

[Shri Hajarnavis].

with a great deal of sympathy and we would be grateful for any suggestion made by the various judicial authorities or learned people as Shri C. R. Narasimhan mentioned . . .

Shri C. R. Narasimhan: Learned bodies.

Shri Hajarnavis: Yes, learned bodies, who would give us their advice as to how our object may best be achieved. With these words, again thanking the hon. Member who has quickened the pace of the Constitution amendment with which I am personally in a great deal of sympathy I accept the motion for circulation.

Mr. Deputy-Speaker: The question is:

"That the Bill be circulated for the purpose of eliciting opinion thereon by the 31st October, 1961."

The motion was adopted.

15.16 hrs.

SIKH GURDWARAS BILL

Sardar A. S Saigal (Janjgir): Sir, I beg to move:

"That the Bill to provide for the better administration of the Sikh Gurdwaras situated in different States of Indian Union and for inquiries into matters connected therewith, be referred to a Joint Committee of the Houses consisting of 45 members, thirty members from this House, namely, Sardar Hukam Singh, Sardar Iqbal Singh, Sardar G. S. Musafir, Sardar Ajit Singh Sarhadi, Sardar Bahadur Singh, Sardar Ajit Singh Bhatinda, Sardar Daljit Singh, Sardar Joginder Singh, Shri Diwan Chand Sharma, Raja Bahadur Birendra Bahadur Singh, Dr. Vijaya Anand of Vizianagaram, Shri Ram Garib Singh,

Shri H. C. Heda, Smt. Manjula Devi, Shri Jhulan Sinha, Shri S. N. Dwivedy, Dr. Ram Subhag Singh, Shri Narendra Bhai Nathwani, Shri Manek Lal Maganlal Gandhi, Shri V. P. Nayar, Shri C. D. Pande, Shri N. G. Goray, Shri Nath Pai, Dr. M. S. Aney, Dr. G. S. Melkote, Shri Jaganatha Rao, Sardar Surjit Singh Majithia, Shri Lal Bahadur Shastri, Shri A. K. Sen, and the Mover Shri A. S. Saigal,

and fifteen Members 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 last day 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."

Mr. Deputy-Speaker: I was never consulted. But I have no objection.

Sardar A. S. Saigal: As regards the Sikh Members, I have not consulted anybody.

The Deputy Minister of Law (Shri Hajarnavis): Then there is no compliance with the rules; he cannot take it for granted that because a Member is Sikh so he will consent to serve on the Select Committee.

Mr. Deputy-Speaker: Now that he will have to read out the names we

will see; Shri D. C. Sharma is here and others are here... (*Interruptions.*)

Shri D. C. Sharma (Gurdaspur): He has consulted everyone of them and got their permission.

Mr. Deputy-Speaker: Did he read out the name of Shri Lal Bahadur Shastri? Did he take his consent?

Sardar A. S. Saigal: I told him that I was going to move this Bill and he said that I could do so.

Mr. Deputy-Speaker: He might have said so. Did he consent to serve in the Select Committee?

Sardar A. S. Saigal: He is the Home Minister; his presence is very necessary.

Shri Hajarnavis: Did he consult Shri A. K. Sen?

Sardar A. S. Saigal: He is the Law Minister; naturally he should be there.

Mr. Deputy-Speaker: Therefore, he has to assign duties to these Ministers also; because he is the Law Minister or Home Minister therefore, he must be put in the Select Committee? The consent of a Member is to be taken before he is included in the Select Committee. It would not be compliance of the provisions that are there, if only it presupposes that because one is the Home Minister and the other is the Law Minister, they would give consent to it. Supposing they do not wish such a Bill to be brought forward, they may not give consent to it.

Sardar A. S. Saigal: The Law Ministry is responsible for this Bill and if the Law Minister is not included, I do not think the Bill will get through.

Mr. Deputy-Speaker: I do not say that they should not be included, but

the preliminary requirement is that anyone who is included here, must have given his consent. His consent must have been obtained.

Sardar A. S. Saigal: I have already taken the consent of the majority of the Members or more than that.

Mr. Deputy-Speaker: It is not to be decided by a majority. Does he mean to say that the minority must follow the majority if the majority has given consent?

Shri Narasimhan: Let him read only those names of Members who have given their consent and not others.

Mr. Deputy-Speaker: Yes; he may only give the names of those whom he has consulted and who have given consent. Afterwards, perhaps he might enlarge the list by another motion, but now only the names of those who have given consent should be read.

Sardar A. S. Saigal: There are Members outside. You can ring the bell and they will come and they will say whether they have given the consent or not.

Shri Hajarnavis: A certain procedure has got to be followed. The hon. Member must conform to a certain procedure and discharge his duty with a certain amount of responsibility.

