

Shri B. S. Murthy (Kakinada—Reserved—Sch. Castes): On a point of order. Is it in order for an hon. Member to speak in this House with something in his mouth?

Mr. Speaker: Order, order. It is only when a Minister represent another Minister in charge of a Ministry or a Department which is not his own and to which he is not attached, that he generally informs the House that he makes the motion on behalf of the other Minister; if the other Minister is present, he will move the motion himself. But when two Ministers are attached to the same Ministry, anyone can take this up, even though the other Minister is present and the motion has been tabled in his name.

COURT OF BANARAS HINDU UNIVERSITY

The Minister in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall): I beg to move:

"That in pursuance of sub-clause (xvii) of clause (1) of Statute 14 of the Statutes of the Banaras Hindu University, the Members of Lok Sabha do proceed to elect, in such manner as the Speaker may direct, two Members from among themselves to serve as Members of the Court of the Banaras Hindu University."

Mr. Speaker: The question is:

"That in pursuance of sub-clause (xvii) of clause (1) of Statute 14 of the Statutes of the Banaras Hindu University, the Members of Lok Sabha do proceed to elect, in such manner as the Speaker may direct, two Members from among themselves to serve as members of the Court of the Banaras Hindu University."

The motion was adopted

Samsad (Court) of Visva—Bharati

The Minister in the Ministry of Education and Scientific Research (Dr. K. L. Shrimall): I beg to move....

Shri Ferose Gandhi (Rai Bareilly): The Minister must say 'on behalf of Maulana Azad.....'

Mr. Speaker: No. To say 'on behalf of....' is not necessary.

Dr. K. L. Shrimall: I beg to move:

"That in pursuance of clause (xii) of sub-section (1) of Section 19 of the Visva-Bharati Act, 1951 (Act XXIX of 1951) read with clause (5) of Statute 10 of the First Statutes of the University, the Members of Lok Sabha do proceed to elect, in such manner as the Speaker may direct, one Member from among themselves to serve as a member of the Samsad (Court) of the Visva-Bharati."

Mr. Speaker: The question is:

"That in pursuance of clause (xii) of sub-section (1) of Section 19 of the Visva-Bharati Act, 1951 (Act XXIX of 1951) read with clause (5) of Statute 10 of the First Statutes of the University, the Members of Lok Sabha do proceed to elect, in such manner as the Speaker may direct, one Member from among themselves to serve as a member of the Samsad (Court) of the Visva-Bharati."

The motion was adopted

ELECTION OF DEPUTY-SPEAKER

شکشا تہا وڈگہانک گویشدا ملتہی
(مولانا آزاد) - جناب مہن تحریک
کرتا ہوں کہ سردار حکم سلکے جو
اس سبھا کے ایک ممبر ہیں - سبھا
کے قیدی اسپیکر چلے جائیں -

(The Minister of Education and Scientific Research (Maulana Azad): Sir, I move that Sardar Hukam Singh, a member of this Sabha, be chosen as the Deputy Speaker.)

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to second the Motion.

Mr. Speaker: Motion moved:

"That Sardar Hukam Singh, a Member of this House, be chosen as the Deputy-Speaker of this House".

The motion has been moved by Maulana Azad and duly seconded by Shri Satya Narayan Sinha. There is also no other motion before the House.

The question is:

"That Sardar Hukam Singh, a Member of this House, be chosen as the Deputy-Speaker of this House".

The motion was adopted.

Mr. Speaker: The motion is carried unanimously.

مولانا آزاد - جناب - سبھا نے سردار حکم سنگھ پر ایسے جس اعتماد کا اظہار کیا ہے اس کی بڑی قدر اور قیمت ہے۔ ارد میں اس پر ان کو مبارکباد دینا ہوں۔ پچھلی مرتبہ جب یہ جگہ خالی ہوئی تھی تو ہم سب کی نظر انتخاب سردار صاحب پر پڑی تھی۔ چنانچہ وہ تہی اسد کو چنے گئے۔

(Maulana Azad: Sir, I congratulate Sardar Hukam Singh for the invaluable confidence which the Sabha has shown in him.

Last time when the office of the Deputy-Speaker of Lok Sabha fell vacant, all of us thought that Sardar Sahib was the fittest person for the job and he was elected Deputy-Speaker.)

Shri A. M. Thomas (Ernakulam): We do not see the person whom we have elected.

Mr. Speaker: He is sitting behind; he may move over to his usual seat.

