

as a member of the Committee on Estimates for the unexpired portion of the term ending on 30th April, 1959, vice Shri J. Rameshwar Rao resigned."

Mr. Speaker: The question is:

"That the Members of this House do proceed to elect in the manner required by sub-rule (3) of Rule 254 read with sub-rule (1) of Rule 311 of the Rules of Procedure and Conduct of Business in Lok Sabha, one Member from among themselves to serve as a member of the Committee on Estimates for the unexpired portion of the term ending on 30th April, 1959, vice Shri J. Rameshwar Rao resigned."

The motion was adopted.

12.48½ hrs.

HIGH COURT JUDGES (CONDITIONS OF SERVICE) AMENDMENT BILL*.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, I beg to move for leave to introduce a Bill further to amend the High Court Judges (Conditions of Service) Act, 1954.

The motion was put and adopted.

Pandit G. B. Pant: Sir, I introduce the Bill.

12.49 hrs.

DELHI RENT CONTROL BILL

Mr. Speaker: The House will now resume further discussion on the following motion moved by Shri Datar on the 10th September, 1958, namely:—

"That the Bill to provide for the control of rents and evictions, and for the lease of vacant premises to Government, in certain areas in the Union Territory of

Delhi, be referred to the Joint Committee of the House consisting of 45 members; 30 from this House, namely Shri Radha Raman, Choudhry Brahm Perkash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Sucheta Kripalani, Shrimati Subhadra Joshi, Shri N. R. Ghosh, Shri Vutukururu Rami Reddy, Dr. P. Subbarayan, Shri Kanhaiyatal Behrural Malviya, Shri Krishna Chandra, Shri Kanhaiya Lal Balmiki, Shri Umrao Singh, Shri Kalika Singh, Shri T. R. Neewi, Shri Shivram Rango Rane, Shri Chandra Shanker, Shri Bhola Raut, Shri Phani Gopal Sen, Sardar Iqbal Singh, Shri C. R. Basappa, Shri B. N. Datar, Shri V. P. Nayar, Shri Shamrao Vishnu Parulekar, Shri Khushwaqt Rai, Shri Ram Garib, Shri G. K. Manay, Shri Uttamrao L. Patil, Shri Subiman Ghose, Shri Banamali Kumbhar and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next Session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

Yesterday, Shri Mulchand Dube got up in the end. I was prepared to allow him to speak before calling upon the hon. Minister to reply. Shri Dube.

*Published in the Gazette of India Extraordinary Part II—Section 2, dated 12-9-58.

†Introduced with the recommendation of the President.

Shri Mahaband Dube (Farrukhabad) Mr. Speaker, my hon. friend, Shri Naval Prabhakar told us that in Karol Bagh pugree or premium to the extent of Rs. 30,000 or Rs. 40,000 were paid and received in respect of buildings which could not have cost more than Rs. 12,000.

12-58 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

I also heard from others that the same practice has been prevailing in Chandni Chowk and also in Connaught Place. This business of pugree is an evil which has been prevalent in this city for a considerable time. I expected some provision to be made in the Bill so that this vicious practice may be stopped for all time to come. I find there is no provision in the Bill for that. All that is stated here is that pugree is something prohibited. In case it is proved, it will have to be refunded. I submit it is not sufficient. I am told that the land-lords and tenants both sometimes share the pugree so received. Sometimes, it happens the land-lord takes away the whole of it and sometimes the tenant takes the whole of it. This is done by entering into an agreement or partnership which is fictitious to circumvent the law and make it appear that he is taking a partner and not sub-letting the building. A provision has been made in the Bill in respect of such partnerships which may be entered into after August 1958. In the case of such partnership, the Rent Controller may presume that it is a case of sub-letting. There does not seem to be any provision for such partnership which has taken place long before the Act comes into force or long before August, 1958. My submission is that something should be done with regard to this also and this provision may be applied to partnerships which might have taken place during the last 20 or 30 years.

