

THE MINISTER OF STATE IN THE DEPARTMENT OF PARLIAMENTARY AFFAIRS (SHRI OM MEHTA): Yes, it will be in July.

SHRI BHUPESH GUPTA: It is very essential that the House is given a chance to express its opinion on some important aspects of Education when issues like the Aligarh University Act and such other things come up. We are very much concerned. We would like to have a discussion. We want a clear assurance that the present University of Aligarh Act, the amended Act, the amended Act, must not come into force.

MR. DEPUTY CHAIRMAN: He has taken note of it.... (*Interruptions*). He has taken note of it and he will convey it to the Education Minister.... (*Interruptions*).

THE CONSTITUTION (THIRTY-FIRST AMENDMENT) BILL, 1973

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITI RAJ SINGH CHAUDHURY): Sir, I beg to move:

"That the Bill further to amend the Constitution of India, as passed by the Lok Sabha, be taken into consideration."

At the outset, I would briefly mention the genesis of this Bill. The former Chief Election Commissioner had made various alternative proposals for increasing the strength of the House of the People.

Clause (1) of article 81 of the Constitution provides that the House of the People shall consist of not more than 500 members to be chosen by direct election from territorial constituencies in the States and not more than 25 members to represent the Union Territories, chosen in such manner as Parliament may, by law, provide. As a result of the enactment of the North-Eastern Areas (Reorganisation) Act, 1971 (81 of 1971), the total number of seats in the Lok Sabha allotted to the States has incre-

ased to 506, six more than the limit of 500 under article 81. For the present, this increase is permissible under article of the Constitution as a supplemental, incidental and consequential provision on account of reorganization.

Clause (2) of article 81 of the Constitution lays down that for the purposes of Sub-clause (a) of clause (1) there shall be allotted to each State a number of seats in the House of the People in such manner that the ratio between that number and the population of the State is, so far as practicable, the same for all States and that each State shall be divided into territorial constituencies in such manner that the ratio between the population of each constituency and the number of seats allotted to it is, so far as practicable, the same throughout the State. Under clause (3) of article 81 the expression "population" means the population as ascertained in the last preceding census of which the relevant figures have been published. Article 82 provides that on the completion of each census, the allocation of seats in the House of the People to the States and the division of each State into territorial constituencies shall be readjusted by such authority and in such manner as Parliament may, by law, determine.

It may be noted that the scheme of articles 81 and 82 of the Constitution envisages an authority constituted by Parliament, namely, the Delimitation Commission, undertaking the readjustment of the constituencies and re-allocation of seats having regard to the basic criterion of equitable distribution provided in clause (2) of article 81. The direct consequence of the task of delimitation as envisaged by the relevant provisions of the Constitution would be an adverse impact on the number of seats allocated to the States in the House of the people at present, if the strength of the Lok Sabha is maintained at the present level.

In pursuance of article 82, Parliament has enacted the Delimitation Act, 1972 and the Delimitation Commission has been constituted. It will be noticed that adherence to the principles laid down in clause (2) of article 81 by the Delimitation Commission in undertaking readjustment on the basis of the 1971-census figures may have the effect of affecting the number of seats allotted to the States in the House of the People. It is felt that it would be better to ensure that any readjustment and consequent allocation of seats do not adversely affect the existing number of seats allotted to each State in the House of the People and to achieve this purpose it would be necessary to increase the strength of the Lok Sabha suitably.

In order to ensure that there is no reduction in the existing representation in the House of the People in respect of any of the States, clause (2) of the Bill seeks to amend article 81 so as to increase the upper limit for representation of the States from 500 to 525. The opportunity is taken to decrease the limit for the Union territories from 25 to 20, as the existing representation for Union territories is only 16. Government also consider it necessary to make an amendment in clause (2) of article 81 to provide that the provisions of sub-clause (a) of clause (2) of article 81 shall not be applicable to any State so long as its population does not exceed six millions.

Sir, this is to ensure that the existing representation in the Lok Sabha is maintained for the smaller States of Himachal Pradesh, Jammu and Kashmir, Manipur, -Meghalaya, Nagaland and Tripura, each of which has a population of less than six millions.

Article 330 of the Constitution relates to reservation of seats in the Lok Sabha for Scheduled Castes and Scheduled Tribes. The provisions of this article have, however, been made inapplicable to the State of Nagaland on the ground that it has a predominantly tribal population. According to the 1971 census, 88.6 per cent of Naga-

land's population belongs to the Scheduled Tribes. The corresponding figures for the State of Meghalaya and the Union territories of Arunachal Pradesh and Mizoram are 80.5 per cent, 79.0 per cent and 94.3 per cent respectively. The Government, therefore, consider that the provisions of article 330 should not apply also to the predominantly tribal units of Meghalaya, Arunachal Pradesh and Mizoram. Similarly, it is considered that, as in the case of Nagaland, there need be no reservation of seats for Scheduled Tribes in the Legislative Assembly of the State of Meghalaya and that article 332 of the Constitution may be amended suitably. Clauses 3 and 4 of the Bill seek to achieve these objects.

Article 330(1) (c) provides for reservation of seats in the Lok Sabha for the Scheduled Tribes in the autonomous districts of Assam. The number of seats reserved to the Scheduled Tribes shall, according to clause (2) of that article, bear, as nearly as may be the same proportion to the total number of seats allotted to the State of Assam as the population of the Scheduled Tribes bears to the total population of that State.

After the reorganisation of the North Eastern Areas, only two autonomous districts, viz., the North Cachar Hills District and the Mikir Hills District remain in Assam. Having regard to the proportion of the population of the Scheduled Tribes in these two autonomous districts to the total population of the State, they will be entitled to only .25 seat, which being below 50*will have to be ignored. As such, the autonomous districts of Assam will not have any reservation on that basis contrary to the provisions of article 330(1) (c). Therefore, an amendment was moved in the Lok Sabha to the effect that the total number of seats will be in proportion not less than the population of the Scheduled Tribes in the said autonomous districts bears to the total population of that State, *vide* clause 3(1) (b) of the Bill. That amendment to article 330 was adopted by the Lok Sabha.

[Shri Niti Raj Singh Chaudhury].

Thus, the Constitution (Thirty-first Amendment) Bill, 1973, seeks to amend articles 81, 330 and 332 of the Constitution. It is necessary that the amendment to article 81 is passed and the process of ratification concluded early to enable the Delimitation Commission to undertake its task having regard to the increased size of the Lok Sabha, namely the allocation of seats in the House of the 545 (525 for the States and 20 for the Union territories) People to the States and the division of as against the present 525 (500 for the States and 25 for each State into territorial constituencies Union territories).

From the foregoing, it will be appreciated that while the present Bill seeks to ensure that by reason of

readjustment of constituencies and re-allocation of seats consequent thereto by the Delimitation Commission set up under the Delimitation Act, 1972, there shall not be any adverse effect on the seats now allocated to the States in the Lok Sabha, which has gone up to 506, it avoids an automatic acceptance of the principle that an increase in the population should necessarily mean an increase in the strength of the Lok Sabha. In other words, the Bill has a limited objective. I, therefore, commend the Bill for the consideration of the House and its acceptance and adoption.

The question was proposed.

श्री जगदीश प्रसाद माथुर (राजस्थान):

उपाध्यक्ष महोदय, यह संविधान संशोधन विधेयक हमारे सामने प्रस्तुत है। लोकसभा की सीटें बढ़ाने के पूर्व सरकार ने विरोधी दलों के सभी प्रतिनिधियों की बैठक बुलायी थी और उसमें इस बात पर एक मत नहीं हो सका था कि लोकसभा की सीटें बढ़ाई जायें और उस समय सरकार ने इस आइडिया को ड्राप भी कर दिया था, लेकिन इसके बावजूद भी सरकार ने इलेक्शन कमीशन के सजेसन के आधार पर यह संशोधन विधेयक ला कर लोकसभा की सीटें बढ़ाने का निर्णय किया है। यह कहना कि प्रति 10 प्रति वर्ष में सेन्सस होता है और डिलिमिटेशन कमीशन हमने बनाया है और डिलिमिटेशन

कमीशन को सीटें एडजस्ट करनी हैं, इस नाते से सीटें बढ़ाई हैं, यह उचित नहीं मालूम होता जहां तक संविधान के अन्दर सेन्सस का प्रावधान है, सेक्शन 82 में यह लिखा है—

"Upon the completion of each census, regard to the increased size of the Lok Sabha, namely the allocation of seats in the House of the 545 (525 for the States and 20 for the Union territories) People to the States and the division of shall be readjusted by such authority and in such manner as Parliament may by law

इसके अन्तर्गत हम वर्तमान सीटें ही रखते तो डिलिमिटेशन कमीशन वर्तमान सीटों के आधार पर ही एडजस्ट कर सकता था। 545 का तो नम्बर आपने दिया है उसका कौनसा आधार है, किस तर्क के आधार पर आपने इसको किया। यूनियन टैरिटरीज की सीटें आपने कम की हैं और जो बाकी स्टेट्स की सीटें कम की हैं इसका कोई रेशनल दिखाई नहीं देता। केवल इलेक्शन कमीशन ने कहा है इस नाते से बढ़ाई हैं, यह तो कोई बहुत अच्छी बात नहीं थी। इलेक्शन कमीशन के सम्बन्ध में जब हम मारी बात की चर्चा करते हैं तो हमारे सामने चुनाव से सम्बन्धित बहुत से मुद्दे आते हैं। अगर सेन्सस के आधार पर पापुलेशन में वृद्धि के आधार पर लोकसभा की सीटें बढ़ाई हैं, तो मुझे पता चला है कि कुछ स्टेट्स में पापुलेशन में वृद्धि के आधार पर सीटें बढ़तीं और एडजस्ट की जाती तो कुछ स्टेट्स ऐसी थीं, जिनमें सीटें कम होतीं मद्रास में कम होती उत्तर प्रदेश में कम होती और कुछ स्टेट्स में बढ़ जातीं। उन स्टेट्स को शिवान्स न हो कि हमारी सीटें कम हो गईं, जितनी थीं उतनी रहे, जितनी पापुलेशन बढ़ गई उतनी बढ़ा दी जायें, यह सरकार ने किया है। उत्तर प्रदेश के चुनाव अगले वर्ष आने वाले हैं और उसके बाद संसद के चुनाव भी होंगे। तो इन चुनावों के सम्बन्ध में सरकार को कोई एकीकृत दृष्टिकोण, व्यावहारिक

दृष्टिकोण होना चाहिए। जो चुनाव क्षेत्र हैं लोक सभा के उनमें साधारण आदमी के लिये चुनाव लड़ना उसके बलवृत्त की बात नहीं। हमारी कमेटी यही थी और उस कमेटी ने चुनावों के सम्बन्ध में एक सजेशन दिया था कि चुनावों की व्यवस्था की दृष्टि से चुनावों में खर्चा कम हो। जो 35 हजार रुपये की लिमिट रखी गई है, ईमानदारी की बात तो यह है कि उसका कोई अर्थ ही नहीं है। लोकसभा में जो सदस्य चुन कर आए हैं, वे जानते हैं कि उन्होंने उस लिमिट को क्रॉस किया है, उसका दुरुपयोग किया है, वैसा करने के अलावा इसका कोई रास्ता नहीं था। तो सरकार जब इस सारी व्यवस्था के बारे में जानती है और मंत्री महोदय स्वयं लोक सभा का चुनाव लड़ कर आए हैं, वे भी जानते हैं कि 35 हजार में उन्होंने चुनाव नहीं लड़ा है, उन्होंने बहुत ज्यादा खर्च किया है, लेकिन रिटर्न में व्यवस्था है, इसलिये रिटर्न 35 हजार का भरा होगा, तो क्या इस नाते से सरकार की ओर से व्यवस्था हो सकती है, जैसा गृह मंत्री श्री दीक्षित ने कहीं पर पिछले दिनों कहा था कि चुनावों में पार्टियों का खर्च सरकार वहन करे? इस पर सम्भरता से विचार किया जाये। हमारे वहाँ कुछ पार्टियाँ कुछ लोग जिनके पास साधन हैं, सत्ता है, वे धन के बल पर—लोक सभा के चुनाव का क्षेत्र बड़ा हो, दस लाख की पापुलेशन हो या 5 लाख की, चाहे वोटर कम हों या ज्यादा—चुनाव जीत कर आ सकते हैं। धन का प्रभाव चुनाव के अन्दर कम हो और जो चुनाव की तमाम प्रक्रिया है और जिसमें सिस्टम से चुनाव लड़ते हैं और जो डिजिमिटेशन कमीशन आपने बनाया उससे ऐसा लगता है कि दूसरी वैकल्पिक व्यवस्था भी हो सकती है। सदस्यों की संख्या 525 रखें या 545, इस समय व्यवस्था यह है कि एक सीट के लिये 10 लोग चुनाव लड़ते हैं, जीतने वाला चाहे अल्पमत में हो, बहुमत उसके खिलाफ भी हो, फिर भी वह जीत कर आता है।

