

be realised that their cultural outlook, their mode and manner of life, their economic problems are altogether different and distinct. It can hardly be said that a representative of Ajmer could very well represent the problems and difficulties of the people of Coorg or *vice versa*. But with regard to Himachal Pradesh and Bilaspur the two are congruous : in fact it is only by some accident, which I am unable for the moment to understand or to explain, that the States Ministry decided to keep the two in two distinct watertight compartments. I should have thought that the two could have been amalgamated into one. I have no doubt that that will happen : perhaps it may happen long before the election takes place. Therefore I do not see any justification why the principle of divisive constituency, which has been adopted in the case of Ajmer and Coorg for the circumstances which I have mentioned, must necessarily logically and as a matter of categorical imperative apply to Himachal Pradesh and Bilaspur.

Therefore, what is proposed is that Manipur and Tripura would have separate electorates but their representation would be regulated by nomination by the President for a period of two years in rotation. With regard to Himachal Pradesh and Bilaspur they would form one constituency and in a joint election elect one representative. With regard to Ajmer and Coorg the provision is that for a period of two years Ajmer will enjoy the seat reserved for two and subsequently Coorg will enjoy the seat which is reserved for both.

Those are the provisions, which we have made in the Bill with regard to the representation of Part C States. As I said at the outset, this Bill had a double objective. One was to make provision for the representation of Part C States in the Upper Chamber. The second objective was to give the effect of law to the provisions contained in the Ordinance.

I will briefly explain to the House why it became necessary for Government to issue this Ordinance. As the House will remember, at one time Government felt that elections could be held in the months of April and May and they were very keen about it and wanted to do everything possible to give

effect to that intention. On the examination of the circumstances, as I then said, it was found that in certain areas electoral rolls were not ready and in certain areas constituencies had not been delimited. If we had allowed the original provisions contained in the People's Representation Act 1950 what would have been the position? The position would have been this. Under the Original Act the Election Commissioner is bound to publish preliminary electoral rolls—I am using the words “preliminary electoral rolls” constituency-wise. That was the first step in the process of election. After that was done two or three processes had to be undergone. One was the inviting of claims and objections, the second was to have the claims and representations dealt with by some authority judicial or otherwise and to have them disposed of: and thirdly, to enter all the corrections consequent upon the decision of the revising authority into the electoral rolls and then to publish them finally.

Speaking for the moment and taking into consideration the time that would have been necessary to go through these processes, the position would have been this. After the constituencies were delimited, certainly three weeks or one month ought to be given to the electors to make their claims and objections. You could not fairly give less than that time. Thereafter, at least two months would be necessary for the revising authority, I am giving a very conservative estimate, two months would be necessary for the revising authority to dispose of claims and objections. That means three months. Add one more month for revising the electoral rolls in the light of the decision of the revising authority. That means four months. Assuming that the preliminary electoral rolls were prepared by the end of this month, which I don't think is a very sanguine hope—but supposing that was so—it is quite obvious that following the principles embodied in the original People's Representation Act, the final electoral rolls could not have been published even by the end of April or May. That meant that if we had followed literally the provisions contained in the original Act, the elections could not have taken place in the month of April and May. As

Government were very keen in having the elections in April and May, Government felt that that would have been possible only if the process was reversed. If claims and objections were invited on the basis of electoral rolls prepared for units or for areas, and they were disposed of, and after they were disposed of electoral rolls on the basis of constituencies were made, perhaps the time that would be utilised after the constituency-wise electoral rolls were prepared could be used in the beginning so that the process of claims and objections and revisions could be got rid of and possibly the elections could have taken place in the month of April and May. It was from this point of view that Government felt that the process might be reversed, that is to say, claims and objections might be invited on the basis of preliminary electoral rolls not prepared on the basis of constituencies but on the basis of area.

