

13.37 hrs.

CONSTITUTION (THIRTY-FIFTH AMENDMENT) *BILL

THE MINISTER OF LAW, JUSTICE AND COMPANY AFFAIRS (SHRI H. R. GOKHALE): I beg to move for leave to introduce a Bill further to amend the Constitution of India.

MR. SPEAKER: Motion moved:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

I have received four or five names. Mr. Madhu Limaye.

श्री मधु लिमये (बांका) : अध्यक्ष महोदय, मैं इस विधेयक का पूर्णतया विरोध करना चाहता हूँ। यह बिल्कुल अनावश्यक विधेयक है और इस का केवल यही मकसद है कि जन आन्दोलनों के चलते जो इन का बहुमत हवा में उड़ रहा है, उस को ये बनाए रखना चाहते हैं जबरदस्ती और इसलिए इस काम में हम उन्हें सहयोग नहीं दे सकेंगे।

अध्यक्ष महोदय, अगर केवल इस का संमित उद्देश्यों होता कि जो सदस्य का पत्र है, उस पर उस के हस्ताक्षर जेन्यून हैं या नहीं जैसा कि गुजरात एसम्बली में नियम है, वह फिर मैं आप की खिदमत में पेश करना चाहता हूँ, यह रूल 269, सब रूल (2) है :

"The Speaker shall, after he receives an intimation in accordance with sub-rule (1), satisfy himself that the document received by him is genuine and as soon as may be, after he is so satisfied, inform the Assembly that such and such member has resigned his seat in the Assembly."

तो मैं विरोध न करता लेकिन इस का मकसद क्या है कि विधान सभाओं के और लोक सभा के अध्यक्ष को इस में बसीटने का सवाल उत्पन्न होता है। अध्यक्ष महोदय, आप जानते हैं कि विधान सभा या लोक सभा का अध्यक्ष एक माइने में निर्दलीय रहता है और अध्यक्ष पद पर पहुंचने के बाद अगर वह कांग्रेस पार्टी का या किसी दूसरी पार्टी का सदस्य है, तो वह निर्दलीय सदस्य के रूप में काम करता है और सदन का एक एक विभाग का विश्वास उस को हासिल है, लेकिन इस विवादस्पद मामले में आप अध्यक्ष को बसीटेंगे तो मामला बहुत ही खतरनाक हो जाएगा।

इसलिए मैं आप का अधिक समय नहीं लेना चाहता, लेकिन मैं बुनियादी तौर पर इस का विरोध हूँ और इस के ऊपर मेरे दो आक्षेप हैं। न० 1 तो यह है कि जन आन्दोलन को दबाना और कांग्रेस के अधिराज्य को जबरदस्ती बनाए रखना और न० 2 यह है कि अध्यक्ष के पद को विवादस्पद बनाना। इसके ऊपर मेरे ये दो बुनियादी आक्षेप हैं।

श्री अटल बिहारी वाजपेयी (ग्वालियर) : इस संविधान संशोधन विधेयक का विरोध करने के लिए मैं खड़ा हुआ हूँ। अगर संविधान में सचमुच में कोई संशोधन होना चाहिये तो यह होना चाहिये कि जनता अपने निर्वाचित प्रतिनिधियों को वापिस बुलाने का अधिकार रखती है और इस अधिकार को देने के लिए संशोधन होना चाहिये। यह संशोधन बिपरीत दिशा में हो रहा है विधान मंडलों से त्याग पत्र की प्रक्रिया संविधान में निश्चित है। उसे बदलने की आवश्यकता क्यों पड़ी? उद्देश्यों और कारणों में कहा गया है :

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 3-5-74.

“कुछ दिनों से ऐसे उदाहरण आने लगे हैं जिन में सदस्यों को विधान सभा से त्यागपत्र देने के लिए उन पर दबाव डालने के तरिके अपनाए जा रहे हैं।”

जनता के निर्वाचित प्रतिनिधियों को इतना कमजोर, इतना दुर्बल और इतना बर्बत नहीं होना चाहिये कि दबाव डालने से वे त्यागपत्रों पर दस्तखत कर दें। अगर उन पर दबाव डाला जाता है तो इसका विरोध करने का उन में बल होना चाहिये। नैतिक बल होना चाहिये—

श्री कस्तूर साठे (प्रकोला) : उनके सिर मूँड देते हैं, उनका काला मुँह कर देते हैं, गधे पर उनको बिठाते हैं, छुरा दिखाते हैं। ऐसी स्थिति में कोई आदमी क्या कर सकता है ?

