

the inmates mercilessly, demolished the hutments and destroyed all the property of the poor migrant labour from U.P. and M.P. living there for years. In this process and brutal action for eviction one new born child Parvati daughter of Lakshman died. Report of the citizens Committee headed by an advocate, Supreme Court on the incident is harrowing. The slum dwellers fear that such type of brutal actions would increase after the amendments.

While commercial encroachers of the public property should be dealt firmly, a completely different attitude is called for in dealing with the poor slum dwellers and the inhabitants of the jhuggi-jhonpris who should not be ignored in the process of beautification of Delhi. They should be rehabilitated if evicted from a particular place.

12 35 hrs.

CONSTITUTION (FORTY-EIGHTH AMENDMENT) BILL (*Contd*)

MR. DEPUTY-SPEAKER : The House will now take up further consideration of the motion, that is, the Constitution (Forty-eighth Amendment) Bill.

SHRI EDUARDO FALEIRO (Mormugao) : Mr. Deputy Speaker, Sir, to my mind the purpose of the Ninth Schedule to the Constitution is to protect this very important agrarian reform against technical difficulties so that the objectives of land reforms are achieved in advance. The purposes of the Ninth Schedule are not to shield and shelter the legislation which is merely colourable, which does not advance agrarian reforms and on the contrary creates problems for the landholdings and good land structure.

Sir, I am saying this in the context of the two Acts of the Goa Assembly which are sought to be included and are being included in this Amendment. One of the Acts is of 1964 and it is only now coming in the Schedule and the Bill is being moved to

bring it in the Schedule after 20 years. The other is the fifth amendment which was passed by the Goa Assembly in the 1970s and was struck down by the Judicial Commissioner's Court of Goa which corresponded at that time to the High Court somewhere around 1979, to be precise, 14th April 1979. Now, this Act is before the Supreme Court. The arguments are being heard before the Supreme Court. At this stage, when the arguments are being heard before the Supreme Court, after it was struck down by the High Court, this legislation is being brought forward in this house. Sir, in that territory so far the land ceiling legislation has not been brought into force. As a result, this legislation which is now sought to be included in the Ninth Schedule is not going to affect at all the big landlords in that Territory. They have become bigger over a period of two decades. During the tremendous escalation of price of land in that Territory, they are not being affected. Those who are affected are the very small people. You know, Sir, that in that part of the country and many other areas in the Western Coast, a substantial number of emigrants are coming back from the Gulf countries and East African countries to this Territory. So also the landless people go to those countries, make a lot of money, come back, buy pieces of land and go back to those foreign countries after leaving their land to some persons who have already got 20 or 30 pieces of land. These big landlords look after the lands on behalf of these people. When these people at the end of the life-time come back to settle down in their native place, their lands are not handed over to them by the big landlords. They have to go to the courts to claim their lands.

Sir, there is no ceiling on landholding as far as Goa is concerned. Otherwise, how can those big landlords hold a large number of pieces of land? This Government must keep in mind Point No. 4 of the 20-Point Programme which urges upon the Government to bring forward Land Ceiling Legislation for the whole country. Now, Goa, being Union Territory, is the responsibility of the Central Government.

Now, my first point, in the context of this Legislation is that the Government should,

[Shri Eduardo Faleiro]

bring forward a Land Ceiling Legislation for the Union Territory at the very earliest. Secondly, the Government has to see that the small owners are protected. Thirdly, they have to see that the charitable and religious institutions are also protected and they are not made to suffer unjustly and put to a lot of suffering. With these observations, I thank you for giving me an opportunity to take part in the discussion.

THE MINISTER IN THE MINISTRY OF RURAL DEVELOPMENT (SHRIMATI MOHSINA KIDWAI): Sir, I am very grateful to the hon. Members who have taken part in yesterday's discussion and I am specially grateful to the members from the Opposition who have not only taken part in the discussion but also supported this Bill. Though the subject was limited hon. Members discussed in depth land reforms in various States. I am very grateful to the hon. Members.

Sir, through this Bill, it is proposed to include in the Ninth Schedule to the Constitution, 14 land laws in order to provide them substantial immunity from challenge in the court of law.

According to Article 31B, without prejudice to the generality of the provisions of Article 31A, no law or regulation included in the Ninth Schedule shall be deemed to be void, or ever to have become void on the ground that it is inconsistent with, or takes away or abridges any fundamental rights. This will hold good even if any judgement, decree or order of any court or tribunal has been delivered to the contrary.

Recourse to the protective umbrella of the Ninth Schedule has been taken frequently in order to provide land-laws with immunity from challenge in the court of law on grounds of their alleged infringement of fundamental rights. Our determination to ensure that nothing that can be prevented by law from standing in the way of land reforms, is allowed to impede land reforms, is brought out clearly by the fact that out of the 188 laws which have so far been included in the Ninth Schedule, more than 150 deal with the land

question. It is the same determination that has animated the present Bill seeking to include 14 more laws in the Ninth Schedule. But it may be appreciated that the protective umbrella of the Ninth Schedule is not to be extended indiscriminately to all and sundry land legislations.

The value of such an important safeguard consists largely in the fact that it is used with discrimination, only in such cases as genuinely need this safeguard. Not all measures seeking to provide social and economic justice to the weaker sections of the community necessarily impinge upon the fundamental rights of individuals. Some land laws deal purely with matters of procedure or issues of no great significance from the point of view of economic and social justice. Many land laws which ensure such social and economic justice to the weaker sections of the society have stood the test of time or enjoy protection of other constitutional provisions. These have been on the Statute-book for many years and are being implemented without challenge in the courts of law. There apparently is no need to include such laws in the Ninth Schedule. Some of the hon. Members were asking why we are not including all the land laws in the Ninth Schedule.

Again, it must also be borne in mind that while social and economic justice to the weaker sections of the society is a highly cherished ideal of the Constitution enshrined in the Directive Principles of the State policy, the rights of the individuals are also sacred in a democratic society like ours. The Constitution, therefore, rightly provides safeguards against misuse or indiscriminate use of the exceptional powers to legislate, so that avoidable infringement of the fundamental rights does not take place. In a democratic society the rights of the individual have to be balanced with the overriding interest of the community, specially the interests of the weak and the poor. The present dispensation for including in the Ninth Schedule land laws whose fundamental objective is the securing of social justice for the weak and the poor, only when there is a reasonable apprehension of such laws being challenged, or when such laws have been struck down by the court, appears to be an adequate provision.

Several hon. Members have expressed their opinion that we have not included all land laws in the Ninth Schedule to the Constitution as a matter of routine. I would strongly urge that we should use this valuable instrument for protecting the interests of the weaker sections of the society and for ensuring social justice as often as the situation genuinely so demands. Some of the proposals for inclusion of certain other laws have been considered and found not necessary to be included in the present Bill, because these have stood the test of time and no useful purpose is likely to be served by including them in the Ninth Schedule. But, by and large, the fact remains that all basic land laws intended to provide protection to the poor and social justice to the weaker sections of the community, have already been included in the Ninth Schedule.

As and when occasions arise for including such laws as may come to be challenged or as are found to be running the risk of being challenged in the court of law, we will not hesitate to come up with proposals for their inclusion in the Ninth Schedule. I commend this Bill to the House.

