained that in case of district judges the previous approval of the High Court is not necessary.

Shri Bhatt: That exactly is my amendment.

Shri Jagjivan Ram: That will have to be accepted.

Amendment made:

In page 1, line 22 after "(a)" insert "and (b)".

—[Shri Bhatt]

Pandit Munishwar Datt Upadhyay: Even the proviso should be omitted.

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Mr. Deputy-Speaker: Does the hon. Member press it?

Pandit Munishwar Datt Upadhyay: No, Sir.

Mr. Deputy-Speaker: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clauses 4, 5 and 6 were added to the Bill.

Clause 7—(Scales of pay etc. of workmen)

Pandit Munishwar Datt Upadhyay: My suggestion in my proposed amendment is that this word "legally" in sub-clause (b) should be omitted and the words "on the basis of the avoidance of the All India Industrial Disputes Tribunal Award" be added at the end of the sub-clause. Because, the meaning really is not "legally" in all the cases. The meaning is that it is void because it has become illegal on account of the decision of the Supreme Court. That should be clearly stated. That is what I want by the addition of these words.

Shri Jagjivan Ram: It is not necessary.

श्री भट्ट: आज जो संशोधन मैं ने दिया है, मैं उस को पढ़ता हूँ

In page 3, line 3, after "fuel allowance" insert "transfer allowance, travelling allowance, journey allowance".

श्री जगजीवन राम: मैं यह कबूल नहीं करूँगा।

श्री भट्ट: मैं इस लिये यह शब्द रखना चाहता हूँ क्योंकि बैंकिंग अवार्ड में ट्रेवलिंग एलाउंस, ट्रांसफर एलाउंस और जर्नी एलाउंस रखा है। इस लिये अगर आप छप्पे रुपये एलाउंस ही रखेंगे तो कोई बैंक वाले इसका फायदा उठा कर ट्रेवलिंग, ट्रांसफर और जर्नी एलाउंस को खत्म कर देंगे। इसी लिये मैं चाहता हूँ कि इन तीनों एलाउंसों को भी शामिल कर दीजिये। मैं ने तो पहले ही यह सुझाव रखा था कि इनकलूड शब्द रखा जाय लेकिन उस को आपने छोड़ दिया है। उसमें यह तीनों एलाउंस आ जाते। अब आपने इनको तो शामिल करना ही चाहिये।

Mr. Deputy-Speaker: The hon. Member will read the whole explanation. In line 1, allowances mean, and later on include, any special pay or allowances.

श्री भट्ट: माफ़ कीजियेगा। बैंकिंग अवार्ड में स्पेशल एलाउंस क्या क्या हैं यह अलग दिखाया गया है। इस लिये इन चीजों की जरूरत है।

Mr. Deputy-Speaker: It becomes a normal allowance now instead of being a special allowance.

श्री भट्ट: जो नारमल एलाउंस है वही ट्रेवलिंग, ट्रांसफर और जर्नी एलाउंस में आ जाता है।

Shri Jagjivan Ram: I am not accepting that amendment because these things are included here.

श्री भट्ट: तो अगर वह इसको स्वीकार नहीं करते तो मैं उस पर आग्रह नहीं करना चाहता।

(English translation of the above speech)

Shri Bhatt: I read the amendment of which I have given notice today. It is as follows: "In page 3, line 3, after

"fuel allowance" insert "transfer allowance, travelling allowance, journey allowance."

Shri Jagjivan Ram: I will not accept it.

Shri Bhatt: I want these words to be inserted, for, in the Banking Award they have provided for the same, namely, travelling allowance, transfer allowance and journey allowance. If you provide for only the existing allowance, certain Banks would take undue advantage of that fact and abolish even the travelling, transfer and journey allowances. That is why I want these three allowances to be mentioned. Already I have suggested that the word "include" should be inserted, but you did not agree to that. That, if accepted, would have covered all the three allowances referred to above. Now you should insert these words at least.

Mr. Deputy-Speaker: The hon. Member will read the whole explanation. In line 1, allowances mean, and later on include, any special pay or allowances.

Shri Bhatt: You will excuse me, Sir, the Banking Award has got separate mention as to what are the special allowances; and, therefore, these things are necessary.

Mr. Deputy-Speaker: It becomes a normal allowance now instead of being a special allowance.

Shri Bhatt: The normal allowance comes under travelling, transfer and journey allowances.

Shri Jagjivan Ram: I am not accepting that amendment because these things are included here.

Shri Bhatt: If the hon. Minister is not going to accept it, I do not want to press it.

Mr. Deputy-Speaker: The question is:

"That clause 7 stand part of the Bill."

The motion was adopted.

Clause 7 was added to the Bill.

Clause 8 was added to the Bill.

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

Shri Jagjivan Ram: I beg to move:

"That the Bill, as amended, be passed."

Mr. Deputy-Speaker: The question is: "That the Bill, as amended, be passed."

The motion was adopted.

MOTIONS Re. DELIMITATION OF CONSTITUENCIES ORDERS, 1951—contd.

The Minister of Law (Dr. Ambedkar): I should like that the Assam Order be first taken into consideration.

Mr. Deputy-Speaker: Yes. A number of amendments have been tabled to this. For the purpose of convenience is it not possible to ascertain what amendments the hon. Law Minister is prepared to accept, in which case the other amendments may not be pressed? Of course, if there are any Members who want to press their amendments we can deal with them.

Dr. Ambedkar: With regard to Assam I have many amendments.

Mr. Deputy-Speaker: Therefore, if the hon. Minister moves his amendments first, whatever is not covered we can address ourselves to it later.

Dr. Ambedkar: My amendments are in Suppl. List 4, Nos. 1 to 8. They are purely technical amendments and there is no point of substance involved. On further consideration I propose to withdraw Nos. 1 and 2 of my amendments.

The amendments were, by leave, withdrawn.

Shri Chaliha (Assam): Coming as I do from a very modest province I have a few modest proposals to make and I trust the House will be pleased to accept them. Sir, it is my misfortune to have to disagree with the proposals made by the Election Commission or the members of the Committee appointed by the hon. the Speaker of this House. I think they tried their best, but human limitations being what they are, they were not able to overcome some of the difficulties. Having made this preliminary remark I shall come to the proposal regarding Parliamentary constituency in Table A—Sibsagar-North Lakhimpur and "Dibrugarh". In this you will find that two different blocks have been lumped together in one constituency. Sibsagar is away from North Lakhimpur by sixty-three miles or more and in between you have got a sub-division intervening, and also the mighty Brahmaputra river and other big rivers. Probably the Election

Commission has not taken into consideration the topographical and geographical aspects of the question. I have got a map here which will indicate to you how unreasonable this combination is. If you see it, Sir, you will certainly appreciate the unreasonableness of lumping together two areas from one of which to reach another I took me 72 hours during the last earthquake. If Sibsagar sub-division is tagged to a part of Dibrugarh it will be more convenient and Dibrugarh may be put along with North-Lakhimpur which are contiguous and in the same district.

A suggestion was made that you can cross the Brahmaputra. It may be very easy for rich and influential people to go by motor boat, but for poor candidates it will be very difficult to go there in connection with the electioneering campaign.

Mr. Deputy-Speaker: The Parliamentary Committees went into this matter *in extenso* and made a report. Then the Election Commission looked into it and then placed this matter before the President and the President has passed the orders. As against it a number of amendments have been tabled. Hon. Members irrespective of the party to which they belong have been allowed to sit with the hon. Minister and discuss the matter. All of them sat together to find out how far they could come to an agreement on these amendments. The hon. Member is not perhaps satisfied with the agreement. Of course the hon. Member has a right to be heard by the House. I would however like to place before the hon. Member the limitations of the House and how far the House can proceed with the amendment. All these names mentioned by the hon. Member are Greek and Latin to many hon. Members of the House. Wherever there was unanimity of opinion among hon. Members from a province, the hon. Minister has tried to accommodate them, but if there is difference of opinion among Members themselves, how can it be helped?

Shri Chaliha: I am willing to obey you. But my experience may differ from the experience of other hon. Members. I only wish it to be placed on record that two blocks of territories with a distance of 63 miles intervening are tried to be lumped together.

The Minister of State for Parliamentary Affairs (Shri Satya Narayan Sinha): If the hon. Member is not satisfied, he may move his amendment.

his explanation will not be either stood or appreciated by the other members of the House.

Shri Chaliha: But everybody can see how inconvenient it would be from the point of view of the electioneering campaign when you combine two blocks with an intervening distance of 63 miles. It took me nearly 72 hours to go to North Lakhimpur from Jorhat, with all the help of the Government. Therefore, I say this is a very unreasonable proposition.

Mr. Deputy-Speaker: But the Parliamentary Committee agreed with it.

Shri Chaliha: We did not have the advantage of discussing it with them. They were possibly very much pressed or time if they could not avail of the opportunity to consult others who differed. I do not find fault with them.

Sir, I now come to the Assembly constituency in Table B. Cachar district has always felt that their Scheduled Castes have been deprived of their just seats. They say they are entitled to three seats. We have taken it away to the Assam Valley and we justify it by the peculiar explanation that it has to be distributed district-wise. So I have suggested that in Hallakandi-Silchar-Hailakandi there should be a double constituency and one seat should be given to the Scheduled Castes. The one given to Jorhat should be taken away. People from Jorhat have also objected to it. Public bodies and others have objected to the allotment of the seat there. Therefore the Jorhat constituency should have one seat only and Majuli another. There is an amendment in the latter portion of it that instead of two it should be one in column 5. So I submit that Hallakandi-Silchar-Hailakandi should be combined and one seat more should be given to the Scheduled Castes. They have been always complaining that we so manipulate things that we take away their just rights. That is what they have been saying all along and that is what they say even now. And we have practically done it. I do not know how it can be explained to them. We say it is done district-wise as Assam Valley is a big area and therefore one seat at Jorhat should be given and that is how they justify the addition of one more seat in the Assam Valley which is not just.

Then there are other minor things in Jorhat sub-division. Against the entry Dergaon "and Khongia Mouza of Jorhat Thana of Jorhat sub-division" should be omitted. I find that they have a large concentration of labour

population in Khongia. The P.N.T.U.C. has also objected that Khongia should be taken away from Jorhat. The I.N.T.U.C. in which my friends Mr. Khandhubhai Das and others are very much interested and think that the labour population there have been deprived of their rights. They have pointed out that the P.N.T.U.C. is against the taking away of this Mouza to Dergaon of Goraghat sub-division.

Then another area, Gaduli Bazar Mouza of Amguri Thana of Sibsagar Sub-division has been added to Teok constituency of Jorhat. That is also objected to by the President of the District Congress Committee.

I may point out that the figure will be more than 35,000 voters in each of the constituencies even if we take away those Mouzas and no harm will be done to anybody.

Therefore I moved all these motions.

I also like to press my motion No. 2 in Supplementary List No. 2. I do not press No. 1.

In the Constitution it is provided that the Shillong constituency will be open as a general constituency. Article 332(6) says:

"No person who is not a member of a Scheduled Tribe of any autonomous district of the State of Assam shall be eligible for election to the Legislative Assembly of the State from any constituency of that district except from the constituency comprising the cantonment and municipality of Shillong."

I think Dr. Ambedkar has accepted this and it is said that was a printing mistake and that it will not be reserved for the Scheduled Tribes but that it will be a general constituency. Through mistake or otherwise it has been reserved for the Scheduled Tribes. It should not be reserved for them. It should be open for the general population. This has been specifically provided in the Constitution as I have already pointed out.

Dr. Ambedkar: I had said that the office has treated it as a printing error and that we propose to issue a corrigendum. Probably it has already been issued.

Shri Chaliha: In that case I would like to withdraw that motion (No. 2 in Supplementary List No. 2 relating to Assam Orders).

The motion was, by leave, withdrawn.

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Mr. Deputy-Speaker: I will now put the other two motions of Mr. Chaliha—Nos. 1 and 2 in the Consolidated List.

The question is:

[For text of the motion see Shri Chaliha's amendments Nos. 1 and 2 in Appendix XXXIII, annexure 1]

The motion was negatived.

Moulvi Faiznūr Ali rose—

Mr. Deputy-Speaker: It has already been moved.

Moulvi Faiznūr Ali (Assam): I beg to submit, Sir, that under the Representation of Peoples Act 1950, 108 seats were allotted to the Legislative Assembly of Assam. These seats were distributed amongst the different districts of Assam according to the population of each district. Accordingly an enumeration of the voters was taken throughout the districts of Assam. But unfortunately the enumeration in Goalpara District took place at a time when the communal disturbance of last year was at its height and a large number of the population of the minority community from Goalpara district fled away from Assam and took shelter in the neighbouring districts of Pakistan. Of course, some time later when order was restored, these people returned to Assam but by this time the enumeration was over. Naturally the number of voters in Goalpara District came to be very short of what it should have been under normal times. The population was taken to be a little more or twice the number of voters. Accordingly the population of Goalpara District was determined to be 9,47,000 and 12 seats are accorded to them. If we go to the figure of the last census, Goalpara District had a population of 10½ lakhs. So this figure of 9 lakhs and odd must be due to the fact that a large number of voters had gone away from Assam at the time of the enumeration. It has been found out that all the districts of Assam with the exception of Goalpara district show an increase of nearly 10 per cent. in population. Goalpara district is a very prosperous and growing district. Its population was 6 lakhs in.....

Mr. Deputy-Speaker: I would like to have some clarification from the hon. Member. Now for the Goalpara District 12 seats have been provided for the Assembly constituencies. He wants that 14 seats should be allotted. In that case that has to be taken from some other area. He has not tabled

amendments correspondingly and his present amendment says:

"That the Assembly Constituencies in Table B, be so modified as to give 14 seats instead of 12 to the Goalpara District..."

That is not an amendment which the House can adopt. How can the House 'so modify' them. He must have divided the constituencies and then set apart those constituencies....

Moulvi Faiznūr Ali: My submission is that the whole thing should be re-submitted to the Delimitation Committee, for reconsideration and revision. And Goalpara District may be given the number of seats to which it is entitled according to its population.

Mr. Deputy-Speaker: That is not in the amendment here. Order, order. I am afraid, I cannot allow that. Hon. Members must so table their amendments, that the House can act upon them straightaway. If he has redistributed the seats to the Goalpara District according to his own view of the population there, the House can consider but then these other seats throw a burden upon the rest. He has not given such an amendment. How can I place a vague and indefinite amendment before the House? I am afraid, I cannot accept it. I rule it out of order. Has the hon. Member anything to say?

Moulvi Faiznūr Ali: I only suggest that there should be the same number of seats according to population basis throughout Assam.

Mr. Deputy-Speaker: That is not the amendment that has been tabled here.

The question is:

[For text of the motions see Dr. Ambedkar's amendments 3 to 8 in Appendix XXXIII, annexure 1].

The motion was adopted.

Mr. Deputy-Speaker: I hope the other hon. Members do not press their motions.

Many Hon. Members: Yes.

Mr. Deputy-Speaker: So then the consideration of the Assam Order both for Parliamentary and Assembly Constituencies is now over.

Dr. Ambedkar: I should like you to take the Orissa Order.

Shri Kamath (Madhya Pradesh): Is it sufficient to say that the consideration of the Order is over? I think it would be better to say that the Assam Order, subject to modification by Parliament or as modified by Parliament is carried over.

Mr. Deputy-Speaker: The Assam Order is accepted by the House subject to the modifications already accepted.

Shri Shiv Charan Lal (Uttar Pradesh): On a point of order, I think the order of the President need not be put to the vote of the House. If there is an amendment, that amendment may be put to the House and accepted or rejected. So it is not necessary that the order should be put to vote.

Dr. Ambedkar: The order as modified is carried.

Mr. Deputy-Speaker: The modifications are carried. Now let us proceed to the Orissa Order.

Shri B. Das (Orissa): I have two amendments 1 and 2 in the Consolidated List.

They are:

That at page 1, in Table A—Parliamentary constituencies, in column 1 for the entry "Dhenkanal" the entry "Dhenkanal-cum-West Cuttack" be substituted.

That at page 2, in Table A—Parliamentary constituencies in column 1, for the entry "Berhampur" the entry "North-East Ganjam" be substituted.

I have further accepted the amendment that that Berhampur should be named as South Ganjam. I have got the support of Orissa Government through the Chief Minister. The Election Commissioner has approved of it and we are all agreed on that. This is only a change in name.

Dr. Ambedkar: I have great sympathy with these motions and there are a good many of them which propose that the names should be changed but on account of the pressure of time and other difficulties, I do not propose to accept any of these amendments for the moment. Much trouble is involved.

Shri Biswanath Das (Orissa): I find among the amendments two amendments regarding Jagatsinghpur and Kisannagar, two constituencies and Cuttack Town. Notice of these amendments have been given by the hon. Law Minister.

I request you, Sir, to ask the Law Minister to explain how and why he gave these amendments in regard to Jagatsinghpur and Kisannagar, and who it is that advised him, whether the Government of Orissa or the Election Commissioner or the Provincial Chief Electoral Officer and on whose advice he found it necessary to give amendment item No. 3. Because, they are not amendments which he even had

the courtesy to place before us when he invited us for a discussion. They are absolutely new. So, I expected him to explain the importance and necessity of these two or three new ones. Could he please do it?

Dr. Ambedkar: I cannot offer any explanation. I have offered so much explanation on so many occasions in the committees that I do not think I can go over the whole ground again. I remember he was present on one or two occasions. I am sure about it that he must have known what were the reasons why these changes were made. I should like to say that these changes have been accepted unanimously by the Orissa Members who appeared before the informal conference. I am not going to convert this into an occasion for a debate.

Shri Biswanath Das: I must frankly confess that I am shocked to hear from my hon. friend, for whom I have always had regard for his frankness, when he said that these two amendments regarding Jagatsinghpur and Kisannagar and Cuttack were placed before the Members of Parliament representing Orissa and that they were unanimously accepted. This takes my breath away. I do not know what expressions to use. Let me state that I would not use any hasty expression because hard words do not cut much ice. But, I should say that they were not at all placed before the Orissa Members of Parliament when they were invited for discussion; nor were they at any time consulted on this question. I myself, as the Chairman of the Consultative committee, must frankly say that I knew nothing about this. Neither in the committee, nor individually nor as a Member of this Parliament was I ever taken into confidence in arriving at this conclusion. I am surprised when the Law Minister says on the floor of the House that he placed these before the Orissa Members of Parliament and that they unanimously accepted it.

Mr. Deputy-Speaker: The only difference is...

Shri Biswanath Das: I am coming to the other point. Regarding the other question, I know my differences. It is necessary and fair for me...

Mr. Deputy-Speaker: I am referring to this very thing, Jagatsinghpur and Kisannagar. The hon. Member wanted an explanation from the Law Minister. I have been reading the original order. Here, the only change is instead of Jagatsinghpur police station excluding Unions 1 to 4, it is excluding Union Nos. 1 to 6. That is all the difference.

Shri Biswanath Das: That means that two Unions were taken away, that is about 40 villages were taken away from one constituency and put into another. I do not know how this is done. General constituencies were fixed on a specified basis. Forty or fifty villages from one constituency have been brought to another. I do not know what remains of the constituencies. The hon. Law Minister without any explanation says that he consulted everyone and all the rest of it.

Having stated so much about this, I come to the way in which these Consultative committees, especially the Consultative committee in Orissa or the Orissa Advisory Committee has been treated from the beginning. Sir, it was announced and accepted by the hon. Law Minister that these Advisory Committees will be appointed by the Speaker and that their functions will be to give advice and also to give their judgment.

I state on the floor of this House that nothing of this kind has been done. Let me state the facts. In the first place, the Advisory Committees were constituted in August (1950). The first meeting was convened here in Delhi. After the first meeting, we were advised to hold our meetings in Cuttack.

Mr. Deputy-Speaker: The House would like to know whether the hon. Member is satisfied with the original Delimitation proposals, or the changes effected by the Law Minister, or whether he is ignoring both the original Delimitation proposals, the amendment of the Law Minister and, not satisfied with the President's Order, he is trying to place a fourth course before the House, so that other Members who do not come from Orissa may understand the situation.

Shri Biswanath Das: Certainly. I am going to show that the Advisory Committee has been treated with scant courtesy at all stages and that their recommendations have been thrown to the winds and that they were never consulted.

Mr. Deputy-Speaker: Is the hon. Member standing by those proposals?

Shri Biswanath Das: I am coming to your point. Therefore, the Advisory Committee takes absolutely no responsibility for this delimitation, because there are serious latches, things which have been challenged by different people in different districts. Motives have been attributed. Therefore, I make it clear on the floor of

this House that I take absolutely no responsibility for this sort of delimitation of constituencies. Let the Law Minister take the responsibility. I know he will.

Mr. Deputy-Speaker: Hon. Members will certainly be anxious to know whether the hon. Member himself was a Member of the Delimitation Committee.

Shri Biswanath Das: I was the Chairman of the Committee.

Mr. Deputy-Speaker: Then, he made his proposals. Is he standing by those proposals or going beyond them?

Shri Biswanath Das: At every stage, different principles were given to us. At the last stage, I am referring to the report, we stated that the committee is not, in the circumstances, able to agree, much less to accept these principles. In view of the vast differences, we refused to make delimitation on those principles. Our principles were ultimately accepted by the Cabinet. The Chief Election Commissioner stated that because of the resolution of the Cabinet, he was not able to accept them. The Cabinet accepted those principles. Having accepted them, I expected that the Delimitation Committee will be consulted at least. That too was not done. They have now themselves done it. New and fresh proposals have been brought before Parliament by the hon. Law Minister. Consulting whom? I do not know. I do not mind them. We will face the elections squarely. I know that the Congress will win in our province. But I want to state on the floor of the House that this Advisory Committee has not been properly treated and the assurances that were given by the Law Minister were at no stage kept, not even by himself. That is the most painful part of the whole. I do not mind what changes he makes and where. Therefore, under the circumstances I make it clear to this House that the delimitations that have been made are none of ours and for which they take responsibility themselves. I have nothing to add.

Mr. Deputy-Speaker: Am I to take it that Mr. Biswanath Das has moved his amendments.

Shri Biswanath Das: So far as Sukinda and Jaipur are concerned, as they have been accepted by Dr. Ambedkar, I withdraw my amendments.

The amendments were, by leave, withdrawn.

Dr. Ambedkar: I would like to accept the following amendments:

Consolidated List I—parts 1 and 2,

Supplementary List 1, amendments 1 to 4.

Mr. Deputy-Speaker: That means 50 per cent. of Mr. Das's amendments.

Shri Biswanath Das: I gave notice of other amendments.

Mr. Deputy-Speaker: None here.

Shri Biswanath Das: Even these amendments represent only the few that I had to give notice of after persistent requests from the members of different districts. I had another amendment. After they were accepted by the hon. Minister I thought they would give notice of them.

Dr. Ambedkar: I have given the amendments that I have accepted.

Shri Sarangdhar Das: (Orissa): It has been a very unfortunate experience for me to have been on this Advisory Committee. The Chairman—Shri Biswanath Das—has spoken about the Election Commissioner but I can say that I have complaints against the Chairman also. From the very beginning I saw that Members and witnesses who appeared before the Committee were all concerned in what they thought was their own constituency, their monopoly. However, working for so many months in so many meetings when finally the Election Commissioner's proposals were signed by me here, when I saw it was a disgusting proposition to go on from time to time without producing any result because if at one time necessary change was made by the Chairman, at another time it was made by the Election Commissioner and finally I agreed with what he had done. The worst misfortune comes now that after so much work, after spending so much money, when it goes to the President, it comes to the Cabinet and the Cabinet has a sub-committee where the whole principle is changed. If that was the intention of the Government, why did they ask the Speaker to appoint this Advisory Committee? Government along with the Election Commissioner could have sat down and long ago delimited the constituencies and given us a particular dish to eat from. I lodge my protest that

the ruling party has done everything—from the beginning to the end. The other parties are nowhere. That is my complaint and it is a much bigger complaint than the Chairman's against the Election Commissioner. I did not give notice of any amendment because I know mine will not be considered by you.

Mr. Deputy-Speaker: Was there unanimity among the Members at least?

Shri Sarangdhar Das: It was not necessary to have this Committee at all and you have wasted money and the energy of the Members. That is my complaint.

Mr. Deputy-Speaker: The question is:

[For text of the motions see Dr. Ambedkar's amendments Nos. 1 to 5 (Orissa Order) in Appendix XXXIII, annexure 1].

The motion was adopted.

Mr. Deputy-Speaker: To that extent the President's order is modified.

The question is:

That the following modification be made in the Delimitation of Parliamentary and Assembly Constituencies (Orissa) Order, 1951 laid on the Table on the 16th May 1951, namely:

1. That at page 1, in Table A—Parliamentary Constituencies, in column 1, for the entry "Dhenkanal" the entry "Dhenkanal-cum-West Cuttack" be substituted.

2. That at page 2, in Table A: Parliamentary Constituencies, in column 1, for the entry "Berhampur" the entry "Ganjam-South" be substituted.

The motion was adopted.

1 P.M.

Dr. Ambedkar: My own amendment is in Supplementary List 2, Nos. 1 to 5. I accept the one in the name of Mr. Biswanath Das 1 and 2, the second with the modification "North East Ganjam" as "Ganjam South". The other amendment which I have accepted is in Supplementary List No. 1, 1 to 4 as modified.

Mr. Deputy-Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (Orissa) Order, 1951, laid on the Table on the 16th May, 1951, namely:—

1. That at page 1, in Table A.—Parliamentary Constituencies, for the entry "Koraput" in column 1, and all the entries against it in columns 2, 3, 4, and 5, the following be substituted, namely:—

1	2	3	4	5
Nowrangpur	Nowrangpur sub-division, and the Padua, Pottangi, Simliguda and Nandapur police stations of Koraput sub-division.	1	..	..

2. That at page 1, in Table A.—Parliamentary Constituencies, for the entry "Rayagada-Phulbani" in column 1, and all the entries against it in columns 2, 3, 4, and 5, the following be substituted, namely:—

1	2	3	4	5
Rayagada-Phulbani	The entire Rayagada sub-division and the police station of Koraput, Dashmantpur, Laxmipur and Narayanapatna of Koraput sub-division as also the district of Phulbani except police stations of Manmunda and Bondh.	1	..	..

3. That at page 1, in Table B.—Assembly Constituencies, for the entry "Nowrangpur" in column 1, and all the entries against it in columns 2, 3, 4, and 5, the following be substituted, namely:—

1	2	3	4	5
Nowrangpur	Police stations of Nowrangpur, Kodinga, Moidampur, Dabugaon, Omerkot and Jharigaon.	2	..	1

4. That at page 1, in Table B.—Assembly Constituencies, for the entry "Omerkot-Moidampur" in column 1, and all the entries against it in columns 2, 3, 4, and 5, the following be substituted, namely:—

1	2	3	4	5
Jeypur	Police stations of Jeypur, Kotpad, Borigumma, B. Singhpur and Tonulikhunti.	2	1	..

The motion was adopted.

Mr. Deputy-Speaker: So the President's order stands modified by these amendments.

Several Hon. Members: It is time to adjourn, Sir.

Shri Kamath: Before the House adjourns may I bring to your notice the understanding arrived at about the question list for the 2nd, which had been postponed to the 9th. I trust that arrangement stands and that list will be taken up to-morrow.

Mr. Deputy-Speaker: That will stand.

Will the Law Minister indicate the order in which he is going to take these delimitation orders?

