

**Mr. Speaker:** Any other hon. Member who has given notice and who wants to put a question? No Papers to be laid on the Table of the House.

12.10 hrs.

#### PAPERS LAID ON THE TABLE

##### DRAFT NOTIFICATION UNDER COMPANIES ACT

**The Minister of International Trade in the Ministry of Commerce and Industry (Shri Manubhai Shah):** On behalf of Shri Kanungo, I lay on the Table under sub-section (2) of section 620 of the Companies Act, 1956 a copy of the draft Notification proposed to be issued under sub-section (1) of section 620 of the said Act together with an explanatory memorandum thereon. [Placed in Library. See No. LT-923/63].

12.11 hrs.

#### OPINIONS ON BILL

**Shri Shree Narayan Das (Darbhanga):** I beg to lay on the Table Paper No. 1 to the Bill to provide for the composition of the Legislative Councils of States and for matters connected therewith which was circulated for the purpose of eliciting opinion thereon by the direction of the House on the 8th June, 1962.

#### CONSTITUTION (FIFTEENTH AMENDMENT) BILL

##### (i) REPORT OF JOINT COMMITTEE

**Shri S. V. Krishnamoorthy Rao (Shimoga):** I beg to present the Report of the Joint Committee on the Bill further to amend the Constitution of India.

**Shri Tyagi (Dehra Dun):** When will this Bill be taken up? Last time a promise was given by the Treasury Benches that it would be taken up soon so that the 12 high court judges

whereas at the verge of retirement may be saved from retiring now. It is already delayed.

**Mr. Speaker:** So far as the taking up of anything for discussion is concerned, we have decided that when the Minister of Parliamentary Affairs makes a statement on Fridays, then alone it can be taken up and an enquiry be made whether a particular thing is to be taken up immediately or after some time, and so on.

##### (ii) EVIDENCE

**Shri S. V. Krishnamoorthy Rao:** I beg to lay on the Table a copy of the evidence given before the Joint Committee on the Bill further to amend the Constitution of India.

#### PUBLIC ACCOUNTS COMMITTEE

##### SEVENTH REPORT

**Shri Tyagi:** I beg to present the Seventh Report of the Public Accounts Committee on Statutory Corporations, Government Companies, Government Commercial and Quasi-Commercial Departments, Undertakings and Autonomous Bodies.

#### BUSINESS OF THE HOUSE

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** With your permission, I rise to announce that Government Business in this House during the week commencing 12th March, 1963, will consist of:

- (1) Discussion and voting on the Supplementary Demands for Grants (General) for 1962-63.
- (2) Consideration of a motion for reference of the Government of Union Territories Bill, 1963, to a Joint Committee.
- (3) Consideration and passing of the Central Sales-Tax (Amendment) Bill, 1963.

[Shri Satya Narayan Sinha]

- (4) General Discussion on the General Budget for 1963-64, to commence on Wednesday, the 13th March, 1963.

I may also inform the House that the discussion and voting on the demands for grants relating to various Ministries and Departments will be taken up in the following order:

- External Affairs,
- Food and Agriculture,
- Information and Broadcasting,
- Education
- Scientific Research and Cultural Affairs,
- Atomic Energy
- Health
- Irrigation and Power
- Labour and Employment
- Home Affairs
- Works, Housing and Rehabilitation
- Law
- Community Development and Co-operation
- Defence
- Commerce and Industry
- Transport and Communications
- Mines and Fuel
- Steel and Heavy Industries
- Economic and Defence Co-ordination
- Department of Parliamentary Affairs.
- Finance (including Planning).

**Shri Tyagi (Dehra Dun):** Last time on the floor of the House the Minister of Law had promised that he will take up this Constitution (Amendment) Bill soon because this Bill has to be referred to the various State Legislative Assemblies also for their ratification or confirmation. After that, only if the majority of State Assemblies approve of it, it will become law. It was communicated to us that some seniormost judges—

about 12 of them—would in the meantime retire, and therefore it was promised that the Bill would be considered soon so that those judges may not suffer.

**Shri Harish Chandra Mathur (Jalore):** Before the Minister of Parliamentary Affairs says anything on this point, I would like to know from the hon. Home Minister the programme according to which he thinks that by such and such a time this Bill can be put through in consultation with the State Governments, and whether he himself has drawn up any time-schedule or not.

