

So, we would like to bring about unanimity or near-unanimity if we can, but I am sorry to say that is not possible, and that is the reason for this case being referred to the Supreme Court. However, I can say this, that by and large even now the overwhelming body of newspapers is with us. Therefore, I hope that when the decision of the Court becomes known, we will be able to implement this thing as quickly as possible.

Shri Harvani was mentioning that this should be expedited. As far it lies in our power, we will try to expedite it, but I cannot call upon the Supreme Court to expedite it. That would be something which would bring you and me both under contempt of court, and I think that should not be our intention also. But the moment the decision of the Court is given, I might assure him that we will try to implement the schedule as quickly as possible.

As far as the Bill is concerned, it is very inoffensive, non-controversial. It wants to keep the Act alive. Regarding other matters raised, certainly we can have a discussion separately. I welcome any criticism or suggestion that the Members might have to offer.

I move that the Bill be taken into consideration.

**Mr. Deputy-Speaker:** The question is:

"That the Bill to continue the Newspaper (Price and Page) Act, 1956, be taken into consideration."

*The motion was adopted.*

**Mr. Deputy-Speaker:** There are no amendments to this Bill.

The question is:

"That Clauses 1 and 2, the Enacting Formula and the Title stand part of the Bill".

*The motion was adopted.*

*Clauses 1 and 2, the Enacting Formula and the Title were added to the Bill.*

**Dr. Koskar:** I beg to move:

"That the Bill be passed."

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

15.04 hrs.

INDIAN PENAL CODE (AMENDMENT) BILL—contd.

**Mr. Deputy-Speaker:** The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 15th March, 1962."

Those in favour will kindly say "Aye".

**Some Hon. Members:** Aye.

**Mr. Deputy-Speaker:** Those against will kindly say "No".

**Some Hon. Members:** No.

**Mr. Deputy-Speaker:** The Noes have it.

**Shri Vajpayee (Balrampur):** The Ayes have it.

**Mr. Deputy-Speaker:** Let the lobbies be cleared.

Every hon. Member to be in his own seat. I am calling a division. Both hands might be kept near the buttons. No complaint about the wrong use of those buttons. Every hon. Member should be careful now. Unless the button has not worked, I should not have any other grievance.

*The Lok Sabha then divided.*

**Mr. Deputy-Speaker:** Any hon. Member whose machine has not worked? Those for Noes first.

**The Minister of Parliamentary Affairs (Shri Satya Narain Sinha)** rose—

**Shri D. C. Mallick (Dhanbad)** rose—

**Mr. Deputy-Speaker:** Two for Noes. Those for Ayes.

**Shri B. Das Gupta** (Purulia) rose--

**Mr. Deputy-Speaker:** The machine did not work?

**Shri Jagdish Awasthi** (Bilnaur): I am for Ayes.

**Shri Jagdish Awasthi:** Yes.

**Mr. Deputy-Speaker:** Two for Ayes.

**Division No. 5]**

**AYES**

**15.08 hrs.]**

Amjad Ali, Shri  
Assar, Shri  
Awasthi, Shri Jagdish  
Bharucha, Shri Naushir  
Das Gupta, Shri B.  
Deo, Shri P. K.  
Dige, Shri

Ghosal, Shri Aurobindo  
Godsora, Shri S. C.  
Hynniewta, Shri  
Katti, Shri D. A.  
Krishnaswami, Dr.  
Majhi, Shri R. C.  
Mullick, Shri B. C.

Patil, Shri Balasaheb  
Ranga, Shri  
Rungseung Suisa, Shri  
Singh Shri L. Achaw  
Singh, Shri P. N.  
Soren, Shri Debi  
Sugandhi, Shri  
Vajpayee, Shri

**NOES**

Abdul Latif, Shri  
Ayyakannu, Shri  
Babunath Singh, Shri  
Balmiki, Shri  
Banerji, Shri P. B.  
Basappa, Shri  
Bhakt Darshan Shri  
Bidari, Shri  
Bisr, Shri J. B. S.  
Biswas, Shri Bholanath  
Chandak, Shri  
Chaturvedi, Shri  
Chettiar, Shri Ramanathan  
Chuni Lal, Shri  
Daljit Singh, Shri  
Dasappa, Shri  
Datar, Shri  
Daulta, Shri P. S.  
Deb, Shri N. M.  
Desai, Shri Morarji  
Dube, Shri Mulchand  
Dwivedi, Shri M. L.  
Elayaperumal, Shri  
Ganapathy, Shri  
Gautam, Shri C. D.  
Ghoosh, Shri M. K.  
Hajarnavis, Shri  
Harvani, Shri Anwar  
Hanada, Shri Subodh  
Hem Rai, Shri  
Jedhe, Shri G. K.  
Jhunjhunwala, Shri  
Jinachandran, Shri  
Joshi, Shri A. C.  
Karamarkar, Shri  
Kasi Ram, Shri V.  
Kachwal, Shri  
Keshkar, Dr.  
Khan Shri Shahnewaz

✶ Lachman Singh, Shri  
Maiti, Shri N. B.  
Malaviya, Shri K. D.  
Malhotra, Shri Inder J.  
Mallik, Shri D.C.  
Mandal, Shri J.  
Mandal, Dr. Pashupati  
Maniyangadan, Shri  
Mehta, Shrimati Krishana  
Mishra, Shri Bibhuti  
Mohammad Akbar, Shaikh  
Mohideen, Shri Gueam  
Muniswamy, Shri N. R.  
Musafir, Giani G. S.  
Nadar, Shri Thanulingam  
Nair, Shri C. K.  
Nair, Shri Kuttukrishnan  
Nallakoya, Shri  
Narasimhan, Shri  
Nathwani, Shri  
Nayar, Dr. Sushila  
Negi, Shri Nek Ram  
Nehru, Shrimati Uma  
Oza, Shri  
Padam Dev, Shri  
Palcoudhuri, Shrimati Ila  
Parmar, Shri Deen Bandhu  
Patel, Shri P. R.  
Prabhakar, Shri Naval  
Raghubir Sahai, Shri  
Ram Shankar Lal, Shri  
Ram Subhag Singh, Dr.  
Ramananda Tirtha, Swam.  
Ramaswamy, Shri S.V.  
Ramaswamy, Shri K. S.  
Ramesul, Shri S.N.  
Rambir Singh, Ch.  
Rane, Shri

