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830

Tuesday,
11th November, 1952



PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

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 PARLIAMENTARY DEBATES 19.11.2014
 (Part I—Questions and Answers)
 OFFICIAL REPORT

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HOUSE OF THE PEOPLE

Tuesday, 11th November 1952.

*The House met at a Quarter to Eleven
of the Clock.*

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

CONCILIATION OFFICERS

*174. **Sardar Hukam Singh:** Will the Minister of Labour be pleased to state:

(a) whether the Conciliation Officers for settlement of industrial disputes by mutual negotiations have been appointed in all parts of the country; and

(b) whether these officers have any powers of giving decisions or they assist only in negotiations?

The Minister of Labour (Shri V. V. Giri): (a) Yes.

(b) They are not authorised to pass any orders or give decisions. They only assist in negotiations with a view to bringing about a settlement between the parties to the dispute. I may add that if they succeeded they would send a report to the appropriate Government together with a memorandum of settlement signed by the parties to the dispute. If they did not succeed, they would report to the appropriate Government about the failure of conciliation.

Sardar Hukam Singh: Do they offer their assistance if and when invited to do so, or do they poke in of their own accord?

Shri V. V. Giri: Generally, if they are invited to do so.

Sardar Hukam Singh: Does that function begin when direct negotiations have failed?

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Shri V. V. Giri: Exactly,—when direct negotiations have failed.

Shri B. S. Murthy: Is the Government considering the abolition of conciliation and the introduction of arbitration?

Shri V. V. Giri: No, not at all.

Shri Velayudhan: May I know how many disputes were settled by these conciliation officers during the current year?

Shri V. V. Giri: You may kindly give notice.

Shri Punnoose: How many conciliation officers have been appointed by the States of Madras and Travancore-Cochin?

Shri V. V. Giri: Notice, again.

Shri K. K. Basu: May I know whether any special qualification is laid down for the appointment of conciliation officers?

Shri V. V. Giri: There are certain special qualifications, viz., a diploma or degree in matters relating to industrial relations; previous experience; aptitude etc.

Shri Mohiuddin: Is it a fact that one important reason for the lack of success is the delays that occur in conciliation proceedings?

Shri V. V. Giri: I do think that conciliation has succeeded to some extent. Most probably, it is not to our entire satisfaction.

Shri Venkataraman: May I ask whether Government have made any arrangements for training the conciliation officers in their own institutions?

Shri V. V. Giri: The matter is being considered.

LIAQUAT ALI MEMORIAL FUND

*175. **Dr. Ram Subhag Singh:** Will the Minister of Railways be pleased to state:

(a) whether complaints have been received by the Government of India of forcible realizations of donations for Liaquat Ali Memorial Fund from Hindu Railway passengers by Ansars of East Bengal at Darsana Railway Station; and

(b) if so, whether any steps have been taken by Government in this regard?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) No.

(b) Does not arise.

ROBBERIES IN TRAINS

*176. **Dr. Ram Subhag Singh:** (a) Will the Minister of Railways be pleased to state whether the number of robberies in running trains in the six Railway zones have decreased since 1st July of this year compared to the corresponding period during last year?

(b) Which is the Railway zone where such robberies have been the largest in number and where have they been small in number?

(c) Have Government taken any additional precautionary measures to check these robberies after 1st July, 1952?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) There has been a slight increase in the overall number of robberies in running trains during July to September this year as compared to the corresponding period last year.

(b) The largest number is recorded on the Northern and North Eastern Railways, being 118 in each case. There have been no robberies on the Central Railway.

(c) No; but there has been a steady and continuous drive against such robberies for some time by adopting preventive measures, such as, escorting of trains by Railway Protection Police, and watching of plague spots.

Dr. Ram Subhag Singh: May I know whether, as a result of the drive that has been instituted, any decrease in these robberies has been effected?

Mr. Speaker: It is more or less a question of opinion. The question is a

mixed one of law and order—a subject with which the State through whose territory the railway is passing is concerned. Robbery is not the production of the Railway Ministry. So, the question is rather a complicated one that way.

Dr. Ram Subhag Singh: May I know whether any passenger had been killed as a result of these robberies during the last two months?

The Minister of Railways and Transport (Shri L. B. Shastri): One passenger has been killed.

Dr. Ram Subhag Singh: May I know the number of passengers wounded?

Shri L. B. Shastri: It is rather difficult.....

Mr. Speaker: I do not think we need go into that. It is not possible to give such information.

Shri Sarangadhar Das: Is it not the duty of the railway to protect the passengers, irrespective of whether the railway passes through one State or another?

Mr. Speaker: Order, order. It is asking for an opinion and arguing.

Shri Chattopadhyay: May I know what has happened to those who successfully gagged Mr. Gadgil?—I refer to the running train, Sir.

Mr. Speaker: Order, order. I must "gag" the Members here and go to the next question, it appears.

Shri K. K. Basu: May I know what other precautionary measures, apart from the provision of escorts, have been taken by the railway authorities?

Shri L. B. Shastri: I would like to inform the House that most of the robberies were committed in goods trains, and this is really a law and order problem, as the hon. Speaker pointed out just now. I may also inform the House that we are taking the help of the Home Ministry. In addition, we on our part are going to take definite steps in respect of our watch and ward organisation.

Pandit Munishwar Datt Upadhyay: Alongside the decrease in the robberies committed on the railways, may I know whether thefts have increased and the implication of railway servants in those thefts has also been on the increase?

Shri L. B. Shastri: It is difficult to say anything about that.

INDUSTRIAL DISPUTES

*177. **Dr. Ram Subhag Singh:** (a) Will the Minister of Labour be pleased to state the number of industrial disputes falling within the Central Government's sphere resulting in work stoppages since the beginning of the current financial year?

(b) How does this figure compare with the figure for the corresponding period of last year?

(c) What has been the total number of man-days lost so far in these industrial disputes this year as compared to last year?

The Minister of Labour (Shri V. V. Giri): (a) to (c). Information is being collected and will be placed on the Table of the House.

Dr. Ram Subhag Singh: May I know how long it would take to collect the information?

Shri V. V. Giri: At the most three weeks.

Shri K. K. Basu: May we expect the information before the end of this session?

Shri V. V. Giri: Certainly.

Mr. Speaker: Provided the session does not end before three weeks.

Shri K. K. Basu: Who knows?—it may be extended.

LAND ARMIES

*178. **Shri M. S. Gurupadaswamy:** (a) Will the Minister of Food and Agriculture be pleased to state whether Government propose to discontinue land armies?

(b) If so, what are the reasons for the same?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) No.

(b) Does not arise.

Shri M. S. Gurupadaswamy: May I know whether the Government is aware that two weeks ago there was a press report to the effect that Government is contemplating to discontinue the land army?

Dr. P. S. Deshmukh: I am afraid the press report is incorrect.

Shri M. S. Gurupadaswamy: May I know how many acres of land have

been newly brought under cultivation by this land army?

Dr. P. S. Deshmukh: This organisation is of recent origin and there has not been sufficient time for it to show a large acreage, but I can give an idea of the things it has done. Land armies have been organised in more than half a dozen States and in some places they have de-silted drains, constructed roads, planted trees, eradicated weeds and done similar work which goes to improve agricultural production.

Shri M. S. Gurupadaswamy: May I know the States in which these land armies have been started so far?

Dr. P. S. Deshmukh: There are many States, viz. Delhi, Orissa, Assam, Bhopal, Vindhya Pradesh, Bombay and West Bengal.

Shri Sarangadhar Das: May I know the total number of men in the land armies in all the States just now mentioned?

Dr. P. S. Deshmukh: The total number will come to about 12,000 to 15,000.

Shri B. S. Murthy: May I know which is the agency that controls this land army?

Dr. P. S. Deshmukh: There is a constitution framed for the guidance of these land armies. There are various categories of people who are expected to take part in it. It includes officials, non-officials, students of colleges, especially those coming from agricultural colleges, public men and so on. The ranks are divided into two parts: regulars and auxiliaries, and their duties and functions are clearly laid down.

Pandit Thakur Das Bhargava: What is the amount of money so far spent on this land army?

Dr. P. S. Deshmukh: None at all.

SUGAR POSITION

*179. **Shri S. C. Singhal:** (a) Will the Minister of Food and Agriculture be pleased to state the present position of sugar in India?

(b) Is it a fact that most of the sugar factories in U.P. and Bihar have not paid full prices of the sugar-cane they purchased from the cultivators last season?

(c) If so, how much do they owe to the cultivators?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) The quantity of

sugar available in the country at present is in excess of the internal requirements to the extent of about 3 lakh tons.

(b) Yes.

(c) The arrears of cane prices, on 31st October, 1952, in U.P. were about Rs. 4½ crores and in Bihar nearly Rs. 3 lakhs.

श्री एस० सी० सिंघल : इस रुपये को दिलवाने का सरकार ने क्या प्रबन्ध किया है ?

डा० पी० एस० देशमुख : इस के बारे में स्टेट गवर्नमेंट कार्यवाही कर रही है और जहाँ हो सकता है सेंट्रल गवर्नमेंट भी उसमें इमदाद दे सकती है।

श्री एस० सी० सिंघल : एग्जिस चीनी को निकालने के लिए सरकार ने क्या कदम उठाया है ?

डा० पी० एस० देशमुख : एक्सपोर्ट करने की कोशिश कर रहे हैं।

श्री एस० सी० सिंघल : जो प्राइसेज देश में हैं, उन प्राइसेज पर क्या एक्सपोर्ट होना मुमकिन है ?

साख तथा कृषि मंत्री (श्री किदवाई) : बाहर भेजने का कोशिश की जा रही है और कुछ जरूर बाहर जायगी।

Shri L. N. Mishra: May I know the price of sugar-cane fixed for the current year?

Shri Kidwai: No price has been fixed, because now more sugar is being produced than is consumed. Therefore, if there is competition among the producers the consumer, perhaps, will get it at a cheaper rate.

Shri L. N. Mishra: Sir, I asked whether any price has been fixed of the sugar-cane per maund?

Shri Kidwai: Rs. 1/5/- at the gate and Rs. 1/3/- outside stations.

Dr. Ram Subhag Singh: May I know, Sir, why the price of sugar-cane was reduced?

Shri Kidwai: The prices were reduced because they were disproportionately high. When a cultivator grows food-crops like cereals, he gets less. Therefore the cane area was unnecessarily growing. The result was that this year there was so much cane grown that people had to burn it. Therefore State Governments in U.P., particularly, and Bihar, had to persuade the cane-growers to continue crushing as much as possible. Besides, the prices of sugar were so high, that we could not send any sugar outside the country. Therefore, it was thought necessary that the cane prices should be reduced.

Shrimati Tarkeshwari Sinha: Is Government aware that a sharp disparity has arisen due to the reduction in the prices of sugar in comparison with last year's stock lying in the factories? May I know what the Government is doing to mitigate this difficulty?

Shri Kidwai: As I said by reducing the prices it will be possible to export sugar next year. We have already informed the producers that if they want to export sugar from the new produce, and as it will take time for the new produce to come into the market, sugar from the present stock can be released for export on replacement basis.

I hope that next year the prices would be low enough to enable us to export at least two to three lakh tons of sugar. Already we are negotiating with some countries and I hope by the end of this year we would be able to export a large stock.

"GROW MORE FOOD" ENQUIRY COMMITTEE REPORT

*182. Shri S. N. Das: Will the Minister of Food and Agriculture be pleased to state:

(a) whether the Report of the Grow More Food Enquiry Committee has been considered by Government;

(b) if so, which of the recommendations of the Committee have been accepted;

(c) the steps so far taken by the Central Government to give effect to the proposals accepted by them; and

(d) whether the various State Governments have taken steps to implement the recommendations of the Committee?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) to (d). The re-

port of the Committee is under consideration of the Central and State Governments. In the case of the State Governments, they have already been requested to implement straightway such of those recommendations as are solely their concern, while in the case of the recommendations concerning the Central Government, final decisions are expected to be taken shortly. A note indicating the latest position on the various recommendations, is placed on the Table of the House. [See Appendix I, annexure No. 44.]

Shri S. N. Das: From the note it appears that State Governments were requested to submit their notes. May I know what was the date fixed by which they were requested to submit the notes?

Dr. P. S. Deshmukh: I am unable to give the date.

Shri S. N. Das: In view of the fact that it has been stated in the note that Government has accepted Recommendation No. 37, may I know whether a special division in the Central Ministry of Food and Agriculture has been created, or is already functioning for that purpose?

Dr. P. S. Deshmukh: It is in the process of being created; we will have to get financial sanction.

Shri S. N. Das: In view of the fact that the committee has recommended that Governments will make a declaration of the principle of guaranteeing minimum prices for the food grains, may I know whether Government would come to a decision before procurement prices are fixed for the coming year?

Dr. P. S. Deshmukh: It rests with Finance. Negotiations are going on. It will depend upon what results we achieve. The matter is being expedited as much as possible.

Shri T. N. Singh: May I know what steps Government are taking in regard to the extension service scheme as suggested by the committee and how far it is going to affect the community project schemes?

Dr. P. S. Deshmukh: The establishment of extension service is actively pursued and it won't be very long before the service is established.

Shri Veeraswamy: May I know the total amount spent last year on Grow More Food Campaign and whether it was justified by the increased production?

Dr. P. S. Deshmukh: According to the Grow More Food Committee the expenditure has been justified to the extent of 52 per cent. In view of the committee's recommendations which we wish to implement we expect that the percentage will go up.

Shri Nanadas: May I know, Sir, whether the Government of Madras has given up the Grow More Food Scheme?

Dr. P. S. Deshmukh: No, Sir. No Government has given it up.

Shri C. E. Chowdary: What is the actual quantity of food produced under the Grow More Food Campaign and what is the actual cost per ton?

Dr. P. S. Deshmukh: I must ask for notice.

ALIPUR DUARS RAILWAY STATION

*183. **Pandit Munishwar Datt Upadhyay:** (a) Will the Minister of Railways be pleased to state whether it is a fact that Alipur Duars junction was originally planned and construction had started at a site about one mile away from its present location?

(b) What were the constructions undertaken and completed before the junction was shifted?

(c) What was the cost involved in the constructions aforesaid?

(d) What were the reasons for shifting from the original site?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) The site for the Alipur Duars junction was originally fixed some distance away from the site finally selected. Before the change was made, however, a temporary Base Depot and Yard had already been located at the original site.

(b) Some semi-permanent quarters and Nissen huts were put up for the accommodation of the construction staff, offices and stores, and sidings to serve these stores were laid.

(c) The cost of these constructions was Rs. 2.37 lakhs. All these quarters etc. were found useful by the Assam Railway Administration for their expansion schemes at Alipur Duars.

(d) The Open Line Administration found the second site more convenient in the light of subsequent developments at this station.

Pandit Munishwar Datt Upadhyay: May I know, Sir, whether it is a fact

that the loss of Rs. 2.37 lakhs plus the price of the land was incurred by the railways on account of shifting the junction from one place to another?

Shri L. B. Shastri: The amount of Rs. 2.37 lakhs, so far as I am aware, was spent on the construction of quarters and for earth work in the yard for side lines. We have not lost anything, for the constructions are being utilised now for further extension of the Alipur Duars junction.

Pandit Munishwar Datt Upadhyay: May I know whether nineteen quarters and five sidelines had been constructed at a cost of Rs. 2.37 lakhs and they had to be given up?

Shri L. B. Shastri: No, they have not been given up. As I said, they are being utilised for the Alipur Duars junction staff quarters.

RAILWAY FUEL ENQUIRY COMMITTEE REPORTS

*184. **Shri S. C. Samanta:** Will the Minister of Railways be pleased to state:

(a) when the Expert Committee to investigate into the supply, distribution, reserve stocks and consumption of various grades of coal on Indian Railways was appointed;

(b) who are the members of the Committee;

(c) what are the terms of reference;

(d) whether the Committee has submitted its reports;

(e) if so, what steps Government have taken on the recommendations; and

(f) if not, when the reports are expected to be submitted?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) On 24th October, 1951.

(b) (1) Shri D. C. Driver, Chairman. (2) Shri R. A. Massey, Member. (3) Shri A. B. Guha, Member. (4) Dr. J. W. Whitaker, Member. (5) Shri L. S. Corbett, Member (with effect from 21-10-52). (6) Shri M. V. Kamalani, Member-Secretary.

(c) To examine the supply, consumption and reserve stock of coal on Railways and to make recommendations for economy in expenditure on coal used as fuel. The Committee has also discretion to include in their examination all aspects of the use of coal on Railways.

(d) to (f). The Committee have not yet submitted their final report and the present indications are that they may be in a position to do so early next year. The Committee have, however, submitted an interim report. The tentative recommendations of the Committee in this interim report are of a far-reaching character. No decision can be taken on these recommendations as the Committee have indicated that they may modify these in their final report.

Shri S. C. Samanta: May I know whether the Fuel Research Institutes of the Central Government were consulted before setting up this Committee and whether Government have mentioned in the terms of reference to the Committee the question of affecting economy?

Shri L. B. Shastri: I am not aware whether they were consulted, but if the hon. Member wants I can get the information.

Shri S. C. Samanta: May I know the grades of coal that are used by our Railways?

Mr. Speaker: The question is about the appointment of a Committee.

Shri S. C. Samanta: On the fuel question, I want to know the grades of coal used.

Mr. Speaker: That will be going into what the Committee is going to enquire into. We have to consider the general aspect of the Committee report.

Shri S. C. Samanta: May I know whether the coal raised in the railway collieries is totally used or whether coal is taken from other collieries also and, if so, what sort of coal?

Shri L. B. Shastri: So far as I am aware, coal is being taken from the railway collieries as well as from other collieries,—I mean there are private proprietors too. But about the quality of coal I regret I cannot give the hon. Member any definite reply just now.

Shri S. C. Samanta: From the interim report of the Committee have Government found any change in coal deal?

Shri L. B. Shastri: I would request the hon. Member to wait for the final report of the Committee. We have given the Committee an extension of time up to 31st January next. When we have received the report we will be able to arrive at a final conclusion.

Shri K. K. Basu: May I know whether the working and management and conditions of service of the railway collieries are also within the terms of reference of the Committee?

Shri L. H. Shastri: So far as I know, not.

Shri K. K. Basu: Does the Government propose to include the same?

Mr. Speaker: Order, order. It is a suggestion for action.

Shri K. K. Basu: Sir, it is important.

Mr. Speaker: It may be important. There are so many important things besides this. All cannot be included in one question.

BOVINE TUBERCULOSIS

*185. **Shri V. P. Nayar:** (a) Will the Minister of Food and Agriculture be pleased to state whether Government have conducted any survey or collected statistics regarding Bovine Tuberculosis in India?

(b) If the answer to part (a) above be in the affirmative, what is the estimated number of cattle which suffer from T.B.?

(c) Have Government taken any steps to prevent the spread of T.B. from cattle to human beings, especially children?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) Yes. In order to investigate the incidence of tuberculosis in bovines the Indian Council of Agricultural Research initiated a scheme at the Indian Veterinary Research Institute in 1938. Under this scheme two large scale field surveys were completed, one in the Punjab (around Lahore) and the other in Bombay (around Ahmedabad) and a third one is being carried out in Madras. As valuable results were obtained from these surveys, the Council has sanctioned a new scheme for a large scale survey at Patna in Bihar to cover the wet region. In addition to these schemes, Disease Investigation Officers in various States have conducted surveys to investigate the incidence of this disease.

(b) The incidence among the tested cattle and buffaloes was as follows:

- (i) Lahore and adjoining areas (Punjab): Nearly 17 per cent. cattle and 25 per cent. buffaloes.
- (ii) Ahmedabad and adjoining areas (Bombay): Cattle nearly 13 per cent. and buffaloes 18 per cent.

Results from Madras and Bihar are not yet available.

(c) No evidence is forthcoming to support the view that T.B. is spreading in India from cattle to human beings, especially children. This may be due to our habit of boiling milk before consumption. This is supported by the following facts:—

- (i) Under an I.C.A.R. scheme, a large number of milk samples from principal Indian cities and some Government and Military Dairy Farms were analysed and found to be free from T.B. bacilli.
- (ii) Incidence of T.B. in Indian cattle is comparatively lower than the dairy animals in the Western countries on account of the open air life Indian cattle lead.
- (iii) The mere fact that an animal reacts positively to tuberculin test does not necessarily imply that the animal has T.B. of the Udder and is voiding T. B. bacilli in its milk.

All the same animals which react positively to the tuberculin test at Government farms and institutes are segregated and kept away from other animals. This is, however, not possible under village conditions and the disposal of reactors to T.B. is a problem facing the country, particularly in view of the anti-slaughter policy adopted by a number of States.

Shri V. P. Nayar: Would it be possible for the Government to give the percentage of cattle in the entire country suffering from tuberculosis?

Dr. P. S. Deshmukh: No, Sir. It cannot be done without a complete survey.

Shri V. P. Nayar: May I know whether the figures given are based on actual tuberculin tests or on mere conjecture?

Dr. P. S. Deshmukh: I have already mentioned that tests are conducted.

Mr. Speaker: His point is whether the figures are based on a total survey or only test surveys of cattle. Is that the question?

Shri V. P. Nayar: Yes, Sir.

Dr. P. S. Deshmukh: Only on test survey.

Shri V. P. Nayar: Is it also on conjecture?

Mr. Speaker: Not conjecture. He says, "on test survey."

Shri V. P. Nayar: What type of tuberculosis is most prevalent among cattle? Is it Udder tuberculosis?

Dr. P. S. Deshmukh: I could not say; I want notice.

Mr. Speaker: I think we are now going into expert matters.

Shri V. P. Nayar: Sir, I have put a question on certain scientific data and I am entitled to ask some questions on this basis.

Mr. Speaker: But then the Minister is not bound to know all about it!

Shri V. P. Nayar rose—

Mr. Speaker: Let there be no argument about it.

Dr. Jaisooraya: How do Government propose to prevent the spread of tuberculosis in animals? Merely by segregation?

Dr. P. S. Deshmukh: That is one of the means, Sir.

Mr. Speaker: Well, I think I shall better go to the next question.

ANTI-T. B. DRUG

*186. **Shri V. P. Nayar:** (a) Will the Minister of Health be pleased to state whether Government have issued a press note informing the public of the release of the Anti-T.B. Drug—Iso-nicotinic Acid Hydrazide and other Hydrazine derivatives of iso-nicotinic acid?

(b) Before the issue of this press note, has the efficacy of these drugs been tested on T.B. patients and if so, on how many patients and in which hospitals?

(c) What were the results of tests referred to in part (b) above?

(d) What is the cost of this drug at present and what is the value for which this drug has already been imported into India?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes.

(b) and (c). The drug had been distributed to various T.B. Hospitals and Sanatoria for clinical trials but it was decided to release it for general sale in India subject to certain restrictions without waiting for results of the trials here as it had already been released for general sale in the U.S.A. and other foreign countries after trial and as there was great demand for the release of the drug from the Indian Medical Profession. The restrictions mentioned are that the labels on the container should contain

the caution that the Drug should be taken only under Medical Supervision, and that it should be sold only to registered Medical Practitioners or on the prescription of a registered practitioner. The trials are still in progress, but the reports so far received indicate that the drug is of value as an aid for the cure of T.B. by giving symptomatic relief and making patients, in some cases, fit for surgical treatment which might not otherwise have been possible. A statement giving the names of Hospitals where trials are being conducted is laid on the Table of the House. [See Appendix I, annexure No. 45.]

(d) The present selling price of the imported product varies from Rs. 7-8-0 to Rs. 8-7-0 per 100 tablets of 50 mg. each. Import figures of the drug are not available as figures are not maintained separately for each drug.

Shri V. P. Nayar: In view of the answer to the question and in view of the fact that it has been admitted by the Government that many people suffer from this dreadful malady, may I know whether Government have taken any steps for the manufacture of this drug or whether they are helping other firms to manufacture this drug?

The Deputy Minister of Health (Shrimati Chandrasekhar): Government are not doing any manufacture nor are Government in a position to supply this drug to people who suffer from tuberculosis.

Mr. Speaker: Supplying free to people who are suffering from tuberculosis?

Shrimati Chandrasekhar: I think I gave the answer last time that some poor patients are given.

Shri Punnoose: May I know, Sir, the percentage of our requirement that is produced in this country?

Mr. Speaker: What are the total requirements of this country and what is the proportion produced in India?

Shrimati Chandrasekhar: This has been distributed to 28 hospitals and the trials are not completed. Unless we know all the results we are unable to give you the details.

Rajkumari Amrit Kaur: It is a very new drug. It has only just come into the market from abroad. Government really has not had time to take any action so far as preparation of this drug is concerned. They are encouraging the people who apply for its manufacture. It is impossible for Government to say how much of this drug is required for patients.

IMPORT OF RICE FROM CHINA

*187. **Kumari Annie Mascarene:** (a) Will the Minister of Food and Agriculture be pleased to state what quantity of rice is to be imported into India from China in 1952?

(b) What are the conditions of price?

(c) Are there any special arrangements made for the transport of rice to India?

(d) What percentage of it has been sent to Cochin harbour?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) 1,50,000 metric tons.

(b) It is against cash payment.

(c) No.

(d) Out of 99,300 long tons of rice so far imported from China about 18,700 tons have been received at Cochin Port which works up to 18.8 per cent of the total arrivals.

Kumari Annie Mascarene: May I know whether getting rice from China is cheaper than getting it from elsewhere?

Shri M. V. Krishnappa: Not at all, Sir.

Kumari Annie Mascarene: May I know, Sir, whether the rice that is imported is broken or whole?

Shri M. V. Krishnappa: It is not broken rice. There are three varieties, Nos. 1, 2 and 3, fine, superfine and coarse grain. All three varieties are imported.

Kumari Annie Mascarene: May I know if the hon. Minister intends in exhausting all the coarse rice in Travancore-Cochin State?

Shri M. V. Krishnappa: I deny that, Sir.

Shri K. Subrahmanyam: How does the rice imported from China compare in quality with the rice imported from Burma?

Shri M. V. Krishnappa: Sometimes they differ in quality.

Shri B. S. Murthy: How does the cost of Chinese rice compare with that of the Burma rice?

Shri M. V. Krishnappa: It is not in any way cheaper.

Shri Kelappan: How do the prices compare?

