

[Mr. Deputy-Speaker]

and Eviction) Amendment Bill,
1950, apply."

The motion was negatived.

Mr. Deputy-Speaker: The question
is:

"That clause 18 stand part of
the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Mr. Deputy-Speaker: Clause 19.
The question is:

Page 8, line 8—
add at the end:

"and shall be subject to such
modifications as Parliament may
make therein."

The motion was negatived.

Mr. Deputy-Speaker: The question
is:

Page 8, line 8—
add at the end:

"and shall be subject to modi-
fications by the Parliament."

The motion was negatived.

Mr. Deputy-Speaker: The question
is:

"That clause 19 stand part of
the Bill."

The motion was adopted.

Clause 19 was added to the Bill.

Mr. Deputy-Speaker: The question
is:

"That clause 20 stand part of
the Bill."

The motion was adopted.

Clause 20 was added to the Bill.

*Clause 1, the Enacting Formula and
the Title were added to the Bill.*

Rajkumari Amrit Kaur: I beg to
move:

"That the Bill, as amended, be
passed."

Mr. Deputy-Speaker: The question
is:

"That the Bill, as amended, be
passed."

The motion was adopted.

The Bill was passed as amended.

PREVENTION OF DISQUALIFICA-
TION (PARLIAMENT AND PART
C STATES LEGISLATURES)
AMENDMENT BILL

Mr. Deputy-Speaker: We now take
up the Prevention of Disqualification
(Parliament and Part C States Legis-
latures) Amendment Bill. I call
upon Shri Biswas to move it.

**The Minister of Law and Minority
Affairs (Shri Biswas):** As I shall be
leaving for the other House shortly,
I am asking my learned colleague to
move it.

**The Minister of Legal Affairs (Shri
Pataskar):** I beg to move:

"That the Bill further to amend
the Prevention of Disqualifica-
tion (Parliament and Part C
States Legislatures) Act, 1953, be
taken into consideration."

In 1953 Parliament passed the Pre-
vention of Disqualification (Parlia-
ment and Part C States Legislatures)
Act—Act No. 1 of 1954. Briefly, the
effect of that Act was firstly to dec-
lare that a person who is a member
of an advisory committee set up by
the Government shall not be disquali-
fied for membership if as a member
of such committee he is not entitled
to receive any fee or remuneration
other than compensatory allowance
as defined in the Act, and secondly,
to provide as regards membership of
any other committee set up by the
Government, whether advisory or
executive in character, for a tempor-
ary removal of disqualification. That
also grants protection from disqualifi-
cation to persons holding the offices
of chairman, director, member or any
other office on a statutory body as
defined in the Act where the powers
to appoint vests in the Government.
This protection was also temporary.
This temporary protection extended
only up to the 30th April 1954 and the
intention of Parliament was that all
Members of Parliament who hold
offices of profit not covered by the
provisions in section 3 thereof should

resign their offices before the 1st May 1954.

I will not go into the details of this matter. This Act was passed and the period has been extended twice before from time to time. On the last occasion when this Bill was brought forward, probably just before that time Government also had drafted a piece of comprehensive legislation, but in the meantime the Speaker had appointed a Committee of this House to look into the whole question, and therefore, instead of putting through that Bill before the House, we asked for extension. Now the present period expires on 31-12-1955. I am told that it was a Joint Committee of both Houses. That Committee, after a good deal of deliberation and very careful consideration—I am told, under the chairmanship of our friend Pandit Thakur Das Bhargava—has recently submitted a report to the Government which runs into about 70 pages and annexures.

Shri Kamath (Hoshangabad): Only

Shri Pataskar: The point is that it was received by our office only in November and naturally we take some time before we finalise matters. Different Ministries are also consulted and we want to formulate a Bill in its proper form. I think it is bound to take some time. Upto what period it should be extended—that is the only point. We have decided that it should be extended for two years, primarily for this reason that we have got so much of legislation now-a-days as hon. Members are aware. Passing of legislation is not easy nor is it a process which can in any way be shortened. It was, therefore, that, we had to come again before this House.

Shri Kamath: It is not amending the Constitution.

