

Second Series, Vol. XXX—No. 58

Thursday, April 30, 1959
Vaisakha 10, 1881 (Saka)

LOK SABHA DEBATES

(Seventh Session)



(Vol. XXX contains Nos. 51—60)

LOK SABHA SECRETARIAT
NEW DELHI

62 RP (INLAND)

THREE SHILLINGS (FOREIGN)

CONTENTS

Contents

Oral Answers to Questions—	
* Starred Questions Nos. 2126 to 2133, 2135, 2137, 2140, 2141, 2143 to 2145.	14153—89
Short Notice Question No. 31.	14190—94
Written Answers to Questions—	
Starred Questions Nos. 2134, 2136, 2138, 2139, 2142, and 2146 to 2155	14194—14302
Unstarred Questions Nos. 3732 to 3744 and 3746 to 3805.	14202—49
Estimates Committee—	
Fifty-eighth Report	14249
Correction of answer to Starred Question No. 1960	14250
Paper laid on the Table	14250—51
State Bank of India (Amendment) Bill—	
Motion to refer to Joint Committee	14251—72
Shri Naushir Bharucha	14251—55
Shri V. P. Nayar	14255—69
Dr. B. Gopala Reddi	14269—71
Banking Companies (Amendment) Bill—	
Motion to refer to Joint Committee	14273—14310
Dr. B. Gopala Reddi	14273—80, 14306—09
Shri Prabhat Kar	14282—93
Shri Naushir Bharucha	14294—98
Shri Shree Narayan Das	14298—14302
Shri Shankaraiya	14302—06
Bengal Finance (Sales Tax) (Delhi Amendment) Bill—	
Motion to consider	14311—66, 1436—80
Shri B. R. Bhagat	14311—13, 14376—80
Shri Tangamani	14313—23
Shri Radha Raman	14323—36
Shri Vajpayee	14337—43
Ch. Ranbir Singh	14343—50
Shri V. P. Nayar	14350—58
Shri D. C. Sharma	14358—66
Shri Naval Prabhakar	14367—71
Shri M. C. Jain	14371—75
Estimates Committee—	
Fifty ninth Report	14366
Daily Digest	14381—86

* The sign + marked above a name indicates that the question was actually asked on the floor of the House by that Member.

LOK SABHA DEBATES

4153

14154

LOK SABHA

Thursday, April 30, 1959/Vaisakha 10,
1881 (Saka)

*The Lok Sabha met at Eleven of the
Clock.*

[MR SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

India's Export Trade during 1958

- *2126. { Shri Ram Krishan Gupta:
Shri Rajendra Singh:
Shri D. C. Sharma:
Shri Shree Narayan Das:
Shri Ajit Singh Sarhadi:
Shri Hem Raj:
Shri Damani:
Shri Anirudh Sinha:
Dr. Ram Subhag Singh:
Shri Bibhuti Mishra:
Shri Harish Chandra
Mathur:
Shri P. C. Borooah:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that there has been a decline in the total export earnings of India during 1958 as compared to the years 1957 in spite of the fact that various kinds of facilities and concessions have been given to promote export trade;

(b) if so, to what extent commodity-wise and country-wise;

(c) the reasons for this decline; and

(d) the steps Government propose to take to step up export trade?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes, Sir.

(b) The total exports during the year 1958 were less by Rs. 37 crores as compared to 1957. The commodity-

51 (A) L.S.D.—1.

wise and country-wise statistics of exports for the years 1957 and 1958 have been published in the December issue of 'Monthly Statistics of Foreign Trade of India', copies of which are available in the Parliament Library

(c) Economic recession abroad during part of the year, foreign exchange difficulties in the importing countries of Asia and Africa, expansion of indigenous production in some countries, keen competition from existing and new sources, high cost of raw materials, and increase in local consumption were some of the reasons for the decline in our exports during 1958

(d) In addition to publicising our goods through different media and concluding fresh trade agreements and reviewing the old ones, steps were taken in suitable cases to conduct market surveys, relax export control, attend to transport problems and to evolve special export incentive schemes. Constant vigilance will be kept and suitable adjustments made to suit the changing circumstances.

Shri Ram Krishan Gupta: May I know what are the concessions and facilities that are given to promote the export of these commodities?

Shri Satish Chandra: Many concessions have been given in respect of different commodities. It will be a very long statement. In a general way I can say that export duties have been abolished; drawback of duties has been permitted in the case of imported raw materials; efforts have been made to reduce railway freight wherever it was advantageous to do so. There are numerous other incentives which have been given for various commodities according to the needs and the circumstances.

Shri Ram Krishan Gupta: The hon Deputy Minister just now stated that the earning of some commodities has declined. May I know the names of those commodities the earnings from which have declined?

Shri Satish Chandra: Raw wool, jute manufactures, cotton piecegoods, hides and skins, sugar, mineral ores, etc. have shown a decline.

Shri Ansar Harvani: In view of the decline of exports from our country, may I know if the Government of India propose to set up a marketing research organisation to find out new markets for our commodities for export?

Shri Satish Chandra: Attempt is being made to find out new markets constantly. In fact, we have developed new markets. We are also trying to maintain our old traditional markets as far as possible.

Shri Anirudh Sinha: May I know whether it is not a fact that after the war we had a dominant foothold in textile trade in South East Asia and some other markets in the world, that Japan and China have outbeaten us in terms of quality, price and salesmanship and that their performance has been better than ours, and as such, may I know what methods do the Government propose to take to improve the situation?

Shri Satish Chandra: It is true that there has been a fierce competition from China, Japan and Hong Kong and we have not been able to meet the situation satisfactorily so far. But several steps have been taken to meet that situation for instance export incentive schemes have been devised according to which exporters of cotton textiles are given certain compensatory advantages by the import of the raw materials required by them.

Shri Harish Chandra Mathur: May I know what are the trends during the last four months and whether the Ministry has got any living organisation to keep watch from day to day?

Shri Satish Chandra: The Ministry itself is a living organisation, I suppose, and under it there is a Director-General, there are Export Promotion Councils and various commodity boards. Our commercial representatives abroad also are trying to study the situation constantly and keep us informed. Market surveys are conducted and information is passed on to the manufacturers and exporters in the country.

Shri Harish Chandra Mathur: He has not answered the 1st half of the question—the trends during the last four months.

Mr. Speaker: Shri P. C. Borooah.

Shri P. C. Borooah: May I know if the formation of the European Common Market has hampered our export trades, particularly the tea trade which is our highest foreign exchange earner for the last several years?

Shri Satish Chandra: The European Common Market is a recent development and its effect, if any, may be felt after some time. It has not so far affected our export trade, but we are studying the situation from a long term point of view.

Shri Dasappa: Are there not commodities for which there is demand outside the country but which are not exported in sufficient quantities on the ground that they are required for local consumption, such as coffee, for instance?

Shri Satish Chandra: I was myself going to mention that commodity. The hon Member has sometimes, I think, himself advocated the view that in things like coffee the stability of the industry requires promotion of internal consumption.

Shri Dasappa: No, Sir. I am sorry. I do not know wherefrom he has drawn that information. It is just the reverse of what I have said.

Shri Satish Chandra: We would very much like to export as much coffee as possible. In fact, in 1958 we exported more coffee than in 1957, but as

the prices were lower we earned lesser amount of foreign exchange in spite of the increased export

Shri Dasappa: Whatever it may be, he should not misquote me

Shri Satish Chandra: I am sorry if I have done so. But somehow that was the impression that I carried

Mr. Speaker: Some other hon. Members might have insisted on coffee but not Shri Dasappa

Shri Ramanathan Chettiar: In view of the declining exports, may I know what steps Government will take to give more incentives to earn more by way of exports to the dollar areas?

Shri Satish Chandra: To us all foreign exchanges are now equally important, whether it is dollar or sterling or Deutsch Mark. But we are trying, as far as possible, to increase our exports to the dollar areas also. Special difficulties were experienced in dollar areas in the first half of 1968 on account of the economic recession in the United States of America though we made it up in the latter part of the year to some extent.

Shri Heda: So far as the export of textiles is concerned, may I know to what extent we have experienced difficulties, because, it is not only due to the fact that we have experienced the competition in the prices of textiles, but because of the offer from other countries, such as China and Japan, in ready-made garments while our offer is plain cloth?

Shri Satish Chandra: It is not a very important factor in the decline in our exports. The export of ready-made garments is rather limited. There are other reasons for it. It is not possible for us to carry on the same aggressive salesmanship and to sell below our cost as, China for instance, can do. We are also trying to explore the possibilities of exporting ready-made garments.

Shri Somani: May I enquire whether the Federation of Textile Mill-owners'

Association have submitted any revised scheme to liberalise the export incentives and, if so, whether Government has taken any decision thereon?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): The Federation has perhaps not submitted any scheme so far, but I understand that there has been some discussion amongst the exporters and certain other mill-owners.

श्री बिभूति मिश्र मैं जानना चाहता हूँ कि क्या ज्यूट की एक्सपोर्ट के लिए सरकार ने कोई सुविधाएँ दी हैं या कोई नियम बनाये हैं या योजना बनाई है ?

श्री लाल बहादुर शास्त्री जहाँ तक ज्यूट की एक्सपोर्ट का सम्बन्ध है, ग ज्यूट का, वह बन्द रही है। लेकिन अभी हमने उसका एक्सपोर्ट खोला है और लगभग ५०,००० बेल्ट एक्सपोर्ट हो चुकी है। सम्भव है और अधिक भी एक्सपोर्ट हो।

Shri Ranga: Is China a party to the G.A.T.T. agreement? If not, have Government attempted to reach a bilateral trade agreement with China in order to prevent her or minimise her resort to the sales of our textiles at below the cost of production?

Shri Satish Chandra: China is not a member of the G.A.T.T. There is a bilateral trade agreement with China and a fresh one is being negotiated. However, I do not see any connection between the bilateral trade agreement between India and China and Chinese competition in a third country where it sells at competitive prices.

Shri Ranga: I put it as below cost of production and he talks of competitive prices.

Shri Satish Chandra: There is nothing to prevent China to sell at whatever price she likes.

Mr. Speaker: She may make a gift of it.

Shri Tangamani: We find that both oil-seeds and cardamom are articles in respect of which there is no decline or fall in export. May I know whether any further concessions are being given for oils and oil-seeds and whether it was announced by the hon. Minister on the 28th when he promulgated this?

Shri Satish Chandra: There are incentive schemes for export of oils, oil-cakes and oilseeds. The export of oils and oilseeds has been linked up in several cases. Sometimes the seed may not be competitive but oil gives profit or vice versa. Therefore as an incentive certain quantity of oils or oil-cakes are allowed to be exported to make up the loss in export of seeds.

Shri Nagi Reddy: May I know whether it is a fact that generally even though in quantity there has been greater export so far as primary products are concerned because of the low prices that we have been getting, we are receiving less export earnings? If so, what are the steps that are being taken by Government to change this pattern?

Shri Satish Chandra: The Government do not presume to control the international prices of commodities. They are governed by various factors such as demand and supply in the world market. In the export trade we cannot regulate the international prices.

Dr. M. S. Aney: May I know whether the export of short staple cotton is decreasing or increasing?

Shri Satish Chandra: The export of raw cotton in 1958 increased slightly. It not only maintained the old level but showed a rise. There was a very slight increase.

Shri Rameshwar Tantia: May I know whether it is a fact that there have been serious complaints about the jute goods exported to Australia and Argentina? If so, what steps Government is taking to see that such goods do not go because there is growing competition from Pakistan?

Shri Satish Chandra: The Indian Jute Mills' Association had recently sponsored a delegation to Australia and New Zealand and other South-East Asian countries. Similarly, there is an office of the Indian Jute Mills' Association in New York which is trying to keep in contact with the importers of jute goods in the countries of North and South America.

Shri Rameshwar Tantia: I wanted to know whether such complaints have been intimated to Government or whether any such complaints received by the Jute Mills' Association or received by that office of the Association are in the knowledge of the Government.

The Minister of Industry (Shri Manubhai Shah): A few complaints were received by the New York office. They have been straightened out now.

Shri Anirudh Sinha: I want to know whether it is a fact that lack of propriety on the part of a few of our exporters is also responsible for the decline in our export trade, as it affects the reputation and interests of the exporters generally. As such, I want to know as to what methods are being evolved to remedy this.

Shri Satish Chandra: It is not correct to say and generalise that all our exporters have been indulging in malpractices. There might have been occasionally cases of individual lapses which happen everywhere. Suitable steps are taken to see that goods are supplied according to the specifications.

Shri P. C. Borooah: May I know whether because of high fiscal measures which have increased the cost structure of several commodities, particularly tea, Government is going to reconsider the matter?

Shri Satish Chandra: The hon. Member is a tea planter himself and he knows that more tea was exported during 1958 than in 1957. It was about 60 million lbs. more than the previous year.

Finance for Tea Industry

+

- *2127. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri E. C. Majhi:
Shri Ram Krishan Gupta.
Shri Barman:
Shri A. M. Tariq:
Shri Rameshwar Tantia:
Shri Ignace Beck:
Shri S. C. Godsora:
Shri P. C. Borooah:

Will the Minister of Commerce and Industry be pleased to state

(a) whether the question of financing the Tea Industry in general has been finalised by Government,

(b) whether the financing agency has also been established, and

(c) whether any amount has been advanced by the agency to the Tea Industry?

The Minister of Commerce (Shri Kanungo): (a) to (c) A scheme for setting up a Guarantee Fund under the aegis of the Tea Board in respect of Working Capital Loans is under consideration. This would release the fixed assets of the tea estates for Development Loans from other sources including the State Financial Corporation, and thus help in solving the problems of Working Capital as well as Block Capital for the tea industry.

Shri Subodh Hansda: May I know whether any procedure has been adopted for financing this industry and, if so, the nature of that?

Shri Kanungo: No, Sir. As I have said in the answer, the scheme is under consideration.

Shri Hem Barua: May I know whether steps have been taken by the Government so far to obtain from banks relaxation of banking practices so that there might be a single agency to look after the gardens' block and working capitals? How far the steps have succeeded?

Shri Kanungo: We are considering at the moment a guarantee scheme for working capital purposes. The wider question which the hon. Member has asked, that is, financing by

banks, has been under constant review by the Reserve Bank.

श्री ए. सी. तारिक मैं जानना चाहता हूँ कि टी० बोर्ड ने क्या कोई इस किस्म की इररुवास्त आपके पास भेजी है कि टी० फाइनेंस बोर्ड बनाया जाए ताकि इन लोगों को माली इमदाद दी जा सके, और अगर रिकोमेंडेशन आई है तो उसके बारे में आपने क्या इकदामात किये हैं ?

श्री ए. सी. तारिक : میں نے یہ سنا ہے کہ ٹی بورڈ نے اس قسم کی درخواست آپ کے پاس بھیجی ہے کہ ٹی فناننس بورڈ بنایا جائے تاکہ ان لوگوں کو مالی امداد دی جاسکے اور اگر ریکمیشن آئی ہے تو اس کے بارے میں آپ نے کیا اقدامات کئے ہیں ؟

श्री कानुंगो ऐसी कार्ड रिकोमेंडेशन नहीं आई है। एक कार्ड १९५८ में हुई थी और यह तब हुआ था कि एक कमोडिटी के लिए एक कारपोरेशन बनाना फाइनेंशली साउंड नहीं है।

Shri S. C. Samanta: The hon. Minister has said that the Tea Board is also thinking of financing these organisations. May I know whether they will help from their own funds or some funds will be created?

Shri Kanungo: No, Sir. They are not thinking of financing. The Tea Board is not a financing organisation. All that they are now considering is a guarantee scheme for loans for working capital from commercial banks.

Shri Rameshwar Tantia: The hon. Minister has said that it is not possible to form one financial corporation for this commodity. We have got financial corporation for textile and other things. What are the difficulties in the way so that we cannot set up any tea finance corporation? We are trying for the last twelve months.

Shri Kanungo: There is not any financing or credit organisation for

single commodities, not even for textiles.

Shri P. C. Boroach: May I know if the proposed Tea Finance Guaranteeing Fund will have its own machinery to work or will it depend on some of the financing banks?

Shri Kanungo: The scheme is being worked out. When it comes to the Government, they will consider it. Obviously, the scheme is to guarantee loans obtained from commercial banks.

Shri Ramanathan Chettiar: What happened to the proposal to set up a Central Finance Corporation for long-term financing of tea gardens?

Shri Kanungo: There is no such proposal under consideration.

Shri Heda: May I know whether the Government have assessed the needs of this industry for working capital as well as for development purposes, and if so, what is the amount?

Shri Kanungo: It has been assessed and the figures as far as 1955 is concerned, are in the report of the Plantation Commission.

Special Reorganisation Unit in the Estate Office

+

*2128. { **Shri S. C. Samanta:**
 Shri Subodh Hansda:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the Special Reorganisation Unit set up to look into the working of the Estate Office has submitted its report;

(b) if so, what are the suggestions made; and

(c) if the reply to part (a) above be in the negative, whether any interim report has been received and action taken thereon?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) to (c). A statement is placed on the Table of the House.

STATEMENT

(a) to (c). The Special Reorganisation Unit have examined the working of the Estate Office and their main suggestions are as under:—

- (1) The existing procedure regarding calling for annual applications from all officers should be dispensed with.
- (2) Waiting List Registers and House-wise Registers should be replaced by Card Indices.
- (3) Change of residence within the same area should not be allowed.
- (4) An Enquiry Counter should be set up.
- (5) Lists of arrears of rent should be prepared Department-wise.
- (6) The procedure for the billing, posting and recovery of rent should be overhauled.

The suggestions have been accepted. An Enquiry Counter has been set up and is functioning satisfactorily. The procedure mentioned at (6) above is awaiting concurrence of the Comptroller and Auditor General of India.

Shri S. C. Samanta: May I know what led to the establishment of the Special Reorganisation Unit?

Shri Anil K. Chanda: It was found from experience that some of the rules governing the working of the Estate Office required change, for better and speedier disposal of work and for streamlining of the organisation.

Shri S. C. Samanta: Item (1) of the statement says: The existing procedure regarding calling for annual applications from all officers should be dispensed with. What procedure will be adopted?

Shri Anil K. Chanda: The original application of the officer will hold good till the allotment is made.

Shri Tangamani: In the Statement I find that an enquiry counter has been set up and waiting list registers and house-wise registers are going to be replaced by card indices. May I know whether in the waiting list, there are employees who are in service for more than 10 years, or, if it is not more than 5 years, what period is covered for allotment of houses?

Shri Anil K. Chanda: I cannot give a detailed answer. There are various categories of officers according to the salary groups. In some the allotment is delayed because of comparative scarcity of residences.

Shri Subodh Hanada: One of the suggestions is that lists of arrears of rent should be prepared department-wise. May I know whether these lists have been prepared?

Shri Anil K. Chanda: Formerly, the lists were kept building-wise. That caused difficulties. Now we are keeping the lists department-wise.

Conversion of Provident Fund Scheme

*2129. **Shri Ram Krishan Gupta:** Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether it is a fact that Government is considering a proposal to convert the provident fund scheme into an old-age and/or survivorship pension (for widows and children); and

(b) if so, at what stage is the scheme?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The recommendations on these lines made by the Study Group on Social Security are under examination in consultation with the interests concerned.

Shri Ram Krishan Gupta: May I know whether the reaction of the working classes has been ascertained and if so, whether they are enthusiastic about this?

Shri Abid Ali: Yes. The report of the group has been sent to the workers

organisations and their comments are awaited.

Shri Tangamani: This Study team on Social security headed by Shri Menon has suggested that the contribution must be enhanced to 8 and 1/3 per cent. and any factory employing 20 or more should come under the Provident Fund Act. May I know what is the reaction of the Government to these two suggestions?

Shri Abid Ali: This preliminary report of the Committee was discussed in the Naini Tal conference last year. Subsequently it was placed on the Table of the House, in December, last year. According to the discussion in Naini Tal, it was subsequently decided that the interests concerned should be consulted. Therefore we sent the report to the workers' organisations, employers' organisations and also the State Governments. After receipt of their opinions, decision will be taken after consulting the conference again.

Shri Ram Krishan Gupta: May I know whether any tripartite conference will be held to discuss that?

Shri Abid Ali: It will be considered in the conference and if necessary specially also.

Ban on Import of Indian Lungs and Sarong Material into Ceylon

+

*2130. { **Shri Rameshwar Tantia:**
Shri Osman Ali Khan:
Shri Vajpayee:
Shri E. Madhusudan Rao:
Shri Subbiah Ambalam:
Shri Kodiyan:
Shri T. C. N. Menon:
Shri Sampath:
Shri Aurobindo Ghosal:
Shri Jinachandran:
Shri Shivananjappa:
Shri Siddananjappa:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that recently Ceylon Government have banned the

import of Indian lungis and sarong material into that country;

(b) if so, how much of foreign exchange we expect to lose due to this ban;

(c) whether this action of the Ceylon Government is in contravention of G.A.T.T.; and

(d) whether Government have taken or propose to take any action in the matter?

The Minister of Commerce (Shri Kanungo): (a) to (d) The ban imposed by the Ceylon Government on the import of sarong and sarong cloth was subsequently withdrawn

Shri Rameshwar Tantia: May I know what were our total exports of this cloth during 1958 and whether it is a fact that exports are decreasing?

Shri Kanungo: In 1958, the figures up to November were—export of sarongs to Ceylon Rs 14,577,000 and total exports Rs 45,707,000

Shri Shivananjappa: What are the reasons for the temporary ban by the Ceylonese Government?

Shri Kanungo: They did it in the interests of protecting their domestic interests. Subsequently it was found that under the G.A.T.T. Agreement they could not do so. Therefore, on the representation of the Government of India, they withdrew it

Shri Tangamani: As a result of this ban, how long was this export stopped, from which date to which date?

Shri Kanungo: Just a few weeks

Textile Advisory Committee

*2131. { Shri S. M. Banerjee:
Shri Rajendra Singh:
Shri Sarju Pandey:
Shri Bibhuti Mishra:

Will the Minister of Commerce and Industry be pleased to refer to the

reply given to Starred Question No. 259 on the 25th November, 1958 and state:

(a) the composition of the Committee appointed in pursuance of the recommendation of the Textile Enquiry Committee to advise the Textile Commissioner;

(b) whether the said Committee has since formulated any scheme; and

(c) if so, the main features thereof?

The Minister of Commerce (Shri Kanungo): (a) to (c). A statement is laid on the Table of the Sabha. [See Appendix VII, annexure No 87]

Shri S. M. Banerjee: It is said in the statement that the functions of the Committee are advisory and also that in view of the above position, the question of the Committee formulating any scheme does not arise. I want to know, if the functions of the Committee are of an advisory nature, in how many cases they have given advice to the various industries or to the Textile Commissioner and what is the actual function? There are 29 Members in the Committee

Shri Kanungo: The Committee has been formed as a result of the report of the Textile Enquiry Committee. I believe it has not met more than twice. The problems of implementation of policies and the difficulties therein are discussed and the details are smoothed out

Shri Dasappa: May I know how it happens that in spite of a large mill industry in the Mysore State, there is no representative of it on this Committee?

Shri Kanungo: Representation is not State-wise.

Shri Jadhav: May I know the management of how many mills have approached the Advisory Committee for rehabilitation and modernisation of the industry?

Shri Kanungo: For rehabilitation, the managements have to approach the N.I.D.C. for loans and not the Advisory Committee.

श्री जगदीश शर्मा : जो सलाहकार समिति निर्मित की गई है उस को यह अधिकार दिया गया है कि वह विभिन्न विषयों पर अपने राय देगी, लेकिन उस में जो मुख्य प्रश्न तालाबन्दी अर्थात् क्लोजर का है उस को नहीं जोड़ा गया है। मैं जानना चाहता हूँ कि उस को क्यों छोड़ दिया गया है।

श्री कानूनगो : स्ट्राइक और लाक आउट सब इंडस्ट्रीज में चलते हैं।

श्री जगदीश शर्मा : क्लोजर को इस में क्यों छोड़ दिया गया है ?

Shri Kanungo: All the industrial disputes like strikes, lock-outs and closures happen every day in every industry

श्री जगदीश शर्मा : क्लोजर तो इस में नहीं है।

Shri Kanungo: The point was discussed. This committee was specially appointed for this purpose. It has given recommendations. The Resolution has been published. We hope that the situation will ease as a result of the implementation of the recommendations of the Committee.

Shri S. M. Banerjee: From the statement it appears that two labour representatives have been taken: Shri S. R. Vasavada and Miss Maniben Kara. I want to know what is the basis of giving representation and why the All India T.U.C. has not been taken into account?

Shri Kanungo: This was done under the advice of the Labour Ministry.

Shri S. M. Banerjee: It is known to the Labour Minister as well as to the hon. Minister that there are four Central Trade Union Congresses. The General Secretary of the A.I.T.U.C. was taken as a member in the Automatic Loom committee and other things. He is a permanent member in the Labour Conference. The Labour Minister could advise to this extent when the entire question is being looked into and there is verification going on.

Shri Kanungo: The question why the Labour Ministry recommended particular names should be put to the Labour Ministry as a separate question. The present question is one of action and lack of action of the Advisory Committee.

श्री रामसिंह भाई बर्मा : जिस ऐन्क्वायरी कमेटी की सिफारिशों के अनुसार यह ऐडवाइजरी कमेटी बनाई गई है क्या उस के सामने ट्रेड यूनियन कांग्रेस के प्रतिनिधियों ने कोई मैमोरेण्डम रखा था या जबानी कुछ कहा था ?

श्री कानूनगो : हा, बहुत सी ट्रेड यूनियन ऑर्गेनाइजेशन्स ने मैमोरेण्डम दाखिल किये थे।

श्री विभूति मिश्र : अध्यक्ष महोदय, मेरा नाम इस मवाल में है। मुझे पुकारा नहीं गया। मेरा नाम मवाल नम्बर २१३१ में है।

अध्यक्ष महोदय : क्या हर एक प्रश्न में आपको बुलाना चाहिए।

श्री विभूति मिश्र : मेरा इसमें इंटरेस्ट था तभी तो मैं ने यह प्रश्न किया था।

अध्यक्ष महोदय : आपको एक दो तीन बार खड़ा होना चाहिए था।

श्री विभूति मिश्र : मैं उठा था लेकिन आपका ध्यान दूसरी तरफ था।

अध्यक्ष महोदय : सारी लांक मभा के सब सदस्यों की तरफ मेरा ध्यान रहता है। मैं ने नहीं देखा नहीं तो मैं कभी नहीं छोड़ता।

Heavy Foundry and Forge Shops +

*2132. { Shri Barman:
Shri S. C. Samanta:
Shri Subodh Hansda:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether the project for Heavy Foundry and forge shops has been finalised;

(b) whether the terms with the Techno-Export of Czechoslovakia have been finalised and agreements entered into;

(c) what are the financial implications; and

(d) how they are met?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the Sabha. [See Appendix VII, annexure No. 88].

Shri Barman: May I know the total quantity that will be produced in this plant, and the special types of forged materials that will be produced?

Shri Manubhai Shah: 25,000 tons of grey castings, 15,000 tons of steel castings, and 18,500 tons of forgings to equip one steel mill every two years.

Shri Barman: May I know how many foreign specialists and technicians will be employed in this plant, and what arrangements have been made to train our own nationals so that they can take over this job gradually?

Shri Manubhai Shah: The agreement a copy of which is available in the Library of the House, giving all the broad facts, stipulates that the necessary technical personnel to set up the plant will be provided by Czechoslovakia. And we are sending our young men from here, according to the requirements of every shop. Already one team is going presently to Prague.

Shri Barman: Is there any guarantee clause or compensation clause in case of failure of either party to keep to the terms of agreement?

Shri Manubhai Shah: I have laid the whole agreement on the Table of the House, and all the terms are given there in detail, such as in case of failure of delivery, failure in commissioning, failure in performance and other things.

Shri Subodh Hansda: May I know whether there is any proposal to send Indian engineers to Czechoslovakia for finalising the project report?

Shri Manubhai Shah: Five engineers are already being sent to Czechoslovakia, as I have said earlier; and many more are going to be trained, about 150 in all.

Distribution of Photographic Material

*2133. Shri Keshava: Will the Minister of Commerce and Industry be pleased to state:

(a) whether any photographic material has been made available for distribution in Mysore State and Delhi; and

(b) what are the conditions, if any, subject to which distribution is made?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir

(b) Issues in favour of Government and Semi-Government Organisations are made according to their requirements. Releases to the trade are made in favour of Associations of photographic trade on the understanding that the stores would be distributed among professional photographers.

Shri Keshava: May I know whether it has come to the notice of Government that severe blackmarketing prevails in this trade in films, and the vendors insist on all sorts of conditions including the condition of payment of development charges before the purchase of the film is made and if so, whether Government propose to relax these rules in order to improve the situation?

Shri Manubhai Shah: The situation is not as the hon. Member has narrated it to be. As a matter of fact, practically, all the important cities and photographic associations are covered in the distribution scheme, and we have received no such serious complaint.

Shri Radha Raman: May I know whether it is a fact that the State Trading Corporation photo goods are placed at the disposal of a dealer body called the Northern India Photographic Association for consumption by professional consumer photographers, but this body is not carrying out the instructions of Government with regard to distribution of photographic goods?

Shri Manubhai Shah: The State Trading Corporation deals with various distributors including the one mentioned by the hon. Member. We have received no major complaints recently from any individual member of the distributing agency that they have been treated unfairly.

Shri M. R. Krishna: May I know whether there is any reduction in the import and distribution of X-ray films to X-ray units?

Shri Manubhai Shah: No, according to the figures that we have got. Actually, in some cases, the imports have increased rather than decreased as compared with the past years. And as far as the X-ray films are concerned, as I have had the occasion to mention before, we are liberally licensing X-ray films imports, and particularly, for hospitals; and no difficulties have been experienced, as far as we are aware, by any major hospital.

श्री अश्वल सिंह: क्या मंत्री महोदय यह बताने की कृपा करेंगे कि इस वक्त जो देश में फोटोग्राफिक सामान की बहुत कमी है, उसको पूरा करने के वास्ते क्या उपाय किया जा रहा है?

श्री मनुभाई शाह: यह तो सारा हाउस जानता है। इसके बारे में यहाँ बार बार चिन्त किया गया है कि हम दूसरे देशों से इस के बारे में बातचीत कर रहे हैं। हम ईस्ट जर्मनी से इसके बारे में बात चीत कर रहे हैं ताकि देश में जिन फोटोग्राफिक चीजों की जरूरत है वह पूरी मात्रा में पैदा होने लें।

Shri Asar: May I know whether it is a fact that various Government Departments also have purchased photographic materials at prices much higher than the fixed rates?

Shri Manubhai Shah: That does not arise, because the imports are canalised, as I have mentioned already, and the Government Departments also are getting these various types of quotas through that canalised agency. Out of about 28 agencies, nearly ten or twelve are Government agencies.

श्री अ० सु० तारिक श्रीमान्, मैं यह जानना चाहता हूँ कि क्या यह बात हुकूमत के इन्तजाम में है कि दिल्ली में फोटोग्राफी का सामान, सामान, और खासतौर से फिल्मों चोरबाजार में ज्यादा दामों पर मिलती है। इसके अलावा जो कोटा गवर्नमेंट मुखतलिफ महकमों को देती है उसका भी कुछ हिस्सा चोर बाजार में मिलता है। इसको रोकने का हुकूमत ने क्या इन्तिजाम किया है?

(श्री अ० - अ० - अ० - طارق : شریمان
میں یہ جاننا چاہتا ہوں کہ
کہا یہ بات حکومت کے علم
میں ہے کہ دہلی میں فوٹو
گرافی کا تمام سامان اور خالص طور سے
فلمیں چور بازار میں زیادہ داسوں پر
مالتی ہیں۔ اس کے علاوہ جو کوٹہ
گورنمنٹ مختلف محکموں کو دیتی
ہے۔ اس کا بھی کچھ حصہ چور بازار
میں ملتا ہے۔ اس کو روکنے کا
حکومت نے کیا انتظام کیا ہے؟)

श्री मनुभाई शाह: जैसा मैं ने अभी बतलाया, इस किस्म की कोई सीरियस कम्प्लेंट हमारे पास नहीं आयी है। डेढ़ साल पहले यह हालत थी, उसके बाद काफी लिबरलाइजेशन कर दिया गया और केनलाइजेशन भी हुआ। इसके अलावा एस० टी० सी० की मारफत भी इंपोर्ट किया गया सहरो में फोटोग्राफरो के अलग अलग एसोसियेशन बना दिये गये हैं जिनके द्वारा इस सामान का बितरण हो रहा है।

Shri Dasappa: May I know whether complaints have not been received by Government that the people who need films in the Mysore State are not getting their due share or quota, because the persons who have got to distribute are outside Mysore State, and, the purchasers have got to go to Bombay or Madras?

Shri Manubhai Shah: No, it is not so, because the Mysore photographers are included in this scheme. It is true, if I may say so, that everybody is experiencing scarcity of imported material all over, because the consumption is also going up. But in view of the limited foreign exchange that we have got, it is not possible to liberalise all these types of imports.

Auction of Properties of Hindus in Pakistan

+

*2135. { **Shri Aurobindo Ghosal:**
Shri Bhakt Darshan:

Will the Prime Minister be pleased to state:

(a) whether the Pakistan Government have decided to sell by auction all the movable and immovable properties of Hindu landlords of East Pakistan; and

(b) if so, the action taken by Government in the matter?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) Our information is that the Government of East Pakistan have decided to sell by auction properties of certain Hindu Zamindars on the ground that they have defaulted in payment of arrears of land revenue and cess income tax, agricultural income tax and estate duty etc.

(b) The matter was taken up by the Indian Deputy High Commissioner, Dacca, with the Government of East Pakistan and as a result of his intervention, East Pakistan authorities agreed to postpone the date of auction of the properties twice. In

the meantime, the Zamindars concerned have been advised to seek legal redress in the East Pakistan High Court.

Shri Aurobindo Ghosal: May I know whether Government are aware of the price of these properties and also the amounts due from these landlords?

Shrimati Lakshmi Menon: We have no definite information about the price of the property or the amount due from these people.

Shri Aurobindo Ghosal: In view of the fact that Maharaja of Mymon Singh and the Maharaja of Dinajpur have got about 50,000 volumes of books and hundreds of artistic portraits, may I know whether the Government of India are going to enter into any correspondence with the Pakistan Government in order that those things may not be sold in auction?

Shrimati Lakshmi Menon: I have already stated in the latter part of my answer that the matter was taken up with the East Pakistan Government; and we have also advised these Maharajas and the zamindars concerned to seek legal redress in the Pakistan High Court.

Shri Hem Barua: May I know whether it is a fact that evacuee property in the Kashmir State, instead of being auctioned to the refugees, is being sold at nominal prices to the local citizens belonging to certain political affiliations?

Mr. Speaker: Kashmir State?

Shrimati Lakshmi Menon: How does that arise out of the main question?

Shri Achar: Is it a fact that the zamindars and the landlords are not able to collect their rents and other dues in that area?

Shrimati Lakshmi Menon: Yes, it is a fact.

Indian Film Fair in U.S.A.

*2137. Shri Shivnanjappa: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether an Indian film fair will be held in U.S.A. in November 1959; and

(b) if so, the details thereof?

The Parliamentary Secretary to the Minister of Information and Broadcasting (Shri A. C. Joshi): (a) and (b). Though government is given to understand that the Film Federation of India contemplate the organisation of a festival of Indian films in U.S.A. it has not so far received any formal proposal or details thereof

Shri Shivnanjappa: May I know whether any Indian films were selected for display in this film fair?

The Minister of Information and Broadcasting (Dr. Keskar): As I said, we have only informally understood; we have absolutely no knowledge yet, of any details regarding this fair. It is only when we receive the details that we shall be able to say anything about it

Shri Shivnanjappa: May I know whether Indian films are becoming popular in USA?

Dr. Keskar: Up till now I do not think many Indian films have been shown there

Shri Ansar Harvani: May I know the portion of the import . . .

Mr. Speaker: I am not going to allow the hon. Member. On every question there are supplementaries and we have not progressed at all.

Disposal of Confiscated Italian Assets in India

*2140. Shri P. C. Borooah: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government propose to enter into negotiations with the

Government of Italy for the disposal of the Italian assets confiscated in India during World War II; and

(b) if so, what progress has so far been made in this respect?

The Minister of Commerce (Shri Kanungo): (a) and (b). Negotiations with the Government of Italy are now over. It has been agreed that the Government of India will retain 50 per cent of the value of the Italian assets for paying off all Indian claims against Italy. The balance of Italian assets representing the other 50 per cent will be returned to the Italian Government in full and final satisfaction of the Italian claims against India.

Shri P. C. Borooah: May I know the total amount of these confiscated assets?

Shri Kanungo: The total Italian assets were of the order of Rs. 26.66 lakhs as on 1-3-1959 and the total Indian claim was round about Rs 13 lakhs.

Shri P. C. Borooah: Are there any other assets of other countries confiscated and undisposed of still?

Mr. Speaker: It is a wider question.

Shri Kanungo: The Japanese assets are there. I suppose they have been liquidated by now because an agreement has been arrived at.

खेतों की मेड़ हटाना

*२१४१. श्री अनिरुद्ध सिंह क्या खन और रोडगार तथा योजना मंत्री यह बताने का कृपा करेंगे कि :

(क) क्या यह सब है कि योजना आयोग के एक सदस्य ने यह विचार व्यक्त किया है कि यदि देश में खेतों की मेड़ें हटा दी जायें, तो खेती के लिये ५० लाख एकड़ नई भूमि उपलब्ध हो जायेगी, और

(ख) यदि हां, तो सरकार की इस बारे में क्या प्रतिक्रिया है ?

श्री जयन्त उव मंत्री (श्री श्या० न० मिश्र) :

(क) जी, हा ।

(ख) जोतों के छोटे-छोटे टुकड़ों और खण्डों में बंट जाने के कारण खेतों के बीच में कुछ भूमि अनावश्यक मेड़ों द्वारा चिर जाती है । चकबन्दी के द्वारा कुछ अनावश्यक मेड़ों को हटाया जा सका है और इस प्रकार खेती के लिये जमीन बढ़ गयी है । सहकारी खेती द्वारा भी, जहाँ कहीं स्थानीय परिस्थिति के अनुसार मेड़ों का हटाना जरूरी समझा जाये, खेती के लिये जमीन बढ़ सकती है ।

Shall I give the reply in English also.

Mr. Speaker: Yes.

Shri S. N. Mishra: (a) Yes, Sir.

(b) Due to the fragmentation and sub-division of holdings, some area is now occupied by unnecessary embankments between fields. It has been possible to remove some of the unnecessary embankments by the consolidation of holdings and thus increase the area under cultivation. Depending upon local conditions, it should also be possible to do so by adopting co-operative farming.

श्री अनिरुद्ध सिंह : मैं यह जानना चाहता हूँ कि योजना आयोग के जिन माननीय सदस्य ने ऐसी राय जाहिर की है, क्या वही योजना आयोग में कृषि के लिए योजना बनाते हैं और अगर हाँ, तो क्या उन की ऐसी राय कृषि-विशेषज्ञों की राय से सामंजस्य रखती है ।

श्री श्या० न० मिश्र : योजना कमिशन के माननीय सदस्य ने जो अपनी यह राय दी है, वह अपने कुछ मोटे धन्दाओं पर दी है । माननीय सदस्य ने यह पूछा है कि क्या योजना आयोग के वही सदस्य कृषि सम्बन्धी योजना बनाते हैं । ठीक बात है । उन्हीं के बिन्ने यह काम सौंपा गया है, लेकिन जहाँ तक दूसरे विशेषज्ञों की बात है, मैं आप से यह निवेदन करना चाहूँगा कि कोई भी आदमी इस के बारे में

अभी कुछ विचार व्यक्त नहीं कर सकता । अभी जो छोटे मोटे अध्ययन हुए हैं, उन के आधार पर कुछ धन्दावे लगाये गये हैं और योजना कमिशन के उन माननीय सदस्य ने उन्हीं मोटे धन्दाओं पर काम किया है । अभी तक कोई ऐसी बृहद् मान्यता नहीं है, जिस के आधार पर कुछ बताया जा सके ।

श्री श्या० न० मिश्र : अभी माननीय मंत्री जी ने कहा कि कानसालिबेशन के कुछ जमीन खेती करने लायक निकाली गई है । मैं यह जानना चाहता हूँ कि अभी तक कितनी जमीन ऐसी आ गई है, जिस में खेती हो सके । दूसरी बात यह है कि क्या मंत्री जी को मालूम है कि आयोग के वह सदस्य कमी धान के खेतों की ओर गये हैं या नहीं । और क्या वह जानते हैं कि धान के खेत में जब तक छोटे छोटे टुकड़े कर के नहीं बोया जाये, तब तक धान नहीं हो सकता है ।

श्री श्या० न० मिश्र : इस प्रश्न से दो हिस्से हैं । एक हिस्से में माननीय सदस्य ने यह पूछा है कि जो चकबन्दी हुई, उस में कितनी जमीन फाजिल निकल आई । इस का मैं मिला कर हिसाब तो नहीं बता सकता, लेकिन इतना मैं बता सकता हूँ कि करीब तीन से ले कर सात प्रतिशत—श्री टू मैबल परमेट—जमीन कई जगहों में निकली है और कुछ जगहों में उस से कम हो सकती है—रंगे रेज में वह निकली है, जो मैं ने बताया है । लेकिन चकबन्दी ही उस का कारण हो, यह नहीं हो सकता । कुछ दूसरी बातें, आ सकती हैं । जहाँ तक माननीय सदस्य के मवाल के दूसरे हिस्से का सम्बन्ध है, इसके बारे में मैं कुछ नहीं कहना चाहता कि योजना आयोग के वह सदस्य खेती में ताल्लुक रखते या नहीं । जाहिर है कि वह समझाओं को जानते हैं, तभी उन के बिन्ने यह काम दिया गया है, लेकिन जहाँ तक माननीय सदस्य का यह कहना है कि खेतों में जो मेड़ बाँधे जाते हैं, वे आवश्यक होते हैं, यह बिल्कुल ठीक बात है । बहुत सी

जहाँ में माबस्वर को कनवर्ष करने के लिए क्षेत्रों में मेड़ रखना और ज्यादा बढ़ाना जरूरी है, यह बात ठीक है। लेकिन स्थानीय परिस्थितियों के ऊपर यह बात निर्भर करती है।

शेठ गोविन्द दास : सभी मंत्री जी ने यह कहा कि कुछ स्थानों पर यह प्रयोग किया गया है। मैं यह जानना चाहता हूँ कि जहाँ जहाँ यह प्रयोग किया गया है, वहाँ पर चावल की खेती में कहां प्रयोग हुआ है और गेहूँ के खेती में कहां प्रयोग हुआ है।

श्री इया० नं० निध : जहाँ कहीं चकबन्दी हुई है, उस में जहाँ धान के खेत हैं, वहाँ किम भाषा में जमीन निकली है, इस के बारे में मैं विशेष प्रश्न चाहूँगा। लेकिन जहाँ कहीं चकबन्दी होती है, वहाँ धान के खेत प्रलग नहीं छोड़ दिये जाते हैं।

Dr. M. S. Aney: Is the hon. Minister aware that some of these embankments and boundary lines on the fields have been kept under statutes and laws made by the Government itself, and can they be removed without the statutes being amended? Is there a proposal to bring in such an amendment to the laws before any action is taken under this?

