

11.05 hrs.

CONSTITUTION (THIRTY-SECOND
AMENDMENT) BILLAPPOINTMENT OF MEMBERS TO JOINT
COMMITTEEDR. HENRY AUSTIN (Ernakulam)
I beg to move :

"That this House do appoint Shri Shashi Bhushan to the Joint Committee on the Bill further to amend the Constitution of India in the vacancy caused by the resignation of Shri H. K. L. Bhagat."

MR. SPEAKER : The question is :

"That this House do appoint Shri Shashi Bhushan to the Joint Committee on the Bill further to amend the Constitution of India in the vacancy caused by the resignation of Shri H. K. L. Bhagat".

The motion was adopted.

11 23 hrs.

HOUSE OF THE PEOPLE (EXTEN-
SION OF DURATION) BILL.*

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS
Shri H. R. Gokha. Sir, I beg to move for leave to introduce a Bill to 'provide for the extension of the duration of the present House of the People.

MR. SPEAKER : Motion moved .

"That leave be granted to introduce a Bill to provide for the extension of the duration of the present House of the People".

Mr Sequeira.

SHRI SOMNATH CHATTERJEE (Burdwan) I want to make a submission.....

MR. SPEAKER : No, please! At this stage, only one Member will be allowed. Mr. Sequeira.

(Interruptions)

SHRI ERASMO DE SEQUEIRA Marmá Mr. Speaker, we have before us introduction of a Bill which seeks to extend the elected terms of this House. It is a very short walk from the Hall where freedom was born to this Chamber where, in a few minutes, it may sicker more than ever before. At such a moment, perhaps it is best to dig deep into history for the expression for the words that we need. It appears that our predecessors had far more depth and far more reach into the future than most of us appear to have today. I have searched our history and I think, I have found expression that we need in a letter that was written by the first Indian parliamentarian, a fellow gone by the name of Francisco Luis Gomes to the famous French poet, Lamartine, on the 5th January, 1861 Referring to India, he wrote.

"She lies captive in her own nation. Threshing within the walls of the cage, this bard has lost the wings that before enabled her to soar higher than the Himalayas. Crying for liberty extinguished, in the dimming light, she has forgotten her own hymns which before rent the air"

And he cried in that letter

"I ask for India liberty and light".

Sir, I would like to make in this chamber today the same cry. Through you, Sir, and the hon. Minister, I would commend to the custodian of this nation at this moment, because whether we like it or do not like it, the immediate future is today carried on just one pair of shoulders

*Published in Gazette of India Part II, Section 2, dated 3-2-76.

and I must mention with respect that I do not like it, because I think, it is too much weight for just two shoulders to carry, the weight of 500 million people; I would commend to the Prime Minister the words of Jawaharlal Nehru, who at the moment when freedom was born, had this to say :

"This is no time for petty and destructive criticism. No time for ill will, or blaming others. We have to build the noble mansion of free India, where all her children may dwell."

If I thought only, that I had the words in what I have just quoted, I know that I have them when I quote the Father of this Nation, Gandhiji, who said

"If I could find God in the highest mountain, I would go there. But know I cannot find him apart from mankind."

On the 18th March, 1976, the elected term of this House is over. On that day, we must go our multitudes, to our strength the 500 million people of India and seek from them a fresh lease on parliamentary life, because if we do not do this, from that day this Government will lose its legitimacy. This House will cut itself from its source and as Gandhiji said, even the Ganga will dry when it cuts itself from its source and it is with these words that I would like to oppose the introduction of this Bill.

SHRI H. R. GOKHALE . Sir, the hon. Member has, no doubt done some research, but unfortunately has not made any point. He is talking of the normal duration of the House coming to an end on the 18th March, that all of us know. But he must be aware, and I am sure he is aware, that the Constitution that has provided for this normal five years duration has itself also provided that under certain circumstances, Parliament has the power to increase that normal duration to a period not exceeding one year at

a time. Therefore, where is the question of encroaching on any liberty or doing away with the right to go to the people, etc. ? What is being done is under the very Constitution under which it is permitted to be done. Therefore, I am sorry to repeat that, while he has done some research and quoted some good extracts, unfortunately, he has not made any point.