Shri M. V. Krishnappa: One is not cheaper than the other.

Shri V. G. Deshpande: May I know, Sir, if the colour of the Chinese rice is red?

Shri M. V. Krishnappa: It is not.

PUBLIC NURSING

*188. **Shri S. N. Das:** (a) Will the Minister of Health be pleased to state the number of nurses from the various States that have come to undergo a course in public nursing at the College of Nursing in Delhi?

(b) What are the special features of this course?

(c) For what period will this training course continue?

The Minister of Health (Rajkumari Amrit Kaur): (a) 15.

(b) A statement is placed on the Table of the House. [See Appendix I, annexure No. 46.]

(c) It is a course of 9½ months. The course is intended to meet the demand for trained Public Health Nurses which is expected to continue.

Shri S. N. Das: May I know, Sir, how the expenditure is going to be met and how it is going to be shared by the Centre and the various State Governments?

Rajkumari Amrit Kaur: Sir, the proposal at present is that the entire non-recurring and recurring expenditure in the first year and a half will be met by the Ford Foundation if we so desire, and the remaining half of the recurring expenditure during the second year and the entire expenditure for the third year onwards will have to be met by the State Governments proportionately according to the number of students which they sponsor.

Shri S. N. Das: May I know whether this training course will be a continuous one or it will be a short time scheme?

Rajkumari Amrit Kaur: It will be a continuous one because the need for public health nurses in the country is very great.

Shri Chattopadhyaya: May I know whether viva voce examinations are held for the selection of nurses and, if so, are the examiners women or men?

Rajkumari Amrit Kaur: I do not know whether viva voce examinations have been held so far. So far as I

know the selection is done by the State Governments and the candidates are then accepted by the Nursing College here.

SUPPLY OF BAD WHEAT AND RICE AT DELHI RATION DEPOTS

*189. **Shri A. N. Vidyalkar:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether the attention of Government has been drawn to the general complaint that the quality of wheat, atta and rice generally supplied at the Ration Depots in Delhi is not good;

(b) whether this complaint was carefully examined and facts ascertained;

(c) whether it is a fact that the foreign wheat and rice supplied at the Delhi Ration Depots are of very inferior quality and contain less nutritious elements; and

(d) what action Government propose to take in the matter?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa): (a) to (d). There have been such complaints occasionally, and they have been examined. The facts are that there was nothing inherently wrong with the quality of the rice or wheat or wheat atta supplied from the Ration Shops; but consumers have shown preference to the indigenous varieties. Complaints arose mainly because of the flavour of the rice which, at one time, was in issue, and because the look of the wheat was less acceptable to the consumers.

As a further check on quality of foodgrains issued, arrangements have been made for screening and cleaning foodgrains; and Gazetted Officers have been posted at the Issue Depots to check quality before issue to A.R.Ds.

Shri A. N. Vidyalkar: Is it a fact that a considerable quantity of rotten and worm-eaten grains were dumped into the ration shops at Delhi?

Shri M. V. Krishnappa: It was not worm-eaten grain. It was imported wheat. The imported wheat always looks inferior to indigenous varieties. Before the 15th of June, we were supplying indigenous wheat to the Delhi people. When we switched on to the imported wheat, there was a marked difference in the look of the grain. So, there was some dissatisfaction expressed by the people. Immediately, we attended to that.

Shri A. N. Vidyalkar: Did it look inferior or was it really inferior?

Shri M. V. Krishnappa: It looked inferior in colour.

Shri A. N. Vidyalkar: Why was most of the foreign grain dumped into Delhi ration shops only?

Shri M. V. Krishnappa: No; it is not dumped. Foreign grain will be exhausted by the end of December. From early January, we are getting indigenous varieties of wheat for supply in Delhi. Hon. Member must know we are also living in Delhi. It not only comes to the notice of the Government, we will have to experience if anything goes wrong here.

सेठ बच्चल सिंह : न्याय मंत्री महोदय बताने की कृपा करेंगे कि उत्तर प्रदेश को इस सम्बन्ध में क्या सहायता दी गयी और क्या सहायता दी जाने वाली है ?

साहू तथा कृषि मंत्री (श्री किशोर्वाह) : आप किस सम्बन्ध में उत्तर प्रदेश को सहायता देने की बात कर रहे हैं ?

DAMAGE TO FOOD CROPS

*190. **Shri A. N. Vidyalkar:** Will the Minister of Food and Agriculture be pleased to state:

(a) the extent of the damage caused by recent floods and other causes in various parts of India (State-wise);

(b) the extent of the damage caused to (i) crops; and (ii) agricultural lands; and

(c) the extent of help directly given by the Central Government or proposed to be given?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) and (b). A statement giving the available information is placed on the Table of the House. [See Appendix I, annexure No. 47]

(c) At the request of the Governments of Assam and Manipur 15,000 maunds of rice were allotted to Assam and 4,000 maunds to Manipur at concessional rate to be distributed among the affected people at Rs. 15. per maund.

Shri A. N. Vidyalkar: Was any grant given to the State Governments also as help?

Dr. P. S. Deshmukh: No, Sir.

Shri A. N. Vidyasankar: Was any request for help received by the Central Government from the State Governments?

The Minister of Food and Agriculture (Shri Kidwai): The Assam Government asked us to allot some rice at concessional rates and that has been done.

Shri T. K. Chandhuri: With reference to the other causes referred to in part (a) of the question, has the attention of the Government been drawn to a peculiar disease which has attacked the rice crop in Burdwan, Murshidabad, Southern 24 Parganas and other districts? What is the report of the Government, if the Government has got any report in that respect? It is a widespread disease which has caused a lot of damage to the crop.

Dr. P. S. Deshmukh: If my friend is referring to rice bug which has been reported from various places, I may inform the House that very prompt action was taken in every case and whatever insecticide as well as apparatus was available, was supplied immediately.

Shri K. K. Basu: Is the Government satisfied with the steps to prevent diseases?

Dr. P. S. Deshmukh: Yes, Sir.

Mr. Speaker: It is a matter of opinion.

Shri T. K. Chandhuri: Our attention was drawn to a Press report that the Agricultural Research Department of the Government of Bengal was at a loss to know whether the disease to which I am referring was a physiological one or caused by any pest. Is there any report at the disposal of the Government on this subject?

Dr. P. S. Deshmukh: I am unable to say.

KARWAR-HUBLI RAILWAY LINE

*191. **Shri R. G. Dubey:** (a) Will the Minister of Railways be pleased to state whether it is a fact that the Government of Bombay have recommended the construction of Karwar-Hubli Railway line?

(b) Is it a fact that the Karnatak Chamber of Commerce and other public bodies are demanding the construction of this line?

(c) If so, what action do Government propose to take in the matter?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) The reply is in the affirmative.

(b) Yes.

(c) An out-agency has been opened at Karwar with Hubli as the serving railway station to meet the present traffic needs of the area. Before further action is taken Government would like to watch the working of the out-agency for some time.

Shri R. G. Dubey: May I know what are the governing considerations in fixing up the priority in undertaking new railway lines?

Shri L. B. Shastri: We had certain principles on the basis of which priority was given before. But, with the new Five Year Plan, of course, we have to draw up our programmes in consultation with the Planning Commission, now, because we will have to give priority to those Railway lines to which the Planning Commission attaches greater importance. Suppose there is a new mine to be developed or a new factory opened, Railway lines will have to be provided for these places first.

Shri R. G. Dubey: Is it not a fact that the present arrangement in Hubli district is not able to cope with the growing volume of traffic in that region?

Shri L. B. Shastri: As I have said just now, we will have to await the report of the working of the out-agency.

Shri P. T. Chacko: May I know whether, when new lines are constructed, Government will lay them as broad gauge?

Shri L. B. Shastri: It certainly depends on the circumstances whether we should have broad gauge or metre gauge.

Shri Bogawat: What is the length of the Karwar-Hubli line?

Shri L. B. Shastri: The hon. Member should know it better than myself.

Shri Bogawat: I do not know; therefore, I am asking.

Mr. Speaker: Order. order. Mr. Nanadas.

Shri Nanadas: May I know whether new Railway lines are constructed only on the recommendation of the State Governments?

Shri L. B. Shastri: The State Governments are certainly consulted and, of course, due weight is given to their opinion.

Shri R. G. Dubey: Is it not a fact that this region, known as Bombay-Karnatak, is backward in development, socially and economically, and in view of the declared policy of the Planning Commission to develop backward regions, will Government consider this proposal?

Mr. Speaker: I think it is a matter to be decided by the Planning Commission. It is no use arguing that point. Next question.

LOCAL FINANCE ENQUIRY COMMITTEE REPORT

*194. **Shri Jajware:** (a) Will the Minister of Health be pleased to state the time taken and expenditure incurred for the working of the Local Finance Enquiry Committee?

(b) What is the expenditure incurred on the publication of its reports?

(c) What steps have Government taken for the implementation of the recommendations of the Committee and if not, why not?

The Minister of Health (Rajkumari Amrit Kaur): (a) The Committee functioned from 14.4.1949 to 31.12.1950 and the expenditure incurred was Rs. 1,42,345.

(b) The expenditure was Rs. 7459/11/-.

(c) The Local Finance Enquiry Committee made as many as 149 recommendations and on practically all these recommendations action has to be taken by the State Government as Local-Self Government is a subject in the State list of the Constitution. The Report of the Committee was, therefore, circulated to the State Governments for consideration and necessary action. Most of the Governments have replied to the effect that the matter is under consideration while some of the Governments have accepted some recommendations and rejected the others. Action is likely to vary from State to State as local circumstances are different.

As far as the Central Government are concerned, the main recommendations are that the terminal taxes on goods or passengers carried by railways, sea or air which are now in the Central list of the Constitution should be transferred to the State list and also that while Central Government property may continue to be immune from Local taxation, Government should make a contribution to Local Bodies in lieu of such taxes. As far as these terminal taxes are concerned under Article 269 of the Constitution the taxes

will be levied and collected by the Central Government but assigned to the States. It is not considered necessary to alter this position. The question of Central legislation to take power for the levy of such taxes is under the consideration of the Ministry of Finance.

Regarding the payment of contribution by the Central Government to Local Bodies in lieu of taxes certain particulars are being collected and it will take some time before a decision is reached.

Shri Jajware: May I know whether the responsibility for the implementation of the recommendations of the Committee in regard to terminal taxes, is wholly on the Central Government?

Rajkumari Amrit Kaur: I have given the answer to this very clearly in my reply.

Shri Jajware: May I know whether the recommendation from the State of Bihar for the imposition of such tax in regard to the famous pilgrimage centre of Baidyanath Dhan is pending before the Central Government?

Rajkumari Amrit Kaur: I have not any knowledge of that.

Shri Jajware: May I know whether a representation has been made by the M. Ps. of Bihar State to the Minister, and whether any action has been taken on that?

Rajkumari Amrit Kaur: I have already said that it is the local bodies that have made representations. In certain matters relating to the Central Government, the Ministry of Finance is considering the position.

Pandit Munishwar Datt Upadhyay: May I know, Sir, what percentage of land taxes has been recommended to be given to the local bodies?

Mr. Speaker: Is the report not published yet?

Rajkumari Amrit Kaur: The report has been published and laid on the Table of the House.

Mr. Speaker: The hon. Member may better refer to the Report rather than ask questions here.

Shri S. C. Samania: The hon. Minister has stated that some of the States have accepted some of the recommendations of the Committee, and they are implementing them. May I know whether they are implementing those recommendations by Government's order, or

by amending the Local Self-Government Acts?

Rajkumari Amrit Kaur: That would naturally have to be referred to State Governments. I am not responsible as to how State Governments function.

Shri Velayudhan: May I know whether as a result of this Enquiry Committee, Government have evolved any central plan for local self-governing institutions?

Mr. Speaker: The Committee was for considering financial aspects only, not the general aspects.

Shri K. K. Basu: May I know whether Government have fixed any time-limit as to the State Governments making up their minds as to the recommendations of this Committee.

Rajkumari Amrit Kaur: It is very difficult for Government to fix any time-limit, but we remind the State Governments and ask them to let us know what they are doing from time to time.

INTERNATIONAL LABOUR ORGANISATION

*195. **Shrimati Jayashri:** Will the Minister of Labour be pleased to state:

(a) whether it is a fact that in the 34th Session of the International Labour Organisations Conference held in Geneva in June 1951, the subject of "Equal Pay for Equal work to be performed by men and women workers" was discussed; and

(b) whether it is a fact that the Indian Government voted against the introduction of a convention on this subject?

The Minister of Labour (Shri V. V. Giri): (a) Yes, the 34th Session of the International Labour Conference held in Geneva in June 1951 discussed this subject and adopted a Convention and a Recommendation on Equal remuneration for men and women workers for work of equal value.

(b) The principle of equal remuneration has been incorporated in the directive principle contained in Article 39(d) of the Indian Constitution and accepted by the Central Pay Commission, the Fair Wage Committee and a number of Industrial Tribunals also. But the actual application of the principle would have to be gradual in view of the practical difficulties involved. A machinery must be set up for objective appraisal of job contents without which the principle could not be applied. The 34th Session adopted a Convention as well as a Recommendation on the sub-

ject. The Government of India's delegate abstained from voting on the Convention, but voted in favour of the Recommendation. A statement on the action to be taken on this Convention and Recommendation by the Government of India and its delegation's Report explaining the position, will be placed before the Parliament soon in accordance with Article 19 of the I.L.O. Convention.

Shrimati Jayashri: May I know whether Government has any intention of instituting machinery for fixing the job rates?

Shri V. V. Giri: Yes, Sir.

Shri K. P. Tripathi: Is it a fact that the Government delegate actually adopted the position that women in India should get lesser wages than men?

Shri V. V. Giri: I do not think so.

Shri B. S. Murthy: May I know the reasons that prompted the Indian delegate to vote for the Convention and abstain from the recommendation?

Shri V. V. Giri: A statement will soon be placed on the Table of the House explaining the reason.

Shri N. Sreekantan Nair: May I know whether Government is aware that in fixing the minimum wages the tea planting industry, a difference has been maintained based on the assumed intention of the Government of India to fix different scales of wages for men and women?

Shri V. V. Giri: I am sure that is not the intention of the Government of India. At any rate, the Government of India's decision is to gradually adopt the Convention to see that there shall be no difference.

Shri K. P. Tripathi: Is it a fact that the average woman plucker in a tea garden is better than the average man, and in spite of that fact, the men get higher wages for plucking than the women?

Shri V. V. Giri: I will take the information from the hon. Member.

TRAIN RUNNING BETWEEN KAVALI AND MADRAS

*196. **Shri K. S. Rao:** (a) Will the Minister of Railways be pleased to state whether Government have received any representations from public bodies or individuals, requesting for re-starting of the train running between Kaveli and Madras on the Southern Railway?

(b) Do Government intend to re-start the train?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) Yes.

(b) No. Prior to 1st April 1948, there was a passenger train each way between Madras and Kavali. From 1st April, 1948, simultaneously with the extension of the Ongole-Cocanada passenger train to and from Bitragunta, the passenger train running between Madras and Kavali was scheduled to run between Madras and Bitragunta only. The introduction of the daily Janata Express train from 6.11.1951 between Madras and Calcutta necessitated the cancellation of some of the sectional trains on the North East Line of the Southern Railway including the passenger train which was running between Madras and Bitragunta. This was found necessary, as due to paucity of stock and power, it was not possible to introduce the Janata Express without the cancellation of the trains.

Shri Nanadas: Sir, he knows only Telugu, and I will translate his question.

Mr. Speaker: The hon. Member may put the question on his behalf.

Shri Nanadas: What are the organisations from which the Government have received representations for re-starting this particular train?

Shri Shah Nawaz Khan: There are some ten organisations from which representations have been received. These organisations are:

- (1) Mica Worker's Union of Gudur,
- (2) The South India Mica Mine Owners' Association of Gudur,
- (3) The President of the Town Congress Committee, Gudur,
- (4) Madras Mica Association, Gudur,
- (5) B. Ramachandra Reddi, M.P.
- (6) B. Gopala Reddi, President, District Congress Committee,
- (7) B. Sanjeeva Narayan, Member, Railway Local Advisory Committee,
- (8) Prof. P. C. Reddi and others from Nellore,
- (9) Shri K. Krishna Rao, M.L.A. from Nellore, and
- (10) Shri A. Rami Reddi of Nellore.

Shri Ramachandra Reddi: May I know whether a final decision has been taken on the subject, or is it still open for consideration?

Shri Shah Nawaz Khan: Yes, Sir, A final decision has been taken that owing to the paucity of stock and power, this train cannot be re-started.

FAMINE IN TRAVANCORE-COCHIN

***197. Shri N. Sreekantan Nair:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it has come to the notice of Government that famine conditions prevail in the coastal areas of Travancore-Cochin;

(b) if so, the reasons for the famine; and

(c) whether any relief measures have been initiated?

The Minister of Agriculture (Dr. P. S. Deshmukh): (a) 'Famine Conditions' are not prevailing in the coastal areas of Travancore-Cochin.

(b) and (c). Do not arise. But, I may add, Sir, that although no famine conditions prevail, nor is there any inadequacy of foodgrains in the area, there is considerable distress in a large section of the population where unemployment prevails on a large scale due to a chronic slump in the coir trade. There are about 6 lakhs of people affected, but adequate steps in conveying relief to them have been taken.

Shri N. Sreekantan Nair: May I know, Sir, what are the steps taken?

Dr. P. S. Deshmukh: They are a pretty large number. For instance, at a meeting held in the Ministry of Commerce and Industry with the representative of the State Government, it was suggested to give the Travancore-Cochin Government the following grants, on receipt of estimates of the schemes from the State Government:

(1) Rs. 7 lakhs for mending and maintaining roads.

(2) Rs. 8.2 lakhs for starting of roads.

(3) Rs. 11 lakhs from the Road Fund.

There were also various other steps taken.

Shri N. Sreekantan Nair: According to the admission of the hon. Minister, there is famine or scarcity affecting 8 lakhs of people, and the grant amounts come to about Rs. 20 lakhs. Will such a small sum be enough to mitigate the sufferings of the people?

Mr. Speaker: Order, order. The Question-hour is over.

Short Notice Question and Answer

FIRING ON INDIAN VILLAGES BY PAKISTANI ARMED POLICE.

Shri S. N. Das: Will the Prime Minister be pleased to state:

(a) whether it is a fact that Daoke, an Indian village on the Indo-Pakistan border was under heavy fire by Pakistani armed police on the 1st and 2nd of November, 1952;

(b) If so, what were the circumstances in which the incident took place;

(c) in what way situations created by this firing were faced and met by the Indian Police;

(d) whether there was any loss of life and property; if so, the number of lives lost, persons injured and extent of damage done to the property on the Indian side of the border; and

(e) what are the steps taken by Government in this connection to restore peace and bring to book those responsible for the incident?

The Prime Minister (Shri Jawaharlal Nehru): Sir, with your permission, I should like to make a somewhat longer statement than might be necessitated by this short notice question, so that the House may have the full picture of not only this particular incident that has occurred, but of other incidents also that sometimes occur on this border, between India and Pakistan on the western side.

Ever since the Partition, certain difficulties have arisen in regard to some border villages in East Punjab and West Punjab. The boundary line laid down by the Radcliffe Award was not very clear and ignored certain geographical features. Thus some villages which are of Indian territory are on the wrong side of the river and not easily accessible to India. In the same way there are some villages belonging to Pakistan on the opposite side of the river and not easily accessible to Pakistan. The areas involved are relatively small, usually a hundred acres or so, and most of them are uncultivated and over-grown by bushes and jungle grass. In practice, the areas on the Indian side have been in the possession of India and the areas on the Pakistan side in the possession of Pakistan. The areas have been largely uninhabited. Since 1949 there has been an understanding with Pakistan that pending demarcation of the border, such areas will be left in the *de facto* possession of the country on whose side they lie.

There being no clear line of demarcation, border disputes have constantly arisen. At a number of Inter-Dominion Conferences held in 1948 many decisions were taken. Among these was one relating to these border incidents on the East Punjab-West Punjab border.

It was agreed that there was need for having a line of demarcation between East and West Punjab, especially in areas where the boundary line was not very clear. The possibility of setting up boundary pillars in this area was to be explored. It was recognised that difficulties arose on account of some villages belonging to one country being on the wrong side of the river in the other country. It was suggested that the two Financial Commissioners on either side, assisted by such expert revenue officers as they might consider necessary, might meet and make definite recommendations. They should also consider the question of the erection of boundary pillars.

It was also agreed that the Inspectors General of Police of East Punjab and West Punjab should meet from time to time to review the situation arising out of border incidents on both sides, assisted by the local district magistrates and the superintendents of police.

It was further agreed that the two provincial governments should warn the local border police, Home Guards, and National Guards, asking them to desist from giving any direct or indirect assistance to the raiders on both sides.

Since then such meetings as were envisaged in the Agreement have taken place and many border problems that have arisen have been dealt with. But the boundary pillars have not yet been put up. There have recently been a number of instances of petty conflict on the border in these particular territories.

Now, coming to this particular incident, the villages concerned in the recent firing on the Punjab border are Daoke, Bhaini, Rajoutan and Rajathal in Amritsar district and Lao, Maujoke, Ghurki and Qilla Jiwan Singh in Lahore district. A drainage channel known as Hudhara Nala runs along the boundary between these villages. Some time ago, a dam was constructed in the Nala in Pakistan territory and this caused drainage difficulties for the Indian villages. It was therefore decided to dig a diversion channel between two points of the Nala in Indian territory.

On the 22nd October, an Indian survey party was marking out the alignment for this channel when the Pakistan Border Police objected to the work. They entered Indian territory in Daoke village and removed flag markings. On the 23rd October when the survey party attempted to resume work, the Pakistan Border Police suddenly and without any provocation opened fire on them. The Punjab Armed Police thereupon took up positions and returned the fire. Firing took place between 2.30 and 6.30 p.m. on the 23rd October. 467 rounds were fired by the Indian forces. I might add that this firing was of a very different character. There was a large space in between, and it was not a firing at anybody; as a result there were normally no casualties. Subsequently meetings were held between the police officials on both sides in an effort to settle the dispute, but no agreement could be reached. On the 1st November, Pakistani forces again opened fire without any provocation at about noon. There was heavy exchange of fire during the night. On two occasions Indian forces stopped firing in the hope that Pakistani forces would reciprocate, but the latter continued to fire. Eventually by mutual agreement between the local authorities firing ceased about 2.30 p.m. on the 2nd November. These exchanges of fire took place between the forward positions of the Armed Border Police on either side along a 4 miles stretch of the boundary. It is not a fact that Indian forces fired at the inhabited areas of Pakistani villages or that Pakistani forces fired at the inhabited areas of Indian villages. It is however, possible that stray bullets may have found their way to the inhabited areas. There was no loss of life or damage to property on the Indian side. The Pakistan Government has reported that one person was injured on their side. There has been no firing since 2nd November.

The allegation that Indian forces entered territory in Pakistani possession is not correct. The boundary in the vicinity is such that three pockets of the Indian village Daoke lie on the Pakistani side of the Nala and conversely two pockets of the Pakistani village Maujoke lie on the Indian side. Both these sets of pockets have been lying waste since Partition and are at the moment covered with wild growth. For all practical purposes, the pockets legally belonging to India are in Pakistani possession and those legally belonging to Pakistan are in Indian possession. This situation exists elsewhere on the Punjab border, especially in the vicinity of rivers. Since 1949, there has been an understanding with Pakistan that pending demarcation of the border,

such areas will be left in the *de facto* possession of the country on whose side they lie. This is a sensible practical arrangement which has helped in reducing border incidents.

In the present instance, the attempt by the Pakistan Border Police to interfere with the Indian survey party by firing on them obliged the Punjab Armed Police to take up positions in the two pockets of the Pakistani village Maujoke lying on the Indian side of the Nala. According to the Indo-Pakistan understanding mentioned above, these particular pockets, the area of which is about 90 acres altogether, are and have been in Indian possession. Pakistan has never been in possession of them. Similarly India has not been in possession of a larger area on the Pakistani side of the Nala, although these are legally Indian territory. In accordance with the Indo-Pakistan understanding, India cannot have any objection to Pakistan's remaining in possession of such Indian areas until the border is finally demarcated. Conversely, Pakistan cannot raise any objection to India's remaining in possession of similar Pakistani areas. The maintenance of the *status quo* according to the Indo-Pakistan understanding means that such *de facto* possession will not be interfered with, irrespective of the legal ownership according to the Radcliffe Award. There has been no breach by India of this position.

It is unfortunate that the Pakistan border police should have opened fire on the Indian Survey party in a minor irrigation dispute which ought to have been dealt with by the civil authorities of both sides. Such action is contrary to the interests of both countries in maintaining peace and settled conditions on the border. The Indo-Pakistan Agreement of December 1948 included provisions designed to ensure the maximum cooperation between the Governments of the East and West Punjab with a view to minimising incidents on the border. The understanding of 1949, which I have already mentioned, was a further step in this direction. In the last year or so, however, there have been a number of incidents on the border and the Financial Commissioners district officials of the two Punjab have held several meetings in an effort to settle the disputes. Preliminary steps have also been taken jointly to begin physical demarcation of the boundary.

Shri S. N. Das: May I know, Sir, whether the fact of automatic weapons,

handgrenades and mortars having been used has been verified?

Shri Jawaharlal Nehru: I believe that some mortars were used. It is rather difficult to say what all weapons were used, but it is possible that automatic weapons were used.

Shri S. N. Das: May I know, Sir, whether the strength of the Pakistani Police that took part in this firing has been estimated or ascertained?

Shri Jawaharlal Nehru: No, Sir, I do not know exactly the strength on either side. They are the normal border police on both sides.

Shri A. N. Vidyalankar: Does the Prime Minister mean to convey that the firing was confined only to uninhabited areas?

Shri Jawaharlal Nehru: I stated that the firing, so far as we know, was not directed to any inhabited area. It is a possibility that some stray bullets might have gone elsewhere.

Shri V. G. Deshpande: What steps do Government propose to take to deal with this kind of attitude on the part of the Pakistan Government? Do they propose to take a firmer attitude or just to make a statement that Pakistan is doing these things?

Mr. Speaker: Order, order. I do not think that question arises from the statement made.

Shri Gidwani: What about my Adjournment Motion, Sir?

