

(Registration and Licensing) Bill, by Shri Radha Raman. This has been placed in category 'B', and 2½ hours have been allotted for this. Shri Radha Raman was also present, and he agreed to this.

The second Bill is the Code of Civil Procedure (Amendment) Bill, by Shri M. L. Dwivedi. That Bill has been placed in category 'A', and 3 hours have been allotted for it.

Mr. Speaker: The question is:

"That this House agrees with the Fifty-ninth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 22nd August, 1956."

The motion was adopted.

CENTRAL GOVERNMENT SERVANTS (OPTION FOR JOINING CONTRIBUTORY HEALTH SERVICE SCHEME) BILL*

Shri Jhulan Sinha (Saran North): I beg to move for leave to introduce a Bill to provide option for the Central Government servants joining the Contributory Health Service Scheme of the Government of India.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill to provide option for the Central Government servants joining the Contributory Health Service Scheme of the Government of India."

The motion was adopted.

Shri Jhulan Sinha: I introduce the Bill.

WOMEN'S AND CHILDREN'S INSTITUTIONS LICENSING BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Shrimati Kamlendu Mati Shah on the 10th August 1956:

"That the Bill to regulate and

license institutions caring for women and children, be taken into consideration."

The time allotted for this Bill was half an hour. The time taken already is two minutes. So, there is a balance of 28 minutes left.

श्रीमती कमलेश्वरमति शाह (जिला गढ़वाल पश्चिम व जिला टिहरी गढ़वाल व जिला बिजनोर उत्तर) : अभी तक इस पर दिसकशन (चर्चा) नहीं हुआ है। लेकिन मैं तीन मिनट ही लूंगी क्योंकि मैं श्रीर बहनों को भी मौका देना चाहती हूँ।

Shri Raghunir Sahai (Etah Distt.—North-East cum Budaun Distt.—East): On a point of order. The subject matter of this Bill was discussed, first, in March 1953 when Shri M. L. Dwivedi introduced a Bill of this very nature. After a full dress debate, that Bill was withdrawn when the Law Minister gave an assurance that the Government themselves would introduce a Bill of this very nature. Again in September 1954, a similar Bill was introduced by Shrimati Maniben Patel. It was discussed here and withdrawn on the assurance of the Law Minister again. He told us that a Children's Bill had been introduced in the Rajya Sabha and it would be brought forward in the Lok Sabha itself.

Now, again, a similar Bill has been introduced by Shrimati Kamlendu Mati Shah.

Will it be fair for this House to discuss the same subject over and over again and will it not be fair on the part of Government to proceed with the Children's Bill with such modifications as are demanded by the Members of this House? I want a ruling on this point from you.

श्रीमती कमलेश्वरमति शाह : श्रीमान। मैं कुछ अर्ज करना चाहती हूँ। यह बिल श्रीरतों श्रीर बच्चों को भलाई के लिए लाया गया है। अगर इस पर विचार होने दिया जाय तो क्या हर्ज

[श्रीमती कमलेन्दुमति शाह]

हो जायेगा। क्या माननीय सदस्य चाहते हैं कि इस पर विचार करना रोक दिया जाय और जो करप्शन भ्रष्टाचार चल रहा है उस को और बढ़ने दिया जाय। इस पर विचार होने में हर्ज क्या है इस में कानून के क्या खिलाफ है माननीय सदस्य एक अच्छी चीज को रोकने को क्यों कोशिश कर रहे हैं।

Mr. Speaker: I can only say that so far as the rules are concerned, as they stand at present, if the House has addressed itself to any particular measure and then come to a decision in a particular session, nothing can be done contrary to that decision during the same session. But there is no provision for a similar position with regard to this matter, where session after session something comes up and then it is withdrawn. This is the third or fourth time that the House has taken up this subject. But I am afraid we are helpless.

So far as this matter is concerned, if a decision has been taken on this very matter, say, a Bill has been passed, no other Bill could be presented whether in that session or in some other session. If recently a Bill was passed, there is no meaning in bringing the same Bill in the next session and saying, 'Come along, we want to address ourselves to it'. Of course, there can be an amendment or repeal, but it is not the same thing as the other procedure. In all the other cases referred to, the Bill was withdrawn. Therefore, the House did not express its opinion one way or the other. There is nothing technically or legally preventing the House from proceeding with this Bill. I would like to hear the hon. Minister in this matter.

Shri Radha Raman (Delhi City): You just now said that the Bill was passed. I do not think that the Bill, which you are referring to, was passed. It is pending. Once it was withdrawn. The other Bill, Children's Bill, is pending and we want that either that Bill should be taken

up or at least this Bill should be allowed to be discussed. I say this because this is a very important measure and we want that such a measure should be put on the Statute-book as early as possible.

