

Mr. Deputy-Speaker: The hon. Mover of this Bill says that this is a different Bill. Let us see at a later stage.

Shri Pocker Saheb: Let him solemnly declare.

Mr. Deputy-Speaker: The question is:

"That leave be granted to introduce a Bill to provide for the appointment of persons to the office of Kazi and for performing and keeping a record of marriages and divorces amongst Muslims."

The motion was adopted.

Shri Kazmi: I introduce the Bill.

ESSENTIAL SUPPLIES (TEMPORARY POWERS) AMENDMENT BILL

Mr. Deputy-Speaker: The House will now take up further consideration of the following motion moved by Pandit Thakur Das Bhargava on the 3rd September, 1954:—

"That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946 (*Amendment of section 7 and substitution of section 9*) be taken into consideration."

along with the amendments printed on a separate list. Pandit Thakur Das Bhargava may continue his speech.

Pandit Thakur Das Bhargava: (Gurgaon): On the last non-official day, I moved for the consideration of this Bill. I had no time to say anything on that day. Even today, I will not take much time of the House for saying many things on this Bill. I want to make a few points only to show how the Bill is necessary.

Mr. Deputy-Speaker: What about the word withdrawn? Is it to be withdrawn?

Pandit Thakur Das Bhargava: That depends on the attitude of the Government.

Mr. Deputy-Speaker: I am not suggesting anything. I heard the hon. Member to say, 'before it is withdrawn'.

Pandit Thakur Das Bhargava: I did not say so. At the same time, I do not rule out withdrawal if the Government take up an attitude which is acceptable to me. If they reply satisfactorily, I would not hesitate to withdraw it. But, till such a reply comes, I beg to be allowed to give some reasons why I think that the Bill is good and one which should be considered by the House.

Section 7 of the original Act, the Essential Supplies (Temporary Powers) Act, 1946, divide itself into three sections so far as particular articles are concerned. Section 7 (1) deals with cotton textiles, 7(2) deals with foodstuffs and 7(3) deals with other articles. In regard to the punishment portion, the House will see that in respect of textiles, there is a provision which says:

"property in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government."

Therefore, in regard to cotton textiles, there is no discretion with the Government not to forfeit property in respect of which an offence is proved to have been committed. In regard to section 7 (2), the words are as follows:

"(a) he shall be punishable with imprisonment for a term which may extend to three years and shall also be liable to fine, unless for reasons to be recorded the court is of opinion that a sentence of fine only will meet the ends of justice; and

"(b) any property in respect of which the order has been contravened or such part thereof as to the court may seem fit shall be forfeited to the Government, unless for reasons to be recorded the court is of opinion that it is not

necessary to direct forfeiture in respect of the whole or, as the case may be, any part of the property."

3 P.M.

Now, in regard to foodstuffs, the rule is quite different from the rule in regard to cotton textiles. In regard to other articles, the rule is still more different, because sub-section (3) reads thus:

"If any person contravenes any order under section 3 relating to any essential commodity other than cotton textiles and foodstuffs, he shall be punishable with imprisonment for a term which may extend to three years, or with fine or with both, and if the order so provides, any property in respect of which the Court is satisfied that the order has been contravened may be forfeited to the Government".

So, in respect of articles other than foodstuffs and cotton textiles, the rule is that unless and until there is a provision in the order itself, no property can be forfeited. My humble submission is that this provision in section 7 was enacted in times which were practically panicky times, and we made these provisions deliberately to see that many persons do not indulge in these practices. Now, practically the cotton textiles order as well as the foodstuffs order have been not only relaxed, but so far as the cotton textile order is concerned, it has been effectively withdrawn.