हमारे बहुत से मेम्बर्स ने यहां शंका उठाई है, शास्त्री जी के लिये मैं कहना चाहूंगी कि कुछ इसमें ऐसे क्लॉज हैं जिनसे उनको शंका पैदा होती है कि किसानों के विरोध में यह है। मैं उनसे कहना चाहती हूँ कि बिहार के बारे में जो आपने बात कही, उसमें लैंड सीलिंग का बिल है और लैंड एक्वीजिशन का, दोनों को मिलाकर जो कहा तो इसमें कोई ऐसी बात नहीं है। जैसा मैंने अपनी स्पीच में कहा कि बहुत लिमिटेड सबजेक्ट था, लेकिन लोग उसमें ज्यादा आगे चले गये। श्री बसु ने वेस्ट बंगाल के बारे में कहा कि जो हमारा बिल है, वह इसमें नहीं है।

मैं कहना चाहती हूँ कि यह शिड्यूल 9 इसलिये है कि लोगों को प्रोटेक्शन दे। यह ना-मुमकिन बात है कि सारे लैंड लाज इममें इन्क्लूड कर लिये जायें, यह नहीं हो सकता और वेस्ट बंगाल में 80 का भी एक बिल हमने शामिल किया है। इन सब बातों को देखकर इन लाज को गाहे-बगाहे नाइन्थ

शिड्यूल में इन्क्लूड किया जाता है। जैसा कि आनरेबल मेम्बरज ने कहा है—और मैंने भी अपनी स्पीच में कहा था, सारे लाज को नाइन्थ शिड्यूल में इन्क्लूड करना नामुमकिन है। ऐसा करने से उसकी अहमियत और महत्व नहीं रहेगा।

श्री चित्र वसु ने कहा है कि गवर्नमेंट की पोलिटिकल बिल नहीं है। मैं उन्हें बताना चाहती हूँ कि रूलिंग पार्टी की पोलिटिकल बिल की वजह से ही ये सारे काम किए जा रहे हैं। मैं तो सोचती थी कि आनरेबल मेम्बर हमारी कोशिश को एप्रिशिएट करेंगे। हम कानून के जरिये समाज में परिवर्तन कर रहे हैं। ऐसे समाज में परिवर्तन लाना कितना मुश्किल है, जहां फ्यूडल सिस्टम, राजे-महाराजे और सामन्तवादी शक्तियां रही हैं। एक तरफ ऐसी शक्तियों से लड़ना और दूसरी तरफ लाज को इम्प्लीमेंट कराना कोई मामूली बात नहीं है। आनरेबल मेम्बरज को एप्रिशिएट करना चाहिए कि हम यह कानून लोगों के उस सेक्शन के लिए लाए हैं, जिसको इस अम्बरेला की जरूरत है, जिसको इकानोमिक और सोशल प्रोटेक्शन चाहिए।

मैं उन तमाम मेम्बरान का शुक्रिया अदा करती हूँ, जिन्होंने इस बहस में हिस्सा लिया और उनका भी शुक्रिया अदा करती हूँ, जिन्होंने उधर बैठकर हमें सपोर्ट किया।

MR. DEPUTY-SPEAKER : Hon. Members : Before I put the motion for consideration to the vote of the House, this being a constitutional amendment, the voting has to be by division. Let the lobbies be cleared....

The Lobbies have been cleared.

The question is :

“That the Bill further to amend the Constitution of India, be taken into consideration.”

The Lok Sabha divided :

Division No. 9]

[12.58 hrs.

AYES

Abbasi, Shri Kazi Jalil
 Abdul Samad, Shri
 Acharia, Shri Basudeb
 Agarwal, Shri Satish
 Ahmad, Shri Mohammad Asrar
 Ahmed, Begum Abida
 Ahmed, Shri Gulsher
 Ajit Pratap Singh, Shri
 Alluri, Shri Subhash Chandra Bose
 Anand Singh, Shri
 Ankineedu, Shri M.
 Ankineedu Prasada Rao, Shri P.
 Ansari, Shri Z.R.
 Anthony, Shri Frank
 Anwar Ahmed, Shri
 Appalanaidu, Shri S R.A.S.
 Arakal, Shri Xavier
 Arunachalam, Shri M.
 Ashfaq Hussain, Shri
 Azad, Shri Bhagwat Jha
 Azad, Shri Gulam Nabi
 Azmi, Dr. A.U.
 Bagun Sumbui, Shri
 Bairwa, Shri Banwari Lal
 Bajpai, Dr. Rajendra Kumari
 Baleshwar Ram, Shri
 Bansi Lal, Shri
 Barman, Shri Palas
 Barrow, Shri A.E.T.
 Basu, Shri Chitta
 Behera, Shri Rasabehari
 Bhagat, Shri B.R.
 Bhagat, Shri H.K.L.
 Bhagwan Dev, Acharya
 Bhakta, Shri Manoranjan
 Bhatia, Shri R.L.

Bheekhabhai, Shri
 Bhoi, Dr. Krupasindhu
 Bhole, Shri R.R.
 Bhuria, Shri Dileep Singh
 Bhuyan, Shri Bhubaneswar
 Birbal, Shri
 Birender Singh, Rao
 Bishnu Prasad, Shri
 Biswas, Shri Ajoy
 Boddepalli, Shri Rajagopala Rao
 Brar, Shrimati Gurbrinder Kaur
 Brijendra Pal Singh, Shri
 Buta Singh, Shri
 Chakraborty, Shri Satyasadhan
 Chakradhari Singh, Shri
 Chandrakar, Shri Chandu Lal
 Chandrasbekharappa, Shri T.V.
 Charanjit Singh, Shri
 Chaturvedi, Shrimati Vidyawati
 Chaudhary, Shri Manphool Singh
 Chaudhuri, Shri A.B.A. Ghani Khan
 Chavan, Shri S.B.
 Chennupati, Shrimati Vidya
 Chingwang Konyak, Shri
 Choudhari, Shrimati Usba Prakash
 Choudhury, Shri Saifuddin
 Chouhan, Shri Fatehbhan Singh
 Dabhi, Shri Ajitsinh
 Daga, Shri Mool Chand
 Dalbir Singh, Shri
 Dalbir Singh, Shri
 Damor, Shri Somjibhai
 Dandavate, Prof. Madhu
 Dandavate, Shrimati Pramila
 Das, Shri A.C.
 Datta, Shri Amal
 Dennis, Shri N.
 Desai, Shri B.V.
 Dev, Shri Sontosh Mohan

Devarajan, Shri B.
 Dhandapani, Shri C.T.
 Digamber Singh, Shri
 Dogra, Shri G.L.
 Doongar Singh, Shri
 Dubey, Shri Ramnath
 Ekka, Shri Christopher
 Engti, Shri Biren Singh
 Era Mohan, Shri
 Faleiro, Shri Eduardo
 Fernandes, Shri Oscar
 Gadgil, Shri V.N.
 Gadhavi, Shri Bheravadan K.
 Gaekwad, Shri R.P.
 Gaikwad, Shri Udaysingrao
 Gamit, Shri Chhitubhai
 Gandhi, Shrimati Indira
 Gandhi, Shri Rajiv
 Gavit, Shri Manikrao Hodlya
 Gehlot, Shri Ashok
 Ghorpade, Shri R.Y.
 Ghosh Goswami, Shrimati Bibha
 Ghufran Azam, Shri
 Gireraj Singh, Shri
 Gooi, Shri Tarun
 Gohil, Shri G.B.
 Gomango, Shri Giridhar
 Gouzagin, Shri N.
 Gowda, Shri D.M. Putte
 Gowda, Shri H.N. Nanje
 Goyal, Shri Krishna Kumar
 Gupta, Shri Indrajit
 Hakam Singh, Shri
 Halder, Shri Krishna Chandra
 Hannan Mollah, Shri
 Harikesh Bahadur, Shri
 Horo, Shri N.E.
 Imbichibava, Shri E.K.
 Jadeja, Shri Daulatsinhji
 Jaffer Sharief, Shri C.K.