There is another anomaly, not in the Bill exactly, but in Delhi. There are two kinds of properties and two classes of tenants: tenants occupying buildings for residential purposes and those occupying for non-residential and commercial purposes. There does not seem to be any provision for the ejection of tenants occupying a building for the latter purposes. I think it should be on the same lines. Whatever justification might have been there for keeping this distinction in the past, it does not seem to be good now. I hope the Joint Committee will see whether it is not possible to have only one class of tenants. The remedy that I have thought of for eradicating the evil practice of pugree whether it is for residential or non-residential purposes, is this. All buildings whether for commercial or residential purposes should be allotted by an officer. Every tenant vacating a building should be required to give notice in writing to that officer that he is vacating it from such and such date and the same obligation may be placed upon the owner also so that he may also give the same information to the authorised officer. After that information is given, the officer, whether the Rent Controller or somebody else, should be enabled to allot the house to the people who apply for it and who seem to be most in need of it. So long as they do not make some provision for the allotment of houses by a particular authority, this evil system of pugree is not going to stop.

Yesterday, one of the points raised was that sufficient incentive is not being given to land-lords to build houses. With regard to that, I am told that there are about 250 arrivals every day and they want to settle down in Delhi. It is obviously not possible for the Government to provide houses for these immigrants.... (Interruptions.)

Shri V. P. Nayar (Quilon): There is no quorum, Sir.

Mr. Deputy-Speaker: Order, order. It has been brought to my notice that there is no quorum.

Shri V. F. Nayar: Not merely quorum; not even half the quorum.

Mr. Deputy-Speaker: The Bell is being run—now there is quorum.

Shri Mulchand Dube: This figure cannot be said to be an exaggerated figure but seems to be correct from the fact that the population of Delhi has risen about five-fold during the last 10 or 15 years. Therefore, that figure seems to be correct. Since it does not seem to be possible for the Government to provide accommodation for all these people who are coming every day, some kind of incentive has to be given to landlords to build houses. Is there sufficient incentive or not? I submit that the incentive provided in the Bill is quite sufficient. With regard to the houses constructed before 9th June, 1955 the provision is that the rent should be the same for about seven years. The Bill also provides that these rents should be frozen and they would not be allowed to be raised. In the case of premises constructed on or after 9th June, 1955, the provision is that the basic rent will be that rent for which the building has been rented for the first time and that will continue for five years. It is a sufficient incentive and it cannot be said that this is no sufficient incentive for the landlords to construct houses.

The provision in the Bill for the decision of disputes by the Rent Controller is much better than what it was in the Bill which we have just passed. It was the estate officer that was invested with all the powers in such cases for the eviction of unauthorised occupants of the premises. Now it is the Rent Controller although the Rent Controller has to follow the same procedure as that of the Small Cause Court. The question is whether this is the proper way to proceed. I submit that the same thing could have been achieved by appoint-

ing more small cause court Judges who could deal with this problem also. It does not seem to me quite proper that any kind of case, where the rights of the citizens are involved, should be decided by an officer other than a court of law. I hope the Joint Committee will decide this question also.

There is yet another point on which I want a clarification from the hon. Minister: whether court fees will be payable in the case of disputes and appeals. I have not been able to find any provision in this Bill with regard to court fees. Even if court fees are to be paid, I submit that in the case of tenants who pay a small rent, there should be no court fee charged.

I hope the hon. Minister will look into these matters and will make suitable amendments when the Bill is in the Joint Committee. As the Bill is going before the Joint Committee, I do not propose to take the time of the House, taking you through the Bill and explaining the whole scheme. This is all that I have to say on this Bill.

13 hrs.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, I regret that I could not be personally present to listen to the speeches delivered by hon. Members on the motion which is under consideration. The motion asks for reference of the Delhi Rent Control Bill to a Joint Committee. All the matters that have been mentioned here and the suggestions that have been made will no doubt receive the attention of the Joint Committee. If there are any loopholes to be plugged or any defects to be removed, I think the Joint Committee will be glad to do the needful in that regard. The matter, though local, is of considerable importance. It affects almost everyone living in Old Delhi and many of those living in New Delhi.

