

12.43 hrs.

CONSTITUTION (FIFTY-EIGHTH AMENDMENT) BILL  
AND  
REPRESENTATION OF THE PEOPLE  
(SECOND AMENDMENT) BILL - *CONTD.*

[*English*]

MR. CHAIRMAN: The House will now take up further consideration of items No. 19 and 20 viz. Constitution (Fifty-eighth) Amendment) Bill and Representation of the People (Second Amendment) Bill.

Now Shri Vijay N. Patil.

SHRI VIJAY N. PATIL (Erandol): I rise to welcome the Constitution (58th Amendment) Bill presented by the Home Minister. As for myself, I would like to state that I am one of the victims of the reservation Bill. In 1977, our constituency was a general constituency, but as the tribal population has increased in our State, one seat was to be reserved, and in our district it was reserved. Both the seats are reserved for the tribal people. We welcome that, because we have to bring our tribal friends into the national mainstream, and into the political system in India.

I was glad to hear Mr Swell saying that the tribals have come up very well, and some of them can take care of others also.

This is a Bill to be welcomed, and I was very much shocked to hear our friend from the Opposition, from Tripura, who said that sufficient time was not given for this Bill. Much discussion is not needed on this Bill. It is a comprehensive Bill.

It is for the welfare of the tribal people, especially for the tribal people of the North-Eastern States. Earlier also for other States we have got representation of the MPs out of

about 15 lakh population; while in tribal area of North-Eastern area, we have got 16,000 voters. So, the Central Government is taking care of the tribal people and this Bill is also an extension of that. I welcome it and support it.

MR. CHAIRMAN: Voting on this will take place approximately at 1 O'clock. Within that time, we shall also manage a reply from the Minister.

SHRI LAL DUHOMA (Mizoram): Mr. Chairman, for the last two years of the 8th Lok Sabha, I have taken a very little time of the House; and today I am on my legs with a strong determination to push something into somebody's head. I am one of the members who never interrupt others, who never indulge in wasting time by making unnecessary speeches, noises and scenes though that habit has become a chronic infectious disease of this House.

The inherent quality of a tribal is that normally neither he argues nor he quarrels. I am proud to have that quality running in my veins. But it is a sad fact that this very quality is now being exploited by introducing this Bill in such a manner that one does'nt have time to think it over. Let me inform the hon. Home Minister that a tribal seldomly reacts, but when he does, he means business and that is exactly what I am going to do today.

In the memorandum submitted by the hon. Home Minister, it has been stated that an advance copy of this Bill could not be made available to the members as required under 19(b) of the Speaker's Directions on the ground that elections are coming in Nagaland and Meghalaya. This is a lame excuse. Let me put a straight simple question. Is it that the Home Ministry came to know about the elections coming in these two States only day before yesterday? Don't they have heaps of time to ponder over it and to discuss with us? After all, we are here representatives of the people. We have

[Sh. Lal Duhoma]

been sent here for a purpose, not to say yes to everything, not to swallow and digest whatever you offered to us. It is not so. We have been sent here to protect and promote their interest; and if I do not do that, I am not worth to be called a Member of this House. I believe that blood is thicker than water. Therefore, we know many times better than anybody else the problems relating to our constituencies. But it has been considered a wise thing not to have consulted us because they forget that even a tribal sometimes wants to exercise a rational free thinking. It is unfortunate that those people who never visit us, who have not known us, who have not seen our social system, who have very little knowledge about us, are the people who take decisions; and here lies the root cause of the whole problem.

In the proposed amendment, one seat each in Nagaland and Mizoram, is going to be made a general seat for non-tribals. This is meaningless because uptill now in both these two States 100 per cent of the seats are being held by the local tribals. That means even if this general seat is given, you are not going to have a non-tribal legislator in this general seat because in Mizoram as it is now, we do not have even a single constituency where you have the required non-tribal population. In other words, this Bill is not justified from the population point of view. Suppose, today I make a counter-claim, "O.K., let the tribals also have reservation for the seats in the rest of the country on the basis of the population. Irrespective of the size of the population, you will take me as a very unreasonable man. This Bill is equally unreasonable, because all the seats are already held by the tribals. This is not a reservation for tribals. It is a reservation for a non-tribal in an area where you have a major population of tribals. While we expect more, you snatch away from us what we have. Therefore, the only implication and the only logical inference I can draw from this is, that

there has been a well-planned political conspiracy for the assimilation of the tribals. This is too much of a departure from the committed policy of the Government of the day.

We are already having lots of trouble in the country, and where you have no trouble you want to create new troubles. I am sure ultimately somebody has to laugh on the wrong side of their mouths

Let me remind this august House that the State of Mizoram and Nagaland came into existence out of a political agreement. We have taken so much pain in ending the two decade long insurgency in Mizoram for which we have sacrificed many things. We have sacrificed our service careers, as well as our political careers for this purpose. The cause is so dear and noble for me that I cannot forget soon.

The Mizos have been living in isolation from the rest of the country for a long long time due to historical, political, economic, geographical and various other reasons. It is only yesterday that we joined this national mainstream of life, and that too you have a hostile Chief Minister there who keeps on uttering anti-national statements. They are yet to teach how to become loyal citizens. Therefore, you must be very cautious about this. The people are still full of some apprehensions and the fears are not based on imagination. They are based on historical facts and events. We have seen our tribal brothers being driven away from their soils.

MR. CHAIRMAN: Please conclude.

SHRI LAL DUHOMA: I will take a little more time.

We have seen our brothers in Tripura, original inhabitants there, being driven away into the countryside by the outsiders. We have seen the people of Cachar district of Assam being outnumbered and assimilated

by outsiders. Now we are eye witnesses to a scene in shilling where the people are being dominated by outsiders who become stronger and stronger, every day. Therefore this apprehension is not an imaginary one. It is based on facts. If we are not very cautious about this we are very sure that the same fate is awaiting for us in the near future. That is why we became so sensitive about this. Thanks to our difficult terraine cliffs and deep revives that protect us from the outsiders for a long time. Therefore, even though the real practical impact may not be that much, the psychological and political impact it is going to create is itself more relevant to people sitting here. It is going to have tremendous political repercussions also. I do not know what shape it is going to take. The result of the political impact is going to be announced along with the announcement of the election results in Nagaland and Meghalaya.

12.55 hrs.

[MR DEPUTY-SPEAKER *in the Chair*]

At that time, let me forewarn you not to blame your PCC or DCC leaders. Somebody sitting over there has to take the responsibility and has to pay the price.

India has been described as a big garden, where you have varieties of flowers blooming with their own colours, odours and natural beauties without interfering with each other. This is my concept of national integration and the national mainstream of life. I am sure, this is the same concept of Gandhiji and Nehru. Now, we want to bloom in this country according to our genius, odours and natural beauties.

Many people think today that assimilation of a smaller community by a bigger community is what is called as national mainstream of life. It is not so. Why it is to be so? Today, the Government may have a privilege to control our fingers to be pressed

upon a particular desired button on the voting machine. But, unless you know how to win over the hearts of the people, ultimately you are going to be the loser.

Sir, we are going to refuse to be the artificial flowers without odours for the decoration of somebody's dining hall or sitting room. We never disturbed others, but others used to disturb us causing a lot of social imbalances. We don't develop a complex but we are made to develop a certain type of complex to line in a subsociety within the society. We are also human beings with feelings. We have been given a stranger like feeling in our own motherland. Mr. Deputy-Speaker, this is our only place to stay. We belong to this great country. This is our motherland. We love it and cherish it. We do not have any other place to go. Therefore, I request that nothing more should be done to alienate the tribal population more and I feel that this matter may not be passed in such a hurried manner. It may be referred to the Select Committee, so that wiser thinking may come out.

SHRI DINESH GOSWAMI (Guwahati):  
Mr. Deputy-Speaker, Sir. We are fully realising the constraint of time. I only make a brief intervention. I do not understand why a Bill of this stature is brought on the last day of the Session. This Bill has implications not only for the States, for which it is meant, but also for other States. I think this type of Bill requires more mature consideration. I would have liked our Home Minister to bring this Bill much earlier in order to give us an opportunity for an intense debate.

13.00 hrs.

