

SHRI PILOO MODY : You do not look like one.

SHRI I. K. GUJRAL : If I do not look like one, surely, neither Mr. Vajpayee nor Mr. Piloo Mody look like one; they have prospered, both of them, because they were not refugees. Therefore, while extending sympathies, Mr. Vajpayee and Mr. Piloo Mody must understand that the refugees today do not want sympathy. They want their due share, and society has given to them their due, fortunately in Delhi, and I am proud that we are able to play our role as progressive sections of society, and we will go on discharging this, whatever we are called upon to do.

MR. DEPUTY SPEAKER : The question is :

“That the Bill be passed”

The motion was adopted

14.08 hrs.

MOTION UNDER RULE 388

SUSPENSION OF RULE 74 IN RESPECT OF
GENERAL INSURANCE BUSINESS
(NATIONALISATION) BILL

MR. DEPUTY-SPEAKER : Shri Chavan.

SHRI SURENDRA MOHANTY (Kendrapara) : I am raising a point of order. My point of order is this. Of late it is found that suspension of the first proviso to rule 74 has almost become a fashion. Every time the Government comes with this motion for suspension.

MR. DEPUTY-SPEAKER : There are two things. One is, opposition to the motion to be moved by the hon. Minister and I have names of a few Members who want to speak on that. What is your point of order? If it is different from that, I shall hear you.

SHRI SURENDRA MOHANTY : This is violative of the rules of procedure. You can throw the rules of procedure in the waste paper basket.

MR. DEPUTY-SPEAKER : That is going to be considered now.

SHRI SURENDRA MOHANTY : The second point is this. It is a Money Bill...

MR. DEPUTY-SPEAKER : You are a senior Member and you have had a lot of parliamentary background. Is this a point of order now? Let the Minister move this motion. You can say these things only at the appropriate stage.

SHRI SOMNATH CHATTERJEE (Burdwan) : We do not find any recommendation from the President.

MR. DEPUTY-SPEAKER : It is there; it was published on the 27th of this month.

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : I beg to move :

“That this House do suspend the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Bill to provide for the acquisition and transfer of shares of Indian insurance companies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment for the regulation and control of such business and for matters connected therewith or incidental thereto, to a Joint Committee of the Houses.”

SHRI SFZHIYAN (Kumbakonam) : Sir, I rise to oppose this motion on two grounds—procedural and constitutional. It is a painful fact that every day the Government comes forward in this House to suspend this rule or that rule. Yesterday, there was a motion to suspend a rule to introduce a Bill with regard to Aligarh Muslim University. Actually two rules had to be suspended, the rule to give seven days' notice to the Speaker and the rule to give the Bill to the Members two

days before its introduction in the House; both these rules were suspended. It looks as if the order of the day is to suspend one rule or other and introduce Bill after Bill. In that case, we need not have any rules of procedure at all and every day we can have our own rules.

I want to draw the attention of the House to a very pertinent observation made by the Speaker just five months ago, in December, 1971. At that time, because the Bill for the formation of the North-Eastern Council had to precede the passing of the Constitution Amendment Bill Mr. K. C. Pant moved for suspension of Rule 66. At that time, the Speaker said :

“This was a very tight programme. I have been relaxing it after declaration of the emergency. Just as war-hit areas have to be rehabilitated, we will have to rehabilitate our procedure also after this session. This should not be taken as a precedent. I am not going to follow it in the next session.”

Because of the peculiar conditions prevailing then, the Speaker was kind enough to suspend the rule and he gave a strict ruling that from the next session he would not allow such suspension.

I now come to the basic Constitutional point: The motion moved by the Finance Minister has this effect that without suspending Rule 74 proviso, he cannot form a Joint Committee to which the Bill is to be referred. Rule 64 deals with motions after introduction of Bills. The proviso reads thus :

“Provided that no such motion as is referred to in clause (iii)—*i. e.* referring the Bill to a Joint Committee—shall be made with reference to a Bill making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of Article 110 of the Constitution.”

Sub-clauses (a) to (f) of article 110 (1) define Money Bills. A Money Bill can be introduced only in this House and therefore it can be referred only to a Select Committee of this House and not to a Joint Committee.