My colleague placed before the House the salient features of the Bill

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in his opening speech. I do not think that in view of the fact that it is only a motion for reference to Joint Committee an elaborate speech is called for from me. Questions relating to tenancy are always somewhat ticklish. It is not easy to find an ideal solution to determine the relationship between landlords and tenants. Yet considerable thought having been given on this Bill, I submit that every attempt has been made to face these embarrassing problems in a straightforward way and on the whole the solutions embodied in the Bill should be considered to be satisfactory. There has been a considerable variety—and if I may say so—also disparity of opinions and views in this House. That is but natural; in a Bill of this kind every one cannot be expected to look at the issue from the same angle. Government has, however, tried to place before itself the welfare of the community as a whole. We do not assume that there is any real class conflict between the two sections, whether here or anywhere else. Ultimately the interest of all are common and the best method of ensuring the welfare of both sections lie in looking at the questions in a detached and dispassionate way. That attempt has been made.

I may just say that the main problems about tenancy relate to security of tenure and security in regard to fairness of rents. Both these have been attempted and I do not think that there is any real or genuine ground for any grievance in any quarter. It has been said by some of the hon. Members here that it is a pro-landlord Bill; some others have said that the interests of landlords have not been properly and adequately taken care of. I should say that the provisions in the Bill are intended primarily to serve the interests of all in a fair, equitable and reasonable way and if one looks at the question from that stand-point he will, I hope, be good enough to confirm what I am saying.

Sir, the tenants have been given greater security of tenure by this Bill than they have under the Act of 1952. I wonder if the sections in the parent Act have been studied by everyone and I am not sure if the provisions have been compared either. Under the new Bill the clauses relating to ejection on the ground of nuisance which was very vague and likely to cause considerable difficulty have been omitted.

A number of safeguards have been provided. When a person seeks to eject a tenant on the ground of the premises being needed by him for his own use there used to be formerly a right vested in him for seeking such ejection not only on the ground that he needed the house for himself, but also on the ground that he needed it for his own family. It has now been circumscribed and such claim can be made only on the ground that the house is needed for his own personal use and not for his family. That, I think, goes a long way in protecting the tenant against ejection on this ground.

Not only this. If a person seeks ejection on this ground and if he lets the house again any time during the three years after such ejection then he is not only liable to be turned out of the house, but also be subjected to prosecution for such breach of the undertaking given by him and the tenant is to be given time when the order of ejection is passed for not less than six months for continuing in possession. I think this is a reasonable and an adequate safeguard.

Again, when a tenant is to be ejected for the misuse of the premises a notice has to be served on him to remove the cause which has given rise to such a complaint, and if he complies with that request then he cannot be ejected. There was no such provision in the past. Similarly, when a proprietor wants a house for reconstruction or for additions and alterations,

then he cannot get a decree for ejectment unless he proves to the satisfaction of the Controller that he has got necessary resources and that it will be in public interest that such reconstruction should be allowed. So in every way attempt has been made to safeguard the interests and the continuity of possession of the tenant.

Then about rent. Formerly, whenever there was a suit for arrears of rent the tenant was required to pay the entire amount down at once. Now it has been provided that if the tenant pleads that the rent is excessive, then the Controller will fix what he considers to be standard or reasonable rent tentatively and the tenant will be required only to pay that rent and not the entire amount.

It has also been prescribed under this Bill that for the money received by the house-owner he has to give a receipt, and if he declines to give the receipt the money can be deposited directly with the Controller.

I may just mention that no specific suggestion has been made about any particular clause. Of course, when one thinks in terms of nationalisation or the like, all these provisions pale into insignificance. But what does nationalisation or socialisation in this regard imply? Nobody would suggest that there should be confiscation of house property; anyway, that is not permissible under our Constitution. And in the existing circumstances, when we require every rupee that we can possibly collect for developmental purposes, would it be wise to spend crores and crores, arabs and arabs, in acquiring houses of a ramshackle type? And, what would be the advantage? Apart from any question of theory, these matters have to be looked at from a practical aspect and howsoever zealous we may be about any particular ideology or creed, we have to see how far in the existing circumstances we can proceed.

