

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS
FORTY-SECOND REPORT

Shri Krishnamoorthy Rao (Shimoga): I beg to present the Forty-second Report of the Committee on Private Members' Bills and Resolutions.

12.05 hrs.

WAKF (AMENDMENT) BILL*

The Minister of Petroleum and Chemicals (Shri Humayun Kabir): I beg to move for leave to introduce a Bill further to amend the Wakf Act, 1954.

Mr. Speaker: The question is:

"That leave be granted to introduce a Bill further to amend the Wakf Act, 1954."

The motion was adopted.

Shri Humayun Kabir: I introduce the Bill.

12.06 hrs.

BUSINESS ADVISORY COMMITTEE
TWENTY-SIXTH REPORT

Shri Rane (Buldana): I beg to move:

"That this House agrees with the Twenty-sixth Report of the Business Advisory Committee presented to the House on the 21st April, 1964."

Mr. Speaker: Motion moved:

"That this House agrees with the Twenty-sixth Report of the Business Advisory Committee presented to the House on the 21st April, 1964."

Shri S. M. Banerjee (Kanpur): In this report, I find that only 5 hours have been allotted to the Constitution (Eighteenth Amendment) Bill of 1964. We know that this particular Bill has raised a public controversy in the country and 67 lawyers who are members of the Supreme Court Bar Council have also written to the Prime Minister. Even editorials have come in this regard. Not only according to me, but according to those eminent lawyers, this Bill is the most pernicious and mischievous piece of legislation. It would have been better if the Bill had been withdrawn and the Prime Minister....

Mr. Speaker: He must come to his point now.

Shri S. M. Banerjee: My point is only this, that this Bill should be given 10 hours instead of 5 hours. I move:

"That the time allotted for the Constitution (Eighteenth Amendment) Bill, 1964 be extended to 10 hours."

Shri Sivamurthi Swamy (Koppal): **Mr. Speaker**, Sir, repeatedly I have represented to you and to this House that now we are seriously discussing about the Fourth Five Year Plan, and there was a Commission called the Gulhati Commission appointed by the Government in connection with the water disputes which has given its report.

Mr. Speaker: We are only concerned with this motion which is before the House just at this moment and not anything else.

Shri Sivamurthi Swamy: I request the Government, through you, Sir, to allot some time to discuss this Gulhati

[Shri Sivamurthy Swami]

Commission's report. There is no other chance for us to discuss this report and to draw the attention of the Government to certain points.

Mr. Speaker: The hon. Member knows that this can only be raised when the Minister for Parliamentary Affairs announces the business for the next week and not at this moment.

Shri S. S. More (Poona): Sir, I have to make a submission. In the table of allotment of time for the business before the House only two hours seem to have been allotted to the Advocates (Amendment) Bill, 1964. This Bill seems to have been repeatedly moved in this House. The last Bill was withdrawn and a new Bill has been introduced. It deals with the fate of a good many young people in the country, and as such it would need a very thorough discussion. I think two hours will hardly be sufficient for such a discussion.

Then, another proposal.....

Mr. Speaker: What does he propose? Does he suggest any amendment?

Shri S. S. More: At least 5 hours should be allotted to the Advocates (Amendment) Bill, 1964.

My further submission will be with regard to the Constitution (Eighteenth Amendment) Bill, 1964, regarding which Shri Banerjee has made his own submission. I feel the same way, that a larger time be allotted for this Bill. I support his suggestion.

The third Bill that I propose to refer to is the Goa, Daman and Diu Judicial Commissioner's Court (Declaration as High Court) Bill, 1963. It will raise, undoubtedly, certain issues of principles. Therefore, I feel that one hour—the time allotted now—will hardly be sufficient for discussing these issues. I would, therefore, propose that at least 5 hours be allotted for this Bill.

Mr. Speaker: First I will put Shri Banerjee's amendment. I will have to put it to the House.

Shri S. M. Banerjee: He has agreed. If the Government agrees.....

Mr. Speaker: Who has agreed?

Shri S. M. Banerjee: If the Government agrees, then there is no necessity to put it to the House.

Mr. Speaker: How could it be communicated? By telepathy?

I may inform the hon. Member that the demand made for this Bill was only 6 hours, and I promise that if need be I will exercise my powers and extend it to 6 hours. Is he satisfied with that?

Shri S. M. Banerjee: It is not a question of my being satisfied. The country has to be satisfied?

Mr. Speaker: The country is not to be satisfied at this moment. On the question whether the allotment of time should be 10 hours or 5 hours, where is the necessity for the country's satisfaction?

I shall now put his amendment to the vote of the House. The question is:

"That the time allotted for the Constitution (Eighteenth Amendment) Bill, 1964 be extended to 10 hours."

Those in favour may say 'Aye'.

Some Hon. Members: 'Aye'.

Mr. Speaker: Those against may say 'No'.

Some Hon. Members: 'No'.

Mr. Speaker: The 'Noes' have it

Some Hon. Members: The 'Ayes' have it.

Mr. Speaker: If you want a division, you will have it. Let the lobbies be cleared. I might just express my apprehension here. If this decision is taken by this House, I might lose the discretion of one hour that I have got at present. Hon. Members may bear that in mind. Now, the question is:

"That the time allotted for the Constitution (Eighteenth Amendment) Bill, 1964 be extended to ten hours."

Those in favour may say 'Aye'.

Some Hon. Members: 'Aye'.

Mr. Speaker: Those against it may say 'No'.

Several Hon. Members: 'No'.

Mr. Speaker: The 'Noes' have it.

Shri S. M. Banerjee: Let them have it.

The motion was negated.

Mr. Speaker: Do I have to put the other motions to the vote of the House? Does Shri More press his motion?

Shri S. S. More: If you so desire, I will not press it.

Shri U. M. Trivedi (Mandsaur): I support the motion of Shri More.

Shri Shiakre (Marmagoa): I also support it.

Mr. Speaker: I do not think the advocates (Amendment) Bill requires five hours. We can allot four hours for that instead of two hours.

Some Hon. Members: Yes.

Mr. Speaker: Regarding the Goa, Daman and Diu Judicial Commissioner's Court (Declaration as High

Court) Bill, I do not think it requires as much as five hours.

Shri Nath Pai: But one hour is hardly sufficient.

Mr. Speaker: We will give it two hours instead of one hour.

The question is:

"That this House agrees with the Twenty-sixth Report of the Business Advisory Committee presented to the House on the 21st April, 1964 as amended by the House."

The motion was adopted.

12.11 hrs.

COMPANIES (PROFITS) SURTAX
BILL, 1964

The Minister of Finance (Shri T. T. Krishnamachari): Sir, I beg to move*:

"That the Bill to impose a special tax on the profits of certain companies be taken into consideration."

The Bill is a short and simple one. I have dealt with it in the budget speech and I have covered more or less the same ground while introducing the Finance Bill. I shall, therefore, confine myself to explaining its broad scope and incidence. Since the presentation of the Bill, a few amendments to widen the scope of the concessions and incentives provided in it have also been formulated. To these also, I shall refer while explaining the framework of the original provisions.

In the budget speech, I had briefly explained the circumstances . . .

Shrimati Renu Chakravartty (Barackpore): A little louder please.

*Moved with the recommendation of the President.