**Mr. Speaker:** Is it on this Bill?

**Shri Harish Chandra Mathur:** This very Bill. As you know I had addressed a letter to you sometime back, and I think this is the opportune moment when I can raise this point regarding the standing committee on public enterprises. This has been hanging fire for a very long time. We had been given a definite assurance on the floor of this House that it was to be taken up at the last session. But then the emergency intervened and we purposely did not bring this question again. But now it has assumed a special importance more particularly because of the stepping up of the work in the public sector enterprises. I therefore request you to use your influence also, I wish the Minister of Parliamentary Affairs assures the House that it will be taken up very soon now so that the elections could be held during this session.

**Shri Hari Vishnu Kamath (Hoshangabad):** By your leave, I would like to refer to two or three matters in this connection, and I will be very brief. I am glad, in the first place, that the Minister has responded to my request which I made last Friday, and he has given the order in which the various Ministries' Demands will be taken up. But, Sir,

last year, it was our unfortunate experience that the reports on the working of the various Ministries were supplied very late. Sometimes it was less than 24 hours; the Ministry's Demands were to be discussed the next day and we got the report the previous evening. This should not happen this year.

The second thing is—I have had the misfortune of bringing up this matter ever since I returned to Parliament last year, from the first session onwards—the ill-planning of the session's business. I hope, Sir, you would excuse me if I use strong words in this connection. At the beginning of this session we got a bulletin listing the business for the session and it was said that it should not be taken as exhaustive. One of the items was—my hon. colleague Shri Mathur has referred to it—the Committee on Public Undertakings. It has been hanging fire for two sessions.

**Mr. Speaker:** If that is to be discussed and the Minister for Parliamentary Affairs is to be criticised, we are having an opportunity.

**Shri Hari Vishnu Kamath:** That is one of the matters. The main point in this connection is the Budget, the Finance Bill and the Demands for Grants relating to the various Ministries. Now, under Rule 208, which is the guillotine rule, you are empowered—you have got that prerogative and we do not question that—on the last day appointed for the Demands for Grants, whether we have discussed the Demands relating to a particular Ministry or not, to apply the guillotine at 17:00 hours. Now, look at the manner in which the discussion on the General Budget has been slowly pushed, pushed and pushed. It is, to say the least, somewhat irresponsible on the part of the Government to behave in its relation *vis-a-vis* Parliament. Parliament is the supreme body. It is commissioned by the people, by the

Constitution. In the discussion of the Budget. . .

**Mr. Speaker:** He raised that point in the Business Advisory Committee also.

**Shri Hari Vishnu Kamath:** But I did not raise it in this manner at all. The Business Advisory Committee is only a small compact body; here it is a bigger House. Therefore, I would request you to ensure that in future at least this is looked into. I will be happy if it can be changed even now by your order. You have got powers which I hope you will exercise in this matter. According to earlier schedule the Budget Discussion was to have started today. But then, Sir, an unfortunate event occurred, our ex-President's death and the House could not transact business that day. But we expected that it would start on Tuesday next, as you announced earlier. But now, according to the Minister for Parliamentary Affairs, it will start on the 13th. That shows, before the President issues the summons for a session you are not taken into confidence. Sir,—with great trepidation I mention this—it augurs ill for the future of parliamentary democracy that the Speaker of Parliament. . . .

**Shri Tyagi:** I think he is right.

**Shri Hari Vishnu Kamath:** . . . who ultimately has to conduct the business here and see that the business is put through, is not taken into confidence.

**Shri Ranga (Chittoor):** He is to apply the guillotine also.

**Shri Hari Vishnu Kamath:** If the Government conveys to you what business they have and how many hours they would require for each item, you will, I am sure—I have no doubt on that point—be so good as to request the President—of course, through the Government again—that the session be summoned earlier.

**Mr. Speaker:** He will kindly be brief.

**Shri Hari Vishnu Kamath:** Yes, I will be very brief; but it is an important matter and I hope you will allow me to develop my point. In this session, Sir, so much legislative work was fixed in the earlier part of the session. If the session had been summoned earlier—say, one week earlier—we could have disposed of that legislative work and taken up the General Budget on the 2nd March, because under the rules it has to be presented on the 28th February but we could have taken up the Railway Budget and disposed of it before the 28th February.

**Mr. Speaker:** Hon. Members follow that point. Now, what is the third point?

**Shri Hari Vishnu Kamath:** I hope that this would be advanced to the 12th, from the 13th, and in future they will plan the business in a better way.

