

12:14hrs

PETITION RE. GOLD (CONTROLL)
BILL

Shri S. M. Banerjee (Kanpur): I beg to present a petition signed by Shri Anil Basu and others relating to the Gold (Control) Bill, 1963, as reported by the Joint Committee.

I may add that the number of signatures is more than 20 lakhs.

BUSINESS ADVISORY COMMITTEE

THIRTY SECOND REPORT

The Minister of Communications and Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move:

"That this House agrees with the Thirty-second Report of the Business Advisory Committee presented to the House on the 30th November, 1964."

Mr. Speaker: The question is:

"That this House agrees with the Thirty-second Report of the Business Advisory Committee presented to the House on the 30th November, 1964."

The motion was adopted.

12.14½ hrs.

APPROPRIATION (NO. 6) BILL*,
1964

The Minister of Finance (Shri T. T. Krishnamachari): I beg to move for leave to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1964-65.

*Published in Gazette of India, Extraordinary, Part II, section 2, dated 1-12-64.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1964-65."

The motion was adopted.

Shri T. T. Krishnamachari: I introduce the Bill.

12.15 hrs.

ESSENTIAL COMMODITIES
(AMENDMENT) BILL

The Deputy-Minister in the Ministry of Food and Agriculture (Shri Shahnawaz Khan): On behalf of Shri C. Subramaniam, I beg to move for leave to introduce a Bill further to amend the Essential Commodities Act, 1955 and the Criminal Law Amendment Act, 1952.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Essential Commodities Act, 1955 and the Criminal Law Amendment Act, 1952."

The motion was adopted.

Shri Shahnawaz Khan: I introduce the Bill.

PAPERS LAID ON THE TABLE—
contd.STATEMENT REGARDING ESSENTIAL COM-
MODITIES (AMENDMENT) ORDINANCE

The Minister of State in the Ministry of Home Affairs (Shri Hathi): On behalf of Shri Nanda, I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Essential

†Introduced with the recommendation of the President.

**Published in Gazette of India, Extraordinary, Part II, section 2, dated 1-12-64.

[Shri Hathi]

Commodities (Amendment) Ordinance, 1964 (No. 3 of 1964) as required under rule 71 (1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. LT-3503/64].

Shri Hari Vishnu Kamath (Hoshangabad): On a point of clarification. I would invite your attention to the juxtaposition of items 10 and 11 of the order paper. The first is, introduction of a Bill to amend the Essential Commodities Act and the Criminal Law Amendment Act, and the other is a statement regarding the Ordinance. I find from item 10 that two amending Bills are clubbed: one is, the Bill further to amend the Essential Commodities Act, 1955, and the other is a Bill to amend the Criminal Law Amendment Act, 1952. Item 11 is a statement giving reasons for immediate legislation by the Essential Commodities (Amendment) Ordinance, 1964.

Under rule 71, which has been referred to here, reasons should be given for legislation by Ordinance. But then in the previous item, I do not know why two amending Bills are clubbed. I do not know whether the Ordinance applies only to one of the Bills or both, that is to say, whether the Criminal Law Amendment Act, 1952, has also been amended by ordinance earlier.

Another point to be clarified is why it is that two Ministers have taken upon themselves the onerous obligation or responsibility of doing two parts of the same affair. The Minister of State in the Ministry of Home Affairs has laid on the Table just now a copy of the reasons for the ordinance. It is item 11 of business. Let them explain.

Mr. Speaker: I cannot go into too small a matter as to why two Ministers have taken it up separately.

Shri Hari Vishnu Kamath: This is the first time within my recollection that this has been done.

Mr. Speaker: Has the Criminal Law Amendment Act 1952 also been amended by ordinance?

Shri Hathi: The main purpose of the ordinance was as has been stated in the statement I have laid on the Table, and along with that amendment to the Criminal Law Amendment Act has been undertaken.

Shri Hari Vishnu Kamath: By Ordinance?

Mr. Speaker: Both have been amended.

Shri Hari Vishnu Kamath: Then there is clearly some lacuna because the second part of item 11 refers only to the Essential Commodities (Amendment) Ordinance.

Mr. Speaker: The explanation for the other must also be there.

Shri Hari Vishnu Kamath: It must be laid on the Table. It has not been done. I would request you earnestly that the Treasury Benches should be asked....

Mr. Speaker: I am asking them. They should give that explanation.

Shri Hari Vishnu Kamath: They should be more careful in future. You should direct them....

Mr. Speaker: I would ask them.

Shri Hari Vishnu Kamath: because they are becoming more and more remiss nowadays—the Treasury Benches. Unless you sternly call them to order and take them to task, they wouldn't improve.

Mr. Speaker: My sternness and my meekness are both the same. Therefore, there is nothing more I can do.

The second explanation has not been placed. He will convey it to me. Then I will see whether something more is needed.

12.19 hrs.

PAYMENT OF WAGES (AMENDMENT) BILL—Contd.

Mr. Speaker: Further consideration of the following motion moved by Shri D. Sanjivayya on 30th November, 1964, namely:—

“That the Bill further to amend the Payment of Wages Act, 1936, be taken into consideration”.

The hon. Minister to continue his reply.

The Minister of Labour and Employment (Shri D. Sanjivayya): Mr. Speaker, last evening as the House was about to rise for the day, I had started my reply. In fact, I have answered all the points raised by my hon. friend, Shri Banerjee.

Now I come to my hon. friend, Shri Nambiar, who raised two important points. One is with regard to the introduction of a provision relating to recovery of interest. In fact, in the original Act, no provision was made for deduction of loans in such a measure as it has been done now by the amending Bill. Therefore, we thought that a provision should be made with regard to deduction of interest also. Moreover the expression used there is ‘interest due’. So due regard may be paid to the word ‘due’ there. Moreover, in cl. 9 of the Bill, it has been clearly laid down that the State Government will make rules with regard to the interest that has got to be deducted.

The other point Shri Nambiar raised was whether the employees in the loco sheds were covered by the Payment of Wages Act. It is a fact that they are not covered by the Factories

Act, but the Payment of Wages Act as such applies to the railway administration, including the loco sheds. Therefore, the employees or the workers in the loco sheds are covered by the Payment of Wages Act.

He probably misunderstand the provision made in Clause 7 which intends to amend Section 10. There, we have not made any change whatsoever with regard to the existing provision in the original Act. All that we have done is that we have made provision for the new deductions which have been provided for in the amending Bill. The expressions used in the original Act, namely “on account of negligence” etc., are retained in the present Bill also.

Then, he wanted to know whether any deduction slips would be issued to all the workers. No doubt, it is a very good suggestion, but it involves a lot of work. We will certainly examine that suggestion further.

Coming to Shri Heda, I would like to answer one point which he raised, namely that the Financial Memorandum provides for only Rs. 25,000, and that amount is rather inadequate for the implementation of the new provisions. I would like to point out to the hon. Member that this is mainly implemented by the State Government's, except for the fact that we have taken on ourselves to implement the provisions relating to the air transport service etc. Therefore, the additional cost would be very negligible.

He also raised several other points with regard to the trade union movement. I entirely agree with him. Today the position is that almost all the trade unions have some political bias or the other. That is why we have started a new scheme called the Workers' Education Scheme. The main purpose of this new scheme is to see that leadership of the trade union movement is thrown up by members who are workers themselves.