Shri S. N. Mishra: There is no suggestion of the kind that these bunds which are under statutory conditions or for reasons of cultivation, should be removed. There is no suggestion of that kind. The question relates to the mere fact whether a member of the Planning Commission made a statement of that kind and, if so, on what basis. I have given some rough basis about that.

Shri Ranga: May I know whether the hon. Minister has ever made enquiries as to the total area, the percentage of the area, that is now devoted to the roads, pathways, the tractor ways and also the field boundaries etc., in the military farms which the Government of India themselves are running?

May I also know whether any survey has ever been made by any officer in any part of the country even in a district to ascertain how much of the area has been devoted to bunds, in order to enable them to make this particular fantastic estimate of 5 million acres?

Mr. Speaker: He said three to seven per cent.

Shri Ranga: They have never made any estimate. May we know whether the hon. gentleman himself of the Planning Commission has ever had anything to do with cultivation?

Shri S. N. Mishra: So far as the insinuation in the last portion of the hon. Member's question is concerned, I would like to tell him that I have got direct concern with cultivation and probably I would not like to yield to him in the knowledge about this. But that is something different.

Mr. Speaker: I can reply on behalf of the hon. Minister. The Health Minister need not be a doctor.

Shri S. N. Mishra: Oh, yes, that is true, but in this case it is a happy coincidence.

श्री जगदीश शर्मा : क्या माननीय मंत्री महोदय बताने का कष्ट करेंगे कि योजना आयोग के माननीय सदस्य ने यह जो विचार व्यक्त किया है कि हृदबन्दी को समाप्त कर के इतनी भूमि मिल जायेगी, क्या उस के बारे में राज्य सरकारों से मंत्रणा की गई है और अगर की गई है, तो राज्य सरकारों ने क्या जवाब दिया है।

श्री इया० नं० निध : मंत्रणा का तो कोई सवाल नहीं उठता। मैं आप से यह निवेदन करना चाहूँगा कि किसी समस्या पर अगर कोई आदमी बोलना चाहता है और समस्या का आकार-प्रकार रखना चाहता है तो वह मोटी मान्यता के ऊपर—रफ़ एस्टीमेट के ऊपर—कुछ बातें करता है। इसी प्रकार माननीय योजना कमीशन के सदस्य ने कुछ अन्दाजे सवाये हैं।

अभी प्रोफेसर रंगा ने पूछा है कि कितनी मेड़ में अभी जमीन चली गई है। मोटे तौर पर भदाजा लगाया जाता है कि ३ परसेंट मेड़ में जमीन गई है। लेकिन अभी इसको छोटे मोटे अध्ययन के आधार पर कहा जा सकता है। इसके लिए बड़े पैमाने पर अध्ययन करना होगा तब कोई पक्की बात कही जा सकती है।

Shri Dasappa: May I know whether in the estimate of these 50 lakhs of acres that we would be able to get, boundary marks of lands in arabs where terracing is absolutely necessary, like the whole of Western Ghats and the hill areas of Himachal Pradesh and so on, are also taken into calculation?

Mr. Speaker: In order to avoid soil erosion, bunds are necessary at closer intervals. Has that also been taken into consideration?

Shri S. N. Mishra: Let me explain this point. As I submitted to you earlier, on a rough estimate it is said that 3 per cent is under bunds, embankments and all that. On an estimate it is said that 1 to 2 per cent—may be 1.5 per cent and that is roughly the calculation of the Member of the Planning Commission—may be found unnecessary. But there is no suggestion of the kind that in the areas where bunds and embankments are necessary, they should be removed.

Shri Ranga: Are not members of the Planning Commission expected to be more accurate?

Shri Keshava: On a point of order. This has already developed into a debate, and not eliciting of information in Question Hour.

Mr. Speaker: Sometimes it develops like that.

श्री अनिरुद्ध सिंह: क्या सरकार इस बात को मंजूर करती है कि बान और इस प्रकार की दूसरी फसलों के लिए पानी और सिंचाई की आवश्यकता होती है और वे फसलें बिना मेड़ के नहीं हो सकती हैं? क्या योजना

आयोग के मानवीय सदस्य ने ऐसी यकल बांध कह कर और राय दे कर किसानों को भ्रान्ति में नहीं डाला है और अगर सरकार इसको मंजूर नहीं करती है तो क्या वह प्रेस विज्ञप्ति द्वारा इसका सदन करेगी?

Mr. Speaker: Hon. Members want to make a difference between dry lands and wet lands. In wet lands, water has to be stored and closer bunds are necessary.

Shri Anirudha Sinha: Does the Government accept that cultivation of paddy is possible by removal of field embankments, as suggested by the member of the Planning Commission?

Mr. Speaker: How far those things have been taken into consideration? That is what they want to know.

श्री इया० न० मिश्र जो कुछ माटा भदाजा लगाया है उस में पन्ने ही बान चुका है। जाहिर है कि ज़िम में नुकसान हो व बान कम की जा सकती है। जब खेती की पैदावार बढ़ाने की बान की जाती है तो यह कैसे हो सकता है कि खेती की पैदावार को और कम करने की सूझ हम करे। यह तो बिल्कुल जाहिर है।

Mr. Speaker: In view of the interest that has been taken by a number of hon. Members on this question and my inability to accommodate all of them, if possible, the hon. Minister of Planning may kindly circulate to hon. Members—I am only making a suggestion—information as to the quantity of land that would be available, having regard to (1) those bunds which are necessary for terracing to avoid erosion, (2) those which are necessary to preserve water on wet fields, and (3) those which are necessary for dry fields. The various categories may be listed and it may be stated what will be the advantage in this, what will be the extent and so on. Either the percentage or the total area may be given. The hon. Minister may take his own time to circulate this information because this is the basis for further inference as to what ought to be done.

Shri Banga: They may also state the reasoning behind their persuading the Prime Minister to repeat this in his speech.

Mr. Speaker: I am not going into further details. The Question Hour is meant to elicit facts. If the hon. Minister is not able to give this information offhand now, he may gather it and circulate it to hon. Members, if he is willing.

Shri S. N. Mishra: But we have got much less information on this point, although we shall respect your wishes to the extent it is possible.

Shri Banga: Could the Planning Commission go about talking like this?

Shri C. D. Pande: It is most improper.

Tripartite Steering Group on Wages

*2143, **Shri K. N. Pandey:** Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether it is a fact that Tripartite Steering Group on Wages has approved a research programme on 'Replacement Costs' and Wage Costs' in sugar industry;

(b) whether Government propose to associate labour with this programme; and

(c) if so, in what manner?

The Deputy Minister of Labour (Shri Abid Ali): (a) The Tripartite Steering Group on Wages approved a research programme on 'Replacement Costs' and has requested the National Council of Applied Economic Research to undertake the same.

An official group is investigating the question of wage costs.

(b) and (c). It is intended that both the reports, when ready, will be discussed in the Steering Group on Wages and if necessary in the Indian Labour Conference.

Shri K. N. Pandey: As a result of the decision of the Tripartite Steering
91(A1) LSD-2

Group on Wages the inquiry which is going to be made about wage cost and replacement cost in the sugar industry is going to have a far-reaching effect, will it not be desirable to associate labour and employees with this inquiry?

Shri Abid Ali: In the Wage Group concerning this particular question, there is very effective labour representation. There it was decided that this particular research should be taken over by the National Council of Applied Economic Research and that this work should be done by experts in accordance with the direction given by the Tripartite Committee.

श्री राम सिंह भाई वर्मा क्या माननीय मंत्री महोदय बतलाने की कृपा करेंगे कि शूगर वेज बोर्ड की जब स्थापना हो गई है और बेजिज के सम्बन्ध में वेज बोर्ड विचार कर रहा है, ऐसी हानत में वेज कास्ट रिसर्च कराना, उसकी फाईंडिंग्स पर क्या विपरीत असर नहीं डालेगा ?

श्री आशिष झली : जहाँ तक शूगर का ताल्लुक है, इस में रिसर्च होगी । लेकिन यह तो वेज बोर्ड के देखने की बात है । जैसे मैं भर्ष कर चुका हूँ वर्कमें और एम्प्लायर्स के प्रतिनिधि भी उस में हैं और उन्होंने यह फैसला किया है और उस के मुताबिक काम को करना ही पड़ेगा । अगर माननीय सदस्य का खयाल है कि इनसे हानि होगी तो वह उस चीज को अपनी मस्या की मार्फत वेज बोर्ड को भेज सकते हैं और अगर इसको बदला जायेगा तो वैसे किया जायेगा ।

Shri Tangamani: This research programme with experts was arranged more than six months ago and the report was to be submitted to the Steering Group within six months. May I know when it will be submitted to the Steering Group, and whether after its submission, it will be made available to the Sugar Wage Board which is now conducting its inquiry?

Shri Abid Ali: After receipt of the Report, it will go before the Wage Group. If necessary, it will be considered by the Indian Labour Conference. Thereafter, it can be available to other committees.

Shri Tangamani: My point is that there are three Wage Boards already sitting of which one is the Wage Board on Sugar. This committee was set up so that when the recommendations about replacement costs and wage costs are made, they will help the Wage Board. I would like to know whether these will be submitted to the Wage Board. It is not necessary that the matter should be referred to the Tripartite Conference.

Shri Abid Ali: It is a suggestion for action.

Crisis in Shoe Industry

+

- *2144. { **Shri Raghunath Singh:**
Shrimati Ila Palchoudhuri:
Shri N. R. Munisamy:
Shrimati Masida Ahmed:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the shoe industry, particularly that of Agra is facing a crisis due to the import restriction imposed on light hand tacks;

(b) whether it is also a fact that the prices of this commodity have risen by more than 200 per cent;

(c) whether Government have received any representations in the matter;

(d) if so, the action taken or proposed to be taken in the matter; and

(e) what is the estimated total requirements of the shoe industry for this commodity?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). So far as the Shoe Industry in general is concerned, the industry, including the one unit at Agra, is not facing any

difficulties due to the import restrictions on light hand tacks.

A representation had, however, been made by the Agra Shoe Manufacturers' Association, Agra, regarding the difficulty faced by the small-scale shoe manufacturers on account of the scarcity and high prices of this commodity. Special instructions have since been issued to the import licensing authorities for permitting imports to small-scale actual users of Boot and Shoe Grindery items, including light hand tacks.

(e) Precise information is not available. However, about Rs. 3 lakhs worth of tacks are being imported.

श्री रघुनाथ सिंह : मैं यह जानना चाहता हूँ कि लाइट हैंड टैक्स का उत्पादन हिन्दुस्तान में होता है या नहीं होता है और अगर होता है, तो क्या उससे हमारी आवश्यकतायें पूरी होती हैं या नहीं होती हैं

श्री मनुभाई शाह : उसका उत्पादन होता है। कोई २५ परसेंट हमारे यहाँ होता है और ७५ परसेंट इम्पोर्ट होता है। अगले साल में और शायद थोड़ी और देर में मारा ही यहाँ बनने लग जायेगा।

Shri K. N. Pandey: May I know whether it is a fact that the condition of Cooper Allen at Kanpur is deteriorating everyday and information to this effect has been sent to the Ministry very often? If so, will the Ministry take notice and make an inquiry into the matter and take such steps as will improve the condition of the factory?

Shri Manubhai Shah: Of course, this is a general question about small scale industries. The question about Cooper Allen would not arise. But as far as Cooper Allen is concerned, it is facing no crisis at all. Last year it had some difficulty in disposing of shoes, but later when the Russian order was obtained, much improvement has taken place. Only recently an inquiry had been made by Government.

Investment in Private Industry

*2144. **Shri Harish Chandra Mathur:** Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether schemes from Rajasthan and Kerala for investment in private industry by State Governments have been finalised; and

(b) if so, what decisions have been arrived at?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) and (b) A statement is laid on the Table of the Sabha. [See Appendix VII, annexure No. 89].

Shri Harish Chandra Mathur: What are the circumstances that led the State Government to ignore the advice of the Central Government in this particular matter and make commitments contrary to this advice?

Shri S. N. Mishra: The main reason advanced probably was that they were required for the development of their State—particularly certain areas in their State. This seems to be the main reason.

Shri Tangamani: The Kerala Government have also come out with a proposal for Rs. 70 lakhs for setting up 3 private units in the State. May I know when those proposals will be finalised or accepted by the Planning Commission? That is the last part of the statement.

Shri S. N. Mishra: I cannot indicate any precise time because consultation is going on with the Ministry of Commerce and Industry. It may be that it would take one or two months.

Shri Ramanathan Chettiar: May I know whether there is difference of opinion between the Planning Commission and the Ministry of Commerce and Industry in regard to the matter of private investment?

Shri S. N. Mishra: In these matters we act in close collaboration.

12 hrs.

SHORT NOTICE QUESTION No. 31

Hunger Strike by Displaced Persons in Tripura

+
Shri Prabhat Kar:
Shri Dasaratha Deb:
S.N.Q. Shri Warior:
No. 31. Shri Easwara Iyer:
Shri Parulekar:
Shri Panigrahi:
Shri Sanganna:

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) how many refugees are on hunger strike at Agartala, Tripura at present,

(b) what concrete steps have been taken so far to meet the demands of 108 families of Madhuban, Tripura, some of whom are on hunger strike at present,

(c) whether it is a fact that those 108 families had to mortgage the total amount of land allotted to them to have agricultural loan at the rate of Rs 700 per family;

(d) what is the difference of rate between the old scale and new scale of the loan payable to the displaced persons of Tripura; and

(e) whether it is a fact, these refugees have been asking the government during the last several years either to give increased agricultural loan or to release a portion of the mortgaged land in order to enable them to get agricultural loan from the Agricultural Department by mortgaging released portion of land?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). None. The strike was called off on April 21.

(c) It is the normal practice that when rehabilitation loans are given the land possessed by the applicant is offered as security for the loans.

(d) The maxima of the old and the new scales are Rs. 955 and Rs. 2150

respectively. In the new scale, a few additional items, such as cost of acquisition and cost of reclamation of the land were added.

(e) There have been requests for the application of the new scale of loans to the old cases. It is not possible at this stage, after the lapse of so many years, to re-open the cases that were disposed of long ago. However, the needy families can, like other agriculturists in the State, apply to the Administration for the grant of taccavi loans as admissible to them under the rules.

Shri Prabhat Kar: In view of the fact that the hunger strike has now been called off and in view of the reply that has been given under part (e) that taccavi loans, if applied for, will be considered, will the hon. Minister be pleased to relax some of the rules so that the difficulties faced by the 108 families may be relieved?

Shri Mehr Chand Khanna: The taccavi loan is a State loan; it is given according to certain conditions. And, if the refugees also apply to the Tripura Administration, their cases will be considered on merits.

Shri S. M. Banerjee: May I know whether these refugees also applied for a second instalment of the rehabilitation loan and, if so, what is the attitude of the Rehabilitation Ministry? May I also know whether such loan is being sanctioned?

Shri Mehr Chand Khanna: There is no question of a second instalment of the rehabilitation loan. There loans were given about some 4 or 5 years ago to 19,000 or 20,000 families in Tripura. The question of the second instalment no longer arises. These persons approached us saying that the loans were insufficient and that they should be given extra loan. Our position today is that I do not want to reopen all these cases of 5 years ago. If an agriculturist is in difficulties in Tripura, like any other citizen, he can approach the Tripura Administration for any kind of taccavi which is

admissible to any local resident of that place.

Shri Sanganna: May I know whether any machinery has been set up to see to it that the loans that have been granted are not misused; and, if so, whether any such cases have been brought to the notice of Government?

Mr. Speaker: It has already been answered.

Shri Mehr Chand Khanna: Sir, I have a very big machinery in Tripura. As regards the utilisation of the loans it is very difficult for me to answer. I can only say that we have given about Rs 8 crores to Rs 10 crores to be spent on rehabilitation, in Tripura. I am again talking from memory, that of the loans that were due, I think, we have been able to realise hardly about 1 per cent or 2 per cent.

Shri Tangamani: The main demand of the hunger strikers was that the loan that was already given is insufficient and the new scale that has been fixed should be granted to them. May I know whether, as a result of the settlement, any steps will be taken by the Rehabilitation Ministry to grant these additional loans to bring them up to the new scale?

Shri Mehr Chand Khanna: No question of new scale or old scale at all arises today. In the initial stages, the number of displaced persons in Tripura, or Assam or for the matter of that in West Bengal, was comparatively small and the prices then had not shot up to the extent they have shot up now. So, in the early stages, we gave loans according to certain scales. (Interruption) These scales were ultimately revised because the idea was to give a man a certain amount of economic life. On account of the greater influx of people into any one of these States, the prices have gone up. But, in the initial stages, we had to take care to see that every refugee family was given loan under the schemes then prevailing.

Shri Bangshi Thakur: May I know if any family in Tripura has been allowed agri loans in the West Bengal scale?

Shri Mehr Chand Khanna: I have not followed the question.

Shri Bangshi Thakur: May I know whether any of the refugee families in Tripura has been allowed agri loan in the West Bengal scale?

Shri Mehr Chand Khanna: I have divide this refugee population into two parts; one who came before a certain date and the other who came after, even to West Bengal or Tripura or Assam. The scales have been revised and everybody is being paid loans taking into consideration the local requirements, the prices of land and all that. But if I have to purchase land in West Bengal at Rs. 900 an acre and the prices in Tripura are only Rs. 300, I do not think my hon. friend will ask me to pay the agriculturist Rs. 600 more.

Shri Bangshi Thakur: My point is not that. I know that—all the rules and regulations in Tripura regarding rehabilitation loans. My point is this, whether the Rehabilitation Ministry has given any of the Tripura refugees agricultural loans on the West Bengal scale.

Mr. Speaker: He has already answered that.

Shri Mehr Chand Khanna: I have just now stated that the scale has been revised from 950 or about Rs. 1000 to Rs. 2150. That clearly indicates that in the quantum of loan now given and all that, we are paying far more to our friends in Tripura than we were doing before.

Shri Hem Barua: In view of the fact that these 108 families in question have mortgaged their entire landed property for the loan of Rs. 700 and that they do not have any land security to offer for agricultural loan, may I know whether Government propose to relax the rules of agricultural loans in regard to payment?

Shri Mehr Chand Khanna: I have already answered this point. First of all, I must make this position clear, that Madhuban is only 2 or 3 miles out of Tripura and people there can make a living from other resources and sources as well.

I have just now stated that taking into consideration the merits of each case and the rules for the grant of taccavi loans that are prevalent and which are applicable to the local population, the cases of refugees can also be considered if they apply. But automatically I am not going to raise the figure, say, from Rs. 1000 to Rs. 1500 or Rs. 2000 in the case of 19,000 families whose cases have been settled four or five years ago.

Shri S. M. Banerjee rose—

Mr. Speaker: Let us take up the next business.....

Raja Mahendra Pratap (Mathura): Sir, I have given notice of an adjournment motion.....

Mr. Speaker: Papers to be laid on the Table.

WRITTEN ANSWERS TO QUESTIONS

Electric Lamps

*2134. **Shri Siddananiappa:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that production of electric lamps has declined;

(b) if so, for what reasons;

(c) whether electric lamps are exported from India; and

(d) if so, to which countries and what is the value of exports annually?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) Due to the suspension of production of one major unit and short supply of gas (fuel) to lamp factories in Calcutta area.

(c) Yes, Sir.

(d) The principal countries where different types of electric lamps were exported during 1957 and 1958 (January-November) are Nepal, Kuwait, Aden, Bahrain Islands, Afghanistan, Trucial Oman, Burma. The total value of exports of different kinds of electric lamps during the above periods was Rs. 27,000 and Rs. 19,000 respectively.

Manufacture of Electronic Equipment

*2136. Shri Balakrishnan: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are contemplating to establish a factory in India for the manufacture of electronic equipment in collaboration with a U.S.A. Firm; and

(b) if so, the details thereof?

The Minister of Industry (Shri Manubhai Shah): (a) No, Sir.

(b) Does not arise.

Sale of Ferro-Manganese to U.S.A.

*2138. Shri Panigrahi: Will the Minister of Commerce and Industry be pleased to state:

(a) the price per ton at which Indian Ferro-Manganese is being sold to the U.S.A.; and

(b) whether it is a fact that the Indian Ferro-Manganese is being sold to U.S.A. at a lesser price?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). According to information available no sale of Indian Ferro-Manganese is known to have been made recently in the U.S.A.

Manganese Poisoning in Mines

*2139. Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to state:

(a) whether the committee of inquiry appointed to make investigation of the causation, extent, diagnosis and treatment of the cases of

manganese poisoning prevalent in the Manganese Mines and to advise on the preventive measures has since submitted its report;

(b) if so, what are the main features of the report;

(c) whether Government have examined the same; and

(d) when action is likely to be initiated on those recommendations?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) to (d). Do not arise.

Andhra Paper Mill, Rajahmundry

*2142. Shri Rami Reddy: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Andhra Pradesh Government have requested the Centre for financial assistance for the expansion of Andhra Paper Mill, Rajahmundry;

(b) if so, the assistance asked for are granted;

(c) the foreign exchange content of the assistance and whether the foreign exchange has been allotted; and

(d) the additional production as a result of the expansion of the above Mill?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). A sum of Rs. 24.46 lakhs as Central loan assistance for the implementation of large and medium scale industrial schemes, including the expansion of Andhra Paper Mills, Rajahmundry, was asked for by the Andhra Pradesh Government during the year 1958-59. A sum of Rs. 15.26 lakhs has been sanctioned.

(c) No specific amount has been earmarked for foreign exchange requirements in the financial assistance given by the Central Government. No foreign exchange has been allotted so far, though the import of capital equipment has been approved in

principle. It is being suggested to the State Government to obtain quotations from all possible suppliers.

(d) 15,000 tons per year of printing and writing paper.

Shortage of Needles for Hosiery Industry in West Bengal

*2146. Shrimati Masida Ahmed: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Hosiery Industry of West Bengal is faced with an acute shortage of needles;

(b) whether any representation has been received from the Bengal Hosiery Manufacturers Association; and

(c) if so, the action taken thereon?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Representations have been received from certain Hosiery Manufacturers Associations in West Bengal about shortage of supplies of certain varieties of needles.

(c) To supplement indigenous availability, applications from actual users of hosiery needles and from Hosiery Manufacturers Associations are considered for grant of import licences on *ad hoc* basis. Government are also considering the import and equitable distribution of such needles through the National Small Industries Corporation.

Tariff Commission

*2147. Shri Rajendra Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Tariff Commission has recommended discontinuance from January of the protection granted to artificial silk and cotton and silk mixed fabrics industry;

(b) whether Government have received any memorandum from the industry to the effect that protection

should be extended for another three years; and

(c) if so, whether any decision has been taken on the memorandum?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). Yes, Sir.

(c) It has been decided not to extend protection.

Naga Hills Tuensang Unit

*2148. { Shri Ram Krishan Gupta:
Pandit D. N. Tiwary:
Shrimati Masida Ahmed:
Shri Aurobindo Ghosal:
Shri Raghunath Singh:
Shri Vajpayee:
Shri D. C. Sharma:
Shri P. C. Boroah:
Shri Nek Ram Negi:
Shri Bhakt Darshan:

Will the Prime Minister be pleased to state:

(a) the present law and order position in Naga Hills Tuensang Unit;

(b) the number of raids made by the Naga hostiles since the 1st December, 1958;

(c) the extent of loss in life and property suffered; and

(d) the nature of help given to affected people for rehabilitation?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) to (d). A statement is laid on the Table of the Sabha. [See Appendix VII, annexure No. 90.]

Imports by Delhi Municipal Corporation

*2149. Shri Keshava: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Delhi Municipal Corporation has approached the Government for grant of import licence worth Rs. 6 lakhs;

(b) if so, the items they propose to import; and

(c) the response of Government to this request?

The Minister of Commerce (Shri Kanungo): (a) The Delhi Municipal Corporation has not filed any request for grant of a licence of the value of Rs. 6 lakhs.

(b) and (c). Do not arise.

Academic Courses by All India Radio

*2150. Shri Rameshwar Tanti: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that All India Radio is working on a project to introduce regular academic courses over the radio; and

(b) if so, what are the details of the project?

The Minister of Information and Broadcasting (Dr. Keskar): (a) and (b). All India Radio is not thinking of introducing regular academic courses on matters already covered by Universities but it is proposed to broadcast in co-operation with the Universities, special series of programmes designed to increase the general knowledge of listeners and supplement academic learning. It is proposed to work out a detailed scheme in collaboration with some Universities

Export of Manganese Ore

*2151. Shri Panigrahi: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the representatives posted in India of American importers have stopped their purchases of manganese ore anticipating low price in the barter deal; and

(b) whether it is also a fact that State Trading Corporation have requested all mine-owners to reduce their prices and publicise the same through a Sales Committee?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): (a) and (b). No, Sir.

Tea Trade with Iran

*2152. Shri P. C. Boroah: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the attention of Government has been drawn to the report published in the Assam Tribune of April 6, 1959, that the Leader of the Iranian delegation had stated that Iran was ready to buy quality Indian tea if the Indian Government could help lower the price; and

(b) if so, the reactions of Government thereto?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) Yes, Sir.

(b) Like other countries, Iran buys her requirements from free auctions where competitive bids for tea are made. It is obviously not possible for the Government of India to interfere with the established market mechanism

Contribution to Coal Mines Provident Fund

*2153. Shri T. B. Vittal Rao: Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have assessed the liability on the Coal Industry if the contribution to Coal Mines Provident Fund is raised from 6½ to 8½ per cent;

(b) if so, whether it could be met by the Industry from its own resources without resorting to increase in the price of coal; and

(c) if the reply to part (b) above be in the negative by how much the coal price has to be increased?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) and (c). Do not arise.

14201 Written Answers VAISAKHA 10, 1951 (SAKA) Written Answers 14202:
International Atomic Energy Agency

*2154. Shri Raghunath Singh: Will the Prime Minister be pleased to state:

(a) whether it is a fact that International Atomic Energy Agency has entered into an agreement with U.S.S.R., U.K., and U.S.A., for the supply of nuclear material to Agency; and

(b) if so, whether India will also be benefited by the said agreement?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon):

(a) The Board of Governors of the International Atomic Energy Agency has approved the draft agreements between the Agency and the U.S.S.R., U.K. and U.S.A. for the supply of nuclear materials to the Agency, but there is no information that the agreements have been signed by all the parties concerned

(b) It would be premature to say whether India will benefit by the proposed agreements or not. Due weightage has to be given not only to the terms of the agreement, but also to the availability of nuclear materials from sources other than the Agency, their prevailing prices and other factors. We are not particularly interested in the matter at present.

India's Trade with other Countries during 1959

*2155. { Shri Ram Krishan Gupta.
Shri Pangarkar:
Shri Rameshwar Tanti:
Sardar Iqbal Singh:
Dr. Ram Subhag Singh:
Shri Daljit Singh:

Will the Minister of Commerce and Industry be pleased to state:

(a) the import and export trade position of India since 1st January, 1959;

(b) the total value of exports and imports made in this period;

(c) whether there is any shortfall in the value of exports during this period; and

(d) if so, which of the commodities are mainly responsible for the shortfall?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra):

(a) and (b). Statistics of import and export are available for the month of January, 1959 only. The position for January was as follows:—

Imports—Rs. 66.58 crores.

Exports—Rs. 46.06 crores.

Balance of Trade—(—) Rs. 20.52 crores.

(c) There was a slight fall as compared to January, 1958.

(d) Tea, cotton piecegoods, manganese ore.

Production of Cement

3732. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) the total output of cement during 1958-59; and

(b) the foreign exchange earned by the export of cement during the above period (country-wise)?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) 59,83,247 tons.

(b)	Country for export	Foreign exchange earned
		Rs. (in lakhs)
1.	Ceylon	14.23
2.	South Vietnam	13.04
3.	Pakistan	9.17
4.	Persian Gulf Ports	8.09
5.	Cambodia	4.71
6.	East Africa	1.01
7.	Madagascar	0.94
8.	Afghanistan	0.82
9.	Aden	0.19

TOTAL . . . Rs. 52.20

Industrial Estates in Punjab

3733. { Shri Ram Krishan Gupta;
Shri D. C. Sharma;
Shri Daljit Singh;
Shri Ajit Singh Sarhadi;

Will the Minister of Commerce and Industry be pleased to state:

(a) the industries that are proposed to be set up in the various Industrial Estates in Punjab;

(b) the industries that are to be set by private industries;

(c) the employment potentialities of the industrialists; and

(d) whether Government propose to advance finances to private industrialists to start industries in the industrial estates?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). Most of the Industries in the Estates will be started by private parties. The Government will allot accommodation and provide facilities. The nature of industries to be set up in the estates will depend on allottees. But many of them are expected to be light Engineering Industries.

(c) About 800 persons are expected to be employed in the various Industrial Estates in Punjab.

(d) Private industrialists who start industries in Industrial Estates are also eligible for being considered for financial assistance under the State Aid to Industries Act, like other Small Scale Industries.

Import of Luxury Goods

3734. { Shri Ram Krishan Gupta;
Shri Geray;

Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of luxury goods such as cream, oil, face powder etc.

used for toilet purposes imported in India during the year 1958;

(b) the value of foreign exchange spent thereon; and

(c) the steps taken by Government to stop altogether the import of such luxury goods?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement showing the quantity and value of Luxury goods such as cream, oil, face powder etc. imported into India during 1958 is laid on the Table of the Sabha. [See Appendix VII, annexure No. 91.]

(c) In the context of the difficult foreign exchange position, the import of luxury goods is ordinarily not being allowed. The import of Toilet goods such as cream, oil, face powder etc. falling under S. N. 115/IV of the I.T.C. Schedule is banned. However, as a result of representations received from the film industry, applications from Film Associations for Studio make-up materials for reasonable values are considered ad hoc for articles not available from indigenous sources, in consultation with the Film Regional Advisory Committees concerned.

Handloom Development Schemes of Punjab

3735. { Shri Ram Krishan Gupta;
Shri Daljit Singh;

Will the Minister of Commerce and Industry be pleased to state:

(a) the schemes submitted by the Punjab Government for Handloom Industry during 1957-58 and 1958-59;

(b) the amount sanctioned by the Central Government to the Punjab Government for Handloom Industry during the same period;

(c) the amount spent by the Punjab Government during the above period;

(d) how much amount has lapsed in the above years; and

(e) the number of Handlooms at present in the State?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) to (e). The information is being collected and will be laid on the Table of the House.

Newsprint for Hindi Daily and Weekly Papers

3736. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of Daily and Weekly papers published in Hindi during 1958;

(b) the quantities of newsprint allotted to each paper during the above period; and

(c) the quantity of newsprint actually utilised by each newspaper during the same period?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Dailies	..	105
Weeklies	..	447
Total		<hr/> 552 <hr/>

(b) No statistics are maintained for the quantity of newsprint allotted to a newspaper on the basis of its periodicity and language. Newsprint is allotted to each paper on the basis of licensing periods which are of six months each i.e. from April to September and October to March. During the licensing period April—September, 1958, the entitlement of each paper was worked out for six months on the basis of area of the paper, average number of pages and circulation during 1957 and on the regularity of publication. After imposing a cut of 15 per cent, the balance was licensed. No cut was imposed where the entitlement was less than ten tons. This 15 per cent cut was made good from Nepa as far as possible. During the

Licensing period October—March, 1959, the entitlement was worked out for six months as in the last period. After imposing a 15 per cent cut, one third was met from canalized imports and the balance two-third was licensed. Where the entitlement was ten tons or less, the entire quantity was given from canalized imports.

(c) Precise information about the actual quantity utilised by the newspapers is not available. It is, however, presumed that the quantity allotted has been utilised.

Industrial Development of Punjab

3737. { Shri Ram Krishan Gupta:
Shri Daljit Singh:

Will the Minister of Commerce and Industry be pleased to state:

(a) the total amount given to the Punjab State for the development of industries during the Second Five Year Plan period so far, scheme-wise and year-wise;

(b) the total amount spent so far out of the fund allotted, scheme-wise and year-wise; and

(c) the amount estimated to be spent on the industrial development of Punjab during the rest of the Second Five Year Plan period?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement giving the information available is laid on the Table of the Sabha. [See Appendix VII, annexure No. 92].

(c) A provision of Rs. 130.97 lakhs has been made in the Punjab Plan for 1959-60 for the development of industries. Provision for the year 1960-61 i.e. the last year of the Second Five Year Plan will be decided only after the annual Plan for that year is finalised.

Trade Balance with Pakistan

3738. { Shri D. C. Sharma:
Shri Ram Krishan Gupta:
Shri Pangarkar:
Shri Daljit Singh:

Will the Minister of Commerce and Industry be pleased to state:

(a) what was the balance of our trade with Pakistan during the period 1st April, 1958 to the 31st March, 1959, separately; and

(b) what steps have been taken to improve the balance of our trade with Pakistan?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) For the period 1st April, 1958 to 31st January 1959, our exports to Pakistan totalled Rs. 564 lakhs against imports valued at Rs. 502 lakhs, leaving a favourable balance of Rs. 62 lakhs. Statistics beyond January 1959 are not yet available.

(b) The main steps taken by us to improve our balance of trade with Pakistan are increased cultivation of raw jute in India and progressive restrictions on imports including removal of some items from O.G.L. for Pakistan.

International Commission for Supervision and Control in Vietnam

3739. Shri D. C. Sharma: Will the Prime Minister be pleased to state the total expenditure incurred by India, upto the 31st March, 1959 on the International Commission for Supervision and Control in Vietnam?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Figures of expenditure upto 31st March, 1959 are not yet available. The corresponding figures upto 31st January, 1959 were Rs. 67,74,236.74 of which Rs. 44,33,671.53 were recoverable from the common pool fund provided by the Geneva Powers.

2 The above figures are subject to further modification on receipt of

debits relating to book adjustments likely to be communicated by the Defence Accounts authorities. The figures of expenditure incurred during February and March, 1959 would be available in August, 1959.

Electric Fans

3740. { Shri Pangarkar:
Shri Daljit Singh:

Will the Minister of Commerce and Industry be pleased to state:

(a) the number of electric fans manufactured in India during 1st October, 1958 to 31st March, 1959;

(b) the value of electric fans exported during the same period; and

(c) the names of the countries to which these have been exported?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) The total number of electric fans produced by the firms borne on the list of the Development Wing during the period from 1st October, 1958 to 31st March, 1959 is approximately 3,32,200.

(b) The value of electric fans exported during October, 1958 to February, 1959 is Rs. 10,89,098. The figure of export for March, 1959 is not yet available.

(c) Exports were made principally to Aden, Ceylon, Burma, Kuwait, Malaya, Singapore, Thailand, Pakistan, Saudi Arabia, Iraq, Ethiopia, Nigeria, Mauritius, Sierra Leone and Ghana.

Manufacture of Radio Sets

3741. { Shri Pangarkar:
Shri Ram Krishan Gupta:
Shri Daljit Singh:

Will the Minister of Commerce and Industry be pleased to state:

(a) the number of radio sets produced in India from 1st October, 1958 to 31st March, 1959; and

(b) whether any of these have been exported to foreign countries?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) The total number of radio sets produced by the firms borne on the Development Wing's list during the period 1st October, 1958 to 31st March, 1959 is approximately 98,900 Nos.

(b) Ten complete radio sets worth Rs. 2,146 were exported to Nepal during October to November, 1958 but information regarding the export of sets manufactured in India is not separately available. No exports were made to other countries. Data about exports after November, 1958 are not available.

Unemployed Graduates

3742. Shri D. C. Sharma: Will the Minister of Labour and Employment and Planning be pleased to state the number of un-employed Graduates remaining on the Live Registers of various Employment Exchanges in India as on the 1st April, 1959?

The Deputy Minister of Labour (Shri Abid Ali): 33,769.

Government of India Printing Presses

3743. Shri D. C. Sharma: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the extent of additional accommodation provided for the various presses under the expansion programme of existing presses of the Government of India during 1958-59, and

(b) the expenditure incurred on this programme of expansion during the same period?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). The information is being collected and will be placed on the Table of the Sabha in due course.

Can Sealing Composition

3744. Shri Braj Raj Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Can Sealing Composition (Rubber Lining Compound used for canning industry) is being indigenously produced in India;

(b) what quantity was imported of this compound during the years 1954-55, 1955-56, 1956-57 and 1957-58;

(c) how much foreign exchange was spent during the above years;

(d) whether it is the policy of Government encourage manufacture of the said compound in the country;

(e) whether any Indian firm has applied for granting protection to their compound;

(f) whether their compound has been tested by Government and if so; what are the results; and

(g) whether it is a fact that the compound made by an Indian firm compares favourably with the foreign commodities?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Yes, Sir.

(b) and (c). Precise information is not available as the item has not been specifically shown in the import trade classification of this country.

(d) Yes, Sir.

(e) A firm in Calcutta had represented that the import of Can Sealing Composition (Rubber Lining Compound used for Canning industry) should be banned. It was found however on enquiry that even if this firm worked to their full capacity, they would only be meeting a quarter of the country's demand.

(f) and (g). The firm produced a certificate from College of Engineering, Jadavpur, Calcutta, but they have been asked to have their product

tested by the Indian Food Technological Research Institute, Mysore. Test reports are yet to be received.

Dispensaries for Mica Mines Labour in Rajasthan

3746. Shri B. C. Vyas: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether the Dispensaries under the Mica Mines Labour Welfare Fund in Rajasthan have closed down;

(b) if so, for how long they have not been functioning;

(c) the reasons for their closure;

(d) whether there are any mobile dispensaries under the same Fund for facility of the workers;

(e) whether it is a fact that most of the mobile dispensaries have also not been functioning for a long time past; and

(f) the steps, if any, being taken by the Government to resume their functioning?

The Deputy Minister of Labour (Shri Abid Ali): (a) No.

(b) and (c). Do not arise

(d) Yes, Five.

(e) Out of five, four are not working for want of Medical Officers.

(f) All possible efforts to appoint doctors are being made. Posts have been advertised in the newspapers and the Director General of Resettlement and Employment, New Delhi, has also been requested to recommend candidates. Retired persons are also being considered for appointment as a temporary arrangement.

Payment of Wages to Mica Mines Workers in Rajasthan

3747. Shri B. C. Vyas: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether it is a fact that in many of the Mica Mines in Rajasthan earn-

ed wages of the workers are not paid regularly to them by the Mica Mines Owners;

(b) if so, how many such establishments have been brought to the notice of Government; and

(c) the steps, if any being taken by Government in the matter?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Four such complaints have been received.

(c) Legal action under the Payment of Wages Act, 1936, has been taken against these establishments where necessary.

In one case the employer has paid the wages due and in another case wages were realised after auction of the property attached

The Officers of the Central Industrial Relations Machinery frequently inspect the mines to ensure regular and timely payment of wages

Hydel Projects in N.E.F.A.

3748. Shrimati Masjida Ahmed: Will the Prime Minister be pleased to state:

(a) whether it is a fact that two Hydel Projects are being taken up in N.E.F.A.;

(b) if so, at what stage the matter stands;

(c) the places where they will be located; and

(d) what amount each scheme is likely to cost?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Five Hydel Electric Schemes are proposed to be taken up in the N.E.F.A. subject to investigation reports being satisfactory.

(b) In the case of three Schemes, investigation have been completed and reports are under preparation. In the case of remaining two investigations

by the Central Water and Power Commission are still in progress.

- (c) (i) Bomdila
- (ii) Pasighat
- (iii) Along.
- (iv) Tezu.
- (v) Zero

(d) Not known at present as the cost of the Scheme will be worked out after the results of the investigations are known

Import of Photo Goods

3748. Shri Dinesh Singh: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No 1387 on the 19th March, 1959 and state

(a) the break-up of the photo goods imported by the State Trading Corporation in 1958 on the basis of revised trade classification;

(b) the list of the State Trading Corporation's business associates with whom the sensitised material are stored, and

(c) the basis on which these goods are sold to retailers and what precautions are taken to check black market?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) The information is being collected and will be placed on the Table of the House later

(b) 1 M/s Agfa India Private Limited, Bombay, Calcutta, Madras and Delhi

2 Central Camera Company Private Ltd., Bombay, Calcutta and Madras

(c) Sales are made to associations of users as nominated by the Chief Controller of Imports and Exports at the list prices. It is not possible to check the transactions which may take place in an unauthorized manner.

Sensitised Photo Materials

3750. Shri Dinesh Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether complaints have recently been received regarding the quality

of sensitised photo materials imported by the State Trading Corporation; and

(b) if so, what action has been taken thereon?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) No specific complaint regarding quality of sensitised photo material has been received

(b) Does not arise.

Coffee Marketing System

3751. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri R. C. Majhi:
Sardar Iqbal Singh:

Will the Minister of Commerce and Industry be pleased to state

(a) whether the Expert Committee for coffee marketing as appointed by the Government has examined the marketing system of the Coffee Board;

(b) whether it has submitted any report to Government,

(c) if so, its main recommendations; and

(d) the action taken thereon?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) and (b) The Committee is still in the midst of its labours and has not yet submitted its report.

(c) and (d) Do not arise.

By-Products of Gram

3752. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government are considering any scheme for the manufacture of by-products of gram; and

(b) if so, when such a scheme is likely to be finalised?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) No, Sir.

(b) The question does not arise.

