

**COMMITTEE ON PETITIONS
1956-57**

NINTH REPORT

(Presented on the 30th May, 1956)



सत्यमेव जयते

**LOK SABHA SECRETARIAT
NEW DELHI
May, 1956**

C O R R I G E N D A

to

NINTH REPORT OF THE COMMITTEE ON PETITIONS

- (i) Page 1, line 13 from the bottom *for 'low' read 'law'.*
- (ii) Page 8, lines 11-12 from the top *for 'importance' read 'important'.*
- (iii) Page 19, line 6 from the bottom *for 'Thea' read 'Ten'.*

P.206-L.S.-10.8.56.--1,000.

MEMBERS OF THE COMMITTEE ON PETITIONS

1. Shri Kotha Raghuramaiah—*Chairman*.
2. Shri Shiva Datt Upadhyaya.
3. Shri K. T. Achuthan.
4. Shri Sohan Lal Dhusiya.
5. Shri S. C. Deb.
6. Shri Liladhar Joshi.
7. Shri U. R. Bogawat.
8. Shri Jethalal Harikrishna Joshi.
9. S. Sri Ramraj Jajware.
10. Shri Resham Lal Jangde.
11. Shri P. N. Rajabhoj.
12. Shri P. Subba Rao.
13. Shri Anandchand.
14. Dr. Ch. V. Rama Rao.
15. Shri Ramji Verma.

SECRETARIAT

Shri S. L. Shaktidher—*Joint Secretary*.
Shri Avtar Singh Rikhy—*Deputy Secretary*.
Shri A. L. Rai—*Under Secretary*.

REPORT

On behalf of the Committee on Petitions, I, having been authorised by the Committee, present this their Ninth Report.

2. The Committee at their sittings held on the 4th, 9th, 25th and 30th April, 1956, considered the following petitions:—

- (i) Petition from Shri C. Raghavan, Secretary General, Indian Federation of Working Journalists, Shri S. Swaminathan and other members of the Press Gallery of the Lok Sabha, relating to the Proceedings of Legislatures (Protection of Publication) Bill, 1956. (Petition No. 55—Appendix I).
- (ii) Petition from 3605 inhabitants of Taluka Jath, District South Satara, Bombay, relating to the Report of the States Reorganisation Commission. (Petition No. 56—Appendix II).
- (iii) Petition from 549 inhabitants of Taluka Akalkot, District Sholapur, Bombay, relating to the Report of the States Reorganisation Commission. (Petition No. 57—Appendix III).
- (iv) Petition from 76 M.L.As. of Andhra Legislative Assembly, Kurnool, relating to the States Reorganisation Bill, 1956. (Petition No. 58—Appendix IV).
- (v) Petition from seven inhabitants of District Sholapur, Bombay, relating to the States Reorganisation Bill, 1956. (Petition No. 59—Appendix V).
- (vi) Petition from 3127 inhabitants of Krishna and Guntur Districts, Andhra, relating to the Hindu Succession Bill, 1955 as passed by Rajya Sabha. (Petition No. 60—Appendix VI).

3. The Committee considered on the 4th April, 1956, petition No. 55, which was presented to the Lok Sabha by Shri T. N. Singh, M.P., on the 2nd April, 1956. The petitioners urged that the consideration of the Proceedings of Legislatures (Protection of Publication) Bill, 1956, which would enable the press to give full and adequate publicity to proceedings in either House of Parliament and in the State Legislatures, be proceeded with and the Bill passed into law. (a)

As the Bill was being discussed in the Lok Sabha, the Committee directed that the petition might be circulated to the members *in extenso*. The petition was accordingly circulated on the 4th April, 1956.

4. The Committee considered on the 9th April, 1956, petitions Nos. 56 and 57, which were presented to the Lok Sabha by Shri Sivamurthi Swami, M.P., on the 4th April, 1956. The petitioners were opposed to the inclusion of part of Taluka Jath and Taluka Akalkot in Bombay as per recommendations of the States Reorganisation Commission. They desired that these areas might be merged with Karnataka as they had long standing social, cultural, economic and administrative relations with Karnataka.

As the Report of the States Reorganisation Commission was pending before the Lok Sabha, the Committee directed that the petitions might be circulated to members *in extenso*. The petitions were accordingly circulated on the 11th April, 1956.

