



Thursday,
22th September,
1955

PARLIAMENTARY DEBATES

HOUSE OF THE PEOPLE

OFFICIAL REPORT

PARLIAMENT SECRETARIAT
NEW DELHI

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CONTENTS

(19th September to 1st October 1955)

COLUMNS

Monday 19th September, 1955.

Oral Answers to Questions—

Starred Questions Nos. 1870 to 1872, 1874 to 1878, 1883, 1884, 1889, 1896 to 1903, 1905 to 1907, 1909, 1912, 1916 to 1918, 1920 and 1921

4863—97

Written Answers to Questions—

Starred Questions Nos. 1868, 1869, 1873, 1879, 1880 to 1882, 1885 to 1888, 1890 to 1895, 1904, 1908, 1910, 1911, 1913 to 1915, 1919, 1922 to 1925 and 1927 to 1935.

4897—13

Unstarred Questions Nos. 992 to 1027

4914—34

Tuesday 20th September, 1955.

Oral Answers to Questions—

Starred Questions Nos. 1936, 1937, 1941 to 1944, 1946 to 1948, 1950, 1951, 1955, 1956, 1958, 1959, 1962, 1964, 1967 to 1970, 1939 and 1940.

4931—58

Short notice Question No. 10.

4958—60

Written Answers to Questions—

Starred Questions Nos. 1938, 1945, 1949, 1952 to 1954, 1957, 1960, 1961, 1963, 1965, 1966, 1971 and 1972

4950—65

Unstarred Questions Nos. 1028 to 1045.

4965—72

Wednesday 21st September, 1955.

Oral Answers to Questions—

Starred Questions Nos. 1975, 1977, 1979, 1980, 1984, 1986 to 1988, 1991, 1992, 1994 to 1998, 2003 to 2006, 2008, 2010 to 2014, 2016, 2018, 2020, 2023 and 2025

4973—5003

Written Answers to Questions—

Starred Questions Nos. 1973, 1974, 1976, 1978, 1981 to 1983, 1985, 1989, 1990, 1993, 1999 to 2002, 2009, 2015, 2017, 2019, 2021, 2022, and 2026 to 2032

5003—15

Unstarred Questions Nos. 1046 to 1071

5015—28

Thursday 22nd September, 1955.

Oral Answers to Questions—

Starred Questions Nos. 2033 to 2036, 2038 to 2041, 2044, 2046, 2048, 2051, 2055, 2056, 2058 to 2062, 2066 to 2070, 2072 to 2077, 2079 to 2081 and 2084

5039—64

Written Answers to Questions—

Starred Questions Nos. 2037, 2042, 2043, 2045, 2047, 2049, 2050, 2052 to 2054, 2063, 2065, 2071, 2078 and 2085 to 2090

5064—73

Unstarred Questions Nos. 1072 to 1119

5072—96

Friday, 23rd September, 1955.

Oral Answers to Questions—

Starred Questions Nos. 2091 to 2094, 2098 to 2100, 2103, 2105 to 2109,
2111, 2116, 2119 to 2121, 2124 to 2126, 2131, 2132, 2102, 2117, 2122,
2118, 2129 and 2130 5097-

Written Answers to Questions—

Starred Questions Nos. 2095 to 2097, 2101, 2104, 2110, 2112, 2114, 2115,
2123, 2127 and 2128 5128-

Unstarred Questions Nos. 1120 to 1134 5133-

Monday, 26th September, 1955.

Oral Answers to Questions—

Starred Questions Nos. 2133 to 2146, 2149, 2151, 2152, 2155 to 2157,
2159, 2161 to 2166, 2169 and 2170 5141-

Written Answers to Questions—

Starred Questions Nos. 2147, 2148, 2150, 2153, 2154, 2158, 2160, 2167,
2168, 2171 to 2178, 2180 to 2186 5171

Unstarred Questions Nos. 1135 to 1157 5181-

Tuesday, 27th September, 1955.

Oral Answers to Questions—

Starred Questions Nos. 2187 to 2194, 2196 to 2202, 2204 to 2206, 2209 to
2212, 2216 to 2219, 2221, 2222 and 2225 to 2230 5193-

Short Notice Question No. 11 5228-

Written Answers to Questions—

Starred Questions Nos. 2195, 2203, 2207, 2208, 2213 to 2215, 2220, 2223,
2224 and 2231 to 2263 523

Unstarred Questions Nos. 1158 to 1168 and 1170 to 1215 524

Wednesday, 28th September, 1955.

Oral Answers to Questions—

Starred Questions Nos. 2266, 2267, 2270, 2272, 2273, 2275, 2276, 2278,
2280 to 2283, 2286, 2287, 2289 to 2291, 2295 to 2300, 2303, 2305,
2306, 2307, 2308, 2311 and 2312 527

Short Notice Question No. 12 5

Written Answers to Questions—

Starred Questions Nos. 2265, 2269, 2271, 2274, 2277, 2279, 2284, 2285,
2288, 2292 to 2294, 2301, 2302, 2304, 2309, 2310, 2313 to 2338 530

Unstarred Questions Nos. 1216 to 1222, 1224 to 1252, 1254 to 1266 5

Thursday, 29th September, 1955.

Oral Answers to Questions—

Starred Question Nos. 2339 to 2344, 2346, 2349 to 2352, 2354 to 2358,
2360 to 2362, 2364, 2366, 2367 to 2369, 2372, 2390, 2373, 2375 and
2392

Short Notice Questions Nos. 13 to 16 5

Written Answers to Questions—

Starred Questions Nos. 2345, 2347, 2348, 2353, 2359, 2363, 2370, 2371, 2376 to 2384, 2384-A, 2385 to 2389, 2391, 2391-A, and 2393 to 2399.

5380—93

Unstarred Questions Nos. 1267 to 1300, 1300-A, and 1300-B.

5393—5408

30th September, 1955.

Answers to Questions—

Starred Questions Nos. 2401 to 2405, 2408 to 2410, 2413, 2446, 2414 to 2416, 2418 to 2421, 2423 to 2425, 2427 to 2431, 2455, 2433 and 2462.

5409—41

Short Notice Questions Nos. 17 to 20

5441—49

Written Answers to Questions—

Starred Questions Nos. 2400, 2407, 2411, 2412, 2417, 2422, 2432, 2434 to 2445, 2447 to 2454, 2456 to 2461, 2463 to 2473.

5449—66

Unstarred Questions Nos. 1301 to 1369.

5466—5500

1st October, 1955.

Answers to Questions—

Short Notice Questions Nos. 21 and 22

5501—10

Index

I—I29

110 L. 4013

LOK SABHA DEBATES
(Part I—Questions and Answers)

5029

LOK SABHA

Thursday, 22nd September, 1955

*The Lok Sabha met at Eleven of the Clock
[MR. SPEAKER in the Chair]*

ORAL ANSWERS TO QUESTIONS

Sugar Refineries

***2033. Shri Radha Raman :** Will the Minister of Food and Agriculture be pleased to state :

(a) whether it is a fact that the Development Council for Sugar Industry opposed the move to set up Sugar Refineries ; and

(b) if so, the Government's decision thereon ?

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

(b) The consideration of the proposal to set up raw sugar refineries was postponed, as it was thought desirable to wait and watch as to what extent the production capacity could be increased by expansions in existing factories and establishment of new sugar factories.

Shri Radha Raman : May I know if the proposed refineries are going to be owned by private firms or if Government are themselves going to own some of them ?

Dr. P. S. Deshmukh : The proposal was to give the opportunity to some established companies, but the whole thing is postponed. So no action is going to be taken in the near future.

Shri Radha Raman : May I know whether Government have given their thought as to the cost of each refinery and as to whether by setting up the refineries the production of sugar will be improved, and to what extent ?

Dr. P. S. Deshmukh : There are arguments being urged on both sides. On the one side it is said that we might probably be able to get sugar at a cheaper rate. On the other hand it is feared that the existing factories might suffer. We have, therefore, these two considerations urged before us and a final decision has to be taken.

311 L.S.D.—1

5030

Asarva Station Yard

***2034. Shri Dabhi :** Will the Minister of Railways be pleased to state :

(a) the progress made so far on the re-modelling of the Asarva Railway Station Yard on the Western Railways ; and

(b) the amount spent so far thereon ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan) : (a) The detailed estimate for the work is under preparation and the work is expected to be taken in hand shortly.

(b) No expenditure on this scheme has been incurred so far.

Shri Dabhi : May I know when the work is likely to be completed ?

Shri Shah Nawaz Khan : The detailed estimates have already been prepared and they are now undergoing the scrutiny of the accounts department. I hope the work will start shortly.

Medical Personnel

***2035. Shri S. C. Samanta :** Will the Minister of Health be pleased to refer to the reply given to starred question No. 893 on the 14th March, 1955 and state :

(a) whether any decision has since been taken in regard to the raising of the age-limit of retirement to 58 years for medical personnel ; and

(b) if so, the nature thereof ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) and (b). Orders on the subject are expected to be issued shortly.

Shri S. C. Samanta : What was the decision taken ?

Shrimati Chandrasekhar : In a question which was answered sometime back it was said that the age-limit will be raised.

Shri S. C. Samanta : May I know whether this age-limit of 58 years has been taken or whether there has been any alterations ?

Shrimati Chandrasekhar : It is up to sixty.

Shri S. C. Samanta : Are Government aware of the paucity of medical persons in the Railways because they are not allowed private practice, if so, may I know what Government intend to do in that direction?

Shrimati Chandrasekhar : As regards the position in the Railways I think a separate question may be put to the Railway Ministry.

संयुक्त राष्ट्र अन्तर्राष्ट्रीय शिशु आपात निधि
(पूर्ण एवं आई० सी० ई० एफ०)

*२०३६. श्री शृष्टिकाय जोशी : क्या स्वास्थ्य मंत्री यह बताने की कृपा करेंगी कि चालू वष में अब तक संयुक्त राष्ट्र अन्तर्राष्ट्रीय शिशु आपात निधि से सहायता के रूप में कितनी राशि मिली है?

स्वास्थ्य उपमंत्री (श्रीमती अनंदजेवर) : UNICEF तारीखी साल के मुताबिक चलता है न कि माली साल के। साल में दो बार (१) मार्च और (२) सितम्बर में वहां से मदद मिलती है। भारत के भिन्न-भिन्न स्वास्थ्य विकास प्रोग्रामों के लिये मार्च, १९५५ में UNICEF ने ८४७,००० डालर मंजूर किये। सितम्बर, १९५५ में मिलने वाली मदद की सूचना अभी तक भारत सरकार को नहीं मिली है।

Shri Krishnacharya Joshi : May I know the total amount which the Government of India have contributed to the United Nations International Children's Emergency Fund?

Shrimati Chandrasekhar : For 1954 Rs. 15 lakhs and for 1955 Rs. 16 lakhs have been given.

Shri Krishnacharya Joshi : What are the various health programmes for which this amount is spent here?

Shrimati Chandrasekhar : In 1954 it was spent on : (1) BCG campaign, (2) Maternity and child welfare for all India, (3) Emergency programme, and (4) Feeding in centres and hospitals—which came to a total of 2,681,000 dollars.

Shri Krishnacharya Joshi : May I know the total amount received by India during the last two years?

Shrimati Chandrasekhar : The total amount received by India comes to about 2,681,000 dollars for 1954 and 847,000 dollars for 1955 up till July.

Shipping Accident

*२०३८. **Shri Raghunath Singh :** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that S. S. "Rohidas" of the Bombay Steam Navigation Company ran aground on the morning of the 8th May, 1955 and large number of passengers on board the ship landed at Jaigad; and

(b) if so, the causes of the accident?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) The vessel ran aground off Jaigad at about 21.11 hours on the 8th May, 1955. All the passengers on board the vessel were safely disembarked and taken to their destinations by passenger vessels of the Company.

(b) According to the Investigating Officer who conducted the preliminary enquiry into the circumstances attending the grounding of the ship, the casualty might have been due to an error of judgment on the part of the Master in counteracting the prevailing wind and the flood tide. It is also considered possible that the Mora Sands on which the vessel grounded might have extended westward.

Shri Raghunath Singh : May I know what naval education the Master in question has received? Has he passed any examination?

Shri Shahnawaz Khan : Certainly. Before anybody is put on such a responsible job he has to undergo very thorough training.

Shri Raghunath Singh : What examination has he passed? I want to know that.

Shri Shahnawaz Khan : The Sea Master's training course.

Shri Raghunath Singh rose—

हैलीकॉटर

*२०३९. श्री भक्त दर्शन : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार असेंटिक उड़ायन के प्रयोजनों के लिये हैलीकॉटर प्राप्त करने का विचार करती है; और

(ल) यदि हां, तो उन्हें प्राप्त करने के लिये क्या कार्यवाही की गई है?

संचार उपमंत्री (श्री राज बहादुर) :

(क) तथा (ल). जब तक कि हैलीकॉप्टर विकास की उच्च अवस्था तक न पहुंच जाय तब तक वाणिज्यिक वायु यातायात सेवाओं (Commercial air transport services) के लिये किसी हैलीकॉप्टर को प्राप्त करने का विचार नहीं है।

श्री भक्त दर्शन : क्या माननीय मंत्री जी का ध्यान रक्षा उपमंत्री महोदय के इस वक्तव्य की ओर आकर्षित हुआ है कि रक्षा विभाग ने जो हैलीकॉप्टर मंगाये थे वह व्यक्तियों के ले जाने में या सामान के ले जाने में काफी लाभदायक सिद्ध हुए हैं?

श्री राज बहादुर : जो हमारी कार-पोरेंट्स है उन के लिये वाणिज्यिक दृष्टि से यह अनुकूल सिद्ध नहीं होते हैं। मैं एक उदाहरण माननीय सदस्य की देना चाहता हूं। अगर हैलीकॉप्टर से यात्रा की जाय तो दिल्ली से आगरा तक इस का किराया ३१५ रुपये बैठता है जबकि यदि हैरोन वायु-यान द्वारा यात्रा की जाय तो उस का वर्तमान किराया केवल २५ रुपये है।

श्री भक्त दर्शन : क्या मंत्री महोदय को याद है कि कुछ दिन पहले इसी सदन में एक प्रश्न का उत्तर देते हुए उन्होंने यह बताया था कि बड़ीनाय या इसी तरह के ऊंचे स्थानों पर हवाई यातायात तभी सफल हो सकता है जबकि हैलीकॉप्टर्स का प्रयोग किया जाय? क्या वह उस बात से अभी भी सहमत हैं और क्या वह उस को क्रियान्वित करने का प्रयत्न कर रहे हैं?

श्री राज बहादुर : ऐसा विचार तो माननीय सदस्य ने प्रकट किया था। मैं ने तो अपनी कठिनाई बताई थी कि इन्हीं

हवाई पर हवाई अड्डा कायम करना या हैलीकॉप्टर्स द्वारा उड़ान करना दोनों ही अभी तक सफल सिद्ध नहीं हुए हैं।

श्री भ० एल० द्विवेदी : क्या प्रयोग के तौर पर अथवा किसी खास एमरजेंसी का मुकाबला करने के लिये सरकार एक दो हैलीकॉप्टर्स उपलब्ध करना चाहती है?

श्री राज बहादुर : किसी खास अवस्था के लिये या किसी खतरे का मुकाबला करने के लिये या तो कृषि विभाग के पास या रक्षा विभाग के पास हैलीकॉप्टर्स हो सकते हैं।

Purchase of Food grains

*2040. Pandit D. N. Tiwary : Will the Minister of Food and Agriculture be pleased to state :

(a) whether any new staff has been recruited in connection with the purchase of foodgrains under the Price Support Policy ;

(b) if so, the number of the new employments ; and

(c) the amount spent on the organisational set up so far ?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa) :

(a) Yes, Sir, some additional staff has been employed in connection with the Price Support Policy, but it is largely out of staff of the Civil Supplies Departments of the State Governments rendered surplus after decontrol.

(b) and (c). The foodgrains under the Price Support Scheme are being purchased through the State Governments who besides employing new staff have diverted some of their existing skeleton Civil Supplies Department staff for purchase work. Complete information about the staff employed by the State Governments is not available and its compilation would involve considerable clerical labour which will not be commensurate with the advantage to be obtained. At the Centre, the number of new staff so far employed is only 14 and the cost of this staff is about Rs. 3,600/- per month.

Pandit D. N. Tiwary : Out of the 14 persons employed by the Central Government, may I know how many of them were ex-employees of the Food Department and how many are new?

Shri M. V. Krishnappa : Generally we employ the experienced men. Two Assistant Directors from our senior staff and one Inspector also have been promoted and very experienced staff which has been retrenched by our Ministry or by the State Government Departments are taken.

Pandit D. N. Tiwary : Am I to understand that no new appointment has been made so far ?

Shri M. V. Krishnappa : I think so ; I am subject to correction.

Shri N. B. Chowdhury : May I know whether the retrenched staff of the foodgrains godowns in West Bengal has been re-employed in any of the godowns started in connection with the price support policy ?

Shri M. V. Krishnappa : In West Bengal we did not purchase any wheat or jowar. It is only in other States like Uttar Pradesh, PEPSU and Punjab that we had to employ some staff to purchase foodgrains.

Shri B. S. Murthy : May I know whether the ex-employees of the Civil Supplies Department of Madras and Andhra Governments have been completely absorbed in this new scheme ?

Shri M. V. Krishnappa : This question refers to the staff we have employed in accordance with the price support policy. We have applied the price support policy only in Uttar Pradesh, Punjab and Madhya Bharat and in one or two smaller States. In Andhra, there was no question of purchasing foodgrain and so, there is no question of absorbing the staff.

Unlicensed Radio Sets

*2041. **Shri Gidwani** : Will the Minister of Communications be pleased to state :

(a) the amount paid to the Posts and Telegraphs Department for the anti-piracy drive for detection of unlicensed radio sets during 1954-55 ; and

(b) whether the proposal for placing the anti-piracy unit under the A.I.R. has materialised ?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) The rate at which the Posts and Telegraphs should be paid is under consideration of Government.

(b) Yes, it has however been decided that the work should remain with P. & T.

Shri Gidwani : What was the number of unlicensed radio sets during the years 1954 and 1955 ?

Shri Raj Bahadur : From 1-4-1954 to 31-3-1955, as many as 8,686 places covering about 32,080 radio-owners were visited by the Anti-Piracy staff, and as a result of that, 19,253 sets, without licenses, were detected. This figure includes evasions also.

Shri Gidwani : May I know whether any action was taken against those who were using the unlicensed radio sets ?

Shri Raj Bahadur : Under the Act, we can also prosecute them, but that is not normally resorted to, because, lack of a licence may be merely due to some act of omission. In these cases, we permit the renewal of the licence on payment of a surcharge at the rate of Rupee one per month of default, irrespective of the type of licence.

Shri Gidwani : May I know whether the Government have found out any machinery as to how many radio sets are being sold every year and how many of them are licensed and how many are unlicensed ?

Shri Raj Bahadur : It is not possible for us to keep a watch on every shop in every town in India in regard to the number of sets sold. That would entail the employment of a very great deal of staff which will not be commensurate with the advantage accruing therefrom.

Shri C. D. Padne : Is the Government aware that the surcharge is now Re. 1 per month but the penalty is Rs. 15/-.

Shri Raj Bahadur : Yes ; the surcharge has recently been modified. It is now Re. 1 per month of default irrespective of the type of licence.

केन्द्रीय ट्रैक्टर संगठन

*2042. **Shri N. B. Chowdhury** : क्या यात्रा तथा कृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि केन्द्रीय ट्रैक्टर संगठन यूनिट, खुर्रई (मध्य प्रदेश) में डीजल तेल समय पर न पहुँचने के कारण लगभग ४०० घंटे तक काम बन्द रहा तथा ट्रैक्टर खड़े रहे ।

(ल) यदि हां, तो इस का कारण क्या है; और

कृषि मंत्री (दा० पी० एस० बेशमुख) :

(क) डीजल तेल की कमी की बजह से तीन दिन में सुरई के दो यूनिटों में १२२ घंटे काम बन्द हुआ ।

(ख) समय पर भाने वाले दैगनों के न आने के कारण यह कमी हुई थी ।

श्री नवल प्रभाकर : क्या मैं जान सकता हूं कि जब डीजल तेल नहीं मिलता है, तो एक यूनिट में प्रति घंटे के पीछे कितना नुकसान होता है ?

दा० पी० एस० बेशमुख : एक सीजन में एक यूनिट का एक लाख गैलन का कन-जम्पशन है और डेली कनजम्पशन १५०० गैलन है। हर ट्रैक्टर का कितना कनजम्पशन है, यह इस बत्त मालूम नहीं है। और इन्फर्मेशन मेरे पास नहीं है।

श्री नवल प्रभाकर : क्या मैं जान सकता हूं कि क्या इस सम्बन्ध में कोई आवश्यक एन्कवायरी कराई गई थी ?

दा० पी० एस० बेशमुख : की जायगी ।

श्री नवल प्रभाकर : क्या भभी तक कराई गई है या नहीं ?

दा० पी० एस० बेशमुख : भभी तक तो नहीं कराई गई है ।

श्री बी० एन० मिश्र : प्रश्न के उत्तर में कहा गया है कि डीजल तेल की कमी की बजह से १२२ घंटे के लिये काम रुक गया। क्या इस बात का ध्यान रखा जायगा कि भविष्य में ऐसा न हो ?

दा० पी० एस० बेशमुख : ऐसा पहली बफा ही हुआ है। मैं नहीं समझता कि ऐसी नौबत फिर आयेगी ।

Supply of Wagons

*2046. Shri R. N. S. Deo : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that Government have received numerous representations recently from the Mine

Owners of Orissa and the Orissa Chamber of Commerce for the supply of wagons ; and

(b) if so, the action taken in the matter ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) During the period January to July, 1955, a number of representations were received for increase in movement of manganese ore from Bara Jamda area and Badampahar to K. P. Docks, Chrome ore from Bhadrak to K. P. Docks and Iron ore from Jaipur-Keojhar Road to Vishakhapatnam Port and K. P. Docks.

(b) A statement is laid on the Table of the Lok Sabha. [See Appendix X, annexure No. 45].

Shri R. N. S. Deo : In the statement it is said that the movement of manganese and iron ore from Bara Jamda and Badampahar to Calcutta could not be fully met during the period from January to June, 1955. In view of the fact that in the past the allocation of wagons was made in such a manner that led to the middleman-shippers getting all the wagons while the mine-owners were left in the lurch, may I know on what basis the allocation of wagons was made during this period ?

Shri Shahnawaz Khan : The hon. Member would realise that from January to June, it is a very busy season for the railways, and wagons are very urgently required for the transport of sugar-cane and other more essential commodities. The hon. Member has read only half of the statement. I wish he had read the statement a bit further. We have stated there that on the 9th September there were only 120 wagons that were still to be moved. That is just one day's loading. So, there has not been any question of leaving the mine-owners in the lurch at all.

Shri R. N. S. Deo : My question was that this quota system was introduced to make equitable distribution of wagons between the two kinds of exporters, that is, the middlemen-shippers and the mine-owners. In the past, the allocation was made in a way that was inequitable. It favoured the shippers and it was unfavourable to the mine-owners. My question was, how was the allocation made and on what basis was it made, during this period in question when, due to heavy traffic, the full requirements could not be met.

The Deputy Minister of Railways and Transport (Shri Alagesan) : In this matter of wagon allotment, we are guided by the advice of the Ministry of Commerce and Industry. They are regulating it by means of quotas etc.

Shri R. N. S. Deo : Am I to understand that the allocation of wagons is made on the recommendation of the Ministry of Commerce and Industry?

Shri Alagesan : Yes; *pro-rata* the export licences.

Shri S. C. Samanta : Is it not a fact that the allocation quota was given to the mine-owners as was the case last year, but that due to the increase in industrial enterprises, they could not supply the number of wagons required for transporting the ores?

Shri Alagesan : As the Parliamentary Secretary stated just now, there are practically no outstandings with regard to all the ores. There is some difficulty only with regard to iron ore. With reference to chrome ore, practically there is no outstanding.

Restoration of Dismantled Lines

***2048. Shri L. N. Mishra :** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that some time ago the Government of Bihar had recommended the restoration of Railway lines from (i) Supaul to Chandipar and (ii) Foruesganj to Raghopore, on the North Eastern Railway; and

(b) if so, whether any decision has been taken in the matter?

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

(b) The projects have been noted for consideration while selecting new lines for construction during the Second Five Year Plan period.

Shri L. N. Mishra : May I know the main arguments that the Bihar Government have advanced for restoration of these lines?

The Minister of Railways and Transport (Shri L. B. Shastri) : I need not say that here, but if the hon. Member so desires, I can give him the contents of the communication later.

Shri L. N. Mishra : May I know whether the Government have considered this proposal in view of the fact that the restoration of these lines will solve the traffic problems arising out of the Kosi Project?

Shri L. B. Shastri : It will be considered at the appropriate time when we are drawing up the programme for the next Five Year Plan.

Shri L. N. Mishra : May I know whether this work will be treated as restoration or construction of new lines?

Shri L. B. Shastri : Both will have to be considered at the same time.

Pandit D. N. Tiwary : May I know what other lines the Bihar Government has recommended in its report for restoration or reconstruction?

Shri L. B. Shastri : I have not seen the list so far; but as I said, we will consider it when we draw up the programme for the Five Year Plan so far as new construction of lines is concerned.

सिक्किम-तिब्बत सड़क

***2049. श. राम सुभग सिंह :** क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि:

(क) क्या यह सच है कि भारत सरकार सिक्किम की राजधानी से तिब्बत की सीमा तक एक सड़क बनाने का विचार कर रहे हैं;

(ल) यदि हां, तो निर्माण-कार्य कब तक आरम्भ होगा; और

(ग) उस पर अनुमानित व्यय कितना होगा?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) The Gangtok-Nathula road which runs from the capital of Sikkim to the Tibetan border is at present fit for mule traffic. It is proposed to make it a jeepable road.

(b) Work on some sections has been completed while that on others is in progress.

(c) About Rs. 50 lakhs.

श्री भक्त दर्शन : क्या गवर्नरेंट ने इस बात का पता लगाया है कि सिक्किम और तिब्बत की सीमा के पारे ल्हासा तक सड़क बनाने की कोई गुंजाइश है, और क्या सरकार ने इस बारे में चीन सरकार से कोई लिखा पढ़ी की है ताकि भारत और चीन के पारस्परिक व्यापार में सविधा हो सके?

देल्हे तथा परिवहन मंत्री (श्री एन० बी० शास्त्री) : आप ने किस जगह का नाम लिया, मैं समझा नहीं।

श्री भक्त बहान : सरकार का प्रस्ताव है कि सिविकम की राजधानी से अर्थात् गंगटोक से भारत-तिब्बत सीमा तक, सड़क बनाई जाय। मैं जानता चाहता हूँ कि जो ट्रैक रुट नायूला पास में हो कर तिब्बत की राजधानी ल्हासा को जाती है उस को सुधारने का कोई विचार है, और क्या इस विषय में चीन सरकार से कोई लिखा पढ़ी की गई है?

श्री एल० श्री० शास्त्री : जी नहीं, अभी तक ऐसा कुछ नहीं हुआ है।

Rice Milling Committee

*2055. **Shri N. B. Chowdhury** : Will the Minister of Food and Agriculture be pleased to refer to the reply given to starred question No. 249 on the 29th July, 1955 and state :

(a) whether Government have since considered the Report of the Rice Milling Committee ; and

(b) if so, which of the recommendations are likely to be implemented and in what manner ?

The Deputy Minister of Food and Agriculture (Shri M. V. Krishnappa) : (a) The Report of the Rice Milling Committee is still under consideration.

(b) Does not arise.

Shri N. B. Chowdhury : May I know whether, in view of the conflicting public opinion with regard to some of the recommendations to the report, the Government think it necessary to send these reports to the various States for their opinions?

Shri M. V. Krishnappa : We have asked all the major rice-producing States in the country for their comments and we are waiting for their reply.

Shri N. B. Chowdhury : May I know how long will it take for the Government to come to a decision with regard to this?

Shri M. V. Krishnappa : As I have already stated, we are waiting for the comments of the major rice-producing States in the country.

Shri Dabhi : May I know whether it is a fact that one of the recommendations of the Rice Milling Committee is that rice mills should be gradually stopped in favour of handpounding?

Shri M. V. Krishnappa : The report has been placed on the Table of the Sabha and also a copy has been placed in the library.

Thakur Jugal Kishore Sinha : May I know what are the main recommendations of the committee?

Mr. Speaker : The report has been laid on the Table; it will give the recommendations.

पटशूली पौधे का तेल

*2056. **श्री के० सी० सोविया** : क्या आप और हृषि मंत्री यह बताने की कृपा करेंगे कि :

(क) पटशूली पौधे से निकाला गया तेल किस काम आता है;

(ख) इस पौधे की खेती कहां कहां की जाती है;

(ग) इस तेल के निर्यात व्यापार के सम्बन्ध में कौन से आंकड़े इकट्ठे किये गये हैं ; और

(घ) इस सम्बन्ध में प्रयोगों पर अब तक सरकार द्वारा कुल कितनी राशि व्यय की गई है?

हृषि मंत्री (डा० पी० एस० बेश्युक्ष) :

(क) सुगन्ध और शोभा बढ़ाने वाली वस्तुओं के बनाने में।

(ख) मैसूर राज्य में बंगलौर के पास और मद्रास राज्य में सालेम के पास तथा आजमाइश के तौर पर देहरादून में।

(ग) भारत में इस पौधे की खेती बहुत ही छोटे पैमाने पर की जाती है। इसीलिये अभी इस के निर्यात का प्रश्न ही नहीं होता।

(घ) १८,५३४ रुपये।

श्री के० सी० सोविया : इस के बने हुए तेल की कोई मिकदार अभी तक मालम हुई है?

ब्रह्मपुर महोदय किर बोलिये, आप क्या पूछना चाहते हैं।

Shri K. C. Sodhia : May I know whether the amount of yield out of this plant has been calculated?

Dr. P. S. Deshmukh : Yes, Sir; we have got an yield of 2.85 per cent.

Shri K. C. Sodhia : May I know whether the local industries are likely to make use of this production?

Dr. P. S. Deshmukh : Yes, Sir; we are sure that when we grow it in sufficient quantity, the local industries will make use of it. Now whatever we have produced has been given to the Tata Oil Company.

Shri K. C. Sodhia : May I know whether this is now confined to the Agricultural Department of the Central Government alone or the public agriculturists also grow this?

Dr. P. S. Deshmukh : In the beginning, when we are at the experimental stage, the Central Government will handle it; but our purpose is to give it to the cultivators to cultivate it.

Trolley Buses

***2058. Shri B. N. Misra :** Will the Minister of Transport be pleased to state:

(a) whether it is a fact that the Government of India have asked the Governments of Bombay and Madras to prepare schemes for the introduction of trolley buses in the areas where tram car services are being abandoned; and

(b) if so, whether Government will lay on the Table of the House a statement showing the details of this scheme?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). The Governments of Bombay and Madras have been requested to carry out a survey of the actual expenditure involved in running a sizeable fleet of trolley buses in specified areas where tramcars had been or were being abandoned, in order to determine whether the operation of buses on electricity will be more economical than the operation of buses on diesel oil.

Shri B. N. Misra : Has there been any report till now from these State Governments on the reference made by the Central Government?

Shri Alagesan : No, Sir.

बीकानेर रेलवे स्टेशन

*2059. श्री दी० एस० बालामाल : क्या रेलवे मंत्री १४ मार्च, १९५५ को दिये गये अतारांकित प्रश्न संस्था २४४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या उत्तर रेलवे के बीकानेर रेलवे स्टेशन का विस्तार करने की योजना को अन्तिम रूप दिया जा चुका है;

(ख) यदि हां, तो काम कब शर्क होगा;

(ग) क्या यह सच है कि बीकानेर स्टेशन के गोदाम के पास भी रेलवे जमीन बर्मा शैल कम्पनी को तेल संग्रह करने के लिये दी गई है जिस से स्टेशन के विस्तार में कठिनाई हो रही है;

(घ) क्या यह भी सच है कि पुलिस ने पेट्रोल संग्रह करने के लिये भूमि हस्तांतरित करने के विरुद्ध मंत्रणा दी थी; और

(ङ) यदि हां तो पुलिस रिपोर्ट दी जाने के बाद भी भूमि देने के कारण क्या है?

रेलवे तथा परिवहन मंत्री के समान्वय (श्री शाहनवाज जां) : (क) तथा (ख). जांच से पता चला है कि बीकानेर रेलवे स्टेशन को इस समय बढ़ाने की जरूरत नहीं है।

(ग) रेलवे की जमीन का एक हिस्सा बर्मा शैल कम्पनी के अधिकार में है। चूंकि बीकानेर रेलवे स्टेशन को बढ़ाने का ऐसा विचार नहीं है, इसलिये किराये पर भी गई इस जमीन की अभी कोई जरूरत नहीं है।

(घ) पुलिस से ऐसी रिपोर्ट नहीं मिली है।

(ङ) सचाल मही उठाया।

श्री वी. एस. बाबूपाल : मैं जानना चाहता हूँ कि क्या कोई ऐसी घटना भी घटी है कि जहां रेलवे स्टेशन के पास जो पेट्रोल के भंडार हैं उन में आग लग से रेलवे विभाग को इस का मुझावजा देना पड़ा हो, या अगर यह भी न हुआ हो तो हो सकता है कि कभी पेट्रोल में आग लगने से रेलवे के गोदाम में भी आग लग जाय और उस की वजह से रेलवे को क्लेमों का रूपया देना पड़े ?

श्री शाहनवाज खां : मेरे स्थान में आनरेबिल मेम्बर जो सतरा महसूस करते हैं वह बेबुनियाद है क्योंकि जब कभी किसी पेट्रोल कम्पनी को रेलवे स्टेशन पर जगह दी जाती है तो इंस्पेक्टर आफ एक्सप्लोरेशन गहले उस का मुझायना करते हैं और वह वह यह तस्दीक कर देते हैं कि यह महसूज जगह है और कोई सतरा नहीं है तभी वह जगह दी जाती है ।

Symposium on Typhoon

***2060. श्री S. N. Das :** Will the Minister of Communications be pleased to refer to the reply given to Unstarred Question No. 605 on the 7th December, 1954 and state :

(a) whether the official proceedings of the symposium on Typhoon held in Tokyo and its recommendations have since been received ;

(b) if so, the important features thereof ; and

(c) the action taken by Government thereon ?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) A copy of the proceedings has just been received.

(b) and (c). A statement giving the required information is laid on the Table of the Lok Sabha. [See Appendix X, annexure No. 46].

Shri S. N. Das : May I know the important features of the development programmes for studying the behaviour of cyclones in the second Five Year Plan and what is the estimated expenditure in this regard ?

Shri Raj Bahadur : It will be premature for me to give the estimated expenditure, because the proposals have not yet been finalised.

About the programme, there is a resolution, reference to which has been made in the statement, which lays greater emphasis on the study of tropical cyclones and spreading a net-work of radiosonde and radar-wind stations. We have already had a scheme for this purpose which has been introduced already and partially implemented. With regard to the rest, we are taking care to see that it is implemented.

As regards the third point, namely, observation of clouds by means of nephoscopes, this is already being done by means of the pilot balloon observations in the country.

Shri S. N. Das : May I know the number of radio-wind stations at present and what is the programme for expansion ?

Shri Raj Bahadur : A pamphlet was circulated. I would refer the hon. Member to that.

Shri N. B. Chowdhury : In view of the fact that certain areas near the Bay of Bengal suffer owing to tidal breaks, may I know whether Government propose to take any precautionary measures in this connection in those areas ?

Shri Raj Bahadur : The only precautionary measure that the Government of any country can take is to give accurate forecasts in good time. That is the only precaution that we can take. At present it is not possible to control such natural phenomena as typhoons. The Indian Meteorological Department is taking great interest in the activities of the World Meteorological Organisation. We are in association with it. We sent a very strong team to the symposium, which presented certain papers which were highly appreciated.

Jerks in Trains

***2061. Thakur Jugal Kishore Sinha :** Will the Minister of Railways be pleased to state :

(a) whether it is a fact that in the North Eastern Railway, the train journey is more jerky than in any other zone : and

(b) if so, whether there is any proposal to provide a suitable mechanical device to avoid jerking ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahmawaz Khan) : (a) No, Sir.

(b) The bogie trucks of the new all-metal standard coaches are fitted with imported spring suspension including shock absorbers. The riding of these coaches compares favourably with those in use in the more advanced countries.

ठाकुर युगल किशोर सिंह : क्या सरकार को किसी और रेलवे जॉन से भी इस तरह की शिकायत मिली है कि उस जॉन में ट्रेनों में जक्सन लगते हैं ?

श्री शाहनवाज खां : अगर आनंदेबुल मेम्बर को जक्सन लगे हों तो मुझ को बहुत अफसोस है लेकिन जो नई गाड़ियां हम बना रहे हैं उन में हाइड्रोलिक शीक ऐबसौबर्स लगाये जा रहे हैं जिन से मैं उम्मीद करता हूँ कि आयन्दा धक्के नहीं लगा करेंगे ।

सरदार हुकम सिंह : गाड़ी की वजह से तो धक्के नहीं लगेंगे लेकिन जो आपस में लगेंगे उस का क्या होगा ?

Shri Amjad Ali : May I know how far the pulling of chains by miscreants in this line is responsible for these jerks ?

Shri Shah Nawaz Khan : Although pulling of chains is pretty frequent in that part of the country, I do not think jerks would be due to that.

Bombay Port Trust Railway

*2062. Shri Kamath : Will the Minister of Transport be pleased to state :

(a) whether it is a fact that an inquiry was recently instituted into the working of the Bombay Port Trust Railway ;

(b) if so, when and for what purpose ;

(c) the designation of the officer who conducted the inquiry ;

(d) whether he has submitted his report ; and

(e) if so, the recommendations made therein ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) No.

(b) to (e). Do not arise.

Shri Kamath : Is it proposed to hold an enquiry in the near future ?

Shri Alagesan : No.

जूट उत्पादन

*2063. श्री विभूति मिश्र : क्या चालू और छूटि मंत्री यह बताने की कूपा करेंगे कि :

(क) क्या यह सच है कि चालू वर्ष में जूट की फसल का उत्पादन १६५४-५५ की अपेक्षा कम हुआ है ; और

(ख) यदि हां, तो इस के कारण क्या हैं ?

छूटि मंत्री (दा० पी० एस० बेशमुल्ल) : (क) तथा (ख). अभी तक जूट के १६५५-५६ के अखिल भारतीय प्रथम अनुमान प्रकाशित किये गये हैं, जिन के अनुसार चालू साल में १६५४-५५ की निसबत जूट के क्षेत्र में ७ प्रतिशत की बढ़ोतरी हुई है । चालू साल की जूट की फसल के आखरी अनुमान नवम्बर के शुरू तक मिल सकेंगे ।

श्री विभूति मिश्र : क्या सरकार अपनी प्राइस पालिसी को जूट के ऊपर लागू करेगी ?

दा० पी० एस० बेशमुल्ल : अभी तो ऐसा करने का कोई विचार नहीं है ।

श्री विभूति मिश्र : क्या सरकार को पता है कि जितनी फसल पैदा की जाती है, जो मनी क्रौप पैदा की जाती है, सब से ज्यादा दिक्कत जूट को पैदा करने में होती है और उसमें गरीब आदमी लगते हैं और चूंकि पाकिस्तान से समझौता कर लिया है, इसलिये जूट के दाम १४ रुपये मन हो गये ह, तो क्या सरकार किसानों की हालत को ध्यान में रखते हुए जट की कीमत को बढ़ाने की कोशिश करेगी ?

दा० पी० एस० बेशमुल्ल : मैं समझता हूँ कि कीमतें कुछ ज्यादा कम नहीं हैं, जब ऐसा भीका आयेगा तो शीर किया जायेगा और देश जायेगा कि क्या उसके लिये हो सकता है ।

Shri Bhagwat Jha Azad : May I know if there is any Evaluation Committee to look into how the State Governments are implementing the recommendations of the Jute Expert Committee regarding quantity and quality ?

Dr. P. S. Deshmukh : So far as we know, they are trying their best to give effect to the recommendations.

पंडित दी० एन० तिवारी : क्या सरकार को मालूम है कि इन चन्द हफ्तों में जूट के दाम २६ रुपये से गिर कर १६ रुपये और १५ रुपये तक आ गये हैं ?

Dr. P. S. Deshmukh : I require notice.

ठाकुर युगल किशोर तिव्ह : क्या सरकार को मालूम है कि अर्जेंटाइला में जो कान्ति हुई है, उस का भी असर जूट की प्राइस पर पड़ा है, क्योंकि जूट यहां से ज्यादा जाता था ?

डा० पी० एस० देशमुख : हम तो समझते हैं कि उस से उस की कीमत बढ़ जायेगी ।

Shri L. N. Mishra : The hon. Minister referred to production of jute. Are the Government aware that the various State Governments are not taking seriously the recommendations of the Jute Expert Committee to improve the quality and production of jute ? I want to know whether any of the States have provided jute retting tanks and jute seed multiplication farms according to the recommendations of that Committee.

Dr. P. S. Deshmukh : I do not know how far my hon. friend's complaint is based on facts.

Shri L. N. Mishra : These are facts.

Dr. P. S. Deshmukh : If it is so we will certainly enquire into that. Our impression was that most of the States were themselves anxious to give effect to the recommendations.

Survey of Garo Hills Rail Link

*2067. **Shri Amjad Ali :** Will the Minister of Railways be pleased to refer to the reply given to Starred Question No. 558 on the 8th August, 1955 and state:

(a) the amount sanctioned for the traffic-survey of the Garo-Hills rail link;

(b) the amount actually spent o it so far ; and

(c) whether the report on the survey has since been received by Government?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Rs. 95,598/-.

(b) Rs. 29,000/-.

(c) The field work for the traffic survey has been completed and a final report is expected shortly.

Shri Amjad Ali : I want to know the different routes that have been surveyed in this connection.

Shri Shahnawaz Khan : There were three routes. One is from Amjanga to Pandu : 99.7 miles. The cost worked out previously is Rs. 5.3 crores. The second is Darangiri-Joghigopa-Bongigaon, approximately 90 miles. The third is Darangiri to a point on the bank of the Brahmaputra.

Shri Amjad Ali : May I know whether any assistance was asked for from the Government of Assam and given with regard to the survey?

The Minister of Railways and Transport (Shri L. B. Shastri) : Survey is generally done by the railway authorities. If assistance is required, it is always given. In this case, I am not aware. Perhaps it was not necessary

रेलवे कोच फैस्टरी

*2068. **श्री अमर सिंह बामर :** क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि ग्वालियर में स्थापित की जाने वाली रेलवे कोच फैस्टरी सरकार के नियंत्रण में रहेगी या वह गैर-सरकारी कारखाना होगा ?

रेलवे तथा परिवहन उपभंगी (भी अलगावन) : रेलवे मंत्रालय (Railway Ministry) के पास इस तरह की कोई तज्जीब नहीं है ।

Sinking of a Railway Barge

*2069. **Shri M. L. Agrawal :** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that a Barge belonging to the North Eastern Railway sank into river Ganga with 17 loaded wagons on the 7th September, 1955; and

(b) if so, the causes of the mishap?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Yes; at about 19:20 hours on 7-9-1955, a barge loaded with 17 wagons sank into the river Ganges near Semariaghat station on the Mukameh Ghat-Barauni Section of the North Eastern Railway.

(b) *Pima facie* the accident was caused by the ripping of the fore-peak at bottom plate of the barge by its own anchor and anchor chain resulting in the flooding of the main hold of the vessel.

Shri M. L. Agrawal : May I know why loaded wagons were put on the barge?

Shri Shahnawaz Khan : Because it was the normal practice.

Shri M. L. Agrawal : What were the contents of the wagons?

Shri Shahnawaz Khan : Sugar.

Shri Bhagwat Jha Azad : What was the approximate loss or damage due to this mishap?

Shri Shahnawaz Khan : The barge was carrying 17 wagons while it sank. Sixteen of these wagons have been salvaged. One wagon and the barge are missing. The total damage is about Rs. 1,500 to the railways and Rs. 1,30,000 is the loss suffered by the public on account of sugar.

