

Wednesday, 19th April, 1950



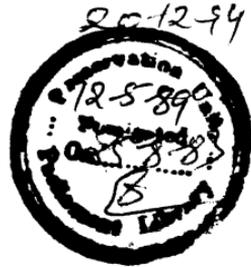
PARLIAMENTARY DEBATES

(PART I—QUESTIONS AND ANSWERS)

OFFICIAL REPORT

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PARLIAMENTARY DEBATES
(PART I—QUESTIONS AND ANSWERS)

Wednesday, 19th April, 1950.

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

[MR. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

MANUFACTURE OF MACHINERIES OF JAPANESE PATTERN

*1829. **Dr. R. S. Singh:** (a) Will the Minister of **Industry and Supply** be pleased to state whether the Government of India intend to manufacture some industrial machinery of Japanese pattern?

(b) If so, do the Government of India intend to hire some Japanese experts to help manufacture those machineries?

The Minister of Works, Mines and Power (Shri Gadgil): (a) Yes.

(b) This will be done if necessary.

Dr. R. S. Singh: May I know whether we shall have to import new plants for manufacturing this machinery or could this machinery be manufactured on the existing plants?

Shri Gadgil: As I have stated if it is found necessary to bring in Japanese technicians, that will be done.

Dr. R. S. Singh: What is the difference in price between the Japanese-manufactured machinery and Indian-manufactured machinery?

Shri Gadgil: I cannot say offhand. I require notice.

Shri Tyagi: May I know if Government is pursuing any plan either to import or manufacture such small machinery of the Japanese type and distribute them among the villagers for purposes of developing cottage industries?

Shri Gadgil: There is some plan and a Central Cottage Industry Institute is being set up at Harduaganj. That institution will be in charge of manufacturing pilot plants and if necessary Japanese experts will be imported to train our people.

Shri Tyagi: Is any money being allotted for this purpose and if so, how much for this year?

Shri Gadgil: I require notice.

Shri Kesava Rao: May I know if Government is contemplating to import any Japanese engineers to manufacture these machineries?

Shri Gadgil: I have already answered that. If necessary they will be imported.

Shri P. T. Munshi: Would the hon. Minister give me an idea of the scheme which is under consideration?

Shri Gadgil: Japanese machinery and equipment will be installed and experiments will be carried out in this institution of all types of Japanese and other machines with a view to determine their suitability for this country. This institution will manufacture tool machinery and help the indigenous machine-tools manufacturers in duplicating them.

Shri Shiva Rao: The hon. Minister in answer to a supplementary question referred to a new training institution which is to be set up shortly. Will he take care to see that there is no duplication of such institutions, because I believe the Labour Ministry has similar institutions under their charge.

Shri Gadgil: That will be taken into consideration.

Shri Hathi: May I know if any of the State Governments have approached the Government for import of such machinery?

Shri Gadgil: I require notice.

Shri Rudrappa: Before importing this machinery has it been found in the training institutions started whether the machinery can be useful and can be adapted to Indian conditions?

Shri Gadgil: I did not follow the question.

Mr. Speaker: Before starting this scheme have Government satisfied themselves that the recent centre started by the Government of India with Japanese experts has given some good results?

Shri Gadgil: Obviously it must have been done.

Shri T. N. Singh: What type of industrial machinery will be taken up first when this manufacture is started?

Shri Gadgil: That is a matter more or less of detail for the management of the Institute.

Dr. E. S. Singh: How long will it take to start the manufacture of this machinery?

Shri Gadgil: It is impossible at this stage to give any time.

DISMANTLING OF STALLS BUILT BY DISPLACED PERSONS IN ALWAR

*1830. **Shri D. S. Seth:** Will the Minister of Rehabilitation be pleased to state.

(a) whether the stalls built by the displaced persons in the Hope Circus, Alwar, were razed to the ground by the Deputy Director of Rehabilitation at dead of night on 18th March 1950;

(b) whether Government are aware that the stall holders were badly abused by the Superintendent of Police who accompanied the Deputy Director of Rehabilitation;

(c) what special circumstances led to the dismantling of the stalls at dead of night and why no notice was served to the holders of the stalls; and

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

The Minister of State for Rehabilitation (Shri Mohan Lal Saksena): (a) to (d). Information is awaited from the Government of Rajasthan and it will be laid on the Table of the House as soon as it is received.

Shri B. Das: May I know if the Deputy Director of Rehabilitation was under the Central Ministry of Rehabilitation or the Government of Rajasthan? Was he an officer under this Government or the Government of Rajasthan?

Shri Mohan Lal Saksena: Under Rajasthan, of course.

Shri Kamath: Has the hon. Minister no information even today as to whether the stalls are standing there or they are no longer there?

Mr. Speaker: Whatever it may be, he says that information is being collected.

लकक द्वीप तथा माल द्वीप

*1831 **श्री जांगडे :** (ए) क्या प्रधान मंत्री यह बतलावेंगे कि लकक द्वीप और माल द्वीप में कितने भारतीय रहते हैं ?

(बी) लकक द्वीप और माल द्वीप का शासन सूत्र किस के हाथ में है ?

(सी) लकक द्वीप और माल द्वीप से भारत का क्या सम्बन्ध है ?

LACCADIV AND MALDIV ISLANDS

*1831. **Shri Zangre:** (a) Will the Prime Minister be pleased to give the number of Indian nationals living in the Laccadiv and Maldiv Islands?

(b) Who is running the administration of the Laccadiv and Maldiv Islands?

(c) What connection has India got with the Laccadiv and Maldiv Islands?

The Deputy Minister of External Affairs (Dr. Keskar): (a) At the time of the 1941 census the population of Indians in the Laccadiv Islands was 12, 178.

The number of Indians in the Maldiv Islands is reported to be 100.

(b) and (c). The Laccadiv Islands are being administered by the Government of Madras under paragraph 2 of the Fifth Schedule to the Constitution of India. According to the information available with the Government of India, the Maldiv Islands are a dependency of the Government of the United Kingdom which is responsible for the defence and external affairs of the Islands while the Sultan is free to carry on the internal administration.

श्री जांगडे : क्या इस द्वीप समुदाय में इन शरणार्थियों को बसाने की योजना की गई है ?

Shri Zangre: Has any plan been formulated to rehabilitate the refugees in these Islands?

Dr. Keskar: The Maldiv islands are not a part of India. The question therefore does not arise with regard to them. With regard to the Laccadiv Islands the hon. Member is aware that it is geographically very far away and to take refugees from Punjab or Bengal to that place would be a matter of great expense.

श्री जांगडे : क्या इस द्वीप समुदाय के लोगों को मद्रास असेम्बली और मद्रास गवर्नमेंट में प्रतिनिधित्व दिया जाता है ?

Shri Zangre: Are the people living in these Islands given any representation in the Madras Assembly and Madras Government?

Dr. Keskar: I would require notice of that.

Shri Hossain Imam: Was Laccadiv a Centrally Administered area before the advent of the new Constitution?

Dr. Keskar: No. Even before it was under the administration of the Madras Government.

Shri B. Das: Are not the people of Laccadiv Islands mostly Muslims?

Dr. Keskar: I think there are both Hindus and Muslims. In the Maldiv Islands they are mostly Muslims.

Shri T. T. Krishnamachari: Is the Deputy Minister aware that the High Commissioner for India in Ceylon recently visited the Maldiv Islands and will the hon. Minister throw some light on the intentions and purpose of his visit?

Dr. Keskar: He did visit the place but I am not able to give his exact report on his visit just now.

TRADE WITH U.S.S.R.

*1832. **Prof. S. N. Mishra:** Will the Minister of Commerce be pleased to state what was the volume and nature of trade with the U.S.S.R. during the year 1949-50?

The Minister of Works, Mines and Power (Shri Gadgil): According to the latest statistics the total value of trade with the U.S.S.R. during April to December 1949 was Rs. 1,331 lakhs; imports being worth Rs. 1,107 lakhs and exports worth Rs. 224 lakhs. Statistics for January-March 1950 are not available. Exports consisted mainly of lac, tea, and jute and imports of sulphate of ammonia and wheat.

Prof. S. N. Mishra: Do Government propose to explore greater possibilities of trade relations with the U.S.S.R?

Shri Gadgil: As a matter of fact negotiations have been going on since April 1948. Certain proposals were made and certain arrangements were accepted but there was dispute about the rate of exchange between the two countries. Then came devaluation and after that negotiations were not continued.

Shri Deshbandhu Gupta: May I know whether it is a fact that U.S.S.R. firms insist that in case of disputes settlements would lie in Moscow and that was one of the reasons for less imports from that country?

Shri Gadgil: I do not think so.

Shri Kishorimohan Tripathi: May I know if Government have been negotiating any barter deal with the U.S.S.R. for getting fertilisers?

Shri Gadgil: As a matter of fact, as I said, apart from the negotiations that were ultimately discontinued, agreements were entered into with the U.S.S.R. on three or four different occasions. One was in July 1948 when we purchased 50,000 metric tons of wheat from Russia as against the supply of 500 metric tons of tea.....

The Minister of Labour (Shri Jagjivan Ram): The question is about fertilisers.

Shri Gadgil: The following purchases have been made:

25,000 metric tons valued at £550,000: contract placed in January 1949.

30,000 metric tons: contract placed in September, 1949.

50,000 metric tons: contract placed in November, 1949.

Shri Deshbandhu Gupta: May I know whether it is a fact that recently Russia had offered some newsprint, and that deal could not go through because of the conditions stipulated which were not practical?

Shri Gadgil: Which conditions?

Shri Deshbandhu Gupta: The one I referred to, that settlement of disputes will lie in Russia.

Shri Gadgil: That was not so. The dispute was over the rate of exchange and the negotiations were not therefore continued.

Prof. S. N. Mishra: May I know if Government propose to have any treaty of trade and commerce with the U.S.S.R?

Shri Gadgil: That question is under consideration.

Shri Kamath: How much of this trade to which the Minister has referred was on a barter basis?

Shri Gadgil: As I stated, as against it jute, lac and tea were bartered.

Shri Hossain Imam: How is the balance of payments arranged between India and Russia? Is it in sterling or in any other currency?

Shri Gadgil: As I said, it is on a sort of a barter basis that it is being done.

BY-PRODUCTS FROM COAL

*1834. **Shri Jnani Ram:** Will the Minister of **Industry and Supply** be pleased to state:

(a) the various by-products from coal that are produced at Giridih collieries;

(b) the quantity of such by-products; and

(c) the maximum capacity of the power plant there for producing such by-products?

The Minister of Works, Mines and Power (Shri Gadgil): (a) to (c). A statement containing the required information is laid on the Table of the House.

STATEMENT

Various By-Products from Coal that are produced.	Quantity of such products produced during 1948-49.	Maximum capacity of Plant as at present.
1. Coke		
(i) Hard coke	38,793 tons	42,000 tons
(ii) Rubble coke etc., including coke breeze.	8,000 tons	8,000 tons
2. Coal tar	1,200 tons	1,600 tons
3. Sulphate of Ammonia . . . . .	..	600 tons
4. Benzol.	10,678 gallons.	36,000 gallons.
5. Solvent Naptha	200 gallons.	750 gallons.

INDUSTRIAL DEVELOPMENT OF VINDHYA PRADESH

***1835. Shri Dwivedi:** (a) Will the Minister of **Industry and Supply** be pleased to state whether Government have any proposal to industrialise the area known as Vindhya Pradesh?

(b) Has any survey of the industrial potentiality of this area been made and if so, with what results?

(c) If not, do Government propose to take any steps in this direction?

(d) Have Government considered the possibility of manufacture of aluminium from available deposits of bauxite in Vindhya Pradesh?

The Minister of Works, Mines and Power (Shri Gadgil): (a), (c) and (d). There is no such proposal at present.

(b) No.

श्री द्विवेदी : क्या मंत्री महोदय के ध्यान में यह बात है कि हिन्दुस्तान के करीब करीब सभी खनिज पदार्थ विन्ध्य प्रदेश में प्राप्त हैं ? उन्हें उपयोग में लाने के लिये क्या कोई उपाय सोचा जायगा ?

Shri Dwivedi: Is the hon. Minister aware that almost all the minerals of India are available in Vindhya Pradesh? Will any measures be taken to utilise them?

श्री गाडगिल : कोशिश की जायगी ।

Shri Gadgil: Efforts will be made.

MANUFACTURE OF NEEDLES FOR HOSIERY MACHINES

***1836. Shri Sidhva:** (a) Will the Minister of **Industry and Supply** be pleased to state whether there are any factories in India which manufacture needles for hosiery machines?

(b) If so, what are their names and their capacity?

(c) What is the quantity and value of such needles annually imported from abroad?

(d) Is indigenous needle good in quality and can it compete with foreign needles so far as prices are concerned?

The Minister of Works, Mines and Power (Shri Gadgil): (a) No.

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

(c) Separate statistics of import of this article are not maintained.

Shri Sidhva: Arising out of parts (a) and (b) of the question, can the hon. Minister state whether a firm in Bombay is manufacturing hosiery needles, under the name of Seksaria Brothers?

Shri Gadgil: A party in Bombay, called Messrs. Export and Import Association imported a needle-making plant from the U.S.A., but it was not installed because of financial difficulties.

Shri Sidhva: Is it not a fact that these hosiery needles are manufactured by Messrs. Seksaria Brothers? I want to know whether the information is correct

Mr. Speaker: He has stated that Government have no information.

Shri Sidhva: These are manufactured in Bombay.

Mr. Speaker: He is giving information.

Shri Sidhva: What is the quantity of needles imported from U.S.A.?

Shri Gadgil: As I stated, no separate statistics are kept of this particular article.

Shri Sidhva: What is the annual consumption?

Shri Gadgil: How can I say when no statistics are kept?

Shri Kamath: Is there any plan or scheme before Government to-day to make India self-sufficient in pins and needles?

Shri Gadgil: What sort of pins?

Shri Kamath: All sorts of pins, for all kinds of pinpricks.

Shri Gadgil: No scheme for manufacturing in India all sorts of pins.

Shri Sidhva: Am I to understand that there are no statistics?

Mr. Speaker: Yes.

Shri Sidhva: How can that be correct? Commerce Ministry will have it.

PRODUCTION AND EXPORT OF CASHEW-NUT

*1837. **Shri Sidhva:** (a) Will the Minister of Commerce be pleased to state what is the value of cashew-nut produced in India?

(b) What quantity is exported and what quantity is consumed in India?

(c) How many such factories exist in India?

The Minister of Works, Mines and Power (Shri Gadgil): (a) About seven crores of rupees.

(b) (i) Average annual exports of cashew kernel during the three years ending 1948-49 are 16,697 tons.

(ii) Estimated average annual quantity available for consumption in India during the three years ending 1948-49 is approximately 29,000 tons in terms of cashew-nuts and 7,250 tons in terms of cashew kernels.

(c) The Number of the more important concerns processing cashew-nuts in different States of India in 1941-42 was 104. Information in respect of later periods is not readily available.

Shri Sidhva: To what countries are cashew-nuts mostly exported?

Shri Gadgil: United Kingdom, Burma, Straits Settlements, Federated Malay States, Union of South Africa, Canada, Australia, New Zealand, Sweden, The Netherlands, Belgium, France, Portuguese East Africa, United States of America, Ceylon, Hong-Kong, Fiji Islands, and China.

Shri Karunakara Menon: How many of these factories are European factories and how many are Indian factories?

Shri Gadgil: I cannot say about the ownership, but I have given the total number of factories which is 104.

Shri Shiva Rao: With reference to the reply to part (b) of the question, how much of the quantity that is exported is imported in the raw form from East Africa?

Shri Gadgil: A few days ago I gave these figures, but if my hon. friend is anxious to have them again, I will give them later, not just now.

Shri S. C. Samanta: May I know the names of the Indian States where cashew-nuts grow in abundance?

Shri Gadgil: Generally on the West Coast of India.

Shri Hossain Imam: May I know the dollar value of the export and the sterling value?

Shri Gadgil: I gave detailed figures only four days ago, and I said that the substantial part of the exports goes to the dollar areas.

Shri Karunakara Menon: What steps are Government taking to encourage the cashew-nut industry?

Shri Gadgil: That is more or less for the agriculture Ministry to reply.

Mr. Speaker: Question No. 1838.

The Minister of Works, Mines and Power (Shri Gadgil) rose—

Hon. Members: The question is addressed to the Prime Minister.

Shri Gadgil: It has been transferred to me.

FOREIGN DIPLOMATS CONSTRUCTING THEIR OWN BUILDINGS IN DELHI

*1838. **Shri Sidhva:** (a) Will the Minister of **Works, Mines and Power** be pleased to state how many foreign Diplomats, with the names of the countries they represent, who have their offices in Delhi, have decided to construct their own buildings for office and residential purposes?

(b) What stage has the question of allotment or sale of land to these Diplomats reached?

The Minister of Works, Mines and Power (Shri Gadgil): (a) No diplomatic Mission has so far put up its own building in Delhi, though some Missions have purchased a few houses in New Delhi.

(b) The question of allotment does not arise. Foreign Missions are, however, free to purchase land in Delhi. Plots of land of suitable size in the area South West of New Delhi, which is now being developed for extension of the Capital have also been offered to them on perpetual lease and this offer is being considered by them. It is probable that when these plots have been provided with all necessary services like water, roads, electricity etc., many Missions will realize that construction of their own buildings is an attractive proposition.

Shri Sidhva: May I know the names of the Diplomats or Embassies who have applied for these plots and whether any concession has been made in the price of the land?

Shri Gadgil: I require notice for that.

Shri Kamath: Are the facilities enjoyed in India by foreign Missions for acquisition of land equal to those which are enjoyed by our Missions abroad?

Shri Gadgil: That is a question which the hon. the Prime Minister will be in a better position to answer.

The Prime Minister (Shri Jawaharlal Nehru): The hon. Member will realise that the facility in a hundred places differs. You cannot compare one with the other in respect of a hundred places. Normally, the facilities are the same; sometimes, they differ. In the great cities, for instance, conditions of one type prevail and sufficient accommodation is difficult to obtain. If you go to places which are rather remote, conditions are easier.

Shri Kamath: Is the Indian Embassy in Moscow free to acquire land for its buildings as the U.S.S.R. Embassy in Delhi is?

Shri Jawaharlal Nehru: No, Sir.

Shri Deshbandhu Gupta: May I know the extent of concession in the price of land that is granted to these Embassies?

Shri Gadgil: The idea is not to charge them more than what is justified by the money spent on the development of that area.

Shri Kamath: Do Government propose to have any scheme of reciprocity in this regard?

Mr. Speaker: Order, order.

Shri Kamath: In view of the Prime Minister's reply "no" to my question, I want to know whether there is any reciprocity at all?

Mr. Speaker: He is entering into an argument now.

SALE OF TEA TO UNITED KINGDOM

*1839. **Shri Buragohain:** (a) Will the Minister of **Commerce** be pleased to state whether India has entered into any contract with the United Kingdom for the sale of tea out of the current year's production?

(b) If so, how do the terms compare with the terms of similar contracts in the past two years?

The Minister of Works, Mines and Power (Shri Gadgil): (a) and (b). Supplies of Indian tea are not made to the United Kingdom under contract between the Governments of United Kingdom and India but the Government of United Kingdom purchases such tea in bulk under contract with individual gardens in India. The terms under which tea purchases for 1950 should be made are at present under negotiation with the United Kingdom Government.

Shri Buragohain: After the bulk purchases have been made by the United Kingdom out of the current year's crop, may I know what quantity of tea will be available for export to hard currency areas?

Shri Gadgil: It is impossible to say at this stage, because the negotiations are going on to find out the exact quantity that will be available for export to hard currency areas.

Shri Buragohain: Are we going to get any increased cost of production allowance for the current year's crop as compared with the previous year's?

Shri Gadgil: That is one of the things being discussed and I may say that an addition of one penny per lb. over what they originally offered has been accepted by the United Kingdom Government.

Shri Buragohain: Is any part of the tea purchased by the United Kingdom Government re-exported from that country to other countries?

Shri Gadgil: I require notice for that.

Shri Tyagi: Are negotiations going on with H.M.G. (*An hon. Member:* "There is no H.M.G. now".) at Government level or are the growers themselves are conducting them?

Shri Gadgil: The bargains are entered into directly with the gardeners, but the terms and other connected matters are done through the Government of India.

Shri Tyagi: In view of the discussions in this House during the last occasion have Government taken any steps to raise the price of the Indian tea which goes to the United Kingdom?

Shri Gadgil: As I have already said, an additional one penny over what was originally offered has been secured.

Shri Tyagi: What is the price of Indian tea in U.S.A. and other countries? Is it three times as much?

Shri Gadgil: I require notice for that.

PRICE OF PAKISTAN JUTE

*1840. **Shri B. K. P. Sinha:** (a) Will the Minister of Commerce be pleased to state what price Indian jute interests have agreed to or propose to pay for Pakistan jute?

(b) What is the price at which jute is selling at present in Pakistan?

The Minister of Works, Mines and Power (Shri Gadgil): (a) As is well known the Indian Jute Mills Association recently negotiated with the Pakistan Jute Board for the purchase of eight lakh bales of Pakistan raw jute. The rates in Indian rupees which were agreed to were

(1) Jute cuttings @ Rs. 28/- per maund.

(2) Hubby Jubbies @ Rs. 30/- per maund.

(3) Cross bottoms @ Rs. 34/- per maund.

(b) The Government of Pakistan have not fixed any prices for cuttings or hubby jubbies. They have however fixed a minimum price of Rs. 28/- per maund in Pakistan rupee for bottom jute. It is difficult to state the current prices in Pakistan as they vary widely from place to place. While there are reports of low quotations for distressed selling at some places it is understood that the quantities offered at such prices are not substantial.

Shri B. K. P. Sinha: What is the reason for the difference in the price of a certain category of jute in Pakistan and the price which we have proposed and to which they have agreed for the same category of jute in India?

Shri Gadgil: So far as a particular category is concerned, there may be some difference in price in Pakistan and in India, but as I have said in the answer the price differs from place to place in Pakistan itself.

Shri B. K. P. Sinha: What is the exchange ratio that will form the basis for the payment of the price of this jute? Is it the ratio which we have accepted or the ratio which Pakistan wants us to accept?

Shri Gadgil: The question of exchange ratio does not arise in this connection.

Shri B. K. P. Sinha: It is not a question of exchange ratio. I mean the price—the basis which will determine the payment of the price.

The Prime Minister (Shri Jawaharlal Nehru): Since the payment is likely to be in Indian rupees, the question of exchange ratio does not arise.

Pandit M. B. Bhargava: May I know what is the policy of Government; whether to decide this question of jute with Pakistan in an isolated form or in connection with trade relations as a whole?

Shri Gadgil: A few days ago, the hon. Mr. Neogy made a statement clarifying the position, during which he had stated that this is part of a general comprehensive Agreement.

Shri B. K. Das: May I know whether this question of jute will be taken up by the Delegation which is being sent to Karachi?

Shri Gadgil: It is one of the items that would be talked over at the Conference.

Shri B. K. Das: Are they to reach a final conclusion in Karachi or will they come here before agreeing to anything?

Shri Gadgil: No final conclusion can be reached. It is a Conference between the Secretaries and they will report to their respective Governments.

Dr. M. V. Gangadhara Siva: May I know whether it is a fact that the jute bought by the Government of India from Pakistan is of inferior quality and is of no use, and if so, may I know why it was not examined before being purchased?

Shri Gadgil: This deal has been entered into by experts; so I shall not hazard any opinion beyond the one given by the experts.

Shri Biswanath Das: May I know the reason why such an important deal as this was allowed to be put through by the businessmen themselves without taking up the matter on a Government to Government level? May I know, in particular, why this deal was allowed to be put through by a Britisher, Mr. Walker?

Mr. Speaker: I think that the very same question was dealt with previously on the floor of this House.

Shri Raj Bahadur: May I know how the present prices compare with the prices of similar categories of jute before devaluation?

Shri Gadgil: They compare very well.

Shri Hossain Imam: How does the price prevailing in India compare with the price sold for our purchases from Pakistan?

Shri Gadgil: The reason why the Jute Association and the persons connected with it, who were Scotchmen and Marwaris, entered into this transaction was because it was advantageous.

Shri Raj Bahadur: With reference to the reply given to my supplementary question, may I know whether the prices compare favourably for us or for Pakistan?

Shri Gadgil: I think that the hon. Member has enough comprehension to understand what I stated.

Shri Tyagi: Before this jute deal was completed, did the Government take care to see that the jute bales which had been detained by Pakistan and on account of which the whole trouble arose were released by Pakistan?

Shri Gadgil: Certain bales which were purchased before devaluation have been mostly released and received in India.

AKBAR AND MADH DISPLACED PERSONS CAMPS

*1841. **Lala Achint Ram:** Will the Minister of **Rehabilitation** be pleased to state:

(a) the dates on which Akbar and Madh Displaced Persons Camps in Bombay were started;

(b) the maximum number of persons housed in each camp at any time;

(c) the number of persons in each camp at present;

(d) the total number of deaths in each of these camps, and the death rate per annum per one thousand in these camps; and

(e) the number of deaths in Madh Camp during the period from 1st of October to 31st December, 1949?

The Minister of State for Rehabilitation (Shri Mohan Lal Saxena): (a) 27th March and 25th November 1948 respectively.

(b) 12,348 and 9,614 respectively.

(c) 6,600 and 7,000 respectively.

(d) The total number of deaths during the period May 1949 to March 1950 in Akbar and Madh Camps were 318 and 518 respectively. The death rate per annum per one thousand during the same period was 44.13 and 64.23 respectively.

(e) The number of deaths in Madh Camp during 1st of October and 31st of December 1949 was 278.

लाला अचिन्त राम : क्या माननीय मंत्री साहब यह बतलाने की कृपा करेंगे कि अक्टूबर से 31 दिसम्बर सन् 1949 तक इतनी ज्यादा मौतें क्यों हुईं और इन का क्या कारण था ?

Lala Achint Ram: Will the hon. Minister be pleased to state why so many deaths occurred from October to 31st December 1949 and what were the reasons for that?

