

PAYMENT OF WAGES (MINES) AMENDMENT RULES, 1976 AND ANNUAL REPORT OF NATIONAL LABOUR INSTITUTE, NEW DELHI FOR 1974-75

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR (SHRI BALGOVIND VERMA): I beg to lay on the Table—

(1) A copy of the Payment of Wages (Mines) Amendment Rules, 1976 (Hindi and English versions) published in Notification No. G.S.R. 360 in Gazette of India dated 6th March, 1976, under sub-section (6) of section 26 of the Payment of Wages Act, 1936. [Placed in Library. See No. LT-10592/76].

(2) A copy of the Annual Report of the National Labour Institute, New Delhi, for the year 1974-75 together with a copy of the Certified Accounts (Hindi and English versions). [Placed in Library. See No. LT-10592/76].

NOTIFICATION UNDER CENTRAL EXCISE RULES, 1944

THE MINISTER OF STATE IN-CHARGE OF THE DEPARTMENT OF REVENUE AND BANKING (SHRI PRANAB KUMAR MUKHERJEE): I beg to lay on the Table a copy of Notification No. 134/76-Central Excises [G.S.R. 272(E)] (Hindi and English versions) published in Gazette of India dated the 1st April, 1976, issued under the Central Excise Rules, 1944, together with an explanatory memorandum. [Placed in Library See No. LT-10594/76].

12.02 hrs.

MESSAGES FROM RAJYA SABHA

SECRETARY-GENERAL: Sir, I have to report the following messages received from the Secretary-General of Rajya Sabha:—

- (i) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha,

I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 31st March, 1976, agreed without any amendment to the Comptroller and Auditor-General's (Duties, Powers and Conditions of Service) Amendment Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 25th March, 1976.

- (ii) "In accordance with the provisions of rule 127 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 31st March, 1976 agreed without any amendment to the Departmentalisation of Union Accounts (Transfer of Personnel) Bill, 1976, which was passed by the Lok Sabha at its sitting held on the 25th March, 1976."

PUBLIC ACCOUNTS COMMITTEE

HUNDRED AND NINETY-NINTH REPORT

SHRI H. N. MUKERJEE (Calcutta-North-East): I beg to present the Hundred and Ninety-ninth Report of the Public Accounts Committee on Action Taken by Government on the recommendations of the Committee contained in their Hundred and Fifty-ninth Report relating to Milo Purchased from Abroad (Department of Food).

12.03 hrs.

CODE OF CIVIL PROCEDURE (AMENDMENT) BILL

REPORT OF THE JOINT COMMITTEE

SHRI LILADHAR KOTOKI (Now-gong): I beg to present the Report of the Joint Committee on the Bill further to amend the Code of Civil Procedure, 1908, and the Limitation Act, 1963.

(II) EVIDENCE

SHRI LILADHAR KOTOKI: I beg to lay on the Table the record of Evidence (Volumes I and II) tendered before the Joint Committee on the Bill further to amend the Code of Civil Procedure, 1908, and the Limitation Act, 1963.

SHRI SOMNATH CHATTERJEE (Burdwan): On a very important issue, Sir. Kindly give me only one minute. I have given notice. It is a very important matter. Notice has been received.

MR. SPEAKER: I have not received.

SHRI SOMNATH CHATTERJEE: I have given, Sir. Notice has been received. Forty-eight lawyers in Delhi have been arrested because they had protested against the demolition of their chambers without any notice. They had built their chambers with the Delhi Administration's permission

MR. SPEAKER: You wait for my consideration.

SHRI SOMNATH CHATTERJEE: I have given notice under rule 377 and then for Calling Attention. I have given everything. This is a matter of very great importance. (Interruptions) Lawyers have been arrested; and bails have not been given. They are only trying. They went to the Chief Justice with a representation that their chambers should not be demolished without any notice. They have been bulldozed. Their files, books. (Interruptions).

MR. SPEAKER: I will consider it.

SHRI SOMNATH CHATTERJEE: I have given, Sir; kindly examine.

MR. SPEAKER: Bring it tomorrow.

SHRI S. M. BANERJEE (Kanpur): Let the Home Minister make a note of it. (Interruptions)

SHRI DINEN BHATTACHARYA (Serampore): Are we under Tughlak's rule, when you are the Speaker, Sir? Where are we living?

SHRI SOMNATH CHATTERJEE: One fine morning they went to the chambers and found it demolished. Are they not citizens of this country? (Interruptions).