क्या हम इस प्रकार की कोई व्यवस्था अपने देश में सोच सकते हैं? इस प्रकार से 25 वर्ष हो गये अपने देश में आजादी आये और सारे हम विभिन्न प्रकार के परीक्षण कर रहे हैं, संविधान के अन्दर भी हम बार-बार संशोधन कर रहे हैं। और उसी आधार पर कर रहे हैं कि हमारे जो पिछले अनुभव हैं, उन अनुभवों के आधार पर सरकार और बाकी दल भी सोचते हैं कि उन अनुभवों का ज्ञान लेकर के हम कोई नई दिशा, हम कोई नई प्रगति की दिशा इस प्रकार की लें जिससे यह काम सहज हो। तो यह वर्तमान जो चुनाव की प्रणाली है यह बहुत दूषित है, बहुत खर्चीली है। साधारण आदमी चुनाव नहीं लड़ सकता है और मतदाताओं का सही प्रतिनिधित्व लोक सभा में नहीं पहुंचता है। आज भी कांग्रेस पार्टी ने यह कहा है कि हम को मैसिव मैन्डेट मिला है, लेकिन आप को जो वोटिंग का परमन्टेज मिला है वह बहुमत का नहीं मिला है। आज तक जितने भी चुनाव हुये हैं, उनमें से किसी भी चुनाव में कांग्रेस को बहुमत नहीं मिला है। आज तक जब आप को बहुमत नहीं मिला है, उसके बाद भी सरकार मैसिव मैन्डेट की बात कहती है। इसका अर्थ यह है कि चुनाव की जो प्रक्रिया है, चुनाव की जो पद्धति है वह दोषपूर्ण है और उस दोषपूर्ण पद्धति के अन्दर भी परिवर्तन की दृष्टि से क्या हम कोई सुझाव ला सकते हैं।

जहां तक इलेक्शन कमीशन का सम्बन्ध है, वह तो सरकार का मुद्कमा मात्र बन कर रह गया है। जिस प्रकार के सुझाव सरकार चाहती है, उस प्रकार के सुझाव इलेक्शन कमीशन देता है। हमने यह कहा कि इलेक्शन कमीशन को एक आटोनामस बाडी बना दिया जाये। इलेक्शन कमीशन अगर आटोनामस बाडी बन जाता है तो वह कोई निष्पक्ष राय

[श्री जगदीश प्रसाद माथुर]

दे सकेगा। पिछले चुनाव के अन्दर उसने दो नई बातें कीं। एक तो मतपत्र के ऊपर प्रत्येक मतदाता के हस्ताक्षर करने वाली बात है। यह जो नई पद्धति चुनाव के अन्दर डाली गई इसके कारण चुनाव की निष्पक्षता भंग हुई है। प्रत्येक मतदाता, यहां तक कि सरकारी कर्मचारी यह कहने लग गए कि अब हमारी वोटिंग का पता लग जायेगा; क्योंकि अब तो हम को हस्ताक्षर करने पड़ते हैं। यह नई पद्धति जो आपने डाली इसके कारण से चुनाव की निष्पक्षता समाप्त हुई और पढ़े लिखे लोगों के अन्दर भ्रम पैदा हो गया कि हमारा जो सीक्रेट वोट था वह खुला हो गया और पता नहीं सरकार के खिलाफ हम वोट देंगे तो हमारा क्या होगा। दूसरी जो गणना की आपने नई पद्धति डाली इलेक्शन कमीशन के कहने से कि सारी कांस्टिट्युएन्सी के वोट एक साथ करके, एक साथ गणना शुरू कर दी जाये, उससे भी गड़बड़ी हुई है। अगर आप पार्टी वर्किंग चाहते हैं, अगर आप चाहते हैं कि हमारे यहां डेमोक्रेसी ठीक काम करे, तो पार्टियों के ज्ञान में यह होना चाहिये कि हम को किस क्षेत्र में अधिक मत मिले और किस क्षेत्र में कत मत मिले। आप का यह कहना कि इसके कारण से जहां कम मत मिलते हैं वहां के मतदाताओं के साथ बुरा व्यवहार होता है, ऐसा बर्बाद हुआ नहीं। फिर भी आपने नई पद्धति आरम्भ की।

उपाध्यक्ष महोदय जहां एक इलेक्शन कमीशन का सम्बन्ध है, इलेक्शन कमीशन का यह कर्तव्य है कि कोई भी बात तय करने के पहले वह विरोधी दलों से भी राय ले। आखिर चुनाव सब लोग लड़ते हैं। सरकार भी एक पार्टी के रूप में चुनाव लड़ती है। चुनाव लड़ते समय वह सरकार के रूप में नहीं होती है। उस समय कांग्रेस एक दल के

रूप में आती है। लेकिन जो कुछ कांग्रेस दल करता है और उसके आधार पर जो कुछ इलेक्शन कमीशन निर्धारण करेगा, उसके आधार पर स्वस्थ परम्पराएं नहीं पड़ेगी और चुनाव ठीक प्रकार से नहीं होंगे। इस लिये जब इलेक्शन कमीशन की बात को लेकर के हम सीटें बढ़ाने की बात कहते हैं, इलेक्शन कमीशन के कहने के आधार पर हम मतगणना की पद्धति को बदलने हैं, इलेक्शन कमीशन के कहने के आधार पर वोट कैसे डाले जायें इसको बदलने हैं, इसका अर्थ यह है कि इलेक्शन कमीशन गवर्नमेंट का एक डिपार्टमेंट हो गया। जिस प्रकार से ला मिनिस्टर कहते हैं। उस आधार पर इलेक्शन कमीशन काम करता है। आज आवश्यकता इस बात की है कि इन सारे अडुबों के आधार पर हम सारी समस्या पर गंभीरता से विचार करें और इलेक्शन का एक आटोनामस बाडी के रूप में निर्माण करें। इसके अतिरिक्त उसके अन्दर केवल एक सदस्य नहीं बल्कि तीन सदस्य रखें। एक सदस्य की जो एक परम्परा चली आ रही है, उसमें होता यह है कि वह सदस्य दूसरे डिपार्टमेंट में जा सकता है और वहां से फिर इस डिपार्टमेंट में आ सकता है। तो उस के कारण इलेक्शन डिपार्टमेंट अब तक वह इंडिपेंडेंट बाडी है, इस नाते काम नहीं कर पाया। तो इलेक्शन कमीशन एक इंडिपेंडेंट बाडी हो और उस नाते उसके मुझाव हो यह मैं चाहता हूं। लोक सभा की सीटें बढ़नी चाहिए वह उन्होंने मुझाव दिया है, ठीक है लेकिन कुछ स्टेट्स लागू नहीं जायें, इस लिये कि उनकी कुछ सीटें कम न हो जायें, उसके लिये जो वर्तमान डिजिटिजेशन कमीशन ने वर्तमान सेंसस किया वह मैं मानने के लिये तैयार नहीं हूं कि ठीक है। देश में बढ़नी हुई आवादी के आधार पर अगर हम सोचते हैं कि संसद सदस्यों की संख्या बढ़नी चाहिए तो उसके आधार पर विधान सभाओं की सीटें भी बढ़ायी जा सकती हैं और राज्य सभा

की सीटें भी बढ़ायी जा सकती हैं। इस बारे में आपने कोई विचार नहीं किया है। इस संबंध में विचार किया जा सकता था, लेकिन इसके बारे में कोई एक कंसालिडेटेड व्यू आप ने नहीं लिया। अभी उत्तर प्रदेश के चुनाव आ रहे हैं और इस नाते आप को कुछ काम करना है और उसी के लिये आप इसको लेकर यहाँ आये हैं। ठीक है, हम आपके इस विधेयक का समर्थन करेंगे लेकिन इसमें जो खामियां हैं, जिस तरह से आज चुनाव का सिस्टम बर्क कर रहा है, उस पर विचार करने की आवश्यकता है। उपाध्यक्ष महोदय, मुझे खेद है कि वर्तमान सरकार का जिस प्रकार का दुराचरण है, उसके अनुसार इलेक्शन कमिशन आज एक डिपार्टमेंट बन कर रह गया है और चुनाव जिस प्रकार से हो रहे हैं, जिस प्रकार से कांस्टीट्यूएंसीज आप बनायेंगे, उससे लगता है कि इस सब में सरकारी हस्तक्षेप चलेगा और इस नाते इस सारी व्यवस्था के दोष को दूर करने के लिये इस सारी समस्या पर आप गंभीरता से विचार करें। जो सुझाव आप को पार्लियामेंटरी कमेटी ने दिये थे उनको कार्यान्वित करने की दृष्टि से आप डिले क्यों कर रहे हैं और उनके लिये मैं चाहता हूँ कि आप कोई घोषणा करें और उन पर जल्दी से जल्दी कोई कदम उठायें, यही मेरा आपसे निवेदन है।

DR. K. NAGAPPA ALVA (Mysore): Mr. Deputy Chairman, Sir, I agree that it has become necessary for the Government to amend the Constitution so as to increase the number of Lok Sabha seats by 215. I may at the outset say that this increase to 525 should be the final number. There is no meaning in increasing the number of seats according to the increase in population. Elections are becoming not only costly, but it is becoming in every way difficult. Here concerning this particular Bill I may suggest that there should be delimitation of constituencies as a whole in the entire country. In the difficult areas, in the tribal areas, in the mountain and hilly

areas, the size of the constituency has become unwieldy. In every respect election has become costly and it has become difficult for the candidates to aurture their constituencies. This factor has to be taken into consideration. Therefore, my suggestion is, while taking into consideration population as the main principle, we have to give due importance to the geographical conditions of the area. My suggestion is that compared with other constituencies in the plains or normal areas, the population in this area should be less. Elections form an integral part and a most important function in parliamentary democracy. Our elections are known for huge expenses, corrupt practices, misuse of power and influence, use of governmental machinery, political exploitation and political corruption, fraud and irregularities and many defectors after the elections. To build up a healthy parliamentary democracy it is necessary that elections should be fair and free. It must give equal opportunity to all. It should be based on the principle of equitable distribution, but actually considering the bigness or size of the constituencies and the way elections are being conducted, it has become a fight between unequals. In a democracy, there must be the ruling party and the opposition parties, and every opportunity and encouragement must be given, if we believe in truth and democracy, to the opposition parties. But as it is, we have to take into consideration the key role of money in the election. It is a fact and it is a truth that in every assembly constituency it has come to Rs. 1 lakh for those who can stand for election, and for the Lok Sabha constituencies, it is not less than Rs. 10 lakhs. Sir, crores of rupees are being spent. How and wherefrom does this money come, is the question before us, and it is for us to find out, it is for the Government to seriously consider.

Particularly after the ban on companies, donations to parties, definitely it comes from the black marketeers. The effect of this black money and of the black marketeer is felt during the

[Shri K. Nagappa Alva], elections, and the influence that they hold on the Government certainly has brought disgrace to this country. We say that there is no national character and that the national character of this country is tarnished, it is mainly because of such happenings in these elections.

So, it is very necessary that changes in the election laws must be made. Sir, you will remember—after the findings in the election petitions about irregularities, corrupt practices and all these things, particularly after 1962, there were reports and suggestions by the Delimitation Commission, the Election Commission and the Joint Parliamentary Committee to amend these laws so that we may have fair and free elections. But the Government is callous, and there is a kind of studied indifference. Whether the Government is really interested in giving, through the election, social justice and economics justice to the people, whether the elections are meant for the common man, whether the poor people, the really honest people "who believe in democracy, can come and vote in the elections, these are the things which have to be taken into consideration. So, I would say that this point has been ignored by this Government. Therefore the election laws may be amended at the earliest possible time, and some way must be found as to how-honest money can be spent in these elections.

Then, during election petitions and other things, we hear of one thing and that is there has always been governmental interference. Whether the Election Commission which is considered to be an autonomous body is encouraged to work independently, whether it is given all the powers and facilities is another question which has to be looked into by the Government. This defection is another thing which has brought disgrace to the country. In every respect it is a menace. Therefore, the Anti-Defection Bill must be brought at the earliest possible time

Sir, the time at my disposal is very short since we have been asked to be very, very short; otherwise I wanted to say certain other things because elections are the most important thing. My suggestions are that during elections certain items of expenditure such as informing the electorate by postcard and advertisement in newspapers about the candidates of the recognised political parties should be made by the Government. All the recognised political parties should be provided with well-equipped offices and necessary staff. Also the expense of maintaining a vehicles must be met by the Government. This arrangement will greatly help to eliminate the independent candidates and growth of mushroom parties which, in turn, will help the growth of healthy parliamentary democracy.

It is very necessary that the changes in the election law should be done without any further delay so that we may have free and fair elections. Sir, it is necessary that free and fair elections in this country should be guaranteed by law.

Incidentally, I remember one thing. Today our leadership is more keen about finding out other defects. It is our dharma to correct ourselves, to admit our mistakes and march ahead. So many corrupt practices have been going on. Then there is this black money which has become a menace. This has become a parallel economy in this country which is ruining the economy of this country, the national character of this country. Here I am only saying that things have gone to such an extent that it has now become difficult even for the ruling party to control certain bad things and their attendant evils. Even this morning I saw a headline about the Watergate Scandal in America. Let us beware of this thing. People are watchful. The world is watching us while we are building our democracy. Things are going ahead to such an extent that if you do not find a remedy to have free and fair elections in this country our country will be condemned by the

world. Let the Watergate of America not become the flood gate of India.

With these words I support this Bill and once again I appeal to the Government to take serious note of the suggestions that I have given.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 2 P.M.

The House then adjourned for lunch at one of the clock.

