

12.23 hrs.

SUPREME COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL*

MR. DEPUTY-SPEAKER : Now Shri Shanti Bhushan's Bill. I think Mr. Ravindra Varma has been authorised to do it.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA) : On behalf of Shri Shanti Bhushan, I beg to move for leave to introduce a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958.

SHRI VAYALAR RAVI (Chirayinkil) : On a point of order.

MR. DEPUTY-SPEAKER : Not on a point of order.

SHRI VAYALAR RAVI : I think I can read the rule.

MR. DEPUTY-SPEAKER : Motion moved :

"That Leave be granted to introduce a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958."

Now Mrs. Parvathi Krishnan, you wanted to oppose it.

SHRIMATI PARVATHI KRISHNAN (Coimbatore) : I oppose this on a matter of principle, because this Government is insisting on treating Parliament in a most cursory manner. Again and again, we are having Ministers come forward with this memorandum under Direction 19B ; and what, Sir, should be a medicine, is being given to us by these Johnnies as daily bread. We do not want this kind of daily bread. The point is that here, we have been asked to allow this Bill to be introduced. It is something which is not of a crying urgency at all. I can appreciate it if it was genuinely urgent ; and a Select Committee could go into a matter which is affecting the whole sections of the people, as we did yesterday and conceded it to the Labour Minister—not to the Minister of Parliamentary Affairs, but to the Minister of Labour. But here is a Bill that Government has been pondering over for such a long time ; for only giving something more to a section already privileged. Therefore, there was more than enough time for them to wait till the next session. So, why this crying hurry that they should bring it in and again ask us to give them leave to

introduce it under Direction 19B—which applies to the next Bill which also has the same content ? It is for this reason, on principle, that I object to its introduction.

MR. DEPUTY-SPEAKER : You oppose the introduction of the Bill. The wording is, "oppose the introduction of the Bill."

SHRI VAYALAR RAVI : On a point of order. I draw your attention to rule 65 (3) which says :

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

Now, here is the direction which is very clear. Direction 19B 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 :

Provided that Appropriation Bills, Finance Bills, and such secret Bills as are not put down in the list of business may be introduced without prior circulation of copies to members."

There is another proviso to this, which the Ministers are using. It says :

"... Provided further that in other cases, where the Minister desires that the Bill may be introduced earlier than two days after the circulation of copies or even without prior circulation, he shall give full reasons in a memorandum for the consideration of the Speaker explaining as to why the Bill is sought to be introduced without making available to members copies thereof in advance....."

Now, this is for your satisfaction. If this Bill is not that urgent—the reasons explained indicate that it is not that much urgent—can direction 19B get precedence all the time over the rules of procedure ?

SHRI SHYAMNANDAN MISHRA (Bengaluru) : I have also got a submission to make in regard to this.

MR. DEPUTY-SPEAKER : There is only a provision.... (Interruptions)

Amdt. Bill

SHRI SHYAMNANDAN MISHRA : Every Member can make a submission. I have got my complaint against the Chair. I have to make a submission to the Chair about this. Has the Chair kept a count of all such Bills, about which prior notice had not been given? This is a session flooded with such Bills. Why has the Chair persuaded itself to accept the reasons that have been advanced by the Government in this matter? After all, if there is a provision for a days' prior notice, there is some meaning attached to it. The meaning is that the Members should be in a position to study the legislative competence and other aspects of the matter. If we are not given that required time, it is obvious that we are not in a position to do our job properly. The Chair has to be the guardian of our interest; and if the Chair has not told them that that ought not to have been done then the Chair is not being fair to the House.

MR. DEPUTY-SPEAKER : I know that. This Bill was kept in the Library on the 29th—two days prior. At the Publication Counter, it was distributed on the 29th; it was also sent to the Members on the 29th night; it was distributed on the 29th night. During that day, it was kept at the Publication Counter.

SHRI SHYAMNANDAN MISHRA : That does not complete two days.

MR. DEPUTY-SPEAKER : Today is the 31st. Mr. Ravindra Varma.

SHRI SHYAMNANDAN MISHRA : No, Sir.....

SHRI RAVINDRA VARMA : Mr. Deputy-Speaker, Sir, the points that have been raised by the hon. Members are substantially the same. I can very well understand hon. Members taking umbrage at the fact that the Government had not given.....(interruptions) that Government should follow rules that have been stipulated and ensure that Members have enough time to read the Bills that they introduce in this House. I am extremely sorry that in some cases, this had not been possible in this session. We were told that the Johnnies on this side are not as chivalrous as they should lead the House as well as Jills on this side. But I can assure the Jills concerned that though there may be lack of chivalry, there is no attempt to jilt any Jill.

MR. DEPUTY-SPEAKER : My problem is that between the Johnnies and the Jills, I am bombarded by Members like Shri S. N. Mishra. I think they should take care of this.

SHRI RAVINDRA VARMA : Mr. Deputy-Speaker, Sir, your eyes fell on him and his eyes called on you. That is a geographical position in the House. We do not fall in between. I sincerely express the regret of the Government on the fact that on more than one occasion, we had to invoke this provision of 19 (b); and we will see that in future the causes for such complaints do not arise. (interruptions) I know that in some cases, medicines are used as diets, but we will see that in this case, this does not become a drug addiction.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Supreme Court Judges (Conditions of Service) Act, 1958."

The motion was adopted.

SHRI RAVINDRA VARMA : I introduce† the Bill.

12:08 hrs.

HIGH COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL*

THE MINISTER OF PARLIAMENTARY AFFAIRS AND LABOUR (SHRI RAVINDRA VARMA : On behalf of Shri Shanti Bhushan, I beg to move for leave to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954.

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954."

The motion was adopted.

SHRI RAVINDRA VARMA : I introduce† the Bill.

12:09 hrs.

BOLANI ORES LIMITED (ACQUISITION OF SHARES) AND MISCELLANEOUS PROVISIONS BILL*.

THE MINISTER OF STEEL AND MINES (SHRI BIJU PATNAIK : I beg to move for leave to introduce a

†Introduced with the recommendation of the President.

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 31-8-1978