

the sentimental point of view you say that Delhi should remain under the chief Commissioner. Old Delhi has got the name Municipal Committee. New Delhi, at a distance of three miles has another Municipal Committee. In the Civil Lines there is a Notified Area Committee, again at a distance of miles. At Shahadara there is a similar Committee. I have never heard of any city having within a distance of about eight miles more than one Municipality. Go to Bombay. Bombay has a circumference of 18 miles and there are so many suburban towns, but it is not that there are small local bodies within a city. I desire that there should be a Municipal Corporation for Delhi. I was really very glad to learn when the In term Government came into power that a Committee was appointed to go into the question of having a Corporation for Delhi, combining the small municipalities into one. The Committee has given a very fine report, advocating that there should be a Municipal Corporation for the whole of Delhi and that the small municipalities should be merged into it. That report, I think, has been shelved. It is now two years since they presented their report. You are not prepared to give local self government to the people of Delhi—I do not know for what reasons. Why should there not be a Municipal Corporation for Delhi instead of four small municipalities at a distance of three miles each? You are not I prepared to give them the right from the civic point of view also. I therefore desire that in the fair name of this Capital you must immediately take steps to see that these powers are vested in the people of these two provinces.

**Shrimati G. Durgabai** (Madras: General): Sir, the question may now be put.

**Mr. President :** The question is:

“That the question be now put.”

The motion was adopted.

**Mr. President :** The question is:

“That in clause (1) and the proviso to clause (1) of article 212, for the words ‘Governor or Ruler’, wherever they occur, the expression ‘Government’ be substituted.”

The amendment was adopted.

**Mr. President :** The question is :

“That in clause (b) of the proviso to clause (1) of article 212, for the word ‘wishes’ the word ‘views’ be substituted and at the end the following new clause (3) be added :-

(3) In this article reference to a State shall include reference to a part of a State.’ ”

The amendment was adopted.

**Mr. President :** The question is :

“That with reference to amendment No. 2713 of the List of Amendments. clause (2) of article 212 be omitted.”

The amendment was adopted.

**Mr. President :** The question is:

“That article 212, as amended, stand part of the Constitution.”

The motion was adopted.

Article 212, as amended, was added to the Constitution.

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### Article 213

**The Honourable Dr. B. R. Ambedkar :** Sir, I move.

“That with reference to amendment No. 2722 of the List of Amendments, for article 213, the following article be substituted :—

[The Honourable Dr. B. R. Ambedkar]

‘213 (1) Notwithstanding anything contained in this Constitution Parliament may by law create or continue for any State for the time being specified in Part II of the First Schedule and administered through a Chief Commissioner or Lieutenant Governor—

(a) a body, whether nominated elected or partly nominated and partly elected, to function as a Legislature for the State; or

(b) a council of advisers or minister or both with such constitution, powers and functions in each case, as may be specified in the law.

(2) Any law referred to in clause (1) of this article shall not be deemed to be an amendment of this Constitution for the purposes of article 304 thereof notwithstanding that it contains any provision which amends or has the effect of amending the Constitution’.”

Sir, the principle change sought to be effected by this amendment is this. In the original Draft the power of creating a body, whether nominated or elected for purpose of representation and a Council of Advisers or Ministers was a matter which was left to the President. The new Draft gives the power to Parliament and not to the President. That is the only substantial change which has been effected by this new article. Otherwise the provision remains the same.

**Shri Brajeshwar Prasad :** I am not moving my amendment No. 47 in List I of First Week.

**Prof. Shibban Lal Saksena :** Sir, I move.

“That in amendment No. 45 above, in clause (1) of the proposed article 213, the words Notwithstanding anything contained in this Constitution be deleted.”

I personally feel that the article, as it is, is complete and that there is no need therein for the words “Notwithstanding anything contained in this Constitution”.

Sir, this article is in fact giving a Constitution for the States in Part II of Schedule I which includes Delhi, Coorg and Ajmer Merwara. I agree that Coorg and Ajmer-Merwara should be attached to their contiguous provinces as per recommendation of my friends Messrs. Poonacha and Pandit M. B. L. Bhargava. I also think that for Delhi there should be a separate Constitution. I think this article should apply only to Chandernagore, etc. For Delhi there should be a separate provision other than that under article 213 which says that there shall be a body, Whether nominated, elected or partly nominated and partly elected, to function as a Legislature for the State or a council of advisers or ministers. I think that for Delhi we should have a special provision which should not be of the pattern for the Centrally administered areas. Delhi should be a province by itself and provision for that should be made Separately. I therefore suggest that this article, should not apply to Delhi.