He may want to make a distinction bet-

ween a Money Bill and a Financial Bill. Article 117 which deals with special provisions as to financial Bills reads thus :

“(1) A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced in the Council of States.”

That means, the present Bill cannot be introduced in the Council of States. I am not going into the merits of the Constitutional provision. Rightly or wrongly that provision has been made. Bills coming under article 110 (1) can be introduced only here. So, if you are going to suspend rule 74 and refer this to a Joint Committee, it will be unconstitutional and it will go against the letter and spirit of the Constitution. If it is a Money Bill or financial Bill, it can be introduced only in this House. After this House passes it, it can be referred to Rajya Sabha. Rajya Sabha can make some recommendations. Then the Bill with those recommendations comes here. If the Lok Sabha accepts those recommendations, then those recommendations become a part of the Bill. Otherwise, the Bill as passed by the Lok Sabha stands and the amendments made by Rajya Sabha have no effect on the Bill. That is the special provision obtaining for financial Bills. In the case of a Bill which can be introduced only in Lok Sabha and which cannot be introduced in the Rajya Sabha, if you allow that Bill to be referred to a Joint Committee, that means you are going to take some members from Rajya Sabha into the Joint Committee. They can propose some amendments in the Joint Committee before this House passes this Bill. Once they come to the Joint Committee and make a recommendation, the report will not disclose which member made which amendment, whether it has been moved by a Rajya Sabha member or not. That means that a member of the Rajya Sabha, who is precluded by the Constitution from taking part or influencing the decision of the Lok Sabha in a financial Bill, he gets the prerogative or right in the Joint Committee to make suggestions on a financial Bill, which has been denied to him specifically by the Constitution. This will mean that he can make some recommendation in the Joint Committee,

[Shri Sezhiyan]

which will be incorporated in the report of the Joint Committee, this will be incorporated in the report of the Joint Committee, this will be going against the spirit and letter of the Constitution. So, it is very unconstitutional to refer this Bill to a Joint Committee.

Here I want to give a precedent. When life insurance was nationalised in the year 1956, when a Bill was brought to nationalise life insurance, at that time it was referred to a Select Committee, and not a Joint Committee. It was on the 20th March 1956 that this House referred the Life Insurance Corporation Bill to a Select Committee. It was not referred to a Joint Committee because that would be violating the very letter and spirit of the Constitution. Therefore from this point also it is procedurally very bad and unconstitutional.

It may be pleaded on the other side that this procedure will avoid duplication of work because otherwise Rajya Sabha will set up its own Committee. But that is a different matter. After the Select Committee of this House has considered the Bill, we pass the Bill and it goes to the other House. The Rajya Sabha may appoint a Select Committee of its own or it may pass that Bill with some amendments. But those amendments will not become effective unless they are agreed to by the Lok Sabha. Therefore, Rajya Sabha cannot have a say so far as financial matters are concerned.

This is a very valid procedural and constitutional point and I want this to be decided purely on merits, and not on the basis of numbers. Sir, I seek your guidance on this very fundamental constitutional point. We should not accept this motion which is unconstitutional.

SHRI PILOO MODY (Godhra) Therefore, we can grant leave to the Finance Minister to withdraw his motion.

श्री अटल बिहारी वाजपेयी (ग्वालियर)
उपाध्यक्ष महोदय, मैं श्री चन्द्राण के प्रस्ताव का विरोध करने के लिए खड़ा हुआ हूँ। जो बातें श्री सेझियन ने कही हैं मैं उन्हें दोहराना नहीं

चाहता हूँ। वे बातें इस मदन में पहली बार विचार के लिए उपस्थित नहीं हुई हैं। रूल 74 में संशोधन करने की बात 1953 में उठी थी और रूलस कमेटी ने उस समय जो फैसला किया वह मैं आपके और सदन के सामने रखना चाहता हूँ। मैं रूलस कमेटी में से उद्धृत कर रहा हूँ।

'Under articles 109 and 117 of the Constitution money Bills and financial Bills can be introduced only in the House of the People and as such are primarily the concern of that House. Therefore, in consonance with the spirit of the Constitution such Bills should be dealt with exclusively by committees of the House of the People. In view of the limited powers in financial matters conferred under the Constitution on the Council it would not be in conformity with the spirit of the Constitution to refer such Bills to a Joint Committee which involves association of members of the other House who might be placed in a position to influence the decision of the Committee.'

