

Shri S. S. Mere: I want to understand this point not from the point of view of this man or that man, but from the point of view of the common man. What are the reciprocal advantages which the people of Great Britain or Australia are likely to derive by becoming Commonwealth citizens of our country?

Mr. Deputy-Speaker: They can stand for election to Parliament.

Shri S. S. Mere: I doubt it.

Mr. Deputy-Speaker: Can't they?

Shri S. S. Mere: No, Sir. I doubt it. Since you raised this point, I may refer you to article 18 of the Constitution. Article 18 says.....

Mr. Deputy-Speaker: There need not be any digression merely because I have said something.

Shri S. S. Mere: If we scan the fundamental rights, some of the rights of citizenship and some of the other rights will go to even persons who are not citizens, and according to the Constitution, particularly article 18, a person who is not a citizen may hold some office of profit. Some of the offices can be even under the Government of India.

Mr. Deputy-Speaker: The hon. Member may continue on the next day.

The House will now take up Private Members' business.

#### COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS THIRTIETH REPORT

Shri Aitkar (North Satara): I beg to move:

"That this House agrees with the Thirtieth report of the Committee on Private Members' Bills and Resolutions presented to the House on the 26th July, 1955."

I might as well give a brief resume of this report. On the 26th of November 1954, the hon. Speaker made an observation that as the practice ob-

tains now of balloting for everyday of Private Members' Bills, it so happens that the priority is gained by the time of that particular ballot. The time allotted for Private Members' Bills is only two hours and a half. Usually only one Bill is discussed within this time and even though other Members' get priority, that is lost, because the whole list is re-shuffled in the next ballot. What happens is that an hon. Member is not sure whether he will be in a position to get his Bill moved at the time and naturally he does not make much preparation; or, even if he makes preparation, it goes to nothing.

In order to remove all uncertainty which this reshuffling over and over again involves, the hon. Speaker suggested that there should be one ballot for the whole session, and Bills should be taken in the order in which it comes in the ballot. This will enable hon. Members whose Bill have come in the ballot to prepare themselves, as there is very little chance of their preparations going to waste.

When this matter came to be discussed by the committee, it was thought that inasmuch as one month's time is given for Bills and we should have some sort of experience as to how this procedure works, the ballot for Private Members' Bills should be one month; in other words, a single ballot with respect to two consecutive days allotted for Private Members' Bills. The Committee was of the view that in the light of the experience gained, the question of holding a single ballot for an entire session may be considered later on. I am sure the House will agree with this recommendation, as it will remove all uncertainties involved by constant reshuffling.

The other recommendation made is with regard to the lapsing of identical Bills. If a certain Bill is introduced, notice of all other identical Bills on the same subject will lapse. This is due to the fact that if there are a number of Bills on the same subject, and one is moved, the others are simply unnecessarily crowding the list.

They remain on the list for a long time without serving any useful purpose. The Committee was, therefore, of the opinion that provision should be made that when a Bill has been introduced, notices for introduction of an identical Bill shall lapse. In this connection the committee was of the opinion that provision should be made that if the member-in-charge of a Bill is unable, due to adequate reasons, to pilot a Bill after introduction, he may authorise another member to do so, with the permission of the Speaker, so that the Bill may not go unconsidered.

I hope that the recommendations of the committee will meet with the approval of the House and the change suggested will place the procedure governing Private Members' Bills on a more orderly and systematic basis. I commend this report for the acceptance of the House.

**Mr. Deputy-Speaker:** Motion moved:

"That this House agrees with the Thirtieth report of the Committee on Private Members' Bills and Resolutions presented to the House on the 26th July 1955."

**Shrimati Bena Chakravarty (Basirhat):** I beg to move:

That at the end of the motion the following be added:

"subject to the modification that when a Bill has been introduced, notice for introduction of an identical Bill will not lapse."

We have heard the arguments of Mr. Altekar. He said that the committee considered that it would be confusing to have so many Bills of an identical nature before the House at the same time. Now, that might sound quite reasonable. But we have also to see how this system of Private Members' Bills has been functioning and what notice Government have been taking of these Bills. Our experience has been that when two, three or four Bills on a subject are introduced. Government makes a statement saying "we are completely in accord with the principles enunciated by the

Bill and Government would bring forward a measure very soon." Nobody knows what happens after that. In such circumstances we want that there should be other Bills which are there as a sort of pressure upon the Government. This will give an opportunity to Members to hammer at the Government.

We know only too well how an important Private Members' Bill has been discussed three times, and three times it has been disposed of with almost identical remarks by Government. That is one of the reasons why we want that identical Bills should be allowed to stay, as a check against the utter light-heartedness with which Government treats these Private Members' Bills.