The Government has stated its position with regard to housing authorita-

tively in this House. The Second Five Year Plan has earmarked Rs. 84 crores for housing purposes inclusive of the amount that may be needed for the improvement of slums etc. But if you are to acquire, perhaps, one Mohalla of Delhi, it may absorb the whole of the Rs. 84 crores. Where is the money to come from? So, if we think in terms of nationalisation, the provisions of this Bill, of course, fall far short of that; but if we are anxious to make an arrangement which will be helpful to the tenants and, at the same time, not lead to any consequences which will come in the way of further expansion, then this Bill, I think, attempts to achieve that objective.

A lot has been said here by some hon. Members about the procedure prescribed in the Bill for the disposal of cases which will come within the purview of this Bill. They do not seem to be aware of the fact that before this Bill was framed the Ministers—firstly the Works, Housing and Supply Minister, and later I too—had some conference with the representatives of landlords as well as of tenants. Then a committee was appointed of the representatives of both under the chairmanship of the Chief Commissioner. Certain agreed conditions were reached, and one of them was this, that civil courts which had been seized of such cases in the past should now be replaced by some whole-time officers selected from judicial service or possessing judicial experience, who would dispose of all such disputes in an expeditious manner. In fact, there has not been so much of inconvenience, trouble and loss to the parties by the actual matters in dispute as by the prolonged nature of the proceedings in courts. It has not only resulted in loss, but has also been the cause of a great deal of bitterness between the landlords and the tenants.

It was also agreed that there should be only one appeal and a reference thereafter only on a point of law. That agreement that was reached has been embodied in this Bill. In the

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circumstances, I do not see why procedure which those who know where the shoe pinches have practically asked us to adopt should be objected to by any hon. Member of this House. We cannot and would not like to go against the joint wishes of both parties.

Again, these representatives of both parties have also agreed that there should not be sub-letting in any shape or form. They also agreed to what I have just said about the procedure that should be adopted in case of arrears of rent. In fact, there were seven points on which they reached an agreement. It was only after we could not persuade the representatives to agree to other matters that were in dispute that it became necessary for us to examine the whole position ourselves, and then to introduce this Bill.

The ejection cases, in a way have not been too many here. Delhi has a very large number of houses; their number would come to something between 2½ lakhs to 3 lakhs, and while a good number of them—perhaps, one-third or thereabout—belong to Government, the rest are private. But, so far as I can remember, the number of ejection suits in a year has not exceeded 5,000—I am saying roughly. I cannot vouch for the figure, but that does not indicate that there is too much of an effort to eject people through the courts. If other methods are adopted, well, I am not aware of them, and they would not come within the purview of this law. But we wish that no tenant be ejected from his house except for very adequate reason. Of course, non-payment of rent has always been regarded as one of such reasons everywhere, and the parties also had agreed, but even in that matter, we have provided some safeguards. So, to call it a landlord Bill and to say that it is anti-tenant is, I submit, not fair and it is not justified.

Then there is the basic question which we have to consider. Delhi is a growing city. Its population is increasing every day. I have got the figures before me which indicate that its population stood at about four lakhs in 1911; rose to 9 lakhs in 1941, 17 lakhs in 1951 and is now about 23 lakhs. The urban population, I think is about 18 lakhs or 19 lakhs. There are roughly about one lakh families who have no housing accommodation at present in Delhi and who need it. Well, the resources of Government are limited. Two things are necessary if this problem of a tremendous magnitude has to be solved satisfactorily. The scarcity in the matter of accommodation has been further aggravated. The disparity between the supply and demand has become much wider than it used to be in the past. What is the remedy? How are you going to get over it? Obviously, the Government cannot build houses for all, because, as I said, our resources are limited, and we make use of it firstly for the improvement and replacement of slums. So far as other needs are concerned, other ways have to be found. The Government has suggested certain methods. It gives loans; in some cases it gives subsidies also, but even then, only the fringe of the question can be touched that way.