'The proposed amendment was therefore intended to provide that with respect to Bills which shall not be introduced in the Council of States no motion could be moved for reference of such Bills to a Joint Committee of both Houses. The amendment was agreed to by the Committee.'

रूलस कमेटी ने इस बात को स्वीकार किया है कि जो भी फाइनेन्शियल बिलजें होंगे, वे ज्वाइन्ट कमेटी में नहीं भेजे जा सकते, यद्यपि मनी-बिलजें के लिये स्थिति भाव है। इस लिये मेरा निवेदन है कि इस नियम की परवाह किये बिना यह प्रस्ताव पेश कर दिया गया है। यह प्रस्ताव स्वीकार नहीं होना चाहिये। सिलेक्ट कमेटी बननी है तो इस हाउस को बने और दूसरा हाउस चाहे तो अलग सिलेक्ट कमेटी बना कर विचार कर सकता है। यह तर्क ठीक नहीं है कि दो सिलेक्ट बनेंगी, दोनों अलग-अलग विचार करेंगी, इस लिये यह अच्छा है कि एक ही कमेटी

बना दी जाय। और इस चीज को हम और आगे बढ़ायेंगे तो फिर दूसरे हाउस की आवश्यकता ही नहीं रहेगी। यहाँ हर चीज पर चर्चा होती है, उसके बाद वहाँ चर्चा होती है फिर तो मैनड्रल हाल में बैठ कर इकट्ठे चर्चा कर सकते हैं और जो चाहें पाम कर सकते हैं।

इस लिये संविधान में जो कुछ लिखा हुआ है उसको देखते हुए और रूज कमिटी की फाइण्डिंग को देखते हुए यह बिल ज्वाइन्ट सिलैक्ट कमिटी में नहीं भेजना चाहिए, एक ही सिलैक्ट कमिटी में भेज सकते हैं जो कि डम हाउस की हो सकती है।

SHRI G. VISWANATHAN (Wandiwash): Sir, I rise to oppose the Motion moved by Shri Yeshwantrao Chavan. If we accept the Motion of Shri Yeshwantrao Chavan, suspending Rule 74, we will be violating the Constitution. Not only that. We will be waiving our own rights and prerogatives. There are certain rights and prerogatives of this House, namely, of Lok Sabha over Rajya Sabha.

I would like to refer to article 109 of the Constitution. I am reading only a relevant portion. Article 109 says—

“(1) A Money Bill shall not be introduced in the Council of States.

(2) After a Money Bill has been passed by the House of the People, it shall be transmitted to the Council of States for its recommendations and the Council of States shall within a period of fourteen days from the date of its receipt of the Bill return the Bill to the House of the People with its recommendations and the House of the People may thereupon either accept or reject all or any of the recommendations of the Council of States.”

It is clear that it is the prerogative of the House of the People to accept or reject the recommendations of the Council of States. It cannot be introduced in the other House. So, if we accept the suspension Motion moved by Shri Yeshwantrao Chavan, we will be waiving our own rights and prerogatives enjoined by the Constitution.

As the custodian of the rights of this House, I request you, Sir, not to allow this Motion to be brought before the House and I request the House to reject the Motion. Otherwise, we will be watering down the authority and the power of this House and we will be waiving our own rights and prerogatives also.

SHRI SURENDRA MOHANTY : I have nothing more to add.

SHRI YLSHWANTRAO CHAVAN : Sir, I think, unnecessarily, this point has been complicated by referring to the Constitutional aspects.

It is true that this is a financial Bill. Under the Constitution, the only limitation is that it cannot be moved in the other House, that is, in the Council of States. This is the only condition. There is no question of moving this Bill in the Council of States.

The only question raised was as to whether this can be referred to the Joint Committee and that this Rule, certainly, was coming in the way. It is exactly where we have come for the consent of the House for the suspension of the rule. If the House does not agree to that, that is a different matter. There is no provision in the Constitution that there shall not be a Joint Committee. The only direction that the Constitution gives is that no Money Bill or financial Bill shall be moved in the Council of States and that it shall be moved in the House of the People.