Secondly, taking a hypothetical case, let us assume that ten hon. Members have given notice of ten identical Bills, though generally speaking not more than four or five Bills of an identical nature are there. We belong to different parties. One particular party considers it prudent to withdraw a Bill; so it advises its Member to withdraw it, while the other party may wish to pursue the Bill. My hon. friend Shri Altekar's reply to that would be: "You have a right to introduce another Bill." My reply to that is it will have to wait for some time, and only after that can I have it balloted and if at all it may come before the House only much later. That is why I feel that this right which we have of introducing identical Bills should remain. The argument of confusion ensuing does not appeal to me, because Members know why an identical Bill has been introduced. We have the practice of identical resolutions being balloted. So, I think this is a right which we should not give up.

**Mr. Deputy-Speaker:** Amendment moved:

That at the end of the motion, the following be added:

"Subject to the modification that when a Bill has been introduced,

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notice for introduction of an identical Bill will not lapse."

**Shrimati Maydeo (Poona South):**

Sir, I wish to support the amendment moved by Shrimati Renu Chakravarty. One reason is that the importance of a subject can be gauged by the number of identical Bills given notice of on that subject. Supposing we keep only one Bill on the list and the notices of identical Bills on that subject lapse. That one Bill may or may not get a chance in the ballot and may not come before the House. Only when a subject is of such great importance that notices of identical Bills on that subject are given by different Members. So far as I could gather, no confusion could result. I do not feel that it is proper that all other notices should lapse. I, therefore, support the amendment moved by Shrimati Renu Chakravarty.

**Shri Altekar:** I would like to point out to my lady friends who have urged this point that there is no such thing as pressures on the Government being exerted simply because a number of hon. members agitate the same thing over and over again. It will depend upon the intrinsic merit of any particular Bill, and the fact that so many Members bring it over and over again will not, by itself, give it any additional weight. Any assurance which Government gives is on account of the fact that the Bill is of an important nature, and the assurance is that Government would be bringing a Bill to that effect or some other assurance.

For instance, I would like to point out that there was a Children's Bill which was sponsored here, first by Shrimati Maniben Patel, and which was taken into consideration. It was discussed here. Government gave an assurance and it was adjourned *sine die*. Later on two or three identical Bills came up before the House. Shrimati Usha Nehru's Bill came up. It was discussed for a short time and again, adjourned. Later on Shrimati Jayashri also agitated the same thing,

and the time of the House was taken. Then Government itself brought the Bill; it came before the other House and will be coming here.

**Shrimati Renu Chakravarty:** It is not the Children's Bill; it is the Licensing Bill.

**Shri Altekar:** It has therefore to be seen from the point of view that again and again the time of the House is taken. And it is not on account of its being agitated over and over again that Government brings a Bill but when it feels that it is of an important nature and that it should bring it.

I would therefore like to submit that that is not the consideration. And it unnecessarily takes much of the time of the House by bringing the matter over and over again. It may so happen that certain Members, may be thirteen, fourteen or fifteen, may desire that a certain Bill should be brought before the House, and they may all bring it together. That does not by itself mean that because many Members bring it, therefore it is of importance. There may be another important measure, and if it is really of great urgency and has got some weight about it, even if it is sponsored by a single Member Government will certainly take that into consideration. But if there are a number of such Bills of an identical nature brought by others, his Bill will be throttled by those Bills. For the sake of fairplay we should allow each Bill to be brought one at a time. And the urgency and importance of each Bill is taken into consideration at the time of classification. A fair ballot should be allowed to all and—I will not give it any bad name—it should not be the way of arrangement that should give priority for a Bill but ballot itself in a free and proper manner. I think that is a principle which is good.

**Shri Kamath (Hoohangabad):** Like fair and free elections, Sir?

**Shri Altekar:** I would like to point out that formerly even for the stage of introduction there was ballot. Now

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there is no such thing. Immediately after a certain Bill is discussed and disposed of, if an hon. Member thinks that it should be brought over again, he can give notice forthwith and after thirty days it can be introduced. There is no difficulty in the way of bringing any Bill before the House immediately, there being no hindrance in the way of its introduction.

Therefore I submit that from all points of view it is desirable that we should accept the recommendation made by this Committee which consists of Members from various Groups in this House who have given their best consideration to the matter. It should be given a fair trial, and it should be so given that there is nothing which comes in the way of any right of any hon. Member in this House. I submit that this motion may be adopted. So far as the amendment is concerned, I oppose it and it should be rejected.