The House reassembled after lunch at two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

SHRI DAHYABHAI V. PATEL (Gujarat): Sir, in the first instance, I would like to say that I do not like the way in which this Bill is being brought. We are amending the Constitution so that certain more seats are being given to certain places. Why? Because we have formed new States. It is not on the basis of population. Representation should be purely on the basis of population. In exceptional cases perhaps sometimes some weightage has to be given. Otherwise, I do not like it. What the Government should have done was, as was said at the informal meeting called by the Minister, that the whole basis of this should have been changed. This is a large country and if we try to increase the number of seats on that basis, perhaps we will have a large legislature. It does not matter very much. With the modern conveniences that we have, the loudspeaker arrangements and so on, it does not matter if we have a large House. On the contrary, we will have better representation.

To-day one seat in Parliament means a population of almost 11 lakhs. It is physically impossible for a Member to be in touch with his constituency, as he should be. Of course, we have got State legislatures, but that does not solve the problem because there are certain matters which come before Parliament only. Therefore, if it is necessary to enlarge the strength of Parliament, the matter should be studied. If a larger number of seats

should be given to provinces, it does not matter. If it is said that the arrangement in the Lok Sabha is not adequate to-day, we are in a position to construct another House. We see all sorts of buildings coming up round about us. All sorts of committees are formed. There is no end to the building activity in the Capital city. It should not be difficult to find a way of providing more seats in the present House or to build another House. Personally while I am not against the proposal as it stands today for making this increased representation, the Government should have given more thought to this subject and given representation on a fair and equitable basis to all places. The people of certain areas will have a grievance that for some places representation to Parliament is on a much smaller population basis and in some places there are very, very large constituencies and it is not possible to reach there. In my State of Gujarat we have got certain constituencies which are so far and wide, so far-flung, that it is not possible to go round the whole constituency even with the modern conveniences without three days at least, even with motor transport. So I think the Government should have given more time to this and perhaps taken more time to consult members from different parties and party leaders. I know perhaps one or two meetings were held. But that is not enough. This is a very vital matter on the strength of the Houses of Parliament. More serious thought should have been given by the Government in consultation with all parties. This stop-gap arrangement may be all right. I will not oppose a stop-gap arrangement. But some serious thought will have to be given to it by Government and if the Government delays the matter, the election will be on very soon. This thing should have been thought of by Government very early. Now elections will be coming in some places and perhaps in some other places elections will come after some time because according to the old order all elections used to be held at one time

[Shri Dahyabhai V. Patel]

more or less. But now State Legislatures have elections at different times. Of course, parliamentary elections we will have to hold on a certain date. For that due preparation should have been made so that proper representation is given to all parts in India on, more or less, a uniform basis. Therefore, while I am not opposing the proposal, just now I do not like it and I think the Government should have given more thought and time to this important subject and held consultations with leaders of all parties. I do not mind if they had taken more time. But more serious thought and attention should have been given to this so that a uniform representation is there on all sides.

श्री श्याम लाल यादव (उत्तर प्रदेश) :
माननीय उपसभापति जी, इस संशोधन विधेयक के सम्बन्ध में मैं निवेदन करना चाहता हूँ कि जो आधार सरकार ने लोक सभा की सीटें बढ़ाने के लिए दिया है, मैं समझता हूँ कि वह ऐसा आधार है जो शायद आगे आने वाले समय में माना नहीं जा सकता। यह आधार बनाना केवल कि किसी राज्य का प्रतिनिधित्व लोक सभा में घटना जाय इस-लिए यह आवश्यक है कि सीट बढ़ाई जाय। मैं समझता हूँ कि यह किसी तर्क पर आधारित नहीं है। इलेक्शन कमीशन की तरफ से जो मुझाव आये और जिन पर विभिन्न राजनीतिक दल के नेताओं से सरकार ने विचार-विमर्श किया, उस सबके पश्चात् यह निश्चय प्रतीत हुआ कि सीट नहीं बढ़नी चाहिए।

मान्यवर, ब्रिटिश पार्लियामेंट में भी, जो बहुत पुरानी पार्लियामेंट है, इस प्रकार से सीट नहीं बढ़ाई गई। जनसंख्या तो बराबर बढ़ती जायगी और इस प्रकार से सीट बढ़ाने की परंपरा डाली गई तो सका अन्त कहां होगा यह ज्ञात नहीं। अभी जो संख्या निर्धारित है, हम समझते हैं कि उसी संख्या पर रिण्ड-जस्टमेंट किया जाता तो कोई ऐसी बात नहीं थी कि जनसंख्या की वृद्धि के साथ-साथ लोक सभा की सीटों में वृद्धि नहीं की जा सकती।

हाँ, उसका असर राज्य सभा की सीटों पर पड़ सकता है; क्योंकि लोक सभा की सीट तो जनसंख्या के आधार पर बनती है।

एक दूसरी बात, जो इस विधेयक में रखी गई, यह है कि जो पीछे नये-नये राज्य बनते गये, उसको जिस तरह लोक सभा में प्रतिनिधित्व दिया गया, मैं समझता हूँ कि वह भी सही नहीं है। सारे देश में जो क्षेत्र बनाये जायें, उनमें एकसी जनसंख्या हो, यह न हो कि कहीं पर तो 5 या 6 असेम्बली कांस्टीट्यूएन्सी हों और कहीं पर एक भी असेम्बली कांस्टीट्यूएन्सी न हो और वहां से भी एक लोक सभा की सीट मिल जाय। इस सम्बन्ध में मैं यह निवेदन करना चाहता हूँ कि जो छोटे-छोटे नये-नये राज्य बनते चले जा रहे हैं अथवा जो यूनिऑन टैरिटरीज हैं उन सब की जनसंख्या को ज्यादा महत्व दिया जाता है और जनसंख्या को ही नहीं बल्कि उस क्षेत्र विशेष और राज्य विशेष को बहुत अधिक प्रतिनिधित्व दिया जाता है। जैसे देखने के लिए मेघालय, नागालैंड, त्रिपुरा, अंडमान-निकोबार, मिजोरम, जम्मू काश्मीर, हिमाचल प्रदेश और यूनियन टैरिटरीज हैं, ये देश के दूसरे भागों के मुकाबले अधिक वेटेज पाती हैं, इसका कोई आधार नहीं है। लोक सभा में जनसंख्या का प्रतिनिधित्व होता है, राज्यों का नहीं है। वहां पर तमाम जनता का प्रतिनिधित्व है। राज्यों का प्रतिनिधित्व राज्य सभा में होता है। यहां पर जो फेडरल स्ट्रक्चर है उसमें दो सदन बनाये गये हैं। एक सदन में जनता के प्रतिनिधि होंगे, वहां पर जनसंख्या को आधार माना जाना चाहिए और दूसरे में राज्यों का प्रतिनिधित्व होगा, एक या अधिक राज्यों की जनसंख्या के लिए निश्चित सदस्य संख्या होनी चाहिए। राज्य सभा में राज्यों का प्रतिनिधित्व है। उस के सम्बन्ध में यह ध्यान में रखा जा सकता है कि किसी राज्य को जनसंख्या के आधार पर अधिक वेटेज न मिल जाये, बल्कि इसका कोई दूसरा ही आधार हो। इसलिए मैं समझता

हूँ मान्यवर, कि सरकार ने जो यह कदम उठाया है, मेरा ऐसा खयाल है कि उसे एक न एक दिन उस कदम को रोकना पड़ेगा। इस समय जो जनसंख्या के आधार पर सदस्य संख्या बढ़ाई गई, उसका आवश्यक परिणाम यह निकल रहा है कि कई राज्यों में उनकी संख्या बढ़ रही है और कई राज्यों में हो सकता है कि सदस्य संख्या न बढ़े। इसलिए जो आधार मंत्री जी ने बतलाया, मैं उसमें सहमत नहीं हूँ और मैं समझता हूँ कि इस प्रकार से लोक सभा की सीटों को बढ़ाना उचित नहीं है।

दूसरी ओर जो इलेक्शन कमीशन के सुझाव आये, और इलेक्शन कमिशनर जो संयोग से थे वह भी चले गये, दूसरे आ गये, उन्होंने दोनों तरह के विचार रखे थे। उस पर विचार भी हुआ, लेकिन इलेक्शन कमिशन की निष्पक्षता के ऊपर भी देश में बहुत सन्देह होता जा रहा है। इलेक्शन के लिए जो कानून आप बनाते जा रहे हैं, उसमें भी इस प्रकार से परिवर्तन हुआ है, जिस पर कि हमें सन्देह होता है। मैं दो बातों की तरफ सदन का ध्यान आकर्षित करना चाहता हूँ। एक तो वोटर को दस्तखत कराया जाता है। जब वोट सीक्रेट है इसी आधार पर मान्यवर, सरकार ने पिछली लोक सभा के मध्यावधि चुनाव के अवसर पर वोट कार्डिंग प्रणाली में परिवर्तन कर दिया और सारे मतपत्र मिक्स-अप करके फिर उसका कार्डिंग किया जाता था। इससे यह नहीं पता चलता था कि किस पोलिंग स्टेशन पर कितने मत पड़े और किसने किसको वोट दिया। लेकिन दूसरी तरफ हर मतदाता पर यह प्रतिबन्ध है कि उसके हस्ताक्षर लिये जायेंगे या उनके अंगूठे के निशान लिये जायेंगे। इससे यह बात स्पष्ट हो जाती है कि मतदाता के मन में यह भय रहता है कि सत्तारूढ़ दल इसको देख सकता है कि उसने किसको वोट दिया है क्योंकि उनके दस्तखत मौजूद हैं। दूसरे दिन उसको खोला जा सकता है।

सरकार कह सकती है कि वह मत-पत्र अदालत की आज्ञा से ही खोले जा सकते हैं, लेकिन भय पैदा करने के लिए इस देश के गरीब लोगों में, इस देश के अनपढ़ लोगों में भय पैदा करने के लिए और उससे लाभ उठाने का जो आशंका है, उससे इंकार नहीं किया जा सकता। मान्यवर, सत्तारूढ़ दल द्वारा इस प्रकार की परंपरायें बन रही हैं, जिनसे देश में विरोधी दलों को बढ़ावा न हो सके और वह चल भी न सके और जिस प्रकार आये दिन सरकार की तरफ से आरोप लगा दिये जाते हैं, उनमें जो सबसे नवीनतम बात है जिसकी निन्दा सभी बड़े पत्रों के संपादकों ने एडिटोरियल्स में भी की। अभी कांग्रेस के सदर जौनपुर में गये थे भाषण देने और उन्होंने यह आरोप लगाया कि विरोधी दल अमरीका से सांठ-गांठ करके इस देश की सुरक्षा को खत्म करना चाहते हैं, जनतंत्र को खत्म करना चाहते हैं। हमारी समझ में नहीं आता कि डा० शर्मा जी किस आधार पर ये बातें कह सकते हैं। अगर उनके पास कोई आधार है तो उनका फर्ज है कि वह देश के सम्मुख आये और इसकी जांच बिठाये जो इस बात का स्पष्टीकरण कर सके कि ये बातें सही हैं अथवा गलत।

जो लोग विदेशों से हाया ले रहे हैं सारा देश जानता है कि वे लोग सत्तारूढ़ दल के साथी हैं। लेकिन कांग्रेस के अध्यक्ष इस तरह से अनाप-शनाप और मनगढ़न्त आरोप लगा रहे हैं। मैं इतना ही निवेदन करना चाहता हूँ कि डा० शर्मा अपना तन्वार को गिरा रहे हैं। वे इस बात को सोचते हैं कि इस प्रकार आरोप लगा कर वे देश को अनाप को गुमराह कर सकेंगे, लेकिन यह उनका भ्रम है। इन तरह के नोबे स्वर पर उतर कर और असत्य बातों के आधार पर वे अपना पार्टी को ऊँचा चढ़ाना चाहते हैं। मैं इसकी घोर निन्दा करता हूँ और मैं चाहता हूँ कि चूंकि सत्तारूढ़ दल के अध्यक्ष इस प्रकार के आरोप लगाते हैं, इन लिये सरकार इस बात के सम्बन्ध में स्पष्टीकरण करे। यह निष्पक्ष

[श्री श्याम लाल यादव]

जो लाया गया है, यह लोक सभा के चुनाव में सम्बन्धित है, जनतन्त्र में सम्बन्धित है। ऐसी स्थिति में कांग्रेस के अध्यक्ष का इस प्रकार का अनर्गल आरोप लगाना, असत्य आरोप लगाना, मनगढ़न्त बातें कहना बिल्कुल ही अनुचित है। यह देखिये 14 मई के "हिन्दुस्तान टाइम्स" के प्रकाशन में यह निकला है :

"Opposition parties, especially the Jana Sangh, Congress (O) and the BKD, are instigated by the USA to launch a conspiracy against the Congress Government to disrupt the internal security of India and create chaos and confusion."