That is what the Ordinance did. Now, it might be asked that since the date of the election has been postponed, is it desirable to give effect to the Ordinance? The answer to that is simple: a large part of the work which is required to be done by the Election Commissioner in the matter of the preparation of the rolls has already been done, and if the Ordinance does not become law, all that work will have to be thrown overboard and the Election Commissioner would have to begin his work *de novo*. (*An Hon. Member*: Reverse gear). Reverse gear, as my friend says. I don't think the House will desire that such a thing should happen. I am not merely considering the question of time but also the question of money which Government has spent over the work that has already been done. We have taken care in the Bill that the provisions of the Ordinance would apply only for the first elections so that in the subsequent elections the provisions of principal Act will govern the conduct of elections and the preparation of the electoral rolls. That is why we are seeking the permission of the House to give effect to this Ordinance.

The other provisions in the Bill are purely consequential—changing of qualifying date and qualifying period, and so on and so on. I don't think I need detain the House over them.

The House will be able to see for itself what those amendments are.

Mr. Speaker : Motion moved :

“That the Bill to amend the Representation of the People Act, 1950, be taken into consideration. ”

* **Shri Sarwate** (Madhya Bharat): I may in this connection refer to article 240 of the Constitution which says that “ as soon as possible....”

Dr. Ambedkar : Where is “ as soon as possible ” ?

Shri Sarwate : It was meant when the article was framed.

** **Shri Kamath :** So far as the present Bill is concerned and so far as the Member for Manipur and Tripura in the Council of States is concerned, this Bill is silent on the point whether the President will nominate a Member who has got experience of these matters or has got a special knowledge of these matters. I would like Dr. Ambedkar to throw some light on this, but my impression is that the nominated Member will be in addition to the 12 which are referred to in clause (1) (a) of article 80 of the Constitution.

Dr. Ambedkar : He would be out of the 238.

Shri Kamath : I am glad that Dr. Ambedkar has given us the correct interpretation of this article. Therefore it is 13. Mr. Tyagi tells me that it is a bad number; I do not know whether it is really bad.

* **Mr. Speaker :** I was referring to all the Members, from Part A, Part B and Part C States, because all are interested in a proper democratic set-up. I mentioned particularly those from Part C States because it is only those that are most affected by this Bill. That is why I suggested that they should

* P. D., Vol. 7, Part II, 13th December 1950, p. 1711.

** *Ibid.*, p. 1716.

****Ibid.*, 14th December 1950, p. 1779-80.

be given a fuller chance. That was the point But all should meet. So, if that is acceptable I think I may put off this matter and go to the next item of business. Is that agreeable?

The Minister of Law (Dr. Ambedkar) : I am prepared to accept that suggestion.

Shri J.R. Kapoor : May I complete what I wanted to say?

Mr. Speaker : Order, order. He will now have ample opportunity of talking, and more fully, in the informal conference. The Hon. the Law Minister will hear him more fully than what he can do now. So we might adjourn this matter. But when shall we take it up? It is an important matter.

An hon. Member : Day after tomorrow.

Mr. Speaker : The Hon. the Law Minister might say when we shall take it up. Hon. Members will see that we intend to finish the session by the 20th.

An hon. Member : By the 21st.

Mr. Speaker : Well, the 21st. But unless you have the break from the 20th. it won't be possible.

Shri Sondhi (Punjab) : 21st is a standby.

Mr. Speaker : Yes.

Dr. Ambedkar : I suggest Saturday either morning or evening—after the House rises or before it meets.

Mr. Speaker : I am not talking of the time for the conference. They can meet at any time. I was asking as to when we are to take up this business again.

Dr. Ambedkar : On Monday.

Mr. Speaker : I have no objection. Then let us put it off to Monday the 18th by which time we expect something agreed will come up. I am really sorry for interrupting Mr. Kapoor's speech, but then the House will be thankful to him for having agreed to stop his speech.

REPRESENTATION OF THE PEOPLE (NO. 2) BILL

*** The Minister of Law (Dr. Ambedkar) :** I beg to move for leave to introduce a Bill to provide for the conduct of elections to the Houses of Parliament and to the House or Houses of the Legislature of each State, the qualifications and disqualifications and disqualifications for membership of those Houses, the corrupt and illegal practices and other offences at or in connection with such elections and the decision of doubts and disputes arising out of or in connection with such elections.

Mr. Speaker : The question is :

“ That leave be granted to introduce a Bill to provide for the conduct of elections to the Houses of Parliament and to the House or Houses of the Legislature of each State, the qualifications and disqualifications for membership of those Houses, the correct and illegal practices and other offences at or in connection with such elections and the decision of doubts and disputes arising out of or in connection with such election.”

