



Sadhan Chandra Gupta in Parliament: A Voice for Diverse Representation in Independent India (1953–1962)

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Abstract

Election is the cornerstone of any functional democracy. It facilitates the people to perform the duty of electing their representatives at all stages of administration. The growing need for diverse voices owing to the cultural and economic transmissions are not limited to any segment of the society. This proposed study will provide a concise history of the evolution of diverse representational measures of independent India. The study mainly focuses on the role of a visually-impaired parliamentarian Sadhan Chandra Gupta From West Bengal. Also, the paper will examine his active participation in the parliament proceedings. Finally, it seeks to highlight the need for a political reservation for the persons with disabilities from local bodies to parliament general elections.

Keywords: democracy, elections, reservation, representation, visually-impaired

Introduction

First half of the 20th century is set to be one of the largest periods to ensure most significant reforms in the human life. It is convincing to accept that, the period has confined the human progress to development through wars and peace negotiations. For instance, the first world war resulted in the formation of league of nations and the second world war ended up with the foundation of United Nations Organizations (UNO). Along the side of that progress, the need to have an effective, strong and vibrant democracy for the motherland had also grown up faster than ever. Also, the thought of gaining freedom had highly contributed and in fact

fuelled the thoughts further. Spread of different ideologies among the people had conclusively contributed for the introduction of democracy in many countries. In India, the process of democracy is set to be known among the people since ancient days. However, the administrative changes brought in by the English such as centralised administration during mid 19th century is highly responsible for the efforts to revive it in Indian administration during the 20th century. This paper will focus on addressing the brief history of Indian parliament and provisions related to the selection of members. It also studies the biographical sketch and role of a blind parliamentarian Sadhan Chandra Gupta. Finally, the



study will conclude with the emphasis on reservation in electoral process for the persons with disabilities.

Parliament and the Indian Constitution

On February 20, 1946 Clement Attlee, the then Prime Minister of Britain declared that, India would be given independence not later than June 1948. It appears the Government at London was greatly concerned about peaceful transfer of power. Accordingly, the Cabinet mission comprising Lord Pethick-Lawrence (Secretary of State for India), Sir Stafford Cripps (President of the Board of Trade), and A.V. Alexander (First Lord of Admiralty) was sent to India to facilitate the process. The committee arrived in India on March 24, 1946 had endorsed the long time needs and demands of the Indian leaders since 1934. It proposed a formation of constituent assembly to draft the constitution. Also, the mission suggested a total of 389 members to be elected to the assembly out of which 292 members were to be from provincial assembly, 4 from Chief commissioner's provinces and 93 are the representatives of princely states. Elections for the constituent assembly were conducted in July and August of the same year. The assembly commenced its proceedings from 9th December 1946 with Dr. Sachchidananda Sinha, the oldest member of the assembly as its temporary chairman. Later on, December 11, Dr. Rajendra Prasath was elected its president and H.C. Mukherjee and V.T. Krishnamachari were elected as its vice presidents. The assembly worked extensively for closed to three years to frame, discuss, debate and draft the constitution. The Constitution of India has deep emphasised towards democracy and electoral roles. It mandates the parliament at the centre under articles 74 and 75. All the members to the lower house or the house of people are directly to be elected through general elections and tenure of the members will be 5 years. Another essential organ of the Parliament is known as upper house or the house of representative. Unlike the lower house, the members are not directly been elected. They will be elected by the members of the respective state legislatures. Some members are directly been appointed by the president of India in recognition of

their contribution to various fields. Initially the constitution did not mention any exclusive provision for reservation to the parliament and state legislatures. However, it did permit a special reservation for Scheduled castes (SC's) and Scheduled tribes (ST'S) for a period of 10 years i.e. till 1960. These provisions were constantly been amended to ensure the representation of marginalized groups. It is note worthing that, the house of people can be dissolved by the president of India in some exception circumstances like emergency. However, the upper house cannot be dissolved. Thus, it is also known as the permanent house. 1/3 members of the house will retire from the house every 3 years. Tenure of the members of the house of representatives is 6 years. With the above brief note on the parliament set up, it is necessary to discuss the elections. With the formal enforcement of the constitution of India on January 26 1950, the Election Commission of India or the ECI was required to conduct the general elections. Given the difficulties in locating eligible voters and further documentation process, it was decided to form an interim government till the conclusion of elections. After an extensive effort and consistence work finally, the commission has conducted the general elections between 25th of October 1951 and 21st of February 1952 marking one of the largest elections across the globe in recent times of the century. There were 14 national parties along the side of many regional parties has contested in the elections. One of the most influential and dominating national parties of the times was The Communist Party of India (CPI) founded in 1925. In the first general elections it directly fielded a total of 49 candidates out of 449 seats across 401 constituencies. Sadhan Gupta, A Visually-impaired and most celebrated advocates of the time was on the list of 49 candidates fielded by the CPI.