Rao, Shri Thirumala  
Reddy, Shri Rami  
Roy, Shri Bishwanath  
Sahu, Shri Rameshwar  
Saigal, Sardar A. S.  
Samanta, Shri S. C.  
Sankarapandian, Shri  
Sarma, Shri A. T.  
Selku, Shri  
Sen, Shri A. K.  
Shah, Shrimati Jayaben  
Shankaraiya, Shri  
Sharma, Shri D. C.  
Shastri, Shri Lal Bahadur  
Shivananjappa, Shri  
Shree Narayan Das, Shri  
Siddananjappa, Shri  
Singh, Shri D. N.  
Sinha, Shri Anirudh  
Sinha Shri B. P.  
Sinha, Shri Jhulan  
Sinha, Shri Satya Narayan  
Siva, Dr. Ganendhara  
Subbarayan, Dr. P.  
Subramanyam, Shri T.  
Sultan, Shrimati Meimona  
Sumat Prasad, Shri  
Swaran Singh, Sardar  
Thimmaiah, Shri  
Tiwari Shri R. S.  
Tiwari, Pandit D. N.  
Tula Ram, Shri  
Tyagi, Shri  
Uike, Shri  
Upadhyaya, Shri Shiva Datt  
Vyas, Shri R. C.  
Wadiwa, Shri  
Wasnik, Shri Balkrishna  
Wodeyar, Shri

**Mr. Deputy-Speaker:** The result is: Ayes 22; Noes 116

**The motion was negatived**

**Mr. Deputy-Speaker:** The question is:

"That the Bill further to amend the Indian Penal Code, be taken into consideration."

*The motion was adopted.*

**Clause 2.**—(Substitution of new section for section 153A)

**Mr. Deputy-Speaker:** We shall now take up clause 2.

**Shri Naushir Bharucha** (East Khandesh): Sir, I was listening very attentively to the exposition of the subject by the hon. Home Minister....

**Mr. Deputy-Speaker:** On which amendment is the hon. Member speaking?

**Shri Naushir Bharucha:** Not on any amendment but generally on clause 2.

**Mr. Deputy-Speaker:** Let us have amendments first, if there are any. Is there any hon. Member who wants to move any amendment to clause 2?

There is none. **Shri Bharucha.**

**Shri Tangamani** (Madurai): Sir, there is an amendment, amendment No. 15 standing in the name of **Shri Brij Narayan Brijesh**. The hon. Member is not present here. I had given notice of an amendment but it was too late yesterday. Because this amendment is there....

**Mr. Deputy-Speaker:** The hon. Member can speak on the clause generally but I cannot allow him to adopt the amendment of another hon. Member as his own.

**Shri Naushir Bharucha:** Sir, I was listening attentively to what the hon. Minister in charge of the Bill was saying in connection with clause 2. To my mind it appears that this Bill should not be passed because it will have repercussions which this House, at the present moment, does not foresee. The crux of the situation is this.

Is it the intention of this House, in the first place, as a matter of policy to make criminal intention, *mens rea*, guilty mind, an ingredient of the offence or not? It is a question of policy. If they say that they do not want the guilty mind to be an ingredient of the offence, it is perfectly within the sphere of this House to say so. But the House can say, 'No, we want that intention should be an ingredient of the offence'; and if the intention is not there that offence is not committed.

Up till now I have not been able to understand what exactly the Government wants to do; whether they want to make intention an ingredient or whether they do not want to make it. The hon. Minister was not very specific or clear about this point.

**The Minister of Law** (**Shri A. K. Sen**): Section 81 of the I.P.C. is there.

**Shri Naushir Bharucha:** I thought he would explain that. There was no pronouncement of the House as to whether it wants it as a matter of policy. I submit that we should carefully consider both the aspects.

Let us assume that the House does not desire that intention should be an ingredient of the offence. What is the result? The definite language of the section, as it stands, would mean that if, as a matter of fact, any feelings of enmity and hatred between linguistic groups is created, irrespective of whether it was the intention of the person who made the speech or made the particular statement, then the offence stands committed. Now, I ask this House to consider what it would mean in actual practice.

Supposing I am a champion of the Hindi language and I go to Madras and say that Hindi must be encouraged and that some Hindi schools should be opened there and people should be taught Hindi, immediately, there will be any number of communities which will entertain a feeling of

[Shri Naushir Bharucha]

enmity. That is a fact. Entertainment of a feeling of enmity in the minds of the community is as much a question of fact as, for example.....

**Mr. Deputy-Speaker:** The Law Minister has said that section 81 of the Indian Penal Code is there and all sections are subject to that.

**Shri A. K. Sen:** The hon. Member is a lawyer.

**Mr. Deputy-Speaker:** He knows it very well and, therefore, I am drawing his attention to it.

**Shri Naushir Bharucha:** My submission is that if the language of the section is clear—as it seems to be very clear—then the court has to determine this issue whether the state of feeling of enmity was created or not. That is a question of fact. If it was created, then, it is immaterial whether the particular person by whose speech such a feeling was generated intended it or did not intend it. That becomes totally immaterial. And, my submission is that if a clause is very explicit, then, the court will not seek the aid of other sections in its interpretation.

**Mr. Deputy-Speaker:** Section 81 says:

“Nothing is an offence merely by reason of its being done with the knowledge that it is likely to cause harm, if it be done without any criminal intention to cause harm.....”

**Shri Tyagi (Dehra Dun):** So, it is practically the same as the Explanation.

**Mr. Deputy-Speaker:**

“and in good faith for the purpose of preventing or avoiding other harm to person or property.”

**Shri Naushir Bharucha:** I shall explain. My difficulty is this. If we say that nothing is an offence unless

it is done with a particular intent and later on if I make it very explicit that under these circumstances it will be an offence, whether intended or not, then, you have got to reconcile the two....

**Mr. Deputy-Speaker:** The provisions of section 81 would apply to all section of the Indian Penal Code that are here or that might later on be enacted unless it is said that 'Notwithstanding what is contained in Section 81....'.

**Shri Tyagi:** Perhaps the force of this section is mandatory while in the Explanation discretion is there.

**Mr. Deputy-Speaker:** The Explanation would apply to that particular section only. But this applies to all the sections that are there in the Indian Penal Code.