I came across a case in which an accused was convicted by the court and the property which was the subject-matter of the offence was ordered to be forfeited. It so happened that the court also found that the real owners of the property were not guilty. They were quite innocent, but the court had no option but to forfeit the property of the innocent people. Article 19 of the Constitution makes the holding of private property to be in the nature of a fundamental right, and so, this provision in my humble opinion offends against a fundamental right. In those times when such offences were

being committed, it may perhaps have been necessary, it may or may not have been justifiable. I am not going into this question now. At the time it was enacted, I think we had not even passed the fundamental rights. Therefore, this provision may not have been objected to then, but today, in regard to foodstuffs we have such a provision on the statute book. I do not see the justification of making a difference there, because when the court is armed with certain powers, the court is the best judge in which case to forfeit, and in which case not to forfeit the article. My humble submission is that the provision in regard to foodstuffs should be made applicable to the provision relating to cotton textiles.

When we proceed to the other sections of this Bill, hon. Members will find that, as a matter of fact, when we speak of packages, and forfeiture of certain property used in the commission of the offence etc., we have made a different provision there, and the provision is:

"Provided that no Court trying an offence under this Act shall declare any such package, covering, or receptacle or any such animal, vehicle, vessel or other conveyance forfeited to Government, unless it is proved that the owner thereof knew that the offence was being, or was to be or was likely to be, committed."

So, in regard to section 7A this rule has been accepted that the real owner of the article is not to be prejudiced by an order passed by a court in respect of any other accused who is not the owner. So, my humble submission is this is but just, that the owner of an article who is quite innocent should not be prejudiced by the order of the court passed in respect of another accused who is not the owner of the article.

Now, Sir, in regard to these provisions, I have now to make another request to the House. I gave notice of some amendments yesterday and some amendments today, which I think

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must have come to you. Now, Sir, with the kindness of the hon. Commerce Minister I was supplied with a copy of the report of the Commodity Controls Committee, and when I went into it for the purpose of understanding the implications of the third amendment to the Constitution, I came across paragraphs 48, 49 and 50. I was very happy to find that the Committee was of the same view as my humble self. When I went through other portions of this report also, it repaid perusal, and I take this opportunity of thanking the Members of the Committee and its worthy President who produced this valuable report. This report is very valuable and I should like that many Members of this House read this report.

Now, Sir, in paragraph 48 we find this. It says:

"Our view is that no useful purpose would be served by fixing the maximum imprisonment at more than three years for any offence against the control laws. Though the offence of hoarding of food-stuffs is punishable with seven years' imprisonment, no case has come to our notice in which punishment of imprisonment of even three years has been awarded. On the other hand, the provision for imprisonment up to seven years has made the offence triable exclusively by a Court of Sessions and has introduced delaying and expensive procedure and also other avoidable complications".

Now, the House will recall that when Act LII of 1950 was passed by this House, the hon. Mr. Munshi was in charge of the Bill, and when he assumed charge, he wanted to introduce these changes and make the punishment seven years instead of three years. At that time also I submitted that this was a useless provision and in practice it would never be worked, and I am very glad that the prediction has come true, and in paragraph 48, the Committee have recorded this

opinion. It is ordinary knowledge, every person knows, that when you provide a very big punishment for an ordinary offence, the courts refuse to convict the man. They just seek loopholes to see that the man is acquitted, rather than convict him and give him the punishment provided by law. My humble submission is that excessive punishment of this nature defeats itself and is more mischievous in operation than a much smaller amount of punishment. Therefore, I have sent in an amendment to delete the existing proviso to section 7(2).

Now, another amendment which I want to see made in this Bill is this. The panicky condition is now over and normal conditions have come by the grace of God, and so far as cloth and food are concerned, they are plentiful in the land, and I do not see any near prospect of these crimes being committed again. Now, with the return of these normal times, we should return to the normal law of the land and should not provide excessive punishment or even punishment which is more than necessary.