The motion was adopted.

Dr. Ambedkar : I introduce the Bill.

REPRESENTATION OF THE PEOPLE (AMENDMENT) *BILL—contd.*

****Mr. Deputy Speaker :** Shall I take the Employers' Liability Bill or People's Representation Bill.

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru) : People's Representation Bill is a part-heard Bill. We will take that now.

The Minister of Law (Dr. Ambedkar) : Sir, you will remember that while the debate on the motion for the consideration of the Bill was going on last time the hon. the Speaker was pleased to make a suggestion that the debate might be adjourned in order to give opportunity to me and

* P. D., Vol. 7, Part II, 18th December 1950, pp. 1834-35.

** P. D., Vol. 7, Part II, 21st December 1950, pp. 2209-10

the Members interested in Part C States to meet together and to evolve some kind of a scheme over which there might be agreement between myself and the representatives of the Part C States.

[MR. SPEAKER *in the Chair*]

I accepted the suggestion and thereafter had one or two meetings with Members of the Part C States as well as other Members of the House who felt a certain amount of interest in this Bill. As you will recall, Sir, when the debate was going on, it was found that there were three points of difference between myself and the Members who spoke for Part C States. The three points were:

1. Indirect system of election;
2. Nomination of Manipur and Tripura; and
3. Representation by rotation.

I am happy to state that it has become possible by exchange of views to arrive at a formula whereby it has become possible for me to eliminate from the Bill the provisions relating to the indirect system of election from the municipalities, local boards, village panchayats etc. It has also been possible for me to eliminate the provision regarding the representation of Manipur and Tripura through nomination. It is only with regard to the third point *viz.*, representation by rotation that it has not been possible to find a way out and it will therefore be a part of the original Bill. Now in accordance with this agreement, I have given notice of certain amendments which are already in the hands of Members. It will be seen that in place of the indirect system of election. I now propose to ask the House to agree to assist in creating an electoral college by exercise of adult suffrage and allow these electoral colleges to help the representatives which have been allotted to them by schedule 4 of the Constitution. This system of creating an electoral college for the purpose of sending representatives to the Upper Chamber by election is also proposed to be extended to Manipur and Tripura.

With regard to the other part of the Bill *viz.*, that part which deals with the enactment of the Ordinance it will of course remain and so far as the debate that took place the

other day on the provisions of the Bill is concerned, I did not find that the House was in any way opposed to that part of the Bill. Therefore, having regard to this position, I do not think there is any necessity for Mr. Kamath to insist upon his amendment to send the Bill to a Select Committee. It is now clear that the time and the date that he had fixed in his amendment has already passed and consequently the ground under his amendment has already been covered but apart from that if I had been called upon to speak on that day on his amendment, I would no doubt have said that it was not possible for me to accept the amendment in view of the fact that the provisions of the Bill relating to the Ordinance were so peremptory that without delay they had to have their legal form which the Constitution requires us to give. I therefore plead that the Bill may be taken into consideration without referring it to a Select Committee and that the amendments which I have proposed in the Supplementary List No. 6 to the Revised Consolidated List may be taken into consideration.

Mr. Speaker : I put the motion to the House. I believe after a long discussion, it is not now necessary to go on with further discussion of this Bill. I shall put it clause by clause and instead of having a general discussion hon. Members will get an opportunity of having their say when the clauses come before the House. Let us now specifically go to the very clauses to which Members may have any objection.

***Mr. Speaker:** As there are proposed changes in the various clauses, hon. Members will be keeping a watch so that I may not pass over any amendment.

Clause 2.—(*Amendment of the long title*)

Amendment made:

For clause 2, substitute the following:

“ 2. *Amendment of the long title, Act XLIII of 1950.*— In the long title of the Representation of the People Act, 1950 (hereinafter referred

* P. D., Vol. 7, Part II, 21st December 1950, p. 2212.

to as the said Act), after the words 'the preparation of electoral rolls' the words and letter 'the manner of filling seats in the Council of states to be filled by representatives of Part C States' shall be inserted."

—[*Dr. Ambedkar.*]

Dr. Ambedkar : It is merely to bring the Preamble in line with the purpose of the present Bill.

