

[Mr. Speaker]

year 1955-56 vice Shri V. V. Giri resigned."

The motion was adopted.

Mr. Speaker: I have to inform the House that the following dates have been fixed for receiving nominations and withdrawal of candidatures and for holding election, if necessary, in connection with the Committee on Public Accounts:

Date for nominations.	Date for withdrawal.	Date for election.
2-8-1955	3-8-1955	5-8-1955

The nominations to the Committee and the withdrawal of candidatures will be received in the Parliamentary Notice Office upto 4 P.M. on the dates mentioned for the purpose.

The election, which will be conducted by means of the single transferable vote, will be held in Committee Room No. 62, First Floor, Parliament House between the hours 11 A.M. to 1-30 P.M.

PRESS AND REGISTRATION OF BOOKS (AMENDMENT) BILL, 1952

The Minister of Information and Broadcasting (Dr. Keskar): I beg to move for leave to withdraw the Bill further to amend the Press and Registration of Books Act, 1867.

Mr. Speaker: The question is:

"That leave be granted to withdraw the Bill further to amend the Press and Registration of Books Act, 1867."

The motion was adopted.

Mr. Speaker: The Bill is therefore withdrawn.

PRESS AND REGISTRATION OF BOOKS (AMENDMENT) BILL, 1955

The Minister of Information and Broadcasting (Dr. Keskar): I beg to move for leave to introduce a Bill

further to amend the Press and Registration of Books Act, 1867.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Press and Registration of Books Act, 1867."

The motion was adopted.

Dr. Keskar: I introduce the Bill.

STATE BANK OF INDIA (AMENDMENT) BILL

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): I beg to move for leave to introduce a Bill to amend the State Bank of India Act, 1955.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to amend the State Bank of India Act, 1955."

The motion was adopted.

Shri A. C. Guha: I introduce the Bill.

PAPER LAID ON THE TABLE

STATEMENT GIVING REASONS FOR PROMULGATING THE STATE BANK OF INDIA (AMENDMENT) ORDINANCE

The Minister of Revenue and Defence Expenditure (Shri A. C. Guha): I beg to lay on the Table a copy of the explanatory statement giving reasons for the immediate legislation by ordinance as required under rule 89(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. (See Appendix III, annexure 24.)

INDIAN TARIFF (AMENDMENT) BILL, 1955

Mr. Speaker: Before we proceed to the usual business, I have to make a statement. The Indian Tariff (Amend-

ment) Bill, 1955, was passed by this House on the 26th July 1955. Under article 110 of the Constitution I have certified that this is a money Bill. When such a Bill is passed by the House, it is the duty of the Secretary of the House to transmit it to Rajya Sabha for its recommendation. It is provided in the Constitution that the Rajya Sabha shall, within a period of fourteen days from the date of receipt of the Bill, return it to the Lok Sabha with its recommendation. As hon. Members are aware, the Rajya Sabha is not yet in session and if the Bill is sent to that House immediately, the period of fourteen days will lapse before the Rajya Sabha meets on the 16th August 1955. I am, therefore, directing the Secretary of the House not to transmit the Bill to the Rajya Sabha immediately but to wait for some time so that the period of fourteen days does not terminate before the commencement of the session of the Rajya Sabha.

Shri M. S. Gurupadaswamy (Mysore): Can this be done? Can it be kept pending?

Mr. Speaker: It is not kept pending, but only the ministerial act of despatch from one House to the other is delayed or postponed. There is no time-limit fixed, but it is understood that there should be no delay as far as possible.

Shri Raghavachari (Penukonda): It is purely a matter of procedure—to send it by post or by communication. Where is actually the need for consent of the House for this?

Mr. Speaker: I cannot follow the argument of the hon. Member. What does he say?

Shri Raghavachari: The process of communication can be delayed to suit other consequences, but I do not know why the permission of the House is needed.

12 Noon

Mr. Speaker: I am not asking for any permission of the House. I am merely inviting the attention of the House to a certain act of my own.

taken on my own responsibility, so that Members may be aware as to how this Secretariat is functioning. If attention was not paid to this small matter at the time of transmission, the result would have been that fourteen days would have elapsed before the Rajya Sabha began their session.