We have recently seen a note circulated by Shri K. M. Munshi in which he has pointed out that Delhi is something like the city of Bombay in respect of its growing population and is the capital of India. To satisfy the needs of the capital its citizens may have autonomy like that of Bombay. I feel that if a new article is added for this purpose it would be better.

I am opposed to giving the right to Parliament to adopt a constitution for Delhi. This should be done in a separate article incorporating the provisions contained in the note of Shri K. M. Munshi. I therefore, suggest that this article should not apply to Delhi. As this is the only occasion on which I could speak about Delhi, I suggest that New Delhi may of course be under the control of the Central Government, but the rest of the area must be given full autonomy with a separate legislature and so on. In fact the report which was submitted by the Committee has recommended full autonomy to the province of Delhi. I only exclude New Delhi from it. There 80 per cent. of the

buildings are owned by the Government and therefore, New Delhi may remain under the control of the Central Government; but the remainder must be given full autonomy. But the question may be investigated whether the remainder cannot form part either of East Punjab or, then United Provinces. If it thus forms part of an existing province it might be very helpful, because Delhi by itself may not have the resources needed for a major province. I personally feel that as Delhi is the natural centre of East Punjab, it may form part of the province of East Punjab. It will then become the Centre of East Punjab, as Calcutta is of West Bengal. I therefore think that there should be a separate provision for Delhi. If we are of the opinion that it should form part of East Punjab we must make a suitable provision for it. But I am opposed to giving the future Parliament the function of drawing up a Constitution for it. As the new Constitution is to come into force on 26th January 1950, we will probably finish constitution-making by the end of November or so. There will thus be hardly time for framing a Constitution for Delhi at all. The thing will have to be rushed through. I feel that this question must be decided here. We may now decide whether Delhi should form part of any other province or be given full autonomy. This article may apply to Chandernagore, Pondicherry or other areas which may be added to India. Those territories have been under the French influence for long. Only after a time they will be able to come up to our level. For that reason they may be administered by the Centre for sometime. Ultimately we should not have any area directly controlled by the Centre. Every place should become or be attached to an autonomous province.

**Shri Deshbandhu Gupta (Delhi):** Sir, there is an amendment in my name to articles 212 and 213 which is based on the unanimous recommendations of the *ad hoc* Committee which was appointed by this House. Although I do not propose to move it, I must frankly say that I do not feel happy about the amendment that has been moved, by my Friend Dr. Ambedkar to article 213. In fact, the whole population of Delhi is very much disappointed and is bound to feel that the decisions that were taken earlier are being given a go-by.

There is a strong feeling amongst the people of Delhi and other Centrally governed areas that they have been given step-motherly treatment. From the very beginning this has been evident that they are being ignored. Firstly, when the House appointed committees to settle the principles of the constitutions for the provinces and the Centre, no such committee was appointed to consider the question of the Centrally Administered Areas.

The Draft Constitution first published, although it left it to the President to effect changes in the constitution of Delhi and of the Centrally administered areas, a provision for a local legislature was also made therein. But the new amendment has done away with that provision. It was only after a good deal of effort was made by the representatives of the Centrally administered areas and it was pointed out by them that when we are deciding the Constitution of the whole country, there was no reason why the Centrally administered areas which had been denied autonomy so far should continue to be ignored, that a Committee was appointed to go into the question of the future Constitution. That Committee was presided over by Dr. Pattabhi Sitaramayya and besides others no, less an eminent person than Shri Gopalaswami Ayyangar served on that Committee. The Committee recommended unanimously a definite plan for the future Constitution of Delhi and other Centrally governed areas.

**Mr. President :** Will you please read out your amendment ?

**Shri Desbandbu Gupta :** The amendment which stands in my name and

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to which I have made reference is No. 2706 which reads:

“That for the existing articles 212 and 213 the following be substituted:—

‘212 (1) The territories immediately before the commencement of the Constitution known as the Chief Commissioner’s Province of Delhi shall be administered by a Lieutenant Governor with a Council of Ministers and a Legislature of the State.