Shri M. L. Agrawal : Were there any persons on the barge? Was there loss of life?

Shri Shahnawaz Khan : There was no casualty.

Diva-Dasgaon Rail Link

*2070. **Shri Kajrolikar :** Will the Minister of Railways be pleased to state:

(a) the progress made so far regarding the proposed Diva-Dasgaon line in Bombay State; and

(b) whether this line is included in the Second Five Year Plan?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan) : (a) Preliminary Engineering and Traffic surveys for this line have been completed.

(b) No decision has so far been arrived at in regard to the railway lines which would be taken up for construction during the Second Five Year Plan period.

Local Self-Government Ministers' Conference

*2072. **Shri Krishnacharya Joshi :** Will the Minister of Health be pleased to refer to the reply given to Unstarred Question No. 1132 on the 28th April, 1955 and state:

(a) what other matters were discussed with the Planning Commission by the *ad hoc* Body constituted by the Local self-Government Ministers' Conference; and

(b) how far the Planning Commission have agreed to their proposals?

The Deputy Minister of Health (Shri Mati Chandrasekhar) : (a) The *ad hoc* Body constituted by the 2nd Conference of Local Self-Government Ministers discussed with the Planning Commission on the 18th August, 1954, the question of allocation of funds for the development programme of rural and urban water supply, drainage and sewerage and slum clearance in the Five Year Plans.

(b) The Planning Commission have since agreed to provide Rs. 18.72 crores for urban and rural water supply and drainage programmes of States Governments during the First Five Year Plan.

About Slum Clearance Schemes, the Planning Commission agreed to give only loans and not subsidies.

Shri Krishnacharya Joshi : What was the purpose of setting up this *ad hoc* body?

Shrimati Chandrasekhar : This *ad hoc* body was set up to assess the needs of the various local bodies in the States for loans and subsidies for important development programmes such as water supply, drainage and also to discuss with the Planning Commission the allocation of funds for the purpose in the First and Second Five Year Plans.

Shri Krishnacharya Joshi : May I know the names of the members of this Committee?

Shrimati Chandrasekhar : The Union Health Minister was the Chairman and Shri Bhimsen Sachar, Chief Minister of Punjab, Shri Y. B. Chavan Minister for Local Self-Government, Bombay, Shri Mohanlal Gautam, Minister for Local Self-Government, U.P...

Some Hon. Member : No. no.

Shrimati Chandrasekhar : Formerly he was the Minister for Local Self-Government. This was in 1954.

Shri I. D. Jalan Minister for Local Self-Government, West Bengal, Shri P. Thimma Reddy, Minister for Local Self-Government, Andhra were the members.

Shri N. B. Chowdhury : May I know whether there is a proposal to include the schemes relating to the municipal areas only or other local areas such as Union Board and Panchayat areas which are under the local bodies?

Shrimati Chandrasekhar : All local bodies including Union Boards and Panchayats.

Steamer Service

*2073. **Pandit D. N. Tiwary** : Will the Minister of Railways be pleased to state:

(a) whether Government are aware that steamers between Paleza and Digha Ghats (N. E. Rly.) are often marooned in midstream either due to engine trouble or they are struck up in shallow water;

(b) the number of occasions when the steamers were marooned since January 1955; and

(c) the nature of the facilities provided to passengers on such occasions?

The Deputy Minister of Railways and Transport (Shri Alagesan) :

(a) Not often.

(b) Since January 1955 the steamers were marooned on four occasions.

(c) Drinking water and refreshments were available on the steamers for the convenience of the passengers.

Pandit D. N. Tiwary : On all these four occasions for how many hours had the passengers to wait there in the midstream?

Shri Alagesan : On one occasion it was 2.55 hours, on another occasion 1.25 hours, on the third occasion 4.55 hours and on the fourth occasion 2 hours.

Pandit D. N. Tiwary : May I know after how many hours information of the steamers being marooned was received by the railway staff?

Shri Alagesan : I do not have the exact passage of time but there is always a stand-by steamer which is available on such occasions.

I should mention to the House that in the low-water season river conditions in the Ganga change very quickly and

even when a steamer has safely passed a few hours before another steamer following may get into such mishaps.

Pandit D. N. Tiwary : May I know whether Government has received any proposal from the Government of Bihar for help in setting up a pontoon bridge there and doing away with the steamer service?

Shri Alagesan : I am not aware whether we have received any such request. I do not have the information before me but perhaps I may tell the House that these steamers make thousands of trips. They have made so far 2,544 trips and the percentage of the mishaps works out to 0.16 and there is nothing very abnormal about it.

Pandit D. N. Tiwary : May I know whether Government are aware that Patna is the capital of Bihar and that the people of North Bihar have to experience great difficulties in crossing the river Ganga for going to the capital and coming back and that it takes too much of time? May I know whether in view of this fact Government is thinking of setting up a pontoon bridge to do away with all these difficulties?

Shri Alagesan : I am grateful to the Member for the information he has given that Patna is the capital of Bihar. As far as the bridge is concerned it was investigated some time back for the location and building up of a bridge across the Ganga. One of the sites suggested was near Patna but then that site was not found suitable and now we are building a bridge across the Ganga near Mokameh. Surely people from Patna can use that bridge when it is constructed.

Food Position in Andamans

*2074. **Shri S. C. Samanta** : Will the Minister of Food and Agriculture be pleased to state:

(a) whether self-sufficiency in food grains will be achieved in the Andamans and Nicobar Islands during the five years of the Development Plan;

(b) whether it is a fact that due to transport difficulties surplus food from one part of the Islands cannot be transported to other parts; and

(c) if so, the steps proposed to be taken in the matter?

The Minister of Agriculture (Dr. P. S. Deshmukh) : (a) Yes, Sir, in rice.

(b) No.

(c) Does not arise.

Shri S. C. Samanta : Is it not a fact that in the Rangat areas this year production of rice was more than the people there required and they could not transport rice from Port Blair and other places?

Dr. P. S. Deshmukh : I have no information with regard to this. All that I have ascertained is that the requirements of the islands are being met by the rice produced there.

Shri S. C. Samanta : Is it a fact that in the land that has been allotted to the refugees production has deteriorated; that is in the first year it gave good yield, but in the subsequent years it is not giving so much?

Dr. P. S. Deshmukh : I have no specific information, but the production of rice in the whole island is not in any way unsatisfactory.

Shri Bhagwat Jha Azad : May I know whether it is a fact that some of the friends from Andamans who were recently visiting the Capital have complained that due to lack of irrigation facilities, though land is in abundance in the Andamans, the capacity of the land to grow is much below what it should be?

The Minister of Food and Agriculture (Shri A. P. Jain) : Yes. The deputation met me the other day, and they said that in certain parts of the land on account of paucity of irrigation they can raise only one crop. We are going to look into the matter.

Survey of Health Conditions

*2075. **Shri Gidwani** : Will the Minister of Health be pleased to state:

(a) whether it is a fact that Government have asked the All India Institute of Public Health and Hygiene to undertake a survey of health conditions in the community development areas throughout the country;

(b) if so, when the survey is expected to be started;

(c) the estimated expenditure on the survey; and

(d) when the survey will be completed?

The Deputy Minister of Health (Shrimati Chandrasekhar) : (a) Yes, but the survey will be carried out in only four Community Project Areas.

(b) The survey started from 1st August, 1955.

(c) The total estimated expenditure is Rs. 1,52,000/-.

(d) The survey is expected to be completed by the end of 1957.

Shri Gidwani : What will be the number of people who will be covered by the scheme, and in which States the survey work has been started or will be started?

Shrimati Chandrasekhar : As regards the first part of the question, I will require notice. As regards the second part, I may say it is in West Bengal in Shaktigarh block that the work has been started.

Shri Gidwani : May I know whether any special staff has been trained for the purpose; if so, what will be the nature of the training imparted and where will they be trained?

Shrimati Chandrasekhar : The following staff has been sanctioned: medical officers and L. M. P. doctors, laboratory technicians, sanitary inspectors, typists-c'm-clerks, class four staff, sweepers, statistical computers and demonstrators. I am not quite sure where they are trained.

The Minister of Health (Rajkumari Amrit Kaur) : May I say they will be trained in the All-India Institute for Hygiene, in Calcutta?

Shri B. S. Murthy : Where are these four community projects and will the money spent be shared by the States concerned?

Rajkumari Amrit Kaur : As has been stated by the Deputy Minister, the first project that has been undertaken is in West Bengal. I think after that we shall take up Madhya Bharat, and then probably Hyderabad and PEPSU, and perhaps Travancore-Cochin and Saurashtra.

ज्योतिष शास्त्र

*2076. **श्री रघुनाथ सिंह** : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) ज्योतिष शास्त्र के विकास के लिये सरकार द्वारा क्या कार्यवाही की जा रही है; और

(ख) क्या सरकार को ज्योतिष संबंधी संस्थाओं से इस के बारे में कोई स्मरण-पत्र प्राप्त हुए है?

संचार उपमंत्री (श्री राज बहादुर) : (क) सन् १९४५ में भारत सरकार ने भारत में ज्योतिष (Astronomy) और ज्यो-

भौतिकी (Astro-physics) के युद्धोत्तर विकास की योजना बनाने के लिये भारत के प्रसिद्धिप्राप्त वैज्ञानिकों की एक समिति नियुक्त की । इस के सम्माप्ति प्रोफेसर मेघनाथ साहा थे । समिति की सिफारिशों पर १९४६ में सरकार को भारत में ज्योतिष के विकास तथा अन्य तत्सम्बन्धी मामलों पर परामर्श देने के लिये एक 'ज्योतिषार्थ स्थायी परामर्शदात्री मण्डली' (Standing Advisory Board for Astronomy) का गठन किया गया । यह मण्डली अब तक चार बार अपनी बैठकें कर चुकी हैं और इस ने ज्योतिष के विकास एवं संयोजन के सम्बन्ध में कई सिफारिशों भी की हैं जिन में से एक सिफारिश एक आधुनिक केन्द्रीय ज्योतिषीय अवलोकनालय (Modern Central Astronomical Observatory) की स्थापना करने की है । इन सिफारिशों की सिद्धान्ततः स्वीकार कर लिया गया है और वित्तीय स्थिति के अनुसार जब भी संभव होता है इन सिफारिशों को कार्यान्वित किया जा रहा है ।

(स) नहीं ।

श्री रघुनाथ सिंह : मैं जानता चाहता हूँ कि प्राचीन भारतीय एस्ट्रोनोमी के जो विद्वान हैं क्या उन से भी कोई सहायता भी गई है ?

श्री राज बहादुर : इस के जो सदस्य हैं उन के नाम में बता सकता हूँ । उन के नाम हैं —

Prof. M. N. Saha, Prof. A.C. Banerjee, Dr. A.L. Narayan, Prof. D.S. Kothari, Prof. M. L. Chandraseya, Dr. B.N. Banerjee, Dr. W. M. Vaidya, the Director-General of Observatories, The Deputy Director-General of Observatories, Kodaikanal, and the Director, Nizamia Observatory.

श्री रघुनाथ सिंह : जो नाम बताये गये हैं यह सब आधुनिक विद्वान हैं । इन में काशी और उज्जैन का एक भी विद्वान नहीं है ।

श्री राज बहादुर : यह तो मैं नहीं कह सकता कि इस में काशी और उज्जैन का कोई विद्वान है या नहीं ।

श्री रघुनाथ सिंह : यदि इस में कोई प्राचीन भारतीय एस्ट्रोनोमी का विद्वान नहीं है तो क्या आप उस को भी लेने की व्यवस्था करेंगे ?

संचार मंत्री (श्री जगजीवन राम) : मेरा जहां तक खाल है इस में एक दो ऐसे आदमी हैं । लेकिन मैं देख लूँगा, अगर प्राचीन पद्धति का कोई विद्वान नहीं है तो उस को भी ले लूँगा ।

कन्द्रीय ट्रैक्टर संगठन

*२०७७. श्री नवल प्रभाकर : क्या काश और कृषि मंत्री यह बताने की हृषा करेंगे कि केन्द्रीय ट्रैक्टर संगठन के कार्य के बारे में एस्टीमेट समिति की सातवीं रिपोर्ट में दी गई सिफारिशों में से कौन सी सिफारिशें अब तक कार्यान्वित की गई हैं ।

कृषि मंत्री (शा० पी० एस० बेशमुख) : एस्टीमेट कमेटी की रिपोर्ट की जांच करने के बाद, एक बैरे सहित रिपोर्ट पार्लियामेंट की एस्टीमेट कमेटी को भेज दी गई है । इस कमेटी की बहुत सी सिफारिशें मंजूर कर ली गई हैं । कुछ सिफारिशें मंजूर नहीं की गई हैं जिन की वजह बैरे सहित रिपोर्ट में दी गई है । वह रिपोर्ट जो पार्लियामेंट को भेजी गई है काफी दूरी के साथ है और उस में इस बारे में पूरी जानकारी दी हूँई है ।

श्री नवल प्रभाकर : क्या यह रिपोर्ट सभा पाटल पर रखी गई है ?

काश और कृषि मंत्री (श्री ए० पी० बेशमुख) : यह तो कायदे के मुताबिक ही सभा के भेज पर रखी जायगी ।

पंचित और एन० तिक्कारी : जो सिफारिशें एस्टीमेट्स कमेटी देती है और उन में से गवर्नमेंट जिन को स्वीकार नहीं करती है तो क्या वे सिफारिशें फिर उस कमेटी के पास विचार के लिये आती हैं और उस के बाद जो पुनः गवर्नमेंट के पास जाती हैं, क्या उन पर अमल किया जाता है ?

श्री ए० पी० लैन : जो सिफारिशें एस्टीमेट्स कमेटी करती है उन में से जो गवर्नमेंट मंजूर करती है उन पर तो मिनिस्टरी अमल कर लेती है और जो किसी वजह से मंजूर नहीं हो सकती उन को वह मिनिस्टरी अपनी वजूहात के साथ एस्टीमेट्स कमेटी के पास भेज देती है और एस्टीमेट्स कमेटी की जो राय हो उस के साथ में वह फिर सभा के पटल पर रख दी जाती है ।

Railway Bridges.

*2079. **Shri L. N. Mishra :** Will the Minister of Railways be pleased to state :

(a) whether it is a fact that Railway bridges on Darbhanga-Nirmali and Sakri-Jayanagar Section of the North Eastern Railway are proposed to be raised and expanded to meet the situation created by floods;

(b) if so, the bridges that are to be raised and expanded;

(c) the estimated cost of each bridge; and

(d) when the proposal will be given effect to?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes, Sir.

(b) and (c). Bridges Nos. 143 and 145 between Ghogardiha and Nirmali Stations at an estimated cost of Rs. 31,500/- and 36,300/- respectively and bridges Nos. 10, 10A, 11, 11A and 12 between Madhubani and Rajnagar stations at an estimated cost of Rs. 6,000/-, 3,000/-, 3,000/-, 2,60,000/- and 1,000/- respectively.

(d) The work of raising the section Nirmali-Ghogardiha is in progress and the proposal for raising the Madhubani-Rajnagar section is being examined.

Shri L. N. Mishra : Are Government aware that there are various other smaller bridges which during floods are covered

by water, with the result that the railway lines are inundated and railway communication is suspended, and if so, do Government propose to raise those bridges also?

Shri Alagesan : Yes. All the bridges on this entire line as well as the other bridges mentioned (where necessary) will be raised with a view to preventing flood water from passing over the line. All these works will be undertaken, and we shall have an all-weather line.

Shri L. N. Mishra : May I know whether there is any proposal to increase the height of the work on the whole railway line from Darbhanga to Nirmali in order to make them fit in with the newly constructed Kosi embankment.

Shri Alagesan : Wherever necessary, the line is raised; the embankment is raised.

Shri S. N. Das : May I know whether any investigations are being made with regard to the other sections in the flood affected areas, and if so, what is the agency which is working in that behalf?

Shri Alagesan : Naturally, the railways but I should like to have notice with reference to the other sections.

बोरी साफ करने की मशीन

*2080. **श्री क० सी० सोचिया :** क्या संचार मंत्री २४ अगस्त, १९५५ को दिये गये तारांकित प्रश्न संख्या १११७ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) कलकत्ता में बोरी साफ करने की जो मशीन लगाई जा रही है, उस की लागत क्या है ; और

(ख) इस मशीन के काम करने से कितने समय और धन की बचत होने की सम्भावना है ?

संचार उपमंत्री (श्री राज बहादुर) : (क) ५५,७०६ रुपये ।

(ख) इस मशीन के प्रयोग में लाने से तात्कालिक किसी प्रार्थिक बचत की संभावना नहीं है ; परन्तु इस से समय में बचत होगी. क्योंकि हाथ की अपेक्षा मशीन से थैलों की सफाई कहीं जल्दी हो सकती है । साथ ही

मरीन से थैलों की सफाई पहले की प्रणेशा धर्मिक अच्छी हो सकेगी, एवं इस प्रकार से काम करने वालों के स्वास्थ्य-सम्बन्धी वातावरण में भी सुधार हो सकेगा ।

श्री के० सी० सोविया : क्या यह कार्रवाई और दूसरे पोस्ट आफिसों में भी काम में लाई जायगी ?

श्री राज बहादुर : पोस्ट आफिसों में जो थैले इस्तेमाल किये जाते हैं वह जूट के होते हैं और वह आने जाने में काफी गंदे हो जाते हैं और मरीन से थैलों की जल्दी सफाई हो सकती है ।

श्री के० सी० सोविया : मैं जानना चाहता हूँ कि क्या यह कार्रवाई दूसरे पोस्ट आफिसों में भी काम में लाई जायगी ?

श्री राज बहादुर बन्वाई बगीरह में जा० डाक के थैले आते हैं वह सारे जमाने से धूम कर कलकत्ते में पहुँचते हैं और कलकत्ते में उन की सफाई होगी और सारे देश को उस से फायदा पहुँच सकता है ।

Discretionary Grant

*२०८१. Dr. Satyawadi : Will the Minister of Health be pleased to lay on the Table of the House a statement showing the details of the expenditure from her "Discretionary Grants" incurred during 1954-55 ?

The Deputy Minister of Health (Shrimati Chandrasekhar) : A statement is laid on the Table of the Lok Sabha. [See Appendix X, annexure No. 47].

डा० सत्यवादी : क्या मैं जान सकता हूँ कि पिछले साल इस फड में से कितना रुपया मंजूर किया गया था और इस साल कितना रुपया रखा गया है ?

Shrimati Chandrasekhar : For 1954-55 there was a provision of Rs. 3 lakhs, and for 1955-56 there is a provision of Rs. 5 lakhs.

डा० सत्यवादी : क्या मैं जान सकता हूँ कि सहायता के लिये कोई ऐसी दर्शावस्त भी है जोकि नामंजूर की गई है, अगर है तो कितनी है ?

Mr. Speaker: His question is how many requests were rejected.

The Minister of Health (Rajkumari Amrit Kaur) : It is impossible to say how many were rejected. But if they are rejected, it is because the institutions are not functioning properly after the information has been sought to be obtained about them.

श्री नवाल प्रभाकर : क्या मैं जान सकता हूँ कि दिल्ली के संत परमानन्द थाई अस्पताल को प्रति वर्ष कितना अनुदान दिया जाता था और क्या वह इस बार भी दिया गया है, यदि दिया गया है तो कितना और यदि नहीं दिया गया है तो क्यों नहीं दिया गया है ?

राजकुमारी अमृत कौर : इस अस्पताल को कई बार अनुदान दिया गया है । लेकिन इस फंड में एक कंडिशन है कि हर साल किसी को भी हम नहीं दे सकते हैं, इसलिये कभी कभी न भी करनी पड़ती है ।

डा० सत्यवादी : यह जो टी० ३० अस्पताल और मेनाटोरियम है जिन्हें आच महायता देते हैं, क्या प्राप ने इस बात पर भी विचार किया है कि वहां हरिजनों और आदिवासियों के लिये कुछ बेड अलहूदा रख दिये जायें ?

राजकुमारी अमृत कौर : मेरे गाम भोई सास दर्शावस्त नहीं आई है कि हरिजनों के लिये कोई विशेष पलंग रखे जायें । अगर आयगी तो उस पर जरूर विचार किया जायेगा ।

आफीशियल यात्रा संगठन का सम्बेदन

*२०८४. श्री भक्त दहान क्या परिवहन मंत्री यह बताने की कृपा करेंगे कि :

(क) दिल्ली में १७ अक्टूबर, १९५५ को होने वाले आफीशियल यात्रा संगठन के अन्तर्राष्ट्रीय संघ के मम्बेलन का उद्देश्य क्या है; और

(ख) सम्मेलन को सफल बनाने के लिये सरकार द्वारा किस प्रकार की सहायता दी जा रही है ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) A statement giving the aims and objects of the International Union of Official Travel Organisations is laid on the Table of the Lok Sabha [See Appendix X, annexure No. 48]. The Union has a General Assembly as one of its organs which holds conferences annually. The coming annual Conference of the General Assembly is being held in Delhi from the 19th to the 25th October 1955 preceded by meetings of the Executive Committee of the Union commencing from the 17th October 1955.

(b) The Government of India in the Ministry of Transport are a member of the Union and are playing the host. As such they are helping the Union in making arrangements for the Conference such as provision of accommodation for holding the Conference, residential accommodation for the delegates and offering free excursions to a few places of tourist interest in India and hospitality at a number of social functions.

श्री भक्त वर्मन : सभा-पटल पर जो विवरण रखा गया है इस से ज्ञात होता है कि इस संस्था के लक्ष्य और उद्देश्य बहुत ही महान्, विशाल और उदार हैं। मैं जानना चाहता हूँ कि पिछले चार पांच वर्षों में जब से कि भारत इस संस्था का सदस्य है, इन उद्देश्यों की पूर्ति में कहां तक प्रगति हुई है और खास कर हमारे देश को क्या लाभ पहुँचा है ?

रेलवे तथा परिवहन मंत्री (श्री एल० श्री० शास्त्री) : यह लाभ ऐसा होता है कि साक्षात् दिल्लाई नहीं पड़ता है। लेकिन इस में दूसरों से मिलने का भौका मिलता है। हमारे देश के जो प्रतिनिधि जाते हैं और जो दूसरे देशों के प्रतिनिधि जाते हैं उन को इस बात पर विचार करने का भौका मिलता है कि टूरिज्म को किस तरह बढ़ाया जा सकता है और इस को बढ़ाने का हम इंतज़ाम भी करते हैं।

श्री भक्त वर्मन : क्या मैं जान सकता हूँ कि इस कानून के कलस्वरूप टूरिज्म

किस हद तक बढ़ी है और कितने विदेशी पर्यटक इसके कलस्वरूप भारत आये हैं ?

श्री एल० श्री० शास्त्री : इस कानून का भी कुछ प्रसर है और दूसरे कारण भी होते हैं। लेकिन संस्था बराबर बढ़ती ही जा रही है। मैं ठीक ठीक संस्था तो इस बक्त नहीं बता सकता हूँ लेकिन लगभग ३०,००० से ऊपर लोग बाहर से यहां आये हैं।

WRITTEN ANSWERS TO QUESTIONS

Agricultural Colleges

*2037. { **Shri Jhulan Sinha :**
Shri R. C. Sharma :

Will the Minister of Food and Agriculture be pleased to state:

(a) the names of the states which have approached the Union Government for financial assistance for strengthening their Agricultural colleges; and

(b) the decisions taken thereon?

The Minister of Food and Agriculture (Shri A. P. Jain) : (a) The Governments of Punjab, PEPSU, Mysore, Assam, Madhya Pradesh, Madhya Bharat, and Bihar have approached the Central Govt. for financial assistance for starting new agricultural colleges or for strengthening their existing colleges.

(b) The Government of India, after assessing, on a regional basis, the requirements and availability of agricultural graduates during the Second Five Year Plan period, have offered to give financial assistance:

(i) to the Governments of Bihar, Assam, Madhya Pradesh, Hyderabad and Madras for strengthening their existing Agricultural Colleges with a view to permanently increasing their output, and

(ii) to the Governments of Punjab, Rajasthan and Travancore-Cochin for the establishment of new Agricultural Colleges.

The Government of India will meet 75 per cent of the proved non-recurring expenditure, the State Governments finding the balance 25 per cent of non-recurring expenditure and the entire recurring expenditure.

Delivery of Telegrams

***2042. Chaudhri Muhammed Shaf-fee :** Will the Minister of Communications be pleased to state:

(a) the number of complaints received about the delays in delivery of telegrams and letters in the country since the 1st May 1955;

(b) the nature of these complaints generally; and

(c) the action taken in the matter?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) (i) Telegrams—5,637.

(2) Letters 14,421.

(b) Presumably the Member is referring to the general causes of such complaints. These may be due *inter alia* either to negligence on the part of P & T staff or interruptions in postal and telegraph communications due to natural causes, or abnormal rush of the traffic, or failure of the public to note complete addresses.

(c) Where the staff is found to be at fault, suitable disciplinary action is taken against them. Prompt action is taken to restore communications when interrupted. Publicity methods are also adopted to educate the public in addressing their articles correctly.

Air Travel

***2043. Shri M. R. Krishna :** Will the Minister of Communications be pleased to state:

(a) the date from which the cheap air travel system will be introduced in the country;

(b) whether this cheap air travel system will apply for both internal and external services;

(c) the proposed charges for the internal air services; and

(d) whether the cheap air travel facilities will be available only to those areas which are connected with the air routes or whether more new routes will be opened?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a). There is no proposal at present to introduce cheaper fares for air travel in the country.

(b) to (d). Do not arise.

Complaints About Railways

***2045. Shri K. P. Tripathi :** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the Deputy Minister of Railways visited Assam recently;

(b) whether he received complaints about the functioning of the Railways there; i

(c) if so, the main complaints he received; and

(d) the steps, if any, taken in the matter?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes.

(b) Certain representations were received.

(c) and (d). A statement is placed on the Table of the Lok Sabha [See Appendix X, annexure No. 49].

Recruitment in Railways

***2047. Shri Ganpati Ram :** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that the order regarding the communal reservation are not being followed in the Railways;

(b) whether it is also a fact that the candidates selected by the Commissions are not appointed as per communal roster; and

(c) if so, the reasons therefor?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan) : (a) No, Sir. Orders regarding communal reservations are being followed on the Railways to the maximum extent possible consistent with availability of suitable candidates.

(b) and (c). Candidates selected by the Commission are appointed strictly according to the roster for recruitment maintained by the Railways.

Railway Trains

***2049. Shri C. R. Chowdary :** Will the Minister of Railways be pleased to state the number of trains that are being run at present below the scheduled composition of trains in each rake exclusive of vehicles required under the Break Power Rules?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan) : A statement is laid on the Table of the House. [See Appendix X, annexure No. 50].

रेलवे स्कूल

*2050. भी जांगड़े : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या कारण है कि मध्य प्रदेश में रेलवे प्राथमिक और माध्यमिक स्कूलों में हरिजन बालकों से पूरी फीस ली जाती है जबकि उसी राज्य की सरकार प्राथमिक स्कूल से विष्वविद्यालय तक निःशुल्क शिक्षा देती है ;

(ख) क्या यह सच है कि रेलवे प्राथमिक स्कूलों में भी सब विद्यार्थियों से प्रथम, द्वितीय, तृतीय और चतुर्थ कक्षाओं में कमशः अधिकतम शुल्क चार आना, छः आना, छाठ आना और दस आना लिया जा रहा है और

(ग) क्या यह भी सच है कि एक ही स्कूल में पढ़ने वाले दो भाइयों में से किसी को भी आधी फीम की रियायत नहीं दी जाती ?

रेलवे तथा परिवहन उपमंत्री (श्री अस्तगेश्वर) (क) सरकार को यह मातृम नहीं है कि मध्य प्रदेश में हरिजन बच्चों को प्राइमरी स्कूल से लेकर यूनिवर्सिटी तक निःशुल्क शिक्षा दी जाती है । यह पता चला है कि मध्य प्रदेश सरकार की ओर से अभी हाल में हिदायत जारी की गई है कि जब तक इस सवाल पर फैसला न हो जाय, हरिजन विद्यार्थियों से हाई स्कूल तक फीस न ली जाय । इस के अनुसार रेलवे स्कूलों में पढ़ने वाले हरिजन बच्चों से भी फीस न लेने के मदाल पर विचार किया जा रहा है ।

(ख) जी है ।

(ग) जी हां ।

Comet Aircraft

*2052. श्री M. Islamuddin : Will the Minister of Communications be pleased to state :

(a) whether it is a fact that Government have placed orders for Comet aircraft ; and

(b) if so, by what time they are expected to be received ?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) and (b) In 1953, the Air India International Ltd. had placed an order, with the approval of Government, for the purchase of 2 Comets-Mark III. As a result of the recommendations of the Enquiry Commission which investigated the crashes of B.O.A.C. Comets, Messrs. De Havilland Aircraft Company Ltd., the Manufacturers of the Comets, have abandoned their project to manufacture the Mark III series of this type of aircraft. The Air India International Corporation have in the circumstances cancelled the order for the two Mark III aircraft. Thus, there is at present no order by the Corporation for Comet aircraft.

Railway Workshop, Khargpur

*2053. श्री Subodh Hasda : Will the Minister of Labour be pleased to refer to the reply given to the starred question No. 418 on the 17th August, 1955 and state the reasons for employing only one Scheduled Tribes Candidate in the Khargpur Railway workshop out of the 804 registered in the Employment Exchanges during 1954-55, though there was sufficient demand of candidates in the various sections of the Workshop ?

The Minister of Labour (Shri Khandubhai Desai) : Against 804 Scheduled Tribes applicants registered by the Khargpur Employment Exchange during 1954-55, 247 were placed in employment in various Government and other establishments. 15 men were submitted against suitable vacancies in Khargpur Railway Workshop, of whom one was appointed. The result in respect of the others is awaited.

Sale of Neera

*2054. श्रीमती Ila Palchoudhury : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that the Railway Board have recently sanctioned the sale of Neera at Patna and Gaya Railway stations;

(b) whether the sale of this liquid has been allowed at other railway stations also ;

(c) if so, the names of the stations ; and

(d) the conditions under which it has been allowed ?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan) : (a) The sale of Neera at Patna and Gaya stations has been permitted by the Eastern Railway Administration.

(b) Yes, at some stations on Western, Central and South-Eastern Railways.

(c) and (d). A statement is placed on the Table of the Lok Sabha. [See Appendix X, annexure No. 51].

Iron Ore Export

*2063. **Shri Deogram** : Will the Minister of Transport be pleased to refer to the reply given to starred question No. 1496 on the 6th September, 1955 and state :

(a) the monthly average in percentage of direct shipment of iron ores from Kidderpore Docks during the period from January to June, 1955.

(b) how this average compares with the direct shipment in the corresponding months of the years 1952-53 and 1954;

(c) the reasons for considerable fall if any, during January to June, 1955; and

(d) the reasons for improvement in August, 1955?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) The monthly average of direct shipment of ores of all kinds during the period January to June 1955 was 8.9 per cent. Separate figures in respect of iron ore are not available.

(b) About 9.7 per cent less as compared with the corresponding period of 1954. Figures for 1952 and 1953 are not available.

(c) and (d). Government are not aware of any special reasons for such fluctuations.

Railway Signals

*2065. **Shri U. M. Trivedi** : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that the standard semaphore signals are being replaced on the Western Railway by a new type of signals;

(b) if so, the names of the Stations where the new type of signals have been installed; and

(c) the expenditure incurred there on?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes Sir on some Sections.

(b) A statement is placed on the Table of the Lok Sabha. (See Appendix X, annexure No. 52).

(c) Rs. 7,58,000.

Teleprinters

*2071. **Shri H. N. Mukerjee** : Will the Minister of Communications be pleased to state :

(a) whether it is a fact that Government have recently permitted Share and

Bullion brokers to import and instal six teleprinters for transmission of messages between Bombay and Calcutta;

(b) if so, the circumstances under which they have been permitted;

(c) whether it is also a fact that the use of these teleprinters will bring about shortfall in Trunk telephone revenue; and

(d) if so, to what extent?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) The Director-General, Posts & Telegraphs is not aware of import of Teleprinters. The Department has however approved leasing out teleprinter circuits to certain parties.

(b) A reference may be made to the statement of Minister for Communications made in the Lok Sabha on 23-12-54, in connection with the notice by Sardar Amar Singh Saigal.

(c) While there may be a slight fall to the extent that these parties put through a less number of trunk calls, this will be made good by the rental for teleprinter circuits

(d) Does not arise.

Goods Traffic

*2078. **Shri K. P. Tripathi** : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that goods take normally about a month to reach Amingaon from Tezpur and back by train, a distance of only 80 miles;

(b) if so, the reason therefor; and

(c) the steps if any, taken in the matter?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shah Nawaz Khan) : (a) The distance between Amingaon and Tezpur is 116 miles, not 80 miles as stated in the Question. The normal overall time taken in transit between Amingaon and Tezpur is only three to four days for Wagon-loads and a day in addition, for 'small' consignments

(b) and (c) Do not arise.

Train Accident

*2085. **Shri M. L. Agrawal** : Will the Minister of Railways be pleased to state :

(a) the causes of the collision of the two suburban electric trains at Dock Yard Road Station, Bombay on the 9th September, 1955; and

(b) whether any inquiry has been instituted into this accident?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) and (b) The Government Inspector of Railways, Bombay, is conducting his statutory enquiry into the collision, the cause of which will be known on receipt of his Report.

Air Accident in Nepal

***2086. Shri Kamath:** Will the Minister of Communications be pleased to state:

(a) whether it is a fact that in July, 1955 there was an accident to an I. A. C. plane at Bhairava in Nepal;

(b) if so, the casualties and other details of the accident; and

(c) whether an enquiry has been instituted into the causes of the accident?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) to (c). I lay a statement on the Table of the Lok Sabha giving the requisite information. [See Appendix X, annexure No. 53.]

डाक व तार घर के भवन

***2087. श्री हरप्रसाद जोशी:** क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) हैदराबाद राज्य में कितने डाक-घर सरकारी भवनों में हैं और कितने किराये पर लिये गये भवनों में हैं; और

(ख) किराये पर प्रतिवर्ष कितनी राशि व्यय की जाती है?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) 302 Post Offices are located in buildings owned by the Department and 107 Post Offices are located in rented buildings.

(b) A sum of Rs. 35,546/- is paid annually as rent for the Post Offices located in rented buildings.

Rolling Stock

***2088. Shri Raghunath Singh:** Will the Minister of Railways be pleased to state:

(a) whether it is a fact that orders have been placed for the supply of Rolling Stocks with some firms in France; and

(b) if so, the details thereof?

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

(b) A statement is laid on the Table of Lok Sabha. [See Appendix, X annexure No. 54].

Katihar-Sonepur Rail Line

***2089. Shri L. N. Mishra:** Will the Minister of Railways be pleased to state

(a) whether it is a fact that a proposal for doubling the track from Katihar to Sonepur on North Eastern Railway is under the consideration of Government; and

(b) if so, when this proposal is expected to materialise?

The Parliamentary Secretary to the Minister of Railways and Transport (Shri Shahnawaz Khan): (a) No Sir Doubling of track between Sonepur and Hajipur only is under consideration at present.

(b) A decision in regard to doubling of the Sonepur-Hajipur portion is expected to be taken early next year.

Bridge over Bhorali River

***2090. Shri K. P. Tripathi:** Will the Minister of Transport be pleased to refer to the reply given to starred question No. 1147 on the 17th March, 1955 and state:

(a) whether the site of the bridge to be constructed on the Bhorali river in Assam is under the consideration of the Central Government; and

(b) if so, when a decision is likely to be taken?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) and (b). The question of site for the bridge will be considered after completion of the survey work which is being carried out by the State Government.

Theft of Gold Bars

1072. Shri K. P. Sinha: Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 204 on the 10th March, 1955 and state:

(a) whether the investigation into the theft of gold bars has since been completed; and

(b) if so, results thereof?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) No; not yet.

(b) So far 7 persons have been arrested and gold valued. Rs. 60,000 has been recovered.

जंजीर का सीधा जाना

1073. श्री रघुनाथ सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) १९५४-५५ में भारतीय रेलों पर जंजीर सीधने के कितने मामले हुए ;

(ख) कितने मामलों में अपराधियों को गिरफ्तार किया गया ;

(ग) कितने लोगों पर मुकदमे चलाये गये ; और

(घ) कितने मामलों में जंजीर सीधने वालों का पता नहीं चला ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगोदान) : (क) ४०,३७५

(ख) ५११

(ग) ५०८

(घ) २२,४८८

Dual Purpose Cattle

1074. श्री V.B. Gandhi : Will the Minister of Food and Agriculture be pleased to state whether it is a fact that Government propose to launch a programme of breeding dual purpose cattle, suitable both for draught as well as milk yielding purposes ?

क्षेत्रीय विकास विभाग (श्री A. P. Jain) : Cattle breeding work is done by the State Governments, who are primarily responsible for it. The Central Government had laid down an all India Breeding Policy in which the necessity of developing the milk production of draught cattle without affecting their capacity for work has been duly emphasised. The State Governments have agreed to implement this programme. The Central Government as such has no specific scheme or programme for the breeding of dual purpose cattle.

Kudzu Plant

1075. श्री V.B. Gandhi : Will the Minister of Food and Agriculture be pleased to state :

(a) whether Government are aware of a Japanese plant called " Kudzu " which yields good nutritive fodder for cattle and grows in tracts of extremely low rainfall ;

(b) if so, whether any experiments are being conducted on this plant ; and

(c) the steps Government propose to take to secure its extensive cultivation in this country ?

The Minister of Food and Agriculture (Shri A.P. Jain) : (a) Yes.

(b) and (c). Experiments carried out at the Indian Agricultural Research Institute have indicated that Kudzu vine can be successfully propagated by planting Kudzu crowns from December to February. The potentialities of Kudzu vine were also ascertained by extensive trials at 13 other centres. The results have been brought to the notice of all the State Governments and were also published in Indian Farming (January 1955 issue). The Community Project Administration have also recommended to the Development Commissioners to conduct trials with Kudzu vine in Project Areas the climatic conditions of which are suitable to the growth of the plant. Crowns are supplied by the Indian Agricultural Research Institute.

Preservation of Potatoes

1076. श्री N.B. Chowdhury : Will the Minister of Food and Agriculture be pleased to state :

(a) whether it is a fact that a method has been evolved by the Agricultural Research Institute for the preservation of potatoes in rural areas without the use of power or cold storage houses ; and

(b) if so, the details thereof ?

The Minister of Food and Agriculture (Shri A.P. Jain) : (a) and (b) A statement is attached (See Appendix X, annexure No. 55.)

Passenger Amenities

1077. थाकुर जगत किंशुर सिंह : Will the Minister of Railways be pleased to lay a statement on the Table of the House showing the broad principles which govern the grant of the following amenities on railway stations :—

- (i) waiting rooms (their size and dimension) ;
- (ii) platform benches ;
- (iii) water-taps, wells and hand-pumps ;
- (iv) platform levels ;
- (v) latrines ;
- (vi) urinals ;
- (vii) bath rooms on platforms ; and
- (viii) furniture of the waiting rooms ?

The Deputy Minister of Railways and Transport (Shri Alagesan): The broad principles that govern the provision of amenities are indicated below. These are regarded as general guides.

(i) (a) At the small stations waiting facilities may be provided for 67 per cent of the maximum number of passengers dealt with at any one time (excluding Mela Traffic);

(b) At the large stations waiting facilities may be provided for 45 per cent of the maximum number of passengers dealt with at any one time (excluding Mela Traffic). The minimum floor area per passenger catered for in waiting halls (calculated as in (a) and (b) above) is 15 square feet.

(ii) 20 seats per 100 passengers calculated as in (a) and (b) above.

(iii) The number of taps per hundred passengers for drinking water only, calculated as in (a) and (b) above, may not be less than two. When the number of taps provided is more than two, one of the taps is reserved for women.

Where possible drinking water is supplied on platforms by the provision of hydrants. Simultaneously, "Gharas" mounted on wheeled barrows are used for supplying water to passengers in the compartments. The number of barrows depend upon the climatic conditions.

(iv) *Broad Gauge.* The ultimate target is to provide high level platforms at all important main line stations, medium level platforms at less important main line stations and rail level at unimportant road side main line stations.

Metre Gauge. Medium level at all main line stations, where high level cannot be justified Rail level as for Broad Gauge.

Branch lines Broad Gauge and Metre Gauge

As for main line with the substitution of medium for high.

(v) The number of latrine seats per 100 passengers, calculated as in (a) and (b) above, may not be less than four.

Water-borne sanitation is provided wherever this is practicable. Where no water-borne sanitation is available one sweeper is allotted to 8 seats.

(vi) At the larger stations, urinals may be provided at the platforms at the rate of one unit per 50 waiting passengers.

(vii) At junctions or terminal stations where running water is available, bathing arrangements may be provided on the basis of one shower for every 200 waiting

passengers, as calculated in (a) and (b) above. When the number of showers exceeds two, one third of the number may be provided with doors and reserved for women.

(viii) This depends upon the size of the waiting rooms.

Development of Railway Station

1078. Shri Kamath: Will the Minister of Railways be pleased to state:

(a) whether Karakbel, Bohani and Bagra-Tawa Railway Stations on the Central Railway have been included for improvement and expansion during the First Five Year Plan period;

(b) if so, the main features of their improvement and expansion plan; and

(c) what are the prospects for them during the Second Five Year Plan?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes, Sir.

(b) The main features of improvement and expansion were paving of platforms provisions of III Class Waiting Hall, benches latrines, and improved water supply arrangements.

(c) Further improvements are under examination.

Post office at Semriharchand

1079. Shri Kamath: Will the Minister of Communications be pleased to state :

(a) whether Government proposes to open a post office at Semriharchand (Gurramkhedi) in Sohabpur tehsil of Hoshangabad District (Madhya Pradesh);

(b) if so, when; and

(c) if not, the reasons therefor?

The Deputy Minister of Communications (Shri Raj Bahadur): (a) There is already a Branch Post Office at Semriharchand in Hoshangabad District.

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

Road Accidents

1080. { Shri Bibhuti Mishra : **Shri Raghunath Singh :**

Will the Minister of Transport be pleased to state :

(a) the total number of road accidents in 1954 and 1955 (upto June 1955). State-wise; and

(b) the number of fatal cases, State-wise?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). A statement giving the available information is attached. [See Appendix X, annexure No. 56].

Wheat

1081. Shri K. P. Sinha : Will the Minister of Food and Agriculture be pleased to state :

(a) the total quantity of imported wheat in Government Stock at present;

(b) the total quantity of imported wheat sold during the year 1954-55; and

(c) the total quantity of what purchased by Government direct from local markets during the above period?

The Minister of Food and Agriculture (Shri A. P. Jain) : (a) 2.8 lakhs tons in Central Reserve Depots on 4th September, 1955.

(b) 5.9 lakh tons from Central Sales Depots.

(c) 0.3 lakh tons.

Employment of Women

1082. Shri Ibrahim : Will the Minister of Labour be pleased to refer to the statement laid on the Table of the House in reply to Starred Question No. 886 on the 14th March, 1955 and state the percentage of women who secured employment in 1954 through the Employment Exchanges out of those who applied for jobs through them?

The Minister of Labour (Shri Khandubhai Desai) : 14.9 per cent.

Milk Production

1083. Shri Ibrahim : Will the Minister of Food and Agriculture be pleased to state :

(a) the total estimated output of milk in the years 1950 and 1954 in India separately; and

(b) the *per capita* consumption in India in these years?

The Minister of Food and Agriculture (Shri A. P. Jain) : (a) and (b). The required information is not available in respect of the years 1950 and 1954. But the estimated production of milk in 1951 was 4,697.78 lakh maund and the *per capita* daily consumption was 4.7 oz.

आउट एजेन्सिया

1084. श्री भक्त बाहुन : क्या रेलवे मंत्री १२ अप्रैल, १९५५ को दिये गये नारांकित प्रश्न संख्या २१६१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) तब से किन स्थानों पर नई आउट एजेन्सियां खोली गई हैं; और

(ख) तब से किन नये स्थानों को सूची में ममिलित किया गया है?

रेलवे तथा परिवहन उपचारी (श्री अलपेश्वर) : (क) तथा (ख), मात्र गई सूचना का विवरण साथ नहीं है। [वेलिय परिशिष्ट १०, अनुबन्ध संख्या ५७].