Now, in regard to this also, the Commodity Controls Committee has to say the following in paragraph 49:

"We do not consider it necessary to provide that imprisonment should be compulsory in respect of any offences or that the penalties of both imprisonment and fine should be awarded in any specified cases. The nature of offences against control laws is such that a wooden rule in the matter of punishment is not desirable. We should leave it to the Courts to determine the form and extent of punishment in each case on its merits and are, therefore, in favour of a provision that all offences against control laws should be punishable with imprisonment for a term extending to three years or with fine or with both. Such a provision introduces simplicity and uniformity without in any

way sacrificing the desired effects of penalties. We do not think that whipping should be prescribed as a penalty. We are of the opinion that attempts to contravene and abetments of contravention of the control laws should also be made punishable."

So that, I want that so far as imprisonment is concerned, it must be within the discretion of the court to award imprisonment in proper cases only, and it will not be obligatory on the courts to award imprisonment in all cases.

In regard to articles other than food-stuffs and cotton textiles, this is the present law also, and I want in regard to these matters also we may assimilate this provision to the provisions contained in section 7(3), so that the amendment which I have sent is that in regard to this matter also the punishment may be the same as in section 7(3) and imprisonment may not be compulsory.

Now, I come to another clause which has been a matter of dispute between two points of view. One point of view is that so far as offences by corporations etc., are concerned, the burden of the proof should, be^{it} in respect of such offences, on the manager, the secretary, the directors and other officers etc., And not only that. Not only the question of the burden of proof, but the view is that all persons who have anything to do with that corporation, any officer whatsoever, should be made liable and section 9 of the Act enacted in 1946 runs thus:

"If the person contravening an order made under section 3 is a company or other body corporate, every director, manager, secretary or other officer or agent thereof shall, unless he proves that the contravention took place without his knowledge or that he exercised all due diligence to prevent such contravention, be deemed to be guilty of such contravention."

Now, Sir, after 1946, whenever any such Bills came in which these provisions were shown, some of the Members including myself raised objections and submitted that this is too harsh. At the same time our labour leaders were too strong; they did not see justice as we wanted them to see; they were adamant and therefore those provisions were retained in some sections. Then, it so happened, after some time, very probably, the Commerce Minister or the Agriculture Minister saw that whatever we were saying had some substance in it, and since some time I am seeing that not only the previous section has been amended, but a section in which our point of view has also been appreciated, has been introduced and has been recognised as good. Now, the present provisions in such Bill do not make every person so much liable as before. I recognise that there is a change, but at the same time. I am not satisfied with the fulness of that change.

Sir, I may just clear the ground and make an explanation before the House. I am not desirous that any black-marketeer or any person who has something to do with an offence should go scot-free. I do not want it. I make a categorical statement to you and I still go further. Ordinarily we do not make neglect culpable unless it comes within certain sections. But, I go further and say that we should even make neglect of such a person culpable and enact a law in which even neglect may be punished. I want all those persons who connive at the offence; or who abetted an offence, or even if they are neglectful in their duties, be punished. I can go further to that extent. I do not want—as has been stated many times in this House against me when I opposed these provisions—that I want that a dummy is put up, he may be prosecuted and punished. I do not want that. I want that persons who are really guilty should not escape punishment and they should be punished. I do not want that such persons who are innocent and who have nothing to do with the

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crime should be harassed and hauled up. In some companies and corporations which are managed by managing agents, the directors have nothing to do with the actual management. They simply come on the date of the meeting and take their honorarium. They are present at the meeting discuss policies and they go away without doing anything regarding actual management. It is not that they are not behaving well or are not doing their duties; but they are not allowed by law to partake in the management. The managing agents are in charge of all business. But, I know a case in Meerut, where the Deputy Commissioner and other persons concerned laid a trap against the managing agents and then prosecuted them. At the same time they prosecuted all the directors also who had nothing to do with the case. The director may not be in town; he may be at some other place and the offence may be committed by a person in charge of that particular business; but all the same, according to the present law, all those persons are chargeable and all those persons are guilty. I should think, it is not the right law. I can understand, so far as Criminal Law is concerned, you can get at the person who is guilty, but it is a crime against society and against individuals to see that innocent persons are harassed, brought to the court and ultimately acquitted. What happens in that case? It is very difficult for the prosecution to discharge the burden of proof and much more difficult it is for the accused. So far as prosecution is concerned, it has got charge of the entire machinery of the State and is in a better position to investigate and find evidence. So far as individuals are concerned, they cannot do the same thing. Therefore, my humble submission is that it is wrong to say that those persons who are absolutely innocent are also guilty. The present provision says:

"If the person contravening an order made under section 3 is a company or other body corporate,

every director, manager, secretary or other officer or agent thereof shall....."