One last word and I have done. I remember the other day, two days ago, you made the statement that in consultation with the Minister of Parliamentary Affairs you would take a decision with regard to the issue I raised last Saturday with regard to priority or precedence for the general discussion of the general budget and financial matters. You yourself announced it in this House. I do not know why that matter was raised again in that House. I think it should not have been done in the other House. You said that you would meet the leaders of groups—that is what you had said—you will discuss the matter and it will be finalised in consultation with the Minister of Parliamentary Affairs. It need not have been raised in the Rajya Sabha. The controversy need not have been further raised . . .

**Mr. Speaker:** Now the hon. Member has raised it here today, probably they will raise it again tomorrow and

it will continue. If he had refrained from doing so and not raised it, then, probably the matter would have ended there. Now he takes it up again. If we take it as a complaint here today, they would take it up there as a grievance tomorrow, day after tomorrow here and that chain will continue unending.

**Shri Hari Vishnu Kamath:** I want it to be closed.

**Shrimati Renu Chakravartty (Barakpore):** I rise to support Shri Kamath in what he has said regarding the discussion on the general budget. It is impossible to function in this manner in one of the most important sessions, specially with regard to the discussion of the general budget and the demands. You know very well, Sir, that it is a very long session and all of us have got many important functions to perform, besides parliamentary work, and so we have to fix our programme according to the business of the House. Last Friday I raised this point and asked specifically whether we would stick to the scheduled mentioned in the bulletin saying that we are going to start the discussion on the general budget on the 8th. It was then pointed out to me that because of the death of Dr. Rajendra Prasad we have to postpone it by one day and, therefore, it is going to be taken up on the 12th morning. We had to cancel many of our programmes for the 12th, or postpone them for the 13th, and we did it because some of us happen to be the main or leading speakers for our parties on the general discussion of the budget. Now suddenly, without any sort of responsibility, the Minister of Parliamentary Affairs comes forward and tells us that he has changed it from 12th to 13th, mainly because certain Bills have been left over this week and they have to be taken up. Why can't the discussion on those small Bills be held over till we pass the budget? Every year he pushes out important legislative work on the ground that he has to see

that the budget is passed by a particular date. If this pushing, changing and chopping of legislative work continues like this, it is impossible for us to carry on. I hope this aspect of the matter will be considered and we shall take up the general discussion on the budget on the 12th morning, as we were told earlier.

**Dr. L. M. Singhvi (Jodhpur):** Mr. Speaker, I want to raise a point very briefly on public sector undertakings relating to which ever since a motion was tabled by Shri K. C. Reddy in this House I have been tabling a motion every session and each time the discussion on that motion is not held on the ground that Government is going to bring a similar motion. Since it is not being done, I would request you, Sir, to consider the matter and to let that motion come up so that Government will have to say something on this matter as to whether they are coming forward with their own resolution. Because, this is one way of completely undoing what we wish to do and thwarting the wishes of the House.

**Shri Joachim Alva (Kanara):** Sir, there is one thing that I would like to emphasize with your permission.

**Mr. Speaker:** Even Congress Members are not satisfied?

**Shri Joachim Alva:** My submission is in regard to the annual reports of various Ministries. The Ministries have got one whole year to prepare the report. In the past years, the reports used to be submitted to us well in advance. Now we have got the report only about the Ministry of Information and Broadcasting. We cannot be expected to read the reports in 24 hours time and then make our suggestions when the demands of a particular Ministry are taken up.

**Mr. Speaker:** That point has already been raised.

**Shri Ranga:** I want to make one observation. When we were discuss-

ing this matter with the Minister of Parliamentary Affairs we were told that there is a fixed date by which everything has got to be passed. According to that alone we have got to arrange our programme. But here is the hon. Minister coming forward and delaying this discussion. If we had not thought of delaying it at all, we could have had two more days for the discussion of these various Demands. Therefore there is need for improvement in the manner in which he has been helping the House to prepare its business.

Secondly, I am entirely in agreement with the plea of my hon. friends for taking early action over the suggestion of having a standing committee for public undertakings and that there should be an early discussion about that in this House.