Shri Pataskar: Whatever it is, we thought that the period should be two years. If in the meanwhile it is formulated, an attempt will be made to see that that Bill gets the approval of this House. So, many important matters are still pending and I think

it is desirable that the period should be extended for two years. That does not mean that we shall do nothing within these two years. But it is desirable that we get this period so that we need not again come up before this House as we have done on two previous occasions.

What I am pointing out is this. When we asked for extension last year, it was only for one year and we anticipated that the Committee which was appointed might be able to finish everything within that period. As you all know the matter is very important and therefore, naturally, they took a very long time to come to a decision and submit the report. I therefore think that this short Bill will be accepted by this House without any dissentient voice and without any mischief of amendment.

Shri Raghavachari (Penukonda): My only point is this. I quite appreciate the Minister's view that he wants two years and he will in the meanwhile act quite expeditiously. So far as this particular Bill relating to the removal of disqualifications is concerned, a comprehensive Bill had to come according to the Constitution as soon as possible. The Constitution came years ago. Every year this legislation is being extended by a year and so on. Now the report is ready and one year must be a sufficient time for them to come up to Parliament. If we give two years, I am sure the sleeping will continue and at the end of two years also the same thing will continue. If it is one year, there is some chance that they will wake up.

Shri C. K. Nair (Outer Delhi): Are the Part C States going to continue?

Shri Raghavachari: Disqualifications do continue.

Mr. Deputy-Speaker: Let me place the motion before the House. Hon. Members can speak then.

Motion moved:

"That the Bill further to amend the Prevention of Disqualification

[Mr. Deputy-Speaker]

(Parliament and Part C States Legislatures) Act, 1953, be taken into consideration."

Mr. Deputy-Speaker: Shri Kamath.

Shri N. R. Muniswamy (Wandiwash): Before my friend begins, I have certain points to be clarified.

Mr. Deputy-Speaker: He will have his turn.

Shri Kamath: I will be very brief. We are running against time. First I would invite your attention and the attention of the House and the Ministers to the Statement of Objects and Reasons of the Bill. I must assert that it is very unfair to the House to make a bold statement to the effect that the report is a fairly lengthy document and that its examination in consultation with the various authorities concerned is bound to take a considerable time. I was however pleasantly surprised to hear from the Minister of Legal Affairs just now that the report is a document of only 70 pages and no more. When I read this statement, I thought it was perhaps 1,000 pages.

Shri Pataskar: There are annexures also.

Shri Kamath: If the Government takes about two years to go through this report of 70 pages I think it comes to two lines per day or something like that. There are 700 and odd days in two years and it comes to ten days per page; Government takes ten days to study one page. If this is the speed.....

Shri Pataskar: The speed of the Government is quite all right; Government is ready with the Bill. I explained the situation and I do not think it will be fair to charge the Government like this.

Shri Kamath: If this is the speed of the Government in our free India I despair for the future of our country.

May I invite your attention to what Shri Biswas, the senior Minister said on the last occasion on 28th April 1954 in this House? I was not in Parliament then, but I read from the record. He said: "Some time limit is necessary and I first got it down to October 1954...." Look at the curious history of this measure. "...I first got it down to October 1954 but then I thought....." he says. So many thoughts come in, naturally. He says: "...Then I thought that it will not be possible to finish the enquiry before that and therefore, in order to avoid coming to Parliament...." I hope the senior Minister is hearing me; I hope I am quite audible.

An. Hon. Member: Quite audible.

Shri Kamath: It reads: "...Therefore in order to avoid coming to Parliament for further extension I have put it down till the end of the year. If it is possible to complete the investigations before that period, there is nothing to prevent Government from bringing forward a Bill earlier."

That is practically word for word what the junior Minister is saying today. I do not like to say junior and senior but I cannot help it. He says that he will come up earlier than 1957 December and here Shri Biswas had said that he will come up earlier than 1954 or 1955. First of all 1954 became 1955. Then here is a double jump to 1957—not a single but double jump. I am afraid that this sort of dilatoriness will not help Government, when the Treasury Benches are in the habit of accusing the Opposition Benches of dilatoriness.

Shri Biswas: May I interrupt my friend?

Shri Kamath: I welcome interruption.