Jagjivan Ram, Shri
 Jagpal Singh, Shri
 Jaideep Singh, Shri
 Jain, Shri Bhiku Ram
 Jain, Shri Nihal Singh
 Jain, Shri Virdhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jitendra Prasad, Shri
 Kahandole, Shri Z.M.
 Kailash Pati, Shrimati
 Kamal Nath, Shri
 Kamla Kumari, Kumari
 Karma, Shri Laxman
 Kaul, Shrimati Sheila
 Kaushal, Shri Jagan Nath
 Khan, Shri Arif Mohammad
 Khan, Shri Malik M.M.A.
 Khan, Shri Zulfiquar Ali
 Kidwai, Shrimati Mohsina
 Kosalram, Shri K.T.
 Krishna, Shri S.M.
 Krishna Pratap Singh, Shri
 Krishnan, Shri G.Y.
 Kshirsagar, Shrimati Kesharbai
 Kuchan, Shri Gangadhar S.
 Kulandaivelu, Dr. V.
 Kunwar Ram, Shri
 Kurien, Prof. P.J.
 Laskar, Shri Nihar Ranjan
 Lawrence, Shri M.M.
 Madhuri Singh, Shrimati
 Mahavir Prasad, Shri
 Mahajan, Shri Vikram
 Mahajan, Shri Y.S.
 Mahala, Shri R.P.
 Mahata, Shri Chitta
 Mahendra Prasad, Shri
 Maitra, Shri Sunil

Makwana, Shri Narsinh
 Mallanna, Shri K.
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Mandal, Shri Sanat Kumar
 Mani, Shri K.B.S.
 Mayathevar, Shri K.
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 Mohsin, Shri F.H.
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Mukherjee, Shri Samar
 Mukhopadhyay, Shri Ananda Gopal
 Murthy, Shri M. Rajashekhar
 Murthy, Shri M.V. Chandrashekhar
 Muttemwar, Shri Vilas
 Muzaffar Hussain, Shri Syed
 Nagina Rai, Shri
 Naidu, Shri P. Rajagopal
 Naik, Shri G. Devaraya
 Nair, Shri B.K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Nihalsinghwal, Shri G.S.
 Nurul Islam, Shri
 Oraon, Shrimati Sumati
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Panika, Shri Ram Pyare

Parashar, Prof. Narain Chand
 Pardhi, Shri Keshaorao
 Parthasarathy, Shri P.
 Paswan, Shri Ram Vilas
 Patel, Shri Ahmed Mohammed
 Patel, Shri C.D.
 Patel, Shri Mohan Lal
 Patel, Shri Shantubhai
 Pathak, Shri Ananda
 Patil, Shri A.T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athara
 Patil, Shrimati Shalini V.
 Patil, Shri Shankarrao
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S.B.P.
 Pattuswamy, Shri D.
 Pawar, Shri Balasaheb
 Phulwariya, Shri Virda Ram
 Pilot, Shri Rajesh
 Poojary, Shri Janaradhana
 Potdukhe, Shri Shantaram
 Prabhu, Shri R.
 Pradhani, Shri K.
 Prasan Kumar, Shri S.N.
 Pullaiah, Shri Darur
 Quadri, Shri S.T.
 Rai, Shri M. Ramanna
 Rajan, Shri K.A.
 Rajesh Kumar Singh, Shri
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ramulu, Shri H.G.
 Rana Vir Singh, Shri

Ranga, Prof. N.G.	Sawant, Shri T.M.
Ranjit Singh, Shri	Sebastian, Shri S.A. Dorai
Rao, Shrimati B. Radhabai Ananda	Sen, Shri A.K.
Rao, Shri Jagannath	Sen, Shri Subodh
Rao, Shri Jalagam Kondala	Sethi, Shri Arjun
Rao, Shri M. Nageswara	Shailani, Shri Chandra Pal
Rao, Dr. M.S. Sanjeevi	Shaktawat, Prof. Nirmala Kumari
Rao, Shri M. Satyanarayan	Shankaranand, Shri B.
Rao, Shri P.V. Narasimha	Shanmugam, Shri P.
Rath, Shri Rama Chandra	Sharma, Shri Chiranji Lal
Rathawa, Shri Amarsinh	Sharma, Shri Kali Charan
Rathod, Shri Uttam	Sharma, Shri Nand Kishore
Raut, Shri Bhola	Sharma, Shri Nawal Kishore
Ravani, Shri Navin	Sharma, Shri Pratap Bhanu
Rawat, Shri Harish	Sharma, Dr. Shankar Dayal
Reddi, Shri G.S.	Shastri, Shri Dharam Dass
Reddy, Shri G. Narsimha	Shastri, Shri Hari Krishna
Reddy, Shri K. Obul	Shastri, Shri Ramavatar
Reddy, Shri K. Vijaya Bhaskara	Shiv Shankar, Shri P.
Reddy, Shri M. Ram Gopal	Shivendra Bahadur Singh, Shri
Reddy, Shri P. Bayapa	Sidnal, Shri S.B.
Reddy, Shri P. Venkata	Singaravadivel, Shri S.
Roat, Shri Jai Narain	Singh, Shri C.P.N.
Roy, Shri A.K.	Singh, Shri D.G.
Roy, Dr. Saradish	Singh, Kumari Pushpa Devi
Roypradhan, Shri Amar	Singh Deo, Shri K.P.
Saha, Shri Ajit Kumar	Sinha, Shri Dharam Bir
Saha, Shri Gadadhar	Sinha, Shri Nirmal
Sahi, Shrimati Krishna	Sinha, Shrimati Ramdulari
Sahu, Shri Narayan	Solanki, Shri Babu Lal
Sahu, Shri Shiv Prasad	Soren, Shri Harihar
Saini, Shri Manohar Lal	Soundararajan, Shri N.
Sait, Shri Ebrahim Sulaiman	Sreenivasa Prasad, Shri V.
Sajjan Kumar, Shri	Subburaman, Shri A.G.
Sangma, Shri P.A.	Sukhbuns Kaur, Shrimati
Sankhwar, Shri Ashkaran	Sultanpuri, Shri Krishan Dutt
Sathe, Shri Vasant	Sunder Singh, Shri
Satish Prasad Singh, Shri	Suraj Bhan, Shri
Satya Deo Singh, Prof.	Suryawanshi, Shri Narsingrao

Swaminathan, Shri R.V.
 Tandon, Shri Prabhunarayan
 Tapeswar Singh, Shri
 Tayeng, Shri Sobeng
 Tewari, Shri K.P.
 Tewary, Prof. K.K.
 Thomas, Shri Skariah
 Thorat, Shri Bhausabeb
 Thungon, Shri P.K.
 Tirki, Shri Piyush
 Tiwari, Shri R.G.
 Tripathi, Shri Kamalapati
 Tudu, Shri Manmohan
 Tytler, Shri Jagdish
 Uike, Shri Chhote Lal
 Unnikrishnan, Shri K.P.
 Vairale, Shri Madhusudan
 Vajpayee, Shri Atal Bihari
 Varma, Shri Jai Ram
 Varma, Shri Ravindra
 Velu, Shri A.M.
 Venkatasubbaiah, Shri P.
 Verma, Shri Deen Bandhu
 Verma, Shrimati Usha
 Vijayaraghavan, Shri V.S.
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna

Yadav, Shri Chandrajit
 Yadav, Shri D.P.
 Yadav, Shri R.P.
 Yadav, Shri Ram Singh
 Yadav, Shri Subhash Chandra
 Yadav, Shri Vijay Kumar
 Yazdani, Dr. Golam
 Zainul Basher, Shri

NOES

*Narayana, Shri K.S.
 *Shakya, Shri Daya Ram
 Bhim Singh, Shri

MR. DEPUTY-SPEAKER : Subject to correction, the result** of the Division is : Ayes—345 ; Noes—003.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the members present and voting.

The motion was adopted.

Clause 2—(Amendment of the Ninth Schedule)

13 hrs.

MR. DEPUTY-SPEAKER : I put clause 2 to the vote of the House. This being a Constitution Amendment Bill, voting has to be by Division.

Let the Lobbies be cleared...

*Wrongly voted for NOES.