(2) The Lieutenant Governor shall be appointed by the President by warrant under his hand and seal and the legislature of the State shall consist of the Lieutenant Governor and one House to be known as the Legislative Assembly.....”

**Mr. President :** You are reading amendment No. 2706. Are you moving that amendment ?

**Shri Deshbandhu Gupta :** I was only referring to the amendment.

**Mr. President :** Read out the amendment which you wish to move.

**Shri Deshbandhu Gupta :** The amendment that I wish to move runs thus:

“That in amendment No. 45 of List I (Second Week) of Amendments to Amendments, after clause (1) of the proposed article 213, the following new clause be inserted:

**Shri Brajeshwar Prasad :** We have not got a copy of the amendment.

**Shri Deshbandhu Gupta :**

“( 1a) Any law as aforesaid may contain directions as to the representation of such State in the House of the People on a scale different from that provided in clause (5) of article 67 of this Constitution and may also vary the allocation of seats to representatives of such State in the Council of States as provided in Schedule III-B.”

This is the amendment, Sir, which I proposed to move now to the amendment moved by Dr. Ambedkar and I have no doubt that the House will accept it. The reason is very simple. We have denied autonomy to the Centrally governed areas including Delhi which stands on a slightly different footing inasmuch as besides being the Capital of India it has got a population of about twenty lakhs today which may go up to thirty lakhs in a few years’ time. We have already passed article 67, and in spite of the fact that we have not given any definite democratic Constitution to the Centrally governed areas, we have not considered the desirability of even providing some additional representation for these areas in the Central Legislature. Up till now, the Central Legislature has been acting as the Parliament for these areas. All legislation affecting these areas have to be passed by this House. It was therefore only fair that provision should have been made for giving some additional representation to Delhi and the other areas which are Centrally governed. I think it does not require much argument to convince the House that such a provision is necessary and feel that the House will pass my amendment and not oppose the idea of a few extra seats.

In this connection I wish to point out that Delhi and other Centrally governed areas have not been receiving a fair deal either from the House or from those who are in authority today. The attitude of the Drafting Committee and others responsible for their draft, proposals about the Centrally governed areas, particularly Delhi, has been rather disappointing. Whenever a demand was made by us to liberalise the provisions with a view to give them some measure of autonomy, and we went to the Drafting Committee with such a request, fresh restrictions were introduced in the Draft. To give an illustration : In the original Draft, article 213 provided specifically a local legislature for Delhi and other Centrally governed areas but the amendment which Dr. Ambedkar has now moved uses a new phraseology and says that it will be a body wholly or partly nominated which may act as the legislature. There are so many other qualifying words which have been introduced in the

amendment for the first time. To give another example : Dr. Ambedkar had on an earlier occasion given notice of amendment No. 2722, which specifically provided:

“a Council of Advisers or Ministers to aid and advise the Chief Commissioner or the Lieutenant Governor in the administration of the State.”

