

Enacting Formula

17.09 hrs.

Amendment made:

ADVOCATES (AMENDMENT) BILL

"1, Page 1, line 1,-

Amendments made by Rajya Sabha

for "Forty-third" substitute "Forty-fourth" (1)

[English]

(Shri H.R. Bhardwaj)

MR. CHAIRMAN: The question is:

"That Enacting Formula, as amended, stand part of the Bill."

The motion was adopted.

The Enacting Formula, as amended was added to the Bill.

The question is:

"That the long title stand part of the Bill."

The motion was adopted.

The long title was added to the Bill.

SHRI H.R. BHARDWAJ: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H.R. BHARDWAJ): Sir, I have got a small request to make to you. Item No.13 was passed by the Lok Sabha unanimously and similarly, it was passed in the Rajya Sabha. But the Lok Sabha had passed it in 1992. So, I request that this small amendment be agreed to by the Lok Sabha. It is only a technical thing because it is now 1993. If you kindly allow me, I can move it.

MR. CHAIRMAN: All right.

SHRI H.R. BHARDWAJ: I beg to move:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Advocates Act, 1961, be taken into consideration:-

Enacting Formula

That at page 1, line 1, for the word "Forty-third" the word "Forty-fourth" be substituted. (1)

Clause 1—Short title

That at page 1, line 3, for the figure "1992" the figure "1993" be substituted. (2)

MR. CHAIRMAN: Motion moved:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Advocates Act, 1961, be taken in to consideration:-

Enacting Formula

That at page 1, line 1, for the word "Forty-third" the word "Forty-fourth" be substituted (1)

Clause 1—short title

"That at page 1, line 3, for the figure "1992" the figure "1993" be substituted."

SHRI GEORGE FERNANDES: Sir, why did the Rajya Sabha take such a long time to pass it? The Lok Sabha passed it on 30th November, 1992 and transmitted to Rajya Sabha for its concurrence. Rajya Sabha passed the Bill with amendments at its sitting held on the 7th December, 1993. Why did the Rajya Sabha take one year and one month to pass it?

SHRI H. R. BHARDWAJ: Can Lok Sabha question Rajya Sabha in this manner?

SHRI GEORGE FERNANDES: I am not questioning the other House. I would like to know the reason for delay.

SHRI H. R. BHARDWAJ: I said so in a lighter vein. Let me please explain. I have another Bill seeking amendment to Section 30. It was controversial in nature and the Bar Council objected to it. As a result, both these Bills, which were bunched together, were kept pending. Then the discussions with the Bar Council

went on. They were first not differentiating between the two Bills. It took some time to convince them that the Advocates (Amendment) Bill had nothing to do with amendment to Section 30. All this process took time and that was the reason for delay.

MR. CHAIRMAN: I shall now put the consideration motion to the vote of the House.

The question is:

"That the following amendments made by Rajya Sabha in the Bill further to amend the Advocates Act, 1961, be taken in to consideration:-

Enacting Formula

That at page 1, line 1, for the word "Forty-third" the word "Forty-fourth" be substituted .(1)

Clause 1—short title

"That at page 1, line 3, for the figure "1992" the figure "1993" be substituted." (2)

The motion was adopted.

Enacting Formula

MR. CHAIRMAN: The question is:

"That at page 1, line 1, for the word "Forty-third" the word "Forty-fourth" be substituted (1)

The motion was adopted.

Clause 1—Short title

MR. CHAIRMAN: The question is:

"That at page 1, line 3, for the figure "1992" the figure "1993" be *substituted*." (2)

The motion was adopted.

SHRI H. R. BHARDWAJ: I beg to move:

MR. CHAIRMAN: The question is:

"That the amendments made by Rajya Sabha in the Bill be agreed to."

The motion was adopted.