Now, if any provision has to be made and even if a fraction of this demand has to be met, then a constructive attitude has to be adopted. As hon. Members can easily see, there are two things which have to be borne in mind. One of them is this: that at least the existing accommodation should not deteriorate—the houses that exist should not be allowed to tumble down or collapse—and they should be kept in proper order. In order that the houses may be kept in proper order, the landlord or the house proprietor has to be given such rent as would enable him to do so. Everybody knows today that the value of the rupee has gone down. Everybody also knows that building costs

have gone up. The cost of building materials has increased enormously, and so have the charges of construction. The bill that the Government has to pay for repairs has doubled or trebled in recent years. So, we have to see to it that the houses are maintained and are properly repaired, for it is a social problem. It is not only a matter affecting the tenant or the landlord but we need houses and something has to be done in order to keep these houses in a fit state of repair. But whatever we do must be fair.

According to the 1952 Act,—I will not go into details—the rent that was assessable was generally $7\frac{1}{2}$ per cent of the capital cost of construction and the land on which the building stood. Well, certain calculations were made—different categories of houses which were built before 1939, before 1944, before 1947, and so on. All of them were considered and the position with regard to each was fully examined, and then the rates were fixed so as to see that the rent amounted generally to $7\frac{1}{2}$ per cent of the capital cost.

Now, the changes that have taken place since are known to hon. Members. What is the net amount left for the house owner after he has made the repairs, that is not directly at issue. But you have to provide for such an amount as will at least ensure in a reasonable way and to a reasonable extent that repairs will be carried out and the houses will be properly maintained. In view of the changes that have taken place during this interval, in view of the shortage in the number of houses existing, and in view of the fall in the value of money and the rise in prices, I do not think a ten per cent increase in the rents can be regarded as being excessive. A man who is paying Rs. 10 will have to pay Rs. 11, and one who is paying Rs. 100 will have to pay Rs. 110. Well, one may say that those who have to pay the rent will also have to bear the burden of these prices which

have risen, but with respect to everything else he has to bear the burden. We do not want him to bear the burden to the same extent. It is hardly five or 10 per cent of the increase that has taken place, and it must be remembered that among the house-owners too there are poor people; there are widows; and there are also others. All houses are not palaces all houses are not big. So, if the house-owners do not get enough to enable them to maintain their houses, then, the social problem will become still more acute. Everybody knows, that interest charges have risen and that the cost of maintenance has also risen. Whoever has a house knows as to how much he has to spend on the repairs of his house—what he had to pay in 1950 and 1951 and what he has to pay now. So, this increase of 10 per cent need not be grudged. It will be used and it will be necessary for the repairs, and then, apart from other burdens that the house-owner has to carry in this regard, about repairs etc., he has also to pay house-tax. The present rate of house-tax is 10 per cent. In the Municipal Corporation Act it has been provided, that the tax may be raised to 20 per cent. Where the house-owner has to pay the tax, the whole of the 10 per cent will be absorbed by the increase in house-tax alone apart from anything else. So, we think that this provision is reasonable.

Then there is the question of new houses. About that it must be accepted that the real solution can be found in having new houses in as large a number as possible. The Government has tried to make provision for the low-paid classes. So far as Class IV employees are concerned, it is expected that by the end of this year, housing accommodation will have been provided for about 60 per cent of the employees belonging to that class.

But as I said, there are about a lakh of families and about 1,000 families come to Delhi every month with the intention of staying here permanently. So, we have to encourage the

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construction of new houses. In 1952, when the Act was passed, it was provided that the houses constructed between June, 1951 and June, 1955 would be allowed complete freedom for seven years; the house-owners could charge any rent they like; they could evict the tenants if they chose to do so. They had the freedom to deal with the tenants if they chose to do so. but now we have imposed restriction on them also. We have said that while the undertaking given in respect of the rent may be respected to the extent that the rents that are now being fixed by mutual agreement will continue for this period, after that the rent will be fixed at the uniform rate which is applicable to other houses; i.e. $7\frac{1}{2}$ plus 0.75 or $8\frac{1}{2}$ per cent. In all other respects, these houses too will come within the purview of this Act.