Mr. Speaker : The question is:

"That clause 2, as amended, stand part of the Bill."

The motion Was adopted. Clause 2, as amended, was added to the Bill.

Clause 3.—(*Amendment of Section 2*)

Amendment made:

In clause 3, for the proposed new clause (cc) of section 2 of the Representation of the People Act, 1950, substitute the following:

"(cc) ' Council of States constituency ' means a constituency provided by order made under section 27C for the purpose of election of members to the electoral college for any Part C State or group of such States referred to in section 27A."

—[*Dr. Ambedkar,*]

Dr. Ambedkar : Sir, this is merely to bring it in line with the new scheme of having elections through electoral colleges.

Mr. Speaker : The Bill is introduced as a whole and therefore every clause is before the House. If any hon. Member is keen to move any amendment to this clause, I think the Chair is bound to put the clause before the House.

Shri M. A. Ayyangar : Unless the mover withdraws.

Mr. Speaker : He cannot withdraw in that manner after once having placed the whole Bill before the House. The clause has to be negatived by the House. But then I was following this informal procedure, simply for shortening the discussion. That is all I take it that Mr. Kamath is not moving his amendment.

Shri Kamath : That is correct, Sir.

Mr. Speaker : That means that none of the amendments is going to be moved. The question is:

“That clause 4 stand part of the Bill.”

The motion was negatived.

Mr. Speaker : The question is:

“That clauses 5 and 6 stand part of the Bill.”

The motion was negatived.

Clauses 7 and 8 were added to the Bill.

Mr. Speaker : The question is :

“That clause 9 stand part of the Bill.”

The motion was negatived.

Clause 10 was added to the Bill.

New clauses 10A and 10B.

*** Dr. Ambedkar :** Sir, I move:

After clause 10, insert the following new clauses:

“10A. *Amendment of section 27, Act XLIII of 1950.*—In subsection (4) of section 27 of the said Act, after the figure ‘23’ the brackets and words ‘(excluding the Proviso)’ shall be inserted.

10B. *Insertion of new Part IV-A in Act XLII of 1950.*—After Part IV of the said Act, the following Part shall be inserted namely:

PART IV-A

Manner of filling seats in the Council of States to be filled by representatives of Part C States.

27A. *Constitution of electoral colleges for the filling of Seats in the Council of States allotted to Part C States.*—(1) For the purpose of filling any seat or seats in the Council of States allotted to any Part C State or group of such States in the Fourth Schedule to the Constitution there shall be an electoral college for each such State or group of States:

Provided that for the purpose of filling the seat allotted to the States of Ajmer and Coorg there shall be an electoral college only for the State of Ajmer:

Provided further that for the purpose of filling the seat allotted to the States of Tripura and Manipur there shall be an electoral college for each of the said States.

* P. D., Vol. 7, Part II, 21st December 1950, pp. 2215-20.

(2) The electoral college for each State or group of States specified in the first column of the Fifth Schedule shall consist of the number of members specified in the second column thereof opposite to that State or group of States to be chosen by direct election.

(3) The electoral college first constituted under this Act for any State or group of State; shall be reconstituted by a fresh election every time when there is a general election held in that State or group of States for the purpose of election of members to the House of the People, and on every such reconstitution the electoral college, for that State or group of States functioning immediately before such reconstitution shall be deemed to be dissolved and the electoral college so reconstituted shall be the electoral college for such State or group of States, as the case may be for the purposes of this Act.

(4) Any casual vacancy in the seat of a member of an electoral college shall be filled by election held in the constituency concerned in the manner in which the election of that member to such seat was held.

27B.—Council of States constituencies.—For the purpose of election of members to the electoral college for any State or group of States there shall be the constituencies provided by order under section 27C and no other constituencies.

27C. Delimitation of Council of States Constituencies.—As soon as may be after the commencement of this Act, the President shall by order determine—

- (a) the constituencies into which each State or group of States specified in the first column of the Fifth Schedule shall be divided for the purpose of election of member to the electoral college for such State or group of States;
- (b) the extent of each constituency; and
- (c) the number of seats allotted to each constituency.