**Shri Satya Narayan Sinha:** Sir, so many points have been raised and I would take them up one by one.

As regards the changing of the date with regard to the discussion of the General Budget, I entirely agree with hon. Members that I had said that it will be taken up on the 8th. But, as everybody knows, on account of the unfortunate death of Dr. Rajendra Prasad it had to be postponed by one day. Then, some items took more time with the consent of the House, as you know, and that also affected this programme. The passing of the Supplementary Demands was very necessary. It is only the change by a day. Then, there are three holidays intervening. I quite agree that I had said that it will be taken up on the 8th. Because of the death of Dr. Rajendra Prasad, ordinarily it should have been taken up on the 12th. Now, instead of the 12th, we are taking it up on the 13th.

**Shrimati Renu Chakravartty:** People cannot go on changing and chopping their programme every now and then. It is impossible. It was specifically stated. . . .

**Shri Satya Narayan Sinha:** During the discussion of important things, hon. Members are expected to be here.

**Shri Surendranath Dwivedy** (Kendrapara): When we press for more time for the discussion of the Budget, you tell us that since the dates for the General Discussion and for passing the Demands are fixed you cannot provide any time. Now, you yourself are taking three more days for other discussion and are not giving us any time for making our speeches.

**Shri Satya Narayan Sinha:** Hon. Members, I hope, will not count these three holidays also.

**Shri Surendranath Dwivedy:** From the 8th it has been postponed to the 13th.

**Shri Satya Narayan Sinha:** From tomorrow there will be three holidays. Why should that be counted? There is actually a change by one day only, that is, instead of the 12th it is being taken up on the 13th.

**Shrimati Renu Chakravartty:** Why did they think of the 12th at all when it was going to start today? After all, he cannot have his own way all the time.

**Shri Satya Narayan Sinha:** As I said, it could not have been taken up today because we did not sit on one day owing to the death of Dr. Rajendra Prasad.

**Shrimati Renu Chakravartty:** We must have it on the 12th.

**Shri Satya Narayan Sinha:** Then, tomorrow is a holiday, Sunday is a holiday and Monday is a holiday. . . (Interruption). I agree that it should have been taken up on the 12th, but instead of the 12th it is being taken up on the 13th. There is a delay of one day only. Please do not say that there is a delay of four days. These three days holiday we could not help.

**Shrimati Renu Chakravartty:** They were there originally also.

**Mr. Speaker:** Therefore he says that it should not be asserted that there is a delay of four days that is being caused and that it is only the delay of one day. \*

**Shri Surendranath Dwivedy:** One day gives us six hours; so, you give us six more hours.

**Shri Satya Narayan Sinha:** Supplementary Demands are also very important. You must put them through. We cannot delay them. When we had discussed about them, these things were also in our view. Therefore we had said that other important legislative business could not be taken up unless we passed the Finance Bill, that is, till the 20th April. We cannot help it. That is the reply to my hon. friend, Shri Mahavir Tyagi, who said that important legislation, like, the Constitution (Amendment) Bill should be taken up. I appreciate what my hon. friend has said, namely, that certain High Court Judges, eminent people, are going to retire. But, as I had explained to my hon. friend yesterday, it is impossible. You just tell us what we can do. I have placed the whole thing before you.

**Shrimati Renu Chakravartty:** There is the whole of today. Why were the Supplementary Demands not put for today?

**Mr. Speaker:** We can hardly finish the Railway Budget today.

**Shri Hari Vishnu Kamath:** In all humility. . . .

**Mr. Speaker:** Now I have heard all the hon. Members.

**Shrimati Renu Chakravartty:** He should keep to the 12th.

**Mr. Speaker:** Is it possible to keep to the 12th? Are those Bills to be taken up on the 12th very necessary? The hon. Minister would consider if it is possible. If it is possible to advance it by one day and if we can

take it up by the 12th, it would be much better. That is one thing. But sometimes delay is caused.

**Shri Hari Vishnu Kamath:** Other points. . . .

**Mr. Speaker:** I am coming to them. So far as the Budget discussion is concerned, I said it in the Business Advisory Committee also that though the time allotted might be the same as has been done just now and that is to be decided by the Business Advisory Committee with the approval of the House—I am not complaining about allotment of time—this plea should not be advanced that because we have to finish the whole thing by such-and-such a date, no more time can be allotted for a particular item. The Government should arrange in such a manner that the Business Advisory Committee and the House might take independent decisions on it without pressure of this fact that because it has to be finished by such and such date, therefore no more time can be allotted to it. The House might allot the same time. That is a different thing altogether. When the Government comes up with this plea that because it has to be finished by this date and therefore no more time can be allotted to it, the Members have a legitimate grievance on that account. I think in future this would be borne in mind and the Government would see that sufficiently in advance, the session is so arranged that this plea has not to be taken up at all.

