

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The motion was adopted.

श्री भोगेन्द्र झा : मैं विधेयक को पुरःस्थापित करता हूँ ।

BIHAR LEGISLATIVE COUNCIL
(ABOLITION) BILL *

श्री भोगेन्द्र झा (जयनगर) : मैं प्रस्ताव करता हूँ कि बिहार राज्य की विधान परिषद् के उत्पादन का तथा उसके अनुपूर्क, मानुषंगिक और पारिवारिक विषयो का उपबंध करने वाले विधेयक को पुरःस्थापित करने की अनुमति दी जाए ।

MR. DEPUTY-SPEAKER : The question is :

"That leave be granted to introduce a Bill to provide for the abolition of the Legislative Council of the State of Bihar and for matters supplemental, incidental and consequential thereto."

SHRI YAMUNA PRASAD MANDAL (Samastipur) : I want to oppose it.

MR. DEPUTY-SPEAKER : You have not given any prior notice to the Chair and besides I have put it to the House.

Let the lobbies be cleared.—Now the lobbies have been cleared.

THE MINISTER OF EDUCATION AND SOCIAL WELFARE AND MINISTER OF DEPARTMENT OF CULTURE (SIKSHA AUR SAMAJ KALYAN MANTRI AUR SANSKRITI VIBHAG MANTRI) (SHRI SIDDHARTH SHANKAR RAY) : Sir, may I point out a constitutional difficulty and a constitutional defect with regard to this Bill ? As this Bill is out of order.....

MR. DEPUTY-SPEAKER : Order, please. I will explain to you the procedure. Kindly sit down. When a Bill is given notice of for introduction, it is open to any Member to give a notice in writing to the Speaker that he wants to oppose the introduction of the Bill. There is no scope for any discussion at this stage, and therefore, I am sorry I cannot entertain any discussion now. (*Interruption*) It should have been done before, by giving notice. Anyway, I put it to the House. The question is :

"That leave be granted to introduce a Bill to provide for the abolition of the Legislative Council of the State of Bihar and for matters supplemental, incidental and consequential thereto."

SHRI ATAL BIHARI VAJYAPEE (Gwalior) : Sir, let the House not be divided on this.

MR. DEPUTY-SPEAKER : That is for the House to decide.

SHRI ATAL BIHARI VAJYAPEE : Just now you have established a precedent that no Bill should be opposed at the introduction stage.

THE MINISTER OF PARLIAMENTARY AFFAIRS AND SHIPPING AND TRANSPORT (SANSADIYA KARYA TATHA NAUWAHAN AUR PARIWAHAN MANTRI) (SHRI RAJ BAHADUR) : The point is, constitutionally the Bill cannot be brought unless and until the conditions are satisfied. (*Interruptions*)

* Published in Gazette of India Extraordinary, Part II, section 2, dated 28-5-31.

MR. DEPUTY-SPEAKER : Order, order. An appeal has been made; the appeal has been heard. Now, it is for the house to decide. I am putting it to the house. The question is :

"That leave be granted to introduce a Bill to provide for the abolition of the Legislative Council of the State of Bihar and for matters supplemental, incidental and consequential thereto."

The Lok Sabha divided :

Division No. 1]

[14.25 hrs.

AYES

Banerjee, Shri S. M.

Bhattacharyya, Shri Dinen

Bhaura, Shri B. S.

Bosu, Shri Jyotirmoy

Brahman, Shri Rattan Lal

Chatterjee, Shri Somnath

Chaudhary, Shri Ishwar

Deb, Shri Dassaratha

Gupta, Shri Indrajit

Harra, Shri Manoranjan

Jha, Shri Bhogendra

Joshi, Shri Jagannathrao

Maran, Shri Murasoli

Melkote, Dr.

Modak, Shri B. K.

Mukherjee, Shri Saroj

Pandey, Dr. Laxmiprasad

Roy, Dr. Saradish

Sezhiyan, Shri

Shastri, Shri Ramavater

Shastri, Shri Shiv Kumar

* Siddayya, Shri S. M.

Vajpayee, Shri Atal Bihari.

NOES

Asgar Hussain, Shri

Austin, Dr Henry

Barman, Shri R. N.

Barupal, Shri P. L.

Chandrasekherappa, Shri T. V.

