

[Dr. Ram Subhag Singh]

the week commencing Monday the 9th December, 1960, will consist of :—

(1) Consideration of any item of Government Business carried over from today's Order Paper.

(2) Discussion on the Resolution by Shri S. S. Kothari and others for the disapproval of the Essential Services Maintenance Ordinance, 1968 and consideration and passing of the Essential Services Maintenance Bill, 1968.

SHRI NAMBIAR : This can be postponed to the next session.

(3) Motion for concurrence for reference of the Contempt of Courts Bill, 1968, to a Joint Committee.

(4) Discussion and voting on :—

Supplementary Demands for Grants (Railways) for 1968-69.

Demands for Excess Grants (Railways) for 1966-67.

Supplementary Demands for Grants (Punjab) for 1968-69.

Supplementary Demands for Grants (Pondicherry) for 1968-69.

(5) Consideration and passing of the Legislative Assembly of Nagaland (Change in Representation) Bill, 1968.

(6) Further consideration and passing of the Registration of Births and Deaths Bill, 1968, as passed by Rajya Sabha.

(7) Consideration and passing of the Customs (Amendment) Bill, 1968.

(8) Discussion under Rule 193 to be raised by Sarvashri Madhu Limaye and George Fernandes regarding Report of the Committee on Inquiry (Steel Transactions) by Shri A. K. Sarkar at 5 p. m. on Tuesday the 10th December, 1968.

(9) Further consideration of the motion for modification of the Civil Defence Rules 1968 at 5 p.m. on Wednesday the 11th December, 1968.

(10) Discussion on border situation due to Pakistani and Chinese activities on a motion to be moved by Shri Prakash Vir Shastri and others on Thursday the 12th December, 1968, at 4 p.m.

श्री क० ना० तिवारी : (वेतिया) : अध्यक्ष महोदय, इसमें शुगर को और बढ़ावा दिया जाय ।

MR. SPEAKER : You have said that.

श्री मधु लिमये (मुंगेर) : मुझे दो बातें कहनी हैं । कल की तीन-चार घण्टे की बहस से पता चला होगा—मन्त्री महोदय को, यह जो एसेन्शियल सर्विसिज वाला बिल है, उसके खिलाफ....

MR. SPEAKER : Not now, Dr. Ram Subhag Singh's motion about the B. A. C. Report is there. Let him move the motion and then we can see.

## BUSINESS ADVISORY COMMITTEE

### Twenty-Sixth Report

THE MINISTER OF PARLIAMENTARY AFFAIRS AND COMMUNICATIONS (DR. RAM SUBHAG SINGH) : I move :

"That this House do agree with the Twenty-sixth Report of the Business Advisory Committee presented to the House on the 5th December, 1968."

MR. SPEAKER : Now, the motion before the House is the Report of the Business Advisory Committee. Last week, when the Business Advisory Committee met, it allotted 5 hours for this. Yesterday, we had already taken 5 hours in taking constitutional objections to the introduction of it. But that does not matter. Yesterday, we again allotted 5 hours for this, without taking that into consideration, not only 5 hours but 2 hours more and we made it 7 hours. I think, that was agreed to. If you add 5 hours that we spent yesterday, it means 12 hours we are spending on this. This was the decision taken yesterday by the Business Advisory Committee with all friends sitting there.

So ask the the Government to withdraw the Bill and all that, you can say that during the discussion of the Bill. The whole of yesterday was spent constitutional points that they must withdraw it. If, at this stage, you again begin discussion on that point, it will go on as it happened yesterday and the whole of the today will be spent like that. This is the Report of

Business Advisory Committee, not Government's or anybody else's, the property of the House. I do not think it is fair to begin a discussion again at this stage. The whole of yesterday was spent on this.

श्री मधु लिमये (मुंगेर) अध्यक्ष : महोदय यह बात सच है कि बिजनेस एडवाइजरी कमेटी में जो बहस हुई थी वह यहां पर आई। लेकिन आप यह भी जानते हैं कि बिजनेस एडवाइजरी कमेटी में मैंने इसका सख्त विरोध किया था इस विधेयक की इस समय कोई आवश्यकता नहीं है, कोई हड़ताल वगैरह होती, तो यह बात समझ में आ सकती थी। लेकिन जिस विधेयक के बारे में इस सदन को सपष्ट आश्वासन दिया गया था, उस बिल को ये क्यों दबा रहे हैं—मैं कम्पनी डोनेशन बिल के बारे में कह रहा हूँ। यह जो अनावश्यक और फासिस्ट विधेयक है, जिसका हम लोगों ने विरोध किया था उसको वापस ले लें और कम्पनी डोनेशन बिल, जिसके बारे में यहां पर पूर्ण एकमत था, कांग्रेस पार्टी, और सभी विरोधी दलों ने मेरे विधेयक का समर्थन किया था और मंत्री महोदय ने आश्वासन भी दिया था कि यह विधेयक यहां आयेगा, बजट सत्र के अन्त में यह आश्वासन दिया गया था, उसके बाद पूरा बरसाती सत्र चला गया, शीतकालीन अधिवेशन भी खत्म हो रहा है, अब तक मंत्री महोदय उसको दबा कर क्यों बैठे हैं, मैं चाहता हूँ कि उसको शीघ्र लाया जाय।