27D. Power to alter or amend orders.—The President may, from time to time, after consulting the Election Commission, by order, alter or amend any order made by him under section 27C.

27E. Procedure as to orders delimiting constituencies.—(1) The Election Commission shall,—

(a) in consultation with the Advisory Committee set up under subsection (1) of section 13 in respect of each Part C State specified in the first column of the Fifth Schedule, other than Bilaspur and Himachal Pradesh, formulate proposals as to the delimitation of constituencies in that state under section 27C, and

(b) in consultation with the Advisory Committee set up under the said sub-section in respect of Himachal Pradesh, formulate proposals as to the delimitation of constituencies in the states of Bilaspur and Himachal Pradesh under section 27C,

and submit the proposals to the President for making the order under the said section 27C.

(2) Every order made under section 27C shall be laid before Parliament as soon as may be after it is made and shall be subject to such modifications as Parliament may make on a motion made within twenty days from the date on which the order is so laid.

27F. *Electoral rolls for Council of States constituencies.*—(1) For the purpose of election of members to the electoral college for any State or group of States there shall be an electoral roll for every Council of States constituency in that State or group of States.

(2) So much of the roll or rolls for any Parliamentary constituency or constituencies for the time being in force under Part III as relate to the areas comprised within a Council of States constituency shall be deemed to be the electoral roll for that Council of States constituency.

27G. *Termination of membership of electoral college for certain disqualifications.*—If a person who is a member of an electoral college becomes subject to any disqualification for membership of Parliament under the provisions of any law relating to corrupt and illegal practices and other offences in connection with election to Parliament he shall thereupon cease to be such member of electoral college.

Manner of States allotted to Part C States.—Save as otherwise provided in section 27-I the seat or seats in the Council of States allotted to any Part C State or group of such States in the Fourth Schedule to the Constitution shall be filled by a person or persons elected by the members of the electoral college for such State or group of States in accordance with the system of proportional representation by means of the single transferable vote.

27-I. *Special provisions for the filling of the seats in the Council of States allotted to the States of Ajmer and Coorg and the States of Tripura and Manipur.*—(1) The seat in the Council of States allotted to the States of Ajmer and Coorg in the Fourth Schedule to the Constitution shall be filled by a person elected by the members of the electoral college for the State of Ajmer and by the elected members of the Coorg Legislative Council in rotation, that is to say, at the first general election and at every second subsequent biennial election the said seat shall be filled by a person elected by the members of the electoral college for the State of Ajmer and at the first biennial election and at every third subsequent biennial election the said seat shall be filled by a person elected by the elected members of the Coorg Legislative Council.

(2) The seat in the Council of States allotted to the States of Tripura and Manipur in the said Schedule shall be filled by a person elected by the members of the electoral college for the State of Tripura and by the members of the electoral college for the State of Manipur by rotation, that is to say, at the first general election and at every second

subsequent biennial election the said seat shall be filled by a person elected by the members of the electoral college for the State of Tripura and at the first biennial election and at every third subsequent biennial election the said seat shall be filled by a person elected by the members of the electoral college for the State of Manipur.

(3) The casual vacancy in the seat allotted to the States of Ajmer and Coorg or to the States of Tripura and Manipur shall be filled by election in the State in which the election to fill the seat was held at the last preceding general or biennial election, as the case may be.

(4) Every election held under sub-section (1), sub-section (2) or sub-section (3) shall be held in accordance with the system of proportional representation by means of the single transferable vote.

27J. *Replacement of electoral colleges by bodies created under article 240 to function as legislatures.*—Notwithstanding anything contained in the foregoing provisions of this Part—

- (a) if a body is created by Parliament by law under article 240 for any of the States specified in the first column of the Fifth Schedule, other than Bilaspur and Himachal Pradesh, to function as a legislature for that State, then after such body has been constituted it shall not be necessary to constitute or reconstitute any electoral college for that State and on the constitution of such body any electoral college for the time being functioning, for such state shall be deemed to be dissolved, and section 27H or section 27I, as the case may be, shall in its application to that State, have effect as if for any reference to the electoral college for such State in that section there were substituted a reference to the body so created for such State.
- (b) if any such body as aforesaid is so created for each of the States of Bilaspur and Himachal Pradesh, then after both such bodies have been constituted, it shall not be necessary to constitute or reconstitute any electoral college for those States and on the constitution of both such bodies any electoral college for the time being functioning for those States shall be deemed to be dissolved, and section 27H shall, in its application to that group of States, have effect as if for the reference to the electoral college for the said group of States in that section there were substituted a reference to the bodies so created for those States; and
- (c) if any such body as aforesaid is so created for the State of Coorg, then on the constitution of such body section 27-I shall, in its application to that State, have effect as if for any reference to the Coorg Legislative Council in that section there were substituted a reference to the body so created for such State’.”

