

Shri H. N. Mukerjee: If I may submit.....

Mr. Speaker: Let me finish. Then he may submit and I shall hear him. As the adjournment motion referred to two important matters, one, the election campaigning carried on presumably on party basis which might have repercussion in the whole of India, and the other, the presence of the Home Minister, I thought I should have a clarification of the facts here from the Home Minister himself. A further complication which I also now gather from him—apart from the fact that it is entirely a State subject, a law and order position which cannot and should not be discussed here—is that some proceedings are taking place. That is also a further complication and I do not propose to have those proceedings prejudiced one way or the other by any kind of discussion in this House. But these are separate things. I do not give my consent to this motion as I do not think it falls, *prima facie*, within the scope of the jurisdiction of this House to discuss a matter of this type. And it appears further to me that those who are moving the adjournment motion are not specific by any further personal or other reliable information on the point. They are not in a position to contradict what the Home Minister has stated.

Shri N. Sreekantan Nair: We are in a position to contradict.

Shri H. N. Mukerjee: We are very specific in regard to the relevance of this matter to the election campaign which, as you yourself said, may have an all-India repercussion. And it is in regard to that, Sir, I submit that it is just after the completion of the panchayat elections and on the eve of general elections when the different opposition parties were coming to an agreement for fighting the ruling party—it is exactly at that point—that certain incidents happened. We have got a different version about those incidents. That being so.....

Mr. Speaker: Let us not go into that. I do not think I can give my consent.

BUSINESS OF THE HOUSE

Mr. Speaker: We will now proceed with the legislative business.

Dr. Lanka Sundaram (Visakhapatnam): Sir, before you call the hon. Minister to move his motion that the Dhoties (Additional Excise Duty) Bill be taken into consideration, may I make a submission for your ruling? This Bill was introduced, as you know, the day before yesterday afternoon. It was circulated along with the revised agenda yesterday morning. Yesterday being Sunday, there was practically no chance for any hon. Member to submit any amendment if he wanted to on this Bill. I am seeking your guidance, Sir, whether you, as the custodian of the procedure of this House, cannot give any direction or lay down any procedure under which the Government would always place the Bills at least 24 hours before, for sending in amendments.

The second point is, everyday the order of Bills is being changed and it causes a lot of difficulty to the Members, for they are unable to get ready with the business.

Mr. Speaker: I could not hear the second point.

Dr. Lanka Sundaram: The second point is, Sir, that while Bills are under discussion, the following day fresh Bills are being brought in owing to the revision of the agenda. There is a certain amount of confusion and hon. Members do not know which is going to come first and which next.

Shri S. S. More (Sholapur): Sir, I would support the point of order raised by Dr. Lanka Sundaram. I would rather refer to Rule 74 of the Rules of Procedure, as amended by you, and particularly to proviso (2) of this rule. It says when a Bill is moved certain motions may be made, and proviso (2) says:

“Provided further that no such motion shall be made until after copies of the Bill have been made available for the use of Members

and that any Member may object to any such motion being made unless copies of the Bill have been so made available for two days..."

So, I second what Dr. Lanka Sundaram said. The Bill was moved on the 21st; 22nd happened to be a holiday and the Bill was circulated to us yesterday morning. Thus two clear days have not intervened between the introduction of the Bill and the motion for consideration.

Sir, you will remember when the other Bill was taken up day before yesterday I took objection that certain documents mentioned in the Statement of Objects and Reasons were not circulated to us. In spite of that fact, the Bill was proceeded with. When the House is already in possession of that Bill, in the consideration stage, how can Government switch this House to some other Bills without giving prior notice or proper motion before the House itself? I submit for your consideration that while the House is considering a particular measure, if its consideration is to be postponed to some other date, it is the business of the Government to make a motion to that effect and not the business of the Government agency or the Secretary to alter it. On this point, Sir, I would submit that we are suffering from a sort of legislative indigestion. We do not know what is going to happen to-morrow and the result will be, Sir, that we shall not be in a position to apply our minds and the Bills will be going out with too many lacunae. As a matter of fact, the whole prestige of the House will be at stake.

Mr. Speaker: As regards the first objection, I think it has force. I do not know why the Government wanted to have precedence for the Dhooties (Additional Excise Duty) Bill just today. I do not know why this Bill was put in.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): The other day the Finance Minister said that we can have that Bill later on.....

