

SHRI HUMAYUN KABIR If you will read it again, you will find it in the Act I have answered the point but I will repeat it again Even in the 1954 Act wakf includes a wakf-alal-aulad to the extent to which the property is dedicated for any purpose recognised by Muslim law as pious, religious, or charitable, and if in certain cases looking after the interests of a family is recognised as a religious or charitable purpose, well they are covered by this clause.

SHRI SYED AHMAD It is not clear, that is why I wanted that it should be made clear Who is going to interpret it

THE VICE-CHAIRMAN (SHRI M P BHARGAVA) That will do The question is

"That the Bill further to amend the Wakf Act, 1954, as passed by the Lok Sabha be taken into consideration"

The motion was adopted.

THE VICE-CHAIRMAN (SHRI M P BHARGAVA) We shall now take up the clause by clause consideration of the Bill

Clauses 2 to 24 and the Schedule were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

SHRI HUMAYUN KABIR I move

"That the Bill be passed"

The motion was adopted.

THE VICE-CHAIRMAN (SHRI M P BHARGAVA) I am very grateful to the hon Members for staying a little longer The House stands adjourned for lunch and we shall reassemble at 2.45 in the afternoon

The House adjourned for lunch at thirteen minutes past two of the clock till forty-five minutes past two of the clock

The House reassembled after lunch at forty-five minutes past two of the clock, the VICE-CHAIRMAN (SHRI M P BHARGAVA) in the Chair

ALLOTMENT OF TIME FOR BUSINESS FOR THE REMAINING PART OF THE CURRENT SESSION

THE VICE-CHAIRMAN (SHRI M P BHARGAVA) I have to inform Members that the Business Advisory Committee at its meeting held today has recommended allocation of time for Government and other business during the remaining part of the current session of the Rajya Sabha as follows

GOVERNMENT BUSINESS

	Time allotted hrs mts
1 The Companies (Amendment) Bill, 1964, as passed by Lok Sabha	1 00
2 The Legal Tender (Inscribed Notes) Bill, 1964, as passed by the Lok Sabha	1 00
3 The Appropriation (No 5) Bill, 1964, as passed by the Lok Sabha	1 30
4 The High Court Judges (Conditions of Service) Amendment Bill, 1964, as passed by the Lok Sabha	1 00
5 The Representation of the People (Amendment) Bill, 1964, as passed by the Lok Sabha	1 00
6. Discussion on the Resolution approving the Proclamation issued by the President under article 356 of the Constitution in relation to the State of Kerala on Wednesday, the 30th September, 1964, and .	One day
7. The Kerala State Legislature (Delegation of Powers) Bill, 1964, as passed by the Lok Sabha.	
8. The Direct Taxes (Amendment) Bill, 1964, as passed by the Lok Sabha	2 00
9 The State Bank of India (Amendment) Bill, 1964, as passed by the Lok Sabha	1 30

PRIVATE MEMBERS' BILLS

Saturday	Time allotted	
	hrs	mts
1 The Companies (Amendment) Bill, 1962 by Shri A B Vajpayee (Further discussion)	2	30
2 The Hindu Marriage (Amendment) Bill, 1962, by Shri Sitaram Jaipuria	1	00
3 The Constitution (Amendment) Bill, 1963 (to amend articles 16, 32, 134 and 226 and insertion of new article 37A) by Shri K V Razhunnatha Reddy	1	00
4 The All-India Services (Amendment) Bill, 1963, by Shri A M Tariq	2	00

In order to be able to complete the business, the Committee has further recommended that the House may curtail or dispense with the lunch recess and sit beyond 5 00 P.M. as and when necessary

THE COMPANIES (AMENDMENT) BILL, 1964

THE MINISTER OF PLANNING
(SHRI B R BHAGAT) Mr Vice-Chairman, I beg to leave to move

That the Bill further to amend the Companies Act, 1956, as passed by the Lok Sabha, be taken into consideration "

Sir, this Bill seeks to replace the Ordinance which was promulgated by the President on the 5th of July, 1964, with a view to giving temporary protection against victimisation of the employees of any company during the course of investigation of its affairs, true ownership and other related matters or during the pendency of any proceedings against any managerial personnel of that company before the Tribunal constituted by Government

under section 10-A of the Companies Act

Experience has shown that investigations by Inspectors have often been hampered by the inadequate disclosure of factual information by the employees of the companies concerned in regard to various matters to be scrutinised by the Inspectors. Although the employees are normally expected to furnish all the relevant information to Inspectors, it has been found that more often than not, they hesitate to disclose the full facts for fear of victimisation by their employers. This issue was pointedly brought to the notice of Government in connection with certain investigations currently in progress against certain companies, where the Inspector had to face serious difficulties on account of the reluctance of employees to give the required information to him for fear of victimisation. Similar difficulties were also anticipated in connection with collection of facts by Government for referring to the Tribunal under section 388-B of the Companies Act, cases of fraud, misfeasance etc against the managerial personnel of any company. There was no provision in the Companies Act to meet such an eventuality and as it was apprehended that some of the companies, whose affairs were under investigation might take action against their employees if they disclosed full information to the Inspectors Government considered the matter carefully and felt that an amendment of the Companies Act to provide some measure of protection to the employees of such companies was a matter of extreme urgency. Accordingly Government promulgated an Ordinance as already stated by me at the outset.

The amendment which this Bill seeks is by way of introducing a new provision, section 635-B which provides *inter alia* that if during the course of investigation by an Inspector or during the pendency of any proceedings before the Tribunal a com-