*** Mr. Speaker :** Amendment of Shri Deshbandhu Gupta moved :

In the amendment by Dr. Ambedkar, in the proposed new clause 10B, Before the existing first Proviso to sub-section (1) of the proposed new section 27A of the Representation of the People Act, 1950, insert the following new Proviso :

“ Provided that for the purpose of filling the seat allotted to the State of Delhi, the elected members of all local bodies such as Municipal Committees, District Board and notified area committees and members elected to the Chief Commissioner's Advisory Council and the House of People shall form the electoral college.”

Dr. Ambedkar : With regard to the amendment moved by my hon. Friend, Shri Deshbandhu Gupta, there are one or two points to which I would like to make a reference. In a way this amendment read with the other provisions which the House has now passed for the purpose of making provision for elected representatives of Part C States to the Upper Chamber ” appears to be somewhat incongruous. There we are creating an electoral college elected by adult suffrage. Here we are retaining the original scheme contained in the Bill, namely, that the representation should be by indirect means through local authorities, but I do not think that is a very grave objection to the acceptance of this proposal in view of the fact that my hon. Friend, Shri Deshbandhu Gupta, told us this morning that all these bodies are in a very short period going to be democratized and are likely to be elected by audit suffrage. In view of that, it is a mere matter of fancy, it seems to me, whether you would take the municipality or the local board as a basis for election or whether you would go down and dilute it further and make it as the basis for election. Therefore fundamentally I have no objection to his proposal.

There are two other points to which I would like to make a reference. In view of the fact that he is making local authorities as instruments for election, it does appear that there are certain local authorities in the Delhi province where the members are not elected but are nominated. Take, for instance, the New Delhi Municipality. I understand that there

is a very large element of nomination there and I do not suppose that my hon. Friend, Shri Deshbandhu Gupta, will insist that the persons who are nominated to the Delhi Municipality although they have not been elected by adult suffrage are from the point of view of intelligence, from the point of civic sense going to be in any way inferior to persons elected, by other municipalities. I would therefore suggest that I should be quite prepared to accept his amendment provided he agrees to delete the word 'elected' from his clause.

The second thing that I would suggest to him, which I think is a mere matter of drafting aesthetics, is that it would be better if his proposition was to be put in as sub-clause (5) of section 27A rather than as a proviso. I have gone through the whole thing. It seems to me that it would be much neater to put this as sub-clause (5). Subject to this, I have no objection to accept it.

Shri Deshbandhu Gupta : May I point out, Sir, that I want to have one clarification from the Hon. Minister, when he says that I should agree to delete the word 'elected', does he realise that there is a big element of nomination in other local bodies also? If the idea is only to have representation for New Delhi, which is a wholly nominated body, then, the purpose would be better served by having non-official members of the New Delhi Municipal Committee. There are 7 or 8 members. In Old Delhi, there are 50 elected and 10 nominated members. In Shahdara there are 10 elected and 5 nominated members. Does he want that all these nominated Members also should be given the right to vote?

Dr. Ambedkar : I do not see any reason to make any discrimination.

Shri Deshbandhu Gupta : I stick to the word 'elected'. But I am prepared to include non-official members of the New Delhi Municipality.

Dr. Ambedkar : All right.

***Mr. Speaker :** So then, I am afraid, looking at the trend of the discussion, I must put the amendment of Mr. Deshbandhu Gupta to the House.

Dr. R. U. Singh : But Sir, my questions have not been answered. I wanted to know two things, What is the basis on which the Legislative Councils will be elected as the populations electing the members will be very low. And secondly, whether the Hon. Minister will be pleased, in view of the points that I had stressed, to reconsider the position. As I said it is intrinsically wrong and this is a hotch-potch arrangement for which there is no justification, I would like to hear what Dr. Ambedkar has to say.