**Shri Naushir Bharucha:** Notwithstanding the language of the other section which is clear?

**Mr. Deputy-Speaker:** It is a general section. That is my opinion. I am not as good an authority as the hon. Member himself.

**Shri Naushir Bharucha:** It might be applicable if intention is not excluded by the more specific language of a particular section, my submission here is, it is specifically excluded. It is a question of interpretation. If it is as the hon. Law Minister says I will be very happy. But my feelings are that if it were so, then, there would have been no need whatsoever for putting an Explanation to the existing Section 153A of the Indian Penal Code.

The second point is this. The second part of it is—

“Whoever—

commits an act which is prejudicial to the maintenance of harmony between different religious, racial or language groups

or castes or communities and which disturbs or is likely to disturb the public tranquillity;

It is ordinarily presumed that a man intends the consequences of his action. Certain natural consequences flow from a particular act and the law will normally presume that a man had the intention of having those consequences flowing from that particular act. Here it is a very wide thing.

"Whoever commits any act which is prejudicial to the maintenance of harmony between different religious, racial or language groups...."

It is assuming that harmony prevails. As a matter of fact, harmony may not prevail. Particularly, at times of tension, even the slightest reasonable thing said by one party may disturb the equilibrium and harmony. I want to ask from the hon. Minister this. Supposing I make a speech knowing that it is likely that certain consequences might flow from it, though the speech is not made with the object of disturbing communal harmony but with the object of getting something done or getting grievances redress or for pressing a point of view at the time of election, what will be the result? My hon. friend the Law Minister knows that there are bound to be keen feelings on language issues and every speech on language, however sensible it may be is bound to disturb the so-called communal harmony. Then, it will be argued that the speaker is presumed to know the consequences of his action and he knows that communal harmony would be disturbed, and therefore he is guilty under clause 2.

My submission is this. We are expecting that our purpose will be served with this Explanation to Section 153A added at the end. It is desirable to have this Explanation that it does not amount to an offence within the meaning of this section if it is done without malicious intention.

1079(a) LSD—7.

It is not merely intention. It is malicious intention. Also it says:

"with an honest view to their removal, matters which are producing or have a tendency to produce feelings of enmity or hatred between different classes.."

In other words, this explanation enlarges the liberty of the speaker so that he can speak knowing that certain consequences would follow which would disturb communal harmony but which speech it is necessary to make in order to have certain grievances removed. Section 81 and Explanation to 153A two are not the same. Protection given by section 81 is not the same as protection given by the explanation to the existing section 153A. Therefore, it is a question of policy for the House to decide. You may want that we should leave it at that in which case, very respectfully, I submit that it will be difficult for people to carry on their election campaign and also for the Press to write for or against any controversial topics. When you write for or against, you are bound to disturb communal harmony even though you do not intend. If you have this Explanation, people will have a weapon to get their grievance redressed. How can I get a grievance redressed unless I draw pointed attention to that grievance? Is it not our experience in daily life, whichever side you may take in a controversy the other side is bound to flare up? The court will say: you are guilty because you are presumed to have known the consequence of your act. It is a natural consequence, that is the disturbance of communal harmony, at a time particularly when the atmosphere is strained as in the case of elections. Therefore, some sort of an explanation is necessary or the word malicious or intentionally which would import malicious intention should be there. Unless that is included I do not think anybody will be safe.

Shri Tangamam: Mr. Deputy Speaker, I would like to refer to two

[Shri Tangamani]

points in clause 2, although those points have been covered by many hon. Members. I rely upon certain observations made by the higher courts of the country to the explanation, namely, that it does not amount to an offence within the meaning of section to point out without malicious intention and with an honest view to their removal, matters which are producing or have a tendency to produce feelings of enmity or hatred between different citizens of India. This explanation has been commented upon by some High Courts and also by the judicial committee of the Privy Council. In the case of Annie Besant *versus* Attorney General of Madras which is reported in 43 Madras 146, the judicial committee said: about this explanation:

“(It is) a delicate balancing of two important public considerations.....”

It mentions several other things and they also say:

“In applying these balancing principles it is inevitable that different minds may come to different results, one mind attaching more weight to the consideration of freedom of argument and the other to the preservation of law and order and harmony.”

I do not think that any better explanation could be given to this explanation that these words. In a more recent case of 1942, Banomall Maharana, reported in 22 Pat 48, they say:

“This section is never intended to apply to case of an honest agitator whose primary object is to secure redress of certain wrongs, real or feigned and who is not actuated by the base mentality of a mere mischief monger.”

I can go on elaborating this point by reference to the highest tribunal in this country. I remember that in 1931 the Bombay High Court dealt with it a great deal. When Maniben

Kala was prosecuted under 153-A for reading out a particular declaration while observing the May Day. This declaration dealt with the unity of India, unity of the Indian working class and working class of the world. Then they said that the working class will have to rally against the exploiters on a world basis. This is more or less based on that manifesto. This was discussed in great detail. Recently, the Press Laws Enquiry Committee stated that a second explanation should be added to 153-A. They say that it does not amount to an offence under this section to advocate a change in the social or economic order provided that any such advocacy is not intended or likely to lead to disaster or to the commission of offences. I am mentioning this to show that the trend of public opinion and the views of tribunals in this country as also the Press Laws Enquiry Committee is to add more explanations to this. But there is absolutely no justification for removing this explanation. I am aware of this saving section 81. Section 153-A is more or less synonymous with sedition. The question arose whether this also was part of sedition and ultimately they thought that it should come only under this chapter namely, preservation of public order and tranquillity. In the name of public order and tranquillity, it may be used to victimise people for expressing opinions which may in the last analysis go against the Ruling Party. I request the hon. Minister to consider the whole question and see that the explanation in some other form is there. I do not say that we should include this particular explanation.

My second point is about including language alone with religion. I do not think that language can be put on a par with religious animosity. We have accepted the principle of linguistic provinces and naturally every linguistic group feels that his or her language is superior to the other

language. They are entitled to have their view. You will be surprised that a Tamilian thinks that his language is superior to all the other languages in the country. He is entitled to have that view. He says that his language has not at all been corrupted by Sanskrit. It will be attacking another language like Sanskrit. For emphasising the greatness of his language, he may say something which may be against another language. Naturally, people who love Sanskrit will also take objection to this. I am only giving this as an instance. A Tamil pandit will pride himself saying that he is able to speak Tamil with a mixture of ten per cent. Sanskrit; he will only refer to the Tamil literature which has no mixture of Sanskrit at all. We can say that in the last analysis the best in Tamil should also be made available in other languages. But his love for his language is such.