Now, this Bill provides reservation and freezing of seats for the tribal people. So far as the reservation and freezing of seats are concerned, I am entirely in agreement with it, because we in north eastern India including my own State Assam, we are feeling that

[Sh. Dinesh Goswami]

Indigenous people are being stemped. Our own culture, our social and political life is being threatened and this feeling is much more acute in the three States to which this Bill refers. So, on the question of freezing, there cannot be any objection. When freezing has been done, I fail to understand why in some States, all the seats are not being held by tribal population. Why these seats are not frozen totally in favour of the tribal population? I would like to know from the hon. Home Minister is there any Constitutional bar? Is there any legal bar? If there is any constitutional or legal bar, of course that ought to be mentioned in the Objects and Reasons itself, so that the House may know as to why the freezing has not been done in States like Nagaland and Mizoram, where hundred percent of seats are being held by the tribal people. This is one apprehension which has been expressed by my hon. friend from Mizoram. Mizoram has recently come into the national mainstream. It is a very welcome feature. But any apprehension in the minds of the people of Mizoram that by coming to the national mainstream, their own political, social and cultural life is being jeopardised and it will have an adverse effect on the State itself and a Bill of this nature may create that impact and therefore I feel that when we welcome the freezing of the seats in favour of the tribal, I do not understand the freezing of the seats in the manner in which it has been done. For instance, in Meghalaya, it has been frozen to the number of seats at the present moment held by the tribals. I believe that in this case, a more mature thinking ought to have been there because the people of Meghalaya are asking for 100% freezing of seats. This Bill and the Statement of Object and Reasons do not give any indication as to why the freezing has been done to the existing number of seats because if you see the existing number of seats, virtually there is no need for freezing. Those people can elect the required number of people to the constituency.

In fact, therefore, what I feel is that this Bill is a very *ad hoc* measure and an *ad hoc* measure for which it is very difficult for me to support. I am not going to stand against the passing of this Bill because by standing against this Bill, the situation is not going to be improved. What I feel is that while this Bill is being brought forward, the question of Tripura has been raised. Sir, in Assam, for example, though very often we have a difference of opinion on this point, with our Left Front friends, who have our own cultural position, cultural life which is being jeopardised. I may give the figures of Tripura.

Sir, in 1931, the indigenous population of Tripura were in majority. But in 1961 when the Census of Tripura population was taken, it was found that the indigenous people number rose by about 2 lakhs whereas the non-indigenous population number rose by about 8 lakhs with the result that in 30 years the indigenous population which was in majority in Tripura in 1931 became 1/4 of the population in 1961 and today they are about 16,000 or 17,000. The same has happened in Sikkim also where reservation has to be made for indigenous population. After all, it is an irony of fate that indigenous population is survived politically by the reservation of the seats. Sir, this is a question which is not only applicable to the tribal area but I feel that in India when we have accepted the principle that every State has its own culture, its own language and its own way of life, attempt must be made to protect it and much more mature and thoughtful consideration ought to have been given. I cannot welcome an *ad hoc* measure like this and the manner in which this Bill has been brought forward on the last day of the Session. The Chair has already announced that the voting is to take place at 1.00 P.M. I believe that for a Bill like this, there should have been much special depth of discussion. In fact, probably, if I am given time, I would speak for about 35 to 40 minutes on this Bill which you will not permit because there are other occasions where

we can talk about these measures. Therefore, Sir, while welcoming this Bill, I cannot accept the manner in which this freezing has been done because I feel that freezing as has been done today, will be detrimental to the interests of the tribal population.

SHRI WANGPHA LOWANG (Arunachal East): Mr. Deputy-Speaker, Sir, I appreciate the spirit in which this Amendment to the Constitution is being proposed. Although I have reservations on this particular Bill, I do not understand the manner in which this Bill is going to be adopted. The Legislative Assembly of Nagaland has unanimously passed in favour of reservation of cent per cent seat for the tribal area. Similarly, the people of Mizoram and Meghalaya have also expressed in some way or other demanding full reservation of the seats in the Assembly for the tribals. These are the States belonging to tribal areas.

Now, I speak very briefly. Coming to Arunachal Pradesh, in Arunachal Pradesh, we have no non-tribal people. It is cent percent tribal area. Of course, before 1951, we had some population of non-tribal and Scheduled Caste areas. But unfortunately, as per the notification of the Governor of Assam in 1951, about 1/4th area of Arunachal Pradesh, then North East Frontier Agency was arbitrarily transferred to Assam. Thereafter, there is no non-tribal population left in Arunachal Pradesh.

As far as the Arunachal Pradesh Statehood Act is concerned, it was enacted last year and according to that, Arunachal Pradesh Assembly is going to have 40 seats. After adopting this Bill, today when the delimitation of constituencies is going to take place, then out of 40 seats, the number of tribal seats is going to be reduced to 39. This is not at all justified. Our people have all along been demanding a State Assembly with 60 seats and I hope the Government will

come forward very soon with some Bill in Parliament providing 60 seats in the Assembly. Our people have been demanding that all these 60 Assembly seats should be reserved for the tribals. As I have already said, there is no plain land in Arunachal. There is not even foothill. The entire plain area, right up to the foothill, border land had been arbitrarily transferred to Assam as per the notification issued by the Governor of Assam in 1951. Our people have been demanding that border re-adjustment should be made and the Government of India should interfere in this matter. This is a well-known fact to the Government of India. There is no question therefore of reserving certain seats or even one seat for the general category. The entire seats in the Arunachal Pradesh Assembly should be reserved for the tribal people there.

THE MINISTER OF HOME AFFAIRS (S. BUTA SINGH): Mr. Deputy-Speaker, Sir, I am grateful to the hon. Members for their valuable discussions on the above Bills.

Before I dwell at length on the points raised by the hon. Members, I would like to briefly explain once again the reasons for the proposed amendment Bills. Although reservation for Scheduled Tribes in the State Legislative Assemblies was provided by the Constitution (Fifty-first Amendment) Act, 1984 the number of seats was not determined and the Election Commission was required to determine the seats on the basis of guidelines specified in clause 3 of article 332 of the Constitution. As per the provision of this article, the number of seats for Scheduled Tribes in the Legislative Assemblies shall bear the same proportion to the total number of seats of the Assembly as the population of Scheduled Tribes bears to the total population in the State. If this principle is applied Meghalaya will get 48 and Nagaland 53 seats for the Scheduled Tribes out of the total number of 60 seats each. In

[S. Buta Singh]

Arunachal Pradesh and Mizoram the number of seats for Scheduled Tribes will be 32 and 39 out of 40 seats each. The position resulting after the proposed amendments are made will be a marked improvement on the existing position.

I may add that the Ministry of Welfare are considering legislation to revise and update the list of Scheduled Tribes. If some of the tribes who are already occupying seats in the Meghalaya Legislative Assembly are covered by this legislation before the appointed day, the number of seats held by the Scheduled Tribes in the Meghalaya Assembly may further change. Thus the Hon'ble Members will appreciate that the Bills seek to bring about a marked improvement in favour of the seats reserved for the Scheduled Tribes in the above State Legislative Assemblies.

I fully appreciate and understand the sentiments expressed by Prof. Swell. We also fully appreciate the sentiments of the tribal people. We would also like to give due respect to Prof. Swell's commitment to the local people.

While tribal interests will always remain uppermost in our mind, any step that is taken has also to be seen in the context of national interest and feeling of amity amongst different communities.

The Nagaland Chief Minister has also strongly urged that there should be 100% reservation for local tribals. He has repeatedly stressed the point. He has also conveyed the strong views of the youth in Nagaland in this direction. We have tried our best to accommodate these views to the maximum extent possible and though not 100% nearly 100% seats have been reserved for tribal people in Nagaland, Mizoram and Arunachal Pradesh. In Meghalaya the number that will be reserved will be

in the same proportion as held by tribal people in the present Assembly on the appointed day i.e. the date of enforcement of this Bill.

These provisions are transitory and remain valid till the year 2000. We shall review the situation in appropriate time with due regard to local needs and aspirations.

Some of the hon. Members suggested that the Bills may be referred to Select Committee. I regret my inability to accept this suggestion. Elections to the State Legislative Assembly of Nagaland are due in November, 1987. The Election Commission have pointed out that the identification of the reserved Assembly Constituencies is essential and a mandatory requirement for holding the general elections. This is the first General Election in Nagaland after the Constitution (Fifty-first Amendment) 1984 providing for reservation. No Parliamentary law has been passed so far giving power to the Election Commission to undertake delimitation of the constituencies or identify the seats reserved for Scheduled Tribes. Therefore, the Constitution Amendment Bill and the Representation of the People (Second Amendment) Bill, 1987 have been moved for consideration so that the Election Commission is clear about the number of seats to be reserved and derives power to delimit the constituencies accordingly before the elections are held.

Shri Riyan yesterday while speaking on the Bill referred to the step-motherly attitude towards the tribals and mentioned that the Sixth Schedule provisions for Tripura were made applicable by the CPM. I would like to clarify that Tripura was included in the Sixth Schedule to the Constitution by an Act of Parliament and not by the Government of Tripura nor any decision of the CPM.

SHRI BASUDEB ACHARIA (Bankura):  
Proposal came through the State Govern-

ment.