Mr. Speaker : Has the Hon. Law Minister followed the point which the hon. member is raising?

Dr. Ambedkar : Some hon. members have always felt that I am one of the hardest nuts in the cabinet. I now find the advantage of being a hard nut. To be yielding to all people, all and sundry, lands one in the difficulty in which I find myself now. If I had decided to stick to the original position, probably I might not have been in the difficulty in which I find myself now.

But having accepted the position on the assurance, of course, that the elections to these municipal bodies are going to be based upon adult suffrage, I do not think that there was any very great principle involved, in accepting the suggestion made by my friend Mr. Deshbandhu Gupta.

Secondly, as hon. Members will see, this scheme may not even come into operation, because in the amendment that I have moved, I have made provision that if Parliament provides by law for the creation of legislative bodies as it is done in other Part B and Part A States, elections then will take place on the basis of the newly created bodies. Having regard to these facts, I am not disposed to attach very great importance to the decision, whether it is taken one way or the other, because I feel that if there is enough pressure and

if there is enough time, Parliament may be persuaded before the elections come, to take upon itself the responsibility of having legislatures, giving effect to Article 240. Therefore, for the present, what I would insist is that the word "elected" be removed. And probably, I would like that with regard to New Delhi where I understand there is a very large element of nomination, I would restrict the representation of New Delhi to non-official persons. With that I think the House should be content, for the moment.

Shri Sondhi : What about the non-official members of other bodies? We should not discriminate between one body and another.

Dr. Ambedkar : With regard to other bodies in other Part C States, we need not go into it very much now because we are creating electoral colleges on the basis of.....

Shri Sondhi : I was referring to unofficial members who are nominated to other bodies. The hon. Member referred only to nominated members in New Delhi. We cannot discriminate between them.

Dr. Ambedkar : Under the new scheme probably the non-official elements will disappear.

Mr. Speaker : Let us not carry on the discussion any further.

Shri Deshbandhu Gupta : The Hon. Law Minister said that the word "elected" should go and be replaced by "non-official body" for Delhi and New Delhi. Is that his desire?

Dr. Ambedkar : Yes, that would simplify the matters.

Shri Tyagi : But it has to be made clear that the Law Minister has accepted this on condition and in the hope that the new elections will be on the basis of adult suffrage and that they will be conducted in time for the general elections. We know that in these old boards a large part of the new populations are not represented or reflected at all. Not to give them representation will be very wrong.

Shri Kamath : Sir, I would like to bring to your notice that Dr. Ambedkar a little while ago referred to hon. Members

as “all and sundry”. I do not know if it is quite proper. It may not be unparliamentary, but it is not dignified, I believe. So I request you to give your views, if not your ruling on this point.

Mr. Speaker : I do not give that expression any vulgar meaning. And he did not mean Members of Parliament. So many people come before the Ministers over this and that, and the words “all and sundry” do not apply solely to Members of Parliament. At any rate no hon. member need think that the cap fits him.

Shri B. Das : Sir, the Hon. Health Minister who controls the Delhi Municipal bodies has not been present here to assist us. Could we not decide this question later with her assistance also ?

Mr. Speaker : It was not expected that, after informal conferences and after postponing the question for the purpose of the conference, this point will be again discussed. I have been expecting a spirit of give and take, just a little giving in here and there. After all, humanly it is impossible to do absolute justice to everyone. Let us try to do as much justice as we can. And so I proceed further. Now how does the position stand ? Do I put the amendment to the House ?

Dr. Ambedkar : It is suggested that instead of the word “elected” we may have the words “Members other than officials”.

Shri Deshbandhu Gupta : I accept this change.

Mr. Speaker : Let there be no more discussion, but let us get through with the Bill. Otherwise hon. Members will not get sufficient time tomorrow for the other Bills. My difficulty comes now. How am I to put the amendment ?

Order, order, let there be less noise in the House.

The Minister of Transport and Railways (Shri Gopalaswami) : I would like to suggest to the Law Minister the desirability of omitting the words “such as”. I think we ought to say “Members of Municipal Committees District Board and notified area Committees”. If we put in the words “such as” it would mean as if there were other categories of local bodies in which you want to refer.