श्री अटल बिहारी वाजपेयी : ये मुझ पर दबाव डाल रहे हैं।

इस विधेयक में आपको भी घसोटा जा रहा है। विधान मंडलों के अध्यक्षों को भी इस में शामिल किया जा रहा है। मैं एक धारा पढ़ना चाहता हूँ इसकी जो पृष्ठ दो पर है :

“Provided that in the case of any resignation referred to in sub-clause (b) if from information received or otherwise and after making such inquiry as he thinks fit, the Chairman or the Speaker, as the case may be is satisfied that such resignation is not, voluntary or genuine, he shall not accept such resignation.”

मैं पूछना चाहता हूँ from information received or otherwise क्या है ?

क्या इनको इलाहाबाद होस ? क्या इस विधेयक को पास करके हम विधान मंडलों के अध्यक्षों, लोक सभा के अध्यक्ष और

राज्य सभा के अध्यक्ष को विवाद का विषय नहीं बना देंगे ?

आप इस बात को भी ध्यान में रखें कि विरोधी दलों की भी सरकारें हैं, उनके भी निर्वाचित स्पीकर हैं। आप उनको क्यों घसीटना चाहते हैं ?

इस संशोधन विधेयक को लाने के पहले सरकार ने भले ही अनौपचारिक रूप से क्या आप से चर्चा की है ? क्या राज्यों के विधान मंडलों के अध्यक्षों से चर्चा की है ? इस मामले को स्पीकर के कॉन्फेस में भेजा जा सकता था। क्या इसको वहाँ भेजा गया है ? क्या अध्यक्षों की राय लिए बिना इस तरह का संविधान में संशोधन लाना उचित है ?

अध्यक्ष महोदय : वे तो नहीं ला रहे हैं, आप ला रहे हैं।

श्री अटल बिहारी वाजपेयी : बेला रहे हैं, भा कों मुश्किल में डाल रहे हैं। हम आपको बचाना चाहते हैं। आपको इस में नहीं पड़ना चाहिये। यह जनता और उसके द्वारा चुने हुए प्रतिनिधियों का काम है। इस में निर्वाचित अध्यक्षों को घसीटने की क्या जरूरत है।

अध्यक्ष महोदय : आपकी रक्षा होगी।

श्री अटल बिहारी वाजपेयी : हम अपनी रक्षा करने में समर्थ हैं।

SHRI SEZHIYAN (Kumbakonam): Mr. Speaker, Sir, I rise to oppose the introduction of the Bill on two grounds. Firstly, as in the previous Bill, they say that the rules should be suspended to introduce two Constitution (amendment) Bills. This, I think, is done in a very unseemly haste. The only reason that has been given in the memorandum submitted to the House is that “as only one week is left before both the Houses adjourn

[Shri Sezhiyan]

arrangements, of necessity, have to be made for the introduction of this Bill on an urgent basis. In the circumstances, it is requested etc., etc."

I do not want to repeat the same arguments that I advanced last time. This way, we can suspend some other rules and pass the Bill without any discussion straightway. Why then have the rules of procedure for introduction, consideration and passing the Bill at all. This is an important Bill which has got very many implications which we ourselves are not able to comprehend at this stage.

It is true that nobody should be pressurised or on the show of violence that he should resign from the membership of the Legislature. At the same time we may open the floodgate to other items also and we may be putting the Chair thereby in an embarrassing position because it has given the power to ascertain whether there is any duress and the onus is put on the Chair which may be questioned later on.

Suppose there is some party which passes a resolution that all the Members belonging to that party should resign. It happened in Andhra. Somebody says that it is a duress by the party on the Members. How are you going to decide? Suppose there is duress. Why unnecessarily you put the Speaker or the presiding officer of a Legislature in an embarrassing position? In this respect, it would have been more appropriate if they had taken the views of the States also beforehand. We are not against the spirit behind the introduction of this Bill. Nobody should be pressurised by the show of violence to resign. There is a way of doing all these things. If only they are very serious about this Bill, I would suggest, because, there seems to be a hurry that in the business of the next week tabled just now, the Minister of Parliamentary Affairs said that it should be passed on the 8th of this month. There

is some confusion also about the numbering of the bills—Thirty Fourth or Thirty-Fifth amendment Bill. I do not want them to act in such a hurry of suspending this rule or that as there is no logic or reason behind this. Therefore, I would appeal to them not to proceed in a haste. While we co-operate with them in removing any of the duresses that are there, they should not also try to hurry this Bill. That is why I am opposing the introduction of this Bill and suspension of the relevant rules.