यह उन्होंने कहा है। यह बिल्कुल ही गलत है। इसका एक शब्द भी सत्य नहीं है। मैं समझता हूँ कि ऐसा व्यक्ति आज इस आमन पर बैठा दिया गया है जिसने जो कांग्रेस का इतिहास है उसको खत्म कर दिया है। ऐसा गया गुजरा, ऐसा निरर्थक, ऐसा असत्यभाषा और ऐसा गैरजिम्मेदार कांग्रेस का अध्यक्ष शायद हिन्दुस्तान के इतिहास में न हुआ है और न होगा। मैं जानता हूँ कि डा० शर्मा जब लखनऊ यूनिवर्सिटी में पढ़ाते थे तो उनका क्या इमेज था पढ़ाने में। वे सब से निरर्थक व्यक्ति थे। ऐसा व्यक्ति यदि विरोधी दलों पर आरोप लगाता है तो मैं निवेदन करना चाहता हूँ कि यह लोकतन्त्र पर हमला है और लोक सभा की जो कल्पना करना चाहते हैं, इस विधेयक के जरिये उस पर कुठाराघात हो रहा है। इस तरह से कांस्टीट्यूशन को घटा बढ़ा कर के अथवा लोक सभा को घटा बढ़ा कर के जनतन्त्र को नहीं चलाया जा सकता है। इसलिये मैं बड़ी सफाई के साथ कहना चाहता हूँ कि सत्तारूढ़ दल इस प्रकार से कार्य न करे। जो हिन्दुस्तान में गरीबी है, जो लोगों को कठिनाई है, जो लोगों को अनाज आप दे नहीं पाते, लोग भूखों मर रहे हैं, गल्ले की दूकानों पर हजारों को लाइनें लगी रहती हैं और

सारे देश में जो एक तूफान मच रहा है, उसका मुकाबला तो आप कर नहीं सकते। आप अपनी गलतियों को देखते नहीं हैं। अपनी कमजोरी को देखते नहीं हैं। आप अपनी सरकार की गलत कार्यवाहियों को दूर नहीं कर सकते हैं। इसलिये आप विरोधी दलों पर इस प्रकार के ओछे आरोप लगाते हैं। खर, ठीक है, इसकी भी वही दशा होगी जैसी कि गुजरात में अहमदाबाद के चुनाव में हुई। यह सी० आई० ए०, सी० आई० ए० की बात कहते हैं। यह सी० आई० ए० का भूत या अमरीका का भूत सत्तारूढ़ दल को ही सतायेगा। विरोधी दलों का इसमें कोई ताल्लुक नहीं है। यह भूत सत्तारूढ़ दल को ही खा जायेगा।

हम चाहते हैं कि इस प्रकार की परम्परा हो कि जो पोलिटिकल पार्टीज हैं उनका एकाउंट आडिट किया जाय। अब ऐसा होगा तभी वास्तव में लोक सभा में जन-प्रतिनिधित्व हो सकेगा। आप उनके एकाउंट आडिट करावइये, लेकिन उस के लिए आप तैयार नहीं हैं और इस प्रकार के आरोप लगा करके आप सोचते हैं कि जनता के दिल में एक दुर्भावना पैदा की जाय। अपने भाव्यों को आप देखना नहीं चाहते। श्री शर्मा इस प्रकार के आरोप लगाते हैं और इसके लिए उनको स्वयं भोगना पड़ेगा।

आखिर में मैं एक निवेदन और करना चाहता हूँ। इस प्रकार का विधेयक लाकर के मैं समझता हूँ कि जो संविधान की भावना है उसके यह प्रतिकूल है कि हर सेशन के बाद इस प्रकार से संसद् के सदस्यों की संख्या बढ़ायी जाय।

SHRI BHUPESH GUPTA (West Bengal): Sir, this question of increasing the strength of the Lok Sabha was discussed at a meeting of the Opposition leaders and others at which not only the Minister for Parliamentary Affairs, but also the Prime Minister

and other Cabinet Ministers were present. We were given to understand that the whole question would be discussed in the light of the experience since the commencement of the Constitution with a view to bringing about certain important changes in the law. Now, of course, we have got a legislation which generally we support and to which nobody will object. But what is needed is a second look at the existing arrangement and also the realisation that we need to make certain basic changes.

Six, in this connection, I should like to invite your attention to the recommendation which was made by the then Chief Election Commissioner, Shri S. P. Sen Verma in a note dated 21st August, 1972 in which Shri Sen Verma suggested that the law should be so changed as to make a provision for 570 seats for the Lok Sabha. Now, Sir, in that connection the Ministry of Law and Justice circulated a note in which they said:

"While examining the maximum permissible limit of 500 under article 81, the proposal of the Ministry of Home Affairs regarding the territorial reorganization of the eastern region, the Chief Election Commission *inter alia* suggested that the total number of seats in the House of the People should be increased to at least 600 by amending article 81 of the Constitution. The increase was suggested on the following grounds. ..."

One was to keep the size of the constituency within certain limits. In that connection, it was pointed out in that note:

"The Chief Election Commission had received many complaints from candidates for election to the Lok Sabha that it was physically impossible to contact this huge mass of population in a parliamentary constituency at the time of election. The magnitude of the problem will be much more if the population of a parliamentary constituency comes to nearabout 11 lakhs."

Sir, what is the position today? If the average size of the 15 major States—that is to say, excluding the State of Jammu and Kashmir, Meghalaya, Tripura, etc.—under article 81 is retained as it is, then roughly we have a constituency beyond 11 lakhs. If it is increased by 8, then the average increase will be 10.40 lakhs. If the number is increased to 525, excluding other things, nominations, etc., then the average size of a constituency will be 10.6 lakhs. Now, we are increasing it to 525. Roughly we are reconciling to a situation when a constituency under the 1971 census will be roughly of the size of 11 lakhs people or 10 1/2 lakhs people. This is too big. This matter was discussed in the Constituent Assembly also, and Mr. K. P. Shah then made a proposal that there should be a parliamentary constituency on an average for a population of over 5 lakhs. That was his suggestion. Now we have reached almost twice as much. Therefore, Sir, it stands to reason that we do need to increase the size of the Lok Sabha and limit the size of a parliamentary constituency in terms of population. In England, the House of Commons has got a parliamentary constituency of the size for more than 600. In France, they have a National Assembly of 594. The United States also has big Houses. Almost in all the democratic countries—the western world, as you call them—where they have got parliamentary democracy, they have got bigger Parliaments and smaller constituencies. The current trend is to have smaller constituencies rather than big ones despite the fact that the communications and transport in that part of the world are much more developed than in our country. Why should we not have a larger House of the People or the Lok Sabha? We cannot understand it. The argument is given that the present House cannot accommodate so many people. Is this the argument? Are these architectural and technical arguments to be taken into consideration to determine the size of the Lok Sabha which goes to the root of parliamentary democracy? Now

[Shri Bhupesh Gupta]. Sir, architecturally also it was pointed out that a good number of more people can be seated. I am not going into that question. If the country's population grows, the Parliament will have to be bigger. However small may be the size of the Speaker, but the House will have to be a little bigger. So, Sir, these arguments cannot be accepted. I do not know why the Government is fighting shy of it, especially when it is very expensive to contact bigger constituencies for a candidate and even after the election for a Member who gets elected. That matter should be gone into. Unfortunately, it has not been gone into.

As far as the smaller States like Jammu and Kashmir, Meghalaya, Tripura, Manipur, Nagaland etc. are concerned, we do not want their seats to be disturbed. On a population basis, they would not get so many seats. They should have what they have got. Nothing should be taken away from them. Tripura should have 2 seats. Jammu and Kashmir should have the number that they have got. You should not reduce their quota or take away any seats from them. It is a very correct decision. But in respect of 15 major States, we can do something. We can increase their seats. It is possible to do so. I was surprised that the stop-gap Election Commissioner, Dr. Nagendra Singh, entered into a public controversy and said that the size of the Lok Sabha should not be increased. I do not understand as to why, in the first instance, he should have given that advice and secondly why he should have done it through the columns of the 'Statesman' and other papers. Why should he have entered into a public controversy that way? However, that opinion is not shared by many in the country. Very few accept this kind of a conservative opinion of a person like him. Now that he has gone to Geneva, let him remain there. He has found a good constituency for himself.

Sir, in this connection, let me make two suggestions. That is all

that I can do. Firstly, we must think in terms of reducing the voting age. Why should Indian citizens not get voting rights as soon as they attain the age of 18 years? Therefore, my suggestion is that the voting age should be lowered to 18. It means that the moment you carry out this long-delayed reform of voting age, you will have more voters within the same constituency. We should give voting rights to everyone who has attained the age of 18 years and not 21 years. It is very very essential.

Then, Sir, I think we should think in terms of proportional representation for Lok Sabha. This kind of a single member constituency and this kind of representation that we have is not good. It does not quite reflect the political views of the people in the Lok Sabha. Also it does not bring about a correct reflection of the public opinion in the political life. I think that proportional representation is something that should be introduced. Now, Sir, with regard to the number of seats, our suggestion is that, broadly speaking, we should aim at a constituency for an average population of 7 lakhs or so—not 10 or 11 lakhs. Surely it will lead to a bigger Lok Sabha with a larger number of seats there. Let us discuss that question. In any case, sometime or other you will have to do it. You cannot just keep the present Lok Sabha at this size. Maybe sometime later another amendment will come but now is the time to discuss it. I think the constituency should be manageable and accessible to people. Therefore, 15 major States should have parliamentary constituencies of an average size from the point of view of a population of 7 lakhs. But not every 7 lakhs will be voters, as you know. Maybe half of it, less than half or about 40 per cent will be the actual voters. That we can do. This is how it should have been done. But unfortunately nothing has been done. Now what they are doing really is, they have got six members in Lok Sabha in excess of the constitutional provision. Under article 81 you can have only 500. Now you have got

506. Now we have to regularise an irregular act. That we are doing. I am not saying that those six Lok Sabha members are illegitimate children of Lok Sabha—that is not at all my suggestion. They are as much legitimate as others who have been born in the wedlock of this law. But this is the purpose for which the Bill has been brought.

What was needed is to make certain important, significant amendments to alter the scheme in order to make the parliamentary institution more vibrant and to bring it closer to the people so that the contact between those who are elected and the constituents will be better and the constituents are represented better. That is what should have been the arrangement.

Now a bigger constituency also means that money has a premium, privilege has a premium and social conditions have a premium in this matter. Now that also is not good. Smaller constituencies from the point of view of population are better. In our country, unlike in Europe, we have very large constituencies sprawling over miles and miles. Some of the constituencies, if added together, would make a sub-continental country, a small European country. It is not as if they are very well knit and compact. Very vast areas are there—I am not talking of the urban constituencies; they are very few. We have rural constituencies which are inaccessible and which spread over a vast area. Mountains, rivers, jungles—everything—comes in the way. Therefore, it is all the more necessary to see that they do not become too unwieldy and too big for the purposes of working the system that we have. Unfortunately nothing has been done. So, I do not know when the Government will take steps in that direction but I do demand that the matter should be reconsidered against and it should not be given up.

I think we should go in for a bigger Lok Sabha, smaller constituencies, 18

years as voting age and proportional representation and we must, at the same time, ensure that the smaller States like Meghalaya, Tripura, Mani-pur and Jammu and Kashmir or others do have their rights maintained and they do not suffer on account of any changes that we make. Their number should remain. There we should not apply the population principle at all. There are other considerations of a political and socio-economic nature. That should be taken into account and they should be given seats keeping in view those considerations—not on the basis of population—and they are entitled to what they have. If you like you can give them more but do not take away anything from them. These are our suggestions.

I think after the meetings and so on nothing has really come out except a kind of pragmatic measure. We are supposed to be living in the days of pragmatism. So, this is one of the pragmatic measures. It means very little now. However, we support it because it regularises an irregular thing and, secondly, it makes the delimitation easier and possibly increase the size of the Lok Sabha a little. But I think it should be much bigger.

SHRI K. CHANDRASEKHARAN (Kerala): Mr. Deputy Chairman, the Bill that has been introduced proposes to enhance the membership of the Lok Sabha. On the basis of the new census figures when delimitation is affected it is apprehended that there may be a reduction in the existing representation to the House of the People. Therefore this Bill has been brought. I do not know how the Statement of Objects and Reasons puts the reason in such a veiled manner. There is absolutely no doubt that every year previous to independence and after independence the country's population has gone up and we never expect any census figures which would give a reduced population so far as the country or probably any of the States are concerned. This situation has arisen in the pre-

[Shri K. Chandra Sekharan].

vious decades and has also led to the work that the Delimitation Commission has undertaken on previous occasions. I do not know as to why at this particular moment this reason has been stressed as a necessary ground for increasing the membership of the Lok Sabha. I would only state that if this reason applies to the Lok Sabha, this ought to apply to the Rajya Sabha also. I do not know as to why on the same basis article 80 of the Constitution should not and could not be amended. The existing States will have a reduced representation so far as existing representation is concerned particularly after the census figures are known and there has been an increase in population in everyone of the States in the country. I therefore think that this amendment had been brought in a hasty way, in a haphazard manner without really looking into the structure of Parliament as a whole which consists of both Houses of Parliament. Sir, this amendment so far as it pertains to clauses 3 and 4 of the Bill refers to particularly the Scheduled Tribes in the State of Assam. At the time the Constitution was brought into force and later by an amendment after Nagaland had come into existence, the States of Assam and Nagaland were considered by and large as tribal States and therefore there was no question of any special representation so far as these States were concerned and therefore from the scope of articles 330 and 332 the States of Assam and Nagaland had been exempted.