The only point is that I am referring this Bill to the Joint Committee. Certainly, the House would be interested to know why I am trying to do this also. It is a very important Bill. Time is a very essential factor in this matter. We are moving this Bill at the end of the session so that the inter-session period can be made use of for discussing the clauses of the Bill in greater detail. Now, suppose the Bill comes back here if it is only referred to the Select Committee of this House—and goes to the Rajya Sabha. The Rajya Sabha, in its wisdom might possibly think of referring it to their own Select Committee for consideration. They can do that. So, it is a time-consuming process. Really speaking, in the interest of a very important measure like this—it is certainly the pleasure

[Shri Yeshwantrao Chavan]

of the House to say no—it is my duty to make a recommendation to the House that it does give its consent to it, in exceptional circumstances, to see that an important Bill is passed quickly and in as short a time as possible.

SHRI SEZHIYAN : Our plea is that it should not be a question of the Minister bringing forward a motion and getting it passed: it may be carried by the House...

SHRI ATAL BIHARI VAJPAYEE : They have all the votes and we have all the arguments. You give your ruling. Sir, ((*Interruption*)).

SHRI H. N. MUKERJEE (Calcutta—North-East) : I have rarely heard sophistry as has fallen from the lips of the Finance Minister. If the intention is to get down to the spirit of the Constitution and the rules, it is a different matter. Only by saying that Government wants to expedite the passage of this Bill, you cannot do it. If Government really wishes to expedite the Bill, they can get the Rajya Sabha to pass it after we have made our report. Why must we assume that the Rajya Sabha is so constituted that it is very likely to delay everything after we have made our report through our own committee? The Constitution and the rules together, particularly in view of the observations of the Rules Committee in regard to Financial Bill, make it very clear that association of the Rajya Sabha—it is a matter of principle—, association of the Rajya Sabha members in the formulation of a money Bill, or a financial Bill, whether by way of having it moved in one House or the other or by way of association in a Joint Select Committee, is something which the Constitution does not allow. If we want to equate the two Houses, well and good; let us go ahead with it. But if we do have the separation between the two House, we can not do this sort of thing. There is a great deal of difference between moving a Bill here and moving for a Joint Committee. He does not seem to see the point that Mr. Sezhiyan made that the Joint Committee would mean the instant participation of Rajya Sabha members in the formulation of the Bill and, therefore, it is not correct for the Finance Minister to say that, that does not

bring the Rajya Sabha into the picture. Reference of this Bill to the Joint Committee means at once, on the same party basis, that Rajya Sabha members would discuss this Bill. I have nothing, personally, against the members of the Rajya Sabha. If, under the Constitution, they have not got that sort of right, why should we give it to them? (*Interruption*) That is why I feel that it is completely wrong of the Finance Minister to suggest this sort of thing. And it passes my understanding why Government, with its massive majority in either House, has to take recourse to this sort of stratagem—unnecessarily try to suspend the rule and that sort of thing. It is setting a very bad precedent. If they want to do away with Parliamentary procedure, I am ready to welcome that. I do not swear by this sort of apparatus. You always violate the form and spirit of the rules and of the Constitution.

SHRI INDRAJIT GUPTA (Alipore) : You will have to consider whether rule 74 can be viewed in isolation from article 110 because what the Minister has said and what he has proposed really amount to this. Article 110 is, of course, not being directly violated by his proposal because it has nothing to do with constitution of Select Committee; it is only a question of introduction. But he says that it does not preclude him from moving for suspension of rule 74. It is my suggestion that rule 74 and article 110 are inextricably linked with each other. Rule 74 has not fallen from the sky; it has not been suddenly formulated in a vacuum. Rule 74 derives from article 110. It is only because article 110 has laid down specifically that a financial Bill or a money Bill cannot be introduced except in the Lok Sabha, it is that it has constituted the basis for formulating subsequently rule 74. It has linked the question of introduction of the Bill with the kind of setting up of the Select Committee. Therefore, as explicitly laid down, it cannot be referred to a Joint Committee of the two Houses. Therefore, you cannot see these two things in isolation from each other and say that the Constitution is not being violated but this rule can be set aside. The rule has followed from that Article 110. Otherwise, it could not have been formulated at all.