Mr. Speaker: I was just going to decide that and say that, in view of the statement, there is no occasion practically to discuss any further any Adjournment Motion. I was going to say that, but in the meanwhile Mr. Deshpande put in a question.

पंडित जलनू राय शास्त्री : क्या मैं एक प्रश्न पूछ सकता हूँ ?

अध्यक्ष महोदय : देखिये आप तो लेट हो गये हैं। दूसरी बात यह है कि हमारे यहाँ का यह नियम है कि जब कोई बड़ा स्टेट में होता है तो पूरक प्रश्न नहीं पूछे जाते।

पंडित जलनू राय शास्त्री : इसी स्थान से मैं लेट हो गया था।

अध्यक्ष महोदय : तो आप जानते थे। फिर भी आपने प्रश्न करने की अनुमति चाही।
253 P.S.D.

WRITTEN ANSWERS TO QUESTIONS

PORTS IN KUTCH

*180. **Shri C. R. Iyyannal:** Will the Minister of Transport be pleased to state:

(a) how much money has been allotted for the development of ports in Kutch;

(b) how much has been spent on each; and

(c) how much remain to be spent?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Apart from the provision of Rs. 12.95 crores for the development of Kandla Port, in Kutch, the Five Year Plan includes a provision of Rs. 13.4 lakhs for improvements to the minor ports in Kutch.

(b) Upto end of 1951-52, Rs. 1.45 crores had been spent on Kandla Port and Rs. 1.09 lakhs on the minor ports.

(c) Rs. 11.5 crores on Kandla and Rs. 12.31 lakhs on the minor ports.

COCHIN HARBOUR

*181. **Shri C. R. Iyyannal:** Will the Minister of Transport be pleased to state:

(a) whether any amount has been spent for the development of the Cochin Harbour in 1950-51, 1951-52 and 1952-53; and

(b) whether it is a fact that considerable difficulties are experienced there for want of sufficient wharfing accommodation when shipping is heavy?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes. Rs. 8.90 lakhs was spent during 1950-51 and Rs. 26.10 lakhs during 1951-52. A sum of Rs. 43.76 lakhs has been provided in the budget for 1952-53.

(b) No.

WAGONS

*192. **Shri Jhulan Sinha:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the present shortage of wagons on the Indian Railways partly is due to detentions of wagons at junction stations;

(b) if so, the steps taken to eliminate this detention;

(c) what is the actual number of wagons required to make up the full supply for normal demands based on the working of the last two years; and

(d) what steps are being taken to make up this deficiency?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) No.

(b) Does not arise.

(c) Over 20,000 additional wagons.

(d) Best endeavours are being made to obtain more wagons in large numbers within the shortest possible period depending upon our ways and means position and the capacity of many firms not only in India but also abroad to accept and implement the orders.

MIXED TRAINS

*193. **Shri Jhulan Sinha:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that mixed trains are running on a number of lines;

(b) if so, in what numbers and on what lines;

(c) whether it is a fact that running of these mixed trains, is fraught with risks to the life and property of the passengers; and

(d) if the answer to part (c) above be in the affirmative, the steps taken to remove the risks and make journey on these lines as safe as possible in the circumstances?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes, there are mixed trains that is trains consisting of passenger coaches and other coaching vehicles and goods wagons.

(b) In all 784 mixed trains are running on the various railways as shown below:—

Central Railway	95
Eastern Railway	117
Northern Railway	153
North Eastern Railway	85
Southern Railway	92
Western Railway	242
	<hr/>
	784

(c) and (d). No. Apparently the question implies that such mixed

trains as do not have continuous vacuum brake system for the operation of passenger alarm communication are fraught with risks. The position briefly is this. All mixed trains on the Broad Gauge are provided with the necessary gear for the continuity of vacuum brake. On the Metre and Narrow Gauges, however, most of the goods vehicles do not at present have the continuous braking system fitted and when such vehicles are attached between the coaching stock and the locomotive, the coaching stock passenger alarm communication and vacuum brakes cannot be operated. Such trains are, however, provided with devices like the vacuum or steam brake in the engines, which are capable of providing adequate braking power for these trains. Further, the maximum authorised speeds of these trains are comparatively low and the lack of automatic vacuum brake equipment does not present any particular difficulty in controlling those trains.

Arrangements, however, have been made for goods stock to be fitted with the vacuum brake and the work is being carried out to a programme. All the new wagons are so fitted but it may be two or three years before the through braking on all mixed trains can be introduced.

CONSTRUCTION OF NEW METRE GAUGE RAILWAY LINES

*198. **Shri Dabhi:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that Government propose to construct the metre gauge Railway lines between Sojitra and Dholka (Bombay State), between Bhadran and Bhaite (Bombay State) and between Chhota Udepur (Bombay State) and Kukshi (Madhya Pradesh);

(b) if the answer to part (a) above be in the affirmative, what progress has been made in this direction;

(c) whether it is a fact that Government had at one time dropped the idea of constructing the Sojitra-Dholka Railway line; and

(d) if the answer to part (c) above be in the affirmative, what are the reasons for the same?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) No.

(b) Does not arise.

(c) Yes.

(d) There are a large number of more important and urgent projects which will fully utilise all the funds likely to be available for the construction of new lines.

EMPLOYMENT EXCHANGES

*199. **Shri Velayudhan:** Will the Minister of Labour be pleased to state:

(a) whether Government have appointed any Committee to enquire into the working of the employment exchanges; and

(b) if so, what are the terms of this Committee?

The Minister of Labour (Shri V. V. Giri): (a) A Committee is being set up to examine the future of the Organisation of the Directorate General of Resettlement and Employment.

(b) The terms of reference are:

To assess the need for the continuance of the Resettlement and Employment Organisation in the context of the country's economic and social development and to suggest with reference to such need what its future shape should be in particular—

(i) to enquire into the whole question of the future of the Resettlement and Employment Organisation and examine whether part of the organisation should be transferred to the State Governments or not; in the latter event, what degree of superintendence and control should be retained by the Central Government;

(ii) to assess the results obtained by the Employment Exchanges and Training Schemes including the Scheme for the training of Instructors and Supervisors at the Central Institute, Koni, Bilaspur;

(iii) to consider on what basis the Training Schemes should be continued and whether the present system of granting stipends should be abolished or modified;

(iv) to examine whether there should be further expansion of Employment Exchanges and training programmes consonant with the increased requirements of the country;

(v) to consider whether legislation should be introduced making it obligatory for industry to recruit personnel, at least in the larger industrial centres through Employment Exchanges; and

(vi) to consider whether Government should make a small levy from the employers and/or employment-seekers in order to finance part of the cost of the organisation.

CHITTARANJAN TOWN

*200. **Shri H. N. Mukerjee:** Will the Minister of Railways be pleased to state the reason why not only the workshop area but also the entire town of Chittaranjan in West Bengal is closed to free entry by citizens of the Union?

The Minister of Railways and Transport (Shri L. B. Shastri): The whole of Chittaranjan embracing the township and the workshop area has been declared a protected area. The Chittaranjan township is contiguous to the workshop area, and contains key installations for supply of electricity, water etc.; special protective measures are therefore necessary.

QUILON-ERNAKULAM RAILWAY LINE

*201. **Kumari Annie Mascarene:** (a) Will the Minister of Railways be pleased to state what steps have been taken by Government to implement the Government's policy of giving top priority in constructing the railway line from Quilon to Ernakulam?

(b) Have Government taken any step to acquire land or to order for materials required for it?

(c) What part of the money allotted for the purpose is already spent?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Arrangements are being made for undertaking the work between certain mileages where the final location survey has been completed.

(b) The Travancore Government are taking the necessary steps immediately to appoint the Land Acquisition Staff for this work.

(c) About Rs. 50,000/- has so far been spent on this work.

WATER TANKS

*202. **Shri Jassal:** (a) Will the Minister of Railways be pleased to state whether any enquiry has been

made by the department as to how many water tanks situated in the Railway boundary and owned by the Railways have got surplus water which could be supplied to the adjoining fields for irrigation purpose?

(b) If so, what is the number of tanks and where are they situated?

(c) What steps have Government so far taken for making this surplus water available to the cultivators for helping them in growing more food?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) to (c). On a request from the Ministry of Food and Agriculture, orders were issued to Railway Administrations that requests from Agriculturists for the utilisation of surplus water in tanks in railway premises may be given favourable consideration, provided such requests are supported by the Revenue Authorities of the State Governments concerned, and the railway interests are not in any way adversely affected by the grant of this concession. The Railway Administrations send a Quarterly Report direct to the Ministry of Food and Agriculture giving particulars of requests received from State Governments for the utilisation of water from railway tanks and the extent to which these are acceded to. The number of such tanks will vary from year to year, depending on the rainfall and other local factors.

SARDARGANJ-BHUJ RAIL LINK

***203. Shri Jasani:** (a) Will the Minister of Railways be pleased to state whether there is any proposal to construct a Metre Gauge Railway line from Sardarganj to Bhuj connecting the present Kandla-Deesa Railway line?

(b) If so, when is the work likely to be commenced and what will be the total cost?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) There is no proposal to construct a new M.G. line but the conversion of the existing N.G. to M.G. is under examination.

(b) The costs involved are being worked out and no final decision has yet been reached regarding the execution of this work.

FOOD GIFTS FROM ABROAD

***204. Shri Gopala Rao:** Will the Minister of Food and Agriculture be pleased to state:

(a) the policy and practice that have been adopted regarding the dis-

tribution of food gifts from abroad received by unofficial organisations in India; and

(b) whether the Government of India has taken any decision to ban the distribution of food gifts received from abroad by private bodies in India, on the ground that such distribution will upset Government's plans for relief and rationing?

The Minister of Food and Agriculture (Shri Kidwai): (a) Only Recognised Relief Organisations are allowed to import food gifts from foreign countries. Such gifts have to be distributed free among the poor and needy irrespective of their race, caste or creed.

(b) There has been no change in Government's policy regarding import of food gifts by Recognised Relief Organisations.

SUGAR-CANE PRICES

***205. Shri Gopala Rao:** Will the Minister of Food and Agriculture be pleased to state:

(a) whether it is a fact that sugar-cane prices have been reduced by 25 per cent; and

(b) if so, the factors that led to the Government's decision to reduce the prices of sugar-cane?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) The decision to reduce the prices of sugarcane has been taken after taking into consideration the recommendation of the Tariff Board and the State Governments and the present position of sugar supply, anticipated production in 1952-53, the current level of gur prices and the downward trend in the prices of important agricultural commodities. This decision is also in line with the world trend of sugar prices which have been declining for the last one year or so.

SINGARENI GROUP OF MINES (ACCIDENT)

***206. Shri Vittal Rao:** Will the Minister of Labour be pleased to state:

(a) the causes for the accident in the Birlay Pit, Kothagudem on the 15th September, 1952;

(b) why no enquiry has been held even though more than a month has elapsed; and

(c) whether Government contemplate appointing a non-official Enquiry Committee in view of large number of accidents occurring in the Singareni Group of Mines?

The Minister of Labour (Shri V. V. Giri): (a) According to the notice of the accident addressed by the Manager to the Chief Inspector of Mines in India, through the District Magistrate, it appears that while the injured person was taking measurements of a ventilation window he was struck by pieces of coal during a shot firing operation in a nearby heading.

(b) Under section 23(2) of the Mines Act, the Mines Department is required to make an inquiry into every case of an accident causing loss of life within two months of the receipt of the notice of the accident. An officer is now on the spot making inquiries. Every effort is made to hold enquiries well before the expiry of the prescribed period of two months, but the Mines Act itself recognizes that the Department may not always be able to hold immediate enquiries.

(c) The question will be considered after receipt of the inspection report of the officer.

ACCIDENT IN INCLINE No. 2, KOTHAGUDIUM

***207. Shri Vittal Rao:** Will the Minister of Labour be pleased to state:

(a) the causes for the accident on the 19th September, 1952 in the Incline No. 2, Kothagudium;

(b) why no enquiry was held though it is now over a month; and

(c) whether Government contemplate appointing at least a Court of Enquiry as promised by the Labour Minister during the half-an-hour discussion on 30th July, 1952?

The Minister of Labour (Shri V. V. Giri): (a) to (c). The attention of the hon. Member is invited to my reply to question No. 206. The cause of the accident in this case was the fall of a mass of stones.

SINGARENI COLLIERIES COMPANY

***208. Shri Vittal Rao:** Will the Minister of Labour be pleased to state:

(a) the reasons for not taking up the construction of houses by the Singareni Collieries Company for miners since 1949; and

(b) what are the Labour Welfare activities undertaken by the said company during the last three years?

The Minister of Labour (Shri V. V. Giri): (a) The Government of India are not aware of the precise reasons. Steps are, however, being taken to get the construction resumed soon.

(b) Recreational facilities, viz., opening and running of welfare centres, provision for games and sports, free cinema shows, anti-malaria operations, educational facilities viz., opening and running of adult education centres and payment of grants to private schools, running of a vegetable farm, celebration of health weeks and provision of medical facilities are the various activities at present in existence in the Hyderabad coalfields.

RAILWAY CESS IN CHIKMAGALUR DISTRICT

***209. Shri Madiiah Gowda:** Will the Minister of Railways be pleased to state:

(a) from when the Railway Cess is being collected in Chikmagalur District (Mysore) and for what purpose;

(b) the aggregate amount so far collected;

(c) how that amount is expected to be utilised;

(d) whether the people of that District have approached Government with a Memorandum urging upon them to extend the Railway line from Kadur to Mangalore via Chikmagalur and with what result; and

(e) what will be the amount required for opening up this line?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Railway does not collect any cess.

(b) and (c). Do not arise.

(d) A request was received in August 1952 for the construction of a Railway Line from Kadur to Mangalore from the President, Town Municipal Committee, Chikmagalur. But due to limited financial resources and due to our commitments to utilize the available resources on a number of other important projects of Top Priority, the construction of which had been approved by the Central Board of Transport, the consideration of the proposal was deferred.

(e) The information is not available as no survey of the project upto Mangalore has been carried out.

MADRAS-MANGALORE RAILWAY LINK

*210. **Shri Basappa:** (a) Will the Minister of Railways be pleased to state whether the Chief Minister of Mysore made a representation to the Central Railway Minister recently regarding a direct Railway link between Madras and Mangalore via Bouringpat?

(b) Are the Government of India going to institute any survey in this matter?

(c) What are the new railway lines for the construction of which several representations have been sent to this Government from Mysore State during last year?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) The reply is in the affirmative.

(b) Not at present.

(c) Representations were received for the construction of railway lines (1) Kadur-Chikmagalur-Mangalore (2) Chitaldroog-Rayadurg and (3) Chamarajanagar-Satyamangalam.

VISIT OF DISTRESSED AREAS OF MYSORE BY PRIME MINISTER

*211. **Shri Basappa:** (a) Will the Minister of Food and Agriculture be pleased to state the places visited by the Prime Minister during his recent tour of the distressed areas in Mysore State?

(b) What is the extent in area and population of the distress caused in Mysore State?

(c) What were the major relief works mentioned by the people of these distressed areas in the memoranda submitted to the Prime Minister?

(d) What action has been taken by Government on these memoranda?

(e) Has any additional help been given to the Mysore State subsequent to the visit of the Prime Minister and if so, what is the nature and extent of that help?

The Minister of Food and Agriculture (Shri Kidwai): (a) During his recent tour of the distress areas of Mysore State the Prime Minister visited mainly the following places in the districts of Tumkur, Chitaldrug and Kolar:—

Pavagada, Parasurampura, Chalakere, Hiriyur, Sira, Madhugiri, Goribidnur, Gudibanda, Bagepallu and Palasamudram.

(b) (i) Nearly two thirds of the State.

(ii) About 50 lakhs of people are affected by scarcity.

(c) The major relief works suggested by the people were:—

(i) Expediting the Bhadra Project;

(ii) Opening a number of short distance railways;

(iii) Setting up and promoting various cottage and other industries, particularly the handloom industry;

(iv) Digging new wells, tube wells and tanks and repairing the old ones;

(v) Improving rural communications and water supply;

(vi) Opening more gruel centres;

(vii) Surveying the water and mineral resources;

(viii) Organising community projects; and

(ix) Help from the Central Government for various kinds of subsidies, grants, taccavis and subsistence loans.

(d) The memoranda in question were forwarded to the Chief Minister, Mysore, for appropriate action.

(e) No.

ROAD BRIDGE AT ALAMURU

*212. **Shri K. Subrahmanyam:** (a) Will the Minister of Transport be pleased to state whether it is a fact that the foundation stone was laid two years ago for a road bridge over Godavari River at Alamuru?

(b) If the answer to part (a) above be in the affirmative, how has the bridge progressed?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes.

(b) Protective works (stone pitching and guide bank) are already in progress. Tenders have been invited for the main bridge work.

KRISHNA ROAD BRIDGE AT VIJAYAWADA

*213. **Shri K. Subrahmanyam:** Will the Minister of Transport be pleased to state what has happened to a proposal for the construction of the Krishna road bridge at Vijayawada?

The Minister of Railways and Transport (Shri L. B. Shastri): This work is

included in the current five year programme and is proposed to be taken up in 1953-54. Surveys are in progress.

MADRAS-CALCUTTA RAILWAY LINE via KAKINADA

*214. **Shri K. Subrahmanyam:** Will the Minister of Railways be pleased to state:

(a) whether the proposal to divert the Madras-Calcutta main railway line via Kakinada has been given up;

(b) how many times it was put on the agenda of the Central Board of Transport;

(c) how many times it was discussed; and

(d) for what reasons its consideration was postponed?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) No, it is still to be decided.

(b) Twice; once in 1949 when the Central Board of Transport decided to carry out Traffic and Engineering surveys and secondly in August last.

(c) Once in 1949.

(d) At their meeting in August last the Central Board of Transport postponed consideration of this project to their next meeting at the request of representatives of the Madras Government.

AYURVEDIC AND UNANI PRACTITIONERS AND HOMEOPATHS (REGISTRATION)

*215. **Shri K. C. Sodhia:** (a) Will the Minister of Health be pleased to state in what states has the registration of Ayurvedic and Unani practitioners and Homeopaths been undertaken and completed?

(b) What is the total number of each class in each state?

(c) What states have not yet undertaken such registration?

The Minister of Health (Rajkumari Amrit Kaur): (a) to (c). The information required is being collected and will be laid on the Table of the House in due course.

MEDICAL STORES AND DEPOTS

*216. **Shri Ramachandra Reddi:** Will the Minister of Health be pleased to state:

(a) whether the working of medical stores and depots has recently been examined; and

(b) whether adequate and timely supplies of medicines are made to the

medical institutions or Hospitals under Government and Local Bodies?

The Minister of Health (Rajkumari Amrit Kaur): (a) Yes. As a matter of fact the working of the Medical Store Depots has been constantly under review.

(b) Yes.

DEEP-SEA AND COASTAL FISHING

*217. **Shri Achuthan:** (a) Will the Minister of Food and Agriculture be pleased to state whether any survey was conducted to assess the scope of deep-sea and coastal fisheries in India, and if so what are the results?

(b) How many persons have been sent for training in fisheries abroad and is any programme being chalked out to utilize their services when they return?

The Minister of Food and Agriculture (Shri Kikwai): (a) Preliminary surveys undertaken so far have given the following results:—

Deep-sea: Surveys off the Bombay coast, in places over a radius of 200-300 miles from Bombay have been completed, and we have been able to chart fishing grounds, determine fishing seasons, fishing intensities, assess suitability of different kinds of fishing craft and gear for Indian conditions, conduct research and experiments on methods of preservation of fish, and train Indian personnel in modern fishing methods.

In addition, the four fishing vessels attached to the Government of India Deep-sea Fishing Station, Bombay landed a total catch of 5,422 maunds of fish and three lakhs of Mackerels (weighing about 734 maunds) valued at Rs. 1,21,980/- during the financial year 1951-52 (excluding the monsoon season from June to October).

Coastal: The biology of a commercial prawn of the West Coast has been investigated in detail. Studies on the commercially important fishes like Sardines, Mackerel, the Bombay-Duck, Ribbon-fish, Perches and Malabar sole have been undertaken. Salinity distribution in the sea has also been determined by collection of sea-water samples, along with temperature records of the surface sea-water.

(b) Under Point Four Programme, the Government of India have deputed one of their Research Officers of the Central Marine Fisheries Research Station, Mandapam, to the U.K. for training in fisheries biology. On return he will be engaged on research work of major Marine Fisheries at the Mandapam Research Station.

FISH INDUSTRY

*218. **Shri Achuthan:** (a) Will the Minister of Food and Agriculture be pleased to state what quantity of fish has been exported so far from India during the current year and to which countries?

(b) What form of foreign assistance has been received for the development of fish industry during the last two years and what more is expected in this year and the succeeding one year?

The Minister of Food and Agriculture (Shri Kidwai): (a) The information is not available and will be placed on the Table of the House when received.

(b) During the last two years the Government of India did not get any foreign assistance for the development of the fish industry. Under the Indo-U.S. Operational Agreement No. 5 however, we expect to spend in the next two years about 24,62,000 dollars for the expansion and modernisation of marine fisheries. This will include purchase of machinery and recruitment of Technicians.

MEERUT-LUCKNOW TRAIN

*219. **Shri K. R. Sharma:** Will the Minister of Railways be pleased to state:

(a) whether any representations have been made to Government for providing additional accommodation of upper classes and for the addition of third class compartments to the Meerut-Lucknow train on the Northern Railway; and

(b) if so, whether Government propose to provide such additional accommodation and third class compartments there?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) No representations appear to have been received for provision of additional upper class accommodation on the existing upper class through service carriage between Meerut and Lucknow, but representation has been received for the provision of an additional third class through service carriage between Meerut City and Lucknow via Ghaziabad.

(b) One third class through service carriage is already running between Meerut City and Lucknow from 1st October, 1952. Due to non-availability of train room, it is, however, not feasible to arrange for an additional through service carriage as asked for.

PURCHASE OF CABLES

54. **Dr. Amin:** Will the Minister of Communications be pleased to state:

(a) the quantity in length of telegraph cables purchased by the Government of India during the years 1948, 1949, 1950, 1951 and 1952 (upto July);

(b) the price at which these cables were purchased and the names of the countries from which they were purchased, showing separately the quantity in length and value in rupees from each country; and

(c) whether these cables were purchased directly or through agents and if purchased through agents the names of these agents and the percentage of commission allowed to them?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) and (b). A statement giving the lengths and value of telegraph cables purchased during the years from each country is placed on the Table of the House. [See Appendix I, annexure No. 48].

(c) All the cables except a few were purchased through the Director-General, Supplies and Disposals who obtained them by calling for tenders. In almost all cases, orders were placed on local agents of foreign manufacturers. The question of payment of any commission does not therefore arise.

PRODUCTION OF FOODGRAINS

55. **Shri S. N. Das:** (a) Will the Minister of Food and Agriculture be pleased to state whether the final estimate of production of foodgrains during 1951-52 has been completed?

(b) If so, what has been the production of different varieties of foodgrains in different States?

(c) Have targets fixed for States been reached?

(d) To what extent has the total production fallen short of the total target?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) A statement is attached. [See Appendix I, annexure No. 49].

(c) and (d). It is difficult to say at this stage as to how far the additional production targets fixed for the

various States under G.M.F. Campaign during 1951-52 have been achieved, since complete reports of additional production achieved during the year have not yet been received.

PASSENGER AMENITIES COMMITTEES

56. **Shri S. N. Das:** (a) Will the Minister of Railways be pleased to state whether Passenger Amenities Committees have been formed on all the Indian Railways and whether they have begun to function?

(b) What are the important recommendations made by them for the year 1952-53?

(c) Has this Committee on N. E. Railway met and given their suggestions to the General Manager?

(d) If so, what are they and what steps have so far been taken to implement them?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes, except on the Northern Railway where also such a committee is being formed.

(b) The Passenger Amenities Committee as such were formed only about the end of the last financial year and they, therefore, made recommendations only in respect of Passenger Amenities Works for 1953-54. A brief statement indicating the important recommendations of the Passenger Amenities Committees for 1953-54 is attached. [See Appendix I, annexure No. 50].

(c) Yes.

(d) A detailed statement giving the information requested is attached. [See Appendix I, annexure No. 50].

GANGA-BRAHMAPUTRA TRANSPORT BOARD

57. **Shri S. N. Das:** (a) Will the Minister of Transport be pleased to state what are the important items of programme formulated by the Ganga-Brahmaputra Transport Board?

(b) Has any of these items been taken up for execution?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) The main items in the programme of work for 1952-53 adopted by the Ganga-Brahmaputra Water Transport Board are—

- (1) the formulation of a pilot demonstration project for testing the feasibility of using shallow draft tugs for tow-

ing barges and boats on shallow stretches of the river Ganga, and

- (2) investigation of the navigation problems on the Brahmaputra arising from the recent floods.

(b) (1) Mr. J. J. Surie, Inland Navigation Expert, who has been deputed by the U.N.T.A.A. to prepare the details of the pilot demonstration project, arrived in India on the 23rd October 1952 and is conducting the necessary preliminary investigations.

(2) An expert of the Central Water and Power Commission visited the flooded areas in Assam in July/August 1952 and has submitted a report. His recommendations relate to the collection of information such as discharge observations at fixed points and the need for measures like snag clearance, bandalling, better lighting arrangements and an additional ghat at Dibrugarh. These are under consideration.

MEETING OF AMERICAN AGRICULTURAL TECHNICIANS

58. **Shri Mohana Rao:** (a) Will the Minister of Food and Agriculture be pleased to state whether a meeting is to take place or has already taken place of American agricultural technicians in India in connection with the Community Project Scheme?

(b) What was the necessity for such a meeting?

(c) Who all attended that meeting and how long had each of them stayed in India?

(d) What work had each of them done during that period?

(e) What had been their experiences of the local conditions in India?

(f) Who took part in that meeting on behalf of the Government of India?

(g) Were Indian agricultural technicians also invited to give their opinions?

(h) Do Government propose to place on the Table of the House a copy of the report of that meeting and its decisions?

The Minister of Food and Agriculture (Shri Kidwai): (a) A meeting of American Agricultural Technicians in India was held at Agra on 1st to 5th September, 1952.

(b) The meeting was held in order to enable these extension workers to discuss the programme contemplated and to determine ways and means whereby their work can be improved.