5. The Committee considered on the 25th April, 1956, petition No. 58 reported by the Secretary, and petition No. 59 presented by Sri Sivamurthi Swami, M.P., on the 21st April, 1956.

In petition No. 58, the petitioners contended that the States Reorganisation Commission had recommended the transfer of some Bellary regions to Andhra on three main considerations, *viz.*, (a) administrative convenience, (b) economic links and (c) the importance of Thungabhadra project to Rayalaseema District of Andhra. The Government of India desired retention of these regions in Mysore and did not agree with the recommendations of the Commission in this respect.

The petitioners, therefore, urged that re-elections in Bellary Taluka Constituency might be held before the decision was finalised on this issue, and if sufficient time was not available, a plebiscite might be held to find out the wishes of the people which might be accepted and acted upon to put an end to the present controversy and mutual acrimony.

In petition No. 59, the petitioners were opposed to the retention of Sholapur City, South Sholapur and Akalkot Taluka in the proposed Maharashtra State as per recommendations of the States Reorganisation Commission. They contended that these areas were akin to Karnataka from cultural, economic and commercial points of view. They, therefore, desired that these areas might be merged with Karnataka.

As the States Reorganisation Bill, 1956, to which the petitions related was under discussion in the Lok Sabha, the Committee directed that both these petitions might be circulated to members *in extenso*. The petitions were accordingly circulated on the 26th April, 1956.

6. The Committee considered on the 30th April, 1956, petition No. 60 which was presented by Dr. Ch. V. Rama Rao, M.P., on the 27th April, 1956.

The petitioners had suggested amendment of clauses 6 and 17 of the Hindu Succession Bill, 1955 as passed by Rajya Sabha and also addition of some new clauses to the Bill.

As the Bill was being discussed in the Lok Sabha, the Committee directed that the petition might be circulated to members *in extenso*. The petition was accordingly circulated on the 1st May, 1956.

7. On the 11th April, 1956 the Speaker addressed the Committee and discussed with the members ways and means of improving the procedure for consideration and admission of petitions, telegrams and other representations which are addressed to the Speaker or the Lok Sabha, but are inadmissible strictly speaking, as petitions. (Minutes of the sitting are at Appendix VII.)

P. SUBBA RAO.

NEW DELHI;
The 29th May, 1956.

APPENDICES

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APPENDIX I

(See para 3)

Petition No. 55

To

The Lok Sabha,
New Delhi.

The humble petition of Shri C. Raghavan, Secretary General, Indian Federation of Working Journalists, Shri S. Swaminathan and other members of the Press Gallery of the Lok Sabha;

Sheweth

Whereas the Bill to give protection to publication of reports of proceedings of Parliament, State Legislatures and their Committees (Bill No. 1 of 1956) now pending before the Lok Sabha, seeks to enable the Press to give full and adequate publicity to proceedings in either House of Parliament and in the State Legislatures;

Whereas such publicity is in the best public interest;

Whereas the advantage arising out of such publicity to the community at large far outweigh any private injury resulting from the publication;

Whereas it is essential to give such protection to the Press to enable it to discharge its duty faithfully,

and accordingly your petitioners pray that the Bill be proceeded with and passed into law,

and your petitioners as in duty bound will ever pray.

APPENDIX II

(See para 4)

Petition No. 56

To

The Lok Sabha,
New Delhi.

The humble petition of the 3605 inhabitants of Taluka Jath, District South Satara (Bombay State) (Constituency Jath);

Sheweth

That the humble petitioners are shocked to learn that the Kannada part of Jath Taluka having the revenue circles of Sankh, Utagi and Southern half of Jath, has not been included in the proposed Karnatak State, in the Report of the S.R.C.

2. That geographically this Kannada part is contiguous to the areas of Karnatak and its villages are 10 to 40 miles distant from Bijapur proper whereas they are 50 to 100 miles away from Sangli, the present district Headquarter.

3. That the people in this area have long standing social, cultural, economic, political and administrative relations with Karnatak.

4. That Jath Taluka was included into the newly formed South Satara District only in 1948 after the merger of the State. Hence the people here have not developed any harmonious relations with other parts of the District. Contrarily due to linguistic disharmony the people on the one hand and the authorities and the district organisations on the other have held conflicting views whereby the progress of the people is hampered.