दूसरी बात—यहां पर केन्द्र और राज्य के सम्बन्ध में बहस हुई और कल चीनी के बारे में हुई या तो आप एक घंटे के अन्दर सब का समय बांध दीजिये—लेकिन वह नहीं हुआ, कल हमारे दल के सदस्य जोशी जी बोलने वाले थे लेकिन उनको मौका नहीं मिला। मेरा निवेदन है कि ऐसा नहीं होना चाहिये और भविष्य में सब को मौका दिया जाय—ऐसी व्यवस्था कीजिये। चूंकि इन बहसों में सब को मौका नहीं मिला है इसलिये कम से कम इस शीतकालीन सत्र में केन्द्र और राज्यों के सम्बन्ध में

जो अधूरी बहस रह गई है तथा चीनी वाली। बहस को पूरा किया जाय। भविष्य के लिये यदि कोई नया नियम बनाना है, जैसे मेरा डिक्लेशन आने वाला है, उस पर आप समय बांध दीजिये, पहले वक्ता को 10 मिनट और बाद में बोलने वाले को पांच-पांच मिनट दिये जाय।

SHRI H. N. MUKERJEE (Calcutta North-East): Mr. Limaye has raised a matter of principle and propriety in regard to this assurance of Government about the Bill relating to donations from companies. I know that you or we cannot compel Government to bring forward a piece of legislation if they do not want to do so, but they must tell the House and explain the reasons why they are apparently going back upon an assurance. We are being treated to a continuous process of procrastination when promises are given and the performance is postponed indefinitely. I would, therefore, like you to extract from Government something which you can do, namely, they must explain to the House why it is that an assurance earlier given is not being implemented, if that is their intention.

SHRI K. N. PANDEY (Padrauna): There is one unfinished debate about sugar. The condition in regard to sugar in country is such that of out 205 sugar factories only 90 are working; crores of kisans are affected; about 2 lakh workers are also affected. Heavens will not fall down if the foreign affairs are not discussed here. They can be discussed at any time.

About the Bill relating to donations from companies, if it is delayed it is to their benefit because they will get some more donations... (Interruptions).

श्री मधु लिमये : चार राज्यों में चुनाव हो रहे हैं, आप पैसा इकट्ठा करना चाहते हैं—क्या यह कोई मामूली बात है ?

SHRI K. N. PANDEY : The unfinished debate on sugar should be continued and finished in a day or two so that some announcement may be made by Government in order to facilitate cultivators.

श्री स० मो० बनर्जी (कानपुर) : अध्यक्ष महोदय, सबसे पहले तो मैं यह कहना चाहता हूँ कि आइटम 9 और 10 दोनों हमारे सामने हैं यानि बिजनेस एडवाइजरी कमेटी की रिपोर्ट हमारे सामने हैं। यह बात सही है कि कल उपाध्यक्ष महोदय को काफी तकलीफ हुई, लेकिन फिर भी एसेम्बल सर्विसेज मेन्टेनेन्स बिल पर पांच घण्टे बहस हुई, इससे जाहिर है कि जब इंट्रोडक्शन स्टेज पर ही उसका इतना विरोध हुआ तो उसके पीछे कोई तथ्य जरूर हैं, वरना इतना विरोध न होता। कानून मन्त्री जी ने भी उस बहस का जो जवाब दिया, उसके एक ही पहलू को उन्होंने लिया। इसमें, अध्यक्ष महोदय, वे केवल अपने उस एक्शन को रेगुलराइज करना चाहते हैं जिसमें 12 हजार आदमियों को निकाला गया है। लेकिन कम्पनी डोनेशन बिल के बारे में फ्लेरुद्दीन अली अहमद साहब वे हाउस को सोलम एसोरेन्स दिया था, इस वक्त प्रधान मन्त्री जी भी यहां बैठी हुई है उन्होंने खुद कहा, कांग्रेस ने भी फैसला किया था कि चुनाव के लिये पोलिटिकल पार्टीज द्वारा चन्दा न लिया जाय, लेकिन उसके बावजूद भी वह बिल अभी तक यहां नहीं आया है। अब तो जो कुछ चन्दा इन्होंने वसूल करना था, उत्तर प्रदेश और बिहार में, वह वसूल कर चुके हैं, अब फुल करना नहीं है, लिहाजा वह बिल यहां आना चाहिये।