श्री मोहन लाल सक्सेना : इस के दो कारण बतलाये जाते हैं, एक तो यह है कि जो राशन उनको दिया जाता था, उस में से वह राशन बेच देते थे और मल्टीपल विटैमिन (multiple vitamins) का इस्तेमाल नहीं किया जाता था। इसके अलावा खबर आने पर एक्स्ट्रा (extra) राशन दिया गया, हाफ पौंड दूध और तीन आउन्सेज ग्रीन वेजीटेबुल्स पर हेड सप्लाई किया गया और प्राइम मिनिस्टर की इच्छानुसार कुछ रुपया भी भेजा गया और जिनमें

मौत ज्यादा हुई थी, उनके लिये यह इन्तजाम किया गया कि उनको और ज्यादा एक्स्ट्रा दूध दे दिया जाय ।

Shri Mohan Lal Saksena: Two reasons are stated in this connection, firstly, they used to sell some of the ration which was given to them and thus they did not take multiple vitamins. Besides this, when information was received, an extra ration was issued and $\frac{1}{2}$ lb. milk and three ounces of green vegetables were supplied per head and in deference to the wishes of the hon. the Prime Minister some money was also sent and arrangements were made to supply more extra milk to those families which suffered as a result of more deaths.

लाला अचिन्त राम : लेकिन जो खुराक आप ने फ़रमाई है कि वहां मिलती थी, वह तो हिन्दुस्तान के बाकी कैम्पों में भी मिलती थी, और खुराक की जो कमी वहां थी, वह तो सारे और बाकी कैम्पों में भी थी, मैं पूछता हूं कि इतनी ज्यादा मौतों की खास वजह क्या थी ।

Lala Achint Ram: But the same quantity of ration as pointed out by you was being issued in all other camps in India and the deficiency of food existed there also. What I want to know is what were the particular reasons for so many deaths?

श्री मोहन लाल सक्सेना : क्या खास कारण है, मैं नहीं बतला सकता । जहां पर लोग गरीब थे और काम ज्यादा करते थे, वह उस राशन को सप्लीमेंट (supplement) ज्यादा करते थे और जो राशन उनको दिया जाता था, उसको बेचते नहीं थे, यहां वे बेच भी लेते थे ।

Shri Mohan Lal Saksena: I cannot say what are the particular reasons. Where the people were poor and they worked hard, they used to supplement that ration and did not sell the ration which was given to them. Here they had even been selling it.

लाला अचिन्त राम : क्या आप मेहरबानी करके और तहकीकात करके बतलायेंगे कि क्या कारण था ?

Lala Achint Ram: Will the hon. Minister please make necessary enquiries and state the reasons thereto?

श्री मोहन लाल सक्सेना : मैं नहीं समझ सकता कि मैं ज्यादा तहकीकात क्या करूंगा । हमारे अफसरान गये थे और वह देख आये थे, बम्बई के अफसरान और हेल्थ मिनिस्टरी के लोगों ने जो इसके सिलसिले में सिफ़ारिश की थी, उसको हमने मंजूर कर लिया ।

Shri Mohan Lal Saksena: I cannot understand what further enquiries should I make. Our officers went there and saw the things. We accepted the recommendations made in this connection by the officers of the Bombay Government and the Health Ministry.

Shri Kamath: During this period in question how many medical officers or doctors were in attendance at these camps: were they wholetime or part-time employees? Were there any well-equipped dispensaries at these camps?

Shri Mohan Lal Saksena: I am afraid I cannot give the exact number of doctors in attendance at these camps; but there were certain whole time medical officers attached to these camps. We have certain rules relating to medical relief at the camps.

Shri Kamath: What are those rules?

Shri Mohan Lal Saksena: I have not got the rules here. But the Health Ministry have prescribed certain rules that every camp with a particular number of people should have a certain number of medical officers.

Shrimati Durgabai: May I know how long it will take to complete the township of Kalyan?

Mr. Speaker: It does not arise out of this question.

Shrimati Renuka Ray: Who was in charge of these camps—was it under the Central Government or the provincial Government? Has it now been completely closed down?

Shri Mohan Lal Saksena: The camps are under the Bombay Government; they have not yet been closed down.

Dr. Deshmukh: May I know if the medical officers in attendance at any time made a report about the deterioration in the health of the inmates and if so what steps were taken consequent upon it?

Shri Mohan Lal Saksena: I will require notice of that question. If at all, they would have made a report to the Government of Bombay and when this was brought to our notice we sanctioned increased scales of rations.

Shri Gautam: What steps do Government propose to take to prevent such high rates of mortality?

Shri Mohan Lal Saksena: This mortality, was mainly due to seasonal diseases.

MAINTENANCE ALLOWANCE TO DISPLACED PERSONS

*1842. **Lala Achint Ram:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of displaced persons who have been sanctioned maintenance allowance in the Punjab, Uttar Pradesh, Ajmer and Bombay respectively up to 31st March, 1950; and

(b) the total number of applications received state-wise up to date?

The Minister of State for Rehabilitation (Shri Mohan Lal Saksena): (a)

Punjab.	.....	959
U.P.	.....	247
Ajmer.	.....	152
Bombay.	.....	196

(b) 6,175 applications were received by the Punjab Government and 2,350 by Ajmer direct. Besides, 1,073 and 1,225 applications pertaining to U.P. and Bombay respectively were received in this Ministry. The number of applications received by these two Governments direct is not known.

लाला अचिन्त राम : क्या माननीय मंत्री जी कृपा करके बतलायेंगे कि एक दरखास्त के फंसला करने में औसतन कितना समय लगता है ?

Lala Achint Ram: Will the hon. Minister be pleased to state what is the time which is taken on an average to decide an application?

श्री मोहन लाल सक्सेना : मैंने इसका जवाब पहले भी दिया था और शायद यह सवाल भी आप ही ने किया था। यह इस पर मुनहस्सर है कि उस दरखास्त में जो पूरी इतला मांगी गई है, वह अगर रिकार्ड में होती है, तो उसको देने में देर नहीं लगती, लेकिन जिन केसेज में इतला जो मांगी गई है, वह मौजूद नहीं होती है, तो वहां देर लगती है क्योंकि उस को वेरीफ़ाई (verify) करना पड़ता है।

Shri Mohan Lal Saksena: I replied to this question previously also, and perhaps that question too was put by the hon. Member himself. It depends upon this that if the detailed information called for in the application is available in the record, it does not take much time to grant the allowance. But in cases where the requisite particulars are not given, some delay is bound to involve because these are got to be verified.

लाला अचिन्त राम : मेरे सवाल का मंशा यह है कि जितना अरसा लगता है फंसला करने में, वह बहुत ज्यादा है और मेरा पूछने का मकसद यह था कि आपने उस असें को कम करने के लिये क्या कदम उठाया है ?

Lala Achint Ram: What I mean to say is that the time involved in deciding the application is very considerable and I wanted to know what steps have been taken by the Government to reduce that?

श्री मोहन लाल सक्सेना : मुझे इसके जवाब में यही कहना है कि इसके बारे में ज्यादा से ज्यादा कोशिश की जाती है कि यह जल्दी हो सके और इसको जल्दी करने की कोशिश की जा रही है। इसके ऊपर जो एक कमेटी है, उसके आनरेबिल मेम्बर भी इस बारे में कोशिश कर रहे हैं और मैंने तो कमेटी के जो खास काम करने वाले हैं उनसे कहा था कि वे लाला अचिन्त राम और बक्षी टेकचन्द से मिलें कि किस तरीके से जल्दी की जा सकती है और मैं जानना चाहता हूँ कि अगर उन्होंने कोई सलाह दी है, तो मुझे बतलायें कि कैसे जल्दी हो सकती है और मैं उसको पूरा करने की कोशिश करूंगा।

Shri Mohan Lal Saksena: All that I can say is that every possible effort is made to expedite the matter. Moreover the Members of the Committee incharge of this work are also trying and I have asked the active members of the Committee to contact Lala Achint Ram and Dr. Bakshi Tek Chand and discuss with them as to how the things can be expedited. I would like to know whether they have given any advice. They may tell me how matters can be expedited and I shall try my best to accomplish this task.

लाल अचिन्त राम : मैं मिनिस्टर साहब का बड़ा मशकूर हूँ कि उन्होंने मेरा जिक्र किया है। मैंने जो उनको मशविरा दिया था, उस मशविरे पर अभी तक कुछ अमल नहीं हुआ है। मैं अब आप से दरियाफत करता हूँ कि क्या कृपा करके आप बतलायेंगे कि आपने उस कमेटी में जो बनाई है, उस कमेटी की तादाद में इजाफा किया है ताकि ऐप्लीकेशनस का फैसला जल्दी हो जाय ?

Lala Achint Ram: I am grateful to the hon. Minister that he has mentioned me. No action has so far been taken to act upon the advice which I had given him. May I know from the hon. Minister whether he has increased the number of members of the Committee appointed by him so that the applications could be disposed of without any delay?

श्री मोहन लाल सक्सेना : जी हाँ जितने मॅम्बर्स हैं, उनकी तादाद बढ़ाई गई है। और यह तो हो नहीं सकता कि हर एक ऐप्लीकेशन के लिये एक अलग मेम्बर रक्खा जाय।

Shri Mohan Lal Saksena: Yes Sir, the number of members has been increased. But it is not possible that a separate member should be appointed for looking into an individual application.

گیانی جی - ایس - مسافر : کیا مانڈیے مذہبی یہ بتلائیں گے کہ کیا یہ ٹھیک ہے کہ بعض حالتوں میں میلٹیگیلیس الونس صرف چھ سات روپیہ ماہوار دیا گیا ہے ؟

Giani G. S. Musafir: Will the hon. Minister be pleased to state whether it is a fact that in certain cases maintenance allowance amounting to rupees six or seven only has been sanctioned?

श्री मोहन लाल सक्सेना : जी हाँ, यह ठीक है, क्योंकि उनको छै, सात रुपया माहवार मकान का किराया आता था।

Shri Mohan Lal Saksena: Yes Sir, it is true because they were getting rupees six or seven only on account of house-rent.

Shri R. K. Chaudhuri: May I know if the system of paying maintenance allowances on application is also in vogue in the States of West Bengal and Assam?

श्री मोहन लाल सक्सेना : वैस्ट पाकिस्तान से जितने लोग आये हैं उनके बारे में पता चला है कि यह जो मेन्टेनेन्स एलाउन्स (maintenance allowance) दिया जाता है, वह दुकानों और मकानों के किराये से जो एवैक्यूयी प्रापरटी से आता है।

Shri Mohan Lal Saksena: It has been ascertained with regard to the people who have migrated from the West Pakistan that this maintenance allowance is given to them out of the rent collected from the shops and houses which have been declared as "Evacuee Property".

Shri Majumdar: What are the reasons for not extending this scheme to West Bengal as well?

Shri Mohan Lal Saksena: Because the evacuee property law does not apply to West Bengal, Assam and Bihar.

Shri Majumdar: But what has it got to do with the Evacuee Property Act?

Shri Mohan Lal Saksena: As I have already informed the House once before, it is out of the funds of the evacuee property, that we are giving this maintenance allowance to those persons who are entitled to get rent from their property left in Pakistan. Otherwise we have got women's homes where unattached women and children are kept and they are not given any separate allowance.

Dr. Deshmukh: What are the reasons for so much of variation in the rates of maintenance allowance?

Shri Mohan Lal Saksena: I am sorry that the hon. Member has not studied the scheme which was laid on the Table of the House. According to the scheme displaced persons can get only such rent as they were entitled to get from their property in Pakistan. If a person was getting only Rs. 5 he cannot get more here. Whatever they were getting, they are getting here. Between Rs. 30 and Rs. 50 there is a graded cut and in that manner it goes right up to Rs.250.

INDIANS WHO HAVE ACQUIRED CEYLON CITIZENSHIP

*1843. **Shri Sanjivayya:** Will the Prime Minister be pleased to state how many Indians have acquired Ceylon citizenship so far?

The Deputy Minister of External Affairs (Dr. Keskar): Up to the end of March, 1950, 1,232 Indians had acquired citizenship rights in Ceylon.

Shri Sanjivayya: May I know the total number of Indians at present in Ceylon?

Dr. Keskar: This question has been asked many times on the floor of the House. I think it is between 7,00,000 and 8,00,000.

Shri Sanjivayya: May I know what steps the Government of India have taken to secure safeguards for Indians?

Dr. Keskar: This is too general a question. All along the question of Citizenship Act was going on in Ceylon. The Government of India did its best to safeguard the rights of Indians in the matter of Ceylon citizenship. Hon. Members are aware that the Government of India were not able to convince the Government of Ceylon with regard to certain matters regarding the rights of Indians to secure Ceylon citizenship.

Shri Rathnaswamy: What are the qualifications needed by Indian nationals living in Ceylon for securing citizenship rights?

The Prime Minister (Shri Jawaharlal Nehru): I ventured to point out on previous occasions that there is a certain confusion in this. Are we talking of Indian nationals or of people who are not Indian nationals but people who are of Indian descent? If they are Indian nationals, then they have rights of Indian nationals and not of Ceylon nationals. The question is how far these people who are there can under the new laws of Ceylon become Ceylon nationals thereby losing their Indian nationality at the same time, because they cannot have two nationalities. There has been unfortunately disagreement between the Government of India and the Government of Ceylon and what

we put forward has not been wholly accepted by the Government of Ceylon. And as a result a large number of Indians in Ceylon—that is, people of Indian descent in Ceylon—are dissatisfied and have not registered themselves yet.

Dr. R. S. Singh: May I know whether the facilities given to Indian nationals in Ceylon to secure Ceylonese citizenship are the same which are given by the Government of India to Ceylonese nationals to secure Indian citizenship?

Shri Jawaharlal Nehru: The question does not arise in that way. So far as our facilities are concerned they are in the New Constitution, but I am not aware of any instance of a person from Ceylon trying to get them. But in Ceylon large numbers of people, running into hundreds of thousands, 800,000 or so, went there some generations ago, thirty or forty years ago, or have been born there. Their status has thus far been rather uncertain. It offered no great difficulty so long as there was one common nationality or common citizenship called "British Subject" applicable both in Ceylon and India. Now that does not exist. These difficulties have arisen and they have to choose between Ceylon nationality and Indian nationality. Then again, the Ceylon Government has passed laws governing Ceylon nationality some of which to some extent are unfair, we think, to those people of Indian descent who want Ceylon nationality.

Hon. Members: *rose—*

Mr. Speaker: I think the matter has been sufficiently clarified.

Shri Sonavane: Are any disabilities attached to the people of Indian descent who have not acquired Ceylon citizenship?

Shri Jawaharlal Nehru: If they are not 'citizens' they do not get citizenship privileges.

Bidi INDUSTRY

*1844. **Shri Khaparde:** Will the Minister of **Industry and Supply** be pleased to state what quantity of *bidis* is exported to foreign countries?

The Minister of Works, Mines and Power (Shri Gadgil): Under the present trade classifications, statistics of exports of *bidis* are not separately available. A total quantity of 30,68,425 lbs. of manufactured tobacco other than cigars and cigarettes was, however, exported during the year 1948-49.

श्री खापरडे : क्या माननीय मंत्रीजी बतावेंगे कि जहाँ बीड़ी बनाई जाती है ऐसे कारखाने मध्य प्रदेश में कितने हैं और कितने मजदूर वहाँ काम करते हैं।

Shri Khaparde: Will the hon. Minister be pleased to state what is the number of *Bidi* manufacturing factories in Madhya Pradesh and what is the number of workers employed therein?

Mr. Speaker: It does not arise out of this.

Shri B. K. Chandhuri: What are the foreign countries to which exports have been made?

Shri Gadgil: Ceylon and Pakistan.

Shri B. L. Malviya: May I know whether any export duty is charged on the export of *bidi* and *bidi* leaves, and if so at what rate?

Shri Gadgil: Sir, I would rather require notice to give precise information.

Shri Kamath: Have any attempts been made by Government so far to explore European and American markets for our *bidis*?

Mr. Speaker: Order, order. I do not allow that question.

Shri Deshbandhu Gupta: May I know what is the total yearly output of *bidis* and which are the biggest *bidi* producing centres?

Shri Gadgil: The total output is estimated at 15,000 crores and Madhya Pradesh and Bombay are the two States in which the production is greater than the rest.

Mr. Speaker: I think we will better proceed to the next question.

COST OF PRODUCTION OF SALT

*1845. **Shri Vyas:** Will the Minister of **Industry and Supply** be pleased to state:

(a) the cost of production of salt per maund in (i) Sambhar; (ii) Didwana; and (iii) Pactpadra; and

(b) the proportion of cost on (i) labour and (ii) supervisory staff employed in those production centres?

The Minister of Works, Mines and Power (Shri Gadgil): (a) (i) 7 annas; (ii) 5 annas; and (iii) 7 annas.

(b) A statement is laid on the Table of the House.

STATEMENT

The proportion of cost on (i) labour including transport and cost of material and (ii) supervisory staff employed in those production centres is as follows:

	Sambhar	Didwana	Pactpadra
(i) *Labour including transport and cost of material.	51 per cent.	86 per cent.	76 per cent.
(ii) Supervisory staff.	13 per cent.	9 per cent.	18 per cent.

* Separate proportion of cost for labour only is not readily available in the cost of production.

Shri Vyas: What is the authorized selling price of salt in those areas which manufacture salt?

Shri Gadgil: I require notice for this.

Shri Raj Bahadur: What is the reason for the difference in the cost of production at Sambhar and Didwana?

Shri Gadgil: It is due to the fact that at Sambhar machinery is used whereas at the other two places it is worked by human agency.

Shri Raj Bahadur: May I know whether the Didwana salt depot is run by the Central Government or by the State Government?

Shri Gadgil: I require notice for that.

Shri Raj Bahadur: With reference to part (b) of the question, may I know what is the margin of profit, if any, after deducting the cost of labour and the cost of supervisory staff?

Shri Gadgil: I cannot say what is the margin of profit unless I get sufficient time to find out the figures and work out the percentages and so on.

REHABILITATION OF MEOS

*1846. **Shri Vyas:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of displaced Meos who have been rehabilitated in Bharatpur and Alwar areas of Rajasthan State; and

(b) the number of such displaced persons who are still waiting to be rehabilitated or to be sent to other States?

The Minister of State for Rehabilitation (Shri Mohan Lal Saksena): (a) 77,946 persons.

(b) According to the census of Meos taken in July, 1948 lands were to be restored to nearly 70,000 Meos, who were included in the census. The Cabinet Committee for Rehabilitation directed that in order to expedite their resettlement, lands should be restored on the basis of general enquiries, with the result that by August, 1949, nearly 78,000 Meos were resettled. 20,000 more Meos are now reported to be claiming restoration of their lands in Matsya. A check is being carried out and only those included in the census will be restored their lands and houses.

Shri Vyas: May I know whether there is any proposal to send back the Meos who have come to Bharatpur and Alwar areas to other places?

Shri Mohan Lal Saksena: There is no such proposal at present.

Shri Gautam: How long would Government take to rehabilitate the Meos who have not yet been rehabilitated for the last two years?

Shri Mohan Lal Saksena: It is not correct to say that the Meos have not been rehabilitated. As I have already stated, about 78,000 Meos have been allotted land. But there is some discrepancy because the number of Meos entered in the census was only 70,000 or 72,000; whereas those who have been allotted land are about 78,000. Therefore, in respect of those who have been claiming settlement we have to find out which of them have been included in the census and which left out.

Shri Gautam: Is the Government aware that there is a large number of Meos who have not been returned to their lands and homes and who are still staying either with their friends or with some others?

Shri Mohan Lal Saksena: I have already said that about 70,000 Meos were included in the Census; whereas about 78,000 Meos have been settled. We are concerned only with these Meos who were included in the Census.

लाल अचिन्त राम : क्या माननीय मंत्री जी कृपा करके बतलायेंगे कि पंजाब के अन्दर कितने मेओज दोबारा बसायें गये हैं ?

Lala Achint Ram: Will the hon. Minister please state what is the number of Meos rehabilitated in Punjab?

श्री मोहन लाल सक्सेना : मैं इस वक्त तो नहीं बता सकता मगर वह चाहेंगे तो मैं बाद में इसके बारे में इत्तला दे सकता हूँ ।

Shri Mohan Lal Saksena: I cannot say this offhand but if the hon. Member wants, I can supply him the necessary information afterwards.

کہانی جی - ایس مسافر : کتنے میو ایسے ہیں جنکی آدھی فیملی نو ادھر ہے اور آدھی پاکستان میں چلی گئی ہے - اور کیا جو پاکستان میں چلے گئے ہیں ان کو سہولیت دے کر واپس بلا دیا جائے گا ؟

Giani G. S. Musafir: What is the number of such Meos part of whose families are here and part of them have migrated to Pakistan, and will they be called back from Pakistan after giving them the necessary facilities?

श्री मोहन लाल सक्सेना : इसका सवाल नहीं उठता । बात यह है कि सन् १९४८ की जूलाई म जितने मेओ नहीं गए थ या जो गए थे और बाद में वापस आ गए थे, और गुढ़गाँव और अल्वर वगरह में थे, उनकी मुर्दुम-शुमारी की गई। इससे मालूम हुआ कि करीब बहत्तर हज़ार मेओ ऐसे हैं जिन्हे बसाना है और उनको राजस्थान और अल्वर में बसाया गया । कुछ ऐसे थे जिनको गुढ़गाँवां डिस्ट्रिक्ट में बसाना था, उन्हें भी बसा दिया गया है । लेकिन मेओज जिनके नाम दर्ज थे उन्ही को बसाया गया है । इसके अलावा अगर कुछ ज्यादा आ गए हैं, तो जितनी हमारे पास जमीन थी वह उनको दे दी गई । लेकिन अब हमारे पास जमीन नहीं है और और ज्यादा मेओज नहीं बसाये जा सकते ।

Shri Mohan Lal Saksena: This does not arise. The facts are that in July 1948 a census was taken of all those Meos who had not gone or who had gone but returned later on and were living in Gurgaon and Alwar etc. As a result of this, it was found that there are nearly 72,000 Meos who had to be resettled and they were rehabilitated in Rajasthan and Alwar. There were some persons who had to be resettled in Gurgaon District and they too have been rehabilitated. But the Meos whose names were entered in the Census have only been rehabilitated. In addition to this, if more persons returned, all the land that was available with us was restored to them. But now when we have no land, no further Meos can be rehabilitated.

Shri Vyas: May I know, Sir, whether the Government is giving any financial assistance to those Meos who have been rehabilitated and who have not been able to get homes and fields?

Shri Mohan Lal Saksena: I have already stated that this Ministry is concerned only with those Meos who were included in the Census. There may be other Meos; but it is the concern of the Provincial Government to give them such assistance as they can.

Shri Vyas: Is the Government aware that the Provincial Government is giving or not giving assistance to them?

Shri Mohan Lal Saksena: I have no information on that point.

FINANCIAL ASSISTANCE TO SIKKIM

*1847. **Shri Vyas:** Will the **Prime Minister** be pleased to state:

(a) the amount paid to the Government of Sikkim to meet the cost of Land Revenue Settlements and Forest Survey; and

(b) whether this amount has been paid as a loan or financial assistance?

The Deputy Minister of External Affairs (Dr. Keskar): (a) and (b). The Government of India have agreed to pay to the Government of Sikkim Rs. 50,000, as grant in aid, to meet the cost of land Revenue Settlements and for Forest Survey.

Shri Vyas: May I know, Sir, what considerations weighed with the Government in giving this amount to that State?

Dr. Keskar: Firstly the Sikkim State itself was not financially in a position to carry out such a survey. Secondly, the carrying out of such a survey was absolutely necessary because the uneasy conditions prevailing in Sikkim on account of land tenure were such that it might have affected law and order.

Shri Vyas: Do Government propose to accept the proposal of the people to merge Sikkim State into Bharat?

The Prime Minister (Shri Jawaharlal Nehru): We have just arrived at an agreement or a treaty whereunder we have acknowledged Sikkim as a Protectorate of India.

Shri R. K. Chaudhuri: How does this agreement benefit India?

Shri Jawaharlal Nehru: In a very large number of ways.

Shri Kamath: With a view to furthering this land revenue settlement are we lending the services of some of our officers as well to that Government?

Dr. Keskar: Yes, Sir.

Shri B. K. P. Sinha: Is there any difference in status between States like Hyderabad and Mysore and Sikkim?

Shri Jawaharlal Nehru: Yes. Hyderabad is an integral part of India but Sikkim is not an integral part in the sense that it is not represented in Parliament. It is a Protectorate of India and an autonomous State of which certain essential functions like Defence, External Affairs etc. are under the Government of India's control.

Shri Syamnandan Sahaya: Is the cost of the officers who will be deputed to Sikkim taken into consideration in the amount of Rs. 50,000 which has been paid as grant in aid?

INDIA'S COAL REQUIREMENTS

*1848. **Shri Naik:** Will the Minister of **Industry and Supply** be pleased to State:

- (a) the quantity of India's annual requirements of coal; and
- (b) whether any coal is imported from outside the country?

The Minister of Works, Mines and Power (Shri Gadgil): (a) The demand for coal during 1949 was 33.2 million tons.

(b) No, Sir.

It is however considered that the demand is inflated. The present level of production is sufficient to meet the requirements and production can be stepped up to keep pace with the improvement in transport.

Shri R. L. Malviya: May I know the quantity which used to be exported to Pakistan?

Shri Gadgil: I require notice for that question.

Shri Naik: Have Government taken steps to encourage the use of coal in areas where cow-dung is used as fuel to the detriment of agricultural purposes?

Shri Gadgil: That relates to the use of coal and may be appropriately answered by the Minister of Agriculture.

Shri Kesava Rao: May I know whether the Government is proposing to sell coal to Australia?

Shri Gadgil: That is under consideration.

बाबू राम नारायण सिंह : कोल अब पाकिस्तान भेजा जा रहा है या नहीं?

Babu Ramnarayan Singh: May I know whether coal is now being exported to Pakistan or not?

श्री गाडगिल : अब तो नहीं भेजा जा रहा है यह आपको मालूम है ।

Shri Gadgil: The hon. Member is aware that it is not being exported at present.

श्री आर० के० चौधरी : जाना कब से बन्द हुआ ?

Shri R. K. Chaudhuri: When was its export stopped?

श्री गाडगिल : यह तो आपको मालूम है कि जिस वक्त दिसम्बर में मिस्टर नियोगी ने एलान किया था उस वक्त से नहीं जाता है ।

Shri Gadgil: The hon. Member is aware that it has been stopped since December last when Mr. Neogy made an announcement.