MR. SPEAKER . Now the question is :

"That leave be granted to introduce a Bill to provide for the extension of the duration of the present House of the People."

Let the Lobby be cleared—

The Lok Sabha divided .

AYES

Division No 20] [11 37 hrs.

Achal Singh, Shri
Aga, Shri Syed Ahmed
Ankheedu, Shri Maganti
Anvari, Shri Ziaur Rahman
Appalanaidu, Shri
Austin, Dr Henry
Awadesh Chandra Singh, Shri
Azz Imam, Shri
Babunath Singh, Shri
Balakrishnaiah, Shri T.
Basua, Shri Bedabrata
Basappa, Shri K.
Basumatari, Shri D
Bhagat, Shri H K L
Bheeshmadev, Shri M
Bist, Shri Narendra Singh
Brahmanandji, Shri Swami
Chandra Gowda, Shri D. B.
Chaturvedi, Shri Rohan Lal
Chaudhuri, Shri Amarsinh
Chavan, Shri Yeshwantrao
Chhutten Lal, Shri
Darbara Singh, Shri
Das, Shri Anadi Charan
Dasappa, Shri Tulstidas

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De chowdhury Shri B. K.
 Deo, Shri S. N. Singh
 Desai, Shri D. D.
 Dhillon, Dr. G. S.
 Dhuria, Shri Anant Prasad
 Dinesh Singh, Shri
 Dixit, Shri G. C.
 Doda, Shri Hiralal
 Dube, Shri J. P.
 Engti, Shri Biren
 Gackwad, Shri Fatesingh
 Gangadeb, Shri P.
 George, Shri A. C.
 Gokhale, Shri H. R.
 Gopal, Shri K.
 Goswami, Shri Dinesh Chandra
 Gotkhinde, Shri Annasaheb
 Gowda, Shri Pampan
 Hanumanthaiya, Shri K.
 Harisingh, Shri
 Hashim, Shri M. M.
 Jadeja Shri, D. P.
 Jeyalakshmi, Shrimati V.
 Jha, Shri Chiranjib
 Joshi, Shri Popatlal M.
 Kadannappalli, Shri Ramachandran
 Kader, Shri S. A.
 Kailas, Dr.
 Kakodkar, Shri Purushottam
 Kale, Shri
 Kamakshaiah, Shri D.
 Kamble, Shri T. D.
 Karan Singh, Dr.
 Kaul, Shrimati Sheila
 Khadilkar, Shri R. K.
 Kotoki, Shri Laladhar
 Lakkappa, Shri K.
 Lambodar Baliyar, Shri
 Mahajan, Shri Vikram
 Mallikarjun, Shri
 Mandal, Shri Jagdish Narain
 Matrya, Shri B. P.
 Mirdha, Shri Narhu Ram
 Mishra, Shri Bibbuti
 Modi, Shri Shrikishan
 Mohammad Tahir, Shri
 Mohsin, Shri F. H.
 Naik, Shri B. V.
 Negi, Shri Pratap Singh
 Oraon, Shri Tana

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Painuli, Shri Paripornanand
 Palodkar, Shri Manikrao
 Pandey, Shri Damodar
 Pandey, Shri Narsingh Narain
 Pandey, Shri R. S.
 Panigrahi, Shri Chittatmani
 Pant, Shri K. C.
 Paokai Hookup, Shri
 Parashar, Prof. Narain Chard
 Patel, Shri R. R.
 Patil, Shri Krishnarao
 Patil, Shri S. B.
 Patnaik, Shri J. B.
 Prabodh Chandra, Shri
 Qureshi, Shri Mohd. Shafi
 Raghu Ramaiah, Shri K.
 Rai, Shri S. K.
 Raju, Shri P. V. G.
 Ram Sewak, Ch.
 Ram Singh Bhai, Shri
 Ram Swarup, Shri
 Ramji Ram, Shri
 Rao, Shrimati B. Radhabai A
 Rao, Shri Jagannath
 Rao, Shri K. Narayana
 Rao, Shri M. S. Sanjeevi
 Rao, Shri M. Satyanarayan
 Rao, Shri Pattabhi Rama
 Ratha, Shri Umed Singh
 Ravi, Shri Vayalar
 Reddy, Shri K. Kodanda Rami
 Reddy, Shri M. Ram Gopal
 Reddy, Shri P. Ganga
 Reddy, Shri P. Narasimha
 Reddy, Shri P. V.
 Richhariya, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Roy, Shri Bishwanath
 Rudra Pratap Singh, Shri
 Saini, Shri Mulki Raj
 Sait, Shri Ebrahim Sulaiman
 Salve, Shri N. K. P.
 Samanta, Shri S. C.
 Sangilana, Shri
 Sankata Prasad, Dr.
 Sarkar, Shri Sakti Kumar
 Sathe, Shri Vasant
 Savant, Shri Shankarrao
 Shafiq, Shri A.
 Shailani, Shri Chandra

