

[Shri Manubhai Shah]

U.S.S.R. and Czechoslovakia.  
[Placed in Library. See No. LT-1116/63].

(iii) Administrative Report of the Salt Department for the year 1961-62. [Placed in Library. See No. LT-1117/63].

(iv) (a) Annual Report of the National Instruments Limited, Jadavpur, Calcutta, for the year 1961-62 along with the Audited Accounts and the comments of the Comptroller and Auditor General thereon, under sub-section (1) of section 619A of the Companies Act, 1956.

(b) Review by the Government on the working of the above Company. [Placed in Library. See No. LT-1118/63].

#### ESTIMATES COMMITTEE

##### TWENTY-SIXTH AND TWENTY-SEVENTH REPORTS

**Shri Dasappa** (Bangalore): I beg to present the following reports of the Estimates Committee:

- (1) Twenty-sixth Report on action taken by Government on the recommendations contained in the undermentioned reports of the Estimates Committee (Second Lok Sabha) on the Ministry of Labour and Employment:
  - (i) Eighty-fourth Report on General Organisation; Chief Labour Commissioner; Chief Inspector of Mines; Chief Adviser, Factories.
  - (ii) Ninetieth Report on Social Security Schemes and Miscellaneous.
- (2) Twenty-seventh Report on action taken by Government on the recommendations contained in the undermentioned

reports of the Estimates Committee (Second Lok Sabha) on the Ministry of Scientific Research and Cultural Affairs:

- (i) Seventy-sixth Report on the Council of Scientific and Industrial Research.
- (ii) Seventy-eighth Report on the Secretariat (Scientific Research Wing); Grants-in-aid; National Research Development Corporation of India; Technical Institutions.
- (iii) Eighty-third Report on the National Laboratories and Miscellaneous.

12-19 hrs.

#### BUSINESS OF THE HOUSE

**The Minister of Parliamentary Affairs** (Shri Satya Narayan Sinha): With your permission Sir, I rise to announce that Government Business in this House during the week commencing 15th April, 1963, will consist of:—

1. Consideration of any item of business carried over from today's Order Paper.
2. Discussion and Voting on the Demands for Grants relating to:—
  - Ministry of Economic and Defence Coordination.
  - Department of Parliamentary Affairs; and
  - Ministry of Finance.
3. Submission to the vote of the House of the outstanding Demands for Grants at 5 p.m. on **Wednesday the 17th April, 1963.**
4. Consideration and passing of:
  - The Finance Bill, 1963,
  - The Super Profit Tax Bill, 1963, The Compulsory Deposit Scheme Bill, 1963.

I request you, Sir, that the House may be pleased to sit on Saturday, the 20th April, 1963 also for the timely completion of financial business.

**Some Hon. Members:** No, no.

**Shri Hari Vishnu Kamath** (Hoshangabad): The routine weekly statement of the Minister of Parliamentary Affairs has come, but it bristles with several obscurities which have got to be cleared.

May I submit in the first place—will you kindly refer to the bulletins. I do not know whether you have got all the bulletins issued by the Secretariat.

**Mr. Speaker:** If he refers to one, I may get it. I have not got all the bulletins.

**Shri Hari Vishnu Kamath:** I have got all the bulletins with me up to date since the beginning of the session.

In the first bulletin we were treated to a statement, not to be taken as exhaustive, of Government legislative business and other business: 13 Bills pending in Lok Sabha, one Bill passed by Rajya Sabha and 16 new Bills, that is to say, a total of 30 Bills were listed. That was in the first bulletin which we received on the opening day, February 18th. Now, last week I find that certain Bills were listed by the Minister of Parliamentary Affairs for discussion during the rest of the session, and many of the Bills that have figured in the earlier list do not figure in this list.

Apart from legislative business, there is one matter, non-legislative business, that is discussion of the Report of the Scheduled Areas and Tribes Commission. That was also listed for discussion in this session in the first bulletin, as also discussion of the Report of the Commissioner of Scheduled Castes and Scheduled Tribes. A far more serious aspect of the matter is this. The President's Address delivered to the Joint Session

of both Houses of Parliament on the 18th February, 1963 refers to the Bills....

**Mr. Speaker:** We need not go into them. Are there any specific points which he wishes to refer, to any particular business or to any particular legislation?

