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*ON LOCAL BOARDS ACT AMENDMENT BILL : 1

Dr. B. R. Ambedkar (Bombay City): Mr. Speaker, having signed the Poona Pact, I am, of course, entirely out of court in discussing the subject of separate electorates. Therefore, I am not going into that part of the Bill which deals with the method of representation to be devised for the different minorities for which provision is made in this Bill. Perhaps, it will be justifiable for me if I mention from what angle of vision I look at this very thorny question of joint versus separate electorates. Sir, the way I look at it is this. What is to be the effect of joint electorates, supposing that it was introduced for the different minorities? What will happen, as I see, is this. One day in five years when the elections will come, a Hindu and a Mahomedian may go together to a common polling booth. I do not see what else can happen, as a result of joint electorates. (Interruption). Please allow me to go into the rest of the five years. When there are no elections, the Mahomedan community—I am taking that as an illustration—will believe in a separate life, a compartmental life to itself. I do not see that, as a result of joint electorates, the Mahomedans and the Hindus will come to live together in the same chawl. I do not see, as a result of joint electorates, that Mahomedans and Hindus will begin to inter-marry. I do not see, as a result of joint electorates, Hindus and Mahomedans will inter-dine. Sir, I take this opportunity to say deliberately that, if we want to build up unity, it is not by devising a day, however sacred that day may be, when both Hindus and Mahomedans will come to the same polling booth. If we want really to devise some means to build up unity, what we should do is to break up the social barrier. I say that in this matter the lead has to be taken up by the Hindu community, because they are a very exclusive community. If other communities live a separate life, it is because the Hindu community regards certain interests as its own interests and the fault is entirely due to the Hindu community. I say, therefore, deliberately that there is no use playing with this problem by putting forth a scheme which is ineffectual and which will have no operation except for one day which may come in the course of five years or three years. There is no use; and nothing will happen as a result of this. You may try it. I request my Mahomedan

*B.L.A. Debates, Vol. 2, pp. 326-29, dated 18th January 1938.

friends to grant them this opportunity and see if any particular protection will give an opportunity for the two communities not to remain apart. I cannot hold a brief for separate electorates having signed the Poona Pact.

I will turn now to the other aspects of the Bill and begin by saying that the Bill, so far as it goes, certainly marks a stage in advance from where we are standing. But there is nothing which I find in the Bill itself. It is an empty shell. It contains nothing. But for the speech of the Honourable Minister giving what he proposed to do with regard to the reorganisation of local bodies, we would certainly have known nothing from the Bill as it is. All that the Bill says is that the Government will be given the power to make rules for this and for that. Beyond that, what is there in the Bill? If the statement of objects and reasons was not attached to this Bill, we would not have even known what was the principle Government were going to adopt in providing for representation of the different minorities. I say it deliberately that the questions are constitutional questions. It is not a question of carrying ordinary legislation into effect where it has been the practice now, almost sanctified, that Government should be allowed to carry out the policy by rules. We are delegating part of our authority to Government to do something. We are delegating part of our taxing power to them. We are delegating to them the authority of making elective representation. I submit most deliberately that it is a constitutional question and as such ought to be settled in all its details in this House and ought not to be left to the sweet will of the executive. Take the example of the Government of India Act. What does this Bill deal with? This Bill deals with franchise, deals with the communities that are to get representation, deals with constituencies and deals with the method of voting. Look at the Government of India Act. What does it do? Has it left the number of seats to the minorities to the sweet will of the executive? Has it left the question of dividing constituencies to the sweet will of the executive? Has it left the method of voting to the sweet will of the executive? Nothing of the kind. All that has been done by Orders in Council which are as much part of the Government of India Act as the Government of India Act itself. It is necessary that we should do things in the way in which constitutional things are required to be done. This is my first submission with regard to this Bill.

As regards other matters, the first thing I should like to know from the Honourable Minister in charge of the Bill is this. He has very graciously said in the statement of objects and reasons that the principle which he wishes to follow in allotting seats for the different minorities is the principle of population. I am grateful to him for that. But I do want to ask him that, if that is the principle on which he proposes to allot seats for the different minorities, why he should not embody the principle in the section itself. What guarantee is there that we will get the benefit of the principle stated in the statement of objects and reasons? We do not want charity. We want our rights which we do not want to leave to the sweet will of the executive.

We want it to be definitely laid down by law. The second thing with which we are materially concerned is the question of system of constituency. I am most concerned about my honourable friend who could not come in as an M.L.A. I want to know what the system of constituency is in the matter of constitution of these boards. Is it to be a single member constituency or is it to be a plural member constituency? Nothing is stated even in the statement of objects and reasons. Why is that? If the executive wishes that hereafter they should adopt the system of single member constituency, then we ought to know, because that would decide whether we are to vote for this Bill or vote against it. That has not been done.

The third thing with which I am most concerned is the question of voting system. Is the voting system to be cumulative system of voting or is it to be distributive system of voting? That again has not been made clear. I like all these matters to be made clear and definite on the floor of the House. I hope the Honourable Minister will reply to all the queries I have made and embody those principles I have mentioned in the Bill itself, so that we may know what our rights are. In this Bill everything is sought, to be done by rules, but the Honourable Minister does not even propose to place these rules on the floor of the House, so that the House may know what exactly the executive has done. That is the least bit that can be done with regard to this Bill. I do not want to repeat what I have already stated. I regard it as solely and purely a constitutional question. It is a question of according a constitution for the local authority which is endowed with legal authority to do certain things, even to penalise the people by tax. Surely, before we can give these powers to the executive, the executive should agree to place on the floor of this House what they have done by way of using the powers which they ask us to confer upon them. I content myself with these remarks at this stage.

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