

The Deputy Minister of Finance (Shri B. R. Bhagat): I beg to move:

"That the proviso to Rule 66...."

Shri Hari Vishnu Kamath: On a point of order, Sir.

Mr. Speaker: Let him make the motion.

Shri Hari Vishnu Kamath: Rule 388 says the motion cannot be made without your consent.

Mr. Speaker: I have given consent.

Shri Hari Vishnu Kamath: If you have given consent, it is all right.

Mr. Speaker: It was given yesterday.

Shri Hari Vishnu Kamath: I did not know that.

13.09 hrs.

SUSPENSION OF PROVISO TO RULE 66

The Deputy Minister in the Minister of Finance (Shri B. R. Bhagat): I beg to move:

"That the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motions for taking into consideration and passing of the Emergency Risks (Factories) Insurance Bill, 1962 be suspended."

Mr. Speaker: Motion made:

"That the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motions for taking into consideration and passing of the Emergency Risks (Factories) Insurance Bill, 1962 be suspended."

Shri Hari Vishnu Kamath (Hoshangabad): It is farthest from my mind to be in any way unhelpful

or obstructive to the Government in this time of emergency, but may I submit with all respect that this motion has been made today because of defective or ill-planning of business by the Government for this session of Parliament. If the Government had planned its business with foresight—that matter has been raised so often in this House that I am loth, I am reluctant to raise it again and again, and you have also been kind enough to direct the Government to plan their business properly and efficiently—if it had been done, this motion would not have been made and we would not have been in a quandary. I know the rules are not sacrosanct. But as I said earlier, in all these, particularly at this time the spirit the forms and the institution of parliamentary democracy should be upheld with greater vigour than before, so that at the end of the emergency, parliamentary democracy may emerge even stronger than it is today.

Some of the minor Bills with which Government was occupied last week could have been postponed and taken up later, and the Bill which was moved just now by the senior Minister could have been taken up. If that had by now received the assent of the President, there would have been no difficulty in moving the second Bill.

Mr. Speaker: If I agree with his observations, what next should be done?

Shri Hari Vishnu Kamath: The rules should not be suspended lightly on every occasion.

My next suggestion is that the second Bill need not be taken up today the first Bill might be passed by this House and then by the other House and the President's assent may be obtained. The session may be extended by a day or two or till Wednesday or Thursday so that the other Bill could be brought, if it could not be done earlier than Tuesday. Certainly the session could be extended for that purpose so that the rules are not departed from needlessly.

Mr. Speaker: I agree with the hon. Member so far as this motion is concerned; it should be very rarely resorted to. This request by the Government for the suspension of the rules should be seldom made. I do request those who are in charge of these things to anticipate such contingencies and plan them in such manner as to get the one passed before the second is taken up. Previously also I had said like that I hope the Government would plan its business in such a manner that only very rare it comes before the House for the suspension of the rules.

Now, the second question is whether we can take up the second Bill after the first one had been passed and received assent. I had also considered this question when I was giving my consent yesterday. I found that it was not possible and I feel that these two Bills are very essential and must be passed. We cannot postpone any of them to the next session. We are adjourning on the 11th. That is one thing. Then, 11th is fixed for discussion on the price line and 10th for the cease-fire. There is no other alternative but to take them up today. It was therefore that I made the observation on Friday last that first these two Bills should be passed before we take up non-official business. That was also agreed to by this House. Therefore, with all those limitations laid down by the House itself, I had no choice but to give my consent and under those limitations and with the decisions that the House has already taken, I do not think there is any other escape for us. We have now to put it to the House; that there is no way out. Therefore, we should agree. On the one hand, we have decided that—and I agree that entirely that these two Bills should be passed as possible. There ought not to be any delay, and it is not a question of one day or two days.

Shri Morarji Desai: Sir, may I make a submission? I agree entirely

with my hon. friend and with your directions that this motion should be very rare. I believe I have come for the first time with a motion like this before the House, and the Government also has come very rarely—

Shri Hari Vishnu Kamath: It is not the first time; it is the third time, I believe.

Shri Morarji Desai: It is not generally done, but in this particular case, it was first of all said that Parliament should adjourn quickly, on the 23rd October. Further, this is not a measure which can be brought in a hurry. It also required a lot of consideration, and therefore it was being considered. Then we found that we would have to bring in an ordinance or something. We did not want to bring in any ordinance if we could help it. Therefore, we also tried to see that the Bill was framed and brought in here. So, the only alternative left to us, if this was not done, was that an ordinance should be passed afterwards. That would not have been, to my mind, a satisfactory position at all. It is therefore that we have come very reluctantly with this request to you and to the House.