**Shri Hari Vishnu Kamath:** Sir, the President's Address listed several Bills. May I read the relevant part? The President said:

"Among the Bills that will be placed before you for your consideration, will be....".

There are eight Bills. Of these eight, the Slum Areas (Improvement and Clearance) Amendment Bill has not yet come before the House. The Indian Emigration (Amendment) Bill has not come before us. The Union Territories Bill and the Bill to provide for the representation for the Union territory of Pondichery, etc.—these two have come. The Factories (Amendment) Bill has not come. The Industrial Disputes (Amendment) Bill has not come before us. The Electricity (Supply) Amendment Bill has not come. The Delhi Development (Amendment) Bill has not come.

May I, Sir, now invite your attention to article 87 of the Constitution which deals with the President's Address to the joint session of Parliament:

"87. (1) At the commencement of the first session after each general election to the House of the People and at the commencement of the first session of each year, the President shall address both Houses of Parliament....

Now, clause (2) of that article reads as follows:

"Provision shall"—it is shall, not 'may',—"be made by the rules regulating the procedure of either House for the allotment of time for discussion of the matters referred to in such address...."

[Shri Hari Vishnu Kamath]

Now, Sir, due to perfunctory planning—I do not know what it is due to—or for other reasons, these Bills listed by the President in his Address are not before the House. I am afraid that unless you direct the Treasury Benches to revise their attitude and to place these Bills in this very session before us for consideration and passing, either the Constitution stands in danger of being brought into disrepute, or it is contempt of the President's Address. I would, therefore, request you to direct the Minister of Parliamentary Affairs to arrange the programme in such a way that the Bills mentioned by the President shall come before the House. The Constitution says: "shall" be placed before the House.

**Mr. Speaker:** This raises a wider question. If he has confined himself to the business that has been announced, we could take that into account. I will give a reply to him

**Shri Prabhat Kar (Hooghly):** Sir, just now an announcement was made by the Minister of Parliamentary Affairs that on the 17th April at 5 p.m. all the outstanding demands for grants would be put to vote when the time-table was made, certain times were allotted to various Ministries and there was a complaint that many of the important Ministries were given very little time. Take for instance, Finance and Planning. It is a very vital thing but ten hours are given. According to the present schedule, it will come only on the afternoon of the 16th and by the 17th there will be only six hours left but all the demands will be put and guillotined by you. Why were not these things taken into consideration when the time-table was made? Sufficient time is not given to the important Ministries and Members of Parliament are forced to face a situation where the other demands for grants will have to be guillotined. This matter should be taken into consideration.

**Shri Surendranath Dwivedy:** Sir, I want one clarification. It was earlier agreed that there will be separate discussions on finance and planning—four hours for planning at the beginning and the Planning Minister to reply and six hours for finance and then the reply by the Finance Minister. There is no mention of it in the announcement made by the Minister. I want to know whether that arrangement will be adhered to.

**Shri Satya Narayan Sinha:** With regard to the allotment of time, I think it was discussed in the Business Advisory Committee by them. We had an informal discussion with the leaders of the Groups. After that the whole thing was placed before the House. We have kept a schedule before us. In spite of that the time on the discussion of some of the demands had been extended at the request of the hon. Members. We are not to be blamed for that. What can we do? We are already behind schedule by three or four hours and therefore if all the demands had to be guillotined on that day, I cannot help it and I do not know what should be said about it. The House approved of it; the House extended the time also. Therefore, I am not to be blamed.

Regarding Shri Kamath's objection, I submit that it is a wider question. I shall look into it. He said whatever measures the President has mentioned must be put through in the same session.

**Shri Hari Vishnu Kamath:** The Government have asked him to say so.

**Shri Satya Narayan Sinha:** As you yourself have been pleased to say, it is a wider question. Up till now we have not been following a procedure. I agree. I shall look into it. I do not think that you agreed that whatever the President has said, whatever measures he has mentioned, must be taken up during that particular session itself.

**Shri Hari Vishnu Kamath:** It is in the Constitution. (*Interruptions*).

**Shri Satya Narayan Sinha:** Therefore, I say that the whole matter should be examined.

**The Minister of State in the Ministry of Home Affairs (Shri Hajarnavis):** It is not that all of them should be put through in the session. The Constitution says:

"Proviso shall be made by the rules regulating the procedure of either House for the allotment of time for discussion of the matters referred to in such address...."