**Mr. Deputy-Speaker:** Under rule 340 I would like to say a few words. Under this rule "the Speaker may himself, or on a point being raised or a request made by a member, address the House at any time on a matter under consideration in the House with a view to aid members in their deliberations, and such expression of views shall not be taken to be in the nature of a decision."

**Shri Kamath:** Reading the rule was not necessary. Even without it you could have addressed us.

**Mr. Deputy-Speaker:** I was afraid of the hon. Member!

I presided over this committee—it is not because of that, that I want to say this—but I want to place a few points for the consideration of the House. There are some cases where there may be ten Bills with an omnibus notice, or half a dozen Members in each case may have tabled motions. In the case of these Bills there will be forty different entries—the same Bill in the agenda for the further discussion of

the motion, for the consideration, motion, for reference to Select Committee, for circulation, etc. In addition to these, there will also be entries for introduction in the names of other Members who have not introduced the Bill.

In order that this change in procedure may not operate harshly, the Committee has also recommended that provision should be made that if the Member-in-Charge is unable to come he or she may authorise any other Member to proceed with the next stage. Shrimati Renu Chakravartty said it may be that the other person may belong to another party and therefore may not be interested. If the Member makes an attempt to withdraw the Bill, even if there is a single vote against it, it will not be allowed to be withdrawn; it will be put to the vote of the House. If the whole House is against her, nobody can help her. It assumes that the rest of the majority are with her. If somebody wants to withdraw the Bill, he cannot on his own motion do so when once it has been introduced. It must be done only with the consent or by the leave of the House even if there is one Member who opposes that motion. That is well known. When the leave is granted, the House itself throws it out; it is as good as that.

I will give one or two instances where the existing procedure has obstructed further progress of business. The Women's and Children's Institutions Licensing Bill was given notice of by a number of hon. Members. Shrimati Maniben Patel introduced it on the 14th August, 1953; it was discussed later on the 23rd April, 1954 and again in September, 1954, and then the debate was adjourned. Then again, Shrimati Uma Nehru introduced the Bill on a particular date, it was discussed later, and the debate was adjourned. The same Bill was introduced by Shrimati Maydeo and Shrimati Kamalendu Mati Shah. Then, Shrimati Jayashri introduced the Bill, it was discussed, and the debate was adjourned. The complaint of Shrimati

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Renu Chakravarty is that Government are not helpful. It is not as if conscientiously the opponent will give his support. Every hon. Member who introduces a Bill must be prepared to convince the House itself and then get its vote. If the Government itself is against it, against whom can she complain? If the Government says "No no, adjourn it", and the hon. Mover consents, he must thank himself and none else.

Under these circumstances this change is necessary. There may be other Bills which are important. As a matter of fact, if the hon. Member Shrimati Renu Chakravarty had given notice of it she might have persisted and gone on with it; but the others have not done so. Merely because it is open to any hon. Member who introduces a Bill to carry on with it or not to do so, on that ground are we to allow a number of Bills, forty Bills, of the same nature to block all the other Bills?

Shrimati Renu Chakravarty: It won't block.

Mr. Deputy-Speaker: If all these come up?

Shrimati Renu Chakravarty: Can all the Bills come up?

Mr. Deputy-Speaker: There will be forty of them, and they will block the further consideration of any other matters. Therefore, hon. Members will take notice of this. The rule may be framed today, and if there is any inconvenience, it can be changed. Let us try this experiment. Under these circumstances, hon. Members will kindly consider if it is necessary to accept this amendment.

The question is:

That at the end of the motion the following be added:

"Subject to the modification that when a Bill has been introduced, notice for introduction of an identical Bill will not lapse."

The motion negatived.

Shrimati Renu Chakravarty: I would like to know what is going to happen to those identical Bills which have been introduced if we pass this motion of Shri Altekar. Will they automatically cease?

Mr. Deputy-Speaker: Notices only will lapse. If the introduction stage is passed they are here and they won't lapse. They have been introduced and the House is seized of it; and, therefore, they, will continue. Whatever has happened has happened and it is only for the future. There is no retrospective effect.

The question is:

"That this House agrees with the Thirtieth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 26th July, 1955."

The motion was adopted.

#### COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

##### THIRTY-SECOND REPORT

Shri Altekar: (North Satara): I beg to move:

"That this House agrees with the Thirty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 3rd August, 1955."

In this there is only the question of the classification of the Bills and the allotment of time. It is stated in the report and I need not add anything to it.

Mr. Deputy-Speaker: The question is:

"That this House agrees with the Thirty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 3rd August, 1955."

The motion was adopted.