VANADIUM PRODUCTION

*1849. **Shri Naik:** (a) Will the Minister of **Industry and Supply** be pleased to state the number of factories existing in India for manufacture of vanadium?

(b) Are Government aware of the existence of such a factory in Mayurthanj?

(c) What is the present condition of this factory?

(d) How do Indian ores compare with those of other countries in respect of their vanadium contents?

The Minister of Works, Mines and Power (Shri Gadgil): (a) None.

(b) Yes, a factory was started some years ago.

(c) To our knowledge it has stopped working.

(d) Our ores are poorer.

PRODUCTION AND EXPORT OF MANGANESE ORES

*1850. **Shri Naik:** (a) Will the Minister of **Commerce** be pleased to state the main sources of Manganese ores in India?

(b) What is the total production at present?

- (c) What are the quantities and values of the export of this product?
- (d) What are the countries to which Indian Manganese ore is exported?
- (e) Are there any countries competing with India in this field?
- (f) How many of the firms that export this commodity are Indian and how many foreign?

The Minister of Works, Mines and Power (Shri Gadgil): (a) Manganese ore deposits occur chiefly in Madhya Pradesh, Bombay, Mysore, Bihar, Orissa and Madras, of which Madhya Pradesh is the most important.

(b) The total production in 1948 was 466,768 tons. Figures of production for 1949 are not yet available.

(c) 308,895 tons valued at Rs. 1,81,00,000 were exported in the year 1948-49.

(d) Manganese ore is exported chiefly to United States of America, Canada, United Kingdom, Japan, Belgium, Germany, Austria, France, Italy, Sweden, Norway, Yugoslavia and Australia.

(e) Yes. The other competing countries are Brazil, U.S.S.R. and Africa.

(f) A list of firms who exported this commodity during 1949, is placed on the Table of the House. [See *Appendix VII, annexure No. 42.*]

The exact extent to which there is foreign interest in these firms is not known.

Short Notice Questions and Answers

CLASH OF DECCAN AIRWAYS PLANE

Shri Sidhva: (a) Will the Minister of **Communications** be pleased to state whether it is a fact that on or about the 5th April, 1950, a Deccan Airways freighter plane crashed at village Hatiara, ten miles from Calcutta?

(b) If so, what commodities were loaded in the plane?

(c) What was the total carrying capacity of goods of the plane and what was the weight of the actual consignment?

(d) What was the cause of the crash?

(e) What is the number of casualties?

The Deputy Minister of Communications (Shri Khurshed Lal): (a) Yes, Sir.

(b) Pieces of machinery for tea-garden use.

(c) The aircraft could legitimately have carried load up to 6,110 lbs. but subsequent physical checking shows that the weight actually uplifted was 7,883 lbs.

(d) A full report on the accident which will deal with the causes of the crash is awaited.

(e) All the three members comprising the crew were killed; the plane did not carry any passengers.

Shri Sidhva: What is the procedure prevailing for checking the weight before a plane takes off?

Shri Khurshed Lal: It is not the practice to check the weight of every plane that leaves the field. The practice is, a senior traffic manager and the pilot of the plane give a certificate of the weight carried by the plane. Off and on, officials of the Civil Aviation Department check the weight of the planes.

Shri Sidhva: Is the same procedure followed in respect of passenger aircraft also?

Shri Khurshed Lal: Yes.

Shri Sidhva: May I know whether Government consider this system satisfactory?

Shri Khurshed Lal: This is the system that prevails in most of the countries in the world as far as I know. I may however say for the information of the House that we are considering the question of importing a weighing bridge on which the entire weight of the planes could be weighed.

RAILWAY ACCIDENT NEAR BANARHAT

Shri Barman: (a) Will the Minister of Railways be pleased to state whether any accident occurred in the Assam Link near Banarhat on the 31st March 1950 and if so, what are the causes?

(b) How many accidents occurred near or at the place within the last three months and what are the details of the accidents in each case?

(c) Is it a fact that after the accident had occurred on 31st March 1950, burnt human skulls, bones, etc., were found the next day, and if so, what are the details of those deaths?

(d) What is the damage caused to Railway property, and to human life?

The Minister of Transport and Railways (Shri Gopalaswami): (a) There was no accident on 31st March, 1950 near Banarhat station. In the early hours on 1st April 1950, however, at about 1.50 A.M., while 93 Down goods train was running between Chengmari and Banarhat, the last 7 vehicles of this train broke away on a gradient and rolled back, passed through Banarhat station at speed and collided with 96 Down goods train at mile 116/15 between Banarhat and Binaguri.

The cause of this break-away was the failure of the coupling drawbar where the parting took place.

(b) The only other accident on this section occurred on 4th February, 1950 when 4 Down goods train which left Banarhat for Chengmari stalled on this gradient. The train crew then decided to part the goods train and work it in two portions into the next station. The first portion of 14 vehicles was therefore uncoupled from the rear portion, also of 14 vehicles, which had its brakes duly pinned down in accordance with the rules before being uncoupled. When, however, the front portion was being pulled away, the rear portion was bumped with the result that the latter began to roll down the gradient and ultimately collided with the engine of 620 Down goods train which was standing in Banarhat station yard.

(c) In connection with the accident mentioned in (a), the parted portion of the goods train consisted of one brakevan, 4 covered wagons and two tank wagons. After the collision with the Down goods train at mile 116/15, during the salvage operations, some charred bones were found under the debris.

The Civil Surgeon, Jalpaiguri, to whom these were sent for examination, has reported that these bones were of some cattle and not of human beings.

(d) In the accident referred to at (a), one tank wagon containing diesel oil was burnt out, the engine of 96 Down derailed, capsized and was badly damaged, one brake van was smashed and 5 other vehicles derailed and were burnt. Two rail lengths of track were damaged. There were no casualties of railway staff or of any other human beings.

Shri Barman: Is there any truth in the report that in goods trains also passengers are allowed to travel?

Shri Gopaldaswami: I know that in some goods trains, a passenger bogey is attached. But, I do not think in this particular case there were any passengers at all on the goods train.

Shri Barman: Apart from a passenger bogey, is it a fact that passengers are allowed to travel on goods wagons on account of congestion in that line?

Shri Gopaldaswami: There are some instructions about that when emergency travelling has to be made in a goods train. Under certain conditions, passengers are allowed to travel in goods wagons.

Shri Barman: As the hon. Minister also admits that it is due to the high gradient of the section that these accidents are occurring, have Government considered improving the section of the line or devised any other means so that the trains may be split up in that portion, or double engines provided to meet the conditions?

Shri Gopaldaswami: In this particular case, the report of the Committee of Officers who made the enquiry is awaited, as to what particular precaution could be taken. Generally, the question of provision of catch sidings at suitable locations on the Assam Rail link to catch run away vehicles if any from the block sections concerned and to avert accidents such as those referred to above, has been taken in hand.

Shri Joachim Alva: On the last occasion when a short notice question was put to the hon. Minister, he said that the Chief Commissioner for Railways was looking into this matter. May I know how far the investigation of the Chief Commissioner into the accidents has gone?

Shri Gopaldaswami: It is only a few days ago that the Chief Commissioner started being engaged on it. We are having a Conference of experts on the 21st for fully thrashing out the question.

IMPLEMENTATION OF INDO-PAKISTAN AGREEMENT.

Shri Ethirajulu Naidu: Could the Prime Minister make a statement as to the steps taken so far by the Central and States Governments of India and Pakistan to implement the recent Indo-Pakistan agreement?

The Prime Minister (Shri Jawaharlal Nehru): The Agreement referred to was signed 11 days ago. The Government of India took immediate steps to implement this Agreement. The two States specially concerned, namely, West Bengal and Assam, were requested to take steps to implement the Agreement in so far as it affected them. The Chief Ministers of all other States as well as Chief Commissioners were also addressed by the Prime Minister on this subject and their full co-operation was sought.

The Ministry of Finance issued instructions on the 10th April 1950 to the Customs authorities to relax the Customs restrictions as envisaged in the Agreement and to show all courtesy and consideration and avoid any form of harassment to the migrants. Liaison officers at some Customs posts have been

appointed and the appointment of others is under consideration. The Government of Pakistan are also reported to have issued similar instructions to their Customs officers in the matter of relaxation of Customs restrictions as applicable to migrants and have strictly warned their Customs officers that any person found violating these instructions would be severely dealt with. The Government of Pakistan have also stated that they have ordered that their new instructions should be enforced with retrospective effect, so that any goods previously withheld by the Customs authorities, under the old regulations, would be returned to the owners concerned in accordance with the revised instructions.

The Government of West Bengal have fixed April 24th as the date for the elections of representatives of the minority and majority communities for their Minority Commission. The Government of East Bengal have fixed April 21st for their election for this purpose.

The Government of West Bengal have prepared draft legislation to give effect to the recommendations contained in the Agreement for the safeguarding of the properties of the migrants. They have sent this draft to the East Bengal Government, so that there might be uniformity in this matter.

The Government of India will appoint a Central Minister for the Bengal and Assam area in the near future. It is also proposed to appoint a minority representative to the Cabinet of West Bengal soon.

The Government of West Bengal have asked the Chief Justice of the Calcutta High Court to appoint a Judge of the High Court for the Enquiry Commission envisaged in the Agreement. They have also ordered all their district officers to deal with immovable properties left by migrants in accordance with the Agreement.

The Government of India's Ministry of Information and Broadcasting have drawn up a detailed procedure for ensuring the implementation of the Agreement in so far as they are concerned. It is also proposed to arrange for an early meeting in Delhi of the Indo-Pakistan Information Consultative Committee, which was set up in pursuance of the Delhi Agreement of December 1948.

The Press in India and Pakistan have, as a whole, clearly indicated their determination to help in implementing the Agreement and their general approach to Indo-Pakistan issues has changed greatly for the better. It is proposed to hold a joint meeting of the All India Newspaper Editors Conference and the Pakistan Newspaper Editors Conference in Delhi early in May. The Sind Editors Conference have laid down a certain code which would govern the conduct of the press in the matter of reporting incidents, commenting, featuring news, etc., with a view to creating the proper atmosphere for the restoration of goodwill and amity between the two countries.

The number of migrants from one country to another has gone down considerably. The number of Muslims who were leaving West Bengal for East Pakistan had risen to a peak figure of about 10,000 a day. This has gone down to 1,200. Muslims going from other parts of India to West Pakistan have practically stopped doing so.

The number of Hindus coming from East Bengal to West Bengal had risen to the peak figure of over 20,000 a day. This has now gone down to 9,000 to 11,000 a day.

It should be remembered that many migrants who are coming now had no choice left, as they had sold their properties and had congregated at various railway and river stations and thus could not go back to their homes. It is largely such people who are coming over from East Pakistan to West Bengal or going from West Bengal to East Pakistan. There are still considerable

numbers of people congregated at some of these stations, like Narainganj, waiting to be transported. I have no recent figures of migrations from and to Assam or Tripura. Thus it may be said that the exodus has very definitely diminished in volume and at present is largely confined to those who were already awaiting transport. It is reported that most of these transit camps are not being filled now by fresh migrants.

Generally, travel conditions have improved, although conditions in transit camps are not good and enough transport is not always available. We have arranged for special ships for this purpose. There is no harassment now of people coming through regular Customs posts. But migrants who cross the border on foot at odd places are liable to harassment by private individuals.

Steps are being taken for the recovery of abducted women.

Border incidents have decreased and an arrangement has been arrived at between the two Governments of West Bengal and East Pakistan that in regard to any disputed territory the *status quo* should be maintained. Any dispute or incident should immediately be referred to the two District Magistrates on either side of the border.

The Chief Secretaries of the Governments of West Bengal, East Bengal and Assam and the Chief Commissioner of Tripura are meeting in a conference at Calcutta on the 21st and 22nd April to consider further steps to be taken to implement the Agreement.

Relief and Rehabilitation work is progressing.

The Deputy Prime Minister is in Calcutta at present for the purpose of co-operating, on behalf of the Central Government, with the Government of West Bengal, in implementing the Agreement to the full and helping in restoring normal conditions. His visit has already borne good fruit.

The Prime Minister of Pakistan has invited me to pay a visit to him in Karachi to discuss these and other matters further. I have accepted the invitation and I propose to go there on the 26th April for two days.

I think I may say that the results obtained from the Agreement even during this brief period of 11 days have been satisfactory.

Shri Hossain Imam: I want some elucidation. Implementation of Part B about Bihar has been left out by the Prime Minister.

Mr. Speaker: No questions allowed.

WRITTEN ANSWERS TO QUESTIONS

DELHI CLOTH MILLS

*1851. **Kaka Bhagwant Roy:** (a) Will the Minister of Labour be pleased to state whether it is a fact that the management of the Delhi Cloth Mills have served notice to a section of the staff and workers that the Mill will be shortly closed due to non-availability of cotton?

(b) If so, what steps have been taken to see that the mill is not closed and workers are not thrown out?

The Minister of Labour (Shri Jagjivan Ram): (a) and (b). No such notice has been served by the Delhi Cloth Mills on any section of their employees. They, however, notified Government that they might have to close down some sections of the Mill from April 1950 on account of the difficulty in securing cotton at the ceiling prices and of the prevailing high prices of *Kapas*. The matter was taken up with the Management and, with a view to avoid retrenchment, they have been permitted, as an emergency measure, to work the Mill on all days of the week by staggering the weekly rest days.

REHABILITATION IN BHOPAL

***1852. Thakur Lalsingh:** Will the Minister of **Rehabilitation** be pleased to state:

- (a) at how many places in the State of Bhopal shops and stalls have been newly constructed for the use of displaced persons;
- (b) the number of shops in each place;
- (c) the number of displaced persons of school-going age who have settled in Bhopal State; and
- (d) the arrangements made for their education?

The Minister of State for Rehabilitation (Shri Mohan Lal Saxena): (a) and (b). 377 shops have been constructed by the Bhopal Government out of which 28 are still incomplete. 90 shops have been sanctioned by the Bhopal Municipality and are nearing completion. The break up of these 377 shops in different places in the State of Bhopal is not available and has been asked for.

(c) and (d). Information has been called for and will be placed on the Table of the House in due course.

COTTAGE INDUSTRIES IN VINDHYA PRADESH AND BHOPAL

***1853. Shri R. S. Tewari:** Will the Minister of **Industry and Supply** be pleased to state whether any kind of cottage industries have been started in the States of Vindhya Pradesh and Bhopal?

The Minister of Works, Mines and Power (Shri Gadgil): There are various cottage industries in these two areas. The principal cottage industries are—

Vindhya Pradesh.—*Bidi* making, oilpressing, flour grinding, soap making, handloom weaving and the manufacture of utensils and steel trunks.

Bhopal.—Handloom weaving, calico printing and dyeing, carpentry, lacquer work, tanning, shoe making and *bidi* making.

EXPENDITURE ON FOREIGN PUBLICITY

***1854. Shri M. V. Rama Rao:** Will the **Prime Minister** be pleased to state the expenditure incurred in connection with foreign publicity during the year 1949-50 (to the extent to which figures are available) on—

- (a) the publication of pamphlets and magazines;
- (b) the setting up of libraries; and
- (c) the assistance rendered to Indian Artists and dancers for exhibiting pictures and dances abroad?

The Deputy Minister of External Affairs (Dr. Keskar): (a) Rs. 92,615. (This figure does not include the expenditure incurred on the pamphlets produced by our Missions abroad.)

- (b) Rs. 12,000.
- (c) Nil.

HOUSES FOR DISPLACED PERSONS IN PUNJAB

***1855. Prof. Yashwant Rai:** Will the Minister of **Rehabilitation** be pleased to state:

- (a) the number of houses constructed for displaced persons at various places in the Punjab;

- (b) the number of houses occupied by displaced persons at various places;
 - (c) the number of houses occupied by non-displaced persons;
 - (d) the number of houses lying vacant and unprotected;
 - (e) whether it is a fact that a large number of houses is still unoccupied;
- and
- (f) what steps Government propose to take to make use of these houses?

The Minister of State for Rehabilitation (Shri Mohan Lal Saksena): (a) 4,273 *pucca* houses (including 400 at Nilokheri) and 8,850 *kutch* houses.

(b) to (d). All the *kutch* houses are occupied by displaced persons who were residing in tents in camps in Punjab. Of the new *pucca* houses, 2,125 have been sold, 408 reserved for allotment to displaced Military Personnel, 921 allotted to Government Departments, 106 reserved for essential services such as Schools, Police Stations, Post Offices, shops etc. and the balance is to be auctioned very soon. The 400 houses in Nilokheri are mostly occupied by displaced persons working in the township.

(e) No.

(f) The few unoccupied houses will be sold or allotted preferably to displaced persons.

HOUSES FOR HARIJAN DISPLACED PERSONS IN DELHI

***1856. Prof. Yashwant Rai:** Will the Minister of Rehabilitation be pleased to state:

(a) the number of quarters constructed at Delhi for Harijan displaced persons;

(b) the number of quarters actually occupied by Harijan displaced persons; and

(c) the number of quarters occupied by non-displaced persons and non-Harijans?

The Minister of State for Rehabilitation (Shri Mohan Lal Saksena): (a) 488.

(b) 441.

(c) 23 quarters are occupied by 12 families of Non-Harijan Displaced Persons who are Social Workers and employees of Co-operative Society of Harijans.

Two quarters are occupied by one family of non-displaced persons employed by the Co-operative Society.

The remaining 22 quarters have been utilised for welfare activities such as dispensary, co-operative shop, Adult Education Centre, Chapli Factory and other cottage industries.

INDIANS IN GIBRALTER

***1857. Dr. R. S. Singh:** Will the Prime Minister be pleased to state the number of Indians in Gibraltar?

The Deputy Minister of External Affairs (Dr. Keskar): Recent statistics are not available. According to the report of the United Nations on Non-Self-Governing Territories (1947) there were 41 Indians in Gibraltar in 1946.

RETRENCHMENT OF INDIANS FROM BURMA GOVERNMENT SERVICE

*1859. **Shri Krishnanand Rai:** (a) Will the **Prime Minister** be pleased to state whether it is a fact that the Government of Burma is at present carrying on wholesale retrenchment of Indians from their services?

(b) How many Indians have been retrenched since the Colombo Conference?

The Deputy Minister of External Affairs (Dr. Keskar): (a) In pursuance of their policy of nationalisation of services, the Government of Burma have discharged a considerable number of their Indian employees.

(b) The information is not readily available.

PREPARATION FOR GENERAL STRIKE BY COLLIERY WORKERS

*1860. **Shri D. S. Seth:** (a) Will the Minister of **Labour** be pleased to state whether Government are aware that the colliery workers in several States are preparing for a general strike because their demand to refer the point in dispute to the Industrial Tribunal has not been met?

(b) What steps, if any, do Government propose to take to prevent any strike in the coal fields?

The Minister of Labour (Shri Jagjivan Ram): (a) Yes.

(b) The question of referring the industrial dispute in the collieries for adjudication is under Government's consideration.

TOKEN STRIKE IN BIHAR COAL FIELDS

*1861. **Shri D. S. Seth:** Will the Minister of **Labour** be pleased to state:

(a) the number of workers reported to have taken part in the token strike in the Bihar Coal fields on 7th November 1949;

(b) the loss in production of coal in tons because of the strike; and

(c) the reasons alleged to have led the workers to the token strike?

The Minister of Labour (Shri Jagjivan Ram): (a) About 42,600.

(b) About 11,900 tons.

(c) A statement of the demands embodied in the strike notices served by the unions which participated in the token strike is placed on the Table.

STATEMENT

Demands embodied in the strike notices served by unions which participated in the token strike on 7th November 1949.

1. Fixation of satisfactory minimum basic wage for the workers.
2. Correlation of dearness allowance to the cost of living index.
3. Standardisation of wages for all categories of workers.
4. Proper grade for all categories of workers.
5. Revision of Bonus and Provident Fund Rules.
6. Return train and bus fare to workers once a year according to Government Rules.
7. Leave and holidays as afforded to the Central Government Employees.

8. Restoration of issue of consumer goods at concessional rates.
9. No retrenchment without previous agreement between the management and the recognised Union.
10. Quick settlement of all disputes between workers and the employers.
11. Issue of ration from colliery Grain Shop at concessional rates for dependants of employees who have to stay outside colliery premises on account of management's failure to accommodate them on colliery premises.
12. Provision of gratuity or pension on cessation of employment and continuation with retrospective effect where it existed.
13. No action against any workers before consulting the recognised union.
14. Equal wage for equal work to male and female workers.
15. Free uniform soap and oil for all workmen.
16. House Rent to workers for whom the management is not able to provide accommodation

ALLOTMENT OF PLOTS UNDER MALKAGANJ SCHEME

*1862. **Giani G. S. Musafir:** Will the Minister of **Rehabilitation** be pleased to state:

(a) whether it is a fact that applications for allotment of plots under the Malkaganj Scheme were invited by the Chief Commissioner, Delhi, in July 1948;

(b) whether it is a fact that the Advisory Committee allotted plots to about 400 displaced persons and that after the issue of allotment orders, the lease deeds were also executed; and

(c) if the answer to part (b) above be in the affirmative, have the allottees been given possession of the plots and if not, why not?

The Minister of State for Rehabilitation (Shri Mohan Lal Saxena): (a) Yes.

(b) The Advisory Committee had recommended names for the allotment of plots in Malkaganj to 130 displaced persons. The lease deeds were, however, executed by only 27 allottees.

(c) About 350 families of displaced persons had taken unauthorized possession of Malkaganj sites prior to allotment. There were two courses open to Government; either to evict the 350 families or offer alternative sites to the abovementioned 27 allottees who had executed lease deeds. In the larger interests of displaced persons the second course was adopted.

RAID FROM EAST PAKISTAN ON VILLAGES IN DHARMANAGAR DIVISION

*1863. **Shri G. S. Guha:** (a) Will the **Prime Minister** be pleased to state whether it is a fact that an armed mob from East Pakistan raided a number of villages in Dharmanagar Division in the first week of April, 1950, set fire to a number of houses and looted considerable amount of property?

(b) Has any report been received on the incident?

(c) Are Government in a position to give details?

The Deputy Minister of External Affairs (Dr. Keshar): (a) to (c). Necessary information is being obtained from the State Government and will be laid on the Table of the House.

RAID BY PAKISTAN FORCES ON KAMALPUR IN TRIPURA

*1864. **Dr. M. M. Das:** (a) Will the **Prime Minister** be pleased to state whether the attention of the Government has been drawn to the Press Trust of India report dated the 5th April, 1950 that the town of Kamalpur, headquarters of a Sub-division in Tripura, was raided by Pakistani Forces on the 1st April, 1950?

(b) Is it a fact that the said town was under the raiders for more than 36 hours during which time the town was systematically looted?

(c) Is it a fact that the Armed Constabulary posted in Kamalpur could not offer any effective resistance to the raiders?

(d) Is it a fact that the loss of property has been estimated at several lakhs of Rupees?

(e) What is the total loss of lives, if any, during the incident?

(f) Do Government propose to compensate the losses suffered by the inhabitants of Kamalpur?

(g) What is the total amount of loss suffered by Government?

The Prime Minister (Shri Jawaharlal Nehru): (a) to (c). Yes. According to information received, a number of evacuees from Kamalpur to East Pakistan crossed back into Tripura and they were supported by some Pakistani irregular forces. The raiders attacked Kamalpur on the night of 1st April, but the Kamalpur police repulsed them. In the early hours of 2nd April the police were overwhelmed by superior numbers. The raiders then entered the town and looted and burnt houses and bazars after which many of them withdrew. On the morning of the 3rd April the State Police returned with reinforcements and drove out the remaining raiders.

(d) Yes.

(e) None.

(f) and (g). Government have already taken steps to afford immediate relief to sufferers. Protests were immediately made to the Pakistan Government and an enquiry is being held into this occurrence and the quantum of damage. The question of compensation will be considered in the light of this enquiry.

INDIANS SENT TO U. K. FOR TRAINING IN MINING ENGINEERING

*1865. **Shri Yadav:** Will the Minister of **Industry and Supply** be pleased to state how many of the 30 young Indians, referred to by him in his speech on 16th March, 1950, during the discussion on Demand for Grant in respect of the Ministry of Industry and Supply, who have been sent to the United Kingdom for special training in mining engineering belong to Backward Classes, Scheduled Tribes and Scheduled Castes (each separately)?

The Minister of Works, Mines and Power (Shri Gadgil): The information is not available as applicants who were all Indian nationals were not required to state their tribe or caste.

DISPUTE re PAY SCALES OF STAFF OF LODNA COLLIERIES

*1866. **Shri Sarangdhar Das:** Will the Minister of **Labour** be pleased to state why the dispute regarding the pay-scales and the grades of the staff of the Lodna Collieries, jointly applied for both by the management and the Workers' Union in May 1949, has not yet been referred to the Industrial Tribunal?

The Minister of Labour (Shri Jagjivan Ram): Government considered that as the Conciliation Board's 'award' obtaining in coalfields was working satisfactorily, it was not necessary to refer the demand for the fixation of grades in only one set of collieries to a tribunal. No joint application was received from employers and workers.

FIRE IN WARDHA DISPLACED PERSONS' CAMP

***1867. Shri Kannamwar:** (a) Will the Minister of Rehabilitation be pleased to state whether it is a fact that many houses of Sindhi displaced persons at Wardha Camp in Madhya Pradesh along with all their belongings were reduced to ashes by fire in the last month?

(b) How many families suffered by this fire and what is the amount of loss?

(c) What kind of help have Government given to these distressed families up till now?

The Minister of State for Rehabilitation (Shri Mohan Lal Saksena): (a) to (c). Information has been called for from the Madhya Pradesh Government and it will be laid on the Table as soon as it is received.

कालीनों का निर्यात

- *1868 :** श्री यादव : (ए) क्या वाणिज्य मंत्री बतलावेंगे कि भारत में कालीन उत्पत्ति केन्द्र किन किन प्रदेशों में है ?
- (बी) किन किन देशों को भारत में कालीन निर्यात किया जाता है ?
- (सी) सन् १९४८ तथा १९४९ ई० में कितन मूल्य के कालीन निर्यात हुए ?

EXPORT OF CARPETS

***1868. Shri Yadav:** (a) Will the Minister of Commerce be pleased to state in which of the States carpet-manufacturing centres are situated?

(b) To which countries are carpets exported from Bharat?

(c) What was the total value of carpets exported in each of the years 1948 and 1949?