So, every director is included. He may not be in charge of the business; he may not have even attended any meeting; he may have nothing to do with the company except that he is a director by name, or a director whose business is only a certain part of the business and has nothing to do with the other business of the company like sale, production etc., but he is also regarded as guilty. Now, in black-marketing it is usually those who sell properties who make money and are guilty. But, under the present provision even those who are in charge of production of the article are also mentioned as guilty. It is not only the director, but even the manager who is paid some two or three hundred rupees and who has nothing to do with the sales is named as being vicariously guilty, as also the secretary. These officers have nothing to do whatsoever with persons who may be really in charge of the business and have committed the offence. I understand the word 'officer' includes even the clerks because the word 'officer' is not defined. Then comes the agent. I cannot understand this. The agent who has nothing to do with the company, even he is guilty and he can be hauled up. It is not that these provisions are not used to harass innocent people. Persons have been challaned and ultimately they have been acquitted.

Therefore, my humble submission is that I want to mention such persons who are in particular charge of the particular department in which this black-marketing is done or any offence is committed, they may be made really responsible. Even their neglect which led to the offence may be treated as a cause for punishment; I have no objection. Therefore I have tabled an amendment to that effect. It is just in regard to the persons who have nothing to do with the offence. So far, as the amendment of the hon. Minister

is concerned, I accept the reason behind the amendment. I was mistaken in not indicating this before. I think every person who is connected with the offence even by implication or indirectly is guilty of the offence because it is an offence against society. All the same I also do not agree with the provisions which are now being substituted for this Section 9. The present provision says:

“That all persons who are in charge of the business of the company are primarily responsible.....”

My humble submission is that this is not fair and correct. I want all persons who are directly responsible for the compliance of orders under section 3 of the Essential Supplies Act may be made responsible and for that purpose I want the Government may take powers to see that the company appoints only most important men,—and not a dummy—even the directors, as manager. That person may be nominated by the company as a person directly responsible under section 3. It may be said that the company may not appoint any person. Therefore, I have made a provision that if the company behaves like that, then all the directors of the company may be made responsible because they did not care to take advantage of this. At the same time I am very much opposed to making all the persons in charge of the business of the company responsible for the compliance of orders under section 3. If you make the most important person directly responsible, it is quite clear that, that person will see that the orders are obeyed and that person can be proceeded against for any negligence. Apart from that, any other person who is proved to your satisfaction to have taken part or abetted the offence, or even neglectful of his duties leading to an offence, even that person can be proceeded against; I have no objection. Only because they are wealthy people; well to do people you should not have such a harsh law for them.

Their only crime is that they are wealthy people. I want that the law of the country should be the same for the poor as well as the wealthy. I do not want that innocent people who have nothing to do with the crime may be harassed because you want to appease certain people who want that the noose should be round the neck of every person who is a director or officer of a company. You may do justice but I do not want that those persons who have nothing to do with the crime should be harassed and proceeded against.

Then, I have to call the attention of the hon. Minister to para 50 of the Commodity Controls Committee. They have also considered the question about these provisions, but my difficulty is that they agree with me so far as this particular question is concerned. The only difference is that I do not want that persons in general charge should be made responsible. I want that persons who may be made directly responsible under section 3 may be nominated and whether they have done anything or not, they can be proceeded against and action taken and they can defend themselves by proving their innocence whereas the present provision in the other enactments is such that not only those persons but persons generally incharge of the entire business are made responsible. This is a small difference, which, I submit, must be considered by the hon. Minister. This point of view was not placed before the Committee, and therefore, they did not consider this. I would very respectfully ask the hon. Minister to kindly look into this matter, because it is a matter of very great importance. We want that every person in this land, who is not guilty, and who is innocent, may feel security, and such laws as make persons vicariously guilty should be the least. No person should be harassed or brought to book or proceeded against—I would say not even on suspicion, but—on the basis of wrong law. Therefore, my submission is that this Bill may be considered by the House.

