

sion of Immoral Traffic or in the Children's Bill. I think that everything possible will be done except, as I said, that which could not be done. I hope that with this assurance and statement the hon. Mover will withdraw this Bill.

श्रीमती उमा नेहरू (जिला सीतापुर व जिला खेरी पश्चिम): इस बिल पर विचार उस समय तक के लिये एडजर्न कर दिया जाय जब तक कि गवर्नमेंट इस विषय पर अपना बिल न लाये।

Shri Tek Chand: After having had an assurance from the hon. Minister, it is no doubt true that we might await for a comprehensive measure. But, from what he has stated on the floor of the House just now, it is doubtful whether the measures that he promised will be brought before us, are likely to be really comprehensive. In the case of boys there are some difficulties.

Of all the private Bills that I have had occasion to study very closely, I find this Bill to be very well worded and it is very comprehensive in its scope. So far as its draftsmanship is concerned, I must say that it is of a very high order. That being so, there is no reason why the Government should not avail itself of this Bill. This Bill can very well be the basic Bill upon which such amendments as some hon. Members would like to move may be drafted. It will be very regrettable if, for some reason or the other, this Bill is shelved. It may take a very long time before the comprehensive Bill is really made available.

Mr. Chairman: Am I to understand that the hon. Member wants an adjournment of the debate?

श्रीमती उमा नेहरू : इस बिल पर विचार करना एडजर्न कर दिया जाय जब तक कि सरकार अपना बिल न लाये।

Mr. Chairman: The question is: "That the debate on the Bill be adjourned".

The motion was adopted.

INDIAN PENAL CODE (AMENDMENT) BILL

(Insertion of new section 294 B)

Shri Nageshwar Prasad Sinha (Hazariabagh East): I beg to move:

"That the Bill further to amend the Indian Penal Code, 1860, be circulated for the purpose of eliciting opinion thereon by the end of March, 1955."

Before I enter into the merits of my case, I would like to take a few minutes of the House to present the background on which this particular Bill was placed and also, the stages through which it has undergone from the day I introduced it in this House. In this connection, I would also like to tell this House that I was clear in my mind that a legislation of this sort was overdue and I was further confirmed, in the course of my presence here in this House from session to session, that the more such a legislation is kept pending, the more it is harmful for the society as a whole.

The career it has undergone from the date I introduced this Bill in this House is like this. I introduced this Bill here on the 14th August 1953. It had then to go through the ordeal of a ballot and fortunately it came up today. It will be interesting for this House to know, in this connection, something that happened in the meantime. On 4-12-1953, Shri K. Rama Rao, a Member of the Council of States, introduced this Bill in the Upper House. I do not say a "similar" Bill, I say this very particular "Bill" as it is, because I found that Mr. Rama Rao, who is said to be one of the reputed journalists, copied this Bill, word for word, line for line, coma for coma, and—excuse me for saying so—error for error and mistake for mistake. Unfortunately, I committed an error while drafting the Statement of Objects and Reasons and my friend of the Upper House copied that error also. Now, another thing which is most surprising in this connection is that he moved the Bill for

[Shri Nageshwar Prasad Sinha]

consideration in that House on the 5th March, 1953 and being a journalist of repute, not integrity I should say, he said that "my Bill is self-explanatory." Further, he said: "Section 294A of the I.P.C. deals with control of lotteries; mine is an addition to that section in order to bring it up-to-date. He was trying to bring the Indian Penal Code up to date by means of a Bill, which was a copy of mine.

Shri Raghuraj Sahai (Etah Dist.—North East cum Budaun Dist.—East) Imitation is the best form of flattery!

Shri Nageshwar Prasad Sinha: That is plagiarism; that is theft.

Further, when Dr. Katju asked him whether he had obtained legal opinion before framing his Bill, he shook his head: I do not know whether he meant Yes, or No. Any way I place these facts before the House, so that I may not be accused in future of having imitated, or stolen his Bill.

I have already said in the Statement of Objects and Reasons that this crossword puzzle is an evil and a good deal of valuable time and money is lost after it. After what? After illusions: after a Will-o'-the-wisp, after a frantic chase of a *mriga trishna*.

Mr. Chairman: What was the attitude of Government to this Bill in the Rajya Sabha?

Shri Nageshwar Prasad Sinha: I read the debates and found that Dr. Katju gave an assurance there that he would come forward with a similar Bill and it would be presented before the Budget Session commenced. He gave that assurance and the hon. Mover withdrew his Bill. But the Budget session is over and we have not yet seen the Bill either here or there.