Dr. Ambedkar: I do not think the House will complain that they were taken by surprise, if sometimes I take some orders out of turn. All of them have been before them.

Mr. Deputy-Speaker: All the orders will be completed tomorrow.

The House then adjourned till Half Past Eight of the Clock on Saturday, the 9th June, 1951.

THE

PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

10514

PARLIAMENT OF INDIA

Saturday, 9th June, 1951

The House met at Half Past Eight of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

9-30 A.M.

PAPERS LAID ON THE TABLE

COMMERCIAL APPENDIX TO THE APPROPRIATION ACCOUNTS (CIVIL) AND AUDIT REPORT.

The Minister of Finance (Shri C. D. Deshmukh): I beg to lay on the Table a copy of the Commercial Appendix to the Appropriation Accounts (Civil) 1948-49 and the Audit Report 1950. [Placed in Library. See IV O. 1 (50)]

STATEMENT IN PURSUANCE OF PROMISE MADE ON THE 7TH APRIL, 1951

The Deputy Minister of Food and Agriculture (Shri Thirumala Rao): I beg to lay on the table a statement containing replies to certain questions in pursuance of an undertaking given by the hon. the Minister in course of his reply to the debate relating to the Demands for Grants under the Ministry of Food and Agriculture. [See Appendix XXXII.]

ELECTION TO COMMITTEES

ESTIMATES COMMITTEE; STANDING COMMITTEES FOR THE MINISTRIES OF LABOUR AND FINANCE; AND INDIAN COUNCIL OF AGRICULTURAL RESEARCH.

Mr. Speaker: I have to inform the House that upto the time fixed for receiving nominations for the Committee on Estimates, Standing Committee for the Ministry of Labour, 157 PSD

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Standing Finance Committee and Indian Council of Agricultural Research, one nomination in the case of each of the first three Committees and two nominations in the case of the last were received. As the number of Candidates is equal to the number of vacancies in each of these Committees, I declare the following Members to be duly elected:

I. Committee on Estimates—

Shri R. Venkataraman.

II. Standing Committee for the Ministry of Labour—

Shri S. N. Das.

III. Standing Finance Committee—

Pandit Govind Malaviya.

IV. Indian Council of Agricultural Research—

1. Shri G. A. Thimmappa Gowda.

2. Thakur Bhanu Pratap Singh.

DISPLACED PERSONS (TEMPORARY RELIEF FROM INDEBTEDNESS) BILL

The Minister of State for Rehabilitation (Shri A. P. Jain): I beg to move for leave to introduce a Bill to make certain temporary provisions for the relief of displaced persons from indebtedness pending further legislation relating thereto.

Mr. Speaker: The question is:

That leave be granted to introduce a Bill to make certain temporary provisions for the relief of displaced persons from indebtedness pending further legislation relating thereto.

The motion was adopted.

Shri A. P. Jain: Sir, I introduce the Bill.

MOTIONS RE DELIMITATION OF CONSTITUENCIES ORDERS, 1951—concl'd.

Mr. Speaker: We now take the Delimitation Orders.

Shri Shiv Charan Lal (Uttar Pradesh): Sir, if we go by the number according to which the different States are being put here, there are still a large number of States and the States whose turn will come at the end will not have any time for discussion and those orders will be put to guillotine. Therefore I suggest that the time should be so distributed that each State may get time according to their population and strength.

Mr. Speaker: I think if table of precedence were to be prepared, then perhaps most of the time will be taken up in the preparation of the order itself. We will go as fast as we can and hon. Members will bear in mind that there are people coming after them, for whom time should be reserved. Now we will take up motions in respect of Bihar.

BIHAR ORDER

The Minister of Law (Dr. Ambedkar): I am prepared to accept the following amendments:

Supplementary List 1 Amendment No. 2 Parts 1 (ii) and (iii) and Part 5 of Shri Kailash Pati Sinha.

Amendment No. 3 in Supplementary List No. 1 by Shri B. R. Bhagat as modified.

List No. 2 Amendment No. 3 Part (iii) by Shri Jajware as modified by Shri S. N. Das's amendment in Supplementary List No. 6.

List No. 5 Amendment No. 1 by Shri K. Mahata as modified.

Amendment No. 2 by Shri K. Mahata subject to the deletion of the words in brackets "(including 'Jhalda Municipality') against the entry Jhalda.

Mr. Speaker: What I propose to do is this. The hon. Law Minister has stated the amendments he is going to accept. So Members whose amendments are tabled but were not included in the list mentioned by Dr. Ambedkar may tell me which amendments they desire to move.

Shri P. G. Sen (Bihar): I wish to move No. 1 in Supplementary List No. 2.

Shri Ramraj Jajware (Bihar): I wish to move amendment No. 3.....

Mr. Speaker: His amendment going to be accepted in part. He may speak on the amendment moved by Dr. Ambedkar and he need not move his amendment.

So the only motions now before us are the motions which the Law Minister mentioned and I think they are agreed and no argument will be necessary excepting some explanation. **Mr. Jajware** wants to give. I shall dispose of that first.

Shri K. P. Sinha (Bihar): I wish to withdraw my amendment No. 2 of Supplementary List 1.

Dr. Ambedkar: I have no objection to that though I had accepted his amendment.

The amendment was, by leave, withdrawn.

Mr. Speaker: To save the time of the House, I shall put through the amendments which are accepted by the Law Minister. As regards the others, since they have been formally placed before the House I shall tell the House that the hon. Members concerned desire to withdraw their motions and seek the permission of the House to do so.

What about motion No. 3 on supplementary List 1, in the name of Mr. Bhagat?

Dr. Ambedkar: They are all agreed ones.

An Hon. Member: Why not put them all together?

Mr. Speaker: Yes, I can put them together?

Shri P. G. Sen: Are you going to put my motion to the House? I want to have my say on it.

Mr. Speaker: In that case, I shall not first put it to vote. The hon. Member may speak on it.

Shri P. G. Sen: I take this opportunity to express my gratitude for allowing me to move my motion and to speak on it. This is a very innocent motion and a non-violent one. I am rather surprised why I could not convince Dr. Ambedkar and his associates to have this motion accommodated. I might draw the attention of the House to the fact that this is the portion of Bihar about which they have heard so much in the House. It is the area which is passing through a food crisis. The portions mentioned in the motion have inter-district connections and therefore the House

will appreciate my motion. These portions have their connections with Darbhanga, Bhagalpur and Purnea. There is one inter-district constituency known by the name of Darbhanga-cum-Bhagalpur, vide Delimitation Order, page 3. In page 4 there is another constituency as Purnea-cum-Bhagalpur.

Mr. Speaker: Order, order. Hon. Members may carry on their consultations elsewhere and not disturb the House.

Shri P. G. Sen: My point in moving the motion is that the common ground is Bhagalpur. It can be amalgamated either this way or that. The question of amalgamation and the formation of the constituency is the question which I want to raise.

I want to draw the attention of the House to the fact that Purnea is famous for its backwardness. On the West it has the Kosi river and on the South there is the Ganges. It is disconnected with the mainland of Bihar and is in a peculiar position with enormous difficulties. During the rains the question of transhipment in the flooded areas is a burning question. That is the reason why the Food Ministry is rushing food with the help of the Transport Ministry to these parts now. These constituencies Darbhanga-cum-Bhagalpur and Purnea-cum-Bhagalpur are contiguous areas. Darbhanga has only four police stations included in the Supaul sub-division. The other parts of Bhagalpur are included in Purnea and they are the most affected areas. The Kosi is a dangerous river and its offshoots ravage the whole area. That is why I am under the painful necessity of bringing this motion before the House. I would appeal to you and the House, Sir, to consider my motion in the light of my observations.....

Dr. Ambedkar: I have understood the point and I can reply to it in one sentence.

Shri P. G. Sen: Yes, Dr. Ambedkar can answer in a word or in a sentence.

Mr. Speaker: Order, order. The hon. Member will address the Chair.

Shri P. G. Sen: Certainly Dr. Ambedkar is a better orator than myself.

In bringing this motion before the House the question that arose in my mind was: am I doing injustice to Bhagalpur, or am I doing injustice to Darbhanga, or to Purnea? Not at all.

The river Kosi divides the two districts of Bhagalpur and Purnea, and sufficient public money has been spent in undertaking aerial flights over this area. And I can assure the House that if I had had an opportunity to place these facts before the President prior to his signing the Order, he would not have thrust me away as these people have done. It is in the interest of Bhagalpur that I say this. My hon. friend, Mr. Banarsi Prasad Jhunjhunwala will be one with me when I say that we want to get rid of this Kosi area, or even the Kosi proper with all its offshoots and rivulets and the difficulties created by these. You are going to hold the elections in the month of November. Just imagine the state of those flood-devastated Kosi areas for which this House has on more than one occasion been pressing to hurry up with the construction of the Kosi Project.

Dr. Ambedkar: This is becoming an irrigation department event.

Shri P. G. Sen: Another point. I wish to submit is that I wish to amalgamate the entire area of Bhagalpur with Darbhanga and make it a plural constituency with reservation for a scheduled caste seat. The scheduled caste voters in Darbhanga are nearly 2,50,000 and Bhagalpur portion of Purnea-cum-Bhagalpur constituency has 71,000 voters (Scheduled Caste) so if that entire area of Bhagalpur in Purnea-cum-Bhagalpur Constituency is amalgamated with this Darbhanga-cum-Bhagalpur area a plural-member constituency can be formed. It would not be out of place to mention here that there is a topographical error in amendment No. 1 of Supplementary List No. 2 where in column 3 it is shown as "2" whereas in column 4 it is shown as nil; in column 4 "1" should be inserted.

There is another difficulty which will have to be faced by the voters, the candidates and their men with the constituency remaining as it is in the Order, that is Purnea-cum-Bhagalpur. On the one side we have got Kosi, Saharsa, Sonbarsa etc. and on the other side of the Ganges we have Gopalpur etc. It is a matter of regret that the President's Order is not accompanied with any map; though on several other occasions, for instance in connection with discussion of problems of displaced persons, maps accompany the order, it is a matter of regret that in the present case no map is attached to do full justice to the areas represented by the Order. I have not got a map; had I one I

[Shri P. G. Sen]

would have shown how Purnea is being ill-treated by the formation of the constituency Purnea-cum-Bhagalpur. I have already pointed out how the area of the constituency Bhagalpur-cum-Purnea is contiguous as also that of Darbhanga-cum-Bhagalpur. This will be in the interest of the constituents of Bhagalpur as also of Purnea and Darbhanga. As regards Darbhanga, people may put forward various kinds of arguments. But Jhanjharpur, Laukaha and Phulparas are contiguous areas and can well be connected with Bhagalpur without any difficulty.

Consequent upon this motion I have taken out from Purnea-cum-Santhal Pargana, Katihar (including Katihar municipality). This has been taken out and amalgamated with Purnea portion of Purnea-cum-Bhagalpur constituency to form a singular constituency, as Purnea West. If you throw a cursory glance...

Mr. Speaker: Order, order. I may just invite the attention of the hon. Member to the fact that he need not go into all these details of local areas and local geography. He will remember that hon. Members of this House have been called upon to decide upon these matters and practically very few of them have any knowledge of local topography or geography. He can therefore mention the main points. If he goes into details like that, the business will not come to an end. In fact, the better position would have been, to my mind, that this House set up a convention that when any work of such detailed character is left to an organised agency, though theoretically the House has the right to go into every detail, for all practical purposes we should interfere only where there is something very serious or gross. If we are to go into every detail, it means practically all the time spent by the Election Commissioner and the President's Order is wasted. There has to be some reasonable limit up to which we could go. Therefore, the hon. Member need not take the time of the House in discussing details. I said I would allow him four or five minutes—he has taken about 15 minutes.

Shri P. G. Sen: I do not want to speak.

Mr. Speaker: Very well, I do not think it is fair to allow any further time over this—he has had sufficient time. Even then I would request the hon. Member to remember the agreement arrived at, and have, in these

matters, quite a good sense of proportion about everything: how much to go into the details, how much time to take in those details, etc.

So I now put this motion to the House.

Shri P. G. Sen: May I submit to you, Sir, that this is the only House where one can demand some justice done?

Mr. Speaker: Order, order. I may tell the hon. Member that the House will certainly do justice, but to have what one wants is not necessarily justice—though it may be so from one's own point of view, he has to leave it to the good sense of other people also who have no interest in doing injustice to anyone.

Dr. Ambedkar: There is only one point that I would like to mention in connection with the motion made by my friend, and it is this that the constituency that he proposes will have a total number of electors of 4,43,524 as against the maximum limit of 3,87,929. That objection itself is fatal to his proposal.

Shri P. G. Sen: But it is a plural-member constituency.

Dr. Ambedkar: So that is fatal to his proposal.

Mr. Speaker: So I am going to put the motion of Shri P. G. Sen to vote. (No. 1 in Supplementary List No. 2—Bihar Order). The question is:

[For text of the motion see Amendment No. 1 S. L. 2 printed in Appendix XXXIII, annexure 1.]

The motion was negatived.

Mr. Speaker: Then Mr. K. P. Sinha is not going to move his amendment. I suppose the amendments that are going to be accepted are as follows:—

Suppl. List No. 1.—Amdt. No. 3, moved by Shri B. R. Bhagat.

Suppl. List No. 2.—Amdt. No. 3, part 3 only as modified by Amendments in Supplementary List No. 6.

Suppl. List No. 5.—Amdts. No. 1 & 2 of Sri Kshudiram Mahata.

10 A.M.

Dr. Ambedkar: Amendment No. 3 part 3 in Supplementary List No. 2 is amended by Sri S. N. Das's amendment in Supplementary List No. 6, that is the amendment of Sri Jajware, as modified by the amendment of Sri S. N. Das.

Mr. Speaker: So, I am now putting to the House the three amendments. One of them, namely No. 3 in S.L. No. 1 by Shri Bhagat has been further modified by the Law Minister. The question is:

In amendment No. 3 in S.L. No. 1 by Shri Bhagat (printed in Appendix

XXXIII, annexure 1). for all the entries in Columns 2, 3 and 4 against "Alamnagar" and "Naugachhia-cum-Bihpur" substitute the following:—

1	2	3	4	5
Alamnagar	Alamnagar Police station of Madhipura sub-division (of Bhagalpur District) and Chaukidari unions 3 and 4 of Bihpur police station of Bhagalpur Sadar sub-division.	1	..	..
Naugachhia-cum-Bihpur	Naugachhia police station and Bihpur police station (excluding chaukidari Unions 3 and 4) of Bhagalpur Sadar sub-division.	1	..	..

The motion was adopted.

Mr. Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (Bihar) Order, 1951, laid on the Table on the 16th May, 1951, namely:—

1. That at page 12, in Table B.—Assembly Constituencies, for the

entries "Bihpur" and "Naugachhia" occurring in column 1, and all other entries occurring against them in columns 2, 3 and 4, the following be substituted, namely:—

1	2	3	4
Alamnagar	Alamnagar Police station of Madhipura sub-division of Bhagalpur district and Chaukidari unions 3 and 4 of Bihpur police station of Bhagalpur Sadar sub-division.	1	..
Naugachhia-cum-Bihpur	Naugachhia police station and Bihpur police station (excluding Chaukidari unions 3 and 4) of Bhagalpur Sadar sub-division.	1	..

The motion was adopted.

Mr. Speaker: Amendment No. 1 in S.L. 5 by Shri Kshudiram Mahata has been further modified by the hon. the Law Minister.

The question is:

In Amendment No. 1 in S.L. 5 by Shri Mahata for all the entries against Tundi-cum-Nirsa in columns 2, 3, 4 and 5, substitute the following:—

1	2	3	4	5
Tundi-cum-Nirsa	Tundi, Nirsa, Chirkunda police station and Govindpur police station (excluding villages bearing thana Nos. 1—71, 77—79, 81—89 and 94) of Dhanbad sub-division.	2	..	1

The motion was adopted.

Mr. Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (Bihar) Order, 1951, laid on the Table on the 16th May, 1951, namely:—

1. At page 18. in Table B. — Assembly Constituencies, for the

1	2	3 4
Tundi-cum-Nirsa	Tundi, Nirsa, Chirkunda Police stations and Govindpur 2 .. Police Station (excluding villages bearing thana Nos. 1—71, 77—79, 81—89 and 94) of Dhanbad sub-division.	

The motion was adopted.

श्री रामराज जजवारे: सभापति जी, जिस एरिया से मैं आया हूँ वहाँ की एबोरिजिनल (aboriginal) जनता के हृदय में कुछ भ्रम है, इसलिये मुझे इस समय कुछ हिचकिचाहट हो रही है। वहाँ की जनता की जो स्थिति है और जिस प्रकार सीट्स (seats) का डिस्ट्रिब्यूशन (distribution) हुआ है उस सम्बन्ध में वहाँ की प्रतिनिधि संस्थाओं के जो पत्र आदि मेरे पास आये हैं उनके आधार पर मैं हाउस (House) के सामने अपने विचार रख देना उचित समझता हूँ। मेरे कहने का तात्पर्य यह है कि सीट्स का डिस्ट्रिब्यूशन वोटर्स (voters) के आधार पर हुआ है और मेरे डिस्ट्रिक्ट (District) में १९ सीट्स में से १० सीट्स एबोरिजिनल्स के लिये रिजर्व (reserve) रखी गई हैं जहाँ कि उन की आबादी सिर्फ पाँच लाख की है, और साधारण जनता की जो सीट्स हैं, दस लाख की आबादी पर केवल आठ सीट्स रिजर्व रखी गई हैं। असली विरोध होने का कारण यह है।

मैं जानता हूँ कि इस प्रकार की सीटों पर पहले के जमाने में जनरल सीट्स

entries "Tundi" and "Nirsa" in column 1 and all the entries occurring against them in columns 2, 4 and 5, substitute the following:—

(General Seats) में हम उन को जिताने थे हम तो समझते थे कि हम ऐसा उन की तरक्की के लिये अधिक लोगों की खुशी पर कर रहे हैं मगर जहाँ सीटों का बटवारा वोटर्स के बेसिस (basis) पर हो रहा है तो इस सम्बन्ध में कुछ स्पष्ट बात कह देना आवश्यक है और मेरा ख्याल है कि ला मिनिस्टर (Law Minister) अगर इस पर विचार करेंगे तो वह इस को मान भी लेंगे।

मुझे दो पॉइंट आप के सामने रखने हैं। एक तो यह कि मेजोरिटी (Majority) को माइनोरिटी (Minority) बनाने का यत्न किया गया है इस तरह की प्लूरल कांस्टीट्यूएन्सी (constituency) बनाई गई है और एक सीट भी रिजर्व नहीं छोड़ी गई है।

दूसरे हमारे जिले में एक विशेष परिस्थिति है। जहाँ संथालों की आबादी कंसेंट्रेटेड (concentrated) है उस एरिया (area) को दामिन कहते हैं। संथाल परगना के नाम से भ्रम होता है कि यह संथालों का प्रदेश है। इस विषय में अधिक कहने में नि

[श्री रामराज जजवारे]

दामिन क्या है बहुत समय लगेगा। मैं सिर्फ इतना ही कह देना चाहता हूँ कि सन् १७७२ से १८१० तक संथाल परगना में संथालों का प्रवेश वहाँ के पहाड़ियों को दवाने के लिये अंग्रेजों द्वारा करवाया गया था। उस समय से जिसे दामिन कहते हैं वहाँ संथालों की आबादी बढ़ गई है। जमताड़ा में ४० प्रति शत आबादी एबोरिजिनीज (aborigines) की होते हुये भी नान एबोरिजिनीज (non-aborigines) के लिये एक भी सीट नहीं रखी गई है। जमताड़ा में जहाँ नान-एबोरिजिनीज की आबादी ६० परसेण्ट है कम से कम एक सीट नान-एबोरिजिनीज के लिये रिजर्व करनी चाहिये थी। और गुमका में जहाँ प्लूरल कांस्टीट्यूएन्सी बनाई गई है एक सीट नान-एबोरिनीज को देनी चाहिये थी। यही उचित बटवारा था। दस लाख नान-एबोरिजिनीज के लिये आठ सीटें रखी गई हैं और पाँच लाख एबोरिजिनीज के लिये दस सीटें रखी गई हैं। अगर अवसर होता तो मैं समझता हूँ कि चुनाव अफसर इस बात को अब भी मान लेते। पर ऐसा कहा गया है कि प्रिंसिपल एग्जीक्यूटिव (Principal Executive) के आर्डर से उनके हाथ बंधे हुये हैं। इस लिये मैं उन बातों के व्योरे में नहीं जाना चाहता। लेकिन इतना ही कहना चाहता हूँ कि न्याय नहीं किया गया है। इस पर और करना चाहिये। और वोटर पापुलेशन (Voter Population) के आधार पर जिस का जो हक है वह उस को मिलना चाहिये। कम से कम दस सीटें नान-एबोरिजिनीज के लिये और आठ सीटें एबोरिजिनीज के लिये रखनी चाहियें। एक सीट दिमका को मिलनी चाहिये और एक सीट जमताड़ा में नान-एबोरिजिनीज को मिलनी चाहिये। मुझे इतना ही कहना है

(English translation of the above speech)

Shri Ramraj Jajware (Bihar): Sir, the aboriginal tribes of the area which I represent here, have some doubt, hence I feel some hesitation in expressing my views. I think it proper to express my views on the basis of the communications which I have received from the various representative organisations about the distribution of seats and the condition of the tribes there. What I mean to say is that the distribution of seats has been made according to the number of voters and in my district 10 out of 19 seats have been reserved for the aboriginals where their population is only five lacs, whereas only 8 general seats have been reserved for a population of ten lacs. This is the real cause of opposition.

I am aware, previously we tried for their victory in capturing general seats, on the assumption that we were doing so for their welfare with the approval of a large number of people. But it becomes necessary to do a little plain-speaking in this matter when the seats are allotted on the basis of the number of voters. And I am sure if the Minister of Law considers this view he will agree with it.

I want to place two points, before you one is that an attempt has been made to convert the majority into a minority, a plural constituency has been formed and there is not a single reserved seat.

Secondly, the position of our district is peculiar. The area, having a concentrated population of the Santhals, is called Damin. Santhal Pargana is a misleading name which makes one think as if it is an area peopled by the Santhals. It will take much time in explaining what Damin is. I would say only this much that during the period from 1772 to 1810 the Britishers brought the Santhals and made them settle there only to suppress the people living on the hills. Since then the population of the Santhals has increased in the area known as Damin. In spite of the fact that in Jamtara the population of aborigines is only 40 per cent. no seat has been reserved for the non-aborigines. In Jamtara, where the population of non-aborigines is 60 per cent. at least one seat should have been reserved for them. In Gumka where a plural constituency was declared, one seat should have been reserved for the non-aborigines. This would have been the proper allotment of seats. Only eight seats

[Shri Ramraj Jajware]

have been reserved for a population of ten lac non-aborigines, whereas ten seats have been reserved for a population of five lac aborigines. The Election Officer would have accepted this even now if only there was sufficient and proper time to do so. But it is said that they are helpless to do so due to the order of the Principal Executive. I have, therefore, no intention to go into the details of that matter. I only wish to say that justice has not been done in this case and this matter should be considered again, and further that the seats should be allotted on the basis of voter population. At least ten seats should be reserved for the non-aborigines and eight for the aborigines. One seat should be allotted for Dumka

area and one seat for the non-aborigines of Jamtara area. That is all I have to say.

Mr. Speaker: The question is: In motion No. 3 (3) in supplementary List No. 2 printed in Appendix XXXIII, annexure 2—

(i) for the words the entry "Deoghar-cum-Madhupur" substitute the words the entries "Deoghar-cum-Madhupur" and "Sarath";

(ii) for the entry "Madhupur" in column 1 and all the entries occurring against it in columns 2, 3 and 4, the following be substituted, namely:—

1	2	3	4
Madhupur-cum-Sarath	Chaukidari beats 4, 5, 6, 8, and 9 of Madhupur and Madhupur Municipality and Sarwan and Sarath police stations of Deoghar sub-division.	2	1

The motion was adopted.

Mr. Speaker: The question is: That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (Bihar) Order, 1951 laid on the Table on the 16th May, 1951, namely:—

That at page 15, Table B.—Assembly Constituencies, for the

entries "Deoghar-cum-Madhupur" and "Sarath" occurring in column 1, and all other entries occurring against it in columns 2, 3 and 4, the following be substituted, namely:—

1	2	3	4
Deoghar	Jasidih, Deoghar, (including Deoghar municipality) and Mohanpur Police Station of Deoghar sub-division.	1	..
Madhupur-cum-Sarath	Chaukidari beats 4, 5, 6, 8 and 9 of Madhupur Municipality and Sarwan and Sarath Police Station of Deoghar Sub-division.	2	1

The motion was adopted.

Mr. Speaker: Now, I would like the House, at the end of the motions relating to each province, to pass a sort of a motion to the effect that consequential amendments in respect of the order relating to that particular State may be made under the authority of the Speaker, so that the draftsman and the Department will examine all these and set them right. The amendments will be

strictly consequential and not substantial.

Dr. Ambedkar: For that purpose I shall be moving a separate amendment conferring upon you the power to permit the draftsman, in consultation with you, to make certain consequential amendments.

Mr. Speaker: So we shall do it by one comprehensive motion at the end of the orders.

As regards the other motions I take that hon. Members who have moved them will have the leave of House to withdraw them.

The amendments were, by leave, withdrawn.

BOMBAY ORDER

Dr. Ambedkar: Sir, I am prepared to accept the following amendments:

Supplementary List No. 1 Amendments No. 1 to 8 of Sri Shankar Rao Deo and others.

They are purely consequential amendments.

List No. 2: Amendment No. 2 of Shri Nijalingappa and Shri Munavalli; subject to the modification that in the entry against South Satara for "Item (15)" the words "Item (57)" be substituted.

Then I propose to accept:

In List No. 3, amendment No. 3, parts (1) and (2) by Shri Deogirikar and Shri Kumbhar.

In List No. 6, amendments Nos. 1 and 2, subject to the modification that against the entry Kolhapur-cum-Satara the words "The whole" at the beginning of the entry in column 2 are to be omitted.

In List No. 7, amendment No. 2, part 2, by Shri Hiray and Shri Deogirikar.

Then in List No. 8 I propose to withdraw amendments Nos. 1, 2 and 4 because they have already been covered by amendment No. 2 of List No. 6.

Then I propose to accept:

In List No. 3, amendments Nos. 3 and 5 to 11.

In amendment No. 11, page 11, under item (64) for 'Mahagond' substitute "Mamewadi"—which is a verbal change being a change of name—and add "Gajargaon" at the end.

Then I accept:

In List No. 10, amendments 1, 2 and 3 by Shri Nijalingappa.

Mr. Speaker: In the list that he has given only 2 and 3 are mentioned.

Dr. Ambedkar: It was a mistake. I am accepting 1, 2 and 3.

Shri Kumbhar (Bombay): The amendment in list No. 6 is in my name. But my name is dropped.

Mr. Speaker: The name is there and the motion has already been made. Nothing further has to be done in respect of it now except the voting. Let him not worry about his name. We will see that it is properly put in.

Shri Kumbhar: There is another one excluding Kagal Taluk.

Dr. Ambedkar: Sir, those are changes which could be done by the draftsman on your authority.

Mr. Speaker: If they are consequential amendments, if we accept the substance they will be made.