Hindi Telegrams

1085. Shri Gidwani : Will the Minister of Communications be pleased to state :

(a) the number of telegrams received in Devnagri script by the telegraph offices during 1954-55;

(b) the income from these telegrams during 1954-55; and

(c) the amount spent on transmission and delivery of these telegrams during the same period?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) 45,510-

(b) and (c). The income from these telegrams and the amount spent on transmission and delivery of these telegrams during the year 1954-55 cannot be calculated as such statistical data are not maintained in the P. & T. Department.

सार्वजनिक टेलीफोन

1086. श्री हस्तियार्थ जोशी : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) हैदराबाद गज्य में कितने सार्वजनिक टेलीफोन और टेलीफोन ग्राम्पोर्ट हैं और

(ख) १९५५-५६ में कितने और नये खोले जायेंगे?

संचार उपलब्धी (धी राज बहादुर) :

(क) ३०-६-५५ को ६३ आम टेलीफोन घर और २१ टेलीफोन केन्द्र थे ।

(ख) १६५५-५६ में १७ आम टेलीफोन घर और ६ टेलीफोन केन्द्र, तथा

१६५६-५७ में लगभग २० आम टेलीफोन घर व ५ टेलीफोन केन्द्र खोले जाने की सम्भावना है ।

माल डिब्बों की कमी

१०८७. धी अनिदृढ़ सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार को पता है कि पूर्वी रेलवे के पूसा रोड स्टेशन पर माल डिब्बों के उपलब्ध न होने के कारण आम शीघ्र नहीं भेजे जा सकते ;

(ख) व्यापारियों द्वारा की गई मांग के किस अनुपात में उन्हें डिब्बे दिये गये ;

(ग) स्थिति को सुधारने के लिये किस प्रकार का प्रबन्ध किया गया है या किये जाने का विचार है ?

रेलवे तथा परिवहन उपलब्धी (धी अलगेश्वर) :

(क) शायद मतलब पूर्वोत्तर रेलवे के पूसा रोड स्टेशन से है क्योंकि पूर्व रेलवे में इस नाम का कोई स्टेशन नहीं है । इस स्टेशन पर बाहर भेजने के लिये जो आम आते हैं उन्हें जल्द भेजने का प्रबन्ध किया जाता है ।

(ख) २-७-५५ से १८-८-५५ के बीच पूसा रोड स्टेशन से आम भेजने के लिये जो डिब्बे मांगे और दिये गये उन का विवरण इस प्रकार है :—

| मांगे गये डिब्बों की संख्या | दिये गये डिब्बों की संख्या | रह की गयी मांगें | रजिस्टर में दर्ज मांगें जो पूरी नहीं की जा सकीं । |
|--------------------------------|-------------------------------|---------------------|--|
|--------------------------------|-------------------------------|---------------------|--|

माल गाड़ी की

| | | | | |
|--|-----|-----|----|-----------------------------|
| वर पर | ५९ | ५८ | १ | कोई नहीं |
| सवारी पार्सल गाड़ी की दर पर (पार्सल या सवारी गाड़ी से ले जाने के लिए) | २६४ | २७८ | १२ | (१८-८-५५ को दर्ज की गयी) |
| | | | | ४ |
| | | | | |

(ग) सवाल नहीं उठता ।

Railway School

1088. Shri Sanganna : Will the Minister of Railways be pleased to refer to the reply given to Unstarred Question No. 253 on the 8th August, 1955 and state :

(a) whether the Railway School at Rayagada on the South Eastern Railway is open to public other than Railway employees ;

(b) whether the Government of Orissa has any supervisory control over the educational aspect of this school ; and

(c) if not, the reasons thereof ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes, Sir, to the extent accommodation is available after meeting the needs of Railway employees' children in full.

(b) The school is periodically inspected by the Inspector of Schools, Orissa, whose approval is necessary for the courses of study and detailed curriculum of the various classes of the school.

(c) Does not arise.

Delay in Transport of Goods

1089. **Shri L. N. Mishra** : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that complaints have been made to the Railway Authorities that undue delay occurs in the transit of goods and parcel consignments in the districts of Sonepore, Samastipore and Banaras on the North Eastern Railway ; and

(b) if so, the main reasons for such delays ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Some complaints regarding undue delay in transit of consignments on Sonepore, Samastipore and Banaras Districts of the North Eastern Railway have been received by the Railway.

(b) Inadequacy of necessary railway facilities at certain terminal stations and marshalling yards and at re-packing stations (in the case of traffic in 'smalls') to cope with the heavy pressure of traffic is mainly the cause of the slowing down of movements. There is also shortage of locomotives. Consistent with the 'ways and means' position, steps continue to be taken to augment the capacity and improve the operation.

Railway Employees

1090. **Shri S. L. Saksena** :
Shri Waghmare :

Will the Minister of Railways be pleased to state

(a) whether it is a fact that the Eastern Railway has posted Observers at Darsana Railway Station in East Pakistan, in connection with the interchange of Rolling Stock between India and Pakistan ; and

(b) if so, the rate of allowances paid to these Observers for their posting in a foreign territory ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes, Sir.

(b) The matter is under consideration. At present the pay and allowances as admissible in India are being paid.

Platforms on the Central Railway

1091. **Shri H. G. Vaishnav** : Will the Minister of Railways be pleased to state :

(a) the number of railway stations on the Manmad-Secunderabad Section of the Central Railway where un-covered platforms exist ;

(b) the number out of them which are the District Headquarters ;

(c) whether there is any proposal to have covered platforms at these stations ; and

(d) if so, when ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Four important Stations viz. Purnea, Nanded, Mudkhed and Nizamabad do not have covered platforms.

(b) Two Stations viz. Nizamabad and Nanded.

(c) Yes, Sir.

(d) At one station the work is expected to be completed during the current financial year. While, on the other the work is likely to be sanctioned and completed during 1956-57.

Railway Employees

1092. **Chaudhri Mohammed Shafiee** : Will the Minister of Railways be pleased to state :

(a) the number of interviews granted by his Ministry to the Advisory Committee of the Ticket Checking Staff since the 1st January, 1955

(b) if the reply to part (a) above be in the affirmative, the names of the places and dates when these interviews were held ; and

(c) if no interview was granted the reasons therefor ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) None.

(b) Does not arise.

(c) No interview was granted to the Advisory Committee of the Ticket Checking Staff, as sectional associations are not recognised by Government.

Enquiry Office

1093. **Shri N. B. Chowdhury** : Will the Minister of Railways be pleased to state :

(a) whether there is any proposal to open an Enquiry Office at Kharagpur Railway Junction ; and

(b) if so, when it will start functioning ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Yes.

(b) In about two months.

Credit Facilities

1094. Shri Deogam: Will the Minister of Railways be pleased to state:

(a) whether it is a fact that at any time between 1949 and 1955 the following firms or companies were or are having Credit Note facility for payment of Railway freights either at Sealdah or Howrah or Shalimar Ramkristopore:—

- (i) M/s. G. D. Daga & Co. 8, Canning Street, Calcutta;
- (ii) M/s. Kesoram Cotton Mills Ltd., Roal Exchange Place, Calcutta;
- (iii) M/s. Jhajharia Trading Co., Ltd., 14, Netaji Subhas Road, Calcutta; and
- (iv) M/s. Howrah Flour Mills Ltd., Ramkristopore, Howrah;

(b) the amount of security deposited by each of them for availing of this facility

(c) whether any of the above companies ever drew Credit Notes in excess of their security deposits;

(d) whether the Credit Note facility was withdrawn from any of them;

(e) if so, the name of the firm, the date of withdrawal and the reason thereof; and

(f) whether the security which was deposited covered the amount of Credit Notes issued by the party?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) Yes.

Amount of security
Rs.

| | |
|---------------------------------------|--|
| (b) (i) M/s. G. D. Daga & Co. | 1,500 |
| (ii) M/s. Kesoram Cotton Mills Ltd. | 50,000 since reduced to Rs. 17,000 |
| (iii) M/s. Jhajharia Trading Co. Ltd. | 8,000 |
| (iv) M/s. Howrah Flour Mills Ltd. | 4,000 |

(c) Yes.

(d) Yes.

(e)

Name Date of Reasons for withdrawal
of the withdrawal

1

2

3

M/s. G. Daga & Co. Not readily available As a cheque paid by the firm in payment of dues on Credit Note was dishonoured by the Bank and inspite of repeated demands the dues were not liquidated.

| | 1 | 2 | 3 |
|---------------------------------|-----------------------|--|---|
| M/s. Jhajharia Trading Co. Ltd. | Not readily available | There were heavy dues against the firm on Credit Note Bills which they were asked to liquidate. At the same time an additional security commensurate with their traffic transactions was demanded from them. They, however, failed to pay the outstanding dues and to deposit the additional security. | |

(f) Yes, except in respect of two firms referred to in reply to part (e) of the question.

Iron Ores

1095. Shri Deogam: Will the Minister of Railways be pleased to state:

(a) the names of mine-owners whose iron ores were despatched from Badampahar and Kuldihā stations to Kiddarpore Docks; and

(b) the quantity of iron ores despatched by each of them separately during the periods from 1-1-1953 to 3-3-1953, from 1-4-1953, to 31-12-1953 from 1-1-1954 to 31-12-1954 and from 1-1-1955 to 30-6-1955?

The Deputy Minister of Railways and Transport (Shri Alagesan):

(a) (i) M/s. H. N. Thakur & Sons Ltd., 54, Ezra Street, Calcutta, and

(ii) Shri Gajanand Padia, 143/1/1, Cotton Street, Calcutta.

(b) This information separately for each mine-owners is not available. However, figures of actual number of wagons loaded with ore to K. P. Docks from Badampahar and Kuldihā stations during the period from 1-1-53 to 31-3-53, from 1-4-53 to 31-12-53, from 1-1-54 to 31-12-54, and from 1-1-55 to 30-6-55, are furnished below:

| Periods | Loading in terms of wagons | ores from Badam- | Kuldihā |
|--------------------|----------------------------|------------------|---------|
| 1-1-53 to 31-3-53 | 71 | 1150 | |
| 1-4-53 to 31-12-53 | 821 | 2863 | |
| 1-1-54 to 31-12-54 | 1221 | 902 | |
| 1-1-55 to 30-6-55 | 325 | 319 | |

Bullock Cart

1096. Shri Kajrolkar: Will the Minister of Transport be pleased to state whether there is a proposal under consideration to pay a subsidy to bullock-cart owners who use pneumatic tyres for the wheels of their vehicles?

The Deputy Minister of Railways and Transport (Shri Alagesan) : A suggestion was made at a recent conference of State Transport Commissioners and Controllers that a subsidy of Rs. 1.25 to Rs. 2.5 crores might be given by Government for popularising pneumatic-tyred bullock carts. This suggestion has not yet been considered by the Government of India.

Contributory Health Service Scheme

1097. Dr. Rama Rao : Will the Minister of Health be pleased to lay on the Table of the House a statement showing :

(a) the rent paid by Government for the building occupied by the Contributory Health Service Dispensary in Karolbagh (near Prahlad Market) ;

(b) the rent of "D" type Government quarters near about ;

(c) the extent of accommodation available in the present dispensary as compared to a "D" type flat ;

(d) whether Government have received any complaint about the inadequacy of accommodation resulting in overcrowding ;

(e) the average number of patients who attended this dispensary daily during the period from the 1st January 1955 to the 30th June 1955 ; and

(f) the number of medical personnel and other assistants employed in this dispensary ?

The Minister of Health (Rajkumari Amarit Kaur) : (a) Rs. 450 p.m. inclusive of House tax and ground rent as fixed by the Estate Office in consultation with the Central Public Works Department.

(b) The standard rent of a "D" type Government quarter in Karolbagh is Rs. 69/- p.m. under Fundamental Rules 45-A when allotted to entitled Government servants, Rs. 179/- under Fundamental Rule 45-B if allotted to non-entitled Government Servants and Rs. 209 1/4/- under Fundamental Rule 45-B, if allotted to private individuals.

(c) The accommodation in the Contributory Health Service Dispensary, Karolbagh, located in 52/53, Western Extension Area, consists of one spacious hall, two rooms, a kitchen, a bath room, and one store room besides a courtyard, on the ground floor, two rooms on the first floor and one store room underground, comprising a total area of 2526 sq. ft. In a "D" type quarter in Karolbagh

the accommodation consists of three rooms one store room two bath rooms, one kitchen and one servant's room (outhouse), comprising a total area of 1204 sq. ft.

(d) No.

(e) The daily average number of patients who attended the dispensary during the period in question was 724.

(f) The following medical officers and auxiliary staff are employed in the dispensary :—

| | |
|--|---|
| (1) Assistant Surgeons, Grade I (Men) | 3 |
| (2) Assistant Surgeon, Grade I (Women) | 1 |
| (3) Compounders | 4 |
| (4) Dresser | 1 |
| (5) Nursing Orderlies | 2 |
| (6) Female Attendant | 1 |
| (7) Peons | 2 |
| (8) Clerks | 2 |
| (9) Sweepers | 2 |
| (10) Chewkidar | 1 |

Catering

1098. Thakur Jugal Kishore Sinha : Will the Minister of Railways be pleased to state :

(a) the number of employees of the different Railway caterers who are likely to be affected by the change over to Departmental Catering ; and

(b) whether the employees so affected will be automatically absorbed in the Department catering establishment ?

The Deputy Minister of Railways and Transport (Shri Alagesan) :

(a) About 1,026 on the Northern, North-Eastern, Central and Western Railways on which Departmental Catering is being introduced for the first time. This number includes vendors also.

(b) Efforts will be made to absorb as many of these employees as feasible.

Air-Conditioned Coaches

1099. Thakur Jugal Kishore Sinha : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that the temperature in the air-conditioned coaches is sometimes conditioned in such a manner that sometimes the passengers feel cold and stand in need of warm clothes ; and

(b) whether there are instructions for the adjustment of temperature to suit the convenience of passengers from time to time ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) The temperature range which is worked to the Broad Gauge fully air-conditioned

coaches is 72-75-78°F, depending upon ambient temperatures. These figures have been obtained to meet average requirements. To meet the needs of some passengers, however, who may feel cold, particularly at night, bed linen includes blankets.

(b) As the control panel in the hands of the attendant provides single control for the entire coach, ranges of temperatures mentioned above are maintained throughout the coach. It is impracticable to adjust temperatures to suit individual reactions.

Telco

1100, Shri Raghunath Singh: Will the Minister of Railways be pleased to state :

(a) the number of foreign expert employed in TELCO at present; and

(b) the system of their employment i.e. whether on contract or salary basis?

The Deputy Minister of Railways and Transport (Shri Alagesan): (a) 35 Foreign experts are at present employed, of which 8 are against Locomotive & Boiler Project and 27 against Automobile Project.

(b) On salary basis.

छपरा रेलवे स्टेशन

1101. श्री एम० एम० सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे के छपरा रेलवे स्टेशन के प्लेटफार्म पर कितने पानी के नल हैं और पानी ठंडा करने के यंत्र हैं, और इस बर्बंधी काल में उन में से कितने नल और यंत्र बिगड़े थे ; और

(ख) उन की मरम्मत के लिये क्या कार्यवाही की गई है ?

रेलवे तथा परिवहन उपचंडी (श्री अलगेश्वर) (क)

नल और जल बिगड़े हए
शीतकों की नल और जल-
संस्था शीतकों की
संस्था

वाली के नल 22 अलग-अलग तारीखों में
पांच में
१० तक

जल शीतक १
१
२२-४-५५ से १५-७-५५ तक

(ख) पानी के नल उसी समय टीक कर दिये गये । लेकिन जल शीतक की मरम्मत न की जा सकी क्योंकि जलरी पुर्जे जल्द न मिल सके । बाद में एक दूसरा जल शीतक मिला जो १५-७-५५ से उस की जगह पा लगा दिया गया ।

यात्रियों को सुविधाय

११०२. श्री एम० एम० सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे के छपरा और सोनपुर स्टेशनों पर कितने लैम्पमैन हैं ;

(ख) एक आदमी कितने लैम्पों की देख-भाल कर सकता है ; और

(ग) इन स्टेशनों पर कितने सिगनल लैम्प हैं ?

रेलवे तथा परिवहन उपचंडी (श्री अलगेश्वर) : (क) छपरा—४
मोनपुर—८

(ख) अमुक स्टेशन पर आने-जाने वाली गाड़ियों की संख्या, याड़ की बनावट, सिगनलों की स्थिति आदि बातों को देखते हुए एक आदमी २५ से ले कर ४० लैम्पों की देख-भाल कर सकता है । इस में सिगनल, प्लेट-फार्म, आफिस और दूसरी जगहों में जलने वाले सभी लैम्प शामिल हैं ।

(ग) छपरा—५६
मोनपुर—५०

छपरा स्टेशन पर रेलवे झेड

११०३. श्री एम० एम० सिंह : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) पूर्वोत्तर रेलवे के छपरा रेलवे जंक्शन की साईर्डिंग के संड के नीचे कितने माल डिब्बे आ सकते हैं ; और

(ख) छपरा स्टेशन पर प्रति दिन कितने माल डिब्बों का ट्रांसशिपमेंट होता है ?

रेलवे तथा परिवहन उपकरणी (श्री अलगेश्वर) : (क) १६
(ख) लगभग ३८

Railway Grain Shop

1104. **Shri Raghunath Singh** : Will the Minister of Railways be pleased to state :

(a) whether it is a fact that the Railway grain shops are not serving any useful purpose ; and

(b) if so, whether there is any proposal to close them ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b). The Railway grainshops now have limited usefulness as the number of Staff using them is progressively diminishing. Because of this and the recommendations of the Railway Corruption Enquiry Committee and the Public Accounts Committee, they are being gradually closed down.

Delhi-Agra Road

1105. **Shri Krishnacharya Joshi** : Will the Minister of Transport be pleased to state :

(a) whether there is a proposal to double the existing road from Delhi to Agra; and

(b) if so, the estimated cost of the proposed work ?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) Widening of this road is already in progress.

(b) The estimated cost of widening is about Rs. 110 lakhs.

Rolling Stock

1106. **Shri A. N. Vidyalankar** : Will the Minister of Railways be pleased to state :

(a) the number of coach and wagons under frames;

(i) put to use,

(ii) imported, and

(iii) manufactured in India

in the years 1952, 1953, 1954 and 1955 respectively;

(b) whether it is a fact that possibilities are being explored to meet all the Railways requirements of under frames from India, and industrialists are being invited to set up new plants for the purpose;

(c) whether it is also a fact that the TELECO have since closed this line of manufacture; and
(d) if so, the reason therefor ?

The Deputy Minister of Railways and Transport (Shri Alagesan) :

(a) A statement giving the information regarding coaching underframes is attached herewith. [See Appendix X, annexure No. 58.] Wagons are ordered and received complete with underframes.

(b) Yes.

(c) It is learnt that the firm propose to close the line of manufacture of underframes.

(d) Perhaps the firm found that other lines of manufacture would be more profitable.

Water Supply Schemes

1107. **Shrimati Jayashri** : Will the Minister of Health be pleased to state the amount spent so far out of the funds assigned in the First Five Year Plan for constructing wells and tube-wells for augmenting the water-supply position in the country ?

The Minister of Health (Rajkumari Amrit Kaur) : The necessary information is being collected and will be laid on the Table of the Lok Sabha in due course.

Railway Accounts Departments

1108. **Shri Ramji Verma** : Will the Minister of Railways be pleased to state;

(a) whether any written test has been introduced in the Railway Account Department for selection to the posts of Assistant Accounts Officer;

(b) if so, since when;

(c) the reasons therefor;

(d) whether the employees concerned were given an advance notice of it; and

(e) if not the reasons therefor ?

The Deputy Minister of Railways and Transport (Shri Alagesan) :

(a) Yes; the Western and Northern Railways have prescribed a written test for the Railway Accounts Department but such a test is not held on other Railway Administrations.

(b) From 1-6-1953 on the Western Railway and from 14-4-1952 on the Northern Railway. No selection has so far been held by the latter railway for promotion as Assistant Accounts Officer.

(c) A written test is one of the accepted methods for assessing suitability coupled with an interview by Selection Board

(d) Yes, so far as the Railways mentioned in the reply to part (a) of the question are concerned.

(e) Does not arise.

First Five Year Plan

1109. Shri Krishnacharya Joshi: Will the Minister of Railways be pleased to state the total amount spent upto the 30th June, 1955 on the various schemes executed under the First Five Year Plan?

The Deputy Minister of Railways and Transport (Shri Alagesan) : Out of the total amount of Rs. 400 crores allotted for the First Five Year Plan, an expenditure of Rs. 306.17 crores has been actually booked upto the 30th June, 1955.

Facilities for Hindi Learning

1110. Shri S. C. Samanta : Will the Minister of Communications be pleased to state :

(a) the number of Post and Telegraph employees who are learning Hindi in Calcutta at present;

(b) the number of employees who have passed the prescribed examination held by the Hindi Siksha Parishad in recent years (year-wise);

(c) The total amount spent up to date by the department tuition and examination fees, and

(d) whether any start has been made in any other non-Hindi speaking cities in India?

The Deputy Minister of Communications (Shri Raj Bahadur) : (a) 90 P & T employees.

(b) Year Number of employees passed.

| | |
|------|-----|
| 1952 | Nil |
| 1953 | Nil |
| 1954 | Nil |

1955 7 officials had appeared in the examination held in June, 1955 the result of which is not yet out. It may however be added that 70 officials have passed the examination conducted by the Rashtrabhasha Prachar Samiti from 1951 to 1955:

(c) Nil.

(d) The question is under consideration.

North Trunk Road, Assam

1111. Shri K. P. Tripathi : Will the Minister of Transport be pleased to refer to the reply given to unstarred question No. 592 on the 24th August, 1955 and state:

(a) whether the expenditure for surfacing and asphaltating the North Trunk Road of Assam has since been sanctioned;

(b) if so, whether the entire cost will be met by the Central or the State Government will also participate;

(c) when the work will begin; and

(d) whether any priority has been assigned for the execution of this work?

The Deputy Minister of Railways and Transport (Shri Alagesan) : (a) and (b) A grant of Rs. 53.00 lakhs has been made to the Government of Assam to cover the entire cost of improving the North Trunk Road for the section from Beki River to Sankosh River to the standard of a gravelled road;

(c) The work is already in progress;

(d) No.

रेलवे आक्ट एजेंसियां

1112. श्री मोतीलाल मालवीय : क्या रेलवे मंत्री १२ अप्रैल, १९५५ को दिये गये तारांकित प्रश्न संख्या २१६१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे की विन्ध्य प्रदेश के छत्तरपुर और महाराजपुर में दो आउट एजेंसियां कब खोली जायेंगी?

रेलवे तथा परिवहन उपमंडी (श्री अलगोश्वामी) : विन्ध्य प्रदेश सरकार की सलाह से इस पर अभी विचार किया जा रहा है। राज्य सरकार के अन्तिम मुझावों का इतजार है।

Medicinal Herbs

1113. Shri Hem Raj : Will the Minister of Health be pleased to state:

(a) whether it is a fact that medicinal herbs of high quality exist in the mountains and hills of the Himalayan region in Punjab; and

(b) if so, whether Government propose to conduct any research in this regard and afford facilities to the people of the areas for their collection?

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

(b) A Joint Committee of the Council of Scientific and Industrial Research, the Indian Council of Medical Research and the Indian Council of Agricultural Research is examining this question.

Railway Line

1114. Dr. Satyawadi : Will the Minister of Railways be pleased to state:

(a) whether any memorandum has been received recently from the inhabitants of Pahwa, district Karnal, Punjab demanding that the place be connected to Kurukshetra by a railway line; and

(b) if so, the decision taken in the matter?

The Deputy Minister of Railways (Shri Alagesan) : (a) Yes, Sir.

(b) The proposal has been noted for consideration while selecting new lines for construction during the Second Five Year Plan Period.

डाक-कर्मचारियों का हैदराबाद को स्थानान्तर

1115. डा० सत्यवादी : क्या संचार मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विलीनी-करण के पश्चात् विभिन्न डाक सर्किलों से कुछ कर्मचारी हैदराबाद को वहां डाक के काम की देख भाल के लिये भेजे गये थे ;

(ख) यदि हां, तो प्रत्येक सर्किल से कितने कर्मचारी भेजे गये थे ;

(ग) कितने कर्मचारी अपने कार्यालयों को अब तक वापस भेज दिये गये हैं ;

(घ) शेष व्यक्ति कब अपने कार्यालयों को वापस भेज दिये जायेंगे ;

(ङ) हैदराबाद में काम करने के लिये क्या कर्मचारियों को कोई खास भत्ता दिया जाता था ; और

(च) यदि हां, तो कितना ?

संचार उपमंत्री (श्री राज बहादुर) :

(क) जी हां ।

(ख) से (घ). मांगी हुई सूचना एक विवरण-पत्र में सभा-पटल पर रखी जाती है [वैक्षिये परिशिष्ट १०, अनुबन्ध संख्या ५६].

(ङ) जी हां ।

(च) उन के बेतन का २० प्रतिशत (इस में स्थानापन्न बेतन सम्मिलित है) ।

भ्रष्टाचार के मामले

1116. श्री अमर सिंह डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) मध्य भारत में रेल विभाग के स्पेशल एस्टेंशनमेंट पुलिस द्वारा पिछले पांच वर्षों में भ्रष्टाचार के कितने मामलों का पता लगाया गया है ; और

(ख) उन में से कितने मामले डिसचार्ज किये गये ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेश्वान) : (क) छै ।

(ख) कोई नहीं ।

रेलवे कर्मचारी

1117. श्री अमर सिंह डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रत्नाम और कोटा के जिला ट्रैफिक सुपरिंटेंटों के पद समाप्त कर दिये जायेंगे और उन के स्थान पर रीजनल अफसर का पद बनाया जायेगा ; और

(ख) क्या केवल एक ही रीजन बनाया जायेगा और सारा काम उक्त अफसर को सौंप दिया जायेगा ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेश्वान) :

(क) जी नहीं ।

(ख) सवाल नहीं उठता ।

मजिस्ट्रेट की नियुक्ति

1118. श्री अमर सिंह डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रेलवे प्रशासन ने पांचम रेलवे के रत्नाम जिले के लिये एक मजिस्ट्रेट की नियुक्ति की है ;

(ख) यदि हां, तो उस का हेडक्वार्टर कहां होगा ; और

(ग) उस का क्षेत्राधिकार कहां तक होगा ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) रेलवे के मुकदमे सुनने के लिये पश्चिम रेलवे के रत्तलाम डिस्ट्रिक्ट में दो मजिस्ट्रेट हैं। इन मजिस्ट्रेटों की नियुक्ति रेलवे द्वारा नहीं बन्दूई और मध्य भारत की सरकारों द्वारा की गई है।

(ख) एक मजिस्ट्रेट का सदर मुकाम, ओवरा है और दूसरे का इन्दौर।

(ग) गोवरा के मजिस्ट्रेट का अधिकार-क्षेत्र बड़ोदा से अनास तक है और इन्दौर के मजिस्ट्रेट का अनास से शामगढ़ तक, पश्चिम रेलवे का नागदा-उज्जैन सेक्शन भी इन्दौर के मजिस्ट्रेट के अधिकार-क्षेत्र में है।

रेलवे कमंचारी

१११६. श्री अमर सिंह डामर : क्या रेलवे मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या केन्द्रीय रेलवे ने रेलवे कमंचारियों की एक क्षेत्र से दूसरे क्षेत्र में स्थानान्तर करने के लिये कोई योजना बनाई है ; और

(ख) यदि हां, तो वह कब कार्यान्वित की जायेगी ?

रेलवे तथा परिवहन उपमंत्री (श्री अलगेशन) : (क) जी नहीं। लेकिन सभी रेलों को आम हिदायत है कि जो रेलवे कमंचारी जनता के सम्पर्क में आते हैं उन्हें एक स्टेशन पर पांच साल से अधिक न रखा जाय।

(ख) सवाल नहीं उठता।

LOK SABHA DEBATES

(Part II—Proceedings other than Questions and Answers)

VOLUME VIII, 1955

(22nd September to 1st October, 1955)



TENTH SESSION, 1955

(Vol. VIII contains Nos. 46 to 54)

LOK SABHA SECRETARIAT
NEW DELHI.

CONTENTS

| | COLUMNS |
|---|----------------|
| <i>No. 46.—Thursday 22nd September, 1955.</i> | |
| Correction of Answer to Starred Question | • 14789—90 |
| Business Advisory Committee— | |
| Twenty-sixth Report—Adopted | • 14790—91 |
| Representation of the People (Amendment) Bill and Representation of the People (Second Amendment) Bill— | |
| Motions to refer to Select Committee— | |
| Not concluded. | • 14791—918 |
| <i>No. 47.—Friday, 23rd September, 1955.</i> | |
| Flood situation in the country | • 14919—20 |
| Papers laid on the Table— | |
| Statement <i>re</i> Flood situation in the country | • 14921 |
| Statement <i>re</i> delay in delivery of ships by Hindustan Shipyard, Ltd. | • 14921 |
| Prize Competitions Bill— | |
| Petition received | • 14921 |
| Intimation to Members about implementation of assurances | • 14922 |
| Representation of the People (Amendment) Bill and | |
| Representation of the People (Second Amendment) Bill— | |
| Motions to refer to Select Committee—Not concluded. | • 14923—80 |
| Committee on Private Members' Bills and Resolutions— | |
| Thirty-eighth Report—Adopted | • 14980 |
| Resolution <i>re</i> Appointment of Commission for Development of Indian Shipping— | |
| Adopted as amended | • 14981—15038 |
| Resolution <i>re</i> Regrouping of Railways—Not concluded | • 15039—44 |
| <i>No. 48.—Saturday, 24th September, 1955.</i> | |
| Representation of the People (Amendment) Bill and Representation of the People (Second Amendment) Bill— | |
| Motions to refer to Select Committee—Adopted, as amended | • 15045—96 |
| Industrial Disputes (Banking Companies) Decision Bill— | |
| Motion to consider—Adopted | • 15096—198 |
| Clauses 2 to 6 and 1 | • 15198—223 |
| Motion to pass—Adopted as amended | • 1522—25 |
| <i>No. 49.—Monday, 26th September, 1955.</i> | |
| Papers Laid on the Table— | |
| Statement showing progress made on Centrally-financed multipurpose projects | • 15227 |
| Notifications under Essential Commodities Act | • 15227 |
| Amendment to Cinematograph (Censorship) Rules | • 15228 |
| President's assent to Bills | • 15228 |
| Correction of Answer to Unstarred Question | • 15228—29 |

(ii)

| No. 49.—Monday, 26th September, 1955—contd. | COLUMNS |
|---|-----------|
| Election to Committees— | |
| Central Advisory Board of Education | 15229 |
| Indian Council of Agricultural Research | 15229—30 |
| Electricity (Supply) Amendment Bill—Introduced | 15230 |
| Business of the House | 15230—31 |
| Prize Competitions Bill—Motion to consider—Adopted | 15231—93 |
| Clauses 2 to 20 and 1 | 15293—341 |
| Motion to pass, as amended—Adopted | 15341 |
| Demands for Supplementary Grants—Not concluded | 15342—82 |
| No. 50.—Tuesday, 27th September, 1955. | |
| Papers laid on the Table— | |
| Report of U.P.S.C. for 1953-54 and Government Memorandum thereon | 15383 |
| Replies to Memoranda of Members <i>re</i> Demands for Grants (Railways), 1955-56 | 15383—84 |
| Estimates Committee— | |
| Fifteenth Report—Presented | 15384 |
| Committee on Absence of Members from Sittings of the House— | |
| Eleventh Report—Presented | 15384 |
| Indian Red Cross Society (Amendment) Bill— | |
| Introduced | 15384 |
| St. John Ambulance Association (India) | |
| Transfer of Funds Bill—Introduced | 15385 |
| Demands for Supplementary Grants | 15385—481 |
| Appropriation (No. 3) Bill— | |
| Introduced | 15481—82 |
| Motion to consider—Adopted | 15482—90 |
| Clauses 1 to 3 and Schedule | 15490 |
| Motion to pass—Adopted | 15491 |
| Negotiable Instruments (Amendment) Bill, as passed by Rajya Sabha— | |
| Motion to consider—Adopted | 15491—512 |
| Clauses 1 to 3 | 15512 |
| Motion to pass—Adopted | 15512—13 |
| Spirituous Preparations (Inter-State Trade and Commerce) Control Bill— | |
| Motion to consider amendment made by Rajya Sabha—Not concluded | 15513—16 |
| All India Council of Sports | 15516—30 |
| No. 51.—Wednesday, 28th September, 1955. | |
| Papers laid on the Table— | |
| Seventh Annual Report with Statement of Accounts of Industrial Finance Corporation | 15531—32 |
| Spirituous Preparations (Inter-State Trade and Commerce) Control Bill— | |
| Amendment made by Rajya Sabha agreed to—New clause 12-A | 15532—53 |
| Motion <i>re</i> Flood Control Projects in Second Five Year Plan—Not concluded | 15532—53 |
| Discussion <i>re</i> Railway transport situation—Concluded | 15610—72 |
| No. 52.—Thursday, 29th September, 1955. | |
| Papers laid on the Table— | |
| Minutes of sittings of Committee on Private Members' Bills and Resolutions Displaced Persons Compensation and Rehabilitation Rules, as modified by Parliament | 15673 |
| Note by Government to P.A.C. <i>re</i> Purchase of certain Defence Stores abroad | 15673 |
| | 15675—78 |

(iii)

| | COLUMNS |
|--|------------------------|
| <i>No. 52. Thursday, 29th September, 1955—contd.</i> | |
| Estimates Committee— | |
| Sixteenth Report—Presented | 15673—74 |
| Leave of Absence | 15674—75 |
| Correction of Answers to Starred Questions | 15678—79 |
| Business of the House | 15680—83 |
| Motion <i>re</i> Flood Control Projects in Second Five Year Plan—Adopted as amended | 15679—80, |
| Inter-State Water Disputes Bill— | 15684—746 |
| Motion <i>re</i> Joint Committee—Adopted | 15746—813 |
| River Boards Bill— | |
| Motion <i>re</i> Joint Committee—Not concluded. | 15813—44 |
| <i>No. 53.—Friday, 30th September, 1955.</i> | |
| Papers laid on the Table— | |
| Report of Tariff Commission on Continuance of Protection to Sodium Thiosulphate, Sodium Sulphate and Sodium Bisulphate Industries and Government Resolution etc. thereon | 15845—46 |
| Statements showing action taken by Government on assurances, etc. | 15846—47 |
| Messages from Rajya Sabha | 15847—48, |
| Companies Bill, 1955— | 16016 |
| Laid on the Table as amended by Rajya Sabha | 15848 |
| Prevention of Corruption (Amendment) Bill— | |
| Opinions Laid on the Table | 15848 |
| Committee on Petitions— | |
| Sixth Report—Presented | 15848 |
| Calling attention to Matter of Urgent Public Importance— | |
| Casualties inflicted by Indian soldiers on hostile Tribesmen in N.E.F.A. | 15848—50 |
| Business of the House | 15850—51 |
| Indian Tariff (Second Amendment) Bill—Introduced | 15851 |
| River Boards Bill— | |
| Motion <i>re</i> reference to Joint Committee—Adopted | 15852—82 |
| Motion <i>re</i> Economic Policy—Not concluded | 15882—956 |
| Funeral Reforms Bill— | |
| Motion to circulate—Negated | 15956—75 |
| Indian Converts (Regulation and Registration) Bill— | |
| Motion to consider—Not concluded | 15975— 16016 |
| <i>No. 54.—Saturday 1st October, 1955.</i> | |
| Calling attention to Matter of Urgent Public Importance— | |
| Report of Mr. Scaife <i>re</i> Hindustan Machine Tool Factory, Jalahalli | 16017—21 |
| Papers laid on the Table— | |
| Half Yearly report of Coir Board for period ending 31.3.55 | 16021 |
| List of concerns granted exemption under section 56A of Indian Income-tax Act. | 16022 |
| National Volunteer Force Bill—Introduced | 16022 |
| Indian Stamp (Amendment) Bill—Introduced | 16022—23 |
| Statement <i>re</i> Goa | 16423—20 |
| Member Sworn | 16071 |
| Motion <i>re</i> Economic Policy—Adopted as amended | 16025—71, 16071—239 |
| Messages from Rajya Sabha | 16239—40 |
| INDEX | I—34 |

Gazetteer & District Gazette
Part II—Debates
Volume No. 1, Part 1
Block 'G'
Area No. 25480

LOK SABHA DEBATES

Dated 12.12.20/4

(Part II—Proceedings other than Questions and Answers)

54789

14790

LOK SABHA

Thursday, 22nd September, 1955.

The Lok Sabha met at Eleven of the Clock.

[MR. SPEAKER in the Chair]

QUESTIONS AND ANSWERS

(See Part I)

12 NOON

CORRECTION OF ANSWER TO STARRED QUESTION

The Deputy Minister of Railways and Transport (Shri Alagesan): It is regretted that the reply given to Starred Question No. 1391 put by Pandit D. N. Tiwary on the 2nd September, 1955, was incomplete inasmuch as parts (c), (d) and (e) of the question were left out. The reply given to the question may, therefore, be replaced by the following complete reply:

"(a) Yes, Sir. There has been a diversion of Railway line between Sonepore and Palezaghāt stations and the Ghat had to be shifted to a new site with effect from 30-6-55.

(b) The previous ghat site became unsuitable and shifting was necessary, in the interest of safety. Expenditure involved in the last ghat shift was about Rs. 40,000/-.

(c) Yes.

(d) Yes; there was a derailment of a goods wagon. There was no complaint that passengers had to go on foot to Sonepore.

(e) Does not arise in view of answer to Part (b) above."

Pandit D. N. Tiwary (Saran South): Shall I be allowed to put supplementary questions on this?

Mr. Speaker: Not now; he may table a separate question.

BUSINESS ADVISORY COMMITTEE TWENTY-SIXTH REPORT

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

"That this House agrees with the Twenty-sixth Report of the Business Advisory Committee presented to the House on the 21st September, 1955."

Mr. Speaker: Motion moved:

"That this House agrees with the Twenty-sixth Report of the Business Advisory Committee presented to the House on the 21st September, 1955."

Shri Kamath (Hoshangabad): Sir, may I make a request? If the business proceeds according to Schedule the House may be faced with a deficit of an hour or a little more by the end of next week. May I appeal to you—as the presiding deity not merely of this House but of the Business Advisory Committee as well, to whom I must communicate my hopes and fears—may I appeal to you to ensure that in case more time becomes necessary, the Question Hour is not tampered with?

I may also point out that an important motion signed by Shri Raghavachari, Shri Gurupadaswamy

[Shri Kamath]

and myself has been admitted by you and shown in the Bulletin Part II as a 'No-day-yet-named Motion'. I realise that it will be rendered otiose or unnecessary if the Government heeds the advice given by you. I may say that the advice was couched in such a manner that it was tantamount to a gentle but firm command to Government. Therefore, I would like the Minister to state at what stage that matter stands at present.

Mr. Speaker: I think we need not go into latter question just when this report comes in for consideration. The two questions are entirely independent. So far as the shortage of one hour is concerned, it would be adjusted. If there is any shortage at all, it would be adjusted by sitting one hour longer. There is no idea of dropping Question Hour. If it were so, the Committee would have suggested it in this report. So, I put the motion to the House now.

The question is:

"That this House agrees with the Twenty-sixth Report of the Business Advisory Committee presented to the House on the 21st September, 1955."

The motion was adopted.

Mr. Speaker: This now becomes the time allocation order of the House.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL AND REPRESENTATION OF THE PEOPLE (SECOND AMENDMENT) BILL—Contd.

Mr. Speaker: The House will now resume further discussion on motions for reference of the Representation of the People (Amendment) Bill and the Representation of the People (Second Amendment) Bill, 1955 to Select Committees and also the consideration of the amendments moved by Shri N. C.

Out of 16 hours allotted for the discussion, 7 hours and 21 minutes were availed of till yesterday, and there is a balance of 8 hours and 39 minutes.

श्री विभूति मिश्र : (सारन व चम्पारन): विहार में एक सत्राह से जो बाढ़ आई है, उसके सम्बन्ध में मैं ने रुल २१६ के अधीन काल अटेन्शन मोशन की सूचना दी है, लेकिन तीन दिन से सरकार की ओर से कोई जवाब नहीं आया है।

प्रध्यक्ष महोदय : फ्लडज के बारे में एक डिस्केशन इस हाउस में होने वाला है। उसमें विहार की बाढ़ भी आ जायगी।

Shri R. N. S. Deo (Kalahandi-Bolangir): The right to choose one's government is the most valuable right of the citizens in a democracy. This right includes the right to change the Government. The law relating to elections has to be viewed against this background. In order that the people are able to exercise this valuable right freely and in an unfettered manner, it is necessary that the elections must be absolutely fair and free from any undue influence. While we are considering the question of election laws it is necessary also to remember that in the modern system of party politics, electioneering is not confined merely to the period of election, after the notification calling for election. As a matter of fact, all the activities of the parties whether inside the Legislature or outside even now are carried on and the party propaganda is also carried on with a view to the next general elections. There is no relaxation of this activity. Therefore, in order that people may be enabled to exercise this valuable right of choosing their own Government or of changing the Government it is absolutely essential that they should have freedom of thought and expression and they should enjoy the fundamental rights even before the actual period of the elections.

You will notice that some of the offences which are corrupt or illegal practices according to the election laws and which might result in disqualification, can only be brought within the purview of these Acts after the notification calling for the election has been made. But the same sort of practices, of undue influence, corruption etc. which will amount to corrupt practices during the period election, if indulged in immediately preceding the notification are not covered by any law. This also needs very serious consideration.

Reference has been made to the malpractices which came to light during the last general elections in the various debates in this House as well as in the provisional Parliament and many points were urged, soon after the introduction of the previous Bill, which has now been withdrawn, in this House; this question was also referred to in the debates on the Appropriation Bill on the 8th April, 1953.

Dr. Syama Prasad Mookerjee, at that time, had pointed out that the suggestions regarding the improvement in the procedure of counting of votes—that is, counting should be done on the same day—the painting of labels and rules for the guidance of the administrative officers during the visits of Ministers at the time of these elections, the use of the All India Radio and the franchise of the people, coming from Pakistan, etc.—all these matters should also be looked into. At that time the Minister stated that the previous Bill was confined only to non-controversial subjects. He promised to bring a more comprehensive Bill later on. Now, the present two Bills are brought forward as a result of Government's experience of the last general elections, the Election Commission's Report and also as a result of election petitions. So, there should be no excuse for leaving out anything which we have found by experience to have been left out from the previous laws.

[MR. DEPUTY-SPEAKER in the Chair]

Regarding facilities to Ministers, examples have been cited of the U.K., U.S.A. etc., and yesterday one hon. Member pointed out rather boldly that there is not a single case where Ministers have misused their power or have used undue influence and no such allegation was brought or proved in any of the election petitions. That was indeed a very bold assertion. He went so far as to say that no Minister true to his salt can ever think of doing such a thing. But the point is not what one can or cannot do but what has actually been done. As my hon. friend, Shri Raghavachari, pointed out, the fact that no murderers are found out or that murderers go scot free does not prove that there was no murder at all. In this connection I would just give one instance to show how difficult it is to prove such cases of *mala fides*. In one case which came up before the Orissa High Court—Madhupur Court of Wards case—the allegation was that the zamindari was taken under Court of Wards with a view to prevent the Raja of Madhupur from doing propaganda against the Congress candidate and various facts were put forth in that case. In that connection the Judges have remarked that allegations of this kind can easily be made but are difficult to prove. Nonetheless, after reviewing all the circumstances, one Judge, Mr. Justice Panigrahi said:

"These are, in my opinion, circumstances which weigh heavily in favour of the petitioner and against the opposite party."