The Minister of Works, Mines and Power (Shri Gadgil): (a) Carpet manufacturing centres are situated in Uttar Pradesh, Jammu and Kashmir, Rajasthan, Mysore and Madras, Madhya Bharat, Punjab, West Bengal and Bombay.

(b) and (c). I place on the Table of the House a statement showing the value of woollen carpets and rugs exported from India by sea to foreign countries during the years 1947-48, 1948-49 and for the period of ten months April 1949 to January 1950. Separate statistics for carpets are not available as the article is not distinguished in the Sea-borne Export trade returns of India. [See Appendix VII, annexure No. 43.]

COAL-FIELDS IN ASSAM

*1869. **Shri Buragohain:** Will the Minister of Industry and Supply be pleased to state;

(a) the locations of new coal-fields in Assam of which survey work has been done; and

(b) what steps, if any, have been taken to work such coal-fields?

The Minister of Works, Mines and Power (Shri Gadgil): (a) The hon. Member presumably refers to the coal occurrences in the Garo Hills in Assam.

(b) A party of officers deputed by the Geological Survey of India are at present engaged on a surface examination of the coal occurrences.

TRADE AGREEMENT BETWEEN INDIA AND GERMANY FOR IMPORT OF TRACTORS

*1870. **Shri Jajoo:** Will the Minister of Commerce be pleased to state:

(a) whether it is a fact that a Trade Agreement between India and Germany exists for the import of tractors from Germany?

(b) if so, the number of tractors imported and their value;

(c) whether any tractor below 35 Horse Power was allowed to be imported under this agreement; and

(d) if the answer to part (c) above be in the negative what are the reasons?

The Minister of Works, Mines and Power (Shri Gadgil): (a) The Trade Agreement between India and Western Germany for the period from 1st July 1949 to 30th June 1950, provides *inter alia* for import of tractors.

(b) According to latest statistics available the value of tractors and parts imported from Western Germany during July 1949 to February 1950 amounted to about Rs. 2,72,000. Information regarding the number of tractors is not available.

(c) and (d). As tractors upto 35 Horse Power are easily available from soft currency areas, no tractor below 35 Horse Power is being allowed to be imported from Western Germany which is a hard currency country.

NAMDANG CHANGLANG ROAD

*1871. **Dr. M. M. Das:** Will the Prime Minister be pleased to state:

(a) whether Government have decided to construct a Namdang-Changlang Road;

(b) what will be the length and cost of construction of the said road; and

(c) what definite purpose will this road serve?

The Deputy Minister of External Affairs (Dr. Keskar): (a) The proposal is under consideration.

(b) The length will be 22 miles and 6 furlongs and the cost of construction is estimated at Rs. 11,24,700.

(c) This arterial road is essential in the interests of the development of the Tribal Area. The Headquarters of the proposed Tirap sub-division will be located at the termination of the road near Changlang.

INDIANS DISCHARGED FROM BURMA ARMY

193. Lala Achint Ram: (a) Will the **Prime Minister** be pleased to state how many Indian nationals who had been serving in Burma Army were relieved of their duties on their refusal to accept Burmese Nationality after the declaration of the Independence of Burma?

(b) How many of them were holding Commissions?

(c) How many of them applied to Government for employment?

(d) How many of them have been absorbed in the Indian Army?

(e) What steps do Government propose to take for the employment of the rest?

The Deputy Minister of External Affairs (Dr. Keskar): (a) to (e). Information is being collected and will be laid on the Table of the House in due course.

RAISINGS AND DESPATCHES OF COAL FROM COLLIERIES

194. Shri Massey: Will the Minister of **Industry and Supply** be pleased to refer to the answer given to my unstarred question No. 149 asked on the 3rd April 1950, regarding coal and state:

(a) the raisings from all collieries other than Bengal/Bihar Collieries during the periods 1st April to 31st March in the years 1946-47 to 1948-49;

(b) the despatches to industries of coal despatched from all collieries; and

(c) the coal despatched to Pakistan for Railways separately?

The Minister of Works, Mines and Power (Shri Gadgil): (a) to (c). A statement is laid on the Table of the House.

STATEMENT

(a) Year			Tons
1946-47 .. ..	..	..	4,970,744
1947-48 .. ..	..	..	5,114,820
1948-49 .. ..	..	..	5,509,713
(b) Total despatches to industries from all fields (i.e. total despatches minus export).			
Year			Tons
1946 .. ..	..	..	25,080,870
1947 .. ..	..	..	24,215,310
1948 .. ..	..	..	23,592,112
1949 .. ..	..	..	25,219,171
(c) Year			Tons.
1947-48			
(from Aug'.47) .. ..	..	..	675,329
1948-49 .. ..	..	..	1,148,735

PENSION AND PROVIDENT FUND CLAIMS FROM DISPLACED PERSONS.

195. **Shri Sidhva:** (a) Will the Minister of **Rehabilitation** be pleased to state whether his Ministry invited claims from former servants of the State Government and Local Bodies in Pakistan for their pension and provident fund?

(b) How many claims have been received and were they all forwarded to the Government of Pakistan and if so, with what result?

(c) Have Government considered proposals to pay some advance to these employees towards their pensions and provident funds?

The Minister of State for Rehabilitation (Shri Mohan Lal Saksena): (a) Yes.

(b) 1,230 claims were received by the Ministry of Rehabilitation against which 1028 have been forwarded to the Government of Pakistan. That Government have not so far intimated their acceptance in a single case.

(c) The matter is under consideration. The latest position being that the Pakistan Government have offered to appoint an Officer to examine the claims along with one Officer of our Government and we have accepted the proposal.

Wednesday, 19th April, 1950



PARLIAMENTARY DEBATES

(Part II—Proceedings other than Questions and Answers)

OFFICIAL REPORT

VOLUME IV, 1950

(1st April, 1950 to 20th April, 1950)

First Session

of the

PARLIAMENT OF INDIA

1950



CORRIGENDA

to

the Parliamentary Debates (Part II—Other than Questions and Answers), 1st Session, 1950,—
In Volume IV,—

1. No. 3, dated the 4th April, 1950,—
Page 2507, line 19 from bottom for "tribal and other backward areas" read "scheduled castes".
2. No. 4, dated the 5th April, 1950,—
Page 2561, line one under clause 182, for "—ssion" read "submission".
3. No. 6, dated the 8th April, 1950,—
(i) Page 2647, line 11 from bottom for "so" read "to".
(ii) Page 2648, line 9 after "far" read "so".
(iii) Page 2670, line 11 from bottom for "coutry" read "country".
4. No. 7, dated the 10th April, 1950,—
Page 2710, line 13 from bottom for "its" read "to", and in last line for last word "we read "were".
5. No. 9, dated the 12th April, 1950,—
(i) Page 2810, line 6 from bottom for "act" read "Act".
(ii) Page 2822, for existing line 19 from bottom read "into effect on 19th October, 1949 certain actions had been taken under the old".

. No. 10, dated the 14th April, 1950,—
Page 2832, for existing line 19 from bottom read "(Occupancy or tenancy right not to be extinguished)".

7. No. 11, dated the 15th April, 1950,—
(i) Page 2896, line 24 after "not" insert "go".
(ii) Page 2900, line 7 for "express" read "expenses".

8. No. 12, dated the 17th April, 1950,—
(i) Page 2922, line 12 for "Shri Hussain Iman" read "Shri Hussain Imam".
(ii) Page 2923, line 4 for "all the said" read "all is said".

(iii) صفحہ ۲۹۲۶ لائن ۳ میں -دسڑوورے کی جگہ ددھزارے پڑھیں -

(iv) Page 2930, between lines 10 and 11 from bottom insert "[MR. DEPUTY-SPEAKER in the Chair]".

(v) Page 2934, line 1 for "49, 5000" read "49, 500".

9. No. 14, dated the 19th April, 1950,—
(i) Page 3020, line 9 from bottom for "re-established" read "re-establish".
(ii) Page 3022, line 19 for "away" read "way".
(iii) Page 3024, line 12 for "members" read "numbers".
(iv) Page 3025, line 18 for "placed" read "displaced".
(v) Page 3026, line 19 from bottom for "by 375" read "be 375".
(vi) Page 3029, line 28 for "by" read "ly".
(vii) Page 3031, line 12 after "Notified" insert "Area".

(viii) पृष्ठ ३०३९, पंक्ति १२ में "जातना" के स्थान पर "जानता" पढ़ें और पंक्ति २२ में "जिस को की कि" के स्थान पर "जिस को कि" पढ़ें ।

(ix) Page 3044, line 20 for "Mr. Speaker" read "Mr. Deputy-Speaker".

10. No. 15, dated the 20th April, 1950.—

- (i) Page 3059, line 16 for "Article any" read "Article 327".
 - (ii) Page 3084, line 11 from bottom for "effected" read "effete".
 - (iii) Page 3087, line 26 against "9. Tripura" for "6" read "2".
 - (iv) Page 3104, line 8 for "Formaula" read "Formula".
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PARLIAMENTARY DEBATES

(PART II—PROCEEDINGS OTHER THAN QUESTIONS AND ANSWERS

Wednesday, 19th April, 1950

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

[MR. SPEAKER *in the Chair*]

QUESTIONS AND ANSWERS

12 Noon

(See Part I)

STATEMENT BY DR. S. P. MOOKERJEE ON HIS RESIGNATION AS MINISTER OF INDUSTRY AND SUPPLY

Dr. S. P. Mookerjee (West Bengal) : Sir, in accordance with parliamentary convention I rise to make a statement explaining the reasons which have led to my resignation from the Cabinet. Let me assure the House that I have not taken the step on the spur of the moment but after deep and deliberate thought. It has been a matter of regret to me that I have not been able to reconsider my decision, although pressed to do so by many for whom I entertain the deepest personal regard. For over 2½ years it has been my proud privilege to work as a Minister of the first National Cabinet of Free India and I have not spared myself in the discharge of the duties that fell upon me. To me the experience has been of great value and it has been my privilege to work in an atmosphere of friendliness and co-operation during one of the most critical periods in the history of our country. To all sections of the House I convey my gratitude for the confidence reposed in me and to Pandit Jawaharlal Nehru and Sardar Vallabhbhai Patel I specially tender my grateful thanks for the opportunity they gave me to serve the country under their leadership. There is nothing of a personal character which has prompted me to resign and I do hope that those with whom I have disagreed will appreciate the depth of my convictions just as I have unhesitatingly appreciated their own. My differences are fundamental and it is not fair or honourable for me to continue as a member of the Government whose policy I cannot approve of. In all fairness to the Prime Minister I should state that when I communicated my decision to him on 1st April, even before the Prime Minister of Pakistan arrived in India, he readily appreciated my standpoint, acknowledged our differences and agreed to release me from the burden of my office. Any withdrawal at a subsequent stage would not have been fair to him or to me.

I have never felt happy about our attitude towards Pakistan. It has been weak, halting and inconsistent. Our goodness or inaction has been interpreted as weakness by Pakistan. It has made Pakistan more and more intransigent and has made us suffer all the greater and even lowered us in the estimation of our own people. On every important occasion we have remained on the defensive and failed to expose or counteract the designs of Pakistan aimed at us. I am not, however, dealing today with general Indo-Pakistan relationship, for the circumstances that have led to my resignation are primarily concerned with the treatment of minorities in Pakistan, specially in East Bengal. Let me say at once the Bengal problem is not a provincial one. It raises issues of an all-India character and on its proper solution will depend the peace and prosperity, both economic and political, of the entire nation. There is an important difference in the approach to the problem of minorities in India and

[Dr. S. P. Mookerjee]

Pakistan. The vast majority of Muslims in India wanted the partition of the country on a communal basis, although I gladly recognise there has been a small section of patriotic Muslims who consistently have identified themselves with national interests and suffered for it. The Hindus on the other hand were almost to a man definitely opposed to partition. When the partition of India became inevitable, I played a very large part in creating public opinion in favour of the partition of Bengal, for I felt that if that was not done, the whole of Bengal and also perhaps Assam would fall into Pakistan. At that time little knowing that I would join the first Central Cabinet, I along with others, gave assurances to the Hindus of East Bengal, stating that if they suffered at the hands of the future Pakistan Government, if they were denied elementary rights of citizenship, if their lives and honour were jeopardised or attacked, Free India would not remain an idle spectator and their just cause would be boldly taken up by the Government and people of India. During the last 2½ years their sufferings have been of a sufficiently tragic character. Today I have no hesitation in acknowledging that in spite of all efforts on my part, I have not been able to redeem my pledge and on this ground alone—if on no other—I have no moral right to be associated with Government any longer. Recent happenings in East Bengal have however overshadowed all their past woes and humiliation. Let us not forget that the Hindus of East Bengal are entitled to the protection of India, not on humanitarian considerations alone, but by virtue of their sufferings and sacrifices, made cheerfully for generations, not for advancing their own parochial interests, but for laying the foundations of India's political freedom and intellectual progress. It is the united voice of the leaders that are dead and of the youth that smilingly walked upto the gallows for India's cause that calls for justice and fairplay at the hands of Free India of today.

The recent Agreement, to my mind, offers no solution to the basic problem. The evil is far deeper and no patchwork can lead to peace. The establishment of a homogeneous Islamic State is Pakistan's creed and a planned extermination of Hindus and Sikhs and expropriation of their properties constitute its settled policy. As a result of this policy, life for the minorities in Pakistan has become "nasty, brutish and short". Let us not be forgetful of the lessons of history. We will do so at our own peril. I am not talking of by-gone times; but if anyone analyses the course of events in Pakistan since its creation, it will be manifest that there is no honourable place for Hindus within that State. The problem is not communal. It is essentially political. The Agreement unfortunately tries to ignore the implications of an Islamic State. But anyone, who refers carefully to the Objectives Resolution passed by the Constituent Assembly of Pakistan and to the speech of its Prime Minister, will find that while talking in one place of protection of minority rights, the Resolution in another place emphatically declares "that the principles of democracy, freedom, equality, tolerance and special justice as enunciated by Islam shall be fully observed". The Prime Minister of Pakistan while moving the Resolution thus spoke :

"You would also notice that the State is not to play the part of a neutral observer wherein the Muslims may be merely free to profess and practice their religion, because such an attitude on the part of the State would be the very negation of the ideals which prompted the demand of Pakistan and it is these ideals which should be the cornerstone of the State which we want to build. The State will create such conditions as are conducive to the building up of a truly Islamic Society which means that the State will have to play a positive part in this effort. You would remember that the Quaid-e-Azam and other leaders of the Muslim League always made unequivocal declarations that the Muslim demand for Pakistan was based upon the fact that the Muslims had their own way of life and a code of conduct. Indeed, Islam lays down specific directions for social behaviour and seeks to guide society in its attitude towards the problems which confront it day to day. Islam is not just a matter of private beliefs and conduct."

In such a Society, let me ask in all seriousness, can any Hindu expect to live with any sense of security in respect of his cultural, religious, economic and political rights ?

Indeed our Prime Minister analysed the basic difference between India and Pakistan only a few weeks ago on the floor of the House and his words will bear repetition :

"The people of Pakistan are of the same stock as we are and have the same virtues and failings. But the basic difficulty of the situation is that the policy of a religious and communal State followed by the Pakistan Government inevitably produces a sense of lack of full citizenship and a continuous insecurity among those who do not belong to the majority community".

It is not the ideology preached by Pakistan that is the only disturbing factor. Its performances have been in full accord with its ideology and the minorities have had bitter experiences times without number of the true character and functioning of an Islamic State. The Agreement has totally failed to deal with this basic problem.

Public memory is sometimes very short. There is an impression in many quarters that the Agreement recently made is the first great attempt of its kind to solve the problem of minorities. I am leaving aside for the time being the disaster that took place in the Punjab ; in spite of all assurances and undertakings there was a complete collapse of the administration and the problem was solved in a most brutal fashion. Afterwards we saw the gradual extermination of Hindus from the North Western Frontier Province and Baluchistan and latterly from Sind as well. In East Bengal about 13 millions of Hindus were still living and their future had been a matter of the gravest concern to all of us in India. Between August, 1947 and March, 1948, as many as five lakhs of Hindus were squeezed out of East Bengal. There were no major incidents as such ; but circumstances so shaped themselves that they got no protection from the Government of Pakistan and were forced to come away to West Bengal for shelter. During that period there was no question of any provocation given by India where normal conditions had settled down ; there was no question of Muslims being coerced to go away from India to Pakistan. In April, 1948, the First Inter-Dominion Agreement was reached in Calcutta, dealing specially with the problems of Bengal. If anyone analyses and compares the provisions of that Agreement with the recent one it will appear that in all essential matters they are similar to each other. This Agreement, however, did not produce any effective result. India generally observed its terms but the exodus from East Bengal continued unabated. It was a one-way traffic, just as Pakistan wished for. There were exchanges of correspondence ; there were meetings of officials and Chief Ministers ; there were consultations between Dominion Ministers. But judged by actual results Pakistan's attitude continued unchanged. There was a second Inter-Dominion Conference in Delhi, in December, 1948, and another Agreement was signed, sealed and delivered. It dealt with the same problem—the rights of minorities specially in Bengal. This also was a virtual repetition of the first Agreement. In the course of 1949 we witnessed a further deterioration of conditions in East Bengal and an exodus of a far larger number of helpless people, who were up-rooted from their hearth and home and were thrown into India in a most miserable condition. The fact thus remains that in spite of two Inter-Dominion Agreements as many as 16 to 20 lakhs of Hindus were sent away to India from East Bengal. About a million of uprooted Hindus had also to come away from Sind. During this period a large number of Muslims also came away from Pakistan mainly influenced by economic considerations. The economy of West Bengal received a rude shock and we continued as helpless spectators of a grim tragedy.

Today there is a general impression that there has been failure both on the part of India and Pakistan to protect their minorities. The fact however is just the reverse of it. A hostile propaganda has been also carried on in some sections of the foreign press. This is a libel on India and truth must be made known to all who desire to know it. The Indian Government—both at the Centre and in the Provinces and States—generally maintained peace and security throughout the land after Punjab and Delhi disturbances had quietened down, in spite of grave and persistent provocations from Pakistan by reason of its failure to create conditions in Sind and

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East Bengal whereby minorities could live there peacefully and honourably. It should not be forgotten here that the people who came away from East Bengal or Sind were not those who had decided to migrate to India out of imaginary fear at the time of partition. These were people who were bent on staying in Pakistan, if only they were given a chance to live decent and peaceful lives.

Towards the end of 1949, fresh events of a violent character started happening in East Bengal. On account of the iron curtain in that area, news did not at first arrive in India. When about 15,000 refugees came to West Bengal in January 1950, stories of brutal atrocities and persecutions came to light. This time the attack was directed both against middle class urban people and selected sections of rural people who were strong, virile and united; to strike terror into their hearts was a part of Pakistan's policy. These startling reports led to some repercussions of a comparatively minor character in certain parts of West Bengal. Although these were checked quickly and effectively, false and highly exaggerated reports of so-called occurrences in West Bengal were circulated in many parts of East Bengal. This was clearly done with official backing and with a sinister motive. In the course of two to three weeks events of a most tragic character, which no civilized Government could ever tolerate, almost simultaneously broke out in numerous parts of East Bengal, causing not only wanton loss of lives and properties, but resulting also in forcible conversion of a large number of helpless people, abduction of women and shocking outrages on them. Reports which have now reached our hands clearly indicate that all these could not have happened as stray sporadic incidents. They formed part of a deliberate and cold planning to exterminate minorities from East Bengal; to ignore this is to forget hard realities. During that period our publicity both here and abroad became hopelessly weak and ineffective. This was partly done in order to prevent repercussions within India. Pakistan however followed exactly the opposite course of action. The result was that we were dubbed as aggressors while the truth was the reverse of it. During these critical weeks—although there were people who were swayed by passions and prejudices—vast sections of India's population were prepared to leave matters in the hands of Government and expected it to take stubborn measures to check the brutalities perpetrated in Pakistan. At that hour of crisis we failed to rise equal to the occasion. Where days—if not hours—counted, we allowed weeks to go by and we could not decide what was the right course of action. The whole nation was in agony and expected promptness and firmness, but we followed a policy of drift and indecision. The result was that in some areas of West Bengal and other parts of India, people became restive and exasperated and took the law into their own hands. Let me say without hesitation that private retaliation on innocent people in India for brutalities committed in Pakistan offers us no remedy whatsoever. It creates a vicious circle which may be worse than the disease; it brutalizes the race and lets loose forces which may become difficult to control at a later stage. We must function as a civilised State and all citizens, who are loyal to the State, must have equal rights and protection, irrespective of their religion or faith. The only effective remedy in a moment of such national crisis can and must be taken by the Government of the country and if Government moves quickly, consistent with the legitimate wishes of the people and with a full sense of national honour and prestige, there is not the least doubt that the people will stand behind the Government. In any case, Government acted promptly to re-established peace and order throughout India. Meanwhile Muslims, though in much lesser numbers, had also started leaving India, a good number of whom belonged to East Bengal and had come to West Bengal for service or occupation. Pakistan realised the gravity of the situation only when it found that on this occasion, unlike previous ones, there was no question of one-way traffic. Since January last at least 10 lakhs of people have come out of East Bengal to West Bengal. Several lakhs have gone to Tripura and Assam. Reports indicate that thousands are on their march to India today and they represent all classes and conditions of people.

STATEMENT BY DR. S. P. MOOKERJEE ON HIS RESIGNATION AS MINISTER OF 3021
INDUSTRY AND SUPPLY

The supreme question of the hour is, can the minorities continue to live with any sense of security in Pakistan? The test of any Agreement is not its reaction within India or in foreign lands, but on the minds of the unfortunate minorities living in Pakistan or those who have been forced to come away already. It is not how a few top-ranking individuals in Pakistan think or desire to act. It is the entire set-up of that State, the mentality of the official circles—high and low—the attitude of the people at large and the activities of organisations such as 'Ansars' which all operate together and make it impossible for Hindus to live. It may be that for some months no major occurrences may take place. Meanwhile we may on our generosity supply them with essential commodities which will give them added strength. That has been Pakistan's technique. Perhaps the next attack may come during the rainy season when communications are virtually cut off.

I have found myself unable to be a party to the Agreement for the following main reasons :

First—we had two such Agreements since Partition for solving the Bengal problem and they were violated by Pakistan without any remedy open to us. Any Agreement which has no sanction will not offer any solution.

Secondly, the crux of the problem is Pakistan's concept of an Islamic State and the ultra-communal administration based on it. The Agreement side-tracks this cardinal issue and we are today exactly where we were previous to the Agreement.

Thirdly—India and Pakistan are made to appear equally guilty, while Pakistan was clearly the aggressor. The Agreement provides that no propaganda will be permitted against the territorial integrity of the two countries and there will be no incitement to war between them. This almost sounds farcical so long as Pakistan troops occupy a portion of our territory of Kashmir and warlike preparations on its part are in active operation.

Fourthly—events have proved that Hindus cannot live in East Bengal on the assurances of security given by Pakistan. We should accept this as a basic proposition. The present Agreement on the other hand calls upon minorities to look upon Pakistan Government for their safety and honour which is adding insult to injury and is contrary to assurances given by us previously.

Fifthly—there is no proposal to compensate those who have suffered nor will the guilty be ever punished, because no one will dare give evidence before a Pakistan Court. This is in accordance with bitter experience in the past.

Sixthly—Hindus will continue to come away in large numbers and those who have come will not be prepared to go back. On the other hand, Muslims who had gone away will now return and in our determination to implement the Agreement Muslims will not leave India. Our economy will thus be shattered and possible conflict within our country will be greater.

Seventhly—in the garb of protecting minorities in India, the Agreement has reopened the problem of Muslim minority in India, thus seeking to revive those disruptive forces that created Pakistan itself. This principle, carried to its logical conclusions, will create fresh problems for us which, strictly speaking, are against our very Constitution.

This is not the time nor the occasion for me to discuss alternative lines of action. This must obviously wait until the results of the policy now adopted by Government are known. I do not question the motives of those who have accepted the Agreement. I only hope that the Agreement must not be unilaterally observed. If the Agreement succeeds, nothing will make me happier. If it fails, it will indeed be a very costly and tragic experiment. I would only respectfully urge those who

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believe in the Agreement to discharge their responsibility by going to East Bengal—not alone, but accompanied by their wives, sisters and daughters and bravely share the burden of joint living with the unfortunate Hindu minorities of East Bengal. That would be a real test of their faith. While I have differed from the line of approach adopted by our Government to solve a malady which perhaps has no parallel in history, let me assure the House that I fully agree that the supreme need of the hour is the maintenance of peace and security in India. While utmost pressure can and must be put upon the Government of the day to act rightly, firmly and timely to prevent the baneful effects of appeasement and to guard against the adoption of a policy of repression, no encouragement should be given to create chaos and confusion within our land. If Government is anxious to have another chance—and let us understand it clearly that this is the last chance that it is asking for—by all means, let Government have it. But let not the critics of Government policy be silenced or muzzled. To our misfortune, one of the parties to the Agreement has systematically broken its pledges and promises and we have no faith in its capacity to fulfil its future pledges, unless it shows by actual action that it is capable of so doing. This note of warning sounded by us should not be unwelcome to Government, for it will then act with more keenness and alertness and not permit the legitimate interests of India to be sacrificed or sabotaged in any way.

While dealing with the problem of refugees, we will have to consider also the stupendous task of rehabilitation. The present truncated province of West Bengal cannot simply bear this colossal burden. It is a mighty task where both official and non-official elements can work together for the larger good of the country and between Government and its critics there will always be ample room for co-operation in facing a problem which concerns the peace and happiness of millions of people and of the advancement of the entire nation.

PAPERS LAID ON THE TABLE

GENERAL REPORT OF GEOLOGICAL SURVEY OF INDIA FOR 1948.

The Minister of Workes, Mines and Power (Shri Gadgil) : I beg to lay on the Table a copy of the General Report of the Geological Survey of India for the year 1948. [*Placed in Library. See No. P-90/50.*]

REPORT ON ISSUE OF IMPORT LICENCE IN FAVOUR OF MESSRS. K. RAMSON AND COMPANY, MADRAS

The Minister of Workes, Mines and Power (Shri Gadgil) : I beg to lay on the Table a copy of the Report on the issue of an import licence for self-raising flour in favour of Messrs. K. Ramson & Company Madras. [*See Appendix No. VIII, annexure No. 4.*]

Shri Kamath (Madhya Pradesh) : With regard to the second Report which has been laid on the Table just now, the enquiry to which the Report relates was held in pursuance of a promise made by the then Commerce Minister, Mr. Neogy, in answer to my question asked on the 15th or 16th March last. As that question was only half answered on that day and as today is the last day of the present Session, may I request you to ask the hon. Minister to let us know at least what the recommendations and conclusions of the Enquiry Committee are ?