Chaudhary, Shri Nitiraj Singh

Chaudhury, Shri Amarsingh

Chellachami, Shri

Daschowdhury, Shri B. K.

Deo, Shri S. N. Singh

Gopal, Shri K.

Kailas, Dr.

Kale, Shri

Kamble, Shri T. D.

Kaul, Shrimati Sheila

Kavde, Shri B. R.

Laskar, Shri Nihar

* Wrongly voted for Ayes.

Lutfal Haque, Shri
 Mahajan, Shri V. S.
 Malhotra, Shri Inder J.
 Mandal, Shri Yamuna Prasad
 Mishra, Shri Bibhuti
 Mohammad Tahir, Shri
 Mohammad Yusuf, Shri
 Mohsin, Shri
 Oraon, Shri Kartik
 Pandey, Shri R. S.
 Pandey, Shri Tarakeshwar
 Panigrahi, Shri Chintamani
 Patil, Shri S. B.
 Patil, Shri T. A.
 Raj Bahadur, Shri
 Ramkanwar, Shri
 Ramshekhar Prasad Singh, Shri
 Raut, Shri Bhola
 Rudra Pratap Singh, Shri
 Sanghi, Shri N. K.
 Sayeed, Shri P. M.
 Shambhu Nath, Shri

Shankaranand, Shri B.
 Sharma, Shri N. K.
 Sharma, Shri R. N.
 Shastri, Shri Shivpujan
 Shukla, Shri B. R.
 Siddagya, Shri S. M.
 Sonar, Dr. A. G.
 Suryanarayana, Shri K.
 Swamy, Shri Sidrameshwar
 Tiwary, Shri K. N.
 Tombi Singh, Shri N.
 Yadav, Shri N. P.
 Zulfiqar Ali Khan, Shri

MR. DEPUTY-SPEAKER : The result* of the division is as follows :

Ayes 53 ; Noes 106.

The motion was negatived.

* The result announced includes the names of the following Members who recorded their votes through Tellers :

Ayes : Sarvashri Ram Deo Singh, Shiv Shanker Prasad Yadav, M. M. Joseph, Varkey George, J. B. Dhote Bishwanath Jhunjhunwala, Onkar Lal Berva, Rana Bahadur Singh, D. N. Singh, K. Ramakrishna Reddy, Samar Mukherjee, R. V. Bade, Muthuswamy, Hemendra Singh Banera, Phool Chand Verma, D. K. Panda, Krishna Halder, Hukam Chand Kachwai, Bharat Singh Chauhan, S. P. Bhattacharyya, Biren Dutta, C. K. Chinnaraji, Shrimati Bibha Ghosh, Sarvashri R. P. Ulaganambi, J. M. Gowder, C. Janardhanan, Jagadish Bhattacharyya, Gadadher Saha, T. S. Lukshmanan, Madhurya Halder and A. K. Saha.

Noes : Sarvashri Siddhartha Shankar Ray, Sher Singh, Bedabrata Barua, Ankineedu, P. Gangadeb, P. R. Das Munsai, A. N. Chawla, Kumer Majhi, Shrimati Sahodrabai Rai, Sarvashri Karan Singh Yadav, Popatlal Joshi, K. Basappa, Krishnarao Patil, R. B. Paswan, Mohan Dharis, Satish Chandra, A. K. Kotrashatti, J. N. Mendal, E. V. Vikhe Patil, Robin Kakoti, Tarun Gogoi, Mani Ram Godara, Gajadhar Majhi, M. Ram Gopal Reddy, K. K. Rami Reddy, R. D. Bhandare, Appalanaidu, Bhuvanarhan, H. K. L. Bhagat, R. P. Yadav, Sanjeevi Rao, Arvind Netam, L. K. Dumada, Dharamkar, Jagannath Mishra, Pampaan Gowde, B. V. Nalk, Dinesh Chandra Goswami, Tuua Oraon, R. V. Swaminathan, Ram Surat Prasad, M. T. Raju, T. Sohan Lal, P. Venkata Reddy, Ramubhai Patil, Chaudre Gowda, Ramkrishna, T. Balakrishnaiah, N. Shivappa, Shastri Dayal Singh, Damodar Pandey, Lakshmi Narayan, Hiralal Doda and Chakreshwar Singh.