**The following Members also recorded their votes for AYES :

Sarvashri Harinatha Misra, Godil Prasad Anuragi, Parasram Bharadwaj, Manni Lal, Jambuwant Dhote, D.L. Baitha, Chitturi Subba Rao Chowdari, Seth Hem-brom, R.S. Mane, D.K. Naikar, D.B. Shingda, Reshma Motiram Bhoys, Lala Ram Ken, Bharat Kumar Odredra, R.N. Yadav, Ramayan Rai, Ramjibhai Mavani, Hiralal R. Parmar, Kamaluddin Ahmed, T. Damodar Reddy, K.A. Swami, Yashwantrao Chavan, Bindeswari Dubey, Rameshwar Nikhra, R.N. Tripathi, Chandra Bhal Man-Tiwari, Bajubon R. Kharlukhi, Ngangom Mohendra, Satyanarayan Jatiya, E. Bala-nandan, Raghunath Singh Verma, Ghayoor Ali Khan, P.V.G. Raju, K. Lakkappa, K.S. Narayana, and Daya Ram Shakya.

Now the lobbies have been cleared.

The question is :

“That clause 2 stand part of the Bill.

The Lok Sabha divided.

Division No. 10] [13.04 hrs.

AYES

Abbasi, Shri Kazi Jalil	Barman, Shri Palas
Abdul Samad, Shri	Barrow, Shri A.E.T.
Acharia, Shri Basudeb	Basu, Shri Chitta
Agarwal, Shri Satish	Behera, Shri Rasabehari
Ahmad, Shri Mohammad Asrar	Bhagat, Shri B.R.
Ahmed, Begum Abida	Bhagat, Shri H.K.L.
Ahmed, Shri Gulsher	Bhagwan Dev, Acharya
Ajit Pratap Singh, Shri	Bhakta, Shri Manoranjan
Alluri, Shri Subhash Chandra Bose	Bhardwaj, Shri Parasram
Anand Singh, Shri	Bhatia, Shri R.L.
Ankineedu, Shri M.	Bheekhabhai, Shri
Ankineedu Prasada Rao, Shri P.	Bhoi, Dr. Krupasindhu
Ansari, Shri Z.R.	Bhole, Shri R.R.
Anthony, Shri Frank	Bhuria, Shri Dileep Singh
Anuragi, Shri Godil Prasad	Bhuyan, Shri Bhubaneswar
Anwar Ahmad, Shri	Birbal, Shri
Appalanaidu, Shri S.R.A.S.	Birender Singh, Rao
Arakal, Shri Xavier	Bishnu Prasad, Shri
Arunachalam, Shri M.	Biswas, Shri Ajoy
Ashfaq Hussain, Shri	Boddepali, Shri Rajagopala Rao
Azad, Shri Bhagwat Jha	Brar, Shrimati Gurbrinder Kaur
Azad, Shri Ghulam Nabi	Brijendra Pal Singh, Shri
Azmi, Dr. A.U.	Buta Singh, Shri
Bagun Sumbrui, Shri	Chakraborty, Shri Satyasadhan
Bairwa, Shri Banwari Lal	Chakradhari Singh, Shri
Baitha, Shri D.L.	Chandrakar, Shri Chandu Lal
Bajpai, Dr. Rajendra Kumari	Chandrashekharaappa, Shri T.V.
Balanandan, Shri E.	Charanjit Singh, Shri
Baleshwar Ram, Shri	Chaturvedi, Shrimati Vidyawati
Banarsidas, Shri	Chaudhary, Shri Manphool Singh
Bansi Lal, Shri	Chaudhuri, Shri A.B.A. Ghani Khan
	Chavan, Shri S.B.
	Chavan, Shri Yeshwantrao
	Chennupati, Shrimati Vidya
	Chingwang Konyak, Shri
	Choudhari, Shrimati Usha Prakash
	Choudhury, Shri Saifuddin
	Chouhan, Shri Fatehbhan Singh
	Chowdari, Shri Chitturi Subba Rao

Dabhi, Shri Ajitsinh	Gowda, Shri D.M. Putte
Daga, Shri Mool Chand	Gowda, Shri H.N. Nanje
Dalbir Singh, Shri	Goyal, Shri Krishna Kumar
Dalbir Singh, Shri	Gupta, Shri Indrajit
Damor, Shri Somjibhai	Hakam Singh, Shri
Dandavate, Prof. Madhu	Halder, Shri Krishna Chandra
Das, Shri A.C.	Hannan Mollah, Shri
Datta, Shri Amal	Harikesh Bahadur, Shri
Dennis, Shri N.	Horo, Shri N.E.
Desai, Shri B.V.	Imbichibaya, Shri E.K.
Dev, Shri Sontosh Mohan	Jadeja, Shri Daulatsinhji
Devarajan, Shri B.	Jaffer Sharief, Shri C.K.
Dhandapani, Shri C.T.	Jagjivan Ram, Shri
Digamber Singh, Shri	Jaideep Singh, Shri
Dogra, Shri G.L.	Jain, Shri Bhiku Ram
Doongar Singh, Shri	Jain, Shri Nihal Singh
Dubey, Shri Bindeshwari	Jain, Shri Virdhi Chander
Dubey, Shri Ramnath	Jamilur Rahman, Shri
Ekka, Shri Christopher	Jena, Shri Chintamani
Engti, Shri Biren Singh	Jitendra Prasad, Shri
Era Mohan, Shri	Kahandole, Shri Z.M.
Faleiro, Shri Eduardo	Kamal Nath, Shri
Fernandes, Shri Oscar	Kamla Kumari, Kumari
Gadgil, Shri V.N.	Karma, Shri Laxman
Gadhavi, Bheravadan K.	Kaul, Shrimati Sheila
Gaekwad, Shri R.P.	Kaushal, Shri Jagan Nath
Gaikwad, Shri Udaysingrao	Ken, Shri Lala Ram
Gamit, Shri Chhitubhai	Keyur Bhusan, Shri
Gandhi, Shri Shrimati Indira	Khan, Shri Arif Mohammad
Gandhi, Shri Rajiv	Khan, Shri Ghayoor Ali
Gavit, Shri Manikrao Hodlya	Khan, Shri Malik M.M.A.
Gehlot, Shri Ashok	Khan, Shri Zulfiqar Ali
Ghosh Goswami, Shrimati Bibha	Kidwai, Shrimati Mohsina
Ghufran Azam, Shri	Kosalram, Shri K.T.
Gireraj Singh, Shri	Krishna, Shri S.M.
Gogoi, Shri Tarun	Krishna Pratap Singh, Shri
Gohil, Shri G.B.	Krishnan, Shri G.Y.
Gomango, Shri Giridhar	Kshirsagar, Shrimati Kesharbai
Gouzagin, Shri N.	Kuchan, Shri Gangadhar S.

Kulandaivelu, Dr. V.
 Kunhambu, Shri K.
 Kunwar Ram, Shri
 Kurien, Prof. P.J.
 Lakkappa, Shri K.
 Laskar, Shri Nihar Ranjan
 Lawrence, Shri M.M.
 Madhuri Singh, Shrimati
 Mahavir Prasad, Shri
 Mahajan, Shri Vikram
 Mahajan, Shri Y.S.
 Mahala, Shri R.P.
 Mahata, Shri Chitta
 Mahendra Prasad, Shri
 Maitra, Shri Sunil
 Makwana, Shri Narsinh
 Mallanna, Shri K.
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Mandal, Shri Sanatkumar
 Mane, Shri R.S.
 Mani, Shri K.B.S.
 Mavani, Shri Ramjibhai
 Mayathevar, Shri K.
 Meena, Shri Ram Kumar
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mohite, Shri Yashawantrao
 Mohsin, Shri F.H.
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Mukherjee, Shrimati Geeta
 Mukherjee, Shri Samar

