

12.18 Hrs.

PLANTATIONS LABOUR (AMENDMENT) BILL

APPOINTMENT OF MEMBER TO JOINT COMMITTEE

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): I beg to move :

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Bill further to amend the Plantations Labour Act, 1951, in the vacancy caused by the resignation of Shri Madhu Limaye and do resolve that Shri Samar Guha be nominated to the said Joint Committee to fill the vacancy".

MR. SPEAKER: The question is :

"That this House do concur in the recommendation of Rajya Sabha that Lok Sabha do appoint a member of Lok Sabha to the Joint Committee of the Houses on the Bill further to amend the Plantations Labour Act, 1951, in the vacancy caused by the resignation of Shri Madhu Limaye and do resolve that Shri Samar Guha be nominated to the said Joint Committee to fill the vacancy".

The motion was adopted.

श्री मधु लिमये : अध्यक्ष महोदय, क्या लुपथॉना के विमान को दुर्घटना के बारे में बयान दिया जायेगा ?

MR. SPEAKER: The Minister will come out with a statement.

SHRI S. M. BANERJEE: Is he making a statement at 5 P.M.?

SHRI K. LAKKAPPA: Sir, I have given notice under rule 377.

MR. SPEAKER: It is not the proper stage for notices under rule 377.

SHRI K. LAKKAPPA: I would like to draw the attention of the hon. Home Minister to certain assurances—

MR. SPEAKER: Please sit down for a moment. Shri Nitiraj Singh Chaudhary.

12.20 Hrs.

REPRESENTATION OF THE PEOPLE (AMENDMENT) BILL*

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI NITIRAJ SINGH CHAUDHARY): I beg to move for leave to introduce a Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951.

MR. SPEAKER: Motion moved :

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951."

SHRI S. M. BANERJEE (Kanpur): Sir, I am sorry to oppose this Bill, at the introduction stage, to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951. If you will kindly go into the Statement of Objects and Reasons, you will find that a Joint Committee of both the Houses of Parliament was appointed to consider the various recommendations of the Chief Election Commissioner, and they considered all the aspects of it and submitted a report, both interim and final reports. It is really surprising that this Bill which seeks to amend many clauses of the Representation of the People Act, and makes certain things as election offences, is being introduced at the fag-end of this session.

Sir, I have three objections. The first is this. In order to ensure that the maximum number of persons, who have completed 21 years of age prior to election and consequently are eligible to vote, are included in the electoral rolls, it is proposed to provide for four qualifying dates. Then, it is also proposed to do away with even the existing nominal fee of ten paise and one rupee payable respectively for making an application and for filling an appeal regarding the inclusion of names in the electoral rolls.

* Published in the Gazette of India Extraordinary, Part II, Section 2, dated 20-12-73.

This Bill is being introduced at a time when the UP and Orissa elections are fast approaching. I want the hon. Minister to hear me. I would request the hon. Minister to allot some days either today or tomorrow or the day after, to discuss and pass this Bill. Otherwise it will be construed by us and by all the Opposition parties that certain amendments which were brought to improve upon the existing provisions of the Representation of the People Act and certain malpractices which were sought to be declared as penal offences through the amendments sought to be made are being ignored by the ruling party, because they are going to conduct the UP elections without passing this Bill. I would request the hon. Minister to kindly assure this House whether he is prepared to pass this Bill in this very session. If it is not passed, it will not have the utility intended. What was the purpose of the Joint Committee meeting and making a report? I want an answer from the hon. Member.

SHRI NITIRAJ SINGH CHAUDHARY : Sir, at the introduction stage, only an objection about the legislative competence could be raised; that objection was not raised. The objection is that the Bill should have been introduced earlier, because the Joint Committee—

SHRI S. M. BANERJEE : Not introduced earlier; I want the Bill to be passed in this session.

MR. SPEAKER : Let him reply.

SHRI NITIRAJ SINGH CHAUDHARY : The hon. Member wants that the Bill that is being introduced today should be passed in this very session. I do not know how much time would be available, and it is for the Minister of Parliamentary Affairs to decide how much time could be made available. I have moved to introduce the Bill, because the Government made a commitment that as soon as decision was taken on the recommendations of the Joint Committee which were under consideration, the Bill would be introduced. The printed copies have been received now, therefore, I must introduce the Bill.

SHRI S. M. BANERJEE : Sir, the point is —

MR. SPEAKER : Mr. Banerjee, you are getting up everytime. Please do not waste the time and stand in the way of the proceedings of the House. You got a chance; I allowed you, and the Minister has replied.

SHRI S. M. BANERJEE : What is the use of having the report—

MR. SPEAKER : You have already spoken and the Minister has replied. I am not allowing you. You are everytime flouting the procedures.