Shri Bhatt rose—

Dr. Ambedkar: My friend, I know, Sir, is particular about the mentioning of 'Santa Cruz' and so on. I have told him that those amendments will be made on your authority by the draftsman under the resolution I am proposing at the end.

Mr. Speaker: As regards the details of mentioning Santa Cruz or this road or excluding Kagal or bringing it in, let all the proposals by the hon. Members be made to the draftsman and let them discuss with him. He will consider them and, if necessary, I will pass orders.

Dr. Ambedkar: That is what I propose to ask.

श्री भट्ट: यही तो मैं जानना चाहता था कि जो नामों में बदल होगी वह आप के हुकम से होगी।

[**Shri Bhatt:** That is what I wanted to ask, whether changes in names would be made by your orders.]

अध्यक्ष महोदय: मैं ने तो तीन बार कहा कि मेरे ही हुकम से हो सकती है।

[**Mr. Speaker:** I have said it thrice that it can be done only by my orders.]

श्री भट्ट: यह साफ नहीं था।

[**Shri Bhatt:** It was not clear.]

Dr. Ambedkar: As I said, I am going to move a motion. The substance of the motion will be that you will be empowered to instruct the draftsman to make certain changes of a purely formal character. When the House passes the motion the Speaker will have the necessary power to do the needful.

Mr. Speaker: This difficulty arises because some of the Members are not present from time to time and therefore they miss the whole thing. Is there any other Member wishing to move any other amendment?

Shri Hiray (Bombay): Yes, Sir.

Mr. Speaker: In addition to what the Law Minister is accepting?

Shri Hiray: Yes.

Dr. Ambedkar: What has happened on account of the decision relating to Dangs is that one more seat has been added to Maharashtra and that seat belongs to the Tribal people. Therefore a seat has to be provided in the constituencies that have been delimited so far as Maharashtra is concerned. This is the proposal which stands in the name of Mr. Hiray. Either he may move it or I may move it.

Mr. Speaker: It is better if the hon. Minister moves it.

Dr. Ambedkar: I beg to move:

In Table B, page 8, Nasik District, in column 1, for the words "Nasik urban" and "Nasik rural cum Igatpuri", substitute the words "Nasik Igatpuri" and against the same constituencies.—

(1) In column 2, omit all the words beginning with "Nasik Municipal" and ending with "Igatpuri Municipal area" and substitute "Nasik and Igatpuri Talukas including all Municipalities therein",

(2) In columns 3, 4, 5 omit the figures given therein and substitute 3, 1, 1 instead respectively.

Shri Kanayalal Desai (Bombay): There is a consequential amendment relating to Pardi. One scheduled tribe seat which is at present in Pardi Taluk should be removed and it should become a general seat.

Dr. Ambedkar: That becomes consequential. That you can do, Sir.

Mr. Speaker: Let it go on record that a specific point was raised.

Shri V. B. Vaidya (Bombay): I would like to say a word or two regarding the States which have been merged with districts. Rajpipla has been merged with Broach. We have not been given a single seat. All the seats have been reserved for the Scheduled Castes. The people of the

native States which have been merged with the districts have not been given proper justice in this delimitation. This should be rectified.

Shri Kanayalal Desai: May I say a few words in regard to the motion moved by Shri Shankarrao Deo? I do not rise to oppose the amendment moved by my friend Shri Shankarrao Deo, but I owe it to myself and to the House to say a few words to explain why I accept it.

The question of the inclusion of the Dangs in the District of Surat or Nasik for the purpose of delimitation of constituencies has assumed an importance out of all proportion, probably because of the idea of linguistic provinces looming in the background. From the beginning I have looked upon the question only from the point of view of delimitation, which is a minor matter.

The Bombay Government in its tentative proposals to the Delimitation Committee included Dangs in Surat. The Delimitation Committee was ultimately equally divided. The Election Commission after careful consideration accepted the Bombay Government's proposals. The Central Cabinet confirmed the same and embodied it in the President's Order. The matter should have rested there. But the President's Order being subject to modification by Parliament, my Maharashtrian friends gave notice of the amendment. Many friends in Parliament thought that when the need for unity in the country is utmost, a debate on this subject should be avoided. The hon. the Prime Minister suggested that the difference should be resolved by a Committee of three persons who should go into the question and we should abide by its decision. Keeping in mind the wider objective of unity amongst our ranks and believing in the principle of arbitration for settlement of such disputes, I agreed to the proposal.

The Committee has not given any reasons for its conclusion differing from the President's Order. This decision will cause great surprise and disappointment in Gujarat. We have, however, agreed to abide by it and I accept it. That is the only way in which we ought to resolve our differences if we wish to conduct ourselves in a democratic way.

I am thankful that the Committee has made it clear beyond any doubt that its decision concerns only the question of Delimitation and it in no way affects the question of the future

of the Dangs. This is what the Committee says:—

"We wish to make it clear that our decision is concerned solely with the formation of Constituencies for the next General Election. It has nothing whatsoever to do with the larger question as to whether, in the event of linguistic provinces being formed in the Bombay State, the Dangs should be part of Gujarat or Maharashtra. That is a matter foreign to the decision on the limited questions referred to us and will have to be independently examined if and when it arises. Our decision should not be deemed to prejudice that issue in any way."

In view of this, I hope, the Committee's decision will not be interpreted by anybody to mean anything more than what it expressly says.

Mr. Speaker: In regard to this I may say that it is not going to be put to vote as a whole. I take it that the part which is not going to be put is to be withdrawn by them. I am proceeding on that assumption.

The question is:

[For text of the motions see—

(i) List No. 1, Amendments 1 to 8 standing in the name of Shri Shankarrao Deo and others.

(ii) List No. 2, Amendment No. 2 standing in the name of Shri Nijalingappa and Shri Munavalli.

(iii) List No. 3, Amendment 3, parts 1 and 2 standing in the name of Shri Deogirikar and Shri Ratnappa Kumbhar.

(iv) List No. 6, Amendments Nos. 1 and 2, standing in the name of Shri Ratnappa Kumbhar.

(v) List No. 7, Amendment No. 2, Part (2), standing in the name of Shri Hiray and Shri Deogirikar.

(vi) List No. 10, Amendments Nos. 1, 2 and 3 of Shri Nijalingappa.

(vii) List No. 8, amendments 3 and 5 to 11 (with the change in Appendix 64, namely, for the word 'Mahagond' substitute 'Mamewadi' and add the word 'Gajargaon', printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Speaker: The amendment of Dr. Ambedkar about Dhangs. The question is:

In Table B, page 8, Nasik District, in column 1, for the words

"Nasik urban" and "Nasik rural cum Igatpuri", substitute the words "Nasik Igatpuri" and against the same constituencies—

(1) In column 2, omit all the words beginning with "Nasik Municipal" and ending with "Igatpuri Municipal area" and substitute "Nasik and Igatpuri Talukas including all municipalities therein".

(2) In columns 3, 4, 5 omit the figures given therein and substitute 3, 1, 1 instead respectively.

The motion was adopted.

Shri Hiray: There is my consequential amendment in List No. 11.

Mr. Speaker: That is with reference to having one seat from Maharashtra. That is purely consequential and we will accept it as such.

The hon. Law Minister wishes to have the leave of the House to withdraw amendments Nos. 1, 2 and 4 in List No. 8 and all the other hon. Members wish to have the leave of the House to withdraw the various amendments and motions standing in their names.

The amendments were by leave withdrawn.

[MR. DEPUTY-SPEAKER in the Chair]

MADHYA PRADESH ORDER

Dr. Ambedkar: The amendments I am prepared to accept are these:

List No. 1, Amendments Nos. 6 and 8 in the name of Kishorimohan Tripathi and others.

List No. 2, amendment No. 1, parts 1 to 5 of Dr. P. S. Deshmukh and others together with two consequential amendments to be moved by Dr. Deshmukh.

List No. 3, amendment No. 2 in the name of Shri Kishorimohan Tripathi and others together with a consequential amendment to be moved by Shri Tripathi. (Amendment No. 2 is to be slightly modified so as to read "Khamaria R.I.C. of Khamaria Tehsil" for "Khamaria Tehsil".

List No. 6, amendment Nos. 1 to 5.

Dr. Deshmukh (Madhya Pradesh): Shall I move my consequential amendments to 1 and 2?

Mr. Deputy-Speaker: I shall note them down.

Dr. Deshmukh: I beg to move:

At page 3, Table A.—Parliamentary constituencies (Madhya Pradesh Order) against the entry "Betul", for the words "Pusla and Jarud R.I.Cs. of Morsi Taluk of Amravati district" in column 2, substitute the following:

"Pusla R.I.C. and Jarud R.I.C. (excluding such of the villages

as are specified in List A) of Morsi Taluk of Amravati district."

2. In amendment No. 4 of list No. 2 (Madhya Pradesh Order)—

(a) against the entry "Darwha" for the existing entry in column 2 substitute the following:

"Darwha and Ladhked R.I.Cs. and Ner R.I.C. (excluding villages in List L)";

(b) after the entry 'Darwha' in column 1 and all the entries occurring against it in columns 2, 3 and 4, insert the following entry:—

1	2	3	4	5
Kalamb	Babulgaon and Kalamb R.I. Cs. the villages of Ner R.I.C. in List L and the villages of Yeotmal R.I.C. in List R.	1	..	..

Mr. Deputy-Speaker: Where is Darwha in amendment No. 4?

There is no Betul in the amendment.

Dr. Deshmukh: It is in the main order: Page 3 of the President's Order. The first entry on that page is Betul. That has to be replaced by this entry.

Mr. Deputy-Speaker: Any other amendment?

Shri Kishorimohan Tripathi: My amendments are, Nos. 6 and 8 in List 1 and amendment No. 2 in list 3.

Then, I have a consequential amendment, with reference to amendment No. 1 in list 3, as has been indicated by Dr. Ambedkar. I beg to move:

With reference to amendment No. 2 of List 3, (Madhya Pradesh Order) at page 1, Table A.—Parliamentary Constituencies, against the entry "Durg" for the words "Chhuikandan Tehsil" substitute the words "Khamaria Tehsil excluding P. C. No. 8 of Khamaria R.I.C."

This is purely consequential.

With reference to such other amendments of which I had given notice and which have not been accepted, I have just to place on record my complete disagreement with their non-acceptance.

Mr. Deputy-Speaker: Is there any purpose in this, except to create discontent among the people?

Shri Kishorimohan Tripathi: I wish to place on record my protest.

Mr. Deputy-Speaker: It may create discontent among the people there.

Shri Kishorimohan Tripathi: I am fully supported by my people.

Dr. Ambedkar: Will my friend be satisfied if I say that I have registered his protest?

Shri Kishorimohan Tripathi: I am satisfied.

Mr. Deputy-Speaker: Has the hon. Minister got to say anything?

Dr. Ambedkar: No, Sir.

Shri Kishorimohan Tripathi: He has registered my protest.

Mr. Deputy-Speaker: That is duly on record.

Shall I put these to vote?

Shri Jangde (Madhya Pradesh): I have some amendments, Sir.

Mr. Deputy-Speaker: He may move them.

Shri Jangde: I have moved my amendments Nos. 1 to 4 in list No. 1.

Mr. Deputy-Speaker: And then?

Shri Jangde: And amendments 1, 3, 4, 5, 6 and 8 in list No. 2. And in List 4.....

Mr. Deputy-Speaker: But I find that the hon. Member has amendments in List 3 also. Why not say that all the amendments standing in the name of Mr. Jangde in all the Lists have been moved?

Shri Jangde: All right, Sir. And I also protest against the.....

Mr. Deputy-Speaker: Does he want to speak also?

Shri Jangde: Yes, Sir.

Mr. Deputy-Speaker: But his protest has been recorded.

Shri Jangde: But, Sir. I want to express my opinion also.

श्री जांगड़े: माननीय उपाध्यक्ष महोदय, डिलिमिटेशन कमेटी (Delimitation Committee) ने स्टेट गवर्नमेण्ट की राय पर और वहाँ की जनता की राय पर, अर्थात् जो उन्होंने अपने विचार प्रकट किये थे उस के अनुसार जो डिलिमिटेशन तय

किया गया था उस की कैबिनेट (Cabinet) की राय मान कर माननीय राष्ट्रपति ने बदल दिया है। इस से मध्य प्रदेश के महाकोशल क्षेत्र को खास कर बहुत आघात पहुँचा है। जिन क्षेत्रों में हरिजनों की संख्या अधिक थी और जिन को अधिक सीटें मिलनी चाहिये थीं वहाँ से निकाल कर, उन क्षेत्रों में जहाँ शेड्यूलड ट्राइब्स (Scheduled Tribes) की संख्या १० प्रति शत या कहीं कहीं पर जहाँ पचास प्रति शत से अधिक है वहाँ उन को जबरदस्ती एक सीट दे दी गई और वहाँ की जनरल सीट को घटा दिया गया है जिस से जो दूसरा वर्ग है उसके प्रति अन्याय करना प्रतीत होता है। जो लोग वहाँ काम करते हैं, उन की हालत बड़ी विचित्र है। एक तो वहाँ के क्षेत्र बहुत बड़े हैं, अब जो डबल मेम्बर कान्स्टिटुएन्सीज़ (double member constituencies) का निर्माण हुआ है उन का जो एरिया (area) है वह एक एक ज़िले के बराबर है। वहाँ गरीब हरिजन और शेड्यूलड ट्राइब के लोग कैसे लड़ेंगे और विजय प्राप्त करेंगे। इस का कारण यह बतलाया जा सकता है कि शेड्यूलड ट्राइब्स का इन एरियाज़ में, खास कर बस्तर, सरगोजा और रायगर जिलों में कन्सेंट्रेशन (concentration) है। वहाँ उन की १० प्रति शत आबादी है। इस लिये वहाँ पर सिंगल मेम्बर कान्स्टिटुएन्सी (single member constituencies) थी। अब कैबिनेट ने, यह सुना गया है कि, डबल मेम्बर कान्स्टिटुएन्सी वहाँ करना निश्चित कर दिया है। इस से वहाँ का खर्च भी अधिक बढ़ता है और एरिया भी बढ़ता है। हमारी कैबिनेट बराबर यह कहती है कि वह हर एक ज़िले को प्रतिनिधित्व देना चाहती है, वहाँ के पिछड़े हुये लोगों को प्रतिनिधित्व देना चाहती है ताकि वह एसेम्बली में आकर अपनी कठिनाइयाँ पेश कर सकें। यह वह

[श्री जांगड़े]

न्यायसंगत समझती है। परन्तु क्या यह न्यायसंगत है कि उन क्षेत्रों में जहाँ हरिजनों की आबादी बहुत अधिक है, वहाँ के मन्त्रिमण्डल में या धारासभा में वह अपनी प्रोटेस्ट (protest) या अपना विरोध जमा सकते हैं। अपने हकों के लिये लड़ सकते हैं, क्या इस तरह से उन के हकों की रक्षा हो सकती है? एक जगह तो आप उन के हकों की रक्षा करते हैं, दूसरी जगह जहाँ उन की मेजरिटी है उन के हकों को कुचलना चाहते हैं, यह कहाँ तक न्यायसंगत है? आप जानते हैं कि मध्य प्रदेश में जहाँ उनकी आबादी है उन स्थानों का खयाल नहीं कर रहे हैं। हमारे पास बराबर मध्य प्रदेश से तार आते हैं वह लोग असन्तुष्ट हैं। यहाँ मध्य प्रदेश की जनता के प्रतिनिधि हैं, उन में से कोई विरोध नहीं कर रहा है, इतना होते हुये भी हमारी सरकार इसका विरोध कर रही है और उन क्षेत्रों में जो जंगली क्षेत्र हैं और बड़े बड़े क्षेत्र हैं उन में डबल मेम्बर कान्स्टिट्यून्सी बना कर अन्याय कर रही है।

(English translations of the above speech)

Shri Jangde: Sir, the delimitation that was decided by the Delimitation Committee in consultation with the State Government and the people has been changed by the President on the advice of the Cabinet. This has given a great blow particularly to the Mahakoshal constituency in Madhya Pradesh. Those areas where Harijans were in the greatest number and which should have been allotted more seats on this account have been excluded from there and instead they have been allotted one seat in those places where the number of Scheduled Tribes is 90 per cent. or more than 50 per cent. at some places and a general seat of these areas has been taken away with the result that the other classes seem to have been unjustly treated. It is a strange situation for the people working there. Firstly, the constituencies there are of a very large size and then these double member constituencies, which have now been formed, are as big as a district. One cannot understand how is only poor Hari-

jan and Scheduled Castes candidates be able to contest and win the elections. The reason, they point out, is that there is a concentration of Scheduled Tribes in these areas, particularly in the districts of Bustar, Sarguja and Raigarh. They constitute 90 per cent. of the population. Therefore there was a single member constituency. Now it is reported that the Cabinet has decided to form a double member constituency there. This would lead to an increase in the expenses and the area too. Our Cabinet always says that it wants to give representation to all districts, and to the backward classes so that they might come in to the Assembly and present their difficulties. They think it to be just. But is it just that Harijans can protest and form an opposition or fight for their rights only in the Cabinet or legislatures of the places where their population is very large? Can their rights be safeguarded in this way? You safeguard their rights at one place while at others, where they are in a majority, you want to crush them. Is it just and fair?

You are not giving due consideration to those places in Madhya Pradesh where they are populated. We are constantly receiving telegrams from Madhya Pradesh. These people are much dissatisfied. There are representatives of the people of Madhya Pradesh here and none of them is opposing this at all. But even then our Government is against it and doing injustice by forming double-member constituencies in areas which are vast and undeveloped.

Mr. Deputy-Speaker: I will now put all the amendments to the vote of the House and.....

Shri Jangde: Sir, I want to withdraw my amendments.

Mr. Deputy-Speaker: I will later ask leave of the House for the withdrawal. I will now put amendments No. 1 to 5 in list No. 6. Have they any consequential amendments?

Dr. Ambedkar: There are no amendments to these amendments Nos. 1 to 5.

Mr. Deputy-Speaker: The question is:

[For text of the motions see Dr. Ambedkar's amendments Nos. 1 to 5 in List No. 6 printed in Appendix XXXIII, annexure No. 3.]

The motion was adopted.

Mr. Deputy-Speaker: To this extent the President's Order stands modified.

Dr. Deshmukh: I have to move my amendments.

Mr. Deputy-Speaker: Yes. That is with reference to amendment No. 1 in List No. 2.

Dr. Ambedkar: There are amendments to his amendments Nos. 1 to 5 of List 2.

Mr. Deputy-Speaker: The question is:

At page 3, Table A.—Parliamentary Constituencies, (Madhya Pradesh Order) against the entry "Betul", for the words "Pusla and Jarud R.I.Cs. of Morsi Taluk of Amravati district" in column 2, substitute the following:

"Pusla R.I.C. and Jarud R.I.C. (excluding such of the villages as are specified in List A) of Morsi Taluk of Amravati district".

The motion was adopted.

In amendment No. 1 part 5 of list No. 2 (printed in Appendix XXXIII, annexure No. 3)—

(a) against the entry "Darwha" for the existing entry in column 2 substitute the following:

"Darwha and Ladhker R.I.Cs. and Ner R.I.C. (excluding villages in List L)";

(b) after the entry "Darwha" in column 1 and all the entries occurring against it in columns 2, 3 and 4 the following entry be inserted:—

1	2	3	4	5
Kalamb.	Babulgaon and Klamb R.I. Cs. the villages of Ner R.I.C. List Land the villages of Yeotmal R.I.C. in List R.		1	

The motion was adopted.

Mr. Deputy-Speaker: The question is:

5. That at page 13, in Table B.—Assembly Constituencies, for all the

entries under the heading "Yeotmal District" in column 1, and all the entries against them in columns 2, 3 and 4 the following be substituted, namely:—

1	2	3
Pusad	Pusad taluk excluding villages in List "J"	2
Darwha	Darwha and Ladhker R.I.Cs. and Ner R.I.C. (excluding villages in List L).	1 ..
Kalamb	Babulgaon and Kalamb R.I.Cs. the villages of Ner R.I.C. in List L and the villages of Yeotmal R.I.C. in List R.	1 ..
Yeotmal	Yeotmal R.I.C. excluding villages in List "R" and including villages in Lists "K" and "M".	1 ..
Wadhona	Wadhona R.I.C. of Kelapur taluq ; Wadgaon R.I.C. excluding villages in List "M" and Runza R.I.C. excluding villages in List "N" of Kelapur Taluq.	1 ..
Pandharkavada	Pandharkavada and Ghatanji towns ; Pandharkavada R.I.C. excluding villages in List "P" but including villages in List "N" and Ghoti R.I.C. of Kelapur taluq.	1 ..
Maregaon	Maregaon and Sakra R.I.Cs. of Wani taluq and villages in List "P".	1 ..
Wani	Wani and Velambai R.I.Cs. of Wani taluq	1 ..
Digras	Digras R.I.C. of Darwha taluq ; Arri R.I.C. excluding villages in List "K" and including villages in List "J".	1 ..

The motion was adopted.

Mr. Deputy-Speaker: The question is:

[For text of the motions see Amendment Nos. 1 to 3 in List No. 2 printed in Appendix XXXIII, annexure No. 2.]

The motion was adopted.

Mr. Deputy-Speaker: The question is:

[For text of the motions see Amendments Nos. 6 and 8 in List 1 printed in Appendix XXXIII, annexure No. 3.]

The motion was adopted.

Mr. Deputy-Speaker: To the extent of these amendments the President's Order stands modified. The question is:

At page 1, Table A.—Parliamentary Constituencies (Madhya Pradesh Order) against the entry 'Durg' for the words "Chhuikadan Tehsil" substitute the words "Khamaria Tehsil excluding P.C. No. 8 of Khamaria R.C.I."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

At page 1, in Table A.—Parliamentary Constituencies, against the entry "Balaghat" for the word "Khamaria" in column 2, the words "Chhinkhadan Tehsil and P.C. No. 8 of Khamaria R.I.C. Khamaria Tehsil" be substituted.

The motion was adopted.

1	2	3	4	5
Erode	Erode taluk, Bhavani taluk, Dharapuram taluk [excluding such of the villages of Kundadam Firka as are specified in item No. (19) of the Appendix] and Kugalur Firka and such of the villages of Gobichettipalayam Firka of Gobichettipalayam taluk of Coimbatore district as are specified in item No. (18) of the Appendix; and Karur taluk, Kattalai, Kulithalai and Panjapatti Firkas of Kulithalai taluk of Tiruchirappalli district.	2	1	..

Amendment No. 2, part 1, in List No. 6.

List No. 7. Amendment No. 3 parts 1 and 2, of Shri Kala Venkata Rao.

Mr. Deputy-Speaker: To this extent the President's Order stands modified. Leave may be granted to all the Members to withdraw their amendments. All the other amendments moved by other hon. Members were, by leave withdrawn.

Mr. Deputy-Speaker: The Madhya Pradesh Order is over.

Dr. Ambedkar: There are other friends who are pressing me that their matter may be taken up first, that is West Bengal and Hyderabad.

Mr. Deputy-Speaker: I am taking up Madras.

MADRAS ORDER

Dr. Ambedkar: With regard to the Madras Order, I am prepared to accept the following amendments:—

List No. 4. Amendment No. 1, part 3, second alternative, and part 4, of Shri Kala Venkatarao.

Amendment No. 2, parts 1 and 2, of Shri Kesava Rao.

List No. 6. Amendment No. 1, Parts 1 and 2, of Shri Sanjivaya, subject to the recast of part 2 as follows:

"That for all the entries against 'Erode' in columns 2, 3, 4 and 5 the following be substituted:

List No. 12. Amendments Nos. 1 to 13, subject to amendment No. 6 being modified by hon.

Minister of Law as follows:—

That for all the entries against "Tiruppur" in columns 2, 3, 4 and 5 the following be substituted:—

1	2	3	4	5
Tiruppur	The Kollegal, Gobichettipalayam and Tiruppur taluks and Savur and Avanashi firkas of Avanashi taluk (excluding the Kugalur firka and such of the villages of Gobichettipalayam firka of the Gobichettipalayam taluk as are specified in item No. (18) of the Appendix and the Varapatti firka of Tiruppur taluk) of the Coimbatore District.	1	..	..

I beg to move:

(i) At page 4 in Table A.—Parliamentary Constituencies, against the entry "Dharmapuri" for the words "and Edappadi firka of Tiruchengoda taluk of Salem District" substitute the words "and Edappadi firka and such of the Villages of Sankagiri firka of Tiruchengode taluk of Salem District as are specified in item 18A of the Appendix".

(ii) At page 4, in Table A.—Parliamentary Constituencies, against the entry "Tiruchengoda" for the words "(excluding Edappadi firka of Tiruchengoda taluk)" substitute the words "(excluding Edappadi firka and such of the villages of Sankagiri firka of Tiruchengode taluk as are specified in item 18A of the Appendix)".

(iii) At page 11 in Table B.—Assembly Constituencies, against the entry "Tiruchengode", for the entry in column 2, substitute the following:

"Tiruchengode taluk (excluding Edappadi firka and such of the villages of Sankagiri firka and of the Tiruchengode firka as are specified in items (18A) and (16) respectively of the Appendix)".

(iv) At page 11 in Table B.—Assembly Constituencies, against the entry "Edappadi", for the entry in column 2, substitute the following:

"Edappadi firka and such of the villages of Sankagiri firka of Tiruchengode taluk as are specified in item (18A) of the Appendix" and the Mettur and Nangavalli firkas of Amalur taluk".

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11 A.M.

Sir, I want to move all the amendments in List No. 10. They are only a corrigenda.

Shri A. Joseph (Madras): I move my amendment No. 1 on List No. 7.

I also want to move amendment No. 2 on the same list.

Mr. Deputy-Speaker: They are taken as moved.

Shri A. Joseph: I want to read some portions from the Report of the Madras Delimitation Committee.

"We also had the benefit of hearing the debate in the State Legislature on the Government's proposals.

(1) Both before us and in the debate in the State Legislative Assembly it was urged that to provide adequate representation for all shades of political and other opinion, there must be a good number of plural-member constituencies created in each district, and for each Legislature, in addition to the plural-member constituencies carved out to provide for the reservation of seats for the Scheduled Castes and Scheduled Tribes. We discussed this proposal at length and came to the conclusion that, as even the reservation for Harijans and Scheduled Tribes is expected to disappear at the end of 10 years, so that there may be no compartmental reservation, it was inadvisable to bring in by the back-door, electorates which would really function on a communal or other narrow basis. The only reason urged for such reservation is to make provision for minorities, particularly, religious minorities."

[Shri A. Joseph]

Not only the minority communities, but prominent Hindu Legislators of Madras said in the State Legislature that plural-member constituencies without reservation should be provided for the minorities. It was not the intention of those people to bring the religious minorities by the backdoor but they want to bring weaker section of the community. There is a provision in the Constitution with regard to affording facilities for the minorities and weaker section of the Community for their uplift. Not only Christians and Muslims but even Hindus urged the Government to provide plural-member constituencies with distributive voting so that they may come in the legislatures of States and the Parliament. There was a provision in the Constitution to bring members to the Upper Chamber of States and to the Council of State through the State Assemblies. Is it not a backdoor election? Yes. If that is a backdoor election, it is clear that the report (Delimitation Report of Madras) itself ignores the Constitution. In the interest of the minorities and of the Constitution I appeal to the House to realise the conditions of the minorities and show sympathy towards them. In Madras there are 25 lakhs of Christians. I am not speaking from a religious or communal point of view. As the hon. Law Minister and Labour Minister know most of the Christians come from the down-trodden masses of the people. They are in a helpless position. I appeal to the House to postpone the Madras order to the first week of the next session, so that they may provide plural-member constituencies. I know that many Harijan Members are laughing at me. They will realise the consequences if it befell to their lot. We Christians have fought for the freedom of the country. We took part in the 1942 struggle when all our leaders were put in jail. I have guided my people in their participation in the non-co-operation movement. Because of that service I have been brought into this House. But it is not for my education, nor for my social position nor any other qualifications of mine. In the interest of the organisation to which I belong and in the interest of the Government I appeal to the House to provide plural member constituencies with distributive voting without reservation. If the Law Minister is not in a position to agree then I oppose his motion and I would ask you to record my disagreement with the proposal for single member constituencies without giving any facilities for the minorities.