SHRI PILOO MODY : The excuse that

is being trotted out is that all this is being done to "save time" for something which is supposed to be "so important." The relevant things are : (1) it is very important and (2) it saves time. If it was to go to a Select Committee of the House, I assume that the Select Committee would use the vacation and discuss the Bill and bring it forward on the opening day of the monsoon session. Thereafter the Bill can be sent to the Rajya Sabha. The Government does not necessarily have to accept thereafter a committee of the Rajya Sabha to go into the Bill once again. The Government at that point can perhaps be little firm and deviate from the rule. At that point, instead of wrecking the Constitution, wrecking the procedure in this House and instead of wrecking the Rules of Procedure it can be firm in the Rajya Sabha by not accepting that the Bill be again referred to a Select Committee of the Rajya Sabha and pass it. I don't think there is any difference between the procedure recommended by me and the procedure that is going to take place in any case and, therefore, to say that it is "so important" and it is "so necessary" for doing this, I don't think is a plausible excuse.

SHRI SOMNATH CHATTERJEE : Mr. Deputy Speaker, Sir.

MR. DEPUTY SPEAKER : There should be an end somewhere.

SHRI PILOO MODY : The end is by withdrawing the motion.

SHRI SOMNATH CHATTERJEE : The motion before the House is for the suspension of only the proviso to Rule 74 and not Rule 74 altogether. Kindly see Rule 388 of the Rules. It says that any Member may move with the consent of the Speaker that any rule be suspended—and if the motion is carried, the rule in question shall be suspended for the time being. Now, the proposal is to suspend the proviso only and not the Rule itself which is not contemplated by 388 and the proviso is only suspended which, I think, is not possible.

**THE MINISTER OF PARLIAMEN-
TARY AFFAIRS AND SHIPPING AND
TRANSPORT (SHRI RAJ BAHADUR)** :
The whole includes the part also.

SHRI SEZHIAN : The Rules of Procedure have not been created by us. They also have the constitutional sanction, Art 118 of the Constitution says :

"Each House of Parliament may make rules for regulating, subject to the provisions of this Constitution, its procedure and the conduct of its business."

Fortunately Art. 117 says that no Financial Bill shall be introduced in the Council of States.

It is violating the provisions of the Constitution. Therefore, I submit that it should not be viewed whether the House wants it or not, whether there is a majority for the motion or not. I want you to go into the spirit of the Constitution, not minority or majority. First of all I appeal to you, because only with the consent of the Chair it can be moved. If you are convinced that there is a constitutional basis for our objection, you should not give consent. Again I appeal to the Treasury Benches that they may refer it to the Select Committee. The Life Insurance Corporation Bill which was one of the biggest events, was referred to a Select Committee, not to a Joint Select Committee. The same procedure can be adopted here also. If you want the co-operation and if you want it to be finalised within a certain time, we will certainly co-operate with you and fix a firm date. But don't violate the Constitution. Don't go against the spirit of the Constitution.

MR. DEPUTY-SPEAKER : Shri Sezhiyan has referred to the observation of the Speaker during the last session on the situation regarding the suspending of certain rules. Shri Atal Bihari Vajpayee has also read extensively from the observations of the Rules Committee. Now, I take it that all these were taken into consideration before this motion was put on the Order Paper.....

SHRI G. VISWANATHAN : How do you know, Sir ?

MR. DEPUTY-SPEAKER : It is in the Order Paper, obviously, with the permission of the Speaker, and, therefore, I would not go into that.

SHRI G VISWANATHAN . How do you presume that ?

MR DEPUTY-SPEAKER Anything which come on the Order Paper is with the consent of the Speaker, and, therefore, I am coot going into that. The question is now before the House

The question before me is limited, namely whether I should put this question to the House. That is the question with which I am concerned

Now, I would like two things to be clear to hon Members. One is that this is not a question of the introduction of a money Bill or a financial Bill in the Council of States. It has not been introduced there. It has been introduced here, and, therefore, the position is clear on that question. Now, it is only a question of a motion seeking to associate some Members of the Council of States in the joint Committee.

