

RAJYA SABHA

Friday, 25th March 1955

The House met at eleven of the clock, MR. CHAIRMAN in the Chair.

THE INSURANCE (AMENDMENT) BILL, 1955

SHRI B. C. GHOSE (West Bengal): Sir, I beg leave to introduce a Bill further to amend the Insurance Act, 1938.

MR. CHAIRMAN: The question is:

"That leave be granted to introduce a Bill further to amend the Insurance Act, 1938."

The motion was adopted.

SHRI B. C. GHOSE: Sir, I introduce the Bill.

THE REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL, 1954

SHRI P. S. RAJAGOPAL NAIDU (Madras): Sir, I move:

"That the Bill further to amend the Representation of the People Act, 1951, be taken into consideration".

Administration of the Representation of the People Act, 1951, the various judgments of the Election Tribunals in the country, the various judgments of the High Courts in our country and also the Supreme Court have brought to light some lacunæ in the Act. It is the duty of Parliament to see that before the next general elections such difficulties are removed by amending the Act suitably.

Sir, the first is about the number of persons who can be employed for payment by a candidate in connection with an election. Section 77 of the Representation of the People Act deals with the maximum scales of election expenses at elections and the numbers and descriptions of persons who may be employed for payment in connection

with elections. Rule 118 of the rules framed under the Representation of the People Act, read with Schedule VI framed under the said rules, specifies the number of persons that can be employed in connection with elections and their descriptions. Difficulties have arisen in interpreting section 77 of the Representation of the People Act, Rule 118 of the rules framed under the Representation of the People Act and Schedule VI thereto. Schedule VI enumerates the persons who may be employed for payment by candidates or their election agents in connection with elections. For the benefit of the House, Sir, I may read out Schedule VI which gives the description of the persons who can be employed by a candidate:—

"At all elections—

- (1) one election agent,
- (2) one counting agent, and
- (3) one clerk and one messenger:

Provided that in the case of an election in a Parliamentary constituency or an Assembly constituency or a Council of States constituency the number of clerks and messengers who may be employed for payment shall be one clerk and one messenger for every seventy-five thousand electors on the electoral roll of the constituency or portion thereof.

At elections in which the method of voting by ballot boxes is followed the following persons may be employed for payment in connection with each such election in addition to the persons specified in (1), (2) and (3) above, namely:—

(a) one polling agent and two relief agents for each polling station or where a polling station has more than one polling booth, for each polling booth or for the place fixed under sub-section (1) of section 29 for the poll and;

(b) one messenger at each polling station or where a polling station has more than one polling