مولانا آزاد اور بہت جلد سے معلوم ہو گیا کہ چٹاؤ کتنا موزوں اور مناسب چٹاؤ تھا۔ جو ہوجو انکے کندھوں پر ڈالا گیا تھا اس کو انہوں نے نہایت خوبی کے ساتھ انجام دیا۔

ہزاری پرلہاسلت اس وقت ایلی زندگی کے ابتدائی دور میں ہے۔ اس روایتوں کے سانچے ابھی تک قلم نہیں ہیں۔ تعالیٰ ہیں۔ اس لئے جن لوگوں کے ہاتھ اس کی رہنمائی کی سادگور آئی ہے۔ ان کی ذمہ داری بہت بڑی ہے۔ ان کا یہی کام نہیں ہے کہ جو روایتیں پہلی تریڈیشنس قائم ہو گئی ہیں ان کو جاری رکھیں۔ ان کا کام یہ ہے کہ نئی روایتیں پیدا کریں۔ ان کا صرف یہی کام نہیں ہے روایتوں کے جو سانچے قلم گئے انہوں ان کو تعالیٰ رہیں۔ ان کا کام یہ ہے انہ نئے سانچے تعالیٰں۔ مجھکو یقین ہے کہ سردار صاحب کے کندھوں پر جو ذمہ داری قالی گئی ہے۔ وہ اس کو پوری اہلیت اور قابلیت نے ساتھ انجام دینگے۔ اور ان کی شخصیت آہلہہ زمانے کے لئے ایک نمونے کا کام دیگی۔

(Maulana Azad: All of us realized at once that in electing Sardar Sahib as Deputy Speaker we had done the most proper and appropriate thing. The heavy responsibilities which were entrusted to him were discharged by him admirably.

[Maulana Azad]

Our Parliament is still in its infancy. We have yet to establish conventions and traditions in this House. Therefore, the persons who are entrusted with the task of guiding the proceedings of this House carry a big responsibility. It is not their function only to safeguard the traditions already established but they have also to establish new traditions and conventions. I am sure that Sardar Sahib will discharge his heavy responsibilities with great ability and his personality will serve as a model for the coming generations.)

Shri S. A. Dange (Bombay City-Central): I rise to give my hearty congratulations to Sardar Sahib on his having been elected as the Deputy-Speaker of the House. I am told that in his term of office in the last Parliament, he had conducted the business in such a way that he did not evoke opposition from the Opposition side, and I am sure the same thing will continue.

Of course, you will excuse me if I just mention a point, that if, according to last year's practice the Deputy-Speaker had been drawn from the Opposition side, it would have been a good thing. However, that has not happened. There is, of course, the combination that Sardar Sahib last time was for some time on the Opposition side and then, later on, now, he is on the Congress side. So, he might work as a nice bridge between the two. Therefore, with that additional reason, I once again offer my congratulations to him.

Shri Frank Anthony (Nominated—Anglo-Indian): Mr. Speaker, Sir, I wish to associate the Independent Group with the expressions of congratulation that have fallen from the previous speakers. As my hon. friend Shri Dange just said apparently, there was an attempt to evolve some kind of practice that the Speaker and the Deputy-Speaker should be chosen from opposite sides of the House. Personally, I would have liked to have seen this practice tried out and if it

had been found favourable by experience it might have been allowed to harden into a salutary convention.

As Maulana Sahib has just said, we are in the formative stage of building up parliamentary traditions and conventions. And, I believe that the occupants of the Chair represent the corner-stone in this process of proper building. On the attitudes of the Chair, on its decisions will depend largely, if not entirely, whether the Chair becomes identified with the tradition of complete independence or whether it becomes a symbol of an extension of party politics.

I am aware that even if we build a healthy convention around the Chair, a great deal will depend on the calibre of the individual who occupies it and that even a healthy convention can be vitiated by a person who has not the capacity or the will to act with independence. But, may I say with a great deal of respect that I feel that the primary duty in this matter of building up the independence of the Chair falls squarely on the Government and the ruling party. If I may say so with respect, perhaps the political climate is not entirely favourable. If the approach of the ruling party is conditioned by the desire to make the Chair safe, safe for complacency or safe for arbitrariness, then the Chair will become the hane of party politics. There is that primary responsibility on the ruling party and I also believe that there is an equal responsibility on the Opposition Groups not to draw the Chair into any vortex of party politics.

I am not enamoured of giving the Chair any inextorable party label because I believe that in this formative stage it is, perhaps, more important that we should select people not because of their party labels but because of their capacity and their reputation for independence. And it is here, particularly, that I wish to offer our congratulations to Sardar Hukam Singh. I say this without any flattery that during his tenure of office he has exhibited attributes of unflinching

courtesy, and of a quasi-judicial objectivity which have earned the respect of all sections of the House.

May I also say this, Sir, that I feel that his task in future will be more difficult than it has been in the past. There is a tendency for most, if not all of us to bend to the prevailing political wind; and, in the House today there is not only a wind but it shows signs of becoming a gale represented by the overwhelming strength of the ruling party.

Sir, on behalf of my Group I offer the Deputy-Speaker our sincerest cooperation in maintaining the independence of the Chair and I once again congratulate him.