Labour Laws

3753 Shri Ram Krishan Gupta: Will the Minister of Labour and Employment and Planning be pleased to state,

(a) whether it is a fact that labour laws are not in force in all the States and Union Territories,

(b) if so, the reasons therefor, and

(c) the names of such States?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes

(b) and (c) A statement giving the required information is laid on the Table of the Sabha [See Appendix VII, annexure No 93]

Emporia for Handloom and Small Scale Industries

3754. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state the number of emporia opened so far for the handloom and small-scale industries products (State-wise)?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Three "Handloom Houses" have been opened one each at Bombay, Madras and Calcutta for the sale of handloom cloth Sales Depots and inter-state Depots [as per list laid on the Table of the Sabha (See Appendix VII, annexure No 94)] have also been opened. Marketing is also effected through mobile vans, push carts, hawkers etc

Sale of small-scale industries products is effected mainly through Wholesale Depots of a few selected industries [as shown in the list laid on the Table of the Sabha [See Appendix VII, annexure No 94]] Mobile vans were also being used, but these have been discontinued since 1st April, 1959. Recently, one retail shop has been opened in Madras under the name 'Lalput'

Employees' State Insurance Scheme

3755. Shri Ram Krishan Gupta: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) the period by which medical benefits to workers' families under the Employees' State Insurance Scheme will be extended to workers in Punjab and Delhi;

(b) whether any time schedule has been worked out for this purpose; and

(c) if not, the reasons therefor?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b) Medical care has already been extended to the families of insured persons in Punjab from the 1st November 1958. It is proposed to extend the medical care to the families in Delhi area from June 1959

(c) Does not arise

Payment of Rebate on Handloom Cloth to Punjab Government

3756. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state

(a) whether the rebate due for the handloom cloth has been given to the Punjab Government,

(b) if not, the amount of arrears still outstanding, and

(c) the period to which they relate?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) Yes, Sir

(b) and (c) Do not arise

Exchange Compensation Allowance

3757. Shri Ram Krishan Gupta: Will the Prime Minister be pleased to state

(a) whether it is a fact that many officers in the missions abroad have produced false certificates for the drawal of exchange compensation allowance; and

(b) if so, the nature of action taken or proposed to be taken against these officers?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). There has been no case of false certificates being used for the drawal of Exchange Compensation Allowance. There were a few cases of irregular drawal owing to misinterpretation of rules. Recoveries were made in such cases.

Documentary Film on Folk Dances of Punjab

3758. { Shri Ram Krishan Gupta:
Shri D. C. Sharma:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether any documentary film has been prepared on the folk dances of Punjab;

(b) if so, the nature thereof; and

(c) if the reply to part (a) be in negative, whether there is any proposal to produce any such documentary film?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (c). No documentary has so far been prepared exclusively on the folk dances of Punjab. The feature length film on Folk Dances of India entitled "Dharli Ki Jhankar", which has been completed and is expected to be released shortly, however, includes the following folk dances from Punjab:

- (1) Bhangra Dance.
- (2) Gidda Dance, and
- (3) Nati Sword Dance of Kulu.

Environmental Sanitation in N.E.F.A.

3759. Shri D. C. Sharma: Will the Prime Minister be pleased to refer to the reply given to Unstarred Question No. 1105 on the 8th December, 1958 and state the progress made so far in implementing the recommendations of the body of experts are pointed to assess the environmental sanitation from N.E.F.A.?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): Some progress has been

made in the implementation of water supply schemes and 8 major schemes were taken up involving an expenditure of Rs. 51,000 during 1958-59. In addition, 67 wells have been constructed and 564 water points renovated in N.E.S. Blocks up to date.

There has been no further progress in respect of other items since the reply given to Unstarred Question No. 1105 on 8th December, 1958.

Faridabad Township

3760. Shri D. C. Sharma: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the total loan and grants given to Faridabad Township under different heads during 1958-59 separately; and

(b) whether the grants have been utilised in full?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). Loans: Rs. 7.82 lakhs.

Grants: Rs. 18.17 lakhs of which Rs. 17.98 lakhs were utilised and the rest refunded. Details are as follows:

	Amount sanc in rd	Amount utilised
	Rs.	Rs.
1. Establishment .	1,67,000	1,65,000
2. Municipal charges	2,10,000	2,00,000
3. Power House .	9,44,000	9,44,000
4. Medical and station .	3,97,000	3,91,000
5. Relief Works .	7,300	7,000
6. Transport of labour .	92,400	91,000
	Rs. 18,17,700	17,98,000

Hotel Janpath

3761. Shri D. C. Sharma: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of employees working at present in Hotel Janpath;

(b) the monthly expenditure incurred by way of salary to these employees;

(c) the number of employees out of these who draw a salary over Rs. 1,000;

(d) the number of foreigners and the posts against which they are working; and

(e) the total number of foreigners who stayed in this Hotel upto the 31st March, 1959?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) Employed by Government—126

(b) Government employees—Rs. 14,000 (approximately).

(c) None.

(d) None.

(e) 81,166.

Industrial Estate Scheme for Kendrapara

3762. Shri Anigrahi: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Unstarred Question No. 216 on the 14th February, 1958 and state:

(a) whether the Industrial Estate scheme for Kendrapara has since been sanctioned by the Central Government;

(b) if so, the amount of Central assistance offered therefor; and

(c) whether the proposed estate at Kendrapara has been completed and the sheds are ready for occupation?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Yes, Sir.

(b) The entire cost of the scheme which is estimated to be Rs. 3.00 lakhs will be advanced by the Central Government as a loan to the State Government.

(c) No, Sir.

दिल्ली में कुटीर तथा लघु उद्योगों के लिये अनुदान

३७६३. श्री नवल प्रभाकर: क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) द्वितीय पंचवर्षीय योजना के अन्तर्गत दिल्ली में कुटीर तथा लघु उद्योगों के लिए अनुदानों की कितनी राशि मंजूर की गई;

(ख) ये कौन-कौन से उद्योग हैं और इन में से प्रत्येक उद्योग के लिए कितनी-कितनी राशि मंजूर की गई; और

(ग) ये अनुदान किम आधार पर मंजूर किये जाते हैं ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री): (क) और (ख). द्वितीय पंचवर्षीय योजना के अन्तर्गत दिल्ली में जिन जिन उद्योगों के लिए अनुदान की जो धन-राशि मंजूर की गयी, वह इस प्रकार है :—

उद्योग	१९५६-५७ (रु०)	१९५७-५८ (रु०)	१९५८-५९ (रु०)
इन्तकारी उद्योग	..	२६,१३५	..
लघु उद्योग	२०,०००	१,५६,३८७ (क)	५,४०,६६२ (क)
हथकरघा	२२,५८६	८२,७७५	७१,६३७
सादी (पुरानी), धम्बर और ग्रामो- द्योग	५,६८,८४४	८,७६,८३६	११,५४,७५६

(क) केवल औद्योगिक स्वीकृति दी गयी है।

† सादी (पुरानी), धम्बर और ग्रामोद्योग के सामने जो आंकड़े दिये गये हैं, उनमें वह धन भी शामिल है, जो ग्र० भा० सादी और ग्रामोद्योग बोर्ड/सादी और ग्रामोद्योग कर्मचान ने दिल्ली की संस्थाओं और सोसाइटियों को ३१-१-५६ तक सीमा ही दे दिया था।

(ग) राज्य सरकारों की संलाह से योजना आयोग ने आयोजना में जो व्ययम्पाए की हैं, उनके अलावा, विभिन्न कुटीर उद्योगों के विकास के लिए धन की मजूरी देते समय निम्न बातों का ध्यान रखा जाता है —

१. खादी और आत्मोद्योग

- (१) कच्चे माल और ट्रेनिंग पाये हुए लोग प्राप्त हों,
- (२) उद्योग को समर्थित करके चलाने का संस्थापको को अनुभव हो
- (३) उद्योग का और विकास करने की गुंजाइश हो,
- (४) पहले किये गये काम की क्या प्रगति रही और क्या क्या परिणाम रहे ।

२. हथकरघा

राज्य सरकारों को धन देने की जो उच्चतम सीमा निर्धारित की जाती है, उसका आधार राज्य में सूत की उपलब्धता करघों की संख्या है ।

३. लघु उद्योग

- (१) लघु उद्योगों के क्षेत्र में राज्य सरकारों द्वारा पहले किया गया काम,
- (२) राज्य की औद्योगिक संभावनाएं और क्षमता,
- (३) किस स्तर तक विकास हो चुका है,
- (४) लघु उद्योगों की दृष्टि से राज्य की आवश्यकताएं ।

४. इस्तेफारिया

कच्चे माल, टेक्नीकल कर्मचारियों, विपरीत-व्यवस्था की सुविधाओं की उपलब्धि; विकास की योजनाओं पर ध्यान कर सकने की राज्य सरकारों की क्षमता, पिछली कारगुजारी आदि ।

Handloom Industry in Delhi

3764. Shri Naval Prabhakar: Will the Minister of Commerce and Industry be pleased to state—

(a) the details of efforts made so far for the development of handloom industry in Delhi under the Second Five Year Plan, and

(b) the amount spent thereon?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b) The number of handlooms in Delhi registered so far is 777. Financial assistance for the development of the handloom industry in Delhi is being given, for various schemes of production and marketing. The amounts sanctioned for various schemes in the years 1956-57, 1957-58 and 1958-59, and the expenditure reported for the first two years of the Second Five Year Plan period, may be seen in the statement laid on the Table of the Sabha [See Appendix VII, annexure No. 65]. Progress has been made in the co-operative organisation of handloom weavers. As against 293 looms which were in the co-operative fold on 1st April, 1956, there were 343 handlooms in the co-operative fold on 30th September, 1958.

दिल्ली में घानी तथा नीम का तेल

३७६५. श्री नवल प्रभाकर: क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि

(क) क्या दिल्ली में तेल घानी और नीम के तेल के विकास की योजना स्थगित कर दी गई है, और

(ख) यदि हा, तो इसके क्या कारण हैं ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) (क) जी, नहीं । तेलियों की दो सहकारी समितियां और चार बहु-उद्देशीय सहकारी समितियां पहले से वित्तीय सहायता प्राप्त कर रही हैं और चार समितियां

को रजिस्टर किया जा रहा है। जो समितियाँ बनी हुई हैं, उनके प्रचीन पुरानी किस्म की बीन बनियाँ और तात उन्नत बानियाँ बन रही हैं।

(ख) प्रश्न ही नहीं उठता।

Repair of Village Radio Sets

3764. Shri B'bhuti Mishra: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether Government have formulated any scheme for repairs of radio sets provided to people in distant villages;

(b) if so, the number of radio sets repaired up to 15th February, 1959, in accordance with this scheme;

(c) the charges laid down for such repairs;

(d) whether Government have made any permanent arrangements in various places for repairs of radio sets; and

(e) if so, when these were made and the nature thereof?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (e). The maintenance of community receiving sets is the exclusive responsibility of State Governments. The Central Government neither contribute anything towards the cost of maintenance, nor have any other duty regarding the working of the sets.

Model suggestions for maintaining community radio sets, fit and working, have been made to the radio engineers of State Governments.

Highhandedness of Pakistan Customs Officials

3767. { Shri Ram Krishan Gupta:
Dr. Ram Subhag Singh:
Shri Raghunath Singh:
Shrimati Masda Ahmed:
Shri N. E. Manikam:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that an Indian boy, Sadhan Chandra, was

assaulted and kicked by a Customs Inspector on the 21st January, 1959, in Dacca and later arrested on a charge of smuggling; and

(b) if so, whether any protest has been lodged with the Pakistan Government?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes, Sir. On the 21st January, 1959, a young boy of Indian nationality is reported to have been assaulted by the Pakistan Customs Inspector at Darsana, on the alleged ground that he was carrying to India six new fountain pens and a thermos-flask. The boy was later arrested on a charge of attempting to smuggle certain articles from East Pakistan.

(b) The Acting Deputy High Commissioner for India in Dacca took up this matter with the Government of East Pakistan, stating that even if the allegation were true, normal civilized standards had to be maintained. The Government of East Pakistan have since replied that they have initiated an enquiry and that if the allegations were found to be correct, the person concerned would be adequately dealt with.

Visit of Duke of Edinburgh

3768. Shri Ram Krishan Gupta: Will the Prime Minister be pleased to state:

(a) total amount spent on Duke of Edinburgh's visit to India; and

(b) the names of the important places he visited?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Total estimated expenditure on the entire visit was Rs. 1,10,714-00. Actual payments made upto 31st March, 1959 amount to Rs. 12,171-93.

(b) Jaipur, Agra, Bhakra Nangal, Chandigarh, Ahmedabad, Bombay, Ellora and Ajanta Caves, Madras, Mahabalipuram, Bangalore, Durgapur, Jamshedpur and Calcutta.

Industrial Development

3769. **Shri Ram Krishan Gupta:** Will the Minister of Commerce and Industry be pleased to state the nature of the new measures adopted to speed up the disposal of applications for licences under the Industries (Development and Regulation) Act, to establish new industries and to expand the existing units?

The Minister of Commerce and Industry (**Shri Lal Bahadur Shastri**): The following measures have been adopted to further speed up the disposal of applications for licences under the Industries (Development and Regulation) Act. Applications of the following categories are being disposed of without prior reference to the Licensing Committee, subject to the State Government or Governments concerned having no objection and technical scrutiny finding the proposal satisfactory

- (a) where it is necessary to regularise the manufacturing activities of existing industrial undertakings;
- (b) where change of location of existing industrial undertakings within the same State is proposed;
- (c) where change of location of existing industrial undertakings is proposed from one State to another and the State Governments concerned have no objection to the change in location;
- (d) where the production of 'new articles' is proposed and such production does not involve the installation of any additional machinery and the use of imported raw materials

In all such cases, action is first taken to clear the applications and the facts are reported to the Licensing Committee in due course for information.

(2) The Local Members of the Licensing Committee meet once a

fortnight or once in three weeks to consider applications which do not involve any complicated issues necessitating discussion with representatives of the State Governments concerned

(3) Meetings of the full Licensing Committee are held once in six weeks or once in two months to consider cases which are referred to the full Committee by the meeting of the local members of the Licensing Committee and where it is necessary to have discussions with representatives of the State Governments concerned.

Consumption of Cement

3770. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to state the extent to which the consumption of cement for constructional purposes of the Government of India has increased in 1958-59 as compared to the previous year?

The Minister of Commerce and Industry (**Shri Lal Bahadur Shastri**): Excluding the quantity of cement supplied to state owned Corporations, Companies, and River Valley Projects, the quantity of cement consumed by the Ministries of Works, Housing and Supply, Railways, and Defence which are mainly responsible for constructional works of the Government of India was approximately 631,000 tons during 1958-59 as against 693,000 tons during 1957-58

Bee-keeping Industry

3771. **Shri Pangarkar:** Will the Minister of Commerce and Industry be pleased to state:

- (a) the present position of bee-keeping industry in the country;
- (b) the main centres of this industry in the country;
- (c) whether any honey was exported to foreign countries; and
- (d) if so, to what extent?

The Minister of Commerce and Industry (**Shri Lal Bahadur Shastri**): (a) and (b). A statement containing

the required information is laid out in the Table of the Sabha. [See Appendix VII, annexure No 96]

(c) Yes, Sir

(d) Figures of export of honey prior to 1957 are not available 1 Cwt. of honey during 1957 and 5 Cwt. during 1958 (January to November) were exported

Manufacture of Bicycles in Orissa

3772. Shri Panigrahi: Will the Minister of Commerce and Industry be pleased to state

(a) whether any quota for the manufacture of bicycles has been given to Orissa State;

(b) if so, the number of bicycles allotted; and

(c) the names of the factories to whom this quota has been allotted?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) to (c) In the small scale sector, a quota of 20,000 bicycles has been allotted for Orissa State. Against this quota, two units, namely, Messrs Utkal Cycle Manufacturing Co Cuttack and Messrs Aerovoice Engineering Co Parlakhemdi, have been approved for a capacity of 5000 bicycles per annum, each. Proposals for two more units for a similar capacity are anticipated to be received shortly from the State Government

संयुक्त राष्ट्र में हिन्दी

३७७३. श्री भक्त वरुण : क्या प्रधानमंत्री यह बतान की कृपा करेंगे कि

(क) क्या उन्हें हिन्दी प्रचारिणी समिति, दिल्ली की ओर से इस मासय का कोई ज्ञापन मिला है कि वे संयुक्त राष्ट्र सत्र में हिन्दी को छठी भाषा के रूप में मान्यता दिलाने का प्रयत्न करने की कृपा करें, और

(ख) यदि हा, तो उस पर क्या कार्यवाही की जा रही है ?

प्रधानमंत्री तथा वैदेशिक-कार्य मंत्री (श्री जवाहरलाल नेहरू) : (क) और (ख) इस विषय में समिति का कोई पत्र विदेश मंत्रालय को नहीं मिला है ।

Plan Publicity in Punjab

3774. Shri Daljit Singh: Will the Minister of Information and Broadcasting be pleased to state

(a) the names of dramatic troupes in Punjab which have been given plan publicity diamas so far in the Second Five Year Plan period,

(b) how many Punjabi dramas have been selected so far for publicity of the plans, and

(c) the amount spent during 1958-59 on dramatic troupes?

The Minister of Information and Broadcasting (Dr. Keskar): (a)

1. Bir Budhalwa Dramatic Club, Bir Budhalwa

2. Bhartiya Kala Mandir, Dhuri

3. Balmek Drama Production, Nabha

4. The Stage Patiala

5. Swam Sohan Nardeshak Party, Raipur

6. Shree Ajuna Amateur Dramatic Club, Chandigarh

7. Forward Theatre, Bhatinda

8. Kasturba Seva Mandir, Rajpur

9. Dehat Sudhar Dramatic Club, Jullundur

10. Ellora Amateur's Theatre, Jullundur

11. Government High School, Sabatha

12. G M N High School, Jadia

13. Krishan Kumar Sabha, Sirsa

14. National Theatre, Jullundur

15. Ram Lala Dramatic Club, Sujampur.

16. Young Farmers Club, Khujrala.

(b) Four

(c) Rs 3,500 (approximately).

Dandakaranya Scheme

3775. Shri Sanganna: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether the Governments of Orissa, Madhya Pradesh and Andhra have handed over any properties to the Dandakaranya Development Authority for the implementation of the Dandakaranya Scheme;

(b) if so, what is the nature and value of the properties handed over by each Government; and

(c) what are the powers delegated by the State Governments in respect of these properties?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) and (b). A number of sites of varying area and nature at different places have been placed at the disposal of the Dandakaranya Development Authority by the Governments of Madhya Pradesh and Orissa for reclamation of land, construction of staff quarters, work camps, health centres, workshops, etc. It is not possible at this stage to assess the value of these sites, nor is any such assessment being made.

(c) There has been no formal delegation of powers by the State Governments concerned to the Central Government and through the latter to the Dandakaranya Development Authority and its Chief Administrator. The State Governments have, however, agreed to delegate the necessary powers for the execution of the Scheme. Details will be finalised on the basis of experience and necessity.

Bharat Sewak Samaj

3776. Shri Rajendra Singh: Will the Minister of Works, Housing and Supply be pleased to state the number and the value of contracts that have so far been given to the Bharat Sewak Samaj by the Union or State Governments from 1955 to 1958, year-wise?

The Minister of Works, Housing and Supply (Shri K. C. Madhav): The infor-

mation in so far as C.P.W.D. is concerned is as under:—

Year	No. of contracts awarded	Value of contract
		Rs.
1955-56	One	450
1956-57	One	520
1957-58	Two	1976

(One for Rs. 400/- and the other for Rs. 1576/-)

In so far as the information from other departments of Government of India and all the State Governments is concerned, it is not readily available.

Radioactive Minerals in Kanyakumari District

3777. Shri Balakrishnan: Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Radioactive minerals found in Kanyakumari District, are useful for the production of Atomic Power; and

(b) if so, whether there is any proposal to start an Atomic Power Station?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) The radioactive mineral monazite, which is an ore of thorium with small quantities of uranium, occurs in the black sands in the Kanyakumari beach. Thorium can only be used for power production in breeder power stations. No such power station has been built in the world yet.

(b) Does not arise.

All India Radio

3778. Shri Balakrishnan: Will the Minister of Information and Broadcasting be pleased to state:

(a) the total number of Assistant Engineers working in All India Radio at present;

(b) the number of posts among them held by Scheduled Caste and Scheduled Tribe candidates; and

(c) the number of posts still vacant?

The Minister of Information and Broadcasting (Dr. Keshkar): (a) 154.

(b) Nil.

(c) 106.

Foreign Exchange

2779. { Shri Ram Krishan Gupta:
Shri P. U. Borooah:

Will the Minister of Commerce and Industry be pleased to state:

(a) the amount of foreign exchange asked for by the Goodwill Mission sponsored by the Federation of Indian Chambers of Commerce and Industry;

(b) the amount of foreign exchange actually granted; and

(c) what official facilities have been extended to this delegation?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Information is awaited.

(b) Rs. 85,336.

(c) Embassies abroad will extend full assistance.

गैर-सरकारी उद्योग क्षेत्र में राज्य सरकारों द्वारा विनियोजन

इ.स. १९५९ की स.सू.ब.७८: क्या जन श्री रोडगार तथा योजना मंत्री १० फरवरी १९५९ के तारांकित प्रश्न संख्या १४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) द्वितीय पंचवर्षीय योजना काल में अब तक योजना आयोग की मंजूरी के बिना राज्य सरकारों ने गैर-सरकारी उद्योग क्षेत्र के किन किन उद्योगों में विनियोजन किया है;

(ख) किन राज्यों ने ऐसा किया है; और

(ग) इस प्रकार कुल कितनी पूंजी लगाई गई है ?

योजना उपसमूह (श्री श्याम ० नं० बि.४):

(क) से (ग) जहां तक भंडे ई. मधी योजनाओं का सम्बन्ध है योजना आयोग को पता चलने से पहले ही राज्य सरकार (या तो सी.वे. या वित्त मंत्रालय के द्वारा) उनके लिए वित्तीय सहायता देने का वचन दे चुकी थी। और इसे तय हुआ मान कर योजना आयोग ने उन पर अपनी स्वीकृति दे दी।

राज्य	योजना का नाम	लगायी गयी पूंजी (लाख रुपये में)
पंजाब	श्री गोपाल पेपर मिल्स के प्रीकरेन्स शेयरों की खरीद	१०
केरल	निम्नलिखित शेयरों की खरीद :	
	द्रावनकोर कोचीन केमिकल्स लिमिटेड	२५
	ट्रेन्को एंटरप्राइजेस	१०
	यूनाइटेड इलेक्ट्रिकल इंडस्ट्रीज	५
	मेटल इंडस्ट्रीज लिमिटेड	२

मद्रास	निम्नलिखित के शेयरों की खरीद :	
	मद्रास रॉबेंट लिमिटेड	१०
	सेशासाई इंडस्ट्रीज	१
राजस्थान	मेतर्त जयपुर उद्योग लिमिटेड को ऋण	६०
पश्चिम बंगाल	नेशनल इंगूर मिक्स को ऋण	१०

इसके प्रतिरिक्त मद्रास सरकार ने १९५८ में साउथ इंडिया विसीन लिमिटेड नामक एक निजी औद्योगिक कंपनी के १० लाख रुपये के शेयर खरीदे। योजना आयोग ने इसे पसन्द नहीं किया।

Mining School, Dhanbad

3781. Shri L. Achaw Singh: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether it is a fact that graduates of Mining School in Dhanbad have to appear at an examination along with matriculates after certain period of practical training in the mines in order to become Managers of Mines; and

(b) if so, whether any steps have been taken to amend the rules in order to remove the disparity?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). The reference is presumably to the First and Second Class Managers Certificates examinations held under the Coal Mines Regulations. Before persons are appointed as managers they should have considerable practical experience in mining. These examinations are necessary for testing their competency to manage mines. The period of practical experience required of candidates appearing at these examinations is less in the case of Graduates/Diploma holders in mining engineering and they are thus treated on a special footing as compared to others.

Tungha Bhadra Industries, Kurnool (Andhra Pradesh)

3782. { Shri Venkatasubbatah:
Shri Rami Reddy:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether any financial assistance has been given to the Tungha-Bhadra Industries, Kurnool in Andhra Pradesh;

(b) if so, the terms on which the assistance has been given:

(c) the by-products produced in the factory; and

(d) the financial position of the factory?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) The Central Government have no knowledge of any financial assistance given to this undertaking.

(b) Does not arise.

(c) Soap stock and oxygen gas (by-products of Vanaspati).

(d) The financial position of the factory has not been enquired into.

Development of Industries in Deas Basin

3783. Shri Ram Krishan Gupta: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have received the report of the Finnish experts regarding the development of paper pulp and wood industry in the Deas basin;

(b) if so, whether Government have considered and examined the report, and

(c) if so, the result thereof and whether Government propose to establish a newsprint factory in public sector in this region?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Yes, Sir

(b) and (c) The Finnish Experts' recommendations have been considered by the Government. The suggestions made by them involve long term developments in the forest areas of the Punjab in order to ensure adequate supplies of raw materials to sustain a fullfledged newsprint mill. The question of establishing a newsprint mill based on indigenous raw materials there, if at all, is thus only a long term possibility. In these circumstances, the Government do not envisage in the near future the establishment of a newsprint mill based on the forest resources of the Beas basin.

Ambar Charkha Programme in Madras

3784 { Shri Subbiah Ambalam
Shri Ganapathy:
Shri S R Arumugham

Will the Minister of Commerce and Industry be pleased to state

(a) the number of instructors, spinners and carpenters trained under the Ambar Charkha Programme in Madras State during 1958-59,

(b) the number of spinners, weavers, and carpenters working under this programme at present in Madras State,

(c) the additional employment provided during 1958-59 in Madras State

(d) the number of Parishramalayas, Vidyalayas and Karyalayas functioning at present in Madras State;

(e) the total amount given by way of grants and loans to Madras State during 1958-59; and

(f) the quantity of yarn produced by the Ambar Charkha in Madras State during the above period?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Up to the end of February, 1959, 286 instructors, 7,440 spinners and 29 carpenters were trained during 1958-59

(b) Up to the end of February, 1959, 11,567 spinners' families, 593 weavers' families and 111 carpenters were given employment under the Ambar Charkha Programme

(c) Up to the end of February, 1959, additional employment was provided to 6,763 spinners' families, 273 weavers' families, 286 instructors, 63 carpenters, three assistants and 74 others under the Ambar Charkha Programme during 1958-59

(d) According to the information available with the Khadi & Village Industries Commission up to the end of February, 1959, 64 Parishramalayas, 6 Vidyalayas and 10 Saranjam Karyalayas are functioning in Madras State

(e) Rs. 86.27 lakhs have been disbursed as grants and loans to Madras State during 1958-59

(f) 2.57 lakh lbs up to the end of February 1959

Economy in the use of Paper

3785. Shri Ram Krishan Gupta: Will the Minister of Works, Housing and Supply be pleased to state

(a) whether it is a fact that instructions have been issued by the Union Government recently to all Ministries to effect the maximum economy in the use of paper; and

(b) if so, the nature of the instructions issued?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) and (b). Yes;

A cut of 15 per cent has been imposed on the scales prescribed for the issue of paper and paper-made articles of stationery to all the Ministries etc.

II. Since the largest portion of the paper consumed by the Central Government is used for the printing of publications and forms, a 'Screening Committee' has been set up to determine the necessity, volume and nature of printing requirements.

III. It has been made the responsibility of the Secretary of each Ministry to ensure strict compliance, through his O. & M. officer, of the instruction laid down in the pamphlet "Important Instructions on Economy in Paper, Stationery & Printing".

The more important of the instructions are as follows:

- (i) Economy slips should be used for addresses on envelopes,
- (ii) Complimentary slips should be used for circulation of printed or stencilled literature,
- (iii) Packing paper, wrappers, etc. of parcels received should be retrieved and re-used,
- (iv) Distribution list of publications, gazette notifications, circulars and spare copies should be reviewed from time to time to see if a reduction is possible,
- (v) Notes should be brief and written on both the sides of the note sheet, preferably of buff and semi-bleached paper,
- (vi) Acknowledgements, reminders and interim replies should be sent on routine post cards.

Industrial Co-operative Societies in Punjab

3786. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of Industrial Co-operative Societies functioning in Punjab State; and

(b) the kind of societies and their production capacity?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) 2,423 Industrial Co-operative Societies were functioning in the Punjab as on 28-2-1959.

(b) Industrial Co-operative Societies, broadly speaking, relate to:

- 1 Village Industries
- 2 Handicrafts.
- 3 Handlooms
- 4 Small scale industries

It has not been possible to assess the production capacity of these Industrial Co-operative Societies.

Craftsmen Training Centres and Institutes

3787. Shri L. Achaw Singh: Will the Minister of Labour and Employment and Planning be pleased to state

(a) whether the examination of trainees under the different Craftsmen Training Centres/Institutes are conducted by the National Council for Training in Vocational Trades; and

(b) whether the courses of study are prescribed by the All India Council of Technical Education?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes

(b) No

Central Training Institutes

3788 Shri L. Achaw Singh: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) the number of trainees from Manipur and Tripura who have so far completed their training course of instructors in the Central Training Institutes at Koni-Bilaspur, respectively;

(b) whether they have been all employed as instructors under the different administrations; and

(c) whether any of them has been provided with working capital to start their own trade?

The Deputy Minister of Labour (Shri Abid Ali): (a) 48 from Manipur and 2 from Tripura. 1 woman Instructor from Tripura has also completed her training at Central Training Institute for Instructors (Women), New Delhi.

(b) All were employees of the respective Administrations.

(c) Does not arise.

'Training within Industry' Scheme

3789. { Shri L. Achaw Singh:
Shri D. C. Sharma:

Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether there is any proposal to make the 'Training Within Industry' Scheme more popular and extensive; and

(b) whether it is a fact that the Scheme is being extended to the Central Government employees?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) An experiment was recently conducted in the Ministry of Labour and Employment. No decision has been taken regarding extension to all Central Government employees.

Naga Political Convention

3790. Shri P. C. Borooah: Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Select Committee of the Naga Political Convention is meeting in May, 1959 to consider a draft for the Naga political settlement and that a nine-point questionnaire has been circulated amongst the Naga people; and

(b) if so, what are the details of the said questionnaire?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The Select Committee of the Naga People's Convention proposed to hold a meeting in May 1959 with a view to prepare a draft for the Naga political settlement. For this purpose they circulated a questionnaire, a copy of which is placed on the Table of the Sabha. [See Appendix VII, annexure No. 97]

The date of the meeting has not yet been fixed.

Passport Rules

3791. Shri Harish Chandra Mathur: Will the Prime Minister be pleased to state:

(a) whether Government have framed any rules governing the grant of passports;

(b) if so, whether a copy of the same will be laid on the Table;

(c) what are the various categories of passports granted to different people and the rules governing their classification; and

(d) what facilities are enjoyed by persons having diplomatic passports?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes.

(b) These rules are contained in a classified document and it is not in the public interest to place it on the Table of the House.

(c) The various categories of passports are:

(1) International Passports.

These are of three types, namely,

(i) Diplomatic passport:

Issued to certain high dignitaries of the State and to members of the Indian Foreign Service.

(ii) Official gratis passports:

Issued to members of the staff of Indian Missions/Posts,

their families and to other officials or non-officials proceeding abroad on Government business and at Government expense.

(iii) *Ordinary passports:*

Are granted, on payment, to persons other than those already referred to.

(2) *India-Ceylon Passports.*

Are valid for travel between India and Ceylon only.

(3) *India-Pakistan Passports.*

Are valid for travel between India and Pakistan only.

(d) Technically, the possession of a diplomatic passport does not afford any special facilities to its holder. In terms of international practice, however, diplomatic visas are issued on such a passport and unless a Government have specific reason to suspect that the holder is contravening local customs and other regulations, his baggage is not searched.

Accredited Press Correspondents

3792. Shri P. C. Borooah: Will the Minister of Information and Broadcasting be pleased to state:

(a) whether it is a fact that Press Correspondents accredited to the Union and some State Governments enjoy railway concession;

(b) if so, why this facility has not been extended to the Correspondents accredited to Assam Government and few other State Governments; and

(c) the reason for not extending this facility to accredited Press Photographers?

The Minister of Information and Broadcasting (Dr. Keskar): (a) Yes, Sir.

(b) On the recommendation of the Ministry of Information and Broadcasting, the Railway Board grant

travel concession to Press Correspondents accredited to State Governments in accordance with rules framed on the lines of those in force at the Headquarters of Government of India. The concession has already been extended to Assam and all other States except Madras and Orissa. The Madras Government have not yet framed rules for accreditation of correspondents. The Orissa Government have recently finalised their rules and action is being taken to extend the concession to that State.

(c) Accreditation rules for Press photographers are being framed and as soon as these are finalised the extension of railway concession to them will be taken up.

Strike in Caltex Establishment at Ernakulam

3793. { Shri P. G. Deb:
Shri Lilladhar Ko'oki:
Shri P. C. Borooah:

Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether a strike has taken place in the Establishment of Caltex at Ernakulam; and

(b) if so, the nature of the demands of the strikers and the decision of Government thereon?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes, from 4th to 9th April, 1959.

(b) The demand was in respect of payment of overtime allowance. An appeal against a Tribunal award regarding the matter is pending in the Kerala High Court. At the intervention of the State Labour Department the Company conceded the demand subject to the condition that the amount will be recovered from the workers if the High Court set aside the award.

**Houses for Refugees in Andha
Moghul, Delhi**

3794 { Shri S. M. Banerjee:
Shri Panigrahi:

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether the value of Government-built houses for refugees in Andha Moghul, Delhi is more than the value of such houses in other colonies;

(b) if so, to what extent; and

(c) the reasons therefor?

The Minister of Rehabilitation and Minority Affairs (Shri Mehr Chand Khanna): (a) Thousands of tenements have been built in Delhi at different intervals during the last 8-9 years. They are spread all over. Unless a specific colony or township is mentioned, it is not easy to give the comparative cost.

(b) and (c). Do not arise.

**Weekly and Daily Newspapers in
Urdu**

3795. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the number of weekly and daily newspapers published in Urdu during 1958-59; and

(b) the quantity of newsprint allotted to each of them during the same period?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) The number of daily and weekly newspapers published in Urdu as on 31st December, 1958 in India (except the State of Jammu and Kashmir) is as under:—

Dailies	64
Weeklies	217
Total	281

(b) No statistics are maintained for the quantity of newsprint allotted to a newspaper on the basis of its periodicity and language. The quantity of newsprint is allotted on the basis of licensing periods which are of six months each i.e. from April to September and October to March. During the licensing period April to September, 1958 the entitlement of each paper was worked out for six months on the basis of area of the paper, average number of pages and circulation during 1957 and the regularity of publication. After imposing a cut of 15 per cent the balance was licensed. No cut was imposed where the entitlement was less than 10 tons. The 15 per cent cut was made good from Nepa as far as possible. During the licensing period October, 1958 to March, 1959 the entitlement was worked out for six months as in the last period. After imposing a 15 per cent cut, one-third was met from canalized imports and balance two-third was licensed. Where the entitlement was 10 tons or less the entire quantity was given from canalized imports.

Indian Goods Show Room in Ceylon

3796 Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether an Indian goods show room is functioning in Ceylon at present; and

(b) if so, the nature of goods exhibited?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Yes, Sir.

(b) A statement is laid on the Table of the Sabha. [See Appendix VII, annexure No. 98]

Pepper and Ginger

3797. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the total production of pepper and ginger in the country during 1958-59 (State-wise); and

(b) the quantity of each exported during the same period (country-wise)?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) A statement showing the total production (State-wise) of pepper in the country during 1958-59 (Final Estimates) is laid on the Table of the Sabha. [See Appendix VII, annexure No. 99]. Statistics of production of ginger for 1958-59 are not available.

(b) Another statement showing the quantities of pepper and ginger exported (country-wise) from the country during the period April, 1958 to January, 1959 is laid on the Table of the Sabha. [See Appendix VII, annexure No. 99]. Statistics of exports for February and March, 1959 are not available.

Employees' State Insurance Scheme in Himachal Pradesh

3798. { Shri Nek Ram Negi:
Shri Bhakt Darshan:

Will the Minister of Labour and Employment and Planning be pleased to refer to the reply given to Unstarred Question No. 2185 on the 8th April, 1958 and state whether the Employees' State Insurance Scheme has since been introduced in Himachal Pradesh?

The Deputy Minister of Labour (Shri Abid Ali): No.

Head Hunting in Naga Hills Tuensang Area

3799. Shri Raghunath Singh: Will the Prime Minister be pleased to state the number of head hunting cases committed in Naga Hills Tuensang Area during 1957-58 and 1958-59?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): No head-hunting cases were reported in the N.H.T.A. during 1957-58 and 1958-59.

पश्चिमी पाकिस्तान से विस्थापित व्यक्ति

३८००. श्री बाजपेयी : क्या पुनर्वास तथा अल्पसंख्यक कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि विभाजन के पश्चात् पश्चिमी पाकिस्तान से आकर ग्रामों में बसने वाले विस्थापितों को साख-ऋण के रूप में कुछ धन राशि दी गई थी ;

(ख) क्या यह सच है कि इस ऋण की दर प्रति वयस्क व्यक्ति दो रुपये तथा प्रति बालक आठ आने प्रति मास थी; और

(ग) क्या इस ऋण की वसूली के लिए विस्थापितों की सम्पत्ति की नीलामी का आदेश दिया गया है ?

पुनर्वास तथा अल्पसंख्यक कार्य मंत्री (श्री मेहर खंद सराफा) : (क) जी हाँ ।

(ख) धाम तीर पर प्रत्येक बालिक को १२ रुपये मासिक और प्रत्येक बच्चे को ६ रुपये मासिक और अधिक से अधिक एक परिवार को ४२ रुपये मासिक की दर से यह ऋण ६ महीने तक मिल सकता था ।

(ग) पंजाब से बाहर विभिन्न राज्यों में अस्थाई तीर पर जमीनों पर बसे हुए गैर-पंजाबी (दोनों दावेदार और गैर-दावेदार) शरणार्थियों को और पंजाब राज्य के केवल गैर दावेदार शरणार्थियों को दिये गये साख ऋण माफ कर दिये गये हैं । अन्य लोगो से जिन्हें ये तकाबी ऋण के रूप में दिये गये थे, उसी भांति वसूल किये जाने थे । परन्तु इस मामले पर फिर से विचार किया जा रहा है ।

Employees' State Insurance Corporation

3801. Shri D. C. Sharma: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether it is a fact that a number of persons who were on-

deputation to the Director General of Employees' State Insurance Corporation have since either been reverted to their parent offices or their liens on their permanent posts suspended;

(b) if so, the number of such persons and the number of persons who are still on deputation separately, from the Central Secretariat Service;

(c) the number of officers from the Central Secretariat Service who are continuing on year to year extension; and

(d) the reasons therefor?

The Deputy Minister of Labour (Shri Abid Ali): (a) Such of the persons who were not considered necessary to be retained on regular foreign service terms were given the option to be absorbed in the Corporation on permanent basis when the organisation was declared permanent or to be reverted to their respective parent departments.

(b) 16 such persons were given the option. 9 opted for permanent absorption in the Corporation. 7 opted for reversion to their parent departments. 10 persons (including one from the Central Secretariat Service) are not in the Corporation on foreign service terms.

(c) Nil.

(d) Does not arise.

Cases Against Officers of Department of Mines, Dhanbad

3802. Shri D. C. Sharma: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether it is a fact that vigilance cases have been instituted against a number of officers of the Department of Mines at Dhanbad;

(b) if so, the number of persons involved;

(c) how many of these employees are still employed in the Department and

(d) what punishments have been awarded to those who have found guilty?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). Enquiries were instituted against three persons during the period from 1st January, 1958 to 31st March, 1959.

(c) Two in the Department, one is on deputation with a State Government.

(d) No punishment has so far been imposed in any of the above cases. In one case it was found that there was no ground for any disciplinary action and in another case proceedings are in progress. The third case is pending in court.

Indian Trade Union (Amendment) Act, 1947

3803. Shri D. C. Sharma: Will the Minister of Labour and Employment and Planning be pleased to state:

(a) whether it is a fact that the Indian Trade Union (Amendment) Act, 1947 has not been enforced so far; and

(b) if so, the reasons therefor?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) Because subsequently it was decided to place emphasis on voluntary recognition of trade unions rather than on compulsory recognition.

National Advisory Committee on Public Co-operation

3804. { Shri P. G. Deb:
Shri S. A. Mehdi:

Will the Minister of Labour and Employment and Planning be pleased to state:

(a) the number of meetings, if any, of National Advisory Committee on Public Co-operation held during 1958, and during the period from 1st January to 31st March, 1959; and

(b) the decision taken thereat by the Committee?

The Deputy Minister of Planning (Shri E. N. Mishra): (a) and (b). During this period the National Advisory Committee on Public Co-operation met only once on 5-11-58. It appointed three Sub-Committees to formulate concrete proposals on the various aspects of public participation. The reports of the Sub-Committees were placed on the Table of the Lok Sabha on 11-3-59 in reply to the Unstarred Question No. 1768 by Shri M. K. Kumaran.

Adverse Balance of Trade with Burma

3805. Shri Raghunath Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that India had an adverse trade balance of Rs. 38 crores with Burma in 1958 as compared to a favourable trade balance of Rs. 11 lakhs in 1957; and

(b) if so, what is the reason of abrupt decline in the Indian trade balance?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Yes, Sir.

(b) The decline in our balance of trade during 1958 was mainly due to larger adjustments for imports of rice from Burma. In addition our exports, particularly in textiles, jute goods, fish and sugar, also declined due to Burma's restricted import policy, her foreign exchange difficulties, her bilateral trade agreements and overstocking of textiles in Burma.

12.12 hrs.

ESTIMATES COMMITTEE FIFTY-EIGHTH REPORT

Shri B. G. Mehta (Gohilwad): Sir, I beg to present the Fifty-eighth Report of the Estimates Committee on the Ministry of Home Affairs—Administration of Union Territories.

91 (A) LRD—A.

12.12 hrs.

CORRECTION OF ANSWER TO STARRED QUESTION No. 1960

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): Sir, I wish to correct a reply given by the Prime Minister to a supplementary put by Shri C. D. Pande to Question No. 1960 asked in the Lok Sabha on the 22nd April. The relevant portion may be corrected to read as follows:

"I should like to give a precise answer to such questions. I would not like to venture to give an imprecise answer. One or two places such as Hoti have been under argument and sometime, according to our reports we have received, some Chinese have advanced a mile or two, may be, in high mountains."

12.14 hrs.

PAPERS LAID ON THE TABLE

ANNUAL REPORT OF HINDUSTAN HOUSING FACTORY

The Minister of Works, Housing and Supply (Shri K. C. Reddy): Sir, I beg to lay on the Table, under sub-section (1) of Section 639 of the Companies Act, 1956, a copy of the Annual Report of Hindustan Housing Factory Private Limited for the year 1957-58 along with the Audited Accounts. [Placed in Library, See No. LT-1398/59.]

STATEMENT CONTAINING CERTAIN RECOMMENDATIONS OF THE ESTIMATES COMMITTEE

Shri B. G. Mehta (Gohilwad): Mr. Speaker, Sir, on the 29th November, 1958, Shri S. A. Dange, M.P., and Shrimati Renu Chakravarty, M.P., made a reference on the floor of this House to certain recommendations of the Estimates Committee. As their remarks are likely to leave some

misapprehension in the minds of Members of Parliament, I lay on the Table a statement reproducing the relevant recommendations and stating the correct position in respect of them. [See Appendix II, Annexure No. 100].

Raja Mahendra Pratap (Mathura): Sir, I have to say a word about Bhopal. The situation in Bhopal is very serious.

Mr. Speaker: I have disallowed that motion.

12.15 hrs.

STATE BANK OF INDIA (AMENDMENT) BILL—contd.