Now, the State of Assam has been cut further and we today have the States of Meghalaya, Mizoram and Arunachal Pradesh. It is proposed to treat these three States also as essentially tribal areas and tribal States in the same manner as the Constitution had earlier treated Assam and subsequently Nagaland also. I welcome, this provision in the Bill, but at the

same time I would criticise the Government for bringing forward this Bill rather belatedly. It is some time now that the States of Meghalaya, Arunachal Pradesh and Mizoram have been constituted and the benefits of the amending provisions were not available to these States in the previous elections, but the fact remains that these States have got to be recognised as essentially tribal States and the amending Bill has done well at least at this late stage in granting that recognition which is only just and fair.

One other aspect arises out of clause 2 of the amending Bill. The structure of Lok Sabha consists of 500 Members elected from the States and 25 Members from the Union territories. The number 500 is going to be enhanced to 525 and the number 25 from the Union territories is going to be reduced to 20. The most extraordinary and astounding reason has been given for this reduction. Even though the Constitution had originally provided for 25 from the Union territories, there is only a membership of 16 actually available from the Union territories. That alone has been provided for in practice. Therefore, from the existing membership of 16, actually it is going to be enhanced by 4 to 20. I submit that it was wrong on the part of Government not to have allowed them the full representation of 25 and now it is being reduced to 20. I submit that this is a most undemocratic act. So far as the Union territories are concerned, there are no Legislative Assemblies, there are no Chief Ministers and Ministers functioning. Different set-ups are available in different Union territories. A quasi-democratic process alone is available in most of these Union territories. I would, therefore, submit that the democratic voice of the Union territories, the voice of the people of the Union territories can be expressed only through the Houses of Parliament and particularly through Lok Sabha, where there is represen-

tation available to them. Far from enhancing such representation, the Government has done very badly in going to reduce the representation so far as Union territories are concerned.

There is only one other aspect and I am closing and that is the aspect of constitutional amendments as a whole. Every constitutional amendment that we have been passing in this House had been challenged either in one of the High Courts in the country or in the Supreme Court. A number of very important constitutional amendments that we had passed, from the 24th to the 29th, had all been challenged in the Supreme Court and a judgment *at* the Supreme Court Judges has been delivered for the first time in the history of the Supreme Court. There is no judgement of the Supreme Court, but only judgments of the Supreme Court Judges. It is up to the Government will come but now is the time to recent judgements of several Supreme Court Judges and see to it that the power of Parliament to amend any provision of the Constitution and the non-availability of power to the Judges of the Supreme Court and the High Courts to strike down any such power so far as Parliament is concerned should be protected and maintained. For that purpose, necessary amendments might again have to be brought forward so far as the Constitution is concerned.

I submit that 25 years of the working of the Constitution has shown very many defects. The Constitution, by and large, is a lawyer-made Constitution. I have absolutely no objection, as a lawyer myself, for a Constitution being drafted by lawyers. But a Constitution being drafted by lawyers many of whom had no touch with the people, many of whom had been in their offices only and had not known the people's problems, is one which is away from the people, and I would tell the Government that the

sooner the Government embarks upon a general revision of all the provisions of the Constitution, the better it would be for the Constitution and the country.

Sir, on one or two occasions, in 1970 and 1971, the Supreme Court has spoken and stated that there are judicial powers vested in the President of India. There are powers vested in him to be exercised independently of the Council of Ministers. ~Sir, if there are any such powers as the Supreme Court has pointed out, those powers which are contained in the articles of the Constitution are—I would call—absolutely undemocratic. The powers should be vested in the people, the power should be vested in the Council of Ministers whether at the Centre or in the States. The Governor and the President cannot be vested with any power independent of the State Council of Ministers or the Central Council of Ministers. And I would entreat the Government to see to it that such powers are stripped so far as the President and the Governors are concerned, and the articles of the Constitution amended so that the power vests in Parliament and an office which is responsible to Parliament.

श्री भूपेन्द्र नारायण मण्डल (बिहार) :

उपसभापति जी, श्री चन्द्रशेखर जी ने बोलते समय जो संविधान का संशोधन इधर हुआ है इसके पहले उसका भी जिक्र किया है और उन्होंने अपनी राय जाहिर की है कि पीपुल सावरन है, इसलिए पार्लियामेंट सावरन है। इसलिए कोई प्रतिबन्ध पार्लियामेंट के ऊपर नहीं होना चाहिये, इस तरह का विचार उन्होंने व्यक्त किया है। यह निश्चित बात है कि हिन्दुस्तान की जनता देश के स्वतन्त्र होने के बाद स्वतन्त्र है। लेकिन चूँकि जनता का भी स्वार्थ एक दूसरे से टकराता है, इसलिए ऐसी स्वार्थ की टक्कर में जो मैजोरिटी स्वार्थ है और जो माइनोरिटी

[श्री भूपेन्द्र नारायण मंडल]

स्वार्थ है, इन दोनों का समन्वय कैसे हो, इस बात पर भी विचार करने को जरूरत है। इसलिए जो हमारा संविधान है, उस संविधान में कुछ इस तरह का प्रावधान है जिसके जरिये स जो मैजोरिटी स्वार्थ है, वह स्वार्थ अगर नाजायज है तो वह रोका जाये। इसकी गुंजाइश हो सकती है, लेकिन चन्द्रशेखरन जो ने जो अभी कहा है, इसका मतलब यह है कि मैजोरिटी अपने स्वार्थ के लिए जो भी चाहे वह पार्लियामेंट में अपना बहुमत कायम करके कर ले सकता है, ऐसा मेरा विचार नहीं है।

जहां तक कि अभी जो संशोधन इस हाउस के सामने आया है, जो लोक सभा की कॉन्स्टिट्यूशन है, उसमें पहले जो संख्या थी 500 और जो बड़ा घर उत्तर पूर्व इलाके का जो रिप्रेजेंटेशन हुआ है, इसके बाद 5 से 6 हो गया था और यह भी हुआ था कि यह संविधान के मताधिक हुआ था। संविधान में एक प्रावजन है जिसका आर्टिकल चार कहता है कि थोड़ी बहुत गुंजाइश इस बात की भी है कि एडजस्ट करने के लिए कुछ सीटें क्वोट भी की जा सकती हैं और कुछ कम भी की जा सकती हैं। इस तरह की गुंजाइश हमारे संविधान में भी है आर्टिकल चार में।

उसके बाद फिर इधर भी जनगणना हुई है उसकी वजह से भी कुछ इस प्रकार विचार करने की जरूरत थी। उसके लिए भी प्राविजन हमारे संविधान में है। आर्टिकल 82 में उसका प्राविजन है। उन्हीं दो को सामने रख करके यह अमेंडमेंट लाया गया है। इस अमेंडमेंट के जरिये वहाँ पहले लोक सभा के लिये 500 की संख्या निश्चित थी उसको बढ़ा कर के अब 525 करने की बात हो रही है और जो युनियन टेरिटरीज की संख्या 25 रखी गई थी उसको घटा करके अब 20 करने की बात है। मैं चाहता हूँ कि संविधान में जो 500 जगहें लोक सभा के लिये थीं वे

फिक्स्ड जगहें रहें। वे जगहें फिक्स्ड रहें ऐसा मैं इसलिये चाहता हूँ कि लोक सभा की जो बेसिक कंपैसिटी है, उसकी दिक्कत होगी। दूसरे मैं यह इसलिये भी चाहता हूँ कि आज जो पांच सौ लोग चुन कर आते हैं; क्या उनमें से सभी लोगों को मन के मुताबिक बोलने का समय मिल जाता है। जितने आदमी अभी भी चुन कर आते हैं उनको बोलने का पूरा समय नहीं मिलता है, तो फिर और लोगों को इम्पोर्ट करने से क्या प्रतिफल निकलेगा। हम नहीं समझते हैं कि उससे कोई विशेष लाभ हो सकता है। जो देश की जनरल प्रॉब्लम है, वह जनरल प्रॉब्लम सभी के सामने है। पांच सौ सदस्यों के बाजय यदि 525 सदस्य भी पार्लियामेंट में आ जायेंगे ये तब भी उस प्रॉब्लम में कोई कमी व बेसी होने की बात नहीं है। जहां तक प्रॉब्लम के रिफ्लेक्शन की बात है, उसको यदि 500 आदमी रिफ्लेक्ट नहीं कर सकते तो 525 आदमी कैसे रिफ्लेक्ट कर सकेंगे, यह बात मेरी समझ में नहीं आती है। इसलिये मैं चाहता हूँ कि जो 500 जगहें हैं वे 525 जगहें न हों और उन्हीं जगहों में सारी संख्या बांट दी जाय। युनियन टेरिटरीज को जगह देनी हो तो उनको भी 500 के अन्दर दे दिया जाय और बाकी जगहों को दूसरे राज्यों में बांट दिया जाय।

जहां तक राज्यों के विशेष स्वार्थ की बात है उसको रिफ्लेक्ट करने के लिये राज्य सभा है। इसके लिये अगर राज्य सभा में बराबर प्रतिनिधित्व सभी राज्यों को मिलता रहे, तो मैं समझता हूँ कि यह अच्छा रहेगा। लेकिन इससे भी बढ़ कर जिस बात पर मैं जोर देना चाहता हूँ और जिस पर बराबर जोर देता आ रहा हूँ, वह यह है कि हिन्दुस्तान में प्रोपोर्शनल रिप्रेजेंटेशन होना चाहिये। इसके लिये बराबर आन्दोलन हुआ है, लेकिन सरकार इसके लिये तैयार नहीं हुई है। इसलिये मैं चाहता हूँ कि सरकार इस बात पर विचार करे कि देश के सब लोग क्या चाहते हैं और उसका प्रतिबिम्ब पार्लियामेंट के ऊपर में पड़े और उसके

लिये प्रोपोजेशनल रिप्रेजेंटेशन की जो बात है उस पर फिर से सरकार विचार करे, ऐसा मैं चाहता हूँ। अभी मेरे बोलने से पूर्व, दो एक स्पीकर पहले बी० के० डी० के एक सदस्य बोल रहे थे और उन्होंने अखबार का जिक्र किया। मैं तो कहता हूँ कि आज देश की राजनीति जिस ढंग की हो गयी है उस के लिये मुझे चिन्ता हाती है और मैं सोचता हूँ कि यह देश कहीं से कहीं जा रहा है। आज इस देश में जो सरकारी पार्टी है, जो शासन करने वाली पार्टी है वह कांग्रेस पार्टी है और कांग्रेस पार्टी का जो आर्गनाइजेशनल हैड है उसका जो स्टेटमेंट निकलता है, वह स्टेटमेंट ऐसा मानूँ नहीं पड़ता है कि किसी एक जिनेसरी के साथ दिया गया है। जो किसी दूसरे का एड्युज करने के लिये स्टेटमेंट देता है, अगर वह स्टेटमेंट देता जाता व्यक्ति किसी जिम्मेदारी की जगह पर है तो निश्चित तरीके पर उनको इस बात के लिये तैयार रहना चाहिये कि वह अपनी कही हुई बात को साबित कर सके। ऐसा होने पर ही उसे कहना चाहिए कि अमुक का दोष है या नहीं है। यह कह दिया गया कि अमुक पार्टी देशद्रोही है या देश के दुश्मन के साथ मिल कर अमुक पार्टी काम करती है। किसी दूसरी पार्टी को देश का दुश्मन बना देना इस तरह का जो गैर जिम्मेदारी का बक्तव्य कोई देना है, मैं समझता हूँ कि यह गैर-जिम्मेदारी की बात है। लेकिन आज देश में कुछ ऐसी हवा बह रही है कि जिस में यह सारी बातें संभव मानूँ पड़नी है। इस लिए मैं चाहता हूँ और इस हाउस के जरिये कंडम करना चाहता हूँ कि जो कुछ स्टेटमेंट अभी शर्पा जा का हुआ है वह निराधार है, झूठ है और गैर-जिम्मेदारी का वह एक स्टेटमेंट है। यह बात मैं इस हाउस में कह देना चाहता हूँ। उनको ऐसा स्टेटमेंट नहीं देना चाहिए। अपनी पार्टी की प्रतिभा को भी ठक रखने के लिये उन को ऐसा स्टेटमेंट नहीं देना चाहिए। एक जिम्मेदारी की जगह पर रह कर ऐसा कर के उन्होंने अपनी जगह का एड्युज किया है।

SHRI NITI RAJ SINGH CHAU-DHURY: Sir, at the outset. I will thank the hon. Members who have taken part in this debate and have generally supported the provisions of the Bill.

SHRI SASANKASEKHAR SAN-YAL (West Bengal): You should thank the others who have not taken part in the debate.

SHRI NITI RAJ SINGH CHAU-DHURY: I will thank in the end. Since Mr. Sanyal wants me to thank the others, now not in the end I will thank all those who have not taken part in the debate, for saving so much time of the House.

Among the points that have been raised, the first point was how this figure of 545 has been arrived at. Generally, Sir, it has been accepted that the representation of States to the Lok Sabha should not be reduced. If my hon. friends take the present representation from various States in the Lok Sabha and total it up, they will find that to maintain that, the minimum figure will be 525. That is, unless we fix the representation at 525, we cannot protect the present representation.

Mr. Chandrasekharan, while speaking, said that it is most undemocratic to propose to reduce the representation of Union Territories from 25 to 20. I may just bring it to his notice that some of the Union Territories have become States, like Himachal Pradesh, Tripura and Manipur. Since they have become States, the question of giving any representation to them as Union Territories does not arise. As a consequence, the number of seats allotted to the Union Territories is being proposed to be reduced.