THE MINISTER OF STATE IN THE MINISTRY OF HUMAN RESOURCE DEVELOPMENT (DEPARTMENT OF YOUTH AFFAIRS AND SPORTS) AND MINISTER OF STATE IN THE MINISTRY OF PARLIAMENTARY AFFAIRS (SHRI MUKUL WASNIK): Sir, the next item to be taken up relates to the Chief Election Commissioner and other Election Commissioners (Conditions of Service) Amendment Bill. There are a number of hon. Members who would like to speak on this item. Being a Saturday, most of the hon. Members are not present. So, I would request you and the hon. Members of the house to kindly consider taking up Agenda Item 12 in respect of Public Premises (Eviction of Unauthorised Occupation) Amendment Bill and pass the same. If there is still some time available with us, we may then take up the Election Commissioners Bill and we can continue with it on Monday also.

17.13 hrs.

[MR. SPEAKER *in the chair*]

Mr. Speaker Sir, just now, we have adopted the *Advocates (Amendment) Bill*.

MR. SPEAKER: May I congratulate you?

SHRI MUKUL WASNIK: Thank you Sir. Just now, I have stated that we may take up the Election Commissioners Bill on Monday because many hon. Members would like to participate in the debate. In the meanwhile, today we may pass the Public Premises Amendment Bill.

MR. SPEAKER: I think we can now take up the Election Commissioners Bill. It can continue on Monday.

SHRI GEORGE FERNANDES: I have already moved a motion that the House may now adjourn. Today there is no Question Hour. We have transacted the legislative business for more than the normal time. Moreover, Sheilaji is also tired.

SHRI MUKUL WASNIK: Mr. Speaker, Sir, if you kindly agree we may take up the public premises Amendment Bill and pass it. That way, we can complete one item.

MR. SPEAKER: We may take up the Election Commissioners Bill. It will anyway spill over to Monday. Why should we not stick to the agenda in seriatim? Today we can allow some Members to speak on this and on Monday, we may continue the debate.

SHRI MUKUL WASNIK: I may mention that the *Advocates (Amendment) Bill* is already taken up and adopted even though it is at the end of the agenda.

MR. SPEAKER: That is because those are related matters.

[Translation]

SHRI GEORGE FERNANDES: Mr. Speaker, Sir, I beg your pardon, a motion of disapproval of the ordinance is proposed to be moved and moreover the hon. Members who were to move the motion are not present in the House today.

My only submission to you is that it is an important issue, and in a sense it is a controversial issue. I would give due regard to your ruling. But....

MR. SPEAKER: It will not be passed easily, therefore, it will not be passed today.

SHRI GEORGE FERNANDES: Had it been discussed in the presence of all the hon. Members, it would have been better. If the House is to sit till 6 pm, we may take up the other Bill and keep this pending.

MR. SPEAKER: All right.

SHRI GEORGE FERNANDES: It may be taken up on Monday. Let the Bill presented by Sheilaji be passed today.

MR. SPEAKER: If the discussion on it concludes today we will pass it, otherwise the time for it may be extended.

SHRI BHOGENDRA JHA: Mr. Speaker, Sir, I would like to submit to Shri George Fernandes that presence of more hon. Members is required for having a discussion on the Bills regarding Public Premises and Rent Control. Therefore, neither of the Bills is likely to be passed today. We may take up the Bill regarding Election Commissioner today and pass it after having discussion on it.

MR. SPEAKER: All right. If the discussion on this second Bill concludes to day. We will pass it.

SHRI BHOGENDRA JHA: The most important issue in it is about Delhi and most of the hon. Members are absent today.

[English]

SHRI RAMESH CHENNITHALA (Kottayam): Sir, we were going according to the schedule but now suddenly the minister has come and introduced a new Bill.

MR. SPEAKER: It is not an adjusment. There was an understanding to this office. We took up the Bill, which we have just new passed, earlier, because it was a little complicated one.

[Translation]

SHRI HARI KEWAL PRASAD (Salempur): I would like you to give your ruling there is no quorum in the House, you please give your ruling on this, then only the proceedings of the House may continue.

MR. SPEAKER: The quorum bell is being rung.

The quorum is complete now.

[English]

May, I request the hon. Member not to please abstract the House unnecessarily. When everybody is trying to work, there is no point in unnecessarily getting up and saying something.