I do not know why the Drafting Committee now seeks to remove even this provision which they themselves had drafted at an earlier stage. The only one merit that one can claim and is being claimed for Dr. Ambedkar's amendment is that it is a comprehensive amendment that it is equally applicable both to Panth-Piploda and to Delhi. My contention, Sir, is that it is really very unfair to treat Delhi and Panth-Piploda alike. The right course for the Drafting Committee would have been to treat Delhi as a separate unit while drafting its Constitution. Whereas all other Centrally governed areas are likely to be amalgamated with the adjoining provinces sooner or later, Delhi stands on a different footing altogether, as the position of Delhi is not going to be altered in future except that its population may go up and is bound to go up. Otherwise there is not even a suggestion that Delhi is going to be amalgamated with either of the neighbouring provinces. In the case of Ajmer-Merwara, Coorg, Panth-Piploda and the other Centrally governed areas, which have come into existence recently, there is a clear indication—and it goes without saying that these areas sooner or later will be merged with the neighbouring provinces. The Drafting Committee should have therefore drafted the Constitution of Delhi on the lines suggested by the *ad hoc* Committee. Delhi has already got a population of about twenty lakhs and this is bound to go up further in a few years' time. Thus it makes a very good unit to be treated independently, but my friends of the Drafting Committee in their wisdom have thought it fit to treat Panth-Piploda and Delhi alike and include both of them in the same clause. There was bound to be some difficulty, therefore, and I agree that if a comprehensive clause was to be drafted which could cover all these areas, the Drafting Committee perhaps could not have done otherwise. But I hold that it was wrong to do so and would request the House to bear with me and judge whether so far as Delhi is concerned, it does or does not require a different treatment. Delhi is the Capital of India and it is being contended that it cannot be given any measure of self-government because Washington has not got it and because Canberra has not got it; but I submit Sir, that it would be unfair to compare Delhi either with Washington or with Canberra. The reason is very simple, Delhi is a town which has got a history of its own, a civilization of its own. It is a commercial as well as, an industrial town, whereas Washington has been built as a capital. There the people had the choice to settle or not settle in that town and whosoever wanted to be a citizen of Washington, he migrated to that place. But here the capital has migrated to Delhi and not that Delhi has been built as a capital originally. How can you then ignore the legitimate aspirations and demands of the people of Delhi? On this basis, I claim that Delhi should be treated differently. The analogy of Washington might apply to New Delhi in some degree but I hold that even to New Delhi it cannot apply as New Delhi is no longer a separate city from Old Delhi. The population of both the cities is intermingled. Transport, electricity, water supply and all other essential services are common to both and even the population is common. Many people have got their business in Old Delhi but they are living in New Delhi. Some have their business in New Delhi and are living in Old Delhi. To say that New Delhi and Old Delhi are two separate entities and to compare New Delhi with Washington or Canberra is therefore not fair. I would not like to elaborate this point further.

No less a person than our respected leader, Pandit Jawaharlal Nehru has publicly told the, people of Delhi that he is in sympathy with their demands and

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that a Bill shall soon be introduced in the Parliament providing for a constitution for Delhi which will give the people of Delhi as large a measure of responsibility as possible. I have no doubt, Sir, that this assurance Will be carried out and before other parts of India are governed under the new Constitution, Delhi also will have its own constitution passed-by the Parliament.

Sir, I have heard some people say that Delhi is much too small a place and that the demand for autonomy is being made merely to satisfy the aspirations of some local political leaders. This is a very cheap jibe, if I may, say so, and cannot be taken seriously. Such an argument could be, equally applicable to our demand for self-government or independence in a wider sphere, I can assure the House that it is not as a matter of luxury that the people of Delhi have demanded autonomy or a measure of self-government or a voice in their administration. Their difficulties are real. Few of the Members of this House probably are aware of the difficulties from which the people of Delhi are suffering. To mention a few may I point out that till recently even the premier Municipality of Old Delhi used to have an official president; and it still has about one-third of its members as nominated ones. The New Delhi Municipal Committee is a wholly nominated body and, its Chariman is still an official. This is how Delhi is treated in the sphere of local self-government. Then, several Ad Hoc bodies have been appointed like the Improvement Trust, the Joint Water and Sewage Board, the Delhi Central Electric Power Authority which have got official majorities and no effective representation of the people of Delhi. They plan and take big decisions about Delhi, but the people of Delhi have no effective voice in the administration of these bodies.

Then, Sir, more than all this, what is most deplorable is that Delhi has been tagged on to the East Punjab. We get all our services from there, the magistracy, the Police and so on and so forth, but we have no voice in their selection. Even the High Court is that of East Punjab. The Delhi people have been making a demand for the last so many years, that there should be a Circuit High Court in Delhi, but to no avail. I am told (and I have good reason to believe that the figures are correct) that the value of the civil appeals dealt with by the East Punjab High Court which, go from Delhi is about 65 per cent. and the percentage of the civil cases which go from Delhi is 35 per cent. of all the cases dealt with by the High Court. In spite of this the modest demand persistently made by the Citizens of Delhi for the last three years that there should be a Circuit Court in Delhi, has not, been listened to. Whatever demand is made by the people of Delhi, is treated with indifference by, the East Punjab Government and no one pays any heed to the difficulties and to grievances to the people of Delhi.