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At the same time, I may make quite clear one other point. The hon. Member Shri Alteker referred to another report, and said that one of the principles given in that report is that when a similar Bill is promised to be brought by Government, the usual practice is that the Bill is withdrawn. True, we always like that Government may bring forward such Bills. After all, we are not here to see that we become responsible and get credit for this or that law. And I for one do not want that I should adopt this attitude. My attitude is that Government should be pleased to consider all the points when bringing in their own Bill. If they do so, I shall be perfectly happy in just withdrawing this measure or keeping it alive and withdrawing it when Government bring in their Bill. This is the practice which has been adopted in this House, and I myself advised on the last non-official day when some other Bill was being discussed, that that Bill should be kept alive until Government brought in their own Bill when it could be withdrawn. As soon as Government bring in their Bill, I shall myself withdraw this Bill. But I would respectfully ask Government to kindly consider the points of view which I have urged, before they bring in their own Bill.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946 (*Amendment of section 7 and substitution of section 9*) be taken into consideration."

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): In regard to the main Act, namely, the Essential Supplies (Temporary Powers) Act, 1946, commodities like foodstuffs, cattle fodder, raw cotton, cotton seed etc., will not come within its purview after the 25th January 1955, unless Parliament approves of the Constitution (Third Amendment) Bill, that is now before it, and after approval by Parliament, it is ratified by half the

number of States specified in Part A and Part B of the First Schedule of the Constitution. That is roughly the position in regard to some of the main items covered by this Bill.

In regard to the other items, we have power under entry 54 of List I of the Seventh Schedule of the Constitution. The House knows that we have enacted the Industries (Development and Regulation) Act, under the powers vested in this House.

Mr. Deputy-Speaker: Is there any Schedule attached to this Bill? I do not find any Schedule.

Shri T. T. Krishnamachari: In the Essential Supplies (Temporary Powers) Act? The commodities are mentioned in the definition clause, viz. clause 2.

The position, therefore, is that Government will have to revise their attitude in regard to this measure after the fate of the Constitution (Third Amendment) Bill is known. At the time when I proposed an amendment to clause 3 of this Bill which was moved by my hon. friend Pandit Thakur Das Bhargava, all that I did was to take the analogous provisions for punishment from the Industries (Development and Regulation) Act, the Tea Board Act, and other similar enactments. Perhaps, if this Bill had reached earlier on during the life of this House, and the hon. Member had accepted my amendment, the thing might have gone through.

But here, in regard to this question of penalties, there is undoubtedly a very large measure of substance in what the hon. Member has said. My own personal experience of prosecutions launched has not been particularly happy. Very often, the magistrates take a lenient view merely because of the stringency of the penalty provisions. We have had some very good cases in which there has been an acquittal on the ground of some technical defect. It is also true that it is rather difficult to get offenders to

be booked, because the facilities available for Government in this matter happen to be considerably less than the facilities for purposes of suppressing evidence on the part of the offenders, because the offenders can plan it from the very start. All evidence is suppressed, and therefore, we fail very often in cases where Government have reason to believe that there is a *prima facie* case. So, a mere lightening of the provisions might perhaps help to win from the magistrate some kind of a feeling that the guilty party might be convicted, but that does not altogether solve the problem, for after all, in the case of powerful interests, Government do not happen to be in a position of vantage.

So, even in regard to the amendment that I had proposed at one time, there is a considerable body of opinion in this House that Government should make a distinction in regard to prescribing penalties in a legislation which is of a purely regulatory nature, namely for the regulation of an industry during normal time, while the penalties may be more stringent where Government have, owing to reasons of emergency, scarcity, flood or famine or something like that, to adopt stringent control measures. It is the view of some hon. Members, whose views are certainly entitled to respect, that this difference should be made. That is a point of view which I cannot easily ignore.