**Mr. Deputy-Speaker:** The discussion in excess quantity would become passion:

**Shri Tangamani:** Excessive quantity may become passion. Are we now penalising people for having love of their language?

**Mr Deputy-Speaker:** Where should the line be drawn?

**Shri Tangamani:** But then this is also one of the languages which we have included as a national language, in the Constitution. Every person has got a right to say that his language is superior to any other language. That cannot occur in a vacuum. Naturally there will be a comparison with other languages. If such a thing happens, the moment you cast an aspersion on some language, there is trouble. Let me make my position clear on this matter. A Tamilian would say that all these Dravidian languages in the South have emerged from Tamil. Naturally, a Telugu-speaking person from Andhra may take objection to that.

**Mr. Deputy-Speaker:** You cannot love one thing unless it is at the expense of another.

**Shri Tangamani:** Another person from Kerala may take objection to that. How can you prevent it? So, while this section may be harmless, we can also make it harmful by applying this section. That is the point which I wanted to mention.

I can understand the purpose. We were one with the Government in saying that communal passions should not be worked up. Particularly in our areas in the South, it is not communal passion but caste passion. You will be surprised to know that in many Hindu families the name of children resemble Muslim names. It is very difficult to find out whether one is a Muslim boy or a Hindu boy. There is this kind of communal harmony in the South. But there, the real problem is not one of fight between the Hindus or the Muslims but it is a problem in regard to the caste. That is the serious problem now, in the South. Formerly, the fight was between the Brahmans and the Non-Brahmans. Now, one caste is fighting against another. We had one such experience in 1957 or 1958 in the South. So, that is another serious problem, and I am glad that "caste" has been included in this section. We want to have a casteless State in this country. But to have this kind of dislike even for the development of language is something which I am not able to understand. That is why we felt that the Government have been acting in a hasty manner in including language and putting it on a par with promoting hatred on the ground of religion, race, caste or community. That is why I say that it is not too late even now to reconsider this aspect of the question.

पंडित ठाकुर दास भागंब (हिसार) :  
उपाध्यक्ष महोदय, सबसे पहले मैं इस एंबान की तबज्जह श्री गनमान द्वारा निम्नित "दी ना ब्राक ब्राइम्स" की कमेंटरी की तरफ दिखाना चाहता हूँ। उसके अन्दर दर्ज है —

"The Allahabad high court has held that the intention to promote hatred or enmity between two

[पंडित ठाकुर दास भार्गव]

classes is not a necessary ingredient of the offence under this section."

उसमें कमेंटेटर साहब ने लिखा है कि जहां तक लपज प्रमोट का सवाल है वहां यह चीज नहीं आती है कि इसके अन्दर इंटेंशन का कोई सवाल पैदा हो। अरसर पैदा होना चाहिए। अगर किसी शस्त्र की किसी स्पीच से या तहरीर से ऐसा अरसर पैदा हो जाये कि फीलिंग ऑफ एनिमिटी पैदा हो जाये गो उसका इरादा ऐसा करने का न हो तो उस सूरत में भी वह इस कानून की जद में आ जायेगा। यह नहीं है कि पहले उसका इरादा हो और इरादे के मुताबिक उसका जो इरादा हो वह पूरा हो जाये तब वह जद में आ जायेगा। उमका इरादा कितना ही अच्छा हो, शायद ऐसा अच्छा हो जिसकी कि हर एक आदमी तारीफ करे लेकिन अगर उसका अरसर यह होता है कि उसमें एनिमिटी प्रमोट होती है तो वह इस कानून की जद में आ जायेगा। चुनांचे इस कमेंटेटर ने लिखा है कि फ्री ट्रेड करने वाले भी इसकी जद में आ सकते हैं। अब फ्री ट्रेड में कंट्री का नुकसान भी हो सकता है और फायदा भी हो सकता है। अब अगर उस फ्री ट्रेड में एनिमिटी प्रमोट होती है और वह अपने उस फेल से एनिमिटी प्रमोट करता है तो वह गिल्टी माना जायेगा। ऐसी हालत में वह जरूर इसका पाबन्द हो जायेगा। मैं अब से अब जकूंगा कि अगर यह बात दुरुस्त है और इलाहाबाद हाईकोर्ट की राय और कमेंटेटर की राय दुरुस्त है और सिर्फ इतना ही सवाल है कि प्राया एज ए मैटर आफ फैक्ट प्रमोशन होता है या नहीं होता है तो प्रमोशन होने की सूरत में वह इसकी जद में आ जायेगा। सवाल यह नहीं है कि उसका इरादा क्या था और क्या नहीं था। मुझे इस सिल-सिले में गीता का एक श्लोक याद आता है जो कि इस प्रकार है :—

“यस्य नाहं हतो भावो बुद्धिर्यस्य न लिप्यते ।  
हृत्पापि स इमांल्लोकान् जनि न निबध्यते ॥”

15.34 hrs.

[DR. SUSHILA NAYAR in the Chair]

मतलब यह है कि जिस आदमी के दिल में “मैं करने वाला हूँ” ऐसा भाव नहीं है और जिसकी बुद्धि दुनियावी चीजों और कामों में लिप्त नहीं होती, वह आदमी इन सब तीनों लोकों को मार कर भी दरअसल में न तो मारता है और न पाप से बंधता है। ऐसा आदमी तीनों लोकों को भी मार दे तो भी वह पाप नहीं गिना जाता है।

अब इण्डियन पिनल कोड ऐक्ट के अन्दर पहली चीज यह होनी चाहिए कि अगर किसी काम के करने में मैलीजिनेट इंटेंशन नहीं है तो वह आमतौर पर जुर्म नहीं करार दिया जाये। आम उमूल यह है कि उसके पीछे इरादा होना चाहिये लेकिन इस ऐक्ट की रू से बगैर इरादा रक्वे हुए भी इसकी जद में आता है और यही इसकी सबसे बड़ी खराबी है।