Please sit down. You have raised the objection, and the Minister has replied.

It does not solve the problem. By making such points now you cannot solve the problem.

SHRI S. M. BANERJEE : They want to continue the corrupt practice.

SHRI SHYAMNANDAN MISHRA (Begusarai) : I want to seek one clarification. Soon after the General Elections of 1971 it was thought necessary to constitute a committee of both Houses of Parliament. With a sense of urgency this Committee was constituted. They made recommendations long ago. Why did not the Government think it necessary to come before the House earlier with a Bill when elections were due in so many States and all these recommendations had a bearing on the fairness of elections?

SHRI NITIRAJ SINGH CHAUDHARY : I have stated this before also. This question arose in this House many times. The proposals made by the Joint Committee were considered and as soon as a decision was taken on them the Bill was sent for printing. The Press took more than a month and the moment we got it we took action . . . (*Interruptions*)

MR. SPEAKER : He says that as soon as the Select Committee report was printed, he has come for the leave of the House for introducing the Bill. You have already fixed business for the House to take up.

SHRI SHYAMNANDAN MISHRA : This Bill should be passed during this session.

MR. SPEAKER : It is upto you; you adjust yourselves. The House itself passed the Business Advisory Committee Report.

SHRI S. M. BANERJEE : May I request that this Bill be taken up on Monday so that it might be passed? There are clauses in this Bill which are awkward for the ruling party. That is why they do not want to pass this Bill.

SHRI SHYAMNANDAN MISHRA : May we get an assurance that it will be proceeded with and finalised during this session?

MR. SPEAKER : I shall now put it to the vote of the House. The question is :

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951."

SOME HON. MEMBERS : We will press for a division.

MR. SPEAKER : Then let the Lobbies be cleared—the Lobbies have been cleared. Do you want a division?

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, अगर संसद कार्य मंत्री यह आश्वासन देते हैं कि इस को कल यहां पर पास किया जायगा और राज्य सभा में शनिश्चर को पास किया जायगा; तो फिर इस पर डिबीजन करने की कोई आवश्यकता नहीं है।

श्री श्यामनन्दन मिश्र : हम लोगों को इस सत्र में पास करने में क्या कठिनाई है ? What is the difficulty in the Government giving an assurance that it would be discussed and passed during this session? Why do they want to make just a show of it?

MR. SPEAKER : Now let us be clear. Do you want a division?

AN HON. MEMBER : No. We wanted to register our protest.

MR. SPEAKER : Now, the question is :

"That leave be granted to introduce a Bill further to amend the Representation of the People Act, 1950 and the Representation of the People Act, 1951."

The motion was adopted.

SHRI NITIRAJ SINGH CHAUDHARY : I introduce the Bill.

12.33 hrs.

MATTERS UNDER RULE 377

(i) ECONOMIC AND SOCIAL BACKWARDNESS OF LADAKH AREA IN JAMMU AND KASHMIR

श्री कुशोक बाकुला (लद्दाख) : अध्यक्ष महोदय, लद्दाख सीमावर्ती इलाका है। चीन और तिब्बत के साथ मिला हुआ है, लेकिन वहां का जितना विकास होना चाहिये था, उतना विकास नहीं हुआ है। इतना बड़ा और सीमावर्ती क्षेत्र होने के बावजूद भी जम्मू-काश्मीर सरकार को इस के विकास के लिये जितना काम करना चाहिये था, उतना नहीं किया गया है। इस लिये लद्दाख के सब लोग वहां केन्द्रीय शासन की मांग कर रहे हैं। उन की यह मांग कोई नई मांग नहीं है.....

श्री शमीम अहमद शमीम (श्रीनगर) : कोई नहीं चाहता, यह गलत बात है।

श्री कुशोक बाकुला : आप ने आज तक एक लफ़्ज़ भी लद्दाख के बारे में यहां नहीं कहा है—इस लिये आप चूप रहें। हम चीन या पाकिस्तान में नहीं जाना चाहते, हम तो अपने यहां केन्द्रीय सरकार का शासन चाहते हैं। आप लद्दाखवासियों से पूछिये—शुरू से लेकर आज तक उन्होंने हिन्दुस्तान जिंदाबाद, इन्दिरा गांधी जिंदाबाद का नारा लगाया है। हम सयद मीर कासिम की हुकूमत के खिलाफ नहीं हैं। जब से वे जम्मू-काश्मीर के चीफ़ मिनिस्टर बने हैं, उन्होंने लद्दाख के लिये काफ़ी दिलचस्पी ली है। लेकिन जितना विकास होना चाहिये था उतना नहीं हुआ। इतने