Dr. Ambedkar: I cannot accept the amendments.

Mr. Deputy-Speaker: Were similar plural member constituencies created in the U.P.?

Dr. Ambedkar: No, Sir. Nowhere has an exception been made.

Prof. Ranga (Madras): I wish to record my dissent to the amendments that my hon. friend the Law Minister has just now moved to the order placed before us by the President, so far as they concern the Andhra districts. I do not wish to say anything more on this occasion, because it is useless so far as the purpose of getting these altered is concerned. I do wish to say that at the earliest opportunity the Election Commission, the President and Parliament should try their best to look into the matter and see whether some change could not be effected.

I wish particularly to refer to two constituencies, one in Nellore and the other in Anantapur. In the constituencies that are now sought to be created it would be found, I am assured, that the Harijans are not as numerous as they are in the other constituencies which were provided for in the President's order. While I was co-operating with you, Sir, on the Delimitation Committee I understood that there were certain definite instructions given by the President, that the Harijan constituencies should be limited to those areas where their number is the largest.

I am rather afraid that this principle has been departed from in order to satisfy certain interests or certain considerations which are not germane to the interests of the Harijans for whom these double constituencies are being created.

Shri A. Joseph: There is my amendment, Sir.

Mr. Deputy-Speaker: I have noted it down as having been moved. I have already given him an opportunity to speak—I am not giving another opportunity. I shall put both his amendments to vote.

Shri Kala Venkatarao (Madras): I am surprised that my hon. friend, Sir Ranga has thought it fit to say those few words on the amendments accepted by the Law Minister. Perhaps my friend has forgotten that both the changes referred by himself were the original things to which Mr. Ranga himself was a party in the Madras Delimitation Committee of which he was a member. I wonder how he has

brought in new arguments to oppose a thing which he has himself supported earlier. The changes made in the President's order were based upon a new rule which the Election Commissioner brought into vogue, namely that there should be a concentration of Harijans in any particular constituency so as to merit the location of a Harijan seat in that area.

Prof. Ranga: Yes.

Shri Kala Venkatarao: Now Mr. Ranga is subscribing to the new rule: I am very glad. We ourselves have subscribed to it in the case of about fifty constituencies in the State of Madras.

The amendments now accepted by the hon. Minister have individual merits. Mr. Ranga has named two Constituencies. In the case of Anantapur, Mr. Ranga perhaps does not remember that in the last elections in 1946 Mr. Rayappa belonging to the Scheduled Caste was elected from a general seat from the Gutti constituency. That shows the influence of the Scheduled Castes in that constituency and removing that seat and placing it elsewhere shows that some injustice is being done to the Scheduled Castes there. Therefore the alteration was suggested. Even according to the alteration the difference of concentrated Harijan population involved is only 2 per cent, and Mr. Ranga cannot seriously object to it under these circumstances.

Regarding Nellore District, the hon. Law Minister was impressed because it was found that the two Harijan seats found in the Order, namely in Nellore and Gudur taluks, are adjacent to each other and an area running nearly 120 miles north of Nellore has been left without any Harijan seat. The present alteration was the one originally recommended by the Madras Delimitation Committee, including Mr. Ranga, and the hon. Law Minister has now accepted what he recommended earlier. Therefore, there is no sub-

stance in what he has stated about the amendments accepted by the hon. Law Minister.

Mr. Deputy-Speaker: I will now first put the amendments accepted by the hon. Law Minister and then take up the others.

The question is:

[For text of the motion see the second alternative in part 3 of amendment No. 1 in List No. 4 as printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Deputy-Speaker: To this extent the President's Order stands modified. The question is:

[For text of the motion see parts 1 and 2 in amendment No. 2 of List No. 4 as printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Deputy-Speaker: To this extent the President's Order stands modified. Then I will put amendment No. 1 in List No. 6, parts 1 and 2, as recast. I will put part 1 first which has not been recast. The question is:

[For text of the motion see part 1 in amendment No. 1 of List No. 6 as printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Deputy-Speaker: To this extent the President's Order stands modified. Now I will put part 2 of amendment No. 1 of List No. 6 as recast. The question is:

In part 2 of amendment No. 1 of List No. 6 (as printed in Appendix XXXIII, annexure 3) substitute the following:

	1	2	3	4	5
Erode	Erode taluk, Bhavani taluk, Dharapuram taluk [excluding such of the villages of Kundadam Firka as are specified in item No. (19) of the Appendix] and Kugalur Firka and such of the villages of Gobichettipalayam Firka of Gobichettipalayam taluk of Coimbatore district as are specified in item No. (18) of the Appendix; and Karur taluk, Kattalai, Kulithalai and Panjapatti Firka of Kulithalai taluk of Tiruchirappalli district.	2	1	..	

The motion was adopted.

Mr. Deputy-Speaker: To this extent the President's Order stands modified. The question is:

[For text of the motion see amendment No. 2 of List No. 6, standing in the name of Shri R. Subramaniam and others as printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Deputy-Speaker: The President's Order stands modified to the extent of this amendment.

The question is:

[For text of the motion see amendment No. 3 (parts 1, and 2) of List No. 7 standing in the name of Shri Kala Venkatarao and others as printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Deputy-Speaker: The President's Order stands modified to the extent of this amendment.

The question is:

[For text of the motion see List No. 10, moved by Dr. Ambedkar as printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Deputy-Speaker: The President's Order stands modified to the extent of this amendment.

The question is:

[For text of the motion see parts 1 to 3 of amendment No. 2 of List No. 11 as printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Deputy-Speaker: The President's Order stands modified to the extent of this amendment. The question is:

[For amendment No. 6 in List No. 12 as printed in Appendix XXXIII, annexure 3] substitute the following:

That for all the entries against "Tiruppur" in columns 1, 2, 3, 4 and 5, the following be substituted:

1	2	3	4	5
Tiruppur	The Collegal, Gobichettipalayam and Tiruppur taluks and Sevur and Avanashi firkas of Avanashi taluk [excluding the Kugalur firka and such of the villages of Gobichettipalayam firka of the Gobichettipalayam taluk as are specified in item No. (18) of the Appendix and the Varapatti firka of Tiruppur taluk] of the Coimbatore District.	1	..	..

The motion was adopted.

Mr. Deputy-Speaker: The question is:

[For text of the motions see amendments Nos. 1 to 5 and 7 to 13 of List No. 12 as printed in Appendix XXXIII, annexure 3.]

The motions were adopted.

Mr. Deputy-Speaker: The President's Order stands modified to the extent of these amendments. The question is:

(i) At page 4 in Table A.—Parliamentary Constituencies, against the entry "Dharmapuri" for the words "and Edappadi firka of Tiruchengode taluk of Salem District" substitute the words "and Edappadi firka and such of the villages of Sankagiri firka

of Tiruchengode taluk of Salem District as are specified in item 18A of the Appendix"

(ii) At page 4 in Table A.—Parliamentary Constituencies, against the entry "Tiruchengode taluk" for the words "(excluding Edappadi firka of Tiruchengode taluk)" substitute the words "(excluding Edappadi firka and such of the villages of Sankagiri firka of Tiruchengode taluk as are specified in item 18A of the Appendix)."

(iii) At page 11 in Table B.—Assembly Constituencies, against the entry "Tiruchengode", for the entry in column 2, substitute the following:

"Tiruchengode taluk [excluding Edappadi firka and such of the

villages of Sankagiri firka and of the Tiruchengode firka as are specified in items (18A) and (16) respectively of the Appendix]".

(iv) At page 11 in Table B.—Assembly Constituencies, against the entry "Edappadi", for the entry in column 2, substitute the following:

"Edappadi firka and such of the villages of Sankagiri firka of Tiruchengode taluk as are specified in item (18A) of the Appendix and the Mettur and Nangavalli firkas of Omalur taluk".

The motions were adopted.

Mr. Deputy-Speaker: The President's Order stands modified to the extent of these amendments. The other hon. Members desire to withdraw their motions.

The amendments were, by leave, withdrawn.

Mr. Deputy-Speaker: Now the President's Order stands modified to the extent of the amendments carried, so far as the Madras Order is concerned.

WEST BENGAL ORDERS

Dr. Ambedkar: With regard to the West Bengal Order, I am prepared to accept the following amendments:

Consolidated List No. 2—Parts 1 to 6 of Shri Samanta and Shri B. K. Das.

Supplementary List No. 1: Amendment No. 1—Parts 1 and 2 and Amendment No. 2—Parts 1 to 8 of Shri Himatsingka and Mr. Haq, as modified by Supplementary List No. 5, Amendments 1 to 4 of Shri Jhunjunwala and Shri Sinha.)

I withdraw amendments Nos. 4 and 12 to 15 from the Supplementary List No. 3. The rest of them I move.

Shri Chattopadhyay (West Bengal): I would like to move the amendment appearing in Supplementary List No. 2. It covers 108 items, of which I do not want to press Item No. 30.

Mr. Deputy-Speaker: The question is:

[For text of the motion see amendment No. 2 (all the parts, i.e. 1—6) in Consolidated List as printed in Appendix XXXIII, annexure 1.]

The motion was adopted.

Mr. Deputy-Speaker: Now I will take up amendment No. 1 (parts 1 and 2) and amendment No. 2 (parts 1—8) in supplementary List No. 1.

An Hon. Member: There is a modification to it.

Mr. Deputy-Speaker: Then I will put the modification first, that is amendments 1 to 4 in supplementary List No. 5. They relate to modifications to supplementary List No. 1.

Shri Himatsingka (West Bengal): In amendment No. 4 in supplementary List No. 5 moved by Shri Jhunjunwala, in sub-clause (iii), in the third line the word 'Street' should be changed into 'Road'.

Mr. Deputy-Speaker: In that case it should read "in this Road" instead of "of this Street". This will be changed.

The question is:

1. That in motion No. 2(3) in supplementary List No. 1 printed in Appendix XXXIII, Annexure 1, standing in the names of Shri Prabhu Dayal Himatsingka and Al-Haj M.A. Haque,—

(i) for the words "against the entry 'Jorasanko'" in column 1 for all the words occurring in column 2, the words "against the entry 'Jorasanko'" in column 1 for all the words occurring in columns 1 and 2 be substituted;

2. That in motion No. 2(4) in supplementary List No. 1 (West Bengal Order) at page 2, standing in the names of Shri Prabhu Dayal Himatsingka and Al-Haj M.A. Haque,—

(i) for the words "in column 2", the words "in columns 1 and 2" be substituted;

(ii) for the word 'Muktaram Babu Road' in line 7 of the above motion, the words "Muktaram Babu Street" be substituted.

3. That in motion No. 2(6) in supplementary List No. 1 (West Bengal Order) at page 3, standing in the names of Shri Prabhu Dayal Himatsingka and Al-Haj M.A. Haque, between the words "cornwallis Street" and the words "upto junction with", the words "from junction with the Machuabazar Street" be inserted.

4. That in motion No. 2(7) in supplementary List No. 1 (West Bengal Order) at page 3, standing in the

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names of Shri Prabhu Dayal Himatsingka and Al-Haj M.A. Haque,—

- (i) in line 14, for the word "Easy" the word "East" be substituted;
- (ii) between the word "Road up-to" and the words "Ultadanga" the words "junction with" be inserted;
- (iii) between the words "Road Upper" and the words "from junction with", the words "(the voters of this Road are not to be included in the area)" be inserted; and
- (iv) the words "(the voters of this Street are not to be included in the area)" be omitted.

The motions were adopted.

Mr. Deputy-Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (West Bengal) Order, 1951 laid on the Table on the 16th May, 1951, namely:—

1. That at page 3, in Table A.—Parliamentary Constituencies, against the entry "Calcutta North-East", in column 1 for the words "Collootola Barabazar" in column 2, the word "Burtola" be substituted.

2. That at page 3, in Table A.—Parliamentary Constituencies, against the entry "Calcutta North-West", in column 1 for the word "Burtola", in column 2 the words "Collootola, Barabazar" be substituted.

The motion was adopted.

Mr. Deputy-Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (West Bengal) Order, 1951 laid on the Table on the 16th May, 1951, namely:—

1. That at page 15, in Table B.—Assembly Constituencies, against the entry "Burtola", in column 1 for all the words occurring in column 2, the following be substituted, namely:—

"Ward No. 3 (Burtola) of the Calcutta Municipality, excluding the area bounded on the North by Ultadanga Road from junction with Circular Road Upper up to junction with Circular Canal, on the West by Circular Road Upper from junction with Ultadanga Road up to junction with Vivekananda Road, on the South by

Vivekananda Road from junction with Circular Road, Upper upto junction with Circular Canal, and on the East by Circular Canal from junction with Vivekananda Road up to junction with Ultadanga Road."

2. That at page 15, in Table B.—Assembly Constituencies, for the entry "Sobhabazar" in column 1 and the entry occurring against it in column 2, the following be substituted, namely:—

1	2
Muchipara	"Ward No. 9 (Muchipara) of the Calcutta Municipality, excluding area bounded on the North by Keshab Sen Street from Junction with College Street up to junction with Amherst Street, on the West by College Street from junction with Keshab Sen Street up to junction with Mirzapur Street, on the South by Mirzapur Street from junction with College Street up to junction with Amherst Street and on the east by Amherst Street from junction with Mirzapur Street upto junction with Keshab Sen Street and the area bounded on the North by Gas Street from junction with Circular Road Upper up to junction with Circular Canal, on the West by Circular Road Upper from junction with Gas Street upto junction with Beliaghata Road, on the South by Beliaghata Road from junction with Circular Road Upper up to junction with Circular Canal and on the East by Circular Canal from junction with Beliaghata Road upto junction with Gas Street. (The voters of Circular Road Upper are not to be included in the excluded area)."

3. That at pages 15 and 16, in Table B.—Assembly Constituencies, against the entry "Jorasanko", in column 1 for all the words occurring in columns 1 and 2, the following be substituted, namely:—

"Ward No. 5 (Jorasanko) of the Calcutta Municipality, excluding the area bounded on the North by Kali Krishna Tagore Street from the junction with Maharshi Debendra Road up to the junction with Chitpur Road Upper on the

West by Maharshi Debendra Road from junction with Kali Krishna Tagore Street upto junction with Cotton Street, on the South by Cotton Street from the junction with Maharshi Debendra Road upto junction with Chitpur Road Upper and on the East by Chitpur Road Upper from junction with Cotton Street upto junction with Kali Krishna Tagore Street. (The voters of Kali Krishna Tagore Street are not included in the excluded area)."

4. That at page 16, in Table B.—Assembly Constituencies, against the entry "Jorabagan", in column 1 for all the words occurring in columns 1 and 2, the following be substituted, namely:—

"Ward No. 6 (Jorasanko) of the Calcutta Municipality excluding the area bounded on the North by Mukhtarām Babu Street from junction with Chitpur Road Upper upto junction with Cornwallis Street, on the West by Chitpur Road Upper from junction with Mukhtarām Babu Street up to junction with Machuabazar Street, on the South by Machuabazar Street from junction with Chitpur Road Upper upto junction with Cornwallis Street and on the East by Cornwallis Street from junction with Machuabazar Street up to junction with Mukhtarām Babu Street. (The voters of Mukhtarām Babu Street are not to be included in the excluded area)."

5. That at page 17, in Table B.—Assembly Constituencies, against the entry "Barabazar", in column 1 for all the words occurring in column 2, the following be substituted, namely:—

"Ward No. 7 (Barabazar) of the Calcutta Municipality and the area from Ward No. 5 (Jorabagan) of the Calcutta Municipality bounded on the North by Kali Krishna Tagore Street (voters of this Street are not to be included in the area) from the junction with Maharshi Debendra Road up to the junction with Chitpur Road Upper, on the West by Maharshi Debendra Road from junction with Kali Krishna Tagore Street up to junction with Cotton Street, on the South by Cotton Street from junction with Maharshi Debendra Road upto junction with Chitpur Road Upper, on the East by Chitpur Road Upper from junction with Cotton Street up to junction with Kali Krishna Tagore Street."

6. That at pages 17 and 18, in Table B.—Assembly Constituencies, against

the entry "Colootala", in column 1, for all the words occurring in column 2, the following be substituted, namely:—

"Ward No. 8 (Colootala) of the Calcutta Municipality and the area from Ward No. 6 (Jorasanko) bounded on the North by Mukhtarām Babu Street (voters of this Street are not to be included in the area) from junction with Chitpur Road Upper upto junction with Cornwallis Street, on the West by Chitpur Road Upper from junction with Mukhtarām Babu Street upto junction with Machuabazar Street, on the South by Machuabazar Street from junction with Chitpur Road Upper up to junction with Cornwallis Street and on the East by Cornwallis Street from junction with Machuabazar Street upto junction with Mukhtarām Babu Street."

7. That at page 18, in Table B.—Assembly Constituencies, against the entry "Saaldah", in column 1 for all the words occurring in column 2, the following be substituted, namely:—

"Area from Ward No. 3 (Burtola) of the Calcutta Municipality, bounded on the North by Ultadanga Road from junction with Circular Road Upper up to junction with Circular Canal, on the West by Circular Road Upper from junction with Ultadanga Road up to junction with Vivekananda Road, on the south by Vivekananda Road from junction with Circular Road Upper up to junction with Circular Canal and on the East by Circular Canal from junction with Ultadanga Road upto junction with Vivekananda Road and area from Ward 4 (Sukea's Street) of the Calcutta Municipality bounded on the North by Vivekananda Road from junction with Circular Road Upper up to junction with Circular Canal, on the West by Circular Road Upper from junction with Vivekananda Road up to junction with Gas Street, on the South by Gas Street from junction with Circular Road Upper upto junction with Circular Canal and on the East by Circular Canal from junction with Gas Street upto junction with Vivekananda Road and area from Ward No. 9 (Muchipara) of Calcutta Municipality bounded on the North by Gas Street from junction with Circular Road Upper upto junction with Circular Canal, on the West by Circular Road Upper (the voters of this Road are not to be included in the area) from junction

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with Gas Street upto junction with Beliaghata Road on the South by Beliaghata Road from junction with Circular Road Upper upto junction with Circular Canal and on the East by Circular Canal from junction with Beliaghata Road upto junction with Gas Street."

8. That at page 18, in Table B.—Assembly Constituencies, against the entry "Vidyasagar", in column 1 for all the words occurring in column 2, the following be substituted, namely:—

"Ward No. 4 (Sukea's Street) of the Calcutta Municipality, excluding the area bounded on the North by Vivekananda Road from junction with Circular Road Upper upto junction with Circular Canal, on the West by Circular Road Upper from junction with Vivekananda Road upto junction with Gas Street, on the South by Gas Street from junction with Circular Road Upper upto junction with Circular Canal, and on the East by Circular Canal from junction with Gas Street upto junction with Vivekananda Road and the area from Ward 9 (Muchipara) of the Calcutta Municipality bounded on the North by Keshab Sen Street from junction with College Street upto junction with Amherst Street, on the West by College Street from junction with Keshab Sen Street upto junction with Mirzapur Street on the South by Mirzapur Street from junction with College Street upto junction with Amherst Street and on the East by Amherst Street from junction with Mirzapur Street upto junction with Keshab Sen Street."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

At pages 15 and 16 in Table B.—Assembly Constituencies, in column 1 or the word "Jorasanko" substitute the word "Jorabagan".

The motion was adopted.

Mr. Deputy-Speaker: The question is:

At page 16, in Table B.—Assembly Constituencies, in column 1, for the word "Jorabagan" substitute the word "Jorasanko."

The motion was adopted.

Mr. Deputy-Speaker: I will now put amendments Nos. 1 to 29 and 31 to 108 moved by Shri Chattopadhyay.

Shri Chattopadhyay: I would like to peak on it. I do not know whether

the principle of this amendment has been accepted or not. If the principle is accepted then I have absolutely no objection.

Mr. Deputy-Speaker: What is the reaction of the hon. Law Minister?

Dr. Ambedkar: As I said, it is too late now to enter upon any such discussion about the nomenclature of the constituency. The constituency remains a constituency no matter by what name it is called.

Shri Chattopadhyay: Sir, I would like to say something on this matter. All these amendments standing in my name relate to the names of the constituencies. I would beg of you to refer to the President's Order regarding the State of Bombay. Those Members of Bombay State here will please bear with me for some time. In each and every constituency in the Bombay Order where two different units have been grouped together to form a constituency the names of both the units appear as the name of the constituency. Even where more than three or four such units have been grouped together, the names of all the four units have been used for naming of the constituency. I have gone through the Bombay Order page after page and I have underlined them. And I have seen that in no case has any variation been made in naming the constituencies different from what it should be.

Look at the case of the State of Uttar Pradesh. The Members of Uttar Pradesh will kindly bear me out when I say that both for Parliamentary constituencies and for Assembly constituencies, where more than two or three districts have been grouped together to form a constituency, the constituency has been named after all the three districts. Where 2 or 3 sub-divisions have been grouped together the constituency has been named after all the sub-divisions. This has been done uniformly in the case of Uttar Pradesh.....

Mr. Deputy-Speaker: And in Madras, Hyderabad and other places.

Shri Chattopadhyay: Let me come to the State of Bihar and the Members from Bihar would kindly see that every such constituency covering two districts has been so named as to indicate the territorial jurisdiction of the constituencies. Let me come to the State of Madhya Pradesh and all Members of that State would see what I say is correct. There should be some kind of uniformity in the matter of naming the constituencies. I have gone through the Delimitation Orders one by one and I have underlined each

and every such instance where two or more units have been grouped together to form a constituency and I had invariably found without any exception that in the case of every State other than West Bengal the constituency has been so named as to indicate correctly the territorial jurisdiction of the constituency. I have also gone through the Order relating to the State of Madras and there you have not given the name of the districts but you have mentioned some prominent place or some *Elakha* or something like that. In the State of West Bengal, I am absolutely astounded to see that in only 5 instances where the different units have been grouped together, the name of all the units occur in the nomenclature.

Mr. Deputy-Speaker: The Election Commissioner comes from Bengal.

Shri Chattopadhyay: I should say that it is a case of omission. I do not say that anything has been done deliberately. I am sorry to tell you that the Delimitation Advisory Committee which was formed at the instance of the Chair, consisted of 7 members but only three members have signed the report. It is a minority report. The other four members have not signed at all. I am referring to the Delimitation Committee's report which I have got here in my hand. I say that there are 7 members in the Committee and only 3 members have signed the report. I do not know anything about the other four members.....

Mr. Deputy-Speaker: They have signed on behalf of the others.

Shri Chattopadhyay: I do not want to impute any motive or to say anything with regard to this matter. My point is this.....

Mr. Deputy-Speaker: I can only say that in Madras, I signed on behalf of the whole Committee, being the Chairman. Likewise, three members might have signed on behalf of the rest.

Shri Chattopadhyay: In the case of Madras, you have signed having been authorized by the Committee. In the case of Bengal no such authority has been given by anybody and the Chairman has not been authorized by the Committee. I have gone through the Madras report also. I beg to say that in the case of the Delimitation Order for the different States of India a certain principle has been followed and where more than 2 districts have been grouped together both

for Parliamentary and Assembly Constituencies the names of the districts occur. I would leave this to hon. Members for their judgment.

In the matter of West Bengal certain wrong things have been done. Where three districts have been joined together to form a constituency, the constituency has been named after a village; it has not been named after a district; it has not been named after a sub-division; it has been named after a particular town, possibly to suit the interest of some individual. Otherwise, I would not have been very insistent on this matter. Sir, I will go through the constituencies one by one and place before you what I find in the case of Bengal.

On page 1, I find Midnapore and Jhargram. These are different sub-divisions. They have been grouped together and correctly enough, that constituency has been named as Midnapore-Jhargram.

Secondly, I would like to say that Kalna and Katwa Sub-divisions for the Parliamentary Constituency have been grouped together. In the list the name occurs as Kalna and Katwa.

Thirdly, I would like to come to Kurseong and Siliguri. These are two sub-divisions of Darjeeling District. They are for the Assembly constituency and it is correctly named as Kurseong-Siliguri.

Fourthly, I would like to give another instance occurring in page 5 of the Delimitation Order where Burwan and Khargram, two different *thanas* have been grouped together and they have been appropriately named.

Let me give you the fifth instance.

Mr. Deputy-Speaker: It is all right for the hon. Member to go on citing instances and the precedents in U.P., Bihar and other places. Does not the hon. Member think that it is too late now? After all whichever candidate stands they will know the constituency.

Shri Chattopadhyay: As we all know candidates choose certain kinds of symbols and these symbols are very important factors in the matter of election. It is the symbol which influences an election to a very large extent. In the matter of names also, it is almost as important as a sym-

[Shri Chattopadhyay]

bol. Where three districts have been grouped together, if you do not put in the name of the three districts, one or two will find prominence because the name of that district alone will appear in every printed paper as the name of the constituency and the other districts will sink into insignificance. In the same manner I should say in every pamphlet and in every bulletin of every candidate the name of a particular place will be printed and the names of the other two places will not be shown. This will give a decided advantage to particular members in particular constituencies. I should think that the Members of the U.P., Bihar, Rajasthan, Madhya Pradesh and all other States have correctly named the constituencies so that no candidate will have any advantage at any place due to the name of his village or his town being included in the constituency to the exclusion of others. (Interruption). I am extremely doubtful about this matter. I can tell you that I wanted that this matter should be dealt with properly. I wrote a letter to the Prime Minister; I wrote to Dr. Ambedkar; I wrote to Shri Jagjivan Ram, to Shri Satya Narayan Sinha and all other people and I am very much pained to tell this House that in spite of the concurrence of hon. Members from all the States, like Bombay, U.P., Bihar etc. I do not know what stands in the way of accepting my suggestion. Is it false prestige that stands in the way of re-naming the constituencies? Nothing extraordinary has to be done now. I know if the territorial jurisdiction is touched now, that will create difficulties. I realize that. All I say is that when you are naming the constituencies, you can do this correctly in five minutes. You, Sir, can do it if you undertake the responsibility. If it is left to the Election Commissioner, he will be able to do it. If it is left to the office, they will be able to do it. I have placed amendments before the House. I think the principle should be accepted of naming the constituencies correctly, so that no candidate may have any undue advantage.

Then, Sir, I must say about one instance only in the Town of Calcutta. The constituency has been named as "Vidyasagar". I do not like the name of Mahatma Gandhi or Chittaranjan or Subhas Chandra Bose or Vidyasagar should be dragged in this matter. My fear is that any member of that family will secure some advantage out of that.

An Hon. Member: That is the name of that ward.

Shri Chattopadhyay: No. That is now a constituency in the Town of Calcutta. I shall read that out to you:

"Ward No. 4 (Sukeas' Street) of Calcutta Municipality."

