

SHRI BHUPESH GUPTA (West Bengal): May I just mention one thing? Whatever be the hon. Member's point of view, just when the two Prime Ministers are engaged in discussion, it is not good for anyone to get up in this House and say

I think, Sir, that you have yourself to look to it that such statements are not made. I know the hon. Member's feelings about it, but he can avoid this kind of expressions about it.

MR. DEPUTY CHAIRMAN: I think you better avoid such expressions.

SHRI BHUPESH GUPTA: It is an insult to our genius and culture . . .

(*Interruptions*).

MR. DEPUTY CHAIRMAN: Order, order.

SHRI H. P. SAKSENA (Uttar Pradesh): The hon. Member is not yielding.

SHRI SUDHIR GHOSH: We are accustomed to hearing the hon. Member a lot. As I said, and I say it in the right spirit, let no man say any word today which creates any difficulties for the Prime Minister of India, who is faced perhaps with the worst trial of his life. Perhaps on an occasion like this, we could share with him a few words that Gandhiji was very fond of, on occasions such as this, words said by a member of the religious society or Friends, the Quakers:—

"There is a spirit which I feel that delights to do no evil, nor to revenge any wrong; but delights to endure all things in the hope to enjoy its own in the end. Its hope is to outlive all wrath and contention and to weary out all exaltation and cruelty or whatever is of a nature contrary to itself. As it bears no evil in itself, so it conceives none in thoughts to any other. It is conceived in sorrow, and brought forth without any to pity it; I found it alone, being forsaken."

***Expunged as ordered by the Chair.

Perhaps the Prime Minister of India will find some comfort in those words today.

STATEMENT RE ALLEGED DIS- ENFRANCHISEMENT OF VOTERS IN THE CALCUTTA SOUTH-WEST PARLIAMENTARY CONSTITUENCY

THE DEPUTY MINISTER OF LAW (SHRI R. M. HAJARNAVIS) : Sir, the statement is fairly long. I lay it on the Table of the House, but such portion of it as I think is factual, I will read in the House.

The first portion deals with the provision of law which permits identity card being prepared and which has to be affixed with a photograph of the elector. Now, the statement begins by recalling:—

"The problem of identifying electors in heavily congested urban and industrial areas was receiving active consideration of the Election Commission for a long time as it was found from experience that the illegal practice of impersonation was gaining prevalence in such areas. It was felt that the issue of identity cards with photographs attached to all electors would greatly facilitate identification at the time of poll and prevent impersonation."

Certain provisions under the Representation of the People Act provide for it. The Election Commission was satisfied that, because of the existence of a large number of congested and industrial areas within the Calcutta South-West Parliamentary constituency, it was necessary and desirable to introduce the system of issue of identity cards with photographs attached to all the electors comprised in that constituency.

The total number of voters on the revised electoral rolls of the Calcutta South-West Parliamentary constituency is 3,41,983. The work of photographing the voters commenced on the 21st June, 1959, in Chowringhee and Kalighat. It was later on extended to Fort, Alipore and Ekbalpore

areas. Reports about the progress made in photographing the voters are sent by the Chief Electoral Officer, West Bengal, to the Election Commission from time to time. Out of the total number of 3,41,933 voters 2,15,000 voters have been successfully photographed up to the 18th April 1960. 1,90,600 identity cards have been issued to the voters. A further 7,000 cards sent out by the authorities have been returned undelivered as the persons concerned were temporarily absent or had permanently left their residences. All possible opportunities have been afforded to the electors to get themselves photographed and the Election Commission will take all other measures to ensure a fair election. Arrangements were made for photographers to go round to each house and obtain photographs of each voter. In order to give a further chance to the electors who could not be met at their places of residence by the photographers in spite of repeated attempts, or who declined to be photographed for one reason or another, fourteen centres were opened by the West Bengal Government and due publicity given for the remaining electors to have themselves photographed at the respective centres. This produced some result but some voters had still not come forward. The last date was extended from the 10th to the 17th April 1960. It was only because of the unwillingness or apathy of a certain percentage of the voters that the procedure of opening local centres for photographing electors was adopted to give them a last chance and also to bring the process of photographing to some finality.

Then, Sir, I bring to the notice of the House that three writ petitions challenging the validity of the photographed identity card procedure pointing out the low number of electors photographed as well as the difficulties encountered by the electors and the irregularities committed by the authorities in the process and praying that the orders requiring the electors to get photographed be set aside and the authorities be restrained

from holding the bye-election in the Calcutta South-West Parliamentary constituency have been filed by three persons in the Calcutta High Court. These petitions are due to come up for hearing on the 25th April, 1960. The matter is, therefore, *sub judice*.

