

ance Bill, 1990, which was passed by the Lok Sabha at its sitting held on the 17th May, 1990, and transmitted to the Rajya Sabha for its recommendations; and to state that this House has not recommendations to make to the Lok Sabha in regard to the said Bill."

13.44 hrs.

COMMITTEE ON PRIVATE MEMBERS'
BILLS AND RESOLUTIONS

Sixth Report

[English]

SHRI SHIVRAJ V. PATIL (Latur): Sir, I beg to present the Sixth Report (Hindi and English versions) of the Committee on Private Members' Bills and Resolutions.

13.45 hrs.

The Lok Sabha adjourned for Lunch till forty five minutes past Fourteen of the Clock

14.48 hrs.

The Lok Sabha re-assembled after Lunch at forty-eight minutes past Fourteen of the Clock

[SHRIMATI GEETA MUKHERJEE *in the Chair*]

[English]

SHRI HARISH RAWAT (Almora): Sabhadeviji.

MR. CHAIRMAN: Thank you for the compliments.

SHRI P.R. KUMARAMANGALAM (Salem): Madam Chairperson, there are matters which we would like to mention which he had intimated to the Speaker in advance in the morning.

MR. CHAIRMAN: Now the legislative business is there. What is the point you want to make?

SHRI P.R. KUMARAMANGALAM: We have given notices. Actually, yesterday, there was a one day token strike in NABARD. They were demonstrating outside the office premises. While the token strike was going on, police attacked the lady employees who were there brutally—in fact, to the extreme extent without even arresting them, even though, they said: "Please arrest us." They violated every single law that existed. And that is why, I want to mention it and bring it to the notice of the Minister. I have even given telegrams to the Home Minister as well as to the Finance Minister. There have been reaction whatsoever. I would like to have a statement from the Home Minister to go on record. The law Minister is here; the Minister for Labour is here. I hope, they would intervene in the matter at least to ensure that women employees are not beaten up by police without any provocation. It was a normal peaceful demonstration.

MR. CHAIRMAN: I believe everybody has heard this. Now I go over to the legislative business.

14.50 hrs.

CONSTITUTION (SIXTY-EIGHTH
AMENDMENT) BILL*

[English]

MR. CHAIRMAN: I call upon Shri Ram Vilas Paswan to seek leave of the House to introduce the Bill.

[*Translation*]

THE MINISTER OF LABOUR AND WELFARE (SHRI RAM VILAS PASWAN): I beg to move that in the Constitution of India...

[*English*]

SHRI P.R. KUMARAMANGALAM (Salem): I am on a point of order.

MR. CHAIRMAN: Under what rule?

[*Translation*]

SHRI RAM VILAS PASWAN: Let me move. First let me seek the permission and then you may place your point. Now I am just moving it.

[*English*]

MR. CHAIRMAN: Let the Minister first seek leave of the House and then you can oppose the introduction of the Bill

SHRI P.R. KUMARAMANGALAM: We are challenging it under the rules. He can not move it.

[*Translation*]

SHRI RAM VILAS PASWAN: First of all, I will move the motion that leave be granted. Then the Chair will either grant leave or refuse it. Thereafter you can make your point. Now I bet go move:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

Now, what is your point of objection?

[*English*]

MR. CHAIRMAN: Motion moved:

"That leave be granted to introduce a Bill further to amend the Constitution of In-

dia." Shri Kumaramangalam to oppose the introduction of the Bill.

SHRI P.R. KUMARAMANGALAM: Madam Chairperson, under 19A and 19B of the Directions of the Speaker, a Bill, before it is brought to this House, should have been given in advance to the Secretariat with proper notice. The notice should have been in writing. He should have given at least seven days notice or the motion may be made at the shorter notice with the Speaker's permission.

Not only that, there has to be prior circulation of the Bill at least a minimum of two days before it is introduced in the House. Both these provisions have not been followed. The hon. Minister has only sent us along with the Bill circulated yesterday a request for waiving these two Directions as a special case wherein also he has given no real reason. He should have given an explanation as to what was the special urgency or the reasons as to why he could not intimate us earlier, in time. After all two days and seven days are not so major. But what is the urgency?

After all, in this particular case, what is being sought is to give constitutional status to the SC ST Commission. What is the great urgency that we have to waive every rule and Directions of the Speaker? Why avoid the method of giving us sufficient notice to even challenge the introduction or move amendments? It is impossible if this is the manner in which every Bill is going to be moved. It is most improper. The reason given is cursory and casual. It definitely will not suffice. I would request that permission not be granted to him in this House to move this. It could be easily taken up after two days, on Friday, with proper notice and the circulation. Otherwise it is impossible for us to prepare.

SHRI MANDHATA SINGH (Lucknow): I have to make a counter submission in reply to what Shri Kumaramangalam has said. It is a submission for the consideration of the Chair.