Mukhopadhyay, Shri Ananda Gopal
 Murthy, Shri M. Rajashekbara
 Murthy, Shri M.V. Chandrashekbara
 Muttemwar, Shri Vilas
 Muzaffar Hussain, Shri Syed
 Nagina Rai, Shri
 Naidu, Shri P. Rajagopal
 Naik, Shri G. Devaraya
 Naikar, Shri D.K.
 Nair, Shri B.K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Narayana, Shri K.S.
 Nebru, Shri Arun Kumar
 Netam, Shri Arvind
 Nihalsinghwalla, Shri G.S.
 Nikhra, Shri Rameshwar
 Nurul Islam, Shri
 Oraon, Shrimati Sumati
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Panika, Shri Ram Pyare
 Parashar, Prof. Narain Chand
 Pardhi, Shri Keshao Rao
 Parthasarathy, Shri P.
 Paswan, Shri Ram Vilas
 Patel, Shri Ahmed Mohammed
 Patel, Shri C.D.
 Patel, Shri Mohan Lal
 Patel, Shri Shantubhai
 Pathak, Shri Ananda
 Patil, Shri A.T.
 Patil, Shri Balasheb Vikhe
 Patil, Shri Chandrabhan Athara
 Patil, Shrimati Shalini V.
 Patil, Shri Shankarrao
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Veerendra

Patil, Shri Vijay N.	Reddy, Shri K. Obul
Patnaik, Shrimati Jayanti	Reddy, Shri K. Vijaya Bhaskara
Pattabhi Rama Rao, Shri S.B.P.	Reddy, Shri M. Ram Gopal
Pattuswamy, Shri D.	Reddy, Shri P. Bayapa
Pawar, Shri Balasaheb	Reddy, Shri P. Venkata
Phulwariya, Shri Virda Ram	Reddy, Shri T. Damodar
Pilot, Shri Rajesh	Roat, Shri Jai Narain
Poojary, Shri Janardhana	Roy, Shri A.K.
Potdukhe, Shri Shantaram	Roy, Dr. Saradish
Prabhu, Shri R.	Roypradhan, Shri Amar
Pradhani, Shri K.	Saha, Shri Ajit Kumar
Prasan Kumar, Shri S.N.	Saha, Shri Gadadhar
Pullaiah, Shri Darur	Sahi, Shrimati Krishna
Quadri, Shri S.T.	Sahu, Shri Narayan
Rai, Shri M. Ramanna	Sahu, Shri Shiv Prasad
Rajan, Shri K.,A.	Saini, Shri Manohar Lal
Rajesh Kumar Singh, Shri	Sait, Shri Ebrahim Sulaiman
Ram, Shri Ramswaroop	Sajjan Kumar, Shri
Ramalingam, Shri N. Kudantbai	Saminuddin, Shri
Ramamurthy, Shri K.	Sangma, Shri P.A.
Rana Vir Singh, Shri	Sankhawar, Shri Ashkaran
Ranga, Prof. N.G.	Saran, Shri Daulat Ram
Ranjit Singh, Shri	Sathe, Shri Vasant
Rao, Shrimati B. Radhabai Ananda	Satish Prasad Singh, Shri
Rao, Shri Jagannath	Sawant, Shri T.M.
Rao, Shri Jalagam Kondala	Sebastian, Shri S.A. Dorai
Rao, Shri M. Nageswara	Sen, Shri A.K.
Rao, Shri M.S. Sanjeevi	Sen, Shri Subodh
Rao, Shri M. Satyanarayan	Sethi, Shri Arjun
Rao, Shri P.V. Narasimha	Shailani, Shri Chandra Pal
Rath, Shri Rama Chandra	Shaktawat, Prof. Nirmala Kumari
Rathawa, Shri Amarsinh	Shakya, Shri Daya Ram
Rathod, Shri Uttam	Shankaranand, Shri B.
Raut, Shri Bhola	Shanmugam, Shri P.
Ravani, Shri Navin	Sharma, Shri Chiranji Lal
Rawat, Shri Harish	Sharma, Shri Kali Charan
Reddi, Shri G.S.	Sharma, Shri Nand Kishore
Reddy, Shri G. Narsimha	Sharma, Shri Nawal Kishore
	Sharma, Shri Pratap Bhanu

Sharma, Dr. Shanker Dayal
 Shastri, Shri Dharam Dass
 Shastri, Shri Hari Krishna
 Shastri, Shri Ramavatar
 Shingda, Shri D.B.
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Sidnal, Shri S.B.
 Singaravadijel, Shri S.
 Singh, Shri C.P.N.
 Singh, Shri D.G.
 Singh, Kumari Pushpa Devi
 Singh Deo, Shri K.P.
 Sinha, Shri Dharam Bir
 Sinha, Shri Nirmal
 Sinha, Shrimati Ramdulari
 Solanki, Shri Babu Lal
 Soren, Shri Harihar
 Soundararajan, Shri N.
 Sreenivasa Prasad, Shri V.
 Subburaman, Shri A.G.
 Sukhbuns Kaur, Shrimati
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Suraj Bhan, Shri
 Suryawanshi, Shri Narsingrao
 Swaminathan, Shri R.V.
 Tandon, Shri Prabhunarayan
 Tapeswar Singh, Shri
 Tewari, Shri K.P.
 Tewary, Prof. K.K.
 Thomas, Shri Skariah
 Thorat, Shri Bhausahab
 Thungon, Shri P.K.

Tirki, Shri Piyush
 Tiwari, Shri Chandra Bhal Mani
 Tiwari, Shri R.G.
 Tripathi, Shri Kamalpathi
 Tripathi, Shri R.N.
 Tudu, Shri Manmohan
 Tytler, Shri Jagdish
 Uike, Shri Chhote Lal
 Unnikrishnan, Shri K.P.
 Vairale, Shri Madhusudan
 Vajpayee, Shri Atal Bihari
 Varma, Shri Jai Ram
 Varma, Shri Ravindra
 Velu, Shri A.M.
 Venkatasubbaiah, Shri P.
 Verma, Shri Deen Bandhu
 Verma, Shri Raghunath Singh
 Verma, Shrimati Usha
 Vijayaraghavan, Shri V.S.
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna
 Yadav, Shri Chandrajit
 Yadav, Shri D.P.
 Yadav, Shri R.P.
 Yadav, Shri Ram Singh
 Yadav, Shri Subhash Chandra
 Yadav, Shri Vijay Kumar
 Yazdani, Dr. Golam
 Zainal Abedin, Shri
 Zainul Basher, Shri

NOES

Nil

MR. DEPUTY-SPEAKER : Subject to correction, the result* of the division is :

Ayes—367 ; Noes—Nil.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-third's of the members present and voting.

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1—(Short title)

Amendment made :

Page 1, line 4,—

for "1983" substitute "1984" (2)

Page 1, line 3,—

for "Forty-eighth" substitute—

"Forty-seventh" (3)

(Shrimati Mohsina Kidwai)

MR. DEPUTY-SPEAKER : Before I put clause 1, as amended, to the vote of the House, this being an . . . No, not that.

SHRI SATYASADHAN CHAKRABORTY : You are still under training, Sir, even after so many years.

MR. DEPUTY-SPEAKER : That means you have not trained me properly ! For clause 1, simple majority is enough.

Now, the question is :

"That Clause 1, as amended, stand part of the Bill."

The motion was adopted.

Clause 1, as amended, was added to the Bill.

MR. DEPUTY-SPEAKER : Now the Enacting Formula. This is also with a simple majority.

SHRI SATISH AGARWAL : Sir, clause 1, as amended, has to be recorded. Don't commit that mistake, please take votes. Why unnecessarily give chance to others ?

MR. DEPUTY-SPEAKER : It has been adopted. I have already put it to vote and it has been approved.

Now, Shrimati Mohsina Kidwai. Are you moving the Government amendment on the Enacting Formula ?

Enacting Formula

SHRIMATI MOHSINA KIDWAI : Sir, I beg to move :

Page 1, line 1,—

for "Thirty-Fourth" substitute—

"Thirty-fifth" (1)

MR. DEPUTY-SPEAKER : The question is :

"Page 1, line 1,—

for "Thirty-fourth" substitute—

"Thirty-fifth" (1)

The motion was adopted.

