

Shri T. T. Krishnamachari : Mr. President, Sir, I move:
That after Schedule III, the following Schedule be inserted:

[ARTICLES 4(1) & 67(1a)]

To each State or States specified in the first column of the table of seats appended to Schedule there shall be allotted the number of seats specified in the second column of the said table opposite to that state or States, as the case may be.

THE COUNCIL OF STATES

States								Total Seats
1								2
1. Assam	6
2. Bengali	14
3. Bihar	21
4. Bombay	17
5. Koshal-Vidarbh	12
6. Madras	27
7. Orissa	9
8. Punjab	8
9. United Provinces	30
TOTAL							..	144

States and Groups of States								Total	Seats	
1								2		
1.	Ajmer	}	1	
2.	Coorg		1	
3.	Bhopal	1	
4.	Bilaspur	}	1	
5.	Himachal Pradesh		1	
6.	Cooch-Bihar	1	
7.	Delhi	1	
8.	Kutch	1	
9.	Manipur	}	1	
10.	Tripura		1	
11.	Rampur	1	
TOTAL								8

[Shri T. T. Krishnamachari]

REPRESENTATIVES OF STATES FOR THE TIME BEING SPECIFIED
IN PART III OF THE FIRST SCHEDULE

States	Total Seats
1	2
1. Hyderabad	11
2. Jammu & Kashmir	4
3. Madhya Bharat	6
4. Mysore	6
5. Patiala & East Punjab States Union	3
6. Rajasthan.. .. .	9
7. Saurashtra	4
8. Travancore-Cochin	6
9. Vindhya Pradesh	4
TOTAL	53
TOTAL OF ALL SEATS	205

Sir, these are three tables, one relating to the States specified In Part I, the second relates to States specified in Part II and the third relates to States specified in Part III, and the total number of seats allotted happens to be 205. I would explain, Sir, that the relative article in the Constitution happens to be 67, clauses (1), (2), (3) and (4) , and, as honourable Members will realise, that under clause (1) the maximum has been fixed at 250, out of which twelve members, shall be nominated by the President and the rest will be representatives of the States. The basis of the scheme envisaged in these tables is the decision of the Union Constitution Committee at a meeting held on the 1st December 1948 at which the following Members of this House were present:

The Honourable Shri Jawaharlal Nehru.

The Honourable Shri Jagjivan Ram.

The Honourable Dr. B. R. Ambedkar

Shri K. M. Munshi. Prof. K. T. Shah.

Shri T. T. Krishnamachari, and

Mr. B. H. Zaidi

If I may be permitted, I will read the relevant portion of the Committee's report.

"The Committee did not go into the details of the revised scheme of a location of seats in the Council of States prepared by office, as owing to mergers of various types the position of the Indian States is still unsettled. They were of the view that it was advisable to postpone consideration of the detailed allocation of seats to a later date. The Committee while reiterating their previous decision that the representation of units in the Council of States shall be on the scale of one representative for every million of the population up to five millions of the population plus one representative for every additional two millions of the population there-after, considered it unnecessary to adhere to the other decision that the maximum number of representatives from anyone unit shall be limited to twenty five. It was found that only two States, namely Madras and United Provinces would be affected by the imposition of such a limitation and that an abrogation of this limit while securing uniformity would involve only an increase by seven seats in the total number of seats which would be well within the overall maximum of 250 members provided for in article 67(1) of the Draft Constitution"

Sir, it is on the basis of this report made by the Union Constitution Committee that one seat should be allotted to every million up to five millions and thereafter one seat for every additional two millions, that this total has been worked out, and, as honourable Members will see, the total number comes to 205 plus twelve to be nominated by the President, *i.e.* 217. We still have thirty-three seats in hand before reaching the maximum number mentioned in article 67(1).

I would like to say why this is necessary because we could have adopted a different scheme even though it may be in contravention of the recommendations of the Union Constitution Committee. It may be, as honourable Members of the House will understand, that there is a further splitting up of the Units in Part I. If that will be the case, the number will naturally be increased because by every splitting up of the Units, the commitments will increase by at least five. These reallocations by reason of action taken by future Governments under article 3 of this Constitution may necessitate the raising of this number 217 to a still higher figure, and therefore provision has been made by following the system indicated by the Union Constitution Committee's report, *viz.* one seat for every millions up to five million and one seat for every additional two millions thereafter, which, I think, is a very fair arrangement and will allow freedom of action so far as the future is concerned. I would not claim any infallibility so far as these, figures are concerned. May be that the thing might be arranged in some other manner. For instance, regrouping in regard to States in Part II may be taken exception to. It is a matter of opinion.

I think on the whole the scheme is fair, but should honourable Members of this House or people outside have any objection, of course those objections will be examined and those objections will be placed before you and if you will permit me, the necessary amendments will be moved at a later stage, but I do not think that in the face of the arrangement placed before the House any serious alteration would become necessary between now and the Third Reading stage.

I would like to mention another factor that by reason of making this amendment, I would also have to make three consequential amendments, because of certain variations that have occurred. For one thing, article 67(1a) refers to Schedule III-B. An amendment will be necessary in regard to this particular sub-clause in the article. An amendment would also be necessary in article 4 because while taking into consideration article 4 we had omitted to mention along with the First Schedule the Schedule relating to the Table of Seats in the Council of States. Article 4 reads thus :

"Any law referred to in article 2 or article 3 of this Constitution shall contain such provisions for the amendment of the First Schedule as may be necessary to give effect to the provisions of the law and may also contain such incidental and consequential provisions as Parliament may deem necessary."