Sardar A. S. Saigal: With a sense of responsibility, I am saying that I have consulted these Members.

Mr. Deputy-Speaker: Which Members?

Sardar A. S. Saigal: If I go through the opinions received on the Bill.

Shri Hajarnavis: My point of order remains.

Mr. Deputy-Speaker: What is the point of order?

Shri Hajarnavis: The point of order is, he cannot move a resolution or motion referring it to the Select Committee or Joint Committee, unless he has secured the consent of all the Members whom he proposes. The hon. Member himself has said that he has not secured the consent of all the Members whose names he read.

Mr. Deputy-Speaker: That is correct; consent must be obtained beforehand, if those names are to be included in the list of Members of the Joint Committee. That must be done. If he has not obtained the consent of some Members, they cannot be included. He must let us know who have given their consent to the Bill and who have not given their consent.

Sardar A. S. Saigal: Of course, the Law Ministry and the Home Ministry, have to be represented.

Mr. Deputy-Speaker: It is not a question of which Ministry is to be included. It is the name of the Minister concerned that is necessary. The Ministry as such is not included.

Shri Hajarnavis: We come here as Members of the Lok Sabha and as Members we should be included.

Sardar A. S. Saigal: They have already given their consent.

Mr. Deputy-Speaker: I can give him some time; he can go round and satisfy himself as to who are those who have given consent and who are those who have not given consent. Otherwise, the Bill cannot be taken up. The objection raised by the Minister is a valid one.

Sardar A. S. Saigal: As regards Sardar Iqbal Singh, Giani G. S. Musafir, Shri Ajit Singh Sarhadi, Shri Ajit Singh and Shri Daljit Singh are concerned, they have given their consent.

Shri Hajarnavis: We are interested in knowing who are those who have given consent and who have not.

Mr. Deputy-Speaker: Then, let him omit the names of Members who have not given consent. Has Shri D. C. Sharma given consent?

Shri D. C. Sharma: Yes.

Mr. Deputy-Speaker: Has Shri Birendra Bahadur Singhji given his consent?

Sardar A. S. Saigal: He has already expressed his wish to join the Committee.

Mr. Deputy-Speaker: Dr. Vijaya Ananda?

Sardar A. S. Saigal: He has given his consent.

Mr. Deputy-Speaker: Shri Ram Garib?

Sardar A. S. Saigal: Yes.

Mr. Deputy-Speaker: Shri Heda?

Sardar A. S. Saigal: He has already given his consent.

Mr. Deputy-Speaker: Shri Jhulan Sinha?

Sardar A. S. Saigal: He is here.

Shri D. C. Sharma: He has given his consent.

Mr. Deputy-Speaker: Shri M. L. Dwivedy?

Sardar A. S. Saigal: Yes; Dr. Ram Subhag Singh and Shri Nathwani have also given their consent.

Mr. Deputy-Speaker: Then he could tell us who has not given consent. Has Shri M. M. Gandhi given his consent?

Sardar A. S. Saigal: I have not consulted him.

Mr. Deputy-Speaker: Shri V. P. Nayar?

Sardar A. S. Saigal: I have consulted him.

An Hon. Member: Has he given his consent?

Sardar A. S. Saigal: Shri C. D. Pande has also given his consent.

Mr. Deputy-Speaker: The question is, you have consulted some Members. Whether they have given consent or not is to be known.

Sardar A. S. Saigal: I consult them. They say 'Yes.' So, I say, 'Yes.'

Shri D. C. Sharma: When he says that he has consulted, it means that he has got their consent.

Sardar A. S. Saigal: Shri Goray, Shri Nath Pai, Dr. M. S. Aney, Dr. Melkote and Shri Jaganatha Rao have all given their consent.

Mr. Deputy-Speaker: All absentees have been put down!

Sardar A. S. Saigal: There is nobody here. It is not my fault.

Mr. Deputy-Speaker: What about Shri Lal Bahadur Shastri and Shri A. K. Sen?

Sardar A. S. Saigal: I have not taken their consent.

Shri Narasimhan: What about Sardar Majithia?

Sardar A. S. Saigal: I have taken his consent.

Shri Sadhan Gupta (Calcutta-East): The motion is that the report be submitted on the last day of the first week of the next session. Usually we commence our session on a Monday and the last day will then be a Sunday. I do not know whether there is any rule corresponding to the Section of the Limitation Act by which this period can be extended to the next Monday following!

Mr. Deputy-Speaker: Last day means the last working day.

Sardar A. S. Saigal: If you go through the opinions received from various States on this Bill, they will be interesting. For instance, in paper I, you will find the opinion from Sar-

dar Seva Singh, B. Com., LL.B., advocate in Andhra Pradesh. He writes as follows:

"The Bill which intends to have in legislation of a uniform type has been the long-cherished wish the Sikh community as a whole. There is complete unanimity on the point from all quarters. It is obviously based on sound, democratic principles. The proposed Bill will not only save and secure the valuable properties and endowments of the Sikh Gurdwaras in different parts of our country, but will also secure better administration for the future of all such religious places."