Mr. Speaker: I never said that anything was passed.

Shri Jaipal Singh (Ranchi West-Reserved-Sch. Tribes): On the previous occasions, it was either merely the Children's Bill or merely a Bill relating to women. This is a combination of both. So it really is not the same thing that is being brought again and again before the House. It is something totally different.

Pandit Thakur Das Bhargava (Gurgaon): May I know if an assurance was given by Government that they would bring forward a Bill of this nature? I was present at the time when Shrimati Maniben Patel moved for consideration of her Bill. At that time, some kind of an assurance was given.....

श्रीमती शिवराजवती नेहरू (जिला लखनऊ मध्य) : पहले वाले बिल से इस में बहुत फर्क है।

Pandit Thakur Das Bhargava: That is a different thing. If an assurance was given that Government would bring forward a Bill, I want to know why they have not brought that Bill.

Sardar Hukam Singh: That Bill has been brought, so far as I can recall. That contains some provisions relating to this. That Bill has been passed by the Rajya Sabha and that is to come before us. It does not relate to all the subjects that are discussed here. But some provisions have been incorporated so far as the Children's Bill is concerned.

Mr. Speaker: What does the hon. Minister in charge say?

The Minister of Law and Minority Affairs (Shri Biswas): It is a fact that two Bills had been sponsored by Government. One is the Suppression of

Immoral Traffic in Women and Girls Bill, 1954. That was introduced here sometime in December 1954.

Mr. Speaker: What has happened to that?

Shri Biswas: It is still pending.

An Hon. Member: Lapsing.

Shri Biswas: The other is the Children's Bill, 1954. This was passed by the Rajya Sabha on the 28th April 1954 and is still pending before this House. That is the position.

Now, so far as the Suppression of Immoral Traffic in Women and Girls Bill is concerned, that covers in part the subject-matter of the present Bill.

Shri Jaipal Singh: No, no.

Shri Radha Raman: Not entirely.

Mr. Speaker: Let the hon. Minister develop his argument.

Shri Biswas: I say that so far as women are concerned, that is covered. Now Shrimati Kamalendu Mati Shah's Bill also deals with the case of children. That is not completely covered. That is the position.

Mr. Speaker: Therefore, what is the suggestion of the hon. Minister as to what we should do now?

Shri Biswas: A point of order has been raised and it is for you to decide, as to whether you will allow any discussion or not. But what I propose to do is to appeal to the Mover of this Bill to withdraw it on the assurance that steps will now be taken to carry forward the pending Bills. This ought to have been done before. I do not know what kept them back and what were the circumstances, except that States' opinions were asked for, and though many of the States' opinions had been received, there are some States from which opinions have not yet come.

After all, it will be mainly for the States to administer the law. Whether this Bill is passed or whether the Government-sponsored Bills are passed, it will be for the

States to administer the Law. Therefore, much will depend upon them. We have, as I said, got the opinions of most of the States. Mostly they support such legislation, and many of them have also undertaken to enact such legislation in their own States. After all, uniformity is desirable and, therefore, Central legislation would be better than separate legislation in separate States.

Now, so far as the Suppression of Immoral Traffic in Women and Girls Bill is concerned, the subject matter is within the union list. But it was not originally so, and the Centre could not therefore legislate about it. Because an international convention was since signed in 1950 and ratified it has now become possible for the Central Government to undertake legislation on the subject. The matter stands there and there is no reason why the Central Government should not now be able to go forward with that Bill and place it on the Statute-book.

As far as the case of children is concerned, as I said, Shrimati Kamalendu Mati Shah's Bill goes beyond the scope of the Children's Bill before the House which was introduced by Government. It does not cover the same ground precisely, but still, as a matter of fact, when the Children's Bill is taken up, it will render this Bill practically useless and unnecessary. That is the position. It is now for the hon. Mover to decide what she should do.

Mr. Speaker: When are those two Bills likely to come before the House?

Shri Biswas: It all depends. As a matter of fact, so far as the Law Ministry is concerned, they are ready with the Bills. I have got copies of these Bills in my hands and it will be for the House to decide when they will find time to take them up. The Ministry is entirely in the hands of the House so far as the time when they can be taken up is concerned.

Shri Radha Raman: The agenda of the House so far received is already full and we are doubtful whether these two Bills will be taken up by this House during this Session. Since the Bill which is being moved by Rajamataji does not cover only what is contained in the Children's Bill or in the other Bill and as it has got a wider scope than either of them, I think you will allow the discussion to go on.