Sir, some hon. Members have referred to other points. Some have suggested that the representation in the

[Shri Niti Raj Singh Chaudhury.] [MR.

CHAIRMAN *in the Chair*]

Lok Sabha should be related to the population—the more, the population, the more the representatives. Some hon. Members have said that it should not be related to population. The proposal before the House does not take into consideration the rise in population. If we take the rise in population and if we accept the suggestion of Mr. Bhupesh Gupta that there should be a representative for every seven lakhs of persons, then we shall be required at present to have 800 persons in the Lok Sabha. And if the forecast given by the Registrar-General of Census is correct, in the year 1991 the total number of representatives in the Lok Sabha will be 1,000 and 20 years later, that is, by 2011, it will be 1,200 and odd. I only leave it to the hon. Members to consider whether this is a feasible proposition. I would not like to say anything myself. (*Interruption*) 3 P.M. Then some honourable Members referred to matters which directly do not relate to the Bill, but they relate to elections, election expenses, methods of election and certain other matters. I will take all of them serially. First reference was made to the mixing of votes and counting them. Some Members said that this is not a fair practice, persons must know for whom they have voted. When they say secrecy of voting should be maintained, I do not understand how this demand can be made. It is our experience that in voting a lot of intimidation, coercion and compulsion was being exercised in certain sections. By this method of mixing votes of all the polling stations and then counting them, this fear of intimidation, coercion, etc. is minimised and the people can now vote absolutely freely because nobody can know for whom they have voted. Then, it was said that the method, the present method, of taking signatures on the counterfoil is not proper,

that is against the secrecy of voting. Originally the number of the ballot paper was recorded on the voters' list. Many persons were coming to vote in the names of others. The question was how to eliminate this. As a measure it was thought that if signatures are taken on the counterfoil, genuine voters will come to vote. Experience is that this has worked, and complaints of bogus voters were minimised and there is no fear of anybody knowing for whom one has voted, because this counterfoil is sealed and it is not reopened even when recounting is done. When recounting is done, it is only the ballot papers that are re-opened, and recounting is done only on court's order. Therefore, the fear that by taking signatures or thumb impression on the counterfoil it would be known as to for whom one has voted, is misplaced. Then it was said that the Government should provide amenities to political parties which are doing their political work, propaganda and other things. All these matters, if I may remind the House: were before the Joint Committee of this House and the Lok Sabha, which was dealing with the Representation of People Bill. All these aspects, the proportional representation and all these matters were considered by that Committee and that Committee has given its report which was laid long back on the Table of this House and of the other House. All these matters are under consideration of the Government and I am sure the Government would take a decision soon and a Bill will be introduced either in this House or in the other House and would be discussed by both Houses. And certain other Members suggested that this is a hasty decision and that this Bill should have waited. May I draw your attention to Articles 81 and 82 of the Constitution? If they just read those Articles they will find that it was necessary for the Government to introduce this Bill. The introduction of this Bill could not be delayed and therefore it was wrong to say that this is a

hasty decision. Sir, I have missed to mention about Shri Bhupesh Gupta's point that the voting age should be reduced to 18. This matter was also before the Joint Committee which was considering the Representation of the People Bill, and that Joint Committee discussed this matter in detail and has given its opinion. As I submitted, it is before the Government for consideration. One point more. It was said that the Delimitation in the country should be done as a whole. The Delimitation Commission that has been appointed will do the delimitation of the Parliamentary constituencies of the entire country and not in a particular area. It will be going into the delimitation of the constituencies of all the States and Union Territories. They will not do it simultaneously, but will do it one after the other. They have begun their work. As soon as this Bill is passed and is ratified by the States, they will start their work in right earnest and complete it as quickly as possible. With these words I request the House to adopt this Bill unanimously.

MR. CHAIRMAN: The question is:

"That the Bill further to amend the Constitution of India, as passed by the Lok Sabha, be taken into consideration."

The House divided.

MR. CHAIRMAN: Ayes—149:
Noes—Nil.

AYES—149

Abid, Shri Qasim Ali
Abu Abraham, Shri
Ahmad, Dr. Z. A.
Alva, Shri Joachim
Amat, Shri Debananda
Anandan, Shri T. V.
Arif, Shri Mohammed Usman
Aziza Imam, Shrimati
Basar, Shri Todak
Berwa, Shri Jamna Lai
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kishore

Bisi, Shri P. N.
Bobdey, Shri S. B.
Buragohai'n, Shri Nabin Chandra
Chakrabarti, Dr R. K.
Chandra Shekhar, Shri
Chandrasekharan, Shri K.
Chattopadhyaya, Prof. Debiprasad
Chaudhari, Shri N. P.
Chettri, Shri K. B.
Chinai, Shri Babubhai M.
Chowdhri, Shri A. S.
Daphtary, Shri C. K.
Das, Shri Balram
Rao, Shri Bipinpal
Dass, Shri Mahabir
Dhar, Shri D. P.
Dikshit, Shri Umashankar
Gadgil, Shri Vitthal
Ganguli, Shri Salil Kumar
Goray, Shri N. G.
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hathi, Shri Jaisukhlal
Himmat Singh, Shri
Hussain, Shri Syed
Jahanara Jaipai Singh, Shrimati
Jairamdas Daulatram, Shri
Jha, Shri Kamalnath
Joseph, Shri N.
Joshi, Shri Umashankar
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kapur, Shri Yashpal
Kaul, Shri B. K.
Kemparaj, Shri B. T.
Kesri, Shri Sitaram
Khan, Shri Maqsood Ali
Kollur, Shri M. L.
Krishan Kant, Shri
Krishna, Shri M. R.
Krishnan, Shri N. K.
Kulkarni, Shri A. G.
Kulkarni, Shri B. T.
Kunjachen, Shri P. K.
Lakshmi Kumari Chaundawat, Shri-
mati
Lalbuaia, Shri
Mahida, Shri U. N.
Majhi, Shri C. P.
Makwana, Shri Y. M.
Malaviya, Shri Harsh Deo
Mali, Shri Ganesh Lal
Maragatham Chandrasekhar, Shrimati
Mathur, Shri Jagdish Prasad
Mehta, Shri Om
Misra, Shri Lokanath

[Mr. Chairman.]

Mukherjee, Shri Kali
Mukherjee, Shri Pranab
Mulla, Shri A. N.
Munda, Shri B. E.
Murahari, Shri Godey
Murthy, Shri B. P. Nagaraja
Narasiah, Shri H. S.
Narayani Devi Manaklal Varma, Shri-

mati
Nawal Kishore, Shri
Nurul Hasan, Prof. S.
Oberoi, Shri M. S.
Pai, Shri T. A.
Panda, Shri Brahmananda
Panda, Shri K. C.
Parashar, Shri V. R.
Patel, Shri Dahyabhai V.
Patel, Shri Sunda, Mani
Patil, Shri G. R.
Patil, Shri P. S.
Patil, Shri Veerendra
Pawar, Shri D. Y.

Poddar, Shri R. K.
Prasad, Shri Bhola
Prasad, Shri K. L. N.
Pratibha Singh, Shrimati
Prem Manohar, Shri
Punnaiah Shri Kota
Purabi Mukhopadhyay, Shrimati
Puri, Shri D. D.
Raha, Shri Sanat Kumar
Raju, Shri V. B.
Ramaswamy, Shri K. S.
Rathnabai Sreenivasa Rao, Shrimati
Reddi, Shri Fapi
Reddy, Shri Gaddam Narayana
Reddy, Shri K. V. Raghunatha
Reddy, Shri M. Srinivasa
Refaye, Shri A. K.
Roshan Lai, Shri
Roy, Shri Kalyan
Sangma, Shri E. M.
Sanyal, Shri Sasankasekhar
Saraswati Pradhan, Shrimati
Sardar Aimjad Ali, Shri
Sardesai, Shri S. G.
Savita Behen, Shrimati
Sen Gupta, Shri Dwijendralal
Seyid Muhammad, Dr. V. A.
Shah, Shri Manubhai
Sharma, Shri Yogendra
Shastri, Shri Bhola Paswan
Shilla, Shri Showaless K.
Shukla, Shri M. P.
Singh, Shri Bhupinder
• Singh, Shri Bindeshwari Prasad

Singh, Shri D. P.
Singh, Shri Mohan
Singh, Shri Sulta,
Singh, Shri T. N.
Singh, Shri Triloki
Sinha, Shri Awadheshwar Prasad
Sinha, Shri Ganga Sharan
Sisodia, Shri Sawaisingh
Sita Devi, Shrimati
Sivaprakasam, Shri S.
Srinivasan, Shri T. K.
Sukhdev Prasad, Shri
Sumitra G. Kulkarni, Shrimati
Sushila Shankar Adivarekar, Shrimati
Thakur, Shri Gunanand
Tilak, Shri J. S.
Tiwari, Shri Shankarlal
Tiwary, Pt. Bhawaniprasad
Trivedi, Shri H. M.
Tyagi, Shri O. P.
Venigalla Satyanarayana, Shri
Vidyawati Chaturvedi, Shrimati
Vyas, Dr. M. R.
Wajd, Shri Sikandar Ali
Yadav, Shri Shyam Lai

NOES—Nil

The motion was 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.

MR. CHAIRMAN: We shall now take up the clause by clause consideration of the Bill.

Clause 2—Amendment of article 81

MR. CHAIRMAN: The question is:

"That clause 2 stand part of the Bill."

The House divided.

MR. CHAIRMAN: Ayes—147;

Noes—Nil.

AYES-147

Abid, Shri Qasim Ali
Abu Abraham, Shri
Ahmad, Dr. Z. A.
Alva, Shri Joachim
Amat, Shri Debananda
Anandan, Shri T. V.
Arif, Shri Mohammed Usman

Aziza Imam, Shrimati
 Basar, Shri Todak
 Berwa, Shri Jamna Lai
 Bhagwati, Shri B. C.
 Bhardwaj,, Shri Jagan Nath
 Bhatt, Shri Nand Kishore
 Bisi, Shri P. N.
 Bobdey, Shri S. B.
 Buragohain, Shri Nabin Chandra
 Chakrabarti, Dr R. K.
 Chandra Shekhar, Shri
 Chandrasekharan, Shri K.
 Chattopadhyaya, Prof. Debiprasad
 Chaudhari, Shri N. P.
 Chettri, Shri K. B.
 Chinai, Shri Babubhai M.
 Chowdhri, Shri A. S.
 Daphtary, Shri C. K.
 Das, Shri Balram
 Das, Shri Bipinpal
 Dass, Shri Mahabir
 Dhar, Shri D P.
 Dikshit Shri Umashankar
 Gujral, Shri I. K.
 Gadgil, Shri Vithal
 Ganguli, Shri Salil Kumar
 Goray, Shri N. G.
 Gujral, Shri I. K.
 Gupta, Shri Bhupesh
 Hathi, Shri Jaisukhlal
 Himmat Singh, Shri
 Hussain, Shri Syed
 Jagorlemindi, Shri Chandramunlu
 Jahanara Jaipal Singh, Shrimati
 Jairamdas Daulatram, Shri
 Jha, Shri Kamalnath
 Joseph, Shri N.
 Joshi, Shri Umashanker
 Kalaniya, Shri Ibrahim
 Kalyan Chand, Shri
 Kapur, Shri Yashpal
 Kaul, Shri B. K.
 Kemparaj, Shri B. T.
 Kesri, Shri Sitaram
 Khan, Shri Maqsood Ali
 Kollur, Shri M. L.
 Krishan Kant, Shri
 Krishna, Shri M. R.
 Krishnan, Shri N. K.
 Kulkarni, Shri A. G.
 Kulkarni, Shri B. T.
 Lakshmi Kumari Chundawat, Shri'
 mati
 Lalbuaia, Shri Mahida,
 Shri U. N.
 Majhi, Shri C. P.
 Makwana, Shri Y. M.