The President would have certified the Bill and the Rajya Sabha would have had no occasion or opportunity of making its recommendation. The only course, therefore, was to hold over the despatch from one sector of this House to another sector. The interpretation has been—we are told by people conversant with law and experienced in law—that even when the Rajya Sabha is not in session, a Bill can be sent to the office of the Rajya Sabha, to its Secretary and if the Secretary receives the certified copy of the Bill, it is received by the Rajya Sabha. That is the difficulty and therefore, I wanted the Secretary not to remit the Bill immediately.

Shri Kamath (Hoshangabad): In order to obviate this difficulty, could not you have suggested to Government that this Bill should be taken up later in the session? Do not Government heed your advice?

Mr. Speaker: In fact they consult us; not that they do not; but sometimes it does not become possible and, to err is human.

Shri Kamath: That is quite clear now.

Mr. Speaker: If the hon. Member had waited for a minute, he would have heard my request. I was going to say that in future, Government should take care to so arrange its programme when the other House is not in session that a contingency of this type might not arise. The Secretary of the House is bound to transmit the Bill as soon as it is passed and is ready, unless he has directions from me to the contrary. I do not want to intervene and give directions every time but this time all have been taken unawares and so I thought I should

[Mr. Speaker]

give the direction and apprise the House of the situation.

Pandit K. C. Sharma (Meerut Distt.—South): I think it will amount to circumventing the rule.

Mr. Speaker: There is no rule; it is not a question of circumvention. The rules are meant for doing business and not for obstructing business.

SPIRITUOUS PREPARATIONS
(INTER-STATE TRADE AND
COMMERCE) CONTROL BILL

Mr. Speaker: The House will now proceed with the further consideration of the following motion moved by Shri Kanungo on the 29th July 1955:

"That the Bill to make provision for the imposition in the public interest of certain restrictions on inter-State trade and commerce in spirituous medicinal and other preparations and to provide for matters connected therewith, be taken to consideration."

Amendments printed on the second and other lists will be taken up. The time allotted is three hours of which 14 minutes has been taken up.

Shri Bogawat (Ahmednagar South): This Bill is very useful in those States where prohibition is made applicable.

[MR. DEPUTY SPEAKER in the Chair]

In the Bombay State, the Prohibition Act of 1949 is made applicable but there were a number of difficulties. You very well know that Bombay State is surrounded by other States and especially our district is surrounded by Hyderabad State and seven talukas are also surrounded by that State. A number of things are happening in those States. The distance to the outskirts of Bombay State from my district is only about eight miles; sometimes 15 or 20 miles. All the people who are addicted to drinking go to such places and either bring the wine to this State or they drink

enough there and thus want to foil the attempt of the Bombay Government.

I feel that several amendments are necessary in this Bill. For instance I can point out that in clause 3 sub-clause (1)(b) after the words "export from any State or transport from one place to another to sell any spirituous preparation for the purpose of its import into a prohibition State" the word 'consumption' should be there. It should be ".....for the purpose of importation or consumption in a prohibition State." The people in Hyderabad are selling liquor just on the border; on the borders liquor is consumed on a very large scale. So, the word 'consumption' should be there.

Similarly, I find that on page 3, lines 17 and 18 read: ".....building or enclosed space". Here, the word 'enclosed' should be taken out because even in the open space these articles are concealed. These things are concealed under a heap of cow dung. The people who prepare illicit liquor not only keep it in such places as are mentioned here but they keep it in lands also so that they will not be caught. They transport from one place to another. All these things are going on. So, I suggest that the word 'enclosed' should be omitted; similarly in line 21 also, this word should be taken out. The word 'land' should be substituted so that it will read: ".....space, land or vehicle....." These two things are very material in clause 8.

Then, if we go to sub-clause (d), in line 32, we find the words: "...arrest him and any other persons in the company." After the words 'any other person', we must put the words 'whom he believes to be an associate' because these associates are very much helpful to them. They not only assault the police officers or the prohibition officers but sometimes even kill them and so these associates are very dangerous people and these things are going on under their protection. So,