Early Life and Career

Mr. Sadhan Chandra Gupta, was born on November 7th 1917, in Dhaka in the then undivided Bengal presidency, a historic day when the provisional government of Alexander Kerensky was overthrown



by the Bolshevik Revolution in Russia. His father Jogesh Chandra Gupta, a well-known barrister at the high court of Calcutta and a member of Indian national congress and his mother was Usha Gupta. He lost his sight due to a chickenpox attack during his 1 and half years. Having pursued his schooling at the Calcutta blind school and graduated in economics from presidency college Calcutta. He went on to obtain masters in economics from the same institute. After completing his law from Calcutta law college, he enrolled as an advocate in the year 1942. During the early days of his legal career, he appeared in various matters ranging from personal liberty to economic reforms. His appearance in the case of “Emperor vs Shibnath Banerjee” (1945), at the Calcutta high court and later in the federal court which related to habeas corpus, has gained him immense recognition among legal community. It is evidently excelled his profession. His scholarly argument in the case has drawn appreciation from many leaders including Gandhiji. In 1947, he was called to the bar from Middle Temple, United Kingdom. His consistent practise and the sound legal acumen brought him the distinction of becoming additional advocate general for the state of West Bengal. Subsequently, in 1986 he was designated as an advocate general. Along the side of legal profession, he was also concentrated on the empowerment of his community. He along with some visually-impaired individuals founded the Blind Persons association in 1946. Main motto of the association is to empower the lives of blind people with quality education. The association has in its condolence note recorded that, Gupta had contributed more braille books for the association’s library. Also, in the late 70’s and 80’s he was well known personality in the disability rights movements demonstrated by various organizations like National Federation of the Blind (NFB). With the above observations it is evident that, he was very active not only in politics but in all possible fields.

Political life of Mr. Gupta

Gupta, one of the active students in the college had a deep involvement in communist ideologies since his

child hood. He always felt proud for the coincidence of his birth date which as observed is a great victory of communist movement in Russia. In 1939, he formally joined in the undivided Communist Party of India. In the first general elections of independent India, he was given a ticket to contest from Calcutta east constituency. Though the outcome of the elections was not as expected, He secured third position against his rivals Dr. Syama Prosad Mookerjee of All India Bhartiya Jan Sang (BJS) and Mriganka Mohan Sur, of INC. However, he entered in the house of people after a historic victory in the byelections held to fill the seat arose out of the sad demise of Dr. Syama Prosad Mookerjee, who was then representing the Calcutta east constituency. Once again, the Communist Party of India (CPI), fielded him in the same constituency. He won the elections against his rival Radhabinod Pal of Indian National Congress (INC). Subsequently, in the second general elections to parliament also he won from the same constituency. This time, he won the elections with a huge margin of 62215 votes against his rival Ranadeb Chowdhury of Indian National Congress (INC). since then, he was not sent to the parliament. However, his active political participation continued as a member of the legislative assembly of West Bengal from Kalighat constituency. As the main focus of the paper is only on his role as a parliamentarian, it’s necessary to discuss some of his active participation in the proceedings.

In 1953, he submitted a representation to the speaker of the house against the arbitrary exclusion of left ideology representatives in the matter of preventive detention act bill. His suggestions were accepted and the revised committee was formulated. In 1954, he actively participated in a matter pertaining to the press objectionable matters amendment bill 1954. He suggested that the term “notwithstanding the facts” should not be deleted from the original definition. He hoped it could best defend the press in case of an unauthorised news-sheet. In 1953, he submitted a representation to the speaker of the house against the arbitrary exclusion of left ideology representatives in the matter of



preventive detention act bill. His suggestions were accepted and the revised committee was formulated. In 1957, when the union government tabled a bill seeking extension of the provisions of preventive detention act for 3 more years, he raised serious concerns like it would go against the personal liberty of citizens. Also, he highlighted the possibility of misuse of its provisions by police personals. To substantiate his claims, he relied on the instances like, the Samyukta Maharashtra and Maha Gujarat movements. In 1960, he strongly criticized the government policy on capitalistic economic rather than socialistic economic reforms which he believed would be beneficial to people. This famous speech has in fact reflected the communist ideology. Throughout the tenure he advocated for the welfare of trade and labour movement. With the tenure of the house ended in 1962, his role in national politics was minimised to guidance and indirect role. In the following years, he was active in state politics with been elected to state legislature in 1969. Since then, his role in direct politics was meagre. But he continued to fight for the rights of his own community and for all the segment of the society. Finally, on September 19, 2015 he died in Calcutta due to age related illness.

Conclusion

One of the very young and vibrant democracy of India, had accommodated different people as a political representative irrespective of their social background is well proven in the election of Sadhan Chandra Gupta. While tracing his political career, one must obviously confine to consider the technical advancement of the times. Hardly there was not much progress in the technological advancement for the visually-impaired clan. However, in today's world there are lot of advancements have emerged. In fact, it helps the community to equally compete with rest of the world. Though the technological advancement helps the people the other way to redress the naturally erected difficulties, it is not adequate to come over those barriers on time. Though the other ways available may let the difficulties reach the legislators, subsequent process

consuming more time to address these issues. In view of the above, accessibility related difficulties must be directly addressed by the members of the community to the houses of legislations. Though there are no specified reservations in electoral role for any segment of the society, as a progressive and inclusive measure recently 33% reservation for women members in the legislations was introduced by union government. Similarly, the state of Tamil Nadu enacted a law which provides for a reservation to the Persons with Disabilities in local bodies. Considering the above progressive measures and the role of Sadhan Chandra Gupta as Parliamentarian the study emphasis to enact the law with 4% reservations for the inclusion of persons with disabilities in legislations therefore, fulfilling the requirements of the rights of persons with Disabilities act (RPwD act) 2016 which mainly focus on equal participation of Differently abled people in all segments.

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