MR. DEPUTY-SPEAKER : Now the Enacting Formula. This is also by a simple majority. The question is :

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

The motion was adopted.

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

The Title was added to the Bill.

*The following Members also recorded their votes for AYES :

Sarvashri Manni Lal, Jambuwant Dhote, Seth Hembrom, H.G. Ramulu, R.Y. Ghorpade, Reshma Motiram Bhoje, Bharat Kumar Odedra, Prof. Satya Deo Singh, Ramayan Rai, H.R. Parmar, Kamaluddin Ahmed, K.A. Swami, Sobeng Tayeng, Ghufuran Azam, Bajubon R. Kharlukhi, Jaipal Singh Kashyap, Ngongom Mohendra, Satyanarayan Jatiya, P. Penchalaiah, Rajnath Sonkar Shastri, Jagpal Singh, P.V.G. Raju and G. Bhoopathy.

MR. DEPUTY-SPEAKER : Minister may now move that the Bill, as amended, be passed.

SHRIMATI MOHSINA KIDWAI : Sir, I beg to move :

“That the Bill, as amended, be passed.”

MR. DEPUTY-SPEAKER : Yes, Mr. Ram Vilas Paswan, you want to speak. You are already supporting the amendment, or the Bill itself.

Motion moved :

“That the Bill, as amended, be passed.”

श्री राम विलास पासवान (हाजीपुर): उपाध्यक्ष महोदय, मैं इस बिल का समर्थन करता हूँ। लेकिन एक चीज के लिये सरकार से आग्रह करना चाहूंगा—एकट अलग होता है, फँकट अलग होता है। कानून बहुत से बने हुए हैं, लेकिन सबसे बड़ी चीज है—पोलीटिकल-बिल, काम करने की इच्छा। यदि उस तरफ जायें तो मैं एक उदाहरण देना चाहूंगा—इस देश में 5 प्रतिशत आदमियों के पास 75 प्रतिशत जमीन है और 95 प्रतिशत के पास 20 से 25 प्रतिशत जमीन है। सरकार के आंकड़ों के मुताबिक 56 लाख एकड़ जमीन सरप्लस निकली थी, उसमें से 40 लाख एकड़ घोषित की गई, उस 40 लाख एकड़ में से 23 लाख एकड़ कब्जे में ली गई और इसमें से 17 लाख एकड़ का बंटवारा हुआ। इसका मतलब है कि अभी भी 11 लाख एकड़ ऐसी जमीन है जिसका बंटवारा नहीं हुआ है, आप जो कानून बना रहे हैं, बहुत अच्छा कर रहे हैं, लेकिन जहाँ सीलिंग एक्ट है, वहाँ भी—मैं विशेष रूप से बिहार के बारे में बतलाता हूँ—एक-एक आदमी के पास 20-20 हजार एकड़ जमीन है। कोई कुत्ते के नाम पर है, कोई बिल्ली के नाम पर है, कोई घोड़े के नाम पर है। इस तरह से लोगों के पास जमीन है। गया से जो हमारे साथी आते हैं, उनको मालूम है कि गया के महन्त के पास कितने हजार एकड़ जमीन है और जो गरीब लोग हैं, उनके पास

एक एकड़ जमीन भी नहीं है।... (व्यवधान) ...यह जो मैं कह रहा हूँ यह सरकार की घोषित नीति के मुताबिक ही है और इसमें ऐसी कोई बात नहीं है जोकि सरकारी पक्ष को बुरी लगे। मैं यह कहना चाहता हूँ कि ये जो कानून आप बनाते हैं, इनको कड़ाई से पालन आपको कराना चाहिए। सरकार जब कानून बनाती है, तो उसमें जमीन निकालने की हिम्मत भी होनी चाहिए और इसमें सरकार की नीयत साफ होनी चाहिए। आज हमारे देश में एक तरफ 75 प्रतिशत गरीब भूमिहीन हैं और दूसरी तरफ इस देश में एक-एक आदमी के पास 20-20 हजार एकड़ जमीन है। ये लोग देश के शोषक हैं, देश के हत्यारे हैं। मैं यह कहना चाहूंगा कि जो जमीन को जोते, बोये, वही जमीन का मालिक होना चाहिए और जमीन उसको मिलनी चाहिए, जो जमीन को आबाद कर सके। एक आदमी 5 हजार रुपये महीना कमाता है और उसका बिजनेस भी चल रहा है और उसके पास 10 हजार एकड़ जमीन भी है, यह स्थिति सरकार को नहीं रहने देनी चाहिए।

अन्त में मैं यही कहना चाहता हूँ कि जो विधेयक आप लाए हैं, उसका मैं समर्थन करता हूँ और समर्थन के साथ-साथ मैं सरकार से आग्रह करूंगा, अपील करूंगा कि वह सिर्फ कानून ही न बनाए, सिर्फ संविधान में संशोधन ही न करे बल्कि जो भी कानून बनाए, उसको कड़ाई से लागू कराए और सरकार यह वचन भी दे कि आगामी एक साल के अन्दर, दो साल के अन्दर, कोई ऐसा आदमी नहीं बचेगा, जिसके पास सरप्लस जमीन रहेगी, कानून से अधिक जमीन नहीं रहेगी।

श्रीमती मोहसिना किदवाई : इससे पहले मैं सारी बातों का जवाब दे चुकी हूँ। माननीय सदस्य ने जो खयालात का इजहार किया है, वह इस विषय से उठता नहीं है लेकिन जो उन्होंने जमीन के बारे में कन्सर्न शो किया है, उनके और हमारे खयालात मिलते हैं। हमारी यह कोशिश है कि लोगों को मालिकाना हक दिए जाएं और जितनी भी लैंड रिफार्म्स की बातें आ रही हैं, वे सरकार की पालीटिकल बिल के जरिए से आ रही हैं। पूरी

[श्रीमती मोहसिना किदवई]

कड़ाई के साथ कोशिश की जा रही है कि इन कानूनों को इम्पलीमेंट किया जाए। यह स्टेट सब-जेक्ट है, इसलिए स्टेट्स को गाइडलाइन्स दी जाती हैं और जो लेकूनाज सामने आते हैं, उनके बारे में बार-बार उनको कहा जाता है कि वे उनको दूर करें और कड़ाई के साथ उन कानूनों को इम्पलीमेंट कराएं ताकि जो सोशल जस्टिस है, एकोनामिक जस्टिस है, वह इन गरीब तबके के लोगों को, फिरकों के लोगों को मिल सके और कानून के जरिए से ज्यादा से ज्यादा सहूलियत इनको मिल सके।

MR. DEPUTY-SPEAKER : Before I put the motion "That the Bill, as amended, be passed" to the vote of the House, this being a Constitution Amendment Bill, voting has to be by division. Let the lobbies be cleared...

Lobbies have been cleared.

The question is :

"That the Bill as amended be passed."

The Lok Sabha divided.

Division No. 11]

[13.19 hrs.

AYES

Abbasi, Shri Kazi Jalil
Abdul Samad, Shri
Acharia, Shri Basudeb
Agarwal, Shri Satish
Ahmad, Shri Mohammad Asrar
Ahmed, Begum Abida
Ahmed, Shri Gulsher
Ahmed, Shri Kamaluddin
Alluri, Shri Subhash Chandra Bose
Anand Singh, Shri
Ankineedu, Shri M.
Ankineedu Prasada Rao, Shri P.