So, these rules are made; these rules are adhered to. The business goes to the Business Advisory Committee. Ultimately their decisions are approved by the House.

**Shri Hari Vishnu Kamath:** It is a misinterpretation.

**Some Hon. Members rose—**

**Mr. Speaker:** Order, order. So far as the time is concerned, we have considered it twice. First, the Minister of Parliamentary Affairs had a meeting with the leaders of groups. Then twice it was considered, and it was adopted by the House. Ultimately we extended the time also in certain matters. Then also we agreed. Therefore, that should not be pressed here, because twice it has been decided. So far as the point made by Shri Surendranath Dwivedy is concerned—he said he was assured that there will be four hours for Planning and six hours for Finance—

**Shri Satya Narayan Sinha:** Ten hours are there.

**Mr. Speaker:** Ten hours in all. The point is whether they may be taken up separately.

**Shri Satya Narayan Sinha:** I have no objection.

**Mr. Speaker:** Then there was the objection that it would be guillotined

at 5 o'clock and so it would not have the same time.

**Shri H. N. Mukerjee (Calcutta Central):** The point is, 10 hours for Planning and Finance plus one hour for the Demands under the control of the Minister of Parliamentary Affairs plus six hours for the Demands under the Control of the Minister of Economic and Defence Coordination plus five hours for the other Ministries adds up to something which we cannot finish by the time given by the Minister. So, 10 hours for Shri Dwivedy would just be out of the picture.

**Shri Satya Narayan Sinha:** Is there any way out? I do not know what is to be done.

**Mr. Speaker:** So far as the decisions of the House are concerned, certainly the House has agreed that we should stick to them. So far as this particular question is concerned, we will look into it, and we might consult some or all of the Members of the Business Advisory Committee, counting the hours that we have and how we can adjust it and what the actual position is, and how we can just do with that. But that limit is fixed: that we have to finish the whole thing within that time. We shall see what we can do.

**Shri S. M. Banerjee (Kanpur):** Let us have some idea about—

**Mr. Speaker:** He need not have any more idea now.

**Shri S. M. Banerjee:** How many extra days we are likely to sit? Has he got any idea? How long is the session going to last? Has he got any idea?

**Mr. Speaker:** We find that some legislation is being dropped. I think the Minister's idea is to conclude the session by about the time that is given.

**Shri Satya Narayan Sinha:** Yes; according to the schedule, I think if the House is extended, it may be by one day. I request the House to sit on

[Shri Satya Narayan Sinha]

the 4th of May also. I would like to inform my hon. friend Shri Kamath that the Dhebar Commission's report is going to be discussed on the 3rd of next month.

**Dr. L. M. Singhvi (Jodhpur):** The House has clearly expressed itself in respect of sitting after the usual hour of 5 o'clock and sitting on Saturdays. I think that feeling was expressed by all sections of the House and it should be respected and adhered to, so that the proposal for sitting on Saturdays should not even be entertained.

**Mr. Speaker:** Sitting on Saturdays had actually been discussed earlier than that. In the Business Advisory Committee we had thought of it though it was not put before the House. We had thought that we shall have to sit now that we are behind time. Probably this is also in my mind—what Shri Surendranath Dwivedy has said—that we are behind time only by three or four hours, and if we have six hours on Saturday, perhaps that time may be made up. I request hon. Members that for this time at least, they may agree. So far as sitting on Saturdays is concerned, it is the decision of the House not to sit beyond 5 o'clock. We shall stick to that because that is the decision of the House. I cannot have any objection.

**Shri Prabhakar Kar:** Sitting on Saturdays is not going to help so far as the Demands for Grants are concerned, because today also, which is a Saturday, we are meeting, and the Finance Bill will also come on Saturday.

**Mr. Speaker:** For the Finance Bill, we might find some time. If we can sit for some more time for the Finance Bill, we can utilise that Saturday. The Finance Bill might have some more time. That is the only question. I do not think there any other question. So far as the question raised by Mr. Kamath is concerned...

**Shri A. C. Guba (Barasat):** The discussion on planning may be scheduled after the Finance Ministry's demands have been passed, because there is no demand to be connected with planning.