As regards the services, few people realize that although Delhi has got a population of about 20 lakhs, there is no scope for its young men in Government services. Take for instance the Provincial Civil Services; they have no place in either United Provinces. or East Punjab and Delhi has no cadre of its own. They only know that they have to be governed by officials brought from either United Provinces or from East Punjab. Are not these difficulties real? Some people believe that Delhi has benefited from the location of India's Capital here. Let us examine this. It is the right of every big municipallity to own control and run the essential utility services like electricity, transport, water-works, etc. and they form a big source of their income. Do you know that they have never been entrusted to the Municipality of Delhi? The fact is that Old Delhi has been made to serve as a maid to New Delhi, which has been built as a Capital. I can say that Old Delhi has not benefited to the

extent people are made to believe by New Delhi having been made the Capital. There is pressure on its roads and its sanitation is so bad, that today really speaking, the whole of Old Delhi has become a big slum and still nobody cares for the poor people of Old Delhi. A suggestion has been made by some kind friends in the course of their speeches that Delhi, should be joined with East Punjab. I am afraid, Sir, the way in which East Punjab Government has behaved in the past and is behaving now towards Delhi is so bad that it cannot encourage the people of Delhi to entertain any such suggestion. To give one just illustration of its callousness, may I point out that there are more than 300 villages attached to Delhi situated on the border of East Punjab and U.P. and if you go today to these border villages you will find that while gram is selling at Rs. 7 per maund in the East Punjab villages just within one mile from the border, the people living in Delhi and its villages have to pay Rs. 9 to 12 per maund. The same is the case with Chara (fodder). While Rs. 4 per maund is the rate of fodder in Gurgaon and Rohtak, in Delhi it is Rs. 9 per maund. To remove this anomaly and hardship there has been a persistent demand that Delhi should be included in the East Punjab for the purposes of rationing but no one listens to it. They want to include Delhi in East Punjab for the purposes of High Court, but they would not like to share the advantages of East Punjab in this respect with Delhi. There has always been an opposition to that from their side. Then again, Sir, nobody will deny that Delhi was the biggest centre for cloth trade in Northern India, but during the last four or five years this trade of Delhi has been ruined. While the old Government had made allowance for this fact and while allotting cloth quotas for the Delhi province, they had taken into account the fact that Delhi was the distributing centre for Western United Provinces and Eastern Punjab, under the new regime, I am sorry to say, even that advantage has been taken away. The quota now allotted to Delhi is just enough for the population living in Delhi, with the result that Delhi has ceased to be a distributing centre for cloth and all its trade has thus been ruined. Not one, I can give you instances after instances to show as to how the people of Delhi have been made to suffer during all these years. They have suffered quietly and patiently in the past in the hope that after the attainment of freedom it would be all right. Nobody can say that Delhi lagged behind in making sacrifices which the nation was called upon to make in the struggle for freedom. Delhi is proud to think of persons like the late Hakim Ajmal Khan, Dr. Ansari, Swami Shradhanand who were closely associated with its political life. It has produced men of the calibre, of Lala Hardayal who have contributed so much to the freedom movement of India. Delhi, I claim, has been second to none in the whole of India so far as its contribution to the fight for freedom is concerned. In view of all this why should one be afraid of all this why should one apprehend that if autonomy is given to Delhi, its people will misbehave and at might create difficulties for the Centre ? I submit that not one Delhi, but hundreds of Delhis can be sacrificed in the larger interests of the country and I as representative of Delhi can give an assurance to the House that if it is considered by the House that any measure of autonomy given to Delhi will prejudice the best interests of the country, I will be the first person to say "well, keep back autonomy; we shall be content to be governed as heretofore". But I can say that there is no reason to entertain such a fear. If the Central Government cannot look after a tiny province like Delhi, and feel that they can carry the people of the Capital with them I am afraid it will lose its title to rule over the whole country.

Under these circumstances, I would urge upon this House that although I am not moving my original amendment, I hope this promise given in the amendment proposed by Dr. Ambedkar will not prove to be just an eye-wash. Dr. Ambedkar's amendment can be interpreted in any way; it is a comprehensive one; under its terms Delhi can get a legislature; it may get responsible

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Government or may get nothing. This is how it is worded. I rely therefore, Sir, more on the assurance given by Panditji recently in the Political Conference which was held in Delhi that the people of Delhi will get a measure of autonomy.