About the houses built after 1955, we have proposed that they should be allowed freedom to fix their rents by agreement with the tenants and such rents will prevail for five years. But in other respects, the arrangement will be subject to the provisions of this Act and after five years, the rent payable will be not more than $8\frac{1}{2}$ per cent. Everybody knows I think that the rents that are charged by those who construct new houses are high, but we have given holiday almost for five years for new industries in the matter of depreciation charges, income-tax and in so many other things, so that new industries may be established. In the case of new houses, perhaps $8\frac{1}{2}$ per cent. will not provide a very tempting incentive.

An Hon. Member: What about *pugree*?

Pandit G. B. Pant: For that a very strict provision has been made that no *pugree* will be payable. If anybody receives any *pugree*, not only he will have to refund the *pugree*, but also he will have to pay double that amount and he is liable to be sentenced to imprisonment.

Shri Braj Raj Singh (Ferozabad): He would not have recovered the whole cost of the construction within the period of five years allowed under the Act.

Pandit G. B. Pant: I think if it had been possible for everyone to realise the whole of the cost, then thousands of houses would have been constructed in Delhi between 1951 and 1955; but they were not. But if you get thousands of houses constructed and if after five years you are able to make use of those houses for the poorer section of the community, fixing the rent at a rate not higher than $8\frac{1}{2}$ per cent., do you really gain or lose? For, if no houses are constructed for five years, you do not get anything even after five years. But if people invest something and get something out of it and if after five years, those who will occupy these houses need not pay more than $8\frac{1}{2}$ per cent., it should not be regarded as a bad bargain from the social welfare point of view. So, this arrangement has been made with a view to have more of housing accommodation. If we do not do anything, then it will be difficult to have more buildings erected.

Everybody knows also that some of the tenants, who are in a position to do so, when they sub-let, get sometimes three or four times the amount which they have to pay as rent themselves, so that if you are to look at the question from the supply and demand point of view, the rents will be much higher than what are being paid today. That is why these controls have been introduced, but still there is a limit beyond which you cannot regulate the laws of supply and demand. We should do things in such a way that we will be able to adjust things together and also to safeguard the interest of the people in general and at the same time not do anything that will further aggravate the existing difficulties. So, these provisions have been made with a view to en-

encourage housing and I hope it is realised by every hon. Member of this House that above all what we need is the preservation of the existing houses and the building of more houses. The existing houses will be kept in good repair. If they are not, it is open to the tenant to spend up to one month's rent himself on the repairs of the house. But if special repairs are called for, he can approach the controller and get permission to make such repairs at a cost that may go up to two years' rent. So, special provisions have been made for keeping the houses in good repair. If a tenant does not receive that treatment at the hands of the landlord to which he is entitled, then it is open to him to approach the controller and as I said, the cost of repairs can go up to the rent that may be payable for 24 months. Taxes etc. will have to be paid by the house-owner and the entire amount may be used for repairs.

So, I submit that the Bill has been prepared with great care and the existing conditions, the principle for which we stand, the supreme objective of the service of the people and the welfare of the community have all been kept in view. I hope this House will pass this motion unanimously.

Shri Braj Raj Singh: I want to have a clarification.

Mr. Deputy-Speaker: This is only being referred to a Select Committee. All these things can be taken up subsequently. We are not deciding just now.

Shri Jadhav (Malegaon): In clause (20) it is stated: "Recovery of possession in case of tenancies for limited period". What is this "limited period". It has nowhere been defined and wide powers are given to the landlord.

Mr. Deputy-Speaker: I am sure, that shall be considered by the Select Committee.