Mr. Speaker : That will not serve any useful purpose now. Today is the last day and we should not take any time now over this. Let us try to finish the agenda. The Report is laid on the Table and the hon. Member may study it.

VACATION OF SEATS

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

“ In pursuance of clause (4) of Article 101 of the Constitution of India, the seats of the following Members of Parliament who have been absent from all meetings of the House for a period of more than sixty days are hereby declared vacant :

- (1) Shri Ravu Swetachalapathi Ramakrishna Ranga Rao.
- (2) Shri Raghob Ahsan.
- (3) Shri Abdul Hamid ”.

Mr. Speaker : Motion moved :

“ In pursuance of clause (4) of Article 101 of the Constitution of India, the seats of the following Members of Parliament who have been absent from all meetings of the House for a period of more than sixty days are hereby declared vacant :

- (1) Shri Ravu Swetachalapathi Ramakrishna Ranga Rao.
- (2) Shri Raghob Ahsan.
- (3) Shri Abdul Hamid.”

Shri Syamnandan Sahaya (Bihar) : Before the motion is put to vote, I would like to draw your attention to the representation which I have made in this connection, enquiring whether the sixty days are to be computed in a single Session or throughout the life of a Parliament. The rule as it stands merely says “ absence of sixty days ”, without specifically laying down during what period such absence should occur. I would like this matter to be clarified. It deserves your consideration and I have drawn your attention to it by a letter in this connection.

Mr. Speaker : The question of doubt appears to me to be as to whether absence in one Session can be tacked on to absence in another Session.

The Minister of State for Railways and Transport (Shri Santhanam) : The proviso is there. It is clear that if he is present for one day, even after a long absence, the whole absence is cut off.

Mr. Speaker : That is right. But the point is : supposing a Member is absent for thirty days in one Session, twenty days in the next and thirty days in the third, then what happens ?

Shri Santhanam : Even if he is absent for almost the entire period if before the close of the period he is present even for one day, the absence is not to be counted. But if he does not do this and is continuously absent during two Sessions, then the absence is counted ; otherwise it is not counted.

Mr. Speaker : What is the Law Minister's opinion ?

The Minister of Law (Dr. Ambedkar) : The interpretation seems to be ‘ continuous absence ’.

Mr. Speaker : So, the absence should be continuous. The matter is clear.

Shri Satya Narayan Sinha : I would like to inform the House that all these gentlemen were written to in order to find out whether they have anything to say, and we have not received any reply so far from any of them.

Mr. Speaker : The question is :

“ In pursuance of clause (4) of Article 101 of the Constitution of India, the seats of the following Members of Parliament who have been absent from all meetings of the House for a period of more than sixty days are hereby declared vacant :

- (1) Shri Ravu Swetachalapathi Ramakrishna Ranga Rao.
- (2) Shri Raghob Ahsan.
- (3) Shri Abdul Hamid.

The motion was adopted.

ELECTIONS TO COMMITTEES.
COURT OF THE UNIVERSITY OF DELHI.

مولانا ابوالکلام آزاد : جناب - دلی یونیورسٹی ایکٹ - سیکشن 18 - کلان (13) سب سیکشن (1) کے مطابق اس ہاؤس کے ممبروں کو چاہئے کہ ایسے طریقہ سے جسے آنریبل اسپیکر منظور کریں - دلی یونیورسٹی کورٹ کے لئے ایک ممبر کے چناؤ کی کارروائی انجام دیں۔ یہ چناؤ 2 دسمبر 1950ء تک کے لئے کیا جائیگا - جس کی جگہ آنریبل شری کے - سلتھام کے الگ ہونے سے خالی ہوئی ہے -

(English translation of above)

The Minister of Education (Maulana Azad) : I beg to move :

"That in pursuance of clause (xiv) of sub-section (1) of Section 18 of the Delhi University Act, 1922 (VIII of 1922) read with clause (5) of Statute 2 of the Statutes of the University set out in the Schedule to that Act, the members of this House do proceed to elect, in such manner as may be approved by the hon. the Speaker, a person from among their own members to be a member of the Court of the University of Delhi for the residue of the term, i. e., till the 2nd December 1950 vice the hon. Shri K. Santhanam who has resigned".

Mr. Speaker: The question is :

"That in pursuance of clause (xiv) of Sub-section (1) of Section 18 of the Delhi University Act, 1922 (VIII of 1922) read with clause (5) of Statute 2 of the Statutes of the University set out in the Schedule to that Act, the members of this House do proceed to elect, in such manner as may be approved by the hon. the Speaker, a person from among their own members to be a member of the Court of the University of Delhi for the residue of the term, i.e., till the 2nd December, 1950 vice the hon. Shri K. Santhanam who has resigned".

The motion was adopted.

Mr. Speaker : I have to inform hon. Members that for the purpose of election by means of the single transferable vote of a member to the Court of the University of Delhi the programme of dates will be as follows :—

1. Nomination to be filed in the Notice Office upto 1-30 P.M. today.
2. Election, if necessary, will be held today in the Assistant Secretary's room (No. 21) in the Parliament House between the hours of 2 P. M. and 4-30 P.M.

STANDING COMMITTEE FOR ROADS

Mr. Speaker : I have to inform the House that upto 5 P.M. on Tuesday the 18th April, 1950, the time fixed for receiving nominations for election of three members to the Standing Committee for Roads, three nominations were received. As the number of candidates is equal to the number of vacancies, I declare the following members to be duly elected : (1) Dr. Y. S. Parmar. (2) Shri M. Y. Nurie, and (3) Shri Jagannath Mishra.

RESERVE BANK OF INDIA (AMENDMENT) BILL.

The Minister of Finance (Dr. Matthai) : I beg to move for leave to introduce a Bill further to amend the Reserve Bank of India Act, 1934.

Mr. Speaker : The question is :

"That leave be granted to introduce a Bill further to amend the Reserve Bank of India Act 1934".

The motion was adopted.

Dr. John Matthai : I introduce the Bill.

REPRESENTATION OF THE PEOPLE BILL.—contd.

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved on the 18th April, 1950:

"That the Bill to provide for the allocation of seats in, and the delimitation of constituencies for the purpose of elections to, the House of the People and the Legislatures of States, the qualifications of voters at such elections, the preparation of electoral rolls, and matters connected therewith, be taken into consideration."

Shri Bharati (Madras) : I am painfully conscious of the need for brevity particularly because this is the last day of the session and many hon. Members will be naturally anxious to express their views on this very important Bill before the House.

Sir, it is to be greatly regretted that this basic and important measure is brought at the fag end of the session and it bears all the traces of haste, hustle and hurry. It was only yesterday, Sir, that we became aware of the President's order. The basis of the whole Bill is what is called the estimated population and you were pleased to direct that copies of the President's order should be circulated to us.

As I said this order has been prepared in such a hurry that it suffers from many defects. Clause 4 of the Order reads :

"(1) As soon as may be after the commencement of this Order, the Census Commissioner shall prepare estimates of the population of every State as on the 1st day of March, 1950, in each of the following two ways, that is to say,—

(a) after taking into account the population of the territory of that State as ascertained at the census of 1941, and such records as are available to him regarding births and deaths in that territory since that census, and also the movement of persons placed from their original places of residence by reason of the setting up of the Dominions of India and Pakistan, and

(b) on the basis of the mathematical projection of the trend indicated by the population figures of that territory as ascertained at the last five decennial censuses, after taking into account the movement of persons referred to in clause (a)

and shall then determine the population of the State by taking the average of the two estimates.

(2) The Census Commissioner shall thereafter submit to the President a statement showing the population of each State as so determined, together with an explanatory note as to how the figures of population have been calculated ; and the statement shall, on being approved by the President, be notified in the *Gazette of India*.

Sir, we are entitled to know where is the *Gazette of India* and where is the explanatory note. The idea behind this order is that everybody must be able to know how the figures have been arrived at by the Census Commissioner and that is the intention of the notification. Very probably, just as the hon. Minister sprang a surprise in regard to the Bill, he will do something this afternoon and a *Gazette of India* might be shown to us.

Sir, this is a very unfortunate position. The very object of the explanatory note is for the Members to understand the Bill. That is why I say that this kind of estimated population business is totally a wrong approach.

Then, Sir, there is another feature of this Bill. There are three definite stages in regard to this Bill. The first is the President's order ; then the Census Commissioner is to submit to the President (together with an explanatory note) of the population in each State ; then the statement, as approved by the President should be notified in the *Gazette of India*. But this procedure has not been adopted.

Then I come to a very important point. It is known that certain reservations are made for what are called Scheduled Castes. Parliament is entitled to know as to how many seats are allotted to the Scheduled Caste Community. It is very easy to compute this. For instance in Madras according to the 1941 census the strength of the Scheduled castes is 8 million 68 thousand. Their number after the last census would have increased by 6,72,000 : which makes a total of 87 lakhs. Divided by 7·2 you arrive at the figure of 12. The President's order contemplates a similar procedure with reference to Scheduled Castes—I refer to clause 5 which says :

"After determining the population of each State under paragraph 4, the Census Commissioner shall prepare an estimate of each of the other items mentioned in paragraph 3."

[MR. DEPUTY-SPEAKER in the Chair]

And there has to be another order and submission to the President, together with the reasons and the notification. All this paraphernalia is provided for. Very

[Shri Bharati]

probably they are taking steps for that. We do not know what is happening. Why should it be delayed we do not know, and the hon. Minister owes an explanation as to why it is being delayed and how these things are done without the sanction of Parliament which must express its views, as they are expressing a view with reference to the number of seats allocated in the various Legislative Assemblies. They are now denied an opportunity. Under clause 5 what is required to be taken is, the estimated population as on 1st March 1950 of the Scheduled Castes, the Scheduled Tribes etc. Of course the President is given some powers where the census is not available. Therefore, it is defective in that way.

The next point which I would like to touch upon is this.

Mr. Deputy-Speaker : There are a number of Members who would like to participate in the debate.

Shri Bharati : I will be brief. The next point which I would like to touch upon is the lack of principle in allotting seats to the respective State Legislatures. The principle is some integral multiple of the number of seats allotted to the House of the People from a State. I may give some figures. With reference to Assam the integral multiple is nine, with reference to Bihar and Bombay it is five, with reference to Madhya Pradesh it is six, with reference to Orissa and the Punjab it is seven, with reference to Madras and U. P. it is four, with reference to P. E. P.S.U. I think it is twelve, and with reference to Saurashtra the integral multiple is ten. It may be explained that this is due to the fact that a certain maximum or minimum is prescribed with reference to the total number of seats in each Legislature. I am aware of it. But within that there need not be so much difference, with this result that when come to the allocation of seats in the Legislative Assemblies of the various States the population basis works out at this rate. In Assam we have one seat per 80,000; in Bihar and Bombay one seat for 1,49,000; in Madhya Pradesh one seat for 1,20,000; in Madras and Uttar Pradesh one seat for 1,80,000; in P. E. P. S. U. one seat for 60,000. (*An. Hon. Member:* 58,000). Very well, somewhere about that; in Saurashtra one seat for 72,000. My complaint is that there need not be so much difference, particularly when we have laid down in the Constitution that the maximum number of seats must be 500—you know originally it was 300 and it was raised to 500—and I am not able to understand any principle underlying this.

So far as Madras is concerned, the total number of seats allotted in the House of the People is 75 and the integral multiple being four the total is therefore given as 300. I gave notice of an amendment to make the integral multiple into five with the result that the total number of seats should be 375 and I am very glad to find that Dr. Ambedkar who always prides himself on this fact—and I think he has justified it on this occasion—finds his way to accept this amendment and to agree that the integral multiple may be five with the result that the total number of seats may be 375. I think the Madras Government also have indicated their desire to have the figure raised to 375.

I want to touch briefly upon the next point which relates to the question of the Election Commission and delimitation. I am sorry to find that the hon. Minister has gone against the very spirit of the Constitution. We want and are very anxious that the election must not only be fool-proof but knave-proof also, that is to say, the government of the day should not have much to do with the conduct of elections and preparations for elections. That was the reason why when in the Constitution as originally framed we had even Regional Commissioners and the State Governments had got something to do with even the appointment of the Election Commissioner and the conduct of election, at a later stage we found that it would be very desirable if it was centralised. Though I always feel that many things ought to be decentralised—I claim to be a champion of provincial autonomy—and there should not be a great inroad into the liberties and autonomous functioning of States, in this particular matter, with the bitter experience before me I feel differently. My

friend Mr. T. T. Krishnamachari wanted it and we centralised it, with the result that there shall be one Election Commissioner at the top and he shall have a number of Regional Commissioners working under him, under the direction, control and supervision of the chief Election Commission at the Centre. I find that the scheme is not being given effect to. My objection is two-fold. I do not see that the Regional Commissioners are appointed. I am anxious that the Regional Commissioners should be appointed who must work under the supervision, control and direction of the Central Government. But that does not mean that they should completely dissociate themselves from any help from the Provincial Government. Not at all. That is not my view. But it must be an autonomous body, a semi-judicial body who will not be subject to any influence. That is why we took care then to provide that they cannot be easily removable and they were placed on a par with Supreme Court Judges, the Auditor-General and others. I find that the power of delimitation of constituencies which is very important is now given to the President by this Bill. Of course, the President means the government of the day. I am totally opposed to this; not because I have no confidence in the Government; I have absolute confidence in the Government. But I am anxious that the people must have a sense that everything will be all right. As we use to say with reference to judges "it is not enough that you dispense justice, but you must also show it and there must be an impression in the mind of the people that justice will be dealt with equitably", it is in that light that I am anxious that the Government should keep their hands absolutely clean and leave everything to the Election Commissioner, no doubt appointed by itself. I see no reason why the powers of delimitation should be conferred on the President. "in consultation with the Election Commission". I feel it should be the other way about. If you say "the Election Commissioner should be given powers in consultation"—though even that may not be necessary—"with the President or even with the State Government" I have no objection. But to confer the power on the President is not healthy. It is not the desire of the Constitution and I do not think it will work well.

Shri C. Subramaniam (Madras): But is not the President the source of all power ?

Shri Bharati : Yes, the President is the source of all power, even in appointing the Chief Justice and all that. But I want to keep the President away and apart from all these controversies, conflicts and other kinds of complaints. That is the very object of keeping these autonomous bodies. That is why we leave things to the Public Service Commission, the Courts and similarly the Election Commission. No doubt it is the President who appoints the Judges. But they are autonomous and free. It is only to inspire that kind of freedom that we place them on a level that they cannot be easily removable and not dependent on the smiles of the powers that be. It is in the light that I want that all the powers should be left with the Election Commission. Sir, there is one other important matter which I would like to refer to. This order or the notification which has come to us under your direction refers only to the population of the whole state. The question naturally arises as to what are we to do with the particular constituencies. It is necessary, Sir, in order to delimit constituencies, we have to know the population of particular constituencies. In Madras, what is the population and how is that to be estimated? Clause 6 lays down a very wonderful and, if I may say so, an elaborate procedure as to how the population of any particular area is to be determined. In order to find out the population of any area, you will have to multiply the number of voters entered in the provisional electoral roll of that area by the total population of the State and divide the product by the total number of provisional voters. It is an unnecessarily elaborate procedure. Take the case of Madras, for instance. What is the population of Madras? They want the voters areas to be multiplied by the population of the whole state and divide it by the total number of the voters of the state. We have got the provisional voters list and the figure is 5.5 lakhs in Madras and that is to be multiplied by 54 millions, the total population of the whole state and this is to be divided by the total number of provincial voters. A simpler method could have been

[Shri Bharati]

easily followed and all this complication of basing this election on this estimated basis avoided. A simple formula could have been proposed. The total population may be known in a particular state. In Madras it is 55 and so multiply 100 by 55. This could be easily done. This simple formula could have been adopted instead of multiplying the total population of the state with the number of voters in that particular area and then to divide it by the total number of the voters of the whole state. The proportion may be found out in Madras : What is the proportion ? It is 55 to 100. Why do you not in a particular area say 100/55 and in Madras it is 5 lakhs and it would have worked out all right. When the published census data is lacking, how are we to find out ? In a short time, I can give you results from these figures published in 1921 for the whole of Madras. Supposing the population of some districts is 18 lakhs then I can say that the seats are three. We do not know what is the total number of the provisional voters and then we will have to find out and who is to find out and who is to check and why all this, I do not know. Therefore instead of making it simple and free, I am constrained to observe they made it as complex as possible and as difficult as possible.

Mr. Deputy-Speaker : Is not the hon. Member repeating himself ?

Shri Bharati : I have not repeated anything. In this matter I only want to submit that it is just possible that particular Governments may do something. There are already complaints that the voters names have not been properly enrolled and during the time of delimitation of constituencies such complaints may arise. I must tell you an interesting thing ; I only read the other day of a report by the General Secretary of the Indian National Congress that in certain places the total number of voters returned far exceeded the population of that particular place. A similar thing has happened also here. Many hon. Members may not know that a certain province returned a total number of voters more than the total population of that particular place and then the Department has to point out : " What is this ? This is only, 1,000 and your voters are 2,000. It cannot be and it must be 500 " and they excused themselves. All these things are possible and, therefore, Sir, I want the hon. Minister to go into the question carefully and see that it is possible for anyone to judge for himself and come to decisions. In that light, Sir, I am sorry to find that the Bill is very defective and may be a source of grave difficulties and if they have only followed the 1941 Census, all these troubles would have been obviated. I thank you, Sir.

Shri Hanumanthaiya rose.—

Mr. Deputy-Speaker : The hon. Member will continue after Lunch. Every hon. Member will have his turn. As soon as we re-assemble after 2-30 P. M. I intend to give 10 minutes to each Member.

Hon. Members : Five minutes will do.

Mr. Deputy-Speaker : If the House so wishes I have no objection.

The House will now stand adjourned to 2-30 P. M.

The House then adjourned for Lunch till Half Past Two of the Clock.

The House re-assembled after Lunch at Half Past Two of the Clock.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Tyagi (Uttar Pradesh) : Sir, it will be rather presumptuous for me to question the language of the Bill. Coming as it does, from Dr. Ambedkar, it is really improper for me to question the language. But, as Dr. Ambedkar is reasonable, I think he will appreciate that as compared to the other Bills and the whole of the Constitution, this draft is rather weak. It seems he has engaged, on account of pressure

of work, some new draftsmen who have given this draft. I do not want to waste the time of the House on the draft. So long as the meaning is clear, I do not mind the language of the draft. My little anxiety is this. As the Acts of this Parliament may in future be copied by the Provincial Legislatures, I desire that the standard of language should be as good as possible. I shall give just one instance. Clause 3 runs as follows :

“(1) The allocation of seats in the House of the People shall be as shown in the First Schedule.”

The clause should be complete by itself. But there is another sub-clause (2) which runs as follows :

“To each State specified in the first column of the First Schedule, there shall be allotted the number of seats specified in the second column thereof opposite to that State.”

I do not think there is any difference between these two clauses. They could be put together. Dr. Ambedkar is not in the habit of accepting amendments from the poor Benches on this side—he being on the Treasury Benches. I have re-worded the clause thus :

“The seats in the House of the People shall be allocated to each State specified in the first column of the First Schedule according to the number opposite to that State in the second column thereof.”

Both these clauses could be reduced to one clause. In the same manner, clauses 4, 5 and 6 could be reduced to one clause. I have also tabled an amendment to that effect. It is only by way of expressing my little suspicion about the standard of language. I do not know how far I am right. This is enough as regards language.

Coming to the contents of the Bill, I want a few points to be clarified. My objection is that seats have been allotted by Dr. Ambedkar or by Government, to the various States. The Bill is dated 11-4-1950. To say that the seats have been allotted on the basis of the latest appraisalment of the population in the various States is slightly illogical. For, the notification which the President issued is dated 15-4-1950. In that notification it is laid down that there are two processes by which the population of the whole country or one or more States will be calculated. It is stated as follows :

“after taking into account the population of the territory of that State as ascertained at the census of 1941, and such records as are available to him regarding births and deaths in that territory since that census, and also the movement of persons displaced from their original places of residence by reason of the setting up of the Dominions of India and Pakistan”.

This is one method. Another method is stated thus :

“on the basis of the mathematical projection of the trend indicated by the population figures of that territory as ascertained at the last five decennial censuses, after taking into account the movement of persons referred to in clause (a)”.

These are the two methods and by these two methods independent calculations are to be made, then the independent calculations are to be tallied and an average struck. No such thing has been done. These seats to the various States seem to have been distributed *ad hoc* without ascertaining by any of the two methods the actual population of the States. Like the statistics of the Agriculture Department about production in India, population has been produced in the Secretariat and on the basis of their notes, seats have been distributed. I therefore submit, unless there is some other cogent reason or basis for the distribution of seats, one may suspect, one may be afraid that his State has not been justly dealt with. I am not quite sure whether the seats allotted to my State are really the seats as the population deserves. It may be that my State deserves more seats than have been allotted. If, afterwards, it is discovered that my State deserved three or four seats more, I will regret my support to this Bill on this occasion. I would, therefore, like to know from Dr. Ambedkar as to the basis on which he has allotted the seats, and whether he is sure that the allotment is exactly according to the population of the various States.

Shri Bharati : It is only an estimate.

Shri Tyagi: I now come to the many things which this Parliament is required to do according to the Constitution. Parliament has to enact on many matters. There was also another alternative : the enactment may be by Parliament or by some other authority specified in that behalf. These requirements have not been fulfilled. For instance, we were required by Article 326 of the Constitution to lay down such other disqualifications as may be prescribed in this behalf by or under any law made by Parliament. We have not definitely laid down the disqualifications. This power we have delegated to some other authority. It says in Article 170 (4) that :

“ Upon the completion of each census, the representation of the several territorial constituencies in the Legislative Assembly of each State shall be readjusted by such authority, in such manner and with effect from such date as Parliament may by law determine ”.

We have not fulfilled the requirement of law, but we are assuming that the authority will do the needful. Same is the case with the requirements of Article 171. Article 171 deals with the qualifications of the voters of various categories who will elect the Legislative Councils of the various States. There is a category of Graduates of Universities of 3 years' standing but after Universities the Constitution lays down that over and above the number of University degrees, the Parliament may by law prescribe other degrees equivalent to the degrees of Universities. Now this power has also been delegated. The same is the case with secondary schools teachers. It was mentioned here that teachers of such schools which are not lower in standard than that of a Secondary School, will be the electors for 1/12th of the Members of the Council of States in each State. Such schools were also to be defined by the Parliament, and we have delegated away that power also. Wherever any enactment was needed by us, we have delegated our powers either to the President which means Dr. Ambedkar himself or to some other authority. President means the President and his advisers who are the Council of Ministers. The Council of Ministers go according to the Department concerned and so virtually Dr. Ambedkar is the President and the Council of Ministers for the purposes of this enactment.

Then I come to the most important objection of mine. Sir, you have been a Member of this House for a long time and you know that there were urban and rural constituencies and members were returned from both. The claim of rural constituencies was recognized by the Britishers so that the rural population could send their representatives, without any interference from the urban influence. So to safeguard against the misappropriation of the confidence of the rural areas the then Government had decided that rural areas will have independent representatives if they so choose. Now it has been lost sight of. Although there is nothing to ban such delimitation, there is no positive suggestion to see that the constituencies are allotted according to the old practice. I am afraid that unless we positively put that suggestion in this Act, the constituencies will be mixed up.

In the matter of elections to the Upper House also in the States, the electorate is absolutely urban which is very surprising. When this matter was discussed in the Constituent Assembly, it was decided that 1/3rd of the seats will be filled up by members of the Municipal Boards and District Boards and such other local authorities as the Parliament may, by law, define. Some members of the Drafting Committee objected to the inclusion of the words 'local authority' but those who advocated its inclusion felt that it will bring in the villagers also to exercise their votes because there are statutory panchayats established in the villages. Now in the schedule of this Bill local authorities have not been mentioned at all. Schedule 4 says :

Bihar :

1. Municipalities.
2. District Boards.
3. Cantonment Boards.
4. Notified Area Committees.
5. The Patna Administration Committee.
6. Local Boards.

Bombay :

1. Municipalities.
2. District Boards.
3. Local Boards.
4. Cantonment Boards,

and so on. There is no mention of Local authorities in villages.

In my State there are Gaon Panchayats lawfully formed. There is an amendment that they may be included. You may say that the District Boards will represent the rural areas. Even this could satisfy me to some extent but the names of those District Boards will be mixed up with the names of Members of the Municipal Boards and Cantonment Boards. In a District there are 5 or 6 Municipal Boards in my side each one having about 20 members. The Municipal Board and Notified Committee members will be 10 times more in number than that of the District Boards. So the inclusion of the District Board is ineffective altogether. If the constituencies were separate, the members of the District Board were to have separate electorate of their own, I would not mind the preponderance of the urban voters. This is about 1/3rd of the Members of the Council. Then 1/12th ought to come from graduates who are mostly urban as there are no colleges in the villages. Here also villages will suffer. Teachers of Higher Secondary Schools will elect another 1/12 of the Upper House. Government never cared to open schools in the villages. So these seats, must also go to the urban areas. The villages have suffered, I submit, in the times of the British and they are even now suffering. The claims of the villages must be looked into and they must be accommodated. They are being very unjustly dealt with. In the delimitation of constituencies for this House and State Legislatures, as I said, the towns are mixed up with villages. If there are forty or fifty thousand adult voters in a town they all live together and it is very easy to bring the whole number to the polling booth so that they may cast their votes. But in the case of the villages the population will have to be collected from thirty or forty villages separated by long distances. Motor buses and lorries will have to be used. Besides it is very difficult to empty the villages of all the adult population and leave only the minors behind. There must be some people to look after the children and their household belongings. Even old men are adults and so only minors will be left behind. So it is very difficult for all the villagers to exercise their votes. It is very easy and logical to say that under adult franchise their numbers are big and so they will be able to dominate. But my friends will appreciate how difficult it is to get even male voters out of their houses during the elections, and if ladies are also to come out of their villages to exercise their votes, it will be a tremendous job. Married men will appreciate that even to go to the *bazaar* in a motor car if their wives were to accompany them they take some 15 or 20 minutes to get ready. That is the case with one wife only and if electioneering agents were to search for two million wives how much time would it take, if each one of them takes 15 or 20 minutes to get ready. So I suggest that the constituencies in rural areas must be separated from those in the urban areas. Dr. Ambedkar must assure us that in the delimitation of constituencies the old practice which has been in vogue for the last forty years shall be observed and the States will have their voice in the matter. If they are delimited on the advice of the States I will be satisfied. If all the village *panchayats* cannot be accommodated, although they are statutory bodies, to accommodate Dr. Ambedkar I have put in an amendment that the heads of those *panchayats* may be accommodated. In a district there may be 200 *Panchayats*; let the head of each village come to vote for its whole population of 2,000 villagers. Only the head or president of the *Panchayat* may be selected and be taken into the electorate.