Shri Biswas: I shall answer one or two points, and I will have to be in the other House at half past two

The facts are these. There were two extensions. One was the extension to which my hon. friend has referred and the other extension was at the instance of the Speaker's Committee... (Joint Committee on Offices of Profit). At that time we had a comprehensive Bill which we ourselves had prepared. We had taken time upto December 1954, but we had a draft comprehensive Bill ready on new lines to avoid coming up to Parliament any further. Our first attempt was to prepare a list of the offices which should be exempted from disqualification. Then one suggestion was that instead of amending or extending the Prevention of Disqualification Act we should provide for these exemptions in the Acts under which the particular Members had been appointed. But that would hold good only in regard to statutory bodies. There are non-statutory bodies which were not governed by any enactment. For these some provision has to be made. We tried to have a general formula under which we could cover all categories of persons to whom exemption was to be allowed. While we had prepared that Bill and were about to introduce it, when came the Speaker's Committee and a request from that Committee that we might hold our hands till 1955. It was out of deference to that request that we held our hands. Now, these 70 pages do not take long to read and the report has been read. My hon. friend may take it that the time required is not for the purpose of persuing the 70 pages of the report.

Shri Kamath: To draft the Bill.

Shri Biswas: It is for the purpose of giving effect to the recommendations made by that Committee, that we require time. It will involve reference not merely to the various Ministries but to various other bodies also. Their scheme is that a comprehensive list of the various offices held by Members of Parliament should be prepared and they should be put down in a schedule which should form part of the Bill. That scheme does not

proceed upon the principle on which we had framed our Bill which was a general formula to cover all cases. I must say that the report is a comprehensive one, it deals with the matter very fully, it has gone into the history of the question in different countries, and it is one of the best documents I have come across coming from a committee. They have devoted a good deal of attention and time to the consideration of these proposals, and in our view those proposals might be accepted. But, in order that we may be in a position to implement those recommendations a lot of enquiries have got to be made. Supposing we had put down six months instead of two years, as has been suggested, then if there is no Parliament sitting and we shall have to come again before the House. Then, Sir, if for this reason we have put down a long period that will not prevent the Government from being ready with their Bill giving effect to the recommendations of the Committee and from coming to the Parliament with it much earlier. But, in order to be on the safe side we have provided for two years. One does not know what will be the state of things by the end of 1956, because the general elections will be due. That is the reason why only for the sake of safety and for the sake of avoiding coming up to the Parliament every time that we have put down two years. I repeat again that we are quite prepared, if we possibly can, to bring the Bill before the House much earlier.

Shri Kamath: Sir, I am thankful to the hon. Minister for all that has been said on this particular point. I see that he is leaving the House, but from the previous debate I find that he made other observations which seem quite contrary to what he has said just now.

Mr. Deputy-Speaker: But, the later prevails over the earlier one.

Shri Kamath: He now seems to make out that the Government has to consult this body, that body and

[Shri Kamath]

so many other bodies, so many States and so on. This is what he said on the previous occasion:

"It occurred to us that we ought therefore to obtain information from the various States whether any Members of Parliament have been included in any committees constituted by them under a statute or departmentally. All this information has got to be collected, and that is the reason why more time is necessary."

That is all what he said on that occasion. Now, he says that they have to consult various bodies, State Governments and other authorities. I do not know—the hon. Minister is chuckling, Sir....

Shri Pataskar: I am not chuckling at all.

Shri Kamath: whether he agrees with his senior colleague or not.

Shri Pataskar: I am seriously listening to his speech.

Shri Kamath: Now, I would only suggest that unless the Government has set its heart upon being absolutely terribly slow and going at a snail's pace with regard to legislation I see no reason why this matter cannot be put through this Parliament before the end of next year—1956. The Minister said something about Parliament's not being here. I do not think the Parliament will be dissolved so soon. If at all, it will be dissolved in January, 1957 or February, 1957 assuming that the Government can do its best as regards States Reorganisation and what not and till the end of next year—October or November, 1956—I hope Parliament will sit. We have got to sit because so many Bills will be coming up. The Speaker has already warned us that we will have a strenuous time next year. Unless the Government is absolutely cussed and obstinate I see no reason why this amendment should not be accepted. One year is quite enough for any