S. BUTA SINGH: It was also an Act passed by this very august House under which the Schedule was adopted. Therefore, it is not right on the part of Shri Riyan to say that the Sixth Schedule provisions for Tripura were made applicable by the CPM. I would like to clarify also that Tripura was included in the Sixth Schedule to the Constitution, as I said, by an Act of this Parliament and not by the Government of Tripura. Shri Riyan also referred to the heavy burden of the Chakma refugees. Yes, it is a big problem. But the State Government is looking after the refugees with full cooperation and with full financing of the Central Government. We fully share the concern of the Government of Tripura over the influx of Chakma refugees from Bangladesh. We have sanctioned Rs. 5 crores to the State Government of Tripura for the maintenance of refugees in the camps, pending their repatriation to Bangladesh. Recently, my distinguished colleague Shri P.V. Narasimha Rao-ji held discussions with the Government of Bangladesh on the question of repatriation of refugees. The modalities for their early repatriation will be worked out in consultation with the Bangladesh Government.

In order to ensure that the tribals are given a measure of autonomy in the governance of their day-to-day affairs, Autonomous District Councils under the Sixth Schedule provisions have been provided for in the tribal areas specified in Tripura, Meghalaya, Assam and Mizoram. Nagaland and Arunachal Pradesh are predominantly tribal areas. Manipur also has District Councils on the pattern of the Sixth Schedule.

Honourable Members are aware that the development of the North-Eastern region has been receiving due importance. The North-Eastern Council which was set up for the socio-economic development of the

North-Eastern areas has done commendable work, in the field of development of infrastructural facilities in the region of Transport, Communication, Power etc.

(Interruptions)

SHRI PIYUS TIRAKY (Alipurduars): There is a demand from the Mazar people. (Interruptions). The demand is very much there, for a long time, to have an Autonomous State in those areas, under the Sixth Schedule...

(Interruptions)

MR. DEPUTY SPEAKER: Please take your seat. He is not yielding.

(Interruptions)

S. BUTA SINGH: The NEC schemes are in addition to the State Plans and other Central Sector schemes...

(Interruptions)

MR. DEPUTY SPEAKER: He is speaking. Don't disturb him.

SHRI PIYUS TIRAKY: Sir, I think you have permitted me...

(Interruptions)

MR. DEPUTY SPEAKER: I never told you so. I told you to take your seat. Don't misinterpret. I have to conduct the business before the House.

(Interruptions)

S. BUTA SINGH: Sir, more generous allocations have been made to the NEC in the recent plan. As against the approved outlay of Rs. 340 crores in the Sixth Five Year Plan, the outlay for the Seventh Five Year Plan for NEC schemes is Rs. 675

[S. Buta Singh]

crores. We have taken a number of steps to strengthen the NEC by delegating more powers to them, for speeding up decision-making process.

I need not take the time of the House while mentioning a number of schemes which have been sanctioned. My hon. friends sitting opposite, only they know it pretty well that various schemes of national importance have been inaugurated, covering the entire region of the North-Eastern States. Therefore, it is wrong to say that the Centre has not given due attention to the development of North-Eastern States. As a matter of fact, in the Seventh Five Year Plan, not only special attention has been given, but also, Now, a Standing Committee of the Cabinet with Senior-most Central Ministers as Members, has been appointed by our hon. Prime Minister to see that special care is taken, special attention is given to the development of the people of the North-Eastern regions which are mostly inhabited by our tribal people.

Sir, hon. Members will, I am sure, agree with me that the Government of India is making all efforts to ensure that the people of the important North-Eastern region of the country fully participate in the developmental efforts of the nation. The Bills before the House seek to further safeguard the best interests of the tribal people of these States while balancing the demands of national interest.

Sir, I am sure, in view of the argument that I have just now given - the elections in Nagaland are due in November - my distinguished colleagues Prof. Swell and Shri Konyak will agree with me and they will not press for referring this Bill to the Joint Selection Committee and will help us in passing this Bill today.

SHRI PIYUS TIRAKY: Sir, the Sched-

uled areas have been recognised by the Government. But, in Bihar, Madhya Pradesh and Orissa also there are scheduled areas.

*(Interruptions)*

MR. DEPUTY SPEAKER: We are discussing about the North-Eastern States. Why are you going to bring about Bihar etc. Don't bring all these things here.

*(Interruptions)*

SHRI PIYUS TIRAKY: The Home Minister has left out the Mazar, Munda, Santhal tribals etc. who are living in these three States. Let the Home Minister say something about them. I would like to hear something about them.

*(Interruptions)*

MR. DEPUTY SPEAKER: That is not relevant here.

*(Interruptions)*

SHRI PIYUS TIRAKY: Sir, now these areas are under the Fifth Schedule of the Constitution. These people want them to put under the Sixth Schedule of the Constitution. They also want that the Government should create some facilities for them.

MR. DEPUTY-SPEAKER: Please sit down. This is not related to the Bill under discussion.

S. BUTA SINGH: Let the hon. Member write to me what he has in mind. Today we are only considering this Constitution (Amendment) Bill.

MR. DEPUTY-SPEAKER: Amendment No. 3 has been moved by Shri Chingwang Konyak. Is he withdrawing it or is he pressing?

SHRI CHINGWANG KONYAK (Nagaland): I want to withdraw my Amendment.

MR. DEPUTY-SPEAKER: Has the hon. Member leave of the House to withdraw his amendment?

SEVERAL HON. MEMBERS: Yes.

*Amendment No. 3 was, by leave, withdrawn.*

MR. DEPUTY-SPEAKER: Before I put the motion for consideration to the vote of the House, this being a Constitution Amendment Bill, voting has to be by division. Let the lobbies be cleared.

Now, the lobbies have been cleared.

The question is:

"That the Bill further to amend the Constitution of India, be taken into consideration".

*The Lok Sabha divided.*

MR. DEPUTY SPEAKER: The voting machine is out of order.

Subject to correction, the result of the division is....

SHRI DINESH SINGH (Pratapgrah): No; how can you correct it? You have to have a voting in the lobbies now. This is a Constitution Amendment Bill. It cannot be taken so lightly. How will you correct that? There has to be a voting in the lobbies. There is no other way-out for you.....

(Interruptions) MR. DEPUTY SPEAKER: There is another method also. If the Members accept, we can give slips to all the Members. This is also one method that we can follow.

I want to give a choice to the House. Either we can have lobby voting or we can have it by distribution of slips....

(Interruptions)

MR. DEPUTY SPEAKER: Hon. Members, for a long time we have not used the method of voting by Members going into the Lobbies. It has been in dis-use. We can distribute the slips.

SEVERAL HON. MEMBERS: Yes. We can do it by distribution of slips.

MR. DEPUTY SPEAKER: We can distribute the slips. Hon. Members will observe the following Procedure while Recording their votes. The Member shall record his or her vote in the slip by indicating 'Aye' or 'No' and by signing and writing the Division Number below. If any member wants a slip for absenteeism he or she may ask for it.

[13.41 hrs.

Division No. 3]

AYES

Abbasi, Shri K.J.

Acharia, Shri Basudeb

Adiyodi, Dr. K.G.

Agarwal, Shri Jai Prakash

Ahmed, Shri Sarfaraz

Ahmed, Shrimati Abida

Akhtar Hassan, Shri

Alkha Ram, Shri

Anand Singh, Shri

Anjiah, Shrimati Manamma

Bhandari, Shrimati D.K.

Ansari, Shri Abdul Hannan

Bharat Singh, Shri

Ansari, Shri Z.R.

Bhardwaj, Shri Parasram

Antony, Shri P.A.

Bhatia, Shri R.L.

Arjun Singh, Shri

Bhoopathy, Shri G.

Awasthi, Shri Jagdish

Bhosale, Shri Prataprao B.

Azad, Shri Bhagwat Jha

Bhoye, Shri R.M.

Azad, Shri Ghulam Nabi

Bhoye, Shri S.S.

Baghel, Shri Pratapsinh

Bhumiji, Shri Haren

Bagun Sumbhui, Shri

Bhuria, Shri Dileep Singh

Bairagi, Shri Balkavi

Birbal, Shri

Bairwa, Shri Banwari Lal

Birendra Singh, Rao

Bajpai, Dr. Rajendra Kumari

Birinder Singh, Shri

Bala Goud, Shri T.

Brahma Dutt, Shri

Bali, Shrimati Vyjayanthimala

Budania, Shri Narendra

Banerjee, Kumari Mamata

Bundela, Shri Sujan Singh

Barman, Shri Palas

Buta Singh, S.

Basavarajeswari, Shrimati

Chandrakar, Shri Chandulal

Basavaraju, Shri G.S.

Chandrasekhar, Shrimati M.

Basheer, Shri T.

Chandresh Kumari, Shrimati

Basu, Shri Anil

Charles, Shri A.

Bhagat, Shri B.R.

Chaturvedi, Shri Naresh Chandra

Bhagat, Shri H.K.L.