Shri Hanumanthaiya (Mysore) : Sir, this is a Bill which has been introduced to give the Constitution that we have adopted the reality of implementation. This

Bill is a great measure and I congratulate Dr. Ambedkar for having brought it up at the earliest opportunity....

An Hon. Member : On the last day of the session.

Shri Hanumanthaiya : My only regret is that he has brought it on the last day of the Parliament and we have not had sufficient time to consider its provisions in all its implications.

Shri Kamath (Madhya Pradesh) : That is an advantage to Government.

Dr. Tek Chand (Punjab) : According to the tradition established now all important Bills are brought on the last day.

Shri Hanumanthaiya : That was exactly my feeling. This Bill which seeks to implement the Constitution that we have adopted, this Bill which seeks to bring into existence the Parliament and the legislatures in the various States, this Bill which makes nearly 17 crores of people go to the polls, is to be disposed of within the course of the day and by a few speeches. I agree with the many Members who feel that the time allotted to the consideration of this Bill is too short. This is a Bill which ought to go before a Select Committee and I am sorry to find that the Government is not willing to make it go through that democratic process. They take shelter under party discipline and are almost forcing many of us to accept the measure, though we are not in agreement with many of its provisions.

Some Hon. Members : Question.

Shri Hanumanthaiya : I agree with your question about party discipline: otherwise I would not agree.....

Shri Gautam (Uttar Pradesh) : It is cowardice that you submit to it in spite of your strong feelings.

Shri Hanumanthaiya : I have been a coward like you and you have shown me the way many a time. Let us take into consideration the representation in the various State legislatures. We have to make the parliamentary system of Government work well. Sir, may I request you to see that Dr. Ambedkar shows some courtesy to the members by listening to their observations. I seek your protection. Many a time he has disregarded the observations made in the House. If democracy is to work in this House the Ministers concerned ought to pay attention to the suggestions that are made on the floor of this House. I hope he will not show the discourtesy, that he has been prone to show to us, in this way.

Mr. Deputy-Speaker : Why should there be any general observation ?

Shri Hanumanthaiya : I have observed him many a time and I make this remark rather regretfully.

On page 9 of this Bill there are four or five States mentioned which have been given State Legislatures. The number of representatives in the lower House is 77 in the case of Madhya Bharat, in the case of Mysore 77, PEPHU it is 60, Rajasthan 60 and Travancore-Cochin 84. I have no grievance regarding the rationale of fixing this number but what I am concerned about is the number of members that are allotted. In a party system of Government which we intend to work, if there are two parties in a House where there are 60 members, if a party has a majority of 32 members they will be entitled to form the ministry. If a member of the majority party secures 17 votes out of 32 he is elected the leader of the party and becomes the Chief Minister. Out of the 17 Members five or six are likely to become Ministers. These ministers with the support of the remaining 12 people will rule the destiny of about 30 or 40 lacs of people. This is the plight to which this representation reduces democracy in various

States. I am told that Dr. Ambedkar is likely to concede some more seats to some of these states. If the number is raised from 77 to 88 as he intends doing a party could, in that Assembly, with 45 members form the Government. If out of this 45 about 24 people stand for a particular member he becomes the leader. If the present number of Ministers is any indication, 6 or 7 are likely to become Ministers out of these 24. These 6 or 7 ministers with about 17 or 18 members will virtually control the destiny of the State. This is not the system of Parliamentary Government that we bargain for. If this House is allowed to bestow more thought, if a select committee considers these implications, the number of members in some of these legislatures could be increased to 150 members, in which case we would establish a satisfactory system of democratic Government and the Ministry concerned would not be subject to personal influences of the kind one might fear. It is from this point of view that we want an increase in the number of Members in these four or five State legislatures. We lose nothing thereby. Of course, one argument is that if the number is increased we will have to incur more expenditure. Another argument is that we are wanting to provide

3 P. M. more seats for our men. Both these are cheap arguments. Sir, the Mysore Representative Assembly was brought into existence nearly seventy years ago, long before any representative body was set up in India. That Assembly had 300 members and it heard the grievances and complaints of the people from every nook and corner of the State. It proved one of the most successful Assemblies in India. The expenditure did not come to much because the daily allowance paid to a member was Rs. 5/- to begin with and later it was Rs. 10/-. Nobody made a grievance that such a low allowance was paid. It was a real representative body of the people. It brought strength and stability to the Government.

Sir, here we are reduced to the position of governing a State like Mysore, which was accustomed to have about 370 in the legislature, with 117 members, both Houses included. This is not a desirable development. After all, when we take upon ourselves to work a representative system of Government, it must be as fully and as satisfactorily representative as possible. Here we sit in Delhi, disregard local traditions, disregard local opinion and scoff at things said with the knowledge of the locality, and go our own way with the strength of the Party discipline. This is not a very desirable way of implementing the Constitution that we have so enthusiastically adopted.

The Minister of State for Transport and Railways (Shri Santhanam): May I draw the attention of the hon. Member to the fact that according to the Constitution there cannot be more than one Member for every 75,000 of the population? These probably are the maximum numbers which can be assigned to these States according to the Constitution.

Shri Hanumanthaiya : The minimum is 60 and the maximum 500.

Shri Santhanam : No, no. Not more than one Member for every 75,000 of the population.

Shri Iyyunni (Travancore-Cochin) : Even that is not given according to the present Bill. See schedule.

Shri Hanumanthaiya : I am not suggesting for a moment that we must violate the provisions of the Constitution. We must do our best within the four corners of the Constitution. Let us give the maximum number of members to these small States allowed under the Constitution. What I suggest is that greater the number of Members in the State Legislatures, the more stable will the Ministry be and greater the strength it derives. Here we are entrusting in each of these four or five States, the destinies of the people of that area to about eighteen to twenty people. That is not the result that we aimed at.

It may be argued that the Governments of the States concerned have suggested these numbers. If the opinion of the Governments of the States was conclusive, then, there was no necessity for us to discuss this Bill here at all. Here we are expected to collect opinions, facts and figures from various Governments and from various

[Shri Hanumanthaiya]

sources. We are expected to take an overall view of the matter. We are expected to take decisions with an eye to the future and with a view to make democracy work efficiently and satisfactorily. From all these points of view, if Dr. Ambedkar would agree even now to allow this Bill to go before a Select Committee, it would come out with a much better shape and form.

Shri Bharati : Then the elections will be delayed. We are meeting again after about four months. I am also for the Select Committee, but look at the other aspect.

Shri Hanumanthaiya : If the Bill is referred to the Select Committee, at the most the delay caused might be about two or three months, that is till the next session of Parliament which meets in August or September. But these two or three months do not very much matter. Even now could Dr. Ambedkar guarantee that the elections would be held definitely in May 1951 ? Some time back in this very House, during question-time, he refused to commit himself to a particular date for holding the general election. Nobody would blame the Government for holding the elections two or three months later. If it is a year or so one can understand. Instead of holding it in May; if it is held in November or December in the winter season, nobody would misunderstand the intentions of the Government. It is quite clear that the Government is not anxious to postpone the elections. The Prime Minister has made it repeatedly clear that he wants to hold the elections as soon as possible. The *bona fides* of the Prime Minister or of the institution to which he belongs or of the Minister who is sponsoring this Bill, are not questioned by anybody that they want to delay the elections. An important Bill like this should not be hustled through without giving us an opportunity of considering the consequences of the various provisions in it. We are as much interested, as the drafters of this Constitution are or as Dr. Ambedkar, the Chairman of the Drafting Committee is, in implementing the provisions of the Constitution. But I would request him even now, in the larger interests of the country and in the larger interests of the democracy that we want to work, to think over the question of referring this Bill to the Select Committee.

Sir, I do not want to repeat arguments. I support whole heartedly the points advocated by Mr. Bharati in regard to the calculation of the population figures in the Order published in the Gazette. I wholeheartedly support the point of view put forward by my hon. friend Mr. Tyagi in the matter of representation. After all, Dr. Ambedkar who is sponsoring this Bill will forgive us if some of us feel very intensely and sincerely for the people of the villages. That was the lesson taught to us by the Congress ideology and by the Father of the Nation. If we stand by these two teachers, Dr. Ambedkar should not get angry with us or call us names. We are imbued with that psychology— maybe he is right, maybe we are wrong. When we advocate the representation of the people of the villages also to the desired extent, we are merely doing what we believe to be in the interests of the country as a whole.

Shri Joachim Alva (Bombay) : Sir, may I make a submission ? My hon. friend referred to the hon. Law Minister. We have considerable regard for the hon. Member, Shri Hanumanthaiya, but we have also considerable respect for the hon. Law Minister. What I feel is that the hon. Member made a few remarks about the hon. Law Minister which are not quite warranted, and I would like him to withdraw those remarks.

Shri Kamath : The Law Minister can take care of himself.

Mr. Deputy-Speaker : Mr. Hanumanthaiya need not have generalised, but I think all these things are taken in good humour. I do not think Mr. Hanumanthaiya meant anything wrong of the hon. Law Minister. The Law Minister is so much liked in the House that nobody can say anything against him.

Yesterday, after Mr. Santhanam moved the motion, I called upon Mr. Bharati to speak. I forgot to place before the House the amendments to this motion. I will do so now.

Some amendments are for circulation and some are for reference to Select Committee. I would like to know the position from the hon. Members concerned.

Shri Barman (West Bengal) : I do not want to move my amendment, but would like to speak.

Mr. Deputy-Speaker : He will take his chance along with others.

Shri Rathnaswamy (Madras) : I do not also want to move my amendment, but wish to say a few words.

Shri M. P. Mishra (Bihar) : The same is the case with me.

Shri Sonavane (Bombay) : I would like to say a few words.

Mr. Deputy-Speaker : Very well.

Before proceeding further, I want to make an announcement.

ELECTION TO COMMITTEE.

COURT OF THE UNIVERSITY OF DELHI

Mr. Deputy-Speaker : I have to inform the House that up to 1.30 p. m. today the time fixed for receiving nominations for the purpose of election of one Member to the Court of the University of Delhi in the vacancy caused by the resignation of the hon. Shri K. Santhanam, only one nomination was received. As there is only one candidate for the vacancy I declare Shri Inlra Vidyavachaspati to be duly elected to the Court.

REPRESENTATION OF THE PEOPLE BILL—contd.

श्री भट्ट : माननीय उपाध्यक्ष महोदय, इस बिल के मुताल्लिक हमारे डाक्टर अम्बेडकर साहब ने बहुत लम्बी और वज्रनदार प्रस्तावना कर दी है अपने प्राक्कथन में उन्होंने दो एक चीज बहुत साफ़ साफ़ बताला दी हैं। उनके जैसे तर्क शास्त्री और कायदे के पंडित के मुंह से ऐसे शब्द निकले कि जिनको सुनकर मुझे बड़ी हैरानी हुई है। उन्होंने कहा कि यह जो बिल में पेश कर रहा हूँ उसको आप इस निगाह से न देखिये कि इसमें कौनसी दलील एक जगह सही है और दूसरी जगह वह गलत भी है, एक जगह कुछ बनियाद हमने पापुलेशन (population) की ली है और वह सैम्पिल सैन्स (sample census) के आधार पर ली है। कई जगह हमने उसका आधार छोड़ भी दिया है, कई जगह हमने प्रदेश की परिस्थिति को देखते हुए संख्या निर्धारित की है। उन्होंने यह कहा कि न तो इस बिल के पीछे आप सही मानों में लाजिक (logic) देखोगे, न आप कान्सिस्टेंसी (consistency) देखोगे, न कोई क्लार आर्ग्यूमेंट (argument) देखोगे, न कोई प्रोपोरशन (proportion) देखोगे, यह तो जैसा हमको ठीक लगा वैसा हमने कर लिया है, और हम सारे भारत की नब्ब को लेकर बैठे हैं, सब को जानते पहचानते हैं, इसलिये हम ने यह किया है और आपके सामने यह मसला रखा है और इसको आप मंजूर कर लीजिये।

श्री सोंधी : He is a doctor also.

श्री भट्ट : मेरी जानकारी है कि वह कोई वैद्यक के डाक्टर तो हैं नहीं। लेकिन मुझे तो चन्द मिनट मिले हैं, इसमें दो तीन बातें कहना चाहता हूँ। मुझे आश्चर्य हुआ कि एक लाजिसियन (logician)

[श्री भट्ट]

होते हुए उन्होंने सारी बातें ऐसी कहीं कि जिनमें हम बुद्धि नहीं चला सकते हैं। अगर हम सेंसस (census) को लेकर बैठें और सेंसस के आधार पर कुछ बातें कहने लें तो आप कहेंगे कि हम सेंसस का आधार ही नहीं लेते हैं। अगर हम कहें कि किसी प्रदेश के लोग पिछड़े हुए हैं और वहां विशेष परिस्थिति है तो आप कहेंगे कि हम उसको नहीं देखते हैं। आप तो यह कहते हैं कि हमने जो कुछ किया है वह बहुत और करके और बहुत ही विचारपूर्वक किया है। मैं बहुत अदब के साथ कहना चाहता हूँ कि आज जिस चीज को वह बहुत गौर के बाद और बहुत छान बीन करके रख रहे हैं उसी के लिये शायद आप चार छः महीने बाद कहेंगे कि इसमें यह बात रह गई है, इसमें यह गलती हो गई है। हम भी चाहते हैं कि चुनाव जल्दी हो जाय लेकिन इस जल्दी जल्दी की हाय हाय में कहीं कोई ऐसी गलती न कर बैठें जिससे कि अन्याय हो जाये। एक तो हम बालिश मताधिकार पर चुनाव करने का पहिले ही अनुभव कर रहे हैं और दूसरी तरफ हम बहुत जल्दी कर रहे हैं और चाहते हैं कि हम यहां भी दौड़ जायें और वहां भी दौड़ जायें। जो अफसर हैं उनके पास बहुत काम है और उनके (डा० साहब) अपने पास भी बहुत काम है यहां तक कि उनको इस बिल को आज आखिरी वक्त में लाने का समय मिला है और हम लोगों को दो दो और चार चार मिनट में अपनी बात कहनी पड़ रही है। यह बहुत मुश्किल है। लेकिन क्या करें यह हमारी सरकार है और उसने जो कदम उठाया है उसका हमें समर्थन करना ही है। लेकिन मैं यह कहना चाहता हूँ कि अगर इसको सिलेक्ट कमेटी (Select Committee) में भेज दिया जाता तो बहुत अच्छा होता, और यह तो अभी भी सिलेक्ट कमेटी को भेजा जा सकता है। पहले एक व्हिप (whip) आया था, अब दूसरा आया है, कोई तीसरा व्हिप भी आ जायेगा। अगर डाक्टर साहब को जंच जाय तो मैं उन से कहना चाहता हूँ कि सिलेक्ट कमेटी में भेजने से चुनाव रुकने वाले नहीं हैं। आप धारा सभाओं के सदस्यों की संख्या चाहे आज निर्धारित करो या चार महीने के बाद करो, इससे कुछ चुनाव नहीं रुकते। चुनाव तो तभी रुक सकते हैं कि मतदाताओं की सूची तैयार होने में देरी हो। वह तो दूसरा काम है और वह तो आगे बढ़ता ही रहेगा। आप इसको भी हिंदू कोड बिल की तरह जल्दी पास कराना चाहते हैं और यह कहते हैं कि धारा सभाओं की संख्या निर्धारित कर दी जाये नहीं तो सब काम रुक जायगा क्योंकि इलेक्शन कमिश्नर के पास दूसरा काम नहीं है। हो सकता है कि आपका कहना सही हो, लेकिन मझे जंचता नहीं है। हमारे विधान की ८० धारा में यह लिखा है कि हमें अपनी पार्लियामेंट के लिए पांच लाख के लिये कम से कम एक सदस्य निर्धारित करना होगा। लेकिन कहीं मैं देखता हूँ कि पांच लाख से नीचे के लिये भी एक सदस्य रखा गया है। इसका जवाब यह मिलता है कि हमको ऐसा जंचता है इसलिये हमने ऐसा किया। मैं आपको विधान की अन्य धाराओं का हवाला नहीं देना चाहता। मैं आपसे यह भी नहीं कहना चाहता कि हमारे विधान के डाइरेक्टिव प्रिंसिपल्स (Directive principles) में भी यह लिखा हुआ है कि हमारे सेल्फ गवर्निंग यूनिट (self governing unit) जो पंचायतें होंगी उनको आगे बढ़ाना चाहिये। भाई त्यागी जी ने इस बारे में बहुत कुछ कहा है, पर वह लोकल आथारिटी (local authority) में नहीं आयेंगी। उसका क्षेत्र बहुत कम है। अब जो ग्राम पंचायतों को और ग्राम हुकूमत संस्थाओं को अधिकार दिये जा रहे हैं वह पहिले वाले मामूली अधिकार नहीं हैं। अब तो उनको इतने अधिकार दिये गये हैं कि वह नोटीफाइड एरिया कमेटी (notified area committee) और कैंटनमेंट कमेटी (Cantonment committee) के अधिकारों से बहुत आगे बढ़ गये हैं इन विलेज पंचायतों (village panchayats) को भी इस में से टाल दिया गया है और हम लोग देख रहे हैं कि हमारी ग्राम पंचायतों के प्रतिनिधि इसमें से टल रहे हैं। आशा है कि आप इन चीजों को ध्यान में रखेंगे और जो कुछ हो सकेगा करेंगे। इन बातों में मैं बहुत समय नहीं लेना चाहता।

एक जगह आपने कहा है कि अगर कहीं किसी मतदाता का नाम दो जगह होगा तो उसको दंडित होना पड़ेगा। अब उसको मालूम भी नहीं है कि उसका नाम दो जगह लिखा गया है। ऐसा हो सकता है। मेरा अपना ही चार पांच जगह आना जाना है और पांच जगह घरबार है। घरबार के मानी यह नहीं है कि मेरे पांच औरतें हैं, लेकिन मेरे भाई आदि के यहां मेरा आना जाना और रहना होता है। वह भी मेरे मकान हैं। और इस रीति से मेरा पांच छः जगह रहना होता है। मुझे मालूम भी नहीं कि मेरा नाम कहां कहां लिखा गया है। लेकिन अगर इस तरह की गलती हो भी जाय तो इसके लिये मुझे सजा भी दी जा सकती है। सूची तैयार हो जाने के बाद ही मैं कह सकता हूं कि मुझे फलां जगह पसंद है, फलां जगह पसंद नहीं है। तो इस चीज का इसमें इन्तिज़ाम होना चाहिये।

अब मैं दूसरी बातों की तरफ आपको नहीं ले जाना चाहता। मैं तो इस बिल के बारे में यह कह सकता हूं जैसा कि भगवान ने गीता में आत्मा के बारे में कहा है : “आश्चर्यवत् पश्यति कश्चिदेनम्” (गीता अव्याय २, श्लोक २९) वैसे ही यह बिज़ एक आश्चर्य की चीज है।

(English translation of the above speech)

Shri Bhatt (Bombay) : Sir, the hon. Dr. Ambedkar has provided quite a detailed and forceful introduction to the Bill under debate. In his opening speech he has made one or two points quite clear. I am, indeed, much surprised to hear such words coming as they do from the mouth of an accredited logician and scholar of law of his eminence. He has pleaded that the Bill should not be viewed in the light as to where a certain argument holds good and where the same goes wrong. In some respects, we have adopted population based on 'sample census' as the basis whereas in other cases we have not adhered to it. In several instances, again, this number has been determined on the sole consideration of the general situation prevailing in a state. He has struck a note warning us against any hunt for a real logic, argument, consistency or proportion in this Bill. According to him, they have done as they thought to be right. According to him, they are there to sense the real sentiment of Bharat and he claims, therefore, to have a fair knowledge of her people in all respects. Further, he wants us to accept this Bill because he maintains, it has been placed before the House after taking all the factors into consideration.

Shri Sondhi (Punjab) : He is doctor also.

Shri Bhatt: According to my information, he is certainly not a doctor of medicine. I have, however, only a few minutes at my disposal in which I have to submit a few points. I feel surprised to find a logician of his eminence talking in that view. Our wits simply fail to follow him. If we stick to census as the basis while making some observations, you may come forward to reject the basis of population in itself. Next if the plea of backwardness of a certain state or of its special circumstances is advanced, you may not agree to apply that basis in that particular case. Your stand is that whatever has been done by you, is the result of a very close and thoughtful deliberation. Respectfully I may submit that you may come forward after a few months again to seek rectification of a certain error or omission in what you describe at present a measure placed before us after a deep consideration or pondering. I personally, too want the elections to be held soon. But let us be careful lest, because of these cries for haste, an error resulting in some injustice should be committed. Firstly, we are going to have an experience of elections on adult franchise basis for the first time. Secondly we are proceeding with much haste and at the same time wish to accomplish things in every way. The officers and the hon. Doctor himself are so much occupied that they have been able to bring in this Bill only at the fag end of the session with the result that we have been subjected to have our say within three to four minutes only. It is much difficult to do so. We, however, feel helpless in the matter because of the fact that Government now is our own and we have to extend

[Shri Bhatt]

our support to all their actions. I wish to say that we had better refer this Bill to Select Committee. That can be done even now. Previously there had been one whip. Now it has been replaced by a second one and a third may be expected to follow at any time. If only it may appeal to the hon. Doctor, I would like to submit that elections will not be delayed because of referring the Bill to Select Committee. Elections cannot be delayed simply because the number of members for the various legislatures is determined today or after four months. Elections can be delayed only if the electoral rolls take a longer time in preparation. That is a different type of work which will continue to go on. Like the Hindu Code Bill, you wish to hasten through this Bill. You want first to fix the number of members for the various legislatures of the country in absence of which, according to you, the whole work will suffer a standstill simply because the Election Commissioner has no other work to do at the moment. Maybe that you are right. But all this does not convince me. Under clause 80 of our Constitution, it has been laid down that one member for every five lacs of our people will have to be elected to the Parliament. But I find instances where provisions have been made for election of one member even for a population less than 5 lacs. The reason given is that it appears to them to be a right thing to do. I have no wish to refer to other clauses of the Constitution. I have neither any desire to state that the directive principles of our Constitution also provide for furtherance of the cause of the *panchayats* which shall be the self governing units in themselves. The hon. friend Shri Tyagi has said a lot in this connection, but they do not come under local authority. Their field of work is a very limited one. The powers now being delegated to the village *panchayats* or other villages governing institutions are no ordinary ones like those of former days. The powers now given to them exceed much more than those invested in a notified area Committee or in a Cantonment Committee. Even such village *panchayats* have been by-passed in the present Bill and those representing them are receiving no consideration. I hope you will keep all this in view and do whatever is possible to be done in these directions. I do not want to take much time over discussion on this issue.

At one place it is laid down that occurrence of a voter's name at two places will be a punishable offence. It is, however, possible that he or she may not even know of that. In my own case, I have my family and business spread over four or five places which I have to visit frequently. It does not mean that I have five wives. I have, however, to go to see my brothers and stay with them very often. I have even my own houses at such places. This way I have to live at four to five places at different times. I do not know at which of the places my name has been included in the list of voters. But even an error of this type renders me punishable. It is only after the preparation of the electoral rolls that I can give my preference of the place for voting purposes. There should be some arrangements to overcome this difficulty.

Now I have no wish to draw your attention to other things. For me it will suffice to quote what Lord Krishan has said in Gita in regard to the 'atma' or the eternal soul. This is what he says :

"Ashcharyavat pashyati kashchid anem"

meaning that some people view this *atma* or the eternal soul as an article or thing of wonder. Similar is the case with this Bill which, to be short is a thing of wonder.