Fandit G. B. Pant: A limited period is a period which is not unlimited. It may be a year or six months or two years. For that permission will be necessary.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the control of rents and evictions, and for the lease of vacant premises to Government, in certain areas in the Union Territory of Delhi, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely, Shri Radha Raman, Choudhury Brahm Perakash, Shri C. Krishnan Nair, Shri Naval Prabhakar, Shrimati Sucheta Kripalani, Shrimati Subhadra Joshi, Shri N. R. Ghosh, Shri Vitukuru Rami Reddy, Dr. P. Subbarayan, Shri Kanhaiyalal Bherulal Malviya, Shri Krishna Chandra, Shri Kanhaiya Lal Balmiki, Shri Umrao Singh, Shri Kalika Singh, Shri T. R. Neswi, Shri Shivram Rango Rane, Shri Chandra Shanker, Shri Bhola Raut, Shri Phani Gopal Sen, Sardar Iqbal Singh, Shri C. R. Basappa, Shri B. N. Datar, Shri V. P. Nayar, Shri Shamrao Vishnu Parulekar, Shri Khushwaqt Rai, Shri Ram Garib, Shri G. K. Manay, Shri Uttamrao L. Patil, Shri Subiman Ghose, Shri Banamali Kumbhar,

and 15 members from Rajya Sabha;

that in order to constitute a sitting of the Joint Committee the quorum shall be one-third of the total number of members of the Joint Committee;

that the Committee shall make a report to this House by the first day of the next Session;

that in other respects the Rules of Procedure of this House relating to Parliamentary Committees will apply with such variations and modifications as the Speaker may make; and

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that this House recommends to Rajya Sabha that Rajya Sabha do join the said Joint Committee and communicate to this House the names of members to be appointed by Rajya Sabha to the Joint Committee."

The motion was adopted.

13-41 hrs.

MERCHANT SHIPPING BILL

Mr. Deputy-Speaker: The House will now take up the Merchant Shipping Bill, 1958, as reported by the Joint Committee. As the House is aware, 8 hours have been allotted for all the stages of the Bill. I would like to take the sense of the House as to how these 8 hours are to be distributed among the various stages of the Bill.

Shri Naushir Bharucha (East Khandesh): May I point out that there are nearly 200 amendments to this Bill? Eight hours will be required to discuss the amendments alone. Some of them are most controversial.

Mr. Deputy-Speaker: That should have been taken up at the meeting of the Business Advisory Committee.

Shri Braj Raj Singh: (Firozabad): It was taken up.

Mr. Deputy-Speaker: Then, the discretionary power of the Speaker is there.

Shri Naushir Bharucha: At that time there were only 60 amendments. Now there are nearly 200 amendments.

Mr. Deputy-Speaker: We will proceed now. If necessary, we can extend the time.

Shri Naushir Bharucha: In the circumstances, I submit, the general discussion should not be less than six hours.

Mr. Deputy-Speaker: On the one hand, the hon. Member says that now the amendments have swelled up to 200 and odd and so more time is required for the amendments; on the other hand, he says that more time should be allotted for general discussion.

Pandit Thakur Das Bhargava (Hissar): I would submit that out of the 8 hours, 5 hours may be allotted for general discussion and 3 hours for the rest.

Shri Braj Raj Singh: As you rightly said, the allotted time can be extended by one hour. Since five hours have already been allotted for general discussion, now it will come to six hours.

Mr. Deputy-Speaker: We might say, for the present: 5 hours for general discussion and 3 hours for the rest. In case necessity arises, Speaker can at his discretion increase it by one hour. The time-limit for speeches, as usual, will be 15 minutes for Members and 30 minutes for leaders of groups.

The Minister of Transport and Communications (Shri S. K. Patil): Mr. Speaker....

Mr. Deputy-Speaker: I am Deputy to him.

Shri S. K. Patil: I am sorry. Sir, I beg to move:

"That the Bill to amend and consolidate the law relating to merchant shipping, as reported by the Joint Committee, be taken into consideration."

I shall now proceed to briefly examine some of the changes that have been brought about by the Select Committee on the original proposals that were there. The Bill that has now emerged as a result of the deliberations of the Select Committee is a