(c) Thirty-seven American Agricultural Technicians attended the meeting. A statement giving their names, approximate date of arrival in India and the period of their assignment is placed on the Table of the House. [See Appendix I, annexure No. 51].

(d) Their work is to render technical advice in agricultural matters generally and extension work in particular.

(e) Information about their experiences of the local conditions in India is not yet available.

(f) Shri Vishnu Sahay, Secretary, Ministry of Food and Agriculture, Dr. B. N. Uppal, Agricultural Commissioner with the Government of India, Shri S. K. Dey, Administrator, Community Projects Administration and Shri A. D. Boina, Deputy Director, C.P.A. attended the meeting on behalf of the Government of India.

(g) Yes.

(h) A copy of the minutes of the meeting is available in the Library of the House.

INDIAN SHIPPING (EARNINGS)

59. Shri V. P. Nayar: Will the Minister of Transport be pleased to state the total receipts on freight and passenger earnings of Indian shipping during 1951 and the corresponding figures earned by foreign shipping from India for the same period?

The Minister of Railways and Transport (Shri L. B. Shastri): The attention of the hon. Member is invited to the replies given to the Starred Question No. 1277 asked by Shri Morarka on 27th June 1952 and to part (a) of the Starred Question No. 1992 asked by Shri Bansal on 22nd July, 1952.

CATCH OF FISH

60. Shri V. P. Nayar: (a) Will the Minister of Food and Agriculture be pleased to state the estimated annual catch of marine, estuarine and freshwater fish in India at present?

(b) What is the increase in the quantity since 1947?

(c) What is the present per capita annual consumption of fish in India?

The Minister of Food and Agriculture (Shri Kidwai): (a) The production of fish for 1951 was as follows:—

Sea fish including estuarine	5,25,000 tons
Freshwater fish	
(marketable surplus)	2,15,000 tons
	<hr/> 5,25,000 tons

(b) 2,32,500 tons.

(c) 3-98 lbs.

TICKETLESS TRAVELLING

61. Prof. Agarwal: Will the Minister of Railways be pleased to state the recent steps taken by the Ministry to check effectively ticketless travelling on Indian Railways and the result achieved?

The Minister of Railways and Transport (Shri L. B. Shastri): In addition to the usual measures, such as, checking of tickets in trains and at stations, the recent steps taken to prevent ticketless travelling on Railways include the following:—

(1) The appointment of extra ticket checking staff.

(2) The special scheme of ticket checking with magisterial and police assistance in force in the Uttar Pradesh for some time has since been introduced also in Bihar.

(3) Intensification of surprise and concentrated checks on specific sections badly affected.

(4) Special drives to get suburban passengers into the habit of showing their season tickets instead of trying to rush through gates unchecked.

(5) The introduction of self-printing and ticket issuing machines in the suburban areas. As tickets are obtained more quickly, passengers are less tempted to travel without tickets.

The figures of ticketless travellers detected during the first six months of 1952-53 as compared with those of the corresponding period of 1951-52 indicate a decrease from about 39 lakhs to less than 35 lakhs.

TELEPHONE EXCHANGES

62. Shri S. C. Samanta: Will the Minister of Communications be pleased to state:

(a) when the Telephone Exchanges were opened at Hijli, Kharagpur and Midnapur in West Bengal;

(b) how subscribers were initially charged and what are the recurring charges;

(c) what are the distances between these Exchanges;

(d) whether there is any proposal to open new Exchanges or extend telephone lines in any part of the District of Midnapur in West Bengal; and

(e) how many public Telephone Call Offices are there throughout the district?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) Hijli: Private Branch Exchange, taken from the Army. 31-8-1946.

Kharagpur: 31-3-1952.

Midnapur: 10-4-1948.

(b) Statements are laid on the Table of the House. [See Appendix I, annexure No. 52]. Recurring charges are the same as shown in the two statements. The installation fee is levied only once initially.

(c) Between

(i) Kharagpur-Hijli 1.5 miles.

(ii) Kharagpur-Midnapur 6.0 miles.

(iii) Hijli-Midnapur 7.50 miles.

(d) No. Proposals for the expansion of the existing telephone exchanges at Midnapur and Kharagpur are under consideration.

(e) Four.

MINIMUM WAGES ACT

63. Shri S. C. Samanta: (a) Will the Minister of Labour be pleased to state in which of the States the minimum wage rates for agricultural workers have been fixed and what are the rates?

(b) Which of the States have already appointed Committees under the Minimum Wages Act, 1948?

(c) Which States are silent on the matter as yet?

The Minister of Labour (Shri V. V. Giri): (a) Agricultural minimum wages have been fixed under the Minimum Wages Act, 1948, by the State Governments of Punjab, Delhi, Ajmer, Kutch, Bilaspur, Himachal Pradesh, Coorg, Bihar and Uttar Pradesh. Copies of notifications issued are placed on the Table of the House. [Copies placed in the Library, See No. P-73/52].

(b) The Governments of Assam, Madhya Bharat and P.E.P.S.U. have appointed Committees under Section

5(1) (a) of the Minimum Wages Act, 1948, to advise them in regard to fixation of minimum rates of wages in agriculture.

(c) All State Governments are taking necessary action to implement the Act in respect of agricultural labour.

TELEGRAPHIC CONNECTIONS

64. Shri L. N. Mishra: Will the Minister of Communications be pleased to state:

(a) whether there is a proposal before Government to provide Telegraphic Communications from (i) Zhan Zharpur to Lokha-Bazar via Andra Tharhi and Khutauna-Bazar; and (ii) Zhan Zharpur to Lokhi Bazar via Araria and Phulparas; and

(b) if so, at what stage the proposal is at present?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) No.

(b) Does not arise.

NATIONAL HIGHWAYS IN TRAVANCORE-COCHIN

65. Shri N. Sreekantan Nair: Will the Minister of Transport be pleased to state:

(a) the total amount spent for the development of National Highways in the State of Travancore-Cochin during the year 1951-52;

(b) the amounts allotted for the State in the year 1952-53; and

(c) whether it is contemplated to begin the construction of the Aroon Bridge in the Alleppy-Ernakulam Road this year?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Rs. 0.50 lakhs.

(b) Rs. 3.21 lakhs have been allotted so far.

(c) Yes; if the preliminary survey, which is already in progress, and the preparation of detailed estimates can be completed in time.

PRICE OF SUGARCANE AND SUGAR

66. Shri Jhulan Sinha: Will the Minister of Food and Agriculture be pleased to state:

(a) the factors taken into consideration in computing and fixing the price of sugarcane and sugar; and

(b) whether there has been an increase or decrease with regard to the cost of the factors involved with a

corresponding increase or decrease in the prices fixed?

The Minister of Food and Agriculture (Shri Kidwai): (a) With regard to the factors that go to determine the price of cane attention of the Member is invited to part (b) of the reply given to Starred Question No. 2111 on 25th July, 1952.

Factors that are taken into consideration in determining the price of sugar are as follows:—

- (i) Price of cane.
- (ii) Recovery of sugar from cane.
- (iii) Manufacturing charges.
- (iv) Taxes levied by the Government.

(b) On the whole the factors affecting the price of sugarcane have called for a substantial reduction in its price and corresponding reduction in the price of sugar. Price of sugar is not, however, being fixed for 1952-53 season.

TRIPARTITE INDUSTRIAL COMMITTEE

67. Shri N. P. Sinha: Will the Minister of Labour be pleased to state what are the functions of the Tripartite Industrial Committee for coal mines in India?

The Minister of Labour (Shri V. V. Giri): The functions of the Industrial Committee on Coal Mining are to discuss specific problems special to the coal mining industry.

GRASS GROWN ON WASTE LANDS

68. Shri Jasani: (a) Will the Minister of Railways be pleased to state what is the system usually adopted by the department for disposing of the grass, grown on the waste lands, owned by the Railways?

(b) What is the total income derived by the Railways by the sale of the grazing rights of the grass grown on the waste land, owned by the Railways during the current year?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Two methods of disposal of grass growing on spare Railway land are adopted by Railway Administrations (i) sale by local auction, and (ii) public tenders for the sale of grass.

(b) No grazing is ordinarily permitted on Railway land. Figures for the income derived by Railways from the sale of grass during the current year will be obtained and placed on the Table of the House. The income de-

rived from this source in 1951-52 was approximately Rs. 5 lakhs.

LOCUST HOPPERS

69. Dr. Ram Subhag Singh: Will the Minister of Food and Agriculture be pleased to state:

(a) whether locust hoppers of monsoon generation had appeared in certain States;

(b) if so, in which State or States these hoppers had appeared; and

(c) what steps, if any, were taken by Government to control these hoppers?

The Minister of Food and Agriculture (Shri Kidwai): (a) Yes.

(b) Rajasthan, Punjab(I), PEPSU, Uttar Pradesh, Aimer and Bombay.

(c) Steps taken were (i) dusting with BHC (2—10 per cent)

(ii) trenching ;

(iii) burning;

(iv) spraying with 50 per cent wettable BHC;

(v) aerial spraying with Aldrin;

(vi) poison baiting.

लौकरी के डिब्बे

७०. डा० राम सुभग सिंह : (क) क्या रेल मंत्री वतलाने की कृपा करेंगे कि क्या यह सत्य है कि भारतीय रेलों में उच्च श्रेणी के यात्रियों के लौकरी के लिए अलग डिब्बे रखने की प्रथा को समाप्त कर देने का निश्चय किया गया है ?

(ख) यदि हाँ, तो यह निश्चय कब से क्रियान्वित होगा ?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes, in all coaches constructed to New Designs.

(b) Immediately in newly constructed coaches of new designs.

ANNAPOORNA SERVICE ON RAILWAYS

71. Dr. Ram Subhag Singh: Will the Minister of Railways be pleased to state:

(a) whether the All-India Women's Food Council will introduce its Annapoorna Service on the Indian Railways; and

(b) If so, on which Railway this service is going to be introduced first and when?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes; there is a proposal to experiment with such a service on the Indian Railways.

(b) The service will be introduced on the Northern Railway and it is expected to commence some time early next year.

MYSORE RAILWAY WORKSHOP

72. Shri Keshavaicagar: (a) Will the Minister of Railways be pleased to state how many railway coaches are being produced in the Mysore Railway Workshop every year?

(b) How many wagons and locomotive?

(c) How many of these coaches wagons and locomotives are repaired and overhauled every month?

(d) What is the cash value of the work done in the workshop every month and what is the wage bill paid every month?

(e) What is the quantity of timber indented and received from the Government of Mysore or from any other Government?

(f) What is the average period of life of a wooden coach?

(g) How many coaches of (i) wood; and (ii) of steel are now in use in the erstwhile Mysore Railways section?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) 24 (in terms of 4-wheeled units).

(b) Nil.

(c) *Locomotives:—*

Periodical overhaul	3 per month
Intermediate overhaul	3 per month
Special repairs	3 to 5 —do—

Carriage:—

Periodical overhaul	56 to 60 in terms of 4-wheelers per month.
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Other repairs,	10 to 12 per month
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Wagons:—

Periodical overhaul	75 to 80—do—
Other repairs	10 to 12—do—

(d) Cash value of work done in the workshop.	Rs. 420,000 per month.
Wage bill paid	Rs. 184,000 per month.

(e) The position in 1951-52 was as under:—

Quantity of timber indented on Mysore Government.	254 tons.
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Quantity of timber received	232 tons.
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Quantity of timber indented on other Governments.	62 tons.
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Quantity of timber received.	40 tons.
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(f) 30 years.

(g) (i) Wooden	337 Nos.
(ii) Steel	Nil.

GOMTI BRIDGE

73. Shri R. N. Singh: Will the Minister of Transport be pleased to state:

(a) whether the maintenance etc., of Gomti bridge on the National Highway between Banaras and Ghazipur in Uttar Pradesh is the concern of the P.W.D. engineer at Banaras;

(b) if so, the expenditure incurred by the Central Government on its maintenance every year; and

(c) if the reply to part (a) above is in the negative, the authority responsible for its maintenance?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) and (c). There is a fair weather pontoon bridge over the river Gomti on Banaras Ghazipur road, which is a National Highway. The Centre pays for the maintenance of the bridge, which is under the executive charge of the Executive Engineer Banaras Provincial Division.

(b) About Rs. 20,000 per year for maintaining the ferry in monsoon and the pontoon bridge in fair weather at this site.

FISHERIES

74. Shri Achuthan: (a) Will the Minister of Food and Agriculture be pleased to state whether any data is available to assess the percentage of increase in fish production during the years of 1950-51 and 1951-52 and if so, what is the percentage of increase?

(b) What are the special steps taken to improve the deep-sea fishing in India and what are the latest appliances being made use of?

The Minister of Food and Agriculture (Shri Kidwai): (a) No data are available to assess the percentage of increase in fish production during the

years 1950-51 and 1951-52. However, fish production during the calendar year 1951 has been assessed to be 740 thousand tons.

(b) To improve the deep-sea fishing in India, fishing vessels, fully equipped with modern fishing appliances such as trawls, echo-sounder, radio-telephone etc. have been engaged in charting of fishing grounds, determining fishing seasons, fishing intensities, assessing suitabilities of different kinds of fishing craft and gear for Indian conditions. Steps in this direction have been taken by the Pilot Deep Sea Fishing Station, Bombay, under the Central Fisheries Research Scheme and by the State Governments of West Bengal and Madras and M/s. The Taiyo Fishing Co. Ltd, Tokyo, who have entered into an agreement with Government of India to fish in Indian waters.

Arrangements have also been made to obtain a foreign Fishery Industrial Consultant through the F.A.O. for stream-lining the work of the Deep Sea Fishing Station, Bombay. A large number of Indians have been trained in Modern fishing methods and a training programme is being followed.

Different types of fishing gear, viz. Ring trawl nets, Herring ring trawl nets and seine nets have been tried in the deep sea fishing vessels at Bombay. Two Danish trawlers imported from Denmark in 1950 are operating off the coasts of West Bengal and Orissa. Under the T.C.A. it is proposed to get purse seiners, multipurpose fishing boats, cold storages, fishery requisites and also nine foreign technicians.

RAILWAY COACHES

75. **Shri K. R. Sharma:** Will the Minister of Railways be pleased to state:

(a) the number of third class coaches of improved variety containing electric fans so far supplied to the Railways; and

(b) the number of such coaches allotted to the Northern Railway?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan): (a) 299 up to 30-9-1952.

(b) 66.

TRAIN ESCORTING SECTIONS

76. **Shri H. N. Mukerjee:** Will the Minister of Railways be pleased to state which are the railways in India

that have Train Escorting Sections, and how far they are being utilised for protecting passengers, particularly in the more important long-distance trains?

The Minister of Railways and Transport (Shri L. B. Shastri): The position in regard to escorting of trains on Indian Railways is as follows:—

Southern Railway: A Constable of the Government Railway Police travels on all important passenger trains. No other escort is provided.

Central Railway: Armed guards are provided on certain trains on the Bombay-Poona Section, and certain sections in Secunderabad Division and in the Uttar Pradesh.

Western Railway: Armed guards and detectives are provided on night trains in the Bombay State.

Northern Railway: On the Broad Gauge Sections armed guards accompany all important trains during night.

Northern-Eastern Railway: Armed guards escort all important passenger trains.

Eastern Railway: Armed guards escort all important passenger trains during night in the States of West Bengal, Bihar and Uttar Pradesh.

EXPORT OF GROUNDNUT OIL (RAILWAY FREIGHTS)

77. **Shri Balakrishnan:** (a) Will the Minister of Railways be pleased to state whether Government have received any petition from the merchants of Erode, Madras State regarding enhancement of railway freight for the export of groundnut oil to Shalimar (Calcutta) from Erode?

(b) If so, what action has been taken by Government on this matter?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) Yes, in April 1952, asking for the restoration of the special rates, which were cancelled on and from 1-5-1947.

(b) The Southern Railway Administration, who were asked to examine the representation, requested the Erode Oil and Seeds Merchants Association on 23-5-1952 to furnish detailed information to show that the existing rates were unreasonable. Despite the issue of a reminder the Association has not replied. In the circumstances, no progress could be made in the examination.

KAKINADA-KOTTIPALLI RAIL LINK

78. **Shri K. Subrahmanyam:** Will the Minister of Railways be pleased to state:

(a) whether the proposal to restore Kakinada-Kottipalli rail link has been given up; and

(b) if the answer to part (a) above be in the negative, at what stage that proposal is?

The Minister of Railways and Transport (Shri L. B. Shastri): (a) The reply is in the negative.

(b) The proposal for the restoration of Kakinada-Kottipalli rail link is under the consideration of the Central Board of Transport and is expected to be discussed at their next meeting.

**"GROW MORE FOOD" CAMPAIGN
(SUBSIDIES)**

79. **Sardar Hukam Singh:** Will the Minister of Food and Agriculture be pleased to state the amounts spent by the Government of India, by way of grants or subsidies to State Governments to encourage the movement

for growing more food grains in the country during each of the last five years ending 31st March, 1952?

The Minister of Food and Agriculture (Shri Kidwai): A statement showing the available information is placed on the Table of the House. [See Appendix I, annexure No. 53]

FALLOW LAND

80. **Shri K. Subrahmanyam:** (a) Will the Minister of Food and Agriculture be pleased to state whether there has been any increase in the total acreage of fallow land in India during 1951-52?

(b) If the answer to part (a) above be in the affirmative, what is the percentage of increase?

(c) What are the reasons for such an increase and which are the States most affected by it?

The Minister of Food and Agriculture (Shri Kidwai): (a) The data relating to fallow land for the year 1951-52 are not yet available.

(b) and (c). Do not arise.

PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

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HOUSE OF THE PEOPLE

Tuesday, 11th November, 1952

The House met at a Quarter to Eleven of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

11-58 A.M.

PAPERS LAID ON THE TABLE

(i) D.R.T.A. (FUNCTIONS AND DUTIES OF GENERAL MANAGER AND CHIEF ACCOUNTANTS OFFICER) RULES 1952; (ii) D.R.T.A. (SERVICE OF NOTICES AND ORDERS) RULES, 1952; AND (iii) D.R.T.A. (VALUATION OF ASSETS) RULES, 1952.

The Minister of Railways and Transport (Shri L. B. Shastri): I beg to lay on the Table a copy of each of the following Rules in accordance with subsection (3) of section 52 of the Delhi Road Transport Authority Act, 1950:

- (i) The Delhi Road Transport Authority (Functions and Duties of the General Manager and Chief Accounts Officer) Rules, 1952. [Placed in Library. See No. P-69/52.]
- (ii) The Delhi Road Transport Authority (Service of Notices and Orders) Rules, 1952. [Placed in Library. See No. P-70/52.]
- (iii) The Delhi Road Transport Authority (Valuation of Assets) Rules, 1952. [Placed in Library. See No. P-71/52.]

CONSTITUTION (SECOND AMENDMENT) BILL

The Minister of Law and Minority Affairs (Shri Biswas): I beg to move:

"That the Bill further to amend the Constitution of India, be referred to a Select Committee consisting of Shri Bhawanji A. Khimji, Shri Syamnandan Sahaya, Shri Gajendra Prasad Sinha, Shri K. L. More, Pandit Lingaraj Misra, Shri Rohini Kumar Chaudhuri, Pandit Lakshmi Kanta Maitra, Shri Mohanlal Saksena, Shri N. M. Lingam, Shri Udai Shankar Dube, Choudhary Raghubir Singh, Shri Nemi Chandra Kesliwal, Shri Ranbir Singh Chaudhuri, Shri Govind Hari Deshpande, Sardar Amar Singh Saigal, Shri Kotha Raghuramaiah, Shri Krishnacharya Joshi, Shri Liladhar Joshi, Shri A. M. Thomas, Shri C. R. Basapa, Shri C. Madhao Reddi, Shri Choithram Partabrai Gidwani, Shrimati Renu Chakravartty, Shri P. T. Punnoose, Shri Girraj Saran Singh, Dr. Manik Chand Jatav-vir, H. H. Maharaja Rajendra Narayan Singh Deo, Shri N. R. M. Swamy, Shri Radha Charan Sharma, Shri Ranjit Singh, Shri P. N. Rajabhoj, Shri Awadheshwar Prasad Sinha, and the Mover, with instructions to report by the 22nd November, 1952."

(Sir, I do not think I need make a long speech on this occasion. Hon. Members will remember that this Bill was introduced by me in July last, and then I accepted an amendment for circulation of the Bill for eliciting public opinion. Opinions have now been received and they have been circulated to hon. Members. What is suggested now is that these opinions and the provisions of the Bill should be examined by the Select Committee.) The Bill, on the face of it, appears to be a very simple measure, and let me assure the House that although it is a short and simple measure, there is nothing sinister about it, as had been apprehended by some of my hon. friends on the last occasion, notably my friend, Dr. Mookerjee.....

12 Noon.

Dr. S. P. Mookerjee (Calcutta South-East): You cannot forget me!

[Shri Biswas: I mean my friend, Mr. H. N. Mukerjee. Sir, it is not as if the Ministry were treating the Constitution lightheartedly, trying to drive a coach and four through the Constitution which had been agreed to after such long deliberation.]

[MR. DEPUTY-SPEAKER in the Chair]

[As a matter of fact, according to the suggestion which was made by my hon. friend on the last occasion, the Constitution would require an amendment even if effect was to be given to the suggestion he had made. Therefore, having regard to the results of the last census some amendment is unavoidable. The question is what that amendment should be. Sir, we have tried to make as simple a change as possible. You will find, Sir, the last elections were held on a population basis which was determined by the President under article 387. Article 387 reads thus:

"For the purposes of elections held under any of the provisions of this Constitution during a period of three years from the commencement of this Constitution, the population of India or of any part thereof may, notwithstanding anything in this Constitution, be determined in such manner as the President may by order direct, and different provisions may be made for different States and for different purposes by such order."

[Sir, in terms of this article, the President did issue an order and the elections were held on the basis of the population as estimated under that order. Now, Sir, if you turn to article 81 of the Constitution, you will find it is laid down there that upon the completion of each census, the representation of the several territorial constituencies in the House of the People shall be re-adjusted by such authority, in such manner and with effect from such date as Parliament may by law determine, provided that such re-adjustment shall not affect representation in the House of the People until the dissolution of the then existing House.]

[Now, Sir, we have got the figures of the last census which was held in 1951, and it appears that the total population exceeds the population as estimated under the President's order. So some re-adjustment will have to be made. The question is, how that has to be made. Of course, the next Bill which stands in my name, you will

find, is a Bill for the purpose of devising the machinery which will effect the necessary re-adjustment. But the question is, what are the figures which have got to be adopted for the purpose of making that re-adjustment?]

[Now, Sir, in order to appreciate the object and scope of the present Bill, it is necessary that I should refer to some clauses of article 81. In the first place, clause (1), which consists of 3 sub-clauses (a), (b) and (c), provides in sub-clause (a):]

"Subject to the provisions of clause (2) and of articles 82 and 331, the House of the People shall consist of not more than five hundred members directly elected by the voters in the States."

The first point which the House has got to make up its mind about is whether or not the figure of 500 is to be left unchanged. Then comes sub-clause (b) which says:

"(b) For the purpose of sub-clause (a), the States shall be divided, grouped or formed into territorial constituencies and the number of members to be allotted to each such constituency shall be so determined as to ensure that there shall be not less than one member for every 750,000 of the population and not more than one member for every 500,000 of the population."

[Then follows the very important provision in sub-clause (c). It says:

"The ratio between the number of members allotted to each territorial constituency and the population of that constituency as ascertained at the last preceding census of which the relevant figures have been published shall, so far as practicable, be the same throughout the territory of India."

[In other words,] the proportion of representation to the population shall be the same throughout the Union. Now, if you retain the limit of the number of seats (under sub-clause (a)) as it is, then that necessarily fixes the proportion of representation. Now, acting upon that principle, the Bill which is before the House seeks only to make a change in the figures which you find in sub-clause (b). Those figures represent the maximum and minimum limits of the population which a single member will represent. In other words, it is said that the constituencies shall be so delimited that

the number of members to be allotted to each constituency should be determined in such a way as will ensure that there shall not be less than one member for every seven and a half lakhs and not more than one member for every five lakhs.

[If you take the figures, Sir, of the last elections—I am referring for the time being only to Part A and Part B States—the total population according to the President's order was roughly, 337 millions, to be precise, 337,320,000. The population according to the census of 1951 is 351,099,040. If you take the figures for Part C States, you find the President's estimate was 10,020,000, and now under the 1951 census the figure are somewhat less,—nine millions and odd.]

[Now, Sir, you will find therefore that we have got to proceed, so far as Part A and Part B States are concerned, and so far as the total population including that of Part C States is concerned, on a higher population basis than that which was adopted for the purposes of the last General Elections. Now, that means that either you increase the number of seats according to the increase in the population or you reduce the percentage or proportion of representation for each member. My suggestion to the House will be not to disturb the upper limit of 500 as regards the number of seats in the House of the People. What I am saying will also apply to the Legislative Assemblies in the States,—only the figures there will be different. The same arguments will apply in both cases. I suggest (Sir) that we should not disturb the number of seats in the House of the People; on the other hand, you will alter the figures only in sub-clause (b) of clause (1) of article 81. On the existing figures we worked out the average of representation at the last elections, and it was one member for 7.2 lakhs. Perhaps, in order to adapt ourselves to the new census figures the representation should be at the rate of one member for each seven lakhs and a half. You may say, "Well, if you accept that as the average, then make no change at all." The reason why a change is necessary is, because there may be some constituencies where the population will be less than seven and a half lakhs, but there may be a few others where the population will be more than seven and a half lakhs. Therefore, we have got to alter the upper limit, and if we alter the upper limit we have to alter the lower limit also for these reasons. Because we must have as narrow a margin between these limits to play with as possible. Instead of five lakhs as the lower limit we suggest six and

a half lakhs, and the upper limit as eight and a half lakhs. Working between these two limits, we get the average of seven and a half lakhs in lieu of the existing 7.2 lakhs. That is the change which has been made.

[Sir, I need not say more at this stage. The opinions are there. I need only point out that the Bill was circulated as widely as possible. Judging from the opinions we have received, the majority are decidedly in favour of the suggestions embodied in the Bill. Only a few opinions suggest an enlargement of the number of seats allotted to the House of the People. It shows this. The Governments or individuals who are in favour of the Bill are as follows.