decent, any sensible Government which can work at a moderate pace to put through a legislation of this kind. My hon. friend on this side has suggested June, 1956; perhaps that would be more desirable; but, I have given at least one year's long rope and I appeal to the House, if not the Minister in case he is not willing to listen to reason, to see that my amendment is accepted so that before this Parliament goes out of existence we can put this through. Otherwise, the Government will pass the buck to somebody else. If another Parliament comes into being then that Government will take further time. They will say: "We are new." They will appoint another committee as has been the habit in this House; one committee sits over the judgment of another committee, and thus the matter is prolonged unduly. As a matter of fact, as my hon. friend Shri Raghavachari has pointed out, the Constitution was passed 6 years ago and we have still not enacted the necessary legislation with regard to this matter. It is, therefore, most inexcusable on the part of the Government to ask for two years' time for this simple legislation. At this rate they will take a hundred years to bring in welfare legislation to make a Welfare State in this country. They will take a hundred years and, I am sure, not less than that. No one here will be alive then. Parliament too may not be alive. Parliamentary institutions may disappear from this country.

Shri B. D. Pande (Almora Distt.—North East): But Vishnu will be alive.

Shri Kamath: Badrinath Ji will be alive—he will be alive definitely—who will always bless everybody and bless the whole world. But, that is not the point now.

Sir, I do commend my amendment to the acceptance of House and I hope the Minister will see reason and will see to it that this Bill, pending for a long time since 1953, is passed at least before this Parliament is dissolved because of the next general

election. I do not want that candidates for the next general election, though they may be subject to disqualifications, should be allowed to contest the elections just because this Bill has not been passed. That will involve complications, election petitions, tribunals and what not. Therefore, it is very necessary in the public interest, in the national interest and in the larger interest of people who are here inside Parliament as Members as well as those outside, that this simple measure should not be delayed longer and must be passed by this House before the end of 1956.

Shri N. R. Muniswamy: Sir, I have got only a few points for clarification and I do not propose to go into the details and merits of this Bill. I only want clarification with regard to certain legalities if not the proprietary nature of this Bill. If I remember aright....

An. Hon. Member: Do not waste time.

Shri N. R. Muniswamy: I do not waste time as others do. Mr. Deputy-Speaker, my point is this. This Bill was first introduced somewhere in the end of September 1953 and for the first time they wanted only three months. Therefore, before the end of 1953 the Bill was supposed to be in force. Before the end of 1953 another amending Bill was introduced for further extension of time. The first Bill received assent from the President only on 1st January, 1954. Therefore, my only point is that there was no need to introduce one more amending Bill for extension of time when the first Bill was not an Act. That is the legal aspect if not to propriety nature on which I seek clarification. We go on committing errors on the same aspect. When the first Bill has not come into force before the end of 1953 as an Act there was no need for an extension of that Bill by another Bill introduced in the end of December, 1953 when the first Bill itself obtained the assent of the

President only on the 1st January, 1954. That is my point on which I wish the Minister for Legal Affairs to throw some light. There can be no further amending Bill introduced on the same Bill when the original Bill was not an Act. We are having so many Bills for further extension of time. Therefore, he must explain the position as to how he introduced a Bill when the first Bill was not an Act before the allotted time, that is before the end of 1953.

Mr. Deputy-Speaker: You mean, it was not assented to by the President before the date of expiry?

Shri N. R. Muniswamy: Yes, Sir. And, before the date of expiry another Bill was introduced in December, 1953 for extension of time whereas the first Bill received President's assent only on 1st January, 1954.

Mr. Deputy-Speaker: That is to say from September to end of December more than 3 months had expired.

Shri N. R. Muniswamy: The first Bill had not received the assent of the President and they introduced another Bill in December, 1953 for further extension by six months to the original Bill. The original Bill received the assent of the President only on 1st January, 1954 and therefore, there was no need to introduce another amending Bill when the first Bill itself was not an Act. That is my point.

Shri Tushar Chatterjea (Serampore): I support what Shri Kamath has said. In addition to his contentions, I would like to say some words. I distinctly remember that during December last, while introducing the Bill which has now become an Act and which is being amended now, the Law Minister assured the House that no further time would be taken and that one year's extension was necessary only because the Committee appointed by the Speaker wanted one year's time. I distinctly remember that I put a question to him at that time as to why so long a time is taken.