Ansari, Shri Z.R.
Anthony, Shri Frank
Anuragi, Shri Godil Prasad
Anwar Ahmad, Shri
Appalanaidu, Shri S.R.A.S.
Arakal, Shri Xavier
Arunachalam, Shri M.
Ashfaq Hussain, Shri
Azad, Shri Bhagwat Jha
Azad, Shri Gbulam Nabi
Azmi, Dr. A.U.
Bagun Sumbrui, Shri
Bairwa, Shri Banwari Lal
Baitha, Shri D.L.
Bajpai, Dr. Rajendra Kumari-
Balan, Shri A.K.
Balanandan, Shri E.
Baleshwar Ram, Shri
Banarsidas, Shri
Bansi Lal, Shri
Barman, Shri Palas
Barrow, Shri A.E.T.
Basu, Shri Chitta
Behera, Shri Rasabehari
Bhagat, Shri B.R.
Bhagat, Shri H.K.L.
Bhagwan Dev, Acharya
Bhakta, Shri Manoranjan
Bhardwaj, Shri Parasram
Bhatia, Shri R.L.
Bheekhabhai, Shri
Bhoi, Dr. Krupasindhu
Bhole, Shri R.R.
Bhoye, Shri Reshma Motiram
Bhuria, Shri Dileep Singh
Bhuyan, Shri Bhubaneswar
Birbal, Shri
Birender Singh, Rao
Bishnu Prasad, Shri

Biswas, Shri Ajoy	Dubey, Shri Ramnath
Boddepalli, Shri Rajagopala Rao	Ekka, Shri Christopher
Brar, Shrimati Gurbrinder Kaur	Engti, Shri Biren Singh
Brijendra Pal Singh, Shri	Era Mohan, Shri
Buta Singh, Shri	Faleiro, Shri Eduardo
Chakradhari Singh, Shri	Fernandes, Shri Oscar
Chandrakar, Shri Chandu Lal	Gadgil, Shri V.N.
Chandrashekharaappa, Shri T.V.	Gadhavi, Shri Bheravadan K.
Charanjit Singh, Shri	Gaekwad, Shri R.P.
Chaturvedi, Shrimati Vidyawati	Gaikwad, Shri Udaysingrao
Chaudhary, Shri Manphool Singh	Gamit, Shri Chhitubhai
Chaudhary, Shri Motibhai R.	Gandhi, Shrimati Indira
Chaudhuri, Shri A.B.A. Ghani Khan	Gandhi, Shri Rajiv
Chavan, Shri S.B.	Gavit, Shri Manikrao Hodlya
Chavan, Shri Yeshwantrao	Gehlot, Shri Ashok
Chennupati, Shrimati Vidya	Ghorpade, Shri R.Y.
Chingwang Konyak, Shri	Ghosh Goswami, Shrimati Bibha
Choudhari, Shrimati Usha Prakash	Ghufran Azam, Shri
Choudhury, Shri Saifuddin	Gireraj Singh, Shri
Chouhan, Shri Fatehbhan Singh	Gogoi, Shri Tarun
Chowdari, Shri Chitturi Subba Rao	Gohil, Shri G.B.
Dabhi, Shri Ajitsinh	Gomango, Shri Giridhar
Daga, Shri Mool Chand	Gouzagin, Shri N.
Dalbir Singh, Shri	Gowda, Shri D.M. Putte
Dalbir Singh, Shri	Gowda, Shri H.N. Nanje
Damor, Shri Somjibhai	Goyal, Shri Krishna Kumar
Dandavate, Prof. Madhu	Gupta, Shri Indrajit
Dandavate, Shrimati Pramila	Hakam Singh, Shri
Das, Shri A.C.	Halder, Shri Krishna Chandra
Datta, Shri Amal	Hannan Mollab, Shri
Dennis, Shri N.	Harikesh Bahadur, Shri
Desai, Shri B.V.	Hembrom, Shri Seth
Dev, Shri Sontosh Mohan	Horo, Shri N.E.
Devarajan, Shri B.	Imbichibava, Shri E.K.
Dhandapani, Shri C.T.	Jadeja, Shri Daulatsinhji
Digamber Singh, Shri	Jaffer Sharief, Shri C.K.
Dogra, Shri G.L.	Jagjivan Ram, Shri
Doongar Singh, Shri	Jagpal Singh, Shri
Dubey, Shri Bindeshwari	Jaideep Singh, Shri

Jain, Shri Bhiku Ram
 Jain, Shri Nihal Singh
 Jain, Shri Virldhi Chander
 Jamilur Rahman, Shri
 Jena, Shri Chintamani
 Jitendra Prasad, Shri
 Kahandole, Shri Z.M.
 Kailash Pati, Shrimati
 Kamal Nath, Shri
 Kamla Kumari, Kumari
 Kandaswamy, Shri M.
 Karma, Shri Laxman
 Kashyap, Shri Jaipal Singh
 Kaul, Shrimati Sheila
 Kaushal, Shri Jagan Nath
 Ken, Shri Lala Ram
 Keyur Bhusan, Shri
 Khan, Shri Arif Mohammad
 Khan, Shri Ghayoor Ali
 Khan, Shri Malik M.M.A.
 Khan, Shri Zulfiquar Ali
 Kharlukhi, Shri Bajuban R.
 Kidwai, Shrimati Mohsina
 Kosalram, Shri K.T.
 Krishna, Shri S.M.
 Krishna Pratap Singh, Shri
 Krishnan, Shri G.Y.
 Kshirsagar, Shrimati Kesharbai
 Kuchan, Shri Gangadhar S.
 Kulandaivelu, Dr. V.
 Kunhambu, Shri K.
 Kunwar Ram, Shri
 Kurien, Prof. P.J.
 Lakkappa, Shri K.
 Laskar, Shri Nihar Ranjan
 Lawrence, Shri M.M.
 Madhuri Singh, Shrimati
 Mahavir Prasad, Shri
 Mahajan, Shri Vikram
 Mahajan, Shri Y.S.
 Mabala, Shri R.P.
 Mahata, Shri Chitta
 Mahendra Prasad, Shri
 Maitra, Shri Sunil
 Makwana, Shri Narsinh
 Mallanna, Shri K.
 Mallick, Shri Lakshman
 Mallikarjun, Shri
 Mallu, Shri Anantha Ramulu
 Mane, Shri R.S.
 Mani, Shri K.B.S.
 Manni Lal, Shri
 Mavani, Shri Ramjibhai
 Mayathevar, Shri K.
 Mishra, Shri Gargi Shankar
 Mishra, Shri Ram Nagina
 Mishra, Shri Uma Kant
 Misra, Shri Harinatha
 Misra, Shri Nityananda
 Mohanty, Shri Brajamohan
 Mobite, Shri Yashawantrao
 Mohsin, Shri F.H.
 More, Shri Ramkrishna
 Motilal Singh, Shri
 Mukherjee, Shri Samar
 Mukhopadhyay, Shri Ananda Gopal
 Murthy, Shri M. Rajashekhara
 Murthy, Shri M V. Chandrashekhara
 Muthu Kumaran, Shri R.
 Muttemwar, Shri Vilas
 Muzaffar Hussain, Shri Syed
 Nagina Rai, Shri
 Naidu, Shri P. Rajagopal
 Naik, Shri G. Devaraya
 Naikar, Shri D.K.
 Nair, Shri B.K.
 Namgyal, Shri P.
 Nandi Yellaiah, Shri
 Narayana, Shri K.S.