Any alteration of the First Schedule will entail the alteration of Schedule III. The First Schedule and the Third Schedule have got to be taken together. I will move an amendment later for putting in Schedule III-A in article 4. These amendments will be moved subsequently if the amendment that I have now moved for the incorporation of Schedule III-A containing the Tables of Seats in the Council of States is accepted by the House.

Shri H. V. Kamath: I do not know why my esteemed friend once again referred to my honourable Colleagues as "peopple inside the House".

Mr. President : He said “honourable Members and people outside”.

The question is :

“That after Schedule III, the following schedule be inserted

SCHEDULE III-A

[ARTICLES 4(1) & 67(1a)]

ALLOCATION OF SEATS IN THE COUNCIL OF STATES

To each State or States specified in the first column of the table of states appended to this Schedule there shall be allotted the number of states specified in the second column of the said table opposite to that State or States, as the case may be.

TABLE OF SEATS

THE COUNCIL OF STATES

REPRESENTATIVES OF STATES FOR THE TIME BEING SPECIFIED IN PART I OF THE FIRST SCHEDULE

States 1	Total Seats 2
1. Assam	6
2. Bengal	14
3. Bihar	21
4. Bombay	17
5. Koshal-Vidarbha	12
6. Madras	27
7. Orissa	9
8. Punjab	8
9. United Provinces	30
TOTAL	144

REPRESENTATIVES OF STATES FOR THE TIME BEING SPECIFIED IN PART II OF THE FIRST SCHEDULE

1. Ajmer }	..	..	..	..	..	..	1
2. Coorg }	..	..	..	..	..	..	1
3. Bhopal ..	..	..	..	..	..	..	1
4. Bilaspur .. }	..	..	..	..	..	..	1
5. Himachal Pradesh }	..	..	..	..	..	..	1
6. Cooch-Bihar ..	..	..	..	..	..	..	1
7. Delhi ..	..	..	..	..	..	..	1
8. Kutch ..	..	..	..	..	..	..	1
9. Manipur }	..	..	..	..	..	..	1
10. Tripura }	..	..	..	..	..	..	1
11. Rampur ..	..	..	..	..	..	..	1
TOTAL .. .. .	..	..	..	..	..	..	8

REPRESENTATIVES OF STATES FOR THE TIME BEING SPECIFIED IN PART III OF THE FIRST SCHEDULE

1. Hyderabad ..	..	..	..	..	..	11
2. Jammu & Kashmir ..	..	..	..	..	..	4
3. Madhya Bharat ..	..	..	..	..	..	6
4. Mysore ..	..	..	..	..	..	6
5. Patiala & East Punjab States Union ..	..	..	..	..	..	3
6. Rajasthan ..	..	..	..	..	..	9
7. Saurashtra ..	..	..	..	..	..	4
8. Travancore-Cochin ..	..	..	..	..	..	6
9. Vindhya Pradesh ..	..	..	..	..	..	4
TOTAL .. .. .	..	..	..	..	..	53
TOTAL OF ALL STATES ..	..	..	..	..	..	205.”

The motion was adopted.
Schedule III-A was added to the Constitution.

Shri T. T. Krishnamachari : Mr. President, Sir, I move:

“That in clause (1a) of article 67, for the word, figure and letter ‘Schedule III-B the word, figure and letter ‘Schedule III-A’ be substituted.”

I have already explained the need for this amendment. I hope the House will accept the amendment.

Mr. President : This is merely consequential. The question is:

“That in clause (1a) of article 67, for the word, figure and letter ‘Schedule III-B’ the word, figure and letter ‘Schedule III-A’ be substituted.”

The amendment was adopted.

Shri T. T. Krishnamachari : Sir, I move :

“That in clause (1) of article 4, after the words ‘First Schedule’ the words, figure and letter ‘and Schedule III-A’ be inserted.”

I have also explained the need for this amendment. I hope the House will accept the amendment.

Mr. President : This is also consequential. The question is:

“That in clause (1) of article 4, after the words ‘First Schedule’ the words figure and letter ‘and Schedule III-A’ be inserted.”

The amendment was adopted.

Shri T. T. Krishnamachari : Mr. President, I move:

“That in clause (1) of article, 4, for the words ‘incidental and consequential provisions’ the words and brackets ‘supplemental, incidental and consequential provisions (including provisions as to representation in Parliament and in the Legislature or Legislatures of the State’ or States to be affected by such law)’ be substituted.”

This is a modification of the words which we now seek to supplant. There is nothing intrinsic in this amendment which seeks to vary a principle which has been incorporated in article 4.

Mr. Naziruddin Ahmad: Does it enlarge the scope of the original text?

Shri T. T. Krishnamachari : Only to the extent that article 4 is an operative clause, in regard to article 3, and the enlargement is restricted only to the extent that is absolutely necessary.

Mr. President : The question is:

“That in clause (1) of article 4, for the words ‘incidental and consequential provisions the words and brackets ‘supplemental, incidental and consequential provisions (including provisions as to representation in Parliament and in the Legislature or Legislatures of the State or States to be affected by such law)’ be substituted.”

The amendment was adopted.

PART XVIII

Shri T. T. Krishnamachari : Mr. President, Sir, I move:

“That for Part XVIII the following Part be substituted:

PART XVIII

SHORT TITLE, COMMENCEMENT AND REPEALS

Short title.

313A. This Consitution may be called the Constitution of India.”