

MR. SPEAKER: The question is:

"That the Bill to extend the Prevention of Food Adulteration Act, 1954, to the Kohima and Mokokchung districts in the State of Nagland, be taken into consideration".

The motion was adopted.

MR. SPEAKER: The question is:

"That clauses 2, 1, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 2, 1, the Enacting Formula and the Title were added to the Bill.

SHRI UMA SIIANKAR DIKSHIT: I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

11.56 hrs

BUSINESS OF THE HOUSE

MR. SPEAKER: We are very much behind schedule. We will have to sit late today and finish the agenda. Otherwise, we cannot keep to the schedule.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SHRI RAJ BAHADUR): May I take this opportunity to inform the House that we have to take up in this session and dispose of certain Bills which we cannot avoid taking up, for example consequential action in regard to the creation of new States. Then there is the Gratuity Bill. There are some other essential Bill also.

MR. SPEAKER: We will have to sit a little longer to day and tomorrow. Of course, the agenda will show only the usual timings because it has already been printed.

SHRI RAJ BAHADUR: There may have to be a constitutional amendment in regard to the reorganisation of the States concerned.

MR. SPEAKER: He is adding one after the other everyday and saying it has to be passed. Government must stick to the schedule. Of course, we are in an emergency. But everyday some Bills are added in this way

SHRI RAJ BAHADUR: I am so sorry.

SHRI H. N. MUKERJEE (Calcutta-North-East): There is the Diplomatic Relations (Vienna Convention) Bill. It is a very important Bill.

MR. SPEAKER: We will pass it today.

SHRI H. N. MUKERJEE: How can we? We do not have time enough for a thorough discussion. I have tabled a motion for reference to a select committee. This requires a very serious and thorough-going discussion. This is the ratification of a convention which was signed in 1961 which we accepted in 1965 and have waited six years more. We want to have a full discussion. It cannot be hustled.

MR. SPEAKER: We will have some discussion on it. It will not be denied. Of course, we are at the fag-end of the session. We have to see through all the business.

SHRI H.N. MUKERJEE: There must be some discussion in regard to the merits of the Bill.

MR. SPEAKER: That will not be denied.

MR. H. N. MUKERJEE: The External Affairs Minister is not here. We have to seriously consider the provisions of this very important Bill. We are not going to put on the statute book such an important measure without discussion.

SHRI RAJ BAHADUR: We have no objection to the postponement of this to the next session.

SHRI SEZHIYAN (Kumbakonam): In that case, there should be no objection to

[Shri Sezhiyan]

reference to a Select Committee because during the inter-session it can be discussed in the Committee.

SHRI RAJ BAHADUR : That is a good idea.

MR. SPEAKER : Let the hon. Minister not jump to conclusions so quickly. I was not prepared for this. He should not take me unaware. If this is his intention, he should inform me beforehand. I have been asking the House to sit longer hours, but suddenly he comes up with this idea.

Now, Prof. Mukerjee, the Government are agreeable that instead of postponing that Bill, it may be referred to the Select Committee.

SHRI H. N. MUKERJEE : I said I would agree to it. I am in the hands of the House.

MR. SPEAKER : The Minister has agreed to it. I cannot say what will happen the next moment. For the moment they have agreed.

SHRI RAJ BAHADUR : I am very sorry. It stands.

SHRI K. NARAYANA RAO (Bobilli) : May we take it that it is being referred to the select Committee?

MR. SPEAKER : For the time being, it looks like that. Yes, Mr Pant.

12.00 hrs

DEPARTMENTAL INQUIRIES
(ENFORCEMENT OF ATTEN-
DANCE OF WITNESSES
AND PRODUCTION OF
DOCUMENTS) BILL

THE MINISTER OF STATE IN THE
MINISTRY OF HOME AFFAIRS (SHRI
K. C. PANT) : Sir, I move :—

“That the Bill to provide for the enforcement of attendance of witnesses and

production of documents in certain departmental inquiries and for matters connected therewith or incidental therewith, be taken into consideration.”

An important factor which holds up the progress of oral enquiries in departmental proceedings against Government servants is the absence of authority with enquiring officers to compel production of documents and summoning of witnesses. This is also explained in the Statement of Objects and Reasons attached to the Bill.

Under the existing rules, Inquiry Officers are being appointed to conduct departmental inquiries but these Officers have no statutory powers to enforce the attendance of witnesses or production of documents in such inquiries. While no difficulty is normally experienced in procuring the witnesses who are public servants, private parties called up as witnesses are often found to be reluctant in appearing before Inquiry Officers. Quite often the hearings in departmental inquiries have to be adjourned just with a view to persuading the private parties to attend such inquiries in the interest of public Justice. On the other hand, there have been some cases which fell through because some private parties, who were material witnesses, refused to appear before the Inquiry officers.

The Santhanam Committee on Prevention of Corruption had *inter alia* recommended that “Powers to summon and compel attendance of witnesses and production of documents should be conferred on the inquiry authorities in departmental proceedings by suitable legislation”.

The Bill is intended to resolve the difficulties experienced by the inquiring authorities in this regard. There should be no objection to accept the provisions of the Bill which are only of a procedural and enabling nature. These provisions are a step in the direction of expediting Departmental Enquiries.

The amendments suggested to the Bill have been considered. The amendments have been suggested I presume with a view