Chaturvedi, Shrimati Vidyavati

Bhakta, Shri Manoranjan

Chaudhry, Shri Kamal

Chavan, Shri Ashok Shankarrao	Dikshit, Shrimati Sheila
Chavan, Shrimati Premalabai	Dinesh Singh, Shri
Chidambaram, Shri P.	Dogra, Shri G.L.
Chinta Mohan, Dr.	Dora, Shri H.A.
Choudhari, Shrimati Usha	Dube, Shri Bhishma Deo
Choudhary, Shri Jagannath	Engti, Shri Biren Singh
Choudhary, Shri Nandlal	Fernandes, Shri Oscar
Dabhi, Shri Ajitsinh	Gadgil, Shri V.N.
Dalbir Singh, Shri	Gadhvi, Shri B.K.
Dalbir Singh, Shri	Gaekwad, Shri Ranjit Singh
Dalwai, Shri Hussain	Gamit, Shri C.D.
Damor, Shri Somjibhai	Gandhi, Shri Rajiv
Dandavate, Prof. Madhu	Gavit, Shri Manikrao Hodlya
Das, Shri Anadi Charan	Gehlot, Shri Ashok
Das, Shri Bipin Pal	Ghorpade, Shri M.Y.
Das, Shri Sudarsan	Ghosh Goswami, Shrimati Bibha
Das, Munsii, Shri Priya Ranjan	Gohil, Shri G.B.
Dennis, Shri N.	Gomango, Shri Giridhar
Deora, Shri Murli	Gopeshwar, Shri
Dev, Shri Sontosh Mohan	Gounder, Shri A.S.
Dhillon, Dr. G.S.	Gowda, Shri r.N. Nanje
Digal, Shri Radhakanta	Guha, Dr. Phulrenu
Dighe, Shri Sharad	Gupta, Shri Indrajit
Digvijaya Singh, Shri	Gupta, Shri Janak Raj

Gupta, Shrimati Prabhawati

Kaul, Shrimati Sheila

Guraddi, Shri S.M.

Kaushal, Shri Jagan Nath

Hansda, Shri Matilal

Ken, Shri Lala Ram

Harpal Singh, Shri

Keyur Bhushan, Shri

Jadeja, Shri D.P.

Khan, Shri Khurshid Alam

Jaffar Sharief, Shri C.K.

Khan, Shri Mohd. Ayub

Jagannath Prasad, Shri

Khattari, Shri Nirmal

Jain, Shri Dal Chander

Khirhar, Shri R.S.

Jain, Shri Nihal Singh

Kidwai, Shrimati Mohsina

Jain, Shri Virdhi Chander

Kinder Lal, Shri

Jangde, Shri Khelan Ram

Kisku, Shri Prithvi Chand

Jeevarathinam, Shri R.

Kolandaivelu, Shri P.

Jena, Shri Chintamani

Konyak, Shri Chingwang

Jhansi Lakshmi, Shrimati N.P.

Krishna Kumar, Shri S.

Jhikram, Shri M.L.

Krishna Singh, Shri

Jitendra Prasada, Shri

Kujur, Shri Maurice

Jitendra Singh, Shri

Kumaramangalam, Shri P.R.

Jujhar Singh, Shri

Kunwar Ram, Shri

Kalpara Devi, Dr. T.

Kuppuswamy, Shri C.K.

Kamal Nath, Shri

Kurien, Prof. P.J.

Kamat, Shri Gurudas

Lachchi Ram, Shri

Kamble, Shri Arvind Tulshiram

Lal Duhoma, Shri

Kamla Kumari, Kumari

Law, Shri Asutosh

Kamson, Prof. Meijinlung

Lowang, Shri Wangpha

381 <i>Constitution (58 Amdt.) Bill &amp;</i>	BHADRA 6, 1909 (SAKA )	<i>Rep. of People (2nd Amdt.) Bill</i>	382
Mahabir Prasad, Shri		Motilal Singh, Shri	
Mahajan, Shri Y.S.		Mukherjee, Shrimati Geeta	
Mahendra Singh, Shri		Mukhopadhyay, Shri Ananda Gopal	
Makwana, Shri Narsinh		Murmu, Shri M.V. Chandrashekara	
Malik, Shri Dharampal Singh		Mushran, Shri Ajay	
Mallick, Shri Lakshman		Naik, Shri Shantaram	
Malviya, Shri Bapulal		Namgyal, Shri P.	
Mandal, Shri Murlidhar		Nawal Prabhakar, Shrimati Sunderwati	
Mane, Shri R.S.		Neekhra, Shri Rameshwar	
Manorama Singh, Shrimati		Negi, Shri Chandra Mohan Singh	
Manvendra Singh, Shri		Netam, Shri Arvind	
Mavani, Shrimati Patel Ramaben Ramjibhai		Oraon, Shrimati Sumati	
Mehta, Shri Haroobhai		Pandey, Shri Damodar	
Meira Kumar, Shrimati		Panday, Shri Madan	
Mirdha, Shri Ram Niwas		Panigrahi, Shri Chintamani	
Mishra, Shri G.S.		Panigrahi, Shri Sriballav	
Mishra, Dr. Prabhat Kumar		Panika, Shri Ram Pyare	
Mishra, Shri Ram Nagina		Panja, Shri A.K	
Mishra, Shri Shripati		Pant, Shri K.C.	
Mishra, Shri Umakant		Parashar, Prof. Narain Chand	
Misra, Shri Nityananda		Pardhi, Shri Kessaorao	
Modi, Shri Vishnu		Paswan, Shri Ram Bhagat	
Mohanty, Shri Brajamohan		Patel, Shri Ahmed M.	
More, Prof. Ramkrishna		Patel, Shri C.D.	

Patel Shri, G.I.	Rai, Shri Raj Kumar
Patel Shri Mohanbhai	Raj Karan Singh, Shri
Patel, Shri Ram Pujan	Rajeshwaran, Dr. V.
Patel, Shri U.H.	Rajhans, Dr. G.S.
Pathak, Shri Ananda	Raju, Shri Vijaya Kumar
Pathak, Shri Chandra Kishore	Ram, Shri Ramswaroop
Patil, Snri Blasaheb Vikhe	Ram Awadh Prasad, Shri
Patil, Shri H.B.	Ram Dhan, Shri
Patil, Shri Prakash V.	Ram Prakash, Ch.
Patil, Shri Shivraj V.	Ram Samujhawan, Shri
Patil, Shri Uttamrao	Ram Singh, Shri
Patil, Shri Vijay N.	Ramachandran, Shri Mullappally
Patil, Shri Yashwantrao Gadakh	Ramaiah, Shri Sode
Patnaik, Shrimati Jayanti	Ramashray Prasad Singh, Shri
Penchalliah, Shri P.	Ramoowalia, Shri Balwant Singh
Pilot, Shri Rajesh	Rampal Singh, Shri
Poojary, Shri Janardhana	Rana Vir Singh, Shri
Potdukhe, Shri Shantaram	Ranga, Prof. N.G.
Pradhan, Shri K.N.	Ranganath, Shri K.H.
Pradhani, Shri K.	Rao, Shri A.J.V.B. Maheswara
Puran Chandra, Shri	Rao, Shri J. Chakka
Purohit, Shri Banwari Lal	Rao, Shri J. Vengala
Pushpa Devi, Kimari	Rao, Shri P.V. Narasimha
Raghuraj Singh, Chaudhary	Rao, Shri Srihari

Rao, Shri V. Krishna

Scindia, Shri Madhavrao

Rath, Shri Somnath

Sen, Shri Bholanath

Rathawa, Shri Amarsinh

Sethi, Shri Ananta Prasad

Rathod, Shri Uttam

Sethi, Shri P.C.

Raut, Shri Bhola

Shah, Shri Anoopchand

Ravani, Shri Navin

Shahi, Shri Laliteshwar

Rawat, Shri Harish

Shailesh, Dr. B.L.

Rawat, Shri Kamla Prasad

Shankaranand, Shri B.

Reddi, Shri C. Madhav

Shanmugam, Shri P.

Reddy, Shri P. Manik

Shanti Devi, Shrimati

Riyan, Shri Bajju Ban

Sharma, Shri Nawal Kishore

Roy, Dr. Sudhir

Sharma, Shri Pratap Bhanu

Saha, Shri Gadadhar

Shastri, Shri Hari Krishna

Sahi, Shrimati Krishna

Shervani, Shri Saleem I.

Sahu, Shri Shiv Prasad

Shivendra Bahadur Singh, Shri

Sait, Shri Azeez

Siddiq, Shri Hafiz Mohd.

Sakargaym, Shri Kalicharan

Sidnal, Shri S.B.

Salahuddin, Shri

Singh, Shjri Chandra Pratap Narain

Sangma, Shri P.A.

Singh, Shri D.G.

Sankhawar, Shri Ashkaran

Singh, Shri Kamla Prasad

Sankata Prasad.Dr.

Singh, Shri Krishna Pratap

Satyendra Chandra, Shri

Singh, Shri Lal Vijay Pratap

Sathe, Shri vasant

Singh, Shri N. Tombi

Sayeed, Shri P.M.

Singh, Shri S.D.

Singh, Shri Santosh Kumar

Thakur, Shri C.P.

Singh Deo, Shri K.P.

Thera Devi, Kumari D.K.