Mr. Speaker: I have no objection; but we have allowed only half an hour for this Bill. There are a number of clauses in this and now it is only a motion for taking the Bill into consideration. I do not think it is possible to finish even the consideration stage within this time, that is the motion for consideration.

श्रीमती कमलेन्दु मति शाह : भ्रसल में बात यह है कि जो पेंडिंग बिल्स (विलम्बित विधेयक) हैं वे तो सम्भवतः एलेक्शन चुनाव के बाद प्रायेंगे। इसलिये उनका टाईम (समय) भी इसको दे दिया जाय और इसको भ्राने दिया जाय ताकि यह पास हो जाय इसके अतिरिक्त इस में और उस में समानता भी नहीं है।

सरदार हुकम सिंह : अर्ज तो यह थी कि चूँकि तीन दफा इस पर बहस हो चुकी है और पांच घंटे से ज्यादा टाईम इस पर सफं हो चुका है और २०, २५ मेम्बर्स भी बोल चुके हैं इसलिये कमेटी ने यह समझा कि इस पर डिटेल्स डिस्कशन (विस्तार-पूर्वक बर्चा) को अब कोई जरूरत नहीं है क्योंकि वह आलरेडी (पहले ही) हो चुका है और इस के लिये उन्होंने कहा था कि यह जो बिल पेंडिंग है इसको पास करने की जरूरत नहीं है और सिर्फ आध घंटे का समय दिया था।

Mr. Speaker: For the clauses also?

Sardar Hukam Singh: Yes, for everything because it was not considered probable that it will be passed because the Government may not accept.

Mr. Speaker: Then, why not adjourn this matter for consideration

some time next week? In the meanwhile Government may make up its mind and then we may get this through. The Private Members' Bills and Resolutions Committee will also consider the time that will have to be allotted to this in case this is to go through in the House. In half an hour it is impossible to get it through, whatever might have been said in the earlier stages in respect of the other Bills; and we have to convince this House once again on the necessity for this Bill. Then we have to go through it clause by clause. Therefore, my suggestion is, let this stand over to the next day.

What is the attitude of Government? I was not able to glean it from what the hon. Minister said.

Shri Biswas: We are in the hands of the House. It almost looks as if, having regard to the pressure of other business, Government may have to adopt Private Members' Bills as their own to get a chance of getting them passed. We are fast approaching that stage.

श्रीमती कमलेन्दुमती शाह : मुझे तो ऐसा लगता है कि इस ङंग से प्राइवेट मेम्बर्स के बिल पास ही नहीं होंगे।

Shrimati Jayashri (Bombay—Suburban): The Minister had suggested that certain changes should be made in the Children's Bill and the Suppression of Immoral Traffic in Women Bill and certain clauses should be added so that it will serve the purpose for which these two Bills are introduced. I remember the Minister had suggested that some such clause as we have in the Bombay Children's Act which says that the State Government may cause any voluntary Home to be visited and inspected from time to time at all reasonable hours by the Chief Inspector of Certified Schools or any member of the existing staff for the purpose of securing the health and welfare of the children and sanitation, some such clause should be added. That was decided on the last occasion. It was also decided on the last occasion that a similar clause should also be added to the Bill for the Suppression

of Immoral Traffic in Women and Children which was introduced in this House.

Th. Lakshman Singh Charak (Jammu and Kashmir): Any other modification necessary should also be made besides this.

Mr. Speaker: If the House is interested in this Bill, as it appears to be, and if time is to be allotted, I think, the whole of one non-official day, that is 2½ hours, will have to be allotted for this. If the House is agreeable, I shall treat that day as a non-official *cum* official day and allow those two official Bills also to be moved on the same day.

An Hon. Member: Which day?

Mr. Speaker: On the same day, say next Friday, if all are agreed.

Then, there is one other course. Immediately one hon. Member may move a motion for reference of this Bill to a Select Committee. Of course, with the consent of the House, I will waive notice. This Bill may be referred to a Select Committee. Hon. Members, both official and non-official, can sit together and whatever has to be added may be added. As an exceptional case, I will allow that day to be used as an official day also, if the Government is not able to find time to have their Bills passed through. There are two Bills on the same subject-matter, one by the Government and the other by the non-official section of the House. This is a peculiar situation and, therefore, I will allow the whole of 2½ hours to be utilised for all these Bills. In the meanwhile, when this Bill is referred to the Select Committee, let Government come with their Bills. Let us see what we can do.