Dr. M. M. Das (West Bengal): That constituency derives its name after Vidyasagar.

Shri Chattopadhyay: That is exactly why I am raising the objection. Exactly for that reason, I say that a member of the family of Vidyasagar should not be allowed to take any advantage. A professor of the Vidyasagar college living there should not take any advantage. Any person connected with the name of Vidyasagar should not have any advantage. I am not speaking on behalf of any particular constituency. I have absolutely no particular axe to grind. I am not doing it out of any particular motive for myself. I am saying this on grounds of general principle. Ward No. 4 in Calcutta is a constituency by itself. Why should it be named after Vidyasagar?

Mr. Deputy-Speaker: Does not a ward consist of many streets? The ward goes by the name of one of the important streets, as the Brahmin street ward in my place.

Shri Chattopadhyay: Vidyasagar is an illustrious man; it is not a street or ward.

Pandit Maitra (West Bengal): There is a Vidyasagar Street.

Shri Chattopadhyay: We are very much concerned that in the elections nobody should secure any advantage by utilising Vidyasagar's name; the name of Mahatma Gandhi or any other name.

Mr. Deputy-Speaker: What is the name of the Ward?

Shri Chattopadhyay: It is Ward No. 4 Sukeas' Street. It has been named Vidyasagar. It has never been Vidyasagar, and it will never be Vidyasagar at any time in the future. This may be due to omission. So many of the Members of the Delimitation Advisory Committee have not put in their signature; either the report was not submitted to them or they do not know how the naming has been done. I should say, in this matter everything has been done by oversight. It is not too late now. It should be set

right even now so that no injustice may be done. I say that in the case of the West Bengal constituencies the same procedure, and the same principle as has been followed in the other States and in other constituencies be followed.

Pandit Maitra: My hon. friend who has just finished spoke with considerable vigour and enthusiasm worthy of a much better cause. I would like to tell you at once, and the House will be informed when I say we agree with the proposal contained in the President's Order in respect of West Bengal constituencies: all the four parties or to be more accurate, three parties, namely, the Delimitation Committee, Government of West Bengal, the Election Commissioner and also the Members of Parliament except my hon. friend who has just spoken, are unanimous.

Shri Chattopadhyay: Sorry: I protest. There are so many others. Even the four Members who have not signed were not unanimous.

Pandit Maitra: I am talking of Members of Parliament from West Bengal. My friend's sole intention is with regard to nomenclature. He has roamed about all the States of India to find out what names have been adopted in the different States. If my hon. friend thinks that he is so well posted with regard to nomenclature and things like that, that they have been done in an immaculate way in other places except Bengal, my hon. friend is at perfect liberty to contest the elections from any other constituency.

With regard to the province of West Bengal.....

Shri Chattopadhyay: I know that the constituency from which my hon. friend comes has been named after a village though it comprises three districts.....

Pandit Maitra: I am not giving way. With regard to West Bengal, from the beginning, there were considerable discussions and we decided to avoid cumbersome names and things like that. When the names of the constituencies were fixed, it had the full approval of the Government of West Bengal, and the full approval of the Members of the Delimitation Committee. Three Members might have signed. I have not signed, but I am in full agreement with the report. I attended the meetings of the Committee at the earlier stage, but at the later stages, I could not attend owing

to ill health. That does not mean that the report has been approved only by three Members. A few modifications have been proposed and accepted by the House. Some are mere corrections and clerical mistakes or mistakes on the face of the record. Some are minor modifications. They had to be done with the full concurrence of the West Bengal Government, the Election Commissioner, Delimitation Committee Members and those who moved them. Whatever might have happened with regard to other provinces, every province must have its own peculiar circumstances and peculiar characteristics and things like that. My hon. friend got frightened over the name of Vidyasagar. There is a big avenue called the Chittaranjan avenue; there is the Rashbehari avenue; there is the Sen Gupta Road; there is the Mahatma Gandhi Road and there is the Lajpati Rai Road. These things are there. Instead of two or three names they have used a simple name. The Vidyasagar street is there. It surprises me that an argument that a grandson or brother-in-law of Vidyasagar would get all the votes because the constituency is named after Vidyasagar, should in all seriousness, be advanced in this House. I may tell you, from the point of view of simplicity, with a view to avoid all confusion in the mind of intending candidates or others, all these names were made: it is not a case of making a few departures. The West Bengal Government had no objection; the Delimitation Committee had no objection; the Election Commissioner had no objection and we had no objection. Therefore, I submit that whatever may be my hon. friend's grievances, they are more fancied than real. I have considerable sympathy towards my hon. friend's peculiar ideas; but I am afraid I cannot press them for the acceptance of this House. I would therefore submit to you that the amendments as have been proposed by the Law Minister and accepted by the House may be accepted. After all, you will find that with regard to delimitation of constituencies in West Bengal, there has been the least possible amount of disagreement, confusion or trouble.

Shri Chattopadhyay: I am keen about my amendments, Sir.

Mr. Deputy-Speaker: Does the hon. Member wish that I should put the amendments one by one or in a lot?

Shri Chattopadhyay: One by one, as it would give an opportunity to test the opinion of the House and of Members from the different States.

Mr. Deputy-Speaker: The House will, then, have to sit for 10 days.

Dr. Ambedkar: If I may say a word, in view of the fact that there is such a keen difference of opinion, I am prepared to suggest that it may be left to the Speaker to treat this matter as a sort of a nomenclature matter, without touching the substance. This matter may be kept open. Those Members who care may approach the Speaker and convince him that this is a matter of nomenclature and formally they may be put in without in any way disturbing the areas that are included in the particular constituencies.

Pandit Maitra: I am afraid we cannot agree to this because if one single Member is keen on having a change in the nomenclature, another Member may suggest another thing and.....

Shri Chattopadhyay: Why are you afraid?

Dr. M. M. Das: That would be inconvenient.

Shri J. R. Kapoor (Uttar Pradesh): The point raised by Mr. Chattopadhyay is appealing to most of us. We do not want that at this late stage there should be any substantial change. The changes that he suggests could easily be made in the manner suggested by the Law Minister and an overwhelming majority of the House will. I should say, support that.

Shri S. M. Ghose (West Bengal): How could this Order be finalised by the Speaker? My hon. friend has suggested some nomenclature. Other Members may suggest some other names. There will be no end to that.

Mr. Deputy-Speaker: The hon. Speaker has to be here. He has to invite other Members together and ascertain from them what their wishes are. What about the Order? Are we to say that the Order has to be modified to that extent or not? Nomenclature is a part of the Order; it is not something like the marginal notes. I think there will be some difficulty in the matter. I leave it to the House.

Shri Chattopadhyay: With a heavy heart. Sir, I am forced to withdraw them.

The amendments were, by leave, withdrawn.

Mr. Deputy-Speaker: Now I shall put the amendments of Dr. Ambedkar in Supplementary List No. 3. The question is:

[For text of the motions see amendments Nos. 1 to 3, 5 to 11 and 16 to

19 in Supplementary List No. 3 as printed in Appendix XXXIII, annexure 1.]

The motion was adopted.

Mr. Deputy-Speaker: The other hon. Members desire to withdraw their amendments.

All the other amendments were, by leave, withdrawn.

12 Noon

Mr. Deputy-Speaker: The President's Order regarding West Bengal stands modified to the extent of the amendments moved and accepted in the House.

HYDERABAD ORDER

Dr. Ambedkar: I am prepared to accept the following amendments:

Consolidated List, Amendment No. 1, parts 1 and 5, by Shri Ramachar and others.

Amendment No. 2, parts 1 to 6, parts 10 to 12 and parts 15 and 16 by Shri Ramachar and others.

Amendment No. 3, parts 1 and 2 by Shri Ramachar and others.

Mr. Deputy-Speaker: The question is:

[For text of the motion see Consolidated List, Amendment No. 1, parts 1 and 5, Amendment No. 2 parts 1, 2, 3, 4, 5, 6, 10, 11, 12 and 15 and 16, and Amendment No. 3 parts 1 and 2 printed in Appendix XXXIII, annexure 1.]

The motion was adopted.

Mr. Deputy-Speaker: The President's Order regarding Hyderabad stands modified to the extent of the amendments moved and accepted in the House. The other Members desire to withdraw their amendments.

All the other amendments were, by leave, withdrawn.

MADHYA BHARAT ORDER

Dr. Ambedkar: I accept amendments Nos. 1, 2, 3, 6, 7, 9 and 11 in List No. 3 by Shri Radhelal Vyas. Also in List No. 1, Appendix I.

Mr. Deputy-Speaker: The question is:

[For text of the motions see Amendments Nos. 1, 2, 3, 6, 7, 9 and 11 in List No. 3 printed in Appendix XXXIII, annexure 2.]

The motions were adopted.

Mr. Deputy-Speaker: The question is:

[For text of the motion see List 1, Appendix I (as modified by the previous amendments in List No. 3, printed in Appendix XXXIII, annexures 1 and 2.)]

The motion was adopted.

MYSORE ORDER

Dr. Ambedkar: I accept amendments Nos. 1 and 2 in List No. 1 by Shri Rudrappa.

Mr. Deputy-Speaker: The question is:

[For text of the motion see Amendments Nos. 1 and 2 in List No. 1 printed in Appendix XXXIII, annexure 3.]

The motion was adopted.

Mr. Deputy-Speaker: All the other amendments are desired to be withdrawn.

The amendments were, by leave, withdrawn.

Mr. Deputy-Speaker: The President's Order regarding Mysore stands modified to the extent of these amendments now accepted.

Then the Punjab Order?

Dr. Ambedkar: No, Sir. The Punjab Order will have to be kept back for some time now. We may take up the P.E.P.S.U. Order.

P.E.P.S.U. ORDER

Dr. Ambedkar: I accept amendment 1, parts 2 and 3 of Sardar Sochet Singh in the Consolidated List and also amendment No. 1 of Sardar Ranjit Singh as amended by amendments Nos. (i) and (ii) of Supplementary List No. 3 by Sardar Man.

Mr. Deputy-Speaker: Let us take them in order and finish first the Consolidated list.

Dr. Ambedkar: All right. I accept parts 2 and 3 of amendment No. 1 of Sardar Sochet Singh and others.

1	2	3
Malerkotla	Malerkotla police station excluding Patwari circle Saroud.	1
Ahmedgarh	Ahmedgarh and Amargarh police stations including Patwari circle Saroud.	1

The motion was adopted.

Mr. Deputy-Speaker: The question is:

[For text of the motion see Consolidated List, Amendment No. 1, parts 2 and 3 printed in Appendix XXXIII, annexure 1.]

The motion was adopted.

Dr. Ambedkar: I accept, in Supplementary List 2, amendment No. 1 of Sardar Ranjit Singh, as amended by amendment No. 1, parts (i) and (ii) in Supplementary List 3 by Sardar Man.

So the amendment in Supplementary List 3 may be put first.

Mr. Deputy-Speaker: The question is:

That in the motion in Supplementary List No. 2 printed in Appendix XXXIII, annexure 1—

(i) against the entry "Malerkotla", in column 2, for the existing entry the following be substituted, namely:—

"Malerkotla police station excluding patwari circle Saroud"; and

(ii) against the entry "Ahmedgarh", in column 2, for the existing entry the following be substituted, namely:—

"Ahmedgarh and Amargarh police stations including patwari circle Saroud."

The motion was adopted.

Mr. Deputy-Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (Patiala and East Punjab States Union) Order, 1951, laid on the Table on 16th May, 1951, namely:—

1. That at page 2, Table B.—Assembly Constituencies, for the entries "Malerkotla" and "Ahmedgarh" occurring in column 1, and all other entries occurring against them in columns 2 and 3, the following be substituted, namely:—

Mr. Deputy-Speaker: The President's Order regarding P.E.P.S.U. stands modified to the extent of the amendments now adopted.

RAJASTHAN ORDER

Dr. Ambedkar: I accept amendment No. 1, Parts 1 to 5 in the name of Shri R. C. Upadhyaya in Consolidated List as modified by amendment No. 1 of Shri Ghule in S.L. No. 4.

Mr. Deputy-Speaker: The question is:

[For text of the motion see amendment No. 1 by Shri Ghule in S.L. No. 4.]

The motion was adopted.

Mr. Deputy-Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies

1	2	3	4
Jodhpur	The Jodhpur district and the Jaisalmer district	1	..

3. That at page 2, in Table A.—Parliamentary Constituencies, for the entry "Jalore-Barmer" occurring in column 1 and all other entries occurring against it in columns 2, 3 and 4, the following be substituted, namely:—

1	2	3	4
Barmer-Jalore	The Barmer district and the Jalore district (excluding the Bhinmal, Jaswantpura and Modran Police stations of the Jaswantpura Tehsil).	1	..

4. That at page 2, in Table A.—Parliamentary Constituencies, for the entry "Pali-Sirohi" occurring in column 1, and all other entries occurring against it in columns 2, 3 and 4, the following be substituted, namely:—

1	2	3	4
Sirohi-Pali	The Sirohi district, the Bhinmal, Jaswantpura and Modran Police stations of Jaswantpura tehsil of the Jalore district and Pali, Bali and Desuri tehsils and the Sojat tehsil (excluding Bagri Kharachi and Sojat police stations).	1	..

(Rajasthan) Order, 1951 laid on the Table on the 16th May, 1951, namely:—

1. That at page 1, in Table A.—Parliamentary Constituencies, against the entry "Bikaner-Churu", in column 2, for all the words beginning with the words "Phalodi Tehsil" occurring in line 3, till the end, the following be substituted, namely:—

"Nagaur tehsil (excluding Nagaur Mundwa and Khatu Kalan police station and the Ladnu and Bardua police stations of the Beedwana Tehsil of the Nagaur District."

2. That at page 2, in Table A.—Parliamentary Constituencies, for the entry "Jodhpur-Barmer" occurring in column 1, and all other entries occurring against them in columns 2, 3 and 4, the following be substituted, namely:—

5. That at page 2, in Table A.—Parliamentary Constituencies, for the entry "Nagaur" occurring in column 1

and all other entries occurring against it in columns 2, 3 and 4 the following be substituted, namely:—

1	2	3	4
Nagaur-Pali	The Pali district (excluding Pali, Bali, Desuri and Sojat tehsils, but including Bagri Kharachi and Sojat police stations of the Sojat Tehsil) and the Nagaur district (excluding Ladnun and Bardua police stations of the Didwana Tehsil, the Peelwa police station and the villages of the Parbatsar and Gachhipura police stations specified respectively in items Nos. (E) and (F) of the Appendix and the Nagaur tehsil, but including the Nagaur, Mundawa and Khatu Kalan police stations of the Nagaur tehsil.	1	..

The motion was adopted.

Dr. Ambedkar: I accept the amendments in the name of Shri R. C. Upadhyaya and others, Parts 1 to 19 on pages 2 to 5 of C.L.

Mr. Deputy-Speaker: The question is:

[For text of the motion see amendment 3, parts 1 to 19, C.L. printed in Appendix XXXIII, annexure 1.]

The motion was adopted.

Dr. Ambedkar: Amendment No. 1 of S.L. No. 2 and also No. 2 of S.L. No. 2, as modified by amendment No. 2 in Supplementary List No. 4, standing in my name may be accepted.

Mr. Deputy-Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (Rajasthan) Order, 1951 laid on the Table on the 16th May, 1951, namely:—

1. That for the Appendix at pages 4—6 in Table A.—Parliamentary Constituencies, the following be substituted, namely:—

APPENDIX

Villages of the Amber Tehsil.

(1)

Seropesa, Kherwadi, Dolatpura Kotsa.

Villages of the Khandar Tehsil.

(2)

Akoda, Barie, Baleir, Bagora, Bichpuri, Misran, Bangarda Kalan, Bangarda Khurd, Bichpuri Gujran, Bajoli, Bholanpura, Baironda Kalan,

Chironji Kitera, Kosra, Chareta, Chak Singor Khurd, Dang Bhaopur, Khidar-pur, Bhaopur, Dang Bajoli, Gokalpur, Isarda, Jakhoda, Khidapura Jatan, Kaneti, Kodana, Karoli Tarachand, Piplet, Kutalpur, Karoli Ghata, Karera, Khurd, Karera Kalan, Kishangarh, Kabirpura, Kachnari, Birpur, Naroz, Manrot, Madhpur, Rahlawad, Singhor Kalan, Singhor Khurd, Singankuch, Sewti, Akhegarh, Badi-ka-Chhahra.

Villages of the Todabhim Tehsil.

(3)

Antarheda, Karanpur, Patoli, Bhaj-hera, Dantli, Anaptura, Medhipur, Gheroli, Sankarwada Padla, Khalsa, Pandla Jagir, Kundawali, Bhuda, Bharangpura, Sarsena Chak 1, Sarsena Chak 2, Bhensina, Shankarpur, Dorka, Muthepur, Nagal Nandal, Jharisa, Churpura, Madhopura, Bhensa Patti Kalan, Bhensa Patti Khurd, Matasula, Padli Khurd, Khidkhidi, Maderu Bishanpura, Jodhpur, Todabhim, Menhadwada, Asro, Bhimpur Kaneti, Makbara, Trisul, Nandipur, Chak Mahendwada, Jhunki, Jaisni, Machedi, Dadanpur, Sahrakhar, Manoj, Sujan-pura, Aedalpur, Ladpur, Makhtot, Kohra Kalan, Padampura Beroz, Nand, Gorda, Shankarpur, Kudhawal-Bala-was, Mohanpur, Badleta Buzurg, Badleta Khurd, Faujipura, Nagal Sultanpur Khedi, Gopalpura, Azizpur, Mirzapur, Chak Gazipur, Turakapur, Mereda, Khanpur, Kariri Gazipur, Garhi Badh, Fatehpur, Doravli, Joni Sherpur.

Villages of the Lachmangarh Tehsil.

(4)

Imlali, Baroda Meo, Khorpuri, Bedha, Sital, Mahlakpur, Raunpur.

[Mr. Deputy-Speaker]

Ghat, Menapur, Buntoli, Gothari-prohit, Dwarakpur, Thumrela, Gotheri, Guru, Berla, Gujar Khohara, Badhgujar Khohara, Ranniya Phar, Sahadka, Ambalpur, Kherlimahalak. Butiana, Harderhera, Kherli Viran, Kheria, Chhangalki, Baorika, Chai-manpura, Berka, Dusrahera, Dhandha, Mokaheri, Bandka, Nibhera, Resti, Gandura, Ratawali, Kherlichandrawal, Melkheri, Dinar, Ahamdabas, Raghu-nathbas.

Villages of the Kishangarh Sub-Tehsil of Tijara Tehsil.

(5)

Raoka, Chorbasai, Khora Pipli, Kolgaon, Sheikhpur, Khundinjagir, Dohra, Mahrampur, Khoha, Ghasoli, Khanpurmewan, Dongra, Niana, Bam-bora, Baghor, Pahar Shamlati, Ranoli, Bharuk, Ismanpur (including Roondh Ismailpur), Tahatra Kherla, Tahatra, Dadarhera, Nagla, Dungar, Patan Mewan, Nibhera, Siwana, Shiamaka, Jilota, Nagalijinnardar, Nagoli Khalil, Rata Khurd, Basai Balan, Rata Kalan, Basai-Jagta, Nangal Mojiya, Raipur-mewan.

Villages of the Neem-ka-Thana Tehsil.

(6)

Guhala, Chala, Govindpura, Bhagot, Bhagega, Sirohi, Bhudoli with Khor Agri, Ganeshar with Agri and Bhoj-pura, Barsinghpura, Gaonwari Nimod, Mahwa with Jiwaniki Dhani and Kalu-kidhani, Godawas, Neemkathana, Ranasar, Mandholi, Chak Charanwas alias Purnawas, Charanwas, Chak Mandholi, Napawali, Maonda Khurd, Makdi, Maonda Kalan, Kanwara, Natha-ki-Nagal, Lakha-ki-Nagal, Kan-war-ki-Nagal, Jhalra, Dayal-ki-Nagal, Gaonwli, Biharipura, Dabla, Himmat-pura, Semli, Behar, Jelo, Bagdawa, Imloha, Tigri, Salodra, Shampura, Dhani Ramsingh, Dunga-ki-Nagal, Kishorepura, Khorli, Nagal-Jat-Ki, Kharkadapanchu, Nagal Meena, Dal-patpura, Mothuka, Kangthli, Fateh-pura, Khurdia, Rampura, Bega-ki-Nagal, Jhamawas, Karja, Ballupura, Ramsinghpura (with Chak), Haripura Dhani Ahironki, Bhopia, Jatuwas, Hasampur, Chhaja-ki-Nagal, Rajpura, Mohanpura alias Kharkda, Patan, Kala Kota, Dokan, Kanakpura, Dhan-dhela, Kacharda, Norana, Narda, Bhagesar, Khadagbeejpur, Mokawas, Nanagwas, Raipur, Kola-ki-Nagal, Bhaduka alias Himmatpura, Bhopat-pura, Bakshipura, Rela, Chak Fagan-was, Faganwas, Ghasipura, Raion-ka-Bas, Partappura alias Kali Khera.

Gadreta, Ladi-ka-Bas, Khundala, Jait-pura, Todo with Kalakota, Dariba, Jhareda, Moklawas, Bas, Deepas, Kishanpura, Ramlawas, Luharwas, Dudawas, Dhadika alias Jawaharpura, Sewa alias Ramawas, Faganwas, Dungar.

Villages of the Police Station Bhojasar

(7)

Nosar, Matora, Jakhan, Bapini, Poonasar, Karwan, Sanwan, Maipan, Nimbaro Talao, Bhadan, Baidu, Isru, Suwaf, Kairla, Chadi Bhojasar, Au, Nokhra Charnan, Nokhra Bhatiyar, Jaislan, Manaiora, Rirmalsar, Chan-pasar, Ajasar.

Villages of Police Station Sankra.

(8)

Channi, Choak, Khaitolai, Khura, Luna Khurd, Mahesa-ki-Dhani, Modardi, Nanariyai, Odanya, Sana-wera, Sankara.

Villages of Police Station Pokaran

(9)

Jaimal, Girdi, That, Kailawa.

Villages of Police Station Bardwa.

(10)

Ridmalas, Raidhana, Urdrasar, Kusalpura, Godrakabas, Ringan, Tiloti, Pipakuri, Dobron-ka-Bas, Rewara-ka-Bas, Mithari, Hussanipura, Farwasi, Lachhri, Dhiawa, Manna-ki-Dhani, Ayasji-ki-Dhani, Indarpura (Shree Nathdwara), Khirwaj, Pandorai, Kan-wai, Dayalpura, Lunoda, Lalasari, Mawa.

Villages of Police Station Sojat.

(11)

Chitaraya, Chandawal, Guria, Khokra, Pachanda Kalan, Pachanda Khurd, Sandiaya, Dadiya, Dhundhala, Melawas, Mushahya.

Villages of Parbatsar Police Station.

(12)

Sanchore, Maigaon, Arath, Piplad, Rohandi, Bhawansiya, Malawas, Gusaiyan, Hardani, Nimbri, Bilu, Kinsariya, Khidarpura, Narwa, Parbat-sar, Shampura, Raniya, Mored, Adani, Khokrar, Charnwas, Drokaliya, Gmgoli, Daioli Khurd, Gangawa, Bidiyad, Kola Dungri, Khalar, Mamroli, Mandan.

Villages of Gachhipura Police Station.

(13)

Antroli Sanga, Marasi, Bithawaliya, Kurada, Lalna Kalan, Lalna Khurd, Harnawapati, Kuchipula, Barnail, Ratnas, Gusa Khairi, Khairi Silan, Madhyam, Palri Rajan, Altwia, Palri-Mahaichan, Bhutawa, Gachhipura, Intawa Dkhan, Gangahiya, Manaiwa, Sirsala, Nardoli Mertyan, Dhanoli, Ladoli, Sirsun, Bagoli, Baru, Solariya, Gular, Mtawa-Khichiyari, Bhadwa.

Villages of the Govindgarh Sub-Tehsil of Amber Tehsil.

(14)

Bagdi, Sargot, Dhodsar, Singhto Kalan, Singot Khurd, Khaizooli, Nan-wal Kozu Kanwarpura, Chak Naungal Kozu, Tiganuya, Amarapura, Naungal Bhairda, Bishanpura alias Charanwas, Niwana, Devthala, Charanwas alias Badh Dev Thala, Dohalai, Rai Singh-ka-Bas, Nangal Kalan, Gudha Chhota, Moondghensya, Udganwar, Nangal Govind, Kishanpura, Habu-ka-Bas, Ashti Kalan, Ashti Khurd, Bagda-ka-Bas, Madho-ka-Bas, Bhuteda, Husteda, Baori, Mandha Bheda, Anoppura, Shri Kishanpura, Bagha-ka-Bas, Aale-sar Charanwas, Sitarampura, Govind-garh, Sawoo Kalan, Sawoo Khurd, Itawa, Anandpura, Udaipura, Lorwara, Balekhan, Uganawas, Milakpur, Sundersar, Khannipur, Bad Abhey-karanpura, Kumbawas, Shrikishanpur, Vimalpur, Daulatpura, Dhana-ka-Bas, Kaladera, Narsinghpura, Gwardi, Radhakishanpura, Prayagpura, Babu-pura, Noppura Khatika Bas, Saharan-pura, Beesakhurd, Kanadpura, Jai-singhpura alias Bai-ka-Bas, Dola-ka-Bas, Gori-ka-Bas, Ginoi, Sabalpur, Dhani Nizarna, Rai Thal, Vijaipura, Punna, Nangal Bugala, Bichpadi, Moon-dota, Ladiki Nangal, Bishanpura, Radhapura, Barsanpura, Barsinghpura, Chak Pratappura, Partabpura Kalan, Partabpura Khurd, Todawas, Durga-ka-Bas, Moondiya, Shri Kalyanpura, Khaprya, Patti Sitarampura, Gudha Sargan, Mohanpura, Raghunathpura, Barna, Radhakishanpura, Sirsi, Khanni-pura, Shreepura, Jalsingh Lalpura, Sudershanpura, Dadar Baori, Narad-pura, Chak Jaitpura, Maheshwas Kanal, Maheshwas Khurd, Jhiloi, Rozda, Harchandpura, Chak Rozda, Acchojai, Chhatarpura, Sitarampura, Dalpura, Sardarpura, Shindolai, Kishanpura, Harduttapura.

Villages of the Kotri Tehsil

(15)

Kanpuria, Kishangarh, Sangrampura, Kothai, Deotalai, Ganeshpura, Singhi ji ka Kheda, Devria, Goghas, Chhaprel, Kanti, Amarapura, Beerdholi, Sankra, 257 PSD

Papraj, Nandrai, Badlias, Kharpura, Hajiwas, Bilvas, Kankroli, Hastada, Gahuli, Chavand Khera, Ashavari, Bedunda, Deo Khera, Mena ka Khera, Modia Khera, Bagadi, Khejdi, Sodias, Sagatpuria, Taleda, Chohali, Badkia, Akhepur, Itawa, Parmeshvarpura, Jagpura, Javal, Sabalpur, Bherukhera, Berada ki Jupidia, Gandheri, Panderi, Belva.