In the same way, you will find in paper III, the opinions expressed by West Bengal, Bombay, Mysore, Orissa, Kerala and Madhya Pradesh Governments. There are some comments as regards some of the clauses and they differ in regard to some clauses, but they have already given their opinion that these clauses may be changed.

In the same way, in paper IV, you will find the opinions of Assam, Rajasthan, Manipur, Jammu and Kashmir, Madras, Delhi and Uttar Pradesh. Uttar Pradesh has gone thoroughly into this Bill and many changes have been suggested by them. Some of the gurdwaras situated in Uttar Pradesh have also given their view points to the Government. So, unless the Bill goes to the Joint Committee, it will be difficult to come to some conclusions.

A most important view point which has been received is shown in the statement showing the suggestions made by the Punjab Government on the Sikh Gurdwaras Bill, 1958. It is a most important opinion which has been received by the Government of Punjab. Going through the clauses of the Bill, I find that there is a

[Sardar A. S. Saigal].

necessity that the Bill should be referred to a Joint Committee. For this, I am moving that the Bill may be sent to the Joint Committee. The names of Members from this House on this committee have been already mentioned by me. Beyond this, I have no comment to make on this.

Mr. Deputy-Speaker: The motion is now before the House.

Shri D. C. Sharma: Mr. Deputy-Speaker, Sir, my first duty this afternoon is to pay my humble tribute to Sardar Saigal. I think what Shri Saigal is going to do is something monumental. We are all doing small things in small ways and if we total up all that we have done during the last five years, we will come to the conclusion that the total is not much. But by presenting this Bill to the House, by eliciting opinions on this Bill from all over India and now by making a motion that this Bill should be referred to a Joint Committee of both Houses, Sardar Saigal is doing something which I think will be memorable not only in the annals of Lok Sabha and Rajya Sabha, but also in the annals of socio-religious legislation.

The Statement of Objects and Reasons given in this Bill is of very far-reaching significance.

15.34 hrs.

[SHRI HEDA *in the Chair*]

There is only one thing to which I take exception. He says:

"The Sikh Gurdwaras, both historic and other, are situated and scattered in almost all States and parts of India and are held in great esteem and reverence by the entire Sikh community."

I know some of these gurdwaras, the great temples of the Sikhs, and I have visited some of them. It has been my good fortune to pay a pil-

grimage to some of these gurdwaras. It was a stroke of good fortune that I was able to visit that great gurdwara Nander Sahib, which is now in Andhra Pradesh. I have paid a pilgrimage to some of these historic gurdwaras. I have also visited some of the gurdwaras situated in small towns and small villages. Whether they are massive and imposing buildings and marvels of architecture or small buildings, all these gurdwaras show the great devotion of the Sikh community. They show the inherent religious spirit which is to be found in the Sikh community.

But I would respectfully submit that these gurdwaras are held in esteem and reverence not only by the Sikh community, but also by the Hindus. The Hindus have as much reason to look upon these gurdwaras as places of worship demanding reverence as the Sikh community. Therefore, the gurdwaras belong to all. They belong to all those persons who have faith in God, in the efficacy of worship and prayer. They belong to all and I am very glad that this Bill is being brought forward to make these gurdwaras scattered all over India conform to one kind of law.

Of course, there is some kind of legislation already prevalent in Punjab. From what I know, it has been working very satisfactorily. Of course, people demand some amendments here and there. Sardar Saigal wants that we should have one uniform legislation covering all the gurdwaras to be found in all parts of India. For instance, I referred to the Nander Sahib. There is also a gurdwara in Patna. There are gurdwaras everywhere. Now we want that all these gurdwaras should be brought under one law. One of the purposes of this piece of legislation is that there should be uniformity in the performance of Sikh rites and ceremonies in the gurdwaras. I have nothing to say on that point, because I am not well-versed so far as Sikh rites and ceremonies are concerned. I think Sardar Saigal is more competent to speak on

this subject than myself. Since he thinks that there is some need for uniformity, I take it that the need must be there. There is no doubt that we do need all those things which are stated in the Statement of Objects and Reasons. I hope this Bill, when passed into law, will make for better administration of these gurdwaras.

This Bill has been before the public for a long time. We have now got five books which contain the opinions of the States and of knowledgeable persons about this Bill. I think this Bill has been welcomed in every part of India. It has found favour with everyone who has gone through it. Of course, people have tried to suggest some changes and improvements here and there. All those things will be gone into by the Joint Committee. But there is no doubt that Sardar Saigal has made this problem an all-India problem and has, therefore, done real service to the Sikh community and to other communities.

