

CUSTOMS BILL

EXTENSION OF TIME FOR PRESENTATION OF REPORT OF SELECT COMMITTEE

Shri Krishnamoorthy Rao (Shimoga): Sir, I beg to move the following:—

"That the time appointed for the presentation of the Report of the Select Committee on the Bill to consolidate and amend the law relating to customs, be extended upto the last day of the first week of the next session."

Mr. Speaker: Motion moved: *

"That the time appointed for the presentation of the Report of the Select Committee on the Bill to consolidate and amend the law relating to customs, be extended upto the last day of the first week of the next session."

Now Shri Sonavane may say what he wanted to say a little while earlier.

Shri Sonavane (Pandharpur): About this inordinate delay in the presentation of the Report and asking for time of about three months I want to ask whether it was not visualised that the work of the Committee would not be completed by the first week of this Session. What is it that has hampered the completion of the Committee's work and presentation of the Report?

Shri Krishnamoorthy Rao: We wanted to finish the work of the Committee before the due date but the hon. Members felt that they should examine some more witnesses and that as they would like to attend to the legislative business in the House they would not be able to meet during the Session. So, we had to ask for time till the first week of the next Session.

Mr. Speaker: The question is:

"That the time appointed for the presentation of the Report of the Select Committee on the Bill to consolidate and amend the law relating to customs, be extended upto the last day of the first week of the next session."

The motion was adopted.

12:15 hrs.

LAND ACQUISITION (AMENDMENT) BILL*

The Minister of Food and Agriculture (**Shri S. K. Patil**): Sir, I beg to move for leave to introduce a Bill further to amend the Land Acquisition Act, 1894.

Mr. Speaker: Motion moved :

"That leave be granted to introduce a Bill further to amend the Land Acquisition Act, 1894."

Shri S. M. Banerjee (Kanpur): Sir, I have a submission to make in this regard. After the Supreme Court's judgment, the necessary Ordinance was promulgated on the 20th July for a particular case. When it was already announced that this House would sit from the 6th August, what was the necessity for it? Was it not due to.....

Mr. Speaker: He will kindly resume his seat. I have followed him.

Shri S. M. Banerjee: I have not finished yet.

Mr. Speaker: Sometimes with the whole thing not being finished, one can understand what it is by a part of it also.

Shri S. M. Banerjee: This has been done because this case pertains to an industrialist of Kanpur and it is to protect the interests of the industrialist that even the Government of India came forward with an Ordinance. It is surprising.

*Published in the Gazette of India Extraordinary Part II—Section 2, dated 8-8-62.

Shri Nath Pal (Rajapur): What is surprising about it?

Mr. Speaker: I could see that he was quite insistent about expressing his view; otherwise, introduction stage is not the proper time for this. When we take it up, he can take objection to it but not at the introduction stage. At this stage he can say that he objects to its introduction and he can take objection to the Ordinance at the moment we consider it. We are only at the stage of introduction of the Bill.

The question is:

“That leave be granted to introduce a Bill further to amend the Land Acquisition Act, 1894.”

The motion was adopted.

Shri S. K. Patil: Sir, I introduce the Bill.

STATEMENT RE: LAND ACQUISITION (AMENDMENT) ORDINANCE

The Minister of Food and Agriculture (Shri S. K. Patil): Sir, I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Land Acquisition (Amendment) Ordinance, 1962, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library. See No. LT-291/62.]

12-19 hrs.

EXTRADITION BILL—contd.

Mr. Speaker: The House shall now take up further consideration of the following motion moved by Shri Asoke K. Sen on the 7th August, 1962, namely:—

“That the Bill to consolidate and amend the law relating to the extradition of fugitive criminals, be passed.”

Shri D. C. Sharma may continue his speech.

Shri D. C. Sharma (Gurdaspur): Sir, I made two points yesterday. I said that the Government had given due thought and due time to the consideration and drafting of this Bill. I also said that the Ministry of Law and the Congress party were not void of legal talent and were not void of understanding in such a way that it could not understand all the implications of this Bill and all that it involved. I believe that the speeches which have been made on behalf of the Congress party here show that the Members have understood all that this Bill involved and their speeches have been as good as that of any Member of any other party.

A point has been made that we are giving perhaps preferential treatment to Commonwealth countries. I think that is a misrepresentation of facts. Of course, we have three types of countries in this Bill and three types of agreements in view. But, the fact of the matter is that the Commonwealth countries are also going to be subject to all these things to which all the other countries are going to be subjected. For instance, I draw the attention of the House to clause 12(2):

“Every such application shall be by notified order, and the Central Government may, by the same or any subsequent notified order, direct that this Chapter and Chapters I, IV and V shall, in relation to any such Commonwealth country, apply subject to such modifications, exceptions, conditions and qualifications as it may think fit to specify in the order for the purpose of implementing the arrangement”.

The first point is that these treaties are going to be bilateral treaties; they are not going to be unilateral. At the same time, we are not giving a kind of blank permission to the Government to enter into any kind of treaty that it likes with any Commonwealth country. Whatever these treaties, they will be done by notified orders. Not only Chapter III will