SHRI SAMAR GUHA (Contai): Sir, I rise to oppose the introduction of this Bill because, I feel, that this is tantamount not only to conspiracy against the democratic rights of the people but also against the new signs of the resurgence of the Indian people to exercise their just right.

In the Indian Constitution, there is no provision for the right to recall; there is no provision also for the referendum or plebiscite. Shri H. V. Kamath, in the Constituent Assembly, moved an amendment and drew the attention of the Constituent Assembly to the fact that most of our electorates here are illiterate. Maybe there may be communal pressure or some other extraneous factors which are not directly related to the democratic rights of the Members. Suppose, if somebody is elected. It is on the basis of the elections that he is sitting here. Due to caste or creed, he may be liable to commit a criminal offence. I therefore say that there should be a referendum or right to recall such members. There should be some provision incorporated. In fact, at that time, they were very much worried. Even our founding father of the Constitution perhaps did not see what would be the future of this country.

In other countries, there is such a provision. In France, in 1946, they passed their Constitution in their Parliament. But, on the point of referendum, it was turned down by the people and so, after five months, a new

Constitution had to be adopted. You know that in Switzerland, the provision to recall is there; the provision for a referendum is also there. There is a provision in all the constitutions whereby the electors have the right to recall their representative at any time.

MR. SPEAKER: Why are you making a long speech on it?

PROF. MADHU DANDAVATE (Rajapur): Sir, when he is making a relevant point you are not allowing him.

MR. SPEAKER: You are giving him inspiration all the time.

SHRI SAMAR GUHA: Sir, it is a conspiracy when our people are going to assert their democratic rights against the corrupt and the politically imbecile representatives of the people. (Interruptions). If he feels he is I shall have the pleasure of....

AN HON. MEMBER: The cap fits nobody in the House.

SHRI SAMAR GUHA: It is a conspiracy to curb that right. Either you incorporate the right of recall or referendum or this change of the Constitution is nothing but a conspiracy against the democratic rights of the people.

SHRI H. N. MUKERJEE (Calcutta—North-East): Mr. Speaker, Sir, none of us normally would oppose introduction of a Bill but this time it does seem rather peculiar, perverse and all that sort of thing as to why Government has come forward with this legislation. I perhaps have no business to worry if this Government makes a laughing stock of itself but I have every reason to worry if Government proposes legislation which makes a laughing stock of our country. The Constitution is our fundamental law and in the Constitution we do not have provisions cluttering it up—the way it does at the present moment. We do not need to put into the Constitution

provisions of this sort which Government has thought fit to put forth. We are all aware that maybe in Bihar and Gujarat certain cases of people having been compelled against their will to sign letters of resignation have been discovered. But that happened in the course of a certain popular upsurge on account of which certain excesses had taken place. But that is no reason for us to advertise to the rest of the world that in this country it is nearly habitual for members of the legislature to be compelled against their will to resign their seats in the House. There is no reason for us to put that assumption in the Constitution. As it is, under the provisions of the Constitution, the Speaker or the Chairman has to accept somebody's resignation, and if the Speaker or Chairman comes to discover that there are certain reasons which make him suspect that the resignation letter is not genuine, is spurious, there are ways and means open to him at this present moment to find out the position. But to put in the Constitution this kind of provision is an advertisement of our complete incapacity to run anything like a decent representative system. I know instances in Bihar where things have happened which should not have happened, but that is no reason for us to bring forward this kind of legislation.

A very legitimate question was asked if the Presiding Officers concerned had been taken into confidence by Government. As far as I can understand it, the Presiding Officer of no legislature should take upon himself the responsibilities which are involved in this kind of legislation. The Speaker cannot operate except in so far as the House authorises him to operate. The Speaker does not act in accordance with something like a government ukase. The Speaker of course goes by the law of the land and if this is put into the law of the land, his hands are tied. But the Speaker's institution and its traditions suggest that it has a certain dignity and with that dignity only it can be effective.