5. That the people here can prosper economically, educationally and politically only on the inclusion of this Kannada part into Karnataka as thereby they can directly participate in and co-operate with the Government, in all developmental activities through the medium of their own Spoken Language,

and accordingly your petitioners pray that the Kannada part of Jath Taluka having the revenue circles of Sankh, Utagi and Southern half of Jath, may be joined early to the proposed Karnatak (Mysore) State, and may not be retained in Maharashtra (Bombay State) as recommended by the S.R.C.,

and your petitioners as in duty bound will ever pray.

APPENDIX III

(See para 4)

Petition No. 57

To

The Lok Sabha,
New Delhi.

The humble petition of 549 inhabitants of Taluka Akalkot, District Sholapur, Bombay;

Sheweth

Inclusion of Akalkot Taluka in Bombay State as recommended by the States Reorganisation Commission is unjust and the petitioners, hereby, protest against the same. Considered by any point of view, the recommendation of the said Commission is quite unjust and unsatisfactory and it may be seen from the reasons stated below.

2. Kannad speaking population of this Taluka is 80 per cent and geographically this Taluka is contiguous to the Karnatak State. From cultural, historical, commercial and administrative point of view, this Taluka is akin to the Karnatak State.

Muslim population of Akalkot Taluka whole-heartedly wishes that this Akalkot Taluka should be joined to Karnatak.

3. Before the merger of the Deccan States, this Taluka named Akalkot and some area of Kurundawad Junior State were princely States and at the time of merger this Taluka was provisionally included in Bombay State, pending permanent arrangement at the time of reorganisation of States,

and accordingly your petitioners pray that the recommendations of the States Reorganisation Commission in this behalf be not implemented to Karnatak and include also Kannad area of Bellari District, Sholapur District, in Karnatak,

and your petitioners as in duty bound will ever pray.

APPENDIX IV

(See para 5)

Petition No. 58

To

The Lok Sabha,
New Delhi.

The humble petition of 76 M.L.As of Andhra Legislative Assembly, Kurnool;
Sheweth

The importance of Bellary issue, in regard to the problem of states representation, cannot be minimised by shelving the importance factors and facts. In this context, it may be remembered that since three and half years when the formation of Andhra State was first mooted, the Andhras of Bellary have all along put forth their just case at every opportunity and the issues were dealt at different levels in different contexts.

In the last, after setting the general guiding principles of States Reorganisation, the S.R.C. (Fazal Ali Commission) had unanimously recommended the transfer of some Bellary regions into Andhra and explicitly endorsed, that they have arrived at the conclusions, as a cumulative effect to three main considerations, viz., (a) Administrative convenience (b) Economic links and (c) the importance of Thungabhadra project to Rayalaseema District of Andhra.

But, the Government of India, not taking all the said factors into consideration and presuming extraordinary and extraneous arguments have rejected completely the S.R.C. recommendations, even without obtaining the often repeated agreement of both the contending parties and also, not even respecting the minimum claims of Andhra Government, to the three firkas of Bellary, Moka, and Rupanagudi in Bellary Taluk on purely linguistic basis.

Now, as all democratic and constitutional representations have failed the only democratic alternative as a last and final settlement, is to hold a plebiscite to find out the peoples' wish, as was recently pronounced in Parliament by the Prime Minister and as was twice reiterated by Justice Misra.

The opportunity is rightly provided by the timely resignation of Shri M. Gangappa, the Taluk Assembly Representative. It seems that the fateful decision is principally guided by misleading language figures and the tall claims of Karnataka that overwhelming support exists in favour of them in Bellary Taluk. To disprove the same, the only course left to, is to hold plebiscite,

and accordingly your petitioners pray to hold re-elections in the said Bellary Taluk Constituency before the decisions are finalised on the basis of this vital issue and if, statutory time requirements are not sufficient, a plebiscite may be held immediately and the peoples'

verdict may be accepted and acted upon to put an end once for all to all the controversy and mutual acrimony. The petitioners request to at least concede this much and they are sure that the high controversy would end finally and peace, prosperity and mutual unity would be established in this region,

and your petitioners as in duty bound will ever pray.

APPENDIX V
(See para 5)
Petition No. 59

To

The Lok Sabha,
New Delhi.