One of the great problems that faces us today in India is that we must preserve the sanctity of our places of worship whether those places of worship belong to Hindus, Christians or to anybody else. We must see that they are places where people go for worship and for nothing else. Those places should not be made use of for purposes other than spiritual or religious purposes. They should not be used for purposes which are political or otherwise. I think, Sir, if this Bill is passed, those places of worship, not only gurudwaras but other places of worship also, will become real places of worship where people will go only for spiritual edification.

I think, Sir, this Bill has been drafted with great care. I do not think any private Member has given any Bill of this kind. I think every kind of necessity that one may meet with here has been found in this Bill. I would, therefore, say that I support the motion of Shri Saigal for reference of this Bill to a Joint Committee.

I am told that there will be some use if the consideration of this Bill is postponed for some time. Well, I do not think that there should be any objection to it. Though I think on the face of it the Bill is a very good one, if it can serve the purpose to have it postponed I think it may be postponed for some time so that the Bill can become a little more useful and we can get a little more help from other States and other persons for making this Bill as perfect as possible.

Dr. Ram Subhag Singh: Sir, I beg to move:

"That the debate on this Bill be adjourned *sine die*".

I hope the Mover will accept this motion.

Sardar A. S. Saigal: Sir, Dr. Ram Subhag Singh has moved that the debate on the Sikh Gurdwara Bill may be postponed for some time. Taking into consideration the circumstances that obtain now and also the things that are going on, in my own view I think it is desirable that I should request the House to allow me to postpone discussion on this Bill.

Shri M. B. Thakore (Patna): May I know the reasons?

Sardar A. S. Saigal: There are reasons. If the hon. Member will only go through the various columns in the newspapers he will know the reasons.

Mr. Chairman: Many times things which we know are not made more explicit. Is the Mover agreeing to postpone the consideration of the Bill *sine die*?

Sardar A. S. Saigal: Yes.

Shri D. C. Sharma: Postpone it to the next session.

Mr. Chairman: Let us be clear when I put the motion.

Dr. Ram Subhag Singh: When I moved the motion, Sir, I did not mean that the Bill should be scuttled. Let it remain and be taken up later on. I only say that for the time being its consideration should be postponed.

Shri Hajarnavis: You can either name the period or do not name any period at all.

Dr. Ram Subhag Singh: I moved my motion without naming any period.

Mr. Chairman: That is *sine die*. I shall now put the motion to the vote of the House.

The question is:

"That the debate on this Bill be adjourned *sine die*."

The motion was adopted.

15.43 hrs.

FIXATION OF PRICE OF FOOD GRAINS BILL

Shri Jhulan Sinha (Siwan): Mr. Chairman, Sir, I beg to move:

"That the Bill to provide for fixation of prices of foodgrains be taken into consideration."

Sir, it will appear from the Statement of Objects and Reasons appended to the Bill that the Bill is intended mainly for two purposes. The main purpose is to give encouragement to the growth of food production in this country. The other important idea behind this Bill is to save the growers from exploitation by unscrupulous traders and others engaged in the business of procuring food.

It will not be very appropriate for me to take the time of the House by quoting a large number of figures that have been supplied to us in the various publications by the Lok Sabha Secretariat. But I may just quote only a few figures to show the gravity of the situation and the need for having a Bill like this. If you just have

a look at the figures of production of foodgrains during the last two years you will very easily realise how the figures have been fluctuating and how there is need for regulating the prices whereby the production of foodgrains in this country will rise. I am quoting the figures for the last 9 to 10 years. In 1950 the total production of foodgrains in this country was 54,48,000 tons and import of foodgrains in the same year was of the order of 21,25,000 tons. In 1951 the figures were 50,22,000 tons and 47,25,000 tons—fall in production and rise in imports. In 1952 the production was 51,75,000 tons and import for that year was 38,64,000 tons. I would not like to tire the House by quoting all the figures, though I have got the figures from 1950 up to the present time. The prices have been fluctuating. When the prices are going up the production rises; when the prices go down, the production suffers. This shows that the question of production of foodgrains is very intimately related to the price structure obtaining in the land.

I have introduced this Bill to draw the attention of the Government to the extreme necessity of having a stable food price policy in the country. We have had the experience of having minimum prices for certain other commodities. For instance, the House has been debating off and on, practically during every season, the price of sugarcane. There was a time when the price of sugar-cane was not regulated by law and then the condition of the sugar-cane growers in the country was as chaotic as it is now in the case of other foodgrains in this country. Since then, Government have fixed the statutory minimum price for sugar-cane and the production of sugar-cane has been steadily rising. So, there has been hardly any complaint of exploitation of cane-growers by the factory owners or others.

As I said, the main purpose of this Bill is the increased production of