इसके अलावा आप मुलाहजा फरमायेगे कि इसके अन्दर ब्रिटिश गवर्नमेंट ने भी जो एक छूट दी थी, ऐक्सेप्शन दिया था वह ऐक्सेप्शन इस ऐक्ट के अन्दर बेगुनाह आदमी के वास्ते मौजूद नहीं है। उसकी वजह यह है कि हमारे होम मिनिस्टर साहब को शक यह है कि शायद ऐक्यूज्ड यह साबित कर दे कि मेरा मैलीजिनेट इंटेंशन नहीं था और वह बच जायगा। मैं अब करना चाहता हूँ कि अगर उनकी यह राय दुरुस्त है कि और यह बात सही है कि अगर एक आदमी यह साबित कर दे कि मेरा इरादा अच्छा था इस तहरीर के करने में और इस काम के करने में तो भी इन अल्फाज की रू से उसको सजा होगी और वह सजा तीन साल तक की हो सकती है भले ही वह कितना अच्छा इरादा क्यों न करे। मेरी गुजारिश यह है कि अगर ला का इंटर-प्रिटेसन यह है और मुझे उम्मीद है कि हमारे ला मेम्बर साहब भी इससे इतिफाक करेंगे कि ला का इंटर-प्रिटेसन यह है कि इसके अन्दर नेसेसरिली इंटेंशन नहीं है और इंटेंशन न होने की वजह से एक आदमी जो कि अपने फेल

से एक नतीजा चाहता हो ऐन मुझकिन है कि उसका दूसरा नतीजा हो सकता है। अब यह हो सकता है कि एक भादमी एक दूसरे भादमी को बचाने के लिए तलवार चलाता है और वह उसके लड़के के ऊपर पड़ जाती है और लड़का मर जाता है। अब तलवार तो उसने बचाने के वास्ते चलाई। उसका इरादा कुछ था और नतीजा कुछ और ही हो गया। अगर इस बिल के प्रमूल को माना जाये तो वह दफा ३०२ के तहत गिल्टी बन जाता है। अब उसका इरादा तो लड़के को मारने का नहीं था। इरादा हर एक फेल की जान होता है। हमारे प्रानरेबुल डिप्टी स्पीकर ने एक ऐक्सेप्शन का हवाला दिया है, दफा ८१ का उन्होंने जिक्र किया लेकिन मैंने उसे पढ़कर यह पाया कि वह तो उससे जर्मन नहीं है। वह बिलकुल जुदा चीज है। उसके प्रन्दर हार्म का जिक्र है लेकिन इस सैक्शन में तो हार्म का जिक्र ही नहीं है। अगर इंटेंशन नहीं है और वह कुछ ही काम कर दे लेकिन अगर नतीजा वह पैदा होता है जिसमें वह एनिमिटी की फीलिंग प्रमोट हो तो वह जरूर इस कानून की जद में आ जायेगा। मेरी भदब से गुजारिश यह है कि इस ऐक्स्प्लेनेशन के जोड़े जाने के मानी यह है कि बहुत से बेगुनाह भादमी जो ईमानदारी के साथ यह यकीन रखते हैं और अपने देश का भला चाहते हैं और अपनी कम्युनिटी का भला चाहते हैं और नेकनीयती से कहते हैं कि उसका ऐसा कोई इंटेंशन नहीं है तो भी वह इस कानून की जद में आजायेंगे।

अब मैं आपको बतलाऊं कि मैं पंजाब का रहने वाला हूँ। मुझ को सिक्खों से बहुत मुहब्बत है, गुरुओं से बहुत मुहब्बत है और पंजाबी जबान से बहुत मुहब्बत है लेकिन अगर एक इस तरह का आर्डर आ जाये कि सारे हिन्दी ऐरिया को भी पंजाबी उबरन सीखनी पड़ेगी तो अगर मैंने यह कहा कि पंजाबी भी सीखी जाये और हिन्दी भी सीखी

जाये; दोनों जबानें चलें और खाली पंजाबी ही न ठूसी जाये तो मैं इस कानून की जद में आजाता हूँ हालांकि मेरी नीयत यह है कि पंजाब में कोई झगड़ा न हो और वहाँ के लोग बड़े सुख चैन से अपनी जिंदगी बसर करें। मौजूदा दफा के बमूजिब मैं इसकी जद में आ जाऊंगा हालांकि मेरा कोई ऐसा इरादा नहीं है कि वहाँ पर किसी किस्म की दुश्मनी और एक दूसरे के प्रति नफरत की फीलिंग पैदा हो।

मैं इसी तरह की बीसियों मिसालें दे सकता हूँ। अब संस्कृत, प्रंजेजी और हिन्दी का झगड़ा चलता है। अब हिन्दी और प्रंजेजी के बीच में काफी झगड़ा चलता है। अब बहुत से भादमी ईमानदारी के साथ यह यकीन रखते हैं कि हिन्दी एक नेशनल लैंग्वेज है और वह सारे देश में राज्य होनी चाहिए लेकिन कुछ हमारे बुजुर्ग ऐसे भी हैं जो कि समझते हैं कि नहीं प्रंजेजी चलती रहनी चाहिए और हिन्दी को प्रंजेजी की जगह बैठा देने से देश का नुकसान होगा। अब इस बारे में खूब रात दिन झगड़ा होता है और बहसें होती हैं और स्पीचें दी जाती हैं और ऐसी सूरत में अगर आप यह कहते हैं कि जो कोई प्रंजेजी का विरोध करेगा तो उसको सजा होगी तो यह तो कोई ठीक बात न होगी। अब कितना ही प्रच्छा इरादा उसका क्यों न हो मौजूदा दफा की रू में वह इसकी जद के प्रन्दर आ येजागा।

श्री तंगामणि ने इसके बारे में बन्द एक मिसालें दीं और मैं पचासी मिसालें इसके लिए दे सकता हूँ। अब ऐनीबैट के केस में हमने देखा कि ऐक्स्प्लेन की रू में वह बच गये और वह गिल्टी करार नहीं दिये गये। यहीं दिल्ली का एक केस है नेट श्री वेसबन्धु गुप्ता का जिसमें कि जस्टिस अकर अपनी ने यह करार किया कि अगर कोई कलम इन इरादों में कि कलानी सराबी दूर ही जाये ऐनी

[पंडित ठाकुर दास भागवं]

बात कहता है जो दूसरों को नापसन्द हो और फीलिंग आफ एनिमिटी पैदा होती है। ताहम वह गिल्टी नहीं है।