SHRI ATAL BIHARI VAJPAYLL Of suspending the rules

MR DEPUTY-SPEAKER Before I come to my conclusion, I would like to make one other observation. Another thing that we have before us is that it is the normal practice that the reports of all our committees, Select Committee or Joint Committee are unanimous reports, they come as one report before the House. The report of this Joint Committee will come back to this House.

SHRI ATAL BIHARI VAJPAYLL They are not necessarily unanimous reports. Notes of dissent can be given

MR DEPUTY SPEAKER They may be given,.....

SHRI ATAL BIHARI VAJPAYLL Those are not PAC or PU Committee's reports

MR DEPUTY-SPEAKER Anyway it comes back to this House and it does not go to the other House. If the House feels in its wisdom in order to expedite matters, since the Bill will be going to that House after it is passed in this House,....

SHRI ATAL BIHARI VAJPAYEE : Let it go there...

SHRI PILOO MODY Only for comment

MR DEPUTY-SPEAKER To expedite matters, .

SHRI PILOO MODY Not to formulate laws

MR DEPUTY-SPEAKER To come to the broadest understanding so that there is not much delay, if the House feels that there could be already come understanding with the other House, so that it is only a process of consultation ..

SHRI PILOO MODY In saying that you have not taken into consideration the point that I had made

MR DEPUTY-SPEAKER I have taken everything into consideration

SHRI PILOO MODY There is going to be no difference in time even this way

MR DEPUTY-SPEAKER In trying to to seek this kind of consultation or association, I do not think that it violates the Constitution. Therefore, I shall now put the motion for suspending the proviso to the rule .

SHRI SOMNATH CHATTERJEE It is only the proviso which is being suspended and not the whole rule

MR DEPUTY-SPEAKER The proviso is part of the rule

SHRI PILOO MODY You can go ahead and make history

SHRI SOMNATH CHATTERJEE Rule 74 become only partly suspended,.....

SHRI RAJ BAHADUR The part includes the whole

MR DEPUTY-SPEAKER Hon Members are only trying to hair-split. Our rules are very clear. According to our rules .

“Minister means a member of the Council of Ministers, a Minister of State, a Deputy Minister or a Parliamentary secretary”

So, the part means the whole and the whole means the part

The question is -

“That this House do suspend the first proviso to Rule 74 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motion for reference of the Bill to provide for the acquisition and transfer of shares of Indian insurance companies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment, for the regulation and control of such business and for matters connected therewith or incidental thereto, to a Joint Committee of the Houses”

The Lok Sabha Divided

Division No 18] AYES | 14 41 hrs.

Achal Singh, Shri
Aizalpurkar, Shri Dharanrao
Ahuwar, Shri Nathu Ram
Ambesh, Shri
Awdhesh Chandra Singh, Shri
Babunath Singh, Shri
Balakrishnaiah, Shri I
Baneji, Shrimati Mukul
Barupal, Shri Panna Lal
Basappa, Shri K
Bhagat, Shri H K I
Bhargava, Shri Basheswar Nath
Bhattacharyya, Shri Chapalendu
Bhuvarahan, Shri G
Bisht, Shri Narendra Singh
Brahmanandji, Shri Swami
Chakleshwar Singh, Shri
Chanda, Shrimati Jyotsna
Chandrika Prasad, Shri
Chaudhary, Shri Nitroaj Singh