(Shri H. N. Mukherjee)

Do we expect the Speaker or the Chairman to have an apparatus, a magisterial apparatus, to conduct investigation into all kinds of irrelevant things of which notice should be taken by other departments of the executive? This is trying to saddle the Speaker or the Chairman with jobs which are none of his business. But Government proposes to do so.

I do not understand why this Government wants to put into the Constitution footling little matters, trivial matters. They have no time to discuss important matters. Prof. Samar Guha referred to something rather basic about recall, referendum and that sort of thing. I could understand this Government worrying its head, if it has any, about basic matters of constitutional importance, but it worries its head over administrative piffle. That is why this kind of detail is sought to be put into the Constitution itself. That is why it comes forward at the fag end of the session wanting to waive the rules. They want us to push this thing through Parliament. They do not even suggest 'Let it go to a Select Committee; let us put our heads together and do something about it.'

This is another example of the habitual disrespect which the Government of this country shows to the Parliament of this country. This is another example of the egregious attitude of complete disrespect which the Government has in regard not only to Parliament but to the Constitution which is a basic, fundamental document for the administration of this country. This is a footling little piece of legislation which will be thrown into the wastepaper basket if it is really discussed on its merits. But this shows up the Government's appreciation of the kind of problems which this country has to face, its preoccupation with footling little matters when so many other basic things have to be attended to do. They deal with footling little matters in a disrespectful fashion unaware of the dignity of

the Speaker/Chairman, unaware of the position of Parliament, unaware of the basic good sense and grace and understanding of the common people of our country, unaware that a convulsion takes place and all sorts of excesses also take place, unaware that administrative organisation of certain things is not the definition of statesmanship.

I am sorry I am wasting my time and everybody else's time in this House trying to inject some sense into skulls which are impenetrable to any kind of understanding.

SHRI SHYAMNANDAN MISHRA (Begusarai): I oppose the introduction of the Bill because of some basic reasons. Although I would like to make it clear right in the beginning that we are against coercion which is another form of violence, we do think that to exercise moral influence or to organise social pressure to bring about a change is not wrong.

14.00 hrs.

Why do I consider my reasons to be basic? The first one is that it is the Member's right to resign and to get his resignation accepted. Now, a Member is not like a subordinate; a Member does not function like a subordinate in the office of the Speaker or in the office of the Chairman, so by that until his resignation is accepted he will continue to be in service. That is not the position which any hon. Member can accept. So, it is a basic right of any Member to resign and to get his resignation accepted.

Secondly, if there is any doubt—

SHRI VASANT SATHE: There is the right to withdraw his resignation.

SHRI SHYAMNANDAN MISHRA: Here you do not even mention that; the Member concerned will enter an objection, that the Member will have complained somewhere, that his resignation had been secured in a forcible manner. It is not mentioned here.

SHRI A. K. M. ISHAQUE (Basi-hat): Have a look at the provisions.

SHRI SHYAMNANDAN MISHRA: I have gone through the Bill very minutely.

So, this is completely against the right of a Member and goes against the provision in the constitution. It is not a right given by an ordinary law; it is a right given by the Constitution that a Member can resign and get his resignation accepted.

Then, it raises fundamental issues, as has been pointed out by many hon. Members, about the nature of the functions pertaining to the offices of the Presiding Officers. Whether the Presiding Officers can involve themselves in functions like these? This is indeed an executive function with which the offices of the Presiding Officers are sought to be saddled. If any resignation has been forcibly secured, then it is an offence under the law, and if it is an offence under the law, the Member has a remedy in the court of law; the Member must not seek a remedy at the hands of the Speaker or the Chairman but in a court of law. Here what you are trying to do is to substitute the function.(Interruption) Coercion is an offence.

MR. SPEAKER: Do not interrupt him.

SHRI SHYAMNANDAN MISHRA: The functions of the magistrate are sought to be substituted by the functions of the Speaker, and these functions legitimately do not belong to the domain of the Presiding Officers.

Then, these high offices are sought to be embroiled in politics. If a particular Speaker wants to help the ruling party when the margin of majority is very thin, would he not exercise his discretion in a very undesirable manner? What is the remedy to that? If there is only a thin majority by which a party rules the country, he might oblige. So, it would be embroiling the Presiding Officers in party politics.