The humble petition of seven inhabitants of District Sholapur, Bombay;
Sheweth

It has been an admitted fact that Sholapur city, South Sholapur and Akalkot Taluka belong to Karnatak on geographical, cultural, historical and even economical grounds. The memoranda in regard to these factors for inclusion of the above mentioned parts in the proposed Karnatak were submitted to Dhar Commission and States Reorganisation Commission. The S.R.C. opined that inspite of the link these parts are having with Karnatak, on administrative grounds, it is inadvisable to divide the District, and has recommended to retain the whole district in the proposed Maharashtra State. We the citizens of these parts in general and of Sholapur city in particular humbly request the Lok Sabha to reconsider the recommendations made by S.R.C. We once again remind of the position these parts held in the economic field.

Considering the overall situation of the revenue and the property from which the revenue is derived in Sholapur city, Kannadigas hold the major share.

(i) Firstly of the existing total number of houses, i.e., 20,000, the share of Kannadigas is more than 45 per cent.

The below mentioned table will give the true picture.

(i) Kannadigas	Maharastrians	Telugu	Urdu
46%	19%	15%	12%

others 8% (including Marwaris and Gujaratis).

(ii) Total acreage of lands in Sholapur city

Kannadigas	Maharastrians	Telugu	Urdu	Others
65%	10%	6%	8%	11%

(2) Secondly the labour, (the total No. 50,000) speaking Kannada and working in textile hand-loom and oil mills, form a majority. The approximate figures can be seen as follows:

- (a) Kannadigas 40%.
- (b) Maharastrians 12%.
- (c) Telugu 30%.
- (d) Urdu Speaking 18%.

(3) Thirdly, the substantial part of the revenue by way of sales tax, income-tax is collected from Kannadigas. Of the total number of Sales-tax payers, that is 3,000, Kannadigas form 60%, Maha-

rastrians 5 per cent., Telugu 20 per cent., Urdu speaking 5 per cent. and others 10 per cent. This will indicate that the major part of the business is run by Kannadigas. The same majority more or less can be found in the number of income-tax payers. In the whole of the district, the highest income-tax payer is a Kannadiga.

(4) Fourthly, as regards the Municipal revenue derived from octroi duties, the Kannadigas claim a place of privilege as out of the total revenue of 13 lacs per annum, 8 lacs come from the Karnatak side. This is because of supply of food grains and other raw materials from Karnataka parts. The remaining 5 lacs come by goods directly imported from Bombay.

(5) (i) Fifthly, it is the Kannadigas, next to Marwaris, that hold the major portions of the shares of the seven textile mills in the city.

Major portions of the raw cotton supplied to the local textile mills is from Karnatak and the manufactured goods is consumed mostly in Karnatak.

(6) Sixthly, the population factor also must be duly considered. Of the total population of 2,68,000, Kannad speaking people are near about:

Kannad speaking 1,05,000.
 Marathi speaking 50,000.
 Telugu speaking 55,000.
 Urdu speaking 50,000.
 Others speaking 8,000.

It has been found that an injustice has been done to Kannadigas during 1951 census.

Secondly, even in Municipal Presidential elections from 1935 onwards, that is, during a period of 20 years the Kannad speaking Presidents are found in majority.

Kannad speaking	Marathi speaking	Telugu speaking
8	5	3
Gujarathi speaking	Marwari speaking	
1	4	

In the present Municipal body also, out of the 59 members Kannada speaking are nearly 25,

and accordingly the petitioners pray that they feel justified in putting this just demand for the inclusion of the above-mentioned parts in the proposed Karnataka State,

and your petitioners as in duty bound will ever pray.

APPENDIX VI

(See para 6)

Petition No. 60

To

The Lok Sabha,
New Delhi.

The humble petition of 3,127 inhabitants of Krishna and Guntur Districts, Andhra;

Sheweth

The Hindu Succession Bill as amended by the Joint Select Committee is going to be discussed in the Lok Sabha and we submit herewith our opinions and suggestions on this Bill.

We request that the Bill as amended by the Joint Select Committee be enacted into law immediately.

(1) (a) We convey our appreciation and support for this Bill which proposes equality in Property Rights to men and women. We beg to convey our thanks and congratulations for the amendments to clauses 10 and 14 giving equal rights.

(b) We convey our pleasure at the change made to give this right to undivided Mitakshara family also.