At the same time, I do recognize that my hon. friend the Mover has been actuated by the highest of motives, in suggesting this amendment, having in view the considerable experience he has of the administration of criminal law in this country. He has again fortified his arguments by quotations from the report of the Commodities Control Committee. I have also read paragraphs 46 to 50 of this report. While in paragraph 50, as the hon. Mover had very charitably acknowledged, the Committee does not see things

from the same point of view as he does it is true the Committee feels that severe penalties often defeat the purpose. So, having all this in view, having in view the fact that our control over a number of items is at the moment a problematical matter, because I cannot really prejudge the issue and take it for granted that this House is going to approve of the Constitution (Third Amendment) Bill, and that one half of the Part A and Part B States is going to sanction it by ratifying it, I would say that if these things come to happen, I would like to give my hon. friend the mover this assurance that I shall have the whole question examined; and I think it is time that we redraft this Essential Supplies (Temporary Powers) Act, and give it a different nomenclature, so that we have some provisions for purposes of regulation, and some provisions for purposes of control, with differing penalties. What really happens in regard to the various measures that we have is that the penalties vary from Act to Act, which, I think, is not very good. We have been trying, as far as possible, to streamline the whole procedure. I would rather that we have one Act prescribing penalties for all the various control and regulation measures passed by Parliament, because, after all, even though we legislate here, the actual putting into effect of the legislation is done by the States, and I think we should not perplex the States with conflicting laws and different types of penalties for offences which are of the same category. So I feel that Government should examine this matter and bring forward a comprehensive measure with slight variation, wherever it is necessary, between breach of measures which are regulatory and breach of control orders, if such a thing is legally possible. I have no intention to ask the hon. Member to withdraw his Bill. If the Chair and the House permit, the Bill may be held over and if I am given some time—I cannot promise that I would bring it in the next session, because the period of suspense that must inevitably continue until the Consti-

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tution amendment is finally ratified, will continue till the end of the next session—I do promise that at the earliest possible moment, Government would bring forward a comprehensive measure and the House would be able to discuss it in all its aspects and take into account the point of view represented not only by my hon. friend, Pandit Thakur Das Bhargava, but also other points of view that may find representation in this House. We will then be able to evolve a satisfactory measure which will ensure that, as far as possible, offenders will be booked and the penalties will not be savage. I hope with this assurance, the hon. Member would be agreeable to keep the Bill pending for sometime and you, Sir, and the House will give him permission, should he desire to do so.

Mr. Deputy-Speaker: What is the attitude of the hon. Member?

Pandit Thakur Das Bhargava: This is practically a motion for adjournment of the discussion of this Bill. I for one, will not oppose this motion of the hon. Minister, that consideration of the Bill be adjourned, because if the Government are bringing forward another Bill, I will be very happy. I would like that the considered opinion of the Government be put in the House in the form of a Bill which will be perfectly satisfactory. I have got full faith in the Government that they will consider all these aspects and bring forward a Bill.

Shri Tek Chand (Ambala-Simla): May I, with your permission, make a suggestion?

Mr. Deputy-Speaker: If there is a motion for adjourning consideration of this Bill, let us consider that.

Shri T. T. Krishnamachari: If the Chair will permit me, I will formally move that consideration of this Bill be adjourned.

Mr. Deputy-Speaker: *Sine die.*

Shri Tek Chand: May I make a submission?

Mr. Deputy-Speaker: On the question of adjournment?