I do not wish to take this occasion to criticise the administration of Delhi. Otherwise, I can quote many illustrations to show as to how the administration of Delhi has deteriorated and how much it has added to the difficulties of the people of Delhi. Delhi is perhaps the only city which has received our refugee brethren with open arms. My friends from the United Provinces, who are always claiming new territories, and making new conquests, when the question of receiving refugees came, raised all sorts of obstacles in their way of settling down in the United Provinces. Other provinces also raised the hue and cry that there should be a fixed quota. But, so far as Delhi is concerned, the population of the city has almost doubled. The number of refugees today in Delhi is not less than five lakhs. During the last two years, nobody can say that at any time, the citizens of Delhi have raised any cry of refugees versus Delhiwallas. It is an important point to note that the people of Delhi, in spite of the fact that their economic interests have suffered very largely, have been keeping quiet. In these circumstances, and in view of this conduct of the citizens of Delhi, I would say that they do deserve better consideration.

I have already dealt with the suggestions made that Delhi can be added to East Punjab. I repeat that I am definitely opposed to that idea. There was a time, Sir, in 1927 when a scheme was adopted by the people of Delhi which provided for the enlargement of the Delhi province by the inclusion of Meerut and Agra Divisions from the United Provinces and Ambala from East Punjab. That was taken up at the Round Table Conference as well and if I may say so, had received the blessings of Mahatmaji and others. But, unfortunately, that scheme did not go through. Even today I feel that if that scheme had been accepted at that time, perhaps the country would have been spared the agony of the partition of India. But, that was not listened to at that time. I have no doubt that the people of Delhi would be content with the measure of responsible Government which the House and the Leaders may safely give to them. I assure them that there need be no such apprehension that Delhi being the Capital of the country there would be difficulties in the way.

There is another aspect of the question. These five lakhs of refugees living in Delhi have come here from an autonomous area. Is it suggested that these people who had no choice but to come to a place like Delhi, should be deprived of their right of having a voice in the administration? If there is not going to be a responsible Government in Delhi, then it means we would be virtually depriving all these people also of their right of having a voice in the administration. Some people say "why do these Delhiwallas cry? They have already been given an Advisory Council." I wish to point out, Sir, that if you look into the record of the work done by the Advisory Council during the last two years you will be surely disappointed. This Advisory Council is the biggest hoax that has been played upon Delhi. I may tell you, Sir, that I have a feeling that the resolutions passed by the Council are not even read by the ministries concerned; no attention is paid to them. Even the budget is not referred to this Council in time, for opinion. Any time spent in the Council is really a waste of the time of the members of the Advisory Council: the resolutions they pass never receive any attention. We have today absolutely no voice in the day-to-day administration of the province. If our leaders wanted to give some measure of autonomy, they should have at least laid



down a convention that in the day-to-day administration, the representatives of the Advisory Council would be consulted; their advice is not sought even on important occasions. I am sorry to say that in all such matters, the Advisory Council has been studiously ignored. Under these circumstances, the people of Delhi can justifiably entertain the fear that those in authority do not understand or appreciate their difficulties and do not wish to give them that measure of self-government which is their legitimate due. I hope that this fear is not justified and as the Honourable the Prime Minister has said on more than one occasion early steps will be taken to give Delhi a constitution which it deserves.

Before concluding, I would like to quote the Honourable the Prime Minister. On an earlier occasion he had said:

“A constitution, if it is out of touch with the peoples’ life, aims and aspirations it becomes rather empty; if it falls behind their aims, it drags the people down.”

This is what our Prime Minister had said in this House during the last session speaking in another connection. I hope that this will be borne in mind and whatever pattern of responsible Government will be given to the people of Delhi, it will not be a mere toy or an eye-wash.

Before concluding I would like to point out one thing more; I am strongly of opinion that whatever constitution may be given to the, people of Delhi, Delhi deserves some special representation in the Parliament and in the Upper House, for the simple reason that even if it is given some restricted autonomy, most of its legislation will be passed by the House of the Peoples. Today, there is just one representative of Delhi in the Central Assembly representing a population of about twenty lakhs. Under the new Constitution according to article 67 Delhi will probably have three; my contention is that Delhi has got a special claim and it should be given more representation in the Central Legislature both in the Council of States and House of the People. The amendment which I have moved makes it possible for the Parliament to provide for such additional representation and I do hope that it will not be opposed by anyone in the House-. I do not wish to take more time of tile House. I hope that the recommendations of the Ad Hoc Committee, although they have been ignored by the Drafting Committee, will be home in mind by the Parliament when a Bill is drafted providing for the future constitution of Delhi. In this connection I may make it clear that if the Act of 1935 does not provide for amending the Constitution of Delhi, I hope the legal pandits will find some solution of the difficulty and it will be made possible to give Delhi whatever constitution is decided upon, simultaneously with other parts of the country. I hope it will not be difficult for the constitutional lawyers to make some provision in the Constitution so that the Parliament can take up the Bill in the next session of the Parliament.