इस वास्ते मैं यह अर्ज करूंगा कि दफा की मौजूदा वर्डिंग इस देश के लिए हानिकारक है। हमारे आनरेबुल मिनिस्टर साहब यकीन नहीं कर सकते कि जिसका इरादा पाक हो उसको सजा हो जायेगी। उनका खेयाल यह है कि ऐक्यूज्ड को ब्रख्तियार है कि वह अपनी बेगुनाही को साबित करे। मैं अदब के साथ अर्ज करूंगा कि इस कानून की रू से उसका इरादा नेक साबित भी हो जाये तो भी कोर्ट हेल्थलेस है और कार्ट को उसको सजा देनी ही होगी। जब तक उस दफा में आप लफ्ज इंटेंशन नहीं लिखते हैं और यह नहीं लिखते हैं कि जो इंटेंशनली एनिमिटी प्रमोट करे या इंटेंशिली एट्टेम्प्ट टु प्रमोट - तब तक उसमें खामी धाकी रहती है और वह ठीक नहीं बनती है। लफ्ज इंटेंशन इसमें जरूर आना चाहिए। अब नतीजा एक चीज है और असल एक चीज है और इस वास्ते मैं अदब से अर्ज करना चाहता हूँ कि मौजूदा दफा के एक ही माने हैं और वह यह कि असल में अगर एनिमिटी की फीलिंग का प्रमोशन होता है तो वह उसकी जद में आजायेगा ब्वाह उसका इरादा कुछ ही क्यों न हो।

इस लिये मैं अदब से यह अर्ज करना चाहता हूँ कि एक्सप्लेनेशन जरूरी है, या कम से कम इसमें "इन्टेन्शन" का लफ्ज रखा जाये, तब भी बर्डन प्रोसीक्यूशन पर चला जाता है और जिस पर मुकदमा चलाया गया हो, वह कह सकता है कि इन्टेन्शन साबित नहीं हो सका और यह मेरा इन्टेन्शन नहीं था। अगर गवर्नमेंट ने "इन्टेन्शन" रकती है और न एक्सप्लेनेशन को रकती है, तो इस का मतलब यह है, बेयर कैस्ट यह है कि जो धारमी क्लेम करे, ब्वाह उस का कुछ ही इरादा हो, नेक या बब, वह सजा पा जायेगा।

ला मिनिस्टर साहब और होम मिनिस्टर साहब की खिदमत में मैं एक बात दोबारा अर्ज करना चाहता हूँ, क्योंकि कल शायद मैं वह बात बटून साफ तौर पर अर्ज नहीं कर सका। मैं कॉन्स्टीट्यूशन के आर्टिकल १९(१) की तरफ आपकी तवज्जह दिलाना चाहता हूँ। १९५० में आर्टिकल १९(१) इस तरह था—

"All citizens shall have the right—(a) to freedom of speech and expression;"

आर्टिकल १९(२) इस तरह था—

"Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law in so far as it relates to, or prevents the State from making any law relating to libel, slander, defamation, contempt of court or any matter which offends against decency or morality or which undermines the security of, or tends to overthrow the State."

चूंकि उस वक्त हम नये-नये आजादी में आये थे, इस लिये १९५० में हम ने जो ला इनैक्ट किया, हमने उसमें से सेडीशन को निकाल दिया और इसी तरह हमने कई और गलतियाँ भी कीं। हमने बे प्राविजन नहीं रखे, जो कि और मुल्कों में ऐसी हालतों के लिये होते हैं। मसलन विनायन और अमरीका में "सेडीशन" का लफ्ज रखे बगैर सेडीशन को इसमें इन्क्लूड किया हुआ है। हमारे यहां ऐसे अलफाज थे कि लोगों ने उन का ताजायज फायदा उठा कर तरह तरह को कार्यवाहियाँ करनी शुरू कर दीं। बहुत से लोगों ने मर्डर और वायलेंस को प्रीच करना शुरू कर दिया, क्योंकि वे इस कानून की जद में नहीं आते थे—बे पार्ट (२) से बच जाते थे और पार्ट (१) में आ जाते थे। इसलिये इस देश में बहुत अगडा हुआ। अखिर यहां पर एक कमेटी पैठी, जिस की तजवीज पर कॉन्स्टीट्यूशन (पस्ट अमेंडमेंट) एक्ट पास हुआ। वह एक्ट खाल तौर पर इस

लिये बना था कि ईस्ट पंजाब हाई कोर्ट ने मास्टर तारासिंह के केस में यह करार दे दिया कि मास्टर तारासिंह की स्पीचिज़ और फ़ेल इसकी ज़द में नहीं आते। इस के अलावा रमेश थापर का केस था और श्री गोपालन साहब ने भी इस बारे में बहुत झगड़ा किया। वे सब केसिज़ इस बात पर आधारित थे कि दर-प्रसन उनको फ़ीडम आफ़ स्पीच है। और वह भी ऐसी अनलाइसेन्ड फ़ीडम आफ़ स्पीच कि कोई चाहे कुछ भी कहे, यह कहे कि मार दो मर्द कर दो, तो भी वह इस कानून की ज़द में नहीं आता। इसलिये दफ़ा (२) को तब्दील किया गया और अब दफ़ा (२) बहुत क्लीयर है। वह इस तरह है—

"Nothing in sub-clause (a) of clause (1) shall affect the operation of any existing law, or prevent the State from making any law, in so far as such law imposes reasonable restrictions on the exercise of the right conferred by the said sub-clause in the interests of the security of the State, friendly relations with foreign States, public order, decency or morality or in relation to contempt of court, defamation or incitement to an offence."