(1) Jammu and Kashmir Government.

(2) Madhya Pradesh Government.

(3) Rajasthan.—Government and Shri Murli Manohar Vyas.

(4) Madhya Bharat.—Government, High Court and Shri Shib Darshan Lal, M.L.A.

(5) Assam.—Bar Associations of Karimganj, Shillong, Hailakandi and Goalpara.

(6) Saurashtra.—Government and the High Court.

(7) Tripura.—Government and District and Sessions Judge, Agartala.

(8) Bhopal.

(9) Lalit Madhab Sharma, President, Manipur State Congress—(He suggests only the addition of a clause—provided that exceptions shall be allowed in the case of small States like Manipur, Tripura and Cutch.)

(10) U.P.—Government, High Court and others—The President, District Congress Committee, Naini Tal, wants special consideration to be given to hill areas where he suggests that the representation figure should be six and a half lakhs.

(11) The Chief Commissioner, Cutch—He pleads that the present allotment of two seats to Cutch should not be disturbed and special provision should be made for Part C States.

(12) Mysore.—Government, Mysore Pradesh Congress Committee and also District Board, Hassan.

(13) Delhi.—The Speaker and the Deputy-Speaker of the Delhi Assembly, and Shri Bhagwandas Katial, M.L.A. who wants some provision to be made to relieve the necessity of every time bringing an amendment to the Constitution when the census is taken.

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(14) Bombay.—Government and two leaders, Shri Paranjpye and Shri Lele.

(15) Orissa.—High Court; Collector of Ganjam; District Election Officer, Cuttack; Additional District Magistrates of Balasore and Sundergarh, and District Magistrate of Keongarh.

(16) Travancore-Cochin.

(17) Madras.—Government, agreeing to the Bill, suggest the substitution of the figure eight lakhs seventy-five thousand for six lakhs twenty-five thousand in the Bill, maintaining the existing difference of two and a half lakhs.

Then Shri T. R. Venkatarama Sastri suggests that the lower limit should be six lakhs instead of six and a half lakhs.

The Madras Institute of Public Administration suggests the adoption of a formula for avoiding recurring amendment to the Constitution.

That is all, Sir. Those who ask for a larger House are as follows:

Madhya Pradesh—Mahakoshal Pradesh Congress Committee and the Deputy Commissioner, Jabulpore.

Mysore.—Kisan Mazdoor Praja Party.

Mr. Joshi of Bombay.

Orissa.—the Government of Orissa and the Balangir Area Committee of the Gana Tantra Parishad.

These are the only persons and Governments who have suggested an increase in the number of seats in the House.

Dr. S. P. Mookerjee: May I put a question to the hon. Law Minister for the purpose of elucidation? He said just now that in actual practice it will not be necessary to increase the maximum number to go beyond seven lakhs fifty thousand except in a very few cases. Can Government give us an idea as to the number of seats which may have to be increased if we do not go beyond the maximum limit of seven and a half lakhs as at present?

Shri Biswas: Working on the basis of an average of seven and a half lakhs...

Dr. S. P. Mookerjee:.....which is the present maximum.....

Shri Biswas: Yes, but I am taking that to be the average now, because in some of the States the population will exceed that limit. Take, for instance, Assam. There the population was formerly 8.51 million and now it is 9.04 million. In Bihar it was 39.42 million and now it is 40.22 million. In Bombay

it was 32.68 million and it is now 39.95 million.

Dr. S. P. Mookerjee: I am asking about the possible increase in the number of seats in Parliament.

Shri Biswas: I will give that figure. You will find that there is no change so far as Assam is concerned. There will be one less in Bihar. There will be three more in Bombay. There will be one less in Madhya Pradesh. There will be one more in Madras.

Dr. S. P. Mookerjee: Two more.

Shri Biswas: No—one more. The figures for Madras are 54.29 million according to the President's order and 57.01 million according to the last census. So, the increase will be only one. Orissa—no change. Punjab—one less. U.P.—two less. West Bengal—one less. In regard to Part B States, the position is: Hyderabad—no change. Jammu and Kashmir—no change. Madhya Bharat—no change. Mysore—one more. P.E.P.S.U.—no change. Rajasthan—no change. Saurashtra—no change. Travancore-Cochin—no change. If you take the total of Parts A and B States, the total number of seats was 470 at the last elections; it will now be 469. But let me tell you that it would be possible even to increase this figure of 469 by as many as eight. So far as Part C States are concerned, you can take out four from them. As a matter of fact, there is over-representation.

Dr. S. P. Mookerjee: You can take out six.

Shri Biswas: Large weightage was given to Part C States last time, but now some of the States have got Legislative Assemblies of their own. Therefore, that weightage will no longer be necessary, and you can take away four seats. Therefore, according to the present calculation which I am placing before you, there is to be a reduction of one on the whole. It is possible to increase the number by four plus another four.

Dr. S. P. Mookerjee: How? The total number will not be increased at all.

Shri Biswas: But we have not got the full number. 470 and 25 gives you 495.

An Hon. Member: He is not clear.

Shri Biswas: As a matter of fact, it would be possible to increase that number.

Dr. S. P. Mookerjee: The hon. Minister must check up his figures. The position is this: Part A States 375 seats;

Part B States 90 seats; Part C States 26 seats—Total 491 seats. You include six seats for Kashmir and two for Anglo-Indians and you get 499 seats. There is something wrong in the figures which the hon. Minister read out.

Shri Biswas: Let me give you the calculation by which this figure has been arrived at.

Mr. Deputy-Speaker: I think the general information as to what the excess is has been given by the hon. Minister.

Dr. S. P. Mookerjee: The point I wanted to be clarified by the hon. Minister was this. He himself admitted that if we confine ourselves to the maximum limit now provided under the Constitution, namely, 7.5 lakhs, it will not be necessary to revise the constituencies excepting with regard to a few. So, I was just asking him how many additional seats may have to be provided, if we decided to continue to keep the limit at 7.5 lakhs. That is the point. According to my calculation, the total limit will not be beyond 500. So, there is no justification for this change just now. It may be necessary after ten years.

Shri Biswas: I am sorry I did not understand the hon. Member's question. I thought he was enquiring if we take the average as 7.5 lakhs, then, whether it is possible to make up for the loss in the number of seats—according to the calculation there will be one less in the total. The whole point is, you need not change the limit of 500, as regards the number of seats.

Dr. S. P. Mookerjee: Then, why have this Bill—if the average of 7.5 lakhs will not be increased and 500 also will not be increased?

Shri Biswas: The Bill is necessary, because in some of the States you are bound to exceed the average figure.

Dr. S. P. Mookerjee: That is what I wanted to know—that information would be Government's justification for the necessity of the Bill.

Shri Biswas: I gave you the figures of population. If you take the population figures for the different States, you will find in some of the constituencies—so far as Parts A and C are concerned—the population will exceed 7.5 lakhs.

Mr. Deputy-Speaker: What is suggested is that out of these two Bills, the present Bill is unnecessary. It may be necessary to have the other Bill. If a need arises to increase the maximum to eight lakhs, we will consider it after ten years. It is not necessary at all today. If, however, the hon. Minister has not got all the information—and much de-

pends upon it—may I suggest, unless there is an extraordinary reason why we should get along with it in half an hour; that the hon. Minister may circulate a note and we can take this up tomorrow?

Shri Biswas: These questions may as well be gone into in the Select Committee. Taking 7.5 lakhs as the average, there will be States in which in some of the constituencies the population will exceed the seven and a half lakh limit.

Dr. S. P. Mookerjee: In how many States? And how many seats?

Shri Biswas: I could not tell you off-hand. There will be a few such States, but we have got to provide for those States. Even if there is one such State, you will require an amendment of the Constitution. We are working upon a hypothetical basis now. When the actual delimitation is made the exact figures will be known, but I do not think that we can now anticipate that.

Shri N. C. Chatterjee (Hooghly): We do not want any conjectures—we want facts. Sub-clause (b) of clause (1) of article 81 says:

"For the purpose of sub-clause (a) (that is fixing the composition of the House of the People at 500), the States shall be divided, grouped or formed into territorial constituencies and the number of members to be allotted to each such constituency shall be so determined as to ensure that there shall be not less than one member for every 750,000 of the population and not more than one member for every 500,000 of the population."

We want to know, if we keep sub-clause (b) as it is, in how many territorial constituencies there will be difficulty, or there may be some necessity for exceeding this seven and a half lakh limit. We only want to know the number of such territorial constituencies in each State, so that we may know whether this Bill is necessary.

Shri Biswas: Seven and a half lakhs is the maximum now under the existing law. It should be theoretically possible to provide for the increased population of 1951 within this limit. But then that might mean a break-up of the different constituencies. If you do that, if you break up the constituencies, it might involve also a break-up of administrative units. As I have said, it may be theoretically possible to do that. But unless the actual delimitation is made you are not quite certain. The present population is 361 millions, in place of the previous 337. So you can

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certainly provide for the existing number of members in the House within the present maximum and minimum limits of representation.

Dr. S. P. Mookerjee: Then, why have this Bill: have the other Bill only, the Delimitation Bill.

Mr. Deputy-Speaker: I was the Chairman of the Delimitation Committee in Madras. The difficulty arises this way. Today the maximum and minimum limits are seven and a half lakhs and five lakhs respectively. At the rate of seven and a half lakhs for 500 seats it comes to 375 millions. The population is only 367 millions. Therefore, it can come within that limit. But the difficulty arises this way. Each constituency must be below seven and a half lakhs. Today no constituency can exceed seven and a half lakhs even by one. If it exceeds, for that one there must be a separate constituency. Constituencies cannot be so allocated as to exactly have seven and a half lakhs. No constituency anywhere in India would be exactly seven and a half lakhs—it will be between five lakhs and seven and a half lakhs. Theoretically it is all right, but practically it is very difficult. We tried it in some cases. We wanted to avoid splitting up taluqs or firkhs. But then we were put to the necessity of putting a few villages in one firkha or one constituency, and a few villages or firkhas in another constituency.

Shri A. C. Guha (Santipur): If what you have said presupposes that the present constituencies will remain unaltered, then what is the necessity of the other Bill? That Bill presupposes that the constituencies will be revised. The Delimitation Commission will go into the constitution of each constituency. So the constituencies are likely to be revised in any case. If the total population can come within this figure, then what is the necessity of having this Bill?

Mr. Deputy-Speaker: That is exactly what I am pointing out. Today under the Constitution a constituency can have a strength of above five lakhs and below seven and a half lakhs. If it exceeds seven and a half lakhs, it cannot be one constituency—there must be another constituency. With the theoretical exception of one or two constituencies, no constituency has exactly seven and a half lakhs or five lakhs. Some may have six lakhs; others may have six and a half lakhs and yet others may have seven lakhs. Thus it is physically impossible to decide the exact strength of a constituency ahead.

On the basis of seven and a half lakhs we need not exceed 500. But the upper and lower limits have to be changed because we cannot have seven and a half lakhs for every constituency.

*** Dr. S. P. Mookerjee:** If I may respectfully submit, Sir, what you say undoubtedly presents a possibility of development which will not be met unless we amend the Constitution. But so far as I have been able to calculate the figures, the Part A States at present have 375 Members in the House of the People, and on the basis of 7.5 lakhs they will have 377. So also with Part B States. So all this difficulty may arise with regard only to a very few seats. Unless you actually work out the delimitation, the extent of the difficulty which you are envisaging cannot really be appreciated. At the same time this Bill raises issues of fundamental importance—whether we should raise the strength of the House or whether we should increase the number of voters—it is a complicated and controversial issue. So, if it is possible for the Government to examine the question of delimitation first and present a report to the House, then it perhaps will be the time for us to decide which alternative is better. Perhaps it may be found that if we have a strength of 505 seats we can keep 7.5 lakhs as the maximum.

Mr. Deputy-Speaker: I agree with Dr. Mookerjee that it is unnecessary to increase the number of 500, but even then it is necessary to alter the present limits from five lakhs to six lakhs and from seven and a half lakhs to eight lakhs for this reason, namely, that though the number may not exceed on the whole, there cannot be such a vast difference between one constituency and another. Except in extraordinary cases there ought not to be such a great difference. That is also specified in the Constitution. There is no constituency which either conforms to seven and a half lakhs or seven lakhs.

Shri S. S. More (Sholapur): That would not necessitate any change here. When the maximum and minimum are specified the Delimitation Committee is competent to adjust between these two limits.

Mr. Deputy-Speaker: I am afraid either am wrong or hon. Members have not correctly understood me. There are 500 Members. Unless each constituency has seven and a half lakhs.....

Shri S. S. More: We have to see whether there is any necessity for this sort of legislation. If as a result of the

labours of the Delimitation Committee it is easy to adjust the figures, and we can fix the number between the two points, this Bill will be rendered unnecessary.

Mr. Deputy-Speaker: Technically it is impossible. Unless we have seven and a half lakhs on an average, it is impossible to have the number at 500. To cope with the excess population that has come about we must have 500. Therefore no constituency can be below seven and a half lakhs. If there is any constituency below seven and a half lakhs there must be some other which exceeds seven and a half lakhs. Hon. Members will kindly see that our population is about 367 millions. What is the population now?

Shri Biswas: If I may say so with respect, Sir, you have pointed out the practical difficulties.

Mr. Deputy-Speaker: What is the population now?

Shri Biswas: Adding the figure of nine millions and odd of the Part C States to 351 millions, it is practically 361 millions, that is over 360 millions.

Mr. Deputy-Speaker: At the rate of seven and a half lakhs it comes to 375 millions. There is a difference of 15 millions. Let this matter stand over till the afternoon?

Shri Biswas: Sir, the next Bill is the Delimitation Bill, and I shall propose that both these Bills be referred to the same Select Committee, so that if they think that it is possible to adjust the constituencies in such a way as to keep within the present limits, it will be open to the Select Committee to make that recommendation. The reason why I am not accepting my friend's suggestion is because the matter is urgent. Under article 387 the present delimitation remains effective only up to the 25th of January, 1953. Suppose, for argument's sake, some general elections have to be held shortly thereafter, we ought to be ready.

Dr. S. P. Mookerjee: General elections, for the whole country?

Shri Biswas: There may be a vote of censure. Parliament may have to be dissolved, or in the States it may become necessary. In some of the States the situation is such that a general election may be necessary. Therefore, it is just as well that we should be ready. Therefore, both these Bills ought to be disposed of by this House as quickly as possible. And my motion as regards the next Bill will be to refer it to the same Select Committee

Shri T. N. Singh (Banaras Dist.—East): The hon. Minister says that he proposes to have both the Bills referred to one Select Committee. The Select Committee on the constituencies will not go into the delimitation of individual constituencies. It is a question which can be worked out only after we know the details. So in what way the reference of both the Bills to one and the same Select Committee will help, I fail to understand.

Secondly, this problem of fixing of seats arises only when we take the States as units. I mean we have allotted a certain number of seats for Parliament to various States and the constituencies are thereafter delimited into the States accordingly. If the population in any State has gone up so much that by dividing it by 7.5 lakhs we do not get the requisite number as fixed earlier, then only the difficulty arises. In that case we have to know which State will get more, or less. Let us first know which State today actually exceeds the population limit fixed in proportion to the number of seats. So far as delimitation of individual constituencies is concerned, consideration of that matter is irrelevant here, because in every State once you know the total number of seats allocated, the delimitation can be done accordingly. Although there are minor difficulties—you, Sir, and I have been on the Delimitation Committees—we know it is always possible to adjust and I think that alone should not be the consideration for making any changes at present. At the same time, Sir, I do feel that this idea of fixing a limit, with the population always changing, is something very illogical and will have to be revised sooner or later. That fact remains. The Constitution will have to be amended one way or the other. Either we increase the number of 500 seats for Parliament or we increase the upper limit. Something will have to be done because the population will change. It may increase or decrease as the case may be. Therefore an unchangeable maximum limit or even a minimum limit is not feasible.

The third aspect that will arise in this connection is then what are we going to do? The problem of delimitation really becomes complicated in relation to the very thickly populated areas as well as very sparsely populated areas,—that is where the problem arises. A jungle area in Assam or a hilly area in North U.P. may create problems. The density of population is very less there and we cannot without the necessary information, give any proper direction to the Select Committee which is going to take up this question. Therefore I suggest that the

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information that has been asked for by this House may kindly be supplied by the Minister so that we may be able to give proper advice whether it will be proper to take the two Select Committees together or they can separately go into it on merits. The alternative of increasing the membership total or increasing the number of voters in constituencies for the various States can be decided only after we have certain essential information.

Mr. Deputy-Speaker : In view of what the hon. Member has said it is unnecessary to put that for this reason. Let us take the other delimitation of the constituencies on a broad basis. In a particular State, say in Madras State, it was taken as 6,25,000. On that basis on an average, some 20,000 this side or that side was given. On that basis a number was allotted. That was already given to the People's Representation Bill here. Now, in any case, this has to be readjusted in view of the growing population. Whether 500 is exceeded or not irrespective of that and taking the previous limits of five lakhs and seven and a half lakhs this has to be referred to the Select Committee for constitution of a Commission and so on and so forth. The other one is the Select Committee will take all. This material will be placed before the Select Committee. So far as the Bill is concerned it is open to the Select Committee to say that it is unnecessary to increase the number of 500 or even if the number 500 is kept up, still it may be necessary for the Select Committee to alter the upper and lower limits. If it is possible for the Select Committee to come to the conclusion on the figure supplied to keep both 500 and the upper limit and lower limit that is another matter.

Shri S. S. More: Once the Bill is referred to the Select Committee we shall have to determine that the principle of the Bill has been accepted. Otherwise the Select Committee can go into the questions of details.

Mr. Deputy-Speaker: This is not a matter of principle. All that is done is there is representation for all individuals. That is only the principle involved. The other one is on acceptance of these a readjustment is necessary. It is only a question of figures five to seven and a half lakhs ought to be increased from seven and a half lakhs and eight and a half lakhs.

Shri S. S. More: Supposing the Bill is referred to the Select Committee. Now the Bill is framed on the assumption that the number will remain the same as 500. The only doubt is about

the figures—whether five lakhs or seven lakhs. Can we raise it again if the Bill is sent back? The question of 500 or more, that will be our difficulty, Sir.

Mr. Deputy-Speaker: The Select Committee can go into the question and if necessary, increase the number also. It consists of three portions. So far as delimitation is concerned, it is necessary that this 500 ought not to be exceeded under any circumstances. That is all right. Let the House say so. If you want to leave it to the Select Committee, let the Select Committee go into that matter. All that is necessary is to modify even the upper and lower limits. These are matters for the Select Committee to go into. So far as this information is concerned hon. Members wanted information as to how many States will be affected. I will read a few lines from the speech of the hon. Minister himself at an earlier stage.

"We have now to provide for one member, say for seven and a half lakhs. We find that if we alter the figures from seven and a half lakhs to eight and a half lakhs and from five lakhs to six and a half lakhs that will correspond with this estimate. That is why this has to be made. The effect of it so far as it is possible to say at the present moment will be this. Out of 17 Part A and Part B States the number will remain unaltered, in nine States. It will be increased by three in one State, viz., Bombay. It will be increased by one in Madras and Mysore it will be decreased by two in U.P., whereas in four States Bihar, Madhya Pradesh, Punjab and West Bengal, there will be a reduction of one in each."

That will be the result of this new adjustment. From that point of view this amendment has been suggested. Therefore to increase the upper and lower limits he has given directions. If, however, in each State a particular constituency requires readjustment, that is a matter to be looked into.

Dr. S. P. Mookerjee: The total number will not go beyond 500. What is the need for this?

Shri S. S. More: The total number of representatives is not going beyond 500. Why this curtailment of representation?

Mr. Deputy-Speaker: I suggest the following of an earlier precedent where some more matters which were moved

by Sardar Hukam Singh were referred to the Select Committee within or without the scope of the Bill. Now it is open for the Select Committee also to consider whether there is any justification for this Bill or in other words whether it is necessary to increase the 500 limit, whether it is necessary to modify the existing method and lower the limits. The Select Committee will consider also whether this is necessary in taking into consideration this matter and it will call for information and decide and report to the House on these questions, in particular as to whether it is necessary to increase the 500, if it is not increased whether readjustment of the upper and lower limits is necessary. These matters also will have to be reported to the House. It is not as if we have come to any conclusion. Let the Select Committee report and.....

Shri S. S. More: May I raise one more point? We are only amending now article 81. Now article 170 refers to the composition of the Provincial Legislatures. Seven Members of the lower Assembly is equal to one Member of the Upper House.

Mr. Deputy-Speaker: Five Members. As far as the House of the People is concerned I will keep the proportion of 75,000 as the population. It is only a proportion.

Shri S. S. More: If the proportion fixed for the House of the People and that fixed for the State Legislature alter, then it will be possible. In some cases it will be eight seats for the Lower House which is equal to one seat in the Upper House. That will have to be altered or not.

Shri Biswas: I would point out the difference between article 170 and article 81. In article 170 it is pointed out that the determination of each territorial constituency in the Legislative Assembly of a State shall be on the basis of the population of the constituency as ascertained in the last census and shall be on a scale of not more than one member for every 75,000 of the population. No upper and lower limits are there but it is provided the total number of members shall in no case be more than 500 or less than 60.—i.e. the upper and lower limits as regards the number of seats are provided for there. This Bill provides for an amendment of sub-clause (b) of article 81(1). It proceeds on the basis that article 81 sub-clause (a) is left untouched. Now, will you, Sir, refer the question of amendment of sub-clause (a) also to the Select Committee, although that is not within the scope of the Bill? This is a matter

which you will be pleased to consider, Sir.

Shri H. N. Mukerjee (Calcutta North-East): I do not quite understand one matter on which I would like to have some clarification. This is a Constitution (Amendment) Bill which you are referring to the Select Committee. If the Select Committee happens to find that there is no need for an amendment in the Constitution, it is a most anomalous position for the Select Committee to be discussing a Constitution (Amendment) Bill. How can the Government bring forward a Bill for amending the Constitution and ask the Select Committee to shoulder the responsibility for deciding whether any amendment is called for. It is an extremely anomalous position.

Mr. Deputy-Speaker: I am afraid the hon. Member has misunderstood the situation. So far as the Government is concerned, Government is thoroughly satisfied with the proposal that they have made and brought before the House and they are prepared to stand by it. On the other hand, they are only yielding to the suggestions and accepting the suggestions made by hon. speaker Mr. Mukerjee himself that this is an important measure, that the number of Members should be increased and so on. We ought not to quarrel with the Government for having accepted the suggestions, in keeping with the general desire to accommodate them. That does not mean that they are looking to the Select Committee for giving them advice. They are prepared to accept the advice of the Select Committee. After all, Government is only the spokesman of the House. Government must abide by the decision of the House and the Select Committee.

Dr. S. P. Mookerjee: The discussion may continue after lunch.

Mr. Deputy-Speaker: Therefore, it is acceptable to the House, the Select Committee will consider these three matters:

- (i) whether it is necessary to increase the number 500, the total strength of the House;
- (ii) whether the upper limit and the lower limit ought to be changed; and
- (iii) the hon. Minister said, in view of these it may be desirable also to modify another sub-clause, sub-clause (a) of the article, if I have understood him correctly.

Shri Biswas: Sub-clause (a) refers to the total number of seats in the House. You were pleased to say that that question also will be referred to the Select Committee. My point is, having regard to the scope of the present Bill, that question may not be referred to the Select Committee.

Pandit Thakur Das Bhargava (Gurgaon): This is a Constitutional question. This should not be decided in this way. The hon. Minister for Law said that the Government has only brought in a Bill for the amendment of sub-clause (b) of article 81(1). They have not yet decided whether they would agree to the amendment of sub-clause (a). Such being the case, I do not think we will be justified in referring this matter to the Select Committee, and forcing the Government to amend sub-clause (a).

Shri Biswas: The Government's present decision is that sub-clause (a) shall remain unaltered.

Mr. Deputy-Speaker: I am not expressing any opinion; I am not competent to express any opinion from here. I thought the hon. Minister was agreeable to this. Though he has brought the Bill and wanted that this number should stand, and sub-clause (a) ought not to be touched, I thought he was willing, if it is the desire of the Select Committee, after having received so much opinion—some in favour of increasing, the majority not in favour of increasing—that this matter may be considered by the Select Committee and it may go to the Select Committee. Otherwise, if he is not willing, let us take the sense of the House. There will be discussion of the matter.

1 P.M.

Shri Biswas: I was only trying to meet the suggestions made by Dr. Mookerjee. Dr. Mookerjee did not raise the question of raising the total strength of the House. What he said was that within the margin of five lakhs and seven lakhs per Member, it was possible to so delimit the constituencies that no change will be required in sub-clause (b), keeping the total number of seats as it is now. That is a matter which can be gone into. No doubt, after the actual delimitation is made, we shall be in a better position. So far as one can anticipate, the position is this. The amendment assumes that in delimiting the constituencies we shall not be drawing upon a clean slate. Constituencies have been already delimited in a certain way. The idea is that these constituencies should be left undisturbed as much as possible. If we upset the whole thing and start delimitation afresh, as

if we were writing on a clean slate, with our population standing at 360 millions, it should no doubt be possible to provide for 500 Members in such a way as to keep within the existing maximum and minimum limits of population for each constituency under sub-clause (b).

Dr. S. P. Mookerjee: No one has suggested that.

Shri Biswas: Therefore, the basis on which we have worked is this. These constituencies are there. We shall only re-draw the boundaries a little this way or that.

Mr. Deputy-Speaker: I understand the Government view which is also accepted by Dr. Mookerjee, that this upper limit of 500 ought not to be changed.

Some Hon. Members: No, no, Sir.

Dr. S. P. Mookerjee: Why are you putting it that way? What you had suggested previously was the best possible solution, namely, let there be a little wider reference to the Select Committee, and let the Select Committee go through the whole matter. In response to that, I believe the Law Minister also said that formally the other sub-clause (a) of clause (1) of article 81 should be also added. Let us accept that.

Mr. Deputy-Speaker: I have no objection. Let me call the hon. Member; it is not open to start off straightaway. Pandit Thakur Das Bhargava raised an objection and I thought the hon. Minister went back and wanted to say...

Shri Biswas: With all respect, Sir, I did not go back. I said, the House must decide whether the limits should be changed.