(2) Clause 6 of the Bill is about the share of female inheritors. In the way this clause is written (worded) the female inheritor does not get full justice. On the other hand, non-separated male inheritors of the Joint family are subjected to injustice. We request that an amendment be brought forward giving property rights to women also as exist for men in Mitakshara Joint family by birth. Otherwise inheritance rights given to women will prove useless.

(3) We convey our pleasure for amending clause 16 giving full rights to women instead of limited rights.

(4) Clause 17 enables the husband to inherit wife's property only if they have children. Whether they have children or not, we are of opinion that the husband should have inheritance rights to wife's property and wife to husband's property. Therefore clause 17 should be (so) amended.

(5) Since equal inheritance rights are given to female children along with the male children, an amendment might be brought forward giving property rights by very birth to male as well as female issue without any distinction to the parent's property in Joint Mitakshara family. At present only sons have such rights to father's property. It is our opinion that in view of new conditions, new changes are needed. Otherwise, some will be subjected to injustice, and there will be scope for increased litigation.

(6) There is a general apprehension that interests of Mitakshara Joint family will be jeopardised if along with equal rights to property for daughters, rights by birth are also given to them. Therefore, if a clause is added that both sons and daughters cannot use their "property rights by birth", till they are 21 years old, the interests of the Joint family will be properly protected.

(7) The bill does not make any distinction (for property) between married children and unmarried children or between educated children and uneducated children. Before the Joint family property is divided, "more" is usually spent on married members (on marriage etc.). Some have the benefit of higher education while others do not have such benefit. Hence "more" must have been spent on the educated, (for education). Therefore, the amounts already spent on individuals for their personal profit must be deducted from the divisible joint property and the amount thus deducted must be distributed to other members. Only the balance must be equally divided to all the members of the family. A clause to this effect might be added.

(8) In the schedule, Mother has been included in Class I successors while Father is included in Class II. There is no justification in showing such discrimination between Mother and Father. Besides, woman gets a share first as a daughter and then as a widow. To give a share once more as a mother looks unfair to the children of the deceased. Therefore, we request that "mother" should be transferred to Class II successors from Class I,

and accordingly the petitioners pray that an Act like this is long overdue and the Bill be enacted into law with the amendments indicated above,

and your petitioners as in duty bound will ever pray.

APPENDIX VII

(See para 7)

Minutes of the meeting of the Speaker with the Members of the Committee on Petitions held on the 11th April, 1956 in the Speaker's Chamber.

The Committee met from 3-30 P.M. to 4-25 P.M.

PRESENT

1. Shri M. Ananthasayanam Ayyangar (*Chairman*).

MEMBERS

2. Shri Shiva Dutt Upadhyaya.
3. Shri K. T. Achuthan.
4. Shri Sohan Lal Dhusiya.
5. Shri S. C. Deb.
6. Shri U. R. Bogawat.
7. Shri Resham Lal Jangde.
8. Shri P. N. Rajabhoj.
9. Shri P. Subba Rao.
10. Shri Anandchand.
11. Dr. Ch. V. Rama Rao.
12. Shri Ramji Verma.

SECRETARIAT

1. Shri M. N. Kaul—*Secretary*.
2. Shri Avtar Singh Rikhy—*Deputy Secretary*.
3. Shri A. L. Rai—*Under Secretary*.

2. The Speaker observed that he had called the sitting of the Committee on Petitions to discuss with the Members ways and means of improving the procedure for consideration and admission of petitions, telegrams and other representations which are addressed to the Speaker. The Government being responsible to Parliament, it was but natural that people expected Parliament to take up matters where they had failed to get redress from the executive authority.

This function could aptly be discharged by the Committee on Petitions by going through the representations and petitions and advising the parties concerned of the action taken.

3. The Speaker recapitulated the salient features of the existing procedure as set out in the memorandum (Annexure A) and remarked that the question was whether the Committee should be content with its present scope of functions or whether there should

be a more effective way by which the grievances of the petitioners could be brought to the pointed attention of the House by a member of the Committee by raising it in the House at a suitable opportunity. Once the matter was brought to the notice of the House, it would of course be for the House to decide further line of action.

4. The Speaker felt that the Committee should devise a simpler procedure for admission of petitions and for their consideration by the Committee. The Committee might examine all such petitions, representations etc. and decide whether they should be circulated *in extenso* or in a summary form or whether relevant facts should be gathered from the Ministry etc. concerned and the recommendations incorporated in the report. The Speaker observed that it was his desire that the work of the Committee on Petitions should become more comprehensive and that effective machinery was devised to follow up the recommendations of the Committee. The Committee might meet once a week, or as often as necessary according to the volume of work.