Malaviya, Shri Harsh Deo
 Mali, Shri Ganesh Lai
 Maragatham Chandrasekhar, Shrimati
 Mehta, Shri Om
 Misra Shri Lokanath
 Mukherjee, Shri Kali
 Mukherjee, Shri Pranab
 Mulla, Shri A. N.
 Munda, Shri B. R.
 Murahari, Shri Godey
 Murthy, Shri B. P. Nagaraja
 Narasiah, Shri H. S.
 Narayani Devi Manaklal Varma, Shri-
 mati
 Nawal Kishore, Shri
 Nurul Hasan, Prof. S.
 Oberoi, Shri M. S.
 Pai, Shri T. A.
 Panda, Shri Brahmananda
 Panda, Shri K. C.
 Parashar, Shri V. R.
 Patel, Shri Dahyabhai V.
 Patel, Shri Sunda, Mani
 Patil, Shri G. R.
 Patil, Shri P. S.
 Patil, Shri Veerendra
 Pawar, Shri D. Y.
 Poddar, Shri R. K.
 Prasad, Shri Bhola
 Prasad, Shri K. L. N.
 Pratibha Singh, Shrimati
 Prem Manohar, Shri
 Punnaiah, Shri Kota
 Purabi Mukhopadhyay, Shrimati
 Puri, Shri D. D.
 Raha, Shri Sanat Kumar
 Raju, Shri V. B.
 Ramaswamy, Shri K. S.
 Rathnabai Sreenivasa Rao, Shrimati
 Reddi, Shri Papi
 Reddy, Shri Gaddam Narayana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri M. Srinivasa
 Refaye, Shri A. K.
 Roshan Lai, Shri
 Roy, Shri Kalyan
 Sangma, Shri E. M.
 Sanyal, Shri Sasankasekhar
 Saraswati Pradhan, Shrimati
 Sardar Alnjad Ali, Shri
 Sardesai, Shri S. G.
 Savita Behen, Shrimati
 Sen Gupta, Shri Dwijendralal
 Seyid Muhammad, Dr. V. A.
 Shah, Shri Manubhai
 I Sharma, Shri Yogendra

[Mr. Chairman.]
Shastri, Shri Bhola Paswan
Shilla, Shri Showaless K.
Shukla, Shri M. P.
Singh, Shri Bhupinder
Singh, Shri Bindeshwari Prasad
Singh, Shri D. p.
Singh, Shri Mohan
Singh, Shri Ranbir
Singh, Shri Sultan
Singh, Shri T. N.
Singh, Shri Triloki
Sinha, Shri Awadheshwar Prasad
Sinha, Shri Ganga Sharan
Sisodia, Shri Sawaisingh
Sita Devi, Shrimati
Sivaprakasam, Shri S.
Srinivasan, Shri T. K.
Sukhldev Prasad, Shri
Sumitra G. Kulkarni, Shrimati
Sushila Shankar Advarekar, Shrimati
Thakur, Shri Gunanand
Tilak, Shri J. S.
Tiwari, Shri Shankarlal
Tiwari, Pt. Bhawa'niprasad
Trivedi, Shri H. M.
Venigalla Satyanarayana, Shri
Vidyawati Chaturvedi, Shrimati
Vyas, Dr. M. R.
Wajd, Shri Sikandar Ali
Yadav, Shri Shyam Lai

NOES—Nil.

The motion was carried by a majority of the total member ship of the House and by a majority of not less than two-thirds of the Members present and voting.

Clause 2 was added to the Bill.

Clause 3—*Amendment of Article 330*

MR. CHAIRMAN: The question is:

"That clause 3 stand part of the Bill".

The House divided. MR. CHAIRMAN:
Ayes—149: Noes —Nil.

AYES—149

Abid, Shri Qasim Ali
Abu Abraham, Shri
Ahmad, Dr. Z. A.
Alva, Shri Joachim

Atmat, Shri Debananda

Anandan, Shri T. V.
Arif, Shri Mohammed Usman
Aziza Imam, Shrimati
Basar, Shri Todak
Berwa, Shri Jamna Lai
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kiahore
Bisi, Shri P. N.
Bobdey, Shri S. B.
Buragohain, Shri Nabin Chandra
Chakrabarti, Dr R. K.
Chandra Shekhar, Shri
Chandrasekharan, Shri K.
Chattopadhyaya, Prof. Debiprasad
Chaudhari, Shri N. P.
Chhetri, Shri K. B.
Chinai, Shri Babubhai M.
Chowdhri, Shri A. S.
Daphtary, Shri C. K.
Das, Shri Balram
Das, Shri Bipinpal
Dass, Shri Mahabir
Dhar, Shri D. P.
Dikshit, Shri Umashankar
Gadgil, Shri Vithal
Ganguli, Shri Salil Kumar
Goray, Shri N. G.
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hathi, Shri Jaisukhlal
Himmat Singh, Shri
Hussain, Shri Syed
Jagarlamudi, Shri Chandramouli
Jahanara Jaipal Singh, Shrimati
Jairamdag Daulatram, Shri
Jha, Shri Kamalnath
Joseph, Shri N
Joshi, Shri Umashanker
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kapur, Shri Yashpal
Kaul, Shri B. K.
Kemparaj, Shri B. T.
Kesri, Shri Sitaram
Khan, Shri Maqsood Ali
Kollur, Shri M. L.
Krishan Kant, Shri
Krishna, Shri M. R.
Krishnan Shri N. K.
Kulkarni, Shri A. G.
Kulkarni, Shri B. T.
Kunjachen, Shri P. K.
Lakshmi Kumari Chundawat, Shri-
mati

Lalbuaia, Shri
Mahida, Shri U. N.
Majhi, Shri C. P.
Makwana, Shri Y. M.
Malaviya, Shri Harsh Deo
Mali, Shri Ganesh Lai
Maragatham Chandrasekhar, Shrimati
Malhin, Shri Jagdish Prasad.
Melhta, Shri Om
Misra Shri Lokanath
Mukherjee, Shri Kali

Mukherjee, Shri Pranab
Mulla, Shri A. N.
Munda, Shri B. R.
Murahari, Shri Godey
Murthy, Shri B. P. Nagaraja
Narasiah, Shri H. S.
Narayani Devi Manaklal Varma Shri-
mati
Nawal Kishore, Shri
Nurul Hasan, Prof. S.
Oberoi, Shri M. S.
Pai, Shri T. A.
Panda, Shri Brahmananda
Panda, Shri K. C.
Parashar, Shri V. R.
Patel, Shri Dahyabhai V.
Patel, Shri Sunda, Mani
Patil, Shri G. R.
Patil, Shri P. S.
Patil, Shri Veerendra
Pawar, Shri D. Y.
Poddar, Shri R. K.
Prasad, Shri Bhola
Prasad, Shri K. L. N.
Pratibha Singh, Shrimati
Prem Manohar, Shri
Punnaiah, Shri Kotah
Purabi Mukhonadhyay, Shrimati
Puri, Shri D. D.
Raha, Shri Sanat Kumar
Raju, Shri V. B.
Ramaswamy, Shri K. S.
Rathnabai Sreenivasa Rao, Shrimati
Reddi, Shri Fapi
Reddy, Shri Gaddam Narayana
Reddy, Shri K. V. Raghunatha
Reddy, Shri M. Srinivasa
Refaye, Shri A. K.
Roshan Lai, Shri
Roy, Shri Kalyan
Sangma, Shri E. M.
Sanyal, Shri Sasankasekhar
Saraswati Pradhan, Shrimati
Sardar Amjad Ali, Shri
Sardesai, Shri S. G.
Behen, Shrimati

| Savita

Sen Gupta, Shri Dwijendralal
Seyid Muhammad, Dr. V. A.
Shah, Shri Manubhai
Sharma, Shri Yogendra
Shastri, Shri Bhola Paswan Shilla,
Shri Showaless K.
Shukla, Shri M. P.
Singh, Shri Bhupinder
Singh, Shri Bindeshwari Prasad
Singh, Shri D. P.
Singh, Shri Mohan
Singh, Shri Ranbir
Singh, Shri Sulta
Singh, Shri T. N.
Singh, Shri Triloki
Sinha, Shri Awadheshwar Prasad
Sinha, Shri Ganga Sharan
Sisodia, Shri Sawaisingh
Sita Devi, Shrimati
Sivaprakasam, Shri S.
Srinivasan, Shri T. K.
SuWhdev Prasad, Shri
Sumitra G. Kulkarni, Shrimati
Sushila Shankar Adivarekar, Shrimati
Thakur, Shri Gunanand
Tilak, Shri J. S.
Tiwari, Shri Shankarlal
Tiwary, Pt. Bhawanipra9ad
Trivedi, Shri H. M.
Venigalla Satyanarayana, Shri
Vidyawati Chaturvedi, Shrimati
Vyas, Dr. M. R.
Wajd, Shri Sikandar Ali
Yadav, Shri Shyam Lai

NOES—Nil

The motion was 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.

Clause 3 was added to the Bill. Clause 4—
Amendment of Article 332

MR. CHAIRMAN The question is: "That
clause 4 stand part of the
Bill."

The House divided.

MR. CHAIRMAN: Ayes—148: Noes —
Nil.

t ^J .

II

AYES—148

Abid, Shri Qasim Ali
Abu Abraham, Shri
Ahmad, Dr. Z. A.

[Mr. Chairman.]

Alva, Shri Joachim
 Amat, Shri Debananda
 Anandan, Shri T. V.
 Arif, Shri Mohammed Usman
 Aziza Imam, Shrimati
 Basar, Shri Todak
 Berwa, Shri Ja*mnai Lai
 Bhagwati, Shri B. C.
 Bhardwaj, Shri Jagan Nath
 Bhatt, Shri Nand Kishore
 Bisi, Shri P. N.
 Bobdey, Shri S. B.
 Buragolhain, Shri Nabin Chandra
 Chakrabarti, Dr. R. K.
 Chandra Shekhar, Shri
 Chandrasekharan, Shri K.
 Chattopadhyaya, Prof. Debiprasad
 Chaudhari, Shri N. P.
 Chaudhury, Shri Ganeshi Lai
 Chettri, Shri K. B.
 Chinai, Shri Babubhai M.
 Chowdhri, Shri A. S.
 Daphtary, Shri C. K.
 Das, Shri Balram
 Das, Shri Bipinpal
 Dass, Shri Mahabir
 Dhar, Shri D P.
 Dikshit, Shri Umashankar
 Gadgil, Shri Vithal
 Ganguli, Shri Salil Kumar
 Goray, Shri N. G.
 Gujral, Shri I. K.
 Gupta, Shri Bhupesh
 Hathi, Shri Jaisukhlal
 Himmat Singh, Shri
 Hussain, Shri Syed
 Jagarlamudi, Shri Chandramouli
 Jahanara Jaipal Singh, Shrimati
 Jairamdas Daulatram, Shri
 Jha, Shri Kamalnath
 Joseph, Shri N.
 Joshi, Shri Umashanker
 Kalaniya, Shri Ibrahim
 Kalyan Chand, Shri
 Kapur, Shri Yashpal
 Kaul, Shri B. K.
 Kemparaj, Shri B. T.
 Kesri, Shri Sitaram
 Khan, Shri Maqsood Ali
 Kollur, Shri M. L.
 Krishan Kant, Shri
 Krishna, Shri M. R.
 Krishnan, Shri N. K.

Kulkarni, Shri B. T.

Kunjachen, Shri P. K.

" ■■/➤

Lakshmi Kumari Chundawat, Shri-
 mati
 Lalbuaia, Shri
 Mahida, Shri U. N.
 Majhi, Shri C. P.
 Makwana, Shri Y. M.
 Malaviya, Shri Harsh Deo
 Mali, Shri Ganesh Lai
 Maragatham Chandrasekhar, Shrimati
 Mathur, Shri Jagdish Prasad
 Mehta, Shri Om
 Misra, Shri Lokanath
 Mukherjee, Shri Kali
 Mukherjee, Shri Pranab
 Mulla, Shri A. N.
 Munda, Shri B. R.
 Murahari, Shri Godey
 Murthy, Shri B. P. Nagaraja
 Narasiah, Shri H. S.
 Narayani Devi Manaklal Varaia, Shri-
 mati
 Nawal Kishore, Shri
 Nurul Hasan, Prof. S.
 Pai, Shri T. A.
 Panda, Shri Brahmananda
 Panda, Shri K C.
 Parashar, Shri V. R.
 Patel, Shri Dahyabhai V.
 Patel, Shri Sunda, Mani
 Patil, Shri G. R.
 Patil, Shri P. S.
 Patil, Shri Veerendra
 Pawar, Shri D. Y.
 Poddar, Shri R. K.
 Prasad, Shri Bhola
 Prasad, Shri K L. N.
 Pratibha Singh, Shrimati
 Prem Manohar, Shri
 Punnaiah, Shri Kota
 Purabi Mukhopadhyay, Shrimati
 Puri, Shri D. D.
 Raha, Shri Sanat Kumar
 Raju, Shri V. B.
 Ramaswamy, Shri K. S.
 Rathnabai Sreenivasa Rao, Shrimati
 Reddi, Shri Papi
 Reddy, Shri Gaddam Narayana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri M. Srinivasa
 Refaye, Shri A. K.
 Roshan Lai, Shri
 Roy, Shri Kalyan
 Sangma, Shri E. M.
 Sanyal, Shri Sasankasekhar
 Saraswati Pradhan, Shrimati
 Sardar Atejad Ali, Shri

Sardesai, Shri S. G.
Savita Behen, Shrimati
Sen Gupta, Shri Dwijendralal
Seyid Muhammad, Dr. V. A.
Sharma, Shri Yogendra
Shastri, Shri Bhola Paswan
Shilla, Shri Showaless K.
Shukla, Shri M. P.
Singh, Shri Bhupinder
Singh, Shri Bindeshwari Prasad
Singh, Shri D. P.
Singh, Shri Mohan
Singh, Shri Ranbir
Singh, Shri Sulta_n
Singh, Shri T. N.
Singh, Shri Triloki
Sinha, Shri Awadheshwar Prasad
Sinha, Shri Ganga Sharan
Sisodia, Shri Sawaisingh
Sita Devi, Shrimati
Sivaprakasam, Shri S.
Srinivasan, Shri T. K.
Sukhdev Prasad, Shri
Sumitra G. Kulkarni, Shrimati
Sushila Shankar Adivarekar, Shrimati
Thakur, Shri Gunanand
Tilak, Shri J. S.
Tiware, Shri Shankarlal
Tiwarey, Pt. Bhawaniprasad
Trivedi, Shri H. M.
Vyas, Dr. M. R.
Venigalla Satyanarayana, Shri
Vidyawati Chaturvedi, Shrimati
Vyas, Dr. M. R.
Wajid, Shri Sikandar Ali
Yadav, Shri Shyam Lai

NOES—Nil.