[Shri Tushar Chatterjea]

He assured the House that no further time will be taken and that by December, 1955, the whole thing would be finalised. But again, two years' time is being taken. The argument that is advanced is that the report is very voluminous and that the Government will have to consider all the recommendations and bring forward a comprehensive Bill. If one goes into the report, one will find that it is not such a voluminous report as is claimed by the Government. I personally saw the report, and the report has made very clear recommendations and the Government need not have two years' time to come to conclusions on those recommendations. So, on that ground also, I do not think two years' time is necessary. Six months' time or at best, as Shri Kamath has said, one year's time is the most that can be granted to the Government.

The next point is this; and I think that it is a much more important point. I think this matter be finalised before the next general elections take place. It is a matter that concerns qualification and disqualification of Members of Parliament. In the report, it has been stated very categorically that the determination of disqualification is to see that such a position is not created where Members of Parliament can receive patronage from Government or themselves distribute patronage. That means that any one is not entitled to become Member of Parliament, and so, this sort of disqualification question is raised. Now, if, before settling this vital issue general elections come in, and all sorts of persons are elected and become Members of Parliament, then, I cannot understand what purpose is served by this Committee which has laboured so much, has made so many important recommendations and about which the Law Minister spoke so highly. I do not understand why two years' time is taken. At least the whole thing must be finalised before the next general election takes

place. Otherwise, to my mind, the very purpose of setting up this Committee, the very purpose of determining qualification or disqualification of Members of Parliament is lost and the next general election would become just a farce. After that general election, while the Members will be sitting in this House, the whole question of qualification and disqualification will come up, and the whole thing will have to be arranged in a new way. Therefore, what I urge is this: I have tabled an amendment for six months' extension, but I do not insist upon that. I am agreeable to Shri Kamath's amendment in which he has suggested one year's extension. At least that amendment should be accepted. Everything must be finalised before the next general election takes place. This is my contention.

Shri L. Jogeswar Singh (Inner Manipur): This Bill, to my mind, has certain lacunæ. So far as the Members of Parliament are concerned, the provisions regarding the prevention of disqualification are all right. But so far as some Part C States are concerned, where there are no legislatures and where there are only advisory councils and whose members are non-officials, this Bill is not clear. Those non-official members get salaries, allowances, etc., and sometimes they become either members of committees or chairmen of committees that are set up by Government. Section 5 of the parent Act reads thus:

"5. *Application of Act to Part C States Legislatures.*—For the removal of doubts, it is hereby declared that this Act shall apply to members of the Legislative Assemblies of Part C States as they apply to Members of Parliament, subject, however, to the modification that in respect of a member of Legislative Assembly of a Part C State, daily allowance shall in no case exceed twenty rupees per day".

It does not cover those Part C States where there are no legislatures and where there are only advisory councils. My question is, so far as the members of the advisory councils, who are to all intents and purposes non-officials, are concerned, what will be their position if they want to stand in the general elections? What will be their position in any future election in the future set-up? What I want to get clarified from the hon. Minister is the position in respect of the three Part C States—Manipur, Tripura and Kutch, where there are Councils of Advisers. According to the recommendations of the S.R.C., Manipur will be a unit of India although Tripura and Kutch are disappearing. So, Manipur's case should be specifically considered in this matter.

An. Hon. Member: There will be no Part C State then.

Shri L. Jogeswar Singh: We cannot forecast it now. We are now discussing this Bill and there are Part C States now. Suppose there are Part C States which continue, we shall have to remove the lacuna so far as these three Part C States are concerned. In these Part C States, there are no legislatures. There are advisory councils. What will be the fate of the members of the advisory councils? They are non-officials. They are drawing salaries; conveyance allowances; daily allowances and travelling allowances; and they become sometimes members of any committee or chairmen of any committee set up by Government. In this Bill, that position has not been touched. No solution has been given with regard to the members of the advisory councils. Supposing a general election takes place, once they come in, they will at the same time be advisers. Will they be allowed to stand for Parliament or stand as a member for any local body or can they stand in a local assembly election? This has not been clarified in the Bill. My earnest appeal to the Law Minister is that this point should be well clarified and the position of the advisors, so far as this Bill is

concerned, should be clearly stated. I have nothing more to say. I want only this point to be clarified by the hon. Minister.