इससे यह जातिर होता है कि "पब्लिक आर्डर"। "फ़्रेंडली रिलेशन्स विद फ़ारेन स्टेट्स" और "इनसाइटेमेंट टु आफ़ेंस" को छोड़ कर बाकी सब अलफ़ाउंड अमेंडेमेंट से पहले भी इस दफ़ा में मौजूद थे।

फिर यह हुआ कि बहुत सी कोर्टों ने, इस क्लिजिले में जो कानून पास कर दिये गये थे, उनको अस्ट्रा बायर्स होल्ड कर दिया था। प्रीसेन्ट ला में हमने ११३-ए और इसके सारे कानूनों के लिये क्लॉस तीर पर बह प्राविजन रखा कि जो इस तरह के लाउ थे, वे पार्ट (२) से अस्ट्रा बायर्स नहीं बने और उन की प्रोसेस कायम रहेगी, जिस का नतीजा यह हुआ कि दफ़ा ११२ए नीचूट र्डी, उर्दोफ़ि हमने क्लॉस तीर पर खा बनाया, जिसमें

(२) के इन्टरप्रीटेशन को शलत करार दिया और यह करार दे दिया कि वह ठीक रहेगी। आईन्दा के लिये हमने पार्ट (२) में तब्दीली कर दी। अब हम को हर एक कानून को देखना पड़ेगा कि आया वह पार्ट (२) में आता है या नहीं। अगर वह १६(२) में आ जाये, तो वह दुस्त है और अगर नहीं आता, तो स्वाह कितना ही अच्छा कानून हो, वह नहीं चल सकता है।

हम चाहते हैं—कौन नहीं चाहता है—कि हिन्दुस्तान में इन्ट्रेशन आफ़ सोसायटी हो। मैं मिनिस्टर साहब को हंड्रेड परसेंट दाद देता हूँ कि उन्होंने क्लभुसन इलेक्शन के मोके पर ऐसा कानून बनाने की घोषणा की, जिस में इन्ट्रेशन आफ़ सोसायटी होगा और आपस में ज्यादा नफ़रत नहीं होगा। इन्ट्रेशन कौन नहीं चाहता? लेकिन अगर सरकार ने कोई अक्वल दर्जे का कानून भी इन्ट्रेशन आफ़ सोसायटी के लिये बनाया, जिसमें फ़ीडम आफ़ स्पीच पर हमला हो जाये, तो वह कानून नाजायज़ होगा। सिर्फ़ इन छः बातों के लिये सरकार फ़ीडम आफ़ स्पीच को करटेल कर सकती है, उस पर रेस्ट्रिक्शन लगा सकती है, लेकिन वह इन्ट्रेशन आफ़ सोसायटी के लिये फ़ीडम आफ़ स्पीच का नहीं ले सकती है। वह किसी और मतलब के लिये, ग़मिटी पैदा करने के लिये, मुहब्बत पैदा करने के लिये फ़ीडम आफ़ स्पीच को नहीं रोक सकती है।

अब मुझे यह देखना है कि आया इस क्लिज की क्लॉस २ आर्टिकल १६(२) की ज़द में आती है या नहीं। इस क्लॉस के डॉ हिस्से हैं— एक हिस्सा "कॉमिन्स आफ़ एग्जिमिटी आर रेट्रिड" का है और दूसरा हिस्सा "ऐनी एक्ट विच इज प्रीजुडिशल टु दि मेन्टेनेंस आफ़ हारमानी" से तात्पर्य रखता है और उनमें यह दर्जे है—

"commits any act which is prejudicial to the maintenance of harmony between different religious,

## [पंडित ठाकर दास भागवत]

racial or language groups or castes or communities and which disturbs or is likely to disturb the public tranquillity."

इसमें पब्लिक आर्डर आ गया है, यानी जो पब्लिक आर्डर को खराब करेगा, उसको सजा दी जायेगी, जिसका मतलब यह है कि वह क्लॉज आर्टिकल १९(२) की रेक्वायरमेंट्स को पूरा करती है, गौ कि मैंने अज्ञ किया है कि लफ्ज "लाइकली टु डिस्टर्ब" बड़े वसीम और इन्स्टिक है, लेकिन वह एक दूसरी बीज है। जहां तक ला का सवाल है, आर्टिकल १९ (२) में पब्लिक आर्डर के बारे में प्रोविजन होने की वजह से वह ठीक है।

इसके पहले हिस्से में दिया गया है—

"Whoever by words, either spoken or written, or by signs . . . promotes, or attempts to promote, on grounds of religion, race . . . feelings of enmity or hatred between different religious . . ."

यह हिस्सा आर्टिकल १९(२) में नहीं आयेगा। अगर इसमें यह लिखा होता "कैलकुलेटिव टु डिस्टर्ब वि पब्लिक आर्डर", तो आ जाता, लेकिन अब जहां तक यह है, इसके बरखिलाफ वही आबजेक्शन्स हैं, जो कि दफा १५३ए पर ईस्ट पंजाब हाई कोर्ट ने किये थे, जिसकी रू से उस को पुराने एक्ट के नीचे अल्ट्रावायर्स करार दिया गया था। पुराने एक्ट के हिसाब से यह नाजायज था, लेकिन हमने उसको कांस्टीट्यूशन (फुल्टे अमेंडमेंट) एक्ट की रू से सही करार दिया। लेकिन अब हम जो कानून बनाते हैं, वह सिर्फ १९(२) से देखा जायेगा। इस क्लॉज के पहले हिस्से में "पब्लिक आर्डर" का जिक्र नहीं है और न ही "सिक्वोरिटी ऑफ स्टेट", डिसेम्ब्री धार मारेसिटी" बतौरह उन छः चीजों का जिक्र है, जिन के इन्ट्रस्ट में प्रीडम, धाक स्प्रीच पर रेस्ट्रिक्शन लगाई जा सकती है। वे छः चीजों इस में एबसेन्ट हैं। मुझे डर है कि बायजूद

हमारी इन सब कोशिशों के अगर यह कानून फिर कोर्ट के सामने जायेगा, तो इसका वही हल होगा, जो कि १९३-ए का हुआ था। इसका यह मतलब होगा कि हमने अपना फर्ज पूरा नहीं किया और इसलिये हमको जानबूझ कर ऐसा नहीं करना चाहिए।

अगर गवर्नमेंट चाहती है कि इसको अल्ट्रा वायर्स न करार दिया जाये, तो वह पहले हिस्से में कोई ऐसी चीज रखे, जो कि "पब्लिक आर्डर" बतौरह छः चीजों के मुताबिक हो, वर्ना मुझे डर है कि अगर यह बेयरली इतना रहे जितना कि यह है, तो जिस तरह १५३-ए को गलत करार दे दिया गया था, वैसे ही इसको भी गलत करार दे दिया जायेगा। मैं चाहता हूं कि इस पर गौर किया जाये और उन अलफाज को एड कर दिया जाये, वर्ना मुझे डर है कि उनके बगैर यह अल्ट्रा वायर्स करार दे दिया जायेगा।