**Mr. Speaker:** We can consider that also.

So far as the question raised by Mr. Kamath is concerned, that there was mention of certain Bills in the President's Address, if he only wants to comment that there has not been good planning, probably I might not have any objection. That article means that whatever has been said there is only the intention of the programme of the Government to put up these Bills on the agenda and to have them here before Parliament. But if it finds that it is not possible, then the time is not to be allotted to those Bills. The time has to be allotted only to those that will be taken up. It is not necessary that time must be allotted to every Bill that has been mentioned in that Address and every one of those Bills must be brought before the House, discussed and passed or any decision taken. That does not follow from the article that he has read. But, as I have said, if he means to say that there ought to be better planning, probably I might not have any objection and I might support him in that.

**Shri Hari Vishnu Kamath:** On a point of clarification, Sir I am grateful to you for your luminous observation that the Government has been guilty of perfunctory planning...

**Mr. Speaker:** I have not said that.

**Shri Hari Vishnu Kamath:** My interruption may, according to you, not be quite correct, but that is my interpretation. Clause (2) of article 87 is mandatory and peremptory; it says:

"Provision shall be made by the rules regulating the procedure of either House..." etc.

If its meaning is as you say it should be, then the word "may" could have been used. But the wording is "Provision shall be made...." It says:

"Provision shall be made by the rules regulating the procedure of either House for the allotment of time for discussion of the matters referred to in such address."

I do not wish to say anything about the Business Advisory Committee and ever so many committees and their recommendations. But the article is unambiguous. In the clause, there is no room for any doubt on this point. The Government, having advised the President or having put the words in his mouth, so to say, that these Bills will come up for consideration, should give an explanation to the House. The least the Government should do is to give such an explanation. That it is vague perfunctory planning would not suffice all for the House. It must really say why, after having put the words in the President's mouth relating to the consideration of those 8 Bills—out of those 8 Bills, 5 have not been introduced at all—they have not been able to bring those Bills before the House. The Government owes an explanation to this House, because only less than two months ago, they advised the President that those Bills would be considered by the House. Therefore, I would request you in all earnestness to ask the Minister of Parliamentary Affairs to explain as to why they have been remiss in this matter and they could not plan the business according to the President's Address.

**Mr. Speaker:** Firstly, I do not agree with the interpretation put by the hon. Member. Secondly, the Address of the President contains what the programme of the Government is going to be for the whole year. The Address comes after each year and not after every session. Therefore, because in this session they have not

brought that legislation, it does not mean that they will not bring it up afterwards. Therefore, that has no force.

I think the House now agrees to sit on Saturday as has been suggested, because that will give us more time for the Finance Bill.

12:33 hrs.

#### OFFICIAL LANGUAGES BILL\*

**Mr. Speaker:** Shri Lal Bahadur Shastri.

**श्री बागड़ी (हिसार) :** अध्यक्ष महोदय, मेरा एक व्यवस्था का सवाल है।

**अध्यक्ष महोदय :** भ्रमी यह सवाल नहीं उठ सकता जब तक कि कोई चीज हाउस के सामने न हो।

**श्री बागड़ी :** यह विधेयक जो श्री लाल बहादुर शास्त्री.....

**अध्यक्ष महोदय :** आप जरा बैठ जाएं, मेरी बात सुन लीजिए।

**श्री रामेश्वरानन्द (करनाल) :** हमारी प्रार्थना तो सुन लीजिए।

**अध्यक्ष महोदय :** आप मेरी सुन लीजिए जरा बैठ जाइए। मुझे कह लेने दीजिए।

**श्री वृजराज सिंह (बरेली) :** मैं एक इनफ़ारमेशन देना चाहता हूँ।

**श्री बागड़ी :** अध्यक्ष महोदय, मेरा एक व्यवस्था का प्रश्न है।

**अध्यक्ष महोदय :** मैं ने कहा कि जब तक कोई चीज हाउस के सामने न हो उस वक्त तक व्यवस्था का प्रश्न नहीं उठ सकता। मैं ने भ्रमी श्री लाल बहादुर शास्त्री का नाम लिया है, तो इस नाम पर तो व्यवस्था का सवाल नहीं उठ सकता। भ्रमी कोई चीज हाउस के सामने नहीं आई है। जब वह कोई चीज सामने रखे और आप को उस पर कोई ऐतराज हो तो दूसरा सवाल है। जब वह

\*Introduced with the previous sanction of the President.