Chivan, Shri Yeswantrao
Chellachem, Shri A M
Darbara Singh, Shri
Daschowdhury, Shri B K
Deo, Shri S N Singh
Deshmukh, Shri K G
Doda, Shri Hiralal
Dwivedi, Shri Nageshwar
Engti, Shri Biren
Ganesh, Shri K R
Ganga Devi, Shrimati
Gautam, Shri C D
Gogoi, Shri Tarun
Gomango, Shri Giridhar
Gopal, Shri K
Gowda, Shri Pampam
Hansda, Shri Subodh
Ishaque, Shri A K M
Jamilurrahman, Shri Md
Jayalakshmi, Shrimati V
Kadam, Shri I G
Kader, Shri S. A
Kailas, Dr
Kakodkar, Shri Purushottam
Kakoti, Shri Robin
Kamarkshaiiah, Shri D
Kamala Kumari, Kumari
Kamble, Shri I D
Kapur, Shri Sat Pal
Kaul, Shrimati Sheila
Kayde, Shri B R
Kedar Nath Singh, Shri
Kisku, Shri A K
Kotaki, Shri Iladhari
Krishnan, Shri G. Y.
Kulkarni, Shri Raja
Lakshmi kanthamma, Shrimati T
Laskar, Shri Nihar
Lutial Haque, Shri
Mahajan, Shri Y S
Maharaj Singh, Shri
Maji, Shri Gajadhar
Mandal, Shri Jagdish Narain
Minnata Agamdas, Shrimati
Mudha, Shri Natlu Ram
Mishra, Shri G S
Mishra, Shri Jigannath
Modi, Shri Shivkishan
Muhammed Khuda Bukhsh, Shri
Negi, Shri Pratap Singh
Oraon, Shri Tuna
Pahadia, Shri Jagannath
Painuli, Shri Paripoornanand
Pandey, Shri Krishna Chandra
Pandey, Shri Narsingh Narain
Pandey, Shri Taikeshwai
Pandit, Shri S. I.

Paokai Haokip, Shri
 Partap Singh, Shri
 Patil, Shri S. B.
 Peje, Shri S. L.
 Pradhani Shri K.
 Purty, Shri M. S.
 Radharkrishnan, Shri S.
 Rai, Shrimati Sahodrabai
 Raj Bahadur, Shri
 Rajdeo Singh, Shri
 Ram Swarup, Shri
 Rao, Shrimati B. Radhabat A.
 Reddi, Shri P. Antony
 Reddy, Shri M. Ram Gopal
 Richhariya, Dr. Govind Das
 Rohatgi, Shrimati Sushila
 Rudra Pratap Singh, Shri
 Sadhu Ram, Shri
 Saini, Shri Mulki Raj
 Samanta, Shri S. C.
 Sankata Prasad, Dr.
 Sant Bux Singh, Shri
 Sarkar, Shri Sakti Kumar
 Sathe, Shri Vasant
 Savant, Shri Shankerrao
 Savitiri Shyam, Shrimati
 Shafquat Jung, Shri
 Shambhu Nath, Shri
 Shamkar Dayal Singh, Shri
 Shankaranand, Shri B.
 Sharma, Dr. H. P.
 Shastri, Shri Biswanarayan
 Shastri Shri Raja Ram
 Shastri Shri Sheopujan
 Shenoy, Shri P. R.
 Shiva Chandika, Shri
 Shivappa, Shri N
 Shivanath Singh, Shri
 Sing, Shri V. N. P.
 Sohan Lal, Shri T.
 Suryanarayana, Shri K.
 Swamy, Shri Sidrameshwar
 Tewari, Shri Shankar
 Tula Ram, Shri
 Tulsiram, Shri V.
 Ukey, Shri M. G.
 Unmkrishnan, Shri K. P.
 Venkatasubbaiah, Shri P
 Venkatswamy, Shri G.
 Vikal, Shri Ram Chandra
 Yadav, Shri Chandrajit
 Yadav, Shri Karan Singh
 Yadav, Shri R. P.
 Zulfiqar Ali Khan, Shri