Then, I have also a feeling that it would be jeopardising the safety of the Presiding Officers. Since there is a fear that there might be threat of violence under which resignations are being secured, there can also be a legitimate fear that there would be a threat of violence against the Presiding Officer for not accepting it. So, this is another aspect of the matter which will have to be gone into. Instead of jeopardising the lives of the Members, what is sought to be done is to jeopardise the lives of the Presiding Officers. This is peculiar. (Interruptions).

Further my submission is that if the Presiding Officer gives a wrong decision, he can be used in a court of law because it is not a function within the House. It is a function outside the House and the Presiding Officers would be liable to be sued in courts of law. Even legislatures cannot protect Presiding Officers.

MR. SPEAKER: By giving a very dismal and sad picture, do you expect that I should give some ruling for over-ruling this?

SHRI SHYAMNANDAN MISHRA: What would happen if any party decides that all its members will have to resign? Would it be considered to be resignation under threat or under coercion? A party might well decide so, because it has contested the seats on the basis of certain ideological programmes and it thinks that its programme would be better served by Members resigning. So if they issue a directive to their members to resign what would be the interpretation of such resignations?

Finally my submission is that if any resignation is sent, then probably the Presiding Officer can wait for about a month, or a few days, to see whether there is any contradiction about this or whether there is any information from the Member con-

(Shri Shyamnandan Mishra)

cerned about this. Even so, I feel that it would be unnecessarily delaying the execution of a right which properly belong to a member. But for the sake of the satisfaction of the Presiding Officers some period could perhaps be laid down.

In any case, would never be a party to anything being done with regard to the resignation of a Member which depends upon the subjective satisfaction of the Presiding Officers. To leave the matter to the subjective satisfaction of the Presiding Officer would be extremely dangerous.

SHRI H. R. GOKHALE: When I was hearing this discussion, I was wondering whether we were considering the motion for consideration. In the entire discussion not one Member raised any question as to the legislative competence of this Bill which is relevant under the rules.

SHRI SHYAMNANDAN MISHRA: I have raised the point about the Constitutional right of a Member to get his resignation accepted.

SHRI H. R. GOKHALE: That is not a matter of legislative competence at all. Certainly not. I would request you to find out the distinction between legislative competence and whether or not it is a right thing to do to deprive a Member of his right to resign. I understand that argument. But, kindly do not confuse between legislative competence and your argument.

(Interruptions)

I do not want to reply elaborately to all the points because I know I will have to deal with these points when the Bill comes up for consideration. In a way, I am thankful to the hon. Members. They have given me notice of what they are going to say. I will deal with some points raised. Sir, the idea that the Bill prevents any Member from resigning is absolutely wrong. On the contrary, the basis on which the Bill proceeds is, the right

of resignation is protected and the idea of acceptance of a resignation is also subject to a proviso that the acceptance is in the normal course and the resignation can take place only in the event of a conclusion being reached that either it is not genuine or it is not voluntary. Therefore, to proceed on the basis that the right of a Member to resign is taken away, is entirely wrong. This can be seen if the Bill is properly studied. The other thing they said was, in the name of democracy, how do you prevent people from resigning. Nobody is prevented from resigning. On the contrary, the basic idea is, the ordinary right of a person to say 'I do not want to continue to be a Member of the House' is maintained. But, is it a democratic way, when a Member does not want to resign, people pressurise him to resign—not political pressure but by threats of violence—as had occurred in the recent past. The person has no option but to resign. The Speaker has no option but to accept the resignation in the present set-up. This is a matter which was true in Gujarat. It may be true elsewhere. It was true in Gujarat. It had happened. A large number of people, about 200—300 people, went and indulged in acts of violence, held out threats and under duress, signatures were obtained. In some cases, Members were carried physically from their constituencies to the Speaker for giving resignations.

(Interruptions)

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, on a point of order.

MR. SPEAKER: Let us go to the business. This has taken a lot of time already.

SHRI H. R. GOKHALE: All these points can be discussed when the Bill is taken up for consideration. I will reply to all the points.

SHRI P. G. MAVALANKAR: My point of order is two-fold. One is,

the Law Minister has been speaking about legislative competence etc. My point is, has the Government specifically invited your attention before framing this Bill and bringing it to the House for introduction, because, Sir, this brings in your Office and the Office of the Speakers of the State Legislatures. I would like to know whether it is not right and proper for the Government, whenever they amend the Constitution in relation to Parliament, Parliament Secretariat and the Office of the Speaker, to consult....

