

[Mr. Speaker]

Shri Mohammad Tahir, Shri Narendrabhai Nathwani, Shri K. G. Deshmukh, Shri M. Sri Ranga Rao, Shri C. D. Gautam, Shri Radha Charan Sharma, Shri P. Thanulingam Nadar, Shri T. Ganapathy, Shri K. R. Achar, Shri Hem Raj, Pandit Mukat Behari Lal Bhargava, Pandit Munishwar Dutt Upadhyay, Shri Raghbir Sahai, Shri Radha Mohan Singh, Shri Paresh Nath Kayal, Shri Ganpati Ram, Shri R. M. Hajar-navis, Shri S. C. Gupta, Shri T. C. N. Menon, Shri N. Siva Raj, Shri Khushwaqt Rai, Shri D. R. Chavan, Shri Ram Garib, Shri Braj Raj Singh, Dr. A. Krishnaswami, and Shri Asoke K. Sen,

and 15 from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the end of the first week of the next session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

Shri Mulchand Dube has taken five minutes already. The time allotted is three hours and the time taken is two hours and four minutes, leaving 56 minutes. So, we have only one hour more. How many hon. Members want to participate?

Some Hon. Members rose—

Mr. Speaker: Non-lawyers too? Seven. I will give them time at the rate of ten minutes each. I will extend this by half an hour. Let us see. Half an hour to one hour I can extend. I shall extend by half an hour and then the hon. Minister may reply. This half hour will be taken by hon. Members.

The Minister of Law (Shri A. K. Sen): Will you be good enough to extend by one hour, because I will be engaged a little while during the lunch recess?

Mr. Speaker: One hour is left, and I will add one more hour. We will conclude this by 2:15. How long does the hon. Minister want to take?

Shri A. K. Sen: Not more than ten to 15 minutes.

Mr. Speaker: I will call him at 2 O'clock.

12:20 hrs.

PROCEDURE RE: MOTIONS FOR
ADJOURNMENT—contd.

Shri Braj Raj Singh (Firozabad): May I make a small submission? You have been pleased to make certain observations with regard to meeting on the subject of giving consent to adjournment motions.

Mr. Speaker: I am not going to allow this.

Shri Braj Raj Singh: I wanted to make a submission.

Mr. Speaker: Order, order. What I say is this. On a prior occasion Shri-mati Renu Chakravarty raised this matter and said that she wanted to exhaust the number of items or the reasons on which I am disallowing adjournment motions. She said they

were not exhaustive. I therefore invited hon. Members to send some representations, on the points they objected to or wanted to include. I have not received a single representation so far.

Shri Mahanty (Dhenkanal): I have sent a detailed representation to which I have received no reply.

Mr. Speaker: I do not remember.

Shrimati Renu Chakravartty (Basirhat): May I point out that on that occasion you had said that you would call another meeting and you told me specifically you hoped one of the leaders would attend from my party instead of me. That meeting has not taken place.

Mr. Speaker: I am not calling a meeting. I said also that hon. Members might send their representations before that meeting. Unless there are some suggestions, how are the other Members to know? Suddenly it ought not to be a surprise.

I have to do all this in less than five minutes. When I come to the House the adjournment motion is handed over to me. I do not want to put it off to some other day, and therefore, from the previous practice and the precedents I have culled out a number of conditions under which they may be rejected. I have printed them. Now hon. Members want to raise some objection, or at any rate to make some representation. Even now we can settle this matter before the end of this month. Today is the 3rd. Before the 15th if representations are sent to me, I will call a meeting of the leaders of the groups or such representatives as may come. Let us have a discussion. I do not want to do anything over the heads of hon. Members here. If Shri Mahanty has sent a representation, I will certainly look into it, and it will be brought up before that meeting. I shall trace the letter if it is there; if not, I shall inform him and he may send me a copy of the letter. It is open to any

hon. Member on either side to send me representations regarding this, and I shall call a meeting of the leaders of groups and they may bring such representatives as they think necessary to enable them to place the matter before me.