Mr. Speaker: The House will now take up further consideration of the motion moved by Dr. B. Gopala Reddi on the 29th April, 1959, that the Bill further to amend the State Bank of India Act, 1955, be referred to a Joint Committee of the Houses consisting of 45 Members. I need not read out the names now. The time allotted is 3 hours, and the time taken already is 14 minutes. Shri Naushir Bharucha may continue his speech.

Shri Naushir Bharucha (East Khandesh): Mr. Speaker, Sir, yesterday, when I was speaking on this Bill, I stated that I was not quite satisfied that the new procedure outlined under section 35 is going to simplify matters. To my mind, on the contrary, it may introduce more complications, and it is, therefore, necessary to examine the existing section 35 of the State Bank of India Act and see in what respects changes have been introduced.

With regard to the necessity of taking over banking institutions, one agrees that there will be several occasions when banking institutions may have to be taken over by the State Bank. The steps as outlined in the present section or the existing procedure is, first, that the terms have to be approved by the Central Board and

the Directorate of the Board of the bank to be taken over; secondly, that there should be sanction of the Central Government approving the arrangement; thirdly, it is laid down that the arrangement will be binding on all including shareholders and creditors; fourthly, that the consideration for the assets taken over will be paid either in cash or in the State Bank shares, or partly in one and partly in the other; fifthly, it has been laid down that the business of the bank taken over shall be carried on by the State Bank. Implied in this also is the fact that there will be an inventory of the assets and liabilities of the bank to be taken over, that the marketability of the assets will have been duly examined, that preliminary legal documents will have been prepared and also agreements to take over, and there will be final conveyance, subject of course to court's permission or sanction where this is necessary. The present changes are with the object of simplifying, we are told. The steps now will be as follows. First, the terms will have to be approved by the directors of the two banks; secondly, sanction of the Government will have to be there, the approval of the Government and sanction, what is known in the amending Bill as the 'order of sanction'; thirdly, there will be a date of vesting prescribed—which for want of better terminology I may call the date of vesting; fourthly, extension of the date of vesting is provided; and, fifthly, the arrangement so provided will be binding on the shareholders. In the previous case, Sir, it was binding on both the creditors and the shareholders, but somehow or other the word 'creditors' has been omitted here. Then, the actual transfer of ownership in the assets to the State Bank is on the date that vesting actually takes effect. It is also said that consideration will be paid in cash or State Bank shares. Power is given to increase the State Bank's issued or authorised capital. The Bank has to carry on the work of the acquired institution. Then there is additional provision made for appointment of a receiver for winding up

purposes. There is the Central Government's power to issue certain directions. There is also power to issue the final order of winding up. The jurisdiction of the civil court is excluded on the ground merely that there is a defect in the constitution of the bank that has been taken over.

Now, Sir, we will examine what are the defects in the new procedure. The first defect, to my mind, is that there is an interregnum between the date of the order of sanction and the date of vesting. That is very obvious. Assuming for a moment that the Government passes an order, let us say, on the 1st April, 1959, providing that a bank's assets may be taken over by 1st May, there is obviously this gap of one month, and it has got its significance which I shall presently point out. Secondly, the property or the ownership in the assets passes not on the date of order of sanction or even the date of vesting but it passes on the actual vesting of the assets and liabilities in the State Bank. In other words, Sir, the creditors, shareholders and all others are kept on thinking what would the actual date of transfer be, because much depends upon that date as I shall presently point out. Whether 'shareholders' include 'creditors' or not, it is not clear from the present amending Bill. I think perhaps the word 'creditor' has been wisely left out, because whatever arrangements which the directors of a bank taken over arrive at with the directorate of the State Bank, so far as the rights of the creditors are concerned they stand on a totally different footing from the rights of the shareholders. The rights of the creditors cannot be lightly impaired without compensation arrangement being provided for such impairment of rights. Therefore, I am inclined to believe that the omission of the word 'creditors' from the amended section is perhaps due to that fact.

Then, consideration has to be paid in shares. I should like to know, is it going to be the face value of the shares? Assuming that consideration

is paid in shares at the market value—very probably and presumably it will be the market value—I would like to know whether when the market value comes to be calculated it will be the market value on the date of announcement of the order of sanction or the date of vesting or the date on which ownership in the property passes. All these things will have to be carefully weighed. It might give cause for litigation, and, if litigation becomes impossible, at least cause for grave injustice. It should be definitely laid down how the consideration is to be paid. If the date of the order of sanction has to be taken into account, it will have to be incorporated in the Bill. Then, what happens when the market value of the shares falls after an announcement of sanction is made, because it is obvious that as soon as it is announced that a particular bank is going to be taken over by the State Bank the shares of the bank which is to be taken over will fall. Therefore, it will be very unfair after announcement of the order to calculate the value as on the date of the vesting of the property. All these things require to be taken into consideration.

Obviously, Sir, I am inclined to think that so far as debenture holders are concerned, they will not permit their security to be impaired without proper compensation being paid, and since there is no provision for payment of proper compensation on that score I am not sure whether to that extent the provision is constitutionally invalid.

Sir, I am not opposing the Bill. I do appreciate that a Bill of this nature is absolutely necessary. I am only seeking to make it, as far as possible, free of any constitutional error.

There is one particular clause in the Bill—sub-clause 8—which refers to payment or, rather, non-payment of retrenchment compensation in respect of certain classes of employees. It has been provided that where the officers

[Shri Nausair Bharucha]

and employees of a bank, the business of which is being taken over, are transferred with their own consent to the State Bank, in that case retrenchment compensation need not be paid to them though their services, of course, legally are terminated, and therefore the provisions of the Industrial Disputes Act do not apply. I think that is an unfair arrangement. What will actually happen is that the State Bank will always manage to coerce the employees and officers by offering them alternative employment in the State Bank, whether on equal terms or even on terms which may not be quite equivalent to the terms enjoyed by the employees in the bank taken over, and because the employee cannot go anywhere else, he may be reluctantly compelled to accept that. This is, to put it very mildly, very unfair as the employees of the banks taken over will be under certain pressures which can well be safeguarded against by providing proper clauses in the Bill. I am drawing attention to these facts so that the Joint Committee may take these points into consideration and I hope that the Bill will be suitably amended.

Shri V. P. Nayar (Quilon): Mr. Speaker, I have read the Bill and as I heard the hon. Minister yesterday, I was inclined to feel that this motion for reference to the Joint Committee has no justification whatever. Yesterday in the course of the other Bill which the House was pleased to refer to the Joint Committee, I had raised similar points basing my arguments on what was said on the floor of the House by the hon. Minister himself, etc., that the Bill did not raise any controversial issues. It is a matter of some importance because I have made every effort to find out whether anywhere there are rules which govern the scope of reference to a Select Committee.

Mr. Speaker: I was not here yesterday. The hon. Member contends that this is a matter which must be disposed of now.

Shri V. P. Nayar: I am opposing the motion.

Mr. Speaker: The Members who assemble in the Business Advisory Committee as representatives of various groups thought that it was better to allow this Bill to go to the Joint Committee. The hon. Member may have his own views.

Shri V. P. Nayar: I am advancing certain arguments so that at least hereafter, the Business Advisory Committee may not decide like that. Even if it decides, I think that this House is paramount and we can alter or modify the decision of the Business Advisory Committee if it is necessary. If you will be pleased to hear me, you will certainly agree with me. I would not have raised this question but for the fact that the Finance Minister, when criticism was levelled against him on account of the inability of his department to check the mounting administrative expenditure, tried to cast all the blame on the Parliament. I have got the record here and when his Ministry was criticised, he tried to get away from the fact and submitted to the House. . .

Mr. Speaker: How is it relevant here?

Shri V. P. Nayar: Finance Minister's every word has to be understood properly and he said:

"If I give one significant figure in the matter of expenditure, it will be seen how things become difficult or how they are necessary."

If it was necessary only, I would not have objected.

Mr. Speaker: The hon. Member objects to the reference to the Joint Committee on the ground that it may involve some additional expenditure.

Shri V. P. Nayar: Also. That is not the only ground. Sir, he went on saying:

"The expenditure in respect of Parliament was in 1952, Rs. 22-00

lakhs. In 1955-56, it was Rs. 124.13 lakhs, and in 1959-60 it will be Rs. 125.80 lakhs."

From Rs. 22 lakhs it goes up to Rs. 125 lakhs. It is all necessary. I do not think the hon. Minister considered that the expenditure that is incurred on Parliament is unnecessary.

When he was on the inability of the Finance Ministry to check the mounting administrative expenditure of the Government, this was the answer. Sir, that raised a storm in the House and I think the Deputy-Speaker was in the Chair and the Members protested. My point is that in case of a Bill like this, the hon. Minister, who not long ago criticised the mounting expenditure of Parliament and relied on it for defence against the criticism on mounting expenditure, is coming forward with a Bill which according to me it is not necessary to refer to a Joint Committee.

Shri Nanshir Bharucha: Some people think it is necessary.

Shri V. P. Nayar: My view is different. It may be necessary. As I read the Finance Minister's speech, I am inclined to think that although he did not say it in so many words, he compared what is being meted out to Parliament as the killing of the fatted calf for the prodigal son. This was not what we expected him to say. Now, the same Ministry brings forward a Bill and if we do not raise this question and bring to the attention of the House that this Bill does not by any means justify a reference to the Joint Committee, it will later on be taken advantage of by the Finance Minister in justifying some other criticisms. Although Shri Bharucha may hold a different view, I say that this Bill is not justified in being sent to the Joint Committee. What are the basic requirements for a Bill being sent to the Joint Committee? I have gone through the pages of May's Parliamentary Practice this morning and made a search in vain to find out

whether in the British Parliament there are rules and regulations which govern the scope of reference to the Joint Committee. Unfortunately, our Rules of Procedure nor the Directions of the Speaker or the decisions from the Chair give me any indication or help. I am concerned about it because in our Rules of Procedure, there are definite provisions which empower you to put the question when once you consider that it is not relevant and it is a dilatory motion. But that does not apply in the case of the Government Bills. Even if you are aware that a reference is dilatory and is unnecessary, I do not think that this can by any rule be enforced. May I draw your kind attention to rule 341 and rule 342? I do not want to read them. In the case of an adjournment motion you are competent to say that it is out of order and you need not even read it. Why? Because the time of the House is precious. Rule 342(2) says:

"If the Speaker is of opinion that a motion for re-circulation of a Bill to elicit further opinion thereon is in the nature of a dilatory motion in abuse of the rules of the House inasmuch as the original circulation was adequate or comprehensive or that no circumstance has arisen since the previous circulation to warrant the re-circulation of the Bill, he may forthwith put the question thereon or decline to propose the question."

Subsequently also, it says that the Chair has enough power to prevent a discussion on a matter which he is of opinion is dilatory.

Mr. Speaker: Is the hon. Member saying there are specific references to the adjournment of the debate under rule 342? Let us go further and see sub-rule (3). It says:

"If the Speaker is of opinion that a motion for re-committal of a Bill to a Select Committee of the House or a Joint Committee of the House . . .

[Mr. Speaker]

Is there any reference to the original motion of reference to the Select Committee, reference for the first time? Has it anywhere been laid down that it can be held to be a dilatory motion?

Shri V. P. Nayar: It has not been. That is exactly why I say the Rules of Procedure may please be amended in order to prevent the recurrence of Bills like this one being referred to the Joint Committee—or matters which the Minister may himself be convinced as having no justification for being referred to the Joint Committee. I will come to that now.

Let us see this Bill and the Statement of Objects and Reasons. What are the principles on which we will be justified in sending the Bill to the Joint Committee?

Mr. Speaker: I would allow the hon. Member to discuss this matter. But the hon. Member wants to use this as an argument against the hon. Finance Minister's statement the other day, that money is being spent on Parliament. This is an unnecessary motion and therefore, the Finance Minister himself is responsible for this expenditure. I am afraid he has chosen a wrong point for this reason. Indirectly in an attempt to criticise the hon. Finance Minister, he may have an opportunity but he is trying to curtail the powers of this House. He may also know why he has not been able to find a parallel or something like what he wanted in May's Parliamentary Practice. In the House of Commons the session is for a whole year and at the beginning of each year, they appoint a number of Committees. All the Members of Parliament are put in one of the committees or the other according to the departments. Every Bill, as soon as it is introduced, is automatically sent away to the committee relating to that. They do not want the time of the House to be taken away. They want an expert opinion from some Committee which is constituted for that purpose. It may be an amending Bill,

and they would like to know what happened on the previous occasion, what were the subject-matters referred to and what suggestions had been made and what assurances had been given by the Ministry and whether sufficient time had elapsed. The Minister might have stated, "let us find out how this works", and so on, and may try to amend the Bill by introducing some other thing. Also, it is open to the Committee to look into similar pieces of legislation in all other progressive and democratic countries. All that information may not be available.

Therefore, for my own part, I have been thinking of devising a method by which automatically every Bill must be referred to a Committee of this House so that we may have the benefit of the rich experience and knowledge of the Members of the Committee, including Shri V. P. Nayar. But I am afraid the hon. Member is trying to put the clock back. He may choose another opportunity. I will certainly give him opportunity and he can certainly say that it is not Parliament that spends away money. The hon. Finance Minister has not chosen a proper parallel or analogy. If criticism comes in that his Ministry or the other Ministries have spent, he need not have said Parliament itself has spent or Members have spent. Of course he might have avoided it. Therefore, let no such impression be created.

As a matter of fact, at the beginning of each session, subject to the Members of the Government and also the Leader of the House agreeing to it, I would like, from the next session, to appoint Committees of the House to which every Bill may be referred. It will help the Ministers also. Members may sit across a table and consider the Bill. Here, we pass certain amendments. Later on, we discover that the amendment, while in substance it may be good, does not fit in with the Bill. Sometimes we hurriedly get through the drafting and the draftsman subsequently complains

that the Bill does not carry out the intentions that were behind the amendment, and so on. Therefore, the hon. Member may kindly drop this matter. This argument need not be pursued. But still if he holds a different view, he is entitled to do so.

Shri V. P. Nayar: I am always subject to the guidance from the Chair. I am really flattered by the personal reference you made about me. I shall not go back to that question. But I shall try to show how there is no justification for any reference to the Joint Committee by the very provisions of the Bill.

Mr. Speaker: The hon. Member may remember one thing. Of course there may be an amendment to a motion for consideration. It may be some Members may have to say certain things and then bring to bear certain other matters here, and unnecessarily without taking time it may be done

Now, this is practically as good a motion as the original motion itself. At that stage I do not think it will be advisable to proceed with the hon. Member's point. As a matter of fact, the hon. Member from his own experience would have noticed that the Government wants to get through the Bills. They do not worry themselves, sometimes, and they do not want to put themselves to the necessity of answering one Committee there and another bigger one, the Parliament, here. They would try to get rid of it. On the other hand, it is the pressure of public opinion from the non-official side that induces Government or the Ministry to accede to this request. The complaint may be made that they have not done so. Possibly, if the Minister is provoked a little more, he might say, "I will change this motion and ask that the Bill be taken up for consideration straight-away".

Shri V. P. Nayar: If the motion is changed, and if the House is able to discuss it now, then, I have no criticism. But I raised this argument

because yesterday also this question was specifically pointed out to the hon. Finance Minister in respect of another Bill, the Bill about subsidiary banks

Mr. Speaker: What is the loss? Leave alone the question of money.

Shri V. P. Nayar: I am not at all worried about the question of money. I do not think anybody can raise any criticism that Parliament is spending even one pie unnecessarily. Every pie spent by Parliament is more than compensated by the utility.

Mr. Speaker: The only consideration must be pressure and urgency

Shri V. P. Nayar: Urgency and pressure. All these are considerations which must weigh in the matter of referring the Bill to the Joint Committee. Here is a simple Bill. The Mover himself says in the Statement of Objects and Reasons that:

"Certain minor amendments in the State Bank of India Act, 1955, have been found necessary in the light of the experience gained since the Bank was originally established in 1955. The amendments proposed are explained in detail in the notes on clauses attached to the Bill."

It is just four lines in print

Shri Nanshir Bharucha: These are major amendments?

Shri V. P. Nayar: I am only saying that these are minor amendments.

Mr. Speaker: The hon. Member must appreciate one thing. If perchance his advice is followed, this Bill goes. It is not as if this is a motion for consideration. This very motion itself is for reference to the Joint Committee, and if this is destroyed, once again a Bill has to come in and possibly not in this session. Some decision has been taken.

Shri V. P. Nayar: That is only a formality. He can withdraw this Bill.

[Shri V. P. Nayar]

and introduce another. I have no object of delaying the passage of this Bill. But I only want to say that the amendments are minor. That is why I am opposing the motion. I have gone through the notes on clauses. As you know, Sir, when I speak on such Bills, I take some pains to go through all the clauses.

Mr. Speaker: I do not dispute it.

Shri V. P. Nayar: Here are the notes on clauses. I do not want to read all the notes but shall read just the last sentence of some of the notes.

Mr. Speaker: I am afraid the effect of all this argument will be this. Hereafter the Ministers would not even agree to a reference to the Select or Joint Committee.

Shri V. P. Nayar: We will force them to do it when it is necessary. We will create public opinion and force them to do it if it is necessary.

Mr. Speaker: The hon. Member is too sure of his strength.

Shri V. P. Nayar: Kindly bear with me for five minutes. If the hon. Minister, as I know him to be very reasonable, is convinced that this demand is unreasonable, then I hope that he will not repeat it. That is why I want to impress upon him these points. Take clause 2. It is about the appointment of a legal adviser. The note says:

"....and to define some of the expressions used in the section."

Do we require a Joint Committee for that?

The note on clause 3 says:

"The amendment is of a drafting nature."

Do we require a Joint Committee for that? The Minister himself says that the Bill does not require reference to the Joint Committee through the wordings in the notes on clauses. There are only five or six clauses on

which notes are given. Regarding clause 4, the note says that the amendment is meant to improve its language. I do not think a Joint Committee must be troubled for re-drafting or putting a comma here or change a punctuation there or to improve the language. Then take clause 5. That is meant to make the meaning clear. Clause 6 is put in to simplify the procedure. Every clause is like this. I do not want to go clause by clause. The hon. Minister says that it is a verbal change or a consequential change or a drafting change or a change to clinch the issue by an interpretation. There is no controversy according to him. We are surprised. We know that this is the first amending Bill to the State Bank of India Act. Normally we should have been told of the results of the functioning of the State Bank from 1955. As you know, the State Bank was not created all of a sudden. It was established because there is a specific recommendation for the constitution of the State Bank by what is called, and from which I quoted yesterday also, the Rural Credit Survey Report. It is after mature consideration that the Government thought of taking over the Imperial Bank and making it the State Bank. Three or four years have lapsed. Yesterday the hon. Minister said that 92 per cent of the shares are held by the Reserve Bank.

Dr. M. S. Aney (Nagpur): If the hon. Member is opposed to the motion for reference to the Joint Committee and thinks that at this stage there is no need for it, why not he himself move an amendment that the Bill be taken up for consideration? What prevents him from bringing in an amendment to that effect?

Shri V. P. Nayar: I have been here continuously for seven years, and I have had sufficient knowledge of the rules of procedure.

Dr. M. S. Aney: Can he not bring in an amendment, and is he in order?

Mr. Speaker: He wants to say that there is no such rule enabling him to bring in an amendment that the Bill be taken into consideration forthwith.

Shri V. P. Nayar: That is exactly what I say. I may be pardoned for repeating that I have been here for seven years uninterruptedly.

Mr. Speaker: For a motion that a Bill be taken into consideration, an amendment may be moved, that it may be referred to a Select Committee or be circulated for eliciting opinion. But for a motion that the Bill be referred to a Select Committee or Joint Committee, there is no amendment provided in the rules that the Bill be taken into consideration forthwith. If the motion for reference to Joint Committee is opposed a fresh Bill has to come in.

Dr. M. S. Anay: Is there anything in the rules preventing him from bringing in an amendment to that effect? There are three kinds of motions in relation to a Bill.

Mr. Speaker: Then it may be said that whatever is not in the Rules can be done in this House.

Dr. M. S. Anay: Are we prevented by any rule? It is a privilege of an hon. Member.

Mr. Speaker: It is only the rule that enables us.

Dr. M. S. Anay: That cannot be taken away. That is my interpretation.

Mr. Speaker: When that is the interpretation, we would not stop at any particular stage. If this House has jurisdiction only to take notice of the motions that are provided for by the Rules then by themselves without the aid of the Rules there is absolutely no proceeding that can be launched here. Any proceeding that is started or any motion that is moved must come under one or the other Rule. Otherwise, this will be a market place. Anybody will come and say, "Bhaiyo our bahino, apko samjha puch kar

raha hai". This is not so. Therefore he has no jurisdiction to do that.

Shri V. P. Nayar: Therefore the only way in which I can raise a discussion is by opposing the motion, which I am doing.

This is the first amendment of the State Bank of India Act and we expected—and we have a right to expect also—that Government will tell us more of the working of such a specialised institution which has been created by Parliament. This is the first amendment. Maybe, the amendments are of a consequential nature or of a clarificatory nature, but being of such importance, specially as the State Bank was created after very long consideration and on the basis of a definite recommendation of a very elaborate survey, we expected to know about the working of the State Bank because it was intended to change the very banking pattern of our country by the institution of this Bank. The reason was that the banks in our country did not give sufficient rural credit. Another reason was that the banks did not advance money to the industry. It had an emphasis on advances and help in financial aid on commerce. We are not interested very much on the commercial side of the State Bank of India, knowing as we do that even Mundhras have been financed by the State Bank. Probably the figure that loomed large yesterday may also have been financed. We are not worried about it. We are interested in knowing what has been the change made in the matter of rural credit since the setting up of the State Bank, as it is, and what is the Bank's role in financing the industries. These are two very important aspects which we ought to have been told although the amendment is of a consequential nature. Government should have taken the opportunity because we do not discuss the State Bank in any of the discussions, whether it is in the Finance Ministry or in other discussions. We have no opportunity to discuss the working of the State Bank. This is the only opportunity which the Gov-

[Shri V. P. Nayar]

ernment have had since 1955, when the State Bank of India Act was passed, to come to the House in the matter of the State Bank of India. We should have been told that. That is my view. Not being able to know anything from discussions here, we are now told that here are the consequential amendments, send them to the Joint Committee. Why? If it is the hon. Minister's case that in any one of these clauses, as suggested by him, there is scope for any controversy, then I am agreed to it.

I was referring to his speech yesterday while commending the motion. As he opened his speech, this is what he said. How am I to say that despite what the hon. Minister has said we have a case to make a reference to the Joint Committee? The hon. Minister, just after making the motion, says:

"I do not think that it is necessary for me to make a long speech on the Bill. It raises no major controversial issues."

Mr. Speaker: I am afraid that there is no prohibition. Unfortunately, there is no provision allowing me to say that the hon. Member's speech is dilatory.

Shri V. P. Nayar: I am taking advantage of that. I shall read the provisions.

Mr. Speaker: Let us get through it

Shri V. P. Nayar: I can confine myself only to the provisions.

Mr. Speaker: I can understand the hon. Member. Everybody understands him. Now, why should we not get through this Bill?

Shri V. P. Nayar: I want this Bill to be got through, but my only complaint is that the Government have not treated the House....

Mr. Speaker: Hon. Member wanted only five minutes. I have given him five minutes.

Shri V. P. Nayar: I wanted five minutes only for my submission about the scope of the Joint Committee. I think the Bill has been fixed up for three or four hours....

Mr. Speaker: Three hours.

Shri V. P. Nayar: I do not know whether anybody else will be speaking on this. Yesterday's experience was not that

Mr. Speaker: Now, he has given sufficient material for the Ministry to spend some time.

Shri V. P. Nayar: If it is your wish then even to my discomfiture I shall leave it.

Mr. Speaker: No, no

Shri V. P. Nayar: My point is that the hon. Minister or the Government have not chosen to take the House into confidence and tell us the details of the working of the State Bank. This opportunity should have been used because we do not get any other opportunity. Mere perusal of the balance sheet of the State Bank will not give an indication of the change in pattern of banking which has been given effect to by the reorganisation of the Imperial Bank. We do not know by perusing the balance sheets alone or by going through some figures as to what is the change in the attitude of the State Bank in the matter of finance for rural credit, and the quantum of rural credit which was available after setting up the Bank as compared to that which was available before the setting up of the Bank. Therefore it is my view that Government have not taken the House into confidence in bringing this Bill in such a way. On the other hand, for a few verbal changes they want the Joint Committee to go into all these details.

It is not even a Select Committee of this House. He wants this innocuous Bill, this non-controversial Bill,

this Bill which raises no fundamental questions to be referred to a Joint Committee. I am worried because this will become a precedent hereafter. Therefore, I am suggesting that the Rules of Procedure may be amended in such a way that you will have the power to decide when such non-controversial matters are being referred to a Select Committee, to stop the waste of time of Parliament.

With these words, I resume my seat

Mr. Speaker: The hon. Minister

Shri V. P. Nayar: I am correct Nobody is speaking now.

Mr. Speaker: I am sure that he will take some time to answer the hon Member's very valuable remarks and suggestions.

Pandit Thakur Das Bhargava (Hissar): If he wants some hon. Member to speak then I would like to speak

Mr. Speaker: No It is not necessary.

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): Sir, I heard with great interest the remarks made by the hon Member that there was no need for referring this to a Joint Committee. Originally, the Government also thought that there was no need, but when the Business Advisory Committee wanted it, certainly the Government thought that it could as well go to the Joint Committee and all points which were likely to be raised, like the points raised by Shri Bharucha, could be discussed in the Joint Committee. I do not think that this will become a precedent and that every Bill will be asked by the Business Advisory Committee to be referred to a Joint Committee and things like that. I do not expect any such danger. Wherever there is any point to be clarified, where hon. Members feel that some important amendments are being made, it is up to the Business Advisory Committee to ask for referring it to a

Select Committee. Therefore, while of course basically or originally we also wanted that it need not be referred to a Joint Committee, now in view of the Business Advisory Committee's recommendation we thought that it is better to do so.

I did not expect that Shri Nayar will ask us to give a complete picture of the State Bank's structure, finances, its activities etc. I thought he is fully conversant with the policy of the State Bank. It is trying to cover up all uncovered areas and through the subsidiary banks that they are going to take up they are going to develop in the former Part B States also. They are financing the small-scale industries. All these points, I thought, the hon House is aware of and we need not dilate on that aspect while trying to move these amendments to the State Bank Act

The points raised by Shri Bharucha are not very fundamental. He did not object to any of the provisions of the amending Bill. He only wondered whether the new procedure is going to simplify matters. Am I correct? He thought that the existing provisions are good enough or bad enough.

Shri Naushir Bharucha: They are not good enough.

Dr. B. Gopala Reddi: The old ones are not either enough or even these new ones are not adequate. But I hope the hon. Member admits that it is an improvement on the old order. But they are not adequate enough.

Shri Naushir Bharucha: It requires to be looked into by the Joint Committee more closely.

Dr. B. Gopala Reddi: Our own experience is that the previous provisions were not adequate and the new provisions are quite adequate. But if they are inadequate, of course, the Joint Committee can certainly look into the matter. Sometime ago the Cooch-Bihar Bank was taken over, and the Manipur Bank was also taken over.

[Mr. B. Gopala Reddy]

But yet there are so many difficulties encountered by the State Bank because of the provisions in the Banking Companies Act etc. that unless we follow a very tedious procedure we cannot get through the business. While they are agreeable, while the State Bank is agreeable, both of them are agreeable, yet we have to go through certain procedural formalities enjoined by the Banking Companies Act. Therefore hereafter this Act will prevail. Whatever might be contained in the Banking Companies or Companies Act, this will have precedence and this will prevail and simplify matters, and, certainly the Joint Committee can look into the matter. If there are any further improvements to be made, they can certainly be sponsored by the Joint Committee.

With regard to the employees also, certainly, the State Bank will offer them all reasonable terms of compensation. Simply because in one respect they are adversely affected while the bulk of the compensation is quite good and quite adequate, the Labour Disputes Act cannot be invoked. Therefore we want that should be put above controversy, and notwithstanding anything contained in the Labour Disputes Act or any other Act, this Act must be able to prevail. Anyway, this is a matter all the aspects of which can be considered by the Joint Committee.

Therefore, I move that the Bill be referred to a Joint Committee.

Shri V. P. Nayar: Against your original wish.

Mr. Speaker: The question is:

"That the Bill further to amend the State Bank of India Act, 1955, be referred to a Joint Committee of the Houses consisting of 45 Members; 30 from this House, namely:—

Shri C. Bali Reddy, Shri M. R. Krishna, Dr. Ram Subbha Singh, Shri Shree Narayana Das, Dr. M. S.

Aney, Kumari Maniben Yashwantrao, Major Raja Bahadur Bhandari, Shri Bhandari, Shri Amar Singh Damar, Shri K. G. Wodeyar, Shri T. Ganapathy, Shri M. Palaniyandy, Shri Bahadur Singh, Shri S. K. Damani, Dr. Pashupati Mandal, Shri Vithnu Sharan Dubish, Shri Lachhi Ram, Shri Panna Lal, Shri Kanku Charan Jena, Shri K. S. Ramaswamy, Shri Ram Shanker Lal, Shri R. R. Bhagat, Shri Prabhat Kar, Shri P. K. Kadiyan, Shri J. M. Mohammed Imam, Shri Ram Chandra Majhi, H.H. Mahareja Pratap Keshari Deo, Shri Subiman Ghose, Shri Laisram Achaw Singh, Shri Balasaheb Salunke, and Shri Morarji Desai;

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."

The motion was adopted.

12.55 hrs.

BANKING COMPANIES (AMENDMENT) BILL, 1950

The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi): I beg to move:

"That the Bill further to amend the Banking Companies Act, 1949, be referred to a Joint Committee of the Houses consisting of 45 members; 30 from this House, namely:—

Shri C. R. Pattabhi Ramam, Shri S. Osman Ali Khan, Shrimati Sangam Laxmi Bai, Shri Kailash Pati Sinha, Shri Bholu Raut, Shri Chandra Shankar, Shri Suriya Prasad, Shri Liladhar Joshi, Shri P. Subbiah Ambalam, Shri S. M. Siddiah, Shri Hem Raj, Shri Harish Chandra Mathur, Pandit Krishna Chandra Sharma, Seth Achal Singh, Shri Raja Ram Mishra, Shri S. Hanada, Shri Prafulla Chandra Borooah, Shri Umrao Singh, Shri Kamal Krishna Das, Shri B. R. Bhagat, Shri K. G. Deshmukh, Shri V. P. Nayar, Shri Chintamani Panigrahi, Shri Khushwaqt Rai, Shri Motisinh Bahadursinh Thakore, Shri Karsandas Parmar, Shri Premji R. Assar, Shri Prakash Vir Shastri, Shri S. M. Banerjee, and Shri Morarji Desai;

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 last day of the first week 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 take; 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."

While moving this motion, I may say that this is clarificatory and amending measure within the frame work of the Banking Companies Act as it has already been enacted by Parliament.

Comprehensive and independent legislation regulating the business of banking companies, was first enacted in 1949. Since then, the Act has been amended three times. In 1950, it was amended to facilitate the speedy disposal of winding up proceedings; the amendments which were introduced in 1950 were re-enacted in a more comprehensive form in 1953. In 1956, a number of new provisions were introduced, extending generally the scope of the control by the Reserve Bank. These covered such points as the restriction on the voting rights of shareholders of banks incorporated before January, 1957, the prohibition of attempts to corner and hold shares in the names of companies controlled by the directors, control over the appointment and remuneration of chief executive officers, the extension of the Reserve Bank's powers to give directions to the banking companies, and the prevention of corruption on the part of directors, auditors, liquidators and other officials of a banking company.

The wording of the Act, as amended from time to time has, however, had to be reviewed separately, in the light of the decisions of the Courts, the suggestions of the Reserve Bank and the difficulties experienced by the banks. An opportunity has now been taken to carry out this comprehensive review and the results of this review are embodied in the present Bill.

[Dr. B. Gopala Reddi]

Hon. Members will find the individual amendments explained in detail in the notes on clauses attached to the Bill. I shall, therefore, confine myself to the relatively more important provisions.

The first amendment relates to the scope of the Act itself. The control which is exercised under the Banking Companies Act is restricted to the operations of incorporated companies carrying on the business of banking as defined in the Act. Individuals and partnership firms, registered or unregistered, carrying on the business of banking, have always been regarded as being outside the purview of the Act.

The existing provision in Section 5(1)(d) of the Banking Companies Act is, however, capable of an interpretation, according to which partnership firms with seven or more members may be deemed to be companies governed by the Act. As this is clearly not the intention, the definition of the expression "company", which occurs in this section and has led to some confusion, is being suitably changed in the Bill.

Although an individual or partnership firm will continue to be outside the scope of the Act, and can even use names like "bank", "banker" etc., the business which they can carry on will, in future, be restricted and defined. Clause 35 provides that after the passing of this law, no person other than Government or a regular banking company to which the Act applies, shall accept deposits withdrawable by cheques. This provision will establish a clear and workable distinction between banking institutions which are governed by the Act and institutions which are not so governed.

The second major amendment relates to the declaration of dividends by banking companies. Section 15 of the existing Act sets out the restrictions as to this matter. When there is a

widespread depreciation in the value of investments in Government securities, which may happen when there is an increase in the bank rate, the question arises whether the whole of this loss should be written off before a dividend can be declared.

There have been two views of the duty cast upon a banking company in these circumstances. One view common, I believe, in the United Kingdom, is that it is necessary for banking companies to undertake the onerous obligation of writing off the depreciation in full, partly because the general rule as to the maintenance of capital cannot possibly apply to the investments of a bank, and partly because till an investment is sold, the loss or gain which may be made on it is only notional. The other view is that the loss should be written off, and that the declaration of a profit or a dividend, before the loss in the market value of securities or other assets has been made good, may be illegal and irregular.

In order to place the legal position in this respect beyond any doubt, it is now proposed to amend Section 15 of the Banking Companies Act, so as to lay down that only an actual loss, if any, resulting from the sale of Government securities, has to be written off, before a profit or a dividend is declared. The amendment will bring the provisions of the statute into line with the usage and practice which have been in force among banking companies.

Since the Bill was introduced in the House, it has been suggested to us that the scope of the proposed amendment should be made wider than it is, and that in regard to the depreciation in its investments in the shares of joint stock companies, and also in regard to doubtful advances, provision to such an extent as may be considered necessary by the auditor of the company should compulsorily be made, before any profits or dividends are declared.

We have considered this suggestion, in consultation with the Reserve Bank of India, and propose to amplify the provisions of Section 15 on these lines. An appropriate amendment clarifying the real intention of this section will be sponsored by Government in due course.

The wording of Section 17, which deals with the reserve fund of a banking company has created some difficulty. Banking companies have experienced some hardship in complying with the provisions of this Section, partly because it does not take into account the practice of utilising share premium accounts as statutory reserves which is widely in vogue, and partly because the circumstances in which or the extent to which, the statutory reserve can be used for the company's needs are by no means clear from the language of the existing Section. The Section has been redrafted to make the intention quite clear.

Sections 18 and 24 of the Act, as they now stand, provide for the maintenance of certain prescribed minimum amounts in the form of cash and liquid investments. The intention is that these amounts should be maintained in India. The Act does not make this clear, and the necessary clarification is now being made.

I will now turn to the next batch of two or three amendments which are intended to rectify some omissions in the Act.

Section 14 of the Act prohibits the creation of a charge on the unpaid capital of a banking company. This is designed to ensure that the un-called liability of the shareholders will be available to the depositors, in case of need. It is now felt that the protection which is available to the depositors should be further strengthened, and it is, therefore, proposed to prohibit the creation of a floating charge on the undertaking or property of a banking company, without the prior concurrence of the Reserve Bank of India.

Section 35 of the Act provides for the inspection of banking companies by the Reserve Bank of India. A system of regular inspections was started by the Reserve Bank in March 1950, and on an average, about 400 inspections are now being carried out every year. A doubt has, however, been felt whether the law as it stands permits the inspection of branches outside the country.

There are about one hundred places outside India, where offices of Indian banks are being maintained. The deposit liabilities of the banks at these places are appreciable. Funds are also remitted from India, in order to maintain or increase the volume of business transacted at these foreign offices. In view of the size and importance of this business abroad, we have included in this Bill an appropriate amendment to enable these branches also to be inspected.

13 hrs.

I referred earlier to the powers which were conferred on the Reserve Bank in 1956 to approve of the appointment and remuneration of the chief executive officers of banking companies. This provision has proved to be most salutary. Between the 14th January, 1957 when this amendment came into force, and the end of December, 1958, the Reserve Bank disposed of 541 applications under the relevant provisions of the Act. We are now extending the scope of this section to provide that the remuneration of ordinary or part-time directors should also be subject to control, as in the case of the non-banking companies, and that post-retirement benefits which may indirectly nullify the very purposes of the control should not be granted to the chief executive officers.

Another important matter, to which I would refer, is the provision regarding moribund banking companies in the present Bill. Since the enforcement of the Banking Companies Act, the Reserve Bank of India has refused licences to 128 banking companies. As

[Dr. B. Gopala Reddi]

the House may appreciate, it is necessary to provide for the orderly management of these companies' affairs, after licences have been refused to them, and until such time as they can be wound up. Where the conversion of any of these companies into non-banking companies is possible and desirable, such a conversion has to be brought about in an appropriate manner, after the Reserve Bank has satisfied itself that the depositors of the companies concerned have received the maximum protection which it may be possible to offer them.

We are introducing some new sections in the Act in order to facilitate the Reserve Bank's control and supervision of these banking companies. The extent to which the Banking Companies Act applies to these institutions is, for example, being clarified. It is also being provided that a banking company, to which a licence for accepting of fresh deposits has been refused and which after such refusal merely carries on its old business, cannot be converted into a non-banking company, merely in order to evade or escape the control which is exercisable under the Banking Companies Act. In order to ensure that no attempt at evasion will in future be countenanced, a duty is being cast on the authorities, who are likely to be concerned with the affairs of any such banking company, to ask for and abide by the Reserve Bank's expert advice in regard to the future of the company.

I would now like to invite the attention of the House to a set of amendments regarding the liquidation and winding up of banking companies generally, which may be of interest. The conditions in which an application may be made to a court of law by the Reserve Bank of India for winding up a banking company at present are somewhat restrictive. Where it has become reasonably clear that a banking company is carrying on its affairs in a manner which is unsatisfactory,

the Reserve Bank gives it opportunities to improve its position in an orderly way. But this is not enough.

We are, therefore, amending section 38 to enable the Reserve Bank to apply to the court for the winding up of the banking company. We are supplementing this main provision by certain minor improvements in the procedure for liquidation and winding up, and in order to complete the picture, I would indicate very briefly the nature of these other provisions.

The duties and powers of the various liquidators appointed under the Banking Companies Act are now being clarified. The debts due to a banking company, which have already become time-barred before it is taken into liquidation, are being revived and kept alive for a reasonable period after the appointment of the liquidator in winding up proceedings. The procedure for making payments to preferential creditors is being simplified so as to avoid delay; and a fresh provision permitting the imposition of penalties on liquidators, in the event of non-compliance with the provisions of the law, has been included. We hope that these amendments will go a long way towards ensuring the most efficient and expeditious conduct of liquidation proceedings.

As I said in the beginning, this is a clarificatory and amending measure. It only seeks to restate the provisions of the existing Act, where experience has shown that such clarification has become necessary. It also fills in certain lacunae in the provisions which the working of the Act has disclosed. It does not raise any major issues of policy, and its only purpose is to improve the working of banking companies and the banking system, within the ambit of the present law. I would commend the motion for the consideration of the House. Sir, I move.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Banking Companies Act, 1939,

be referred to a Joint Committee of the Houses, consisting of 45 members; 30 from this House, namely.—

Shri C. R. Pattabhi Raman, Shri S. Osman Ali Khan, Shrimati Sangam Laxmi Bai, Shri Kailash Pat. Sinha, Shri Bhola Raut, Shri Chandra Shankar, Shri Suriya Prasad, Shri Liladhar Joshi, Shri P. Subbiah Ambalam, Shri S. M. Siddiah, Shri Hem Raj, Shri Harish Chandra Mathur, Pandit Krishna Chandra Sharma, Seth Achal Singh, Shri Raja Ram Misra, Shri S. Hansda, Shri Prafulla Chandra Borooah, Shri Umrao Singh, Shri Kamal Krishna Das, Shri B. R. Bhagat, Shri K. G. Deshmukh, Shri V. P. Nayar, Shri Chintamani Panigrahi, Shri Khushwaqt Rai, Shri Motisinh Bahadursinh Thakore, Shri Karsandas Parmar, Shri Premji R. Assar, Shri Prakash Vir Shastri, Shri S. M. Banerjee, and Shri Morarji Desai 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 last day of the first week 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."

Shri Prabhat Kar (Hooghly): I thank the hon. Minister for having brought forward these amendments to the Banking Companies Act before this House, in the light of the experience gained and the difficulties experienced by the Reserve Bank or the Government. But I feel that these are not sufficient. I do not know whether the present amendments which have been proposed will be sufficient to minimise the mischiefs of the banking companies or to help in the further growth of banking system in this country.

The Banking Companies Act was passed in the year 1949. It was passed with a view to give a different status to banking companies as apart from the ordinary companies, it was realised that more effective control should be in the hands of the Reserve Bank with regard to the working of the banks, and accordingly, the provisions were made. We cannot forget how before the Banking Companies Act was passed, these banking companies were functioning without proper control and check. The result was that just after the second world war, there was a spate of closure of the banking companies resulting in enormous losses to the public. According to the report of the Liquidation Proceedings Committee, about Rs. 100 crores of public money were lost. The reasons given for the closure of these banks, were, I may say, amazing, namely, that all sorts of manipulations that could be imagined were being carried on by the banking companies. This is not simply the statement of a layman, but it is the report of a committee which has gone into the question and given a comprehensive list of these malpractices, which includes the window-dressing of the balance-sheets, the interlocking of interests, the manipulations of accounts, purchasing of shares of companies which did not exist or in which the managers or managing directors were interested. And we know what happened as a result thereof. During the second world war, so many banks had come

[Shri Prabhat Kar]

into existence. Just after the second world war, particularly in the State from which I come, there were about 150 banks working, between 1939 and 1946. All of a sudden between 1947 and 1948, all the banks barring 20 or 25 which are still existing, went into liquidation, and during this period these banks collected nearly Rs. 100 crores from the depositors, all belonging to the lower middle class, most of them refugees from East Bengal. Their life savings were lost, and it was felt then that if the banks were allowed to function in this manner, it would not only create a situation so far as the common man was concerned, but it would hit hard the economy of the country itself. That is why the Banking Companies Act was passed and effective control given to the Reserve Bank. From time to time there have been amendments to the Act in the light of the experience gained, but this time there are certain comprehensive changes.

I wish to point out to the House that these amendments in the present are not sufficient. What is the present position of the banking companies since the passing of the Banking Companies Act? Are all the ills of the banks still there, or have they been minimised; if they have been minimised, to what extent?