Sinha, Shri Atish Chandra

Thorat, Shri Bhausahab

Sinha, Shrimati Ram Dulari

Thota, Shri Gopal Krishna

Sinha, Shri Satyendra Narayan

Tigga, Shri Simon

Sodi, Shri Mankuram

Tilakdhari Singh, Shri

Solanki, Shri Kalyan Singh

Tiraky, Shri Piyus

Soren, Shri Harihar

Tomar, Shrimati Usha Rani

Sparrow, Shri R.S.

Tripathi, Dr. Chandra Shekhar

Sreenivasa Prasad, Shri V.

Tulsiram, Shri V.

Sukh Ram, Shri Sukhbuns Kaur, Shri-  
mati

Tyagi, Shri Dharamvir Singh

Sultanpuri, Shri K.D.

Tytler, Shri Jagdish

Suman, Shri R.P.

Vairale, Shri Madhusudan

Sundararaj, Shri N.

Van, Shri Deep Narain

Sunder Singh, Ch.

Vanakar, Shri Punam Chand Mithabhai

Suryawanshi, Shri Narsing

Verma, Shrimati Usha

Swami Prasad Singh, Shri

Vir Sen, Shri

Swamy, Shri D. Narayana

Vyas, Shri Girdhari Lal

Swamy, Shri Katuri Narayana

Wasnik, Shri Mukul

Swell, Shri G.G.

Yadav, Shri Kailash

Tapeshwar Singh, Shri

Yadav, Shri R.N.

Tariq Anwar, Shri

Yadav, Shri Ram Singh

Tewary, Prof. K.K.

Yadav, Shri Shyam Lal

Thakkar, Shrimati Usha

Yadav, Shri Subhash

Yadava, Shri Bal Ram Singh

SHRIB. SHANKARANAND: I think, that will not be constitutionally valid.

Yadava, Shri D.P.

MR. DEPUTY-SPEAKER: That is provided in the rules. Proviso to rule 155 says:

Yogesh, Shri Yogeshwar Prasad

Zainal Abedin, Shri

"Provided that the Speaker may, with the concurrence of the house, put clauses and/or schedules, or clauses and/or schedules as amended, as the case may be, together to the vote of the House in which case the result of the voting shall be taken as applicable to each clause or schedule separately and so indicated in the proceedings:"

Zainul Basher, Shri

MR. DEPUTY-SPEAKER: The result of the division is:

Ayes : 354

Noes : NIL

So, if the House agrees, we may put both the clauses together.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

*The motion was adopted.*

SEVERAL HON. MEMBERS: Yes.

MR. DEPUTY-SPEAKER: First, let me dispose of amendment to clause 1

14.00 hrs.

#### CLAUSE 1

MR. DEPUTY-SPEAKER: Now the House will take up Clause by Clause consideration of the Bill.

(Short title and *Commencement*)

*Amendment made*

#### CLAUSE 2

Page 1, lines 3 and 4, —

(*Amendment of article 332*)

for "Fifty-eighth Amendment" substitute — "Fifty-seventh Amendment" (1)

*Amendment made:*

(S. Buta Singh)

Page 2, line 5, —

MR. DEPUTY-SPEAKER: Now I will put clause 2 as amended and clause 1 as amended to the vote of the House.

for "Fifty-eighth Amendment" substitute — "Fifty-seventh Amendment" (2)

(S. Buta Singh)

The question is:

MR. DEPUTY-SPEAKER: If the House agrees, I may put both the clauses together for voting and the result will be shown separately in the proceedings.

"That clause 2 as amended and clause 1 as amended stand part of the Bill"

*The Lok Sabha divided:*

[14.05 hrs.

Bajpai, Dr. Rajendra Kumari

Division No. 4]

Bala Goud, Shri T.

**AYES**

Bali, Shrimati Vyjayanthimala

Abbasi, Shri K.J.

Banerjee, Kumari Mamata

Acharia, Shri Basudeb

Barman, Shri Palas

Adiyodi, Dr. K.G.

Basavarajeswari Shrimati

Agarwal, Shri Jai Prakash

Basavraju, Shri G.S.

Ahmad, Shri Sarfaraz

Basheer, Shri T.

Ahmed, Shrimati Abida

Basu, Shri Anil

Akhtar Hasan, Shri

Bhagat, Shri B.R.

Alkha Ram, Shri

Bhagat, Shri H.K.L.

Anand Singh, Shri

Bhakta, Shri Manoranjan

Anjiah, Shrimati Manemma

Bhandari, Shrimati D.K.

Ansari, Shri Abdul Hannan

Bharat Singh, Shri

Ansari, Shri Z.R.

Bhardwaj, Shri Parasram

Antony, Shri P.A.

Bhatia, Shri R.L.

Arjun Singh, Shri

Bhoopathy, Shri G.

Awasthi, Shri Jagdish

Bhosale, Shri Prataprao B.

Azad, Shri Bhagwat Jha

Bhoye, Shri R.M.

Azad, Shri Ghulam Nabi

Bhoye, Shri S.S.

Baghel, Shri Pratapsinh

Bhumij, Shri Haren

Bagun Sumbrui, Shri

Bhuria, Shri Dileep Singh

Bairagi, Shri Balkavi

Birbal, Shri

Bairawa, Shri Banwari Lal

Birendra Singh, Rao

393 <i>Constitution (58 Amdt.) Bill &amp;</i>	BHADRA 6, 1909 (SAKA )	<i>Rep. of People (2nd Amdt.) Bill</i>	394
Birinder Singh, Shri		Dandavate, Prof. Madhu	
Brahma Dut, Shri		Das, IShri Anadi Charan	
Budania, Shri Narendra		Das, Shri Bipin Pal	
Budela, Shru Sujan Singh		Das, Shri Sudarsan	
Buta singh,S.		Das Munsi, Shri Priya Ranjan	
Chandrakar, Shri Chandulal		Dennis, Shri N.	
Chandrasekhr, Shrimati M.		Deora, Shri Murli	
Chandresh Kumari, Shrimati		Dev, Shri Sontosh Mohan	
Charles, Shri A.		Dhariwal, Shri Shanti	
Chaturvedi, Shri Naresh Chandra		Dhillon, Dr. G.S.	
Chaturvedi, Shrimati Vidyavati		Digal, Shri Radhakanta	
Chaudhary, Shri Kamal		Dighe, Shri Sharad	
Chavan, Shrimati Premalabai		Digvijaya Singh, Shri	
Chavan, Shri Ashok Shankararao		Dikshit, Shrimati Sheila	
Chidambaram, Shri P.		Dines Singh, Shri	
Chinta Mohan, Dr.		Dogra, Shri G.L.	
Choudhari, Shrimati Usha		Dora, Shri H.A.	
Choudhary, Shri Jagannath		Dube, Shri Bhishma Deo	
Choudhary, Shri Nandlal		Fernandes, Shri Oscar	
Dabhi, Shri Ajitsinh		Gadgil, Shri V.N.	
Dalbir Singh, Ch.		Gadhvi, Shri B.K.	
Dalbir Singh, Shri		Gaekwad, Shri Ranjit Singh	
Dalwai, Shri Hussain		Gamit, Shri C.D.	
Damor, Shri Somjibhai		Gandhi, Shri Rajiv	

Ganga ram, Shri	Jangde, Shri Khelan Ram
Gavit, Shri Manikrao Hodlya	Jatav, Shri Kammodilal
Gehlot, Shri Ashok	Jeevarathinam, Shri R.
Ghopade, Shri M.Y	Jena, Shri Chintamani
Ghosh, Shri Bimal Kanti	Jhansi Lakshmi, Shrimati N.P.
Ghosh Goswami, Shrimati Bibha	Jhikram, Shri M.L.
Gohil, Shri G.B.	Jitendra Prasada, Shri
Gomango, Shri Giridhar	Jitendra Singh, Shri
Gopeshwar, Shri	Jujhar Singh, Shri
Gounder, Shri A.S.	Kalpana Devi, Dr. T.
Gowda, Shri H.N. Nanje	Kamal Nath, Shri
Guha, Dr. Phulrenu	Kamat, Shri Gurudas
Gupta, Shri Indrajit	Kamble, Shri Arvind Tulshiram
Gupta, Shri Janak Raj	Kamla Kumari, Kumari
Gupta, Shrimati Prabhawati	Kamson, Prof. Meijinlung
Guraddi, Shri S.M.	Kaul, Shrimati Sheila
Hansda, Shri Matilal	Kaushal, Shri Jagan Nath
Harpal Singh, Shri	Ken, Shri Lala Ram
Jadeja, Shri D.P.	Keyur Bhushan, Shri
Jaffar Sharief, Shri C.K.	Khan, Shri Aslam Sher
Jagannath Prasad, Shri	Khan, Shri Khurshid Alam
Jain, Shri Dal Chander	Khan, Shri Mohd. Ayub
Jain, Shri Nihal Singh	Khan, Shri Rahim
Jain, Shri Virdhi Chander	Khattri, Shri Nirmal Khirhar, Shri R.S.