Pandit Thakur Das Bhargava: There is no question of going back. Government is committed to the figure 500 and they do not want any increase. On that basis, the Bill has been brought forward. If you allow the Select Committee to go into that question, this might involve Constitutional principle. The amending Bill is here. That only can be the province of the Select Committee. So far as the amending Bill is concerned, sub-clause (a) of clause (1) of the article cannot be allowed to be touched, thereby bringing in the suggestion of more than 500 Members.

Shri Biswas: You yourself, Sir, were pleased to give a ruling that any suggestion for amending sub-clause (a) of the article would be ruled out, because it is not germane to the Bill before the House, if my recollection is correct.

Shri Sarmah (Golaghat-Jorhat): May I make a submission, Sir?

Mr. Deputy-Speaker: It is true that the Chair is bound to interpret according to the manner in which the Bill is brought. As the Bill now stands, I will certainly not allow any amendment here that the number 500 should be increased. Sub-clause (a) is not touched by the Bill. In making a reference to the Select Committee, if we follow a precedent, this matter also, if the sponsor of the Bill is willing, may be referred to the Select Committee. That is all my view. I have no views of mine when I sit here. I am leaving it to the hon. Minister: whether he is willing to accept the modification of a reference to the Select Committee or if he feels that it is beyond the scope of the Bill and does not want to do so.

Shri Sarmah: I rise on a point of order. May I make my submission, Sir?

Mr. Deputy-Speaker: After lunch.

The House then adjourned for Lunch till Half Past Two of the Clock.

The House re-assembled after Lunch at Half Past Two of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Biswas: With your leave, Sir, may I add a few words?

Shri Sarmah: I thought I was in possession of the floor, Sir. I rise on a point of order. May I make my submission, Sir?

Mr. Deputy-Speaker: What is the point of order?

Shri Sarmah: The point of order briefly is this. Here, in this Bill, a principle is involved whether the number of seats in the House of the People will be increased, or whether the constituencies will be broadened to include greater number of voters. On the previous occasion when the hon. Minister in charge of the Law portfolio spoke on this subject, some hon. Members were pleased to say: "Let the Bill be circulated for eliciting public opinion", and the Minister was pleased to accept it without any...

Mr. Deputy-Speaker: In any point of order, the hon. Member must state the point only, without any arguments, briefly. What is the point of order?

Shri Sarmah: The point of order is this: When the Bill was published or

circulated for eliciting public opinion, the principle was accepted.

Mr. Deputy-Speaker: No.

Shri Sarmah: My submission would be and I will seek a ruling,—the accepted rule of practice in Parliamentary proceedings is that a Select Committee is not entitled to alter or amend the principle of the Bill and.....

Mr. Deputy-Speaker: I have heard the point of order. There cannot be a long speech relating to a point of order. The hon. Member evidently says that because the motion for circulation was accepted, and it has been circulated, the principle of the Bill has been accepted. No, it is only when the motion for consideration is carried, or the motion for reference to the Select Committee is carried, that the principle of the Bill is accepted. Otherwise, it is in the same state in which it was originally introduced. That is my opinion.

Shri Sarmah: I know that the ruling of the Chair is absolute in the House, and every one has to bow down to it. I bow down to the ruling from the Chair, but may I invite your attention to rule No. 75? I do it in all humility. When one of the four motions mentioned in rule No. 74 was moved, we completed the stage of rule 75 at page No. 21. Now, at this stage, when the motion is there for sending the Bill to the Select Committee, the power of the House whether to accept or not to accept the principle underlying the Bill, cannot be delegated to the Select Committee.

Mr. Deputy-Speaker: Please read rule No. 74. What is the rule?

Shri Sarmah: Rule No. 75 (1) states:

"On the day on which any motion referred to in rule 74 is made . . ."

Rule No. 74 is:

"When a Bill is introduced, or on some subsequent occasion, the member in charge may make one of the following motions in regard to his Bill, namely:—

- (i) that it be taken into consideration; or
- (ii) that it be referred to a Select Committee of the House; or
- (iii) that it be referred to a Joint Committee of the Houses with the concurrence of the Council; or

Bill

[Shri Sarmah]

(iv) that it be circulated for the purpose of eliciting opinion thereon."

Rule No. 75 reads:

"On the day on which any motion referred to in rule 74 is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its provisions may be discussed generally, but the details of the Bill shall not be discussed further than is necessary to explain its principles."

That was the proper occasion when the principle of the Bill should have been discussed. When the Bill was sent for eliciting public opinion, I submit the principle was accepted, and even if it was not accepted, let the House decide it once and for all, here and now. I submit that the House should not delegate, or cannot delegate, its power of accepting or not accepting or altering the principle of the Bill to the Select Committee. It is a very important point, and a fundamental right of democracy.

Mr. Deputy-Speaker: I know that. The hon. Member has brought to my notice rules 74 and 75. It is true that there are three stages—the first stage is introduction; the second stage is motion for consideration—at that stage, either a motion for consideration, or by way of amendment, a motion for circulation may be made, or a motion for reference to the Select Committee. There are three motions. The member in charge can himself move for Select Committee or circulation; or, if he moves for consideration, then motion for reference to the Select Committee or for circulation may be made. Then, discussion goes on on the principles of the Bill. If the motion for consideration is passed, then the next stage is discussion clause by clause. If it is sent to the Select Committee, a particular direction is given that the principle of the Bill is accepted, or it is sent to the Select Committee with or without directions, but when it is sent round, the principles of the Bill are discussed. It is not as if a decision has been taken. We send it round for opinion, and until the opinions come, we do not make up our minds. Otherwise, it is useless to call for opinion. I feel the principle of the Bill has not been accepted when it is merely sent round for eliciting public opinion.

Shri Sarmah: Can alteration of the principle underlying a Bill be delegated to the Select Committee? That is the second part of my point of order.

Mr. Deputy-Speaker: We are not sending it for reference to the Select Committee now. Generally, many other points also, apart from the principle of the Bill, may be sent to the Select Committee for consideration. As a matter of fact, the principle of the Bill is accepted, but the Select Committee is given power to consider alternative suggestions also. Such directions can be issued.

Shri S. S. More: May I make a suggestion?

Shri Sarmah: Has the principle of the Bill been accepted or not accepted?

Mr. Deputy-Speaker: The principle is accepted subject to its being modified with directions.

Shri S. S. More: As far as this measure is concerned, it is not a matter of any principle. Take for instance, the Preventive Detention Bill. There, an important principle was involved, whether a person should be put under arrest or not. As far as this particular measure is concerned, it is a matter of either this detail or that detail: it is not a matter of principle.

Mr. Deputy-Speaker: There is no policy involved in it.

Shri S. S. More: That is the point.

Mr. Deputy-Speaker: Apart from that, if it is sent to the Select Committee now as it is placed before the House, that principle is accepted, subject, of course, to the point that the House can always direct the Select Committee to give an alternative suggestion, and then when it comes here after being whetted by the Select Committee, it is for the House to consider as to which of these suggestions or recommendations may be accepted.

Shri Biswas: May I make a few observations, because when I came back to the House after recess, I found there was a lot of misunderstanding regarding the attitude of Government. I made it clear before, and I wish to make it clear again, that so far as this Bill is concerned, it is confined only to the amendment of sub-clause (b). It has nothing to do with amending of sub-clause (a). This Bill proceeds upon the fundamental basis that the total strength of the House shall remain unaltered. As a matter of fact, if there is to be any change in regard to that matter, I am not in a position to accept any suggestion for that purpose. The matter will have to be taken to the Cabinet, because the Cabinet is now

committed only to an amendment of sub-clause (b) and not of sub-clause (a). Therefore hon. Members will kindly remove any misunderstanding from their minds that I am willing that sub-clause (a) shall be re-opened in the Select Committee.

Dr. Lanka Sundaram (Visakhapatnam): May I rise to a point of order, Sir? In other words, the hon. Minister has stated that he would not accept any directions to the Select Committee, dealing with sub-clause (a).

Shri T. N. Singh: May I make one submission with your permission? This Bill intends to make an amendment to the Constitution. It is rather a serious matter, and we cannot go on changing the scope of the Bill just by a direction to the Select Committee at this stage. I do admit that with your ruling it may be possible in the Select Committee to go into that question, but at the same time, I would submit most humbly that we are here trying to amend the Constitution, and if once this principle is accepted as a convention in this minor amendment of the Constitution, then it may be extended to other cases also. While your ruling is all right—I have nothing to say about it—I still feel that in such matters, it will be better to be more cautious than liberal.

Mr. Deputy-Speaker: I am afraid hon. Members have misunderstood what I stated. I only thought that the hon. Minister was not so emphatic about it, as he is now. That is my difficulty.

Now the Bill is being placed before the House. My definite ruling is that that kind of amendment now is out of order. No doubt, hon. Members here may refer to this and then throw out the Bill. It is open to them to refer to this, but that kind of reading of the amendment is out of order. I would not have made this suggestion at all but for the fact that the hon. Minister, I thought, was in favour of this matter being considered. Now the position is clear, and therefore the Bill stands as it is. I shall now place the Bill formally before the House, and hon. Members may discuss whatever they want to say on this Bill, and then ultimately the motion will be put to the vote of the House, so far as the reference to a Select Committee is concerned.

Shri Damodara Menon (Kozhikode): May I submit for your consideration that the consideration of the Bill may be deferred till tomorrow so that the hon. Minister may supply us certain facts and figures?

Mr. Deputy-Speaker: I am not going to do that. All my suggestions have already been made. I can only make a suggestion in accordance with the desire of the House or the sponsor of the Bill in accordance with his intentions. Therefore I have no opinion of my own in this matter.

Dr. S. P. Mookerjee: Will you permit us to move an amendment on the lines indicated by you this morning, because it raises a very important and fundamental question? We are asked to amend a particular article of the Constitution, which is a comprehensive one. You cannot really read (a) without (b) or (b) without (a). The article refers to the composition of the House of the People, (a) indicates the number and (b) indicates the manner in which the calculation will be made for the purpose of completing the number mentioned in (a). The point of order which I had raised when the Preventive Detention Bill was under discussion was that the House should be given an opportunity to consider the entire matter without any restriction—not that we in the Opposition or we who are in a minority can impose our will on the majority. All that is asked for is that when this matter will be considered by the Select Committee the entire field should be left open for discussion. If, of course, Government decides that under no circumstances will they allow sub-clause (a) to be amended, they have a majority and they can carry it out. But as you pointed out this morning, unless that is mentioned as a sort of instruction to the Select Committee, we would be debarred from considering the matter altogether from this point of view. If you would permit us, we would like to move an amendment so that the matter may be considered by the House in due course.

Shri Sarmah: May I invite your attention to rule 75 (2) which reads:

"At this stage, no amendments to the Bill may be moved, . . ."

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): May I make a submission? The position is very clear. We cannot follow the normal procedure of an ordinary Bill in a matter like this, because this is an amendment to the Constitution. To that extent, I think what my hon. friend over there says is right, and has to be considered. But it is not a complex proposition if the House rejects the Bill that has been brought before it now to alter the figures contained in sub-clause (b) of clause (1) of article 81 of the Constitution; in

[Shri T. T. Krishnamachari:]

that case, the Government will be forced, merely because the subsequent clauses provide for a readjustment of representation on the basis of the census, to amend clause (1) of article 81, and they will have no other choice. So it is not a question of leaving that particular decision in the hands of the Select Committee now. If either the House or the Select Committee recommends that they cannot accept this question of altering the figures in sub-clause (b), then that is accepted as final, and the Government will have no other alternative except to bring forward a measure to amend clause (1) of article 81.

The suggestion is that we do better proceed with the Bill as it is. Let the House decide. If my hon. friend there feels in the Select Committee that he cannot accept this position, but that he will be quite prepared to consider an amendment to clause (1) as a whole, then he can state it to that effect in his minute of dissent, and then Government will bring forward a fresh Bill as an amendment to clause (1) of article 81. So far as the present Bill is concerned, I think it is better the House proceeds with the Bill as it is.

Shri B. Das (Jaipur-Keonjhar): I did not want to intervene, Sir. But my hon. friend Shri T. T. Krishnamachari spoke, I want to know whether he spoke on behalf of himself as a member of the Constituent Assembly or on behalf of the Government.

Shri T. T. Krishnamachari: I spoke on behalf of myself as a person that had something to do with the drafting of the Constitution.

Shri B. Das: I thank my hon. friend for what he has said. He stated that the Government will be compelled to bring another Bill. Government cannot be compelled to amend the Constitution at every stage. If the Select Committee writes a report, it is not binding on the Government at all to amend sub-clause (1) of article 81. This is my interpretation of the position, as a colleague of his in the Constituent Assembly.

Shri H. N. Mukerjee: May I make one submission? In regard to the opinions which have come from different parts of the country, they refer to a state of things which makes it very clear that sub-clauses (a) and (b) are inter-connected. And actually the Select Committee can only proceed further with the work, if there

is a possibility of amendments being considered in regard to either sub-clause (a) or sub-clause (b). It is only fair to the House that we be given a chance of amending the resolution or motion that has been framed at the present moment.

Shri S. S. More: By this Bill, sub-clause (b) of article 81 (1) is sought to be amended. We cannot separate clauses of a particular article; otherwise a time may come when Government may very well say 'We are amending this particular line and so no amendments for other lines can be moved by the other side'. The whole article is one homogeneous thing, and cannot be split into parts. The different clauses cannot be isolated from one another. My submission is that the whole article is now sought to be amended in the present form, and therefore the whole article will be open for discussion, and an amendment if it is necessary should be permitted.

Shri Gadgil (Poona Central): May I speak a word, Sir? The Bill as was circulated for public opinion contemplated an amendment only to sub-clause (b), and the public at large had the opportunity of saying whatever it wanted to say on sub-clause (b) of article 81 (1). Now if it is sought to extend the scope of the Bill after the opinions have been received, then I submit it is not being fair to the public at large. If the House or the Government want that the whole article should be subject to an amendment, then the best way is to recirculate it for public opinion with a direction that it is desirable to ascertain public opinion even on the question of sub-clause (a). But at this stage to say that the Select Committee can go into the question of limiting or raising the number in sub-clause (a) is to follow a somewhat wrong procedure. In the last session of the House, some such thing was decided with a direction by the House to the Select Committee that the scope of the Bill can be extended; but that was in circumstances peculiar to that case. But every time when one particular section is sought to be amended it is not very desirable on the part of the House to insist that not only that section but the whole Act should be amended. (Interruption.) Virtually it comes to that.

Dr. S. P. Mookerjee: The hon. Member may look at the draft Bill. Clause 2 is 'Amendment of article 81'. That is how it is mentioned. It is not mentioned 'article 81(a)'

Shri Gadgil: No. It may be that the amendment is to article 81, but it is not the title but what is contained in it which is the relevant thing.

Shri S. S. More: With your permission, Sir, may I.....

Mr. Deputy-Speaker: I have heard enough.

Shri S. S. More: Some people have expressed their views regarding amendment of article 81(1) (a) and the Minister was kind enough to....

Mr. Deputy-Speaker: I have heard sufficiently about this. I do not want to be enlightened further.

Shri Pataskar (Jalgaon): I have been listening since morning to the preliminary discussions and if they are over, I want to offer a few remarks.

Mr. Deputy-Speaker: On the merits of the Bill?

Shri Pataskar: On the merits.

Mr. Deputy-Speaker: Certainly. The hon. Member evidently wants preference. Is it?

I have heard sufficiently regarding the point raised by Dr. Syama Prasad Mookerjee as to whether it will be possible for me to allow an amendment even to sub-clause (a) of clause (1) of article 81. I can immediately say that it is beyond the scope of this Bill. Sub-clauses (a) and (b) are not so inter-related that the one cannot be separated from the other. Within the framework of sub-clause (a) of article 81 there can be a change in sub-clause (b) and without touching sub-clause (a) the modification suggested or intended can be carried out. They are not so inextricably mixed that the one ought to be amended because the other portion of the same article is touched.

Then as regards the hypothetical question whether I will allow it or not. After the motion is placed before the House, it is for the House to consider whether they will accept those suggestions and send this matter to the Select Committee with those suggestions or not. So far as the Chair is concerned, I cannot take the responsibility as I am advised that in accordance with the rules and ancient practices at this stage it is not competent for me to allow any amendment that will only enlarge the scope of the Bill. Now, my own feeling is that even the whole Bill is unnecessary, but it is not for me to say that the Bill is not necessary because it

the 500 number is not going to increase and seven and a half lakhs are there, we can carry on even without an amendment. That is a matter for the House to consider.

Shri Velayudhan (Quilon cum Mavelikkara—Reserved—Sch. Castes): Is there any necessity for a Select Committee? If it is so, it is a mathematical calculation.

Mr. Deputy-Speaker: It is for the House to consider that matter. I shall now place the motion formally before the House before I allow discussion on the matter.

Motion moved:

"That the Bill further to amend the Constitution of India, be referred to a Select Committee consisting of Shri Bhawanji A. Khimji, Shri Syamnandan Sahaya, Shri Gajendra Prasad Sinha, Shri K. L. More, Pandit Lingaraj Misra, Shri Rohini Kumar Chaudhuri, Pandit Lakshmi Kanta Maitra, Shri Mohanlal Saksena, Shri N. M. Lingam, Shri Udai Shankar Dube, Choudhary Raghubir Singh, Shri Nemi Chandra Kesliwal, Shri Ranbir Singh Chaudhuri, Shri Govind Hari Deshpande, Sardar Amar Singh Saigal, Shri Kotha Raghuramaiah, Shri Krishnacharya Joshi, Shri Liladhar Joshi, Shri A. M. Thomas, Shri C. R. Basapa, Shri C. Madhao Reddi, Shri Choithram Partabrai Gidwani, Shrimati Renu Chakravartty, Shri P. T. Punnoose, Shri Girraj Saran Singh, Dr. Manik Chand Jatav-vir, H. H. Maharaja Rajendra Narayan Singh Deo, Shri N. R. M. Swamy, Shri Radha Charan Sharma, Shri Ranjit Singh, Shri P. N. Rajabhoj, Shri Awadheshwar Prasad Sinha and the Mover, with instructions to report by the 22nd November, 1952."

Shri Pataskar: Sir, I think there has been a good deal of confusion.....

Mr. Deputy-Speaker: Shall I place the other motion also before the House so that there may be discussion on both?

Some Hon. Members: It is quite separate.

Shri Pataskar: Even from that point of view I would submit that this is a Bill to amend the Constitution and that is a Bill for quite a different purpose and I do not think it will be proper to mix up the two.

[Shri Pataskar]

Sir, the reason given for bringing forward the present measure is that there has been an increase in population and, therefore, it is proposed that we should make a change in the maximum and minimum that are prescribed in sub-clause (b) of clause (1) of article 81. Now, Sir, if I have correctly understood the hon. Minister in charge, then if we stick to the first part, namely, that the number shall be 500, the only justification for interfering with the provision in sub-clause (b) will be in case we find that with this maximum it is not possible to give representation of people on this basis unless we increase the maximum number of representatives mentioned in sub-clause (a) viz., 500, we cannot bring that number of representatives in the Parliament to more than 500. So the point in this case is that we have been told that there has been some increase in the population figures of the Census of 1951 from the figures which were provisionally fixed by the order issued by the President. Now we have also been told that there is no difficulty and that even if we allow the present maximum and minimum in sub-clause (b) to be there, there can be representation of people within the number of 500. The only difficulty probably seems to be, if I have been correctly able to follow, is that there might be some sort of variation in the representation of different States. From that point of view, I would like to bring to your notice, Sir, that this article 81 is in Chapter II which relates to elections to the House of the People and relates to the provisions with respect to representation in the Parliament and the wording in sub-clause (b) is: "For the purpose of sub-clause (a) the States shall be divided, grouped or formed into territorial constituencies". Not each State shall be divided—that is the difference which I want to make. Supposing the population had so increased that it was impossible, keeping the limits intact, to give representation or it was necessary to give representation to more people, if this maximum was to be kept intact, there might be some justification for increasing the maximum number but in this case we are told that that is not necessary. Then the only question is that when we go to consider delimitation of constituencies, then there may be some difficulties coming in the way. Those difficulties should rather be solved by necessary provisions being made in the Delimitation Act rather than by amending the Constitution here. The only case in which

there could be an amendment of the Constitution would be if we found that the population had so increased that on this basis unless we increased the number of Representatives or increased the maximum and minimum number of people whom one person would represent, it was not possible to give representation according to Constitutional provision. Sir, I grant and accept that so far as (a) is concerned, there is no case for increasing the number of the House of the People. There are already too many and I do not think that adding to that number is going to benefit anybody. But then what is the justification for altering this here. The only thing that appears to me is that some people may think that probably different States have got to be represented differently. That has been done in delimitation, but under the scheme of the Constitution if we look to the basis of the Constitution it is that franchise is given to everyone in this country. That is the basis of article 326.

[MR. SPEAKER in the Chair]

And article 326 having given franchise to every Indian citizen, we proceed to say as to how these people will be represented in the House of the People. And then the Constitution provides that for the purpose of sub-clause (a) the States shall be divided, grouped or formed into territorial constituencies etc. It may become necessary in a certain case that a part of a State and part of an adjoining State may have to be grouped for that purpose. Therefore, there is no justification for this Bill because after all the representatives who come here are the representatives of the whole of the population of this country based on adult franchise and they are more concerned with the affairs of the country as a whole rather than affairs which relate to the States primarily. Therefore, Sir, I cannot understand this idea of some States having more and some less and on that there should be no misgivings. They will be justified in amending sub-clause (b) only if it is found that out of the population of all the States we cannot form constituencies on the basis given in sub-clause (a). I have tried to listen to my hon. friend very patiently and I do not think there is any justification for amending it.

The next argument is that it is an amendment of the Constitution. This must be undertaken with the greatest care. We have tried to draw from the Constitution of the U.S.A. and we know that on very few occasions was their Constitution amended. Unless there were very urgent and cogent reasons,

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almost a necessity, I think it would not be proper to rush in for amending the Constitution as such. Constitution is after all the basis of legislation. Simply because it will suit certain constituencies and certain delimitation proposals, it would not be proper to amend the Constitution. The proper course would be to proceed with the delimitation and to introduce whatever provisions we want to in that Act to make changes so far as delimitation of constituencies are concerned. The maxima and minima prescribed should be adhered to. It will also avoid further complication.

I know, Sir, that as soon as it was learnt that some States are going to get more representation and some States less, a sort of race started. So far as sub-clause (b) is concerned, it does not say that each State shall be divided or grouped but only that the States shall be divided or grouped. Looking to the basis of this provision and keeping in view the fact that we are having adult franchise and that all the States are to send their representatives, I think we can, by keeping to the present maxima and minima, comply with the provisions of sub-clause (a). There is no justification whatsoever for amending the Constitution.

Shri A. C. Guha: Sir, I am sorry I have not been able to support this Bill. I am still more sorry that the Government have come forward with a proposal to amend the Constitution without being sure of their facts. As the previous speaker has pointed out and as the hon. Minister has previously admitted, according to the census figure of 1951 and sticking to the provisions of 81 (1) (b) as it is now, we can limit the number of members to 500; and so, I cannot understand what is the necessity for bringing forward this Bill which seeks to amend the Constitution and also to curtail the right of representation.

Sir, those who have fought the election from constituencies comprising of 750,000 people, know how difficult a task it is to fight in a constituency like that. And now again to extend the territory and the population of the constituency by another lakh is putting something which will prevent poorer and middle class people coming into Parliament. It is giving a premium to the wealthy and to the richer section of the people. I protest in the name of the middle classes and the commoner people and in the name of those Congressmen who have been working hard for in politics and

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who have not been able to amass any wealth or to have secure seats for themselves.

Dr. Lanka Sundaram: Are you speaking as a Congressman?

Shri A. C. Guha: Yes, I am speaking as a Congressman. I oppose this measure as a Congressman because I know what it means to fight an election in a constituency of 850,000 people. And so, Sir, I have to oppose this Bill, particularly because even according to the present census there is no necessity to increase the number of seats or increase the population for each constituency.

Then I should also like to be a little parochial in this matter. Bengal has been partitioned and there is a large number of politically conscious people in Bengal, and this Bill, as it is introduced, will reduce the representation in Bengal and also in some other States and so, from the point of view of my own State also, I have to oppose this Bill.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): With your permission, Sir. I move that three more names be added to the list of members of the Select Committee submitted today, namely, Shri S. S. More, Shri B. S. Murthy and Shri N. C. Chatterjee.

Mr. Speaker: I shall add these names when I put the proposal before the House.

Shri M. S. Gurupadaswamy (Mysore): Sir, the propriety of amending article 81 (1) (b) instead of raising the over-all limit of 500 is beyond justification. According to the last census, the population of India has shown an increase and it is but reasonable and logical that the strength of the House also must be increased according to the increase of population in India. Some of the Members are expressing opinions that the House might become very unwieldy and it may not be good ultimately to have a very big House. Sir, I might draw the analogy of the House of Commons here where the Members are more than 600. It is a tiny island as compared to India. The strength of the population or the geographical area is much smaller and even in that country the strength of the House is bigger than the House of the People here. So, I feel we will be justified and it is also logical that the strength of this House should also increase in proportion to the increase in population if not more.

[Shri M. S. Gurupadaswamy]

Sir, it is not a matter of procedure that I am talking of. It relates to the substantive rights of the people. Article 81 (1) (b) is more fundamental in my view. It is more sacrosanct than (a) because the provision in (b) relates to the substantive right of the people i.e. the right of adequate representation in the House. So it is but natural that when there is increase in population in the country the people should be given more adequate scope for representation in the House. It will only be enlarging the scope of representation and thereby giving more expression to the rights of the people. So, Sir, I feel that while moving an amendment to article 81 (1) (b), I feel (a) also may be taken into consideration.