MR. SPEAKER: There is no point of order.

SHRI P. G. MAVALANKAR: My point of order is this. It refers to your office. Are you prepared to be taken by surprise in the way in which Government has brought forward this Bill? When the Constitution was being drafted, you know it very well, Sir, in regard to the provisions relating to Parliament Secretariat and the Office of the Speaker and all the provisions relating thereto, the then Speaker was consulted in advance by the Government and the Speaker's points of view were accepted in toto. Here is a case where Government comes forward with a Bill, Constitution Amendment Bill, involving your office and not consulting you in advance. Sometime back, there was a discussion on the Press Council Bill, and you know very well, Sir, that when the Government brought forward an amendment to the Press Council Act, it was because you and the Chairman of Rajya Sabha were not willing to bring the Office of the Speaker of Lok Sabha and the Office of the Chairman of Rajya Sabha into public controversy. This is exactly what the Government have done by this new Constitution Amendment Bill. So, I am asking: have the Government consulted you in advance before coming to this House with this Bill? Then, my second point is: why was the reference made to Gujarat?

MR. SPEAKER: There is no point of order involved in this. The question is:

"That leave be granted to introduce a Bill further to amend the Constitution of India."

The Lok Sabha divided:

14.21 hrs.
Division No. 17

AYES

Ambesh, Shri
Ansari, Shri Ziaur Rahman
Babunath Singh Shri
Balakrishnaiah, Shri T.
Banerjee, Shrimati Mukul
Barupal, Shri Panna Lal
Bhagat, Shri H.K.L.
Bist Shri Narendra Singh
Brij Raj Singh-Kotah, Shri
Chandrakar, Shri Chandulal
Chaturvedi, Shri Rohan Lal
Chaudhary, Shri Nitiraj Singh-
Chavan, Shri Yeshwantrao
Chaudhary, Shri Nitiraj Singh-
Darbara Singh, Shri
Das, Shri Anadi Charan
Das Shri Dharnidhar
Daschowdhury, Shri B. K.
Dixit, Shri G. C.
Dixit, Shri Jagdish Chandra
Doda, Shri Hiralal
Engti, Shri Biren
Gandhi, Shrimati Indira
Gautam, Shri C. D.
Gavit, Shri T. H.
Gogoi, Shri Tarun
Gohain, Shri C. C.
Gokhale, Shri H. R.
Gopal, Shri K.
Goswami, Shri Dinesh Chandra
Gotkhinde, Shri Annasaheb
Gowda, Shri Pampan

Hari Singh Shri
 Ishaque, Shri A. K. M.
 Jaffer Sharief, Shri C. K.
 Jamilurrahman, Shri Md.
 Jeyalakshmi, Shrimati V.
 Jha, Shri Chiranjib
 Kadannappalli, Shri Ramachandran
 Kilas, Dr.
 Kamakshaiah, Shri D.
 Kamala Prasad, Shri
 Kamla Kumari, Kumari
 Kapur, Shri Sat Pal
 Kaul, Shrimati Sheila
 Kinder Lal, Shri
 Kushok Bakula, Shri
 Lakkappa, Shri K.
 Mahajan, Shri Vikram
 Mahata, Shri Debendra Nath
 Majhi, Shri Gajadhar
 Majhi, Shri Kumar
 Malaviya, Shri K. D.
 Malhotra, Shri Inder J.
 Mallanna, Shri K.
 Mandal, Shri Jagdish Narain
 Maurya Shri B. P.
 Mishra, Shri Jagannath
 Murmu, Shri Yogesh Chandra
 Naik, Shri B. V..
 Negi, Shri Pratap Singh
 Oraon, Shri Tuna
 Painuli, Shri Paripoornanand
 Pandey, Shri Krishna Chandra
 Pandey Shri Sudhakar
 Pandey, Shri Tarkeshwar
 Pandit, Shri S. T.
 Paokai Haokip, Shri
 Parashar, Prof. Narain Chand
 Pratap Singh, Shri
 Patil, Shri T. A.
 Purty, Shri M. S.
 Raghu Ramaiah, Shri K.
 Rai, Shrimati Sahodrabai
 Raydeo Singh, Shri