He also said that the petitioner's contention that this action was sprung as a surprise on him in view of the ensuing elections cannot be rejected as baseless. The Chief Justice, Shri B. Jagannath Das, who is now a Judge of the Supreme Court, also found that the Government had exercised their power arbitrarily and that it was not an exercise of proper judgment or discretion. Regarding this case he also said that while there is considerable room for the imputation made by

[Shri R. N. S. Deo]

the petitioner for the alleged motive, there is no proof. It is very difficult to prove such cases, but all relevant facts that came out there give quite a different picture. Therefore, what is the remedy in such cases? Only after a notification, malpractices can be brought under the purview of the election laws, but for anything done prior to that, there is no remedy. There were instances of rowdyism, breaking up of party meetings, pressure, intimidation, threats and all sorts of things to prevent other parties from functioning properly, prior to the last general elections. Various complaints were made to the authorities, sometimes even during the election or immediately preceding the election. The complaints were made to the Election Commission, but the Election Commission was unable to do anything. It is no good entrusting the enquiry to the administrative officer, against whom the complaints have been made. If there is to be any remedy, the Election Commission must have independent staff to enquire into allegations of this kind, and there should also be some provision to prevent such undesirable practices.

The present Bills have been brought forward with a view to simplifying the procedure, and as far as that goes, they are welcome. In certain respects, no doubt the simplification is in the right direction. But just on one point I would like to seek a clarification. In the procedure for the enrolment of the electors, the qualifying date has been proposed to be defined as 1st March of the year and the residential qualification of 180 days has been done away with, but the phrase "ordinarily resident" is retained, though this is not defined. I would like to know whether "ordinarily resident," with reference to the qualifying date, that is the 1st March, would mean that the person must be present in that constituency on the 1st March. If that is so, I am afraid a large number of Members of Parliament and of the Legislatures are not

likely to be present in their constituencies on the 1st March of any year because that is the budget session. In our attempt to simplify the procedure, let us not make more complications.

Regarding the shortening of the period of election, I would, of course, not mind it except for the fact that in the double-member Parliamentary constituencies where the area is huge and also the electorate is very large, it may be impossible for any candidate to tour the whole of his constituency or contact even the booths or polling centres of his constituency if the period is shortened unduly. These aspects should also be taken into consideration by the Select Committee.

There is then this question of facilities for Ministers to which I have referred previously. The Law Minister on a previous occasion said that these things cannot be regulated by rules or laws; conventions must grow. Of course all things cannot be provided by rule. I quite realise that but at the same time I would ask whether it is fair to give any undue advantage to the Ministers simply because they are Ministers. We find that in the election case of Mangaraj versus Dinabandhu Sahu who was a Minister in Orissa we have come across certain instances where not only before and during the election but even after the election the party in power got undue advantages from the administration. For instance leaflets or pamphlets issued by the Congress Party contained certain allegations of a personal character against the opposition candidate. They were based on the C.I.D. report or special branch reports. I ask: if the Congress is to be given the C.I.D. reports for use against its opponents in those leaflets, why should other parties be debarred from the same privilege? It is extraordinary that in that election case, a number of C.I.D. inspectors, special branch inspectors, shorthand reporters etc. were called as witnesses on behalf of

the Minister and though the Minister in his statement denied that he had any knowledge of the names of all those particular persons, it is a wonder how the Secretary or the President of the Utkal Provincial Congress Committee came to know the names of the particular inspectors who attended particular meetings beginning from 1948 onwards. He has now been debarred for six years. It is also extraordinary that a Minister who has now been debarred or disqualified for six years and whose election has been held void continued inspite of these corrupt practices to be a Minister for more than two years. That brings me to the question of quick disposal of the election cases.

Mr. Deputy-Speaker: Does he mean to say that after he was debarred he continued?

Shri R. N. S. Deo: I am now bringing in the question of the quick disposal of the election cases. It is not at all desirable that these cases should be unnecessarily prolonged; if they are not quickly disposed of, the very object is defeated. It is no good that a member whose election is challenged continues to be either a member of the House or a Minister for more than half the total period of office and then he is suddenly disqualified. These things should be disposed of as quickly as possible and therefore, I welcome the proposals in this Bill for the quick disposal of the election cases. But at the same time I would also suggest that there should be some other modifications to make the present law more simple and reasonable in some other matters.

I would just refer to one question. I welcome the proposal to do away with the seconder in the nomination paper. I also suggest that the proposers should also be done away with. Yesterday, one Member suggested that the proposer should be retained. I know from personal experience that there was a case where both the proposer and the seconder were won over and they denied their signatures on a nomination paper which resulted

in the rejection of the nomination paper and the uncontested election of the Congress candidate. All such possibilities should be avoided.

Mr. Deputy-Speaker: Out of 1.5 lakhs of population the candidate gets hold of only two men who deny their own signatures.

Shri R. N. S. Deo: It had actually happened in one case. I personally know it resulted in the uncontested election of the Congress candidate. Why have such a requirement at all? If we are doing away with the seconder then why have a proposer at all? It is quite unnecessary and we should make this also as simple as possible.

Mr. Deputy-Speaker: A proposer, possibly for identification.

Shri R. N. S. Deo: Much has been said about the expenses. It is proposed that the expenses incurred by the parties should be left out and only the expenses of the candidates should be accounted under this law. I am not able to understand the logic of this because if the party expenditure is excluded and they are free to spend any amount of money for their candidates, where is the point of asking only for the accounts of the candidates? If the desire is that the ceiling should be there in order to prevent misuse of money by moneyed people then that object will not be served because the parties and especially the party in power have all sorts of means and ways of raising funds and it will be at an advantage. In the last elections we have experienced that very large amounts, much above the ceiling, were actually spent and fictitious accounts were given. So, why should we have such a provision which we know is never followed in reality and which only leads to dishonesty and which we knowingly shut our eyes at? Therefore, there should be neither a ceiling nor any statement of expenses. This thing should entirely be given up. Cogent and forcible reasons have been advanced and I do not want to deal with it any further.

Shri Ramachandra Reddi (Nellore): After a perusal of the report of the Election Commission which was published as early as 4th February 1955, I find that most of the points that have been raised in that report have been covered by the amendments in these two Bills. But there are a few more that deserve the consideration of this House and especially in view of the fact that the States Reorganisation Commission's report is expected within a few days Government should have waited upto the end of this month until the report is published and placed in the hands of Members of this House and the recommendations of that report might have been taken into consideration while moving the amendments for the two Bills under consideration. But, anyhow, some hon. Members of this House, 3 days back, have given notice of an amendment that other subjects also may be taken up for discussion in the Select Committee. I only wish that the Government makes up its mind to accept the amendment and find a way to meet the desire of most of the Members of this House to take up such amendments which are not covered by the amending Bills before us.

Much has been said already about the expenses and the ceilings imposed thereon. I do not want to traverse that field once again except to say that the submission of election expenses has become more or less a farce, and every Member knows that he cannot produce correct accounts and even the most conscientious man will find it difficult to give the exact expenses that he has incurred. As a matter of fact, during election time we get so many relations and friends as also visitors and we entertain them with a cup of coffee or tea. Naturally, in those days such expenditure must also be shown under the election expenses. But, is the Government going to give any consideration to that aspect and see that any ceilings over the amount of election expenses are removed?

As regards the programme of elections it has been pointed out by the hon. Minister of Legal Affairs that the period has been reduced from 40 days to 20 days. I do think that the period is too short because we live in a country which is still undeveloped in respect of necessary communications and roads and which is still having a large population of illiterate and ignorant people. To reach the villages it will be a difficult task and it is only after the filing of the nomination papers by the candidates it will be possible to find out who the candidates will be on behalf of the party and then go on actively canvassing support. So, from that point of view the time that has been proposed by the Government seems to be very short and I hope the Government or the Select Committee will find its way to enhance it; at least there must be four weeks' time, if not more.

Then opportunity should have been taken by the Government now to look into the question of disqualification of Members and make sufficient provisions in these Bills to assess the disqualifications and the reasons thereof. For instance, we have been, for the last two years, tantalised with the Bill defining disqualification of Parliament Members, but it has not come up for discussion before the House until now and it is high time it is done.

There are so many things that can be said as being a disqualification prescribed for candidates standing for election. It is provided in the ³Election Law that agreements between a candidate and the State Government if it is an Assembly membership, or agreements between a candidate and the Central Government if it is a parliamentary constituency, should be treated as a disqualification against the candidate. This, I think, is a stipulation which is entirely out of place in this busy world. There might be an agreement for supply of certain goods to the Government, a genuine thing which is genuinely transacted and fulfilled. But, for that

simple reason a gentleman becoming a party to the agreement or contract with the Government should not be disqualified from the candidature. As a matter of fact, there are so many mining leases given by the Government. Unless leases are given to important and influential members of the well-to-do community it is not possible to develop our mining industry. But, a mining lease has to be signed by a person and the Government and if such a person has to be qualified to be a candidate for election he will have to immediately see that the lease is cancelled or the agreement that he entered into is cancelled. I have also heard of certain other peculiar instances where the bus owners are asked to contract for carrying mails. This is forced on them because they are bus owners. It is not a thing that they canvass for. The result is that such people become disqualified for being candidates and even if they are elected they will be disqualified. We have certain instances to that effect even in this House.

There is another aspect in this connection which needs pointing out. Certain influential people in the State, especially of the ministerial level, they so manipulate things that even if there are agreements which have been completed, they still see that the closure of accounts is not completed and the candidates still come under the disqualification of having continuing agreements with the Government. Such manipulations have been there and I have heard of them in plenty. Therefore, opportunity should be taken in these Bills to see that such disqualifications are not considered as disqualifications hereafter.

There is also the possibility of officers in power—there are Ministers in power in each State—getting the transfer of certain officers like Returning Officers effected conveniently to see that the nomination paper of the opposite candidate is disallowed and whatever might be the defects in the nomination paper of the Minister in power it will be allowed. These are

things to which we cannot shut our eyes. Therefore, sufficient power must be taken under the law to see that such malpractices and such disqualifications do not exist hereafter.

As a matter of fact, when the Ministers are still in power and elections are held they use government conveyances, they use the power of the Government and also ask the officers to accompany them in their election campaign. The result is that they feel that they are very well protected by the officers of the Government in their tours in certain cases where the electorate will be very much annoyed and will feel very unhappy. So, any kind of using or misusing the power of the Government in the election campaigns should be avoided and such misuse of powers should be taken as disqualifications for candidates. In such cases I should think that the Election Commissioner must be placed under the direct charge of the Governor of the State during the period of elections so that the ministerial influence over such officers, however honest and straightforward, they might be, might not have any effect. If the Governor is a non-political Governor, perhaps he would be able to discharge the duties much more quickly and much more efficiently and much more honestly and as such some such provision will have to be made in course of time.

On account of the delays in the disposal of election petitions, it is now sought to be provided that there should be no advocate member on the tribunal and that the two members in the tribunal should be judges. I have not been able to appreciate the reason for removing the advocate member on the tribunal, since it has not been proved that on account of the advocates themselves delays have been caused. On the other hand, it is the candidate against whom an election petition is proceeding, who would play all tactics to delay the proceedings in the court.

The Minister of Legal Affairs (Shri Pataskar): What is now being done is,

[Shri Pataskar]

not only that the advocate will not be there even a non-serving district judge will not be there. The present proposal is that there should be two serving district judges. It is not that advocates are alone excluded. You will find from the records of many cases that the work of the tribunals protracted to a very long time, and so it was thought that it would be much better if the work was entrusted to the serving district judges. It is not as if the advocates only are being removed. That is a wrong impression.

Shri Kamath (Hoshangabad): Was the delay due to the advocates?

Shri Pataskar: Formerly, they used to have non-serving district judges and there were some advocates also in the tribunal. The experience has been that this system led to delay. If the work is done by the serving judges, then there is a greater chance of the matter being speedily decided. That is the only idea. Otherwise, there is no prejudice against any class. Of course, it is left to the Select Committee to decide the question.

Shri Ramachandra Reddi: But no case has been proved against any advocate desiring a division from the decision of the tribunal as a whole. Anyhow, I shall leave it there.

With regard to the question of Legislative Councils in the States, it is now provided that there should be no deposit.

Mr. Deputy-Speaker: Is there any advocate who does not belong to any party?

Shri Kamath: There are.

Mr. Deputy-Speaker: But they are not here, but in heaven!

Shri Kamath: In Andhra, perhaps.

Shri Ramachandra Reddi: It is also possible that every judge will have his own opinions about parties and politics in this country and we cannot always say that his mind will be

divested of certain prejudices, etc. But I shall leave the question there.

Mr. Deputy-Speaker: If he is not in favour of a party, he will be against it.

Shri Kamath: He may have predilections only.

Shri Ramachandra Reddi: I was speaking about the deposit in the elections for the State Legislative Councils and the Council of States. I do not see any reason why the deposits should be removed now. As a matter of fact, the deposit exercises a check upon certain people who irresponsibly stand as candidates. I would go to the extent of suggesting that the minimum number of votes to be secured by candidates also must be prescribed. If they do not get the minimum number of votes as in the case of the other general elections, their deposits must be forfeited. In that view, I should think that the deposits must be continued, and by the continuance of deposits, blackmailing will be removed as much as possible.

I was surprised to hear from an hon. Member who was a distinguished Member of this House sometime back, who stood for the Legislative Council of a particular State from the Assembly Constituency of that particular State. After the election was over, I met him casually. He was very much annoyed with one incident that took place that particular morning. He told me that a certain gentlemen came to his bungalow and asked him whether he was going to stand for election to the State Legislative Council. The candidate said, "Yes". Then the gentlemen asked him: "What do you pay for each vote?" Evidently he was there to canvass for votes on payment. That shows how even the Assembly Members are tempted and how the candidates are taunted.

Shri Pataskar: That must have been a very extraordinary case. If Members of that type are elected, then, I think there is no hope for the country.

An Hon. Member: No hope, really.

Shri Ramachandra Reddi: I having mentioned it; perhaps it sounds as an extraordinary case. Perhaps in ordinary circumstances, it is not so. Several people have experienced that way, and I hope something must be done to check that sort of attitude. If the deposit is removed, the way in which the irresponsible people will behave would be much more repugnant.

It has been suggested in the amending Bills that there should be only one presiding officer for more than one polling station in the same premises. I am afraid it is a very dangerous innovation, because we know in the elections, in each polling booth there is a presiding officer who will have some sort of control over the vagaries of the assisting clerks. The assisting clerks might be small men; they might have their own predilections; they might have their own favours or promises of the men in power, and as such, they cannot be left alone to take care of the polling booths. The presiding officer who is ordinarily an officer of gazetted rank, or a little less than that, is expected to be more honest, more bold and more vigilant. If this innovation is started, I think there would be a dangerous situation created. I have heard of certain cases where in absence of the presiding officer the clerks have taken the power in their own hands, piled up the ballot papers and put them in the ballot boxes. I have some experience in one case where my agents were not available. I saw that when the ballot boxes were opened and a pretty good number of ballot papers were stuck together in bunches. There must have been something wrong somewhere. I think that by having one presiding officer for several polling booths in the same premises, the amount that is going to be saved or the energy that is likely to be saved would not be commensurate with the resultant amount of mischief, or, rather it would not counteract the amount of mischief that is likely to be committed at such polling booths. Usually, especially the Ministers who stand as candidates will have their

own favours, and naturally a small officer will be tempted with the hope that by supporting, even illegally, the candidate in power, he would be able to get either promises or protection from any trouble that he might have in due course of time.

Shri N. M. Lingam (Coimbatore): I think there is no change in the system of supervision of polling by presiding officers. What is envisaged in the Bill is a change in the nomenclature of polling booths. There is a presiding officer for several booths. A polling booth will hereafter be called a polling station.

Shri Ramachandra Reddi: Evidently the hon. Member has not understood the position. He thinks that the presiding officer, will have an eye on every polling booth. It is not possible physically; he must be moving between one booth and another booth, with the result that if there is any lapse of time, mischief is likely to be done.

Shri N. M. Lingam: That will happen even now where one presiding officer is in charge of several booths.

Shri Ramachandra Reddi: There is one more point. Mention has been made yesterday and day before about throwing open the radio to all political parties. Even the report of the Election Commission says thus:—

"Now that the number of 'recognised' parties has considerably decreased and their comparative strength in the country accurately ascertained, it may be possible to re-open the question and evolve a reasonably satisfactory scheme for extending this facility to the parties for the next general elections."

I hope that Government will take particular note of this point and relieve the amount of suspicion that is prevailing in the minds of candidates who belong to the parties other than the party in power.

Shri B. S. Murthy (Eluru): I am glad that these two amending Bills

[Shri B. S. Murthy]

have been brought forward, so that the next election will be free from all malpractices as far as possible.

An Hon. Member: Oh!

Shri B. S. Murthy: I do not know why this 'Oh' comes; I do not know whether it is in despair or in happiness, because fair and free elections are the prerequisites in parliamentary democracy and India has demonstrated to the world that it has conducted the elections in 1952 as fairly as possible. But there were some other persons who were not allowing the elections to be conducted freely and fairly. Not only that. Our Election Commission has been asked to go and conduct elections in other parts of the world where people praise how India has conducted the last elections and pay encomiums for the fair manner in which the elections have been conducted. This is a standing proof that India has been able not only to conduct free and fair elections here but also to teach other countries how they can hold fair and free elections.

I want to make a few observations in this connection. The electoral rolls are very faulty and incorrect and sometimes they are anti-dated. All wrong entries are made. Father's name is given as husband's name; wife's name is given as mother's name and so on. (Interruptions).

Mr. Deputy-Speaker: No one has got many capacities. How does the mother's name come in? Of course, there are some cases where the mother's name is indicated in preference to father's name. (Interruptions).

Shri B. S. Murthy: "Bhojyeshu Mata"—that is the thing that we find here. Of course, it is not the mistake of the person who gives his name. He gives his name, his father's name and the other details that are required. But in the entry usually some mistakes are made and therefore the names are not correctly printed. Moreover, finally when the lists are being printed, in the press, several printer's devils creep in. Usually the Government invites tenders for get-

ting these forms printed and the work is entrusted to the cheapest press. Naturally when you pay less, you must be prepared for all the consequences of cheap work. Again, most of the electoral rolls are not printed in the Government presses. Government presses are not undertaking to print these electoral rolls and the private presses to whom the work is entrusted execute the work as shabbily as possible. This defect must be removed.

I would like to point out that there is some difficulty about Harijans. In all villages even today the position of the Harijans is very miserable and pitiable. Usually in every village, there will be one or two parties and the Harijans are pressed by one party or the other. If, unfortunately, the party which has influenced the Harijans does not belong to the munsif or the karnam, all the names are not enlisted as voters. I can cite names of several villages in Andhra where many of the Harijans have not been enlisted as voters. I went to one village and talked to the munsif as well as the Harijans. The munsif said: "We have asked them to come and enlist themselves; but they have not come and they do not give their names." When I went to the Harijans, they told me: "We went several times to the village officers and asked them to enlist our names; but they ask us to come tomorrow, the day after and so on. Finally they say, 'we have enlisted your names; you need not bother.' Ultimately when the lists were exhibited in the taluk office—the Harijans did not know it—the names of all the voters did not find a place in them. The result was that they lost the chance and they were not rich enough to pay the necessary fee and get their names enlisted. Therefore, this is a very defective system, as far as the lower sections of the society are concerned. They are at the mercy of the village officers. This should be remedied, and proper steps should be taken, so that all persons who are entitled to be enlisted as voters will have all the facilities to get themselves enlisted.

ed. Having taken recourse to the system of adult franchise, if a section of the society is left behind because of certain technical difficulties, it is no good. Therefore, I want the Minister in charge to take all precautions and give the necessary facilities to all the people, rich or poor, educated or uneducated, Hindu or Harijans....

Shri V. G. Deshpande (Guna): You want to use the word 'Brahmin'.

Shri B. S. Murthy: I do not know why Mr. Deshpande is so anxious about the word 'Brahmin'. If he is so afraid that Brahmin is not good word and if he wants that it must be purified by its utterance from a Harijan, I think it is high time that all such different Brahmins give up their Brahminism.

An Hon. Member: Why don't you purify it?

Mr. Deputy-Speaker: Is it that any occasion is good enough to criticise Brahmins? How does this question about Brahmins arise so far as electoral rolls are concerned? A casual remark is made and that opportunity is taken. Hon. Members belong to various castes and communities; but there is no need for unnecessarily provoking any particular section and giving offence to any particular section. If it arises on any issue, it may be considered. We are not here going to set one community against another and then create inconvenience and hardship. It is not a mere joke. I may belong to any particular community, but so long as I sit here, I will not allow any adverse remarks to be made unnecessarily, unless it is an issue before the House.

Shri B. S. Murthy: I have respect for the Brahmins...

Mr. Deputy-Speaker: The hon. Member may or may not have respect; but this thing is absolutely irrelevant here. There are various communities in this country and there are other sub-castes elsewhere also. But there is no need for offending any particular section in season and out of season.

Shri B. S. Murthy: I apologise if I have offended you or any other Mem-

bers. I never meant to offend anybody.

Mr. Deputy-Speaker: Making such a remark is not relevant for the purpose.

1 P.M.

Shri Amjad Ali (Goalpara-Garo Hills): While on side remarks, he said that there was substitution of mother for wife. How does the mother figure for wife?

Mr. Deputy-Speaker: Did he say so?

Shri B. S. Murthy: I said the names were mis-printed: instead of the father's name....

Mr. Deputy-Speaker: Possibly he meant that the wife's name is placed for the mother's name.

Shri B. S. Murthy: The second observation that I want to make is this. The proposer and seconder may not be given up, but they may not be insisted. Because, in 7½ lakhs voters, if a man is not able to get a proposer and seconder, I do not think he is doing any wise thing in trying to stand for election. But, it is not for want of a proposer and seconder that I want this to be not insisted upon; it is because sometimes it is difficult to fulfil this condition. I know one or two cases where people have been asked by the parties concerned to file nomination at the eleventh hour. Then, to go to the place to appear before the returning officer and file nomination and get hold of proper persons, will be difficult. Therefore, so long as a man is willing to stand as a candidate and has confidence in him that he can get himself elected, it is for him to take the risk. Already there is a provision that he must get a certain minimum of votes or otherwise, he would lose his deposit. When there is a penalty already there, I do not think it is necessary to insist upon a proposer and seconder.

Shri Pataskar: If you turn to clause 14, it will be seen that even now the proposal is:

"On or before the date appoint-
ed under clause (a) of section 30

[Shri Pataskar]

each candidate shall, either in person or by his proposer...."

It is not necessary that there must be a proposer.

Shri B. S. Murthy: This suggestion I am making so that the Select Committee may not try to change this provision and insist upon having a proposer as well as a seconder. Therefore I appeal to the Members of the Select Committee not to insist upon a proposer or seconder or both of them.

Mr. Deputy-Speaker: Is it not an advantage to have a proposer? Cases might arise where the candidate himself may not be able to present himself before the returning officer.

Shri Kamath: That can be done by somebody authorized.

Shri B. S. Murthy: I agree; what I say is....

Shri Pataskar: That can be done by the proposer.

Shri B. S. Murthy: I agree. There should be no change so far as this provision is concerned. It should not be provided that there must be a proposer and then only the nomination paper will be valid. If necessary, the minimum may be increased to one-fourth of the total votes polled and if he is not able to get the minimum number of votes, his deposit may be forfeited.

I want to make another observation about time. The reduction in time is not good, because election in India has got an educative value. With so much of illiteracy and with very few journals and newspapers available to the villagers, with the radio and other forms of communication not being adequate, I think a minimum number of days is necessary so that all sections of the people and all parts of the constituency may be touched. It is not necessary that more money will be spent because of this. Money is spent anyhow. For 2 or 3 days or 12 days more, it would

not cost much. In this connection, I want to say that necessary steps should be taken to see that scurrilous propaganda, maligning of candidates, abuse of parties or persons and unnecessary and destructive criticism are avoided. It would be difficult to devise a machinery for this. But,...

Shri Velayudhan (Quilon cum Mavelikkara-Reserved—Sch. Castes): What is democracy then?

Shri B. S. Murthy: I am not entering into any side remarks. It may be difficult to devise a machinery. But, I think the Government and the recognised parties should do something in this respect. The recognised parties have a duty to see that as far as possible election propaganda is conducted in as civilised a way as possible, as honourably as possible. Because, the propaganda here in India will be watched all over the world. India is a country which is having the largest number of voters and democratic form of Government. Therefore any electioneering in India is not only watched by the other parties in India, but by outside countries also. Therefore, the recognised parties and the Government should see that as far as possible only honourable, dignified and civilised propaganda is carried on.

Shri S. S. More (Sholapur): And orderly.

Shri B. S. Murthy: I leave it to Shri S. S. More.

Then, there is a point on which I have got a very painful experience. I think it was in Greece that all people had to vote compulsorily and if anybody refrained from voting, he was to be banished from the country. Such was the punishment.

An Hon. Member: In what century?

Shri B. S. Murthy: B. C.

Dr. Krishnaswami (Kancheepuram): He is right.

Shri B. S. Murthy: It was perhaps in those days very necessary that

every single citizens should take care to see how their representatives were elected and what sort of Government was coming into force so that they could have the best Government and the social weal would be taken care of. Now, it may not be necessary today to see that every voter exercises his vote, in favour of one or the other of the Parties. But, what action can be taken against persons who prevent others from voting? I am willing to vote. But, the parties concerned are so rich or so powerful in the village that I am not allowed to vote because they think I will vote to a certain party the success of which is not wanted by that village group.

Shri S. S. More: It is an election offence.

Mr. Deputy-Speaker: Wrongful confinement is an election offence.

Shri Velayudhan: But, it is very difficult to prove.

Shri B. S. Murthy: That is another matter. I am giving certain cases. It is for you to see whether any remedy can be found. There is wrongful confinement which is ignored, which is not brought to the notice of the election officers. In many villages Harijans have been prevented in the last 1955 mid-term general elections in Andhra. I have asked many Harijans why they refrained. Some people said we have been forced. That would be an offence.

Mr. Deputy-Speaker: Normally, the Collector or District Superintendent of Police is going round.

Shri B. S. Murthy: Some people said, we were not allowed. That may be wrongful detention. In some places people said, we did not want to go and vote because afterwards we may be harassed, tortured and put to lots of difficulties.

Mr. Deputy-Speaker: What is the remedy suggested?

Shri B. S. Murthy: I am giving my difficulties.

Shri Kanavade Patil: (Ahmednagar North): May I request the hon. Member to give the specific names of the villages and to give specific information?

Mr. Deputy-Speaker: It is not necessary to give the names.

Shri Kanavade Patil: Apart from it, it is a very vague statement.

Mr. Deputy-Speaker: The House will be interested and also happy to know the particular abuses and the remedy if any, which the hon. Member can suggest.

Shri M. S. Gurupadaswamy (Mysore): He was standing as a P. S. P. member.

Shri Amjad Ali: Now, the difficulty is over.

Shri B. S. Murthy: I do not know what my hon. friend says.

Mr. Deputy-Speaker: The hon. Member may close his ears so far as side remarks are concerned.

Shri B. S. Murthy: I just referred to this as regards the 1955 mid-term Andhra elections, and if the august House wants, I can give you the facts and figures and also signed petitions from Harijans.

Mr. Deputy-Speaker: It is possible that persons may be terrorised or if they should vote against the wishes of particular persons they may be ill-treated later on over a long period of years. All that is possible. What are the remedies suggested?

Shri B. S. Murthy: I am the patient coming for cure. I am bringing the difficulties of the Harijans to this august House, so that the House or the other Members or the Select Committee may be able to give them some relief. Therefore, this should also be taken care of by the Select Committee.

One other point, that is about election expenses. I think this filing of election expenses is more or less a farce. I do not think there is any person, as far as I understand, who

14815 *Representation of the People (Amendment) Bill and [Shri B. S. Murthy]*

has filed a real return of election expenses because, first of all, it is not possible to maintain accounts, because in an election a number of people will be there, a number of agents will be there. As one of our friends has said, my brother will be there, he will be spending money, and my brother-in-law will be there, he will be spending money. Some other relations will be there, and all the people are spending money. How to keep an account of all the money spent by the other individuals? That is one thing.

The ceiling has been fixed and most of the people give not even one-fourth of the ceiling. Therefore, I think this does not serve any purpose, and after all, when a man has succeeded in the elections or has been defeated in the elections, where is the necessity for filing the return of election expenses? What is the purpose in asking: how money have you spent? I can understand if the candidate is called before an officer, and told: "This is the money you must spend, and every day you come and give us an account of how much you have spent." A candidate spends tons of gallons of petrol, so much money, gives so many banquets and parties and so many presents and clothes, and then charity will begin. The money goes in charity and not under election expenses. Therefore, it is a purposeless clause, and I do not know why they must insist upon asking for the filing of returns of election expenditure. That should be taken out. Nobody need be disqualified on this account. If people are willing, they can submit, and no sealing must be prescribed, because then we may get somewhat correct or near-correct information.

With these suggestions I commend these two amending Bills and request that the Select Committee may kindly see that the difficulties I have made special mention of about Harijans not being enlisted as voters and being prevented from exercising their votes,

22 SEPTEMBER 1955

14816 *Representation of the People (Second Amendment) Bill*

may be given special consideration and remedy suggested.

Shri Barman (North Bengal—Resumed—Sch. Castes): I want to place before the House a few points regarding the two amending Bills that are before the House.

First of all, I want to support the amendment that has been tabled by Shri Chatterjee, Pandit Thakur Das Bhargava and a few other Members. This is, after all, a procedural law. We want to constitute our legislatures both in the Centre and in the States and these two Bills which are before us, and by which we are intending to amend the two Acts of 1950 and 1951, are mainly and essentially procedural laws. There being substantially one object, it is proper that both the Acts be referred to the Select Committee with necessary instructions from this House. If during the deliberations in the Select Committee, the Members find that there are certain other sections in the two Acts which are also necessary to be amended in the light of the experience that each Member of the Select Committee has gained, it is quite proper that the House should give that instruction.

After all, these two amending Bills are coming as a result of certain recommendations of the Election Commission. In the last general elections and also in the bye-elections the Election Commission came into direct touch with the procedure of electing Members of the Centre and of the States. They have found certain deficiencies and defects, and they have reported accordingly. It is mainly on the basis of these reports that the Law Ministry has prepared these two Bills. Similarly, each and every Member of this House, especially those who are to serve on the Select Committee, have got experience of their own. So, it is only meet and proper that they should also suggest in their wisdom remedies for whatever deficiencies there might be in the Bills.

I need not mention that under our rules unless the House specifically gives that power and instructs the Select Committee on those lines, it will not be possible for the Select Committee to go beyond the provisions of the Bills, and therefore it is better that this instruction be given to the Select Committee.

Secondly, I shall briefly touch on the first Bill which proposes to amend the 1950 Act. I commend clause 11 by which the condition stipulated in the original Act that before any person could be registered as an elector he must prove his ordinary residence in that particular constituency for 180 days during the qualifying period is now being deleted or done away with. Whatever advantage there might otherwise be—and the hon. Minister has stated that this limitation really does not serve any purpose—I find that this change in the law will be very much beneficial to the refugees from East Bengal. Many of them have come after the Constitution was brought into force. But since there was no Act passed by Parliament conferring citizenship on them, they are legally not voters. Now, we are going to have Citizenship Bill passed, and as soon as we start applying the provisions of that Bill, these people will become voters. But under the present law, the question will arise at the time the registration is done by the officer concerned, as to whether a person who was practically wandering from place to place, having no fixed abode, could be enlisted as a voter unless and until he could prove that he had been resident in that constituency for at least 180 days. But the proposed changes in the law will eliminate that difficulty, and it will specifically benefit those persons. Therefore, I welcome the change proposed in this regard.

There is one other small point regarding clause 13 of the first Bill. Under that clause, the Election Commission have been given the power to direct special revision of the electoral rolls in any constituency on any particular occasion, if they think that there

is a fit case for doing so. I think this will be very helpful in many cases, because we know from experience that, at the time the electoral rolls are prepared, much of diligence is not shown by the executives, which is expected from them. It is just possible that there may be certain constituencies where they may have failed to discharge their duties with diligence. If it could be pointed out to the Election Commission that revision is necessary in the whole or part of any constituency, then this Bill will authorise the Election Commission to direct such revision.

I want to say a few words now regarding the second Bill. First, I would like to refer to clause 12, under which it is proposed to reduce the period between the issue of the notification calling for an election and the commencement of polling by about 12 days. Under the law as it stands, a minimum of 42 days is required. But this Bill proposes to cut it down to 30 days. Under sub-clause (d) of the proposed section 30, the period between the last date for the withdrawal of candidatures and the date of the poll will be only 20 days. I feel from my own experience that this is too short a time. Now, there are double-member constituencies. And especially, my own constituency is a three-member constituency, and there are 739 polling stations there. You can just imagine the area that the candidates will have to cover. Even using a jeep, and working day and night, without practically any rest, I could not cover two-thirds of my constituency. It may be said that a party candidate does not have much of difficulty. But we should not think of only party candidates.

Shri Kamath: Your constituency is the only three-member constituency in India.

Shri Barman: It is not possible to visit even the important places within that short period. Even with the best of ability, one will not be able to cover two-thirds of that constituency. That is what my experience has been. So,

[Shri Barman]

we should not think that party candidates are in any advantageous position. The position is the same for party candidates as well as independent candidates. So, we must take into consideration the case of all.

We should also remember that nowadays the voters are a bit more conscious of their rights than they were before. We have seen how during the last elections, a very reputed candidate with very high qualifications, for whom we thought success in the election was definite, was defeated. The main reason for his defeat, according to us, was that he had neglected his constituency. He thought that he being an outstanding personality, the electors will automatically vote for him. But that hope did not materialise. So, the state of the electorate is now different from what it was before. Apart from that, it is the duty of every candidate to visit the concerned areas, to state his programme and policy, and also to get acquainted with the grievances of the electorate.

It may be said that the intending candidate may meet the constituents earlier and not necessarily after the last date for the withdrawal of candidatures. I may say that whatever might be the theoretical position, practically it is not so.

Besides, there would arise other complications as well. With regard to the filing of the return of election expenses, we have seen that the several High Courts and the Supreme Court have taken different views as to the exact time from which the expenses of the candidate will have to be shown in the return. The other day Shri N. C. Chatterjee cited a case which was decided only last week, in which it was held by the Supreme Court that the expenses will have to be shown from the date a candidate has applied to the party for a nomination. Now, an intending candidate may start visiting his constituency at any time, and do all possible things which may be necessary in connection

with his election. In that case, we shall have to decide since what time he will be treated as a candidate, and what should be the expenses that will have to be shown in the return of election expenses under the law.

So, many complications will arise in regard to all these matters. I therefore feel that the period of 30 days now sought to be provided is too short, and that the present period, namely 42 days between the date of the notification calling for an election and the commencement of polling, should remain as it is.

The last point which I would like to deal with is in regard to the filing of returns of election expenses. Considering several factors, I feel that this should be done away with, as was just suggested by my hon. friend Shri B. S. Murthy. After all, it does not serve any purpose. Whatever might have been the intention originally, we find that practically this does not serve any useful purpose. Under the law as it stands we have laid down a ceiling for the expenditure that a candidate may incur in connection with his election, whether from a parliamentary constituency or an Assembly constituency. But everyone knows that a person with a big purse spends as much as he likes. And I do not know of any case—of course, there may be one or two exceptions—where an election has been set aside on the ground that a person with a big purse had spent more than what is permitted by law. Manipulations are done by every candidate before he submits the return of his election expenses. There are certain complications also in filing these returns. We have seen in our own cases that under the rules for filing of returns, we are allowed to spend the passage money for any messenger or sending a polling agent to a polling booth. We are allowed to engage a person to canvass in the polling booth itself but nowhere is it stated that we can also spend money in order to feed those persons. A messenger can be sent 300 miles; will

he go without food all the 300 miles? We have only to show the train fare. These are little things—these can be amended. But it is very difficult to lay down specifically which are legal expenses and which are illegal ones.

The hon. Minister has himself stated in his speech that according to the experience that we have gained, it is very difficult to apportion expenditure undergone by any party organisation. I need not repeat what he has said. He has said that it is a complex matter and it can be done only arbitrarily. But that is not real apportionment according to any mathematical calculation or just principle. For that he has provided in this Bill in proposed sub-section (4) of section 77 that the candidate's expenditure need not be deemed to include any expenditure by the party organisation for furthering the prospects of the election of candidates supported by it. If that be so, then, I submit that apart from other considerations any party candidate can spend any amount far in excess of the maximum laid down and just spend it through the party organisation. The party organisation will not be bound to file its return. So, the candidate himself can just pass on his expenditure in the name of the party. I do not see how the return of such expenses by the candidate would help the Election Tribunal or his rival candidate in checking whether he has submitted a true account or not. Suppose, at one place 200 persons are fed. That is a corrupt practice. But the candidate will say, 'I did not spend anything for that; if anybody has spent anything it is the party organisation'. The party organisation need not submit any return. So, how can you say whether that expenditure was legal or illegal or whether it was beyond the maximum or not? I say that this limitation of the maximum expenditure that a candidate can undergo does not in any way help us for the purpose for which it is stipulated. Many things can be done in the name of the organisation recognised by the Election Commission. I do not think that it is a fair proposal because you

can pass on any expenditure in the name of only certain organisations that have been recognised by the Election Commission whereas you cannot pass on the expenses in the names of other organisations which though developed are not recognised by the Election Commission. They are denied this advantage. After all, whether a candidate spends Rs. 2,000 or Rs. 20,000 or Rs. 2 lakhs, it does not matter so long as he is chosen by the people. We have seen that even a man spending lakhs of rupees has been defeated by one who neither spends nor has the ability to spend more than Rs. 2,000. We should leave it to the electors. I do not think that a few cases here and there justify our making this kind of law. I submit that even if we eliminate the provision of filing of return of election expenses and analogous matters from the Act, there will be no harm and no injustice done to anybody.

Shrimati Sushama Sen (Bhagalpur South): Sir, I welcome these Bills and I support the proposal made by Shri N. C. Chatterjee that there should be no bar for the Select Committee to consider matters not covered by these two Bills. It is most essential because I think not all the points have been covered in these two Bills. I have had no time to study them but even at first glance I think there are some things which are not there and the Select Committee should go thoroughly into those matters because it is very necessary that this Act should be perfect.

My hon. friend, Shri Murthy, spoke of the disabilities of the Harijan candidates during the last election. I can give you instances where women have been the greatest sufferers. My friend here will bear me out that in my constituency about 40 lakhs of women were left out and their names were not to be found in the electoral rolls. It may be, of course, due to certain difficulties arising out of giving their maiden names and not the names of their husbands etc.

An Hon. Member: Mrs. So and So.

Shri M. S. Gurupadaswamy: It is a man's democracy.

Shrimati Sushama Sen: Anyhow the women did succeed in the last election as you will see in Parliament today. I think this matter should be simplified. I know that women find it difficult to understand these things. Some of the women in the villages—and my constituency is a village constituency—have spoken to us and told us about their men coming back to the houses late and election officers coming and asking about these election matters. Most of them are even now illiterate and they do not understand the questions put to them. So, I think some sort of arrangement should be made....

Mr. Deputy-Speaker: Cannot women enumerators be appointed?

Shrimati Sushama Sen: Yes Sir, Women electoral officers should be appointed.

Babu Ramnarayan Singh (Hazaribagh West): Why not have a separate electorate altogether?

Shri Velayudhan: In every house all over India there are women.

Mr. Deputy-Speaker: I am talking of gosha ladies.

Shrimati Sushama Sen: I suggest that if from now some women electoral officers are appointed and trained to carry out these duties it would be good, and not at the last moment, because, then, they would not know how to do it. There are many women, young girls educated enough who can do this work quite efficiently and I do not see any reason why they should not be enlisted as electoral officers. Some of these difficulties would be obviated if women electoral officers are appointed. I would request the hon. Minister and the Select Committee to take this into consideration if it is not already in the Bill—I do not see it—and see if it cannot be provided somewhere. It is not only in Bihar; it was also in other States like Madras and Bengal—I do

not know about Punjab—that women were left out of the electoral rolls. In spite of all that, some women have been fortunate enough to come in. Adult franchise is provided by the Constitution and I think this matter should be taken up very seriously by the Minister to see that all women, all eligible women, are on the electoral rolls.

The aim of these Bills is to simplify matters and avoid unnecessary duplication of work. In the preparation of the electoral rolls, what I have just said should be taken into consideration though it involves some expenditure.

The other point which I wanted to press was that by these Bills there will be the great advantage of holding the general elections throughout the country, as far as possible, simultaneously. This is welcome and the Bill, as it stands, is quite in the proper way.

The election programme under the present law was a lengthy process. A minimum of 42 days was required between the issue of the writ calling an election and the commencement of the poll. Now it is proposed to reduce the period by about a fortnight. I think this should be done because 42 days, I think, is rather a long period and we had to go through rather a strenuous time during those 42 days. It is better that this period is reduced.

Under the existing law the presentation and scrutiny of nomination papers has been found to be difficult and cumbrous. The formalities were very often found difficult to comply with, and in many respects unnecessary. The Bill has done away with many of the formalities and I welcome this.

The appointment of an election agent, for instance, has been made optional. This too, I think, is a good procedure because I do not think that any election agent is necessary in every case. It is also proposed to dispense with the seconder. By seconder, what is meant? Is it seconder to the

nomination? If that is so, that is a very useful thing. In my own case I found it so difficult to find a seconder; my village constituency was about 20 miles away from the district headquarters. At the last moment I was asked to produce a seconder and there was no seconder in that area and a person from 15 or 16 miles away had to come and second my proposal.

Mr. Deputy-Speaker: Did not the hon. Member go round once before she filed the nomination?

Shrimati Sushama Sen: I did not have that chance because at the last moment we were told that I was nominated. In my constituency just before the nomination took place I had no chance of touring round, but after that I did much election touring; otherwise I would not have been here today.

Another point which I want to bring to the notice of the House is this. Shrimati Renu Chakravarty said that in amending the electoral laws care should be taken to see that proper checks and balances were provided so that the scales were not tipped in favour of the monied classes, that regarding the clause dealing with election expenses, if the political parties were allowed to bear quite a large part of the election expenditure, then it was necessary to restrict the personal expenditure, as otherwise it would give an unfair advantage to the Congress Party and increase the existing disadvantages of poor men and poor parties. Here again I would like to say that during my election I found that it was not always that the rich people got advantages. In my constituency there were three zamindars who were opposing; they were great monied people and spent a good deal of money. I do not think this sort of thing or this sort of restriction should come in the way. It is not always that the Congress Party candidates get help from the Congress organisation and in most of the cases we did not get any help.

Shri Kamath: Have those zamindars joined the Congress now?

Shri V. G. Deshpande: There are no zamindars now.

Shrimati Sushama Sen: There is nothing in this point and we should not go over it.

That is all what I have to say. I would request the Select Committee to go into the matter about the women's electoral roll, in particular, as that is very necessary.

Mr. Deputy-Speaker: Dr. Krishnaswami. I will then call Babu Ramnarayan Singh; then I will call Shri Radha Raman and after him Shri V. G. Deshpande.

Shri Gidwani (Thana): My name was fourth on the list and I have come after cancelling my engagements outside.

Mr. Deputy-Speaker: The hon. Member's name is sixth in the list here. Every hon. Member's name is here.

Pandit D. N. Tiwari (Saran South): May I know whether those who have not sent chits will be given a chance or not?

Mr. Deputy-Speaker: I am not going only by chits.

An Hon. Member: What about Shri Deshpande here?

Mr. Deputy-Speaker: Just as Patils, there are also two Deshpandes—one on my right and the other on my left. Before Dr. Krishnaswami begins, let me say this. Every Member who is here is interested in this question because there is no Member here who is nominated. Therefore, every Member has undergone some difficulties. Let every hon. Member set out his points in ten minutes. While the others are speaking, let the Members note down what are the points which the Joint Committee has to go through, and if perchance they get a chance, they may state them here on the floor of the House; if not, they can hand them over to the Secretary and I will pass them on. All of us want the Representation of the People Act to become fool-proof.

Shri Kamath: And Knave-proof.

Mr. Deputy-Speaker: I am not con-
templating knaves....

Shri Pataskar: Fools are easily
dealt with, but knaves are dangerous.

Mr. Deputy-Speaker: Let the Mem-
bers be brief. The time for each
Member will normally be ten minutes
and in exceptional cases 15 minutes.

**Thakur Jugal Kishore Sinha (Muza-
ffarpur-North-West):** Is my name in
the list?

Mr. Deputy-Speaker: I will give
just four names at a time.