आचार्य कृप ल नं: (सीतामढी) : सरदार साहब, मैं सरदार हुकम सिंह को अपनी तरफ से और अपने ग्रुप की तरफ से बधाई देता हूँ। आप हमारे डिप्टी-स्पीकर रह चुके हैं और मैं कह सकता हूँ कि जिम खूबी के साथ आपने इस आफिस का काम चलाया है उसको देखते हुए हमें आपसे कोई भी भ्रष्टाचार आपदमी इस जगह के वास्ते नहीं सूझता।

इतना कहने के बाद मुझे उस बात को भी कहना है जिसकी तरफ की मेरे कम्युनिस्ट भाई ने इशारा किया है। मौलाना आजाद साहब ने कहा है कि खाली इस लोक सभा को ही आपको काम नहीं चलाना है लेकिन कुछ ऐसी आदतें इस लोक सभा में डालनी हैं जो हमारे लिये पीछे कारगर हों। तो मैं समझता हूँ कि यह एक बहुत कारगर रिवाज था जो पिछली बार स्थापित किया गया था कि कम-अज-कम डिप्टी-स्पीकर को विरोधी दलों के आदमियों में से चुना जायें। खैर इस वक्त यह नहीं हुआ और उसका मुझे कोई खास अफसोस नहीं है। लेकिन मुझे यह कहना पड़ता है कि जो भ्रष्टाचार रिवाज हम एक दफा डालते हैं अगर उसका सिन-सिला हम जारी नहीं रखेंगे तो कोई भी रिवाज यहाँ कायम नहीं होंगे। आज एक पार्टी पावर में है कल दूसरी आ जाती है तो फिर

उन रिवाजों की कोई वक्कत नहीं रहती। इस वास्ते जो रिवाज एक बार कायम हो जाते हैं हमें चाहिये कि हम उन पर अमल करते जायें।

इतना कहने के बाद मैं एक बार फिर सरदार हुकम सिंह को धन्यवाद देता हूँ।

श्री वजराज सिंह (फिरोजाबाद) : अध्यक्ष महोदय, सरदार हुकम सिंह जी को मैं इस सदन का डिप्टी-स्पीकर चुने जाने पर अपनी तरफ से तथा अपने ग्रुप, सोशलिस्ट पार्टी की तरफ से बधाई देता हूँ। सरदार साहब के सम्बन्ध में हम नये लोगों ने जो कुछ दूसरों से सुना उसको सुनकर बड़ी प्रसन्नता हुई है। कम से कम पहले दो दिन जिस तरह ये वह हम लोगों से मिले उससे और भी प्रसन्नता होती है और मुझे पूरा यकीन है कि वह विरोधी दलों के अधिकारियों की अच्छी तरह से रक्षा करेंगे।

जहाँ तक मुझे मालूम है इस लोक सभा में भी, पहली लोक सभा में जितनी विरोधी दलों की ताकत थी, उतनी ही आज भी है। यह बात जोकि कामरेड डागे ने कही और आचार्य कृपालानी जी ने कही उचित है कि ऐसी कोई बाधा पैदा नहीं हुई कि उस परम्परा को जो पहले इस सदन में कायम की गई थी कि उपाध्यक्ष विरोधी दलों में से कोई चुना जाता तोड़ा जाता और उस पर न चला जाता। सरदार हुकम सिंह जी व्यक्तित्व के प्रति बड़ा आदर रखते हुए भी मैं यह कहना चाहूँगा कि जो परम्परा पहले इस सदन में कायम की गई थी उसको तोड़ करके कम से कम बहुमत दल ने भागों के लिए एक अच्छी परम्परा कायम नहीं की है। फिर भी यदि उस परम्परा का हम आगे से आदर कर सकें तो इस सदन की परम्पराओं और इस सदन के अधिकारियों की रक्षा के लिए यह एक अच्छी बात होगी। मैं आशा करता हूँ कि सरदार साहब इस तरफ बैठने वाले सदस्यों का तथा उनके अधिकारियों की रक्षा का हमेशा खयाल रखेंगे।

[श्री ब्रजराज सिंह]

इन शब्दों के साथ मैं सरदार साहब को एक बार फिर बधाई देता हूँ।

Mr. Speaker: I have very great pleasure in associating myself with all the sentiments that have been expressed from all sides of the House. I am personally delighted that Sardarji, who was my deputy last time, has been once again returned this time unanimously. Though he officiates only in the House, his responsibilities are as great as that of the Speaker himself. The office work is not so important; it is only secondary. Those who occupy the Chair here on the spur of the moment will have to decide very far-reaching issues, hold the balance amongst all the parties, be absolutely impartial and never lose one's temper. When two persons are quarrelling if the Speaker also enters the fray, then God alone must help, there is no other person who can help.