I can very well understand the zeal of my hon. friend, to maintain the rights. I am also one with him, and I will be only too zealous in this matter. But I would say that he may be a little bit less zealous in censoring on occasions which are not necessary.

Shri Hari Vishnu Kamath: I am equally zealous.

Shri Morarji Desai: But he is equally zealous in censoring which is not good!

Shri Tyagi (Dehra Dun): Because he is a bachelor!

श्री यशपाल सिंह (कैराना) : अध्यक्ष महोदय, मैं यह निवेदन करना चाहता हूँ कि नान-आफिशल बिजनेस के दिन ही ऐसी बातें पैदा होती हैं ।

Proviso to
Rule 66

अध्यक्ष महोदय : माननीय सदस्य को कोई खतरा नहीं होना चाहिये । उन का रेजोल्यूशन जरूर लिया जायेगा ।

श्री यशपाल सिंह : इस के अतिरिक्त मैं यह भी निवेदन करना चाहता हूँ कि हम सात आठ साथी ऐसे हैं, जो हमेशा चाइना के मूतालिक कार्लिंग-एटेंन्शन नोटिस देते हैं—मैं ने बीस, पच्चीस दिये हैं—और उस के जवाब में हमें कहा जाता है कि चाइना के सम्बन्ध में जो डीबेट होगी उस में हम को मौका दिया जायेगा । लेकिन हम देखते हैं कि बहस में हम को टाइम नहीं मिलता है ।

अध्यक्ष महोदय : माननीय सदस्य अपने ग्रुप के लीडर को कहें कि वह उन का नाम भेजें ।

श्री यशपाल सिंह : लेकिन रिजेक्ट तो ग्राप करते हैं ।

अध्यक्ष महोदय : ग्रुप के लीडर की तरफ से जो नाम मुझे भेजे जाते हैं, मैं उन्हीं को बुलाता हूँ । मैं समझता हूँ कि यह शिकायत किसी को नहीं होगी कि मेरे पास एक माननीय सदस्य का नाम भेजा गया और मैं ने किसी दूसरे माननीय सदस्य को बुला लिया । जहाँ तक कार्लिंग एटेंन्शन नोटिसिज का ताल्लुक है, अगर किसी सबजेक्ट पर डीबेट एक दो दिन में आ रही हो, तो मैं उस के बारे में कार्लिंग एटेंन्शन नोटिस की इजाजत कैसे दे सकता हूँ । यह बात हमारे रूल्स में है ।

श्री यशपाल सिंह : चाइना के बारे में जो पच्चास के करीब शार्ट-नोटिस क्वेस्टियन दिये हुए हैं, उन को तो मौका देना चाहिये ।

अध्यक्ष महोदय : माननीय सदस्य कार्लिंग एटेंन्शन से अब शार्ट-नोटिस क्वेस्टियन पर आ गये हैं, जो कि एक अलग सबाल है । माननीय सदस्य को पता होना चाहिये कि इस बारे में आखिरी फैसला मिनिस्टर के पास है । अगर वह कहे कि मैं शार्ट-नोटिस क्वेस्टियन

एक्सेप्ट नहीं करता हूँ, तो मेरे पास कोई ताकत नहीं है कि मैं उस को जवाब देने के लिये मजबूर करूँ ।

Shri Hari Vishnu Kamath: Sir, with regard to your ruling which you were so good to give a minute earlier, you observed that you were bound by the decision made two days ago that both these Bills should be taken up today. May I be permitted to say you that we were not then aware of the position with regard to the suspension of the rule that might come up today. Nothing was said about that then.

Mr. Speaker: Well, I am bound by the decision of the House.

The question is:

"That the proviso to Rule 66 of the Rules of Procedure and Conduct of Business in Lok Sabha in its application to the motions for taking into consideration and passing of the Emergency Risks (Factories) Insurance Bill, 1962 be suspended."

The motion was adopted.

13.19 hrs.

EMERGENCY RISKS (FACTORIES)
INSURANCE BILL

The Minister of Finance (Shri Morarji Desai): I beg to move:

"That the Bill to make provisions for the insurance of certain property in India against damage by enemy action during the period of emergency, be taken into consideration."

This Bill, like the other one relating to goods which has just been moved, is based on a similar scheme which was in existence during the last world war, but have introduced a few changes in order to provide for the developments in the Indian economy since the end of that war. The main change which has been made is that in view of the growth of our mineral