Dr. Krishnaswami: The two Bills
brought forward by my hon. friend,
are of great moment and importance
for the proper functioning of demo-
cracy in our country. I should like
at the outset to underline the impor-
tant issues which I hope the Select
Committee will take into account.
The Select Committee has to perform
a difficult and arduous task—I do not
envy it and on its labours
depends the continuance of
free and fair elections. May I
bring to the notice of my hon.
friend an amendment that has been
moved by seven hon. Members headed
by Pandit Thakurdas Bhargava to the
effect that the Select Committee
should take cognizance of matters
other than those dealt with in the
Bills but relating to elections in gen-
eral and matters dealt with in the
Representation of the People Acts 1950
and 1951, and that amendments should
be moved and considered.

[**SHRI BARMAN** in the Chair]

I hope no technicalities will stand
in the way of the Committee con-
sidering all these matters. I hope it
will be possible for it—and I am
now putting forward something which
might have the apparent look of
strangeness and in fact be considered
by some to be a bit irrelevant—to
take into account also the ordering
and redistribution of constituencies
which forms the subject of an
independent Act.

Shri Kamath: You are never irre-
levant!

Dr. Krishnaswami: Surely my hon.
friend is not the judge whether I am
relevant or irrelevant.

Shri Kamath: I said you are relevant.

Dr. Krishnaswami: There are im-
portant provisions relating to dis-
qualification which have not been
taken into account. But before I deal
with these omissions, let me deal with
errors of commission to be found in
abundance in these bills.

My hon. friend in his speech re-
ferred to the clause pertaining to
notification for general election. I
have grave doubts as to whether this
provision is proper, whether it is in-
conformity with the spirit of the
Constitution, and whether what we
are doing is just. Under the 1951
Act, the provision relating to noti-
fication is contained in section 15.

The provision lays down when-
ever the House of the People is dis-
solved or its term expires a general
election has to be held and steps for
holding a general election has to be
taken four months prior to the ex-
piry of the term. The new provision,
omits the phrase relating to expiry
of term and lays down that a general
election has to be held on the dis-
solution of the House of the People.
My hon. friend, the Minister of Legal
Affairs is aware of article 83(2) in
our constitution which deals with
notification. I should like with your
permission to read out this article.
It reads thus:—

"The House of the People, un-
less sooner dissolved, shall con-
tinue for five years from the date
appointed for its first meeting and
no longer and the expiration of
the said period of five years shall
operate as a dissolution of the
House."

Now, in view of the new provision
which is put in here no steps can be
taken by the Election Commissioner
before the dissolution takes place.
Presumably, the intention is to hold
simultaneous elections for both the

House of the People and the legislative assemblies. Both are to be dissolved before the expiry of their normal term. Now, dissolution is an extra-ordinary power which has been given to the President and is meant to be exercised only in exceptional circumstances. Can this power be invoked—I ask the Minister of Legal Affairs—for the purpose which the Election Commissioner has in view, namely, simultaneous elections to the assemblies and the House of the People? Will this not result in a serious curtailment of the term of office of hon. Members both of this House and the assemblies? Would we not have for four months ministerial rule working without checks from a legislature—ministerial rule which functions arbitrarily, ministerial rule which is different from the President's rule, and which for four months functions without any hampering check? Dissolution can be resorted to as my hon. friend well knows, in a Parliamentary Government only to resolve certain constitutional difficulties. I am, therefore, surprised that the Election Commissioner and his office should not have taken into account the constitutional point and should not have understood the serious implications of the proposal that they are making. After all, why should the term of a Member of Parliament who has been elected for five years be terminated at the end of four years and eight months? For the remaining four months, Members of Parliament will not have their salaries. This is of course a small matter. They will not be summoned for these four months even if there is any emergency to advise the Ministry. The old system was one in which former members went out only when the new Parliament came into being. There was continuity, but we are now to have for four months a serious gap. If the Election Commission did feel that it was necessary to have simultaneous elections for the assemblies and the House of the People, the obvious and the proper course was to amend the proviso relating to four months

and extend it by about one or two months. That would have met amply the needs of the Election Commission and at the same time prevented this constitutional monstrosity that is likely to occur.

I now pass on to the disqualification clause. My hon. friend has not considered it necessary to amend clause 7 fully. Serious difficulties have arisen in connection with the interpretation of this disqualification clause. Clause 7 (d) and (e) are the most difficult sub-clauses that are to be found in this disqualification clause. Originally in the 1935 Act disqualification was to such types limited of disqualification as are included in sub-clause (a), (b) and (c) of clause 7 of the 1950 Act. But having taken into account article (102) of our constitution we have imported additional disqualifications and those are to be found in (d), (e) and (f) of the present act. In respect of sub-clauses 7 (d) and (e) controversy has raged and there been conflicting interpretations given by tribunals. Justice Lokur, for instance, gave interpretations which are quite different from those interpretations given by other election tribunals. There is therefore an imperative need for having a clarification of the law on this subject. I am, therefore, surprised that this matter should not have been taken into account especially when we are thinking of amending clause 7 in respect of submission of election expenses.

Now, I am not suggesting that we should do away with the whole law of disqualifications. The principle underlying the law pertaining to disqualifications is that a Member of Parliament should be independent of the executive. In fact we have attempted to borrow from the English law on the subject and I think *Parker's Election Agent and Returning Officer* contains the House of Commons Disqualification Act:

"Any person who shall directly or indirectly himself or by any person whatsoever in trust

[Dr. Krishnaswami]

for him or for his use or benefit or on his account undertake, execute, hold or enjoy, in the whole or in part, any contract, agreement or commission made or entered into with, under or from the commissioners of his Majesty's Treasury, or of the Navy or Victualling Office, or with the master general or board of Ordnance, or with any one or more of such commissioners, or with any other person or persons whatsoever, for or on account of the public service, or shall knowingly and willingly furnish or provide in pursuance of any such agreement or contract or commission...shall be disqualified."

We have made similar provisions and put them in the 1950 Act. But I think this sub-clause (d) has in particular been the subject of diverse interpretations. It has worked havoc in many cases. Sub-clause (d), as we know, relates to contracts for the supply of goods or for the execution of any work or for the purpose of any service. A contract generally presupposes the consent of both parties. Such a consent may be either express or implied. But where a term has been imposed as part of a bigger contract and is of such a nature as to attract the disqualification clause and the party on which it is so imposed has no option to refuse to perform unless he surrenders the entire contract, there is an obvious case for relaxation of the rule relating to disqualification. I know that in many States the Road Transport Board which gives licences to buses imposes a condition that buses should carry the mail service. I have known one instance where a Member of Parliament was disqualified because of this particular section being attracted. What I do suggest is that unless a man has entered into it of his own consent and unless it is the main contract, we should relax this rule. At any rate the Select Committee should consider this at length.

22 SEPTEMBER 1955

The other section which is also important is that which relates to directors and managing agents.

Clause 7 (e) reads as follows:

"If he is a director or managing agent of, or holds any office of profit under, any corporation in which the appropriate Government has any share or financial interest."

In this case he is disqualified. I do not know how far we are going to extend our public sector but I feel that this phrase "...has any share or financial interest..." is far too wide and might bring within its net many people who are not beholden to the executive. I think it would be proper for the select committee to suggest that where the Government has got the bulk of the shares—51 per cent shares or there abouts—we provide for the disqualification of directors. I am putting this before the Select Committee so that they may consider this disqualification....

Pandit Thakur Das Bhargava (Gurgaon): Is it not circumscribed by clause 8 (c)?

Dr. Krishnaswami: That clause reads "...the appropriate Government has any share or financial interest."

Pandit Thakur Das Bhargava: There is a proviso which is 8 (c). A person shall not be disqualified under clause (d) of that section by reason of his having a share or interest.

Dr. Krishnaswami: That is only a narrow limitation.

Pandit Thakur Das Bhargava: It is a very big limitation. (Interruptions). Unless Parliament disqualifies by law, qualification persists.

Dr. Krishnaswami: I am referring to shares. Parliament may find it inconvenient to pass a law on every occasion. Since we are having an extended public sector and since this law was passed at a time when we did not visualise a vast expansion of the public sector, I am requesting the

Select Committee to consider these two provisions.

I then pass on to the other section which deals with expenses to be submitted by the candidate and the duties of the election agent.

2 P.M.

The original provision in our Representation of the People Act is that not only the candidate but also the agent will be disqualified for failure to lodge election expenses. It is now proposed to restrict the disqualification only to the candidate. This raises issues of far-reaching character. An election agent is the person who manages the business of the candidate. He plays a very important role in really looking after the candidates affairs. In *Parker's Election Agent and Returning Officer* a vivid description of what an election agent is and as it has been judicially noticed is given. I make no apologies to the House for reading a brief extract from this book:

"Prior to that Act, the term 'election agent' was generally applied to the person who managed the business of the election contest, and who might or might not include in his functions those of the officer (one or more in number) who, in contradiction was known as the expenses agent. Since that Act, there can be but one election agent, and in him are combined the several duties of the old election agent and of the old expenses agent. The object of the Act has been judicially described as follows, *viz* that the affairs of the election shall be carried on in the light of day; that there shall be a respectable and responsible man, responsible to the candidate and to the public, who shall do all that is necessary; who shall be the sole legitimate paymaster; who shall be effectively responsible for all the acts done in procuring the election; who can be dealt with afterwards; and who can be looked to afterwards for an explanation of his conduct in the management of the election."

If a candidate appoints an election agent then this question, of course, arises. Of course, even under the present Act a candidate can appoint himself as an election agent but I am only dealing with the cases where a candidate appoints another person as an election agent. The United Kingdom Act, as amended....

Mr. Chairman: Now, what is your proposal? You want to rope in the election agents also?

Dr. Krishnaswami: I am coming to that point.

Mr. Chairman: But, the time is up.

Dr. Krishnaswami: I will try to be as short as possible.

Shri Pataskar: May I bring one fact to the notice of the hon. Member? I do not object to what he says and that point may be considered by the Select Committee. As a matter of fact, experience has shown, in our country at any rate, that most people have appointed themselves as election agents. It is only in very very rare cases that somebody else is appointed. Therefore, I think all this Parker's book and other things—of course, they may be quoted—will not help because in our country the practice is different.

Dr. Krishnaswami: If you wish to do away with election agents I can have no objection to that proposal. Put the candidate alone and do away with the election agent. But if you make provision for an election agent being appointed then you must rope in the election agent for and make him also, share the responsibility for expenses incurred. The duty of submission of election expenses must be a duty cast not only on the candidate but also on the election agent as under the present law. According to the amending Bill lodging of election expenses is the duty of the candidate alone. The election agent can, therefore, escape. The account of election expenses should be verified not only by the candidate but also by the election agent where an election agent

[Dr. Krishnaswami]

has been appointed otherwise a Gilbertian situation will arise in which an election agent can repudiate the accounts that have been submitted by his principal. That is why in all election laws it has been laid down that the duties of an election agent do not terminate until the declaration of election expenses has been duly sent in to the Returning Officer.

There are two small points which I propose to deal with and I have done. I should like to deal with section 77(4) under clause 41 of the *Representation of the People (Second Amendment) Bill* which deals with election expenses to be submitted by the different parties. One can understand if it is suggested that there ought to be no return of election expenses submitted by candidates; but this would not be in conformity with the working of democracy, because, obviously, there is a limit that has to be put on the amount of expenditure that has to be incurred by any candidate. But a provision which is rather curious in the Bill is that which deals with the items of expenditure which are allowable. Clause 77(4) reads as follows:

"The said expenditure shall not be deemed to include any expenditure incurred by a recognised party organisation for furthering the prospects of the election of candidates supported by it."

This is an unfair provision. I should have thought it was the duty of the State to strengthen the hands of the weak and not to weight the scales or the dice in favour of the recognised parties or the mighty. The major parties are those which can spend money. The independents and others who have to come in are to have the strictest scrutiny exercised over their accounts. That, I do not think, is in conformity with the basic tenets of democracy, with the basic tenets of free and fair elections. Clause 77, sub-clause (4) in my judgment is a serious violation of the principle underlying the holding of

free and fair elections; for, if a party is allowed to spend any amount in the furtherance of the prospects of its candidates without any check on expenditure, there would be considerable misuse. There would be scarcely any scope for members of smaller groups, and independents entering Parliament. I take it that even in this Parliament, the Minister will agree that independents have some part to play. In our public life they have a value and I do not think that it is necessary to weigh the scales so much against them as to make it very difficult for them to come into Parliament. Therefore, the rule ought to be that a stricter control should be exercised over party expenditure rather than over the expenditure of individuals because there is a general presumption that individuals will not be able to spend as much as a party. This provision as I have indicated will undermine, in my judgement, the holding of free and fair elections because it would give a *carte blanche* as it were to the major parties to do what they please in respect of their election expenses.

I should like only to refer to the other point which I find it difficult to state in the short time at my disposal. I shall, if I have the opportunity of going before the Select Committee, place before it other aspects of this question.

Mr. Chairman: I think that every hon. Member has the right to be present before the Select Committee. The only thing is that he is not entitled to vote.

Shri Pataskar: All I should like to say here is that....

Dr. Krishnaswami: But, he is not entitled to be heard unless special permission is given by the Chair.

Pandit Thakur Das Bhargava: I was under the impression that every Member could go before the Select Committee and he has a right to be heard and that only he has no right

to vote. On the occasion of the Criminal Procedure Code I went before the Select Committee under this impression. When I went there all the rules were hurled on my face to say that I could not participate in the discussion and so I had to come back.

Dr. Krishnaswami: That is what I am saying.

Mr. Chairman: You can send your note to the Chairman.

Dr. Krishnaswami: The Chairman should give me special permission to allow me to put my case; the rule may be waived by the Chairman.

Shri Pataskar: So far as I am concerned I can assure the hon. Member that if he sends a note to me I shall duly forward it to the Chairman of the Select Committee whoever he may be.

Dr. Krishnaswami: Thank you. In that case I shall only refer to clause 4 of the Bill and suggest here that, this clause should not find a place in the bill. The remedy which we are suggesting is much worse than the disease that we are attempting to cure. Here, the purpose of the clause evidently is to give some more time to the Election Commissioner to examine the various expenditure returns that are submitted. But, that is not going to be properly achieved by giving this power to the Election Commissioner. A much better way would have been to give 4 months or thereabout instead of giving the Election Commissioner a right to pass an order on every candidate's return whether submitted or not.

Pandit Thakur Das Bhargava: My hon. friend will pardon me for my interference. The Election Commission under rules has no power to scrutinise the returns. It has only to see that the return is given in good time.

Dr. Krishnaswami: But, here it is said that he should pass an order whether the return of expenses has been lodged or not. But, if no expense returns are lodged what is the order that he is going to pass?

Shri Pataskar: The difficulty experienced on the last occasion was that in a large number of cases, the return of election expenses was filed rather late, and at times, finding that it was not filed within the particular period, the Election Commission issued orders. Therefore, the proposal is that only from the date of the order the candidate is to be taken as disqualified. Otherwise, this disqualification will not arise. However, it may be considered by the Select Committee. If it can arrive at some better formula, there is no objection.

Dr. Krishnaswami: I will place this and other matters before the Select Committee.

बाबू राम नारायण सिंह : सभापति महोदय, आप को बहुत बहुत धन्यवाद है कि आप ने मुझे इस विषय पर बोलने का अवसर दिया।

एक माननीय सदस्य : यह आप का हक है।

बाबू राम नारायण सिंह : हक तो है, लेकिन साधारणतया हक जल्दी मिलता नहीं है। इस लिये हक की प्राप्ति के लिये धन्यवाद देना भी बुरा नहीं है।

कल श्रीयुत निमंल चन्द्र चट्टोपाध्याय ने बहुत अच्छा सुनाव दिया है कि दोनों विषेयों में जितने विषय हैं उनके अलावा अन्य विषयों पर भी विचार करने का अधिकार प्रवर सन्निति को दिया जाय। आज श्रीमती सुषमा सेन ने भी उस का समर्थन किया है, मैं भी उस का अनुमोदन करता हूँ।

बात यह है कि अभी हमारे देश में जितनी बातें चल रही हैं प्रायः सभी दूसरे देशों से ली हुई हैं, इसको चाहे आप नकल कहिये या भीत्र मांगता कहिये या जो चाहे कहिये। इसी तरह से चुनाव के नियम भी जो हैं करीब करीब सब बाहर के देशों से लिये गये हैं, लेकिन एक दिन ऐसा था जब यहां के लोग चुनाव को नहीं समझते थे, वे नहीं जानते

ये कि कैसे चुनाव किया जाय, कौनसा नियम उसके लिये हो, उस दिन बाहर के देशों की मदद लेना बुरी बात नहीं थी, लेकिन अब तो बहुत दिनों से हम लोग चुनाव कर रहे हैं, कुछ ज्ञान भी हमें प्राप्त हो गया है, कुछ अनभव भी प्राप्त हो गया है। अब तो हमें कुछ अपनी अकल खर्च करकी चाहिये कि क्या नियम होने चाहिये।

यह बात देखने में बड़ी अच्छी मालूम होती है कि पहले चुनाव के लिये जो चुनाव पत्र होते थे उन में यह होता था कि एक तो उस में उम्मीदवार के दस्तखत हों, उस के बाद एक प्रस्तावक हो और एक समर्थक हो, लेकिन अब समर्थक की जरूरत नहीं है, प्रस्तावक की ही जरूरत है। लेकिन मैं तो कहता हूँ, शायद कुछ लोगों को यह बिल्कुल नई बात मालूम हो, कि प्रस्तावक की भी जरूरत नहीं होनी चाहिये।

श्री पाटस्कर : इस बिल में अब उसकी भी जरूरत नहीं है।

बाबू राम नारायण सिंह : और सुनिये, मैं तो चाहता हूँ कि उम्मीदवार की भी जरूरत नहीं रहनी चाहिये। बात यह है कि आज अगर कोई उम्मीदवार होता है तो क्यों? क्यों नहीं जनता को पूरा पूरा अधिकार दिया जाय कि वह अपनी विचार शक्ति से जिस को चाहे उस को चुन ले। उम्मीदवार क्यों यह कहने जाये कि हम को बोट दो? आज लोग जाते हैं और बोट मांगते हैं तो जरूर जनता उससे प्रभावित हो जाती है। कभी तो चुनाव में कहा जाता है कि महात्मा गांधी का हुक्म है कि अमुक अमुक व्यक्ति को बोट दों, कभी जवाहरलाल जी के नाम से बोट मांगा जाता है। इसका प्रभाव पड़ना स्वाभाविक है। साथ ही यह भी जरूरी बात है कि जिस बक्त तक उम्मीदवारों के नाम रखते जायेंगे तब तक खर्च वर्च आदि जितने तरीके के अन्य होते हैं वे सब होते रहेंगे। आप चाहे जितने कानून

बनायें, लेकिन जब आदमी चुनाव में खड़ा होगा तो चुनाव जीतने के लिये और चुनाव के बाद जो भोग विलास यहाँ आने पर करने को मिलते हैं उन को प्राप्त करने के लिये जितने भी अन्य हो सकते हैं, उन सब को वह करेगा। कोई भी कानून उस को नहीं रोक सकेगा। इस वास्ते मैं चाहता हूँ कि चुनाव ऐसा सुन्दर हो जिस को प्रजातन्त्र कहते हैं। प्रजातन्त्र में तो हमारे यहाँ यह है कि पंच परमेश्वर होता है और जनता जानती है कि किस को चुनाव में भेजना चाहिये। अमुक अमुक स्थान पर और अमुक अमुक काम के लिये क्या जरूरत है कि कोई उम्मीदवार हो? जितने अन्य होते हैं, चुनाव में जितनी गड़बड़ियाँ होती हैं सब इस वास्ते होती हैं कि कई दल खड़े हो जाते हैं और दलों की तरफ से उम्मीदवार खड़े किये जाते हैं।

श्री कामत : जनता घबरा जाती है।

बाबू राम नारायण सिंह : हमारे कामत साहब कहते हैं कि जनता घबरा जाती है। बहुत ठीक है, जनता घबरा जाती है क्यों कि जवाहरलाल जी कुछ कहते हैं, शाकुन वास जी कुछ कहते हैं और कामत साहब कुछ कहते हैं, आखिर जनता किस को बोट दे? होगा यह कि जो ज्यादा ज्यादा खुशामद करेगा उस को बोट दे देगा। बहुत से लोगों को मालूम होता है कि यह इम्प्रेक्टेबल बात है। लेकिन बात यह है कि जिस काम को हम करना नहीं चाहते, जिस काम में हम अपने पण बड़ाना नहीं चाहते उस के लिये कह देते हैं कि यह इम्प्रेक्टेबल बात है। आज जरूरत है कि सारे देश के लोग इस संसद में बैठ कर विचार करे कि किस प्रकार से चुनाव सुन्दर तरीके से हो जिस में कोई ज्यादा मुश्किल पैदा न हो और किसी के लिये भी ज्यादा मुश्किल पैदा न हो। मैंने पहले कहा था कि आज जिस तरह से डिमाकेसी के नाम पर चुनाव होता है देश में

देश में घूर्ते और अनी मिल जाते हैं और सारे मतदाताओं के बोट्स को अपने वश में कर लेते हैं, कोई भी चुनाव आज स्वतन्त्र नहीं होता है, चाहे कोई भी देश हो, इस लिये म कहता हूँ कि चुनाव के समय कोई उम्मीदवार ही न हो और न कोई किसी के पास बोट मांगने जाय। बल्कि जो बोट मांगने जाय उस को बोट नहीं मिलना चाहिये। उसको सजा रिमिलनी चाहिये। पूरे पूरे अधिकार मतदाताओं को होने चाहिये कि वह किस को बोट दें, किस को चुनें। यहां पर बैठ कर हम लोग इस पर विचार कर सकते हैं, नियम बना सकते हैं कि किस प्रकार से इस तरह से चुनाव जायें। मैं तो सारे देश के लोगों से और जो यहां बैठे हुए हैं उन सबों से निर्वदन करता हूँ कि हम सब मिल कर कोई ऐसा रास्ता निकालें ताकि चुनाव मुन्द्र तरीके से हो और अच्छे अच्छे और स्वतंत्र व्यक्ति चुन कर आयें। दल में तो केवल एक सरदार होता है बाकी सब तो उस के गुलाम होते हैं। मैं समझता हूँ कि यह ३६ करोड़ भारतीयों की प्रतिनिधि सभा है, यहां बिल्कुल स्वतन्त्र व्यक्तियों को आना चाहिये जो अपने कार्य के बल पर जनता के भेजे हुए आयें। दल वाले जो आते हैं, वह अपनी गुलामी के जरिये बोट इकट्ठा कर के और बहुमत प्राप्त कर के कैसे देश को सेवा कर पायेंगे। यह तो देश के लिये दुर्भाग्य की बात है इस से देश का कल्याण नहीं हो सकता है। इस वास्ते मैं बार बार कहूँगा कि चुनाव में उम्मीदवारी नहीं होनी चाहिये, उम्मीदवारों का होना बुरा है, उससे मुन्द्र चुनाव नहीं हो सकता है। इस सम्बन्ध में इससे अधिक कहने के लिये मैं तैयार नहीं हूँ।

दूसरी बात चुनाव के खर्च के सम्बन्ध में है। इस के ऊपर संशोधन भी आये हैं कि चुनाव का खर्च तो लोगों को दखिल करना चाहिये, लेकिन जो दल की तरफ से खर्च किया जायेगा उस को दिलाने की जरूरत नहीं है। मान लीजिये कि एक समाज है जिस की सरकार कहीं जाती है, तो सरकार के हाथ

में तो देश की सारी शक्ति और सारी सम्पत्ति होती है, साथ ही गडबड़ी करने की जो प्रवृत्ति है वह भी कम नहीं है। तो जिस दल के हाथ में सरकार है और सरकार होने की जगह से जिस के हाथ में देश की सारी शक्ति और सम्पत्ति है और गडबड़ाता करने की प्रवृत्ति भी है उस के सामने किसी स्वतन्त्र व्यक्ति का जीत लेना बहुत कठिन है। आप जानते हैं कि जब कहीं कोई नियम या कानून बनाता है, दुनियां के किसी भी देश में, तो इसलिये बनता है कि काम मुचारू रूप से हो और देश के लोगों का चरित्र बने। ऐसा नियम और कानून कभी कभी नहीं बनना चाहिये जिससे कि लोगों का चरित्र गिर जाय। हिसाब मांगने का जो कानून है वह जितने उम्मीदवार चुनाव लड़ते हैं, सब को बेझिमान बनाता है। मैं जानता हूँ कि सब यही कहेंगे कि उन्होंने कुछ ऐसी बात नहीं की लेकिन मैं कहता हूँ कि जिन्होंने भी चुनाव लड़ा है और जितने भी लोग यहां पर बैठे हुए हैं चाहे वे साधारण सदस्य हों, चाहे वे मंत्री हों, चाहे प्रधान मंत्री हों और चाहे आप ही हों.....

श्री कामत : चेयरमैन के बारे में नहीं कहना चाहिये।

बाबू राम नारायण सिंह : मैं मानता हूँ कि चेयरमैन के बारे में नहीं कहना चाहिये उनको दूसरी बात है और उनके बारे में नहीं कहता हूँ।

मैं कह रहा था कि सारे देश में, शायद मुख्तसना तो सब जगह होते हैं, इने गिने व्यक्तियों को छोड़ कर, जितने भी लोग हैं जो भी उन्होंने खर्च का हिसाब दिया है, सब गलत दिया है, झूठ दिया है। मैं कहता हूँ कि हर एक को मजिस्ट्रेट की कोर्ट में जाना पड़ता है और वहां पर शपथ लाकर कहना पड़ता है कि यह सब ठीक छर्चे हैं। हमें शर्म आनी चाहिये कि हम लोगों को वहां बाकर झूठी शपथ लेनी पड़ती है। हम पालियामेंट के सदस्य हैं और ३६ करोड़ जनता का हम

[बाबू राम नारायण सिंह]

प्रतिनिधित्व करते हैं और उनका हित करने के लिए हम यहां आते हैं —

Shri Nand Lal Sharma (Sikar): On a point of order, Sir. To say that so many Members have taken oath and are simply telling lies with regard to election expenses is an aspersion on the Members. We never filed false statements.

Mr. Chairman: It is a general statement; but of course, every general statement has got an exception according to law. In any case, when Members are taking exception to this remark, the hon. Member should not make it.

बाबू राम नारायण सिंह : सभापति महोदय, मेरे मित्र बहुत बड़े शास्त्र के जाता हैं और वह यह श्लोक जानते ही होंगे।

हित मनोहारिचतुर्लंभ बचः

हित की बात, सच्चो बात मीठी हों यह बहुत कठिन है। मैंने पहले ही कह दिया है कि कुछ को छोड़ कर बाकी सब लोग ऐसा करते हैं। ही सकता है मेरे मित्र नंद लाल जी ने बहुत खर्च न किया हो और ठीक ठीक खर्च किया हो और उनके जितने काम करने वाले ये उन्होंने ठीक ठीक हिसाब दिया हो। मैं एकसंपत्ति करने को तैयार हूं।

तो मैं चाहता हूं कि किसी भी उम्मीदवार को खर्च का हिसाब देने की ज़रूरत नहीं होनी चाहिये। मैं प्रवर समिति के जितने भी सदस्य हूं उनसे निवेदन करता हूं कि यदि हमारे देश को सच्चे रास्ते पर चलना है, ठीक रास्ते पर चलना है, तो खर्च का हिसाब किसी से नहीं मांगा जाना चाहिये, यह अन्याय है, भूर्खला है।

श्री राम रमण (विल्ली नगर) : सदन के सामने कानून विभाग के मंत्री जी ने, दो विधेयकों को प्रवर समिति को सौंपने का

प्रस्ताव रखा है, उसका मैं स्वागत करता हूं। पिछले चुनावों में हमें अनेक अच्छे और बुरे अनुभव हुए हैं। जहां हमें इस बात का गर्व है कि ऐसा चुनाव जनतानीय आधार पर हमारे देश में किया गया जिसकी मिसाल दुनिया के किसी और देश में नहीं मिल तो वहां हमें इस बात का दुख भी है कि उस चुनाव में बहुत सी ऐसी त्रुटियां रह गई कि जिन को हमें अपने अनुभव के आधार पर दूर करना जरूरी है। तो यह जो दो विधेयक हमारे सामने हैं इनका उद्देश्य यह है कि जो अनुभव हमें चुनाव में हुआ है और जो त्रुटियां हमने उन चुनावों में देखी हैं उनको हम सुधार लें ताकि आगे वाले चुनाव को हम और भी सुचारू रूप से और एक नमूने के तौर पर दुनिया के सामने पेश कर सकें। इस लिए मैं इन दोनों विधेयकों को और इन में जो सुझाव दिए गए हैं अथवा जो प्रस्ताव किए गए हैं उनका स्वागत करता हूं।

इस सम्बन्ध में दो चार बातें जो मेरे मन में आई हैं वह मैं सदन के सामने रखना चाहता हूं और आशा करता हूं कि प्रवर समिति जिस समय इन विधेयकों पर विचार करेगी उन बातों पर भी गौर कर लेगी।

जो संशोधन इस सदन में पेश किये गये हैं प्रवर समिति को उन्हीं तक ही अपने विचारों को सीमित नहीं रखना चाहिये बल्कि इसके अलावा भी कोई ऐसी बात अगर उनके सामने आवे या ऐसा सुझाव उनके सामने आवे जिस को मान कर इन विधेयकों को और भी ज्यादा उत्तम बनाया जा सके तो वह भी उन्हें छोड़ने नहीं चाहिये, मैं इसका समर्थन करता हूं। लेकिन यह बहुत ही अच्छा होता अगर यह दोनों विधेयक तब आते जबकि रियासतों के पुनर्संगठन सम्बन्धी आयोग अपनी रिपोर्ट पेश कर देती और उसके सुझाव भी हमारे सामने आ जाते क्योंकि हो सकता है कि उसमें भी चुनाव सम्बन्धी ऐसी बातें हों कि जिन्हें अगर प्रवर समिति अपने सामने रखे और उनके आधार पर इन विधेयकों में

14845 *Representation of the People (Amendment) Bill and*

मंशोधन करे तो और भी ज्यादा अच्छी बात होती और यह विवेयक और भी ज्यादा पूर्ण रूप में प्रवर समिति में से वापस आते। लेकिन मैं आशा करता हूं कि जब तक प्रवर समिति अपनी रिपोर्ट देगी उससे पहले आयोग की रिपोर्ट भी उसके सामने आ जाएगी और उनकी सिफारिशों पर भी प्रवर समिति विचार कर लेगी।

इसके बाद सर्वप्रथम मेरा मुझाव एक यह है कि मैं देखता हूं कि इस घोड़े से समय में हमारे सदन के सामने चार ऐसे विवेयक आ चुके हैं। पहले दो तो औरिंजिनल बिल ये और दो अब हैं जिनके जरिये से हम इन बिलों में संशोधन करने जा रहे हैं चारों विवेयकों को अगर हम अपने सामने रखें तो यह कुछ अलग अलग मालूम होते हैं। मेरी यह राय है कि सदन के सामने एक ऐसा बिल आना चाहिये, ऐसा विवेयक आना चाहिये कि जो सब प्रकार से पूर्ण हो और वह एक कांसीलिंडरिट बिल हो, चुनावों सम्बन्धी सम्पूर्ण कानून हों जिसमें कि नियम आदि भी आ जायें। यदि ऐसा किया गया तो मेरा रुपाल है उसको समझने में आसानी होगी, आम लोगों को, जो उल्लंघन में पड़ सकते हैं। इनैक्शन कमीशन ने भी इस और हम लोगों का ध्यान दिलाया है। मैं समझता हूं कि प्रवर समिति इस और ध्यान देयी और इस सम्बन्ध में अगर कुछ कदम उठाया जा सके तो वह उठायेगी।

दूसरी बात जो मैं कहना चाहता हूं वह यह है कि जैसे कि और मेरे मित्र भी कह चुके हैं, जब कभी कोई उम्मीदवार खड़ा होता है तो-उसे अपना प्रस्ताव पत्र दाखिल करना होता है। उसमें एक प्रस्तावक होता है और दूसरा समर्थक होता है। इस बिल में यह मुझाव दिया गया है कि जो प्रोपोज़र है वह तो रहे लेकिन जो सैकेंडर है उसकी कोई आवश्यकता नहीं है। मेरी ऐसी राय है कि जब कोई उम्मीदवार खड़ा होता है तो वह उम्मीद

22 SEPTEMBER 1955

14846 *Representation of the People (Second Amendment) Bill*

करता है कि उसके इलाके में या उसकी कास्टिट्यूएंसी में उसके बहुत सारे शुभचिन्तक हैं, बहुत से लोग उसे बोट देने वाले हैं, उसके लिए काम करने वाले हैं और उसको कामयाब बनाने वाले हैं और जब ऐसी बात है तो यह ठीक नहीं मालूम होता कि जो आदमी अपने आप को एक उम्मीदवार की हैसियत में खड़ा करना चाहता है वह अपने प्रस्तावना पत्र में एक प्रस्तावक और एक समर्थक को हासिल करने में कोई कठिनाई महसूस करे। तो जहां हम यह कहते हैं कि उम्मीदवार सब की मर्जी से ज्यादा से ज्यादा लोगों की मर्जी से होता है तो वहां उसके लिए कोई कठिनाई नहीं होनी चाहिये और न कोई देर लगानी चाहिये कि वह एक प्रस्तावक और एक समर्थक हासिल कर ले। तो यह बात मेरी समझ में नहीं आती है कि इस समर्थक को क्यों हटाया जा रहा है। मैं यह कहता हूं कि इसे रखना चाहिये।

श्री आर० एस० दीक्षान (उस्मानाबाद):
क्यों रखना चाहिये?

श्री राधा रमण : इस लिए रखना चाहिये कि कम से कम यह महसूस हो कि उम्मीदवार इलेक्शन के लिए इतना इच्छुक नहीं है वक्ति जो प्रस्तावक और समर्थक है वह ज्यादा इच्छुक है उसको भेजने के लिए मेरी समझ में इन दोनों को रखने से कोई कठिनाई नहीं हो सकती। यह बात मेरी समझ में ज्यादा आती है कि अगर कोई नाम द और उसके १० प्रस्तावक हों और १० समर्थक हों तो यह महसूस होता है कि वह आदमी अधिकारी है और लोग उसे चाहते हैं। तो मैं प्रवर समिति से प्रार्थना करूँगा कि वह इस बात को सामने ले और मेरे मुझाव पर विचार करे।

तीसरी बात जो मैं कहना चाहता हूं वह यह है कि मापने इस विवेयक में रखा है कि लोग जब इलेक्शन हो चुके हैं तो उसकी रिटर्न फाइल करते हैं, उसमें बहुत सारी दिक्षातै

श्री राष्ट्र रमण]

महसूस होती है। इस विषय में एक सीरिज भी हमने रख दी कि इलेक्शन में इससे ज्यादा खर्च नहीं होना चाहिए। कुछ लोगों का यह भी विचार है कि अगर इस सीरिज को हटा दिया जाय और रिटर्न वर्गराह भरने का कोई काम न हो, तो अच्छा है। मैं समझता हूं कि जो लोग चाहते हैं कि उम्मीदवार अपने काम और अपनी सेवाओं के बल पर इस सदन में आयें तो कि उन के बल पर, तो वह इस प्रकार की सीरिज मुकर्रर रखना पसन्द करेंगे। यह बात ठीक है कि सीरिज रखने के बावजूद बहुत से लोग बेईमानी करेंगे और गलत तरीके इस्तेमाल करेंगे। हमारे सामने ऐसा कोई मार्ग नहीं है, जिस पर चल कर हम बेईमानी करने वालों और झूठ बोलने वालों को रोक सकें। अगर कोई ऐसा करना चाहता है, तो वह तो हर हालत में करेगा। इस विषय में मेरा सुझाव यह है कि रिटर्न तो बेशक दाखिल किए जाते रहें, लेकिन आप ने जो बन्धन सीमित रकम को अलग अलग मर्दों में खर्च करने का रखा हुआ है, कि छापाई पर इतना खर्च करना है और स्टाफ पर इतना खर्च करना है, वह आवश्यक नहीं होना चाहिए। आप एक आखिरी लिमिट मुकर्रर कर दीजिए कि इससे ज्यादा रूपया खर्च न किया जाय, लेकिन लोगों को उस खर्च को अलग अलग खानों में भरने के लिए बहुत कठिनाई होती है, इस लिए उन को भरने का तो का खत्म कर दीजिए। इस तरह जो जो दिक्कत बहुत से भाइयों को नजर आती है, वह दूर हो जायेगी। अन्य लोग, ऐसे वाले नहीं, तो हमेशा अपने आप को आगे बढ़ा सकते हैं और चुनावों में कामयाब हो सकते हैं, लेकिन अगर हम वास्तव में ऐसे लोगों को सहायता देना चाहते हैं जो अपने कायं और अपनी सेवाओं के बल पर इस सदन में आना चाहते हैं, तो हम को इस प्रकार की कोई सीमा अवश्य रखनी चाहिए। यह एक प्रकार का चैक है—यह एक प्रकार का दरवाजा है, जिसको अगर कोई उम्मीदवार पार करेगा,

22 SEPTEMBER 1956

तो उसको खतरे का सामना करना पड़ेगा लेकिन अलग अलग खानों में जो भर कर देना पड़ता है, जो तफसीलात देनी पड़ती है, उनकी में जरूर नहीं समझता हैं। अगर वह हट जाय, तो लोगों को सहृदयता जरूर हो जायगी।

पिछले चुनावों में हमने इस बात की काफी कोशिश की कि हर एक भत-दान करने वाला आदमी सिर्फ एक ही बोट डाले, जिसका कि उसको हक मिला है। इस सम्बन्ध में हमने कई तरीके भी अस्लियार किए। भस्तरन हमने स्याही का इस्तेमाल किया और यह प्रबन्ध किया कि भतदाता पहले अपना नाम लिखायें और फिर परदे में बोट डाले, वर्गराह वर्गराह इस तरह हमने जाली बोट न डाले जाने का प्रयत्न किया। भगव यह पिछले चुनाव के तजुर्बे से हमें ऐसा महसूस हुआ है कि उन तरीकों को बदलना पड़ेगा। सबसे पहले हमारे सामने सियाही का सबाल आता है। पहले आम चुनाव में सियाही ने बड़ा काम दिया, लेकिन दूसरे और तीसरे उप चुनाव में यह सियाही बिल्कुल बेकार हो गई। आज इस प्रकार की सियाहियां निकल आई हैं, जिन को इस्तेमाल किया जाता है और कोई भेद नजर नहीं आता है। प्रवर समिति को इस और भी ध्यान देना चाहिए।

जो बैलट-पेपर दिए जाते हैं, वे ऐसे होते हैं कि उनके स्थान पर जाली बैलट-पेपर इस्तेमाल नहीं किए जा सकते हैं, लेकिन बैलट-पेपर्ज को खरीदने का बड़ा रिवाज चल रहा है। उम्मीदवार लोग बहुत से बैलट-पेपर्ज खरीद लेते हैं और एक एक आदमी से पचास पचास बैलट-पेपर्ज डलवाते हैं। इसका भी इतनाम किया जाना चाहिए, क्योंकि इस के कारण बहुत से चुनाव मही और ठीक नहीं होते और उन के नतीजे हमारी उम्मीद और तपकी के बिल्कुल बिलकुल होते हैं।

एक बात मैं और कहना चाहता हूं। जो डबल मेम्बर या मल्टीपल मेम्बर कांस्टिन्यूएन्स-

होती हैं, उनमे इलेक्शन के बहल एक से अधिक बैलट पेपर दिए जाते हैं। होता यह है कि न सिर्फ अनपढ बल्कि पढ़े तिथे लोग भी बजाय एक एक आदमी एक एक बोट डाले एक ही ढंगे में दो तीन बैलट-पेपर डाल देते हैं। इसका नतीजा यह होता है कि उनका सिर्फ एक बोट सही माना जाता है और वाकी बैकार हो जाते हैं। इस बात का भी कोई जबाब होना चाहिए—कोई इलाज होना चाहिए। हमारे बहुत से भाई अपने बोट का सही इस्तेमाल करना चाहते हैं, लेकिन तरीका न जानने की वजह से ऐसा नहीं कर सकते। प्रवर समिति को इस सम्बन्ध में भी कोई न कोई सुझाव रखने चाहिए।

इसके अलावा मंत्री महोदय की तरफ से विधेयकोंमें यह सुझाव दिया गया है कि इलेक्शन की टाइम लिमिट को कम कर दिया जाय मैं इसका स्वागत करता हूँ। यह इलेक्शन का पीरियड घबराहट का पीरियड होता है और इसमें काफी लोगों को दिव रात मूसीबत उठानी पड़ती है और बहुत सी तकलीफों का सामना करना पड़ता है और उस बक्त बराबर लड़ाई अगड़े का इमकान रहता है। अगर चुनावों के बक्त को कम कर दिया गया, तो मैं समझता हूँ कि इससे इलेक्शन के काम में कोई कमी आने वाली नहीं है, बल्कि इससे हम को कायदा होगा और वह यह कि स्वर्व कम हो जायगा—केन्डीडेट्स का भी और सरकार का भी—और जो क्षण हो की विना एक दो महीने बनी रहती है, वह जल्दी खत्म हो जायगी और केन्डीडेट्स के दरमियान और इलाके वालों के दरमियान मच्छी हवा बनी रहेगी।

श्री भागबत ज्ञा आजाव (पूर्विया ब संघाल परगना) : लेकिन इसका परिणाम यह भी होगा कि जिन लोगों के पास मोटरें होंगे, वे जीत जायेंगे।

श्री राजा रमेश : मोटरों की ज़रूरत तो होनी ही चाहिये। मोटरों का तो इस्तेमाल ही मना कर दिया गया है और लोग मोटरों का इस्तेमाल करते हैं, वे अपने को इस बतरे में डालते हैं कि उनका इलेक्शन रद्द कर दिया जाय।

एक बात मैं यह अर्ज करना चाहता हूँ कि विधेयक के प्राविजन्ज के रूप में यह सजेशन दिया गया है कि ट्रिब्यूनल में तीन के बजाय दो मेम्बर रखे जायें और अगर उन दोनों का फैसला एक सा न हो, तो हाई कोर्ट का एक जज उस में फैसला करेगा। मेरी राय में यह तरीका कुछ बहुत ज्यादा अच्छा न होगा और ट्रिब्यूनल में तीन आदमियों का जो तरीका हम ने अभी तक कायम रखा है, उसी को चलाया जाय, तो ज्यादा अच्छा है। इस की वजह यह है कि मुझे ऐसी कोई बात नज़र नहीं आती कि तीन मेम्बर रखने से ज्यादा देर लगती है और दो रखने से वह कम हो जायगी। मैं समझता हूँ कि यह ज्यादा अच्छा होगा कि तीन मेम्बरों का ट्रिब्यूनल रहे। हाँ, यह बात ज़रूर है कि हमें एक टारगेट मुकर्रर कर देना चाहिये कि इस के अन्दर अन्दर ट्रिब्यूनल अपना फैसला दे दे। कोई पेटीशन का फैसला होने में एक—एक साल और नौ नौ महीने लग जाते हैं। सदर साहब, मैं अर्ज करूँगा कि हमारा एक टारगेट मुकर्रर होना चाहिये कि कोई पेटीशन एक महीने या दो महीने जो भी हम रखना चाहें, से ज्यादा ट्रिब्यूनल के सामने पड़ा न रहे।

जो दो तीन बातें मैं ने यहां रखी हैं, मुझे आशा है कि प्रवर समिति उन पर विचार करेगी और दूसरे भाइयों ने जो सुझाव दिये हैं, उन पर भी विचार करेगी और जो सुझाव इन के अलावा आयेंगे, उन का भी स्थाल रखा जायगा। मुझे आशा है कि जब ये दोनों विधेयक उन से बन्दूर हो कर हमारे पास आयेंगे, वे इतने मूकम्मल होंगे कि जितनी शानदार सफलता हम ने पिछली बार हासिल

की थी, उस से भी शानदार सफलता हम अगले चुनाव में हासिल करेंगे।

श्री एम० पी० मिश्र (मुगेर उत्तर पार्वत्यम) : हमारे देश के जो चुनाव के कानून हैं, वे बहुत ही कारंगर सांवित हुये हैं। उनके अधीन ही हिन्दुस्तान का पहला आम चुनाव लड़ा गया और उसकी शानदार सफलता सारी दुनिया में हमारे लिये नाम हासिल कर के आई। कहते हैं कि इतना बड़ा चुनाव, जिसमें सत्रह करोड़ मतदाता हों, आज तक दुनिया में नहीं हुआ है और इतनी शान्ति और शान के साथ भी चुनाव कहीं नहीं हुये, लोग समझते थे कि इस देश के लोग अनपढ़ हैं, इन को पहली दफा बालिग भताचिकार मिल है और इस देश में तरह तरह के झगड़े हैं, विरोध है, लेकिन हमारे देश, यहां के लोक-राज्य हमारे चुनाव के कानून—पीपल्ज रिप्रेजेन्टेशन एक्ट—उसके विवेयकों को इस बात का श्रेय है कि यहां पर चुनाव इतनी शान्ति के साथ और इतने शानदार हुंग से लड़े गये कि जिस ने इस देश की इंजत दुनिया में बहुत बढ़ाई। उस के बाद इस देश को, लोगों को, सरकार की ओर चुनाव कमीशन को कुछ अनुभव हुये और उन अनुभवों की रोशनी में, इस कानून को फिर से मुदारने की कोशिश की जा रही है। और कोई चीज़ पक्की और पूरी तो होती नहीं। हो सकता है कि इसके बाद भी फिर इसमें कुछ सुधार करने पड़े। जो संशोधन इस कानून में लाये जा रहे हैं उनका मैं आमतौर से स्वागत करता हूँ। चास तौर से इस बात का इस मंशोधन में नामिनेशन पेपर को दाखिल करने और उसकी जांच आदि के बारे में बहुत आसानी कर दी गयी है। लेकिन फिर भी मैं समझता हूँ कि नामिनेशन पेपर को लेकर कुछ झगड़े फिर भी बाकी रह जायेंगे जो कि चुनाव के बाद चलेंगे। इस कानून में रख दिया गया है कि चुनाव के बाद लोग उन झगड़ों को लेकर अदालत में

जाये और उनको तै करवायें। इस सदन को मालूम है कि इसी प्रकार का एक और बिल इस से पहले इस सदन में आया था। वह सिलेक्ट कमेटी के सामने भी गया था। उसका जो सुनाव था मैं समझता हूँ वह ज्यादा कारंगर था। वह यह था कि नामिनेशन पेपर दाखिल हो जाय, उसकी जांच हो जाय और जिसका नामिनेशन पेपर गिर जाय उसको भीका मिले कि वह एक दफा किसी आधारिटी के सामने जा कर उसका फैसला लेले ताकि चुनाव समाप्त होने के बाद फिर नामिनेशन पेपर को लेकर कोई झगड़ा न रहे। उस सुनाव के अनुसार यह था कि चुनाव के बाद जो झगड़े हों वे केवल करप्ट प्रेक्टिसेज (भ्रष्टाचार) के सम्बन्ध में हों, नामिनेशन पेपर के सम्बन्ध में न हों। यह ठीक है कि आपने नामिनेशन पेपर की जांच आदि को बहुत आसान कर दिया है, लेकिन अगर उस पिछले कानून के संशोधन को इस कानून में मिला दिया जाता तो बहुत अच्छा होता।

मैं इस बात को पसन्द करता हूँ कि चुनाव का समय घटा दिया गया है, और इस सब बात से भी मुझे खुशी है कि चुनाव सारे देश में एक साथ करने की कोशिश हो रही है। लेकिन मेरा स्थान है कि सरकार ने और इलेक्शन कमिशनर ने एक बात पर उतना ध्यान नहीं दिया जितना ध्यान देना चाहिये था, और वह है चुनाव के खंच की बात। कानून में ठीक रखा गया है कि असेम्बली के लिये ५००० और लोक सभा के लिये २५००० तक खंच किया जाय। लेकिन इस संसद को देश को यह मालूम है कि चुनाव के जमाने में किस तरह से थैलियां खोली गयी थीं। हमारे सूबे में एक जमीदार ने लोक-सभा के चुनाव के लिये दस लाख रुपया खंच किया।

श्री नन्द लाल शर्मा : इससे बहुत लोगों को फायदा हुआ होगा।

श्री एम० पी० मिश्र : कुछ आपको हुआ या नहीं ?