Villages of the Unthala Tehsil

(16)

Rajpura, Kheta Kheda, Sarwania, Mal Khejdi, Arnai, Lunda Malnawas, Dhakdon ka kheda, Lilrji ka kheda, Gulabpura, Amarapura, Solankhiyon ka kheda, Bhaupura, Haria Kheda, Nahar-pura, Chainpuria, Jhalon ka kheda, Sangrampura, Paria, Udaipuria, Prathi Singh ka kheda, Gathpura, Nankia kheda, Mota kheda, Phatapura, Seed, Savpura, Ranavatn ka kheda, Magri ka Phala, Jasvantpura, Sarangpura, Pithalpuria, Umraon ka vala, Gop ki Bhagal, Kanode, Gangpura, Kundia, Savpura, Chamlavdi, Samel, Surkhan, Pipalvas, Ummedpur, Gadi, Jarantra, Sarangpura, Dabiyon ka kheda, Pipli kheda, Alur ka Kheda, Devri, Dhimdi, Akola, Motida, Narda, Angora, Var-noda, Goga ka Kheda, Bhim ka Kheda, Gadriaras, Sunderpura, Kadacha, Jathpura, Gopalpura, Kiakheda, Surathpura, Mardkalan, Barni, Suyad, Mayda, Panud, Boria, Badgoan, Saleda, Telan Khedi, Kalva, Doulatpura, Jam-pura, Parsotampura, Gokalji-ka-Kheda, Fouzbadli, Bhinder, Kundai, Bhamela, Kerawal, Amba-ka-ghoda, Semliya, Savana, Khanna-Talai, Falador, Bania Talai, Ghundla, Opa ka Kheda, Bhika-wal, Sagatpura, Shrishodia-ka-kheda, Parval, Semlia, Neechala, Bedwi, Khedi, Chol, Bejrda, Borkheda, Dakio-Kheda, Mahudi Kheda, Dabkia, Bor-lalai, Khedia, Ghadi, Medhi khedi, Hathia-Talai, Amthal, Singhvi ka kheda, Bharia, Mal kheidi, Bornia ka sat, Jodh Singhji ki Bhaghel, Amba-ka-guda, Sonioron-ka-kheda, Manji-ka-kheda, Ajabpura.

Villages of the Kherwara Tehsil

(17)

Sagwara with hamlets, Padlia, Lapeda, Kelawada, Bilakh with ham-lets, Vani Bor, Saroli, Sulai, Kojawada with hamlets, Bhudhar with hamlets, Chinkala, Rikhab Dev Ward Nos. 1 and 2, Kagdar Ward Nos. 1 and 2 with hamlets, Ajlai, Ratanpur, Lareti, Dakar, Garaj, Nagasmapna, Samarat, Gadawan Upli, Gadawan Neechli, Kakan, Lamba Umra, Nala, Popalwa, Kutala, Daban, Mahudia, Akhiwada, Akot, Hinka, Mokarwada, Panchabadia, Hatwen, Jhadol, Bhandara, Samrun, Jalpacca, Nala, Bhagibao, Rudra.

[Mr. Deputy-Speaker]

Kanta Ghanta, Thaprawali, Suveri, Ramabadri, Bhuvvar, Mal, Sami Tad, Hantia, Paderi, Makad ja, Khunta Neri, Ghata, Thobawada, Kalawat, Godawat, Somawat, Kikar, Thana, Kalatiyakada, Kanuwada, Bilkhai, Pareda, Khunadari, Jawas.

Villages of the Baran Tehsil

(18)

Bamli, Gordhanpura, Dolatpura, Aklaria, Barani, Bamanhera, Karanaheda, Kotra, Kotri, Mandoli Jagir, Mandola, Pataira, Chak Jalaida, Akira Jagir, Nahaseda, Laxmipura, Susawan, Basorikhera, Raptawan, Fatehpur, Niyana, Gopalpura, Mathri, Mathna, Khechli, Keshu, Manpur Jagir, Tatawa Jagir Bhatsue, Lisadia, Shombhaspur, Raniheda, Khedli, Bhaidoliya, Banda, Koyalla, Miyada, Bambuliya, Kheri, Chainpura, Ranoto, Luharia.

Ulti Jagir, Kotrisunda, Rithod, Shahgarh, Tajgarh, Majrvata, Kalyanpura, Ghata, Sambalpur, Chandpura, Chirari, Bhatt Khedi, Jaloida, Gugalhedhi, Hanutia, Khedahedi, Hikar, Naredi (Jagir).

2. That for the Appendix at pages 13—21 in Table B.—Assembly Constituencies, the following be substituted, namely:—

APPENDIX

Villages of the Sawai Madhopur Tehsil

(1)

Torda, Bandha, Bhagwatgarh, Nahrikalan, Nahrikhurd, Adalwara-kalan, Adalwara-khurd, Khetpura, Joyn Kavad, Sunari, Sinoli, Banoti, Aokda, Girdharpura, Binjari, Basda, Thikra, Borda, Choth-ka-Barwada, Baleria, Ram Singhpura, Garudwas, Jhajhera, Kumaria, Ganeshganj, Gopipura, Ratnapura, Rajwana, Chainpura, Vijalpura, Bhedoli, Shersinghpura, Bhedola, Mahopura, Dhandoli (Andholi), Siwad, Pipla, Gopalpura, Tapar, Jharoda, Abhaipura, Anicher, Sarsop, Devali, Raipur, Sholpur, Isarda, Dholi, Didayach, Paondera, Gursila, Nayagaon, Basla, Banderia, Bagnina, Sirohi, Jagmoda, Jhupra, Itawa, Adondi, Jharna, Kherli Ghata.

Villages of the Khandar Tehsil

(2)

Akoda, Barie, Baleir, Bagora, Bichpuri-Mieran, Bangardakalan, Bangarda Khurd, Bichpuri Gujran, Bajoli, Bholanpura, Bairaondakalan, Chironji

Khera, Kosra-Chareta, Chak Singor Khurd, Dang-Bhaopur, Khidarpur, Bhaopur, Dang-Bajoli, Gokalpur, Isarda, Jakhoda, Khidarpur, Jatan, Kaneti, Kodana, Karoli-Tarachand, Piplet, Kutalpur, Karoli, Ghata, Karera Khurd, Karera Kalan, Kishangarh, Kabirpura, Kachnari, Birpur, Moroz, Mamrot, Madhpuri, Rahlawad, Singhor-kalan, Singhor Khurd, Singankuch, Sewti-Akhegarh, Badi ka Chhahra.

Villages of the Bamanwas Tehsil

(3)

Amarwa, Goth, Sikroli, Dungarwara, Dagra, Tudila, Toda, Banor, Gujar, Koleta, Jagrampura, Barh Jahera, Jahaura, Barh Badila, Thikaria, Sherpur, Donal, Badila, Danta Suti, Badh Dantasuti, Ranila, Jhadoli, Barh Jhadoli, Sarai, Kadipur, Gayaspur, Gandai, Kundli, Kishanpur, Kukra, Bandhawal, Safipura, Birpur alias Radhekkhi, Manpur alias Nagtalai, Bhanpur alias Bhotai, Ramsinghpura, Saranpura, Badh Koyala, Ganholi, Badh Gahnoli Chak 1, Badh Gahnoli Chak 2, Koyala, Dalpur, Jafarpur, Bamanwas Patti Kalan, Bamanwas Patti Viehli, Bamanwas Patti Khur, Sehajpur, Kiratpura, Shiampi, Abheypura, Mina Koleta, Nan Khera, Badh Raghopura, Raghopur Bhitoli, Badh Duji, Bhawal, Chandlai, Sukar, Rewali, Kuwa Gaon, Bichpuri, Raghunathpura, Badh Raghunathpura, Singtoli, Shri Rampura, Ghudia, Khatana, Nawad Kishanpura, Ramnagar Dosi, Rampura, Lewali, Gothra, Kakrala, Naharsinghpura, Kohli Prempura, Sitapura, Khedli, Nagarheda, Badh Kuncha, Dabar, Tejpur, Kacharheda, Gola Gaondi, Sitor.

Villages of the Toda Bhim Tehsil

(4)

Antarheda, Karanpur, Patoli, Bhajhera, Dantli, Anaptura, Mehdiapur, Gheroli, Sankarwada, Padla Khalsa, Padla Jagir, Kundawali, Bhuda, Bharangpura, Sarsena Chak 1, Sarsena Chak 2, Bhensina, Shankarpur, Dorka, Muthepur, Nagal Nandal, Jharsia, Churpura, Madhopura, Bhensa Patti Kalan, Bhensa Patti Khurd, Matasula Padli Khurd, Khidkhidi, Maderu Bishanpura, Jodhpur, Todabhim, Menhadwada, Asro, Bhimpur Kaneti, Makbara, Trisul, Nandipur, Chak Mahendwada, Jhunki, Jaisni, Mechedi, Dadanpur, Sahrakhar, Manoj, Sujanpura Aedalpur, Larpur, Makhot, Khohra Kalan, Padampura Beroz, Nand, Gorda Shahkarpur, Kudhawal, Balawas Mohanpur, Badleta Bozurg, Badleta Khurd, Faugipura, Nagal Sultanpura

Khedi, Gopalpura, Azizpur, Mirzapur, Chak Gazipur, Turakpur, Merada, Khanpur, Kariri Gazipur, Garhi Badh, Fatehpur, Doravli, Joni Sherpur.

Villages of the Behror Tehsil

(5)

Kohrana, Banhar, Untoli, Khori, Mohammadpur Nagaliya, Khapariya, Hamidpur, Mundiya Khara, Tasing, Turiyana, Gadhoj, Dhindhor, Nalota, Kherki, Kankar Chhaja, Gunti, Sherpur, Gokalpur, Shyampur, Simla, Jainpurwas, Jagooas, Talwar, Sarbilandpur, Momnipur, Mohsanpur (including Chak Mohsanpur), Pahari, Mohammadpur-gujar, Islampur, Gujarwas, Shahjadpur Nagalia, Jalalpur, Dhis, Ajmeripur, Karora, Jharora, Jaisinghpura, Narera Kalan, Ramsinghpura, Maon, Maharajwas, Lakhiwas, Bijorawas, Golawas, Sangli, Nasirpur.

Villages of the Kishangarh Sub-Tehsil

(6)

Kheri, Thatka, Jhanpur, Khanpur Ahiran, Chachiyawas, Sanoda, Ghikaka, Dingali, Nimlaka, Bhojra, Karwar, Ikrotiyaa, Daika, Pur, Kairwa, Jalaka, Moonpur Thakran, Kheral, Dhirdhoka, Kani, Jonal, Khohra, Maghakamajra, Ahirbasna, Theter Basna, Lahrod, Nangalsaliya, Gurgachka, Kadaiyan, Patan Ahiran Gun-sar, Palpur, Paharwas, Khera, Jhamuwas (including Roondh Jhamuwas), Fatiyabad, Jharjhila, Gugalheri, Basai Bithal, Manchhroli, Bagheri Kalan, Bagheri Khurd, Beraheri, Salkhar, Raipur (Thakaran), Kumpur, Moonpur Mewan, Shorwa, Daulatnagar, Mirzapur, Jharka, Harsauli, Jhiryana, Shahpur, Shahjadpur, Sadhuka, Alamdika, Sewkhera, Nagaliya, Sahuwas, Islamnagar, Jataka, Mahond, Pundraka, Tankaheri, Basripalnagar Tarwala, Santhalka, Tohari, Nagali Mewan, Jatiyana, Mirka, Isapur, Basai Kalan, Noornagar, Lhisana, Lhisani, Kirwari, Ramnagar, Girwas, Bhojpur, Hanspur Khurd, Pataliya, Nagali Jatan, Hanspur Kalan, Kharola, Nasirabad, Khairthal, Kultaipur, Chhatarpur, Jhirandiya, Chak Santiyawas.

Villages of the Kishangarh Sub-Tehsil

(7)

Raoka, Chorbasai, Khora Pipli, Kolgaon, Sheikhpur, Khudinjagir, Dohra, Mahraumpur, Khoha, Ghasoli, Khanpur-mewan, Dongra, Niana, Bambara, Baghor, Pahar Shamlati, Ranoli, Bharuk, Ismailpur (including Roondh Ismailpur), Tahatra Kherla, Tahatra, Dadarhera, Nagla Dungar, Patan Mewan, Nibhera, Siwana, Shiamaka,

Jilota, Nagaliinnardar, Nagali Khalil, Rata Knuu, Basai Balan, Rata Kalan, Basai-Jagta, Nangal Mojiya, Raipur-mewan.

Villages of the Lachmangarh Tehsil

(8)

Imlali, Baroda Meo, Khorpuri, Bedha, Sital, Mahlakpur, Raunpur, Ghat, Nenapur, Buntoli, Gotharipurohit, Dwarakpur, Thumrela, Gothari Guru, Berla, Gujar Khohara, Badhgujar Khohara, Raunija Phar, Sahadka, Jamalpur, Kherlimahalak, Butiana, Haderhera, Kherli Viran, Kherla, Chhangalki, Baorika, Chimanpura, Berka, Dusrashtra, Dhandha, Mokaheri, Bandka, Nibhera, Resti, Gandura, Ratawali, Kherlichandrawal, Melkheri, Dinar, Ahamadabas, Raghunathbas.

Villages of the Rajgarh Tehsil

(9)

Kankwari, Kaniyawas, Mitrawat, Hariपुर, Garh, Dabkan, Tilwari, Sitawat, Tilwar, Kalwar, Khoh, Toda Jaisinghpura, Ghatra, Berli, Doondpuri, Thana, Palpur, Kakroli Rampura Gordhanpura, Mallana, Kothri Rampura, Naroli, Tehla, Khariyawas, Rupbas, Rajroli, Ghewar, Nandoo, Murli-pura, Chawakabas, Losal, Talab, Ramsinghpura, Deoti, Kherli, Lanki, Beer-pur, Bighota, Nathalwara, Narainpur, Joneta, Sakat, Thamawali, Sobhapur, Gwara Ghesli, Todi, Rajpur, Mandawari, Band Ramsagar, Narwas, Mur-rata, Kuncha, Dholan, Kundroli, Shrichandpura, Dangarwara, Umri Dehri, Dhamrer, Nayagaon, (Har Kishenpura), Vijeynagar, Ratnapura, Neemla, Moti-wara, Khirat ka bas, Todi ka bas, Dhirora, Namdarpura, Lakhawas, Rondh Narainiji, Paota, Barwa Dongri, Baldevgarh, Nagal karna, Shiv Nagri, Sialuta, Nangal Das, Gur-ka-Khera, Pempura, Kutuki, Pemawala, Kaniyawas, Keertla, Damodarkabas, Sitapur, Patti Beena, Birkari, Golakabas, Ratnakabas, Bhangarh, Rondh Bhangarh, Goth, Surer, Nangal Dharmu, Ballupura, Nangal Atalda, Nayabas Haveli, Sri Nagar, Rajer, Nangal Chandel, Kundla, Prempura.

Villages of the Deeg Tehsil

(10)

Nahra, Chauth, Dhamari, Sohera, Seoo, Gohana, Kishanpur, Achalpur, Rambagh, Behtana, Nagla Birawli, Birawali, Kheria Purohit, Kuchawati, Gadhi Lodha, Aoo, Nagla Radhey, Cahanawli, Badangarh, Nagla Chaina, Madera, Nagla Madhwana, Narainpur, Gharwari, Rundh Gharwari, Nagla Gangi, Kasot, Kaunrer, Jatoli Kadima,

[Mr. Deputy-Speaker]

Khera Brahmin, Kathera Chauth, mara, Chak, Umara, Samai, Punchhri, hamdhak, Baroli Chauth, Behaj, agla Moti, Nagla Khuman, Malipur homenda, Iklehra; Deeg town, Abadi eeg, Malpur, Bhilamka, Parmadra, undh Parmadra, Badri, Pasta, araina, Chauth, Nagla Harsukha, undh Naraina.

Villages of the Bayana Tehsil

(11)

Biskhori, Imalia, Mahloni, Mertalab, Iotha, Kilawa Aitmadpur, Ghazipur, Chareri, Bagren, Khankhera, Kair, Tangren-Khurd, Katariapura, Nithar, Kalsara, Jaspura-Moroli, Bhaja Moroli, Khikru, Intkhera, Adda, Raroda, Pipra, Kuntkhera, Madanpur, Nagla Ionta, Meharwar, Aroda, Katkar, Pilupura, Dhandhren, Jhamri, Barkhera, Kherli, Sekhpur, Hingota, Mundia, Jamori, Nagala Nawaria, Nagala Bahaluria, Nagala Sewa Kurwaria, Phanso, Chak Pola, Chak Bichi, Chak Virampura, Pidawli, Kohara, Arajai-Zalim, Furdha Nadi, Bacheza, Dabhana, Khatnavli, Aincholi, Navab, Chak Javali, Nagla Purohit, Nagla Cheetaiya, Dehgaon, Nagala Tirkha, Nagala Rupram, Nagala Kishan Ballabh, Nagala Sheo Lal, Nayagaon Kalan, Jarkho, Bhagori, Kanawar, Nagala Himan, Nagala Harla, Har Nagar, Arajai N. Kishore, Bidiyari, Murki, Deba Jarai, Sarai Syed Ali, Bayana Town, Bagh Kanawar, Damdama, Lahchore Khurd, Nayagaon Khurd, Kachera, Brahmbad, Kooti Kheda, Purvai Kheda, Jeedpur, Nagla Jhamara, Nagla Nirhan, Salabad, Nadigaon, Bajoli, Aghavali, Talampur, Jaswant Nagar, Nagla Khushfaham, Nagla Med Singh, Ajnoli, Nagal Khushali Ram, Nagla-Kharg Singh, Birampura, Pipari, Milakpur, Biretha, Sewala, Reechroli, Lecchora Kalan, Bansroli, Chokhanda, Sadpura, Nagla-Kurwaria,

Villages of the Dholpur Tehsil

(12)

Baretha, Bothpura, Bugcholi, Dayeri, Siyapura, Duragpura, Sijroli, Badagaon, Phoolpur, Tanda, Barabat, Dubati, Mugarwara, Biparpur, Sakatpur, Nakpur, Bhojpur, Doobra, Mustafabad, Tordaniyal, Sarkarkheda, Odi, Kajipura, Allahpura, Dariyapur, Pachgaon, Aundela, Tal-Aundela, Masudpur, Narpura, Bhagirathpura, Bhagpura, Bhilagma, Chandpur, Mirjapur, Sahapur, Kheda, Sarani, Nagla-Bhagat, Rajora, Dhimri, Sandra, Binsoda, Garwapura, Nagla Moroli, Rajai Kalan, Rajai Khurd, Qasba Nagar, Basai Dang, Baripura, Birpur, Patewari, Sehon, Kotra, Kookpur, Khanpura,

Nibhi, Ban Bihar, Chechipura, Moroli, Hinota Gujar, Bhanpur, Dandoli, Jayara, Surajpura, Bilpur, Firozpur, Basai Samanta, Randoli, Darrupura, Mahwri, Bhondia.

Villages of the Police Station Jhunjhunu

(13)

Budana Bagar, Desusar, Gopalpura, Hamiri Kalan, Hamiri Khurd, Hanutpura, Islampur, Inderpura, Kasimpura, Lalpur, Makhar, Merod, Soti, Sonasar, Chinchroli.

Villages of Gudha Police Station

(14)

Bas Bishna, Bas Mana, Deep Pura, Gura, Gadla Kalan, Gadla Khurd, Kishorepura, Kakrala, Ked with Gopalgarh, Mainpur alias Miyampur, Niwari, Nangal Gujran, Natas, Khatkar, Nagli Deepsingh, Bhatwar, Sheonathpura, Harwana, Chanwara.

Villages of the Sikar Tehsil

(15)

Sikar (town), Debipura, Beri, Khori Brahman, Kolida, Bhadwasi, Chandpura, Dadia, Dadli-Hardayalpur, Daulatpur, Dabpanora, Gungara-Kushalpur, Jerthi, Jhigar (Chhoti), Kudli, Katrathal, Raghunathgarh, Piprali, Sheosinghpura, Singhasan, Tarpura, Dhani Tarpura, Bajor with Jhunjhara, Chainpura with Chak Chainpura, Dhani Dassaki, Gokalpura, Malkhera, Smrathpura, Radhakishanpura with Dhani Purohitji, Gothra Bhukran, Birol, Butoli, Gudha Khurd, Gudha Bara, Hathiyaj Rajpura, Jurathara, Sikrai, Shamgarh, Sob, Palasera, Dhani Dulalki, Dhani Salimsingh, Todi.

Villages of the Neem-Ka-Thana Tehsil

(16)

Buchara with Kola-ka-Bas, Chudla, Jugalpura, Debipura, Sanwalpura, Mundli, Ghata with Ganwar, Chiplata with Bhagwanpur Sikrai and Ladya, Rooppura, Khiroti, Mandrupura, Hathideh, Hardaskabas, Ajmeri Kishorepura, Tatera, Raipura, Pithalpura, Byore, Sanwalpura, Nor, Haripura, Burhanpura, Jhadli, Sherpura, Surani, Athora with Mandsa, Shipur, Jugrajpura, Mangarh, Ajitgarh, Anantpura, Deorala, Aspura, Garh Taknet, Tilokpura, Gidakabas, Sihori, Kalyanpura, Shimarla, Gopalpura, Nalot, Lorwada, Madhokabas, Sukhsinghpura, Bhadwadi, Bithalpura, Jugalpura, Thikaria, Dhair Kanwat, Kanwat, Harjanpura, Basdi Khurd,

Chhapar, Pithalpur, Basdi Kalan, Kalia Bas, Shilpur, Thoi, Karadka, Udawas, Lisadia, Khurempura, Mundru, Nagal Nathusar, Kolwa, Jalalsar, Arnia, Mahroli with Gudha and Bas Patwari, Bharni, Jalpali with Fadanpura, Srimadhpor, Vijaypura, Bhopatka-Bas, Bassai, Dhalawas, Sheopura, Jairampura, Kalyanpura, Pujarikabas, Haspura, Nagal Bhim, Mau, Bagaria-was, Prithvipura, Kotri, Jaswantpura, Kacharda, Dhani Zerawarsingh, Ukhda with Hamirpura Kalan, Chak Kacharda.

Villages of the Neem-ka-Thana Tehsil

(17)

Guhala, Chala, Govindpura, Bhagot, Bhagega, Sirohi, Bhudoli with Khori Agri, Ganesar with Agri and Bhojpura, Barsinghpura, Gaonwari, Nimod, Mahwa with Jiwanli Dhani and Kalukidhani, Godawas, Neem-ka-Thana, Ranasar, Mandholi, Chak Charanwas alias Puranawas, Charanwas, Chak Mandholi, Napawali, Maonda Khurd Makdi, Maonda Kalan, Kanwara, Natha-ki-Nagal, Lakha-ki-Nagal, Kanwar-ki-Nagal, Jhalra, Dayal-ki-Nagal, Gaonwli, Biharipura, Dabla, Himmatpura, Semli, Behar, Jelo, Bagdawa, Imloha, Tigri, Salodra, Shampura, Dhani, Ramsingh, Dunga-ki-Nagal, Kishorepura, Khori, Nagal-jatki, Kharkadapanchu, Nagal, Meena, Dalpatpura, Mothuka, Kangthli, Fatehpura, Khurdia, Rampura, Bega-Ki-Nagal, Jhamawas, Karja, Ballupura, Ramsinghpura (with Chak), Haripura, Dhani Ahironki, Bhopia, Jatuwas, Hasampur, Chhaja-ki-Nagal, Rajpura, Mohanpura alias Kharkda, Patan, Kala Kota, Dokan, Kanakpura, Dhandhela, Kacharda, Norana, Narda, Bhagesar, Khadagbeejpur, Mokawas, Nanagwas, Raipur, Kola-ki-Nagal Bhaduka alias Himmatpura, Bhopatpura, Bakshipura, Rela, Chak Faganwas, Faganwas, Ghasipura, Raion-Ka-Bas, Partappura alias Kali Khera, Gadreta, Ladi-Ka-Bas, Deepas, Kishanpura, Ramlawas, Luharwas, Dudawas, Dhadika alias Jawaharpura, Sewa alias Ramawas, Faganwas, Dungar, Kundla, Jaitpura, Toda with Kalakota, Dariba, Jhareda, Mokawas, Bas, Deepas, Kishanpura, Ramlawas, Luharwas, Dudawas, Dhadika alias Jawaharpura, Dewa alias Ramawas, Faganwas, Dungar.

Villages of the Tonk Tehsil

(18)

Akodia, Balagarh, Chandwar, Datunda, Kalayanpura, Rang-bilas, Ram Nagar, Laxmipura, Satwara, Tokrawas.

Villages of the Toda Raisingh Tehsil

(19)

Arnia, Utharna-Bas-Chain Singhpura, Amla (Devlia), Kundera (Jagir) Duni (Qasba), Kurasia, Kakoria, Kanti Chanderpura, Khera, Kala Nada, Ganoli, Gola hera, Banedia Khurd, Chandpura-Nadika Dhava, Chandli, Chopra, Chopri, Chhan-Mai-Bas-Suriya, Chhatari, Jagtya, Jaithala, Banthali, Thikaria, Thatha, Sirohi, Dabar Kalan, Dabar Khurd, Dhibroo, Dhiklya, Thanwla, Devlya Ramsingh, Dalwasa, Devrawas, Nasrida, Panwar, Baneria Charnan, Batoonda, Bagri, Dudawas, Bisalpura, Barwas, Dhandhola, Bas Lachmana, Bas Chatra, Bhatera, Bhanwarthala, Malhera, Morda (Jagir), Moza Kasir, Moondia, Mugland, Moza Titariya, Moza Barla, Moza Bibolao, Madhosinghpura, Manpura, Jarkhia (alias Radha Ballabhpura) Rohota, Rajmahal, Ramthala, Raghunathpura, Rampura, Ralawta-bas-Beja, Ratanpura, Satwara, Sardara, Sadiawas, Sandla, Setiwas, Salgawas, Sankarwara, Sujanpura, Sanwatgarh, Sarsari, Hanumanpura, Shri Mansinghpura, Gaonri (Thikana), Polyara, Mor Bhatiya.

Bijwar, Ambapura, Gopipura, Narasinghpura, Bhimrwas, Bas Jodha Nayangawan Gothra, Balapura, Naya Gawa Dhigria, Kheriya, Jalari, Nandpura-Charanwas, Kherera, Mordiala, Islampur, Lachampura, Bas Bhagirath, Bharua, Kakolwara Mahadevpura.

Villages of the Jaipur Tehsil

(20)

Jamdoli, Ballopura, Jaisinghpurkhor, Samel, Malpura Dungar, Luniawas, Bindayakya, Dhula Bhaogarh, Mompur Sadwa, Kerlangarh, Roopa-ki-Nagal, Beed Mapura, Padli Meena, Kohoh Nagoriyan, Kohoh Laihiryan.

(21)

Khatipura Charanandi, Jhotwada, Nangal Jalsa Bora, Pempura, Mahapura, alias Kooker, Khera Saliawas, Sahajpura.