Shri Tek Chand: Yes. May I suggest to you that perhaps it would be better if the hon. Minister is pleased to concede that certain aspects of the Bill may at least be discussed so that pointed attention of the Government may be drawn to those features that are being considered, according to the experience of some Members, as objectionable, in order that it may assist the Government in re-framing the Bill in the light of the observations that we may be permitted to make? By all means, have the matter deferred, but at least consider the various criticisms and the various difficulties and problems from the point of view of the people who very often innocently find themselves within the coils of law. That being so, if some opportunity at least is given to present the seamy-side of the picture that the hon. Minister may not be absolutely conversant with, it will be more helpful to him as well as to others.

Shri T. T. Krishnamachari: The only submission that I would like to make once again is this, that the life of this measure itself is now hanging in the balance, that in regard to commodities like foodstuffs, cattle fodder, raw cotton, cotton seeds etc. the continuation of the operation of this measure after the 25th January next is contingent on a number of factors. I do not think that any useful purpose would be served by anticipating a contingency, which, I think, we can intelligently anticipate—I agree—but, nevertheless, it is much better to postpone the discussion to a later date.

Mr. Deputy-Speaker: Rule No. 145 says:

“That any stage of a Bill which is under discussion in the House, a motion that the debate on the Bill be adjourned may be moved with the consent of the Speaker”.

I agree. I can consent to this motion.

Shri T. T. Krishnamachari: I beg to move:

"That the debate on the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946 (Amendment of section 7 and substitution of section 9), be adjourned".

Mr. Deputy-Speaker: The question is:

"That the debate on the Bill further to amend the Essential Supplies (Temporary Powers) Act, 1946 (Amendment of section 7 and substitution of section 9), be adjourned".

The motion was adopted.

Mr. Deputy-Speaker: Now, we will proceed to the next Bill.

Shri R. N. Singh (Ghazipur Dist.—East cum Ballia Dist.—South West): There is no quorum in the House.

Mr. Deputy-Speaker: All right, I shall ring the bell.

I believe hon. Members generally agreed that we should not worry ourselves with the quorum. As many as 50. Bills are on the agenda. Those hon. Members must be present here.

Pandit Thakur Das Bhargava (Gurgaon): Last time also this happened when we are considering Private Members' Bills. All the Members should be present here when the Government have given this benefit to us on every Friday. We have got many non-official Bills. But Members are not present. This is not right.

Mr. Deputy-Speaker: Evidently, they do not want non-official Bills.

Pandit Thakur Das Bhargava: We do want them. If you will give me permission, I will place all my Bills before you—I have got six of them now. Many other Members are quite anxious about the Bills. We should be present here. It is very wrong not to be present.

Shri Feroze Gandhi (Pratapgarh Dist.—West cum Rae Bareilly Dist.—East): How can the Chair compel Members to be present?

Mr. Deputy-Speaker: I will now call upon Shri R. K. Chaudhuri to move the next Bill.

Shri Jhulan Sinha (Saran North): On a point of order. We have accepted the Report of the Committee on Private Members' Bill and Resolutions. In the agenda before us, items Nos. 4 to 14 are Bills which come under the B category. My submission is that they cannot be taken up before the A category Bills are exhausted.

Mr. Deputy-Speaker: Mr. R. K. Chaudhuri's Bill comes under category B. The point has been raised that in view of the fact that the categorisation has been adopted on the motion of Mr. Altekar, this Bill which does not find a place in category A cannot be taken up. I will ignore all those Bills which are put down in category B and then go on in the order in which they are placed in the Order Paper regarding those Bills which come under category A. Has Mr. Chaudhuri any objection?

Shri R. K. Chaudhuri (Gauhati): I do not understand the technicalities. But what I wanted to ask my hon. friend was to withdraw that objection. For the last seven years, I have been trying to have this Bill discussed. I do not know whether I shall be able to move this at all on this side of the earth.

Mr. Deputy-Speaker: I am sorry I have to pass over these Bills till I come to some Bill in category A on the Order Paper. —Shri R. K. Chaudhuri's Bill will have to be put off.

Shri R. K. Chaudhuri: It will be killed.

Mr. Deputy-Speaker: No, it will live but will be put off.

Shri M. L. Dwivedi (Hamirpur Dist.): My Bill is a very important