Further, Sir, I may also submit that the people of India and many of the organisations have expressed their opinion in favour of increasing the strength of the House. My hon. friend, Mr. Gadgil just now said that with regard to the Bill which was circulated, people have expressed their opinions only about provision (b). It is not the case; many organisations, many bodies and many individuals who have sent their opinions, have asked for amendment of article 81 (1) (a) also. So, in fairness to public demand, you must give a directive to the Select Committee to go into the question of whether we should increase the strength of the House or not. Financial considerations should not stand in the way when we consider that issue. By increasing the strength of the House it may mean a little more expenditure to the Exchequer; it may mean a little bit of inconvenience to the Chamber. There may not be enough accommodation to provide for extra Members; or, possibly, it may mean some inconvenience to the ruling party. I feel Sir, that the general trend of opinion is that if there are more Members and more constituencies, advantages are not in favour of the Congress. So, the ruling party does not want any increase in the strength of the House. That is the opinion prevailing in the country. So, I do not want that opinion to circulate. I want the ruling party to be generous and endorse my opinion in favour of an increase in the strength of the House. By doing that, we shall be endorsing the progressive movement of democracy. Democracy will expand itself and a broader basis will be given to Parliament. Let, therefore, the Parliament be enlarged. Let its strength be increased as far as possible. Let the

people of India be given more representation which they certainly deserve due to the increase in population. Let us not say that by having a truncated Parliament we shall be working more efficiently. By bringing in more Members, we would not in any way bring down the efficiency or quality of the House. Rather, we would make the Parliament more representative. If we do not give adequate representation, then this Parliament will become one of the most unrepresentative of representative institutions in the world. Let that not happen. From this point of view, I strongly urge that the strength of the House should be increased in direct proportion to the population. I request that the Bill may be looked at from this angle and the hon. Law Minister also may consider this point of view.

Shri P. T. Chacko (Meenachil): I only wish to make one suggestion for the consideration of the Select Committee. I feel that it is necessary that an amendment should be made in respect of article 81 (1) (b), because some sort of latitude should be given in the matter of delimitation when that question is taken up. My point is that for some time more sub-clause (a) need not be amended. Even if this House accepts the present amendment, the matter does not rest there. This amendment alone would not bring about a finality of the matter, because even if this amendment is accepted, after the next census another amendment would be necessary either to sub-clause (a) or (b). My submission to this House is that for some time more sub-clause (a) need not be amended, but sub-clause (b) may be amended, in such a way, another amendment to sub-clause (b) would not be necessitated after the next census. I suggest that this question of fixing the lower and upper limit of the population in the matter of representation may be left to be provided by Parliament by law. Under article 81 (2) and (3) certain matters are left to the Parliament and another Bill is coming up for the consideration of this House to provide by law for matters dealt with under article 81 (3), viz. re-adjustment of constituencies.

Article 81(2) reads:

"The representation in the House of the People of the territories comprised within the territory of India but not included within any State shall be such as Parliament may by law provide."

Article 81(3) reads:

"Upon the completion of each census, the representation of the several territorial constituencies in the House of the People shall be re-adjusted by such authority, in such manner and with effect from such date as Parliament may by law determine."

As I said, the determination of the population for purposes of representation may be left to Parliament to provide by law. If that is done, a Constitutional amendment to sub-clause (b) need not be made after the next census. If at all an amendment becomes necessary, it would become necessary only at a time when the House thinks that sub-clause (a) should be amended so as to give more representation to the people, i.e. to increase the number of Members in the House of the People. So, I suggest that the Select Committee may consider this suggestion. In the place of the words:

".....so determined as to ensure that there shall be not less than one member for every 750,000 of the population and not more than one member for every 500,000 of the population."

the following words may be substituted:

"such as Parliament may by law determine."

In that case, there would be no necessity to amend the Constitution after the next census. When a Bill is brought before Parliament to make the necessary adjustments as contemplated in clause (3) of article 81, this matter can be provided for in that same Bill. This is my suggestion, which I request the Select Committee to take into consideration.

Shri Raghuramaiah (Tenali): Just now my hon. friend Shri Gurupadaswamy waxed eloquent on the right of the people in a democracy to get proper representation. I do not think that the Members of the ruling party—he was good enough to call us that way—are any the less anxious to protect that right. And I suppose, it will save us all a lot of trouble if instead of approaching eight lakh voters we have to approach only seven lakh voters. That will be a great convenience for Members. But as it is, even with 500 Members, most of us sitting in the back benches are unable to catch the eye of the Speaker occasionally. If the strength of the House is going to be increased on the

basis of the rise in population, then at the rate at which population is growing in this country, namely, ten per cent. in every decade, I am afraid a state of affairs will be reached in the future—I am envisaging the future a 100 years hence—when there will be long queues on the opening day of Parliament for occupying the front benches. My opinion is that a man who can represent seven lakhs can also represent eight lakhs. Nothing turns on the difference of one lakh. The question is really not that. The question is whether Parliament is at present a body which can conveniently represent the people. I submit that the difference between 750,000 and 850,000 is not so great as to make the people remain unrepresented if the Constitution is not amended. As regards the suggestion of one of my friends on this side that this should be done by a law passed by Parliament and not by an amendment of the Constitution, I wish to point out that if you do not have these figures specified in an article of the Constitution and leave it to an enactment by Parliament, then you will be taking away the rights of the States. Whenever the Constitution is amended I suppose the States have a say in the matter and if you leave it to a Parliamentary enactment then the States would have a grievance. Therefore, this matter should be dealt with by an article of the Constitution itself as at present and not be left to be governed by an enactment by Parliament. Therefore, Sir, I submit that an amendment to article 81 (1) (b) is desirable, and necessary, and I support the motion.

Shri Barman (North Bengal—Reserved—Sch. Castes): Sir, I also agree with the previous speaker that amendment of article 81 (1) (b) is necessary. A view has been expressed in this House that on the basis of the population figures of the 1951 census and the number of 500 seats we have under article 81 (1) (a), we can do without amending the Constitution and we should take recourse to that. Certainly it is so. But when you find that it is not practicable—and according to my view it is not practicable—I submit that we shall have to amend the Constitution.

Sir, we have a population of 36 crores. Dividing 36 crores by 500, the average comes to 72,000 or so. While delimiting Parliamentary constituencies we have by experience found that we cannot make all the constituencies of such a big size. There are parts of the country which are hilly,

[Shri Barman]

which are on the sea-side, and it is difficult to travel from one place to another. These places are generally very sparsely populated and even if we take the population limit as seven lakhs for a constituency to be the minimum, there are places in this country where the constituencies will be so vast in area, so ill served by means of communication, and also for administrative purposes, that elections would be not only widespread, but very difficult to be conducted. I may in this connection mention the example of the district of Darjeeling in West Bengal. The area of the district of Darjeeling is 11,900 square miles; it has a population of only 445,000. Now, if we proceed on the basis that all the Parliamentary constituencies in India will be delimited with a population of seven lakhs, it will be difficult to form Parliamentary constituencies in such parts. Necessarily we shall have to exceed the limit of this average in other parts and unless we amend the Constitution we cannot confine the number of Members to 500 as provided for under article 81 (1) (a). Therefore, my first submission is that considering the geographical features of our country we shall have to delimit the constituencies in such a way that there will be more in some and less in others. That necessitates an amendment of the Constitution.

My second submission is that, keeping sub-clause (a) of clause (1) of article 81 intact we can amend sub-clause (b), as has been proposed by Government, but I would like the Select Committee to consider whether the amendment of this clause alone would serve our purpose for a long time. In this connection, I would like to cite article 170, where in the case of the State legislatures we have fixed only a lower limit and no upper limit. If we take recourse to the same procedure in amending sub-clause (b) of article 81 (1) and fix a lower limit of five lakhs, and delete the upper limit, it will serve us for all time to come. In case after each census the population increases we shall have no difficulty in delimiting the constituencies if we have no upper limit.

At present, Sir, we have five lakhs as our lower limit. I submit that this limit should not be changed. If Government thinks or if the House thinks that there should be an upper limit, I would not object to that seriously. But I would simply submit to the House that the lower limit of five

lakhs should not be disturbed. Let it be left to the discretion of the Election Commission to consider whether any part of the country is such that an area with a lower population should form a constituency. Last time, Sir, we had the Election Commission and with the assistance of members nominated by you, the Commission demarcated the constituencies. We have heard no serious objection to that. This time the Delimitation Commission will consist of the Election Commissioner, assisted by Judges of the Supreme Court or High Courts. It will be an independent body and the Members of this House would only be assisting them in regard to different States. We need, therefore, have no hesitation in entirely depending upon the Delimitation Commission, because it will be composed of the Chief Election Commissioner and Judges of the Supreme Court and High Courts. If you fix the lower limit of five lakhs, there need be no apprehension that there would be any injustice. On the other hand justice will be met, where it is due.

A point was raised during the course of the debate that if the upper limit were raised it would create difficulties for the middle class people. Certainly it is so. But in this connection I would like to ask: even under the present circumstances, what is the population of a constituency in which a candidate has to run his election. Because of the reservation of seats for the Scheduled Castes and Scheduled Tribes, there are plural member constituencies, whenever there is a reserved seat, automatically the number of voters becomes double. Instead of 7.2 lakhs which is the average, we at once get by rough calculation 14.4 lakhs. So, that difficulty is still there and if this figure be raised a little, say, to eight lakhs or nine lakhs, we cannot say that some innovation is being introduced in the electoral system. So I do not think that argument can be advanced.

Reverting to my old submission, I may support it by pointing out that in a city like Calcutta which has an area of only 34 square miles there is a population of 26 lakhs. I am talking of Calcutta main. If instead of getting on an average 3.5 seats as at present it gets three seats—that is to say, in order to give relief to the constituencies which are hilly or which are geographically inaccessible, the population of each of those constituencies will be decreased—where is the harm? All

the people living there get a chance of expressing their opinion. It does not create too much difficulty for the people or for the candidate. By increasing the number by a few thousands or by a lakh, if you can give relief to another constituency which requires relief, I do not think we should grudge it; rather I think that justice demands it.

So my submission to the Select Committee and to the House is that the lower limit should not be touched.

Shri T. N. Singh: Sir, this small Bill which we all thought will not take so much time, seems to have taken quite a good bit of the time of the House. I think it is but natural that we should attach the greatest importance to even the most minor change in the Constitution. The Constitution is a sacred document and we have to see to it that changes are not made to it frequently or unnecessarily. At the same time I feel that this change is not only necessary but has become inevitable.

The population has been growing. I really feel rather surprised that at the time the Constitution was made it did not occur to us that the population is a changing factor and that there may not be a fixity of maximum or minimum with regard to constituencies for election to the House of the People. Either you have a non-fixity in the matter of the number of seats of the House, or non-fixity in the matter of number of voters, both maximum and minimum. Both cannot go together. And that is what has happened. The increase in our population has undone all the calculations of the Constitution-makers and I see no wonder in it. In my own family we were a very small number some thirty years ago, but today we are sixty! At this rapid rate the population seems to have been increasing. In this context one should have easily imagined that all calculations of numbers would be upset, and for this reason I do feel that the Select Committee should seriously consider whether it is advisable to pin this clause to any figures of population. I would very humbly urge that we should consider whether it is at all advisable, for after five years again, who knows, this great country of ours may upset all calculations based on the limit of 850,000. Are we going to amend the Constitution after five years or ten years? That should not be done. Therefore, I would very humbly urge on the members of the Select Committee, who will be considering this question in detail, to see whether only a minimum basis, as has been done in the case of the State Legislatures, may

be fixed and the upper limit may not be fixed at all. That is point number one.

Secondly, I feel, as the Member preceding me has very rightly observed, that the minimum limit should not be touched. I have got very cogent reasons for this. Probably there are several Members here who do not come from sparsely populated areas. In my small district there is a close-by area called the Vindhya area, in Mirzapur district. If you go there you have to travel 200 miles actually, and you have not got more than seven Assembly seats, which means one and a half Parliamentary seats. That is the position there. It is a very big district. The same is the position in Garhwal.

In this connection I think hon. Members should also take into consideration sub-clause (c) of clause (1) of article 81. That is a very important clause. The intention of that clause is that there should be a certain amount of homogeneity between the various constituencies that are delimited. You cannot have a constituency of a very small number and another in which the disparity goes up considerably. Disparities have to be avoided. That is one great principle enunciated in article 81 (1) (c). I think it is the desire to observe that principle which has created so many complications here.

The hon. Law Minister readily took the House into confidence and explained the implications of this amendment. He told us that in some States the number of seats for the House of the People will increase, in others it will go down. And that started the whole controversy. As a matter of fact, the controversy that has arisen so far has arisen on this issue as to what is going to happen to individual States in the matter of the number of seats that they will have in the House of the People. That is the main controversy which arises out of this. But in that regard I would ask whether the disparity as envisaged in sub-clause (c) of clause (1) of article 81 will be so great: if we stick to the present number of seats for each State, as to make it go against the spirit of the Constitution itself. If that is not so, I see no reason why the hornet's nest should be disturbed at all. As a matter of fact, as a member of the Delimitation Committee of my State two years ago, I had occasion to go in detail into the delimitation of every small constituency in my poor State. (An Hon. Member: Poor?) Yes, Sir, it is a very poor State though big. In that State, Sir, under the direction of the

[Shri T. N. Singh]

Election Commission we were required to delimit constituencies of Parliament with numbers ranging from 320,000 to 384,000 voters or in certain case 390,000 voters, which meant a variation of 70,000 voters.

Now, even if the variation that may result owing to the increase in population and number of voters is taking into account, I am sure the average variation between the number of voters in constituencies will not be so great. Of course, we would have to make exceptions, because the Constitution itself with the provision for maximum and minimum limits envisages a difference of about two lakh members of the population or one lakh voters. That is there even in the existing constitutional provision. So if the variation goes up even to one and a half lakhs between one constituency and another, that I think should not be any reason why we should disturb the number of representatives of a particular State in the House of the People. I think if we do that, all our problems and controversies in this regard will be solved. That is my suggestion for the consideration of the Select Committee.

Apart from that, I think that any attempt to change sub-clause (a) of clause (1) of article 81 of the Constitution will not be desirable. It may be even dangerous. If we go on changing the total strength of the House year after year, that would not be a proper thing. I think it is not done anywhere. If we look at the Parliaments or Legislatures of other countries, we will find that more or less the total number remains constant. The total number of Members in the House of Representatives in America or in the House of Commons in England has remained more or less steady.

Some years ago they changed the total strength of the House of Commons, but after how many years? If we see for how many years it has remained stable, surely we should not change the total strength of this House so frequently. Our population is a changing factor. Taking that into account, what does it matter if we have to approach a few more voters? I think every Member here will welcome meeting a large number of voters. It gives us an opportunity of understanding them. So, therefore, I suggest, Sir, that sub-clause (a) should not be touched and therefore only the Bill as it is should be considered by the Select Committee and not with any further extension of its scope. With these words I resume my seat.

Shri M. A. Ayyangar (Tirupati): Sir, I will say only a few words on this matter. I believe, Sir, having considered all the viewpoints that have been raised at an earlier stage of the debate, I appealed that the 500 maximum need not be raised. Recently I was in the House of Lords. There were only ten or fifteen people there. I attended one of the sessions of both the Houses. There were not more than five people in a House of 350 or so. I asked a Member "what about the quorum". He said "don't talk about this unless somebody else....." When a division takes place on voting they would like to get some people to vote. They were immensely glad that there were five people, one man to talk and another man to hear. Those Members find it very necessary to go to their constituencies, to plough the fields because ultimately they are the representatives of those people whether in the House or outside. Some of them are merchants. Now in this House about 150—200 is the average attendance out of 500, and out of them immediately after the question hour is over I know most of our friends have got other important work to do and they are not in the House, and after the lunch interval the Speaker has to wait for one minute, ring the bell and try to get the quorum. If the quorum is 51 and 26 people vote in favour of a Bill, it is passed. We are imposing this Bill on 360 millions of our population. Look at the enormity! But even to get that quorum is difficult. Any one of our friends on this side is a gem if he is able to represent not only seven and a half lakhs of people but seven and a half millions of people. So far as the territorial constituencies are concerned, one of my friends, Mr. Sinha, was exceedingly perplexed as to how a poor man will be able to go round his constituency. I am appealing only to his experience. Today some rich people may be bribed, but to bribe a whole population of seven and a half lakhs is rather a different affair. When we go into a village it is not each individual that we talk to. We address them either to vote in our favour or against. When they come, they come with "Ram Ram" for the Communist Party or the Congress Party. All of them make up their minds, come and stand in a queue, they come from miles away to the polling station. Still they stand there with all seriousness and vote one side or the other. People go on whispering but they do not care for whispers at that time. This is our experience. Under those circumstances what does it matter whether the same constituency has eight and a half lakhs instead of seven and a half lakhs. It is not going to

matter materially from the point of view of the candidate who has to go and convert people. Under those circumstances we are finding it difficult to increase the size of this House. Our country is a little better to look at and here in this House there is a greater attendance than in the House of Commons. Under these circumstances, let us not think of increasing the number. The mistake has arisen in this way.

If we had only copied the provisions that were made in the same Constitution for the Legislatures of the States this trouble would not have arisen. We wanted to put a bracket on both the sides. There are no loopholes. 500 shall be the maximum. Let it be the maximum. The maximum has been imposed even with respect to the State Legislatures, but the minimum also. It shall be not more than one member for each five lakhs or seven and a half lakhs. The upper limit may be ten lakhs. In article 170 they say 500 shall be the maximum for the lower House of a State Legislature and that there shall not be more than one member for a population of 75,000. That is, beyond 75,000, there may be a member for up to 175,000. In that portion relating to our Parliament, what has been said is that the upper limit of 500 has been fixed. There shall not be more than one member for five lakhs of population and there shall be more than one member for more than seven and a half lakhs of population. This is on both sides. There cannot be any escape. I find it is unnecessary to modify the Constitution so far as the State Legislatures are concerned because the upper limit is 500. The lower limit is not prescribed. I can say for 175,000 and 145,000 we gave one member in Madras but now they can say for 180,000 there shall be a member, for two lakhs there shall be a member in which case the amendment is not necessary. Here every ten years we have to go on and if we accept the amendment that is suggested by the Law Minister in this Bill, once again at the end of ten years we will have to amend the Constitution. What my hon. friend has said is to amend sub-clause (b) so as to remove those upper and lower limits, five lakhs and seven and a half lakhs. We want to have a lower limit, not more than one member for seven and a half lakhs which according to the hon. Law Minister is the average of population over which we are going to have a member. We can modify it. Instead of laying down the lower and upper limits, we can say, not more than one member for seven and a half lakhs of the population, in which case, it can be for eight lakhs or ten lakhs of the

population, according to the increase of population.

In this connection, I would like to refer to the Constitution of America. There, for every 1,000 of the population, they have got one Member. They have not fixed the upper limit of 500. The problem with them is want of population; the problem with us is excess of population. Therefore, there is no good in following America in all respects. In Canada, there are only 500 Members for the whole territory, they have unlimited territory. In the House of Commons, they have got 600 and odd Members. There is no other Legislature where we have more than 500 Members. It is a reasonable number. Suppose we have 600 Members, what an enormous House we will have? Except at the time of Division, we may have some more heads here and some more there. Barring that, the contribution to the deliberations of the House will not be added materially. Therefore, I would appeal to hon. Members not to insist upon any direction being given to the Select Committee by this House that we must increase the number from 500. There is no limit; sky is the limit. If we go on from 500, we are not setting a limit according to the growth of the population. Along with the growth of population, the number of Members will also rise and then, not merely this room, the entire block and the whole city of Delhi may be necessary as a big hall for the housing of the Members of Parliament, if we go at that rate. My humble request is that hon. Members need not insist upon increasing the number of Members from 500.

As regards the other point, instead of this amendment, an amendment may be made in the Select Committee, of not having an upper limit of eight and a half lakhs, but only a lower limit; that is, there shall not be a Member for less than seven and a half lakhs of the population, which will meet the necessities of the situation. That also avoids again and again trying to meddle with our Constitution. All the discussions that took place this morning regarding direction being given to the Select Committee, and powers being given to the Select Committee to go beyond the scope of the Bill and touch sub-clause (a) also, are not necessary if my suggestion is accepted.

Shri Velayudhan: Sir, in the morning, when we were discussing these two Bills together, I was a little confused, like other Members who also added to the confusion of the Law Minister. In the afternoon, when we assembled here, after hearing the clarification from the Law Minister, I myself was convinced of the points that he

[Shri Velayudhan]

raised. As a member of the Delimitation Commission from the Travancore-Cochin State, I had to come across certain experiences regarding the question of these vast constituencies. I was also thinking how this difficulty could be avoided, if it were possible. The Bill regarding the amendment of the Constitution is so clear that I also agree with the hon. Law Minister when he said that an upper limit should be decided regarding the maximum number of Members in Parliament. I also agree with the view of the Law Minister that the maximum should not be raised to more than 500 for the Parliamentary seats. I have cogent reasons for this conclusion. I was not supporting anybody, nor opposing anybody in this matter because I think, as the hon. Deputy-Speaker has said from his commonsense, the maximum should not be raised above 500. When we were going through the election process, I was also feeling why this Parliamentary election was being conducted at all and why not have indirect election to Parliament. I got this feeling because I had to go through about 17 constituencies for a double Member seat in Parliament. Seventeen Assembly constituencies in Travancore-Cochin made a double Member constituency for Parliament. We felt, why this enormous amount of walking here day and night, why not have indirect elections to Parliament, if you have proper representation in the various State Legislatures of the country. Representation is based on the number of people; but at the same time, I must say, when we have got the federal Legislature, it is better from my experience to have indirect elections for the Parliamentary seats.

Regarding the amendment to the Constitution here, it is inevitable. According to the Constitution, when a census is taken, a Bill like this is required. It is not because we found in the last census that there is an increase in the population that a Bill has been necessitated; but, according to the Constitution itself, even if there were a decrease in the population, a Bill like this would have been necessary. Therefore, my humble submission is that the number of seats in Parliament should not be raised. But, I must say that there must be an increase in the number of seats in the local Legislatures. That is inevitably going to happen according to the delimitation of constituencies.

Another point that I would like to raise here is this. I was always feeling why this Bill should be sent to the

Select Committee at all. I was confused. In fact, even last time, when this Bill was discussed here, we were confused, because there is no amendment here in regard to sub-clause (a) of clause (1) of article 81; it is an amendment of sub-clause (b) of article 81(1) only. At any rate, we sent this Bill for circulation. We have got certain opinions also. It has been clearly stated from the Treasury Benches that no amendment for article 81(1) (a) is accepted by them. When we know that there is that view, and that view is accepted by the House, I do not know why for a purely mathematical calculation alone this Bill is being sent to the Select Committee, which forms nearly a third or half the strength of this House. There are about 35 or 40 members in that Select Committee. If this matter is entrusted to the Election Commission, who are very clever people, they will easily within five minutes tell you how this has to be proceeded with and we can very easily make the calculation. When we were having the Delimitation Commission, we were all worried about the calculations. Then, the Secretary of the Election Commission came there and taught us certain formulas. Within five minutes we were able to frame our formulas and carry out the work in five or six days. It is a question of pure mathematical calculation if we take this Bill and consider it intelligently. I do not claim to have greater intelligence than many of you, but from my humble intelligence, I must say that this Bill requires pure calculation and nothing else, if we are not going to change sub-clause (a) of clause (1) of article 81 of the Constitution. With this humble submission, I conclude.

4 P.M.

Shri U. M. Trivedi (Chittor): Sir, when this Bill was commended to the Select Committee along with the Delimitation Commission Bill, it set most of us thinking: as to why it was necessary that both these Bills should be taken together, and why should not we first find out whether by studying the change in the delimitation of constituencies, we may not be able to serve our purpose. We are still nearly ten years away from the next census, and at least the next election would not require any further study of the new census figures. The figures of 1951 will certainly hold good in the next election of 1957. Here we do not know—although we say and sometimes we do say correctly, that the population may go on increasing after ten years—whether we are sure to increase, or

whether, with the events that are happening in the world—and we are weary of talking of planning and controls—we may not have control of the population also, and we may not increase mathematically as we are all calculating.

But, apart from that, the remedy that I find is instead of making any amendment in article 81(1)(a), or 81(1)(b), we may apply our mind to this proposition, that, as we all got elected to this House by standing for election from any part of the country, why should we not have constituencies overlapping from one State into another, without any particular State territorial limits? The first difficulty that was pointed out by the learned Deputy-Speaker, who has a good deal of experience, was that at certain places we cannot fix this minimum of 750,000. If we had this provision that the election to the Parliament should not be by the States, but by the various territorial divisions that could be framed by delimitation of constituencies, then we can have this figure of 750,000 for each constituency, and we will not have much difficulty. In that case, article 82 will also require to be studied, but even without making any amendment to article 82, if the Representation of the People Act is suitably amended, then we would not have to give two representatives to a small State like Ajmer. Why give a representative to Bilaspur, give one to Coorg, give one to Himachal Pradesh, one to Vindhya Pradesh, treat them integrated with adjoining States—and we would have made a reduction of eight. This is the maximum that we would require even according to mathematical calculation in the year of the new election, 1961 or 1962; and there would be no necessity for us till the year 1972 of making any change in this figure of 500 and the figure of 500 would stand good for at least 20 years.

[MR. DEPUTY-SPEAKER in the Chair]

I would then submit, that, as has been said by our Deputy-Speaker, a House of 500 is already a very cumbersome thing, and if we increase simultaneously with this the maximum limit from 750,000 giving us a representative to any figure higher than this, then those of us who are not very rich and who do not have party funds to help them, will find it very difficult to make an approach to a population of 750,000 more so to approach a population of 350,000. I am talking of my own constituency; it is a large area, which has absolutely no roads in an area of 3,000 sq. miles, the roads are

only 18 miles—with that constituency, it is extremely difficult for anybody to contest the elections, and it will be more so, if it is increased to 850,000. I would therefore submit that if we take into consideration...

Mr. Deputy-Speaker: The area of the constituency will not increase.

Shri U. M. Trivedi: I mean the increase to 850,000. I have to fight the election in three different districts—one whole district, part of another district, and part of a third district—and in the delimitation if we go on increasing the population to 850,000, then the area would certainly increase. I do not understand whether it will not be increased by this.

