

[Shri D. C. Sharma]

the private sector. There are some persons in the South who are in their private life more wedded to private sector than to public sector. Therefore when they come here they have to speak with some kind of reservation. I am absolutely a man for the public sector and I want this public sector to be as big as possible.

So far as the dispersal of industries is concerned, the hon. Minister has given his observations, but I want to ask him one thing. How far is he going to disperse these industries?

Shri Manubhai Shah: I may say that he was not at all present or heard me. I have said about each machine tool factory plant of Hindustan Machine Tools areawise giving the reason for every factory. . . (Interruption).

Mr. Chairman: Order, order. I may again bring to the notice of the hon. Member that this is the winding up stage of the debate. He should not raise new issues now. He may reply to certain points raised by the hon. Minister or by other hon. Members, but let him not raise new issues.

Shri D. C. Sharma: I do not want to raise any new issues, but what I have been saying is that the reply of the hon. Minister has been very disappointing from my point of view because he has not touched any of the issues that I had raised.

In the end I want to say that we are all very proud of the HMT. There is no doubt about it. But, I think the hon. Minister should have told us a few more things about the points that were raised by me and by the only other speaker. I thought that should have been done. Specially I wanted to know something about the workers. That has not been done by the hon. Minister.

Lastly, I would say that this Hindustan Machine Tool factory should grow from strength to strength and I wish that the model that it has set should be followed by other factories

also so that our public sector becomes one of the most glorious examples of our nation-building projects of this country.

Mr. Chairman: The question is:

"That this House takes note of the Annual Report of the Hindustan Machine Tools Limited for the year 1959-60 along with the Audited Accounts and comments of the Comptroller and Auditor General thereon, laid on the Table of the House on the 4th August, 1960."

The motion was adopted

Mr. Chairman: I think we may now adjourn.

The Deputy Minister of Law (Shri Hajarnavis): No, Sir.

Shri Naushir Bharucha (East Khadesh): There is a small Bill which will take only five minutes.

Shri Hajarnavis: It is a formal amendment to the Indian Succession Act. I had requested the hon. Deputy-Speaker to take it up.

It will take only five minutes.

Some Hon. Members: That may be taken up.

Shri Hajarnavis: The Deputy-Speaker said that it may be taken up.

Mr. Chairman: I am entirely in the hands of the House.

Shri Naushir Bharucha: I may be taken up.

Mr. Chairman: Yes.

16.30 hrs.

INDIAN SUCCESSION (AMENDMENT) BILL

The Deputy Minister of Law (Shri Hajarnavis): Sir, I beg to move:

"That the Risk further to amend the Indian succession Act, 1925, as passed by Rajya Sabha, be taken into consideration."

This is a small Bill. The effect of the Bill is to apply the law which now applies to Hindus, Mohammedans, Budhists, Sikhs and Jains also to Parsis which there has been a demand from the Parsi community. Under section 211, after a person dies, his property vests in his executor or administrator. But, this provision does not apply to Hindus, Mohammedans, Buddhists, Sikhs and Jains. If the property passes by survivorship, it vests in the survivor. If it vests in the executor or administrator, he has to take Letter of Administration and if the deceased has left a will, probate has got to be taken out under section 213. It was represented to us by the Parsi community that like the Hindus, Mohammedans, Budhists, Sikhs and Jains, this provision should not apply to the Parsi community. This amendment seeks to give effect to this demand on behalf of the Parsi community and tries to bring their law on this subject in line with the other communities. This is the effect of the Bill and I commend it to the acceptance of the House.

Mr. Chairman: Motion moved:

"That the Bill further to amend the Indian Succession Act, 1925, as passed by Rajya Sabha, be taken into consideration."

Shri Naushir Bharucha (East Khadesh): Sir, I shall not take the time of the House. I rise to support this Bill and thank the Government for bringing this Bill for amending the Indian Succession Act.

It was by a strange historical coincidence that the Parsi community was subjected to a different procedure in the matter of intestate succession from the various other Indian communities, such as Hindus, Buddhists, Sikhs and Jains. The disadvantage under which this community was suffering was that under the law, if a person left a will, the executor had to apply for probate and if he did not leave a will, he had to apply for Letters of administration. Both of them were procedure not only combersome, but extremely expensive.

The present amendment seeks to bring the Parsi community on the same basis as Hindus, Mohammedans, Sikhs and Jains. I think the Government have done well in accepting the suggestion of the Parsi community. I may assure the House that barring the reason of historical association or historical accident, there was nothing at all either in the custom of the Parsi community or any other law applicable to them which should have placed any distinction between them and the other communities. I, therefore, welcome this Bill and I thank the Government for having brought it up. Though justice is being done rather late in the day, still we are glad that one big grievance under which the community was suffering is being removed.

Mr. Chairman: I think Shri Ananta Tripathi Sharma wants to speak.

Shri Ananta Tripathi Sharma (Chattrapur-Orissa): I wanted to speak on the Indian Succession (Amendment) Bill, 1958, but I find that the present Bill is the Indian Succession (Amendment) Bill, 1961. So, I do not want to say anything on this.

Mr. Chairman: The Question is:

"That the Bill further to amend the Indian Succession Act 1925, as passed by the Rajya Sabha, be taken into consideration."

The motion was adopted.

Mr. Chairman: Now, we shall take up the Bill clause by clause. Clause 2 and 3 have no amendments. So, I shall put both these clauses together to vote

The question is:

"That clauses 2 and 3 stand part of the Bill."

The motion was adopted.

Clauses 2 and 3 were added to the Bill.

Clause 4— (Amendment of section 213).

Shri Hajarnavis: I have got a formal amendment to this clause. I beg to move:

Page 1, line 20, for '1961' substitute '1962'. (3).

This amendment follows as a result of the amendment that will be made in the Short Title. The name of the Act will now read as the Indian Succession (Amendment) Act, 1962 instead of as the Indian Succession (Amendment) Act, 1961. This is a consequential amendment.

Mr. Chairman: The question is:

Page 1, line 20, for '1961' substitute '1962'. (3).

The motion was adopted.

Mr. Chairman: The question is:

"That clause 4, as amended, stand part of the Bill".

The motion was adopted.

Clause 4, as amended, was added to the Bill.

Clause 1- (Short Title)

Amendment made:

Page 1, line 4, for '1961' substitute '1962'. (2).

(*Shri Hajarnavis*)

Mr. Chairman: The question is:

"That clause 1, as amended, stand part of the Bill".

The motion was adopted.

Clause 1, as amended, was added to the Bill.

Enacting Formula

Amendment made:

Page 1, line 1, for 'Tyelfthyear' substitute 'Thirteenth Year'. (1).

(*Shri Hajarnavis*)

Mr. Chairman: The question is:

"That the Enacting Formula, as amended, stand part of the Bill".

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Long Title was added to the Bill.

Shri Hajarnavis: I beg to move:

"That the Bill, as amended, be passed".

Mr. Chairman: The question is:

"That the Bill, as amended, be passed".

The motion was adopted.

16.39 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, March 29, 1962|Chaitra 8, 1884 (Saka).