So far as banking practices are concerned, the same old type of malpractices still continue. The only difference is that during the war period it was being done by the small banks which resulted in their liquidation, but now the same thing is being done by the big banks. Perhaps they can to a certain extent absorb the shock or the effect of these malpractices.

We know the affair of Shri Mundhra. It was brought before the House because, I would say, of his bad luck. He tried to spread his hands into the public sector, the Life Insurance Corporation. If he had not tried to enter into an understanding with the Life

Insurance Corporation by selling his shares, perhaps he would have been carrying on in the same way as he had done for the last five or six years. For the last five or six years it is the banks, one or other of them, that encouraged him to pursue all sorts of malpractices that have been found out.

It is not only one Mundhra. Very recently I know a branch of a foreign exchange bank, the British Bank of the Middle East, was closed in Calcutta. The reason why it was closed was that the head office found it impossible to keep the branch open since the collusion of the bank management and the customers had resulted in a loss of Rs. 1 crore by way of bad debt, which it was impossible to recover. It has been said that it will not only not be possible to recover it, but that if they want to keep the branch there, it will be necessary for them also to allow this sort of thing, as, without this sort of business, it is not possible to run the branch. It may be that the officers there give a wrong impression, but it is not the question of the British Bank of the Middle East alone.

We know many other cases, I can give some names. Cases have been filed, for example, by the Lloyds and National Banks against one Onkarmul Bhatia for Rs. 1 crore. Another case is that of Bhagwandas Goel where it is not only an Indian but an exchange bank also is concerned, and the amount is Rs. 150 lakhs. Will it be possible for one customer to take away Rs. 1 crore or Rs. 150 lakhs if there was no understanding between the bank management and the customer? It cannot be said that one particular customer can cheat a bank to such a heavy extent unless there is an understanding. Where is the check?

The hon. Minister said that so far as inspection outside is concerned, the Reserve Bank has been given the power. It is a good thing, no doubt, but what about inspection inside? No

doubt inspection is being carried out, but what positive steps have been taken after the inspection? I know that suggestions are being made to the banks, to the persons who commit these irregularities that have been found out, that they should try to change, but it is not only the irregularities that have been found in the books.

It is a fact that even in the big banks, books are manipulated. It is a fact that there are hidden accounts. Even today, if you try to go through the accounts of the banks for the last five or six years, you will find certain amounts which do not come under any particular heading, which are being kept apart. It is a fact, and we know it, that in banks, in the current account ledgers, certain accounts are being kept which are not operated by any customer. The account is completely the account of the bank management only. How this amount comes in nobody knows. Wherefrom the credit comes nobody knows. How the credit grows nobody knows. But these things are continuing.

The Reserve Bank comes and inspects. I have got nothing to say about the inspection, but it is still ineffective in the sense that they have not been able to check and stop all these malpractices.

There have been cases of frauds in the banks. The Reserve Bank has inspected more than once, and after seven or eight years the fraud is found out. It is in a big bank. The internal auditors are there, and they give a certificate. How is it possible to find out, let me say, this conspiracy to cheat a bank to the tune of Rs. 80 lakhs, when there was an internal auditor, and the accounts of the bank had been audited for the last eight years? During this period the Reserve Bank has inspected the books of accounts, but these things are continuing.

I know Government is somewhat allergic to the word "nationalisation", but you have got the Reserve Bank, you have got the Banking Companies Act, and you have got the Reserve Bank Act. It is in the interests of the nation that you see that the banks work in such a manner that the interests of the depositors, the interests of the customers and the interests of the shareholders also are safeguarded. I would like the hon. Minister to consider that point. That will be possible only if some more power is given to the Reserve Bank for exercising effective control.

Then the question comes of banking facilities. No doubt the State Bank, after its formation, has been opening new branches. If I am correct, up to this time they have opened more than 350 new branches, and they are going to open more. But if we look to the development of the other banking companies, what is the position? Today we know in India there is a concentration of banks in a very few places. In such a vast country like ours with 400 million people, roughly the banking branches may be near about 5,000 all over the country, out of which about 3,600 branches are concentrated in about 26 cities.

Now, banking facilities are not being given to the common man in different parts of the country. It is not only a question of rural credit. What about agricultural credit? No facilities are being given. Branches are being opened in the cities. Even today, here in Delhi, Government are granting permission to open branches to big banks in various parts of Delhi. I do not know why it is so necessary that a man who has banking facilities in Connaught Circus must have a bank somewhere near Parliament Street. I do not understand the necessity of allowing the opening of such branches in the same place when the country at large is being deprived of banking facilities. Government have got the power of granting permission to open branches. They will not restrict the opening of such branches. They will

[Shri Prabhat Kar]

not tell the banks that they should not open branches here in Delhi but should open branches in the rural areas or outside the cities and towns. This is the position.

Today, even if we do not think of nationalisation, it is necessary that we should see that our banking operates to fulfil the purpose of Government's policy. We are trying to industrialise our country. In the interest of the country's economy, industrialisation should make rapid progress. Who can help in this respect? Banks can help. What is the position of the banks even today? Roughly—we take the average—for the last three years, you will find that so far as advances are concerned, 51 per cent is given to commerce, 17 per cent to industry and 3 per cent to agriculture. So far as agriculture and industry, the most important items so far as India is concerned, are concerned, the banks' contribution is minimum. The maximum of 51 per cent goes to commerce. Even advances to individuals will be much more than that given to industry. The figure comes to about 21 per cent. It is true that you encourage the private sector. You allow the banks to move in their own way. But is there no purpose behind it? The country needs proper progress under a proper plan. Will you not today impose certain restrictions to see that the money that banks have got at their disposal should be utilised not simply for commerce and for individuals, but should be utilised in the interests of the nation?

This is not only my complaint. Even the Federation of Indian Chambers of Commerce and Industry wrote to the Indian Banks' Association that facilities should be given to small scale industry. The Indian Banks' Association simply dismissed the plea saying 'So far as the normal business is concerned, we are carrying on'. Today if the Federation of Indian Chambers of Commerce and Industry make a complaint, you can very well see that

unless they have been put to difficulties so far as the small industries are concerned, they would have not done so, because it is those who are in the Federation are themselves in the banks. If they are complaining, there must be something very very wrong in regard to this particular matter of advancing money to small scale industry. This matter should be taken up. This is an important factor. I wish that in the Banking Companies (Amendment) Bill, we should have certain provisions to restrict and control in this respect, as otherwise simply by changing certain provisions here and there we will not be able to help in the growth of the banks.

Even today, after 1948-49, we are facing difficulties in regard to banking. Barring a few, most of the banks are in difficulties. How are you going to remove the difficulties the small banks are facing today? This can only be done if certain positive suggestions emanate from the Reserve Bank or Government. I know that today the Reserve Bank's licensing policy is that if there are certain difficulties in the way of fulfilling the provisions, it immediately says, 'You do it within such and such time, or else I withdraw the licence'. Closing down of banks is no solution. By simply closing down a bank you cannot say that you have eradicated all the evils. The evils do not disappear because the bank is not there. It should not be thought that if the bank is not there, nobody will be able to pursue the mischief. That is a wrong approach. Government have got to come forward with certain suggestions. There should be some provisions in the Banking Companies (Amendment) Bill with regard to that. But they are not there.

Regarding dividend, there have been certain questions posed. Government will not restrict the issue of bonus shares so far as banks are concerned. So far as the banks are concerned, the capital of the shareholders constitutes only 2 per cent. of the working capital.

The depositors' money constitutes 95 to 96 per cent. of the working capital of the banks; only 2 per cent. of the working capital is being subscribed by the shareholders.

Now, they pay dividend. Apart from that, you allow them to issue bonus shares. I do not know why this is done. I say this because the share capital in the banking companies does not play any part in earning profit or in supplying money to the institution. Under these circumstances, the question of restriction on the issue of bonus shares should have been considered and a provision to that effect should have found a place in the Bill. Very recently, the Indian banks have been trying for permission for the issue of bonus shares. On behalf of the All India Bank Employees' Association, we have been asking Government not to sanction it. The matter is still being pursued. I would like Government to bring forward certain amendments so that there may be a restriction on the issue of bonus shares so far as banks are concerned, taking into consideration the fact that the share capital of banks constitutes only 2 per cent. of the working capital of the institutions as a whole, and so the share capital does not contribute anything by way of earning profit to the banking institutions. Under these circumstances, the provision applicable to other companies under the Indian Companies Act in this respect should not apply to banks. An amendment to that effect should have found a place in the amending Bill.

I know that there was a suggestion from Government and the Reserve Bank about a Credit Information Bureau. I also know that the bankers are not very agreeable to this particular suggestion. The establishment of a Credit Information Bureau is essential if we want to stop malpractices and fraudulent transactions. We can also help the growth of banking if there is such a Bureau, as suggested by the Reserve Bank of India. I would

13.28 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

like the Minister to see that an amendment is put in to cover this particular item also. It may not be in a direct form, but provision should be there for some sort of a Credit Information Bureau as suggested by the Reserve Bank.

Then I have another suggestion to make. I feel that at this stage it is also necessary, particularly in view of the fact that the small banks are facing difficulties, to think in terms of deposit insurance. This is an essential factor, to which, I know the 'big brothers' in the banking industry will not agree, because there is keen competition amongst them to draw deposits from one bank to another. So far as the big banks are concerned, knowing fully well that they have got the monopoly of the business, they will not agree to the deposit insurance scheme which may be beneficial to the small banks. Many of the present disabilities and malpractices can, to a certain extent, be minimised if the question of deposit insurance is also taken up by amending the Banking Companies Act.

Then there is another thing. Yesterday Shri V. P. Nayar referred to one particular provision to the effect that the tribunal shall not force the Reserve Bank or the State Bank or any other banking company to produce the books of accounts and all those things. You know that today according to the Banking Companies Act and Reserve Bank regulations, balance sheets are to be published after making provision for bad and doubtful debts and other things. So, the balance-sheet which is published and presented to the public is not the correct picture of the whole working of the banking unit. On the very balance-sheet is written that it represents the position after making provision for doubtful debts and other things. If the books of the banks are kept so secret that they cannot even be produced before the judge,

[Shri Prabhat Kar]

I do not understand exactly how we will be able to check all these malpractices which have resulted in the failure of the banks in the past.

It may be said that the Chartered Accountant has audited and the statement of accounts as audited is placed before the public and that surely he would have gone through them. I do not know whether he actually goes through them. We know, with all due respect to them, how these audited statements of accounts are manipulated. In spite of the existence of these Chartered Accountants, it has been found that these balance-sheets do not reflect the proper state of affairs.

I do not want you to say immediately that these must be made public. But they should not be kept secret even from the authorities of law. I want the Government to make that amendment. They should be placed before the law courts where they are going to decide what exactly is the position of the banking company concerned. Otherwise, if you make the law in such a way that even the law courts will not be able to inspect these books, then, you will be granting a concession to the banking industry which will not only create a wrong impression about the banking companies as such but will result in the continuance of the malpractices which have been so much rampant in the banking industry. I would request the hon. Minister to consider this particular aspect of the matter and put in an amendment.

So far as the amendments are concerned, there are certain clauses which I really welcome. As I said, this is not sufficient. There is the question of prohibiting the banking companies from being secretaries also. We know there are so many secretaries nowadays instead of managing agencies. The suggestion made in the Bill is good.

I have not been able to understand what exactly is the implication of the change in section 10. It has been stated.—

"(b) any commission to any broker (including guarantee broker), cashier-contractor, clearing and forwarding agent, auctioneer or any other person, employed by the banking company under a contract otherwise than as a regular member of the staff of the company"

Generally, all the transactions of the banks are carried on either on the stock exchange or the foreign exchange or the foreign exchange market—even the question of call loans have all gone through the brokers. I do not know whether section 10 was at all considered as a bar for the payment of commission to these persons because they were never the bank's employees. They were persons who had a separate entity and they were being paid commissions—the stock brokers and the call loan brokers. I do not know how they will come under section 10. I think I am correct in saying that by no stretch of imagination can section 10 which deals only with employment under a banking company include these persons. Here the question is not of employment but of paying commission for a particular contract. Even if it is so, I would suggest that this clarification of section 10 which is made here should have retrospective effect because this clarification which you want to put should cover all that which has been done in the past. Otherwise, the clarification will have no meaning. It seems as if previously this was illegal or prohibited under section 10 and now it has been given a concession. That is my understanding of what the hon. Minister wants to do. So, it is necessary to give retrospective effect to this change in section 10.

Then clause 29 of the Bill deals with the preferential payment to small depositors. That is also a welcome

feature We know that in spite of the appointment of the court liquidator, the payment to the depositors has been delayed; and we know also how the poor depositors lose because of the malpractices of the managing directors We know how they have to write again and again and approach them for the payment of a small percentage which the liquidator has already declared It is a good amendment that has been put forward in clause 29

So far as the filing of the return is concerned, the only thing is whether the imposition will be strictly adhered to by the banking companies I want the hon Minister to consider this I think, along with this, he should agree to further amend it, because for ten years past, from 1949 to 1959, we have seen the development of banking, we have seen how more and more money is coming to banks as deposits Today in the year 1959, we have as deposits amounts to the tune of about Rs 1,500 crores It is a huge amount which, if properly utilised, can, to a great extent, go to improve the economic condition of the country I do not know whether it is because of their hesitation or because of their wrong policy, but we know that today the banks are not in a position even to utilise this big amount The advances in relation to deposits have gone down in 1958 as compared to 1957 This is an indication that the policy pursued by the bankers is not the proper or the correct policy In view of the economic development of the country, in view of the Second Five Year Plan and in view of the prospect of the Third Five Year Plan, more and more money which is coming into the hands of the banking companies should be properly utilised The fact that the percentage of advances in relation to deposits has gone down is a pointer which the Government should take into consideration in deciding exactly how the banks should function in future

With these words I welcome the Bill and I request the hon Minister to consider all the points that I have placed before him.

Shri Naushir Bharucha (East Khairpur) Mr Deputy-Speaker, Sir, while I welcome this Bill amending the Banking Companies Act, I must draw the attention of the House to the very misleading nature of the Statement of Objects and Reasons This Bill seeks to amend the Act by no less than 26 clauses But, here, in the Statement of Objects and Reasons, it has been stated that some minor omissions and ambiguities in the meaning of certain sections have to be clarified and the amendments are mostly of a non-controversial nature—for clarifying the position I do not know why a misleading type of Statement of Objects and Reasons is being put here when we know there are certain fundamental changes that are being made, which I shall presently point out

I would ask the hon Minister to see that the Statement of Objects and Reasons really reflects accurately and correctly what the changes are Otherwise, the Statement of Objects and Reasons instead of being a reflection of what is inside the Bill, tends to put the hon Members off the scent I would therefore, submit that in future our Statements of Objects and Reasons should be more informative, more accurate and deal exactly and precisely with the nature of the amendments and not minimise what the amendments are The fact that after amending the Act in 1956 in 1959 we have to come with 36 amendments—that in itself—indicates how hasty legislation on this subject must have been in the past and it continues to be the tendency now It is, therefore, very necessary that all such Bills must be referred to a Select Committee Most of the provisions are in the right direction There may be, here and there, slight differences to which, I am sure, the Joint Committee will pay attention

In the first place, the definition of a branch office is sought to be amended, by providing that whether they are called pay office or sub-office or by whatever name, if these offices deal

[Shri Naushir Bharucha]
with receipts of deposits, if they cash cheques, lend moneys, etc., then they will be regarded as banks. In that case I am not quite sure whether they will not include shroffs or firms where this type of business is carried on but which are not really banking companies within the meaning of the Act. That will require very careful consideration. But that is a comparatively minor matter.

The second point, which to my mind raises a question of policy, is contained in the notes on clauses, in the second paragraph on page 18. There are partnership concerns which carry on banking business. They do not fall under the heading 'banks'. The Companies Act applies only when there are a certain number of partners. These firms habitually carry on banking business. Now, we are told that it is not considered necessary at this stage to extend to partnerships and individuals the prohibition in respect of the use of words like 'bank', 'banker' etc. which now applies to all incorporated companies or to bring such partnerships within the scope of the Banking Companies Act. I think the hon. Minister must advance very cogent reasons to show why just because the form of a trading concern is only that of a firm in the eyes of law and not of a bank, it should not be brought under the salutary regulations and restrictions of the Banking Companies Act. It is an important question of policy because there may be firms which are so big and whose business is of such magnitude that they can eclipse many of the so-called banks and yet they may not come within the Act because they may be run by half a dozen persons and because they do not to be incorporated as a bank. I, therefore, think that the time has now come—it is not that it has not come—to lay down a definite policy whether these firms will not be incorporated as banks.

There are very salutary prohibitions which are sought to be strengthened.

Not only the managing agencies are prohibited but the banking companies cannot serve as secretaries or treasurers or carry out the functions or part of the functions of the managing agencies. Very rightly these are to be brought within the purview of this Bill. I am glad that they are being introduced now because they plug the loophole that was left in the earlier Bill.

There are other important questions which involve questions of policy. Prohibition to create a charge on unpaid capital is extended now to the creation of floating charges on the undertaking or any property of the company, in the interest of the depositors. It is a very good thing but it is a matter of policy. If the interests of the depositors are to be safeguarded this type of virtual mortgage of the undertaking has got to be guarded against such acts as creation of floating charge on the assets of the companies and I certainly welcome this amendment.

The banking company is required to maintain its capital intact, by making good from its profits any impairment thereof before dividends are declared. But I do not understand this. It is coupled with the proposal to exempt them from the requirements of depreciation on approved securities which are to be written off fully before appropriation of profits are made. In other words, they are sought to be exempted from certain depreciation charges. I think, that again is a question of policy and it requires to be looked into carefully. It is not merely clarifying this provision or that provision; it is an important policy question. As I pointed out when I was urging the matter in the case of the Railway Convention Committee report that unless depreciation has been properly set aside, it tends to camouflage the real nature and the character and true position of the companies. The financial position of all companies, whether it is a banking company or a railway company can be successfully camouflaged by setting aside inade-

quate depreciation and whether it is a mercantile company or a banking company good financial principles help. I am not in favour of permitting any sort of depreciation not to be provided for before dividends are declared. What may happen is this. Suppose a banking company carries on lending business of a rather speculative nature. Still, within the provisions of the Act they may carry on. They may lend on securities of a speculative character on securities of companies which themselves carry on business of a speculative character. In such cases, it must be provided that on a particular day, the securities should be revalued on the basis of the prevailing market price. If there is a fall in the security, depreciation must be provided for. It is no use saying that the nature of depreciation in an ordinary mercantile firm is totally different from the nature of depreciation in a company like bank. Depreciation in mercantile firms are more or less of a gradual nature, unless they result from obsolescence, in the case of banks, they will be sudden as in the case of depression or a very big collapse of the share market. They may vitally affect the holdings of a banking company. If their nature is different, it is all the more reason why this provision should be there. I, therefore, fail to see why exemption is sought to be given to banks in regard to setting aside adequate depreciation in this connection.

Of course, the provision regarding reserves upon which for technical reasons the bank cannot draw—all these require to be amended. There is a very good provision that the minimum reserve required for a non-scheduled bank must be held in India. I do not know why this factor was overlooked before. It is time for correcting it. There is also a provision for controlling the remuneration of directors apart from managing directors. This is also very salutary. All types of directors are appointed even though they do not know the A.B.C. of finance because they happen to be the nephews or the brothers-in-law of either the managing director or some

other persons. All these things are to be clearly checked and I am glad that the Government has seen its way to check these and also has made provision with regard to the payment to depositors in the case of liquidation. This is also a very salutary provision. Barring two or three points to which I have drawn attention and which are to some extent of a controversial character requiring decisions on questions of policy, on the whole the Bill is sound. I am not prepared to say that the Bill will plug all the holes in the Banking Companies Act. Nevertheless it is a comprehensive one and is a right approach in the right direction. I therefore, welcome it and hope that the Joint Committee will take steps to remove such omissions as might have crept in unwittingly in the Bill and take care of the Bill and bring it back in a much better form than the form in which we are sending in to the Joint Committee now.

Shri Shree Narayan Das (Darbhanga): Sir,....

Mr. Deputy-Speaker: He is in the Joint Committee.

Shri Shree Narayan Das: I am not in the Joint Committee.

Shri Nausir Bharucha: We are ahead of schedule. So, the rule may be relaxed. Otherwise the business will collapse.

Mr. Deputy-Speaker: Should we try to save business from collapsing or should we save the time if we can?

Shri Shree Narayan Das: Mr. Deputy-Speaker, the measure that is going to be referred to the Joint Committee is no doubt a very important one. The Banking Companies Act was passed in 1949 and since then ten years have elapsed.

Sir, I think, when an amending measure like this incorporating so many important provisions arising from the experience gained in the working of the Act is being brought forward, it would have been better

[Shri Shree Narayan Das]

if the hon. Minister had put forward before us a review on the working and the administration of the whole Act. As we know, Sir, the Banking Companies Act gives a variety of powers to the Reserve Bank of India, and the Reserve Bank of India has been performing its duties. I can't say that it has been performing its duties with all the necessary alertness and care that it deserves. But it is also a fact that every year a publication is brought out by the Reserve Bank entitled *Trend and Progress of Banking in India*. I have got a copy of that report for 1957 with me. In that publication there is a chapter where the Reserve Bank has pointed out some of the defects in the working of the various banking companies.

In this amending measure that is before us, the powers of the Reserve Bank are sought to be enhanced with a view to see that the standard of soundness and efficiency of service to the people is maintained by the various banking companies that are functioning in India. At the same time, since ten years of working and administration of this Act have elapsed, we would have been in a better position to appreciate the importance of the amendments proposed in the amending measure if the Government had put forward a review on the working and administration of this Act.

With the developments that are going on in the country, Sir, it is quite possible that the banking facilities have not advanced as much as they are needed. With the development works going on, the national income increasing and the money going to the community in a variety of ways, it is necessary that there should be banking facilities spread all over the country with a view to collect the savings and make advances to the people for various sorts of works. Therefore, it is all the more necessary that there should have been a review on the working of this Act,

not only in respect of the banking companies but also in respect of the several other institutions which perform the functions of a bank in different ways.

Sir, this is not the time to go into these things, but I would suggest that the time has come to look into this question. Although for rural population a committee was appointed some years back and a report was submitted in 1953—it especially went into the question of rural credit under the direction of the Reserve Bank—the banking development as a whole requires to be considered, to what extent the various banks that are functioning in the country have been able to cope with the work that has been there.

It is a fact that the State Bank of India has been formed. Now some of the associated banks are going to be made subsidiary banks of it. That will go a great way to remove the want of banking facilities in several sectors of the country. But, at the same time, it is necessary that a committee should be appointed to go into the question, survey the banking facilities that are now available and the banking facilities that should be made available in the country when the economy is fast developing. As far as I know, the Central Banking Enquiry Committee was appointed in 1931 and it submitted its report. The report is there, but that was done many years ago. Now, after the First Five Year Plan has been completed and the Second Plan is shortly going to be completed, I think it will be better if a high-power committee is appointed to go into the various aspects of development of banking facilities in India, both urban and rural.

From the publication *Trend and Progress of Banking in India during the year 1957*, it is clear that the Reserve Bank of India with its regulatory powers, powers of inspection and powers of licensing has been regulat-

ing the affairs of various banks. Those powers have proved very healthy. In this regard I would like to say that the Reserve Bank of India has got powers of licensing. I do not know to what extent it has been possible for the Reserve Bank of India to see that the applications for these licences are so considered that the areas where banking facilities are not developed are able to see that such institutions come into being there. Generally, Sir, when people form themselves into companies for such purposes they have in their view the profit motive. Therefore, they would like to start a business of this nature in places where there is a congenial atmosphere for making profits. But I think in giving this power to the Reserve Bank of India the intention is also this that the Reserve Bank of India should see that in such areas as are not so very well developed or areas where banking facilities are not available in as large a measure as is necessary, the parties applying for licences to establish this business are persuaded to set up their business.

Dr. B. Gopala Reddi: Tribal areas?

Shri Shree Narayan Das: Not tribal areas, but areas where banking facilities are not developed. It may be a difficult task. It is very difficult to persuade a private agency to go to a particular area. But I think if some encouragement in the form of subsidies is given it may be possible for such private agencies to function in those areas also.

With regard to the provisions that are going to be incorporated by these amendments, as far as I have been able to see, they are all necessary. They are not of any controversial nature, and the measures that are going to be incorporated are in the best interests of companies or for the proper and sound functioning of these institutions. Therefore, I would not like to go into the details. But I would like to say that by the provi-

sion contained in clause 3 of the Bill the lacuna that was there in the previous Act is going to be removed. With all the regulatory powers and control being exercised by the Reserve Bank, this anomaly was there, that if the memorandum or articles of association of the company contained some of the provisions which prevented the exercise of the powers of the Reserve Bank or the Government it was not possible to make use of those powers. That lacuna is, therefore, being removed.

14 hrs.

With regard to the matter of cash reserves by non-scheduled banks, I think the provisions made are good. As far as I have been able to see, I do not find any discrepancies. The provisions that are going to be incorporated through these amendments, I think, appear to be necessary. Even if there is some defect, I think the Joint Committee will look into the matter.

With these words, I support the motion.

Shri Shankaraiya (Mysore): I am not going to speak for long. I shall only make brief references to certain provisions of the Bill and suggest some points for consideration by the Joint Committee. The Bill no doubt is a very good measure. It has tried to remove many of the lacunae and put the banking companies in their proper place. Greater powers have been taken by the Government and the department to control these banking companies, particularly with reference to the prevention of the floating charges. That is a very healthy measure, and it was here that much of the abuse was being practised by the banking companies. Now, it has been prevented and it will thus help and create greater confidence in the minds of the depositors to put money into the banks in larger quantities.

Taking the deposits that have been made in the banks particularly during

[Shri Shankaraiya]

the last two or three years, I can say that the amounts of deposits are on the increase. It is on the increasing side. Perhaps it is due to the saving mentality on the one hand, and the amount of money that is being spared by the people on the other, that has enabled them to put heavy amounts of deposits. The other main factor in the matter of making deposits into the banks is that there has been a general shake-up, a sort of aversion for putting money in the shares of companies, particularly the private companies, as a good deal of want of confidence in those companies, particularly, due to the malpractices indulged in by the companies, in the past. The people have therefore found that their money would be safe in the banks. That is why they are putting more and more confidence on the banks, and deposit money into them. When such deposits are being heavily put up, more and more trust is placed in the banks, and it is but right that Government should put in these controlling measures, particularly, the prevention of floating charges. This will infuse greater confidence in the minds of the depositors.

As regards profits, a provision has been introduced whereby a larger portion of the profits is to be ploughed back into the reserves than before. This is a good thing. One thing that the Government have to consider is, in disposing of these profits, greater and greater care should be taken to see that these bad debts which are shown as good and realisable debts or assets should be wiped off. In the balance-sheets bad debts are shown as good and realisable debts. The assets are thus inflated. Unfortunately, a large portion of them will be remaining for a longer period and many of them would be unrealisable, and the companies, in order to show their assets, will be showing the inflated figure and so many of the bad debts will be shown as good and realisable debts. Government should see

that the bad debts are wiped out. A provision should be made with regard to the number of years beyond which, if the debt is not realisable, the debt should be wiped off or shown separately. Now the bad debts are shown as assets and they are continued to be shown in the balance-sheets. When the bank begins to incur losses, then there will be double disadvantage. There would be the unrealisable bad debts on the one side and the losses on the other hand. Of course, when the banking companies make profit and issue bonus shares, it would be all right. But when once they begin to work on the margin, and when there is a greater wage-bill, and other things, they will not be able to manage properly and economically. There is agitation by the bankers also. So, in the larger interests of the banks themselves, it is better that these bad debts are not allowed to be shown for a very long time in the balance-sheets. At least one provision should be inserted by the Joint Committee to see that these bad debts are wiped off, off and on or shown separately. I am making this suggestion particularly in view of the decisions that are being taken by the association of banking companies. I may bring to the notice of the hon. Minister that recently the banking companies' association passed a resolution and they came to the conclusion that with regard to the granting of rates of interest to the depositors they should not pay a higher rate of interest than the agreed one. No doubt it was in the best interests of their banking institutions. But considered from the point of view of business and the investors, whether the power that is entrusted to them would be good in the larger interests of the depositors is a matter that has to be seriously considered.

For the present, they may have come to the decision only with regard to the fixing of the maximum rate of interest to be given by any bank. But

that will affect adversely on the depositors. Suppose this association, in their mutual interest, agree to and try to surpass, and come to some other conclusions which are adverse to the interests of banking but to their advantage, then the Government must have some powers to see that the resolutions passed by the association in their mutual interest will not affect either the banks or the depositors or the shareholders. The shareholders will be indirectly benefited, but the depositors, the clients and customers of the country as a whole should not be affected. The Government should see that they are not jeopardised.

One other thing with regard to this Bill is about the liquidators. Now, it is a good thing that the liquidator who is appointed under the Banking Companies Act has been empowered with the powers as those of an official liquidator. But taking into consideration the working of the liquidation proceedings and the delay that has been frequently caused I would request the hon. Minister to see that greater powers are given to the liquidator so that the proceedings may be expedited.

Now, the Companies Act, amendment Bill is coming. Either in that Act or in this Bill (the Banking Companies Bill) some provision should be inserted so as to confer some powers to the liquidator to see that that these proceedings are expedited and that the winding up proceedings are taken as quickly as possible and causing the least delay to the persons who have deposited their amounts.

The last point that I would make is about the inspection of branch offices in foreign countries. It is a good thing that the Reserve Bank which has not got the powers till now is now being conferred these powers. It is a good thing. But we have of late seen the misgivings on the part of the depositors arising from the

malpractices that have been practised by many industrialists and others who make use of these branch offices for the purpose of keeping unauthorised amounts in banks outside India. I hope the Government and the Reserve Bank will utilise the powers taken now to detect as to who are holding unauthorised deposits in other banks, and to bring such people to book and see that the foreign exchange position is improved and also see that the amount which they have kept secretly goes to the benefit of the country and not to their individual benefits.

Dr. B. Gopala Reddi: Sir, I am beholden to the hon. Members who have welcomed the provisions of the amending legislation. I must congratulate Shri Prabhat Kar on the very valuable contribution he has made with regard to the banking administration as a whole. While he welcomed all these amendments, he felt that they are not quite adequate, they do not meet the situation and some more stringent measures perhaps ought to be taken or powers given to the Reserve Bank so that all the malpractices of the banks may be set right. But he must understand that since the passing of the original Act in 1949, things have greatly improved and the Reserve Bank from time to time, from their inspections, are having greater grip over the situation and most of the malpractices are being set right. Their inspection reports are being communicated and they are sitting tight on the banks in regard to the rectification of those defects. So, when we look in retrospect, we find that things are moving well and I hope that with the amending legislation and the lacunae being filled the Reserve Bank will be vested with proper authority to see that all the banking institutions work properly. Therefore I am really glad that all the provisions have been welcomed by various sections of the House.

Shri Prabhat Kar has complained as to why new branches are being allowed by the Reserve Bank in cities in-

[Dr. B. Gopala Reddi]

stead of allowing them to go into the rural side. The Reserve Bank has no right to compel them to go anywhere. The State Bank and the subsidiary banks can open their branches wherever the Reserve Bank suggests. The Reserve Bank can certainly dictate the policy there. But with regard to the commercial banks, it is up to them as to where they make their own profits or where they carry on their business. I am afraid, the Reserve Bank cannot come into the picture and direct where they should open their new branches and things like that.

Shri Prabhat Kar: Persuasion

Dr. B. Gopala Reddi: Persuasion is always there. But for the Reserve Bank's persuasion, even the few branches that we now opened in the rural side, in district headquarters, etc., would not have been there. Moral persuasion is always there but the legal compulsion is not there and it is not desirable.

Credit information bureau. Here again, we want the co-operation of all the banking institutions. It cannot be compelled by the amendment of the Banking Companies Act that everybody must give the information and things like that. It is in everybody's interest. After all, when a man goes on borrowing from each bank without the knowledge of other banks, it is to the detriment of the banks themselves. It is therefore in their own interest that they must all come together and come to an understanding of supplying this information. While it is desirable we do not want to do anything by compulsion. Certainly, in their own interest, they will come together and try to get this information from each other.

The question of bonus shares, of course, is a very ticklish one. I am told it is just now being taken up by the Supreme Court. They have concluded their arguments and judg-

ment is awaited. When the judgment is delivered, we will certainly go into the question and see as to what can be done in the light of the Supreme Court's judgment. I do not want to touch it because it is a very ticklish question. It is better I leave it at that.

Banks after all are dealing with crores of rupees which is other people's money and is not necessarily their own. As Shri Prabhat Kar said, only 2 per cent represents the shareholders' money and 98 per cent is other working capital and things like that from depositors. They must also see to the question of profitability and also security is there. They must generally adopt a policy of conservatism in this matter because they are dealing with other people's money and not their own money. So, the question of security certainly must be there. Profitability also must be considered and they cannot waive these two sound principles of banking.

Shri Prabhat Kar: With the change in the concept of society, the pattern also should be changed.

Dr. B. Gopala Reddi: The question of support to agriculture also was raised both yesterday and today, that is, that these banking institutions are not coming to the support of agriculture also. This has been earmarked for the co-operative sector and the land mortgage banks and the various credit institutions in the rural side. They must develop in larger numbers. I know that the Reserve Bank and the State Bank are giving all encouragement to these land mortgage banks and I know that in the last few years more and more branches are coming into being.

I was also present at the All India Land Mortgage Banks' Conference at Hyderabad. Almost every State is having an apex bank. UP also is coming into the picture. Therefore

it is a field specially earmarked for the co-operative sector. If the co-operative societies or the banks, provincial or district banks, want further support from the State Bank or the Reserve Bank, certainly it will be forthcoming.

With regard to industry also, if, of course, there are more applications, subject to the principles of security and profitability, the commercial banks will certainly give them all the necessary fillip for their industrial activity. But if only commercial people come and ask for these advances then necessarily they have to utilise their money to their best advantage. The present percentage is roundabout 51.

But more and more is also being given to industry. I do not think they have any complaint because commercial banks are there to serve their interests, naturally, that is, the industrial interest also. But if there are not many applications which are completely secure then the commercial banks also are under a disadvantage.

Then there is the question that liquidators' powers must be more and that this dilatory process is causing a good deal of inconvenience. It is true that the liquidators' powers should be enhanced. Whatever could be done perhaps either in this Bill or in a subsequent Bill, we can always examine the question.

Therefore, once again I am thankful to the hon. Members for lending their support to the amending Bill.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Banking Companies Act, 1949, be referred to a Joint Committee of the Houses consisting of 45 members: 30 from this House, namely:—

Shri C. R. Pattabhi Raman, Shri S. Osman Ali Khan, Shrimati

Sangam Laxmi Bai, Shri Kailash Pati Sinha, Shri Bhola Raut, Shri Chandra Shankar, Shri Suriya Prasad, Shri Liladhar Joshi, Shri P. Subbiah Ambalam, Shri S. N. Siddiah, Shri Hem Raj, Shri Harish Chandra Mathur, Pandit Krishna Chandra Sharma, Seth Achal Singh, Shri Raja Ram Misra, Shri S. Hansda, Shri Prafulla Chandra Borooah, Shri Umrao Singh, Shri Kamal Krishna Das, Shri B. R. Bhagat, Shri K. G. Deshmukh, Shri V. P. Nayar, Shri Chmtamani Panigrahi, Shri Kushwaqt Rai, Shri Motisinh Bahadursinh Thakore, Shri Karsandas Parmar, Shri Premji R. Assar, Shri Prakash Vir Shastri, Shri S. M. Banerjee, and Shri Morarji Desai, 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 last day of the first week 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".

The motion was adopted.

1417 hrs.

**BENGAL FINANCE (SALES TAX)
(DELHI AMENDMENT) BILL**

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

"That the Bill further to amend the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union Territory of Delhi, be taken into consideration."

Sales tax was first introduced in the Union territory of Delhi in 1951 and the West Bengal law was adapted for this purpose. The working of the system in Delhi has been reviewed with reference to certain recent developments and the experience of working it for the last seven years and it has been found necessary to amend the law as it stands to bring the sales tax structure in Delhi in line with the all-India pattern in regard to certain matters and the neighbouring States in regard to others. I would like to mention the various important changes which are proposed to be made.

In November, 1957, it was decided at a Conference of the Union and State Finance Ministers that Sales Tax at a uniform rate of 7 per cent should be levied on certain goods which are normally purchased by the affluent section of society throughout the country. This decision has already been given effect to by most of the State Governments while the others are expected to do so very shortly. It is desirable to bring the Union territory of Delhi also into line and this is proposed to be done.

The general rate of tax in Delhi is now one-half of an anna, that is, the old anna, in the rupee. It is proposed to raise it to four Naye Paise which is the general rate in the neighbouring State of Punjab.

Coal, cotton, iron and steel, jute and oilseeds are not at present taxed

in Delhi, while they are taxed in the neighbouring States of Punjab and UP. There is no reason why they should be exempted in Delhi alone and it is proposed to levy a tax at two Naye Paise on the sale of these goods.

Recently, the Supreme Court decided that it was not within the powers of a State Government to levy a sales tax on contracts. It is proposed to bring the position in Delhi in line with that in the States, although technically it is within the competence of the Union Government to levy the tax although not in the form of a sales tax. This would not result in any appreciable loss of revenue as sales of materials to the contractors for the execution of works would be subject to tax in the ordinary course.

Tax at present is levied in Delhi on the last point of sale. It is proposed to assume powers to levy tax at a point other than the last point, as and when it is considered expedient to do so. This would enable first point sales tax being levied in the case of certain commodities which are manufactured in factories and for which an organised trade channel exists.

Then again, there is a lacuna in the existing law in that there is no specific authority conferred on dealers to collect tax on the sales from their purchasers. Such a provision exists in many States Sales Tax Acts as also in the Central Sales Tax Act, 1956. This Lacuna is now proposed to be filled in.

Provision is also being made to enable sales tax authorities to impose penalties in case of defaults in payment of tax in time or for the deliberate suppression of turn-over, etc. Authority is also being conferred on Commissioner of Sales tax to refer any case to the High Court for decision on matters of law, a privilege now available only to the dealers.

Lastly the main purpose of the Amending Bill, as I mentioned earlier,

*Moved with the recommendation of the President

is to bring the law in Delhi in line with developments which have taken place since the West Bengal Act was applied to Delhi and later amended by the former Delhi legislature. All the provisions are non-controversial and I trust the House will accept the amendments proposed.

With these words, I move.

Mr. Deputy-Speaker: Motion moved:

"That the Bill further to amend the Bengal Finance (Sales Tax) Act, 1941, as in force in the Union Territory of Delhi, be taken into consideration."

Shri Tangamani (Madurai): Mr. Deputy-Speaker, Sir, before I go into the various provisions of the amending Bill I would like to say a few words about the observations made by the hon. Deputy Minister.

In the first place, the question of sales tax has been agitating not only smaller dealers, but also wholesale dealers throughout the country. Several State Governments have taken up this issue and a Committee was set up in Madras. The Lokanathan Committee report has been more or less welcomed both by the trading section and also by many political parties. Although the Madras Government accepted the whole thing in principle, they have not implemented many of the recommendations. The Central point about Lokanathan Committee is, although we accept the principle of sales tax, there must be a position where as a result of the sales tax, the consumer should not be affected considerably, because there are certain articles which may go through even half a dozen hands before the consumer gets it. According to the 2 pies sales tax which was originally imposed, if there was a question of multi-point sales tax, a case will arise where the ultimate consumer will be the 6th or 8th person. When he gets an article which is worth one rupee, when it

actually reaches him, it may be Rs. 1-4-0. Actually the cost price of that article goes up by 25 per cent. Several details were given by the merchants, particularly in the Madras State. This principle of sales tax at one point, either at the first or the last point has been more or less accepted. That has been the practice in this State also. Today, they want to give to the Commissioners special powers to allow multi-point sales tax on certain articles. What I submit is, a certain salutary practice which has been invogue in the Delhi State, is now sought to be taken away, and it will be a retrograde step. When I went through this Bill, I thought it was a very innocuous Bill. But, it has raised very basic questions and basic questions of principle also. One such is the question of sales tax at one point.

Then, he pointed out how there was a meeting of all the Finance Ministers here and it was agreed that the luxury goods should be taxed at 7 per cent. I have to take his word for his assertion that many of the State Governments have already imposed 7 per cent. I would like to know which are the State Governments which have imposed 7 per cent on these luxury goods. What are the luxury goods? In the Bengal Bill which has been adopted for Delhi, in Schedule I, it gives a list of luxury articles.

Shri B. R. Bhagat: Fifteen; they are specified.

Shri Tangamani: I know the First Schedule gives the goods subjected to a higher rate of 12 pies in the rupee. In the original Bengal Act, it was 12 pies in the rupee. Appended to the Bengal Finance Act, extended to Delhi, there is the list of luxury articles. Going through the list, probably, certain articles will have to be included and certain articles will have to be deleted also.

I will just mention a few. All electrical goods—switches, plugs, plug-holders—I do not know whether that is excluded—all electrical goods, instruments, apparatus and appliances,

[Shri Tangamani]

excluding bulbs, switches, plugs holders, flexible wire, vulcanised insulated rubber wire and other material required for wiring within premises; this is one item. When electrification is taking place, certain materials which are part of the electrifying process can no longer be luxuries. Clocks and time pieces—I can understand watches or parts of watches becoming luxuries. Today, clocks and time pieces have become luxuries. Can they be called luxuries today? Gold and silver plated articles and wares gold jewels and such things are still, not luxuries. Because, I know, when articles made of gold were included as luxuries, there was not only a protest, there was a general hartal in several States. Gold and silver-plated articles which are being used by the middle classes are now sought to be included as luxuries. Table cutlery is a luxury; binocular is a luxury. There are several items. I have just mentioned half a dozen items, which are normally used by the middle classes, which are sought to be treated as luxuries. This has got to be revised. This is a thing which has got to be done instead of coming forward with an amendment seeking to impose more hardships to which I shall come in a few minutes.

The next general observation that I would like to make is, there has been a sales tax of 3 and 1/8 per cent. This sales tax is sought to be increased to 4 per cent. The reason that is given by the hon. Deputy Minister is, he is going to bring it in line with Punjab. I know some Members from Delhi will be speaking and they will be able to tell us whether on the question of manufacture, on the question of distribution or sale, Bengal and Delhi could be equated. Because it is 4 per cent in a neighbouring State, we must also bring it in line with the neighbouring State is not an argument which will convince this House unless more substantial reasons are given. In another State it may be 6 per cent. They may have reasons for this. My suggestion is, it must be reduced. If

it was 3 and 1/8 per cent, the nearer figure will be 3 per cent. We are not opposing the imposition of the sales tax. Nearer to 3 and 1/8 per cent will be 3 per cent. Three per cent will meet the ends of justice. Another privilege which was being enjoyed by the people of Delhi was that certain exemptions were given to coal and other things. They are now sought to be taken away. I submit that that is not also a very valuable tradition that we are setting up when we are amending the sales tax legislation.