दूसरा सवाल यह है कि कल आपने बड़ी मेहरबानी कर के मास्टर्स की हड़ताल के संबंध में काफी मौका दिया था और मिनिस्टर साहब की तरफ से यह आश्वासन दिया गया था कि टेलीफोन पर बातचीत की जायगी ताकि मास्टर्स को छोड़ दिया जाय और वे जाकर गवर्नर साहब से बातचीत कर सकें, लेकिन मेरी इन्फर्मेशन यह है कि मास्टर्स को अभी तक नहीं छोड़ा गया है।

MR. SPEAKER : How does that come in today ? We are discussing the report of the Business Advisory Committee.

SHRI S. M. BANERJEE : It is .elevant, Sir. The discussion should be allowed.. (Interruption).

MR. SPEAKER : Order please. Shri Hem Barua.

SHRI HEM BARUA (Mangaldai) : This is a very serious matter. There was an assurance that this subject of donations to political parties would be discussed on the floor of the House. This is not coming up because of the differences in the congress party about the donations and all that. Should Parliament be by passed like this, because there are differences in the congress party ?

SHAI R. D. BHANDARE (Bombay Central) : Shri Madhu Limaye raised the question of time and he is justified ; he is right. Leaders should speak for ten minutes and the others have to speak for five minutes. But what happens is this. Whether the discussion is for one hour or two hours or half-an-hour the same number of speakers speak and the same time is consumed. It is very difficult for the Chair to control the Members, unless there is strict party discipline and they themselves deal with the Members or ask the Members to confine themselves within the particular time allotted.

MR. SPEAKER : That applies to both sides.

SHRI R. D. BHANDARE : It applies to all the parties with your guidance Sir.

श्री रवि राय (पुरी) : अध्यक्ष महोदय, श्री मधु लिमये ने जो प्रस्ताव उठाया था उसके बारे में हमने डा० राम सुभग सिंह जी को भी चिट्ठी लिखी थी जिसका जवाब उन्हें 19 नवम्बर को दिया था। मैं उनका वह उत्तर यहां पर पढ़कर सुनाना चाहता हूँ :

'Kindly refer to your letter dated 18th November, 1968, regarding the Companies (Amendment) Bill. I find from the proceedings of the House dated 14th August, 1968 that I had stated as under :

"So far as the Company Donations Bill is concerned, the Bill is already on

the anvil and time will be allotted to it."

As a matter of fact this item was included in the list of business for the last week of the monsoon session. However, due to heavy agenda during the last week it did not come up for discussion on the 30th August.

'You must have noticed that the Companies (Amendment) Bill has been included for consideration and passing in the list of probable business circulated to the Members. List of items of Government business for the current session is also very heavy. All the same we hope to provide time for consideration of this Bill soon after the disposal of Bills replacing ordinances and the voting of Supplementary Demands for Grants.

तो मेरा प्रस्ताव यह है कि जब पिछली बिजनेस एडवाइजरी कमेटी की बैठक में इसको नहीं लिया गया तो इस सारे के सारे सवाल को दोबारा बिजनेस एडवाइजरी कमेटी के पास भेज दिया जाये और वह इसको तय करे। जब उन्होंने यह वचन दिया है तो फिर उस वचन का ख्याल भी करना चाहिए।

श्री शिव नारायण (बस्ती): अध्यक्ष महोदय इस समय यहां पर हमारी प्रधान मंत्री और हमारे शिक्षा मंत्री, दोनों ही मौजूद हैं। मैं आज उत्तर प्रदेश जा रहा हूं। मैं सरकार से चाहता हूं कि जो ग्रह्यापक आज जेलों में बन्द हैं उनको तत्काल रिलीज कर दिया जाए। जब वे बातचीत करने के लिए तैयार हैं तो फिर उनको जेल से छुट्टी दी जाए और आपस में बातचीत करके सारे मामले को तय कर लिया जाए। यह चीज उत्तर प्रदेश बल्कि सारे देश के हित में होगी।

SHRI NAMBIAR (Tirucherappalli): Sir when he brought up this business for next week, I immediately protested and said that the Essential Services Bill need not come in the next week for the reason that we can save 7 hours. We can conclude the sugar debate and debate on Centre-State relations.

Sir these are all very important matters.