बम्बई के कुछ सेठ खडे हुये और उनके बारे में तरह तरह की कहानियाँ हैं। इस देश में राजा महाराजाओं और करोड़पतियों का मुकाबला मामूली और गरीब आदमियों से हुआ या और चुनाव का कानून ऐसा है कि इसमें खर्च पर कोई रोक नहीं लगाई जा सकती। तो सरकार को इस बारे में सोचना होगा कि क्या चुनाव सस्ता नहीं हो सकता। जब एक मामूली आदमी के मुकाबले में दूसरा आदमी करोड़ों की बैली लेकर खड़ा होगा तो वह गरीब आदमी चाहे कितना भी जनता का प्यारा हो उस धनी आदमी के मुकाबले में नहीं ठहर सकेगा और हार जायगा। इस देश में ऐसे भी उदाहरण हुये हैं कि दस लाख खर्च करने वाला हार गया, जैसा कि दरभंगा के महाराजा हार गये, और मामूली आदमी उसके मुकाबले में जीत गया। लेकिन ऐसे भी उदाहरण हैं कि जनता के लाडले लोग, चूंकि वे गरीब थे, उन सेठों के मुकाबले में नहीं चुने जा सके जिन्होंने कि बैलियाँ खोल रखी थीं। तो हमें ऐसा कानून बनाना होगा कि जिसके अनुसार मामूली और गरीब आदमी जिनके पास ज्यादा पैसा खर्च करने को नहीं है वे भी जनता का विश्वास प्राप्त कर सकें एक बात की ओर उतना ध्यान नहीं दिया है जितना दिया जाना चाहिये। वह है चुनाव के खर्चों का प्रश्न। चुनाव अब बेहद खर्चिला हो चला है और साधारण आदमी की पहुंच के बाहर जा रहा है। और यह चीज़ लोक राज्य की भावना के खिलाफ़ है।

इलेक्शन रिटर्न की बात तो एक मजाक सी हो गयी है। मैं समझता हूँ कि इस ५०० सदस्यों की इस लोक सभा में कोई सदस्य ऐसा नहीं होगा जो खड़ा हो कर कह सके कि उसने सही इलेक्शन रिटर्न दाखिल किया है। मैं जानता हूँ कि कुछ मेरे दोस्त ऐसे हैं.....

श्री भक्त दर्शन (जिला गढ़वाल—पूर्व जिला मुरादाबाद—उत्तर-पूर्व) : कुछ ने सही भी दिया है।

श्री एम० पी० मिश्र : जब आपका समय आवै तो आप कह लेना।

मैं जानता हूँ कि ऐसे मेरे कुछ दोस्त हैं जिनका खर्च निर्धारित रकम से बहुत कम हुआ है। लेकिन जब उनको रिटर्न दाखिल करना पड़ा होगा तो उनको भी गलत रिटर्न दाखिल करना पड़ा होगा यह मैं यकीन के साथ कह सकता हूँ। इस कानून के अनुसार इस देश की सब से बड़ी सभा के सदस्यों तक को गलत रिटर्न दाखिल करने के लिये मजबूर होना पड़ता है यह बड़ी लज्जा की बात है। मैं तो समझता हूँ कि ऐसे कानून को जला देना चाहिये। इससे लोक सभा के सदस्यों की ईमानदारी कम होती है।

दूसरी बात और है। हमारे बाबू राम नारायण सिंह भी एक बहुत बड़े जमीदार के झड़े के नीचे चुनाव लड़ रहे थे।

बाबू राम नारायण सिंह : विल्कुल गलत है।

श्री एम० पी० मिश्र : विल्कुल सही बात है। आप बैठ जाइये। मुझे एक बात और कहनी है। आप देश में लोक राज्य बनाना चाहते हैं, मामूली लोगों का राज्य बनाना चाहते हैं। लेकिन आपको मालूम है कि पार्टियों का भी चुनाव के लिये धन लेने को धनियों के पास जाना होता है। चुनाव में बड़ी बड़ी रकमें खर्च करनी पड़ती है। इसलिये पार्टियों को भी धनियों के पास जाना पड़ता है, क्योंकि गरीब आदमी तो पैसा दे नहीं सकते। जिन पार्टियों के देश के धनियों से पैसा नहीं मिलता वे विदेशियों के पास जाती हैं और उनको उनसे पैसा मिलता है और उससे वे चुनाव लड़ते हैं। जिन पार्टियों को देश के धनियों और विदेशियों

14855 Representation of the People (Amendment) Bill and

22 SEPTEMBER 1955

Representation of the People (Second Amendment) Bill

[श्री एम० पी० मिश्र]

दोनों से पैसा नहीं मिलता वे रात को चोरी करती हैं, डाके डालती हैं, गांव के गांव लूट लेती हैं। ऐसा भी इस देश में होता है। बैंकों को लूटवा लिया जाता है।

श्री बी० जी० देशपांडे: आपको मालूम है कि बैंक कौन लूटता है?

श्री एम० पी० मिश्र: क्या उनमें से एक सदस्य आप भी है?

श्री बी० जी० देशपांडे: मैं उनके नाम बतलाऊंगा।

Shri K. K. Basu (Diamond Harbour): He has given out his source.

श्री एम० पी० मिश्र: आपको रूस से आता है।

तो मेरा कहना यह है कि सरकार को इस पर गम्भीरता से विचार करना चाहिये।

Shri S. S. More: May I make a submission?

Shri M. P. Mishra: I am not giving way.

Shri S. S. More: Russia has entered into a pact with this country.

Mr. Chairman: He is not giving way.

Shri S. S. More: I am rising on a point of order. My hon. friend has made an allegation that for the Communist Party money will be coming from Russia.

Mr. Chairman: Has he mentioned that?

Shri S. S. More: He has. If Russia has entered into a pact of Panch Shila, which means non-interference in the internal affairs, is it not making a slanderous allegation against another country?

Pandit Thakur Das Bhargava: Does Russia mean the Russian Government? Any person from Russia can send money.

Shri Bogawat (Ahmednagar South): Bhargavaji is right.

Mr. Chairman: To my mind it is not right to make specific allegations like that.

Shri M. P. Mishra: Because he says there is money coming from bankers.

Mr. Chairman: Order, order. Now, this sort of allegation on the floor of the House must be based on personal knowledge and very definite knowledge. Certainly on suppositions and surmise no allegation should be made against any Member. Certainly mutual recrimination will not be helpful in the conduct of the proceedings of this House.

श्री एम० पी० मिश्र: सभापति जी मैंने किसी खास पार्टी के बारे में नहीं कहा था।

Mr. Chairman: General statements can be made according to his own view.

श्री एम० पी० मिश्र: लेकिन मैं यह दुहराना चाहता हूँ कि चुनाव बहुत खर्चीला है। इसीलए उस चुनाव में लड़ने वाली पार्टियों को पैसे के लिए धनियों के पास जाना होता है। यह भी आप लोगों को मालूम है कि बाहर से भी इस काम के लिए पैसा आता है। और ऐसा न सिर्फ इस देश में होता है बल्कि और देशों में भी ऐसा होता है कि बाहर से चुनावों के लिए पैसा आता है। यह पैसा इस तरीके से आता है कि सरकार उनको नहीं रोक सकती। इस सरकार ने अपनी राजवानी में तमाम देशों के दूतावासों को दूतावास खोलने की दावत दे रखी है। किर यह कैसे सम्भव हो सकता है कि इस पैसे को आगे से रोका जाय। ऐसी हालत में सरकार उनको नहीं रोक सकती कि वे लोग हमारे चुनावों में हिस्सा लेकर उनको बरबाद न करे।

और जैसा मैं ने कहा कि एक तीसरा तरीका भी है कि जिनके ऊपर देश के थेलोदार अर्थात् धनिक वर्ग मेहरबान न हों और विदेश के भी थेलोदार मेहरबान न हों, वह क्या करेंगे । रात को डाके डालने और रुपया एकान्त्रित करके चुनाव लड़ें । इसलिए मैंने कहा है कि अगर इस देश में आपको गरीबों का चुनाव बनाना है और देश में एक समाजवाद लोक राज्य का ढांचा बनाना है तो चुनाव के खर्चों को कम करना होगा और यह सिंक कागजों खर्च कम करने से नहीं होगा । चुनाव को हमें ऐसा बनाना होगा जिसमें एक मामूली से मामूली हैसियत वाला आदमी चुनाव में बड़ा हो सके ।

साथ ही साथ मैं एक बात और आखिर में कहता चाहता हूँ । और वह यह है कि जैसा कि इस कानून में व्यवस्था है कि चुनाव के बीच और चुनाव के बाद तक यह संसद या पार्लियामेंट बरखास्त या डिजाल्व रहेगी । मैं इस बीच का विरोध करता हूँ । हमारा देश बिट्टेन नहीं है कि हर बात में आप उसकी नकल कर लें । वहां पर चुनाव केवल ४, ६ हफ्ते में खत्म हो जाते हैं और तकाल बिट्टिश हाउस प्राफ कामन्स दूला ली जाती है लेकिन हमारे देश में चुनाव बहुत बड़े पैमाने पर होते हैं और चुनाव खत्म होने में ४ महीने, कभी ६ महीने और कभी ८ महीने और साल भर भी लग सकता है, तो इतने काल तक हमारी संसद् या पार्लियामेंट न रहे और देश बिना पार्लियामेंट के चले और केवर टेकर गवर्नरमेंट शासन भार चलातो रहे, मैं इस बात को नामुनासिव समझता हूँ और मैं समझता हूँ कि यह लोक राज्य के खलाफ है । इस बीच में दुनिया में अगर कोई बड़ा बाक्या हो जाय, लड़ाई छिड़ जाय तो वह गवर्नरमेंट किस से सलाह मशाविरा करे, इसलिए मैं समझता हूँ कि इस बिल में जो यह बात कही गई है कि जब चुनाव शुरू होगा तो उसके पहले पार्लियामेंट भंग हो जायगी और चुनाव खत्म होने के बाद ही नयी पार्लियामेंट बनेगी और काफी

समय तक देश का शासन बिना पार्लियामेंट के चलेगा, मैं समझता हूँ कि यह गलत बीज है, बेजा चीज है । संविधान में तो इतना ही है कि लोक सभा को और पार्लियामेंट को दो चुनावों के बीच में पांच वर्ष रहना चाहिए और जब पांच वर्ष खत्म हो जाय तो ऐसी व्यवस्था होनी चाहिए कि मौजूदा लोक सभा के खत्म होने के पहले पहले चुनाव खत्म हो जायें ताकि एक नई लोक सभा उसकी जगह पर आ सके । इन शब्दों के साथ मैं इस बिल का समर्थन करता हूँ ।

श्री बी० बी० देशपांडे: जन प्रतिनिधित्व संशोधन विधेयकों के सम्बन्ध में यहां पर अतिरंजित और मनोरंजक सूचनाएं सामने आई हैं । एक सूचना यहां यह भी आई कि मतदाताओं की फहरिस्तें न हों, दूसरी सूचना यह आई कि अभिलाषक न हों, अनुमोदक न हों, मैं कहूँ कि प्रपोजर भी न हों और उम्मीदवार भी न हों । आगे चल कर इनसे भी अधिक मनोरंजक सूचनाएं हमारे सामने आ सकती हैं . . .

Shri Veeraswamy (Mayuram—Reserved—Sch. Castes): May I suggest that the hon. Member may speak in English because he can speak in English? If he speaks in English, we can also follow him.

Mr. Chairman: Perhaps the hon. Member wants to speak in Hindi; and he has been speaking in Hindi.

Shri Veeraswamy: Are we to understand that the hon. Members of this House do not want the South Indian Members to follow what is going on in the House?

Mr. Chairman: It depends on the Member. I cannot force him.

Shri Veeraswamy: He can speak very well in English.

Mr. Chairman: I have already said that it depends upon the Member.

श्री बी० बी० देशपांडे: इन से भी अधिक मनोरंजक सूचना आ सकती है कि बिना मतदान के इस देश में प्रतिनिधि बनायें जायें, ऐसी सूचना आ सकती है कि चुनाव ही न हो ।

[**श्री बी० जी देशपाण्डे]**

अभी कल जब मैं भारतवर्ष के प्राचीन इतिहास की एक किंताब पढ़ रहा था उसमें इसका जिक्र आया है कि प्राचीन काल भारत में चुनाव किस प्रकार से किये जाते थे । दक्षिण में ताम्र पत्रों में दिया है कि चुनाव कैसे होते थे । चुनाव के योग्य व्यक्तियों के नाम एक जगह पर लिख दिये जाते थे और चिट्ठियाँ डालने के बाद एक बच्चे को वहाँ पर ले जाते थे और बच्चा जिसके नाम की चिट्ठी उठा लेता था, वही चुनाव में विजयी घोषित किया जाता था, वह प्रतिनिधि बना दिया जाता था । यह कोई हँसने वाली बात नहीं है । बनंदूशा ने प्रणायाराधन विवाह के विषय में लिखा है कि इंग्लैंड में जो प्रणायाराधन विवाह होते हैं, उसके स्थान पर विवाह योग्य स्त्रियों और विवाह योग्य पुरुषों की ऐसी चिट्ठियाँ डाल दी जायें और दो, दो चिट्ठियाँ डाल कर अगर विवाह हो जाय तो वे कहते हैं कि विवाह सम्बन्ध का प्रमाण भी हो जायेगा और यह लाटरी के विवाह उतने ही सुखमय होंगे जितने कि प्रणायाराधन विवाह होते हैं । इसी तरह यह योग्य व्यक्तियों की फैहरिस्त लाने की बात कही जाती है ।

अब मैं इन मनोरंजक और अतिरिक्त बात छोड़ कर जो चुनाव होने वाले हैं और उस के लिए जो मंत्री महोदय यहां पर जिन प्रतिनिधित्व संशोधन विधेयक आये हैं, उनके सम्बन्ध में श्री एन० सी चटर्जी ने जो संशोधन सुझाया है, उसका मैं समर्पण करता हूँ क्योंकि मैं इसमें बहुत सी बात ऐसी देखता हूँ जिनमें कि सुधार किया जाना आवश्यक है । इस्वाली-फिकेशन के विषय में और चुनाव चिन्हों के विषय में और कई अन्य ऐसे विषय हैं कि जिनके सम्बन्ध में यहां बल्कुल चर्चा नहीं हो रही है और मैं समझता हूँ कि यह जो पिछले चुनाव के अनुभव के पश्चात, तीन, साढ़े तीन साल के अनुभव के पश्चात हम जो उस कानून में संशोधन करने जा रहे हैं तो उसकी सब बाराओं में संशोधन करने का अधिकार होना चाहिए, यह बात मैं मानता हूँ ।

एक बात और है . . .

Shri Pataskar: May I make one submission? After the amendment was moved by Shri N. C. Chatterjee yesterday, a list was given to me signed by him and Pandit Thakur Das Bhargava, in which the sections which may have to be discussed by the Select Committee have been indicated. If there is any proposal with respect to any other section, I am prepared to consider it. So, the hon. Member need not spend time over that.

श्री बी० जी० देशपाण्डे : मंत्री महोदय ने यह जो सूचना मान्य की है, मैं उसके लिए उनको धन्यवाद देता हूँ । जिस विषय पर यहां काफी चर्चा हुई, उस पर मैं बहुत धोंडे में अपने विचार प्रकट करूँगा । उसके बाद बाकी विषयों पर भी मैं आने वाला हूँ । एक विषय पर जिसके सम्बन्ध में यहां पर चर्चा नहीं हुई है और जो कि इस देश की राजनीतिक पार्टियों से सम्बन्ध रखता है, मैं उस के बारे में भी अँज़ करूँगा और वह है चुनाव चिन्हों का मामला । बात यह है कि जो चुनाव चिन्ह पार्टियों को दिये जाते हैं, उनके बारे में नियम करने का अधिकार मैं समझता हूँ हमने ५ नम्बर के रूल में एलेक्शन कमिशनको दिया है । मेरी समझ में एलेक्शन कमिशन ने इस अधिकार का अतिक्रम किया है । एलेक्शन कमिशन ने इस देश में चार दलों को अखिल भारतीय दल मान कर चुनाव चिन्ह देने के विषय में उनको मान्य कर लिया है और इसका परिणाम यह हुआ है कि जिन दलों को मान्यता नहीं मिली, उनके साथ अन्याय हुआ है इस सम्बन्ध में मैं जब एलेक्शन कमिशनर के पास गया तो उन्होंने कहा कि ऐसे तो बहुत से दल हमारे पास आते हैं और अगर हम हम एक दल के बास्ते अलग अलग चुनाव चिन्ह रखित करेंगे तो यह स्वतंत्र उम्मीदवारों व साथ बड़ा अन्याय होगा । मैं उनकी इस बात को धोड़ी देर के लिए मान भी लूँ, लेकिं हमारे संविधान में या कानून में ऐसा तो कह

नहीं लिखा है कि चुनाव चिन्ह प्रदान करने के लिए बड़ी पार्टी हीनी चाहिए, छोटी पार्टी न हो और फिर आप तो इस देश में प्रजातंत्र-वादी लोकराज्य की स्थापना के लिए वचनबद्ध हैं जिसमें एक आदमी भी सब के लिलाफ अपनी राय दे सकता है। इस सम्बन्ध में मैं आपको अपने अनुभव की बात बताऊंगा कि विध्य प्रदेश में सेवडा नामक स्थान पर जो कि डबल मेम्बर कांस्टीटुशन्सी है वहां पर दो कांग्रेस के उम्मीदवार, दो सोशलिस्ट पार्टी के उम्मीदवार और दो हिन्दू सभा के उम्मीदवार खड़े हुए। कांग्रेस के कास्ट हिन्दू उम्मीदवार को और डिप्रेस्ड क्लास के उम्मीदवार को दोनों को बैलों की जोड़ी का चुनाव चिन्ह भिला, सोशलिस्ट पार्टी के दोनों उम्मीदवारों को जो उनका चुनाव चिन्ह था, सो मिला, परन्तु हिन्दू सभा बाकी प्रान्तों में तो मान्य संस्था है लेकिन वहां पर नहीं है और इसलिए वहां पर जो हिन्दू सभा की तरफ से कास्ट उम्मीदवार था उसको घुड़सवार का चिन्ह दिया गया और हिन्दू सभा की तरफ से जो दलित जातियों की सीट के लिए उम्मीदवार थे, उन्होंने जब मांग की कि हम को भी चक्र के अंदर घुड़सवार का चिन्ह दिया जाय तो उन्होंने कहा कि कांग्रेस के मुताबिक आपको चुनाव चिन्ह नहीं भिल सकता और स्वतंत्र के नाते उनको धनुषबांध का चिन्ह दिया गया और जब चुनाव का नतीजा निकला तो हमने देखा कि कांग्रेस के सर्वण उम्मीदवारों को जितने मत मिले उतने ही करीब करीब उसके डिप्रेस्ड क्लास के उम्मीदवार को मिले, सोशलिस्ट पार्टी में भी जितने बीट सर्वण हिन्दू को मिले उतने ही उसके डिप्रेस्ड क्लास के उम्मीदवार को मिले, मगर हिन्दू सभा के उम्मीदवारों के चुनाव चिन्ह अलग अलग होने के कारण ऐसा न हो सका। उसका स्वर्ण हिन्दू उम्मीदवार तो चुन कर आ गया लेकिन जो उसका दलित वर्ग का उम्मीदवार था वह चुनाव हार गया और प्रजा सोशलिस्ट पार्टी का जो डिप्रेस्ड क्लास का उम्मीदवार था वह चुन कर आया। इसके बाबत मैं ने कमिशन एलेक्शन

को लिखा तो उन्होंने कहा कि आपकी शिकायत तो ठीक है लेकिन अगर हम ऐसा न करे तो हमारे सामने बेशुमार पार्टियां आयेंगी, और हम समझते हैं कि हमें ज्यादा पार्टियों को आगे आने के लिए प्रोत्साहन नहीं देना चाहिए। मैंने उनको पूछा कि आप कौन होते हैं उत्तेजना देने वाले या नहीं देने वाले। विधान ने यदि लोक राज्य के अनुसार सबको खड़ा होने का अधिकार दिया है तो इस प्रकार का अन्याय आप नहीं कर सकते और यही बात पालियामेंट के चुनाव और राज्य की विधान सभाओं के चुनाव में आयी कि यदि आपका मान्य दल होगा तो उनको दोनों को एक ही चुनाव चिन्ह मिलेगा और उनको दूसरों की अपेक्षा ज्यादा सुविधा होगी और मैं समझता हूँ कि ऐसा नियम रख कर आप पार्टी विशेष के साथ पक्षपात करेंगे जो कि मैं समझता हूँ वांछनीय नहीं है। मैं चाहता हूँ कि इस बिल में चुनाव के कमिशनर के हाथ में यह अधिकार न रखला जाय क्योंकि उसका दुरुपयोग हुआ है और कानून के द्वारा इस प्रकार का प्रबन्ध किया जाय ताकि इस प्रकार का अन्याय, पक्षपात या भेदभाव करने का अवसर एलेक्शन कमिशन को न मिले।

इसके अलावा हमने इसमें एक दूसरी बात देखी है जिसका कि जिक्र बाकी लोगों ने किया है।

3 P.M.

जब आप आय व्यव पत्रक वहां सम्मिलित करते हैं तो यह अर्थ होगा कि एलेक्शन कमिशन जिन को मान्यता देगा उन्हीं दलों को उस से लाभ पहुँचेगा। यानी अगर एलेक्शन कमिशन ने चार राजनीतिक दलों को चुनाव चिन्ह के लिये मान्यता दी है, हालांकि मुझे तो उन की यह बात ही मान्य नहीं कि जिन को ३ प्रतिशत मत मिले उन्हीं ही मान्यता देनी चाहिये, कितने मत मिलते हैं इस का कोई सवाल ही नहीं है, कल अगर एक आध और दल आ जाते हैं और आपने उम्मीदवार खड़े करना चाहते हैं तो उन को इस का अधिकार मिलना चाहिये,

[**श्री बी० जी० देशपांडे]**

तो आप व्यय पत्रक का मतलब यह होगा कि जो शक्तिवाले दल हैं उन दलों ने जो खर्च किया वह उसमें नहीं शामिल हो सकेगा। अगर किसी दल के पास बैंकों से लाया हुआ बहुत सा रुपया है तो वह उस को मनमाने तौर से खर्च कर सकता है और उस का कोई हिसाब नहीं होगा। जो आज देश में सब से बड़ी पार्टी है उस के उम्मीदवार लाखों रुपये खर्च कर सकते हैं।

पंडित के० सो० शर्मा (जिला मेरठ-दलिंग) : अगर कोई बैंक से रुपया ले ग्राहेगा तो उसे जेल हो जायेगी।

श्री बी० जी० देशपांडे : बात यह है कि हर एक बड़े बड़े दल खर्च कर सकते हैं, छोटे दल के लोग और स्वतंत्र व्यक्ति उतना खर्च नहीं कर सकते हैं, लेकिन दलों के निज्बय का भी अधिकार आप एलेक्शन कमिशन को दे रहे हैं। इस के बारे में मैं बहुत ज्यादा नहीं कहना चाहता क्योंकि बहुत से लोग बोल चुके हैं।

[**SHRIMATI SUSHAMA SEN in the Chair**]

एक विशेष विषय पर मैं कुछ कहना चाहता हूँ। आज इस देश में आप लोगों ने देखा होगा कि आप का मत कुछ भी हो, आप की भावनायें कुछ भी हों, और आप ने अच्छी वृत्ति कितनी रखी है, लेकिन जैसा कहा जाता है:

"Caesar's wife should be above suspicion."

सीजर की जो पत्नी है उस के बारे में जो भी शक नहीं आना चाहिये। आज इस देश में जो विरोधी दल है वह आप पर आक्षेप करते हैं, आप पर इलाजम लगाते हैं कि जो चुनाव हुए वह सरकारी अधिकार से और प्रभाव से वंचित नहीं हैं। सरकार का प्रभाव चुनाव में रहा है और चुनाव के कुछ ही बाद मैं ने एलेक्शन कमिशन से इस विषय में पत्र व्यवहार किया। हमारे भेलसा में उपचुनाव हुआ। मैं ने नाम लिख कर दिया कि यह यह अधिकारी

और कर्मचारी है जिन्होंने अपना प्रभाव चुनाव में डाला। एलेक्शन कमिशन ने लिखा कि आप मिनिस्टर को लिखिये। बात यह है कि रिटर्निंग आफिसर और एसिस्टेंट रिटर्निंग आफिसर सब मिनिस्ट्री के अधिकार काम करते हैं। यह चीज ठीक है कि सेपरेशन आफ जुड़ीशयरी और एग्जेक्यूटिव की तरफ से एलेक्शन की पूरी मैशनरी, पटवारी से ले कर एलेक्टोरल आफिसर तक के सब अलग नहीं हो सकते, परन्तु मैं चाहता हूँ कि एक एक प्रात्त में कम से कम दो दो, चार चार अधिकारी ऐसे जहर हों जो प्रात्तीय सरकार के अन्तर्गत न हों कि एलेक्शन कमिशन से प्रत्यक्ष सम्बन्धित हों।

They should be directly responsible to the Election Commission.

जब तक यह नहीं होता है तब तक कभी भी आप के एलेक्शन ईमानदारी से नहीं हो सकते हैं। मुझे अनुभव है, मैं ने परसों ही अपनी आंखों से एक चुनाव में देखा कि एक लड़ाई हुई और कुछ सरकारी कर्मचारी लड़ रहे हैं। वह कहते थे कि मैं कंप्रेस सरकार में काम करता हूँ, अगर आप कंप्रेस के खिलाफ बोलते हैं तो लड़ाई जहर करूँगा। कुछ कंप्रेस वालों ने उन को छुड़ाया। मैं ने नाम ले कर रिटर्निंग आफिसर को बताया। दूसरी शिकायत आई कि एक आदीनी ने पुलिस में जा कर बताया कि अन्दर जो अफसर है वह कहता है कि बैलों की जोड़ी वाले बास में बोट डालो। मैं ने जब पुलिस को बताया तो वह कहने लगे कि यह कैसे हो सकता है? सब इन्स्पेक्टर साहब आये तो एक औरत ने बताया कि जो रिटर्निंग आफिसर है उस ने कहा कि इस डब्बे में बोट डालो। उस के बाद यह शिक्षण ले कर मैं रिटर्निंग आफिसर के पास गया और लिख कर दिया, एलेक्शन कमिशन को भी दिया। उस ने बिना जांच किये हुए ही रिपोर्ट लिख दी कि मैं इस पर विश्वास नहीं करता हूँ। जब पुलिस इन्स्पेक्टर के सामने यह चीज हुई तब भी रिपोर्ट में यह लिखा गया। आप तो

जानते हैं कि उस का प्रमोशन मिनिस्टर साहब की खुशी पर होगा । जो साहब चुनाव के लिये खड़े थे वह बाद में चीफ मिनिस्टर होने वाले थे । कहते हैं कि ६ साल के लिये एलेक्शन ट्राइब्यूनल ने उन को डिस्क्वालिफाई कर दिया है । उड़ीसा के मंत्री के लिये आप ने सुना होगा वह ६ साल के लिये डिस्क्वालिफाई कर दिये गये हैं । वह अब किसी कान्स्टिट्युएन्टी से इतने समय के लिये नहीं खड़े हो सकते । आप यह न कहें कि मिनिस्टर का स्वभाव आदर्श होता है । यह बातें होती हैं, मिनिस्टर जाते हैं तो कितना इन्तजाम उनके लिये किया जाता है । पंत जी जाते हैं, काट्यू साहब जाते हैं तो २००-२०० पुलिस उन के स्वागत के लिये खड़ी रहती है, डिप्टी कमिशनर उन के साथ जाते हैं, उन की सिक्योरिटी का अरेन्जमेन्ट होता है, ऐसी कौन सी व्याधि आई है कि देश के भीतर भी उन की इतनी रक्षा की आवश्यकता है ? और वह लोकप्रिय नेता बिना पुलिस लिये हुए जनता में नहीं जा सकते ? मैं नहीं समझता कि ऐसी बात क्यों होती है । मध्य प्रदेश के एक मंत्री आल इंडिया कंप्रेस कमेटी में जाने के लिये सरकारी खर्च से आते हैं और वहां से सरकारी खर्च पर ही उपचुनाव के लिये व्याख्यान देने जाते हैं । मध्य प्रदेश की विधान सभा में प्रश्नोत्तर में यह बात आई है । सरकारी पैसे से यह दूर किये जाते हैं । जब इस प्रकार के आंदेप हो रहे हैं तो इस प्रकार का बात कहना कि इन ४ या ६ सालों में कांप्रेस के मंत्रियों ने ऐसा नहीं किया यह ठीक नहीं है । आप को चाहिये कि आप कानून में संशोधन करें और उन को ऐसा करने से रोकें । निर्वाचन के स्थान पर जब कोई माननीय मंत्री जाता है तो वह व्यक्तिगत दृष्टि से जाता है, उस को वहां एक साधारण नागरिक के नाते जाना चाहिये, कहीं भी चुनाव में उस को सरकारी मंत्री होने के नाते नहीं जाना चाहिये, आप को इस प्रकार का कानून बनाना चाहिये ।

अब मैं आप को दूसरी बात बताना चाहता हूँ । यह किसी पर भी आंदेप करने वाली बात

नहीं है, आप के निर्वाचन की जो करप्ट प्रेक्टिसेज है वह तीन प्रकार की है: मेजर करप्ट प्रेक्टिसेज, माइनर करप्ट प्रेक्टिसेज और इलीगल प्रेक्टिसेज । इलीगल प्रेक्टिसेज के लिये जो धारा १२५ है उस के तीसरे सेवशन में आप देखेंगे कि यह है :

"The issuing of any circular, placard or poster having a reference to the election which does not bear on its face the name and address of the printer and publisher thereof."

मैं ने देखा है कि कभी कभी मुद्रणालय की गलती के कारण नीचे जो नाम की लाइन होती है वह कहीं रह गई तो उसी के कारण किसी भी आदमी का पूरा एनेक्शन खत्म हो सकता है । मैं ने पोलिंग का कानून अच्छी तरह से देखा तो वहां एलेक्शन ट्राइब्यूनल को भी अधिकार नहीं, एनेक्शन कमिशन को भी अधिकार नहीं है, किसी को भी अधिकार नहीं है कि वह इस डिस्क्वालिफिएशन को निकाल सके । इस कानून में जो आप ने १४० ए की नई धारा निकाली है उस के अनुसार एनेक्शन कमिशन को आप ने अधिकार दे दिया है कि :

"any disqualification under this Chapter may be removed by the Election Commission for reasons to be recorded in writing...."

मैं आशा करता हूँ कि इस पावर के द्वारा इस प्रकार की जो गलती होती है उस का भी सुधार किया जायगा । परन्तु कभी के साथ साथ मैं दूसरी चीज भी देखता हूँ कि आप ने यह कानून रखा है कि :

"Part A—Chapter I—Corrupt practices specified in section 123, or section 124, illegal practices specified in section 125....."

इस प्रकार की बड़ी भारी शक्ति एलेक्शन कमिशन के हाथ में बिना किसी नियंत्रण या नियम के दे दी है । मैं नहीं कह सकता कि

[श्री बी० जी० देशपांडे]

यह अच्छा है या नहीं। आप ने रक्षा
है कि :

"for reasons to be given in
writing."

यानी भगवर लिखित कारण दे दे अर्थात्
किसी पर कोई आरोप हो रिश्वत देने का,
ब्राइबरी, करपान, इन्टिमिडेशन, कोअशंन
या अनड्यू इन्फ्लुएन्स का तो उसे निरपत्तार
किया जा सकता है। मैं इस अधिकार को बिना
किसी नियंत्रण के देने के विरुद्ध हूँ।

इन के अलावा और भी बहुत से प्वांइट्स
हैं जो कि मैं लिखित दे दूँगा।

Shri Gopala Rao (Gudivada): It is
said that these two amending Bills
are brought on the basis of experience
in the last elections. While welcoming
certain provisions of these two
Bills, I have to say.....

Mr. Chairman: Under the mandate
of the House, ten minutes for a Member
have been allotted by the Speaker. As there are a number of
Members who want to speak, hon. Members will kindly adhere to the
time-limit and not exceed it.

Shri Gopala Rao: While welcoming
certain provisions of this Bill, I would
say that it is not comprehensive in
the sense it has not covered certain
problems that have crept in during
the course of our elections.

Secondly, it does not give an opportunity to discuss completely the two old Acts of 1950 and 1951. That is why I support the amendment moved by some hon. Members.

I am not worried, as a matter of
fact, about making a good number of
amendments in this election law.
I am more anxious that the pro-

visions of this law must be implemented properly, seriously and genuinely by the authorities. We find that even in the existing law there are certain provisions under which elections can be conducted even under the present set-up also, to a maximum extent, freely and fairly. But when you go and see the experience of the last Andhra elections or the 1951-52 elections, the practice is different; the provisions and measures provided in the law against major and minor corrupt practices and offences were not at all used by the Government machinery and they were simply thrown to the winds. In Andhra, recently a few months back elections were held and I am speaking from the experience of these elections. In the existing law also there are certain sections by which candidates cannot use vehicles to carry voters in the election campaign either directly or indirectly through their agents. But if we take the experience of the Andhra elections, many rajas and millionaires, who contested the elections on behalf of the ruling class in a good number of constituencies, engaged a number of trucks, lorries, vans and all sorts of vehicles on the election day in the presence of responsible police officers, D.S.Ps., etc. We tried to draw the attention of the officers to intervene and see that these malpractices and corrupt practices were checked, but we failed because those officers never intervened and never tried to check them. What is the use of making the law? We are making certain laws and no doubt there are certain measures which we welcome and I hope the Bill will be improved in the course of discussion in the Select Committee also. In the same way there are certain measures to check bribing and other money evils in some form or other. In Clause 123 there are certain restrictions imposed and punishments suggested. Again, in regard to expenses in the election, a ceiling is fixed which ranges from Rs. 4,000 to Rs. 8,000 for the different

States. But if you take the experience of Andhra, the expenses incurred were not Rs. 8,000, but they varied from Rs. 25,000 to Rs. 5,00,000. There are Members who spent Rs. 4,00,000, Rs. 2,00,000, Rs. 50,000, Rs. 25,000 and Rs. 20,000. Is it spent secretly? No, they openly distribute money in the streets; they sent money to the local leaders and money was distributed to every voter in certain places. I can give a number of instances where responsible leaders also participated in the matter. In my personal experience, one big person, who holds the highest post in Andhra State now, personally carried money bags with him. I cannot mention his name and no purpose will be served by doing it. Though there are certain measures in the law, the ruling class, which is in power, is not serious about it and is deliberately avoiding to execute them. Even in this Bill, I find that there is a tendency to relax restrictions imposed by some sections. Unless you take a strong stand, what is the use? The point in a nutshell is this. Do you want to implement the law or do you wish to be cowed down by the evil forces and try to legalise the major malpractices or corruption? That is the point to be decided.

Coming to the other side, there are certain restrictions imposed so as to check undue influence. As far as election experience goes, in hundreds of villages agricultural labourers, artisans and tenants are physically asked to stay in their houses or surrounded by the landlords and goondas, thus not allowing them to exercise freely their electoral rights. When the attention of the police officers was drawn to it, they refused to intervene. In my district, two vans are following the Congress candidate, who is a raja, as a bodyguard. In a nearby village 300 agricultural labourers were attacked by landlords and their people and not allowed to go to the polling station. Even then the police officers do not intervene. This kind of thing has happened in a number of villages and these people were not

allowed to participate in the election and exercise their electoral rights freely. Again, another corrupt practice is this. Since certain candidates do not believe that the voters will vote for them, they pay them money on condition that they bring back with them the ballot papers given there to them. In several polling stations this kind of malpractice has taken place.

Coming to the secrecy of the voting, a system is introduced (this is from the experience of the last elections in Andhra) by which the presiding officer is asked to note the numbers of the ballot papers opposite to the serial number of the voter. This has created havoc. Every landlord and monied man in the village would know to whom you vote and there is no secrecy. They say to the voters, "We will take your numbers and we will note the marking." That is why voting cannot take place freely. In this way much havoc was caused in the last elections in Andhra and hundreds of people in the villages, who are poor, were not able to exercise freely their electoral rights. There is a tendency now in several States to see that democratic elections based on adult franchise do not properly take place. In Andhra it is decided that local board elections should be conducted on the basis of indirect election, that is, through panchayats, whereas for the last 30 years every election conducted on the basis of direct election method. In the municipalities they are introducing a method whereby the voters have to place a mark on the ballot paper opposite to the serial number of the voter.

Mr. Chairman: Kindly finish in a minute as there are a number of speakers who are anxious to speak.

Shri Gopala Rao: I am sorry I am unable to give my experience of the elections in Andhra within this short time.

For section 30 of the original Act of 1951, it is now proposed to substitute another section and I strongly

[Shri Gopala Rao]

oppose it. This is a question dealing with the period of election programme between the last date of withdrawal of candidature and commencement of election date. According to the original law, thirty days are allowed, but now it is being reduced to twenty days. Is it possible to cover eight lakhs of people in a constituency in less than a period of 30 days? This reduction is after all a step in the interests of the well-to-do people, because they can mobilise their man-power and vehicles with so many ways within a short period and contest the election. But for a common man it is very difficult. After all he has to depend upon his political message and campaign. That is why I urge upon that point.

श्री बीरबल सिंह (जिला जौनपुर-पूर्व) : १६५० और १६५१ के अधिनियमों में संशोधन करने के लिए जो दो विधेयक इस हेतु इस सदन के सामने पेश किए गए हैं कि उनको प्रवर समिति के सम्मुख विचार के लिए उपस्थित किया जाय, उनका मैं स्वागत करता हूँ।

Mr. Chairman: Hon. Members may please bring in new points. There are only ten minutes.

