MR. DEPUTY-SPEAKER: Motion moved:

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

Mr. Bhaura, in the third reading either you support it or oppose it. You cannot just make a general speech. That is the rule.

श्री भान सिंह भौरा (भटिंडा) डिप्टी स्पीकर साहब, यह जो वेलफेयर फंड क्रीएट किया है यह अच्छी बात है। जो तजवीज माननीय गोपालन की आयी थी उसके बारे में मंत्री जी ने कहा है कि रूल में इसको डालेंगे। यह अच्छी बात है जो मान ली है।

मैं समझता हूं कि बीड़ी वर्कर्स के लिए जो फंड क्रीएट किया जा रहा है, वह अच्छी बात है लेकिन बीड़ी बनने से पहले भी कुछ लोग काम करते है और वे केंदू का जो पत्ता होता है उसको जंगलों से लाते है, उसको भी आप इस बीड़ी वर्कर की कैटेगिरी में शामिल करेंगे या नही ? उड़ीसा में आप जानते हैं कि इसका एक बड़ा स्कैंडल हुआ था और उसमें उड़ीसा के कितने ही चीफ मिनिस्टर थे। जो लोग केंदू का पत्ता लाते है, वे इस कैटेगिरी में आएंगे या नही, इसके बारे में शुबहा है। उनको बीड़ी वर्कर में आप गिनगे या नही। काट्रेक्टर्स उनको इंगेज करते हैं और वे एग्रीकल्चरल लेबर है। यह एक बेसिक सवाल है कि आप उन लोगों को बीडी वर्कर में इन्क्लूड करते हैं या नही करते हैं। इसके बारे में मंत्री जी बताएं। मेरा सुझाव यह है कि उनको इसमें इंक्लूड करना चाहिए।

SHRI RAGHUNATHA REDDY: I hope the mention of kendu leaves may generate some ideas.

MR. DEPUTY-SPEAKER: The question is:

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

The motion was adopted.

15.27 hrs.

CONTEMPT OF COURTS (AMENDMENT) BILL

THE MINISTER OF STATE IN THE MINISTRY OF LAW, JUSTICE AND COMPANY AFFAIRS (DR. V. A. SEYID MUHAMMAD): Sir, I beg to move:

"That the Bill to amend the Contempt of Courts Act, 1971, as passed by Rajya Sabha, be taken into consideration."

Hon. Members will recall that the Contempt of Courts Act, 1971 was passed with a view to define and limit the powers of certain courts in punishing contempts of courts and regulating their procedure in relation thereto. Section 14 of the Act lays down the procedure of dealing with such cases where contempt is in the face of the Supreme or a High Court. Subsection (1) of Section 15 of the Act provides that in case of a criminal contempt (other than a contempt referred to in Section 14) the Supreme Court or the High Court may take action on its motion or on a motion made by (a) the Advocate General or (b) any other person with the consent in writing of the Advocate General. The section explains the meanings of the expression "Advocate General" to mean (a) in relation to the Supreme Court the Attorney General or the Solicitor General, (b) in relation to the High Court the Advocate General of the State or any of the States for which the High Cour has been established and (c) in relaion to the Court of a Judicial Commissioner such Law Officer as the Central Government may, by notification in the official gazette specify in this behalf.

Union Territory of Delhi is unique in that it has its own High Court. There is, however, no Advocate General in relation to that High Court. In the

case of any criminal contempt of a subordinate court in a Union Territory sub-section (2) of Section 15 enables any Law Officer specified by the Central Government to make a motion to the High Court for taking necessary action. But there is no such corresponding provision in the case of any criminal contempt of the High Court in a Union Territory. The High Court has, therefore, to keep a watch and take action on its motion in all such cases.

To avoid these practical difficulties it is necessary to amend sub-section (1) of Section 15 of the Act so as to enable the High Court of Delhi to take action on criminal contempt as referred to in that sub-section on a motion made by such Law Officer as may be notified by the Central Government of by any other person with the consent of the Law Officer.

The Bill seeks to achieve these objects.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to amend the Contempt of Courts Act, 1971, as passed by Rajya Sabha. be taken into consideration."

15.30 hrs.

CONSTITUTION (AMENDMENT) BILL

(Amendment of Part III)

By Shri Bhogendra Jha

MR. DEPUTY-SPEAKER: The hon. Member, Shri Yamuna Prasad Mandal is absent. The House will now take up further consideration of the following motion moved by Shri Bhogendra Jha on the 12th March, 1976:

"That the Bill further to amend the Constitution of India, be taken into consideration."

On the last occasion, Mr. Prasannbhai Mehta was on his legs. He is not here. I do not know if anybody else wants to speak on this.

SHRI JAGANNATH RAO (Chatrapur): I had indicated my intention to speak on this, Sir.

MR. DEPUTY-SPEAKER: Mr. Jagannath Rao.

SHRI JAGANNATH RAO: Mr. Deputy-Speaker, Sir, While I rise to support the principle and the objects and reasons for moving this bill, I would rather say that I am not in favour of amending the Constitution piece-mean. A time has come when the whole country is seized of this question. And the Constitution shall have to be amended, not only in regard to Part III of it, as suggested by the hon. mover, but in regard to certain other Articles also, in order to bring about an early transformation of the society as a socialist one. Therefore, I agree that the time has come to have a second look at the constitution—because the Constitution has to be a living instrument for bringing about a social change and, therefore, it cannot be a static document. To that extent I quite agree with the hon. mover of the bill. But he wants Article 15 to be amended to include the word 'economically'. By inserting the word 'economically', he wants to say that no person shall be discriminated on grounds of economic considerations. I think there will be difficulty. The word 'socially' also includes "economically". Where a person is economically backward, he is not forward socially. Therefore, the word 'socially' is comprehensive enough to include economic backwardness also. On the other hand, if we accept the amendment to insert the word 'economically', it may mean a person, belonging to a higher caste who may be economically backward would also have the advantage. The Constitution says that we have to bring forward legislation to see that no one who is socially backward is excluded. Therefore, inserting the word 'economically'