पंडित ठाकुरदास भार्गव : जनाब डिप्टी स्पीकर साहब, मैं आपकी तबज़्जह चन्द ज़रूरी बातों पर खोजना चाहता हूँ मैं जानता हूँ कि सब मੈम्बर साहबान की स्वाहिस यह है कि इस बिल को मौजूदा हालत में पास न किया जाये। आखिरी दिन यह बिल इस हाउस (house) में हमारे सामने लाया गया है। मैं ज्यादा वक्त न लेकर आपकी छिदमत में सिर्फ दो बातें पेश करना चाहता हूँ।

एक तो यह है कि इसमें एक दफा २९ है जिसमें दर्ज है कि अभी तक जो एलेक्टोरल रोलस (electoral rolls) बने हैं, उन सब को वैलिडियेट (validate) किया जावे। इस सिलसिले में मैं अदब से अर्ज करना चाहता हूँ कि जो इलेक्टोरल रोलस अभी तक बने हैं वह ऐसे वायुमंडल में बने हैं, ऐसे हालात में बने हैं कि वह बिल्कुल गैर दुस्त व नामुकम्मिल हैं। पंजाब के निस्वत मुझे बिल्कुल रिलायबिल (reliable) तरीके से पता चला है और वहाँ के निस्वत में कह सकता हूँ कि जहाँ तकरीबन १२ लाख की आवादी है वहाँ पर तीन लाख वोटर (voters) हैं। जिस मुहल्ले में ४५ हजार वोटर होने चाहियें, वहाँ पर सिर्फ सात हजार वोटर रक्खे गये हैं। इस तरह से वहाँ पचास परसेंट (per cent) आदमी भी इन वोटर्स लिस्ट (Voters List) में नहीं आपाये हैं। मैं अदब से अर्ज करूँगा कि डाक्टर अम्बेडकर जब तक यह एश्योरेंस (assurance) न दें कि अभी तक जो इलेक्टोरल रोलस (Electoral Rolls) बने हैं उनको ठीक तौर से रिवाइज (revise) किया जायगा और उन पर औबजेक्शन (objection) करने की इजाजत दी जायेगी, पूरा पूरा औबजेक्शन करने का मौक़ा दिया जायगा और जिनके नाम न दर्ज हों उनको दर्ज कराया जा सकेगा, तब तक मैं नहीं जातना कि मैं किस तरह से जाकर लोगों को समझाऊँगा कि सही सही इलेक्टोरल रोलस की बिना पर यह एलेक्शन होने जा रहा है। इस वास्ते मैं डाक्टर अम्बेडकर की सिदमत में अदब से अर्ज करूँगा कि वह इसका कैटेगोरिकल एश्योरेंस (categorical assurance) दें कि जो एलेक्टोरल रोलस तैयार हुए हैं उनको फिर से पूरी तरह रिवाइज किया जाय और उसके बारे में सारे औबजेक्शन सुने जाय। अगर यह नहीं होता तो मैं कहना चाहता हूँ कि वह इलेक्शन बेमानी होगा और रियलिस्टिक (realistic) नहीं होगा।

दूसरी बात जो मैं अर्ज करना चाहता हूँ वह यह है कि दफा १९ की रू से क्वालीफायिंग डेट (qualifying date) और क्वालीफायिंग पीरियड (qualifying period) ऐसा रक्खा गया है कि वह हमारे इस एलेक्टोरल रोल (electoral roll) को रियलिस्टिक (realistic) बनाने की इजाजत नहीं देते तारीख एक जनवरी सन् १९४९ की रखी गई है जिसके मानी यह है कि अगर इलेक्शन प्रिग्र १९५१ में भी हुआ, जिसको जो कि मैं बहुत डाउट (doubt) करता हूँ। मैं समझता हूँ कि यह इलेक्शन विन्टर ५१ (winter 51) के पहले होना मेरी नाक़िस राय में होना नामुमकिन है। अगर स्प्रिंग या विन्टर ५१ में हुआ भी जैसी कि तख़बीज़ है कि एलेक्टोरल रोल पहली जनवरी सन् १९४९ क्वालीफायिंग डेट रहे यह असूल के खिलाफ है और जिसको कि डाक्टर अम्बेडकर साहब ने खुद फरमाया था कि विलायत के अन्दर तो हर तीसरे महीने के बाद इलेक्टोरल रोल फिर दुबारा तैयार किये जाते हैं, जिससे कि चुनाव ठीक ठीक और सही हो सके। द्वाइं वर्ष का अरसे का हमारे एलेक्शन में अन्तर पड़ जाता है जो बहुत ज्यादा है जो आब १९ वर्ष का है, वह एलेक्शन के वक्त पर २१ वर्ष का बन जायगा और ऐसे सब लोग इस हुकम की बिना पर बोट से महरूम रह जायेंगे। क्वालीफायिंग पीरियड (qualifying period) जो है वह भी ३१ मार्च सन् १९४८ का है मैं अर्ज करूँगा कि इसके अन्दर तकरीबन तीन साल का फर्क पड़ जाता है और यह साफ है कि इन रूलस (rules) की बिना पर और इन हालात में जो चुनाव होता है, वह रियलिस्टिक इलेक्शन नहीं होगा क्योंकि जिस बेसिस (basis) पर वह इलेक्शन होगा, वह पीरियड जो दिया गया है, वह तीन साल पहले का है। मैं अर्ज करूँगा कि यह काम बड़ा भारी है और सत्तरह करोड़ वोटरों का सवाल है। मैं इसको भी मान सकता हूँ और समझ सकता हूँ कि यह डेट पहली जनवरी सन् ५१ न रखी जाय, लेकिन ताहम २६ जनवरी सन् ५० या एक मार्च सन् ५० तो जरूर उसमें डेट (qualifying) रखनी चाहिये जिस दिन कंस्टीट्यूशन (constitution) नाफिज़ हुआ, और रिपब्लिक (republic) बना वह डेट तो इसमें रखनी चाहिये। और

[पंडित ठाकुरदास भार्गव]

में अर्ज करूंगा कि कम से कम क्वालीफायिंग डेट २६ जनवरी सन ५० रक्खी जाय और क्वालीफायिंग पीरियड का जहां तक ताल्लुक है, यह आखिरी डेट २५ जुलाई सन् १९४९ को डिस्प्लेस्ड परसन्स (displaced persons) के बारे में रक्खी गई है, कोई वजह नहीं है कि २५ जुलाई सन् ४९ क्वालीफायिंग पीरियड की डेट सब के लिये न रक्खी जाय। यह हर एक की संज्ञा है और गवर्नमेंट की भी संज्ञा है कि यह जो एलेक्शन हों, वह ठीक तरह से हों और जहां तक हो सके ठीक ठीक इलेक्टोरेल रोल्स की बिना पर हों। जब तक यह दो बातें जो मैंने अर्ज की, जब तक इनके मताबिक इलेक्शन नहीं होगा तो वह रिजलिस्टिक इलेक्शन नहीं होगा। और इन दो वजूहात की बिना पर मैं अर्ज करना चाहता हूं कि डाक्टर अम्बेडकर साहब को यह दोनों बातें मंजूर कर लेनी चाहियें, पेश्तर इसके कि वह हमें कहें कि इस बिल को पास कर दिया जाय।

(English Translation of the above speech.)

Pandit Thakur Das Bhargava (Punjab) : Sir, I want to draw your attention to several important issues. I am aware of the feelings of hon. Members not to pass this Bill in its present form. The Bill in question has been brought before the House on the last day of the present session. I will not, therefore, take much time of the House and I will confine my submission to two points only.

Firstly, we have been asked to validate the electoral rolls which have been compiled so far. In this connection I will like to submit that taking into consideration the atmosphere and the circumstances under which these electoral rolls have been prepared, one feels that they are incorrect and incomplete. As for Punjab, I possess reliable information and I am, therefore, in a position to say that only three lacs of voters have been enlisted at places with a population of twelve lacs. In *mohallas* where 45,000 voters inhabit, only 7,000 have been registered as such. Not even fifty per cent. of the people have, therefore, been included in the voters' list. Respectfully I may submit that, unless an assurance is forthcoming from the hon. Dr. Ambedkar promising the undertaking of a proper revision of the electoral rolls prepared so far, to give necessary permission and to provide full facilities to raise objections as also that the names of all those who have been left out shall henceforth be included therein, I cannot tell how great will be the difficulty in the way of persons like myself to convince the people that a particular election is being contested on basis of an absolute correct electoral rolls. I, therefore, respectfully call upon hon. Dr. Ambedkar to give a categorical assurance as to a thorough revision of the electoral rolls and the necessary facilities to hear all objections. Failing that I feel constrained to say that the election will be nothing but dishonest and in no way realistic in character.

Secondly, under clause 19, the provision in respect of the qualifying date and qualifying period have been made in such manner as to render these electoral rolls as unrealistic. In this Bill, the 1st day of January, 1949 has been fixed as the qualifying date. In the first place, I doubt very much if we can hold these elections in the spring of 1951. In my humble opinion it is impossible to hold them before the winter of 1951. Conceding even that they will be held sometime in the spring or winter of 1951, the proposal to fix 1st January, 1949 as the qualifying date will be opposed to any principle. The hon. Doctor had himself said that in England, electoral rolls are prepared afresh every three months so that the elections may be conducted on as accurate a basis as possible. The proposed qualifying date will create a gap of two and a half years which is rather too much. A person aged 19 will be 21 by the time these elections are held. This way all such persons will be bereft of the right of a vote on this basis. Again, the qualifying period is proposed to be the year ending the 31st March 1948. Respectfully I have to submit that this will mean an interval of nearly three years which fact clearly shows that the elections held in accordance with such rules and under such

circumstances will be far from being realistic in character for the very reason that the qualifying period will in this case be three years behind. I may submit that the work in question is of a colossal magnitude and involves as many as 17 crores of voters. I can see the justification in not fixing 1st January 1951 as the date in question. But 26th January, 1950 or 1st March 1950 must, at least, be fixed as the qualifying date. The day our Constitution was adopted finally and the republican status of our country declared, should have been commemorated this way here in this Bill. I, therefore, suggest that 26th January, 1950 may at least be fixed as the qualifying date. As for the qualifying period, there is no reason, why the 25th of July 1949—the final date fixed in case of displaced persons, should not be the date for all others. Everybody including the Government want these particular elections to be conducted on the basis of as fair and accurate electoral rolls as possible. Unless the two suggestions made by me are accepted, there can be no hope of realistic elections. I want the hon. Dr. Ambedkar to accept my two suggestions before he comes forward to ask us to pass this Bill.

Shrimati Renuka Ray (West Bengal) : While I agree with the hon. Minister of Law that this Bill on the Representation of the People should go through this session on account of the fact that the electoral rolls have to be got ready, at the same time I must acknowledge the fact that it is a pity that this Bill on which many hon. Members have much to say should have been brought on the last day of this session. I do think that even now, if it is possible, it would be better to extend the session by a day or two so as to give time for discussion of the amendments that have been brought before the House. In that case it would not be necessary for the Bill to go to a Select Committee which would involve delay in the preparation of the electoral rolls.

Sir, I do not want to take up the time of the House. I have only one point to make on which I would like to have some elucidation from the hon. the Law Minister. According to sub-clause (6) of clause 20 of this Bill "for the purpose of the electoral rolls first prepared under this Act, a person who is a citizen of India and has migrated from the territory of Pakistan into the territory of India before the 25th day of July 1949" shall be included. But as the House is well aware there are a large number of migrants who have come over after July 1949. In the recent agreement that has taken place between India and Pakistan migrants can go back, if they so choose to, up to the end of December 1950. Sir, I am one of those who believe that most of those who have come over from Eastern Pakistan are not going back. I also believe that many of those who are waiting to come are not likely to go back to Pakistan. But whatever that may be, we cannot estimate as yet what the total numbers of displaced persons who will remain as citizens of India is going to be. I therefore feel that an avenue must be left open so that if by January 1951 it is found necessary to increase the number of seats and include a number of people who have a right to citizenship qualifications, it may be done.

Sir, article 387 of the Constitution says :

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

I hope that this will be taken into consideration and that the hon. the Law Minister will give us an assurance now, that these persons who have come over from Pakistan after July 1949 and who will not be going back by December 1950 will become citizens with the right to vote in the next election. The increased numbers must be taken into consideration and seats in West Bengal and Assam allocated on the basis of the population before the elections take place.

I have done. I do not want to take up more time except to plead with the hon. the Law Minister, again that in view of the fact that so many Hon. Members have so many points of view to put forward, if it is possible to extend the session by one day. I hope he will ask the Government to do so.

Dr. Tek Chand : Sir, I have no intention to take much time of this House at this stage. Many Members have already voiced their feelings that it was most inappropriate that a Bill of this importance should have been brought at the fag end of the session and rushed through in the manner in which it is being done. It is not necessary to emphasize this fact : it is self-evident from the manner in which the whole thing has been and is being done. Of course it is no wonder that this is so, because we have of late been specialising in legislating in haste and repenting at leisure. This is only one instance of that formula which we have adopted.

Yesterday when the hon. Minister was speaking he referred to certain figure giving the population of the various Provinces. I asked him a question at that time, "Were these the figures of 1941 or have they been calculated later?" He said they were not the figures of 1941 but they were figures compiled later. I asked "When?" He said "I do not know when they were compiled and how they were compiled. It is sufficient for my purpose that the figures have been supplied by the Census Commissioner and accepted by the President". Now I ask is that a proper answer to give with regard to a provision of a Bill which has been introduced in this manner at this stage and in this hot haste and about which either the hon. the Law Minister has got no information or he does not wish to give it (*An Hon. Member*: Shame). No doubt under the article of the Constitution which was enacted at a very late stage in the Constituent Assembly the President was given the power to issue a notification, which notification also, it appears, the Law Ministry or the Government forgot to have issued at the time of the introduction of the Bill and later on light dawned upon them and they thought, "Well, there is this lacuna which will make the whole thing illegal and unconstitutional" and then in hot haste got a notification issued which was circulated only yesterday.....

Shri Tyagi : They have given retrospective effect to the notification.

Dr. Tek Chand :.....to which Mr. Bharati has already drawn the attention of the House.

It is said that the President has accepted those figures and that it is sufficient. But we were told all along that the President, of course, is a constitutional President, he has no power of his own, no will of his own and it is the Prime Minister or the Government who have to advise him with regard to these matters and on that he has to issue the notification in his own name. Now, who is to inform us as to when and how these figures have been compiled? The Prime Minister whose duty it was to advise the President is not present here, and he has not spoken one word during the whole of the debate. Well, he is busy with other important matters. The Law Minister, the only Member of the Government who is here and who is in charge of the Bill, says "I do not care, I do not know how these figures have been compiled"; I ask you, is that the way in which a matter of this importance, on which the whole elections are to take place—the first elections in Free India—is to be rushed through and is this the manner in which information is to be supplied to the House?

Shri Hanumanthaiya : That has become the fashion, as you said.

Dr. Tek Chand : I will not dilate upon that matter because the time is very short.

I will refer only to two matters, to one of which reference was made by Pandit Thakur Das Bhargava. That is a matter of very great importance. In some Provinces electoral rolls were prepared in 1948 and they were prepared in a manner which, to say the least, was most careless, unbusinesslike and slipshod and in an atmosphere that the whole electorate there is now grumbling. Take the instance of Punjab. The preparation of the electoral roll was done in 1948 and about six months ago these lists were published. I and some other persons had the lists

examined. People came and said "The lists are so wrong and you are having elections on these". I told them "I cannot depend on that" and those gentlemen spent about Rs. 4,000 in buying the electoral roll—they are so costly and heavy—and they have sent me the results. I have not got the figures here, but I may give some idea of the figures. In a district of which the total population is about 11,80,000 persons, where normally you have an adult franchise of about 55 to 60 per cent. who ought to be the voters and therefore the number of voters should be over 6 lakhs, the electoral roll shows three lakhs and a few thousand persons. The effect of that will be that in that district, if this electoral roll goes through, then nearly half of the qualified persons will not have the vote. That is one thing.

Then, in a particular town there is a very prosperous flourishing Christian community, all educated, not unknown persons, not refugees who have come from West Pakistan, but who have been living there for generations. In one particular *mohalla* the number of qualified persons—they have counted and they have sent me the names, parentage, profession and every thing—ought to be 325, but only 79 or 98 of those persons have been covered. They are not unknown persons. Many of them had votes in the pre-partition days and in the old elections.

In another *mohalla*, a very prosperous *mohalla* which my friend Mr. Sondhi knows, the number of voters ought to be 4,500, whereas only 820 or 830 have been registered. What are you going to do with this electoral roll ?

Apart from this inherent defect, the qualifying period has been fixed, 1948 and so on and so forth. You are holding the elections in 1951—the first elections in Free India—and you are going to have them with such electoral rolls of persons who had the qualifications three years ago. Why are you sticking to that ? What is the charm in that ? What is the magic in it and why should that date be there ? Why can you not wait, as Shrimati Ray said, for two or three days and give us some information ? But no information is being given. They say "We must do it". You did the same thing with regard to the Hindu Code. Last year you introduced it. Two years have passed and where are we ? Similarly with regard to many other matters. I will not go on multiplying instances. But that is the position now.

In regard to another *mohalla* I have been given the figures. It is quite a prosperous *mohalla* and a large number of Scheduled Caste people are there. But in that electoral roll not a single one has been entered. With regard to those people what are you going to do ? They say "There is a rule going to be made that persons whose names have been omitted can apply". There are two lakhs or three lakhs of them. How will they apply ? And what time will be given ? Then they will say "We want immediate elections. We give one week or a fortnight's time. Please come and apply". Technically they may be following the letter of the law. But is that the way of doing things ?

This is only one instance. I have got numerous other instances of this type and I will ask you to consider this seriously. You can pass anything you like with your party whips and all that where people will not be allowed to speak. But I ask you is this the way of conducting the first elections under a Constitution which has been prepared with so much care and which has been applauded all through. I will ask you to consider these matters seriously and not to rush through these things.

Shrimati Renuka Ray : I would like to point to the hon. Member that the Hindu Code Bill has been seven years on the anvil of this Legislature.

Dr. Deshmukh (Madhya Pradesh) : At this fag end of the session, Sir, this important Bill is being rushed, rushed is hardly the word, it is being flashed at atomic speed, at the speed of a hydrogen bomb as my friends say. If the hon. Dr. Ambedkar is in a position or in a mood to listen, I would appeal to him. I hope, hon. Dr. Ambedkar.....(Interruption).

An. Hon. Member : Let it go to the Select Committee.

Dr. Deshmukh : I shall be very glad if some decision acceptable to the House is arrived at. I hope hon. Dr. Ambedkar will at least once pay some attention to the way in which the Bill is received in this House and what impression it has created on the minds of the Members of this House. I know, Sir, that he is very anxious that the election should be held at a very early date and that we should not be open to any accusation that we are prolonging our own existence unduly. I am absolutely one with him, but there are so many things in connection with this Bill about which we have insufficient information and then there are so many items to which we are going to be irretrievably committed, which are going to impede the procedure of the election and which is going to be unfortunately very unpopular not only with the Members of this House, but throughout the country.

Sir, we have already listened to the speeches which dwelt upon the way in which the population figures have been arrived at. My hon. friend Dr. Tek Chand has already stated that there is hardly any basis on which the figures had been prepared. Secondly, my hon. friend, Mr. Bharati has stated that in many places the number of voters is larger than the population residing there according to the Census figures. I submit all these things disclose a very fundamental defect in the whole procedure.

Mr. Speaker : Order, order. I find that we are unable to hear anything of the hon. Member's speech.

Dr. Deshmukh : Then, Sir, I would also like to invite the attention of the hon. Dr. Ambedkar whether it is really in the spirit of the Constitution that this Bill has been framed. Now a good many of my friends have already analysed the population per seat in the various states. According to the Constitution 75,000 is the minimum for which there should be one seat. Does it not mean that for one seat the population should be somewhere near about 75,000? Does it mean that we can put even 5 lakhs, if the House or more so the Government wants it? Would it be fulfilling the Constitution either in the spirit or in the letter to have an abnormally large number for each seat in the Legislative Assembly? For instance, we find Madras is having 1,80,000 and this comes to near about $2\frac{1}{2}$ times at least of the minimum number, that has been stated in the Constitution. I do not know if anybody would like to take the case to the Supreme Court, but I am sure it is not imagining too much that the Supreme Court would be inclined probably to hold that the number is unreasonably large. Then there are also certain other technical difficulties which have been pointed out and then, Sir, since we have the House of the Peoples arranged on a definite ratio of population, why not do the same so far as the States are concerned? That would have been something reasonable and that would not have created so much heart burning in the minds of the Members of this House. Of course, I know that there are two difficulties we have got to face. On the one hand we have to have 60 as the minimum and we cannot have a lesser number than that and we have the difficulty of not exceeding the maximum provided *viz.*, 500. I can see that there is this difficulty but there are states in which this difficulty does not arise and if it is possible to give one seat for one lakh of population, to Rajasthan, Orissa and Punjab, I do not see any reason why Madhya Pradesh, West Bengal and some of these other States could not have seats according to the very same ratio. My hon. friend, Dr. Ambedkar stated that he has tried to work upon an "integrated multiple", as he called it. I do not see what particular advantage there is in that. I do not see why instead of having 203 which is the number which would be calculated according to the multiple, we should not have 210 or 220. I do not think that there is any great advantage secured by having recourse to or basing conclusions on the so-called "integrated multiple". After all mathematics is a thing which is a matter of calculation and if only it is to be worked to 1 or 2 decimal places, I do not think anybody's interests will be harmed. It is only for the sake of saving something on the calculations that my learned friend has done

away with the uniform bodies brought in the "integrated multiple". Resorting to the "integrated multiple" looks to me like cutting off the head for saving on shaving it. So, Sir, I submit and I hope if the Bill is likely at all to be proceeded with that he will accept my very earnest submission so far as Madhya Pradesh is concerned and give us 203 seats. The argument I have heard being advanced is that it is the State Governments which have approved these figures. With all respect, Sir, I would like to suggest that the less we depend upon the governments of the States, the better it would be. What is the position of the Members of Parliament? Are they to be ruled by the State Governments even so far as the Parliamentary representation is concerned, without any consultation with them whatsoever? I think that this is a ridiculous position which, I am sure, no self-respecting Member of this House is prepared to tolerate. If he thinks that the suggestions made by any State Government are unacceptable to him and if every Member of that particular State sitting in this House is of the opinion that the number given is inadequate, I hope, Sir, the Leader of the House would be pleased to accept that amendment and kindly agree to the suggestion made. Otherwise, it would mean that the State Governments not only rule in the States but they are indirectly capable of ruling even this Parliament because Members of this Parliament have no wisdom to put forward or consider any proposal and it is the State Governments and their secret communications to the Government of India which ought to be respected more than the views of the hon. Members of this House. I think this would not be a tolerable or an acceptable state of affairs.

Then, Sir, this Bill has so many important features that to rush it through in this way would be really most unpopular and against the wishes of so many Members of this House. The procedure for the delimitation of Constituencies is a very vital matter. Nobody would like this to be determined in a haphazard way. As I have said in my amendment, there should be a Delimitation Commission on which you may, if you like, have the members of the Election Commission but also, give some representation to some representatives from the States so far as the delimitation of constituencies of that particular State is concerned. If you do it from Delhi or in some other way, there will be a lot of dissatisfaction and I think it would be wise to avoid this avoidable dissatisfaction. I think, so far as the delimitation of constituencies is concerned, it should not be left only to the President which is virtually leaving it to the Election Commission itself because, there is no possible contact with the real representatives of the States, except the present Governments of States. We know what popularity the present State Governments enjoy everywhere. They are very popular in some places they are equally unpopular in the rest. Their views do not necessarily represent the popular views. From that point of view, I suggest that delimitation of constituencies or fixing the numbers on their recommendations would not at all be proper or correct. We have also to find out what the Scheduled Caste population is going to be. In fact, I do not think that we can base any conclusions on the population figures which you have got. I respectfully submit that we will have to wait till we have a proper census. Then alone it would be possible for us to know, because we know we are not living in normal conditions. There have been tremendous convulsions on two fronts and this has affected the population not only in the States which have had these troubles, but in the rest of India also. There are so many problems which have come to the forefront. I do not wish to take up more of the time of the House. There are many things that I would have liked to say. Apart from the question of delimitation of constituencies, only some of the qualifications have been stated here, and it is stated that they are not exhaustive. If we look at the disqualifications and compare them with the disqualifications provided under the Govt. of India Act of 1935 you will find that there are important omissions. Are you for instance going to permit a man who is under a death-sentence or a sentence of transportation to vote, supposing his name is included in the voters' list? There is nothing to show that he will be disqualified from voting. Of course, we have got a spacious provision for rule making. If we want to provide for the disqualifications, all the

[Dr. Deshmukh]

disqualifications ought to be stated. This should not be left in the unsatisfactory way in which it has been done. Moreover, we have not got to wait for long so far as the census is concerned. We are already in 1950, and if we try to expedite the census a little bit, it may be possible to hold the census in the latter part of this year or in the earlier part of 1951.

Shri Bharati : It will take three years to get the lists published according to the Constitution, it will have to be published.

Dr. Deshmukh : All that we want is the population figures. I feel sure it would not take such a long time as that. I submit there should not be any hurry in regard to this Bill. I respectfully suggest it should be referred to a Select Committee. This House has always been most responsible to anything that comes from Government and I do not think so many Members of this House should be rubbed on the wrong side by pressing that this Bill must be passed today.

Shri Hossian Imam (Bihar) : Sir, my task has been greatly lightened by the speeches of my hon. friends Pandit Thakur Das Bhargava and Dr. Tek Chand. It has been rightly pointed out that when we are framing rules, in this Bill we should not live so much in the past as to fix the qualifying period at 31st March 1943. Elections are not likely to be held before 1951. That period might have been quite appropriate when it was considered that elections will be held early in 1950. But, now that we know the realities of the situation, I think the hon. Minister should consider and change the dates to a more recent date. I would personally suggest 31st December 1949 as the qualifying period and the qualifying date should be 30th June 1950.

I have only two more complaints to make. In this Bill no provision has been made as to how the constituencies are to be delimited. Do we want to have single seated constituencies or multi-seated constituencies? Nor has it been mentioned here whether we are going to have proportional representation or the distributive voting or cumulative voting. All these essential factors which we, as a legislature, are entitled to consider, have not been brought forward before us. We are framing at the moment a system for our elections. What is the desire of the House? Do we wish to have that anomaly of the British electoral system by means of which minorities in a three-cornered contest can get a larger number of seats in the House than the voting recorded at the elections? As you know, in France, they have a system of second ballot. Unless a man is able to get the majority of votes of the electors, he is not declared elected. It is not the case here. In a single seat constituency, what happens is this. A man may get forty per cent of the votes; another may get 35 per cent and another 25 per cent of the votes. A man getting 40 per cent gets elected. For this reason, I wish that there should be a Select Committee to ascertain the wishes of the House as to how we wish to be represented. Even in the rule making powers under clause 28; no mention has been made about the basis on which constituencies would be delimited. This, Sir, is one of the glaring examples of delegated legislation to which I and other Members of this House have been drawing attention. It is the tendency of the Executive to arrogate powers to themselves and leave the legislature to carry the blame. I refer to clause 16. It is one of the beauties of drafting. I refer to sub-clause (c). No mention is made as to what Acts have been saved or cancelled. It is stated as follows :

... is for the time being disqualified from voting under the provisions of any law relating to corrupt practices and other offences in connection with elections."

Would it be possible for the Law Minister to make a specific mention of the Laws which he wants to apply so that the House may know what we are entering into. We are kept in the dark. We do not know what the disqualifications are going to be. They are not specifically mentioned. There are two courses open to the hon. Minister, either specify them or to specify the Act or the Rules. But, I do not

think Rules will apply, because the wording is "law relating to..." Therefore Rules and Regulations framed under any law will not apply. It is stated that any law relating to corrupt practices etc. will apply. I do not know whether in Part B States there are any laws in existence for this purpose.

I also mention the fact, Sir, that as far as I know in fixing the number of seats for the State Assemblies, Provincial Governments' views have not been taken into account. At least my State, I know, was against such a small House as has been provided by the Law Minister.