Shri Raghavachari: I only want to put a question in regard to the arguments advanced by the Government to have two years' time. The principal argument was about the collection of material as to what position the Members hold. For that, the Government need not consult all the Ministries. My submission is, they might quietly ask the particular Members concerned, and they will certainly give the position they hold and the conditions under which they hold the posts. If anybody makes a mistake and omits to give the correct position regarding his place,—in this committee or that committee—that Member runs the risk of being disqualified. There will be an end of it. No public interest is likely to suffer, with a view to collect such material, they want two years. Why not ask the Members direct? After all, there may be only 40 or 50 Members and you may get the information and prepare the new Bill. Therefore, the reason that Government urges seems to me to be not weighty one. They could easily collect the particulars.

Mr. Deputy-Speaker: The House was given to understand that a new Bill will set out the various qualifications and disqualifications. It is not a question of extension of time for particular Members. What kind of posts some Members hold, for what purpose, what are the grounds on which exemption from disqualification should be granted, etc., have to be considered.

Shri Raghavachari: Is the extension of time necessary so that they may get the information about the disqualifications of Members of Parliament?

Mr. Deputy-Speaker: Not the existing Members they will continue.

Shri Raghavachari: Certainly public interests do require that Members should discharge their duties cour-

[Shri Raghavachari]

ageously and honestly and render disinterested service without any obligations and hesitations. That requires that certain disqualifications should be provided.

Mr. Deputy-Speaker: That will be provided when the Disqualifications Bill sums up.

Pandit Thakur Das Bhargava (Gurgaon): I do not want to take much time of the House, but my humble submission is that two years is, I should say, a disproportionate period.

Mr. Deputy-Speaker: The hon. Member knows his report.

Pandit Thakur Das Bhargava: I know. We examined about 200 Committees and we discussed whether membership of each one of them would involve any patronage from the Government and so on. It is a very wide subject no doubt. We examined the committees of local Governments also. So, the matter is not so easy as my friend Mr. Raghavachari, has put it. At the same time, he was perfectly right in insisting that the matter should come before the House in six months. So far as the Constitution is concerned, it insists that the Prevention of Disqualifications Bill must be passed. It is absolutely necessary that the independence of Members should be preserved and therefore the Bill should come as on as possible. I do not see any difficulty in the Government bringing a Bill at least just after the Budget Session.

Mr. Deputy-Speaker: I am not asking the hon. Member to let out a secret; but he append a draft Bill also to the report?

Pandit Thakur Das Bhargava: As a matter of fact, the draft Bill was sent to us by the Government and we considered that Bill and made recommendations. There is a Bill pending in the House of Commons also; we considered that Bill. I say that the difficulty is not for the Government;

they can draft the Bill within two days. The difficulty is first of all to consult the State Governments also, because we have examined their committee. Therefore, they should take some time but the time should not be so much that the Government is not in a position to bring the Bill before 2 years. It is the duty of the House to see that the Bill is passed in time. I, therefore, submit that the Government may be pleased to bring the Bill within 5 or 6 months or at least when the Budget Session is over. If the Bill is framed, it is for the House to see that it is passed within six months. My friend, Mr. Kamath, has spoken in such a sarcastic way. I am not complaining against him, but at the same time, to say that two lines will be read every day and so on is not all right. The Government has already read the Report and they require time for consultation with the State Governments; for that time should be given. To put it as if it is a laughing matter is not right. I would request the hon. Minister to give some consideration to Mr. Kamath's amendment. I support the demand that the Government should bring the Bill as soon as possible, and get it passed at least within a year. To prove the bona fides of the Government itself, let them bring it as soon as possible. We have to fulfil our duty. Therefore, I submit that the limit may be one year. Precedence must be given to this Bill and it should be seen that the Parliament Members are fully independent and they should be free from the influence and patronage of the Government. Therefore, I submit to the hon. Minister that he may be pleased to accept the amendment. The Government may discharge their part of the duty and bring the Bill before the House as soon as possible.