Mr. Speaker: Which Bill?

Shri Satya Narayan Sinha: The Banking Companies Bill.

Mr. Speaker: But there the objection of Mr. More entirely goes. Because he himself urged and the Finance Minister was good enough to say that he would lay some copies or extracts—whatever it may be—on the Table of the House to help Members and with a view to enable the Department or the Ministry to have those copies or extracts ready, it became necessary to postpone that Bill. Otherwise, in the course of things that could have been taken.

Dr. Lanka Sundaram: May I make a further submission, Sir? It has also happened in the case of the Ancient Monuments Bill. So, it is not a question of documents being made available.

An Hon. Member rose—

Mr. Speaker: Let us proceed according to procedure, particularly when the rules are pressed so much. One Member at a time.

Shri S. S. More: Since you have been pleased to refer to my point of order, Sir, I will say this. After you left the other day, and the hon. Minister was completely heard, I again agitated that point of view and the Deputy Speaker who happened to be in the Chair practically agreed with me. Not only that, the Finance Minister also was good enough.....

Mr. Speaker: I am not concerned with a repetition of that. Let him resume his seat. My only point was that he himself complained today that that Bill should have come in.

Shri S. S. More: But they promised, Sir, to circulate the documents by Monday.

Mr. Speaker: Did they?

Shri S. S. More: Yes, Sir.

The Minister of Finance (Shri C. D. Deshmukh): There was a weekend in between and they were very long

[Shri C. D. Deshmukh]

memoranda. We said we will do our best and see whether we would be able to supply 500 copies; they have to be cyclostyled and so on. That is what I said.

Mr. Speaker: My only point was that it could not lie in the hon. Member's mouth to say that that Bill should have been taken up today, as he himself wanted the papers, which was agreed to. It would naturally take some time and therefore that Bill, though part-heard, had to be kept away till copies were available.

Shri S. S. More: If that was the reason the Government could as well have submitted that as the reason.

Mr. Speaker: The reason is plain enough.

About this Bill, I do not know how this Dhoties Bill comes in. It was clear that the Ordinances were to be taken up first. But that does not mean that the Government can put in these Bills in any order they like. The Ordinances should be taken up first and the Dhoties Bill does replace an Ordinance, it is true. They can take the Industrial Disputes (Amendment) Bill if they like; that is also an Ordinance one. Why take this Bill?

The Minister of Labour (Shri V. V. Giri): I will move, Sir.

Mr. Speaker: So, we will dispose of the Industrial Disputes (Amendment) Bill now.

Dr. Lanka Sundaram: My point is that you should ensure hereafter that the rules are enforced so that we get sufficient time.

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): May I make a submission, Sir? Can I have any direction from the Chair as to when this Bill will be taken up since it is in the Order Paper?

Mr. Speaker: After the Industrial Disputes (Amendment) Bill is finished.

Mr. T. T. Krishnamachari: If it is finished today, Sir?

Mr. Speaker: One cannot anticipate things. It may be passed in two minutes or it may take two days. It all depends on how the discussion proceeds.

Shri Tulsidas (Mehsana West): May I point out, Sir, that the Business Advisory Committee had discussed this question and it had decided about priorities. Would it not be proper that this change is finalised after the Business Advisory Committee has decided?

Mr. Speaker: If this is to be done, it will mean that the House will have to disperse without doing any business today.

Shri S. S. More: There is the Ancient Monuments Bill.

Mr. Speaker: What I understood the other day was that it was decided in the Business Advisory Committee that Ordinances were definitely to be given priority. And, I do not think there is any objection now for the Industrial Disputes (Amendment) Bill being taken up. Let us first finish the Ordinances and then we shall come to the regular legislative business.

INDUSTRIAL DISPUTES (AMENDMENT) BILL.

The Minister of Labour (Shri V. V. Giri): I beg to move:

"That the Bill further to amend the Industrial Disputes Act, 1947, be taken into consideration."

With your permission I would like to make a brief statement on the provisions of this short Bill. Briefly, it provides for payment of compensation to workmen who may be laid off or retrenched by the employer. It is true that these provisions had to be given temporary legislative sanction through an Ordinance because of the serious crisis which suddenly and un-