The motion was 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.

Clause 1, the Enacting Formula and Clause 1, the Enacting Formula and Title

MR. CHAIRMAN: The question is:

"That clause 1, the Enacting Formula and the Title stand part of the Bill." *The House divided.*

MR. CHAIRMAN: Ayes—149; Noes -Nil.

AYES—149

Abid, Shri Qasim Ali
Abu Abraham, Shri
Ahmad, Dr. Z. A.
Alva, Shri Joachim
Arnat, Shri Debananda
Anandan, Shri T. V.
Arif, Shri Mohammed Usman
Aziza Imam, Shrimati
Baser, Shri Todak
Berwa, Shri Ja-mna Lai
Bhagwati, Shri B. C.
Bhardwaj, Shri Jagan Nath
Bhatt, Shri Nand Kishore
Bisi, Shri P. N.
Bobdey, Shri S. B.
Buragohain, Shri Nabin Chandra
Chakrabarti, Dr R. K.
Chandra Shekhar, Shri
Chandrasekharan, Shri K.
Chattopadhyaya, Prof. Debiprasab!
Chaudhari, Shri N. P.
Chettri, Shri K. B.
Chinai, Shri Babubhai M.
Chowdhri, Shri A. S.
Daphtary, Shri C. K.
Das, Shri Balram
Das, Shri Bipinpal
Dass, Shri Mahabir
Dhar, Shri D. P.
Dikshit, Shri Umashankar
Gadgil, Shri Vithal
Ganguli, Shri Salil Kumar
Goray, Shri N. G.
Gujral, Shri I. K.
Gupta, Shri Bhupesh
Hathi, Shri Jaisukhlal
Himmat Sinh, Shri
Hussain, Shri Syed
Jagarlamudi, Shri Chandramoulj
Jahanara Jaipal Singh, Shrimati
Jairamdas Daulatram, Shri
Jha, Shri Kamalnath
Joseph, Shri N
Joshi, Shri Umashanker
Kalaniya, Shri Ibrahim
Kalyan Chand, Shri
Kapur, Shri Yashpal
Kaui Shri B. K.
Kemparaj, Shri B. T.
Kesri, Shri Sitaram
Khan, Shri Maqsood Ali
Kollur, Shri M. L.
Krishan Kant, Shri
1 Krishna, Shri M. R.
i Krishnan, Shri N. K.

[Mr. Chairman.]
Kulkarni, Shri A. G.
Kulkarni, Shri B. T.
Kunjachen, Shri P. K.
Lakshmi Kumari Chundawat, Shri-
Tnati
Lalbuaia, Shri
Mahida, Shri U. N.
Majhi, Shri C. P.
Makwana, Shri Y. M.
Malaviya, Shri Harsh Deo
Mali, Shri Ganesh Lai
Maragatham Chandrasekhar, Shrimati
Mathur, Shri Jagdish Prasad
Mehta, Shri Om
Misra, Shri Lokanath
Mukherjee, Shri Kali
Mukherjee, Shri Pranah
Mulla, Shri A. N.
Mulla, Shri A. N.
Murahari, Shri Godey
Murthy, Shri B. P. Nagaraja
Narasinh, Shri H. S.
Narayani Devi Manaklal Varma, Shri-
mati
Nawal Kishore, Shri
Nurul Hasan, Prof. S.
Oberoi, Shri M. S.
Pai, Shri T. A.
Panda, Shri Brahmananda
Panda, Shri K. C.
Parashar, Shri V. R.
Patel, Shri Dahyabhai V.
Patel, Shri Sundar Mani
Patil, Shri G. R.
Patil, Shri P. S.
Patil, Shri Veerendra
Pawar, Shri D. Y.
Poddar, Shri R. K.
Prasad, Shri Bhola
Prasad, Shri K. L. N.
Pratibha Singh, Shrimati
Prem Manohar, Shri
Punnaiah, Shri Kota
Purabi Mukhopadhyay, Shrimati
Puri, Shri D. D.
Raha, Shri Sanat Kumar
Raju, Shri V. B.
Ramaswamy, Shri K. S.
Rathnabai Sreenivasa Rao, Shrimati
iteddi, Shri Papi
Seddy, Shri Gaddam Narayana
teddy, Shri K. V. Raghunatha
teddy, Shri M. Srinivasa
tefaye, Shri A. K.
toshan Lai, Shri
fy, Shri Kalyan

Sangma, Shri E. M.
Sanyal, Shri Sasankasekhar
Saraswati Pradhan, Shrimati
Sardar Aim j ad AH, Shri
Sardesai, Shri S. G.
Savita Behen, Shrimati
Sen Gupta, Shri Dwijendralal
Seyid Muhammad, Dr. V. A.
Shah, Shri Manubhai
Sharma, Shri Yogendra
Shastri, Shri Bhola Paswan
Shilla, Shri Showaless K.
Shukla, Shri M. P.
Singh, Shri Bhupinder
Singh, Shri Bindeshwari Prasad
Singh, Shri D. P.
Singh, Shri Mohan
Singh, Shri Ranbir
Singh, Shri Sultan
Singh, Shri T. N.
Singh, Shri Triloki
Sinha, Shri Awadheshwar Prasad
Sinha, Shri Gang, Sharan
Sisodia, Shri Sawaisingh
Sita Devi, Shrimati
Sivaprakasam, Shri S.
Srinivasan, Shri T. K.
Sukhdev Prasad, Shri
Sumitra G. Kulkarni, Shrimati
Sushila Shankar Adivarekar, Shrimati
Thakur, Shri Gunanand
Tilak, Shri J. S.
Tiwari, Shri Shankarlal
Tiwary, Pt. Bhawaniprasad
Trivedi, Shri H. M.
Venigalla Satyanarayana, Shri
Vidyawati Chaturvedi, Shrimati
Vyas, Dr. M. R.
Wajd, Shri Sikandar Ali
Yadav, Shri Shyam Lai

NOES—Nil.

The motion was 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.

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

SHRI NITI RAJ SINGH CHAU-DHURY:
Sir, I move:

MR. CHAIRMAN; The question is:

The House divided.

MR. CHAIRMAN: Ayes—154; Noes -Nil.

AYES—154

Abid, Shri Qasim Ali

Abu Abraham, Shri

Ahmad, Dr. Z. A.

Alva, Shri Joachim

Amat, Shri Debananda Amla,

Shri Tirath Ram Anandan,

Shri T. V.

Arif, Shri Mohammed Usman

Aziza Imam, Shrimati

Banarsi Das, Shri

Basar, Shri Todak

Berwa, Shri Jamna Lai

Bhagwati, Shri B. C.

Bhardwaj, Shri Jagan Nath

Bhatt, Shri Nand Kishore

Bisi, Shri P. N.

Bobdey, Shri S. B.

Buragohain, Shri Nabin Chandra

Chakrabarti, Dr R. K.

Chandra Shekhar, Shri

Chandrasekharan, Shri K.

Chattopadhyaya, Prof. Debiprasad

Chaudhari, Shri N. P.

Chettri, Shri K. B.

Chinai, Shri Babubhai M.

Chowdhri, Shri A. S.

Daphtary, Shri C. K.

Das, Shri Balram

Das, Shri Bipinpal

Dass, Shri Mahabir

Deshmukh, Shri T. G.

Dhar, Shri D. P.

Dikshit, Shri Umashankar

Gadgil, Shri Vithal

Ganguli, Shri Salil Kumar

Goray, Shri N. G.

Gujral, Shri I. K. Gupta,

Shri Bhupesh

Hathi, Shri Jaisukhlal

Himmat Singh, Shri

Hussain, Shri Syed

Jahanara Jaipal Singh, Shrimati

Jairamdas Daulatram, Shri Jha,

Shri Kamalnath

Joseph, Shri N.

Joshi, Shri Umashanker

Kalaniya, Shri Ibrahim

Kalyan Chatid, Shri Kapur,

Shri Yashpal

Kaul, Shri B. K.

Kemparaj, Shri B. T.

Kesri, Shri Sitaram

Khan, Shri Maqsood Ali

Kollur, Shri M. L.

Krishan Kant, Shri

Krishna, Shri M. R.

Krishan, Shri N. K.

Kulkarni, Shri A. G.

Kplkarni, Shri B. T.

Kunjachen, Shri P. K.

Lakshmi Kumari Chundawat, Shri'
mati

Lalbuaia, Shri

Mahida, Shri U. N.

Majhi, Shri C. P.

Makwana, Shri Y. M.

Malaviya, Shri Harsh Deo

Mali, Shri Ganesh Lai

Maragatham Chandrasekhar, Shrimati

Mathur, Shri Jagdish Prasad

Melhta, Shri Om

Mirdha, Shri Ram Niwas

Misra, Shri Lokanath

Mukherjee, Shri Kali

Mukherjee, Shri Pranab

Mulla, Shri A. N.

Munda, Shri B. R.

Murahari, Shri Godey

Murthy, Shri B. P. Nagaraja

Nararinh, H. S.

Narayani Devi Manaklal Varma, Shri-
mati

Nawal Kishore, Shri

Nurul Hasan, Prof. S.

Oberoi, Shri M. S.

Pai, Shri T. A.

Panda, Shri Brahmananda

Panda, Shri K. C

Parashar, Shri V. R.

Patel, Shri Dahyabhai V.

Patel, Shri Sunda, Mani

Patil, Shri G. R,

Patil, Shri P. S.

Patil, Shri Veerendra

Pawar, Shri D. Y.

Poddar, Shri R. K.

Prasad, Shri Bhola

Prasad, Shri K. L. N

Pratibha Singh, Shrimati

Prem Manohar, Shri

Punnaiah, Shri Kota

Purabi Mukhopadhyay, Shrimati

Puri, Shri D. D.

Raha, Shri Sanat Kumar I Raju, ShriV, B.

...lit...

[Mr. Chairman.]

Ramaswamy, Shri K. S.
 Rathnabai Sreenivasa Rao, Shrimati
 Reddi, Shri Papi
 Reddy, Shri Gaddam Narayana
 Reddy, Shri Janardhana
 Reddy, Shri K. V. Raghunatha
 Reddy, Shri M. Srinivasa
 Refaye, Shri A. K.
 Roshan Lai, Shri
 Roy, Shri Kalyati
 Sangma, Shri E. M.
 Sanyal, Shri Sasankasekhar
 Saraswati Pradhan, Shri Tnati
 Sardar Almjad Ali, Shri
 Sardesai, Shri S. G.
 Savita Behen, Shrimati
 Sen Gupta, Shri Dwijendralal
 Seyid Muhammad, Dr. V. A.
 Shah, Shri Manubhai
 Sharma, Shri Yogendra
 Shastri, Shri Bhola Paswan
 Shilla, Shri Showaleess K.
 Shukla, Shri M. P.
 Singh, Shri Bhupinder
 Singh, Shri Bindeshwari Prasad
 Singh, Shri D. P.
 Singh, Shri Mohan
 Singh, Shri Ratibir
 Singh, Shri Sulta_n
 Singh, Shri T. N.
 Singh, Shri Triloki
 Sinha, Shri Awadheshwar Prasad
 Sinha, Shri Gang_a Sharan
 Sisodia, Shri Sawaisingh
 Sita Devi, Shrimati
 Sivaprakasam, Shri S.
 Srinivasan, Shri T. K.
 Sukhdev Prasad, Shri
 Sumitra G. Kulkarni, Shrimati
 Sushila Shankar Adivarekar, Shrimati
 Thakur, Shri Gunanand
 Tilak, Shri J. S.
 Tiwari, Shri Shankarlal
 Tiwary, Pt. Bhawaniprasad
 Trivedi, Shri H. M.
 Tyagi, Shri O. p.
 Venigalla Satyanarayana, Shri
 Vidyawati Chaturvedi, Shrimati
 Vyas, Dr M. R.
 Wajid, Shri Sikandar Ali
 Yadav, Shri Shyam Lai

NOES—Nil.

The motion was 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 no.ing.

MR. CHAIRMAN; The next Bill.

[MR. DEPUTY CHAIRMAN in the Chair]

THE NORTH-EASTERN HILL UNIVERSITY BILL, 1973

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN); Sir, I move;

"That the Bill to establish and incorporate a teaching and affiliating University for the Hill areas of the North-Eastern region, as passed by the Lok Sabha, be taken into consideration."

This is the Bill for which our brethren from the North-Eastern region have been waiting for almost ten years. The House would recall that the State of Assam, before the bifurcation of Meghalaya and the establishment of the other States, had passed a resolution under Article 252 of the Constitution authorising this Parliament to enact legislation establishing a central university with headquarters at Shillong. But unfortunately, no other State passed this Resolution. Ultimately when the State of Meghalaya was established it passed this Resolution and, therefore, the Government of India introduced a Bill in November 1972 in the other House providing for the setting up of a Central University with headquarters at Shillong, with jurisdiction extending to Assam and Meghalaya and the Union Territories of Mizoram and Arunachal Pradesh, with the possibility of Nagaland, Manipur and Tripura joining it at some later date. But, Sir, at that time the Government of Assam as well as many hon. Members from Assam were of the view that it would not be proper to extend the jurisdiction of the Central University to the State of Assam. In the