After all as Shri Madhu Limaye pointed out there is no strike now.

And that Bill is to cover a period of five years. We have enough time to pass it even in the next session. Therefore, I may submit that by postponing that Bill we can save about 7 hours.

MR. SPEAKER: As regards the amendment...

श्री रवि राय: इसको बिजनेस एडवाइजरी कमेटी के पास वापिस भेज दीजिये। मैंने अमेंडमेंट मूव किया है।

MR. SPEAKER: I do not mind if he wants to move it. But the Business Advisory Committee had considered everything carefully. Most of the representatives were there ..

श्री रवि राय: मधु लिमये जी ने उसका विरोध किया था।

MR. SPEAKER: I do not want to mention names. There were Members from different parties there. And the Business Advisory Committee had considered everything carefully. Still, I find that he wants to move on amendment.

श्री मधु लिमये: डा० राम सुभग सिंह की इस पर क्या प्रतिक्रिया है? और नेता सदन इस पर क्यों चुप हैं? यह पूरे सदन का सवाल है, डा० राम सुभग सिंह का आश्वासन है तो नेता सदन को इस पत्र के बारे में क्या कहना है। यह मामला बिजनेस एडवाइजरी कमेटी में जाना चाहिए। कभी-कभी नेता सदन को भी यहां पर कुछ कहना चाहिए ... (अवधान) ...

रघुकुल रीति सदा चली आई... (अवधान)

DR. RAM SUBHG SINGH: I have already explained in the letter..... (Interruption).

MR. SPEAKER: I have given opportunities to several Members already...

SHRI H. N. MUKERJEE : But we have not heard the Ministry yet.

MR. SPEAKER : I am not putting the motion to vote now. I would certainly like to hear the hon. Minister.

But before I call him, I would like to say a word in regard to the amendment. It seeks to refer it to the committee for a particular purpose. The committee has a right to take decisions. We cannot tell the committee here 'Do this or do that'. Let us hear the hon. Minister about that point.

SHRI S. M. BANERJEE : The Essential Service Maintenance Bill may be circulated for eliciting opinion thereon.

DR. RAM SUBHAG SINGH : As regards the point made by the leader of the S.S.P., and the assurance I have given in that letter, I adhere to that *in toto*. What Shri H. N. Mukerjee has said is covered by that and that also covers the point raised by Shri Madhu Limaye and Shri Nambiar. As regards the sugar discussion as you have said, the Business Advisory committee will consider the matter.

Regarding the point raised by Shri Hem Barua that there is difference of opinion, I would only repeat that *chowpayee* which Shri Madhu Limaye had recited, and say that we are going to be guided by that *chowpayee*; there is no difference of opinion on that.

SHRI TULSHIDAS JADHAV (Bar-mati) : About the sugar discussion....

MR. SPEAKER : I cannot assure him of anything. I cannot say anything now. The Business Advisory Committee has to take a decision. So, how can I promise? Why should there be a committee if I can promise here?

SHRI S. M. BANERJEE : Something should be said about the U.P. teachers also.

MR. SPEAKER : I shall now put the motion of Dr. Ram Subhag Singh to vote.

The question is :

"That this House do agree with the

Twenty-sixth Report of the Business Advisory Committee presented to the House on the 5th December, 1968."

*The motion was adopted.*

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12.38 hrs.

## INSURANCE (AMENDMENT) BILL —Contd

MR. SPEAKER : The House will now take up further consideration of the following motion moved by Shri K. C. Pant on the 4th December, 1968, namely :—

"That the Bill further to amend the Insurance Act, 1938, so as to provide for the extension of social control over insurance carrying on general insurance business and for matters connected therewith or incidental thereto and also to amend the Payment of Bonus Act, 1965, as reported by the Joint Committee, be taken into consideration."

Shri Bedabrata may now continue his speech. He has already taken about 11 minutes. So, he should be very brief now.

SHRI BEDABRATA BARUA (Kaliabor) : As I have pointed out already, this Bill answers to the minor objectives of national policy while the major objectives of policy are not touched by the social control proposed in the Bill. I would like to draw your attention to the four main objectives of national policy, namely mobilisation of resources, prevention of concentration of economic power in the hands of a few people who may be controlling an insurance company which insurance company in turn may be controlling a very disproportionately large share of the nation's investible capital, elimination of foreign interest in the insurance business which accounts for nearly Rs. 20 crores of the premia income of these companies, and fourthly the expansion of the general insurance business in the country, an objective which has not been touched at all by this Bill.

In spite of the growth of general insurance business or the creation of general insurance business, the principal Act is still a pre-Constitution Act. General insurance business has not expended except to