

[Shri Vasant Sathe]

I have written to the State Governments to do something about that: it is within their power. Then Sir, regarding 28 suggestions, since they are of a constitutional nature, we could not accept them. We have not accepted the 28 suggestions. They are still being examined. That is the position about them.

MR. DEPUTY-SPEAKER: I shall now put the amendment of Shri Parulekar to the vote of the House.

Amendment No. 16 was put and Negatived.

MR. DEPUTY-SPEAKER: We shall take up the Clauses next time. Shri Sathe, in a cinema theatre, there are four shows. Therefore, you will have to come for the fourth time.

SHRI VASANT SATHE: In some theatres, the show goes for weeks and weeks. This will also go on for weeks.

15.01 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS
THIRTY-SECOND REPORT

MR. DEPUTY-SPEAKER: Now we take up Private Members' business.
SHRI Y. S. Mahajan.

SHRI Y. S. MAHAJAN (JALGAON): I beg to move the following:

"That this House do agree with the Thirty-second Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 10th December, 1981."

MR. DEPUTY-SPEAKER: The question is:

"That this House do agree with the Thirtysecond Report of the Committee on Private Members' Bills and Resolutions presented to

the House on the 10th December, 1981."

The motion was adopted.

MR. DEPUTY SPEAKER: Now we move on to the introduction of Bills. The first Bill is in the name of Shri Vikhe Patil. Shri Patil. He is not here. The next Bill is also that of Shri Patil. Not here.

The third and fourth Bills are also that of Shri Patil. He is not here. The next Bill is that of Shri Fernandes. Shri Fernandes.

He is also not present. The next two bills under item Nos. 6 and 7 are also that of Shri Fernandes. He is not present. Item No. 8 is in the name of Shri Ram Swarup Ram. Shri Ram Swarup Ram. He is not present. The next Bill under item No. 9 is that of Shri R.L.P. Verma. Mr. Verma.

15.02 hrs

INDIAN SOCIAL DISPARITIES AND
POVERTY ABOLITION BILL*

MR. DEPUTY-SPEAKER: Shri Verma. You may seek leave of the House to introduce your Bill.

श्री रीतलाल प्रसाद वर्मा (कोडरमा) :
मैं प्रस्ताव करता हूँ कि अन्य पिछड़े वर्गों के नागरिकों के सामाजिक, शैक्षिक और आर्थिक पिछड़ेपन का संविधान की व्यवस्था के अन्तर्गत उत्पादन करने वाले विधेयक को पुनःस्थापित करने की अनुमति दी जाए ।

MR. DEPUTY-SPEAKER: The question is:

"That leave be granted to introduce a Bill to provide for leave to introduce a Bill to provide for abolition of social, educational and economic backwardness of the citizens belonging to other backward

classes within the frame work of the Constitution."

The motion was adopted.

श्री रीतलाल प्रसाद वर्मा : मैं विधेयक को पुरःस्थापित करता हूँ ।

MR. DEPUTY-SPEAKER: The next bill under item 10 is that of Shri Raghunath Singh Verma. He is not present. The next bill under item No. 11 is that of Shri Nanje Gowda. Shri Gowda.

15.03 hrs.

BAN ON CREATION OF TRUSTS (FOR BACKWARD CLASSES OF PEOPLE) BILL*

SHRI H. N. NANJE GOWDA: (Hassan): I beg to move for leave to introduce a Bill to provide for banning creation of all kinds of trusts for backward classes of people.

MR. DEPUTY-SPEAKER: Motion moved:

"That leave be granted to introduce a Bill to provide for banning creation of all kinds of trusts for backward classes of people."

I think Shri Banatwala is opposed to the introduction of this Bill. Shri Banatwalla.

SHRI G. M. BANATWALLA (Ponnani): Mr. Deputy-Speaker, Sir, at this stage, I will not take a long time because you will remind me that only a brief statement is permitted. I rise to oppose the grant of leave to introduce this Bill.

Sir, this Bill has very strange provisions. For example, creation of trusts for the welfare of backward classes is sought to be banned. Is it that the trusts can be created for the welfare of the affluent classes only. For the trusts created for the benefit and the welfare of the backward classes are sought to be banned by this Bill.

Sir, the Bill goes on to say that all the trusts created for the welfare of

the backward classes people should be taken over by the Central Government. In other words, there should be a nationalisation of trusts. I would only submit that the question of nationalisation of trusts is violative of several provisions of our Constitution. Sir, the personal laws of several communities, specially the Muslims personal laws, have also been very eloquent on this topic.

Therefore, Sir, to say that the taking over of the Trusts would be the solution is not correct. This is the aim of the Bill. Therefore, I submit, it is highly objectionable; it is violative of several Articles of the Constitution of India I need not take the time of the House to dwell upon them.

Sir, I can very well understand the anxiety of the Hon. Members. He has mentioned this in the Statement of Objects and Reasons of the Bill. His anxiety is that these Trusts should not be used as political weapons for exploitation of the weaker classes. But then that is a different subject altogether. That does not mean that these trusts should not be created. That does not mean that these trusts should be taken over by the Government. It is also a serious intervention, I would say, with the Shariat Laws that are there. It is violative of Article 14. It is violative of Articles 25, 26, 29, 30 and several other Articles. While I appreciate the hon. Member's concern that there should be no exploitation of the backward classes and so on by these so-called trusts, I would appeal to him that the purpose cannot be achieved by the Nationalisation of these Trusts. Those who try to exploit these people can very well be proceeded against under the ordinary laws of the land. There are enough provisions of the law for the purpose. I request the hon. Member to withdraw the Bill. Otherwise I am constrained to request the House not to grant leave for such a Bill which is violative also of many of our Constitutional provisions. Thank you.