Shri Deshbandhu Gupta : The reason for having those words is, there is the Delhi Improvement Trust.

Dr. Ambedkar : But in my copy I do not find the words.

Mr. Speaker : Mr. Deshbandhu Gupta may withdraw his amendment and the Hon. Minister may move his amendment.

Dr. Ambedkar : I am accepting it with certain modifications, and putting it as sub-clause (5) of article 27-I.

Mr. Speaker : Is the hon. Member Deshbandhu Gupta agreeable to this course ?

Shri Deshbandhu Gupta : Yes.

The amendment was, by leave, withdrawn.

Dr. R.U. Singh : Sir, I raised the question of Coorg and it has not been answered.

Mr. Speaker : Any Member may raise any question but the Minister need not answer every question. We must now proceed with the business in a reasonable manner as quickly as possible. The Minister is substantially accepting the amendment.

Dr. Ambedkar : I propose the amendment of which I have given notice just now. It is purely nominal and consequential and I propose to include Deshbandhu Gupta's amendment also in my amendment.

Mr. Speaker : In the case of these amendments, it is better that we read them. I find a little difficulty because these are not circulated to hon. Members. Therefore, the alternative courses open to us are either the amendments are read in the House or we postpone this clause and take up the next clause and keep this pending. There remains only one clause—clause 11. Then there is a further amendment by Dr. Ambedkar in respect of the schedule. That may be disposed of.

Shri Jawaharlal Nehru : Why not have the amendments read out?

Mr. Speaker : After disposal of clause 11 and the amendment of Dr. Ambedkar giving a new clause, the whole ground will be clear and there will remain nothing except the amendments. At this stage, we put this matter just aside for a few minutes— not till tomorrow necessarily. I go to clause 11.

Shri Dwivedi (Vindhya Pradesh): There are some amendments to Clause 11A.

Mr. Speaker : That I am just putting off. It is rather unfortunate that hon. Members are engaged in talking and do not follow the proceedings.

The question is :

“That clause 11 stand part of the Bill”.

The motion was adopted.

Clause 11 was added to the Bill.

New Clause 11A

Dr. Ambedkar : I beg to move :

After clause 11, insert the following new clause:

“11A. *Addition of new Fifth Schedule to Act XLIII of 1950.*— After the Fourth Schedule to the said Act, the following Schedule shall be added, namely:

“THE FIFTH SCHEDULE

[See sections 27A(2), 27(a), 27E(1) and 27J(a)]

Number of Members of Electoral Colleges

Name of State			Number of Members
1			2
1. Ajmer	...	...	20
2. Bhopal	...	...	20
3. Bilaspur and Himachal Pradesh	...	...	25
4. Kutch	...	...	20
5. Manipur	...	...	20
6. Tripura	...	...	20
7. Vindhya Pradesh	...	...	50”

Mr. Speaker : Amendment moved : Same as above.

Shri Dwivedi : I beg to move :

In the amendment by Dr. Ambedkar in the proposed new clause 11A, for the proposed Fifth Schedule of the Representation of the People Act, 1950, substitute the following:

“THE FIFTH SCHEDULE

[See sections 27A(2), 27C(a), 27E(1) and 27J(a)]

Number of Members of Electoral Colleges

Name of State	Number of Members
1	2
1. Ajmer	30
2. Bhopal	30
3. Bilaspur and Himachal Pradesh	42
4. Kutch	30.
5. Manipur	30
6. Tripura	30
7. Vindhya Pradesh	60”

In the morning I had a talk with Dr. Ambedkar along with certain other representatives of Part C States and we suggested to him that if a small Electoral College is created there will be difficulty and smaller the electoral college, it is likely to give some cause for corruption. It was therefore suggested that there should be bigger electoral College and this suggestion was accepted by Dr. Ambedkar. Therefore this amendment was proposed by me and others. Sir I move.

Mr. Speaker : Amendment, (of Shri Dwivedi) as mention abover moved:

Dr. Ambedkar : Sir, I accept the amendment.

Mr. Speaker : Are there any other amendments to this particular clause?