श्री बीरबल सिंह : मैं केवल दो तीन बातों की तरफ सदन का ध्यान दिलाना चाहता हूँ। १६५० का जो अधिनियम है, उसमें निर्वाचक सूची के सम्बन्ध में व्यवस्था की गई है। हमारे देश में कोई बीस करोड़ निर्वाचक होंगे। उनकी सूची तैयार करना बहुत ही कठिन काम है। जैसा कि कुछ माननीय सदस्यों ने बताया है, सूची में बहुत सी त्रुटियां रह जाती हैं। कहीं पर पुरुष की जगह पर स्त्री का नाम लिख दिया जाता है और कहीं लड़के की जगह पर पिता का नाम लिख दिया जाता है। निर्वाचक सूची को गांव के लेखपाल या पटवारी तैयार करते हैं। तब वह कानूनगों के पास जाती है और प्रतिलिपि तैयार करने में गलती हो

जाती है। फिर वह सूची सब-डिविजनल आफिसर के पास जाती है और उस में और गलतियां हो जाती हैं। इस के बाद वह प्रेस में छपने के लिए जाती है और कुछ गलतियां छपने में हो जाती हैं। इस प्रकार की गलतियां होना अनिवार्य होता है। अगर हमारे देश के राजनीतिक दल इस विषय में कुछ दिलचस्पी लें और निर्वाचक सूची में जो गलतियां रह जाती हैं, उन को सुधारने का प्रयत्न करें, तो वह सूची बहुत हद तक ठीक हो सकती है।

इस विधेयक में यह व्यवस्था की गई है कि राज्यों की विधान सभाओं और लोक सभा के निर्वाचन क्षेत्रों के लिए एक ही निर्वाचक सूची बनाई जायेगी और अलग अलग सूचियां नहीं होंगी इस से व्यय में कुछ बहुत बचत होगी। यह जो नियम रखा गया है, वह बहुत अच्छा है और उसको स्वीकार करना चाहिए।

१६५१ के अधिनियम में जो संशोधन किए गए हैं, उन से सम्बन्धित दो तीन बातों की तरफ मैं सदन का ध्यान दिलाना चाहता हूँ। निर्वाचन के व्यय के सम्बन्ध में मूल अधिनियम भाग ५ के अध्याय ८ की दफा ७६, ७७ और ७८ में संशोधन किया गया है और व्यय का हिसाब दाखिल करने की रीति में कुछ सरलता लाई गई है, लेकिन मैं समझता हूँ कि इस से काम नहीं चलेगा। हम सभी लोग जानते हैं कि व्यय के सम्बन्ध में विधान सभा के लिए आठ हजार और बारह हजार और लोक सभा के लिए पच्चीस हजार और पैसीस हजार की सीमा रखी गई है। लेकिन हम यह भी जानते हैं कि जिन के पास अधिक पैसा होता है, वे बहुत अधिक खर्च करते हैं। वे लोग दो दो लाख और तीन तीन लाख रुपया खर्च करते हैं और हिसाब दाखिल करते बहुत उस खर्च को कम कर के दिखा देते हैं। जिस प्रकार हमारे देश में जो आय कर देने वाले हैं, उनमें से बहुत से दो दो बहियां रखते हैं—एक तो इनकम-टैक्स आफिसर के सामने पेश करने के लिए

और एक अलग । उसी तरह जिन लोगों के पास पैसा है और जो इलेक्शन में ज्यादा खर्च करते हैं, वे हिसाब दाखिल करने के विशेषज्ञ रख लेते हैं और ये विशेषज्ञ इस तरह हिसाब दाखिल करते हैं कि खर्च चाहे दो लाख किया हो, लेकिन दिखायेंगे पच्चीस हजार या पैंतीस हजार की नीचे ही । इस दशा में मारे जाते हैं वे गरीब, जिन्होंने कम खर्च किया है । हाल ही में एक फैसला हुआ है, जिस में एक उम्मीदवार का चुनाव इस बिना पर रद्द हो गया है कि उस ने अपने हिसाब में वह खर्च नहीं दिखलाया, जो उस ने अपनी पार्टी का उम्मीदवार बनने के लिए दिया था । जो गरीब लोग, खर्च तो कम करते हैं, लेकिन ठीक तरह से हिसाब नहीं रख पाते, वे मारे जाते हैं और उनीं लोग, जो बहुत अधिक खर्च करते हैं, लेकिन हिसाब दाखिल करते वक्त अपना खर्च निश्चित सीमा के अन्दर ही दिखाते हैं, वे बच जाते हैं । मैं तो नहीं जानता कि किसी भी आदमी ने जो सीमा रखी गई है, उस से अधिक का हिसाब दिया हो या सीमा से अधिक खर्च करने की बजह से किसी का चुनाव रद्द हुआ हो । इसलिए मैं चाहता हूँ कि हिसाब दाखिल करने का नियम बिल्कुल ही खत्म कर दिया जाना चाहिए, यद्यों कि लोग आम तौर पर गलत तरीके से ही हिसाब देते हैं । उत्तर प्रदेश में डिस्ट्रिक्ट बोर्ड और मूनिसिपल बोर्ड का चेयरमैन या मेम्बर करने के लिए जो लोग खड़े होते हैं, उनको कोई हिसाब दाखिल नहीं करना पड़ता है और इलेक्शन में कोई ब्रुट नहीं होती है । मेरा सुझाव है कि जो नियम डिस्ट्रिक्ट बोर्ड और मूनिसिपल बोर्ड के चेयरमैन और मेम्बरों के लिए रखा गया है, वही नियम विधान सभा और लोक सभा के सदस्यों के लिए भी रख दिया जाये । इससे लोगों का नैतिक स्तर भी ऊचा होगा और चुनाव में कोई विशेष ब्रुट भी नहीं होगा । जो लोग ज्यादा खर्च करना चाहते हैं, वे तो करेंगे ही और जो कम खर्च करते हैं, उन का तो कोई प्रश्न नहीं नहीं है । इसलिए मैं समझता हूँ कि यह उचित है कि हिसाब दाखिल करने के इस नियम को खत्म कर दिया जाय ।

हमारे निर्वाचन आयोग की सिफारिश है कि ट्रिब्यूनल में तीन के स्थान पर दो सदस्य रखे जायें, जो कि जिला जज की हैसियत के हैं । पहले यह स्थाल था कि अगर तीन जज होंगे, तो अपील की जरूरत नहीं होगी, लेकिन अनुभव से देखा गया कि अपील होती ही है । मैं समझता हूँ कि ऐसा होना चाहिए कि एक ही जज हो । अगर हाई कोर्ट का जज हो, तो उसकी अपील मुक्रीम कोर्ट में हो और अगर डिस्ट्रिक्ट कोर्ट का जज हो, तो उसकी अपील हाई कोर्ट में हो ।

इन शब्दों के साथ मैं इन विवेयकों का स्वागत करता हूँ ।

श्री भक्त दर्शन : ये जो जन प्रतिनिधित्व (संघोचन) विवेयक माननीय मंत्री महोदय ने प्रस्तुत किए हैं, सारे सदन ने उनका स्वागत किया है और मैं भी उनका हृदय से स्वागत करता हूँ । इस अवसर पर मझे यह देख कर बहुत आश्चर्य और सेद हुआ कि विरोधी दलों के बहुत से माननीय सदस्यों ने इस अवसर से लाभ उठा कर पिछले चुनावों के गड़े मुरदे उत्थाइने का प्रयत्न किया और जात होता है कि आगे के चुनावों की छाया भी अभी से उन पर पड़ने लगी है, इसी कारण मैं समझता हूँ कि बहुत सी ऐसी बातें यहां पर कही गईं जो एक प्रकार से अनावश्यक थीं ।

जहां तक पिछले चुनावों का सम्बन्ध है, मैं समझता हूँ कि सारा संसार इस बात से सहमत है कि इस कदर निष्पक्ष चुनाव शायद संसार भर के किसी भी प्रजातनीय देश में नहीं हुए हैं । इसके दो प्रमाण हमार सामने हैं । हमारे चुनाव आयोग की प्रशंसन न केवल हमारे देश में ही हुई है, बल्कि विदेश के लोगों ने भी उस के कार्य से प्रभावित हो कर उस की मांग कर के उसकी प्रतिष्ठा को चार चांद लगा दिए हैं ।

इस के अतिरिक्त बहुत से सदस्यों को याद होगा कि जब प्रारम्भ में इस प्रकार का

[श्री भक्त दर्शन]

विधेयक इस सदन में प्रस्तुत किया गया था, तो उस पर बोलते हुए माननीय डा० श्यामप्रसाद मुकर्जी ने स्वीकार किया था कि हम लोगों को जो यहां पर अल्प संस्था में आए हैं, यह बात स्वीकार करनी चाहिए कि जनमत हमारे विश्व था, इस लिए हम यहां पर अल्प संस्था में आए हैं और चुनाव बिल्कुल निष्पक्ष तरीके से लड़े गए हैं।

मैं इन विधेयकों के सम्बन्ध में दो-नीन बातों की ओर माननीय मंत्री महोदय और प्रवर समिति का ध्यान दिलाना चाहता हूँ। जो पहला विधेयक है वह सन् १९५० के विधेयक को संशोधित करने के बारे में है। मैं नहीं समझता कि इसमें यह क्यों अनिवार्य रखा जा रहा है कि सन् ५६ में मतदाता सूचियों में संशोधन नहीं किया जायगा। इस सदन के सदस्यों को मालूम है कि अभी-तक यह निश्चय नहीं है कि अगले चुनाव सन् ५७ की फरवरी में हो सकेंगे या नहीं। राज्य पुनर्गठन आयोग की रिपोर्ट इस महीने के अन्त में प्रकाशित होने वाली है और यह निश्चित है कि उसके द्वारा कुछ प्रान्तों की सीमाओं में हेटफेर होने वाला है। इसलिए यह सम्भव है कि एक दो वर्ष के लिए चुनाव स्थिति कर दिये जायें। उस अवस्था में मतदाता सूचियों न नये सिरे से तैयार की जायें। फिर वे नये सिरे से तो तैयार नहीं की जायेंगी, उनमें केवल संशोधन किया जायेगा। इसलिए मैं मंत्री महोदय से अनुरोध करूँगा कि यह प्रतिबन्ध न रखा जाय कि सन् ५६ में सूचियों में संशोधन नहीं किया जायेगा।

दूसरी बात जिसकी ओर मैं प्रवर समिति और मंत्री महोदय वा ध्यान दिलाना चाहता हूँ वह यह है कि ४२ दिन से चुनाव का कार्यक्रम ३० दिन कर दिया जा रहा है; इसके मंत्रा का तो ने स्वागत करता है, लेकिन इसमें बहुत कठिनाइयां हो सकती हैं। कल्पना कीजिये उन पहाड़ी स्थानों को, जिनकी सीमा तिक्कत से मिलती है और राजपूताने के रेगिस्टानों

की ओर आसाम के जंगलों की जहां कि पन्द्रह-पन्द्रह दिन में तो डाक ही पहुँचती है। आप कल्पना करें कि क्या ऐसे स्थानों में यह सम्भव होगा कि बीस दिन में चुनाव सम्पन्न हो सकेंगे। इसलिए मैं यह निवेदन करना चाहता हूँ कि नौमिनेशन पेपर्स को वापस लेने और उनकी जांच आदि के बारे में आप संशोधन कर लीजिये, लेकिन नाम वापस लेने के बाद से लेकर मतदान होने तक के लिए बीस दिन का समय बहुत कम है। इससे उम्मीदवारों को, जनता को और सरकारी कर्मचारियों सब को बहुत असुविधा का सामना करना पड़ेगा।

एक बात की ओर मैं और ध्यान दिलाना चाहता हूँ। यह बात मेरे मित्र श्री बी० डी० शास्त्री ने भी कही थी। वह यह कि अभी तक यह नियम है कि एक निश्चित तारीख तक ही उम्मीदवार अपना नाम वापस ले सकता है। उसके बाद अगर वह नाम वापस लेता है तो उसकी जमानत जल हो जाती है। लेकिन फिर भी उसकी मत-पेटियां चुनाव स्थलों पर पहुँच जाती हैं। मेरे एक कांग्रेसी मित्र गलतफहमी के कारण अपना नाम समय के अन्दर वापस नहीं ले सके, लेकिन उनकी मत-पेटियां मतदान स्थलों पर पहुँच गयीं और उनको भी चार हजार मत मिल गये। इससे पता चलता है कि हमारे मतदाता कितने बुद्धिमान हैं।

दूसरी बात जो मुझे विशेष रूप से कहनी है वह यह है कि नौमिनेशन पेपर्स को रिजेक्ट करने की अपील का अधिकार जो दिया गया है वह इलेक्शन पिटीशन के द्वारा दिया गया है। मैं समझता हूँ कि यह निवाचिकों के साथ बहुत बड़ा अन्याय है। इसमें दोबारा खर्च करना पड़ेगा, दोबारा चुनाव होगा और जनता को दोबारा परेशान करना होगा। मैं समझता हूँ कि जैसा पहले विधेयक में था वह अच्छा है कि नौमिनेशन पेपर्स के सम्बन्ध में जो भी विवाद हो उसको चुनाव से पहले ही खत्म कर दिया जाय। मैं चाहता हूँ कि इस पर मंत्री

महोदय और प्रवर समिति विशेष रूप से ध्यान दें।

अन्त में मैं यह कहना चाहता हूँ कि मैं चटर्जी साहब के संशोधन का समर्थन करता हूँ कि जो भी सबाल प्रवर समिति के सामने आवं वह उन पर विचार कर सके। साथ ही मैं श्री राधा रमण जी के सुझाव का भी समर्थन करता हूँ, जिसमें यह कहा गया है कि सबको मिलाकर एक विधेयक बनाया जाय ताकि जनता के सामने एक ही शब्दावली जाय।

इन शब्दों के साथ मैं इन विधेयकों का स्वागत करता हूँ।

ठाकुर जुगल किशोर सिंह: जो विधेयक सदन के सामने पेश हुआ है उनका मैं कई दृष्टियों से स्वागत करता हूँ।

यह सही है कि हम लोगों ने बहुत बड़े पैमाने पर चुनाव करवाये हैं। उसके पहले हमें यह अनुभव नहीं था कि बालिग मताधिकार के अनुसार १७ करोड़ मतदाताओं के बोट किस प्रकार डलवाये जा सकेंगे। लेकिन यह काम बहुत खूबी के साथ किया गया। साथ ही साथ कुछ खामियां भी हमारे सामने आयीं जिनको दूर करने के लिए यह बिल पेश किया गया है। लेकिन मैं समझता हूँ कि जो जरूरी बातें इस बिल में होनी चाहिएं वे सब इसमें नहीं हैं और जिस उद्देश्य को पूरा करने के लिए यह बिल लाया गया है उसको यह पूरा नहीं कर रहा है।

इस बिल में यह कहा गया है कि यह जम्मू और काश्मीर पर लागू नहीं किया जायगा। मैं समझता हूँ कि जम्मू और काश्मीर अब हमारे देश के अंग बन चुके हैं। हमने उसको मंजूरी दी दी है और वह प्रदेश हमारे साथ हो गया है। इसलिए जम्मू और काश्मीर को अलग रखने का और उस पर यह कानून लागू न करने का मैं कोई अर्थ नहीं समझता। इसलिए मैं प्राह्लाद हूँ कि इस विधेयक क्लाज को इस बिल

में से निकाल दिया जाय और इसको जम्मू और काश्मीर पर भी लागू किया जाय। यद्यपि वहां एक तरह का प्लेबिसाइट हो चुका है और वहां की विधान निर्माणी सभा ने फैसला कर दिया है कि यह प्रदेश हमारे देश के साथ रहेगा, लेकिन फिर भी कहीं कहीं कभी कभी इस पर शंका प्रकट की जाती है कि यह काम ठीक रूप से नहीं हुआ है। यदि इस कानून के अनुसार वहां चुनाव होंगे तो फिर इस विषय में कोई शंका करने के लिए स्थान ही नहीं रह जायगा। मैं समझता हूँ कि वह सच्चा प्लेबिसाइट समझा जायगा और वह निविवाद होगा। इसलिए यह जरूरी है कि यह कानून जम्मू और काश्मीर पर भी लागू हो।

दूसरी बात यह कही गयी है कि जहां तक हो सके चुनाव के सिलसिले में मुकदमेबांधी कम की जाय। इसी बात को ध्यान में रखकर इस कानून में तरमीम की गयी है लेकिन अभी इस उद्देश्य को प्राप्त करने के लिए इसमें और भी तरमीम करने की आवश्यकता है। ताकि यह ज्यादा से ज्यादा सहल हो सके।

इसके अतिरिक्त मैं यह कहना चाहता हूँ कि जो मतदाताओं की सूची आपी जाय वह इस तरह से छापी जाय कि हर एक पोर्टलिंग बूथ के लिए उसके अलग अलग हिस्से किये जा सकें। अभी जो हमको सूची दी जाती है वह दोनों तरफ छपी रहती है। हम उसके एक हिस्से को अलग करके अपने पोर्टलिंग एंजेट को नहीं दे सकते। इस कारण हमको बहुत कठिनाई होती है। इसलिए मैं चाहता हूँ कि सूची को छापने में यह सावधानी रखी जाय कि उसको अलग अलग हिस्सों में दिया जा सके और दो पोर्टलिंग बूथ के मतदाताओं की सूची का प्रकाशन एक ही पन्ने में नहीं हो।

दूसरी बात मैं यह चाहता हूँ कि नामिनेशन के सिलसिले में प्रोप्रोजर को भी न रखा जाय। जो आदमी खड़ा होना चाहता है वह स्वर्ण

[ठाकुर जुगल किशोर सिंह]

अपना नामिनेशन पेपर दाखिल कर सके, या यदि वह किसी कारण से गैर हाजिर हो तो कोई प्रस्तावक उसके बदले में दाखिल कर सकता है। लेकिन यह नहीं होना चाहिए कि एक प्रस्तावक का होना जरूरी हो। इस पक्ष में यह दलील दी गयी है कि इससे यह प्रकट होगा कि वह उम्मीदवार उस निवाचन क्षेत्र में लोकप्रिय है। लेकिन इस दलील में कुछ बल नहीं है। जहां तीन लाख वोटर हों वहां पर एक या दो समर्थक किसी को भी आसानी से मिल सकते हैं।

तीसरी बात मुझे यह कहनी है कि अगर आप मुकदमेबाजी बन्द करना चाहते हैं तो इंडस्ट्रियल ट्राइब्यूनल्स की तरह यहां भी यह नियम बना दिया जाय कि मुकदमे में वकील न जाय। मैं चाहता हूँ कि इलेक्शन के कानून में भी यह तरमी कर दी जाय कि जब तक दोनों दल वाले इस बात के लिए राजी न हों कि वकील रखे जाय तब तक वकील को इजाजत न दी जाय। मेरा अपना स्पाल यह है कि वकील ही ज्यादातर मुकदमों को बढ़ाते हैं और वकील के ही बल पर ज्यादा पैसे वाले इस तरह के मुकदमे लाते हैं, और उनकी ही वजह से मुकदमों में इतने दिन लगते हैं। हमारे वकील भाई हमें माफ करेंगे लेकिन हमारा तर्जबा इंडस्ट्रियल ट्राइब्यूनल्स के सामने रहा है कि एक तरफ मजदूर खड़े होते हैं और दूसरी तरफ एम्प्लायर होते हैं और कोई वकील नहीं होता। इम देखते हैं कि वहां पर हमको अच्छा न्याय मिलता है बनिस्वत अदालतों के जहां कि वकील होते हैं।

पंडित डॉ० एन० तिवारी : लेकिन अगर दूसरी पार्टी की तरफ से वकील हो तो आप क्या करेंगे?

ठाकुर जुगल किशोर सिंह : यहीं तो मैं कह रहा हूँ कि जब तक दोनों पार्टियां राजमन्द न हों तब तक वकील न रखे जायें।

पंडित डॉ० एन० तिवारी : लेकिन अगर दूसरी पार्टी खुद ही वकील हो तो?

ठाकुर जुगल किशोर सिंह : उस हालत में एक पार्टी को नुकसान रहेगा ही। हमारे इंडस्ट्रियल ट्राइब्यूनल का यह तर्जबा है कि अगर एम्प्लायर चाहता है कि वह वकील रखे और वह दूसरी तरफ के वकील का खर्च भी बरदास्त करने को तैयार हो तो खुद भी वकील रख सकता है। इस कानून में भी ऐसा प्राविजन होना चाहिए कि अगर एक पार्टी चाहती है कि वह वकील रखे तो वह दूसरी पार्टी के लिए वकील को उतना ही फीस देने को तैयार हो तो वकील रखने की अनुमति दे दी जाय।

जहां तक इलेक्शन एक्सपोर्सेज का सवाल है, आप कैसा भी कानून बनावें, यह सम्भव नहीं होगा कि आप ठीक ठीक जान सकें कि कितना खर्च हुआ है और न सभी कोई सारे खर्च का ठीक ठीक हिसाब ही रख सकते हैं। अतः मेरा यह सुझाव है कि अगर आप यह जानना चाहते हैं कि कितना खर्च हुआ है तो आप इस कानून में यह प्राविजन कर दें कि उम्मीदवार यह सटीफिकेट दे दे कि उसने कितना खर्च किया है। उसके लिए यह जरूरी नहीं होना चाहिए कि वह एक एक खर्च का बाउचर दाखिल करे। आपका उम्मीदवार बिना पढ़ा लिखा आदमी भी हो सकता है। लेकिन जैसा हिसाब आप चाहते हैं उसके लिए तो एक एकाउंट चाहिए जो कि उसको अलग अलग लेजर में रखे और ठीक से हिसाब बनाकर पेश करे। इस प्रकार का हिसाब दाखिल करने में उम्मीदवारों को बहुत दिक्कत होती है। इसलिए इस कानून में यह प्राविजन होना चाहिए कि उम्मीदवार से यह सटीफिकेट मांग लिया जाय कि उसने चुनाव में कितना खर्च किया है।

एलेक्शन पेटिशंस के बाबत मुझे यह कहना है कि वे चुनाव के नतीजे के एक हज़ार के अन्दर दाखिल हो जानी चाहिये और उसमें जितनी बातें और जितने पर्टिकुलर हैं सब भर

दिये जाने चाहिये और एक पेटिशन के बाद दुबारा संशोधन करने की इजाजत नहीं रहनी चाहिये क्योंकि ज्यों ज्यों दिन बढ़ते जाते हैं संशोधन पेश करने की गुंजायश बढ़ती है, लम्बे चौड़े मामले होते जाते हैं, इसलिए मैं चाहता हूँ कि पहला एलेक्शन पेटिशन आखिरी समझा जाय और साथ ही साथ मैं यह चाहता हूँ कि दो महीने से अधिक एलेक्शन पेटिशन के डिस्पोजल में नहीं लाना चाहिए, दो महीने के अन्दर एलेक्शन पेटिशन खत्म हो जानी चाहिए।

करप्तान का जहां तक सवाल है, उसके बारे में यह जो कहा गया है कि अगर कोई ग्रैंटिफिकेशन आफकर करता हुआ पकड़ा जायगा तो वह डिस्क्वालिफाई हो जायगा, तो मेरा कहना है कि उसको डिस्क्वालिफाई कराने के लिए दो आदमियों का मिल जाना कोई मुश्किल बात नहीं है जो इस तरह से कह दें कि हमको रुपये का लोभ दिलाया गया है। अगर वे दोनों आदमी क्रास एजमिनेशन में नहीं टूटे तो उसका एलेक्शन ही सारा इनवेलिड ही नहीं हो जायगा बल्कि वह ६ साल के लिए डिस्क्वालिफाई भी हो सकता है। मेरा कहना है कि अगर आप बाकी फो एंड फेर एलेक्शन से चाहते हैं और करप्तान को दूर किया चाहते हैं, तो आप ऐसी बातें न रखिये जिसमें करप्तान के नाम पर मुकदमेबाजी हो।

पर्वे के बारे में मैं चाहता हूँ कि कानून में इस तरह की बात नहीं होनी चाहिए कि एसा आदमी जो कि हमारा नहीं है लेकिन हमारे नाम से नोटिस छपवा देगा और फिर नोटिस के बल पर उनको बहुत दिक्कत उठानी पड़ेगी, इसके लिए मैं चाहता हूँ कि जो नोटिस छपे, उसकी एक कापी रिटार्निंग अफसर के पास भेज दी जाय और वही कापी असली समझी जाय और अगर कोई और तरह का नोटिस बांटता हुआ पाया जाय तो वह पेनल आफेंस समझा जाय। मैं समझता हूँ कि इसमें यह सुधार किया जाय।

श्रीमती शिवराजबती नेहरू (जिला लखनऊ मध्य) : यह जो चुनाव कानून बना है, वह वास्तव में बड़ा महत्व रखता है फिर भी पिछले चुनाव से जब हमने ऐसा अनुभव किया कि इसमें कुछ त्रुटियाँ हैं और जिनकी वजह से हमें दिक्कत पेश आईं, तो उनको सुधारने के लिये और उन दिक्कतों को हटाने के लिये सरकार यह संशोधन बिल लाई है और इसीलिये यह संशोधन बिल यहां पर सदन के सामने रखते गये हैं।

सब से पहले तो मैं आपसे यह कहना चाहती हूँ कि हम स्त्रियों की संस्था आज इस देश में पुरुषों से कहीं अधिक है परन्तु जो उनके नाम बोटसं लिस्ट में लिखे जाते हैं वह बहुत कम है बनिस्त्रत पुरुषों के और उसका कारण यह है कि हमारे यहां की स्त्रियां अपने पतियों के नाम नहीं लिखाती हैं। ऐसा देखने में आया है कि जब उनके पास लोग जाते हैं उनका नाम लिखने के लिये और उन से उनके पति का नाम पूछा जाता है तो वह अपने पति का नाम नहीं बताती है, अब इतना सब्र तो उन आदमियों को जो नाम लिखने जाते हैं होता नहीं कि वे उनके नाम दरियापत कर लें और नीजा यह होता है कि गांव के गांव और मुहल्ले के मुहल्ले भर की स्त्रियों के नाम बोटसं लिस्ट में नहीं लिखे जाते हैं और छोड़ दिये जाते हैं। इसीलिये हम यह जो कानून बना रखे हैं इसमें ऐसा कर दें कि अगर स्त्रियां पति के नाम की जगह पर अपने लड़कों के नाम बता दें तो उनके नाम बोटसं लिस्ट पर लिख लिये जाय, तो बहुत मुनासिब होगा।

श्री नन्द साल शर्मा : लड़के अगर नाबालिग हों, छोटे हों तो ?

श्रीमती शिवराजबती नेहरू : छोटे लड़के का नाम क्यों लिखायें, बड़े लड़के का नाम लिखा देंगा। दसरे मैं तो यह कहूँगी

[श्रीमती शिवराजवती नहरू]

कि जो उनके घर के पुरुष लोग हैं और जो अपने सारे नाम जाकर लिखवा देते हैं उन पर यह भार डाला जाय कि वे अपने घर की औरतों के नाम भी लिखवायें और ऐसा न करने पर उन पर कुछ जुर्माना किया जाय क्योंकि वे अक्सर ऐसा कहते सुने जाते हैं कि हमारे पास चुनाव अक्सर आये और सब नाम लिख लिये, स्त्रियों के नाम लिखवाने की क्या ज़रूरत है। ऐसे पुरुषों के ऊपर कुछ जुर्माना किया जाय कि जो अपनी औरतों के नाम नहीं लिखवाते हैं, उनको चाहिये कि वे चुनाव लिस्टों में अपने घर की सब स्त्रियों के नाम लिखवायें ताकि जो भी स्त्री वोट देने की अधिकारी हो, उसको वोट का हक मिले और उसका अधिकार जाया न होने पाये। आज औरत अपने वोट का हक इस्तेमाल करने की इच्छुक हैं और हमने देखा कि वह बड़े चाल से लाइन लगा कर वोट देने के लिये जाती हैं, सैकड़ों औरत पोर्टिंग बैथ पर वोट देने के लिये लाइन लगा कर खड़ी होती हैं लेकिन जब केवल ५ या ७ औरतों का ही नाम बोटर्स लिस्ट में निकलता है तो उनको बड़ी निराशा होती है क्योंकि खाली हाथ बिना वोट का हक इस्तेमाल किये हुये उनको अपने अपने घरों को लौटना पड़ता है। उनको इस बात का सह्य अफसोस होता है कि हमने अपना वोट क्यों नहीं दिया। इस बात के लिये जरूर कुछ न कुछ व्यवस्था करनी चाहिये ताकि सारी स्त्रियों के नाम बोटर्स लिस्ट पर आ जायें।

दूसरी बात यह है कि इस बात का कोई प्रबन्ध होना चाहिये कि जो मरे हुये लोगों के नाम लिखवाये जाते हैं और जो गलत वोट दिये जाते हैं, वे न दिये जा सकें। देखने में आया है कि ऐसा हुआ है कि किसी अजीज का नाम याद रख लिया और कह दिया कि हम उसकी स्त्री हैं या बहन हैं और बाज बक्त यह होता है कि आपकी एक बहन है या एक

लड़की है, और एक लड़की समुराल में है, अब वह समुराल वाली लड़की यहां नहीं आ सकती है जिसका कि यहां पर बोट है तो जो लड़की यहां पर मौजूद है वह उस समुराल वाली लड़की के नाम से अपना वोट दे आती है, लिस्ट में वह सब नाम बगैरह देख लेती है और वोट दे देती है, तो इसको रोकने के लिये कोई इन्तजाम होना चाहिये।

दूसरी बात यह है कि हमारे जो उम्मीदवार खड़े होते हैं उनके साथ में कुछ डमीज होते हैं और प्रस्तावक होते हैं और आप सब जानते हैं कि बोटर्स लिस्ट में उन सब के नाम देखने में कितना झगड़ा होता न और उसके लिये हम बकील साहबान की ज़रूरत दरपेश आ जाती है कि जो हमें बतलायें कि कहीं पर जरा सी भी त्रुटि रह जाये क्योंकि अगर कहीं जरा सी भी गडबड़ी हो जाये तो सब मामला खत्म हो जाता है और नाम उलट पुलट हो जाता है। उसमें कुछ ऐसी सहूलियत करनी चाहिये कि हम बकीलों के पंजे में न फसें। अपने नाम के साथ डमीज के इतने सारे नाम और समर्थकों के इतने सारे नाम लिखाये जाते हैं कि अगर कहीं अपना नाम कट जाय तो दूसरा अपना भाई मौजूद रहे, और ऐसा न हो कि दूसरा डमी भी गायब रह जाय, बाज बक्त किसी का नाम बोटर्स लिस्ट में गलत छप जाता है जैसे राम लाल का राम दीन, राम लगन छप गया तब इस जरा सी गलती के कारण नाम candidate का reject हो जाता है उस समय ऐसी कठिनाई होती है कि जिसकी सीमा नहीं। जहां तक एलेक्शन रिटर्न दाखिल करने की बात है उसमें मैं यह कहना चाहती हूं कि अगर कोई शब्द बैईमानी न भी करना चाहते तब भी वह ऐसा करने पर मजबूर हो जाता है। एलेक्शन में जिस प्रकार से खर्च होता है उसका सही सही और पाई पाई हिसाब देना बिलकुल नामुमकिन हो जाता

है। एक खर्चा हो तो हिसाब रखा जाय। न जाने कितने टेलीफोन किये जाते हैं, न जाने कितने लाउडस्पीकर लगाये जाते हैं और दूसरे कितने ही। किस्म के मिसलेनियस किस्म के अखराजात होते हैं जिनका कि बिलकुल सही सही हिसाब बतलाना नामुमकिन बात है और हर एक शस्त्र के लिये इन्हीं सारी चीज याद रखना और उनका हिसाब बतलाना जब तक कि प्रत्येक खर्चे को हर समय हर व्यक्ति नोट न करता रहे—कठीब कठीब नामुमकिन है। क्योंकि खर्चा भी एक व्यक्ति नहीं करता अनेक हाथों से होता है और उस हालत में हालांकि वह बेईमानी नहीं करना चाहता है लेकिन मजबूर हो कर उसको एलेक्शन रिटर्न स देने पड़ते हैं और वह सब हिसाब अन्दाजे से देता है।

बब भेरा समय खत्म हो रहा है। मैं सिर्फ यह बात कहना चाहती हूँ कि हमारे एक भाई ने कहा था कि मंत्रियों को इस चुनाव में सहयोग नहीं देना चाहिये, उनका ऐसा फरमाना किसी हद तक सही है, लेकिन वह खाली मंत्री ही तो नहीं है, वह पार्टी के लीडर भी हैं और हमारे कार्यकर्ता भी हैं और साथ ही मैं यह नहीं समझती कि वह लोग जो सहयोग देते हैं, उन सहयोग का जनता के ऊपर कोई खास असर या दबाव पड़ता है। मेरे उन भाई कांयह समझना बिलकुल गलत बात है कि जनता के ऊपर मंत्रियों के जाने से या पुलिस वालों के दिलाने से कोई असर हो जाता है। जनता बिलकुल एक आड़वाड़ खायाल से जो वह ठीक समझती है वह करती है और अपनी राय प्रकट करती है। जिस जमाने में यहां पर अंग्रेजी राज्य था और जिस के पीछे कि सारी हुक्मत की मधीनरी थी, कमिशनर और डिप्टी कमिशनर और दूसरे सरकारी अफसरान उसकी मदद पर थे लेकिन हमने देखा कि जनता को जब अपनी राय प्रकट करने का मौका मिला

तो उसने किसी का दबाव नहीं माना और आजादी के साथ अपने बोट का इस्तेमाल किया और अंग्रेजी हुक्मत का इस देश से तस्ता पलट दिया। इसलिये मैं कहती हूँ कि जनता की जो भावना है और विचार है उसको कोई मिनिस्टर या पुलिस अफसर पलट नहीं सकते हैं

Mr. Chairman: Order, order, she must resume her seat now. She has exhausted her time.

श्रीमती शिवराजबती नेहरू: मुझे बहुत कम समय दिया गया। मैं बहुत कुछ कहना चाहती थी, लेकिन सौर, लाचारी है, क्योंकि मुझे अब आगे बोलने नहीं दिया जा रहा है।

श्री इयाम नन्दन सहाय (मुख्यमन्त्री): यहां पर औरतें बहुत कम हैं, इनको कुछ ज्यादा बक्त दिया जाना चाहिये था।

श्री विमूर्ति मिश्र: इस समय हमारे ला भिनिस्टर साहब ने जो बिल प्रस्तुत किया है उसके लिये मैं उनको हार्दिक बधाई देता हूँ।

दूसरी बात यह है कि गत चुनाव को जिस खूबी के साथ एलेक्शन कमीशन ने किया और प्राप्त तथा जिलों के हाकिमों ने जिस तरह से मदद की और ईमानदारी और सच्चाई से काम किया इसके लिये तो वह भी बधाई के पात्र है।

मुझे इस सम्बन्ध में कुछ सजेशन्स देने हैं। जो बृथ का अरेजमेंट होता है वह इसलिये होता है कि वह नजदीक बनाये जायें तूकि सभी लोग सहूलियत से बोट देने के बास्ते दूर की जगहों पर नहीं जा सकते हैं। गत चुनाव में मैं ने देखा कि बूदों का प्रबन्ध ठीक नहीं था। मेरे ही गांव के लोगों को तीन मील जाकर बोट देना पड़ता था जब कि मेरे ही गांव के नजदीक दूसरे गांव का बुध

[श्री विभूति मिश्र]

या और मेरे गांव के लोगों के लिये ज्यादा सहूलियत का था। इसलिये बूथ के मामले म और व्यान देना चाहिये और इसका स्थान रखना चाहिये कि वह लोगों के लिये नजदीक हो।

इसके बाद यह चीज है कि जो पालियामेट के मेम्बर हैं और डबल मेम्बर कान्स्टिट्यूटेंसी के आदमी हैं उनके लिये बहुत ज्यादा बूथ थे और वह उनका अरेंजमेंट नहीं कर सकते थे। मेरा धर चम्पारान में है, सारन मेरे धरसे काफी दूर है, फिर मुजफ्फरपुर में मेरा रिटर्निंग आफिसर था। कान्स्टिट्यूटेंसी जाकर फिर रिटर्निंग अफसर के पास चुनाव के किसी काम से जाने और पुनः पॉलिंग बूथ पर जाने में बड़ा समय लगता था। इसके लिये कोई सरल तरीका निकाला जाना चाहिये ताकि लोगों को सहूलियत हो।

इसके बाद जो सब से मुश्य बात है एलेक्शन एक्सपेन्सेज के बारे में। सरकार ने चुनाव के लिये सिंगल मेम्बर कान्स्टिट्यूटेंसी के लिये २५,००० रु का खर्च रखा है और डबल मेम्बर कान्स्टिट्यूटेंसी के लिये ३५,००० रु का। अगर इस तरह से अधिक खर्च रखा जायेगा तो बड़े बड़े पूँजीपति और जमीदार को छोड़ कर हमारे देश के किसी मामूली आदमी को चुनाव लड़ने की गुंजाइश नहीं होगी। इसलिये मेरा स्थान है कि एलेक्शन का खर्च बहुत कम करके रखा जाय। सिंगल मेम्बर कान्स्टिट्यूटेंसी के लिये ५,००० रु कर दिया जाय। और डबल मेम्बर कान्स्टिट्यूटेंसी के लिये ८,००० रु कर दिया जाय। ऐसा करने पर ही पता चलेगा कि कौन सच्चा कार्यकर्ता है और कौन नहीं। कौन लोगों का हितेषी कार्यकर्ता है और गांव में जा कर लोगों की सेवा करता है। अगर खर्च ज्यादा रखा जायेगा तो बड़े बड़े पूँजीपति, वकील, बैरिस्टर जो कि लाखों रुपये कमाते हैं, मोटर पर चारों

तरफ घूमते हैं उन्हीं को चुनाव में कामयाबी मिलेगी। इसलिये एलेक्शन का खर्च सरकार को घटाना चाहिये। जब आपने बालिग भताचिकार कर दिया है तो सोचिये कि जिसके पास जोपड़ी नहीं है, जो मजदूर है, वह चुन कर आये ऐसी स्थिति आप को लानी चाहिये। अगर वह पापुलर है तो वह चुन कर आयेगा, पर ऐसा तो तभी हो सकता है जब कि एलेक्शन का खर्च कम किया जाय। अगर ऐसा नहीं हो सकेगा तो एलेक्शन कभी ठीक से नहीं होगा और जिस एलेक्शन को डिमांडेसी का एलेक्शन कहा जाता है वह पूँजीपतियों का एलेक्शन हो जायेगा।

एलेक्शन एक्सपेन्सेज के बारे में दूसरी बात, जिस के बारे में बहुत से और लोगों ने भी कहा है कि बड़ा गोलमाल ढोता है, यह है कि मान लीजिये मेरे साथ कोई आदमी आता है और मैं उसको हमेशा खाना खिलाता हूँ तो अगर उसी तरह से मैं उस को चुनाव के समय भी खाना खिला दूँ तो क्या वह चुनाव के खर्च में कर दिया जायेगा? हिन्दुस्तान में बहुत सी ऐसी बातें ढोती हैं जिन पर हमेशा आदमी खर्च किया करता है, लेकिन अगर वही चीजें एलेक्शन के जमाने में की जायें तो वह एलेक्शन के एक्सपेन्सेज में आ जाती है। मान लीजिये मैं किसी को अपनी साईकिल पर बिठा लेता हूँ तो वह एलेक्शन के जमाने में इल्लीगल प्रैविट्सेज में आ जाता है। इस लिये इस सम्बन्ध में मेरा प्रवर समिति से यह कहना है कि वह पूरी जांच पड़ताल करे, और इस का भी स्थान करे कि देश में क्या रीति रिवाज है, हिन्दुस्तान के गांवों में क्या तरीका है, किस तरह से मोहब्बत से लोग रहते हैं और उन के साथ कैसा व्यवहार करते हैं, इन सब बातों क

ख्याल कर के एलेक्शन एक्पेन्सेज का सिम्प्लिफिकेशन द्वाना चाहिये ताकि इस से बेचारे गरीब लोगों को कोई दिक्कत न पैदा हो ।

इसके बाद, सभानेत्री महोदया, आप को भी अनुभव होगा कि जो हमारी औरत बोटसं होती हैं वह अपना नाम नहीं बताना चाहती, इसलिये एलेक्टोरल रोल में उन का नाम नहीं होता, परित का नाम लिखा होता है । ऐसा होने पर उस स्त्री को मत देने से वंचित कर दिया जाता है । इस सम्बन्ध में भी एलेक्शन ला में सुधार होना चाहिये और ऐसी स्त्रियों को भी बोट देने का अस्त्यार होना चाहिये । साथ ही देश में बहुत सी स्त्रियां पर्दा भी करती हैं, उन को अपना नाम बताने में दिक्कत होती है, सभी औरतें दिल्ली में नहीं रहती हैं, वह देहत में रहती हैं इस लिये औरतों को इस की सहूलियत द्वानी चाहिये कि अगर उन के परित का नाम लिखा हुआ हो तो उन को बोट देने का अधिकार होना चाहिये । वहां उस का पोलिंग एजेंट, रहे और वह सारा प्रबन्ध करे ।

एलेक्शन की इल्लीगल प्रैविटेज के बारे में भी सुधार होना चाहिये । वयोंकि अगर किसी बात के लिये कोई मेरे साथ सवारी पर चढ़ कर चला गया उस का चुनाव से कोई सम्बन्ध नहीं है और किसी ने एलेक्शन पिटीशन मेरे लिलाक दखिल कर दी कि इस ने इल्लीगल प्रैविटेज की है, अगर कोई आदमी मुझे अपनी साइकिल पर बिठा लेता है तो कह दिया गया कि यह तो इल्लीगल प्रैविटेज है, और मैं डिस्कवालिफाई हो जाता हूँ । इसलिये इस के सम्बन्ध में भी प्रवर समिति को पूरा विचार करना चाहिये कि कौन इल्लीगल प्रैविटेज है, कौन मेजर करप्शन है और कौन माइनर करप्शन है । बल्कि मैं तो कहूँगा कि जब यह बिल प्रवर समिति को जा ही रहा है तो उस को हम लोगों को बुला बुला कर

पूछना चाहिये क्योंकि यहां पर सारी बातें बताने के लिये हमारे पास कोई तरीका नहीं है ।

जो लोग भी डबल मेम्बर कान्स्ट-टुएन्सी से आये हैं, उन को पता होगा कि चुनाव का समय ३० दिन से घटा कर २० दिन कर दिया गया है । सारन चम्पारन की डबल मेम्बर कान्स्टटुएन्सी है । मैं बताता हूँ कि मैं पिछले चुनाव में ३० दिन के अन्दर तो सब जगह जा ही नहीं सका २० दिन के अन्दर कैसे जा सकूँगा ? हिन्दुस्तान विलायत नहीं है । विलायत में कान्स्टटुएन्सी होती है ५० हजार आदमियों की जब कि हिन्दुस्तान में डबल मेम्बर कान्स्टटुएन्सी होती है १७ लाख की । आप ही बताइये कि २० दिन में मैं १७ लाख आदमियों की कान्स्टटुएन्सी में कैसे जा सकूँगा ? मैं समझता हूँ कि जब एलेक्शन कमिशन ने या किसी बकील ने यह बिल बनाया तो इस बात को उसे अनुभव नहीं या कि कैसे २० दिन के अन्दर कोई डबल मेम्बर कान्स्टटुएन्सी में घूम आयेगा । जिन के पास हवागाड़ी है, जिन के पास साधन हैं, वह तो शायद ऐसा कर भी सकें, लेकिन मेरे जैसे आदमी, जिस के पास साइकिल के अलावा कोई उपाय नहीं है आने जाने का, वह क्या करे ? मेरे पास कोई टमटम भी नहीं थी । मैंने सारा दिन साइकिल पर ही चल कर चुनाव थेव का भ्रमण किया । ऐसी हालत में इस समय ३० दिन से २० दिन नहीं करना चाहिये ।

अगर डबल मेम्बर कान्स्टटुएन्सी में कोई मुकदमा हो गया तो जनरल और हरिजन सीट के लिये कोई भेदभाव नहीं होना चाहिये । अगर जनरल सीट पर कोई मुकदमा हो गया तो हरिजन को हरिजन देना चाहिये और अगर सुरक्षित सीट के लिये हो गया जनरल सीट बाले को जगह देना चाहिये ।

[श्री विभूति मिश्र]

चुनाव जब होता है तो बहुत सी पार्टियाँ आ जाती हैं, कोई गाय का चित्र ला कर खड़ा कर देता है कोई किसी का। मैं इस के विश्वद हूँ। सरकार को चाहिये कि एलेक्शन के बहुत पर आपेक्षानों पर भी योड़ा नियंत्रण रखें। जो भी गड़बड़ करता है उसको ठीक करना चाहिये अल्ला-बारों में बहुत बुरी बातें छपती हैं, सरकार को चाहिये कि जब तक चुनाव चलता रहे तब तक कोई भद्दा नोटिस न निकालने दे। आपेक्षाने वाले सिद्धान्त का प्रचार कर सकते हैं लेकिन किसी व्यक्ति के खिलाफ कोई चीज न लिखी जाय जिस से लोगों के अन्दर बुरी भावना फैले।

Shri Kanavade Patil (Ahmednagar North): I thank you very much for the opportunity given to me to speak.

At the outset, I thank the hon. Minister for Legal Affairs for having introduced this important measure on the eve of the forthcoming elections. I would like to add that when we are sending this Bill to the Select Committee, the Committee will take into account all the important suggestions made in the debate during the last two days, and make this law as perfect and simple as possible.

Charges have been levelled here in this House that some unfair practices were carried in the last election by certain parties or certain candidates. I refute those charges, and I humbly submit that the last elections were fought very fairly, and it is to the credit even of the Election Commission that they handled election matters very skilfully. There were very few election petitions, and I may add that on the whole, taking into account the bulk of the candidates who contested the last elections, the applications were very small in number. Therefore, I am quite convinced that the last elections were fought very fairly and no amount of criticism will weigh with us at least. I

will not accept the arguments of the opposition on this issue.