5. As regards simplification of the procedure of admission of petitions, the Secretary explained that the practice was not to insist on technicalities, but to consider the substance of a petition. Even if a telegram contained a substantial point of view with proper arguments in support of it which were necessary for a petition, technicality of form etc. was waived.

6. As regards giving effect to the recommendations of the Committee, the Secretary observed that the recommendations made by the Committee in their Reports were being pursued with the Ministries concerned.

7. The question was whether a member of the Committee should be specially designated by the Committee with reference to any particular petition, which he should sponsor in the House in his individual capacity, in order to support or pursue further the recommendations contained in the Report of the Committee with the material that might come into his hands as a result of any correspondence with the Secretariat or further developments in the matter that might otherwise come to his knowledge. This could be arranged by the Members among themselves by coming to an informal understanding regarding each petition on which the Committee had made a recommendation or even other matters which deserved to be pursued in the House so that the member most familiar with the subject would follow it up.

8. The Secretary suggested that the observations of the Speaker might be examined and transformed in the shape of a memorandum which would be kept with the record of the Committee for reference and for being followed.

The meeting then adjourned.

ANNEXURES

ANNEXURE A
LOK SABHA SECRETARIAT
Memorandum No. 40

SUBJECT:—*Scope and functions of the Committee on Petitions*

In India, the right of presentation of a petition was recognised as early as in 1926, although this right was confined only to Bills pending before the House (Standing Orders No. 77 to 86 of the Central Legislative Assembly).

2. These Standing Orders were incorporated in the Rules of Procedure of the Constituent Assembly and later on adapted for the Provisional Parliament and the House of the People.

Petitions on matters of general public interest

3. On 6th October, 1953, the Secretary noted that the scope of petitions should be enlarged to include matters other than Bills also.

4. Accordingly the matter was brought before the Rules Committee. The Rules Committee at their sitting held on the 22nd December, 1953, felt that everyone had a right to call the attention of the House to public grievances and accordingly the scope of matters on which petitions should lie to the House should be amplified and defined in the Rules of Procedure. The Committee desired that in addition to the Bills and other matters pending before the House, petitions might be submitted 'on any matter of general public interest' excluding matters which fell within the cognisance of a court of law, quasi-judicial authority, statutory tribunal or authority, or a Commission, which should ordinarily be raised in a State Legislature; which could be raised on a substantive motion or resolution, or for which remedy was available under the law.

5. The decisions of the Rules Committee were incorporated in the Rules of Procedure (See Rule 172, Fourth Edition).

6. As a result of this enlargement of the scope of petitions, petitions relating to a matter of general public interest excluding the exceptions mentioned in clause (iii) of Rule 172 are admitted and presented or reported to the House, and later on examined by the Committee.

7. Fifty-seven petitions have been admitted since the enlargement of the scope of the Rules. ~~Ten~~ ~~Then~~ petitions out of these were admitted as relating to matters of general public interest.

Seven out of nine petitions relating to the Report of the States Reorganisation Commission were admitted before the States Reorganisation Bill, 1956, was laid on the Table of the House on the 16th March, 1956.

Remaining thirty-eight petitions which were admitted, and presented or reported to the House, related to Bills pending before the House.

8. In order to provide for matters which were not specifically provided for in the Rules relating to petitions, the Speaker has also issued certain directions (See Annexure B).

Purpose of Petition

9. The Speaker has also laid down the following principles regarding admission of petitions relating to a matter of general public interest which were incorporated in the Third Report of the Committee on Petitions (Para. 14):

“Rule 171 (Now Rule 172) is sufficiently wide to cover any matter of general public interest and it is therefore necessary to evolve by experience some principles for admitting petitions.

The petitions serve two principal objects; one is to state the merits of the public matter to which the petitioner wishes to invite the attention of the House, *i.e.* all the members including the Minister, and the second object is to show and stress the quantum of importance which the public outside are giving to the matter. Petitions relating to the latter category have to be admitted if the matter is of such a type that it is considered necessary by the public to place the matter again and again for the attention of members.

The function of such petitions is to intensify and focus the opinion so that the Government may be moved to quick action.