Shankaranand, Shri B.
Sharma, Shri A. P.
Sharma, Shri R. R.
Sharma, Dr. Shanker Dayal
Shastri, Shri Biswanarayan
Shastri, Shri Sheopujan
Shenoy, Shri P. R.
Shukla, Shri B. R.
Siddayya, Shri S. M.
Singh, Shri Vishwanath Pratap
Sinha, Shri Nawal Kishore
Sinha, Shri R. K.
Sohan Lal, Shri T.
Sokhi, Sardar Swaran Singh
Stephen, Shri C. M.
Suryanarayana, Shri K.
Uikey, Shri M. G.
Vekaria, Shri
Yadav, Shri Karan Singh

NOES

Bade, Shri R. V.
Bhattacharyya, Shri Dinen
Bhattacharyya, Shri S. P.
Chatterjee, Shri Somnath
*Daga, Shri M. C.
Dutta, Shri Biren
Haldar, Shri Krishna Chandra
Hazra, Shri Manoranjan
Horo, Shri N. E.
Joarder, Shri Dinesh
Lalji Bhai, Shri
Mehta, Shri P. M.
Modak, Shri Bijoy
Mohammad Ismail, Shri
Mukherjee, Shri Saroj
Nair, Shri N. Sreekantan
Parmar, Shri Bhaljibhai
Patel, Shri H. M.
Rama Hedao, Shri
Reddy, Shri B. N.
Roy, Dr. Saradish
Saha, Shri Ajit Kumar
Sequeira, Shri Braamo de
Singh, Shri D. N.
Solanki, Shri Somchand

MR. SPEAKER: The result** of the division is: Ayes—144; Noes—251

The motion was adopted.

SHRI H. R. GOKHALE: I introduce the Bill.

11 39 hrs.

STATUTORY RESOLUTION RE:
DISAPPROVAL OF PAYMENT OF
WAGES (AMENDMENT) ORDINANCE
AND
PAYMENT OF WAGES (AMEND-
MENT) BILL

SHRI DINEN BHATTACHARYYA
(Serampore): I beg to move:

“This House disapproves of the Pay-
ment of Wages (Amendment) Ordinance, 1975 (Ordinance No. 21 of 1975) promulgated by the President on the 12th November, 1975”.

While moving this Resolution I want to make it clear that so far as the amendment to Section 1 of the Payment of Wages Act, 1936 is concerned, I am not opposed to it.

In place of Rs. 400, now those who are drawing upto Rs. 1,000 are also proposed to be covered under the Payment of Wages Act as workmen. In that regard, I have only to add that the Government should at the same time bring forward a Bill under which an employee drawing upto Rs. 1,000 will be covered under the Industrial Disputes Act also as a workman. I think, it was first in the case of Gratuity Act that it was placed at Rs. 1,000. In the case of E.S.I., some notification might be there, but I know that only in a very few cases the employers are giving this benefit to those who are drawing more than Rs. 400 as their monthly salary. In other respects also this enhanced wage level must be observed for extending the benefit to the workmen covered as per the Industrial Disputes Act. My first point is that once for all you decide, at the present moment at least, that in all cases whether:

**Wrongly voted for NOES.

**The following Members also recorded their votes:

AYES: Shri M. C. Daga;

NOES: Sarveshri Tridib Chaudhuri and Ram Kanwar.