जैसा कि मैंने अज्ञ किया है, इस में और भी बहुत सारे दूसरे नुक्स हैं। उनको दोहराने की जरूरत नहीं है, लेकिन मैं चाहता था कि हमारे ला मिनिस्टर साहब फिलवाके एक कमेटी मुकर्रर कर देते। आज सेडीशन का ला ऐसी सस्ती में पडा हुआ है कि हिन्दुस्तान में कोई कानून मौजूद नहीं है। पहला ला ईस्ट पंजाब हाई कोर्ट ने गलत करार दिया और दूसरा ला मौजूद है, लेकिन वह न विसायत के मुताबिक है और न अमरीका के मुताबिक है। मैं कई दफा अज्ञ कर चुका हूं कि दफा १५३ए धा. १२४ए दोनों ला एड आर्डर के लिये, गवर्नमेंट के लिये, सोसायटी के लिये और बहुत से बातों के बहुत जरूरी हैं। उन का इस तरह से एडिट किया जाये कि वे ठीक सा बनें। इस वक्त न १५३ए ठीक ला बना है और न १२४ए ठीक ला बना है और न ही वह कांस्टीट्यूशन के आर्टिकल १९ (२) के मुताबिक है।

मुझे इतना ही अज्ञ करना है।

**Mr. Chairman:** There are some more hon. Members who wish to speak on this clause. We have already extended the time by one hour. At 4 o'clock there is another motion to be taken up. This means that if we do not pass this Bill by 4 o'clock, it will have to be postponed till another day. I understand that it is not usual to extend the time beyond one hour's extension. If the House wishes, the House can do anything, of course. There is no doubt about it. If hon. Members will not insist on speaking, it will be appreciated. If, however, they insist, we have to take the opinion of the House whether they wish the time to be extended. There are, I think, one or two hon. Members. Shri Hynniewta is one. I think he has had his full say yesterday.

**Shri Hynniewta** (Autonomous district-Reserved-Sch. Tribes): No; I did not have my full say. If you would give me a few minutes, I shall appreciate it very much. I shall not take a lot of time.

**Shri Bane** (Buldana): May I submit, the Business Advisory Committee allotted five hours for this Bill. The hon. Speaker extended the time by one hour. Practically seven hours have been taken. We are hard pressed for time. I request that the Bill should be over by 4 o'clock today. If the Members would sit longer and the Motion at 4 o'clock is postponed, I have no objection. It should be postponed.

**Shri Hynniewta:** May I make a submission? This is a very important Bill which affects the fundamental rights of the citizens of this country. In view of its importance, in view of its far-reaching consequences, I would request you to extend the time and the House to agree to it.

**Shri A. K. Sen:** May I explain only a few points which might allay

the apprehensions of many hon. Members that this Bill interfered with the right of freedom of speech? May I say with confidence that what the Bill prohibits and penalises is something quite different from the legitimate expression of grievances either of an individual or of a group or of a community? What is penalised is words written or spoken or signs or any visible representations which promote or attempt to promote, on grounds of religion, race, language, caste or community or any other ground whatsoever, feelings of enmity or hatred between different religious groups. Suppose Shri Tangamani says that Tamil is superior to Sanskrit. He is entitled to say so a thousand times, without infringing any of the provisions of the present law. But, the moment he tries to vilify Sanskrit in such a way by burning, dissecting and defaming Sanskrit books, that it causes hatred amongst those who hold Sanskrit as a sacred language as opposed to Tamil, then, he comes within the mischief of the section. Similarly, when an Assamese praises his own language, his own achievements and so on or a Khasi praises his own language or achievement, he will never come within the mischief of it. Or, if he complains about his legitimate right to pursue study of his language, he does not come within the mischief of this section. This Explanation has been removed for a very good purpose.

**Shri S. M. Banerjee** (Kanpur): This speech, which is clear to us, will not be attached to the Bill.

**Shri A. K. Sen:** I am not saying that I know. . . .

**Shri S. M. Banerjee:** Your speech has clarified many things. If that is the intention of the Bill, it is all right.

**Shri A. K. Sen:** I am saying that the interpretation. . . . (Interruption from Shri Hynniewta) . . . .

**Mr. Chairman:** Will the hon. Member resume his seat?

**Shri Hynniewta:** Just one minute, Madam.

**Mr. Chairman:** The hon. Minister is not yielding. Mr. Hoover, you must resume your seat.

**Shri A. K. Sen:** What I am saying is, my speech is not admissible in a court of law. But, the interpretation of the section that I am putting forward before the House is an interpretation which is the only interpretation possible. That is the reason why I say that the apprehensions expressed by many hon. Members are not at all founded on proper grounds. I wish, therefore, we proceed with the disposal of the Bill. Already we have taken enough time. We have considered this matter from all points of view. If, in future, such things appear to cause real hardship, expression of legitimate grievances, I am sure, is saved.

15.55 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

**Mr. Deputy-Speaker:** I suppose the hon. Minister has nothing more to say.

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** No, we have nothing more to say.

**Shri Hynniewta:** I have made a request that I may be allowed to say a few words on this clause.

**Mr. Deputy-Speaker:** I am sorry. There is no time. I believe the hon. Member had an opportunity to speak on the motion for consideration.

**Shri Hynniewta:** I had an opportunity to speak on the principles of the Bill.

**Mr. Deputy-Speaker:** There is no amendment in the hon. Member's name.

**Shri Hynniewta:** There is no amendment.

**Mr. Deputy-Speaker:** He has already spoken in the general discussion on the clauses also. I shall now put the clause to vote.

**Shri Balraj Madhok (New Delhi):** I have an amendment to this clause.

**Mr. Deputy-Speaker:** It was not moved. I called out the names of hon. Members who had amendments. The hon. Member was not present then.

The question is:

"That clause 2 stand part of the Bill".

*The motion was adopted.*

*Clause 2 was added to the Bill.*

**Mr. Deputy-Speaker:** There is amendment No. 16 seeking to insert a new clause 2A. That is out of order.

The question is:

"That clause 3 stand part of the Bill".

*The motion was adopted.*

*Clause 3 was added to the Bill.*

*Clause 4 was added to the Bill.*

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

**Shri Datar:** I beg to move:

"That the Bill be passed".

**Mr. Deputy-Speaker:** The question is:

"That the Bill be passed."

*The motion was adopted.*

15.57 hrs.

## REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL

**The Deputy Minister of Law (Shri Hajarnavis):** I beg to move:

"That the Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951, and to make certain minor amendments