The petition thus is also a means to urge Government to quick action on any particular problem.

The petition also gives an opportunity to Members to state the subject and not only to know the public opinion and feeling but also to suggest drawbacks in what the Government has been doing.

The petitioners have the right to come before the House as much as they have a right to go to the Committee on Petitions and encouraging the people to go to the House will also create a kind of public opinion about the administration which it will have to count. This will engender a feeling in the public that Parliament is their own.”

Petitions on Bills

10. A petition on a Bill pending before the House or under discussion in the House, is considered by the Committee immediately, under Rule 184. The Committee generally directs the circulation of the petition to the Members even before presentation of its Report to the House so as to place it in the hands of the Members before the Bill is taken up in the House. (See Direction No. 44—Annexure B).

Petitions on Bills referred to Select/Joint Committees

11. Where a petition on a Bill pending before a Select or Joint Committee is received, it is referred to the Select/Joint Committee without being presented to the House and the petitioner informed accordingly. (Direction No. 42—See Annexure B).

Representations

12. Resolutions sent by private bodies, associations etc., on Bills pending before the House are treated as representations on Bills and are placed in the Parliament Library, after showing them or sending their copies to the Ministry concerned. The Members are informed through Bulletin Part—II regarding such resolutions having been placed in the Library.

Telegrams

13. Sometimes telegrams are received on Bills or other matters pending before the House. As these telegrams do not follow the prescribed form of petitions, the practice is to forward them to the Ministry concerned for necessary action.

Committee on Petitions

14. Since the enforcement of the new Rules in January, 1954, fifty-seven petitions have been admitted. The Committee on Petitions have presented eight Reports on them to the House.

15. On one occasion, the Committee examined the representatives of the Ministry of Rehabilitation in connection with certain petitions relating to grievances of displaced persons, and their recommendations are embodied in their Fifth Report.

16. In the Sixth Report, while considering a petition relating to amendment of the Indian Arms Act, 1878, the Committee desired that in future the action taken by the Government in the implementation of the recommendations of the Committee might be brought to the notice of the Committee from time to time.

While forwarding a copy of this Report, the Ministry of Home Affairs were requested to intimate the action taken by the Government in implementing the recommendations of the Committee with regard to the Indian Arms Act, 1878.

The Ministry of Home Affairs have informed (See Annexure C) that the recommendations of the Committee are being examined.

17. It may be mentioned that we receive numerous letters etc., from private individuals and bodies. These may be classified as under:

- (i) Letters relating to personal or individual grievances;
- (ii) anonymous letters ;
- (iii) Copies of letters addressed to Ministries, etc.;
- (iv) resolutions ;
- (v) letters falling within any of the categories mentioned at items (a) to (d) of Rule 172 (iii), i.e.
 - (a) which falls within the cognizance of a Court of Law

having jurisdiction in any part of India or a Court of Enquiry or a statutory tribunal or authority or a quasi-judicial Body, or a Commission;

- (b) which should ordinarily be raised in a State Legislature;
- (c) which can be raised on a substantive motion or resolution ;
- (d) for which remedy is available under the law, including rules, regulations, bye-laws made by the Central Government or an authority to whom power to make such rules, regulations, etc. is delegated.

These letters are considered inadmissible as petitions and the correspondents are informed of the reasons for their inadmissibility. Anonymous, illegible, unintelligible, or intemperate letters are filed.

18. Petitions which are in the proper form and in respectful, decorous and temperate language and admissible as petitions or letters which are not in the proper form but otherwise admissible, are edited and presented or reported to the House.

19. Petitions which are argumentative, in the nature of a political indictment or to bring them in conformity with the Rules would require rewriting a substantial part thereof, are not admitted.

20. After the new Rules came into force in January, 1954, fifty-seven petitions have been presented or reported to the House. These petitions, barring six petitions which were circulated *in extenso* under the directions of the Speaker under Rule 185, have been considered by the Committee.

21. The Committee besides considering these petitions have also given their opinion upon a letter of Shri G. L. Chaudhary, M.P., (Reserved—Sch. Castes) addressed to the Speaker. In this, the Member had complained about his non-admission to the Sitapur Bar Association as he had not agreed to have a separate 'lota and balti' or to have water and service from the muslim servant of the Association. The Committee recommended in their sitting on the 12th March, 1956, that the matter may be referred to the Ministry of Home Affairs, who should also advise in due course the action taken.