Villages of the Phulera Tehsil

(22)

Toda, Tod, Mirzapur, Khandel, Norangpura, Suwava, Sahnbar, Barothi, Barwata, Ranji, Khushina, Dodwada, Sartala, Chapri, Govindpura, Jaoli, Sitarampura, Nangal, Kalyana, Hawaspura, Hachukada, Panwa,

[Mr. Deputy-Speaker]

Mandka, Mandhai, Mored, Shreeram-pura, Slawata, Seengla, Dabri, Shaikhoopura, Maurdi Kalan, Maurdi Khurd, Morda, Adarwa, Marwa, Panwa Kalan, Surri, Khwazpura, Peegoon, Mamana, Neemli, Sirohi Khurd, Kotda, Jhakolar, Panwaliya, Beegolao, Dantra, Bokdawas, Jadaota, Sali, Gharhar, Gailota, Sirohi Kalan, Ladera, Sakhwon, Dantri, Parasoli, Gopipura, Shree Ramnagar, Bhojpura, Dudu, Baget, Khudiyala, Mangalwada, Tan Chapparwada, Cheepiya, Chaprasar, Harsoli, Ghaiga, Kairiya Bujarg, Mahatgaon, Relana, Gagardoo, Dhandholi, Inta Khoi, Gothra, Nagri, Kachnariya, Kariya Khurd, Sanodiya, Laoodiya, Ursewa, Suridiya, Chapparwada, Sava, Naurangpur, Khedi Charanan.

(23)

Jobner, Dakniawas, Asalpur, Badh Mathuradas Ka Bas, Gudha barsal, Dhindhha, Harnoda, Boraj, Sardarpur, Keshri Singhpora, Jharna, Kotzewan, Gopalpora, Dothrawas, Bichoon, Kapadiwaas Khurd, Kapadiwas Kalan, Nannota, Mehlan, Kalyansar, Girdharipura, Sheosinghpura, Basdi, Gadota, Gadoti, Sitarampora, Mokampura, Ram Lachmanpora, Paloo Kalan, Paloo Khurd, Akhepora, Gangoti Kalan, Sadarampora, Jaswantpora, Khatwada, Gangoti Khurd, Nagwada, Manpora, Maheshpora, Chandanmolka, Chak, Gidhani, Gudha Saipura, Kakrala.

Villages of the Dausa Tehsil

(24)

Bhandarez, Gothra, Roormal-ka-bas, Dewanwara, Birasna, Sarai, Maharaj-pura, Nangal Chappa, Alooda, Itarda, Saliwas, Moond-Gheensya, Kharandi, Bedawas, Khawa, Paparda, Banedi, Basna, Hapawas, Khera, Sahajpora, Singpora, Chak Sahajpora, Balyawas, Kaleda, Charanwas, Badakhoh, Thumdi, Ramsinghpura, Kali Khad, Kali Khoh, Jun, Sar.

Villages of Sub-Tehsil Govindgarh of the Amber Tehsil

(25)

Bagdi, Sargot, Dhodsar, Singhto Kalan, Singot Khurd, Khaizooli, Nanwal Kozu Kanwarpora, Chak Naungal Kozu, Tiganuya, Amarpura, Naungal Bhairda, Bishanpora alias Charnawas, Niwana, Devthala, Charanwas alias Badh Dev Thala, Dohalai, Rai Singh Ka Bas, Nangal Kalan, Gudha Chhota, Moondghensya, Udganwar, Nangal Govind Kishanpora, Habu-ka-Bas,

Ashd Kalan, Ashti Khurd, Bagda Ka Bas, Madho ka Bas, Bhuteda, Husteda, Baori, Mandha Bheda, Anoopura, Shri Krishnpora, Bagha ka Bas, Aalesar Charanwas, Sitarampora, Govindgarh, Sawoo Kalan, Sawoo Khurd, Itawa, Anandpora, Udaipura, Lorwara, Balekhan, Uganawas, Milakpur, Sundersar, Khannipur, Bad, Abheykaranpora, Kumbawas, Shri-kishanpur, Vimalpur, Daulatpora, Thana ka Bas, Kaladera, Narsinghpura, Gwardi, Radhakishanpora, Prayagpora, Babupura, Noppura Khaitika Bas, Saharanpora, Bessakhurd, Kanadpora, Jaisinghpura, alias Bai Ka Bas, Dola Ka Bas, Gonika Bas, Ginoi, Sabalpora, Dhani nizarna, Rai Thal, Vijaipora, Punna, Nangal Bugala, Bichpadi, Moondota, Ladiki Nangal, Bishanpora, Radhapura, Barsanpora, Barsinghpura, Chak Pratabpora, Partabpora Kalan, Partabpora Khurd, Todawas, Durga ka Bas, Moondiya, Shri Kalyanpora, Khaprya, Patti Sitarampura, Gudha Sargan, Mohanpora, Raghunathpora, Barna, Radhakishan-pura, Sirsi, Khannipura, Shreepura, Jalsingh Lalpora, Sudershanpora, Dadar Baori, Naradpora, Chak Jait-pura, Maheshwas Kalan, Maheshwas Khurd, Jhiloi, Rozda, Harchardpora, Chak Rozda, Acchojai, Chhatarpura, Sitarampora, Dalpora, Sardarpura, Shindolai, Kishanpora, Harduttapura.

Villages of the Takhatgarh Police

(26)

Seropesa, Kherwadi, Dolatpora Kotsa.

Villages of the Takhatgarh Police Station

(27)

Balana, Dolatpora, Basant, Dujana, Gogran, Guriya, Hingola, Jaswant-nagar, Khangari, Khinwara, Kosailao, Nawa Khura, Rajpora, Sandairao, Takhatgarh, Khaitariya, Bangri.

Villages of the Police Station Sojat

(28)

Chitarya, Chanda wal, Guria, Khokra, Pachanda Kalan, Pachanda Khurd, Sandiaya, Dadiya, Dhundhala, Melawas, Mushahya.

Villages of the Police Station Jalore

(29)

Bokaran, Mithari, Saidariya Kun-paisal, Samuja, Bhagli Prohiton, Pand-gara, Maira Uparla, Daioki, Sapani,

Daisu, Dibawas Godhan, Bkadhanwadi, Bichwari, Kantiwara, Un, Rajanwarim, Sakrana, Bagotra.

Villages of the Police Station Sanchore

(30)

Ankhol, Bali, Bamal, Bandaio, Basan-Deora, Bhadurda, Bhutail, Chora, Dadhura, Deoda, Dugawa, Gundau, Intada, Jailatra, Jhab, Jhairal, Jodhoa-was, Khara, Kura, Lachhiwar, Laya-dara, Mirpora, Muli, Palri Deoran, Rampura, Panchala, Sankar, Saranau, Surawa, Taitrol Deoran, Tantra, Titop, Nimbau, Maru-Khaira, Paman, Binjrol.

Villages of the Jodhpur Tehsil

(31)

Ganwan, Bagan, Chainpora, Bhad-wasiya, Mahamandir (Proper), Man-dore, Sunthala, Basni.

Villages of the Police Station Mathaniya

(32)

Godawasiya, Dawatra, Burkiya, Nan-diya Prabhawati, Saivaki Khurd.

Villages of the Police Station Bhojasar

(33)

Nosar, Matora, Jakhan, Bapini, Poonasar, Karwan, Santwan, Maipan, Nimbaro Talao, Bhadan, Baidu, Isru, Suwaf, Kairla, Chadi, Bhojasar, Au, Nokhra Charnan, Nokhra, Nokhra Bhatiyar, Jaislan, Manaiora, Rirmal-sar, Chanpasar, Ajasar.

Villages of the Police Station Sankra

(34)

Channi, Choak, Khaitolai, Khura, Luna Khurd, Mahesa-ki-Dhani, Modardi, Nanaaiya, Odamiya, Sanaara, Sankara.

Villages of the Police Station Pokaran

(35)

Jaimal, Kirdi, That, Kailawa.

Villages of the Degana Police Station

(36)

Jaitpora, Dagra, Dagri, Khairwa, Dugor Dasan, Dugor-Achlan, Khuri Khurd, Pandwali, Khuri Kalan, Mogas, Bhadli, Churiyawas, Jodhawas Khurd, Klindawas, Alawas, Nimbola Khurd, Undiyas, Ranas, Deola Madha, Deola Manda, Khatolai, Jalsu Khurd, Jalsu Nanag, Antroli Kalan, Antroli Khurd, Sarsanda, Banwarla, Chiknas, Dugor

Chhikna, Gaimaliyawas, Sansan, Nim-bola Kalan, Nimbola Prohiton, Dunga-was, Sukhwasni, Sanju, Khinwatana, Chuwa, Daholi Mithi, Daholi Khari, Achala ka Khait, Jalsu Kalan, Bhad-wasi.

Villages of the Parbatsar Police Station

(37)

Sanchore, Maigaon, Arath, Piplad, Rohandi, Bhanwansiya, Malawas, Gusaiyan, Hardani, Nimbri, Bilu, Kin-sariya, Khidarpura, Narwa, Parbatsar, Shampura, Rusija, Mored, Bidujad, Adani, Khokar, Charnawas, Dhokaliya, Gingoli, Daisli Khurd, Gangawa, Bidi-yad, Kola Dungri, Khalar, Mamrol, Mandan.

Villages of the Gachhipura Police Station

(38)

Antroli Sanga, Mairasi, Bithawaliya, Kurapya, Lalna Kalan, Lalna Khurd, Harnawapati, Kuchipula, Barnail, Ratnas, Gura Khairi, Khairi Silan, Madhyar, Parli Rasan, Altwa, Parli Mahacchan, Bhutawa, Gachhi pura, Intawa Lakhan, Gingaliya, Manaiwa, Sirsala, Nandoli, Mertyan, Dhandoli, Lodoli, Sirsun, Bagoli, Baru, Doliariya, Gular, Inlawa Khichiyar, Bhaduroa.

Villages of the Police Station Bardwa

(39)

Ridmalas, Raidhana, Undrasar, Kusalpora, Godrakabas, Ringan, Tiloti, Pipakuri, Dobron-ka-Bas, Rewara-ka-Bas, Mitharai, Husainupura, Farwasi, Lachhri, Dhiawa, Manna-ki-Dhani, Ayasji-ki-Dhani, Indarpura (Shree Nathwara), Khinwaj, Pandorai, Kanrai, Dayalpura, Lenda, Lalasari, Mawa.

Villages of Garhi Tehsil

(40)

Bhagatpora, Panchavada, Bhesau, Piplara, Bildi, Pdradi, Itawa Saran-pur, Bhamu-ka-parda, Davela, Kotda, Singuda-ka-parda, Gusani-ka-parda, Todi Moti, Kesarpura, Todi Chhoti, Lodiya, Oda, Nadariya, Kadwal, Odwa, Kalali-khurd, Badi Kher, Lalpora, Govindpora, Ihali Talai, Odwara, Dugar, Navagarha, Arthuna, Porda, Navgaon, Vakhatpora, Dhani, Dolat-pura, Vadia, Adai, Koi-vav, Hadmatia, Fala-Bara, Malana, Patia, Bhardajal, Vakhatpora, Raiyana, Bhatol, Nahali, Tamatiya Rathor, Jolana, Tamrua, Vardia, Kuna, Amja, Nakarchi Varda, Ruhai, Kuwadia, Panasi Chhoti, Punasi Badi, Guwedda, Ador, Gopinath-ka-Gada, Gamdi-Narayanji, Kakarwa.

[Mr. Deputy-Speaker]

Anjana, Garnawat, Kunwaria, Vasi Moti, Kushalkot, Udela, Senala.

Gangrar Tehsil

(41)

Naga ka Kheda, Gulabpura, Bindolia, Nimbahera, Dhoda, Kishanpura, Ranawat-on-ka-Kheda, Kurantia, Sudri, Amarpura, Mokamsingh-ka-Kheda, Bakhatpura, Gangrar, Indora, Khar-khanda, Singola, Amara-ka-Kheda, Laxmipura, Laxmansingh-ka-Kheda, Deth, Genia, Bhatkheda, Gurajania, Kacharia, Banina, Bhatwada Kalan, Bhatwada Khurd, Kanti, Nathi ka Kheda, Borda, Taleri, Bhawanipura, Jatan, Medikheda, Chanderia, Chogavadi, Bhilia Kheda, Nagri, Bilia, Suwana, Shivpura, Aawalheda, Gosundi, Sangrampura, Gowlia, Murlia, Lalas, Soniyana, Negdia Kalan, Nagpura, Saron, Puthoil, Eklimgpura, Karediya, Sankra ka Kheda, Sokdiya, Bolo ka Savanta, Aran, Ajolia ka Kheda, Jodhsingh ka Kheda, Sadapura, Dadia, Dhunwalia, Laxanpura, Raipuria, Solankiyon-ki-Khedi, Mungac-ka-Kheda, Semliya, Khuntiya, Sonigaron ka Kheda, Balderkha, Datta ka Kheda, Ladupura, Salera including Hamlet Ganeshpura, Jojron-ka-Kheda, Lambia.

Villages of the Kotri Tehsil

(42)

Kanpuria, Kishangarh, Sangrampura, Kothaj, Deotalai, Ganeshpura, Singhi ji ka Kheda, Devria, Goghas, Chhaprel, Kanti, Amarpura, Beerdholi, Sankra, Paplaj, Nandrai, Badlias, Kherpura, Hajiwas, Bilvas, Kankroli, Hastada, Gahuli, Chavand Khera, Ashavari, Bedunda, Deo Khera, Mena ka Khera, Modia Khera, Bagadi, Khedji, Sodias, Sagatpura, Taleda, Chohali Badkia, Akhepur, Ifawa, Parmeshvar pura, Jagpura, Javal, Sabalpura, Berukhera, Berada ki Jupidia, Gandheri, Panderi, Belva.

Villages of the Kherwara Tehsil

(43)

Sagwara with hamlets, Padlia, Lepeda, Kelawada, Bilakh with hamlets, Vani Bor, Saroli, Sulai, Kojawada with hamlets, Bhudar with hamlets, Chirkla, Rikhab Dev Ward Nos. 1 and 2, Kagdar Ward Nos. 1 and 2 with hamlets, Ajlai, Ratanpur, Lareti, Dakar, Garaj, Nagasmapna, Samarat, Gadawan Upli, Gadawan Neechli, Kakan, Lamba Umr, Nala, Popalwa, Kutala, Daban, Mahudia, Akhiwada, Akot, Hinka, Mekarwada, Panchapadla, Hatwen, Jhadol, Bhandara, Samrun,

Jalpacca, Nala, Bhagibao, Rudra, Kanta Ghati, Thaprawali, Suveri, Ramabavri, Bhuvav, Mal, Sami Tad, Hantia, Paderi, Makad jap, Khunta Neri, Ghanta, Thobawada, Kalawat, Dodawat, Somawat, Kikar, Thana, Kalliakada, Kanuwada, Bilkhai, Pareda, Khunadari, Jawas.

Villages of the Girwa Tehsil

(44)

Hathi Dah, Ratanpura, Phila, Jammu, Bambora, Soma Kheda, Patu Kheda, Khovad, Awara, Leg, Bori, Kaladia, Ant, Sulawas, Kot, Gudli, Budel, Lalpura, Bemla, Bajni Dodi, Kurawad, Achhata, Rawatpura, Karadia, Nadiwala, Buthal, Balar, Dhori Kheda, Sagtadi, Kara Kala, Suron ka Gudh, Bhulia, Nad, Charinar.

Villages of the Unthala Tehsil

(45)

Rajpura, Kheta Kheda, Sarwania, Mal Khejdi, Arnia, Lunda, Malnawas, Dhakdon ka kheda, Lilaji ka kheda, Gulabpura, Amar pura, Solankhiyon ka kheda, Bhau pura, Haria Kheda, Naharpura, Chanpuria, Jhal ka kheda, Sangrampura, Paria, Udaipuria, Prathi Singh ka kheda, Gathpura, Nankia kheda, Mota kheda, Phatapura, Seed, Sarpura, Ranavatn ka kheda, Magri ka Phala, Jasvantpura, Saranpura, Pithalpur, Umraon ka vala, Gop ki Bhagal, Kanode, Gangpura, Kundia, Savpura, Chamlavdi, Samei, Surkhan, Pipalvas, Ummedpur, Gadi, Jarantra, Sarangpura, Dabiyon ka kheda, Pipi kheda, Alu ka Kheda, Devri, Dhimdi, Akola, Motida, Narda, Angora, Varnoda, Goga ka Kheda, Bhim ka Kheda, Gadriaras, Sunder pura, Kadacha, Jathpura, Gopalpura, Kaikheda, Surathpura, Mardkalan, Barni, Syad, Mayda, Panud, Boria, Badgoan, Saleda, Telan-Khedi, Kalva, Doulatpura, Jampura, Parsotampura, Gokalji-ka-Kheda, Fouzbadli, Bhinder, Kundai, Bhamela, Kerawal, Amba-ka-ghoda, Semliya, Savana, Khanna-Talai, Falador, Bani-Talai, Ghundla, Opa ka Kheda, Bhikawal, Sagatpura, Shishodia-ka-kheda, Palwal, Semlia, Neechala, Bedwi, Khedi, Chol, Bejrda, Bor-kheda, Dakio-Kheda, Mahudi Kheda, Dabkia, Bor-talai, Khedia, Ghati Medi khedi, Hathia-Talai, Amthal, Singhvi ka kheda, Bharia, Mal khejdi, Boria ka sat, Jodh Singhji ki Bhaghel, Amba-ka-gluda, Soni-Garon-ka-kheda, Manji-ka-kheda, Ajabpura.

Villages of the Baran Tehsil

(46)

Bamli, Gordhanpura, Dolatpura, Aklaria, Barani, Bamanhera, Karanaheda, Kotra, Kctri, Mandoli Jagir,

Mandola, Pataria, Chak Jalaida, Akaira Jagir, Nahareda (Jagir), Laxmipura, Susawan, Basorikhera, Raptawan, Fatehpur, Niyana, Gopalpura Mathri, Mathna, Khedli Keshu, Manpur Jagir, Tatawa Jagir, Bhatsue, Lisadia, Shambhaspur, Ranieda, Khedli Bhaidoliya, Banda, Koyalla, Miyada, Bambuliya, Kheri, Chainpura, Raroti, Lyharia.

(47)

Ulti jagir, Kotrisunda, Rithod, Shahgarh, Tajgarh, Majravta, Kalyanpura, Ghata, Sambalpur, Chandpura, Chirari, Bhatt Khedi, Jaloida, Gugalhedi, Hanutia, Khedahedi, Hikar, Naredi (Jagir).

Villages of the Talera Tehsil

(48)

Gamach, Kann, Tirath, Bhawani-pura, Sinta, Marana, Deheet, Sedari, Chandan Hedi, Sunwansa, Khulanda, Ladpura, Bhumkhera, Badunda, Bajad, Gaglavada, Bakaspura, Delunda, Vinayaka, Sanwar, Bhopatpura, Notara, Titarbasa, Chhapavada, Jalodi, Nenda, Jamidpura, Khedia, Lamba-Pipal, Raghunathpura, Talera, Jaloda, Aktasa, Sidari, Mandadi.

Villages of the Asnawar Sub-Tehsil

(49)

Asnawar, Talwadia, Khedla, Manpura, Gaonri, Arnia, Badidia, Dhanoda, Nesar, Jatambari, Ananda (Anda), Bhimli, Gadgach, Drabli, Kanskhedli, Lawasal, Badia Gordhanpura, Roop-pura Badlia, Piplia-Gujran, Todi Sonpura, Gaupura, Ganeshpura, Sal-ki-Dungri, Guda, Baredi, Mankund, Nala, Rangpatan, Gadiamet, Khajuri Kalan, Kanwarpura, Mohamedpura and Naya-gaon, Ghotiyakhedi, Dungargoan, Tokdi and Baldevpur, Semli Gokul, Malatonta, Naya Gaon, Khar Khesa.

Villages of the Bikaner Tehsil

(50)

Ghadhwala, Kesardesar, Bohran, Barsinghsar, Saroopdesar, Lalamsar, Basi, Kalyansar Bada, Ambasar Chohannan, Bachhasar, Geegasar, Surdhana-Chohannan, Surdhana Bas Parihar, Sujasar, Kilchu Bas Deoran, Kilchu Bas Selotan, Bhojusar, Kesardesar Gangaguran, Deshnoke, Saroopdesar, Palana, Jorhbeer, Nenoka Bas, Bhojanshala, Kesardasrajatan, Kalyansar-Aguna, Kalyansar-Utrada.

Villages of the Dungargarh Tehsil

(51)

Momasar, Surjansar, Adsar, Dheerdesar Chotiyan, Lalasar, Sattasar, Likhmadesar, Rewada, Koontasar, Keetasar Beedawatn, Keetasar, Bhatian, Bigga, Satlera, Jalabsar, Beeramsar, Lakhansar, Udasar Charnan, Udrasar Bas (West and East), Bholiya, Thukariasar, Toliasar, Jaitasar, Lakhasar, Jodhasar, Janjeu, Seruna, Samandsar, Poonarasar, Manakrasar, Beejasar, Delwan, Bas Lodera, Gusainsar, Rajpura, Dheerdesar, Prohitn, Ladariya, Baibisar, Gajpura, Gopalsar, Derajsar, Narsisar, Chak Heerawtan, Basi Heerawtan, Chak Basi Marnotan, Basi Marnotan.

Villages of the Nohar Tehsil

(52)

Gogameri, Ramgarh, Parika, Barwali, Deeplana, Nohar, Janaiya, Padamptra, Rajpuriya, Gudiya, Ram-sara, Phephana, Dhani-Ariyan, Jasana, Charanwasi, Malvani, Ratanpura, Pichkrai, Dhani Bhanipura.

Villages of the Ganganagar Tehsil

(53)

Kikarwali, 13 L.N.P., 14 L.N.P., 15 L.N.P. I, 15 L.N.P. IIA, 15 L.N.P. IIB, 16 L.N.P., 17 L.N.P., 18 L.N.P., 19 L.N.P., 20 L.N.P., 21 L.N.P., 22 L.N.P., 23 L.N.P., 24 L.N.P., 25 L.N.P., 26 L.N.P., 27 L.N.P., 28 L.N.P. I, 28 L.N.P. II, 21 M.L., 22 M.L., 23 M.L., 24 M.L., 25 M.L., 10 M.L., 9 M.L., 8 M.L., 7 M.L., 6 M.L., 18 M.L., 1 H.H., 2 H.H. I, 2 H.H. II, 3 H.H., 4 H.H., 5 H.H., 6 H.H., 7 H.H., 8 H.H., 9 H.H., 10 H.H., 11 H.H., 12 H.H., 13 H.H., 1 B.B., 17 G.G., 18 G.G., 19 G.G., 20 G.G., 1 L.L., 3 L.L., 4 L.L., 5 L.L., 6 L.L., 7 L.L., 8 L.L., 9 L.L., 10 L.L., 11 L.L., 12 L.L., 21 G.G., 22 G.G., 23 G.G., 31 G.G., 32 G.G., 24 G.G., 25 G.G., 26 G.G., 27 G.G., 28 G.G., 29 G.G., 30 G.G., Chunawadh, 30 G.G., Udaipur Khushhal, 34 G.G., 36 G.G. I, 36 G.G. II, 16 g, 15 g.

The motions were adopted.

Dr. Ambedkar: I accept amendment No. 1 in Supplementary List 3 by Shri M. L. Verma and others.

Mr. Deputy-Speaker: The question is:

[For text of the motion see Amendment No. 1 in S.L. No. 3 printed in Appendix XXXIII, annexure 2.]

The motion was adopted.

Dr. Ambedkar: I accept amendments Nos. 1 to 3 of Supplementary List No. 5 by Shri R. C. Upadhyaya.

Mr. Deputy-Speaker: The question is:

1. That in motions Nos. 1 and 3 printed in Consolidated List (Rajasthan Order) standing in my name, for the words "item B", "items E and F" and "item G" wherever they occur the words and figures "or item (31)", "item (37) and (38)" and "or item (36)" respectively be substituted.

2. That in motion No. 3(10) printed in Consolidated List (Rajasthan Order) standing in my name, against the entry "Jodhpur Tehsil North", in column 2, the words "villages of" in line 7 and the words "specified in item No. A of the Appendix" be omitted.

3. That in motion No. 3(11) printed in Consolidated List (Rajasthan Order) standing in my name, against the entry "Phalodi", in column 2, the words "villages of" and the words "specified in item No. A of the Appendix" be omitted.

The motion was adopted.

The other amendments were, by leave of the House, withdrawn.

Mr. Deputy-Speaker: The President's Order relating to Rajasthan stands

amended to the extent of these amendments.

SAURASHTRA ORDER

Dr. Ambedkar: I accept amendments Nos. 1 and 2 of List No. 1 by Mr. C. C. Shah and Shri Hathi.

Shri C. C. Shah (Saurashtra): As regards amendment No. 2 in List 1 it says that the plural constituency of 'Limbd-Lakhtar-Dasada' be split up into two general constituencies. That has been done in List 2. I ask for leave that amendment No. 2 in List 1 be substituted by the amendment in List 2.

Mr. Deputy-Speaker: The question is:

That the following modifications be made in the Delimitation of Parliamentary and Assembly Constituencies (Saurashtra) Order, 1951 laid on the Table on 16th May, 1951, namely:—

1. That at page 2, Table B.—Assembly Constituencies, for the entries "Limbd" and "Wadhwan" occurring in column 1, and all other entries occurring against them in columns 2, 3 and 4, the following be substituted, namely:—

1	2	3	4
Limbd Wadhwan	The village groups of Kantharia, Bhoika, Choki, Bhadakva, Vejalka, Chhatrala, Chuda, Chokdi and Vastedi of Limbd Taluka and Wadhwan Taluka excluding Khodu and Nagra village groups.	2	1

2. That at page 2, Table B.—Assembly Constituencies for the entry "Limbd-Lakhtar-Dasada" occurring in

1	2	3	4
Limbd-Lakhtar	The village groups of Shiani, Ankevalia, Limbd, Pansira, Hadala, Balol, Ralol, Jambu, Mulbavla and Raragadh of Limbd Taluka and village groups of Lakhtar, Lilapur, Bapodara and Nana Ankevalia of Lakhtar Taluka.	1	..
Dasada-Lakhtar	Dasada Taluka and village groups of Devalia, Talsana, Vithalgadh, Chharad and Malika of Lakhtar Taluka.	1	..

The motion was adopted.

Mr. Deputy-Speaker: To the extent of these amendments the Saurashtra Order of the President stands modified.

There is no other amendment.

Dr. Ambedkar: As regards the Travancore and Cochin Order there is no amendment. A corrigenda has been issued.

Shri R. Velayudhan (Travancore-Cochin): There were some discrepancies in printing.

Shri Lakshmanan (Travancore-Cochin): They have all been covered by the corrigenda.

PART C STATES ORDER: DELHI

Dr. Ambedkar: I accept amendment No. 2 in Consolidated List (in the name of Shri Kesava Rao and others).

Mr. Deputy-Speaker: The question is:

[For text of the motion see amendment No. 2 standing in the name of Shri Kesava Rao and Dr. Gangadhar Siva in the Consolidated List relating to the Part C States Order printed in Appendix XXXIII, annexure 1.]

The motion was adopted.

Mr. Deputy-Speaker: There are no other amendments, I suppose. The President's Order relating to Part C States stands modified to the extent of the amendment just now carried. Other amendments by Dr. Ambedkar and others, if any, are to be withdrawn by the leave of the House.

The other amendments were, by leave, withdrawn.

Dr. Ambedkar: Only two other provinces remain, namely U.P. and Punjab. Several amendments have come just now and I have not had time to apply mind to them. If the parties concerned are prepared to go by the original arrangement then I am prepared to proceed further. But I find that some changes have been introduced and I must have a clear understanding of what is sought to be done. I personally think that half an hour in the afternoon would be more than enough for both the Provinces.

Shri Shiv Charan Lal: There might be difficulty then with regard to the quorum, because Members of other States may be absent from the House.