Kidwai, Shrimati Mohsina

Manda, Shri Sanat Kumar

Kinder Lal, Shri

Mane, Shri Murlidhar

Kisku, Shri Prithvi Chand

Mane, Shri R.S.

Kolandaivelu, Shri P.

Manorama Singh, Shrimati

Konyak, Shri Chingwang

Manvendra Singh, Shri

Krishna Kumar, Shri S.

Mavani, Shrimati Patel Ramaben  
Ramjibhai

Krishna Singh, Shri

Mehta, Shri Haroobhai

Kujur, Shri Maurice

Meira Kumar, Shrimati

Kumaramangalam, Shri P.R.

Mirdha, Shri Ram Niwas

Kunwar Ram, Shri

Mishra, Shri G.S.

Kuppuswamy, Shri C.K.

Mishra, Dr. Prabhat Kumar

Kurien, Prof. P.J.

Mishra, Shri Ram Nagina

Lachchhi Ram, Shri .

Mishra, shri Shripati

Lal Duhoma, Shri

Mishra, Shri Umakant

Law, Shri Asutosh

Misra, Shri Nityananda

Lowang, Shri Wangpha

Modi, Shri Vishnu

Mah: bir Prasad, Shri

Mohanty, Shri Brajamohan

Mahajan, Shri Y.S.

More, Prof. Ramkrishna

Mahata, Shri Cita

Motilal Singh, Shri

Mahendra Singh, Shri

Mukherjee, Shrimati Geeta

Makwana, Shri Narsinh

Mukhopadhyay, Shri Ananmda Gopal

Malik, Shri Dharampal Singh

Murmu, Shri Sidha Lal

Mallick, Shri Lakshman

Murthy, Shri M.V. Chandrashekara

Malviya, Shri Bapulal

Mushran, Shri Ajay

Muttemwar, Shri Vilas	Patel, Shri U.H.
Naik, Shri Shantaram	Pathak, Shri Ananda
Namgyal, Shri P.	Pathak, Shri Chandra Kishore
Nawal Prabhakar, Shrimati Sunderwati	Patil, Shri Balasaheb Vikhe
Neekhra, Shri Rameshwar	Patil, Shri H.B.
Negi, Shri Chandra Mohan Singh	Patil, Shri Prakash V.
Netam, Shri Arvind	Patil, Shri Shivraj V.
Oraon, Shrimati Sumati	Patil, Shri Uttamrao
Pandey, Shri Damodar	Patil, Shri Vijay N.
Pandey, Shri Madan	Patil, Shri Yashwantrao Gadakh
Panigrahi, Shri Chintamani	Patnaik Shrimati Jayanti
Panigrahi, Shri Sriballav	Penchalliah, Shri P.
Panika, Shri Ram Pyare	Pilot, Shri Rajesh
Panja, Shri A.K.	Poojary, Shri Janardhana
Pant, Shri K.C.	Potdukhe, Shri Shantaram
Panwar, Shri Satyanarayan	Pradhan, Shri K.N.
Parashar, Prof. Narain Chand	Pradhani, Shri K.
Pardhi, Shri Keshao Rao	Puran Chandra, Shri
Paswan, Shri Ram Bhagat	Purohit, Shri Banwari Lal
Patel, Shri Ahmed M.	Pushpa Devi, Kumari
Patel, Shri C.D.	Raghuraj Singh, Chadhary
Patel, Shri G.I.	Rai, Shri Raj Kumar
Patel, Shri Mohanbhai	Raj Karan Singh, Shri
Patel, Shri Ram Pujan	Rajeshwaran, Dr. V.

401 <i>Constitution (58 Amdt.) Bill &amp;</i>	BHADRA 6, 1909 (SAKA )	<i>Rep. of People (2nd Amdt.) Bill</i>	402
Rajhans, Dr. G.S.		Rathwa, Shri Amarsinh	
Raju, Shri Vijaya Kumar		Rathod, Shri Uttam	
Ram, Shri Ramswaroop		Raut, Shri Bhola	
Ram Awadh Prasad, Shri		Ravani, Shri Navin	
Ram Dhan, Shri		Rawat, Shri harish	
Ram Prakash, Ch.		Rawat, Shri Kamla Prasad	
Ram Samujhawan, Shri		Reddy, Shri D.N.	
Ram Singh, Shri		Reddy, Shri E. Ayyapu	
Ramachandran, Shri Mullappally		Reddy, Shri M. Subba	
Ramaiah, Shri B.B.		Reddy, Shri P. Manik	
Ramaiah, Shri Sode		Riyan, Shri Baju Ban	
Ramashray Prasad Singh, Shri		Saha, Shri Gadadhar	
Rampal Singh, Shri		Sahi, Shrimati Krishna	
Rana Vir Singh, Shri		Sahu, Shri Shiv Prasad	
Ranga, Prof. N.G.		Sait, Shri Azez	
Ranganath, Shri K.H.		Sakargaym, Shri Kalicharan	
Rao, Shri A.J.V.B. Maheswara		Salahuddin, Shri	
Rao, Shri J. Chokka		Sangma, Shri P.A.	
Rao, Shri J. Vengala		Sankhawar, Shri Ashkaran	
Rao, Shri K.S.		Sankata prasad. Dr.	
Rao, Shri P.V. Narasimha		Satyendra Chandra, Shri	
Rao, Shri Srihari		Sathe, Shri Vasant	
Rao, Shri V. Krishna		Sayeed, Shri P.M.	
Rath, Shri Somnath		Scindia, Shri Madhavrao	

Sen, Shri Bholanath

Sinha, Shri Atish Chandrā

Sethi, Shri Ananta Prasad

Sinha, Shrimati Ram Dulari

Sethi, Shri P.C.

Sinha, Shri Satyendra Narayan

Shah, Shri Anoopchand

Sodi, Shri mankuram

Shahi, Shri Laliteshwar

Solanki, Shri Kalyan Singh

Shailesh, Dr. B.L.

Soren, Shri Harihar

Shankaranand, Shri B.

Sparrow, Shri R.S.

Shanmugham, Shri P. Shanti Devi,  
Shrimati

Sreenivasa Prasad, Shri V.

Sharma, Shri Nand Kishore

Sukh Ram, Shri

Sharma, Shri Nawal Kishore

Sukhbrns Kaur, Shrimati

Sharma, Shri Pratap Bhanu

Sultanpuri, Shri K.D.

Shastri, Shri hari Krishna

Suman, Shri R.P

Shervani, Shri Saleem I.

Sundararaj, Shri N.

Shivendra Bahadur Singh, Shri

Sunder Singh, Ch.

Siddiq, Shri Hafiz Mohd.

Surendra Pal Singh, Shri

Singh, Shri Chandra Pratap narain

Suryawanshi, Shri Narsing

Singh, Shri D.G.

Swami Prasad Singh, Shri

Singh, Shri Kamla Prasad

Swamy, Shri D. Narayana

Singh, Shri Krishna Pratap

Swamy, Shri D. Narayana

Singh, Shri Lal Vijay Pratap

Swamy, Shri Katuri Narayana

Singh, Shri N. Tombi

Swell, Shri G.G.

Singh, Shri S.D.

Tapeshwar Singh, Shri

Singh, Shri Santosh Kumar

Tariq Anwar, Shri

Singh Dec, Shri K.P.

Tewary, Prof. K.K.

405 <i>Constitution (58 Amdt.) Bill &amp;</i>	BHADRA 6, 1909 (SAKA)	Rep. of People (2nd Amdt.) Bill	406
Thakkr, Shrimati Usha		Yadav, Shri R.N.	
Thakur, Shri C.P.		Yadav, Shri Ram Singh	
Thara Devi, Kumari D.K.		Yadav, Shri Shyam Lal	
Thorat, Shri Bhausahab		Yadav, Shri Subhash	
Thota, Shri Gopal Krishna		Yadava, Shri Bal Ram Singh	
Tigga, Shri Simon		Yadava, Shri D.P.	
Tilakdhari Singh, Shri		Yogesh, Shri Yogeshwar Prasad	
Tiraky, Shri Piyus		Zainul Basher, Shri	
Tomar, Shrimati Usha Rani		MR. DEPUTY-SPEAKER: The result* of the division is	
Tripathi, Dr. Chandra Shekhar		Ayes : 365**	
Tulsiram, Shri V.		Noes : Nil	
Tyagi, Shri Dharamvir Singh		The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting.	
Tytler, Shri Jagdish			
Vairale, Shri Madhusudan			
Van, Shri Deep Narain		<i>The motion was adopted</i>	
Venakar, Shri Punam Chand Mithabhai		<i>Clause 2 as amended and clause 1 as amended were added to the Bill.</i>	
Verma, Shrimati Usha			
Vir Sen, Shri		MR. DEPUTY SPEAKER: The Minister may move that the Bill, as amended, be passed.	
Vyas, Shri Girdhari Lal		S. BUTA SINGH: I beg to move:	
Wasnik, Shri Mukul		"That the Bill, as amended, be passed."	
Yadav, Shri Kailash			

---

\* The result of this Division applies to Clause 2, as amended and Clause 1, as amended, separately.