NOES

Balakrishnan, Shri K.
 Bhagirath Bhanwar, Shri
 Bhattacharyya, Shri Dinen
 Bhattacharyya, Shri Jagadish
 Bhattacharyya, Shri S. P.
 Bosu, Shri Jyotrimoy
 Chandrappan, Shri C. K.
 Chatterjee, Shri Somnath
 Chaudhary, Shri Ishwar
 Chowhan, Shri Bharat Singh
 Dandavate, Prof. Madhu
 Deb, Shri Dasaratha
 Deo, Shri P. K.
 Dhandapani, Shri C. T.
 Dutt, Shri Biren
 Goswami Shrimati Bibha Ghosh
 Gowder, Shri J. M.
 Gupta, Shri Indrajit
 Halder, Shri Madhuryya
 Halder, Shri Krishna Chandra
 Hazra, Shri Manoranjan
 Janardhanan, Shri C.
 Jha, Shri Bhogendra
 Joarder, Shri Dinesh
 Joshi, Shri Jagannathrao
 Krishnan Shri M. K.
 Malik, Shri Mukhtiar Singh
 Manjhi Shri Bhola
 Manoharan, Shri K.
 Modak, Shri Bijoy
 Modak, Shri P. loo
 Mohanty, Shri Surendra
 Mukerjee, Shri H. N.
 Mukherjee, Shri Saroj
 Nayak, Shri Bakti
 Nayar, Shrimati Shakuntala
 Pandeya, Dr. Laxminarain
 Patel, Shri Nanubhai N.
 Pradhan, Shri Dhan Shah
 Ramkanwar, Shri
 Reddy, Shri B. N.
 Reddy, Shri Y. Eswara
 Saha, Shri Ajit Kumar
 Saha, Shri Gadadhar
 Sait, Shri Ebrahim Sulaiman
 Sen, Shri Robin
 Sezhyan, Shri
 Singh, Shri D. N.
 Subravelu, Shri
 Ulaganambi, Shri R. P.
 Vajpayee, Shri Atal Bihari
 Verma, Shri Phool Chand
 Viswanathan, Shri G.
 Yadav, Shri G. P.
 Yadav, Shri Shiv Shanker Prasad

MR. DEPUTY-SPEAKER: The result* of the division is : Ayes—131; Noes—55.

The motion was adopted.

14.45 hrs.

GENERAL INSURANCE BUSINESS (NATIONALISATION) BILL

THE MINISTER OF FINANCE (SHRI YESHWANTRAO CHAVAN) : With your permission, Sir, I would like to move the motion to refer the General Insurance business i(Nationalisaion) Bill, with just two changes in the names as they appear in the motion as printed on the Order Paper of today.

In place of Shri Ram Surat Prasad appearing at No. 18, we would like to include Shri Sukhdeo Prasad Verma, and in place of Swami Ramanand Shastri whose name appears at No. 23, we would like to include the name of Shri Sat Pal Kapur.

I beg to move that the Bill to provide for the acquisition and transfer of shares of Indian insurance companies and undertakings of other existing insurers in order to serve better the needs of the economy by securing the development of general insurance business in the best interests of the community and to ensure that the operation of the economic system does not result in the concentration of wealth to the common detriment, for the regulation and control of such business and for matters connected therewith or incidental thereto, be referred to a Joint Committee of the Houses consisting of 45 members, 30 from this House, namely :—

Shri Dharamrao Sharanappa Afzalpurkar, Shri Virendra Agarwala, Shri S. M. Banerjee, Shrimati Jyotsna Chanda, Shri Tridib Chaudhuri, Shri Darbara Singh, Shri V. Shanker Giri, Shri Jitendra Prasad, Shri Purushottam Kakodkar, Shri Bibhuti Mishra, Shri Jagannath

Mishra, Shri Srikishan Modi, Shri Surendra Mohanty, Shri S. T. Pandit, Shri Chintamani Panigrahi, Shri H. M. Patel, Shri M. T. Raju, Shri Sukhdeo Prasad Verma, Shri Veyalar Ravi, Shrimati Sushila Rohatgi, Dr. Saradish Roy, Shri S. C. Samanta, Shri Sat Pal Kapur, Shri Ram Shekhar Prasad Singh, Shri Satyendra Narayan Sinha, Shri R. V. Swaminathan, Shri Tula Ram, Shri V. Tulsiram, Shri G. Viswanathan, Shri Yeshwantrao Chavan, and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of the members of the Joint Committee; that the Committee shall make a report to this House by the first day of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make; and

that this House do recommend to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of 15 members to be appointed by Rajya Sabha to the Joint Committee:

I would like to make some observations before the House discusses this motion.

It would be recalled that on the 13th May, 1971 an ordinance was issued under which the management of the undertakings of general insurance companies vested in Government pending nationalisation of such business. The Ordinance was subsequently replaced by an Act of Parliament. During the course of the debate on the General Insurance (Emergency Provisions) Bill, 1971, I had assured in this House that when the Bill for acquiring the ownership of the business is introduced, I shall move for referring the Bill to a Joint Committee of both the Houses. I am fulfilling that assurance today.

*The following Members also recorded their votes for Ayes :

Sarvashri Jagdish Chandra Dixit, Priya Ranjau Das Munsi and Iswar Marazdi.