Mr. Deputy-Speaker: Only two more orders relating to U.P. and the Punjab are outstanding. If there is unanimity in the House we can meet as late as possible, for I do not want to give the impression that I have muzzled them: if anybody wants to speak.

Shri Amolakh Chand: Can we not adjourn for half an hour and then continue for the simple reason that at 4-30 P.M. Members may not come?

Mr. Deputy-Speaker: The Minister must have sufficient time to consider the amendments.

Shri T. T. Krishnamachari (Madras): Is there no other business?

Mr. Deputy-Speaker: No other business except passing these two orders.

The House then adjourned till Half Past Four of the Clock.

The House re-assembled at Half Past Four of the Clock.

[MR. SPEAKER in the Chair]

PUNJAB ORDER

Mr. Speaker: We will now proceed with the Punjab Order. May I know the Nos. of the agreed amendments? I think we will follow the same procedure as in the morning.

Dr. Ambedkar: The agreed amendments are as follows:

List 7.—Amendment No. 2, part 5, sub-part (i) and sub-part (ii), of Shri B. L. Sondhi, Chaudhuri Ranbir Singh and others.

List 9.—Amendment No. 6, parts 2 and 3, of Prof. Yashwant Rai.

List 10.—Only the first amendment in the list I move.

I do not move the second and the third amendments as these are superseded by amendments Nos. 5(i) of List 7 and 3(6) of List 12.

List 12.—Amendment No. 1, parts 1 and 2, of Shri B. L. Sondhi, Ch. Ranbir Singh and others.

Amendment No. 2 of Sardar Bhopinder Singh Man and others, as modified by amendment in List No. 13, of Ch. Ranbir Singh and others.

Amendment No. 3, parts 4, 5 and 6, (second part) of Shri Sondhi, Ch.

[Dr. Ambedkar]

Ranbir Singh and others, with minor consequential changes in part 6 (second part) as follows:

6. That at page 6, in Table B.—Assembly Constituencies, for the

entries 'Ludhiana Sadar', 'Jagraon' and 'Raikot' in column 1 and all the entries occurring against them in columns 2, 3 and 4, the following be substituted, namely:—

1	2	3	4
Jagraon	Jagraon Tehsil	2	1
Ludhiana Sadar	Nurpur Bet, Baddowal, Dhandra, Lalton Kalan, Gill and Dhandari Kalan zails of Ludhiana Sadar thana, and Shankar and Han Zails of Delhon thana and Dakha Zail of Dakha thana of Ludhiana Tehsil.	1	..
Delhon	Pakhawal and Andlu Zails of Rai Kot thana and Delhon thana (excluding Shankar and Hans Zails) of Ludhiana Tehsil.	1	..

Amendment No. 4, parts 1 and 2, of Pandit Thakur Das Bhargava and Chaudhuri Ranbir Singh.

These are the amendments I am prepared to accept, Sir.

Mr. Speaker: I take it no other hon. Member wishes me to put any of his motion to the House.

Well, then I shall dispose of these amendments first.

The question is:

[For text of the motions see

List 7.—Amendment No. 2, part 5, sub-part (i) and sub-part (ii), of Shri B. L. Sondhi, Chaudhuri Ranbir Singh and others.

List 9.—Amendment No. 6, parts 2 and 3, of Prof. Yashwant Rai.

List 10.—Only the first amendment in the list.

List 12.—Amendment No. 1, parts 1 and 2, of Shri B. L. Sondhi, Ch. Ranbir Singh and others.

Amendment No. 2 of Sardar Bhopinder Singh Man and others, as modified by amendment in List No. 13, of Ch. Ranbir Singh and others.

Amendment No. 3, parts 4, 5 and 6 (second part) of Shri Sondhi and others, with minor consequential changes in part 6 (second part) as follows:

6. At page 6, in Table B.—Assembly Constituencies, for the entries 'Ludhiana Sadar', 'Jagraon' and 'Raikot' in column 1 and all the entries occurring against them in columns 2, 3 and 4, substitute the following:—

1	2	3	4
Jagraon	Jagraon Tehsil	2	1
Ludhiana Sadar	Nurpur Bet, Baddowal, Dhandra, Lalton Kalan, Gill and Dhandari Kalan zails of Ludhiana Sadar thana, and Shankar and Han Zails of Delhon thana and Dakha Zail of Dakha thana of Ludhiana Tehsil.	1	..
Delhon	Pakhawal and Andlu Zails of Rai Kot thana and Delhon thana (excluding Shankar and Hans Zails) of Ludhiana Tehsil.	1	..

printed in Appendix XXXIII, annexes 3, 4.]

The motions were adopted.

Mr. Speaker: To this extent the President's Order is modified.

Now leave is asked for to withdraw amendments Nos. 2 and 3 in List No. 10 all the other motions that have moved.

The amendments were, by leave, withdrawn.

Ch. Ranbir Singh: There is a clerical error here, Sir.

Mr. Speaker: As I have pointed out, all technical errors and apparent mistakes may be brought to the attention of the hon. Minister of Law and they will be put through as consequential amendments.

Now let us go to the U.P. Order.

UTTAR PRADESH ORDER

Dr. Ambedkar: Sir, the agreed amendments are as follows:

List 1.—Amendment No. 1 of Pandit Shiv Charan Lal.

List 7.—Amendment No. 2, parts 1, 2, 3, 4, 5 and 6, of Shri C. D. Pande.

Amendment No. 5 of Shri Sohan Lal and others subject to substitution of "Basti District (Central East) cum Gorakhpur District East" for "Basti District (Central East) cum Hasanpur Pargana", in col. 1.

Amendment No. 6, part 2, of Shri Satish Chandra.

Amendment No. 9 of Babu Gopinath Singh and Pandit Balkrishna Sharma,

I	II	III
Gorakhpur District (Central).	such of the Patwari circles of Haveli pargana of Pharenda tehsil of Gorakhpur District as are specified in item (94) of the Appendix.	such of the Patwari circle and forest areas of Haveli pargana of Pharenda tehsil of Gorakhpur District as are specified in item (94) of the Appendix."

3. That in motion No. 8, at page 12 of the List, for items Nos. (38) and (39) of the proposed Appendix, the following items be substituted:—

"Patwari circles of Akbarpur Tehsil (38)

Singhpur Saholi, Nevada Deorani, Jaitpur Sheoli, Hiranman Sheoli, Dhakan Sheoli, Saraiyan, Baridaryao,

subject to the insertion of "I.A.E. Domestic Camp" after "Chakeri Aerodrome" in the entry in col. 2 against Kanpur (East).

List 8.—Amendment No. 4, parts 1 and 2, of Shri K. C. Sharma.

Amendment No. 5 of Shri Beni Singh and others.

Amendment No. 6, parts 1 to 4, of Shri Amolakh Chandra.

Amendments Nos. 8 and 10 of Shri Beni Singh and others.

Amendment No. 12, parts 1 and 2, of Shri K. C. Sharma.

Amendment No. 14 of Shri T. N. Singh.

List 9.—Amendments Nos. 1, 4, 5, and 6.

Amendments Nos. 2, 7 and 8 subject to the following modifications proposed by me:

That in the motions in List No. 9 (Uttar Pradesh Order) standing in my name the following amendments be made:—

1. That in motion No. 2, at page 3 of the List, against the entry "Allahabad District (East) cum Jaunpur District (West)" for the words "(excluding the Municipality and Cantonment of Allahabad" in column III, the words "Chail tehsil (excluding the Municipality and Cantonment of Allahabad" be substituted.

2. That in motion No. 2, at page 3 of the List, after the entry "Allahabad District (West)" the following entry be inserted:—

Baghpur, Sobhan, Baghwat, Nehuta, Rastpur, Kakar Dahi, Bairisawai, Marag, Rampur Sheoli, Kandri, Bhawan, Nunari Bahadurpur, Baragaon, Baranpur Kahinjari, Kashipur Deepchand, Kashipur Hiranman, Kashipur Jagamman Shah, Kashipur Bhurshah, Hatika, Manda, Kekarmau, Naubasta, Bhaupur, Pitrapur, Ant, Raipalpur, Baluwapur, Lalpur and Aliapur.

[Dr. Ambedkar]

Patwari circles of Derapur Tehsil

(39)

Nandpur, Sargaon Khurd, Mungisapur, Derapur Khas, Salimpur, Sabdalpur, Kurhawal, Maujpur, Agwasi, Urgan, Padnai, Korawa, Amauli Kurmian, Hathuma, Mukbilpur, Daryapur Netarah, Garhiya Sikandra, Mohamadpur Sultanpur, Jagannathpur, Sandalpur, Haswan, Jamaura, Revan, Hawaspur, Ankna, Pendarathu, Sahni-
pur, Chamrawa, Kasolar, Achhrauli, Dharampur, Indruk, Sargaon Buzurg, Jignis, Galuwapur and Baragaon Bhikhi."

4. That in motion No. 2, at page 1 of the List, the entries relating to "Almora District (West) cum Garhwal District (East)" be deleted.

5. That in motion No. 2, at page 2, the following be deleted:—

(i) The entries relating to "Kanpur District (North) cum Farrukhabad District (South-East) cum Tehsil Etawah District (East)" in the two places where they occur.

(ii) The entries relating to "Etawah District (West)".

(iii) The entries relating to "Kanpur District (South)".

6. That in motion No. 7, at page 6 of the List, the entries relating to "Kanpur City (South)", "Kanpur (Central)", "Ghatampur (West) cum Bhognipur (East)" and "Bhognipur (South-East) cum Akbarpur (South)" be deleted.

7. That in motion No. 8, in the Appendix, item No. 17-A relating to Patwari circles of Meerut Pargana be omitted.

I withdraw amendment No. 3 in List No. 9.

Amendment No. 3 in List No. 9 was, by leave, withdrawn.

Mr. Speaker: So I am taking all of them together. Do the hon. Members wish to take any one of them independently? If that is so I have no objection.

Pandit Kunzru (Uttar Pradesh): I want to know what is the principle on which all these amendments have been accepted. I find that one of the amendments has been tabled by a member of the Committee, Shri T. N. Singh. I would, in particular like to know what that amendment is.

Dr. Ambedkar: Those amendments on which there was general agreement were accepted. In regard to the particular amendment referred to by the hon. Member it is No. 14 in list No. 8.

Pandit Kunzru: My hon. friend Dr. Ambedkar says that those amendments have been accepted about which there was general agreement. I do not know what he means by "general agreement". If he meant among the members of the majority party, obviously there could have been agreement on many other points. If that was the only basis on which the modifications were to be made, there was no need for the appointment of a Delimitation Advisory Committee. But I should like to know whether apart from the fact that there was agreement on those points, there was any other reason for their acceptance.

Dr. Ambedkar: Well, I think the hon. House knows that we have been proceeding upon the basis of the decision of Members of the various committees which were appointed by the Speaker to delimit the constituencies and whenever the Members have agreed to make a change, I have thought it fit to accept that change. No. 14 which I am accepting is one such amendment.

Pandit Kunzru: Does he mean Members of the majority party or does he mean the Members of the committee appointed by the Speaker?

Dr. Ambedkar: With regard to that, I should like to point out that so far as delimitation is concerned, no distinction has been observed between Members of the majority party and Members of any other party. All Members have been invited to place their views before this Cabinet Sub-Committee which was appointed to examine this matter. Any member, irrespective of the party to which he belonged, had the freedom to come and plead his cause. Some Members did come.

Shri T. N. Singh (Uttar Pradesh): Sir, as my name has been brought in I would ask your permission to say a few words. It is only this that the amendment to which my hon. friend referred is only a consequential amendment which should have been made and which by error was not made in the report of the Committee. I can explain the details personally to him, as it is not possible to explain it here.

Mr. Speaker: Does any other Member wish to take up his motion independently?

Shri J. R. Kapoor: I have one or two amendments to the Order.

Mr. Speaker: Is it in the agreed list or beyond the agreed list?

Shri J. R. Kapoor: The agreed list has already been given by the hon. Minister.

Mr. Speaker: So he wants to move something else. May I know what they are?

Shri J. R. Kapoor: Sir, the amendments which I wish to press are:

Amendment in List No. 7, Page No. 5.

Amendment No. 7, List No. 10, Page No. 4.

List No. 11, Page 1, No. 1 and No. 2.

Sir, all these amendments are alternative amendments and the acceptance of anyone of them would satisfy me and serve the purpose I have in view. The only purpose of these amendments is to secure representation, even though it may be of a limited extent, to the Scheduled Caste electors of Agra City. Hitherto, Sir, Agra City used to send two representatives to the State Assembly. Out of these one was a Scheduled Caste representative. Now while Agra district will be sending ten members, and Agra City 3 representatives, the Agra City Scheduled Caste representatives will not be able to send even one. This is obviously unfair and unjust to the Scheduled Caste electors of Agra City. I have, therefore, tabled these amendments to secure some partial representation to the Scheduled Caste electors of Agra City.

One significant fact to which I would like to draw the attention of the hon. the Law Minister and the House is that in the constituencies that I have suggested there is the largest concentration of Scheduled Caste electors, particularly in the constituency which I have suggested in my amendment No. 11 the percentage of scheduled castes is 34.5. If the hon. the Law Minister had carefully considered my suggestion, he would not have ignored the rights of those Scheduled Caste electors. There is nothing novel in the amendment. As a matter of fact it is very much based on the scheme presented before the House by the Delimitation Committee itself. On page 10 of their report, they have suggested that the tehsils of Karoli and Agra should be combined into one constituency. I have, practically, suggested the same thing, only with some slight addition of two wards of Agra City, so that

instead of the percentage of Scheduled Caste electors being 32, as it then was it might now be 34.5. I should have thought, Sir, that this very reasonable amendment which was once made by the Delimitation Committee itself and which has now been repeated by me should have been readily agreed to and accepted. I do not know, Sir, what valid reasons there are for not agreeing to them. It appears to me, Sir, that a great injustice is being perpetrated on the Scheduled Caste electors of Agra City. If I had known the reasons for the non-acceptance of my amendments I would have been satisfied. But I am compelled to move these amendments and even at this late stage I hope and trust, good sense, logic and a sense of justice and fairplay would impel the hon. Minister to accept one of them.

Dr. Ambedkar: Sir, I hope this matter was discussed in the committee and I told Mr. Kapoor that his amendment was incomplete and therefore could not be accepted without causing disturbance to other constituencies. He was not able to give a complete scheme where the thing would be fitted in with the rest. That is the reason why this amendment was not considered.

Shri J. R. Kapoor: rose—

Mr. Speaker: The hon. Member has no right of reply. Does he wish me to put these to the House now?

Shri J. R. Kapoor: Of course, though it may be rejected.

Mr. Speaker: Then I shall place them before the House.

Shri J. R. Kapoor: No, Sir, I would like to withdraw them.

The amendments of Shri J. R. Kapoor were, by leave, withdrawn.

Mr. Speaker: I will now put all the agreed amendments which the Law Minister has placed. The question is:

[For text of the motions see

List 1.—Amendment No. 1 of Pandit Shiv Charan Lal.

List 7.—Amendment No. 2, parts 1, 2, 3, 4, 5 and 6, of Shri C. D. Pande.

Amendment No. 5 of Shri Sohan Lal and others subject to substitution of "Basti District (Central East) cum Gorakhpur District East" for "Basti District (Central East) cum Hasanpur Pargana", in col. 1.

[Mr. Speaker]

Amendment No. 6, part 2, of Shri Satish Chandra.

Amendment No. 9 of Babu Gopinath Singh and Pandit Balkrishna Sharma, subject to the insertion of "I.A.F. Domestic Camp" after "Chakeri Aerodrome" in the entry in col. 2 against Kanpur (East).

List 8.—Amendment No. 4, parts 1 and 2, of Shri K. C. Sharma.

Amendment No. 5 of Shri Beni Singh and others.

Amendment No. 7, parts 1 to 4, of Shri Amolakh Chand.

Amendments Nos. 8 and 10 of Shri Beni Singh and others.

Amendment No. 12, parts 1 and 2, of Shri K. C. Sharma.

Amendment No. 14 of Shri T. N. Singh.

List 9.—Amendments Nos. 1, 4, 5 and 6.

Amendments Nos. 2, 7 and 8 subject to the following modifications:

In the motions in List No. 9 (Uttar Pradesh Order) standing in the name of Dr. Ambedkar substitute the following:

1. In motion No. 2, at page 3 of the List, against the entry "Allahabad District (East) cum Jaunpur District (West)" for the words "(excluding the Municipality and Cantonment of Allahabad)" in column III, substitute the words "Chail tehsil (excluding the Municipality and Cantonment of Allahabad)".

2. In motion No. 2, at page 3 of the List, after the entry "Allahabad District (West)" insert the following entry:

I	II	III
Gorakhpur District (Central).	such of the Patwari circles of Haveli pargana of Pharenda tehsil of Gorakhpur District as are specified in item (94) of the Appendix.	such of the Patwari circle and forest areas of Haveli pargana of Pharenda tehsil of Gorakhpur District as are specified in item (94) of the Appendix."

3. In motion No. 8, at page 12 of the List, for items Nos. (38) and (39) of the proposed Appendix, substitute the following items:—

"Patwari circles of Akbarpur Tehsil (38)

Singhpur Saholi, Nevada Deorani, Jaitpur Sheoli, Hiranman Sheoli, Dhakan Sheoli, Saraiyan, Baridaryao, Baghpur, Sobhan, Baghwat, Nehuta, Rastpur, Kakar Dahi, Bairisawai, Marag, Rampur Sheoli, Kandri, Bhewan, Nunari Bahadurpur, Baragaon, Baranpur Kahinjari, Kashipur Deepchand, Kashipur Hiranman, Kashipur Jagamman Shah, Kashipur Bhurshah, Hatika, Manda, Kekarmau, Naubasta, Bhaupur, Pitrapur, Ant, Raipalpur, Baluwapur, Lalpur and Aliapur.

Patwari circles of Derapur Tehsil

(39)

Nandpur, Sargaon Khurd, Mungisapur, Derapur Khas, Salimpur, Sabdalpur, Kurhawal, Maujpur, Agwasi, Urgan, Padnai, Korawa, Amauli Kurmian, Hathuma, Mukbilpur, Daryapur Netarah, Garhiya Sikandra, Mohammadpur Sultanpur, Jagannathpur,

Sandalpur, Haswan, Jamaura, Revan, Hawaspur, Ankna, Pendarathu, Sahnipur, Chamrawa, Kasolar, Achhrauli, Dharampur, Indrukh, Sargaon Buzurg, Jignis, Galuwapur and Baragaon Bhikhi."

4. In motion No. 2, at page 1 of the List, omit the entries relating to "Almora District (West) cum Garhwal District (East)".

5. In motion No. 2, at page 2, omit the following:

"(i) The entries relating to "Kanpur District (North) cum Farrukhabad District (South-East) cum Tehsil Etawah District (East)" in the two places where they occur.

(ii) The entries relating to "Etawah District (West)".

(iii) The entries relating to "Kanpur District (South)".

6. In motion No. 7, at page 6 of the List, omit the entries relating to "Kanpur City (South)", "Kanpur (Central)", "Ghatampur (West) cum Bhognipur (East)" and "Bhognipur (South-East) cum Akbarpur (South)"

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7. In motion No. 8, in the Appendix, omit item No. 17-A relating to Patwari circles of Meerut Pargana.

printed in Appendix XXXIII, annexure 3.]

The motions were adopted.

Shri Hyder Husein (Uttar Pradesh): I had moved an amendment (List No. 3). I propose to withdraw it. But with your permission I would like to make a short statement before doing so.

I had tabled this amendment to give effect to the recommendations of my State. The U.P. Government had suggested the creation of 57 two-member constituencies over and above those reserved for the Scheduled Castes. There is no reservation for other minorities under the Constitution and so my State desired to have these 57 multi-member constituencies in order to give a better chance to them. This number was fixed on a population basis as their number is 85 lakhs in my State. This recommendation was not accepted by the Government of India and was not even considered by the Delimitation Committee. I accordingly moved my amendment and it had a good reception among the Members of my State. But it had its repercussions in other States and the hon. the Prime Minister advised us to drop the matter. In view of that advice I crave the leave of the House to withdraw my amendment.

Mr. Speaker: Has the hon. Member, as also the other hon. Members who have moved amendments, the leave of the House to withdraw their amendments?

The amendments were, by leave, withdrawn.

Mr. Speaker: That disposes of all the motions. Now I shall take up consequential amendments.

Dr. Ambedkar: I beg to move:

"That with reference to the amendments to the Delimitation of Parliamentary and Assembly Constituencies Orders moved and accepted by the House necessary consequential, drafting and other formal changes be carried out in the said Orders under the authority of the Honourable the Speaker."

Dr. Deshmukh: I have given notice of a similar amendment. I beg to withdraw it.

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Mr. Speaker: It has not been placed before the House. So there is no need to withdraw it.

Shri Chattopadhyay: I have an amendment to this amendment. I beg to move:

In the Consequential Amendment standing in the name of Dr. Ambedkar, after the words "formal changes", insert the words "including nomenclature of Constituencies".

Mr. Speaker: Does the hon. Minister accept it?

Dr. Ambedkar: I cannot accept it in this formal and binding character.

The Prime Minister (Shri Jawaharlal Nehru): I take it, Sir, that if name is wrongly spelt it will be correctly spelt. That does not need a formal amendment. If there are minor errors I take it that they can always be corrected.

Shri Chattopadhyay: There was good deal of discussion this morning over this and there was some difference of opinion too in this matter and Dr. Ambedkar said "Let this matter of nomenclature be left to the Speaker".

Dr. Ambedkar: I admit. But I said if the Speaker thought that the change in nomenclature of a place is a formal change; then it will be covered by my amendment.

Shri Chattopadhyay: It is for this reason that I have tabled this amendment.

Mr. Speaker: What does he want me to do now?

Shri Chattopadhyay: I would like that after the words "formal changes", the words "including nomenclature of Constituencies" should be inserted. It is not formal. It is in my opinion very substantial, because in some cases.....

Mr. Speaker: I understand his point. If he urges that it is a substantial thing, no amendment can now be made. If it is a formal or consequential amendment which will include also sometimes, as Dr. Ambedkar said, even a change in nomenclature, then matters will stand differently. Therefore it is no use having this amendment.

Shri J. R. Kapoor: Do we take it that the change of the name of a constituency, if it does not materially or even slightly change the extent of the constituency, is covered by Dr. Ambedkar's motion?

Dr. Ambedkar: It is in the discretion of the Speaker.

Mr. Speaker: The House has accepted certain modifications. The House is going to give powers to the Speaker to make amendments of a consequential or formal character because, as was said, I believe, in the morning, there may be a mis-description of a boundary. Instead of "east" it might have been stated as "west". Only such amendments will be put through. There can be no further amendments now. Even by the unanimous decision of the House the Chair cannot go beyond the decisions of the House. The Chair will do only what is absolutely necessary to give effect to the decisions already arrived at by the House. That is the spirit in which the consequential amendments will take place.

Shri Chattopadhyay: May I submit one thing for your discretion? In the case of some constituencies in West Bengal it is found that constituencies covering three districts have got the name of the constituency in the name of only one village of one district. The name is neither the name of any of the three districts nor the name of any of the three sub-divisions nor the name of any division of the district but only the name of a village from which possibly one Member of Parliament comes.

Pandit Maitra: I take objection to it, Sir.

Shri Jawaharlal Nehru: Sir, the matter has been left to your discretion. I think it should remain there. The actual thing is the delimitation. I would submit to you, Sir, that where you in your discretion think that the actual description requires a change, you can certainly do so.

Several Hon. Members: Yes, yes.

Pandit Maitra: Sir, the point is sought to be revived by my friend Mr. Mihir Lal Chattopadhyay. This question was discussed at considerable length before the House broke for lunch. My friend at the eleventh hour has brought 108 amendments changing the nomenclature of constituencies delimited in West Bengal. It is not a question of one or two names. It was discussed and at the last moment my friend declared with a heavy heart 'I withdraw my amendments'. That is what happened.

With regard to the nomenclature of the constituencies in West Bengal let me point out to you that in this matter

the West Bengal Government, the Delimitation Committee appointed by you, the Election Commission, and Members of Parliament from West Bengal excluding my friend Mr. Mihir Lal Chattopadhyay were all absolutely unanimous. It is not a question of three, four or five villages. The whole question was gone into. As a matter of fact the question of shortening the names of constituencies was gone into at considerable length in the Delimitation Committee, and it had the full concurrence of the West Bengal Government and the Election Commission. Having been defeated on that.....

Mr. Speaker: Now the hon. Member will see that there is no use going into the merits of that. As I have said, all consequential and formal amendments will take place. And as the hon. the Leader of the House has pointed out, if there is a mis-description which is necessary to be corrected, certainly it will be a consequential change, and I shall consider it. But that does not mean a wholesale change will be made. It requires no further clarification now. I shall therefore put this motion.

Pandit Kunzru: The procedure that you have suggested will no doubt be convenient and may also be desirable. But may I know under what law or rules this procedure can be followed? Under the Representation of the People Act it is the House that has to decide what changes should be made in the Order issued by the President. The House may make certain mistakes. But could the Speaker or could anybody have the power to rectify those mistakes? If for instance in an Act some mistakes have been made and something is there which obviously should have been deleted because of some amendment made in some other section, neither the Law Ministry nor the Government have any power to alter it except by means of a Bill brought before the House and adopted by it. I should, therefore, like to know, however convenient the procedure suggested by you may be, what is the authority under which it can be followed?

5 P.M.

Mr. Speaker: In the first place, the hon. Member, I think, is labouring under a misconception in stating the proposition so widely as he has done. Even in cases of Bills which are passed by this House, I believe, it is not only the practice but it is the inherent

power of the Speaker, as representing the House, to correct all patent, clerical, spelling and such other consequential mistakes. That is also provided in the Rules of Procedure. Supposing a new section is added and two sections are numbered as section 14 and section 14, is it seriously contended that it is not in the competence of the Speaker or anybody to correct the sequence of numbers and that the corrections can be made by coming to the House by a separate independent Bill? It is too much to say so. This power is well known and it is technically described as 'patent errors' and 'errors on the face of the record'. This is similar to the power of a judge to correct mistakes in the judgment which is delivered; it does not go beyond that and in this particular case there is a specific motion now coming before the House that for carrying out all amendments which are consequential, drafting and other formal changes, the House vests the Speaker with authority and in any case, whatever doubt is felt, it is set at rest by the authority given by the House. It is not merely a matter of convenience, but even of strict adherence to legal and constitutional forms.

The question is:

"That with reference to the amendments to the Delimitation of

Parliamentary and Assembly Constituencies' Orders moved and accepted by the House, necessary consequential, drafting and other formal changes be carried out in the said Orders under the authority of the hon. Speaker."

The motion was adopted.

PAPERS LAID ON THE TABLE

AGREEMENT BETWEEN INDIA AND NETHERLANDS re AIR SERVICES

The Deputy Minister of Commerce and Industry (Shri Karmarkar): I lay on the business and it brings to a close between the Government of India and the Government of Netherlands relating to air services in pursuance of a promise given in reply to Starred question No. 3440, dated 24th April 1951. [See Appendix XXVIII, Annexure 68].

Mr. Speaker: This is the last item on the Table a copy of the agreement the very long and strenuous session that we had and I think, I must congratulate the Members for the good spirit all round shown, particularly in the end, for the last two days.

The House then adjourned sine die