The question of turnover is also a very important one. The question who a registered dealer is will have to be discussed with the dealers of this particular place. Government say that a dealer will have to register when the annual turnover or the annual import from the other States is Rs. 10,000. I submit that Rs. 10,000 is a very low figure. I do not know whether it should be Rs. 25,000 or Rs. 30,000.

Shri B. R. Bhagat: In the case of imports, the turnover is Rs. 25,000.

Shri Tangamani: There are people who only import these articles from the other States and sell them here. Simply because the articles come from the other States, if the turnover slightly exceeds Rs. 10,000, then the person will come within the mischief of this Act; that means, that he will have to keep his accounts. This will result in harassment. Under the proposed amendment, enormous powers are given to the commissioner. These are given in detail in this amending Bill. If an honest dealer takes his books to the commissioner or to any officer appointed by him, and if the officer, when he is perusing these records, thinks that these records have not been properly kept or that the particular licence-holder has not complied with the provisions of the Act, he has got complete powers to impound him. This is clothing the officer with extra-ordinary powers, as if this particular person had com-

mitted a very serious offence. This is exactly the thing which these small dealers have been opposing.

So, I submit on the question of granting licences to the dealers, that the minimum must be raised from Rs. 10,000. I leave it to the hon. Minister to fix the figure at Rs. 15,000 or Rs. 20,000 or Rs. 25,000, because he will be in a better position to tell us what exactly is the minimum claimed by the dealers of Delhi. If it is merely the fixing of a national figure on the ground that it is applicable in some other State, that will not satisfy the dealers here.

I have no grievance against the new schedule which is being introduced, in order to bring it in line with the Central Sales Tax Act, 1956 under which certain articles are articles of special importance, and sales tax at only one point in the course of inter-State trade is levied.

As regards the Supreme Court decision on contract also, I have nothing much to say, because I feel that Government have taken note of that. Although the Supreme Court's decision does not prevent us from doing certain things, yet we have brought it in line with the position prevailing in other States.

These are my brief observations, which I shall now substantiate by referring to certain clauses. Section 2 (d) defines goods as follows:

"'goods' includes all materials, commodities and articles but does not include actionable claims, stocks, shares, securities or money."

Now, clause 3 (b) of the present Bill seeks to remove from the definition of 'goods' newspapers; in order that sales tax may not be levied on them in the Union Territory of Delhi as in other States. I know it is a ticklish question whether sales tax should be imposed on the newspapers or not. Probably two years ago, I

would have said that there need not be sales tax on newspapers, when the old currency was in vogue. With the coming in of the naya paisa, newspapers which were sold at one anna are being sold at 7 naya paise; and newspapers which were sold at 2½ annas are being sold at 17 naya paise. So, a self-imposed sales tax on newspapers has come about. Now, the tax is actually being collected from the purchasers or from the general public. That is, the general public are being taxed in the name of naya paisa. Naya Paisa has meant additional taxation of the reading public. When the newspaper owners have taken it into their heads to impose this sales tax on the reading public, at least a portion of it should go to Government. So, complete exemption to newspapers is a thing over which I am not very happy at present. If there are newspapers which can satisfy Government that they have not increased their prices because of the introduction of the naya paisa, then they may be exempted, because they have not committed anything wrong because of the introduction of the naya paisa. Otherwise, the blanket exemption which is being given to newspapers is a thing which I am not in a position to accept.

Then, clause 4 (c) reads thus:

"for clause (a) of sub-section (5), the following clause shall be substituted, namely:—

"(a) in relation to any dealer who imports for sale any goods into the Union Territory of Delhi or manufactures or produces any goods for sale, regardless of the value of the goods imported, manufactured or produced, ten thousand rupees'."

This new amendment seeks to enforce this law on those dealers who import goods to the tune of Rs. 10,000, by saying that they will have to become registered dealers, and the registered dealers will come within the mischief of this amending Bill and also the entire Act. As I have submitted

[Shri Tangamani]

already, Rs 10,000 is a very low limit, and it must be increased at least to Rs. 20,000. Because this Bill had been taken up today itself, we could not send in amendments, but if I were given the chance during the second reading, I would move an amendment that this figure of Rs 10,000 must be increased to Rs 25,000. Speaking subject to correction, I believe Mr Lokanathan has suggested Rs 30,000. Only if the general annual turnover is Rs 30,000 should the sales tax be applicable. But in the case of Delhi, there is some peculiarity because we are only restricting it to those dealers who are importing goods from other States, in such cases the limit may be Rs 25,000.

The next important clause is clause 5. In respect of sub-clause (a) of this clause, the notes on clauses

"Some of the goods declared by section 14 of the Central Sales Tax Act, 1956, to be of special importance in inter-State trade or commerce are being placed under a new Schedule and the levy of tax thereon will be at the rate of 2 naya paise in the rupee."

This is the effect of the new amendment proposed in sub-clause (a) of clause 5. We have already passed the Central Sales Tax Act of 1956, and this Act was recently amended also. And it was based mostly on the recommendation of the Law Commission. The Law Commission has more or less given a directive that for articles of special importance, certain protection should be given. So, instead of having taxation in different States, it has got to be at only one point, and the principle of sales tax at a single point has been accepted and two per cent has been fixed. In line with the Central Act, here also we are bringing in an amendment to have two naya paise. I have no grievance. I agree and endorse this particular amount. But then, the general rate of tax has been raised to four naya paise. Originally, the sales tax that was

imposed was only the old two paise, i.e., $3\frac{1}{8}$ per cent or $3\frac{1}{8}$ naya paise. When that was the practice, I do not see any reason why it should be enhanced to four per cent. The reason that has been advanced by the hon. Deputy Minister is that we happen to be very near Punjab where the prevalent rate is four per cent and in Delhi also let us accept this four per cent. That argument is not at all convincing, and I would like him to advance different arguments.

This is again something like the newspaper men increasing it to seven naya paise because the naya paise has come into vogue. The corresponding equivalent of one anna is six naya paise, and the newspaper proprietors are charging seven naya paise. So, the reading public has to pay one naya paise more. Here, Government were charging 3 125 naya paise, and when they find that this naya paise has got to be rounded off, instead of making it three naya paise, they are increasing it to four naya paise. Probably they are only following the footsteps of the newspaper proprietors. I do not think this is very healthy practice. So, I oppose this increase from 3 125 to 4 per cent, and I submit that it should be reduced to 3 naya paise.

I was hoping this Bill would come tomorrow, and that I would be able to submit amendments to it today so that some of them could be pressed during the second reading. I request that the hon. Deputy Minister should not only give reasons for the enhancement from 3 125 to 4 naya paise, but also see that it is reduced to 3 naya paise.

In clause 5 again we have the question of seven per cent. On the luxury articles which are listed in the schedule, we were getting about four annas, which is now going to be seven per cent. Either some of the items included in the list of luxury articles have to be removed, or he

must tell us the list of articles on which the other States impose this seven per cent

I take very serious objection to clause 6 With your permission I will read it:

"After section 5 of the principal Act, the following sections shall be inserted, namely:

"5A. Notwithstanding anything to the contrary in this Act, the Chief Commissioner may, by notification in the Official Gazette, specify the point in the series of sales by successive dealers at which any goods or class of goods may be taxed.

5B The burden of proving that in respect of any sale effected by a dealer he is not liable to pay tax under this Act shall lie on him"

Here, he is given complete, blanket power to impose sales tax at different points The very salutary practice which has been in vogue that sales tax should be imposed only at one point is now given the go-by, and even when multiple sales tax is imposed, it is not on the basis of the understanding of the Commissioner himself It is for the dealer to come forward and convince the Commissioner that there should not be multiple sales tax because there has already been multiple sales tax in respect of the particular article So, I really feel that this clause should not find a place here Section 5 of the original Act is quite good and by adding this we are not at all improving the position Giving such powers to the Commissioner will only cause much hardship and difficulties to the various dealers who will be affected by this

Clause 12 gives powers to the assisting authorities to impound and retain any books of accounts or other documents produced before them In

the beginning I said this is a power which is likely to be abused If I read the clause you will agree with my reasoning that it is a section which gives such wide powers to the Commissioner that it is likely to be abused The clause reads

"Section 21A of the principal Act shall be re-numbered as sub-section (1) thereof and after sub-section (1) as so re-numbered the following sub-section shall be inserted, namely

"(2) Subject to any rules made in this behalf any authority referred to in sub-section (1) may impound and retain in his custody

—it is not only the Commissioner but also any of the assisting authorities—

' for such period as it thinks fit, any books of account or other documents produced before it, in any proceedings under this Act

Provided that a person appointed to assist the Commissioner under sub-section (1) of section 3 shall not—

- (a) impound any books of account or other documents without recording his reasons for so doing, or
- (b) retain in his custody any such books or documents for a period exceeding thirty days without obtaining the approval of the Commissioner therefor"

The first portion of this clause gives such wide powers to the Commissioner and in the course of any proceedings under this Act one of the assistants may inform the dealer that he would like to inspect his books It may be for ad hoc assessment or for a proper assessment. In the course of assessment, if the assessing authority feels that it is a fit case where he

[Shri Tangamani]

should be proceeded against, he can immediately declare that he is impounding his accounts books. I can understand if a return has been made and after queries and enquiries doubts arise in the mind of the assessing authority and then he resorts to this. Now, in the course of any transactions, if the books get into his hands, there is always the difficulty of the dealer getting the books back. This type of provision is much worse, and is a very serious penal provision. This is a real challenge to the dealers.

What to the dealers exactly want today is that even if the rate of sales tax is imposed, it should be only at one point, and they want the minimum of harassment. This is maximising the harassment, and I seriously oppose this clause. The original section 21A can remain as it is.

These are briefly the points which I want the hon. Deputy Minister to consider. As I have already indicated, this is a very serious and very important measure. When the time was fixed, probably the seriousness of this Bill was not very much considered. It is going to hit at the fundamentals of the sales tax legislation itself. Certain rights which have been enjoyed by the dealers and the people in Delhi are sought to be taken away, and new penal clauses are being introduced. Hence, except for certain clauses which I have supported, I oppose this Bill.

श्री राधा रत्न (चांदनी चौक) उपाध्यक्ष महोदय, सदन के सामने जो दी बंगाल काइनेस (मेल टैक्स) (दिल्ली प्रमोटमेंट) बिल, १९५९ विचारार्थ उपस्थित है उसके सम्बन्ध में मुझे दुःख के साथ यह कहना पड़ता है कि बावजूद इसके कि हमारे माननीय उप-सूत्री ने यह कहा है कि यह विधेयक बहुत ही साधारण है और इसमें कोई आपत्तिजनक बात नहीं होनी चाहिये, कुछ बातें ऐसी हैं कि जिन्हें सदन के सामने रखना आवश्यक है

और उनके ध्यान में लाना भी आवश्यक है। मैं समझता हूँ कि मुझे उन बातों के दुहराने की ज्यादा जरूरत नहीं जिनको कि हमने पहले मौकों पर सदन के सामने रख दिया है लेकिन इतना कह देना मैं जरूरी समझता हूँ कि दिल्ली का एक स्थान है तिजारात में कि जब कभी भी ऐसा विषय आता है या ऐसे विधेयक आते हैं तो उस समय हमें इस बात का ध्यान रख कर ही उन विधेयकों की तथा उनकी चाराओं पर गौर करना पड़ता है।

यह कहा जाता है कि जो कर बिक्री पर लगेगा उस कर को समान बनाने के लिये तमाम राज्यों के अन्दर हमारी कोशिश है। मैं समझता हूँ कि यह एक अच्छी बात है कि सारे राज्यों में समान कर लगे। मगर एक बार नहीं कई बार यह बात दुहराई गई है कि दिल्ली एक ऐसा स्थान है कि जहाँ मैनफैक्चरिंग बहुत कम से कम होता है और यहाँ पर माल की खपत भी बहुत कम होती है बमुकाबले उस सामान के जो कि यहाँ दिल्ली से बाहर से आता है, इम्पोर्ट होता है। ज्यादातर सामान ऐसा है कि जिसकी यहाँ पर खपत भी नहीं होती और न ही वह यहाँ पर बनता है बल्कि वह दूसरे भासपाम के इलाकों में जाता है और उस सामान की बहुत से इलाकों के लोग यहाँ पर आकर खरीददारी करते हैं। ऐसी दूरत में जब कोई ऐसा कर लगता है तो उसका असर यहाँ की तिजारात पर पड़ता है और तिजारात में कुछ फर्क पड़ जाता है और दिल्ली के बहुत से व्यापारी जो कि बाहर से माल ला कर यहाँ उससे दूरे व्यापारियों के हाथ में बेचते हैं वे उस को उ दामों पर नहीं बेच सकते जिस पर कि पंजाब और यू० पी० के व्यापारी लोग बेचते हैं और उसका नतीजा यह होता है कि दिल्ली के जो ताबिर और व्यापारी हैं वे अपने काम को साहजिकी से निकाल कर भासपाम के इलाकों में से जाना चाहते हैं या फिर अपनी रोजगारी की जो आमदनी है उसको कम पाकर भी समझें

कर लेते हैं। इसलिये पहली बात जो मैं उपमंत्री महादय की दृष्टि में लाना चाहूंगा वह यह है कि जहाँ उन्होंने इस बात को सामने रखा है कि यह विधेयक हम इसलिये ला रहे हैं कि समान कर दिल्ली राज्य के इलाके पर लगाया जाय तो मैं इस बात का समर्थक नहीं हूँ। मैं तो यह समझता हूँ कि हमें पंजाब और यू० पी० के मुकाबले में दिल्ली में जो कर लगा हुआ है उनमें कोई न कोई कमी रखी ही चाहिये ताकि उसका जो डिस्ट्रिब्यूटिंग केंटर है वह बना रह और यहाँ की तिजारत यहाँ से निकल कर दूसरे सूबों में और दूसरे राज्यों में और आसपास के इलाकों में न चली जाय ताकि जो बेकारी और बेरोजगारी आज हम दिल्ली में देख रहे हैं वह और भी ज्यादा न बढ़ जाय।

इस विधेयक के अन्दर मोटी मोटी, ५, ६ बातें आई हैं और उनके सम्बन्ध में मैं सदन के सामने थोड़ा सा निवेदन करूंगा। पहली बात तो यह है कि इस बिल के जो मकसिद हैं उनमें कहा गया है कि २ पैसे से ४ नये पैसे प्रति रुपये की दर बढ़ायी जाय और जो लकड़ारी गुद्दस और खास क्रिस्म का सामान है उसके ऊपर अब ७ परसेंट का बिन्नी कर लगाया जायगा। मैं इस बात का समर्थन करने में असमर्थ हूँ कि जो इस वस्तु कर लगा हुआ है यानी २ पैसे का उसको बढ़ा कर ४ नये पैसे कर दिया जाय क्योंकि जहाँ हम इस बात की मांग करते हैं कि दिल्ली की तिजारत को फरोश देने के लिये या बराबर रखने के लिये दूसरे सूबों में जो कर लगता है उससे यहाँ दिल्ली में कुछ कम ही रखना जाय परन्तु विधेयक के अनुसार आज जो २ पैसे कर लगा हुआ है उसको आप बढ़ा कर ४ नये पैसे करने जा रहे हैं। दिल्ली की तिजारत पर उसका प्रतिकूल असर होगा। क्योंकि जहाँ हम कर कम करना चाहते हैं वहाँ आप उसे और ज्यादा बढ़ाने जा रहे हैं। इसका असर आसानी से तिजारत पर ऐसा पड़ेगा जो कि नकारात्मक हो सकता है और जैसे कि मैंने

आपसे आशं भी किया कि हल्के हल्के इन करों की वजह से बहुत सी तिजारत जो कि दिल्ली के डिस्ट्रिब्यूटिंग सेंटर होने के नाते यहाँ पर कायम थी और आज से नहीं बल्कि वहाँ और या सदियों से कायम रहती चली आई है वह अब धीरे धीरे आसपास के इलाकों में चली जा रही है। उसका नतीजा हम देख रहे हैं कि दिल्ली में आये दिन बेकारी और बेरोजगारी बढ़ रही है और इसलिये मैं दिल्ली में जो वर्तमान कर की दर है उसमें कोई बढ़ोत्तरी करने के खिलाफ हूँ। हाँ यह ठीक है कि आप कर लगायें। अगर आप बिल्कुल माफ नहीं करना चाहते तो यह जो कर इस वस्तु दिल्ली में लगा हुआ है उसको और आगे बढ़ाये भी नहीं। और कर बढ़ाने वस्तु इतना जरूर ध्यान में रखें कि कहीं उनका प्रतिकूल असर यहाँ की तिजारत पर न पड़े और कहीं उसको इतना न बढ़ा दिया जाय कि दूसरे इलाकों से कम्पिटेशन बिल्कुल खत्म हो जाय और खाली कम्पिटेशन ही नहीं बल्कि एक तरह उसकी नुकसान पहुंचने लगे। मेरे विचार से इस कर के बढ़ाने से यह होगा कि आज जो मास यहाँ का व्यापारी दिल्ली में मना कर आसपास के इलाकों वालों को जिन ठामों में बेच सकता था इस बड़े हुए कर की वजह से वह नहीं बेच सकेगा। दिल्ली की तिजारत पहले ही कमजोर हो रही है और भी कमजोर हो जायेगी। इसलिये मैं उपमंत्री महादय से निवेदन करूंगा कि वह इस बात का अवश्य ध्यान रखेंगे और मैं समझता हूँ कि ३ 1/2 परसेंट से बढ़ाने की तजवीज लागू नहीं करेंगे।

दूसरी चीज जो इसमें कही गई है वह ७ परसेंट के बारे में है और वह खास खास सामान के बारे में है। मैंने उसकी फ्रह्रिस्त भी देखी है और मेरे माननीय दोस्त ने उसे पढ़ कर भी बताया। मैं इस बात को मानने को बिल्कुल तैयार हूँ कि ऐसी चीजें जो कि बहुत ज्यादा अमीर आदमियों द्वारा या जो जरा आसूदा परिवारों में बर्ती जाती हो और वह

[श्री राधा रमण]

रोजाना बूख की नहीं, उन पर आप भले ही वह ७ परसेंट का कर लगा दें लेकिन उस प्रोहरिस्त के अन्दर बहुत सी ऐसी चीजें हैं जैसे कि कटलरी अथवा मोटर पार्ट्स आदि उन पर ७ परसेंट कर लगाना कुछ मुनासिब नहीं होगा। मोटर पार्ट्स ऐसे भी हैं जो कि एक मामूली ट्रक अथवा जीप में काम आते हैं और यदि वे पार्ट्स महंगे बिकते हैं तो उसका असर कंज्यूमर्स पर बढ़े हुए किराये की शक्ल में पड़ेगा और यह लोगों द्वारा रोजाना इस्तेमाल में आने वाली चीजें हैं। उनकी कीमतों बढ़ने से लाइफ़ी नजीजा यह होगा कि आज गाज़ियाबाद सामान ले जाने के लिए जो ८ आने मन चार्ज किया जाता है वह तब इस रेट पर नहीं ले जायेंगे और वह ६ आने या साढ़े ८ आने चार्ज करेंगे। इस तरह आप देखेंगे कि इसका कंज्यूमर्स के ऊपर असर पड़ता है जिसको कि आप राहत देना चाहते हैं मगर जो आपका तरीका है उसका नतीजा यह होता है कि उस पर भार कम होने के बजाय निरन्तर बढ़ता ही जाता है। इस कर के बढ़ाने से घर में इस्तेमाल के लिये जो कटलरी अभी अभी २ रुपये में मिलती है वह २ रुपये १ आने में मिलेगी। इसलिये यह देखना जरूरी है कि साधारण आदमियों की जो रोजाना जरूरत की वस्तु चीजें हैं वह और अधिक महंगी न हो जायें और साधारण आदमियों पर और ज्यादा बोझ न पड़ जाय।

हमने यह उसूल माना है कि जितना भी कर हमें लेना है बजाय इसके कि हम अलग अलग खुदा चीजों के ऊपर लें, बेहतर है कि जितनी चीजें बनती हैं जितना मैन्यूफैक्चरिंग या प्रोडक्शन होता है उस पर एक्साइज कर वसूल करें। इससे आज जो इन्वेजन होता है उसमें कमी हो जायगी। मैं मानता हूं कि कितने ही आप कानून क्यों न लगा दें मगर हम यह देखते हैं कि दुकानदारों में इन्वेजन की बहुत काफी आदत पड़ चुई है और मैं समझता हूं कि जैसी हालत है उसमें आप इन

करों से ज्यादा आमदनी बढ़ाने वाले नहीं हैं लेकिन उसका तरीका अगर आप बदल दें और एक्साइज के तरीके पर आप उसको हासिल करें तो जितनी आमदनी आपको इससे होगी उससे बांगूनी आमदनी एक्साइज से हो सकेगी। एक्साइज के जरिए वसूल करने से आपको कर अधिक मिल सकता है। इसलिये मेरी राय तो यह है कि आप इस तरह ज्यादा से ज्यादा चीजें छांट कर उन पर एक्साइज कर लगा दें और इस बिज्नी कर को आप कम से कम कर दें। ऐसा न करने से लोगों पर अच्छा असर नहीं पड़ेगा जो कि उन चीजों को बतने वाले हैं वे इस तरह से लोग ज्यादा कीमत पर चीजें हासिल करते हैं। इसके अलावा जो आम लोग खरीदने और बेचने वाले हैं वे बेईमानी करते हैं और कर आप वसूल करने का इरादा करते हैं उस कर को आप वसूल नहीं कर पाते हैं चाहे कितने ही बढ़िया से बढ़िया कानून आप क्यों न लगा दें। इसलिये मेरी निहायत प्रबल मे दरखास्त है कि इस सिलसिले में दिल्ली का खास तौर पर खयाल रखते हुए फैसला करे इस मसले पर हम पहले भी काफी कह चुके हैं और बार बार कहते हैं और जो बात हम कहते हैं वह सही और सच्चाई है, और उस पर और करना हुकूमत के बास्ते बहुत जरूरी है।

15 hrs.

फिर इसके बाद विधेयक में न्यूज पेपर्स को एग्जेंट किया गया है। मैं इसका स्वागत करता हूं। मेरे माननीय भाई ने बतलाया कि अखबार वालों ने भी कुछ कीमतें ज्यादा कर दी हैं। इसमें शक नहीं कि उन्होंने कुछ कीमतें ज्यादा कर दी हैं, मगर उन्होंने ऐसा इस गरज से नहीं किया है कि उनको सेल्स टैक्स देना पड़ेगा बल्कि उन्होंने ऐसा इसलिये नहीं किया है कि आज जो कानून बन रहे हैं उनके मुताबिक कम्पोजीटर को ज्यादा पैसा देना पड़ता है, दफ्तर में काम करने वाले मुलाजिमों को ज्यादा पैसा देना पड़ता है, ज़रनमिस्ट्स की मिनिमम वेजेज फिक्स हो गयी हैं, कागज की कीमत

भी पहले से कुछ बढ़ गयी है। तो जब मारी इन चीजों के लिये प्रत्यक्ष बालों को ज्यादा पैसा देना पड़ता है तो उनको सोचना होगा कि वह भी अपने प्रत्यक्ष की कीमत बढ़ावें। अगर आप उन पर भी सेल्स टैक्स लगा देंगे तो नतीजा यह होगा कि वह भी अपने प्रत्यक्ष को बढ़ावे १७ पैसे के १८ या १९ पैसे में बेचने लगेंगे। आप जब किसी चीज पर सेल्स टैक्स लगावेंगे तो वह दुकानदार या उस चीज को पैदा करने वाला अपने घर से तो वह टैक्स नहीं देगा। वह तो उसी धादमी के गले उसको मढ़ देगा जो कि उससे खरीदता है। तो लामुहला इस टैक्स का प्रसार बढ़ाने वाले पर ही पड़ेगा। आज प्रत्यक्ष वालों ने १७ नये पैसे में प्रत्यक्ष बेचना स्वीकार किया है, लेकिन अगर आप उन पर टैक्स लगा देंगे तो वह उसको १९ या २० पैसे को बेचने लगेंगे। अगर किसी तिजारात करने वाले को सन्तोष नहीं होगा तो वह उस चीज को नहीं चला सकेगा। वह उस काम को तिजारात के उसूल की भावना पर चलाता है। यह कहना ठीक है कि सरविष एबब सेल्फ, और यह बहुत ऊँचा उसूल है, लेकिन व्यापारी के सामने सिर्फ सरविष की ही बात नहीं रह सकती, उसके सामने प्राफिट की बात भी रहती है। लेकिन अगर कोई व्यापारी समाज के भले के लिए काम करता है और अपना उचित मुनाफा लेता है तो वह सोसाइटी के लिए एक अच्छी बात है और उसका स्वागत करना चाहिए। हाँ अगर कोई व्यापारी केवल अपने मुनाफे के लिए ही काम करता है तो उसकी नीयत खराब है और वह सोसाइटी के लिए एक धुन की तरह है जो कि सोसाइटी को फायदे की जगह नुकसान ही पहुँचाता है। तो इस सिलसिले में मैं यह प्रार्थना करता हूँ कि आपने न्यूज पेपर्स को जो एम्बेस्सन्स दिया है मैं उसका स्वागत करता हूँ और इसे मुनासिब मानता हूँ; आपने एक बात और की है। जो बर्क कांटेक्ट्स होते थे उनमें भी बहुत विकृत थी। एक धादमी हजार चीजें इकट्ठी करता है और उन पर सब सेल्स टैक्स

प्रदा करता है और जब वह उनको मिलाकर एक चीज तैयार करता था तो फिर उस चीज पर भी टैक्स देना पड़ता था। इसको खत्म करके आपने मुनासिब ही कदम उठाया है। आपने विधेयक के अन्दर यह बयान किया है कि बावजूद इसके कि सुप्रीम कोर्ट के फैसले के मुताबिक आपको यह अख्तियार है कि आप इस तरह भी टैक्स ले सकते हैं। लेकिन आपने यह मुनासिब बात की जब आप पहले हर चीज पर टैक्स ले चुके हैं तो फिर मजबूरी शर्त पर दुबारा टैक्स न लें। इस तरह का टैक्स लेना गैर बर्जाय था। मैं आपके इस कदम का स्वागत करता हूँ। इस विधेयक में यह कमजोरी भी उसको प्रानन खत्म कर दिया। यह निहायत मुनासिब बात हुई।

एक दूसरी बात जिसके बारे में मैं प्रार्थना करता हूँ वह यह है कि आपने इस विधेयक के अन्दर यह प्रावीजन रखा है कि बजाय इसके कि आखिरी या फाईनल प्वाइंट पर सेल्स टैक्स दिया जाये, आपने चीफ कमिश्नर को अख्तियार दिया है कि वह नोटीफिकेशन द्वारा कितने ही प्वाइंट्स पर टैक्स लगाने की व्यवस्था कर सकता है, वह मल्टी-पल प्वाइंट्स पर भी टैक्स लगाने की व्यवस्था कर सकता है। मैं समझता हूँ कि यह निहायत गैर मुनासिब बात है।

Shri B. R. Bhagat: At one point only.

Shri Radha Raman: No, no. You have given the Chief Commissioner power that he can, by notification, have sales tax realised not at one point but. ...

Shri B. R. Bhagat: At any one point.

Shri Radha Raman: ... but at multiple points. There you have said that instead of at one point he can also levy at two or three points; and that is what my hon. friend also explained this provision.

[जी राधा रमण]

अगर ऐसी चीज नहीं है तो मैं इसकी सफाई चाहूंगा। सूरत यह है कि एक आदमी ए० बी० से सामान खरीदता है और सेल्स टैक्स देता है। फिर वह तीसरे आदमी को बड़ी चीज उसी इलाके में बेचता है और उससे सेल्स टैक्स लेता है। इसी तरह जब तीसरा आदमी चौथे को उसी इलाके में वह चीज बेचता है तो उस पर भी सेल्स टैक्स देना पड़ता है। इस तरह अगर एक चीज एक ही इलाके में छः हाथों में जाती है तो उसनी ही बार उस पर सेल्स टैक्स लग जाता है। और आखिर मैं जब कंप्यूमर उसको खरीदता है तो उस पर वह सारा टैक्स पड़ जाता है। तो इसकी सफाई की जाये तो अच्छा होगा। जो कर उन तमाम आदमियों को देना पड़ेगा उसका आखिर में भरत उस आदमी पर पड़ेगा जो कि उस चीज को बरतने के लिए खरीदता है। तो मैं समझता हूँ कि इस तरह का अधिकार चीफ कमिश्नर को देना गैर मुनासिब है। आप एक प्वाइंट पर सेल्स टैक्स रखें, या पहले पर या आखिर पर, वह तो ठीक है और उस पर कोई ऐतराज नहीं हो सकता।

आपने इरादा किया है कि चीफ कमिश्नर को यह ताकत दी जाये कि वह किसी भी व्यापारी की किताबें या कागजात बगैर देखना चाहे तो उनको मंगा ले। यह मुनासिब बात है क्योंकि ऐसे बहुत से लोग होते हैं जो टैक्स को इवैड करते हैं। साथ ही आप यह ताकत भी उसे देना चाहते हैं कि अगर वह चाहे तो उन किताबों और कागजात को अपने पास इंडेफिनेटली [indefinitely] रख सकता है। यह गैर मुनासिब मालूम होता है क्योंकि मैं समझता हूँ यह अननसेसरी हेरासमेंट का कारण बन जायेगा। मैं यह नहीं मानता कि ऐसा करने से हकूमत को कोई फायदा हो जायेगा। लेकिन मुझे यह ख़ुबहा ज़रूर है कि इसका मिसवूज होना आमुली बात है। सेल्स टैक्स कमिश्नर चाहे तो वह

उन किताबों को देखने के लिए रख सकता है लेकिन जो ताकत आप देना चाहते हैं इससे तो एक ईमानदार आदमी को भी सताया जा सकता है। तो मेरी दरखास्त है कि अधिकारी को कागजात और किताबें इंडेफिनेटली रखने का अधिकार नहीं होना चाहिए। अगर वह चाहता है कि उनमें उलटफेर न की जा सके तो वह उन पर निशान लगा सकता है, अपने दस्तखत कर सकता है लेकिन मैं समझता हूँ कि किताबों और कागजात को इंडेफिनेटली रखने का अधिकार गैरमुनासिब है। इससे न कोई फायदा हकूमत को हो सकता है और न मुहकमे को कोई फायदा होना नजर आता है। इसलिए मैं निहायत अवब से अर्ज कर्हूंगा कि आप इस पर गौर करें। अपारिटीष को यह अधिकार देने से कोई लाभ नहीं है इसलिए उनको यह अधिकार न दिया जाये।

इसके अलावा क्लार्जेज के बारे में यह अर्ज करना चाहता हूँ कि यहां पर अपने रजिस्टर्ड डीलर्स और अनरजिस्टर्ड डीलर्स का हवाला दिया है। मुझे इस बात पर तो बहुत संतोष है कि आपने इस बात को मुनासिब समझा है कि रजिस्टर्ड डीलर होने चाहिए। मैं समझता हूँ कि रजिस्टर्ड डीलर्स की वजह से बहुत सारी दिक्कतें दूर हो जायेंगी और जो लाखों रुपये के टैक्स का इवेज हो रहा है वह कम हो जायेगा। लेकिन इस बात को नजरन्दाज नहीं करना चाहिए कि हमारे मुल्क में जो छोटे दुकानदार हैं उनमें से ज्यादातर बेपड़े लिखे हैं और मैं समझता हूँ कि अगर आप जायजा लें तो आप देखेंगे कि परचून के दुकानदार जो कि डोमेस्टिक चीजों को बेचते हैं उनकी संख्या सब से ज्यादा होगी और उनका आउटटर्न भी बहुत सम्बा चौड़ा नहीं होता। लेकिन अगर आप उनसे कहें कि कागज भरें, और कोहेरिस्त बनाएँ कि क्या क्या चीज किसने किसने में बेची और महीने महीने का हिसाब दें तो मैं समझता हूँ कि वह

उनके लिए एक हरक्यूलियन वर्क होगा, उनके लिए यह बहुत बड़ा काम होगा और अगर वह किसी बाबू की पार्ट टाइम इसके लिए रखें तो भी वह इस काम को ठीक तरह से नहीं कर पावेगा और उसकी एक छोटी सी गलती की वजह से उस दुकानदार का हिरास किया जाना एक मामूली सी बात होगी। इसलिए मैं अर्ब कहेगा कि आप इस बिबेयक को ऐसा बनावें ताकि जो छोटे डीलर्स हैं उनको हिरास न किया जा सके। आपने रजिस्टर्ड दुकानदार के लिए यह बर्त रखा है कि उसका महीने का टर्न प्रोब १० हजार से ज्यादा हो। यानी इसके मानी यह हुए कि उसकी प्राठ दस रुपये रोज की आमदनी होगी। मैं समझता हूँ कि ऐसे दुकानदार के लिए कागजात को ठीक तरह से तैयार करना मुश्किल होगा, और जो कानून के मुताबिक रूल्स और रेग्युलेशन्स बनने वाले हैं उन की पाबन्दी करे, तो मैं समझता हूँ कि यह उस के बस का काम नहीं है और अगर उस के बस का काम नहीं है, तो इस का मतलब यह है कि वह एक एकाउंटेंट रखे, जब कि उस की आमदनी सिर्फ प्राठ दस रुपये रोज हो। आप जानते हैं कि आज-कल अगर पार्ट-टाइम एकाउंटेंट भी रखना हो, तो वह भी सस्ता मिलना बड़ा मुश्किल है। और अगर वह पार्ट-टाइम एकाउंटेंट को लगाए, तो जो सैकड़ों शलतियां होगी, उन का जिम्मेदार वह खुद बनेगा। मैं अर्ब करना चाहता हूँ कि यह एक इम्प्रेक्ट-केबल चीज है और छोटे छोटे दुकानदारों को इस से बहुत काफ़ी तकलीफ हो सकती है। इस लिए मैं निहायत धन्य से अर्ब करना चाहता हूँ कि सरकार ने जो दस हजार की रकम रखी है, उस को बढ़ा कर पच्चीस हजार कर दीजिए। पच्चीस हजार रुपये से कम की आमदनी वाले दुकानदार के सिलसिले में सरकार चाहे आमदनी का कोई आयोजन से कर, या समझ कर, या कोई कागजात जमा कर एडवाक बेसिस पर सेल्स टैक्स लगा दे, लेकिन इस बिल में कोई ऐसी व्यवस्था जरूर होनी चाहिए कि इतने छोटे छोटे

दुकानदारों को जो तकलीफ हो सकती है, उस से उन को बचाया जाये और वे लोग सेल्स टैक्स के दफ़्तर के दरवाजे खटखटाने और कागजात को पुर कर के सेल्स टैक्स आफिस में भेजने का जो बड़ा भारी काम है, उससे बच जायें, यह निहायत धन्य से मेरी दरखास्त है। मैं समझता हूँ कि मन्नी महोदय इस पर गौर करेंगे।

इस बिल में क्लॉज ६ में लिखा है —

"Notwithstanding anything to the contrary in this Act, the Chief Commissioner may, by notification in the Official Gazette, specify the point in the series of sales by successive dealers at which any goods or class of goods may be taxed." etc. etc.....

मैंने अभी अर्ब किया है कि चीफ कमिश्नर को यह अधिकार दिया जा रहा है कि वह अपने इलाके में कई प्वायंट्स पर टैक्स वसूल करने का तरीका अस्तिथार कर सकता है। बाई नोटिफिकेशन, जिसकी वजह से बहुत से दुकानदारों को भी नुकसान हो सकता है और कनज्यूमर्स को तो खास तौर पर नुकसान होगा ही, क्योंकि इस वक्त उन को जिस भाव पर कोई चीज मिलती है, उससे कुछ महंगी ही मिलेगी। इसलिये मैं निहायत धन्य से यह अर्ब करना चाहता हूँ कि इस बिल में से इस प्राविजन को हटा दिया जाये।

इसके बाद मैं यह अर्ब करना चाहता हूँ कि दिल्ली में जो सबसे ज्यादा व्यापार होता है, वह कपड़े, साइकिल, साइकिल स्पेयर-पार्ट्स का होता है। और बहुत सारी छोटी छोटी चीजों का व्यापार यहाँ पर होता है। और किराने में एक खास दिक्कत यह नज़र आती है कि फ्रॉड कीजिए कि साढ़े चौदह रुपये मन गेहूँ है और अगर कोई भादमी एक डेढ़, या दो रुपये का गेहूँ खरीदता है, तो उस गेहूँ को बैली में भरना होता है और उस बैली का सेल्स टैक्स नहीं लगाया जाता है। दुकान-

[श्री राधा रमण]

द्वार कहते हैं कि अगर डेढ़ रुपए का गूह हो, तो उस के लिये दो पैसे की बैली लगाई जाती है, लेकिन डेढ़ रुपए के एक रुपया साढ़ घाट भाल बसल नहीं किए जा सकते। अगर बे करते हैं, तो लोगों को भलरता है, बुरा लगता है। दो पैसे का सेल्ज-टैक्स लगाया जाय ? उसका भलग हिसाब रखना जरा इम्प्रेक्टि-केबल है और उसमें बहुत सी दिक्कतें हैं। जो चीजें बतनी या टिन्ड में भरी जाती हैं, उनकी कीमतें मुकर्रर होती हैं और वे कीमतें ली जा सकती हैं। वह तो ठीक है, लेकिन जो छोटी छोटी चीजें बागड के बंगड में या गनी बैग के छोटे छोटे बंगड में दी जाती हैं, उनकी कीमत पर भलग से सेल्ज टैक्स लगाना और कन्टेनर की कीमत पर भलग से सेल्ज टैक्स लगाना और उनका हिसाब भलग रखना एक निहायत ही मुश्किल काम है और जहा तक मैं समझता हूँ, इस सिलसिल में उन लोगों को बहुत काफी तकलीफ होती है, जो कि छोटी छोटी चीजें बेचते हैं और बड़े थोड़े थोड़े दामों की चीजें उनको भरने में इस्तेमाल करते हैं उन से कहा जाता है कि सेल्ज टैक्स के लिए उन चीजों का भलग हिसाब रखे। भलग हिसाब देना और रखना बहुत मुश्किल होता है। इसलिये एक ऐसा तरीका होना चाहिए—कि उन लोगों को तकलीफ भी न हो और वे आसानी से वही कीमत रख कर अपना काम कर सकें और किराने बगैरह के सामान और छोटी छोटी मामूली घरो में इस्तेमाल होने वाली चीजों की कीमतों में कोई इजाफा न किया जाय और उन चीजों के लिए, जो भरने के काम आती हैं, एक्स्ट्रा सेल्ज टैक्स न देना पड़े।

श्री काशीनाथ पांडे (हाता) मैं माननीय सदस्य से एक सवाल पूछना चाहता हूँ। किसी दुकानदार ने घाटा बेचा और बैली उसने दे दी। अगर उन्हें वह बैली बेची नहीं और प्रेजेंट कर दी, तो उस पर सेल्ज टैक्स कैम लगा ?