Nehru, Shri Arun Kumar
 Netam, Shri Arvind
 Ngangom, Shri
 Nihalsinghwal, Shri G.S.
 Nikhra, Shri Rameshwar
 Nurul Islam, Shri
 Odedra, Shri Bharat Kumar
 Oraon, Shrimati Sumati
 Palaniappan, Shri C.
 Pandey, Shri Krishna Chandra
 Panigrahi, Shri Chintamani
 Panika, Shri Ram Pyare
 Parashar, Prof. Narain Chand
 Pardbi, Shri Keshao Rao
 Parmar, Shri Hiralal R.
 Parthasarathy, Shri P.
 Paswan, Shri Ram Vilas
 Patel, Shri Ahmed Mohammed
 Patel, Shri C.D.
 Patel, Shri Mohan Lal
 Patel, Shri Shantubhai
 Pathak, Shri Ananda
 Patil, Shri A.T.
 Patil, Shri Balasaheb Vikhe
 Patil, Shri Chandrabhan Athara
 Patil, Shrimati Shalini V.
 Patil, Shri Shankarrao
 Patil, Shri Shivraj V.
 Patil, Shri Uttamrao
 Patil, Shri Veerendra
 Patil, Shri Vijay N.
 Patnaik, Shrimati Jayanti
 Pattabhi Rama Rao, Shri S.B.P.
 Pattuswamy, Shri D.
 Pawar, Shri Balasaheb
 Phulwariya, Shri Virda Ram
 Pilot, Shri Rajesh
 Poojary, Shri Janardhana
 Potdukhe, Shri Shantaram

Prabhu, Shri R.
 Pradhani, Shri K.
 Prasan Kumar, Shri S.N.
 Pullaiyah, Shri Darur
 Quadri, Shri S.T.
 Rai, Shri M. Ramanna
 Rajan, Shri K.A.
 Rajesh Kumar Singh, Shri
 Raju, Shri P.V.G.
 Ram, Shri Ramswaroop
 Ramalingam, Shri N. Kudanthai
 Ramamurthy, Shri K.
 Ramulu, Shri H.G.
 Rana Vir Singh, Shri
 Ranga, Prof. N.G.
 Ranjit Singh, Shri
 Rao, Shrimati B. Radhabai Ananda
 Rao, Shri Jagannath
 Rao, Shri Jalagam Kondala
 Rao, Shri M. Nageswara
 Rao, Shri M.S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri P.V. Narasimha
 Rath, Shri Rama Chandra
 Rathawa, Shri Amarsinh
 Rathod, Shri Uttam
 Raut, Shri Bhola
 Ravani, Shri Navin
 Rawat, Shri Harish
 Reddi, Shri G.S.
 Reddy, Shri G. Narsimha
 Reddy, Shri K. Obul
 Reddy, Shri K. Vijaya Bhaskara
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Bayapa
 Reddy, Shri P. Venkata
 Reddy, Shri T. Damodar
 Roat, Shri Jai Narain
 Roy, Shri A.K.

Roypradhan, Shri Amar
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sahi, Shrimati Krishna
 Sahu, Shri Narayan
 Sahu, Shri Shiv Prasad
 Saini, Shri Manohar Lal
 Sait, Shri Ebrahim Sulaiman
 Sajjan Kumar, Shri
 Saminuddin, Shri
 Sangma, Shri P.A.
 Sankhwar, Shri Ashkaran
 Saran, Shri Daulat Ram
 Sathe, Shri Vasant
 Satish Prasad Singh, Shri
 Satya Deo Singh, Prof.
 Sawant, Shri T.M.
 Sebastian, Shri S.A. Dorai
 Sen, Shri A.K.
 Sethi, Shri Arjun
 Sethi, Shri P.C.
 Shailani, Shri Chandra Pal
 Shaktawat, Prof. Nirmala Kumari
 Shakya, Shri Daya Ram
 Shakyawar, Shri Nathuram
 Shamanna, Shri T.R.
 Shankaranand, Shri B.
 Shanmugam, Shri P.
 Sharma, Shri Chiranji Lal
 Sharma, Shri Kali Charan
 Sharma, Shri Nand Kishore
 Sharma, Shri Nawal Kishore
 Sharma, Shri Pratap Bhanu
 Sharma, Dr. Shanker Dayal
 Shastri, Shri Dharam Dass
 Shastri, Shri Hari Krishna
 Shastri, Shri Ramavatar
 Shejwalkar, Shri N.K.
 Shingda, Shri D.B.
 Shiv Shankar, Shri P.
 Shivendra Bahadur Singh, Shri
 Shukla, Shri Vidyacharan
 Sidnal, Shri S.B.
 Singaravadivel, Shri S.
 Singh, Shri C.P.N.
 Singh, Shri D.G.
 Singh, Kumari Pushpa Devi
 Singh Deo, Shri K.P.
 Sinha, Shri Dharam Bir
 Sinha, Shri Nirmal
 Sinha, Shri Pitambar
 Sinha, Shrimati Ramdulari
 Sinha, Shri Satyendra Narayan
 Sivaprakasam, Shri D.S.A.
 Solanki, Shri Babu Lal
 Soren, Shri Harihar
 Soren, Shri Shibu
 Soundararajan, Shri N.
 Sreenivasa Prasad, Shri V.
 Subburaman, Shri A G.
 Sukhbuns Kaur, Shrimati
 Sultanpuri, Shri Krishan Dutt
 Sunder Singh, Shri
 Suraj Bhan, Shri
 Suryawanshi, Shri Narsingrao
 Swami, Shri K.A.
 Swaminathan, Shri R.V.
 Tandon, Shri Prabhunarayan
 Tapeswar Singh, Shri
 Tayeng, Shri Sobeng
 Tewari, Shri K.P.
 Tewary, Prof. K.K.
 Thomas, Shri Skariah
 Thorat, Shri Bhausahab
 Thungon, Shri P.K.
 Tirki, Shri Piyush
 Tiwari, Shri Chandra Bhal Mani
 Tiwari, Shri R.G.

Trilok Chandra, Shri
 Tripathi, Shri Kamalapati
 Tripathi, Shri R. N.
 Tudu, Shri Manmohan
 Tytler, Shri Jagdish
 Uike, Shri Chhote Lal
 Unnikrishnan, Shri K.P.
 Vairale, Shri Madhusudan
 Vajpayee, Shri Atal Bihari
 Varma, Shri Jai Ram
 Varma, Shri Ravindra
 Venkatasubbaiah, Shri P.
 Verma, Shri Chandradeo Prasad
 Verma, Shri Deen Bandhu
 Verma, Shri Raghunath Singh
 Verma, Shrimati Usha
 Vijayaraghavan, Shri V.S.
 Vyas, Shri Girdhari Lal
 Wagh, Dr. Pratap
 Wasnik, Shri Balkrishna Ramchandra
 Yadav, Shri Chandrajit
 Yadav, Shri D.P.
 Yadav, Shri R.N.
 Yadav, Shri R.P.
 Yadav, Shri Ram Singh
 Yadav, Shri Subhash Chandra
 Yadav, Shri Vijay Kumar
 Yazdani, Dr. Golam
 Zainal Abedin, Shri
 Zainul Basher, Shri

NOES

Nil

MR. DEPUTY-SPEAKER : Subject to

correction, the result* of the division is :

Ayes-394 ; Noes—Nil.

The motion is carried by a majority of the total membership of the House and by a majority of not less than two-thirds of the Members present and voting. The Bill, as amended, is passed by the requisite majority in accordance with the provision of Article 368 of the Constitution of India.

The motion was adopted.

13-23 hrs.

CONSTITUTION (FIFTIETH AMENDMENT) BILL

MR. DEPUTY-SPEAKER : Time allotted is one hour. Therefore, I would appeal to the hon. Members not to take more time so that we can pass the amendment in time.

THE MINISTER OF HOME AFFAIRS (SHRI P.V. NARASIMHA RAO) : Sir, I beg to move :

“That the Bill further to amend the Constitution of India, be taken into consideration.”

Sir, the proclamation issued by the President under Article 356 of the Constitution on the 6th of October 1983 with respect to the State of Punjab cannot be continued in force for more than one year, unless the special conditions mentioned in Clause 5 of Article 356 of the Constitution are satisfied.

Although the Legislative Assembly is in suspended animation and a popular government can be installed, yet having regard to the prevailing situation in the State, the continuance of the Proclamation beyond 5th October, 1984 may be necessary. To facili-

*The following Members also recorded their votes for AYES : Sarvashri Jambuwant Dhote, Ajit Pratap Singh, Ramayan Rai, Ram Kumar Meena, A.M. Velu, P. Penchalaiah, Sanat Kumar Mandal, Satyasadhan Chakraborty, Subodh Sen and Dr. aradish Roy.