**Some Hon. Members:** Thank you.

**Mr. Speaker:** As regards the time-table also, though at some moments, there might be some pressure when the Government has to bring in some important legislation which it could not have foreseen, really I feel that there is room for improvement and the time-table should be so arranged that Members can also have an idea when a particular item is to be taken up.

**Shrimati Renu Chakravartty:** Such an important item.

**Shri Vidya Charan Shukla (Mahasamund):** Ministers take up the time which is normally allotted to the Members. The Ministers should be asked to be brief in their reply.

**Mr. Speaker:** Yes. Therefore, on that account also, consideration should be given and the time-table should be so arranged so that Members have in advance some idea of when a particular business is being taken up and how long it will continue, so that they can arrange their programme accordingly and no serious—I should say—disturbances are caused in their time-table. That is the second thing that I wanted to say.

The third thing is, I agree with hon. Members that reports should be supplied to them sufficiently in advance so that they can read and be prepared for the discussion. I also felt it. Last year also, sometimes, reports were only distributed the previous evening. It is not possible for Members then to get ready with the discussions that they have to undertake and justice cannot be done to the subject on which these debates take place.

Then, there is the fourth point about Public undertakings. On that too also, I have been receiving letters from many hon. Members. The Government should make up its mind when it is going to be done and it should be as early as possible because that has been hanging fire for a long time. I got that letter which Shri Harish Chandra Mathur referred to and I have given that reply and sent it on to the Government that they should just see when earliest they can come up with that proposal. I hope that would also be attended to. That is all that I can say at this moment.

**Shri Harish Chandra Mathur (Jalore):** Has the Government not considered it as yet?

**Mr. Speaker:** I have not yet received a reply. As soon as I get it, I will inform the Member.

**Shri Daji:** Even the hon. Speaker does not get a prompt reply from the Government.

**Mr. Speaker:** It must take some time. When a thing is sent to the Government, they must take some time to consider it.

**Shri Hari Vishnu Kamath:** I am sure, you will agree that if the Government cannot plan the business of the session, they cannot plan the defence of the nation.

**Mr. Speaker:** Order, order. Now, we take up the Motion by Shrimati Renu Chakravartty.

12.34 hrs.

CHRISTIAN MARRIAGE AND MATRIMONIAL CAUSES BILL

APPOINTMENT OF MEMBERS TO JOINT COMMITTEE

**Shrimati Renu Chakravartty:** I beg to move:

"That Shri M. L. Dwivedi be appointed to the Joint Committee of the Houses on the Bill to amend and codify the law relating to marriage and matrimonial causes among Christians vice late Shri Mulchand Dube."

**Shri Harish Chandra Mathur:** I have a point to submit. May I know whether this matter is being proceeded with? This Joint Committee was appointed a long time back and I do not think it has met even once. We have had no intimation whatever.

**Shrimati Renu Chakravartty:** A meeting was held. After that, we have not met again. There is no reason why we will not proceed with it.

**Mr. Speaker:** The question is:

"That Shri M. L. Dwivedi be appointed to the Joint Committee of the Houses on the Bill to amend and

codify the law relating to marriage and matrimonial causes among Christians vice late Shri Mulchand Dube."

*The motion was adopted.*

DEMANDS FOR GRANTS—(RAILWAYS)—Contd.

**Mr. Speaker:** We take up further discussion and voting on the remaining Demand for Grants in respect of the Budget (Railways). Mr. Subbaraman was in possession of the House.

**The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha):** I would like to give one information to the House. After Supplementary Demands which will take two hours on the 12th, we shall take up the General Discussion on the 12th.

**Mr. Speaker:** That is all right now.

**Shri S. M. Banerjee (Kanpur):** The hon. Minister wants us not to speak on the Supplementary Demands. The Supplementary demands are so many. Two hours will not be sufficient.

**Mr. Speaker:** We will see whether they will take three hours or four hours. As soon as they are finished, the Budget will be taken up.

**Shri Hem Barua (Gauhati):** He says that he has allotted two hours only.

**Mr. Speaker:** That is a different thing altogether what he allots, what the House decides and how long the House will sit.

**Shri Satya Narayan Sinha:** That time has been allotted.

**Mr. Speaker:** That is all right. That is not the question now.

**Shri Subbaraman (Madurai):** Mr. Speaker, travelling has so much increased, as we all know. We do not get accommodation even if we apply