Shri Jaipal Singh: There is only one point with regard to which I am very sorry to say the hon. Minister is misleading us, in saying that the Government Bill covers all this. It does, by no means cover all these things. This Bill has a much wider scope. I fully agree with you and we would have no objection whatsoever to have the whole time on a non-

official day to be taken up for these Bills and the Government may bring the two official Bills for consideration along with this.

Shri Biswas: May I make one suggestion with your permission? I, on my part, am quite willing to sit together with hon. Members who have given notice of these Bills dealing with this or any analogous subject and discuss the official Bills along with the Private Members' Bills and then to come to some agreement. Possibly that will help expedite the passing of this measure, which all of us want to see on the statute-book as early as possible.

Pandit Thakur Das Bhargava. The suggestion that has fallen from you is very welcome to us because we know when the Law Minister is there and this Bill is referred to the Select Committee he will mould the Bill in such a way as is acceptable to Government. So, let this go to the Select Committee and let him be a Member of the Select Committee and let him mould the Bill according to the wishes of the Government.

Mr. Speaker: This Bill may go to the Select Committee today. So far as the official Bills are concerned, a motion can be made tomorrow that they may also be sent to the same Select Committee. All these 3 Bills may be considered by the same Select Committee together and ultimately it can be decided which Bill should be taken up here. Then we shall get that Bill through.

Shri Biswas: You can fix a time by which this should be completed.

Shri Dabhi (Kaira North): The priority of the Bills has been decided for two days. Now, if you allow one non-official day to these particular Bills, 2½ hours, then others cannot come up. Whatever time you may allow for these Bills the priority should not be disturbed.

Mr. Speaker: Priority is not of vital importance; it is relative.

Shrimati Kamalendu Mati Shah: If this Bill was not acceptable to Government, why was it allowed in this House?

Mr. Speaker: There is no meaning in that. Any hon. Member may now move a motion for reference to a Select Committee without any further speech. Let this go to the Select Committee and tomorrow the hon. Minister may move both the official Bills to the same Select Committee. The same Select Committee may look into the entire matter and send them back to us. If there is not sufficient time on official days due to pressure of official work, we may take it up on a non-official day. I leave it to the hon. Minister. As he says, he is agreeable to the principle because Government themselves have sponsored those Bills.

Pandit Thakur Das Bhargava: I would like to move it for reference to Select Committee.

Shrimati Kamalendu Mati Shah: I agree with your suggestion, Sir.

Pandit Thakur Das Bhargava: In three minutes I will give you the names of the Members of the Select Committee.

Shrimati Jayashri: There are three Bills—the Children's Bill, Suppression of Immoral Traffic Bill and....

Mr. Speaker: They are not before the House now. I find there is need-less discussion on this Bill.

Shrimati Kamalendu Mati Shah: I will give the names of the Members who will be on the Select Committee, a little later.

Mr. Speaker: The hon. Member may kindly pass on the names. We may now take up the next item. The motion for reference to Select Committee may be made a little later.

CONSTITUTION (AMENDMENT OF THE SIXTH SCHEDULE) BILL

Shrimati Khongmen (Autonomous Distt.—Reserved Sch. Tribes): I beg to move:

"That the Bill to amend the Sixth Schedule of the Constitution of India be taken into consideration."

The House is aware that the Sixth Schedule of the Constitution of India

is intended for the administration of the six autonomous districts of Assam. The provision is there to safeguard the interests, land, language, culture and customs of the tribal people. This is a commendable act on the part of the Constitution-makers and of Indian statesmanship. It is the intention not only of the people, enjoined in this provision, but the people of India as a whole to see that the scheme of the district autonomy provided under the Sixth Schedule really becomes a success. As the House is aware, in five of the districts this scheme has been under operation for the last four years. It is unfortunate that the sixth district, namely, the Naga Hills District, so far has not taken to it kindly.

I would like to tell the House that as a result of the working of this scheme, many good things have been attempted and have been done in these five districts. The people of this area are gaining experience in this new democratic self-rule. With more experienced, of these District Councils, I have no doubt, will do still better. However, on the basis of the experience gained by those who are responsible for the working of these District Councils, they feel that in order to achieve the object for which special provision was made, the Sixth Schedule needs improvement by way of amendments as proposed in my Bill. I do not claim to be a constitutional expert or that all that I have suggested would be acceptable to this House straightaway. I am open to be convinced of any improvement that may be suggested for fulfilment of the broad objective I have mentioned before.

With these few words I now propose to give a broad outline of the provisions of the Bill.

First of all, I have suggested that for any modification or alteration of the District Council's boundaries, the consent of the District Council should be taken. Secondly, the provision of the North Cachar Hills and Mikir Hills Council should be modified to make room for an elected Chairman,