Here is one point of omission which I am sure the hon. Law Minister will clarify. There are 18 Ministers in the Cabinet to-day—Ministers, Deputy Ministers and 4 P. M. Ministers of State—and they all reside in Delhi. Under the rules they will not be qualified to be voters in their own States—as they have been living in Delhi during the qualifying period. How are they to stand in their constituencies? It is possible that a man can be an elector for one constituency but still he can stand in another constituency but a man who has been living outside the State, how can he become qualified for being an elector and being voted for in his own constituency?

Shri Kamath : He may have a dwelling house in that State.

Shri Hossain Imam : That must be in their personal names. The wording is "Has been ordinary resident in a Constituency for not less than 180 days during the qualifying period".

Shri Syammandan Sahaya (Bihar) : They will be treated as patients residing in a mental hospital.

Shri Hossain Imam : I mention this as an argument that this Bill should be referred to a Select Committee or at least two days' time be given to the house to go through it so that we may sit round a table and decide it. It is not a thing to be hurried. Then the system adopted for bringing the census figures uptodate may not work properly because you can not have this system applied to each constituency and part of the constituency. You have to divide up the State into a number of constituencies of as equal a number of voters living in it as possible. This over all picture that the Census Commissioner has given you cannot be projected because the circumstances in all the places are not similar. There are places where displaced persons have gone and urban areas have increased enormously and rural areas have decreased. All these make it imperative that the system of adopting Article 387 instead of 327 of the Constitution is not very good and I would much rather have gone on with Article 327 where we could rely on the last published census figures; modify it for certain purposes if you wish but you must have a kind of integral number that it is to be increased by 8 or 10 or 15% but to give a block figure for the whole State does not help. It does not make the work of redistribution of that population to the different constituencies easy. No method is available to us to find out whether this figure is correct. I would have preferred that we should have waited for the next census rather than be in a hurry; if possible expedite the census in India, make it January and get the figure rather than do this.

The Prime Minister (Shri Jawaharlal Nehru) : My colleague, the Law Minister will deal with the various points that have been raised in this debate but I would just like to say a few words on behalf of Government to remove some misunderstandings in regard to this Bill. It is not our desire in regard to this measure or any other measure that there should be an appearance of hurry or being pushed through without sufficient debate. The facts are rather hard and the facts are these. If we are to stand by our repeated commitment that the election should take place at the latest by the spring of next year, i.e., within a year from now, then there is no alternative for us but to take some measures, some preparatory measures, in regard to the coming elections and those measures cannot be begun properly unless such a measure is passed now. This measure is by no means a complete measure, and many of the criticisms that hon. Members have advanced are perfectly justified or would have been justified if it was a complete measure. A fuller measure will

[Shri Jawaharlal Nehru]

come up during the next session before the Members, for them to consider and complete it but those things that appear essential to decide, so that the election machinery could function— that elections might be held within the time which we had stated previously—compelled us to bring this measure in this form at this stage. A fuller measure will come later. The House has therefore to choose— it is an uncomfortable choice—between doing something which might delay the whole election procedure and the election to the end of 1951. For my part I think it would be exceedingly unfortunate if those elections were delayed so long. Government stands committed and it might rightly be said that Government have sought a way out of their commitment and an excuse to delay matters or even it might be said that this House wants to carry on longer than it need do when it can have earlier elections. The sooner we have elections under the new Constitution, the sooner we get going fully. Therefore it does seem very important that the elections should be held at the very latest by, let us say, April next year and not later.

Now hon. Members have mentioned the census repeatedly and said it might be expedited. Census is an exceedingly complicated affair and you cannot push it about this way or that way. Even if you have it a month earlier, it cannot affect the elections unless it is held long after it. For my part, I attach so much importance to our holding our elections in the spring of next year that I am prepared to postpone the census and not elections. It would be a hard thing to postpone a thing which always takes place at a fixed time—every 10th year. It will rather upset the statistical arrangements and many things which take place at periodical intervals. Nevertheless it is preferable to postpone the census or not have the census at the fixed time. Because from the political, economical and from the point of view of a healthy development of our lives generally I consider it of the greatest importance that elections should be held by April next. If that position is accepted by the House, then certain consequences follow and the consequences are that we must go ahead with the preparations for these elections from now on. We have done a good deal of course. The State Governments have done a lot and we have done a lot but certain barriers come up and those can only be removed by some such legislation and if my argument is correct, some such legislation — not a complete legislation, which can be completed later— has to pass through now.

In regard to some points raised by hon. Members there can certainly be two or more opinions and to suit the conveniences of the House, for a little further consideration to be given, we shall sit to-morrow and give that consideration.

Shri Hanumanthaiya : Sir, the feeling in the House is, not for the postponement of this measure. They want a Select Committee so that the various amendment that have been given notice of and various proposals made may be coolly thought out.

Shri Hossain Imam : Sir as we did in the case of other Bills, we might have a meeting— of all those Members who are interested in this matter—at 9-30 in the morning to go through the amendments; and the House might sit in the afternoon at 2-30 and conclude the Bill. That is possible.

Shri Biswanath Das (Orissa) : To spring a surprise at this hour of the day is certainly difficult. We have requested the Chair to give us an indication of the time that it is necessary for legislation and we were told that nineteenth is the date. Therefore we had made our own arrangements till the 19th. Speaking for myself, I am starting this night and I have made arrangement for myself because I have been here for nearly 3 months. Nonetheless I must frankly confess that the people outside or perhaps even in this House would feel that we are opposed to an earlier election. We are as keen as the Government and the hon. Prime Minister for a very early election. We do not want to make any delay in this regard. My apprehension is that the persons responsible for this work will put all the spokes

in the wheel and thus force the hands of the Prime Minister, the Law Minister and the Government to bring such measures at the fag end of the session every time. Speaking for myself, I strongly feel that these things could have been foreseen by the officials in charge of the elections. I do not know how the Prime Minister's announcements could be fulfilled at the pace that is being followed by the officials. As regards delimitation of constituencies anyone with experience of elections would have known that it should have been undertaken at the earliest possible date. I have a claim to know from Government why they should not take to task the officials who are in charge for not having brought these things to their notice. I have been asking Dr. Ambedkar how he can carry on these elections without any idea of the delimitation of constituencies. That is being done in the European countries. We are putting the cart before the horse. That is how we are proceeding. What should have been done a year ago is thought of now. I know the Ministers are sincere to their professions. We are all anxious to see that the elections are conducted. But why is it that the elections are being withheld despite all this anxiety? It is because of official indifference. I make bold to say that they do not know their own mind, they do not chalk out their programme of work. When elections in Bengal were announced I thought it was not possible. I said so openly and plainly.....

Shri Hanumanthaiya : Why blame the officials, when the Minister concerned can command their services?

Shri Biswanath Das : The Ministers have got their avocations. They are busy people; they have no rest. Therefore the persons responsible for it have to shoulder the responsibility. The hon. Prime Minister will forgive us if we say that while having full confidence in them we are unwilling to extend that confidence to the advisers who surround them, because we feel that they should have seen these difficulties, experienced as they are. They have conducted so many elections before now. If you look into the past records you will find that delimitation of constituencies is the first and preliminary work. How on earth can you have an electoral roll prepared without the delimitation of constituencies? As regards electoral rolls you have seen how difficult is the situation to be faced. There are so many difficulties which I hope have been taken note of.

Shri Bharati : Is it not necessary that you must know the number of persons?

Shri Biswanath Das : Every thing is essential. No one disputes that. I acknowledge that and I agree with it. There are so many difficulties; there are so many objections but where is the time? Therefore take all the power necessary...

Mr. Deputy-Speaker : We are still unable to know the hon. Member's mind. The hon. Member cannot stay beyond today. Does he want to go away or not and what does he want the House to do?

Shri Biswanath Das : A Bill of this importance should go before a Select Committee. I for myself do not see any difficulty or how the work will be impeded if the passing of this Bill is put off for a month or two. The whole thing could go on by executive action or you can issue an Ordinance which is provided under the law. Let the work go on for two months and there will be no difficulty. We will be committing the gravest blunder of our lives if we rush through such an important legislation without due deliberation in spite of having all the conveniences that are available to us under the Constitution.

The Minister for Parliamentary Affairs (Shri Satya Narayan Sinha) : So far as Government is concerned we are prepared to extend the session till tomorrow.

Some Hon. Members : No, no. That is not what we want.

Mr. Deputy-Speaker : I have got a list. Ten Members have spoken. At the rate at which hon. Members have been speaking in one hour another ten Members can speak. Therefore we will practically exhaust all the Members who have so far

[Mr. Deputy-Speaker]

risen to speak. Assuming that this Bill is referred to a Select Committee what is it that you are going to do. If the session is extended till tomorrow (*Some hon Members* : No. no.) and the hon. Law Minister is more accommodating, they can sit round a table tomorrow morning. We can assemble here at 1 o'clock and finish the business. Would that not be better?

As regards delimitation of constituencies some Commission may be appointed. After all it is left to the President to do so by order. As regards additions to the electoral rolls it can always be done.....

Shri Santhanam : Clause 25 provides for that.

Mr. Deputy-Speaker : This Bill gives the power. We are not likely to meet for another three or four months but meantime the Government should go on with the various steps. It is not as if the moment this Bill is passed every thing will be done by a fiat from the Centre. That is not the object of the Bill. Let us sit till 6 or 7 P.M. today. Let Members make their suggestions for improving the Bill and tomorrow we will meet again.

Shri Sondhi : Let it go to a Select Committee with the request that their report should be given within one month. After that an Ordinance can be issued.

[MR. SPEAKER in the Chair].

Shri Bharati : The best thing is to meet in a special session.

Shri Hanumanthaiya : Sir, Mr. Deputy-Speaker was pleased to make a suggestion that the House may sit to-morrow so that Members who are interested in the provisions of the Bill may discuss matters with the Law Minister. This morning such a procedure took place and the Law Minister was not able to devote his time and attention to all the objections which were raised. In true democratic fashion let this important Bill be referred to a Select Committee as is usually the case....

Some Hon. Members : Yes, yes.

Shri Hanumanthaiya : There we will be able to thrash out matters fully. There is compelling necessity to do so and I beg of you, Sir, as the custodian of the rights of the House to help us in sending the Bill to a Select Committee.

Shri M. A. Ayyangar (Madras) : Sir, let me speak in my other capacity. It is the general desire of the House that we should make this Bill as fool-proof as possible, because the future elections will depend to a very large extent on the delimitation of constituencies and on proper enrolment not only in the States but also for the Centre. It also depends on the number of seats to be allotted to the various State Assemblies so that it may be workable and a handful of the Members there may not join together and run the show— because as a majority or as a party sub-majority and so on, ten members or so can rule. Sir, all these objections have been raised when you were not here. Hon. Members have contributed richly to the debate. There are other Members also who have their own suggestions to make. What I suggest is that as between a reference to a Select Committee and thrashing out these matters informally by sitting together, as the hon. Member Mr. Hanumanthaiya said that the hon. Law Minister was not accommodating.....

Shri Hanumanthaiya : I did not use the word "accommodate", but I said it was not possible for the Law Minister to meet and talk to everybody and to go into every point.

Shri M. A. Ayyangar : I withdraw the words "not accommodating", but I understood that he was not satisfied with the way in which the hon. Law Minister was agreeable to accept his amendment.

Shri Hanumanthaiya : That is right.

Shri M. A. Ayyangar : But, after the speech of a number of hon. Members here, I am sure the hon. Law Minister has had time to consider the various matters. We can sit together tomorrow... (*Some Hon. Members :* No, no.) That is my suggestion. The hon. Prime Minister said that we will be stultifying ourselves in view of the various assurances already given. (*Hon. Members :* No, no.) "No, no" has to come from the public outside. (*Interruption.*) Therefore, we do not want to create an impression that we are trying to stick on here without a fresh election. At the same time we do not want to rush through this Bill without taking note of those amendments that may, likely, be made. If we adjourn and sit at a Select Committee, I am sure we may not be able to spend more than one hour or two in the Select Committee. What I suggest, therefore, is that though formally a motion for reference to Select Committee has not been moved, we may sit around a table and consider whatever amendments have been suggested on their merits and incorporate them if necessary. We may adjourn and continue the proceedings tomorrow.

The Minister of Law (Dr. Ambedkar) : May I explain a few things, Sir? May I intervene in the debate to deal with this point about the Select Committee?

Mr. Speaker : Yes, I am not in touch with what happened during my absence from the Chair, but I have got a sufficiently fair idea of it from what the hon. Deputy-Speaker has said and from the reception of what he said just now.

As regards the urgency of the matter, I myself do not feel competent to express any opinion, because I am not in touch with the preparations of the Government, and their estimates as to the time they may require for holding the next elections. It will all depend upon the estimates which one makes as to when the next elections are likely to be held at the earliest possible time. If it is an estimate that the elections are going to be held, say, in March-April 1951, then of course one would be inclined to think that there is justification for having this measure enacted as early as possible. But if it is the estimate that that is impossible as stated by some people then apparently there would be no hurry about it. (*Hear, hear.*) I am not expressing any final opinion. Of that the Government is really the best judge, so far as, at least I am concerned. Perhaps hon. Members are better in the know of the situation than I am. So, one could appreciate the demand for a Select Committee which means only an earnest and a pressing request for a quiet consideration of all the various provisions. That is what it really comes to.

Dr. Ambedkar : There is no motion for a Select Committee.

Shri Bharati : There is a motion.

Mr. Speaker : If a motion is required, a motion can be immediately allowed. That is not really the objection. We are here for putting through as best work as possible, and if there be any technical difficulty we shall see that we remove that difficulty, but we will not allow the case of justice and equity to be defeated.

But my mind was considering it this way. It seems hon. Members are anxious not to sit tomorrow. (*Hon. Members :* Yes, yes.) I was myself thinking that, if we can sit tomorrow and even the day after... (*Hon. Members :* No, no.) That is a matter for the Members to decide. Then, the better procedure would be to stop the discussion now and take advantage of the time at our disposal, meet this evening and tomorrow morning informally; and tomorrow, instead of the House meeting at 10-45 we may sit later at 1-30 or 2-30. I am sure, if the matter is thrashed out in an informal atmosphere which is as good as a committee atmosphere, very probably the actual passage of the Bill in the House need not take long. It would be that instead of a formal Select Committee, practically the whole House would be going into committee and each Member would be having an opportunity to satisfy himself that he has placed his viewpoint before the Government.

Shri Santharam : May I suggest that the Select Committee may be appointed just now with instructions to report by 12 o'clock tomorrow?

Some Hon. Members : No, no.

Shri Santhanam : The Select Committee may consist of a fairly large number thirty or forty, of those people who are very keenly interested and who want to press certain amendments. Tomorrow we can discuss the Select Committee proposals.

Mr. Speaker : Whether it is a formal, technical, Select Committee or an informal meeting of thirty, forty or fifty Members who want to have their full say in the matter, all that I am keen about is that, everybody should as far as possible be given an opportunity to express his own views and the difficulties he might be feeling. If that is done I think our object will be served. I think we may adjourn just now and meet tomorrow at about 2.30.

Dr. Ambedkar : Sir, I think it is desirable that I should state to the House exactly what a Select Committee will be able to do and what it will not be able to do. I think it will be wrong on my part to agree to any such motion leaving the House in darkness as to what is possible to be done by a Select Committee and what is not possible. I think my remarks might also enable the House to decide whether in view of the points that may remain open for discussion it is desirable to have a Select Committee.

The first thing I am quite certain about is that the Select Committee will not be able to alter the provisions regarding qualifying period and qualifying date. I am quite certain in my mind that however desirable it may be, it would not be possible to do so, for the simple reason that we had taken a decision in the Constituent Assembly, as every Member of this House will remember, that the elections will take place at a certain time, and under that Resolution directions were issued to various States to prepare their electoral rolls. Most Members of the House must have noticed a statement which was recently published in the *Statesman* or the *Hindustan Times* stating the progress which the various States have made in the matter of the preparation of the electoral rolls. Now, those electoral rolls prepared by the various States were made on the basis of the qualifying period and the qualifying date.

Obviously, unless the House comes to the conclusion that the labours which have been devoted by the various States to the preparation of the electoral roll ought to be thrown overboard (*Shri Sondhi: Who says that?*) and that we should in this Bill fix a qualifying date and a qualifying period which would be much nearer the preparation of the electoral roll than the existing ones have been, it seems to me absolutely clear that it would not be possible for the Select Committee or me to accept a new qualifying date and a new qualifying period.

Shri Sondhi : Can we not have supplementary lists ?

Dr. Ambedkar : This question was put to me in the morning. I was asked as to what would happen to those who come of age, that is to say, who become twenty one, after the present qualifying date.

Shri Sondhi : What about those who have been left out ?

Dr. Ambedkar : I am conscious of all that I have been saying. Please let me go on.

I had the matter examined by the Election Commissioner and my Ministry. The question is as to how much labour would be involved in the preparation of this supplementary electoral roll which would contain the names of persons who have come of age after the qualifying date that we have fixed. I am told that the number would be quite enormous. It would involve new work. We would have to have new machinery in addition to the one that would be necessary to revise the rolls that have already been prepared. This additional burden would certainly have the effect of postponing the target dates for certain stages that we have fixed. Therefore, unless this House is prepared to accept the proposition that there need be no election on the date mentioned by the Prime Minister, it would not be possible to undertake this piece of work. I want to make that point quite clear. Unless the Select

Committee is prepared to take the responsibility of recommending to Government that the work that has already been done be thrown overboard and be deemed to be of no value and that additional work be taken up notwithstanding the cost and the impossibility of providing additional material, my submission to the House is that the Select Committee cannot alter these provisions.

What are the other provisions in this Bill? The other provisions are only two. They are urgent matters and I have not seen any hon. Member making any kind of reference to them. One clause which is important and about which I myself feel that the Bill might do something more is with regard to delimitation of constituencies. Except one hon. Member, nobody had realised....

Some Hon. Members : We have not spoken as yet.

Dr. Ambedkar : Notwithstanding the fact that so much heat and so much vehemence have been introduced in this debate....

Shri Sondhi : You will have more of it.

Shri Kamath : You are adding to it.

Mr. Speaker : Order, order. Let him go on.

Dr. Ambedkar : In the Constitution, there is a provision that delimitation shall be undertaken by Parliament. That is there. In this Bill, what we have proposed is that this power which belongs to Parliament may be delegated to the President, and the President may, by order, prescribe what the constituencies are. It may be contended—and very rightly too—that this matter ought not to be left to the President but that this Parliament should engage itself in looking into every constituency that may be framed for the purpose of both the elections to the Parliament and to the State Legislatures. I do not deny the right, but the question is whether Parliament can and will be able to find the enormous time that will be necessary for scrutinising every constituency both for the Parliament and for the State Legislatures.

Dr. Deshmukh : That is not the only course.

Dr. Ambedkar : Please let me go on.

Therefore, in this particular clause 13, the provision is made that although the President may, by order, prescribe and delimit constituencies he shall be bound to place the order of delimitation before the House. I may frankly state that even I am not satisfied with this provision, because I want Parliament to have a look into it. But nobody has suggested this. (*Interruption.*) This is one point which the Select Committee may look into, I agree. But why go to the Select Committee for this kind of thing? I have a solution. I have two alternatives. One is that clause 13 may be so amended that we can add that the order of delimitation made by the President should be placed before Parliament and if Parliament does not make any alteration in it, then within a prescribed period it should become final. That is one alternative. The other alternative which I am prepared to propose is that when delimitation is undertaken, whoever delimits, there shall be associated with him a Committee composed of Members of this House or of the local State Legislature who are concerned with that particular constituency, so that they may be in a position to give their advice and their judgment to the officer who is engaged in delimitation. (*Shri Tyagi:* That is a good idea.) If the House is agreeable to that, there is no need to refer this Bill to a Select Committee at all.

Then, Sir, the other point that remains in the Bill is this. I do not think that I am accusing anybody in saying what I do, namely, that a large part of the heat and vehemence and the general plausible argument that have been engendered have been intended merely to cover a very small point, namely, that most hon. Members are interested in having the number of seats in the State Legislatures increased, but they have not had the courage to say so, except one or two. If hon. Members ar

[Dr. Ambedkar]

only interested in this little point that the number for the U.P. should be increased by 15 or that the one for Mysore should be increased by 1 or that the one for Delhi should be increased by 2, I want to ask whether it is not a matter which we can deal with in this House? Why bother with a Select Committee?

Shri Bhatt : You cannot deal with all the details.

Dr. Ambedkar : There are no details. I am myself moving certain amendment changing the figures in the total representation of the various States. If my hon. friends think that I am very miser and meagre and that I am not meeting their demands, well, they can move their amendments right here and the House may decide whether the figure that I suggest is the right figure or whether the figure that they suggest is the right figure. Why send it to the Select Committee? Where is any other thing in this Bill, I want to know, which the Select Committee can deal with? This is a routine Bill.

My hon. friend Mr. Hossain Imam said that there were certain matters which were not included in this Bill. I think that he forgot what I had stated when I made my observations on the introduction of this Bill. I had stated then that this Bill deals with only one aspect of the election. The conduct of election as such is quite a different matter and will be dealt with by another Bill. Consequently, all those matters which appear to be absent here are not going to remain absent, because the elections cannot be completed and carried on unless the complementary part of the legislation is also put through. Therefore, my submission is that although there is no motion—and you said that a motion can very well be manufactured if one is wanted;—quite true that it can be — but is there any necessity? That is the point which I want the House to consider. These are the three points and I have the amendments ready with me.

Mr. Speaker : Let us not proceed with this discussion any more. What I was thinking of was this. To my mind, substantially it will not make much difference whether you call it informal consultation or a Select Committee, but I definitely did not have a formal Select Committee in mind when I made that suggestion. If this measure is to be put through, in view of the urgency which has been explained by the hon. Minister, on the basis of the Prime Minister's statement about the date of the elections, then the better course would be, instead of taking up these questions of increasing the numbers or curtailing the powers to be given to the President under certain conditions,—instead of that all these points could be discussed with advantage in an informal meeting.

Dr. Deshmukh: The hon. Minister have himself made out a case for a Select Committee.

Mr. Speaker : I do not see any charm in hon. Members sticking to that procedure. If the Members of the House get a chance of a free and full discussion at an informal meeting, there is no point in insisting that the Bill should go to a Select Committee. On the contrary, a Select Committee may, perhaps, bind the hands of hon. Members much more than an informal discussion where an agreed solution could be evolved. A reference to a Select Committee may, on the other hand, raise some points as to whether certain amendments which the hon. the Law Minister may otherwise accept, can be permitted or not.

One thing is evident from this discussion — that there is something which requires to be discussed, so that hon. Members may be satisfied that they have had their full say to their colleagues and to the Minister.

Shri Tyagi : We have to effect a change in the Bill.

Mr. Speaker : It remains to be seen whether, after having had their say and hearing the hon. the Law Minister in an informal and cool atmosphere, hon. Members

would insist on the change. Anyhow, let us not be so dogmatic as that. The only point is that hon. Members should have an opportunity of discussing this subject frankly. Therefore, I was suggesting that we may adjourn now and meet tomorrow afternoon. That will leave hon. Members time this evening and tomorrow morning to think over and discuss the matter.

Shri Sondhi : But we have a meeting of the Standing Finance Committee tomorrow morning.

Mr. Speaker : That meeting may be postponed. I have for that matter, fixed a meeting of the Inter-Parliamentary Union, which I am going to postpone. Therefore, there is no question of other meetings coming in our way—after all we should have priorities.

If that is the general wish of the House we should not mind sitting for a day more : there is no sanctity in closing the session today.

Shri Syamnandan Sahaya : Sir, I want to bring one important point about the Bill to your notice. Apart from other rules and regulations that it lays down, it specifies the numbers to be allotted to different provinces. What we feel is that the provinces should at least have been consulted in this matter.

Dr. Ambedkar : I am sorry I forgot to mention that point. It is an absolutely incorrect statement. We have done nothing without consulting the Provincial Governments. I should like to point out to my hon. friend that I have got with me here the figures we originally proposed; the figures which the provinces wanted and the figures we finally agreed to. It is quite wrong to say that we have done anything without consulting the provinces.

Mr. Speaker : It illustrates how some remarks are made and the whole discussion goes on.

But before we adjourn there is one small Bill— I believe it is Shri Mohanlal Saksena's Bill— which has got to be put through. Is there any idea of taking that Bill up, or will it go to the next session ?

Some Hon. Members : But there are many amendments to it.

Mr. Speaker : So, if we meet tomorrow at 2-30 hon. Members can meet and discuss the matter informally tomorrow morning.

Shri Tyagi : But no committee has been formed.

Mr. Speaker : Such hon. Members who feel interested in this Bill may meet together and discuss the matter.

Shri Tyagi : We came together in the morning, but the Doctor does not agree to anything.

Mr. Speaker : What I heard from Mr. Hanumathaiya was that there was not sufficient time in the morning. I am sure that if hon. Members are put together in the Council of State Chamber for about four or five hours, they will be able to evolve an agreement.

Shri Ramalingam Chettiar (Madras) : Is it possible for us to go into a Committee—as is the case with the House of Commons— and meet tomorrow morning? I do not know whether our rules provide for it.

Mr. Speaker : Let us not constitute ourselves into a committee.

The Minister of Works, Mines and Power (Shri Gadgil) : Those who are interested in this Bill will gather informally tomorrow morning and come to an understanding. Then the House will meet at 2-30.

Mr. Speaker : What I, therefore, suggest is that let hon. Members meet here or in the Council of State Chamber and come to an agreement. If they are not able to come to an agreement the Bill will be placed before the House as it is at 2-30 P. M. Does the House agree to that ?

Some Hon. Members : Yes.

Mr. Speaker : So it is substantially agreed that all hon. Members who wish to participate in the informal discussion of this Bill will meet in the Council of State Chamber tomorrow at 9 o'clock sharp. Then we will meet as the House at 2-30 P.M. tomorrow and all agreed amendments, whatever they may be, will be taken up.

An Hon. Member : What about amendments that are not agreed to ?

Mr. Speaker : They will not be taken up.

Dr. Tek Chand : The hon. Law Minister referred to the resolution of the Constituent Assembly passed last year. Will he kindly give us the reference, or read the Resolution ?

Dr. Ambedkar : I will ask my office to supply a copy.

Pandit Thakur Das Bhargava : That Resolution is not binding on this House; The Constitution cannot be changed, but the Resolution can be.

Mr. Speaker : The House stands adjourned till 2-30 P.M. tomorrow.

The House then adjourned till Half Past Two of the Clock on Thursday, the 20th April 1950.