AN HON. MEMBER: You have to give notice.

SHRI MANDHATA SINGH: What notice? You raise so many things here every-day without notice.

Madam, I will not take much of your precious time. I simply want to point out that as stated by our friend Shri Kumaramangalam, two days or seven days prior notice to the Speaker and his consent are required to place before this House the Constitution Amendment Bill, as is being proposed by the hon. Labour Minister. It is a fact that it has been printed by the Speakers' Office. (*Interruptions*)

MR. CHAIRMAN: Excuse me, this is not the way. Please take your seat. I have to go according to the rules. Please cooperate.

(*Interruptions*)

SHRI MANDHATA SINGH: I want to draw you attention to this important aspect.

MR. CHAIRMAN: You have drawn the attention. Now please cooperate.

(*Interruptions*)

MR. CHAIRMAN: The Minister has sought the permission of the Speaker, giving his reasons, and the Speaker in his wisdom has permitted the Minister to move for leave to introduce the Bill.

(*Interruptions*)

MR. CHAIRMAN: Shri Kumaramangalam, please take your seat.

(*Interruptions*)*

[*Translation*]

SHRI RAM VILAS PASWAN: Madam Chairman, I understand that all of us, the hon. Members of the House are very responsible person. Shri Vasant Sathe and Shri

Gadgil are sitting here. I cannot understand as to how the hon. Members, on any account, are giving less importance to this Bill. Through this Bill the Commission on Scheduled Castes and Scheduled Tribes will be given Statutory status and I do not think that any hon. Member should 'have any objection to it. Since yesterday I find in the House that..... (*Interruptions*).

[*English*]

MR. CHAIRMAN: Hon. Members, this should not go like Zero Hour. The Minister is on his legs. He has not yielded. Nothing goes on record.

(*Interruptions*)

[*Translation*]

SHRI RAM VILAS PASWAN: The opposition even raised an objection to the Bill in regard to the National Commission on Women while it was being introduced in the House in spite of the fact that there was an overall demand for it. The question of granting Statutory Status to the Commission on Scheduled Castes and Scheduled Tribes had also been taken up in the House in 1978. I do not think that anything could be more important than this. This year we are going to celebrate the centenary year of Baba Saheb Ambedkar. We are going to make a commitment that we will do something practical for the neglected people of this community and do it in a positive way. You may please go through the rules in this regard. Perhaps you not read them. Now you may please read these rules. You have made a reference to Rule 19-A. At the sametime, I request you to read Rule 19-B. It reads as follows:

[*English*]

"The period of notice of a motion for leave to introduce a Bill under this direction shall be seven days unless the Speaker allows the motion to be made at shorter notice."

[Translation]

Even after this you people say that I have brought forward the Bill. The Hon. Speaker has accorded his permission to introduce the Bill. Now after this if you say this thing then I think you are not taking things seriously. Had you relished its gravity. You would not have raised these points at all.

[English]

SHRI HARISH RAWAT (Almora): Madam, I am on a point of order.

MR. CHAIRMAN: Under which rule?

SHRI HARISH RAWAT: Under Speakers' Direction Nos. 19A and 19B.

Direction No. 19A is very clear. It says:

- "(1) A Minister desiring to move for leave to introduce a Bill shall give notice in writing of his intention to do so.
- (2) The period of notice of a motion for leave to introduce a Bill under this direction shall be seven days unless the Speaker allows the motion to be made at shorter notice."

MR. CHAIRMAN: What about 19B?

SHRI HARISH RAWAT: It is not hoping the Minister. It is also very clear. It says:

"No Bill shall be included for introduction in the list of business for a day until after copies thereof have been made available for the use of Members for at least two days before the day on which the Bill is proposed to be introduced."
(Interruptions)

SHRI RAM VILAS PASWAN: Copies have been distributed. You have already got it.

SHRI HARISH RAWAT: We go it only today. (Interruptions)

MR. CHAIRMAN: Harishji, this was earlier circulated. Moreover, it is Speaker's discretion. He has given the permission.

(Interruptions)

MR. CHAIRMAN: You had your say. Please take your seat.

(Interruptions)

SHRI P.R. KUMARAMANGALAM: Madam Chairman, I may be allowed to speak for a minute. (Interruptions) If I may read the memorandum, the House may notice....
(Interruptions)

MR. CHAIRMAN: Shri Kumaramangalam, no please.

(Interruptions)

SHRI P.R. KUMARAMANGALAM: Madam, this cannot be over-ruled like this. The reasons given in the memorandum do not exist. (Interruptions)

MR. CHAIRMAN: Now, the question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India".

The motion was adopted

SHRI P.R. KUMARAMANGALAM: We are not opposing the Bill.

MR. CHAIRMAN: The Minister may now introduce the Bill.

SHRI RAM VILAS PASWAN: I introduce the Bill.