SHRI B. V. NAIK (Kanara): There were the small people whose jhuggi-jhampris were demolished. Where is the distinction? When it touches the hon. Member's profession, he gets very much upset about it.

SHRI SOMNATH CHATTERJEE: No motive should be imputed.

MR. SPEAKER: Don't take notice of that.

(Interruptions)

SHRI B. V. NAIK: Law is law. Because their sections are involved, they are making this hulla-baloo. (Interruptions)

SHRI S. M. BANERJEE: I agree that MPs should not sub-let their quarters. (Interruptions)

SHRI B. V. NAIK: Let charity begin at home. (Interruptions)

SHRI S. M. BANERJEE: I have not sub-let it. This is my 25th year. They are sub-letting their quarters within five years.

MR. SPEAKER: Order, please. No recriminations.

SHRI B. V. NAIK: It should be following by both sides. (Interruptions).

SHRI S. M. BANERJEE: If it is a challenge, I accept it. Let him come in disguise and ask my wife. (Interruptions)

SHRI VASANT SATHE (Akola): Can the lawyers be above law? In fact, it is the duty of the lawyers to see that they abide by the law first. Let us not make a hue and cry only

[Shri Vasant Sathe]

because the lawyers are involved. It is the duty of the lawyers not to brake the law.... (Interruptions). All are equal before the law.... (Interruptions).

12.06 hrs.

**LIFE INSURANCE CORPORATION
(MODIFICATION OF SETTLEMENT)
BILL—Contd.**

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE (SHRIMATI SUSHILA ROHATGI): Sir, I beg to move....

SHRI S. M. BANERJEE (Kanpur): Sir, I rise on a point of order. Yesterday when Shrimati Rohatgi rose to introduce the Bill you, in your wisdom, on my request, gave me a chance to oppose it at the introduction stage. Then Shri Raghu Ramaiah, the Minister of Parliamentary Affairs, assured the House that the Finance Minister will have a talk with the hon. Members and that he will try to evolve some method of procedure by which things would become easier. This morning we met the hon. Minister, Shri Pranab Kumar Mukherjee, Shrimati Rohatgi and, last but not the least, Shri Raghu Ramaiah. I say with all honesty that Shri Pranab Kumar Mukherjee heard us with rapt attention. Again what happened I do not know but ultimately they decided they will introduce the Bill, but not discuss it immediately. Sir, you will remember that when we raised objection, on which point it was postponed, you asked if there is a bilateral agreement, then how is it being annulled unilaterally. To this, I speak subject to correction, there was no answer from any one of them. They said they will simply introduce it, "though it may be painful, please do not mind it; we shall not discuss it."

What I want to know is why this Bill is being introduced. Since this is a bilateral agreement between the two parties, which is registered under the Industrial Disputes Act, let there be discussion between them. How do we

come into the picture? Nobody has explained this point. How does Parliament come in when they are not covered under the Bonus Act? When the Bonus Act was discussed, this agreement was not discussed. I pointedly asked the Labour Minister, whether the LIC was covered. He said; no, by no stretch of imagination would this come within the ambit of the Ordinance or the Act. So, my submission is that nothing is going to be lost if we delay this. After all, we are sitting upto 22nd of May. Let the negotiations start between the Federation and the Chairman. If there is no fruitful result, with the massive majority which is increasing every day, they can possibly bring up legislation and pass it in one day, by ignoring all the rules and regulations. So, I feel it is only a question of prestige that because it was scheduled to be introduced yesterday, so it has to be introduced. They want this sword to be hanging above the head of the employees and ask them or coerce them to come to terms. With the Emergency on one side and this Bill on the other, they want to bring the employees to their knees. That is why, Sir, I appeal to your sense of justice and impartiality and request you to come to the rescue of the employees, not because they are employees but because the principle of annulling a bilateral agreement is involved.

SHRI SOMNATH CHATTERJEE (Burdwan): Sir, may I submit...

MR. SPEAKER: I think we should stick to the procedure. So far as introduction of Bills is concerned, when it is opposed, only one Member speaks, and this right has been exercised by Shri S. M. Banerjee. So I will not allow any debate on this. There should not be any debate at this stage.

Yesterday when I found that there was a misunderstanding between the Minister and all sections of the House, not only one section, about the object and propriety of the Bill, and not enough light was thrown on it, I made