Shri K. K. Basu (Diamond Harbour): Has the report submitted recently by the Committee been circulated to the State bodies? We want a valid reason from the Government for the extension of time.

Shri Kamath: Why not circulate that report to us, Members of Parliament?

Mr. Deputy-Speaker: The hon. Minister will now reply.

Shri Pataskar: I do not want to react vehemently to the vehement attack made upon Government for the simple reason that sarcasm and rude language of the Members of the Opposition are to be avoided by Members of Government. Naturally, when they are in that position, they must take that fact into consideration.

I would ask hon. Members, what is the history of this question? What is this Bill intended for and why is the matter being delayed? I find hon. Members opposite conversing; if they are not prepared to listen I will not reply. They are not in a mood to listen.

Mr. Deputy-Speaker: The hon. Minister speaks not only to hon. Members here, but speaks to the rest of the country at large.

Shri Pataskar: In this respect I am speaking more to the Members of this House. I agree with people being very vehement in their criticism, but at least I expect them to hear me.

Shri Kamath: We are all attention.

Pandit Thakur Das Bhargava: We are hearing respectfully.

Shri Pataskar: The point is that the Bill regarding this matter was brought before the House in 1953 and the Government fixed the period for the temporary provision up to 30th April, 1954. Parliament was interested not only in this one matter, but in so many other matters also. So, the period was rather short and it was extended by six months only. It was extended up to 1st December, 1954. At that time, the matter again came up and as Thakur Dasji has already pointed out, so much information had to be collected and all that. Also, the law itself is not really as easy as Members think it to be. Even in the House of Commons where people are

experienced in the field of democracy, they have taken so much time.....

Mr. Deputy-Speaker: Hon. Members here are very very alert.

Shri Pataskar: In that way, we are far advanced.

Mr. Deputy-Speaker: Our Members are next to none.

The Minister of Commerce (Shri Karmarkar): Is the next Bill likely to be taken up?

Mr. Deputy-Speaker: Yes. There was an extension of one year. Government were ready with a Bill, as I had already pointed out. I need not repeat all that. What happened was, a Committee was very rightly appointed in which Members of both the Houses were represented. They took nearly one year. Of course, Ministers may be dilatory. So far as Members are concerned, nobody can level such a charge against them.

3 P.M.

Pandit Thakur Das Bhargava: How many days were devoted to that work by this Committee?

Shri Pataskar: I do not know. That shows the difficult nature of the task. I really appreciate the work that they have done. That was the nature of the work. They had to go on with the work for one year; they spent so much time, collected so many papers, evidence, and even got copies of the Acts from many other countries to find out the provisions by way of analogy. I do not blame them. They took time. It is not merely a matter of a few pages here. This report was received only recently. We require some time in order to study and bring forward a Bill.

The other question that was raised was that the Government should bring forward with the Bill as early as possible. Of course, why should the Government try to delay a matter like this? But, the question is this. We are now at the end of 1955. Supposing we take 3 or 5 months. It is

[Shri Pataskar]

natural to expect that the Government will take some time to come to a decision. The Committee took so much time. You must give the Government at least 6 months.

Shri K. K. Basu: The Committee had to collect information. You do not have to collect.

Shri Pataskar: When the report has come, the Government has got to apply its mind.

Shri Kamath: So many Advisers you have got.

Shri Pataskar: We will use all of them. At least 6 months will be required.

Shri Kamath: Granted.

Shri Pataskar: The hon. Member is in a hurry; that is the trouble.

Mr. Deputy-Speaker: The hon. Member is not, unfortunately, in position to assist from inside.

Shri Kamath: I would rather create, not assist.

Shri Pataskar: Supposing the Bill is introduced before the period of this House expires, I am not sure whether that Bill will be passed during that period. It is for that purpose that we have put in a period of 2 years. It does not mean that there is a desire to shelve the report or not to do anything. What will happen is this. Suppose I introduce the Bill, there will be a Select Committee, there will be other matters arising. Then, will have to come before this House with another Bill to extend the time. That is why we have tried to put in a period of 2 years. Apart from all other considerations, at least on a matter like this,—this is not a controversial matter, this is a matter in which every section of the House is interested—we will, with your co-operation try to do as much as we can. From that point of view, I appreciate the anxiety of Pandit Thakur Das Bhargava that we should introduce a Bill as early as we can. Certainly.