Ram, Shri Tulmohan
 Ram Dhan, Shri
 Ram Singh Bhai, Shri
 Ram Surat Prasad, Shri
 Ram Swarup, Shri
 Rao Shrimati B. Radhabai A.
 Rao, Shri Nageswara
 Rao, Shri P. Ankineedu Prasada
 Rao, Dr. V. K. R. Varadaraja
 Rathia, Shri Umed Singh
 Raut, Shri Bhola
 Reddy, Shri K. Ramakrishna
 Richhariya, Dr. Govind Das
 Rohtagi, Shrimati Sushila
 Sadhu Ram, Shri
 Samanta, Shri S. C.
 Sanghi, Shri N. K.
 Sankata Prasad, Dr.
 Thakur, Shri Krishnarao
 Sathe, Shri Vasant
 Savant, Shri Shankerrao
 Shahnawaz Khan Shri
 Shankaranand, Shri B.
 Sharma, Shri A. P.
 Sharma, Shri Nawal Kishore
 Shastri, Shri Raja Ram
 Shastri, Shri Sheopujan
 Shenoy, Shri P. R.
 Shinde, Shri Annasaheb P.
 Shukla Shri Vidya Charan
 Sinha, Shri Nawal Kishore
 Sohan Lal, Shri T.
 Sokhi, Shri Swaran Singh
 Suryanarayana, Shri K.
 Swamy, Shri Sidrameshwar
 Thakur, Shri Krishnarao
 Tiwary, Shri D. N.
 Tombi Singh, Shri N.
 Tula Ram Shri
 Tulsiram, Shri V.
 Ulkey, Shri M. G.
 Venkatasubbaiah, Shri P.
 Yadav, Shri N. P.

Yadav, Shri R. P.
Zulfiqar Ali Khan, Shri
NOES

Banerjee, Shri S. M.

Chandrappan Shri C. K.

Chavda, Shri K. S.

Chowhan, Shri Bharat Singh

Dandavate, Prof. Madhu

Deshpande, Shrimati Roza

Guha, Shri Samar

Limaye, Shri Madhu

*Mandal, Shri Yamuna Prasad

Mavalankar Shri P. G.

Mishra, Shri Shyamnandan

Mody, Shri Piloo

Mukerjee, Shri H. N.

*Pandey, Shri Narsingh Narain

Pandeya, Dr. Laxminarain

Sambhali, Shri Ishaque

Sezhiyan, Shri

Shastri Shri Ramavata

Shastri, Shri Shiv Kumar

*Shetty, Shri K. K.

Singh, Shri D. N.

Sinha, Shri Satyendra Narayan

Ulaganambi, Shri R. P.

Vajpayee, Shri Atal Bihari

Yadav, Shri Shiv Shanker Prasad

MR. SPEAKER: The result of the division is:

Ayes: 120.

Noes: 25.

The motion was adopted

SHRI H. R. GOKHALE: I introduce the Bill.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): Sir, to avoid any misunderstanding or any confusion, I would like to mention at this stage that it is the intention of the Government to bring on the 8th, in the first instance, for consideration and passing

the Bill introduced today by the Law Minister and then the Bill introduced today by Mr. Shinde.

14.21 hrs.

FINANCE BILL, 1974—contd.

MR. SPEAKER: We now take up further consideration of the Finance Bill. Shri Sat Pal Kapur was on his legs.

Now, as you already promised yesterday, this will be finished today.

SOME HON. MEMBERS: No, Sir.

MR. SPEAKER: This has to be passed today. You made a commitment yesterday.

SHRI SHYAMNANDAN MISHRA (Begusarai): This is one of the most important measures on which we want to have a full discussion. (*Interruptions*).

MR. SPEAKER: You have to stick to the commitment made.

Yesterday, you made a commitment that it will be passed today and then the Private Members' business will be taken up.

SHRI SHYAMNANDAN MISHRA: What is the time left now? The assumption was that there will be enough time for a discussion on this. We have gone upto about 2-30 p.m. now. Do you think we can finish it in an hour? We cannot do that.

THE MINISTER OF PARLIAMENTARY AFFAIRS (SHRI K. RAGHU RAMAIAH): May I make a suggestion for the consideration of the House? The Minister may be called after an hour. Then, the motion for consideration may be put to the

*Wrongly voted for Noes.

†The following members also recorded their votes for Ayes:—

Sarvashri Yamuna Prasad Mandal, Narsingh Narain Pandey and K. K. Shetty.