SHRI BHUPESH GUPTA (West Bengal): Sir, I want to point out one thing. I do not wish to say anything on the matter which is *sub-judice*.

MR. DEPUTY CHAIRMAN: No discussion now.

SHRI BHUPESH GUPTA: No, Sir, I want to point out something. The position is this. I do not want to discuss.

SHRI SANTOSH KUMAR BASU (West Bengal): If the hon. Member makes^a a statement, I shall be entitled to make another statement.

SHRI BHUPESH GUPTA: Sir, I may point out . . .

MR. DEPUTY CHAIRMAN: Mr. Bhupesh Gupta, there cannot be a discussion now. I will not allow you to make a statement. What I would suggest is that you may raise it by a regular motion.

SHRI BHUPESH GUPTA: I do not wish to raise it by a regular motion, I want only clarification so that I may understand the position. The hon. Minister has given figures. He has said that 1,26,000 voters from the list have not been photographed. In effect they will be deprived of their right of franchise unless they get themselves photographed. Therefore, I say that it means a kind of frustration of the Constitution apart from the legal part of it.

MR. DEPUTY CHAIRMAN: The proper remedy for you would be to approach the Election Commission.

SHRI BIREN ROY (West Bengal): It is a very serious problem.

(*Interruption*)

MR. DEPUTY CHAIRMAN: Order, order.

SHRI BHUPESH GUPTA: I have approached the Election Commission. It becomes easier for me if they step in. The only thing that remains to be done is to waive this particular system at the discretion of the Election Commissioner. He can waive this photograph system and get the election done in the ordinary course, in the usual way. Unless this is done, Sir, it will be a mockery of election, because 1,25,000 people who are there on the rolls would not have the right to vote even if they go to the poll, and many who have been photographed have not received their photographs.

MR. DEPUTY CHAIRMAN: You may take such legal action as you think fit.

SHRI BHUPESH GUPTA: I am not concerned with legal action or the constitutional validity or otherwise. I am here concerned with the discretion of the Election Commission and the Election Commissioner under the Constitution. I had a talk with him. He has power to waive the rule regarding this photograph system, this identity card system, or to defer the election. We suggest in all humility in this matter, in the interests of the voters, in the interests of parliamentary institutions, in the interests of free and fair election, so that the election is not made a mockery, that at least this system of photograph be waived in this particular case. Let there be discussion later on and we shall see how this system could at all be introduced. Would the Minister have something to say?

**THE APPROPRIATION (NO. 2) BILL,
1960—continued**

MR. DEPUTY CHAIRMAN: Now the Appropriation Bill. Mr. Khandu-bhai Desai.

SHRI KHANDUBHAI K. DESAI (Bombay): Sir, at the outset I would like to say that even though we in this House get two or three opportunities to offer our comments on the adminis-

tration of the finances and other problems of the Government of India, we are not able to pinpoint certain issues and offer our constructive comments on the various Ministries because our handicap is that the Ministers in charge of the respective administrative Ministries are not present.

SHRI N. M. LINGAM (Madras): You can ask them to be present.

SHRI KHANDUBHAI K. DESAI: What I have found is that they are hardly present, and they do not answer most of the points which we make. Therefore, Sir, I may make a suggestion that the procedure may be changed so that some more time is given to this House to pinpoint our attention on at least some Ministries every year. That is a suggestion I am making; whether it is possible or not it is for you to consider.

Now, Sir, I have not got much to say on the Appropriation Bill as such, but this is an opportunity just to say something on various subjects. When I took the time of this House last time, I said something about the incidence of taxation, both direct and indirect, as it had tended to develop during the last twelve or thirteen years. Then, Sir, I said that we had already passed through two Plans, that the Third Plan is in the offing. We have got in this country an opportunity for democratic planning, and we have the goal which both the Plans have placed before us of reducing the concentration of wealth in the hands of a few, and on the other side from the increase in national income raising the standard of living of the various categories of citizens. But *prima facie* it appears to me that somehow or other the Plans have gone astray. I may again suggest with all the emphasis at my command that before the Third Plan is launched, the Government should make a rapid survey of the economic situation as has developed during the last ten years of planning because *prima facie* it appears to us that the concentration of wealth which is supposed to have been reduced by the two Plans in the socialistic pattern of