But, that does not mean that the period should be shortened here. If we do that, the result will be this. If the Bill is not passed into law, I will have again to ask for further extension. Therefore, this period of 2 years has been put there.

Shri Bane (Bhusaval): Has the Committee suggested any draft measure or Bill?

Shri Pataskar: It has not. We framed a Bill. The Committee took that into account. They have made proposals. The whole matter will be examined, information collected and another Bill will be brought forward. All the processes will have to be gone through. I find my hon. friend Shri Kamath is impatient. Then, we will introduce the Bill before the period of this House expires. I cannot say whether it will be passed. That is why this period of 2 years has been put in.

Mr. Deputy-Speaker: If the hon. Minister looks at the Chair, and not at Shri Kamath, much of the difficulty will not be there.

Shri Kamath: Could the hon. Minister give any idea as to when the report will be made available to the Members of Parliament?

Mr. Deputy-Speaker: That is assuming that the report will be made available. No idea, at present.

Shri Pataskar: May I say, Sir, that report will have to be circulated by the Lok Sabha Secretariat? It will have to be read by the Speaker. It has nothing to do with the Government.

Shri Kamath: It is not yet ready?

Mr. Deputy-Speaker: The Committee was appointed by Lok Sabha.

Shri Pataskar: Yes. We have nothing to do with that.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Prevention of Disqualification

(Parliament and Part C States
Legislatures) Act, 1953, be taken
into consideration."

The motion was adopted.

Mr. Deputy-Speaker: We have
already exceeded the time. Another
hon. Minister is getting impatient.

Shri Karmarkar: I am quite patient
Sir.

Mr. Deputy-Speaker: Yes; quite
patient.

Clause 2.—(Amendment of section 4)

Shri Kamath: I beg to move:

Page 1, line 8—

for "December 1957" substitute
"October, 1956".

Shri Tushar Chatterjea: I beg to
move:

Page 1, lines 7 and 8—

for "31st day of December, 1957"
substitute "30th day of June, 1953."

Shri N. B. Chowdhury: I beg to
move:

Page 1, lines 7 and 8—

for "31st day of December, 1957"
substitute.

"31st day of December, 1956"

Mr. Deputy-Speaker: The question
is:

Page 1, line 8—

for "December 1957" substitute
"October, 1956".

The motion was negatived.

Mr. Deputy-Speaker: The question
is:

Page 1, lines 7 and 8—

for "31st day of December, 1957"
substitute "30th day of June, 1956".

The motion was negatived.

Mr. Deputy-Speaker: I think Shri N.
B. Chowdhury's amendment is barred
by Shri Kamath's amendment.
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Shri Kamath: Mine is October, 1956.

Shri N. B. Chowdhury (Ghatal):
The date is different.

Mr. Deputy-Speaker: The question
is:

Page 1, lines 7 and 8—

for "31st day of December,
1957" substitute "31st day of
December, 1956".

The motion was negatived.

Mr. Deputy-Speaker: There are no
amendments to clause 1.

The question is:

"That clauses 1 and 2, the En-
acting Formula and the Title
stand part of the Bill."

The motion was adopted.

**Clauses 1 and 2, the Enacting Formula
and the Title were added to the BILL.**

Shri Patasakar: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question
is:

"That the Bill be passed."

The motion was adopted.

INDIAN TARIFF (SECOND AMEND-
MENT) BILL
AND

INDIAN TARIFF (THIRD
AMENDMENT) BILL

**The Minister of Commerce (Shri
Karmarkar):** As the House is aware,
we have to separate Tariff Amend-
ment Bills to consider—namely, the
Indian Tariff (Second Amendment)
Bill, 1955 and the Indian Tariff (Third
Amendment) Bill, 1955. As the object
of both the Bills is the same, namely,
to amend the Indian Tariff Act, 1934,
in order to give effect to Govern-
ment's decisions on certain recom-
mendations of the Tariff Commission,