श्री राधा रमण : जो बात माननीय सदस्य ने कही, वह बिल्कुल ठीक है। घाज गेहूँ की प्रिक्सड प्राइस है। अगर कोई चाहे कि उसको किसी बैग में भर दिया जाय और वह उसकी कीमत में दी जाय, जितनी में कि वह बिकती है, तो बाजिमी तौर पर दुकानदार को एक्स्ट्रा लार्ज करना पड़ता है और प्रॉफिट का हिस्सा उसमें से जाता है और अगर वह कीमत बढ़ा देता है, तो उस सूरत में खरीदार उस को बेना पसन्द नहीं करता है और झगडा करता है। मैंने धर्ज किया है कि दुकानदार को यह कहना कि जो घरेलू चीजें हैं, जो कि रात-दिन हमारे इस्तेमाल में आती हैं, उनका भलग हिसाब रखो और बैगड का भलग हिसाब रखो, हेरासमेंट से खाली नहीं है—उससे तकलीफ होती है। यह सोचना चाहिए कि किस तरह से इस मुश्किल को हल करना चाहिए, ताकि देने वाला भी एतराज न करे और लेने वाला भी एतराज न करे।

इन चन्द बातों के साथ मैं इस बिल का जो कि सबन के सामने रखा गया है, समर्पन करता हूँ। मैं उन बातों का समर्पन करता हूँ जो सिर्फ़ इस लिए रखी गई हैं कि दिल्ली में सेल्ज टैक्स की आमदनी ज्यादा हो जाये और इन्वेजन दूर हो जाये—जो लोग, व्यापार वाले, टैक्स नहीं देना चाहते और तरह तरह में इन्वेज करते हैं, उन का कोई इन्त-जाम किया जाय, मैं उसके पूरे तौर पर हक में हूँ और मैं इसके भी हक में हूँ कि उन लोगों को जो पनिशमेंट दी जाये, उस को काफ़ी इफ़ेक्टिव बना कर उस इन्वेजन को रोका जाये। लेकिन ऐसे हालात जरूर पैदा करने चाहिये कि स्टाफ की तरफ से या जो तरीका सरकार की तरफ से अख्तियार किया जाये, उसके नतीजे के तौर पर अननेसेसरी हेरासमेंट दुकानदारों को न हो, जिसकी वजह से बिक्री-कर के उबूल भी पूरे नहीं होते हैं और दुकानदारों और सामान खरीदने वाले लोगों को बहुत तकलीफ होती है।

श्री बाबूबाबी (बलरामपुर) : उपाध्यक्ष महोदय, दिल्ली के सम्बन्ध में इस सदन में कोई भी विधेयक प्रस्तुत किया जाय, उस की रचना में पर्याप्त सावधानी की आवश्यकता है। दिल्ली एक केन्द्र शासित प्रदेश है, जिस में जनता द्वारा चुनी हुई विधान सभा नहीं है और यह संसद् ही केवल ऐसा स्थान है कि जहाँ दिल्ली की भावनाओं का सही प्रतिनिधित्व होना चाहिए और सभी परिणामों का विचार कर के किसी कानून का निर्माण किया जाना चाहिए। यह शब्द की बात है कि दिल्ली से सम्बन्धित इस महत्वपूर्ण विषय पर जब विचार किया जा रहा है, तो दिल्ली से निर्वाचित हमारे एक माननीय सदस्य को छोड़ कर शायद अन्य सदन में उपस्थित रहने का समय नहीं पा सके।

श्री० राजबीर सिंह (रोहतक) : उन्हें पता नहीं है।

श्री बाबूबाबी इस लिए यह और भी आवश्यक है कि इस विधेयक को पास करने में कोई जल्दबाजी न की जाये और हम सब प्रकार की समावनाओं पर विचार करें। दिल्ली के संबंध में इस बात का भी ध्यान आवश्यक है कि वहाँ व्यापार और उद्योग की दृष्टि से दिल्ली की एक विशेष स्थिति है। कहने को तो यह केन्द्र-शासित प्रदेश है, किन्तु इस क्षेत्र बहुत ही छोटा है। इसकी सीमायें पड़ोसी राज्यों से लगी हुई हैं और राजनीतिक रेखाओं के बावजूद व्यापार तथा वाणिज्य के प्रवाह की सीमाओं को तोड़ कर चलते हैं और बड़ी मस्या में खरीददार दिल्ली आते हैं। दिल्ली उन सब के लिए एक मड़ी बन गई है और उन्हीं के आरोसे दिल्ली की आर्थिक समृद्धि चलती है। कोई ऐसा कदम जो दिल्ली के व्यापार पर प्रतिकूल प्रभाव डाले, बहुत ही घातक होगा। इसलिए केवल पंजाब की ओर ही नहीं देखना है तो दिल्ली से लगा छुआ उत्तर प्रदेश का राज्य, उसके निम्न नियमों और वहाँ चलने

वाले कानून, उन सब को दृष्टिगत रख कर हमें किसी प्रकार के अधिनियम की रचना करनी चाहिये।

मैं माननीय मंत्री जी से यह कहना चाहूंगा कि इस विधेयक को इस सदन में उपस्थित करने में पहले क्या उन्होंने दिल्ली प्रदेश की जो सलाहकार समिति है, उस से इस संबंध में परामर्श किया है। मैं ने अभी कहा है कि दिल्ली में विधान सभा नहीं है। लेकिन एक सलाहकार समिति का निर्माण किया गया है जिस में सभी दलों और सभी वर्गों को प्रतिनिधित्व प्राप्त है। दिल्ली के संबंध में हम कोई भी कानून लायें, हमें इस परम्परा का निर्माण करना चाहिए कि उस सलाहकार समिति से यदि औपचारिक रूप से नहीं तो अनौपचारिक रूप से राय लें और उस राय को पूरा गंजन दिया जाए और उस राय की रोकनी में कानूनों को विधेयकों के रूप में इस सदन के सम्मुख उपस्थित किया जाए। मैं इस सम्बन्ध में माननीय मंत्री महोदय से यह जानना चाहूंगा कि क्या सलाहकार समिति की राय इस में ली गई है या नहीं ली गई है और अगर ली गई है तो इस विधेयक की वर्तमान धाराओं के सम्बन्ध में उसका क्या मत है।

इस बात से इन्कार नहीं किया जा सकता कि बिज्जी कर मूलतः एक प्रतिक्रियावादी स्वरूप का कर है जिस का भार उपभोक्ताओं पर प्रमुख रूप से पड़ता है। नाम तो बिज्जी-कर है किन्तु व्यवहार में यह खरीद-कर बन जाता है, जिस का सीधा भार खरीदने वाले पर पड़ता है। इसी लिए निरंतर देश में यह मांग की जाती रही है कि जो जीवन की आवश्यक वस्तुयें हैं वे बिज्जी-कर से मुक्त होनी चाहियें।

दूसरी बात यह है कि बिज्जी-कर एक स्थान पर लगना चाहिये। तीसरी बात यह है कि बिज्जी-कर के संघर्ष की पद्धति इसनी सरल होनी चाहिये कि जिस में कर-संघर्ष के

[श्री बाजपेयी]

लिए और शासन के कर्मचारियों के अष्टाचार के लिए स्थान न रहे।

इन कसौटियों पर यदि इस विधेयक को कर्से तो बड़ी निराशा होती है। उपाध्यक्ष महोदय, मुझे यह कहने में संकोच नहीं है कि इस विधेयक की केवल एक बात को छोड़ कर जिस में समाचार-पत्रों से बिन्की-कर हटाने की व्यवस्था की गई है बाकी समस्त धाराओं से मेरा विरोध है। समाचार पत्रों से बिन्की-कर हटाने का मैं स्वागत करता हूँ क्योंकि यह मूलतः गलत है कि समाचार पत्रों पर बिन्की-कर लगाया जाए। अन्य राज्यों में यह बिन्की कर नहीं है। अभी तक यह यहाँ दिल्ली में लगता रहा, यह गलत था। उस गलती को सुधारा जा रहा है, यह उचित बात है। अब यदि समाचार पत्रों के मूल्य बढ़े हुए हैं जैसा कि अभी तर्क दिया गया है तो उसका कारण बिन्की कर नहीं है, उसका कारण सूचना तथा प्रसारण मंत्रालय की असफलता है कि वह प्रोड्यूस पेज शीट्स अभी तक लागू नहीं कर सका है। अगर अखबारों के पृष्ठों की संख्या और उनके मूल्य शासन निर्धारित कर दे तो इस बात का कोई खतरा नहीं रहेगा कि अखबारों के पाठकों से उसका अधिक दाम लिया जा सकता है। लेकिन सरकार अभी तक इस सम्बन्ध में कोई अन्तिम निर्णय नहीं कर सकी है जिस का परिणाम यह है कि पाठकों से अधिक दाम लिया जा रहा है और छोटे अखबारों को बड़ों की तुलना में एक अस्वास्थ्यकर प्रतिद्वन्द्विता के शिकार बने हुए हैं।

जहाँ तक अन्य धाराओं का सम्बन्ध है, इस विधेयक में दो पैसे से चार नये पैसे और कुछ सामग्री पर सात प्रतिशत टैक्स लगाने की बात कही गई है। मेरा निवेदन है कि आप कर कितना बढ़ाते हैं, वह इतना महत्वपूर्ण नहीं है। लेकिन कर बढ़ाते हैं यह तथ्य आज की हमारी अर्थ-व्यवस्था उस में अगर एक नए पैसे का भी टैक्स बढ़ाया जाए

तो सारी अर्थ-व्यवस्था पर बुरा परिणाम पड़ सकता है और बाजार में एक हवा चल जाती है कि टैक्स बढ़ गया है, जिसका दुष्परिणाम उपभोक्ता को भोगना पड़ता है। जो अर्थ-व्यवस्था है, वह हमारी आपकी बनाई हुई है और आप उस से इन्कार नहीं कर सकते हैं। जिन चीजों पर सात प्रतिशत कर लगाने की बात कही गई है, उनकी सभी सूची में अनेक वस्तुएँ ऐसी हैं, जो जीवनोपयोगी हैं, प्रत्यक्ष रूप से नहीं तो अप्रत्यक्ष रूप से और जिन पर बढ़े हुए टैक्स का भार साधारण श्रमजी को वहन करना होगा। इस बात में इन्कार नहीं किया जा सकता। मैं समझता हूँ कि उस सूची का फिर से निरूपण किया जाना चाहिये और उसको और भी छोटा करने का प्रयत्न होना चाहिये।

दूसरी बात जिस पर विवाद हो रहा है, यह है कि दिल्ली के चीफ कमिशनर को यह अधिकार होगा कि धारा ५(ए) के अन्तर्गत कि वह किसी भी एक स्थान पर कर लगाने का निर्देश दे दें। अब इस की दो व्याख्याएँ की गई हैं। शायद माननीय मंत्री जी यह कहना चाहेंगे कि ५ (ए) के अन्तर्गत चीफ कमिशनर ऐसा ही आदेश दे सकता है जिस के अनुसार एक ही स्थान पर टैक्स लगे।

श्री ब० रा० नयतः इरादा यही है।

श्री बाजपेयी : लेकिन मैं उनका ध्यान ५ (बी) की तरफ दिलाना चाहता हूँ, जहाँ पर यह लिखा हुआ है :—

The burden of proving that in respect of any sale effected by a dealer he is not liable to pay tax under this Act shall lie on him.

मैं समझता हूँ कि इस तरह की कूट रणनीति और व्यापारी से यह कहना कि वह प्रमाणित करे कि उस पर एक ही स्थान पर टैक्स लगाना चाहिये यह तो एक दरवाजा खोल

लेना है उसको पकड़ में लाने का। इस में व्यक्ति यह निकलती है कि जो कर संभय करते हैं, सम्भव है, उनका यह मत जो कि एक से अधिक स्थान पर कर लगाना चाहिये अगर वे कोई इस तरह की सिफारिश करते हैं तो यह व्यापारी का काम होगा कि वह प्रदातकों का जा कर दरवाजा खटखटाये और यह प्रमाणित करे कि कर एक से अधिक स्थान पर नहीं लगना चाहिये। मैं समझता हूँ अगर माननीय मंत्री जी अपने विभाग में बिल्कुल साफ हैं कि एक ही स्थान पर टैक्स लेना होगा तो इस ५ (बी) की आवश्यकता क्या होगी, ५ (बी) को निकाल दिया जाना चाहिये। अगर आप कोई सुविधा पैदा करना नहीं चाहते और व्यापारी को मुकदमे बाजी से बचाना चाहते हैं और आपकी मशा यह नहीं है कि एक से अधिक स्थान पर टैक्स लिया जाये क्योंकि लिया भी नहीं जाना चाहिये, तो मेरा निवेदन है कि ५ (बी) की इस विधेयक में कोई आवश्यकता नहीं है।

श्री ब० रा० भगत : सफाई के तौर पर मैं यह कहना चाहता हूँ कि कानून और सरकार का जहा तक ताल्लुक है, यह बिल्कुल साफ है कि एक प्वाइंट पर टैक्स लगेगा। जहा तक ५ (बी) का ताल्लुक है

उपाध्यक्ष महोदय : बिल्कुल ही न लगे, उस से लेना ही नहीं चाहिये न कि एक प्वाइंट पर लिया जाय या दो प्वाइंट्स पर लिया जाए। उनके मूताबिक ५ (बी) का अर्थ यह है कि वह अगर कहे कि मुझ से बिल्कुल नहीं लेना चाहिये किसी जगह भी नहीं लेना चाहिये, तो डिम्पेचरी उस पर आए।

श्री बाबूबेबी : दो जगह पर लेने के लिये काम में इसको नहीं लाया जाना चाहिये। अगर आप जो कहते हैं वह सही है, तो फिर आपत्ति का कोई कारण नहीं है।

एक बात बहुत कही गई है कि व्यापारियों को बही खाते ३० दिन तक रखने का जो अधि-

कार दिया गया है उस का दुरुपयोग हो सकता है। इस से तो कोई इन्कार नहीं करेगा कि व्यापारियों के बही खाते ब्रेसे जायें, आवश्यकता पड़े तो उन को उपयोग में भी लाया जाय, किन्तु चारा १२ के अन्तर्गत जो अधिकार दिया गया है वह बड़ा व्यापक है, और बिज्जी कर के सम्बन्ध में यदि कोई सिफायत आती है तो वह प्रमुख रूप से यही है कि कानून का दुरुपयोग किया जाता है। इस प्रकार का कोई शस्त्र हम सरकार के हाथ में रख दें जो व्यापारियों के विरुद्ध चलाया जा सके, मैं समझता हूँ कि यह ठीक नहीं है होगा।

बिज्जी कर की चोरी न हो और बिज्जी कर के वसूल कर में कर्मचारियों को मनमानो करने का मौका न मिले, इस दृष्टि में भी जो नजरान मिलने चाहिये थे, वे इस विधेयक में दिये नहीं गये हैं। अनेक व्यापारी ऐसे हैं जो अनपढ़ हैं, हिसाब किताब नहीं रख सकते, और अगर १०,००० रु० तक उन की आमदनी है तो उन्हें अपने को रजिस्टर कराना होगा। हिसाब किताब रखना होगा। अगर वह स्वयं हिसाब किताब नहीं रख सकते तो वे दूसरे आदमी नियुक्त करे, और उस के बाद भी वे सेल्स टैक्स इन्स्पेक्टर की दया निर्भर करे, ऐसा दिखाई देता है। मैं ने बाजारों में देखा है, जब सेल्स टैक्स इन्स्पेक्टर निकल जाते हैं तो दूकानदार दूकान छोड़ कर भाग जाते हैं कि भरे भाई, भाया, भाया, जैसे कोई बड़ा भारी हीवा मचा रहा है। अब अगर आपको टैक्स लेना है तो आप सीबिये, लेना चाहिये, लेकिन एक अनिश्चितता की भावना व्यापारियों में पैदा करे जो उन्हें टैक्स चुराने के लिये प्रेरित करे और सरकारी कर्मचारियों को अप्टाचार का मौका दे, यह ठीक नहीं है। मैं समझता हूँ कि बिज्जी कर की सम्पूर्ण पद्धति पर विचार होना चाहिये। दिल्ली में यह एक आम बात है कि बडिथी पर बिज्जी कर लगा हुआ है। काफी लगा हुआ है। लेकिन अगर

[श्री बाजपेयी]

बिक्री कर से आप को बचाना है तो व्यापारी आप को रास्ता बता देगा। वह कैश में ही काट कर आपको नहीं देगा। और बिना बिक्री कर दिए हुए आप बड़ी ले भाइये। इस तरह से बड़ी पर बिक्री कर लगाने का अर्थ क्या है? बिना कैश में ही काटे हुए व्यापारी बेइमान बन रहा है, और दुर्भाग्य मे कानून ऐसा है कि जो उस को इस बात की प्रेरणा देता है। व्यापारी इतना कुशल है कि वह खरीददार को इस अप्रमाणिकता के लिये प्रेरित कर रहा है। ऐसी अवस्था में जो सरकारी कर्मचारी हैं उन की पाचो उंगलियां भी हैं।

मैं समझता हू कि देश के भिन्न-भिन्न भागों में जिस तरह से बिक्री कर जारी किया गया है, उसकी वसूली की जो पद्धति है, वह दूषित है। उस पद्धति की रोशनी में, हम आशा करने थे कि भारत की लोक-मभा में कोई विधेयक उपस्थित किया जायेगा जिस में कि सब दोषों का निराकरण कर दिया जायेगा और दिल्ली की आवश्यकताओं के अनुरूप विधेयक प्रस्तुत किया जायेगा। लेकिन यह विधेयक अपने वर्तमान रूप में दिल्ली की आवश्यकताओं को पूरा नहीं करता। पुराने अनुभवों में इस में लाभ नहीं उठाया गया है और दिल्ली की विशेष स्थिति का बिना ध्यान रखे हुए यह विधेयक लाया गया है जो कि उद्योग और व्यापार में कठिनाइयां पैदा करेगा, व्यापारियों को अप्रमाणिकता की ओर प्रेरित करेगा और सरकारी कर्मचारियों को भ्रष्टाचार का अवसर मिलेगा। मुझे इस विधेयक को देख कर बड़ी निराशा हुई है। मैं समझता हू कि सरकार को इस पर अभी थोड़ा और विचार करना चाहिये।

श्री० रणबीर सिंह उपाध्यक्ष महोदय, दिल्ली राज्य के बिक्री कर में संशोधन करने के लिये जो विधेयक लाया गया है, मैं उसका समर्थन करने के लिये खड़ा हुआ हू।

मैंने यहां पर सात तीर पर श्री राधा रमण जी और श्री बाजपेयी जी के वाक्यों को अभी सुना। ऐसे भाषण पंजाब में कोई २० साल पहले हम सुना करते थे, जिस वक्त कि पंजाब के अन्दर बिक्री कर लगा था। आप जानते हैं कि पंजाब कैसा है। वहां पर हर एक चीज के अन्दर आन्दोलन चलता है। तो उस वक्त बिक्री कर के लिसाफ एक आन्दोलन बना था। उस वक्त इसी डंभ की तकरीरें हुआ करती थी कि माहब, व्यापारी हिसाब नहीं रख सकेगा, व्यापारी यह नहीं जानता है, वह नहीं जानता है, यह मुश्किलता होगी और उपभोक्ता को कष्ट मिलेगा। हमारा सवाल साफ है

एक माननीय सदस्य इस तरह से कौन लोग बोलते थे?

श्री० रणबीर सिंह: जो भी टैक्स में बचना चाहते थे, जो चाहते थे कि अगर टैक्स लगे तो हरिजनो पर या काश्तकारों पर ही लगे और जो कटलरीज में खाना चाहते हैं उनके ऊपर यह टैक्स न लगे, वह बहुत गरीब आदमी हैं उनको तो बचना ही चाहिये। उस वक्त बड़े जोर से कोशिश की गई पंजाब में, लेकिन यह पंजाब का ही सवाल नहीं रहा हमारे देश का मवाल बन गया और आज सारे देश के अन्दर राज्यों में सेल्स टैक्स से जो आमदनी होती है वह काफी बड़ी है। इसके अलावा राज्यों की आमदनी का जो दूसरा जरिया है वह सैड रेवेन्यू है। तो सवाल साफ है, ये कोई अप्रत्यक्ष करों के हक में नहीं, लेकिन देखना तो यह है कि प्रत्यक्ष कर से हमें कितनी आमदनी हो सकती है, प्रत्यक्ष करों से हमारी आमदनी बढ़ सकती है या नहीं और कौन-कौन से प्रत्यक्ष कर हैं। राज्यों के अन्दर सैड रेवेन्यू का एक टैक्स है। आप जानते हैं कि वह जो टैक्स है उसे,

चाहे एक किसान को साल में ५०० रु० का बाटा हो या १००, ५० रु० का फायदा हो, सब को देना ही होगा। यह एक प्रत्यक्ष कर है। मैं ऐसे साधियों से जानना चाहता हूँ जो कि प्रत्यक्ष कर के पक्ष में हैं कि यह जो प्रत्यक्ष कर है वह क्या बाटे पर भी लगे, गरीब पर भी लगे, छोटे पर भी लगे, बड़े पर भी लगे? यह प्रत्यक्ष कर अच्छा है या कि यह अप्रत्यक्ष कर जिस की मुआविकत की जाती है? देश के अन्दर भाज से ६०, ७० साल पहले हालत यह थी कि स्टेट्स और मंत्र केन्द्र के बजट का जो हिस्सा नैड रेवेन्यू से आता था वह कोई ८० फी सदी हुआ करता था। उस 'नेड रेवेन्यू' से ही हालत अच्छी हुई और वह हिस्सा बटने बटने करीब ८ फी सदी रह गया। आज बड़े किसान की जमीन के ऊपर सीलिंग लग रही है, सीलिंग होने के बाद सभी किसान छोटे किसान हो जायेंगे इसलिये मैं तो इस राय का हूँ कि भाज जिसको हमारे साथी बढ़ा अच्छा कर मानते हैं, यानी प्रत्यक्ष कर, उस को बिल्कुल हटा देना चाहिये। अगर वह रहेगा तो दिक्कत रहेगी। यह जो ७०, ७५ करोड़ रु० की ग्रामदानी नैड रेवेन्यू से देश में होती है उसका राज्यो से ताल्लुक न हो, उस को पंचायतों और राज्य सरकारें अपना काम चलाने के लिये इस प्रत्यक्ष कर के बजाय सेल टैक्स के रूप में अप्रत्यक्ष कर लें, जो कि ज्यादा अच्छा है।

यह तो खयालत का फर्क हो सकता है। हमारे साथी ने कहा कि साहब, इस कर के खबने से देश के अन्दर बेइमानी बढ़ेगी। उन के हिसाब से तो राज्यों में इमानदारी एक ही तरीके से आ सकती है कि जितने भी कर हैं उन सब को उठा दिया जाय। कोई कर ही नहीं रहेगा तो बेइमानी का सवाल नहीं रहेगा।

श्री बाबूदेवी : हाँरवाना में तो कोई कर नहीं लगना चाहिये।

श्री० रजवीर सिंह : लेकिन क्या इस तरह से हमारा काम चलने वाला है। क्या इस देश को वहाँ पर वह भाज बढ़ा है वहीं बढ़ा रहना है, या भागे जाना है? मैं तो जानता हूँ कि हमें भागे जाना है। इस सदन का भी और दूसरे सदनों का भी यह फीसला है कि इस देश को भागे बढ़ना है। जब हमें भागे को बढ़ना है तो उस के लिये राष्ट्र को धामदानी चाहिये और धामदानी को बढ़ाने के लिये हमें बिक्री कर देना ही होगा।

इस सिलसिले में मैं एक निवेदन और करना चाहता हूँ सास तौर पर श्री राधा रमन जी को, जो कि इस वक्त, वीरहाजिर है, बोलाना चाहता हूँ कि भाज तक दिल्ली कंसाय जो बहुत अच्छी रियायत होती रही है उस को हमें बहुत ज्यादा दिनों तक कायम नहीं रख सकते।

उपाध्यक्ष महोदय, मुझे याद है कि जब धनाज के ऊपर कंट्रोल था तो दिल्ली जिसके कि अन्दर देश के हाकिम रहते थे, हाँ कुछ गरीब भी रहते थे उनको १४ रुपये मन गेहूँ मिलता था और दिल्ली के बाहर के इलाकों में १६ रुपये मन गेहूँ मिलता था। वह एक भादत सी बन गई थी कि दिल्ली को रियायत चाहिये। यही नहीं हमारे फिर बसाओ मुश्कमे के मंत्री महोदय बठे हैं उन्होंने थोड़े दिन हुए हाउस को बतलाया था कि उनके मुश्कमे ने यहाँ दिल्ली में जो भकान बनाये उनका कोई २ करोड़ रुपये का किराया बढ़ाया है। अब दिल्ली के रहने वाले माई दूसरे राज्यों के मुकाबले में जो अपने साथ रियायती सलूक चाहते हैं तो यह चीज कोई बहुत ज्यादा दिन तक नहीं चल सकती है और उन्हें दूसरे राज्यों के साथ में बसना होगा। यह भाज से नहीं यह तो पंजाब के व्यापारियों की काफ़ी दिन का गिला था कि यहाँ दिल्ली राज्य से जो थोड़ी थोड़ी दूर में पंजाब के इलाके हैं वहाँ के व्यापारियों का व्यापार कम हो रहा है क्योंकि दिल्ली के अन्दर

[श्री० रमवीर सिंह]

बिक्री कर नहीं है। यही नहीं मुझे मालूम रहा कि इस बिक्री कर के यकसां न होने की वजह से कई भाई टुक दिल्ली में खरीदते थे और उस टुक को ले जाते थे कहीं सोलन। अब वहां कोई दुकान नहीं और एक टुक लड़ा भी नहीं खू सकता। एक छोटी सी पान की दुकान है। उसके धन्दर वहां की म्युनिसिपल्टी का एक पर्चा टैक्स का कटाया और उससे टैक्स की माफ़ी करा लेते थे। मैं कह रहा था कि यह बिक्री कर यकसां न होने की वजह से कई ठंग से चोरी होती थी। मेरे सामी श्री वाजपेयी जो कि कर की चोरी के खिलाफ़ मालूम देते हैं उनसे मैं यह कहना चाहूंगा कि यह कर की चोरी को बचायेगा यह कर की चोरी को बढ़ाने के लिए नहीं है।

कई भाइयों को गिला है कि साहब चीफ़ कमिशनर को अधिकार क्यों दिया जाय। अब मैं नहीं समझता कि वह इस पर क्यों आपत्ति कर रहे हैं। हमारे उपमंत्र्य महोदय ने यकीन दिलाया है कि टैक्स एक ही जगह लगेगा और वह मल्टी प्वाइंट के ऊपर नहीं होगा और वह कहां लगे इसका अधिकार चीफ़ कमिशनर को दिया जा रहा है ऐसी हालत में मैं नहीं समझता कि इसमें किसी व्यापारी को क्या नुकसान है...

श्री ब० रा० अवतल : फ़ायदा है।

श्री० रमवीर सिंह : ऐसा तो है नहीं कि इस से हमारे साथी श्री राधा रमण को कोई नुकसान होने वाला है। हां यह बात जरूर है कि कुछ दिल्ली जाने भाई आकर यह कहेंगे कि यह थुक वाले पर लगाया जाय और कुछ कहेंगे कि बीच वाले पर लगाया जाय और उनको अपने दिमाग में सोचना होगा कि कौन सा बात सही है और उनको सोच कर चीफ़ कमिशनर तक या जो उनकी एक कमेटी है उसके सामने अपने खयाल रखने होंगे। अब यह एक ही प्वाइंट पर लगना है तो यह देखना होगा कि वह कौन से प्वाइंट पर लगे

जिससे कि व्यापारी को कम तकलीफ़ हो। अब इस में किसी को क्या बाधा हो सकता है। जो अधिकार चीफ़ कमिशनर को दिया जा रहा है वह इसलिए दिया जा रहा है कि वह देखें कि यह कर की चोरी भी न हो और व्यापारी को भी तकलीफ़ न हो। यह तो कोई मंशा नहीं है कि व्यापारी को तकलीफ़ दी जाय या व्यापार को नुकसान पहुंचाया जाय। दरअसल चीज यह है कि यहां बहुत सारे भाई ऐसे हैं जो कि सदन से बाहर तो लोगों को जाकर यह बहकाते हैं कि यह राज्य तो व्यापारियों का है और यहां आकर कुछ ऐसी बात कहें, कि यह जितने यहां कानून बनते हैं वह व्यापारियों को तकलीफ़ देने के लिए बनाये जा रहे हैं अजीब हालत है। यही नहीं यहा कहा गया कि यह किताब रखने का अधिकार बहुत बलत है। यह अधिकार नहीं होना चाहिये। कौन नहीं इस देश में जानता कि व्यापारी लोग दो दो खाते रखते हैं एक असली खाता और दूसरा टैक्स का खाता जो कि अप्रसर कां दित्ताने के लिए होता है और वह गायब हो जायगा अप्रसर के दफ़्तर से और पता नहीं चलता कि कहां से गया। इसलिए जब तक धपील का फैसला न हो इस में किसी को क्या ऐतराज हो सकता है और क्या इसके धन्दर नुकसान हो सकता है कि उसकी किताब सरकारी दफ़्तर में रहे। सरकारी दफ़्तर उसकी दुकान के मुकाबले में एक सुरक्षित जगह है जहां पर कि चोरी और खराब होने का इमकान कम है।

अब जहां तक २ पैसे से ४ नये पैसे के बढ़ाने का ताल्लुक है, पंजाब के रुस के मुताबिक़ साने का ताल्लुक है मैं समझता हूं कि यह एक सही फ़ैसला है। धनी तक जो दिल्ली के साथ एक बहुत ज्यादा रिमायस का व्यवहार किया जा रहा था उस व्यवहार को अधिक दिन तक जारी नहीं रक्खा जा सकता भले ही वह बच्चा भी हो। दिल्ली तो हमारा मासिक है और दिल्ली के धन्दर हमारे ऊपर हुकूमत करने वाले रहते हैं और इस वाले

दिल्ली एक बहुत बड़ा शहर है और हिन्दुस्तान के मुक्तेनिगाह से बचना नहीं है लेकिन अगर बचना भी मान लिया जाय तो उसकी भी तो एक हद है कि कब तक वह दूसरों के पैरों पर खड़ा रह सकता है। दिल्ली को सारे आसपास के इलाकों के मुक्ताबले में अपने पैर पर खड़े होने में क्यों ऐतराज है? मैं समझता हूँ कि किसी भी मुक्तेनिगाह से देखा जाय, अगर हिन्दुस्तान की हमारी आमदनी का हिसाब लगाया जाय, प्रत्यक्ष और अप्रत्यक्ष कर का हिसाब देखा जाय तो उसमें भी आज जो इनकमटैक्स से आमदनी होती है और इस साल जो १९५६-६० के अन्दर अन्दाजा लगाया गया है वह १६६ करोड़ रुपये होगा और कारपोरेशन टैक्स जाकर ५८ करोड़ होगा। इसके मुक्ताबले में यूनिवर्स एक्साइज ड्यूटी ३२५ करोड़ रुपये होगी और कस्टम १३२ करोड़ होगा। चाहे यह किसी को पसन्द हो या न हो लेकिन देश के जैसे हालात हैं वह इस बात की तरफ़ मजबूर कर रहे हैं कि प्रत्यक्ष करों के बजाय अप्रत्यक्ष करों के ऊपर देश ज्यादा निर्भर होता जा रहा है। अब यह अप्रत्यक्ष कर उन भाइयों से ही तो लिया जायगा जो कि ज्यादा चीज इस्तेमाल करेंगे और यह सही भी है। बिना कर तो उसका नाम है, लेकिन दरअसल में जो भाई खरीदते हैं उनसे वह लिया जाता है और बाहिर है कि जिसके पास ज्यादा आमदनी होगी वही यह सब कटलरी वगैरह चीजें खरीदेगा। अब इस देश में बहुत काफ़ी तादाद ऐसे लोगों की है जो कि कटलरी खरीदने की स्थिति में नहीं हैं और उनकी कटलरी तो उनके हाथ ही है और इसलिए यह टैक्स उन लोगों पर कैसे लगेगा? यह तो ठीक है कि उपभोक्ताओं पर यह टैक्स लगेगा लेकिन जिसकी बितनी ज्यादा शक्ति होगी उसके ऊपर उतना ही ज्यादा टैक्स लगेगा और प्रत्यक्ष कर की जो संज्ञा है उसको भी यह दूसरे ढंग से पूरा करेगा क्योंकि जिसकी बितनी ज्यादा खरीदने की शक्ति होगी उसके ऊपर उतना ही ज्यादा टैक्स लगेगा और

उसके ऊपर ज्यादा टैक्स लगना भी चाहिये। मैं बाहिर में फिर दुबारा इसका समर्थन करता हूँ।

Shri V. P. Nayar (Quilon): I also did not expect this Bill to come up today. We have had two or three Bills today which did not come up to the expectations from the point of view of the time which was taken on them. Therefore, I am sorry that I shall not be able to speak in the manner in which I would have liked to.

I have participated in several debates on this subject here, and even in 1956, when we were discussing the Central Sales Tax (Amendment) Bill here, I spoke at length. I cannot do justice especially in view of certain questions raised in this Bill, without the requisite preparation, and especially, on the point of introducing a new provision in order to take away the effect of the decision of the Supreme Court in a recent case. I will not be able to discuss that point also because it involves a distinction being drawn between certain cases decided by other High Courts, especially the case of Messrs. Gannon, Dunkerley & Co., which was decided by the High Court of Madras, and the ruling of the Supreme Court. Therefore, I shall confine myself to some observations strictly arising out of the provisions in respect of one or two clauses now sought to be introduced.

About exempting newspapers, Shri Tangamani has said something. This came up before the Select Committee also in the case of the former Bill which was reported upon by the Select Committee some time, and think I was a Member of that Select Committee also.

In the matter of exempting newspapers, it has to be borne in mind that newspapers, especially the chain newspapers, have had an advantage. Although they were not collecting sales tax as such, they were fleecing the customers by switching over to the naya paisa system. As was pointed

[Shri V. P. Nayar]

out, a newspaper which was being sold before at one anna per copy was sold at seven naye paise on the introduction of the naya paisa system. The increase varied in the case of newspapers from one to four naye paise per copy. Taking a moderate view of it, on 100,000 copies of newspapers distributed every day the daily gain would be over Rs. 2,000 which is not a small sum at all. In Delhi possibly 1.5 to 2 lakh copies will be in circulation. I do not know the exact figure, but on account of this alone, by enhancing the price per copy by one naya paisa, about Rs. 5½ lakhs, calculating it at the minimum, will accrue to the paper magnates.

I am not at all against exempting the smaller papers. I suggested at that time that newspapers with a circulation of 10, 15 or even 20 thousand copies might be exempted, but there is no justification whatever for exempting newspapers as a whole and providing for this particular clause by which hereafter no newspaper can be assessed for sales tax.

When we consider the exemption now being given to the newspapers, we must also consider what advantages have been given recently to the newspapers by the Government. I shall point out only one instance, because that question has come up time and again in the House.

This morning we knew from the papers that the chain of newspapers owned by Indian Express will be closed very shortly. Notice has already been given. And for what reason? That is even more strange.

I understood last week or the week before last when I was in Bezwada that the Indian Express group management has been transferred to a new company which is considered to be a benami company. The share capital or the resources at the command of the new company are completely inadequate to take over the newspapers, and naturally therefore

hundreds of workers working in the group of newspapers of the Indian Express wanted certain guarantees from the management which they were not willing to give. The Labour Commissioner of Madras had to intervene and seeing the justice of the demands of the workers, he seems to have given notice to the management that they should not transfer the ownership unless sufficient guarantees were given for the amounts now due to the employees of the Indian Express group of papers in the State of Madras. But Shri Ramnath Goenka is too big a man for the officials you know. He is too big for a conciliation officer or a labour officer, and he said: nothing doing, I am taking it away. And the workers struck. Immediately after that, they have issued a notice for closure.

15:55 hrs.

(SHRI BARMAN in the Chair)

But what is it that the Central Government are doing? I am not concerned with what is happening in the State of Madras alone. If you go through the proceedings of recent weeks, you will find that the Government of India have been giving the owners of this particular chain of newspapers several concessions. I shall cite only some in order to justify that this concession now sought to be given by this provision is absolutely unjustifiable. Firstly, the Indian Express group of papers have been given a loan. I understand that the time of repayment has now been extended. Earlier this session in answer to a question of mine, I was told that Shri B. D. Goenka and his wife had been twice involved in violation of foreign exchange regulations. May be they are not directly in the management, but they are very closely related to the management. Like that we find that so many concessions have been given, and when it comes to a question of sales tax also, this is the fourth or fifth concession given to this particular group

of papers in the course of one session. Where are we going if we proceed like this?

On the one hand, this group of newspapers has been creating all troubles for the working journalists. Now they have threatened to close down the entire chain of papers. It is not one newspaper, the *Indian Express* alone, which is there.

Shri B. R. Bhagat: Where is the concession in respect of sales tax to this particular group?

Shri V. P. Nayar: I am not referring to the sales tax. I am trying to say that they are giving some concessions to a group of newspapers, among which is one group, to whom they have given so many concessions in recent months. I am only trying to pose this issue that besides Government giving undeserved concessions to one group and also giving advantages after advantages, here they are exempting them.

Shri B. R. Bhagat: Not them.

Shri V. P. Nayar: Exempting group among whom is this group.

Shri B. R. Bhagat: They are already exempted.

Shri V. P. Nayar: I am, therefore suggesting that the chain newspapers may be left out of exemption. What is the harm in that? As I submitted earlier, 100,000 copies and everyday at the rate of one nP would come to—my hon friend is perhaps better in arithmetic than me; so he can calculate it—about Rs 1,000 not a small sum. The total will come to about Rs. 5.45 lakhs per year, which we are allowing them to take away, which normally ought to have been a portion of the sales tax if they were not exempted. That is my case.

There is also another point. In the case of Delhi, you have to view things in an entirely different manner. This point also raised last time

when we discussed the Bill. Delhi's pattern of trade has evolved on account of certain historical reasons. May be Bombay and Calcutta are also like that, but here if you take the whole State, more than 85 per cent of the people stay in the city. All the trade which takes place in Delhi is not for the benefit or for the consumption of the people staying in Delhi. It so happens that Delhi has no legislature now. We are passing this against the principle 'no taxation without representation'. They are not represented. They cannot be heard.

Shri B. R. Bhagat: They are represented. Five hon Members represent Delhi here.

Shri V. P. Nayar: They are four or five in a House of 500. That is not the principle of no taxation without representation. I am referring to it in its real sense.

I want to know from the hon. Minister which are the interests in Delhi whom he has consulted. I want to know whether he has consulted the trade. I want to know whether he has consulted the consuming public of this State. He may not have consulted anybody, but on the advice of someone he comes forward with this Bill. It happens so; otherwise there was no occasion to extend the Bengal law to Delhi, if everything was properly considered. But I have no quarrel with that. I only say that Delhi's pattern of trade has certain peculiarities which would justify a separate treatment for it in the matter of sales tax also.

You know that in every matter, Delhi has certain peculiarities, as is the case also with other cities. Why is it that the State of Kerala, which is chronically deficit in food, is not being given adequate Central aid, just as the entire responsibility of feeding the cities of Bombay and Calcutta is being shouldered by the Centre? There are special reasons for

[Shri V. P. Nayar]

that. Likewise there are special reasons warranting special treatment for Delhi in the matter of sales tax, one of the reasons being that Delhi has developed a trade by which the articles are not sold for the consumption of the people in the State of Delhi.

16 hrs.

I understand that today, I am told if you take the whole world, in the matter of cycle spare parts Delhi's market happens to be the biggest. Probably, it may not be the biggest, but it is one of the biggest. I think we have only 25 or 30 lakhs of people in the State but trade in cloth in Delhi—in one or two of the streets of Delhi—will be very much more than the trade in cloth in other northern Indian cities. Likewise, if you take cycle spares, if you take iron and steel and hardware, in everything Delhi has developed a trade which does not cater to the people of Delhi State alone but it goes far and wide. It is a distributing centre, so that if you equate the sales tax in Delhi in terms of what is obtaining in Punjab, the trade will naturally suffer.

I want to know from the hon. Minister whether this aspect has been specially brought to his attention. The attention of his predecessor, Shri M. C. Shah was specifically drawn to this at the time of the debate in 1956. If anything will affect Delhi's trade, it will have its consequential changes.

Shri B. R. Bhagat: The fact that the rate of Central sales tax is half the usual rate is a very important consideration that has been shown to Delhi.

Shri V. P. Nayar: I see the importance of that. But, look at your own Bill. This is not drafted by me. I only say that in certain cases where you propose reducing the rate of sales tax, the revision now con-

templated takes the level of Delhi's sales tax to that of the adjoining State of Punjab. Am I contradicted on that? If you grant that, that is my objection also. My point is that having regard to the very peculiar development of trade and commerce in Delhi as the capital city of India and having regard to the political changes also, Delhi's trade pattern requires separate consideration.

Shri B. R. Bhagat: May I clarify this? Delhi's importance as an entrepot distributing centre is affected by the rate of the central sales tax, that is, when it is re-exported from here and not by the rate of the internal sales tax. So, the rate of re-export is that which matters and affects Delhi's position as an entrepot. Therefore, to compare it with the internal rate or with the internal sale is hardly relevant to the point.

Shri V. P. Nayar: My answer to that will be to put a simple question to him. Will the Deputy Minister give me the break-up of the re-export and export of articles manufactured in Delhi and articles manufactured elsewhere and imported into Delhi and then re-exported for profit, for any of these months? If he can give me the break-up, then, I have nothing to say. If it is given even for a month, that will serve the purpose. I am only stating that you have not given all that. Without a consideration of all these details, it is impossible for us to give our consent....

Shri B. R. Bhagat: The point which is to be answered is that whenever goods come to Delhi and are re-exported out, the rates are preferential to Delhi and in favour of Delhi. That affects favourably the position of Delhi as a distributing centre.

Shri V. P. Nayar: It does not at all matter. If I am contradicted when I say that Delhi has developed under very peculiar circumstances as a distributing base as against a producing and distributing base, then I

have no ease. The fact that adequate attention has not been bestowed or the proper interests have not been consulted in this matter is obvious when you read the Bill. Why read the Bill? It is enough if you go through the amendment that has been circulated to us to show how careless Government have been. For example, if you read the amendment you will see that the rules made under this section shall be laid for not less than 30 days. Does it mean that they will be laid for 30 days and after one month will be taken away? This shows very clearly what the background is. I am referring to the amendment circulated just now.

Shri B. B. Bhagat: Something is wrong with you. This is the deference shown to the House. This is the usual practice in all cases. You are objecting even to this that the rules should be laid on the Table of the House.

Shri V. P. Nayar: You please read it again.

Mr. Chairman: Hon. Members may address the Chair.

Shri V. P. Nayar: I want to invite your very kind attention to the second paragraph which reads:

"All rules made under this section shall be laid for not less than 30 days before each House of Parliament...."

What does it mean? Even now the hon. Minister does not seem to understand it.

Shri B. B. Bhagat: What is wrong in this?

Shri V. P. Nayar: If he cannot understand, I cannot help; I cannot give him a better understanding than what he has at present. To an ordinary man understanding English which it contains it would appear that you would lay it here for one month and take it away.

Shri B. B. Bhagat: What is wrong with it?

Shri V. P. Nayar: That only shows the amount of care which has been bestowed on drafting this Bill. However, I do not like to continue this point. I would merely urge upon the hon. Minister once again that this is a very important subject in so far as this State is concerned. There are other interests. We have never been told about the nature of the discussions or the nature of consultations of the Government. I was following him when he spoke also. Without having any idea of that, it is impossible for us to agree to the Bill being passed as it is now.

Shri D. C. Sharma (Gurdaspur): Mr. Chairman, this Bill, like so many other Bills that are brought for discussion here, consists of desirable and undesirable features. I would, therefore, subject this Bill to as much scrutiny as possible under the circumstances. One of the objects of this Bill is that certain rates of sales tax are going to be brought at par with the neighbouring State of Punjab. If I question some of those rates, it will be thought that I am questioning the schedule of rates drawn up by my own State of Punjab. Therein lies the difficulty. Geographically, as Delhi is situated, I think it should not be made an adjunct of Punjab. Delhi should be treated as a separate and independent unit and should not draw upon the example of one State or the other. Delhi exists in its own right and by itself and to think it can emulate Punjab or some other State will be doing injustice to this State. Therefore, even if we are going to take into account the geographical aspect of Delhi, I do not think it should depend too much on the sales structure of Punjab. There is the other neighbouring State. There are so many other States which have dealings with the Union Territory of Delhi. Therefore, I would say that the sales structure of Delhi should have a right of existence in

[Shri D. C. Sharma]

itself. It should not have been made subservient to the sales structure of any other State.

I want to ask one thing. Here, Sir, there are three Schedules. I do not see any reason why there should not be three Schedules. But one thing has been brought out in this Bill which I do not feel happy about. It has been said that one Schedule is meant for the affluent class. Now, what is the affluent class? By what standard do you judge this affluent class?

Shri B. R. Bhagat: By the goods.

Shri D. C. Sharma: Where does the affluent class begin? What is the margin of income that the affluent class should have? Therefore, Sir, I think this is a very dangerous phrase that has been given in this Bill. On the one hand we are talking about a classless society and, on the other hand, here, in this Bill, we are giving a kind of sanctity to a class which is called the affluent class. Sir, I read social literature of all kinds from all countries. I think this affluent class is a class which perhaps exists in U.S.A. Perhaps, Sir, some social scientist has written a book called "The Affluent Class" or something like that, and I think this phrase has been taken from that book.

Shri B. R. Bhagat: The name is "Affluent Society".

Shri D. C. Sharma: So much the worse. I was thinking that the framers of this Bill had thought only in terms of a class, and now I hear that they are thinking in terms of a society. Also, I thought that we were thinking in terms of a society which is not going to be an affluent society, but a society where the thing was going to be distributed equally. But in this Bill we are laying the foundation of a new society, the society which my hon. Deputy Minister calls "affluent society".

Shri B. R. Bhagat: I said that it was the name of the book.

Shri D. C. Sharma: I would therefore say, Sir, with due deference to the hon. Deputy Minister who is feeling very restless because the discussion has taken more time than he thought it would take today, that he should not give currency to such phrases in these Bills because such phrases give a very distorted picture of the objectives of the social revolution that we have undertaken in this country, the objectives of the social revolution that we are carrying on in this country.