My suggestion is only this much, that if we still stick to 500 and if we are very strict and judicious and very impartial then certainly there is no reason for us to give weightage to those small States, namely the Part C States to which we have given undue weightage. And if we are to take another ten years' time to just abolish the existence of these very States—Ajmer, Vindhya Pradesh, Bhopal, Coorg, all these—then there would be absolutely no necessity for making any change whatsoever for at least another 20 years to come, and therefore, my submission is this, that instead of making any amendment at this stage to article 81(1)(a), it would be enough for our purpose if the Delimitation Bill is merely taken into consideration, and after a report on that is submitted to this House, there would probably be no need for us to go into the amendment of the Constitution. Therefore I submit that when the Select Committee for Delimitation of Constituencies takes into consideration all these factors, it must also take into consideration the representation that has been given under the provisions of article 82 to the Part C States and see to it that the undue weightage that has been given, may not be so given to these States. I submit the Bill may not be sent to the Select Committee so far as amendment of article 81(1)(a) or (b) of the Constitution is concerned.

Shri T. Subrahmanyam (Bellary): The original intention of the Constitution with regard to the strength of this House was 500, and that figure was fixed after a good deal of thought, comparison and experience from the working of Constitutions in various countries. And now if we increase that figure, it will increase also the inconvenience, because the balance of advantage is that this 500 is neither a small figure nor a large one.

[Shri T. Subramanyan]

Some friends on the other side were saying that it would be undemocratic, or inconsistent with the principles of democracy, if we should not have a larger figure than 500, and if people are not adequately represented, and an attempt was made to bring the House of Commons also. To my mind, we owe a great deal to the House of Commons. We have got great respect for it and for its conventions, but the House of Commons was the creation of historical experiences. It was not a result of any written Constitution deliberately made. It is a matter of historical evolution or historical growth. Their strength is 640 and they proceed on the presumption that all these Members do not attend at the same time, and they almost make it appear that some Members must necessarily be absent from the proceedings and debates that go on in the House of Commons. To my mind, this is a most unsound precedent, if a precedent is required, and of all places, the House of Commons is not the place to which we should go for copying particularly in this matter.

Of course, there are only two or three countries which have large Legislatures. One is the U.S.A. There the representation is one for every 300,000; and in the U.S.S.R., I think the representation at present is one for every 300,000. In the House of Commons, as I said, it is 640. Just now you were observing while you were speaking on this motion, that in the House of Lords which has now got a strength of 746, hardly 15 people or 20 people are present. Therefore, let us not proceed on the presumption that if we increase the strength of this House of the People to more than 500, we will make for a better or sound working of democracy. I even say it would be inconsistent with democracy because if large numbers are compelled to be absent from the proceedings or debates of this House, the electorate will suffer and the people will also go unrepresented. Therefore, that is the most undemocratic process that we can imagine.

As you were saying, the lower limit may be there—let it be six, seven or seven and a half lakhs; let it be any figure—but the upper limit should be excluded once and for all so that there will be no need for this periodical revision every time that the census figures are taken. I therefore submit, Sir, that when the Select Committee goes into the matter, it should not attempt to alter the maximum or the strength of this House from 500.

Article 81(1)(a) should not be disturbed, and with regard to article 81(1)(b), the lower figure, let it be any figure. Some friends wanted five lakhs, some friends wanted six lakhs. There should be no upper limit so that the strength of this House should not proceed above this figure. I again submit that it is a decent figure, and a large number of Members on this side always go without any opportunity of speaking. They try to catch the eye or the ear of the Deputy-Speaker, but very often, they do not get an opportunity for representing what they want to say. It is not a question of people on this side trying to deny opportunities of representation to people at large. To my mind, democracy is perfectly consistent and workable in this country only at this level of 500 being the strength of this House. I do not wish to say anything more.

Shri Kakkan (Madurai—Reserved—Sch. Castes): Sir, in supporting this Bill, I want to say few words about the Melur Assembly Constituency.

Originally for Madura District, especially for the Harijans, three reserved seats were given—in Madura District. One for Periakulam, one for Nilakaotai and one for Dindigul Taluks. But without consulting the Madras Government, later on the reserved seat in Athur-Dindigul was transferred to Melur. The population of Melur Taluk is nearly two lakhs, and also the population of Madura Taluk is nearly two lakhs. Both the taluks of Melur and Madura were clubbed together, and they have given one general seat and one reserved seat. So, I request the hon. Minister to see that one general seat must be given to Melur Taluk, and the reserved seat which is in Melur constituency must be transferred to Athur-Dindigul constituency. Though I am coming from Melur Taluk, I want to do justice for the people of Melur Taluk especially the Harijans of Dindigul to get a reserved seat.

Shri Dhulekar (Jhansi Distt.—South): I beg to support the view that the maximum limit for the membership of the House of the People should not be raised above 500. Some objections have been made on the ground that when the population is increasing year by year, it will be undemocratic not to increase the number. I would submit that it is not the number of the people who can be called real representatives of the people but the quality of the people who represent the constituency, and also who can put forward sound views, that should count.

I believe, in a House consisting of a large number of people, it is always the convention or custom that people who know politics or democracy always take up one particular subject for discussion, and after careful and deep study, they always represent the whole country. In this way some people take up health, some others commerce and so on. It is unfortunate that democracy be defined in such a way that if one member is given for two or three lakhs, the representation will be more sound. But only a few people can understand all the subjects, and I believe only a few people can understand any particular subject deeply. For instance, there are a few people in this House who will be able to know real international exchange policy of the Reserve Bank, or how the gold standard fluctuates, how shares are sold, how they are purchased, how prices change in the exchange market, how the price levels fluctuate, etc. So my submission is that instead of talking democracy we should talk sound commonsense. It will be a far better thing if hon. Members who talk on any particular subject try to put things before the House so that they will benefit the whole country, instead of talking about a particular constituency or a particular small area. Whenever the food policy is discussed, I always hear the names of Rayalaseema, Hyderabad, Travancore-Cochin and the names of four or five other districts. But if hon. Members go deep into the matter, they will find that the whole food policy of the Government of India cannot be guided by these four or five places. We have to study the whole situation in the country and also the international position. So my submission is that it is very sound that more than 500 persons should not come to the House of the People at all. 500 should be the maximum limit.

Then as regards my second point, I would submit that it is better to avoid frequent changes in Constitution. In our constituencies and other places people always object to the change of the Constitution within a period of two or three years after its enactment. They do not know what changes are necessary but they ask me as a former Member of the Constituent Assembly "What is the kind of Constitution you made then, if you want to change it today?" Therefore I would request the Select Committee that they should incorporate only such amendments to sub-clause (b) of Clause (1) of Article 81 that further changes due to increase of population will not be necessary after five or ten years. We should place a lower limit or no limit at all

and it should be left to the Delimitation Commission to fix the constituencies. If that is done, it will not be necessary at all to change the Constitution. As my hon. friend Shri Velayudhan put it, if we put in the amendment in a language which will fit in with the body of the Constitution, without putting limitations either this way or that way, then I would submit, there will be no difficulty of any change in the future. With these remarks, I conclude.

Shrimati Renu Chakravartty (Basirhat): Sir, it is very unfortunate that we have begun a very important Bill like the one under discussion with a certain amount of confusion. The necessity of the Bill has not, I am afraid, been clarified sufficiently by the Minister and also the fact that sub-clause (a) has been ruled out of the scope of discussion really makes many of the suggestions many of us on this side of the House are going to put forward unreal. However, not talking arithmetically but more in political digits as to whether this is going to be a restriction of democracy or not, I should like to put forward certain very practical difficulties that are going to come up as a result of the changes proposed.

My friend Mr. A. C. Guha has talked about the difficulty of how he would be able to fight a constituency. It is not only a question, Sir, of fighting a constituency; the question is, how are we going to represent our constituencies? Certain suggestions have been made by my friend just now that we should specialise, and by specialisation we shall best be able to serve our constituencies. But, Sir, I would like to put it this way. With the constituencies as they are constituted today, we find it almost next to impossible to go to all the sections and to all the areas where we should go and with whom we should have living contact. It is not only the question of knowing what the Reserve Bank is doing, it is not only the question of knowing what international politics is taking place, but it is essentially of knowing what those constituencies want us to place before this House and to know what their demands are and to see that they are pushed forward in this House. Therefore, Sir, taking into consideration the constituencies as they are today, we find it difficult to have living links between the people and this House, which although it is a very august House, I would like to say, is very far removed from the helter-skelter and the everyday life of the people. For instance, in my constituency—I represent a double-member constituency—we have

[Shrimati Renu Chakravartty]

to go amongst eight and a half lakhs of people. It is an area which is very difficult—the topography is very difficult, communications are very difficult—and after spending eight months in Parliament we find it almost next to impossible within the four months to go even once a year to all our areas, report back what has happened in Parliament, what they are doing and bring back their feelings and demands to this august Assembly. Therefore, we feel very strongly that there should be no further extension of the number of voters in a constituency because we feel that we are not only reflecting a territory or an arithmetical number, but that we are reflecting the will, the desire and the sovereign will of the people, and that is where we object to this Bill restricting the number of people within a constituency.

Then, Sir, I should also like to point to another factor, the tendency of the various Governments to restrict by way of extension if these franchises and in other ways—the tendency of not giving effective voice to the people. I would like to quote certain instances within my province. We find that in a big city like Calcutta the Corporation franchise has been limited, although there are State Assembly rolls, and also in the case of local self-government elections we find that the local self-government rules of 1919 are being used, although the State Assembly rolls are there giving adult franchise. Therefore, when we see all these tendencies we are afraid that by these various amendments we will annul the very principles for which adult franchise was given and the limitations of voters in a constituency were put in the Constitution, which are now sought to be changed. Therefore, with all the emphasis at my command I oppose what is in fact a restriction of franchise through the proposal of increasing the number of voters in a constituency.

Next, if this is so, automatically the question of changing sub-clause (a) comes up. Various speakers from various parts of the House have opposed the raising of the number 500 on grounds of efficiency and on various other grounds—that it will be rather uncomfortable etc. The question of seating arrangements of the House has also been raised. I think that is very trite and I will not answer that. But as to whether this number is going to be unwieldy or not is something which we have to take into consideration. We have to take into considera-

tion not that it will be unwieldy for the party in power how to arrange the functioning of this House, but rather whether it is going to give greater expression to the people's will or not. Will it be more unwieldy for the successful voicing of the people's opinions? That is what we have to take into consideration.

References have been made to other Constitutions and other Houses. Specially and often in this House we refer to English law and to the precedents set up in the House of Commons. I know that comparisons are unnecessary and also odious and they should not be always copied without any change. But when we talk about whether it is unwieldy when there are more than 500 Members or not, I would like to submit, Sir, that in the House of Commons they have for a very very small population about 640 Members.

Shri Dhulekar: Here we have 5,000.

Shrimati Renu Chakravartty: That is a thing which we are not prepared to accept. We have to see that the number is so kept that we are really able to represent the people, to represent their demands and to voice their will; it is to them that we have to go back, to whom we have to report and for whom we must be able to fight. That is the main principle behind such Bills and therefore, I would submit that this Bill should not be as it is and that the limitation as it is now should be there. Certainly I agree with certain Members on the other side of the House that the minimum limit should not be raised more than five lakhs because there are very sparsely populated areas, where if we are to raise that limit they will go completely unrepresented. With these few words, Sir, I resume my seat.

Dr. N. B. Khare (Gwallor): Sir, I have come to this House after fighting not one but two elections in two different States and I know all the hardships with which a candidate has to put up. But I do not think anyone should be dismayed by these hardships. This is really a proud privilege of rendering public service, and one should not be dismayed by them.

From the discussions I was rather amused. I think there was a much ado about nothing. A lot of concern was shown here by various Members for democracy. I do not know what is democracy, in fact. (Some hon. Members: Hear, hear). What I find functioning here, I do not call it democracy at all. It is autocracy, pure

and simple, that is functioning here. Sir, I do not think that either the expansion or the contraction of the area of a constituency or a slight variation in the number of voters in a constituency will affect democracy at all. Democracy depends upon freedom of thought and freedom of expression which, I think, are rather very scarce here. So to talk of democracy is useless.

Mr. Deputy-Speaker: I think the hon. Member is excluding the Parliament.

Dr. N. B. Khare: It has gladdened my heart to be here because I heard a gentleman sitting to my left—he has left now—who dared to say on the floor of this House that as a Congressman he opposed this Bill moved by the Congress Government. This is democracy, Sir. He had the courage to oppose this Bill. The Congress is a body which as I said the other day is composed of yes-men, a middle-sex regiment. But he is bold enough to oppose it and this is real democracy and I welcome it. It is only to congratulate my friend who dared to say that as a Congressman he opposes this measure introduced by the Congress Government that I wanted to speak. (Interruption). Wisdom has at last begun to dawn.

Shri N. M. Lingam (Coimbatore): Sir, the need for amending article 81 (1) (b) of the Constitution arises from the fact that under clause (3) of the same article an Election Commission has to be set up to delimit constituencies after each census. I suppose that to facilitate the work of the Election Commission sub-clause (b) of article 81 (1) has to be amended by this House. The object of that sub-clause is that there should be flexibility in delimiting the constituencies and that there should not be any undue severity or slackness in delimiting the constituencies by the Election Commission should it indulge in gerrymandering. I think it is with that view that this sub-clause was added. Otherwise article 81 (1) (a) is complete in itself. All that would be necessary is to see that the country be divided into constituencies by the simple formula of dividing the total population by the total number of seats given in article 81 (1) (a). But the Constitution-making Body thought it necessary to insert this provision to ensure, as I said, the flexibility of the delimitation and to ensure a fair method of delimiting the constituencies.

Sir, now the need has arisen to amend this because the figures of the President's order on which the delimitation was based will no longer be in force after the 26th January, 1953. That is to say, the figures of the President's order for determining the constituencies was based on an arbitrary formula, since it was immediately prior to the latest census. Now, as the situation stands at present, we have constituencies having certain figures of population as ordered by the President but actually those figures are not in accordance with the latest census figures. As a matter of fact, as the Statement of Objects and Reasons shows, in certain constituencies the population exceeds seven and a half lakhs. So, Sir, although the constituencies will remain territorially as they are, in respect of population they will be running contrary to the provisions of the Constitution. Hence the need to refix the range of population. I was going to suggest, Sir, that this sub-clause (b) of clause (1) of article 81 be deleted altogether from the Constitution so that this clause could be made part of the directives under clause (3), which says:

"Upon the completion of each census, the representation of the several territorial constituencies in the House of the People shall be readjusted by such authority, in such manner and with effect from such date as Parliament may by law determine."

Now, I think these limits within which a constituency shall be delimited could be part of the Decennial Delimitation Commission Act so that the House need not amend the Constitution every ten years. I hope the Select Committee would give its consideration to this suggestion of mine.

Much has been said about the need for raising the maximum limit under article 81. I think equally enough has been said that it is not only not desirable but quite unnecessary to have this limit raised. Comparison has been made with the House of Commons where for a population of about 40 millions there are 640 Members. But it is forgotten that here we have State Legislatures, whereas in England there are no State Legislatures. Secondly, as some of my hon. friends have said already, it is difficult to catch the eye of the Speaker and if every Member is to play his part here, the addition of Members to this House

[Shri N. M. Lingam]

will weaken its strength and efficiency. I would even go to the extent of adding a line to Gray's Elegy and say:

"Full many a member is born
to blush unseen

And waste his life in the vastness
of this House."

So, I think it is the intention of the House that the maximum strength laid down under article 81 should not on any account be raised. If we proceed on that basis, it becomes incumbent upon us to amend sub-clause (b), because it is obligatory on the part of the House to set up a Delimitation Commission under clause (3). And to enable that Delimitation Commission to work properly, we have laid down criteria.

An apprehension has been expressed that the ceiling of eight and a half lakhs would cause trouble and hardship in getting into touch with the electorate and that the constituencies will become unduly large. But, in actual practice, Sir, as things are today, the territorial limits remain the same; only the population is increased to the maximum of eight and a half lakhs. So, in fact, we are regularising the territorial limits of the constituency but that does not mean that the constituencies will be widened in area. Most of the old constituencies will remain intact but they will have increased population after the 26th January, 1953, based on the census figures. So, Sir, this sub-clause of article 81 which is inserted mainly to provide flexibility and to make delimitation as far as possible and to see that the power of delimitation is not abused by the Commission, should be made part of the Delimitation Commission Bill which is going to be passed by this House. I think, immediately after we pass this measure.

Dr. S. P. Mookerjee: Sir, in spite of the clarifications sought to be made by those who have spoken in support of the Bill, I am afraid it is not clear in the minds of many of us as to whether this Bill is at all necessary or not. (Babu Ramnarayan Singh: Hear, hear.) The limits which were mentioned in article 81 of our Constitution were not arrived at in a light-hearted manner. In fact, if you refer to the debates that took place at the time of framing the Constitution, you will find that after considering various factors it was thought that bearing in mind the conditions exist-

ing in India the figures that we included in the Constitution, namely, five lakhs as the lower limit and seven and a half lakhs as the upper limit would be a fair compromise. I am not saying that the figures cannot be changed under any circumstances, but surely the onus lies heavily on Government to make out a case for an increase in these figures. What I regret is that this Bill has been brought forward without a full examination of the considerations which would have justified such an increase. The census report is there. Article 81 itself contemplates that after the census reports have been obtained, there will be a re-adjustment of the territorial constituencies. Obviously, that means that as far as possible it should be done within the limits mentioned in article 81 (1) (b), namely, that the limits should not be less than five lakhs and more than seven and a half lakhs.

Mr. Deputy-Speaker: Could they not have contemplated that in the first instance itself the total strength of the House may not go up to 500 and that the Parliament would reach the limit of 500 only gradually?

Dr. S. P. Mookerjee: That also is possible. They might have thought that the maximum number may not be reached in the very first stage. But as you know we were very liberal in considering the claims of Part C States for reasons which are well known to many Members of this House. Many of those States had no Legislatures of their own, and they had their special problems. Therefore, it was thought that so long as the upper limit of 500 was not being exceeded there was no harm in giving some special consideration to Part C States. Now that it is proposed to re-examine the whole matter, surely Government should consider the position of Part C States more seriously.

Shri Biswas: It has been done, and I explained it.

Dr. S. P. Mookerjee: That was just touched upon by the Law Minister, but if really the position of Part C States had been very carefully considered, then my question is: is it necessary to increase the limits here and now? I do not wish to recapitulate the figures which have already been placed before the House in detail.

Shri Biswas: May I interrupt the hon. Member for a minute? The actual average worked out at the last elections to 7.3.

Dr. S. P. Mookerjee: 7.25.

Shri Biswas: No—7.3. That is the figure obtained from the Election Commissioner and therefore the increase now suggested in the average of 7.5 is only 0.2, i.e. 20,000, and as a matter of fact that is not sufficiently large.

Dr. S. P. Mookerjee: Unfortunately, the more we start referring to these detailed figures, the more confused we become. Let me try to do it in my own way.

Shri Biswas: This shows that this matter had been thought out by the Government—that is what I want to say. My learned friend was not therefore correct when he said that this was sprung upon the House without any consideration.

Dr. S. P. Mookerjee: I am glad that the Law Minister has been able to explain the matter more clearly in the afternoon than he did in the morning. Let me put the problem in my own way before the hon. Minister. India's population according to the 1951 census figures is 35 crores 68 lakhs and odd and if we divide it by 750,000 we get 476 seats. I have not taken into account the extra weightage given to Part C States. So, if you have 500 as the maximum limit as now fixed, you still have 24 seats, if not more, in your hands to make such readjustments as you wish to make. Unfortunately, the figures are not yet available to us and I myself cannot say with exactitude how the situation will stand in particular States as a result of the census reports.

Shri Gadgil: Bengal will get a little more.

Dr. S. P. Mookerjee: I know the Maharashtrian who always thinks of his own interest thinks of Bengal also. If you are a little more charitable towards Bengal, I will not be sorry.

Shri Biswas: Bengal will have one less now.

Dr. S. P. Mookerjee: So far as the Select Committee is concerned, obviously the procedure should have been to have a Bill for the appointment of a Delimitation Commission and once it was known that as a result of the census operations it would

not be possible for us to accommodate the increased population of the country within the framework of 500 Members in the House of the People, then and then alone could Government have come with a certain degree of precision and said that if the House desired to confine itself to the maximum of seven and a half lakhs then the size of the House should be increased from 500 to, say, 510 or 515. But in the absence of such information, we are just asked offhand to increase both the minimum limit and the maximum limit. In the morning at least, the Law Minister was good enough to say that the Government was prepared to keep its mind open and consider the whole matter, or rather both the matters simultaneously and I think he did suggest.....

Shri Biswas: The two Bills will be considered by the same Select Committee.

Dr. S. P. Mookerjee:.....I think he did suggest that if after considering the delimitation proposals it was found that it was not necessary to increase the limit—minimum or maximum—then, as he said, even this Bill may be dropped. There may be a recommendation from the Select Committee that the Bill need not be proceeded with. The reason for me to intervene at this stage is to emphasise this viewpoint, namely, let not the Government be bound to increase the limits—minimum or maximum. I am not going into the various arguments which have been put forward by other Members of the House—whether it will be difficult for the poor man or for middle class people to run such an election; or whether it will be unfair to democracy; or it will not secure the proper contact between the Member concerned and his voters—I am not going into those aspects. There are weighty reasons why we deliberately decided to limit to five lakhs and seven and a half lakhs. Unless therefore it is absolutely necessary in relation to the census figures now announced that the maximum number has to be increased, let it not be increased just because Government says that it has made up its mind to bring forward a Bill and the Bill has been introduced. I am sure that if the matter is carefully examined, we shall be able to make some re-adjustment. I have not got all the figures which the Election Commissioner has before him, but so far as I have been able to go through the figures available from the census reports, it does appear that some adjustments here-

[Dr. S. P. Mookerjee]

and there could be made and it should be possible for us not to exceed seven and a half lakhs and also not to exceed the total strength of the House beyond 500. That is one matter.

The second matter is, as you had hinted in your speech, that although only article 81 (1) (b) is being amended it is very necessary that the whole article should be re-examined by Government and a suitable amendment should be made so that it may not be necessary to secure an amendment of the Constitution at the conclusion of each census operation. The existing provision does not look well. I have not found in any Constitution of the world that its articles have to be altered after each census operation. We can choose a suitable wording. You have made some suggestion. Some other Members also have made some suggestions. All these may be taken into account by Government and we may take up the question of amending the Constitution suitably with this end in view. I am not saying anything with regard to delimitation, because that will come up when we take up the next Bill. The only point I would like to ask the Law Minister to answer is with regard to refugees. As you know, Sir, there are at least three million refugees who have come from East Bengal. There are also a large number of people who have come from Sind. According to our present Constitution anyone who has come to India from Pakistan after the 25th July, 1949 is not entitled to attain Indian citizenship. I had written to the Prime Minister sometime ago about this matter and had requested him to take steps for altering the Constitution so that we can give citizenship rights to these few millions of people who are now definitely settled in India. We had put forward a similar demand previously signed by a hundred Members of the past Parliament, so that they could have participated in the last elections. But unfortunately that was not possible, for some reason or other. The Prime Minister has replied to me that the Law Ministry is looking into this matter and a Citizenship Bill will shortly be introduced when this point will be kept in view and necessary changes in the Constitution made. Before we take further steps from now onwards for the preparation of electoral rolls for the next elections it is necessary that preliminary steps should be taken so that such a large number of people

who have now definitely decided to live in India may not be deprived of their citizenship rights and also other rights which follow from such rights. I hope the Law Minister will be able to say something on this matter.

Shri Biswas: Sir, the present Bill is based on the existing position under the law. Those who had not acquired Indian citizenship were excluded. If they are afterwards given citizenship rights, then the question will have to be reconsidered.

Dr. S. P. Mookerjee: Will it mean another amendment of the Constitution—has that point been taken into account by Government?

Shri Biswas: As a matter of fact, if you adopt the higher limit we are suggesting now in sub-clause (b), they will be quite within that limit.

Shri Satya Narayan Sipa: I had proposed the addition of three names to the list of members of the Select Committee. With your permission, I would suggest the addition of one more name, that is, Shri Ananthasayanam Ayyangar.

Mr. Deputy-Speaker: I will now put the motion to the vote of the House.

Babu Ramnarayan Singh (Hazari-bagh West): I have something to say.

Mr. Deputy-Speaker: I feel there has been enough discussion over this matter. Hon. Members will send their suggestions to the Select Committee. When the Report of the Select Committee comes before us, hon. Members will have another opportunity.

So the following names have been added to the existing list of 33:

Shri S. S. More, Shri B. S. Murthy, Shri N. C. Chatterjee and Shri Ananthasayanam Ayyangar.

Dr. Syama Prasad Mookerjee's name was also mentioned, I think.

Shri Biswas: I propose, Dr. Mookerjee's name also may be added to the list, in addition to the ones just read out by you.

Mr. Deputy-Speaker: I shall now put the motion to the House, including in the list the names suggested in addition.

The question is:

"That the Bill further to amend the Constitution of India, be referred to a Select Committee consisting of Shri Bhawanji A. Khimji, Shri Syamnandan Sahaya, Shri Gajendra Prasad Sinha, Shri K. L. More, Pandit Lingaraj Misra, Shri Rohini Kumar Chaudhuri, Pandit Lakshmi Kanta Maitra, Shri Mohanlal Saksena, Shri N. M. Lingam, Shri Udai Shankar Dube, Choudhary Raghubir Singh, Shri Nemi Chandra Kesliwal, Shri Ranbir Singh Chaudhuri, Shri Govind Hari Deshpande, Sardar Amar Singh Saigal, Shri Kotha Raghuramaiah, Shri Krishna-charya Joshi, Shri Liladhar Joshi, Shri A. M. Thomas, Shri C. R. Basapa, Shri C. Madhao Reddi, Shri Choithram Partabrai

Gidwani, Shrimati Renu Chakravartty, Shri P. T. Punnose, Shri Girraj Saran Singh, Dr. Manik Chand Jatav-vir, H. H. Maharaja Rajendra Narayan Singh Deo, Shri N. R. M. Swamy, Shri Radha Charan Sharma, Shri Ranjit Singh, Shri P. N. Rajabhoj, Shri Awadheshwar Prasad Sinha, Shri S. S. More, Shri B. S. Murthy, Shri N. C. Chatterjee, Shri Ananthasayanam Ayyangar, Dr. Syama Prasad Mookerjee and the Mover, with instructions to report by the 22nd November, 1952."

The motion was adopted.

Mr. Deputy-Speaker: The House now stands adjourned till 10-45 A.M. tomorrow.

The House then adjourned till a Quarter to Eleven of the Clock on Wednesday, the 12th November, 1952.