Sardarji is eminently fitted to discharge the duties of the Speaker in his absence as his deputy. He has acquitted himself very well last time. He pleased almost every section of the House. Though he does not now belong to the Opposition group, I have given him the first seat in the Opposition side. He will always be able to hear and learn first hand whatever the Opposition feels and when he sits here he will shed all complexes and certainly decide what is just and proper. He has had that training as a judicial officer; he was Judge of a High Court. He is ripe and experienced. He has very affable manners.

I once again congratulate him on the unanimous vote of the House for having him as the Deputy-Speaker of the House. I am confident that he will relieve me very often and thus assist me.

Sardar Hukam Singh (Bhatinda): Mr. Speaker, Sir, I am extremely obliged to the sponsor of the motion, and the members of the Government who have initiated this motion and

proposed me. I am equally obliged to my friends here of the Opposition, who have said so many sweet words for myself.

There is a feeling that some convention has been broken, as I belonged to the Opposition last time and I was taken out of that group whereas now I have gone over to the other side. My friends wanted that that convention, if it had gone into a practice, must have provided us with a good precedent. I only want to say that, if this practice develops nobody would be more glad than myself. But, this much I want to submit most respectfully, that no convention has been broken. Last time, though I had said that I was being taken from the Opposition, the Leader of the House had made it clear that he had not been led by any party considerations, or by the fact that I belonged to the Opposition, or that he was anxious to draw a candidate for this office particularly from the Opposition. This he said at that time. I do not want to enter into any controversy on that point. As I have already said, if this practice develops nobody would be more happy than myself.

Sir, I am immensely grateful to the Members, all sections equally, for reposing confidence in me for the second time. When you, Sir, were elected this time on 11th May, the Leader of the House made a significant remark that you were not new to this office and that in electing you the House had taken no risk. But, when I was elected in March 1956, I was quite new and also, as has been already said, a Member of the Opposition. Therefore, in my case the House had certainly taken a risk. It was for the first time in April 1948 that I was elected to the Constituent Assembly. Never before had I been a member of any legislature or of even a local body. When I compare my parliamentary life with those stalwarts like Seth Govind Das, Pandit Thakur Das, yourself and others, I feel that I am still a child.

And then my experience as Deputy Speaker is only for one year. Therefore, I feel that the House is even today taking a risk. My difference becomes greater when I recall to my mind the names of those predecessors of mine who have occupied this office before me. I wonder how great they were and how small I am. And when I think particularly of you who has occupied this chair for 8 long years the contrast becomes more marked and conspicuous. But I have this consolation that you would be there to guide and inspire me in this responsible task. I might take this opportunity of thanking you, Sir, for the inspiration and guidance that I have been getting during the last 12 months.

Sir, I am taking up this responsibility with confidence, not because I assume that I am equipped with any qualities required to fill this office, but because I have full faith in the generosity and large-heartedness of the members of this House as also in their keen anxiety to assist in the successful working of democracy and to uphold the noble traditions of this august House. From what I have seen of the hon. Members during the last 5 days I feel convinced that every one in this House has come with a burning desire to serve his countrymen and to help promote our parliamentary system. When I look back to the past year my confidence increases all the more as I recollect that I received full co-operation and assistance from all quarters of the House. I cannot remember of a single moment when I had to complain, though there may have been many occasions when I must have erred in my judgment. I was tolerated even then. I am obliged for that generosity and crave similar indulgence from the Members in future.

As for my conduct, if words can give any assurance, I do assure all sections here that I would try to dis-

charge my duties with impartiality and evenhanded justice. Whenever I falter, and that I must sometimes, I appeal to the Members, that this may not be construed as due to any lack of effort on my part to be fair, but only due to my human failings over which I may not have any control. If this indulgence is guaranteed to me, then I can assure the House that we will be proceeding with enthusiasm to maintain the dignity of this House and to serve the motherland for which we have recently taken our pledge. I thank the House again.

INDUSTRIAL DISPUTES (AMENDMENT) BILL*

The Minister of Labour and Employment and Planning (Shri Nanda): Sir, I beg to move for leave to introduce a Bill further to amend the Industrial Disputes Act, 1947.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Industrial Disputes Act, 1947".

The motion was adopted.

Shri Nanda: Sir, I introduce the Bill.

STATEMENT RE INDUSTRIAL DISPUTES (AMENDMENT) ORDINANCE

Shri Nanda: I lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Industrial Disputes (Amendment) Ordinance, 1957, as required under Rule 71(1) of the Rules of Procedure and Conduct of Business.

Statement

In a judgement delivered on the 27th November, 1956 the Supreme Court held that no retrenchment com-

*Published in the Gazette of India Extraordinary Part II, Section 2, dated 17-5-57, pp. 187-170.