Shri B. R. Bhagat: Where is that phrase?

Shri D. C. Sharma: What is the affluent class? Sir, kindly look to the Schedule. What is this affluent class? Of course, people who want to have a radio are there. I never thought that the radio was a sign of wealth or affluence. The radio is a means of entertainment, a means of education. I believe we are manufacturing cheap radio sets in our country. The hon. Minister of Information and Broadcasting is always saying that he wants to have such cheap sets in large numbers so that every village home can have them, everywhere we can have them. Now, a radio set is thought to be a symbol of the affluent society. Of course, I do not mind if you think of perfumeries and cosmetics. Well, you may think them to be symbol of affluent society, but I cannot understand how these radio sets can be thought to be a sign of affluent society.

Again, leather goods except footwear and sports articles are there. God knows how many types of leather goods we have. All these leather goods are going to be lumped together in one Schedule and are going to be taken as a token of a kind of society which the framers of this Bill have in their imagination and which does

not exist in India and which is never going to exist in India. At the same time, I would say that here are certain things, for instance, dressing tables, side-boards, sofa sets, perambulators, etc. I want the Members of Parliament—of Lok Sabha and of the Rajya Sabha—to take due notice of the schedule, because it is the Government that provides us with sofa sets and other things of that kind. It is the Government that is giving us, so to say, the insignia of the affluent society.

I want to ask one question. Are these things such as can be taken to be the symbols of affluent society? I think some of these things may be necessities for some classes of persons and therefore I say that they should not be there in the schedule. They are the symbols of efficiency, symbols of average comfort and not symbols of wealth or symbols of ostentation and showy wealth which make up what may be called affluent society.

I wish that not only these things are taken note of but certain other items also. For instance, the general rate of tax is sought to be increased from two pice to four naye paise. Three should have been logical, but we have made one jump and we have increased it to four naye paise. So I feel that in all these things they have applied the rule of thumb method and not any logical or scientific method.

There are certain things which are taken over from Punjab. As I have already said, Punjab should not have been taken as a model for such matters. I believe that situated as we are, geographically, we should try to have a separate and independent kind of existence for this Bill.

The next point is this. As an hon. Member pointed out, there is an advisory committee or council. I do not know how it is called. There is an advisory body for the Delhi Union territory. This Bill which is going to affect millions of consumers and which is going to affect so many registered

traders, should have been referred to first to the advisory body and discussed by that body, because, that advisory body is responsible to public opinion which prevails in Delhi and that advisory body understands public opinion much better than anybody.

I think this Bill has come from the drawers of our Finance Minister and it does not have that much approval as it should have had from some public body.

There is another point to which I want to refer, and it is this. In this Bill we have given a great deal of power to the Chief Commissioner. I have nothing to say against the Chief Commissioner. I think the Chief Commissioner may be an admirable person and perhaps he is an admirable person.

But I would say that this kind of a dictatorial power should not be given to any functionary in a democratic set-up like our country. I think all these years on the floor of this House we have tried to delimit the powers of the executive officers. We must try to see to it that the power to the Chief Commissioner to take away anything from this Schedule and put it in any other Schedule should not be given to him. This kind of power, I should say, can be exercised arbitrarily and therefore this kind of power should not have been given to the Chief Commissioner. I know that sometimes in the rush of work, in the discharge of so many duties....

Shri Ferose Gandhi (Rae Bareilly): What about the Deputy Commissioner?

Shri D. C. Sharma:.... Such decisions are liable to be taken which, I may say, may not be conducive to the good of the State, to the good of this territory or to the good of the country in general.

At the same time another thing has been done and it is that in the clauses it has been said that anyone can

[Shri D. C. Sharma]

impound or retain the books of accounts. I think this is clause 12. It reads:

"Subject to any rule made in this behalf, any authority referred to in sub-section (1) may impound and retain in its custody, for such period as it thinks fit, any books of account or other documents produced before it, in any proceedings under this Act."

I do not know what the procedure is in other cases, but I think that this provision is going to work very adversely so far as the interests of the persons are concerned. If you are going to impound their books for one month or for thirty days, I think you are depriving them of the utility of those books. You are also making them in a way ineffective. You are in a way indirectly encouraging them to have another set of books. Therefore, I think that this thing is not going to work towards those ends which our hon. Finance Minister has in view. I think this provision should be deleted. A gentleman should take the books to the authorities concerned, show them there and then bring them back. If he thinks that the person concerned is going to misuse those books afterwards, he can sign them on one page, on two pages or on all the pages of the book. I think that this kind of thing is not going to work to the advantage of the State.

Again, one point was made about the newspapers. An hon. friend of mine said about newspapers that they should not be exempted from the tax.

Shri V. P. Nayar: Not all.

Shri D. C. Sharma: I know there are newspapers and newspapers. I know also that there are some newspapers at whose hands some of the working journalists are not having a fair deal. I do not want to go outside this House to prove that. There is a gentleman, an hon. Member of this

House, who has had a very raw deal at the hands of his former employers. He has not been given a fair deal. He goes abroad and when he comes back he finds that his job is gone. Such things are happening.

Shri V. P. Nayar: Who is that gentleman?

Shri D. C. Sharma: At the same time I know of a journalist who goes to his office and is handed over an envelope. What does that envelope contain? You will think that that envelope contained some bonus or something of that kind. No. In the letter in the envelope it was written, "You have now arrived at the age of retirement and now you must allow...." You can think something of that kind or something else. Something like that is given to him. All these things are happening. These newspapers proprietors close down their business when it suits them. For instance, we have been hearing so much about newspapers which were published at Allahabad. They were closed. Now, I am hearing generally of other newspapers which are also going to be closed.

An Hon. Member: Express Papers.

Shri D. C. Sharma: I do not know in what kind of world we are living. I do not know in what kind of world the newspaper proprietors live. I do not know in what form of world the working journalists have to live; these working journalists who are at the whim of the big persons of the press. Every Member in this House is conscious of the hardships and limitations under which these working journalists are working. I must say that most of the Members of this House have tried to soften those hardships, to remove those hardships. We have not succeeded; but we are doing our best. I think, as long as nothing happens, all the Members of the House will do

their best to improve their lot. I think, if there is one thing about which all the Members of the House are agreed, it is the lot of the working journalists and the improvement of their lot. I know, whenever that Bill comes up, all the different sections of this House will join together to do something for these working journalists. But, that does not mean that you should make a bad position worse. This situation *vis a vis* working journalists is already bad. There is no doubt about it. Anybody who has eyes to see and ears to hear knows it.

Newspapers are like text books. I remember what the Editor of the *Manchester Guardian* said once. He said, our newspapers are a kind of evening continuation classes. That is to say, newspapers give education to those persons who have been denied the benefits of education through the normal regular channels. I find that a movement in this direction is also going on in our country. Our newspapers do not give only political news. They give also views about other things. They also try to give the people certain things which can improve their general knowledge. Therefore, these newspapers, in some respects, are like text-books. I would think that one of the most wholesome provision of this Bill is that newspapers have been kept out of the purview of this Bill. Sir, you have rung the bell. I do not want to annoy you. I am a law-abiding Member of this House.

Shri V. F. Nayar: Question.

Shri D. C. Sharma: I do not want to annoy you. Therefore I say that the Second Schedule which refers to the imaginary affluent society must be revised. At the same time, the powers—extraordinary powers—which are going to be given to the Chief Commissioner should be curtailed. I would also say that things of daily consumption, things of ordinary consumption which every inhabitant of Delhi makes use of, should not be taxed like this. The tax on them

should be stepped down. I do not mind if they step up and tax on those things which they think are needed by the affluent society. This is a new thing which I have acquired today—affluent society. From 7 pies you make 12 pies. I do not mind because you are thinking of some society which does not exist. Even if it exists, make them pay a little more. But, I say, so far as the average ordinary consumer is concerned, you should try to bring down the level of taxation in this matter. Delhi is our metropolis. Delhi should not follow the Punjab or U.P. or Bengal or Madras or any other State. Delhi should set an example. Delhi should be a model for other States to follow. Here was a chance for us to make Delhi a model State, and we could have done it by bringing down the taxation on the ordinary things of consumption. I must say that we have failed in that. Yet, I hope the hon. Minister will do something to give a little relief, to give a little joy, and to give a little hope to the average consumers of whom you are one, I am one, all of us here are ones, and all the millions of inhabitants of Delhi are there.

Shri Ferose Gandhi: The hon. Member has spoken like Raja Mahendra Pratap.

16.31 hrs.

ESTIMATES COMMITTEE

FIFTY-NINTH REPORT

Shri B. G. Mehta (Gohilwad): On the 10th March, 1959, the Speaker directed the Estimates Committee, in the House, to investigate the reasons for shortfall in production at the Bharat Electronics (Private) Limited, Bangalore, as an *ad hoc* matter immediately.

I beg to present the Fifty-ninth Report of the Estimates Committee (Second Lok Sabha) on this matter referred to the committee.

16.22 hrs.

BENGAL FINANCE (SALES TAX)
(DELHI AMENDMENT) BILL—contd.

श्री नवल प्रभाकर (बाह्य दिल्ली—रक्षित—अनुसूचित जातियाँ) : सभापति महोदय, इस बंगाल फाइनेंस (सेल्स टैक्स) (दिल्ली अमेंडमेंट) बिल, १९५९ जो कि हमारे सम्मुख विचाराय पेश है उसमें दो, तीन बातें खटकने वाली हैं और उन्हीं के सम्बन्ध में मैं यहां कुछ अपने विचार प्रकट करना चाहता हूं।

सबसे बड़ी बात तो यह है कि दिल्ली केन्द्र प्रशासित क्षेत्र है। पहले यहां ५ वर्ष तक एक राज्य सरकार चलती थी और राज्य सरकार ने एक बिज्जी कर विधेयक, इसी विधेयक का एक संशोधन विधेयक अपने यहां प्रस्तुत किया और उसको रक्खा। किन्तु आज उसी विधेयक में फिर संशोधन हो रहा है तो इसमें जो एक सबसे बड़ी खटकने वाली बात है वह यह है कि जो मुख्य धायुक्त हैं, चीफ कमिशनर हैं, उनको इस विधेयक द्वारा बहुत अधिक अधिकार दिये गये हैं। यह ठीक है कि यहां पर कोई विधान सभा नहीं है किन्तु उस विधान सभा के स्थान पर एक सलाहकार समिति कार्य करती है जिसके कि अध्यक्ष माननीय गृह मंत्री हैं। मैं समझता हूं कि यदि इस विधेयक में ऐसा प्रबन्ध होता कि जब भी किसी प्रकार के बिज्जी कर के सम्बन्ध में कोई भी विज्ञप्ति प्रकाशित करनी हो या गजट में निकालना हो तो उससे पूर्व वह बात सलाहकार समिति के सामने रखी जाती और उस पर विचार होता और जो भी निर्णय होता उसके अनुसार यह तय किया जाता। तो उचित होता किन्तु बड़े बुद्ध के साथ कहना पड़ता है कि इसमें स्थान-स्थान पर चीफ कमिशनर महोदय का जिज्जा किया गया है और उन्हें कहा गया है कि वे जब चाहें जैने चाहें और जिस तरीके से चाहें वह अपने

गजट में प्रकाशित कर सकते हैं और वह बात मायब होगी। मैं इतना ही कह सकता हूं कि इस जनरल के युग में होना तो यही चाहिये कि जो जनता की राय हो उसके अनुसार काम हो और जनता के प्रतिनिधियों द्वारा वह काम किया जाय। अब यदि हम चीफ कमिशनर के हाथ में यह सब चीजें छोड़ देंगे तो उसमें जो जनता की भावनायें हैं उनको एक प्रकार से ठेस पहुंचेगी। मैं मंत्री महोदय से बहुत ही विनम्र शब्दों में प्रार्थना किया चाहता हूं कि वे दिल्ली की स्थिति को देखते हुए कम से कम यह जो नीकरशाही है उसके हाथ में यह बात न दें और ऐसा करना सरकार के लिये कोई शोभा की बात नहीं होगी।

सभापति महोदय, दिल्ली केन्द्र प्रशासित क्षेत्र है। यहां पर कोई बहुत बड़े-बड़े कस कारखाने तो हैं नहीं। कुछ समय से यह दिल्ली व्यवसायिक केन्द्र रहा है। पहले भी जब दिल्ली देश की राजधानी नहीं थी और जब दिल्ली पंजाब का एक भाग था और पंजाब का एक जिला था उस समय भी यहां पर व्यापार चलता था और दिल्ली को व्यापार का केन्द्र माना जाता था। ठीक ठीक उसी प्रकार से आज भी दिल्ली व्यापार का केन्द्र है। किन्तु दूसरे स्थान से कोई यहां पर माल लाया जाये और वहां पर बिज्जी कर दिया जाये और फिर यहां भी बिज्जी कर दिया जाये तो उसमें कोई बहुत लाभ होने वाला नहीं है।

इस विधेयक में कहा गया है कि जो पहले २ पुराने पैसे यहां पर टैक्स था उसके स्थान पर अब ४ नये पैसे हो जायेंगे। आपका ही बनाया हुआ वह कानून है जिसमें २ पुराने पैसे के स्थान पर ३ नये पैसे होते हैं और अग्रे तो यह होता कि उसको ३ नये पैसे होना चाहिये। मैं समझता हूं कि जिस तरह से ४ नये पैसे गिनने में कोई भूल नहीं कर सकता उसी तरह ३ नये पैसे गिनने में भी कोई भूल नहीं होगी है। अब इसका

पद्धति के अनुसार यदि रखना था तो डाई नये पैसे के हिसाब से रखते थीर २ रुपये पर ५ नये पैसे टैक्स लगाते तो वह सामान वसामलव पद्धति के अनुसार बहुत सही होता । इस प्रकार से होता तो दिल्ली वाले आपको साबुबाद कहते थीर आपका अहसान मानते किन्तु बजाय इसके कि वह ३ नये पैसे होना चाहिये उसको ४ नये पैसे कर दिया जाये, मैं चाहता हूँ कि मंत्री महोदय पुनः इस पर विचार करे ।

सैं सेल्स टैक्स के सम्बन्ध में कुछ निवेदन करना चाहता हूँ । हमारे यहां दिल्ली में कुछ हरिजन भाई हैं जो छोटे छोटे घरेलू उद्योग चले करते हैं जिसमें कि परिवार का मुखिया होता है, उसकी पत्नी होती है और उस के छोटे छोटे लड़के बाने होते हैं और सब परिवार बाने मिल कर यह जूता बनाने का काम करते हैं किन्तु दुल के साथ कहना पड़ता है कि यह जो जूता बनाने बाने छोटे छोटे कारोगर हैं उनकी अपनी कोई फैक्टरी नहीं चलती है और जब वह कच्चा माल खरीदने के लिए बाजार में जाता है तो उस पर सेल्स टैक्स देना पड़ता है चमड़े बगरह पर उसको सेल्स टैक्स देना पड़ता है और उसने बाद जब वह उस जूते को तैयार कर लेता है तब पुनः उसको सेल्स टैक्स देना पड़ता है । ऐसी अवस्था में बाजार के अन्दर जो बड़ी बड़ी फैक्टरियों के साथ से एक प्रतिस्पर्धा चली हुई है उसमें वह टिक नहीं पाता है । इसलिये मैं चाहता हूँ कि इस तरीके के जो छोटे छोटे उद्योग हों, घरेलू उद्योग चले जिनमें कि घर में बैठ कर २, ४ या पांच आदमी मिल कर काम करते हैं और जो ऐसे उद्योग चले हैं जिनमें कि कोई बहुत लाभ भी नहीं है, मैं चाहता हूँ कि उन चर्चों की ओर सहानुभूतिपूर्वक देखा जाये और तदनुसार कोई उचित निर्णय लेने की कृपा करें । अक्सर देखा गया है कि जो लोग इस तरह के छोटे छोटे उद्योग चले करते हैं वे पड़े लिखे

तो होते नहीं और वे अपना हिसाब किताब अच्छे तरीके से नहीं रख सकते हैं और जब ऐसी हालत है तो उनके लिये यह सेल्स टैक्स के बास्ते हिसाब किताब रखना कुछ बड़ा बिचित्र सा लगता है ।

यहां पर कुछ ऐसे कारखाने हैं जो कि चमड़ा कमाने का काम करते हैं । उनके ऊपर भी सेल्स टैक्स लगा हुआ है । अब सभापति महोदय, उसमें एक ही परिवार के दो भाई मिल कर उस काम को करते हैं और अधिक से अधिक तीन व्यक्ति काम करते हैं और उा तीन व्यक्तियों को कहीं सारे दिन कठिन परिश्रम करने के बाद मजदूरी मिल पाती है और जो कि पड़े लिखे भी नहीं हैं और अगर वह पढ़ जाते तो वह सम्भवतः उस काम को करते भी नहीं तो ऐसे लोगों को जो कि मजदूरी का काम करते हैं और थोड़ी सी पूजी लगा कर के काम करते हैं उनको भी इस सेल्स टैक्स के चक्कर में घाना पड़ता है और ऐसी अवस्था में उनके लिए बड़ी कठिनाई का सामना करना पड़ता है । मैंने अक्सर यह देखा है कि वह अपना बहीखाता पड़े लिखे लोगों के पास ले जाते हैं और लिखवाते हैं कि आज इतने का माल बिक्री किया आज इतने का बिक्री किया ताकि वह सेल्स टैक्स के दफ्तर में जाकर ठीक-ठीक ग्यौरा दे सके । एक चमड़ा लगभग कोई ५० रुपये की कीमत का होता है और ये लोग रोजाना दो चमड़े तैयार करते रहें चाहे भैंस के तने के हों या गाय के तले के । दो से अधिक तैयार करने की उनकी क्षमता नहीं है । इस तरह वह लगभग सौ रुपये का माल तैयार करते हैं और इसमें उनको अधिक से अधिक ६ या ७ रुपये का लाभ होता है । आज के जमाने में यह ६ या ७ रुपये का लाभ क्या होता है । आज एक साधारण चपरासी भी ८० रुपये महीना कमाता है और इस काम में दो आदमी काम करते हैं, उसकी पत्नी भी इसमें

[जी नवल प्रभाकर]

मदद करती है। ऐसी अवस्था में उनको केवल मजदूरी ही मिलती है फिर भी वह सेल्स टैक्स के बचकर में आ जाते हैं। तो मैं चाहता हूँ कि जो इस तरह के छोटे-छोटे उद्योग धन्धे हैं उनका भी ध्यान रखा जाना चाहिए।

जैसा कि मैंने बताया दिल्ली व्यवसाय का केन्द्र है, किन्तु अब धीरे-धीरे यहां पर व्यवसाय का ह्रास होता जा रहा है। पड़ोस में पंजाब है वहां बड़ी-बड़ी फैक्ट्रिया खूबी हुई है। सोनीपत में साइकिल फैक्टरी लगी हुई है। भूमतसर में कपड़े की, सिल्क की और गरम कपड़े की फैक्ट्रिया लगी हुई है। पड़ोस में ही उत्तर प्रदेश है जहां भागरा और कानपुर उद्योग के क्षेत्र हैं। इनके बीच में दिल्ली भिड़ा हुआ है। ऐसी अवस्था में दिल्ली अपने व्यापार को कहा तक चला सकेगा इसमें सन्देह है। इन्हीं स्थानों से माल लाये और उसकी प्रतिस्पर्धा में बेचे तो बड़ा कठिन हो जाता है। तो मैं मंत्री महोदय से कहना चाहता हूँ कि वह पुनः इस पर विचार करें और इसमें आवश्यक संशोधन करने की कृपा करें।

एक बात पर मैं पुनः जोर देना चाहता हूँ और वह यह है कि जो चीफ कमिशनर को अधिक अधिकार दिये गये हैं वे नहीं होने चाहिए। एक सल्लाकार कमेटी यहां पर बठी हुई है। उसके सामने प्रत्येक मामला जाना चाहिए और जब उसका निर्णय हो जाये तो उसके बाद में चीफ कमिशनर चाहे तो उसमें परिवर्तन कर सकता है। तो मैं इन शब्दों के साथ कहना चाहता हूँ कि इसमें संशोधन किया जाये ताकि दिल्ली के क्षेत्रों को कोई लाभ हो सके।

जी नू० चं० जैन (केवल) : जनाब सेक्टरल साहब, इस बिल का जितना भी

स्वागत किया जाय थोड़ा है। मैं डिप्टी फाइनेंस मिनिस्टर साहब को इसके लिए बिल से बन्धबाद देना चाहता हूँ।

मुझे हैरानी है कि कुछ मेम्बर साहिबान ने इस बिल के कुछ प्रावीजन्स की नुक्ताचीनी की है। मैं हाउस को याद दिलाता चाहता हूँ, कि दिल्ली स्टेट डेफिसिट में चले रही है। पिछले साल हिन्दुस्तान के टैक्स पैयर्स की कमाई के रुपये में से ५० लाख रुपया दिल्ली स्टेट का फाइनेन्स करने के लिए ग्रांट के तौर पर दिया गया था, और जो करेंट बजेट है उसमें भी मेरे ब्याल में उससे भी ज्यादा की ग्रांट दिल्ली स्टेट को दी गयी है। इस बिल की वृत्ति से २५ लाख रुपया मजीद इकट्ठा करने की तजवीज है जो कि कोई ऐसी बात नहीं है कि जिस पर किसी को हैरान होने की जरूरत हो। यहां पर सेल्स टैक्स के स्टेट पंजाब के मुताबिक, जो कि एक पड़ोसी रियासत है, कीये जा रहे हैं। मिसाल के तौर पर यहां पर कुछ चीजों पर जो दो पैसे से चार नये पैसे किया गया है वह पंजाब की ही तरह है। पंजाब में भी उन चीजों पर चार नये पैसे सेल्स टैक्स लगता है।

जी नवल प्रभाकर : पंजाब में जो सहूलियतें हैं वे यहां भी होनी चाहिए।

जी नू० चं० जैन . पिछली मर्तबा जब सेल्स टैक्स ऐक्ट पास हुआ था तो दिल्ली वालों को कुछ रियायतें मिल गयी थीं जो कि बाकी के हिन्दुस्तान के डीलर्स को नहीं थी। तो दिल्ली वाले इससे बड़े खुश थे कि वह बड़े शहर में भी रहते हैं और उनको यह सहुलियत भी मिली हुई है कि जो बाकी हिन्दुस्तान वालों को टैक्स देना पड़ता है वह उनको नहीं देना पड़ता है, मैं समझता हूँ कि यह हा-स इस बात की इजाजत नहीं दे

सकता कि दिल्ली को यह रियायत दी जाये और इसकी बजह से हिन्दुस्तान के बाकी टैक्स पेयर्स के साथ भग्याय हो। मैं इस तरह की रियायत के सक्त मुखालिफ हूँ, और मैं फाइनेंस मिनिस्टर साहब को बन्धबाध देता हूँ कि उन्होंने यह बिल लाने की हिम्मत की।

श्री नवल प्रभाकर : हमारा इनकम टैक्स न। पूरा हिस्सा भी हमको नहीं मिलता।

श्री यू० बं० जैन : जहाँ तक इनकम टैक्स का सवाल है, शायद मेरे लायक दोस्त को मालूम नहीं कि हर तीसरे चौथे या पाँचवें साल एक फाइनेंस कमीशन बैठता है और वह फैसला करता है कि जिस-जिस स्टेट से जितना इनकम टैक्स इकट्ठा होता है उस उस स्टेट को उसी हिस्सा के उसका हिस्सा दिया जाये। दिल्ली से जितना इनकम टैक्स इकट्ठा होता है उस हिस्सा से दिल्ली को भी हिस्सा मिलता है। इसमें कोई घाटे की गुंजाइश नहीं है।

यह जो पंजाब के मुताबिक चार नये पैसे की शरह से टैक्स रखा जा रहा है उसका मैं स्वागत करता हूँ इसलिए कि दिल्ली पंजाब के नजदीक है। दिल्ली पंजाब के रोहतक, करनाल, हिसार, गुडगवा जिनो से घिरा हुआ है, सिर्फ एक तरफ उत्तर प्रदेश का गाजियाबाद है। ऐसी हालत में अगर दिल्ली में सेल्स टैक्स की रेट कम हो और पंजाब में ज्यादा हो तो पंजाब के कंज्यूमर दिल्ली से सामान खरीदते हैं और इससे पंजाब के डीलर्स को नुकसान होता है और ट्रेड बहा से दिल्ली को डाइवर्ट (divert) हो जाती है। मैंने पहले भी इस चीज की मुखालिफत की थी कि दिल्ली को सेल्स टैक्स में यह रियायत न दी जाये। जो सबस्य पास होते हैं उनको ज्यादा असर पड़ता है लेकिन मैं गवर्नमेंट को बिल से बर्बाद देता हूँ कि उसने यह

बिल लाने की हिम्मत की और अपने ऊपर पास वालों का असर नहीं पड़ने दिया।

श्री नवल प्रभाकर : जितना फायदा आपको होता है उतना हमको भी दिलवाये।

श्री यू० बं० जैन : मेरे पड़ोसी दोस्त ने हालांकि वह पंजाब से आये हुए है, बड़ी नुकताचीनी की है और कहते हैं कि हमारी सरकार एक एफ्ल्यूएंट सोसाइटी बना रही है जब कि हमारा असूल classless समाज बनाना है। मैं हूँरान हुआ। मुझे मालूम हुआ जैसे डेविल स्टिकार को कोट कर रहा है। यह सक्त शब्द है और मुझे नहीं कहने चाहिए लेकिन क्या यह एफ्ल्यूएंट सोसाइटी बनाना है कि जिन goods को एफ्ल्यूएंट लोग इस्तेमाल करते हैं उन पर सात परसेंट टैक्स लगाया जाये। ऐसा करके तो सरकार क्लासलेस (classless) सोसाइटी बनाने में मदद कर रही है। यह बात मेरे लायक दोस्त ने नजरअन्दाज कर दी है। जो लोग उन लग्जरी गुड्स को इस्तेमाल करते हैं वे गरीब नहीं हैं। और अगर कोई गरीब उन चीजों को इस्तेमाल कर सकता है तो वह सात परसेंट टैक्स भी दे सकता है। घड़ियाँ, बिजली का सामान, जेवरान, ज्वेलरी ऐसी चीजें हैं जिसको धमीर लोग इस्तेमाल करते हैं। जो लोग सैकड़ों रुपये की इस तरह की चीजें इस्तेमाल कर सकते हैं अगर उनसे सात परसेंट टैक्स लिया जाये तो किसी के पास क्यों आने चाहिए। मुझे हूँरानी हुई कि किस तरह से शर्मा साहब देर तक एफ्ल्यूएंट क्लास के नाम पर गवर्नमेंट की नुकताचीनी करते रहे। यह टैक्स जरूर था। पंजाब में luxury goods पर ज्यादा टैक्स है, उत्तर प्रदेश में टैक्स है। कौन सी ऐसी स्टेट है कि जिसमें लग्जरी गुड्स पर बुझना और तियुना टैक्स नहीं है। यह तो बड़ी बच्छी बात है कि दिल्ली में भी यह टैक्स

[श्री यू० वं० जैन]

साग कर दिया जायेगा और इस चीज के लिए मैं गवर्नमेंट को मुबारकबाद देता हूँ।

एक 'वाइंट और है जिसकी कि मेम्बर साहिबान ने काफी 'नुक्ताचीनी' की है। उन्होंने कहा है कि इस तरह तो ब्यूरोक्रेसी को बढ़ाया जा रहा है। उन्होंने कहा कि ब्यूरोक्रेसी को यह पावर्स नहीं दी जानी चाहिए थीं। मैं यह सुनकर हैरान हुआ। हम बारह बरस पहले जो ब्यूरोक्रेसी की बात कहते थे आज भी वही कह रहे हैं। हमने अपनी जहनियत को नहीं बदला है। आज चीफ कमिशनर ब्यूरोक्रेसी के बावसी नहीं हैं, बल्कि वह होम मिनिस्टर का नुमायन्दा है। आज होम मिनिस्टर जो बातें करते हैं उसके मुताबिक चीफ कमिशनर काम करता है। मेरे ख्याल में यह कह सकते हैं और मेरे ख्याल में डिप्टी मिनिस्टर साहब इस बात का खयाल रखेंगे कि जो एडवाइजरी कमेटी बनी है उसके सामने भी मामले जायें। जो फंसला होम मिनिस्टर माहब करें और जो मामला चीफ कमिशनर के पास जाये वह किसी स्टेज में इन कमेटी के सामने भी जाये यह तो हो सकता है। लेकिन जनरल टर्म्स में चीफ कमिशनर की नुक्ताचीनी करना और यह कहना कि न मालूम वह किस तरह से इन पावर्स का इस्तेमाल करेंगे, मेरे ख्याल में ठीक नहीं है। प्रबल तो जो पावर्स दी गयी है वे ऐसी हैं कि जिनमें किसी को खबराने की बात नहीं है। यह मामला एडवाइजरी कमेटी के सामने जाय, एक्ट में यह बात नहीं आ सकती है। एग्जिक्टिव इन्स्ट्रक्शन्स के जरिये से यह हो सकता है।

इतनी बातें मैंने कहनी थीं और यह कह कर मैं डिप्टी फाइनेंस मिनिस्टर का शुक्रिया अदा करता हुआ और उनको मुबारकबाद देता हुआ इस बिल का स्वागत करता हूँ। और इसकी पुरजोर हिमायत करता हूँ।

Shri B. R. Bhagat: Mr. Chairman, Sir, I am very grateful to the hon. Members who have participated in this debate. But I confess that in spite of the prolonged discussions, the points that I made in favour of the Bill, particularly the relevant sections, and the important matters remained unchallenged and unanswered. The hon. Member, Shri V. P. Nayar, who very enthusiastically comes forward, was to my great regret, very disappointing today. Usually he is very stimulating and intelligent and it is a high treat to hear him. I do not know if something went wrong.

Shri V. P. Nayar: You come to the House with a prepared speech. We cannot do like that.

Shri B. R. Bhagat: I am not speaking from any written text while I am replying now. He was particularly objecting to this amendment. I say it is the most standard and patent amendment which you will find in most of the Bills, particularly with regard to taxation and others also. I do not know what has gone wrong with him that he finds it difficult to understand this.

Shri V. P. Nayar: Take away the word 'for'.

Shri B. R. Bhagat: Now, I would like to deal with some of the points that have been raised. I would submit that they are mostly out of misconceptions and I would try my level best, in my humble way to elucidate them. The first point that was made was that the whole scheme of the Bill is not a single-point scheme but a multi-point scheme. The hon. Member quoted from Dr. Lokanathan Committee's recommendations and the valuable suggestions it had made while going through the sales-tax structure in Madras State and he has said that it does not find favour with the committee's basic recommendations. Some other hon. Member has said that it will be in the discretion of the Chief Commissioner to levy tax at one or more points. I

would submit that all this is not borne out by letter or the language of the clause nor by the clear declaration and indication given by the Government

The scheme is one-point. It is not contemplated to levy multi-point tax.

Shri Tangamani: Clause 6 of the amending Bill amends section 5 of the Act. If 5A remains as it is, it will be one point. But 5B gives room for levying more than one point

Shri B. B. Bhagat: That has been clarified while Shri Vajpayee was making a reference to it. 5B is with reference to a person who is a dealer and who is not to pay a tax. That is also a general provision. 5A and 5B are not connected in any way. But there may be some difference of opinion about the language. To me it is very clear. I say, Sir, whatever may be the language, it is the intention of the Government not to levy a multi-point tax. The scheme of tax in Delhi is a single-point tax, and what is sought to be done by 5A in clause 6 is to leave that point flexible for the executive authority or the tax administration authority to levy the tax at any point. Therefore, the point made that it would harm the traders is also a misconceived point. Actually the motivation in this amendment is to help the dealers. It is as a result of the demands made by certain sections in Delhi or the trading community in Delhi that this has been done. For example, apart from Delhi being a distributing centre or a trading centre it is also a manufacturing place. There are certain industries here like the vanaspati or the cycle manufacturing industry where if the tax is levied at the last point as it is being done today it will mean that every small dealer has to keep accounts and a large number of dealers will have to be taken care of. If the tax in such cases is levied at the beginning, at the first point when it comes out of the manufacturer, from the mill to the wholesale distributor, it is very easy to levy that tax at that point, whether it

is in the case of vanaspati which is being manufactured here or in the case of cycle parts or other manufactured goods. It helps a large number of small dealers who deal in these goods. They need not have to collect the tax and maintain accounts. Instead of these small dealers, we will be levying the tax on only one person, viz., the manufacturer or the wholesaler who may make goods from the mills. By that it is easy to collect and it is easy to administer. Thereby the scope of evasion is very much minimised.

Therefore this scheme will benefit the traders, it will make the administration simple and it will be helpful to everybody. So I say, Sir, that this good provision also has been misconceived because of certain confusion in the minds of certain hon. Members. I do not deny that there is room for confusion, but I only tried to explain the provision and the motivation behind it.

Another point that arose out of a misconception was that through this measure something is being done to harm the commercial importance of Delhi. Nothing can be farther from the mind of the Government than this. The hon. Member concerned ably presented this case. I agree and I concede that the fear is very well taken. But I only point out that the point is very well borne in mind by the Government. Last time, when the Central Sales Tax Act was enacted and it was applied to Delhi, the Home Minister had a series of consultations with the representatives of Delhi, the Advisory Committee of the Delhi Administration, and this point was conceded which very largely met with and satisfied the apprehensions of the Delhi citizens, the commercial people and the representatives of Delhi. Although the Central Sales Tax Act provided for a one per cent tax, in the case of Delhi, on goods imported and re-exported out of Delhi the rate was prescribed at half per cent instead of

[Sri B. B. Bhagat]

one per cent. The hon. Member wanted to have some figures about the trade in Delhi. I have tried to gather some figures. At half per cent under the Central Sales Tax Act the realisation has been Rs. 1.3 crores.

Some Hon. Members: Sir, it is five o'clock.

Mr. Chairman: I hope the hon. Minister will require some more time

Sri B. B. Bhagat: 15 minutes to 20 minutes more.

Mr. Chairman: He may continue tomorrow.

17 hrs.

The Lok Sabha then adjourned till Eleven of the Clock, on Friday, the 1st May, 1959/Vaisakha, 11, 1881 (Saka)

[Thursday, April 30, 1959/Vaisakha 10, 1881(Saka)]

ORAL ANSWERS TO
QUESTIONS

S.Q. No.	Subject	COLUMNS
2126	India's Export Trade during 1958 . . .	14153-94
2127	Finance for Tea Industry . . .	14153-60
2128	Special Reorganisation Unit in the Estate Office . . .	14161-63
2129	Conversion of provident fund scheme . . .	14163-65
2130	Ban on import of Indian jungla and sarong material into Ceylon . . .	14165-66
2131	Textile Advisory Committee . . .	14166-67
2132	Heavy foundry and forge shops . . .	14167-70
2133	Distribution of photographic material . . .	14170-72
2135	Auction of properties of Hindus in Pakistan . . .	14172-75
2137	Indian film fair in U.S.A. . . .	14175-76
2140	Disposal of confiscated Italian assets in India . . .	14177
2141	Removal of field embankments . . .	14177-78
2143	Tripartite Steering Group on Wages . . .	14178-85
2144	Crisis in show industry . . .	14185-87
2145	Investment in Private Industry . . .	14187-88
		14189

S.N.Q.
No.

31	Hunger strike by displaced persons in Tripura . . .	14190-94
----	---	----------

WRITTEN ANSWERS TO
QUESTIONS

S.Q. No.	COLUMNS
2134	Electric lamps . . . 14194-95
2136	Manufacture of electronic equipment . . . 14195
2138	Sale of Ferro-Manganese to U.S.A. . . . 14195
2139	Manganese poisoning in mines . . . 14195-96

WRITTEN ANSWERS TO
QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
2142	Andhra Paper Mill, Rajahmundry . . .	14196-97
2146	Shortage of needles for Hosiery Industry in West Bengal . . .	14197
2147	Tariff Commission . . .	14197-98
2148	Naga Hills Tuensang Unit . . .	14198
2149	Imports by Delhi Municipal Corporation . . .	14198-99
2150	Academic courses by All India Radio . . .	14199
2151	Export of manganese ore . . .	14199
2152	Tea trade with Iran . . .	14200
2153	Contribution of Coal Mines Provident Fund . . .	14200
2154	International Atomic Energy Agency . . .	14201
2155	India's trade with other countries during 1959 . . .	14201-02

U.S.Q.
No.

3732	Production of cement . . .	14202
3733	Industrial Estates in Punjab . . .	14203
3734	Import of luxury goods . . .	14204
3735	Handloom Development Schemes of Punjab . . .	14204-05
3736	Newsprint for Hindi Daily and Weekly Papers . . .	14205-06
3737	Industrial development of Punjab . . .	14206
3738	Trade balance with Pakistan . . .	14207
3739	International Commission for Supervision and Control in Vietnam . . .	14207-08
3740	Electric fans . . .	14208
3741	Manufacture of radio sets . . .	14208-09
3742	Unemployed Graduates . . .	14209
3743	Government of India Printing Presses . . .	14209

WRITTEN ANSWERS TO QUESTIONS—contd.		
U.S.Q. No.	Subject	COLUMNS
3744	Can Sealing Compo- sition	14210-11
3746	Dispensaries for Mica Mines Labour in Rajasthan	14211
3747	Payment of wages to Mica Mine Workers in Rajasthan	14211-12
3748	Hydel Projects in N.E.F.A.	14212-13
3749	Import of photo goods	14213
3750	Sensitised photo ma- terials	14213-14
3751	Coffee marketing sys- tem	14214
3752	By-products of gram Labour Laws	14214
3753	Labour Laws	14215
3754	Emporia for hand- loom and small scale industries	14215
3755	Employees' State Insurance Scheme	14216
3756	Payment of rebate on handloom cloth to Punjab Government	14216
3757	Exchange Compens- ation Allowance	14216-17
3758	Documentary film on folk dances of Pun- jab	14217
3759	Environmental sani- tation in N.E.F.A.	14217-18
3760	Faridabad Township	14218
3761	Hotel Janpath	14218-19
3762	Industrial Estate Scheme for Kendra- para	14219-20
3763	Grants for Cottage and Small Scale In- dustries in Delhi	14220-21
3764	Handloom Industry in Delhi	14222
3765	Ghani and neem oil scheme in Delhi	14222-23
3766	Repair of village radio sets	14223
3767	Highhandedness of Pakistan Custom Officials	14223-24
3768	Visit of Duke of Edinburgh	14224
3769	Industrial Develop- ment	14225-26
3770	Consumption of ce- ment	14226

WRITTEN ANSWERS TO QUESTIONS—contd.		
U.S.Q. No.	Subject	COLUMNS
3771	Bee-keeping indus- try	14226-27
3772	Manufacture of bi- cycles in Orissa	14227
3773	Hindi in United Na- tions	14227-28
3774	Plan Publicity in Punjab	14228
3775	Dandakaranya Sche- me	14229
3776	Bharat Sewak Samaj Radio Active minerals in Kanyakumari Distt.	14229-30
3777	Radio Active minerals in Kanyakumari Distt.	14230
3778	All India Radio	14230-31
3779	Foreign Exchange Investments by State Governments in Industries in Private Sector	14231
3780	Investments by State Governments in Industries in Private Sector	14232-34
3781	Mining School, Dhanbad	14233
3782	Tungsha-Bhadra In- dustries, Kurnool (Andhra Pradesh)	14234
3783	Development of in- dustries in Beas Basin	14234-35
3784	Ambar Charkha Pro- gramme in Madras	14235-36
3785	Economy in the use of paper	14236-37
3786	Industrial Co-opera- tive Societies in Punjab	14237-38
3787	Craftsmen Training Centres and Insti- tutes	14238
3788	Central Training In- stitutes	14238-39
3789	"Training within In- dustry" Scheme	14239
3790	Naga Political Con- vention	14239-40
3791	Passport Rules	14240-41
3792	Accredited Press Cor- respondents	14241-42
3793	Strike in Caltex Es- tablishment at Er- nakulam	14242
3794	Houses for refugees in Andhra Pradesh, Delhi	14243
3795	Weekly and daily newspapers in Urdu	14243-44
3796	Indian goods show- room in Ceylon	14244
3797	Pepper and Ginger	14244-45

WRITTEN ANSWERS TO QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
3798	Employees' State Insurance Scheme in Himachal Pradesh .	14245
3799	Head hunting in Naga Hills, Tuensang Area .	14245
3800	Displaced persons from West Pakistan .	14246
3801	Employees' State Insurance Corporation .	14246-47
3802	Cases against Officers of Department of Mines, Dhanbad .	14247-48
3803	Indian Trade Union (Amendment) Act, 1947 .	14248
3804	National Advisory Committee on Public Co-operation .	14248-49
3805	Adverse balance of trade with Burma .	14249

PAPERS LAID ON THE TABLE

14250-51

The following papers were laid on the Table :—

(i) A copy of the Annual Report of Hindustan Housing Factory Private Limited for the year 1957-58 along with the Audited Accounts under sub-section (1) of Section 639 of the Companies Act, 1956.

(ii) A statement stating the position in respect of certain recommendations of the Estimates Committee, reference to which had been made on the floor of the House on the 29th November, 1958.

REPORTS OF THE ESTIMATES COMMITTEE PRESENTED

14249

Fifty-eighth and Fifty-ninth Reports were presented.

91 LSD—9.

STATEMENT BY MINISTER

COLUMNS

14250

The Deputy Minister of External Affairs (Shri. Mani Lakshmi Menon) made a statement correcting the reply given on the 22nd April, 1959 to a Supplementary by Shri C. D. Pande on Starred Question No. 1960 regarding Maps published in China and Russia.

BILLS REFERRED TO JOINT COMMITTEES

14251-14310

(i) Further discussion on the motion to refer the State Bank of India (Amendment) Bill, 1959 to a Joint Committee was concluded and the motion was adopted.

(ii) The Minister of Revenue and Civil Expenditure (Dr. B. Gopala Reddi) moved that the Banking Companies (Amendment) Bill, 1959 be referred to a Joint Committee. After some discussion the motion was adopted.

BILL UNDER CONSIDERATION

14311-66,
14367-80

The Deputy Minister of Finance (Shri B. R. Bhagat) moved that the Bengal Finance (Sales Tax) (Delhi Amendment) Bill, 1959 be taken into consideration. The discussion was not concluded.

AGENDA FOR FRIDAY, MAY 1, 1959 VAISAKHA 11, 1881 (SAKA)—

(i) Further consideration of the Bengal Finance (Sales Tax) (Delhi Amendment) Bill, and passing of the Bill;

(ii) Consideration and passing of the Displaced Persons (Compensation and Rehabilitation) Amendment Bill; and

(iii) Consideration of Private Members' Bills.