Before concluding, I assure once again the Prime Minister and other friends that so far as the people of Delhi are concerned, you need have no apprehensions about them. They have behaved in the past and they will behave also in the future under all circumstances, whether you give them autonomy or not, Sir, with these words I conclude.

**The Honourable Shri Jawaharlal Nehru** (United Provinces: General): Sir, may I indicate in a few sentences the attitude of Government in regard to this important matter? Obviously the question of Delhi is an important point for this House to consider. It was for this reason that over two years ago this House appointed a Committee for the purpose and, normally speaking, the recommendations of the Committee appointed by this House would naturally carry great weight and would possibly be given effect to. But ever since

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that Committee was appointed the world has changed; India has changed and Delhi has changed vitally. Therefore to take up the recommendations of that Committee regardless of these mighty changes that have taken place in Delhi would be to consider this question completely divorced from reality. But the fact remains that this question has got to be considered and all of us or nearly all of us here sympathise very greatly with those citizens of Delhi and representatives of Delhi who feel that this great and ancient city of Delhi should not be left out of the picture when this Constitution comes into effect. Therefore we have to give thought to it. Now giving thought to it, the first thing that comes up for consideration is this that the situation in Delhi is not a static situation; it is a changing situation and if we put down any clauses in the Constitution, we rather petrify that situation. It is far better to deal with it in a way which is capable of future change, i.e. by Act of Parliament rather than by fixed provisions in the Constitution.

Again, these provisions do not deal with Delhi only but with other areas which are called Centrally administered areas or the like. It may be that still further areas may come into our ken. Therefore, anything that we may put down in the Constitution must be something which applies to all. That is a difficult thing to do because those areas are completely different. These areas, 'Whether it is Coorg or Ajmer-Merwara or Panth-Piploda or Delhi, they are completely different and it is frightfully difficult to find a common formula for them. For all these reasons it seems inadvisable to put in the Constitution any precise form of approach to this question except to indicate that something should be done and leave it open to Parliament to do it.

Now Mr. Deshbandhu Gupta has brought forward two amendments. I do not know if he has moved them formally or not; anyhow he spoke about them. One was rather a general disapproval of the present amendment—not on any precise ground—but because he thought that it rather led away from the previous Draft. Now, I have little to say about it except I think that the amendment moved by Dr. Ambedkar seems to cover the entire ground fairly well. It is up to this House to apply it in any way it likes to Delhi but please do not try to change that amendment simply thinking in terms of Delhi and thereby put difficulties in your way if you have to apply that to some other areas. That is point one.

The second point is in regard to a clause that he wishes to add to this if, concerned I have absolutely no objection. My only difficulty is that I should not like to put in something in a hurry without careful consideration of the drafting of it. But so far as I am concerned—and I think I speak for most of the members of the Drafting Committee—they accept the principle and they intend to bring that in somewhere in the Constitution at some later stage. That is to say, the principle of some kind of representation in the Central Legislature of these areas—that principle is accepted and will be provided for somewhere or other in the Constitution.

Now finally, I should like to say that it is our intention, that is, the Government's intention to bring forward some kind of a Bill to deal with Delhi in the course of this year. We cannot do so, so far as I understand the Constitution, we cannot do so till this Constitution itself is passed or till this House enables us to do so. Therefore in any event we have to wait-till whether

October or November I do not know—but we hope to proceed with this matter. Meanwhile we shall think about it and will bring it up later dealing with Delhi.

**Mr. President :** Pandit Thakur Das Bhargava Are you likely to take long ?

**Pandit Thakur Das Bhargava** (East Punjab : General): Not very long, about twenty minutes.

**Mr. President :** I think we had better take it up tomorrow. The House now stands adjourned to nine o'clock, tomorrow morning.

The Assembly then adjourned till Nine of the Clock on Tuesday, the 2nd August, 1949.

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