4 P.M.

Then, I would like to make one very humble suggestion, and it is this. If on the day of the scrutiny of the nomination papers, any nomination paper is improperly rejected, then under this Bill, there ought to be provision to go in appeal to the High Court immediately against the decision of the returning officer. This is very necessary, because a number of cases arise on this point. It should also be provided that the High Court should decide the issue within seven days' time, and their decision must be final.

Shri Kamath: How can you force the High Court to decide the issue within one week?

Shri Kanavade Patil: Even if, after the elections are over, any person goes to an election tribunal with an election petition alleging certain complaints against the successful candidate, yet that ground should not be allowed to be reopened. That is what I want to submit in this connection, because if that point, namely the ground of improper rejection of a nomination paper, is reopened, and a fresh election is ordered, then it would mean a sort of harassment to the candidates who have spent lakhs of rupees, sometimes, and gone through the ordeal of an election. Besides, that would also mean waste of public time, public money and public energy.

My third point is this. It has been argued that we should not allow the use of vehicles. Supposing a polling station is at a distance of three to four miles why should the voter be asked to go walking to the polling booth and return from there walking? Why should he not be permitted to use his own vehicle for himself as well as his family members? I feel therefore that the suggestion that vehicles should not be used is not

proper. I would go a step further and suggest that to some extent we should allow our vehicles to be used by our neighbours also, to take their family members to the polling booth.

Regarding the filing of the return of election expenses, I would submit that we should not be very particular about it. In fact, it will be a good thing if we will not be required to submit our returns to the returning officers within a prescribed time, unless it be that there is a complaint or an election petition challenging the bona fides of the successful candidate and alleging malpractices by him.

If any particular candidate contesting the elections spends more than what is at present laid down under the law, then that will be of no material advantage, because I am sure the voters have become very wise nowadays, and they will not be carried away by money. They may accept money here and there, but they know how to vote—as they did last time. So, I am not afraid of a rich man contesting the elections, for simply because he has got more money and he has got better facilities, he is not going to win the elections on that count only.

Regarding the time between the conclusion of the elections and the commencement of counting, I would suggest that immediately after the elections are over, the utmost care must be taken to see that the counting process is begun. I have seen counting take place so late as after three weeks from the conclusion of the elections. That sort of thing is likely to create some suspicion, though I know that all the returning officers are fair-minded.

Shri Kamath: Not all of them.

Shri Kanavade Patil: We should see that there is no scope for anybody dabbling in election matters. If the counting is begun soon after the elections are over, then there would be no problem. At present, what happens is that the ballot boxes are lying

there in the offices of the *mamalatdars* and the *pranths* offices for two weeks or three weeks. If the counting is begun immediately, then there will be no room for suspicion.

Regarding the time that should be allowed between the date of the scrutiny of nomination papers and the time the voters go to the polls, I would suggest that at least five weeks' time should be allowed; a lesser time will be insufficient. Even in a single-member constituency it is very difficult to cover the whole area within three weeks. For instance, in areas where there are mountainous tracts or hilly tracts, it is not easy to travel; and sometimes, there are no proper roads, and no travel facilities are available. I can give you as an instance my own constituency. It is 150 miles in length and 90 to 100 miles in breadth, but it is very difficult to cover the whole constituency in three weeks' time. I would therefore suggest that at least five weeks' time should be given in order that the candidate may be enabled to contact the voters in the whole of his constituency.

I now come to the electoral rolls. I know certain clerks are appointed for the purpose. They go from place to place, and from village to village; and they prepare a list of the persons whose names are not already there in the electoral rolls. But I have also noted cases where they have deliberately and intentionally omitted the names of certain public workers who were likely to be candidates who would contest the elections. Of course, it might be said that it is for the parties concerned through their district organisations to take the utmost care to ensure that their prospective candidates' names are entered in the electoral rolls. Yet there are cases where people who are bent upon doing some mischief indulge in such things, because they are after all only simple clerks or persons who are in the lower ranks of the election machinery.

[Shri Kanavade Patil]

It has been suggested and I would not support that suggestion that there should be compulsory voting. I do not accept this view. It has also been suggested that there should be an independent election machinery established. But to establish an independent election machinery permanently we would have to incur a very heavy expenditure which will be an additional burden on the public exchequer I would therefore suggest that we should not support such a proposition.

Mr. Chairman: The hon. Member's time is up.

Shri Kanavade Patil: I conclude now.

Shri Tek Chand (Ambala—Simla): I believe that all possible human ingenuity should concentrate on making the election law impenetrable, foolproof and knaveproof. I feel that time has come when, in the light of past experience, the existing law should be thoroughly scrutinised; such flaws, loopholes, and omissions that it has got should be rectified and I welcome the amendment which says that the law should be overhauled and all its foibles examined and all good suggestions incorporated. In view of the very short span of time at my disposal, I will endeavour to talk in short hand and eschew the temptation to amplify and elaborate matters.

Regarding major corrupt practices, minor corrupt practices and illegal practices, I will counsel the hon. Law Minister to please draw a sharp line of demarcation between violators of technical law, who do so out of ignorance, out of clumsiness, out of thoughtlessness and the other people who out of corrupt motives deliberately violate the law in order to subvert justice and fairplay. I notice that when you come to major corrupt practices you have forgotten to notice some of the most serious and heinous practices and when you are talking of illegal practices, just mere trifles, you have raised them to the

status of great enormities disentitling an election. For instance, you have conveniently defined bribery as illegal gratification to any person. What about that type of gratification where a rich man goes to a village and tells the Harijan community, 'give me all your votes and I will see that a well is dug up for you', 'Give me all your votes and I will give so many thousands of rupees for your school, for your *dharmasala*.' The object is good, noble. But, actually it is an endeavour to corrupt not only the individual but masses. This sort of practice has prevailed very often and prevailed with a considerable amount of success. Nevertheless, you can go through your law and you will find that the law is powerless, helpless and impotent in preventing a corrupt practice of this nature.

Kindly turn to the second major corrupt practice, "undue influence". You say that religious appeals, involving of divine displeasure and what not should be eschewed; they are major corrupt practices. I have experience not only personal but also professional—wherein most turbid propaganda, venomous, vitriolic, vicious things are being said in the newspapers and otherwise and the author cannot be found out. Therefore, all sorts of propaganda in the grab of religious appeals inflaming of religious prejudices and raising of tempers, are going on with impunity; the law is powerless; the law is impotent; the law cannot check it. The members of the election tribunals in a pontifical and ponderous manner express their displeasure but they are absolutely helpless to punish the man who is guilty of corrupting *en masse* by nefarious propaganda on grounds of religion, on grounds of cow-worship, etc. (Interruption). My hon. friend over there says 'despicable', but your law is powerless and you must do something in this matter.

So far as other suggestions are concerned, there is one small, significant loophole. Previously the suggestion was made and it had received

almost full acceptance, that before you go to the election tribunal, there must be an intermediate tribunal which should be in a position to dispose of short matters but of great importance, like improper acceptance or improper rejection or improper disqualification of the time of nomination. That is to say, even if it is realised that out of six competing candidates, 'A' is disqualified, or his nomination is improperly rejected or accepted, the whole lot must run the gamut of undergoing the worries, anxieties, expenses of electioneering and all the rest of it. True, they realise that subsequently anybody may simply come and move the election tribunal in order to get the entire election set aside on the ground that the nomination was improper. You have not got an intermediate tribunal which can nip the mischief in the bud then and there. No question of recording evidence arises and no question of elaborate arguments is called for. You have got to amend the act and the rules so that this lacuna can be rectified. But you propose to rectify it after the expenditure of a good deal of money and labour not only of the Government, but also of the candidates and that too after months roll by. Therefore, an intermediate tribunal, as was then contemplated, is very desirable.

Regarding the election tribunals, I counsel that it should be a tribunal of one, consisting of an officer of the status of a district judge and the appeal should lie to the High Court. If you have two district judges, dissentient views may be there and then the matter will go up and drag on. One district judge is sufficient and after all he will be a competent judge, and then the appeal should lie to the High Court. This is a matter which is worthy of examination and acceptance.

You have another difficulty regarding the 42 days. I know that those 42 days are gruelling; they are a mental torture and are agonising—running all over and not knowing

what is in store. But that is a necessary agony. Forty-two days are not too many for a candidate to run all over nursing the constituency to educate people and to canvass for support.

Regarding election expenses, I believe that we must have a limit on election expenses and there must be a ceiling. You cannot say that because you cannot control a malpractice, you should permit that malpractice. I cannot counsel that what is corrupt for an individual case to be corrupt if it is practised by a party. There are very powerful parties in this country, parties who have got lots of funds, sometimes pouring in from beyond the seas, and yet you are passing a law today whereby you virtually say "You dare not do these things, you are disqualified, but your party can do what they like, in which case it ceases to be immoral, it ceases to be illegal." Therefore, that distinction ought not to be there. Simplify the account keeping method under proper heads. But you must put a ceiling in order to secure good, clean, fair and free elections.

पंडित डॉ. एन. तिवारी : गत चुनावों में हम को जो अनुभव प्राप्त हुये ह, उन से हम को नाम उठाना चाहिये। ला मिनिस्टर साहब ने जो दो बिल यहां पर रखे हैं, उसके लिये मैं उन को बन्धवाद देता हूँ, लेकिन म समझता हूँ कि उन में कुछ ऐसी त्रुटियां हैं, जिनको अगर साफ़ नहीं किया गया, तो उनकी जो मन्त्रा है, वह पूरी नहीं हो सकती।

पहली बात यह है कि बोटर की एज २१ वर्ष रखी गई है। मेरे विचार में वह अधिक है। हम लोगों ने देखा है कि हिन्दू मैरिज बिल में और शादी संबंधी दूसरे बिलों में १८ वर्ष के लड़के लड़कियों को शादी करने का राइट दिया गया है। जब १८ वर्ष का लड़का इतनी जिम्मेदारी का काम कर सकता है और धन इनहैरिट कर सकता है, तो फिर यहां पर २१ वर्ष

[पंडित डी० एन० तिवारी]

की एज रखन की कथा ज़रूरत है। अगर इस विषय में कांस्टीट्यूशन में अमेन्डमेंट करने की आवश्यकता है, तो वह कर दीजिये, लेकिन बोटर की उम्र १८ वर्ष ही रखिये। अगर आप १८ वर्ष की उम्र रख देंगे, तो आप को इतने इलैबोरेट अरेजमेंट्स नहीं करने पड़ेंगे जितना बोटर्स लिस्ट बनाने में आज किया जाता है। चूंकि उसकी आवश्यकता नहीं होगी। गांव में पोलिंग बूथ बना दिया जाय और पोलिंग आफिसर उस व्यक्ति को बोट डालने का अधिकार दे दे, जो कि १८ वर्ष का मालूम हो और जिसकी मर्से भीगती हों। इसी तरह स्ट्रियों के भी बहुत से चिह्न हैं, जिनसे उनकी आयु जानी जा सकती है। मैं चाहता हूं कि आप उम्र को १८ वर्ष कर दीजिये और हर साल बोटर्ज लिस्ट बनाने का जो कार्य करना पड़ता है, उसको खत्म कर दीजिये। आप प्रवर निमित में इस बात पर गौर कीजिये और यदि आप समझें कि कोई तरीका निकल सकता है, जिसे बोटर लिस्ट तैयार करने के झंझटों से बचा जा सकता है तो वैसा कानून में संशोधन कीजिये।

आप हरिजनों को हर प्रकार की सुविधा देना चाहते हैं और चुनावों के लिये उनकी सीट्स भी रिजर्व की गई हैं, लेकिन डबल मेम्बर कांस्टिट्यून्सी बना कर आप उनको दिक्कत में डाल देते हैं वहां पर रिजर्वेशन उन के लिये अभियाप बन जाता है। हम लोग, जो सर्वांग कहलाते हैं, जनरल लोग, जो हरिजन नहीं हैं, हरिजनों की अपेक्षा अच्छी स्थिति में है। हमारी पोलिंग, हमारा स्टेट्स, हमारी आर्थिक स्थिति सब कुछ हरिजनों से ऊंचा है। हम लोगों को तो सिंगल मेम्बर कांस्टिट्यून्सी में साड़े सात लाख लोगों के पास जाना पड़ता है, लेकिन किसी सीट के रिजर्व होने पर हरिजनों को पंद्रह लाख लोगों के पास जाना

पड़ता है। इस से उनको सुविधा होगी या उनकी डिफ़ीकल्टीज बढ़ेगी? हरिजन तो पंद्रह लाख लोगों के प्रतिनिधि होते हैं, साड़े सात लाख के नहीं। आपने कानून में निर्धारित किया है कि हर मेम्बर साड़े सात लाख लोगों का प्रतिनिधि हो, लेकिन हरिजन को पंद्रह लाख लोगों के पास जाना पड़ता है और इस तरह उनकी डिफ़ीकल्टीज बहुत बढ़ जाती हैं।

श्री पाटस्कर : पंद्रह लाख के दो होते हैं।

पंडित डी० एन० तिवारी : आप ऐसा तो नहीं करते कि वह आधे बोटों से ही आ जायें। अगर आप कांस्टीट्यून्सी अठाइस या तीस लाख की कर दें और वहां पर चार मेम्बरों को खड़ा होने की इजाजत दें, तो डिफ़ीकल्टी बढ़ेगी या कम होगी? अगर कांस्टीट्यूशन को या एकट की बदलने की ज़रूरत है, तो लोगों की सुविधा के लिये उन को बदल दीजिये। आखिर एकट और कानून मनूष के लिये होते हैं, मनूष तो उन के लिये नहीं होता इस लिये आप उन को बदल दीजिये।

पंडित के० सी० शर्मा : लेकिन इसका यहां पर कोई लगाव नहीं है।

पंडित डी० एन० तिवारी : मैं आप को बताता हूं कि हरिजनों को क्या डिफ़ीकल्टी होती है। उन लोगों को सुविधा देने के लिये उनकी भी सिंगल मेम्बर कांस्टीट्यून्सी कर देनी चाहिये और रिजर्व कर देना चाहिये कि हरिजन ही वहां से खड़े हों, दूसरे न हों।

बहुत भाइयों ने कहा है कि इलेक्शन एक्सप्रेसेज को बहुत ज्यादा डीटेल्ज देने की ज़रूरत नहीं है। मैं इस बात से सह-

मत हैं। हम लोग जब इलेक्शन में खड़े होते हैं और पाकेट से रुपये खर्च करते हैं तो किसी से वाउचर तो लेते नहीं हैं। मोटर या टमटम कियाये पर ली, ट्रेन पर चढ़े, कहीं से खाना खाया, तो उस वक्त वाउचर लेने का न तो समय रहता है और न ऐसा करना सम्भव होता है।

श्री कामत : पांच रुपये से नीचे खर्च के लिये वाउचर की आवश्यकता नहीं रहती है।

पंडित डॉ० एन० तिवारी : मोटर या टमटम का भाड़ा दस रुपये से अधिक भी देना पड़ता है। उनका वाउचर तो देना पड़ता है।

क्या आप समझते हैं कि तांगे वाले को ५ रुपये से नीचे ही दें, ज्यादा न दें चाहे वह कितनी ही दूर जाय। आप कैसे सोशलिस्ट हैं?

तो मैं यह कहता या कि इलेक्शन के खर्चों के बारे में जो वाउचर दिये जायेंगे वे गलत ही होंगे क्योंकि वे किसी दूसरे से लिखवाये जायेंगे। इसलिये मैं चाहता हूँ कि आप खर्चों की डिटेल्स न मांगें। यदि आप कानूनन निर्धारित कर भी दें कि पांच हजार या दस हजार से अधिक खर्च न किया जाय तो इससे कोई फल होगा नहीं। लोग ज्यादा खर्च करेंगे और आप उसको पकड़ नहीं सकेंगे। आप इतना अधिकार कानून से रखिये कि अगर यह साक्षित हो जाय कि किसी ने इल्लीगल प्रेक्टिसेज में खर्च किया है तो उसका इलेक्शन नल एंड वाइड करार दे दिया जाय। आप इंटेल्स न मांगें। अगर आप हर खर्च का वाउचर मांगेंगे तो उसको बना कर देना पड़ेगा, वह सच्चा नहीं हो सकता।

आप ने सैकिंडर को हटा कर बहुत अच्छा काम किया है। मैं नहीं समझता

कि प्रोपोज़र की भी क्या जरूरत है। प्रोपोज़र को आपानल रखा जाय कि अगर कोई अपना नामिनेशन पेपर खुद नहीं दे सकता है तो प्रोपोज़र दे दे, लेकिन उसको कम्पल्सरी नहीं रखना चाहिये। जैसा कि ठाकुर युगल किशोर सिंह ने अभी कहा कि ७ लाख की आबादी में जहां कि तीन नाल वोटर हैं, किसी को भी दो चार सैकिंडर और प्रापोज़र ढूँढ़ लेने में कोई दिक्कत नहीं हो सकती। इस फार्स को रखने की क्या जरूरत है। अगर उम्मीदवार अपने दस्तखत कार्के दे देता है तो वह काफी होना चाहिये। अगर वह बीमार हो और खुद न दे सकता हो तो जिसको वह आंशारिटी दे वह दे सके। आप प्रोपोज़र को हटा दीजिये यह मेरा सुझाव है।

मैं ने चुनाव के जमाने में देखा है कि बैलट पेपर बिकते हैं। न मालम बैलट पेपर कहां से आ गये। एक कैंडीडेट बैलट पेपर ले आया और उसने मुझे से पूछा कि मैं बैलट पेपर खरीद लूँ। मैंने कहा कि उन पर तो नम्बर पड़ा होता है। अगर नम्बर गलत हो गया तो तुम्हारा चुनाव ही चौपट हो जायगा। मेरा सुझाव है कि जिसने बोट हों उतने ही बैलट पेपर भेजे जायें। ऐसा होता है कि हर पोर्टिंग स्टेशन पर कुछ बैलट पेपर बच जाते हैं। होना यह चाहिये कि जिस नम्बर से जिस नम्बर तक के बैलट पेपर भेजे जायें उनका विवरण लिखकर आम स्थान पर लगा दिया जाय कि इस नम्बर से इस नम्बर तक के बैलट पेपर इस्तेमाल किये जा रहा है। मैंने देखा है कि अगर कोई पोर्टिंग आफिलर किसी को मदद करना चाहता है तो वह कुछ बैलट पेपर अपनी जेब में रख लेता है और जब अन्दर जाता है तो उनमें से कुछ गिरा आता है। बैलट बाक्सों में तो कोई गड़बड़ नहीं होती लेकिन इस तरह से होती है। मैं एक कांस्टीट्यूएंसी में अपने एक

[पंडित डॉ० एन० तिवारी]

मित्र की मदद करने गया तो मुझ से वहां पूछा गया कि क्या आप किसी उम्मीदवार की मदद करना चाहते हैं। और वही मुझे यह तरीका मालूम हुआ। होता यह है कि अगर १००० बैलट पेपर भेजे जाते हैं तो एक नम्बर से सी नम्बर तक के, आफिसर अपने पास रख लेता है और १०१ से १००० तक के बाहर रखते हैं और उनको इश्यू करते हैं। तो मैं चाहता हूं कि आप ऐसा नियम बनायें जो कि फूलप्रूफ हो सके। यह इस तरह से हो सकता है कि सब एजेंटों को बतला दिया जाय कि अमुक नम्बर से अमुक नम्बर तक के बैलट पेपर इस्तेमाल किये जायेंगे ताकि दोनों होशियार हो जायें।

Mr. Chairman: The hon. Member's time is up. There are other Members anxious to speak.

Pandit D. N. Tiwary: I shall send my other suggestions to the Select Committee.

Shri R. S. Diwan. Usually we commence our elections activity with the voters' list. Some hon. Members here have advocated the doing away with the voters' list. While that may be done in the most developed State of democracy, which we have yet to reach, doing away with the voters' list may not be advisable in such an infant democracy as ours. According to our experience, the voters' lists which were published were all incorrect, and the incorrectness has been well described by many a Member in this House during the past few hours. I would urge upon the Government to see that the lists are printed correctly without putting the son at the place of the husband and the husband at the place of the brother and so on. Besides, there should be one uniform system of writing the names. My experience in Maharashtra and Gujarat is that we write first our own name and then

the father's name and finally the surname. In the place of our name and the father's name, we put the initials and then the surname in full. I think according to the English system also, this is the practice. But in various parts of India this system is not followed. Take for instance, our Bengali friends. If we take the name Basanta Kumar Das the person will first write the initials B and K and then write Das. I think that is a faulty system, but whether it is faulty or correct, we must follow one system all over India in preparing the lists.

Secondly, we prepare our lists about one year before the actual election commences or the actual election date comes off. I think during the course of that one year, many people become eligible for being voters. That is, they attain the age of 21 years and they become voters. So, I would suggest that Government should arrange to prepare a supplementary list which should be published just a month or two before the date of election and the people who attain the age of 21 before two months of the actual voting should be allowed to vote.

Much has been said about the election expenses and the filing of the return of election expenses. Allowing the maximum limit of Rs. 25,000 or curtailing the maximum limit to Rs. 1,000 or Rs. 2,000 has been discussed very much in this House. I would request the Government that they should do away with the system of filing the return of election expenses. In recommending this, I take human nature into consideration. Human nature being what it is, and the social set-up being what it is, you cannot ignore the value of money which the society takes into consideration. So, if you take that aspect into consideration, bringing down the maximum limit of the election expenses will be of very little use in

avoiding corrupt and other mal-practices, because we know, especially the Income tax Department of the Government knows, that there is a class of people who can keep three different accounts for one and the same thing. But the ordinary man, who is not a businessman, is not supposed to keep correct accounts and naturally, he might exceed the limit, if it is minimised; whereas those people who are used to keeping accounts in their routine business will give false accounts and try to deceive the law. So, according to me, the filing of returns of election expenditure should be done away with.

In the proposed Bill it has been suggested that the expenditure which has been borne by the party should not be taken into consideration. If at all the system of filing returns of election expenditure continues, I would oppose this sub-clause which permits the expenditure incurred by parties not being entered in the returns. If we adopt this sub-clause, we shall be encouraging more mal-practices. Therefore, I wish that this particular sub-clause should be done away with.

I would like to say something about double Member constituencies. Our experience in regard to double Member constituencies has been that if the general seat election is cancelled, automatically the reserved seat election is also cancelled. I think this is an injustice done to the Scheduled Castes Members and the reserved seat candidates. If the general seat election is cancelled, the reserved seat election should not be automatically cancelled; it should be cancelled on its own merits.

There is one point about the cancellation of the seat of a sitting Member. We have experience in this House of Membership being cancelled after the Member has been sitting in the House for two or three years. The question arises, "What about the emoluments or the money that the Member has received from the Gov-

ernment as a sitting Member?" Of course, it will be very good to say, "take all the money back which he has received as a sitting Member." I suggest that some method should be evolved by which, when the Membership is cancelled, the Member is made to return some money out of the amount which he has received as a Member of Parliament.

Shri Kamath: Refund to Government?

Shri R. S. Diwan: Certainly. It is to the Government: not to the other Member. Not to you, specially.

Shri Kamath: Anybody. I did not have any persons in view.

भीमती कमलदुर्मति शाह (जिला गढ़वाल पश्चिम व जिला टिहरी गढ़वाल व जिला बिजनौर उत्तर) : मैं बहुत संक्षेप में जो कुछ मुझे जन प्रतिनिधित्व संशोधन किव्येकों के सम्बन्ध में कहना है, निवेदन करूँगी।

पहली बात तो मुझे यह कहनी है कि स्टेट गवर्नरमटस के कर्मचारियों को जिनका चुनाव से सम्बन्ध नहीं है उन्हें चुनाव में भाग लेने नहीं देना चाहिये और यदि वह भाग लेते तो उन्हें दंड देना चाहिये।

दूसरा भेरा निवेदन यह है कि दंड व्यवस्था के अधिकार वाले कर्मचारियों से पूछताछ का चिम्पेदार राज्य सरकारों को नहीं बनाना चाहिये। मैं ऐसा इसलिये कहती हूँ कि यदि राज्य सरकारें इन कर्मचारियों के कामों की जांच पड़ताल करेंगी तो उन लोगों को ठीक से काम करने का मौका नहीं मिलेगा और उनको झूठ सच बोलना पड़ेगा। इसी कारण मैं यह कहती हूँ कि यह नहीं देना चाहिये।

तीसरी बात यह है कि छोटे बच्चों को चुनाव में भाग नहीं लेने देना चाहिये क्योंकि इस तरह की रोड उलटी सीधी बातों का

[श्रीमती कमलदुमिति शाह]

उन छोटे छोटे मालूम बच्चों पर कैसा असर पड़ेगा, यह सब को मालूम है इसलिये मैं चाहती हूँ कि छोटे बच्चों को उस में हस्ता नहीं लेने देना चाहिये। हाँ, अलबत्ता जो बच्चे बढ़े हो जाते हैं यानी जिनकी उम्र १८ वर्ष की हो जाती है उनको चुनाव में बोट देने का अधिकार होना चाहिये। लेकिन जो स्कूल के छोटे छोटे बच्चे हैं उनको इसमें बिलकुल भाग नहीं लेने देना चाहिये।

दूसरी बात यह है कि चुनाव के खर्च का हिसाब यदि हो सके तो उसको बहुत अच्छी तरह से कंट्रोल करना चाहिये लेकिन जसा कि कई सदस्य इसके बारे में पहले भी कह चुके हैं चुनाव का ठीक ठीक हिसाब देना असम्भव हो जाता है और मैं भी उनके इस विचार से सहमत हूँ। जहाँ तक सम्भव होता है सब कोई अपना हिसाब रखते हैं और उसको पेश करते हैं। लेकिन मुझे ऐसा लगता है कि एलेक्शन के हिसाब में कभी कभी बहुत ही गड़बड़ और उलट पुलट हो जाया करती है, तो उसके ऊपर बेशक काफी कड़ी निगाह रखनी चाहिये और ऐसा प्रबन्ध करना चाहिये ताकि हिसाब देने में गड़बड़ी न की जा सके। उस खर्च के हिसाब को कोई अधिकारी ठीक से देखे और जांच करे। या हिसाब ही न लिया जाय। एक दूसरी चीज़ जिसका मैं जिक्र करना चाहती हूँ वह है चुनाव में जनता की इच्छा के उम्मीदवारों को रखना। चुनाव के पहले स्थानीय जनता से पूछ कर और उनसे राय लेकर उम्मीदवार को रखना चाहिये और उसको उम्मीदवारी का का पर्चा देना चाहिये। अभी एक महाशय कह चुके हैं कि उम्मीदवारी का पर्चा लेना माज़ कल बहुत ही आसान हो गया है, तो मैं कहना चाहूँगी कि उम्मीदवारी के पर्चे बहुत ही सीमित रूप में हों और जिनको जनता ठीक समझे और जनता की पहले से राय मालूम करके उन्हीं लोगों को जो

जनता के विश्वासपात्र हों, चुनाव के पर्चे देने चाहिये। इस से यह होगा कि अच्छे से अच्छे उम्मीदवार सामने आयेंगे और वह अच्छा काम कर सकेंगे। बस यही मुझे आपकी सेवा में निवेदन करना था।

Shri Khardekar (Kolhapur cum Satara): I welcome this measure so far as it simplifies the law. I hope the Select Committee will go much further.

Listening to some of the speeches, I thought that the electoral roll is a mystery and that the age of miracles is not past, I have heard some people say that the pen is mightier than the sword. I find here that it is even mightier than the lancet of a surgeon.

A sword may kill. Here we find the electoral rolls killing those who are alive and making those who are dead, live. Not only that, a transformation, a metamorphosis in sexes is brought about.

[MR. DEPUTY-SPEAKER in the Chair]

Now, I want to talk a little about the AIR, and its use. Shrimati Renu Chakravarty and Shri Kamath said that AIR is a monopoly of the ruling party, and it is more or less the private property of the Ministers, and any and everybody from these benches get this particular opportunity, and these opportunities should not be their exclusive possession. I yesterday agreed with these friends of mine, but after careful consideration I have arrived at a different conclusion today. Dr. Keskar is not here, otherwise I would have requested Dr. Keskar to give all the Ministers at the Centre and the States more opportunities to speak on the AIR. Except half a dozen Ministers at the Centre and a few in the States, how many would impress favourably the listeners? Shri Kamath referred to some of the Deputy's and on as "bachas" in the sense probably of "kachas"—I do not mean "kachara".

There is a saying : "Give an opportunity to a fool to speak, and he will confirm his stupidity", and I am sure if more opportunities are given, I do not think Ministers, if they have sense, would use them, but follow the advice of one of the great philosophers, Nietzsche: "Keep your mouth shut and your bowels open".

Now, I come to the point which has not been touched at all, with regard to the limit of age. I do not know why 25 should be the age limit. A person who is qualified to be a voter should be qualified to stand as a candidate. Pitt the Younger is not a monopoly of England, and we find that Churchill started his parliamentary career right from 25 and has done remarkably well.

Mr. Deputy-Speaker: Is it not provided for in the Constitution?

Shri Khardekar: I am speaking of below 25.

Pandit K. C. Sharma: He wants 21 to be the age.

Shri Khardekar: When a person is major, he should be allowed to contest the election.

Mr. Deputy-Speaker: What I was saying was that possibly 25 is prescribed by the Constitution.

Shri Khardekar: I would recommend that the Constitution be changed. I have very serious reasons for it, because I am a teacher and I have got some of my students who are M.A., LL.Bs. at 22. Some of them become lecturers, some of them enter the legal profession. Now, genius is given by God to a very few. A very bright youngster enters the legal profession, and the moment he starts tasting money, he is not inclined to come to the House of Parliament or the Assemblies. Some people later on might perambulate between the Supreme Court and the Parliament,

but they do not take to Parliamentary work or Assembly work of a legislature as their career with full concentration of their powers, and if really able people who are young take to this—some, I do not mean all—well, it would be a very good thing for this country.

Another suggestion I wish to make is this. Why should not one Member be allowed to be a Member of two Houses, a Member of Parliament and a local legislature. We have limited talent.

Mr. Deputy-Speaker: I am afraid we are going far beyond the scope of the present Bill because all that may be very interesting, but the hon. Member is not contributing anything to the debate.

Shri Khardekar: All right, Sir.

Mr. Deputy-Speaker: He may confine himself to the Bill; after all time is not much.

Shri Khardekar: Then, I will take up altogether a different point. Now, in a democracy a voter must be given full opportunity to think and must be given free choice as far as the candidate is concerned. You know, Sir, we are, particularly, in rural areas, not only religious in certain respects; we are very superstitious people. We have a certain religious faith. That faith should not be canalised or used for purposes of propaganda and election. I shall tell you of a very interesting instance or a very interesting form of propaganda in certain constituencies very close to mine. You know that in certain areas, nandi or the divine bull is held in very great reverence; and some candidates used to keep two very nice bulls about three or four hundred yards from the polling booth, and the canvassers would tell the voters, "you see these are divine beings," when you go into the polling booth you would see the

[Shri Khardekar]

picture of these 'bulls, and if you vote for them, you may go to heaven. Now, this is one example.

Mr. Deputy-Speaker: I think it is prohibited under the Act to invoke divine displeasure, and this or that.

Shri Khardekar: I now come to human beings. In a democracy the essential thing is to raise the standard of the common man. Thereby I do not mean that we must defy those who are very great. But at the same time we must see that we do not deify them, raise them to the status of God.

It is very difficult to make a distinction between party and government particularly in an infant democracy. But in a case like ours, the national leader happens to be the leader also of a party. I have no objection at all if the national leader who was actually the president of the Congress is the leader of a very great party. I have no objection to his electioneering campaign. But what I want him to do is not to attend twenty or thirty meetings, for in that case what happens is that people gather, they just see him, and then vote for his party. Or, in certain places, I have actually seen the photographs of Shri Jawaharlal Nehru, and things written by their side 'Strengthen the hands of Panditji by voting for so and so'. If a photograph is to be there, let it be of the local candidate, and if anything has to be written, let things about the Congress be written; I have no quarrel with that at all. But the main thing is this. If Shri Jawaharlal Nehru were to go and visit these constituencies, it will be very good if he talks at some length, discusses and tries to explain the Congress ideology, point of view etc. and convinces us, by appealing to our reason. But trading in sentiment is rather an unfortunate thing, for people who have simple faith think that because Shri Jawaharlal Nehru is a very great man and he stands for the Congress, therefore their candidate must be good. I do not mean that Congress candidates

are all bad. Most of them are very good. But unfortunately local candidates who are not good should not be helped in this manner.

Mr. Deputy-Speaker: Is it possible to dissociate people like that? People join a particular party on account of the greatness of the leader also.

Shri Khardekar: If he just comes there for one minute, or two minutes or five minutes, then people come, take his darshan, and go and vote for the candidate. But if he tries to speak at length, then people may have an opportunity to discuss things and so on. That is my point. The appeal should be to reason.

Mr. Deputy-Speaker: Is it wrong on the part of the leader of a party to become important?

Shri Khardekar: Now, I come to the question of Ministers influencing voters because of their official position. I somewhat agree with one lady Member who said that is is not necessarily so. But after all, we must remember that Ministers are human beings. And if one attains a certain importance which one probably did not expect (Interruption) I am talking about such Ministers. It is difficult for such Caesars to forget that they are Caesars. In certain cases, I do not know whether they forget even at home that they are Ministers. It must be very difficult. But, my friend, a senior lawyer—he is lawyer, not a professor—Pandit Sharma argued not like a lawyer exactly. He said that no corrupt practice or misuse of influence is proved in any court and therefore there is no misuse.

Pandit K. C. Sharma: *Prima facie* there is none.

Shri Khardekar: Another hon. Member is not here; I would refer to his constituency Satara where several murders are committed. Most of

the murders are not proved at all. So, simple logic of my friend would be that there are no murders at all. He may tell the widow, 'your husband has not been killed at all'. Something like that would be a very unfortunate thing. I enjoyed the simplicity and innocence of his logic.

About expenses and the returns, what I want is that no technicality should come in the way of the candidates. Unless *mala fides* is provided, unless there is some dishonest practice, unless the candidate is holding an office of profit, no candidate should be disqualified. In all cases where there is unintentional irregularity, nothing should come in the way of a candidate.

Either a defect in the filing of the form or even if a person's name is not there on the electoral roll, if the whole village knows that he has been there in the village right from the date of his birth to the time of election, I do not think his candidature should be vitiated.

So much has been said about expenses; it is difficult to go into that properly. All sorts of irregularities or illegalities would come in, if parties are allowed free scope; where particularly parties in power with tons of money are not to have any restriction about the quantity of money that they are to spend, it would be very hard for other parties and for independent candidates.

About double-member constituencies, reserved seat and so on, I do not think that is within the jurisdiction of this House. It is a matter for the Commission. But, some time later, this question must be taken into consideration. A person like me, an independent with very little means, if he has to face a double constituency, it means about 8 lakhs and more of voters and 800 and more booths. If that anomaly is not removed, at least

I should be given double time, for the double trouble that a double constituency member has to take.

श्री पी० एल० बालपाल (गंगानगर-
झुझुनू—रक्षित—प्रन्तसूचित जातियां) : मैं
आपके द्वारा अपने विधि मंत्री को धन्यवाद
देता हूँ कि उन्होंने चुनाव सम्बन्धी विल को
सुगम बनाने के लिये विचेयक इस सदन
में पेश किया है।

Shri Nand Lal Sharma: I have not been given an opportunity to speak, Sir.

Mr. Deputy-Speaker: 'Perhaps he was not in his seat when he was called.

Shri Nand Lal Sharma: I was here.

Mr. Deputy-Speaker: I am informed that the hon. Member was not here in his seat when he was called.

श्री पी० एल० बालपाल : जो पहली
बात मैं कहनां चाहता हूँ वह चुनाव के खर्चे
के बारे में है। यह जो खर्चा किया जाता है
यह बहुत ही ज्यादा किया जाता है और
जो हद मुकर्रर की गई है वह भी कम होनी
चाहिये। मैं समझता हूँ कि इसमें बड़े
बड़े पूर्जिपाति और राजे महाराजे चुनाव
जीत कर आ जाते हैं और जो गरीब आदमी
होते हैं उनके लिये कोई चांस नहीं रहता
है। इस बास्ते में प्रार्थना करता हूँ कि जो
खर्चा एक आदमी चुनाव के सम्बन्ध में
करे उसकी हद जितनी कम हो सके की
जाये। मैं तो सही बात यह समझता हूँ
कि जनता का जो सच्चा प्रतिनिधि है और
जो जनता का प्रतिनिधित्व करने का हकदार
है और जो जनता की सेवा करता है, उसको
पूर्सा खर्च करने की ज़रूरत ही नहीं है, एक
अच्छा तरीका अपनाया जाय जिस से कि
वही आदमी चुनकर आ सके। मैं समझता
हूँ कि जो सच्चा स्वराज्य है वह तभी आयेगा

[श्री पी० एल० बास्पाल]

जब चुनाव अधिकारी के सामने जा कर जनता अपना बोट देती और जो लोग उन बोटों को लेकर जीत कर आयेगा वही सच्चा प्रतिनिधि होगा और उसी वक्त सच्चा स्वराज्य होगा। जो आजकल का तरीका है कि अनाप शनाप पैसा सच्च कर, बड़े बड़े पैम्पलेट छाप कर, गलत प्रोग्राम करके, सच्चे प्रतिनिधि के खिलाफ गलत भावनायें पैदा करके और उनके प्रति गलत प्रचार करके अगर कोई जीता है या चुनाव लड़ता है तो वह न तो जनता के लिये हितकर होता है और न ही देश के लिये। यह तो एक धोखा ही होता है। मैंने पिछले दिनों में देखा है जब मैं चुनाव के सिलसिले में गांवों में जाता था तो बहुत से लोग जो प्रभावशाली होते थे वह गरीब गांवों को बोट देने के लिये नहीं जाने देते रे और जो जाते भी थे उनको वापस लौटा कर ले जाते थे। एक गांव का किसान मैं आपको बताता हूँ। तहसील सूरतगढ़ में एक गांव मोकलसर है। उस गांव के हरिजनों को गाव के जागीरदारों ने कहा, मैं उनका नाम नहीं लेना चाहता, कि अगर कलां आदमी को बोट नहीं दिया तो हम तुम्हें गांव से निकाल देंगे, हम तुम्हें जमीन नहीं देंगे, तुम को गाव में रहने की इच्छाजत नहीं होगी। इस प्रकार से आतंक फैला कर जो बोट लेते हैं उनके खिलाफ सरकार को कड़ी कार्रवाई करनी चाहिये।

अब मैं एक बात सरकार के सामने और रखना चाहता हूँ। अभी हमारे पहले वक्ताओं ने कहा कि हमारा क्षेत्र बहुत बड़ा बना दिया जाता है जिस से हम लोगों को बड़ी तकलीफ होती है। हमारी सात लाख या आठ लाख बोटज़ पर जो सीट रिज़ज़िड की जाती है, जो सीट मुरक्कित रखी जाती है, इतने बड़े क्षेत्र में हमारे लिये जाना बड़ा मुश्किल हो जाता है। इस के मुकाबले में हमारे जैसे लोगों को

बहुत कम क्षेत्र में घमना पड़ता है। मैं समझता हूँ कि हरिजनों के लिये जो स्थान मुरक्कित रखे गये हैं उन स्थानों में हरिजनों की संख्या के अनुपात से ही उनको वे क्षेत्र दिये जाने चाहिये और हरिजन लोगों को चुना जाना चाहिए। यह चीज न करके हमको लम्बे क्षेत्र दे दिये जाते हैं और डबल मेम्बर कंस्टिट्युएंसी बना दी जाती है, जिस का नतीजा यह होता है कि वे बेचारे मारे मारे फिरते हैं और उनके पास साधन नहीं होते हैं और वे तड़फते रहते हैं। तो मेरा आप से निवेदन है कि इस प्रकार से हरिजनों की सिंगल मेम्बर कंस्टिट्युएंसी बना दी जाये जिस से उनको काफी सुविधा हो जायेगा और यह उत्तम भी रहेगा। मैं नहीं जानता कि यह जो बात मैं ने कही है यह इस कानून से ताल्लुक रखती है या नहीं, अगर नहीं भी रखती तो भी मैं सरकार से प्रायंना करता हूँ कि वह इस प्रकार की व्यवस्था करे। और उसमें संशोधन करें।

अब जो चुनाव के भौंके पर तो के अपनाये जाते हैं मैं उनके बारे में कहना चाहता हूँ। यह तरीके ऐसे होते हैं जो किसी भी प्रकार से बदौलत नहीं किये जा सकते हैं। कई दफा तो गायें को लाकर खड़ा कर दिया जाता है, गाय की पूँछ पकड़ा दी जाती है, मंदिरों में हमें जाने की इच्छाजत नहीं होती है, लेकिन उस वक्त मंदिर भी हरिजनों के लिये खोल दिये जाते हैं, उन मंदिरों में ले जा करके चरणामृत देते हैं, माथा टिकवाते हैं और तरह तरह की बातें करते हैं जो कि शरम दिलवाने वाली बातें होती हैं। इसी तरह से और कई नीचेपन की बातें की जाती हैं जो कि नहीं होनी चाहिये और ऐसे तरीकों को अपनाने से न तो देश का ही हित होता है और न ही वे मनुष्य के लिये उचित होती हैं। इनका भी कुछ प्रबन्ध सरकार द्वारा होना चाहिये।

अब जो चुनाव अधिकारी होते हैं उनके बारे में मैं दो एक शब्द कहना चाहता हूँ। जब कोई अंधा लंगड़ा, बहरा या गूँपा आदमी होता है और जब वह बोट देने के लिये जाता है और चुनाव अधिकारी के सामने अपनी इच्छा प्रकट करता है कि मैं कॉलां आदमी को बोट देना चाहता हूँ तो कई बार चुनाव अधिकारी उसकी पर्ची लेकर जिस भी बक्स में चाहता है डाल देता है और वह आदमी नहीं जानता है कि उसकी पर्ची सही पेटी में डाली गई है या नहीं। इस लिये मेरी प्रार्थना है कि ऐसे आदमी को जिस को कि दिखाई भी नहीं देता, जो अंधा है, या जो बहरा है, या जो गूँगा है, उसकी इच्छा पर जिस आदमी पर वह विश्वास करे, या उसका जो साथी हो उसको उस के साथ जाने की इजाजत हो तो चाहिये और उसके लिये जिस पेटी में वह चाहे बोट डाले वह डाल देंगा। मैं यह नहीं कहता हूँ कि सभी चुनाव अधिकारी ऐसे होते हैं लेकिन कई लोग ऐसे होते हैं जो कि अपनी भर्डी से जिस पेटी में भी उसका बोट डालना चाहते हैं डाल देते हैं। इस लिये मेरा मुलाकात है कि ऐसे लोगों को जो कि लूँ हैं, लंगड़े हैं, गगे हैं, भंधे हैं, यह अधिकार होना चाहिये कि वह जिस को भी साथ ले जाना चाहे बोट डालने के लिये उसको साथ ले जाये।

जिस बात पर मैं ज्यादा जोर देना चाहता हूँ वह यही है कि जो अप्टाइचर के तरीके अपनाये जाते हैं और जिन को कहते हैं बतलाते हुये शरम आती है वे अवश्य दूर होने चाहिये। कई बार तो ऐसा होता है कि मिठाइयां बांटी जाती हैं, रसगुल्ले बांटे जाते हैं और तरह तरह के लालच दिये जाते हैं। यह सब चीजें जो पैसे वाले हैं वही कर सकते हैं और इनको दूर करने की व्यवस्था होनी चाहिये। ऐसे तरीके यदि अपनाये जाते हैं तो जो सच्चा सेवक है वह चुन कर नहीं आ सकता है। इसलिये मेरा मुलाकात है कि जो चुनाव के सम्बन्ध में स्वर्चे की हृद मुकरंर की गई है वह काफी कम होनी चाहिये और जब तक ऐसा नहीं होता है तब तक यह बात हमारे देश के लिये हितकर नहीं हो सकती है।

मैं, उपाध्यक्ष महोदय, आप के द्वारा सरकार से निवेदन करता हूँ कि यह जो अनुचित तरीके अपनाये जाते हैं इनको बन्द करने की व्यवस्था होनी चाहिये और जो स्वर्चे की हृद है वह भी जितनी कम से कम हो सके होनी चाहिये।

*The Lok Sabha then adjourned till
Eleven of the Clock on Friday the
23rd September 1955.*