\*\* Shri Aslam Sher Khan M.P., filled in 2 slips for 'AYES' for adoption of clauses 2 and 1 of the constitution (fifty-eight Amendment) Bill. One of his slips for 'AYES' has been cancelled. The result of the Division stands corrected as 'AYES' 364

MR. DEPUTY-SPEAKER: Before I put the motion that the Bill, as amended, be passed to the vote of the House, this being a Constitution (Amendment) Bill, voting has to be by division.

The Lobbies have already been cleared.

The question is:

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

*The Lok Sabha divided:*

[14.22 hrs.

**Division No. 5]**

**AYES**

Abbasi, Shri K.J.  
Acharia, Shri Basudeb  
Adiyodi, Dr. K.G.  
Agarwal, Shri Jai Prakash  
Ahmad, Shri Sarfaraz  
Ahmed, Shrimati Abida  
Akhtar Hasan, Shri  
Alkha Ram, Shri  
Anand Singh, Shri  
Anjiah, Shrimati Manemma  
Ansari, Shri Abdul Hannan  
Ansari, Shri Z.R.  
Antony, Shri P.A.

Arjun Singh, Shri  
Awasthi, Shri Jagdish  
Azad, Shri Bhagwat Jha  
Azad, Shri Ghulam Nabi  
Baghel, Shri Pratapsinh  
Bagun Sumbrui, Shri  
Bairagi, Shri Balkavi  
Bairawa, Shri Banwari Lal  
Bajpai, Dr. Rajendra Kumari  
Bala Goud, Shri T.  
Bali, Shrimati Vyajyantimala  
Banerjee, Kumari Mamata  
Barman, Shri Palas  
Basavarajeswari Shrimati  
Basavraju, Shri G.S.  
Basheer, Shri T.  
Basu, Shri Anil  
Bhagat, Shri B.R.  
Bhagat, Shri H.K.L.  
Bhakta, Shri Manoranjan  
Bhandari, Shrimati D.K.  
Bharat Singh, Shri  
Bhardwaj, Shri Parasram  
Bhatia, Shri R.L.

409 <i>Constitution (58 Amdt.) Bill &amp;</i>	BHADRA 6, 1909 (SAKA )	<i>Rep. of People (2nd Amdt.) Bill</i>	410
Bhoopathy, Shri G.		Choudhari, Shrimati Usha	
Bhosale, Shri Prataprao B.		Choudhary, Shri Jagannath	
Bhoye, Shri R.M.		Choudhary, Shri Nandlal	
Bhoye, Shri S.S.		Dabhi, Shri Ajitsinh	
Bhumij, Shri Haren		Dalbir Singh, Ch.	
Bhuria, Shri Dileep Singh		Dalbir Singh, Shri	
Birbal, Shri		Dalwai, Shri Hussain	
Birendra Singh, Rao		Damor, Shri Somjibhai	
Birinder Singh, Shri		Dandavate, Prof. Madhu	
Brahma Dut, Shri		Das, IShri Anadi Charan	
Budania, Shri Narendra		Das, Shri Bipin Pal	
Budela, Shru Sujan Singh		Das, Shri Sudarsan	
Buta singh,S.		Das Munsi, Shri Priya Ranjan	
Chandrakar, Shri Chandulal		Dennis, Shri N.	
Chandrasekhr, Shrimati M.		Deora, Shri Murli	
Chandresh Kumari, Shrimati		Dev, Shri Sontosh Mohan	
Charles, Shri A.		Dhariwal, Shri Shanti	
Chaturvedi, Shri Naresh Chandra		Dhillon, Dr. G.S.	
Chaturvedi, Shrimati Vidyavati		Digal, Shri Radhakanta	
Chaudhary, Shri Kamal		Dighe, Shri Sharad	
Chavan, Shrimati Premalabai		Digvijaya Singh, Shri	
Chavan, Shri Ashok Shankararoo		Dikshit, Shrimati Sheila	
Chidambaram, Shri P.		Dines Singh, Shri	
Chinta Mohan, Dr.		Dogra, Shri G.L.	

Dora, Shri H.A.	Hansda, Shri Matilal
Dube, Shri Bhishma Deo	Harpal Singh, Shri
Fernandes, Shri Oscar	Jadeja, Shri D.P.
Gadgil, Shri V.N.	Jaffar Sharief, Shri C.K.
Gadhvi, Shri B.K.	Jagannath Prasad, Shri
Gaekwad, Shri Ranjit Singh	Jain, Shri Dal Chander
Gamit, Shri C.K.	Jain, Shri Nihal Singh
Gandhi, Shri Rajiv	Jain, Shri Virdhi Chander
Ganga ram, Shri	Jangde, Shri Khelan Ram
Gavit, Shri Manikrao Hodlya	Jatav, Shri Kammodilal
Gehlot, Shri Ashok	Jævarathinam, Shri R.
Ghopade, Shri M.Y	Jena, Shri Chintamani
Ghosh, Shri Bimal Kanti	Jhansi Lakshmi, Shrimati N.P.
Ghosh Goswami, Shrimati Bibha	Jhikram, Shri M.L.
Gohil, Shri G.B.	Jitendra Prasada, Shri
Gomango, Shri Giridhar	Jitendra Singh, Shri
Gopeshwar, Shri	Jujhar Singh, Shri
Gounder, Shri A.S.	Kalpana Devi, Dr. T.
Gowda, Shri H.N. Nanje	Kamal Nath, Shri
Guha, Dr. Phulrenu	Kamat, Shri Gurudas
Gupta, Shri Indrajit	Kamble, Shri Arvind Tulshiram
Gupta, Shri Janak Raj	Kamla Kumari, Kumari
Gupta, Shrimati Prabhawati	Kamson, Prof. Meijinlung
Guraddi, Shri S.M.	Kaul, Shrimati Sheila

413 <i>Constitution (58 Amdt.) Bill &amp;</i>	BHADRA 6, 1909 (SAKA)	414 <i>Rep. of People (2nd Amdt.) Bill</i>
Kaushal, Shri Jagan Nath		Mahabir Prasad, Shri
Ken, Shri Lala Ram		Mahajan, Shri Y.S.
Keyur Bhushan, Shri		Mahata, Shri Cita
Khan, Shri Aslam Sher		Mahendra Singh, Shri
Khan, Shri Khurshid Alam		Makwana, Shri Narsinh
Khan, Shri Mohd. Ayub		Malik, Shri Dharampal Singh
Khan, Shri Rahim		Mallick, Shri Lakshman
Khattri, Shri Nirmal Khirhar, Shri R.S.		Malviya, Shri Bapulal
Kidwai, Shrimati Mohsina		Manda, Shri Sanat Kumar
Kinder Lal, Shri		Mane, Shri Murlidhar
Kisku, Shri Prithvi Chand		Mane, Shri R.S.
Kolandaivelu, Shri P.		Manorama Singh, Shrimati
Konyak, Shri Chingwang		Manvendra Singh, Shri
Krishna Kumar, Shri S.		Mavani, Shrimati Patel Ramaben Ramjibhai
Krishna Singh, Shri		Mehta, Shri Haroobhai
Kujur, Shri Maurice		Meira Kumar, Shrimati
Kumaramangalam, Shri P.R.		Mirdha, Shri Ram Niwas
Kunwar Ram, Shri		Mishra, Shri G.S.
Kuppuswamy, Shri C.K.		Mishra, Dr. Prabhat Kumar
Kurien, Prof. P.J.		Mishra, Shri Ram Nagina
Lachchi Ram, Shri		Mishra, shri Shripati
Lal Duhoma, Shri		Mishra, Shri Umakant
Law, Shri Asutosh		Misra, Shri Nityananda
Lowang, Shri Wangpha		Modi, Shri Vishnu

Mohanty, Shri Brajamohan	Parashar, Prof. Narain Chand
More, Prof. Ramkrishna	Pardhi, Shri Keshao Rao
Motilal Singh, Shri	Paswan, Shri Ram Bhagat
Mukherjee, Shrimati Geeta	Patel, Shri Ahmed M.
Mukhopadhyay, Shri Ananmda Gopal	Patel, Shri C.D.
Murmu, Shri Sidha Lal	Patel, Shri G.I.
Murthy, Shri M.V. Chandrashekara	Patel, Shri Mohanbhai
Mushran, Shri Ajay	Patel, Shri Ram Pujan
Muttemwar, Shri Vilas	Patel, Shri U.H.
Naik, Shri Shantaram	Pathak, Shri Ananda
Namgyal, Shri P.	Pathak, Shri Chandra Kishore
Nawal Prabhakar, Shrimati Sunderwati	Patil, Shri Balasaheb Vikhe
Neekhra, Shri Rameshwar	Patil, Shri H.B.
Negi, Shri Chandra Mohan Singh	Patil, Shri Prakash V.
Netam, Shri Arvind	Patil, Shri Shivraj V.
Oraon, Shrimati Sumati	Patil, Shri Uttamrao
Pandey, Shri Damodar	Patil, Shri Vijay N.
pandey, Shri Madan	Patil, Shri Yashwantrao Gadakh
Panigrahi, Shri Chintamani	Patnaik Shrimati Jayanti
Panigrahi, Shri Sriballav	Penchalliah, Shri P.
Panika, Shri Ram Pyare	Pilot, Shri Rajesh
Panja, Shri A.K.	Poojary, Shri Janardhana
Pant, Shri K.C.	Potdukhe, Shri Shantaram
Panwar, Shri Satyanarayan	Pradhan, Shri K.N.