The Ministry have in return asked the U. P. Government (See Annexure D) to enquire into the matter and, if necessary, take action under the Untouchability (Offences) Act, 1955.

NEW DELHI;
The 10th April, 1956.

ANNEXURE B

DIRECTIONS BY THE SPEAKER

CHAPTER VII

Petitions

42. General form of petitions received under Rule 172.—(1) As soon as a petition is received it shall be acknowledged in the form specified in the Schedule.

(2) Every petition before presentation to the House shall be examined in order to see whether it is—

- (a) in proper form ;
- (b) couched in respectful, decorous and temperate language ;
- (c) in conformity with the rules and decisions that may be taken from time to time.

(3) After the petition has been examined and is generally found to be in order, it shall be presented to the House by the Secretary or the member, as the case may be :

Provided that in the case of a petition on a Bill pending before the House, it shall be presented or reported to the House, as the case may be, as soon as possible after its receipt :

Provided further that in the case of a petition on a Bill pending before a Select or Joint Committee, the petition may be referred to that Committee without being presented to the House and the petitioner informed accordingly.

43. Grounds of inadmissibility of petitions.—(1) A petition shall be rejected or returned to the petitioner if it—

- (i) relates to personal or individual grievances ; or
- (ii) relates to matters specified in clause (iii) of Rule 172 of the Rules of Procedure.

(2) In case it is considered necessary to ascertain the facts from the Ministry concerned in order to determine the admissibility of the petition a reference may be made to the Ministry and facts gathered or action taken by them ascertained.

44. Committee on Petitions.—After the presentation of a petition to the House, the Committee on Petitions shall meet to consider it as early as possible :

Provided that in the case of a petition on a Bill pending before the House, it shall meet as soon as possible after it has been presented or reported to the House and submit its report to the House or direct the circulation of the petition to the members, as the case may be, well in advance of the Bill being taken up in the House:

Provided further that in the case of a petition received on a Bill already under discussion in the House, the Committee shall meet to consider it immediately on its presentation after its receipt and submit its Report or direct the circulation of the petition to the members, as the case may be, well in advance of the Bill being passed by the House.

45. Petitioner to be informed after presentation of the Report.—After the Report has been presented, the petitioner shall be informed about it.

46. Petitioner to be informed about the inadmissibility of his petition.—If a petition, after presentation, is found defective, it may be withdrawn by an order of the Speaker and the petitioner informed accordingly.

ANNEXURE C

No. 510/56-Police IV.

GOVERNMENT OF INDIA

MINISTRY OF HOME AFFAIRS

New Delhi-2, the 23rd March, 1956

OFFICE MEMORANDUM

SUBJECT: *Indian Arms Act and Rules—Sixth Report of the Committee on Petitions.*

The undersigned is directed to refer to the Lok Sabha Secretariat memorandum No. 585-CI/56, dated the 17th February, 1956, on the subject noted above, and to say that the recommendations of the Committee on Petitions are being examined.

Sd/- C. P. S. MENON,
Under Secretary
to the Government of India.

The Lok Sabha Secretariat,
New Delhi.

ANNEXURE D
No. 59/3/56-Poll.(I)
GOVERNMENT OF INDIA
MINISTRY OF HOME AFFAIRS

From

Shri Gajinder Singh,
Under Secretary to the
Government of India.

To

The Chief Secretary to the
Government of Uttar Pradesh.

New Delhi-2, the 28th March, 1956.

SUBJECT: *Representation from Shri G. L. Chaudhary, M.P., alleging that 'untouchability' is being practised by the Bar Association, Sitapur.*

Sir,

I am directed to forward a copy of the Office Memorandum No. 585-CI/56, dated the 16th March, 1956, with enclosures, from the Lok Sabha Secretariat on the subject noted above, and to enquire whether the allegations contained therein are correct and, if so whether the State Government have taken or propose to take any action in the matter under the provisions of the Untouchability (Offences) Act, 1955, or otherwise.

Yours faithfully,

Sd/- GAJINDER SINGH,
Under Secretary to the Government of India.

No. 59/3/56-Poll. (I)

New Delhi-2, the 28th March, 1956.

Copy forwarded for information, to the Lok Sabha Secretariat.

Sd/- GAJINDER SINGH,
Under Secretary to the Government of India.