

Fuel (Sardar Swaran Singh):

Sir, I beg to lay on the Table, under sub-section (3) of Section 27 of the Coal Bearing Areas (Acquisition and Development) Act, 1957, a copy of the Notification No. S. R. O. 2435 dated the 27th July, 1957, making certain amendments to the Coal Bearing Areas (Acquisition and Development) Rules, 1957. [Placed in Library. See No S-155/57].

AMENDMENT TO DISPLACED PERSONS (COMPENSATION AND REHABILITATION) RULES

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): Sir, I beg to lay on the Table, under sub-section (3) of Section 40 of the Displaced Persons (Compensation and Rehabilitation) Act, 1954, a copy of the Notification No SRO 2374/R Amdt XIV, dated the 20th July, 1957, making certain further amendment to the Displaced Persons (Compensation and Rehabilitation) Rules, 1955 [Placed in Library See No S-156/57]

STATEMENT CORRECTING REPLY GIVEN TO QUESTION

The Minister of State in the Ministry of Home Affairs (Shri Datar): Sir, I beg to lay on the Table a copy of the statement correcting the reply given to Unstarred Question No. 462 on the 29th May, 1957.

Statement

In connection with the answer given to Unstarred Question No 462 in the Lok Sabha on the 29th May, 1957, I wish to lay the following statement on the Table of the House

It has since been discovered that the answer given to parts (c) and (d) of the question did not represent the correct position. This was due to some misapprehension on the part of certain offices from where the material for the answer had to be collected. The correct position is as follows:—

It is true that applications from certain candidates, who were already in

the employ of a Central Government Office, were not forwarded to the Union Public Service Commission, even though they were eligible for appearing at the examination in terms of the prescribed conditions of eligibility. However, in respect of persons already in Government employ, the discretion whether any application for recruitment by selection to posts advertised by other Ministries or Departments or by the Union Public Service Commission, as also for competitive examination held by the Union Public Service Commission for recruitment to services under Government, should be forwarded or not rests with the administrative authority concerned. The question whether applications from employees of a particular Office or Department should be forwarded or not is usually decided with reference to the cadre position and the conditions of employment of the persons concerned in that Office or Department.

REPORTS OF TARIFF COMMISSION

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): Sir, on behalf of Shri Manubhai Shah, I beg to lay on the Table, under sub-section (2) of Section 16 of the Tariff-Commission Act, 1951, copy each of the following papers:—

- (1) Report (1957) of the Tariff Commission on the continuance of protection to the Piston Assembly (Pistons, Piston rings and Gudgeon Pins) Industry
- (2) Government Resolution No. 79 (1) TP/57, dated the 24th July, 1957 [Placed in Library See No S-159/59]
- (3) Report (1957) of the Tariff Commission, on the Continuance of protection to the Sago Industry. [Placed in Library. See No. S--159/57.]
- (4) Government Resolution No. 12(1) TP/57 dated the 30th July, 1957

[Shri Satish Chandra]

- (5) Report (1957) of the Tariff Commission on the continuance of protection to the Grinding Wheels Industry
- (6) Government Resolution No 16(1) TP/57, dated the 30th July, 1957 [Placed in Library. See No S-160/57]

AMENDMENT TO COAL MINES PITHEAD BATH RULES

The Deputy Minister of Labour (Shri Abid Ali): Sir, I beg to lay on the Table, under sub-section (7) of section 59 of the Mines Act, 1952, a copy of the Notification No SRO 2156, dated the 29th June, 1957, making certain further amendment to the Coal Mines Pithead Bath Rules, 1946

[Placed in Library See No S-161/57]

PARLIAMENTARY COMMITTEES—SUMMARY OF WORK

Secretary: Sir, I beg to lay on the Table a copy of the "Parliamentary Committees—A Summary of Work", pertaining to the First Session of Second Lok Sabha

[Placed in Library See No S-162/57]

BUSINESS ADVISORY COMMITTEE
FIFTH REPORT

12 12 hrs.

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): I beg to move

"That this House agrees with the Fifth Report of the Business Advisory Committee presented to the House on the 2nd August, 1957"

Mr. Speaker: The question is

"That this House agrees with the Fifth Report of the Business Advisory Committee presented to the House on the 2nd August, 1957"

The motion was adopted

ESSENTIAL SERVICES MAIN-
TENANCE BILL

Mr. Speaker: The House will now take up the Essential Services Maintenance Bill for consideration and passing. The hon. Home Minister may move the motion

Shri Narayankutty Menon (Mukandapuram) Sir, I rise on a point of order

Mr. Speaker: No motion has been moved, what point of order can there be?

Shri V. F. Nayar (Quilon) When once the motion is moved it becomes the consideration stage. My point of order is that the consideration stage cannot be had now, because you will find, Sir,

Mr. Speaker Find from what?

Shri V. P. Nayar: Sir, I want to point out that this is in violation of article 117(3) of the Constitution which makes it mandatory that the President's recommendation should also be attached to Bills of this kind. We find that there is no President's recommendation attached to this Bill. I will state the point very briefly, as you have directed. Here is a Bill

Mr. Speaker On what ground does it require the President's recommendation?

Shri V. P. Nayar That is the point

Mr. Speaker. Let him state the point, and elaborate it if I want it later on

Shri V. P. Nayar: The point is, it involves a certain expenditure which has not been anticipated or provided for elsewhere. Here is a Central legislation making a special penal provision. As you know, Central Government employees are working in thousands in various States. If as is contemplated, the strike takes place, the various State Governments have necessarily to proceed against those who are prohibited from join-