Shri Mahanty: May I make a submission? There is a certain amount of confusion amongst us regarding the adjournment motions.

Mr. Speaker: I have said I will remove it. I am not going to allow discussion now and interrupt the proceedings. Let us sit together and exchange views regarding this matter and come to a conclusion in the presence of all Members. If my room is not enough to accommodate all, I will have it arranged in a Committee Room. Let us have a thorough discussion. Why should there be any confusion in the mind of either myself or hon. Members here?

Shri S. M. Banerjee (Kanpur): Till such time, your latest decision should be kept in abeyance.

Mr. Speaker: No. My decision is my decision. I have not decided anything wrongly. I am not going to allow this indulgence to hon. Members to bring up anything which they consider as important, expecting me automatically almost like a rubber-stamp to bring it up before the House.

Shri Braj Raj Singh: Your direction is always there, and we always abide by your directions, but even then, a fore-warning like this may be a bit too harsh.

Mr. Speaker: I said also on a prior occasion that if hon. Members consider anything so important, they might have the signature of the Leaders of their groups for any adjournment motion. If they do so, then there is an authenticity. Otherwise, on the spur of the moment, every small thing becomes important and I have to take away the time

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of the House. If the Leaders are also associated with that, I have no objection; I shall bring it up before the House and ask the opinion of the hon. Ministers. Otherwise, normally, I shall exercise my discretion to bring it up or not to bring it up.

The whole thing will be thrashed out, and we shall discuss it later on, in about fifteen days' time. Let me have the suggestions first.

12.24 hrs.

LEGAL PRACTITIONERS BILL—
Contd.

Mr. Speaker: We shall now proceed with the further consideration of the motion to refer the Legal Practitioners Bill to a Joint Committee.

Shri Mulchand Dube may continue his speech.

Shri Mulchand Dube (Farrukhabad): The Law Commission has rightly observed that the standards in the Bar have fallen, and that there is some deterioration in the Bar. It has also suggested some remedies; and some remedies have also been provided in the Bill that is before the House. As far as I can see, the remedies that are provided in the Bill are not going to improve the standard of the Bar.

There is no doubt that there has been some improvement in the legal education in recent years. But we have also seen that the education as it was many years ago has produced very eminent members of the Bar and eminent jurists who have been able to hold their own against the best lawyers of the world.

12.24 hrs.

[SHRI C. R. PATTABHI RAMAN in the Chair]

Therefore, it is not the defect in the legal education that is really responsible for the deterioration in the Bar.

The reason has to be looked for elsewhere.

My submission is that a degree either in law or in arts is merely a preparatory degree which enables a man to continue his studies, if he wants to specialise in any particular subject. The same thing applies to law. The mere obtaining of a degree in law is not sufficient to make a lawyer of a man. Law, as it is said, is a jealous mistress and brooks of no rival. What is necessary is an intense study of the law after passing the law examination. It appears to me that this intense study of the law is lacking. The reason seems to me to be that the prizes offered by law are not so attractive as they used to be before.

We find, as I said yesterday, that in many cases, the avenues for the lawyers have been closed and are being closed. The question, therefore, is whether we do or we do not want lawyers in our democracy. If we do want lawyers, something has to be done for them also, and the avenues for them have not to be closed. What happens is that many of the laws that are enacted, and the rules prescribed thereunder, prohibit lawyers from appearing in cases relating to those laws. My submission is that although the Bill provides that lawyers should be allowed to appear and should be entitled to appear in all cases in which they are appearing at present and also before persons or tribunals who have a right to take evidence—this is good so far as it goes—yet, even so I think it is necessary that in order to protect interests of the citizens against the vagaries of the Government or the Government officers, lawyers should be allowed to appear before every officer or court, whether or not he or it is entitled to take evidence, whenever the rights of a citizen are to be determined. Supposing, a Secretary to the Board of Revenue has to determine the rights of a citizen according to certain laws, then the person affected should have