Mr. Chairman: The promise was that the Bill would be brought before the Budget session of 1954, last Budget session?

Shri Nageshwar Prasad Sinha: Yes, Sir, because that was moved in December 1953

Then may I continue?

Mr. Chairman: Of course, the Chair does not wish to stand in the way of the hon. Member.

Shri Nageshwar Prasad Sinha: As far as I know, Government will come forward with a Bill trying to control, or license this evil. I want that this evil should not be licensed. There should be a complete ban on it. Therefore, I have to place my points of view before Dr. Katju and the House.

Mr. Chairman: What is the basis for the hon. Member's conclusion that Government would come forward with a Bill licensing crossword puzzles, and not ban them altogether?

Shri Nageshwar Prasad Sinha: That is my surmise after going through the debates of the Rajya Sabha. I do not know anything further.

Mr. Chairman: Will the hon. Minister be pleased to tell the House what the attitude of Government is, and what the present position is?

The Minister of Home Affairs and States (Dr. Katju): Government has the Bill under consideration and a final decision will be taken early next session.

Mr. Chairman: Have Government come to any decision with regard to banning, or with regard to licensing?

Dr. Katju: It is all combined: it is control; it is licensing; it is limiting to very small sums. I am only giving the House the tentative provisions. The delay has taken place because State Governments had to be consulted.

There is one thing more which I may mention, if my hon. friend will permit me. He has referred to my asking Mr. Rama Rao in the Rajya Sabha as to whether he had taken legal advice or not. That is necessary because it is very doubtful whether Parliament can legislate on this matter, and whether crossword puzzle can be considered as a type of gambling or betting. "Gambling and betting" are specifically in the State

List—vide item No. 34. It is the first item in the Concurrent List: "Criminal Law, including all matters included in the Indian Penal Code, at the commencement of this Constitution, but excluding offences against law with respect to any of the matters specified in List I and List II." It is true that in regard to certain matters about which the State Governments have exclusive enacting jurisdiction, you may take action under article 252. First, a Resolution is passed by several States that Parliament may be asked to enact the law for the purpose of securing uniformity. So, that is one objection standing in the way of a measure of this type.

Let me suggest one course to my hon. friend. His motion today is for the circulation of this measure for eliciting public opinion. This debate may therefore, stand over till the next session. In between the Bill will be introduced and he may decide for himself as to whether to proceed with the Bill. In the meantime he may also take legal opinion as to whether his Bill is within the competence of the Parliament at all.

Mr. Chairman: The hon. Member has just heard the suggestion made by the Home Minister. He can choose his own course; I do not wish to advise him in the matter. If he wants to proceed with the Bill he can go on. If he thinks it would be better that when the Bill comes he can make up his mind, he can ask for postponement of consideration of the Bill.

Shri Nageshwar Prasad Sinha: I am not anxious to proceed now. I have no objection to accepting the hon. Minister's suggestion. The consideration of the Bill may be held over, but I am anxious that if Government do not come forward with their Bill, my Bill should not lose the ballot.

Mr. Chairman: Then the hon. Member himself may move a motion that the debate on this Bill be adjourned.

Shri Nageshwar Prasad Sinha: I beg to move:

"That the debate on the Bill be adjourned."

Mr. Chairman: The question is:

"That the debate on the Bill be adjourned."

The motion was adopted.

PAYMENT OF WAGES (AMENDMENT) BILL

Dr. N. B. Khare (Gwalior): I beg to move:

"That the Bill further to amend the Payment of Wages Act, 1936, be taken into consideration."

This matter is very simple. It is brought before the House on account of the difficulties experienced by labour which they feel and which hit them hard. In section 17 of the original Act the word "direction" occurs. That word is rather ambiguous and some doubts have arisen about its interpretation and difficulties have been experienced by the manner of its interpretation. I therefore submit that that word should be changed into "decision". That is all.

And there are certain other small defects which also are sought to be removed by the other clauses of the Bill. I move for consideration of this Bill and I appeal that the Government should support this measure. Because if they support it, it will be passed; if they do not support it, it will not be passed. I will content myself with saying this. That is all.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Payment of Wages Act, 1936, be taken into consideration."

The Minister of Labour (Shri Khandubhai Desai): I am in sympathy with the two small amendments that my hon. friend Dr. Khare has moved. This Act came into force somewhere in 1934 (Dr. N. B. Khare: 1936) in 1936 and various decisions of various courts have created a lot of difficulties. This