417 <i>Constitution (58 Amdt.) Bill &amp;</i>	BHADRA 6, 1909 (SAKA )	<i>Rep. of People (2nd Amdt.) Bill</i>	418
Pradhani, Shri K.		Rao, Shri A.J.V.B. Maheswara	
Puran Chandra, Shri		Rao, Shri J. Chokka	
Purohit, Shri Banwari Lal		Rao, Shri J. Vengala	
Pushpa Devi, Kumari		Rao, Shri K.S.	
Raghuraj Singh, Chadhary		Rao, Shri P.V. Narasimha	
Rai, Shri Raj Kumar		Rao, Shri Srihari	
Raj Karan Singh, Shri		Rao, Shri V. Krishna	
Rajeshwaran, Dr. V.		Rath, Shri Somnath	
Rajhans, Dr. G.S.		Rathwa, Shri Amarsinh	
Raju, Shri Vijaya Kumar		Rathod, Shri Uttam	
Ram, Shri Ramswaroop		Raut, Shri Bhola	
Ram Awadh Prasad, Shri		Ravani, Shri Navin	
Ram Dhan, Shri		Rawat, Shri harish	
Ram Prakash, Ch.		Rawat, Shri Kamla Prasad	
Ram Samujhawan, Shri		Reddi, Shri C. Madhav	
Ram Singh, Shri		Reddy, Shri D.N.	
Ramachandran, Shri Mullappally		Reddy, Shri E. Ayyapu	
Ramaiagh, Shri B.B.		Reddy, Shri M. Subba	
Ramaiah, Shri Sode		Reddy, Shri P. Manik	
Ramashray Prasad Singh, Shri		Riyan, Shri Bajju Ban	
Rampal Singh, Shri		Saha, Shri Gadadhar	
Rana Vir Singh, Shri		Sahi, Shrimati Krishna	
Ranga, Prof. N.G.		Sahu, Shri Shiv Prasad	
Ranganath, Shri K.H.		Sait, Shri Azez	

Sakargaym, Shri Kalicharan

Siddiq, Shri Hafiz Mohd.

Salahuddin, Shri

Singh, Shri Chandra Pratap narain

Sangma, Shri P.A.

Singh, Shri D.G.

Sankhwar, Shri Ashkaran

Singh, Shri Kamla Prasad

Sankata prasad. Dr.

Singh, Shri Krishna Pratap

Satyendra Chandra, Shri

Singh, Shri Lal Vijay Pratap

Sathe, Shri Vasant

Singh, Shri N. Tombi

Sayeed, Shri P.M.

Singh, Shri S.D.

Scindia, Shri Madhavrao

Singh, Shri Santosh Kumar

Sen, Shri Bholanath

Singh Deo, Shri K.P.

Sethi, Shri Ananta Prasad

Sinha, Shri Atish Chandra

Sethi, Shri P.C.

Sinha, Shrimati Ram Dulari

Shah, Shri Anoopchand

Sinha, Shri Satyendra Narayan

Shahi, Shri Laliteshwar

Sodi, Shri mankuram

Shailesh, Dr. B.L.

Solanki, Shri Kalyan Singh

Shankaranand, Shri B.

Soren, Shri Harihar

Shanmugham, Shri P. Shanti Devi,  
Shrimati

Sparrow, Shri R.S

Sreenivasa Prasad, Shri V.

Sharma, Shri Chiranji Lal

Sukh Ram, Shri

Sharma, Shri Nand Kishore

Sukhbrns Kaur, Shrimati

Sharma, Shri Nawal Kishore

Sultanpuri, Shri K.D.

Sharma, Shri Pratap Bhanu

Suman, Shri R.P

Shastri, Shri hari Krishna

Sundararaj, Shri N.

Shervani, Shri Saleem I.

Sunder Singh, Ch.

Shivendra Bahadur Singh, Shri

Surendra Pal Singh, Shri

Venakar, Shri Punam Chand Mithabhai

Suryawanshi, Shri Narsing

Verma, Shrimati Usha

Swami Prasad Singh, Shri

Vir Sen, Shri

Swamy, Shri D. Narayana

Vyas, Shri Girdhari Lal

Swamy, Shri D. Narayana

Wasnik, Shri Mukul

Swamy, Shri Katuri Narayana

Yadav, Shri Kailash

Swell, Shri G.G.

Yadav, Shri R.N.

Tapeshwar Singh, Shri

Yadav, Shri Ram Singh

Tariq Anwar, Shri

Yadav, Shri Shyam Lal

Tewary, Prof. K.K.

Yadav, Shri Subhash

Thakkr, Shrimati Usha

Yadava, Shri Bal Ram Singh

Thakur, Shri C.P.

Yadava, Shri D.P.

Thara Devi, Kumari D.K.

Yogesh, Shri Yogeshwar Prasad

Thorat, Shri Bhausahab

Zainul Basher, Shri

Thota, Shri Gopal Krishna

MR. DEPUTY SPEAKER: The result of  
the division is:

Tigga, Shri Simon

Ayes: 365

Tilakdhari Singh, Shri

Noes: Nil

Tomar, Shrimati Usha Rani

The motion is carried by a majority of the  
total membership of the House and by a  
majority of not less than two-thirds of the  
members present and voting.

Tripathi, Dr. Chandra Shekhar

Tulsiram, Shri V.

Tyagi, Shri Dharamvir Singh

The Bill, as amended, is passed by the  
requisite majority, in accordance with the  
provisions of Article 368 of the Constitution.

Tytler, Shri Jagdish

Vairale, Shri Madhusudan

*The motion was adopted.*

Van, Shri Deep Narain

MR. DEPUTY SPEAKER: We shall

[Mr. Deputy Speaker]  
now take up clause by clause consideration  
of the Representation of the People (Second  
Amendment) Bill, 1987.

MR. DEPUTY SPEAKER: The ques-  
tion is:

"That Clause 2 stand part of the Bill."

*The motion was adopted.*

*Clause 2 was added to the Bill.*

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

S. BUTA SINGH: I beg to move: "That  
the Bill be passed."

MR. DEPUTY SPEAKER: The ques-  
tion is: "That the Bill be passed."

*The motion was adopted.*

MR. DEPUTY SPEAKER: The House  
will now adjourn for lunch.

14.37 hrs.

*The Lok Sabha adjourned for Lunch till  
thirty-five minutes past Fifteen of the clock*

*The Lok Sabha reassembled, after Lunch  
at Forty Minutes past Fifteen of the  
Clock.*

[MR. DEPUTY SPEAKER *in the chair*]

[*English*]

MR. DEPUTY SPEAKER: We will now  
take up item No. 22. Shri Bhardwaj.

SHRI H. A. DORA (Srikakulam): What  
about item No. 21, Sir?

MR. DEPUTY SPEAKER: We will take  
it up later.

THE MINISTER OF STATE IN THE  
MINISTRY OF PARLIAMENTARY AF-  
FAIRS (SHRIMATI SHEILA DIKSHIT): We  
will take it up later.

PROF. MADHU DANDAVATE (Ra-  
japur): During Winter Session?

SHRIMATI SHEILA DIKSHIT: Yes.

SHRI H. A. DORA: Is it to spill over?

SHRIMATI SHEILA DIKSHIT: It will be  
taken up. It is not spilling over. It will be taken  
up next time.

SHRI H.A. DORA: It is not there today.

SHRIMATI SHEILA DIKSHIT: Not to-  
day.

15.41 hrs.

#### REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

[*English*]

MR. DEPUTY SPEAKER: We now take  
up item No. 22. Shri H. R. Bhardwaj.

THE MINISTER OF STATE IN THE  
MINISTRY OF LAW AND JUSTICE (SHRI  
H. R. BHARDWAJ): Sir, I beg to move:

"That the Bill further to amend the  
Representation of the People Act,  
1950, as passed by Rajya Sabha, be  
taken into consideration."

Article 171 of the Constitution provides  
that the total number of members in the  
Legislative Council of a State having such a  
Council, shall not exceed one-third of the  
total number of members in the Legislative