

[Shri Janardhana Poojary]

“shall, in so far as such notification relates to such goods, be deemed to have,” (3)

MR. DEPUTY SPEAKER : The question is :

Page 1, line 10,—

for “duties of excise at the”
substitute—

“duties of excise in respect of certain goods at the” (1)

Page 1, line 17,—

for “duties of excise at the”
substitute—

“duties of excise in respect of certain goods at the” (2)

Page 2, line 3,—

for “shall be deemed to have,”
substitute—

‘ shall, in so far as such notification relates to such goods, be deemed to have,” (3)

The motion was adopted.

MR. DEPUTY SPEAKER : The question is :

“That Clause 2, as amended, stand part of the Bill.”

The motion was adopted.

Clause 2, as amended, was added to the Bill.

MR. DEPUTY SPEAKER : The question is :

“That Clause 1, the Enacting Formula and the Title stand part of the Bill.”

The motion was adopted.

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

SHRI JANARDHANA POOJARY : Sir, I beg to move :

“That the Bill, as amended, be passed.”

MR. DEPUTY SPEAKER : The question is :

“That the Bill, as amended, be passed.”

The motion was adopted.

17.26 hrs.

ESSENTIAL COMMODITIES (AMENDMENT) BILL

[English]

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING AND MINISTER OF STATE IN THE MINISTRY OF FOOD AND CIVIL SUPPLIES (SHRI A. K. PANJA) : I beg to move :

“That the Bill further to amend the Essential Commodities Act, 1955, as passed by Rajya Sabha, be taken into consideration.”

The short facts, if I may elucidate, it will be easy for the Members to appreciate them and the debate will be short.

Four provisions of the Essential Commodities Act, 1955, are sought to be amended by this amending Bill.

MR. DEPUTY SPEAKER : The time available is also five minutes.

SHRI A.K. PANJA : Under 6E as introduced in 1976, powers of the courts were taken away for releasing goods which have been seized by the Collector or by the departmental orders. But in that power there was no authority given for

seizure of the vehicle or the receptacle or the animal or any other conveyance which is carrying the essential commodities or offensive goods. Immediately applications are made by these alleged offenders for release of the vehicle pending the confiscation proceedings of the goods and the courts found very rightly, that no power was given under the Essential Commodities Act for confiscating the vehicle which itself is not an essential commodity. So, the court has to release it. Immediately in the next offence, we found that the same vehicle, same type of receptacle and the same type of conveyance being used. So, this amending bill is brought to see that the courts shall not have the power to release the vehicle until the final confiscation order in the proceedings of confiscation is made known. The authority in the meantime will remain with the Collector or the authorities concerned. Therefore, the provision to amend 6E is placed before the House for consideration.

The second one is, under the Public Demands Recovery Act. Arrears of Government dues were being collected as Land Revenue. It appears that in some States and Union Territories, there is no land revenue system and Government dues are recovered as public demand. Therefore, we have made a provision that government dues would be collected as a matter of public demand in such States/ Union Territories also where there is no land revenue system. This, so far as section 7A is concerned, is the amendment sought to be made.

The third one is about the interest charged for delayed payment of government dues at six per cent. Now the amendment is that the interest shall be charged at the rate of 15 per cent on such amount.

The last is that so far as the powers to lodge complaints are concerned, power was only with the Police Officer. Therefore, the Police Officer only had the power. If anything is found by anybody from the public, he used to lodge a complaint with the Police and the Police will

take it, or the department, the central Food and Civil Supplies or the State Food and Civil Supplies department will take it. If they found any complaint with the Police or with their other activities, the entire proceedings were delayed, the goods became stale, the price even though it is sold under the Collector's order, the reasonable price could not be obtained properly. Therefore, in addition to the Police, power is sought to be asked for by amending the Section 12AA to the officers authorised by the Central Government or by the State Government so that complaints can be lodged straight to the special court or to the authorities concerned for the purpose of taking action.

These are the four provisions which are sought to be amended by this amending Bill.

MR. DEPUTY SPEAKER : Motion moved :

"That the Bill further to amend the Essential Commodities Act, 1955, as passed by Rajya Sabha be taken into consideration."

Shri Manik Reddy.

[Translation]

*SHRI MANIK REDDY (Medak) : Mr. Deputy Speaker, Sir, I rise to support the Bill to amend the Essential Commodities Act of 1955. While moving the Bill the hon. Minister has stated that the amendment to the parent Act was necessary in order to make the parent Act more effective. This amendment plugs the loopholes of the parent Act which was being misused by anti-social elements like hoarders and blackmarketeers to subvert the law. This amendment confers the powers on the Government to seize or confiscate the vehicle, package or receptacle. It helps in quick disposal of the cases and hence I support it.

MR. DEPUTY SPEAKER : You can continue tomorrow.

*The speech was originally delivered in Telugu.

SHRI MANIK REDDY : Just two minutes Sir, I will complete my speech. Sir, this Bill also proposes to amend the Section 7A of the parent Act, increasing the interest imposed from 6% to 15%. It is a sure source of income since the interest imposed by the collectors should invariably be paid by the persons who violate the law. Hence this amount should be raised from 15% to 25%.

Sir, this amendment confers more powers on Department officials. So there will be more temptation for officials to resort to corruption. Hence the Government should take all necessary precautions in this regard. Corruption should not be allowed to creep in. I hope the hon. Minister will take necessary and effective steps in this regard.

Sir, we are importing edible oil worth Rs. 1200 crores every year. Instead of importing, the Govt. should encourage production of edible oil within the country. Sir, we have a fertile land. Our farmers are hardworking. Government should encourage domestic production of edible oil. The Govt. should supply high yielding variety of oil seeds, fertilizers & pesticides at subsidised rates to the farmers. Water should be provided for cultivation of oil seeds by exploiting all the water resources. If all these steps are taken, I have no doubt that our country will become self-reliant in the production of edible oil. We can dispense with the imports which is costing us as much as Rs. 1200 crores every year. We can save our precious foreign exchange.

Sir, sugar is another important essential commodity. On an average every family in the country consumes 10 to 15 Kgs. of sugar every month. We often hear about the decline in production of sugar in the country. The reason for declining production of sugar is that the cane grower is not getting a remunerative price. Hence the Govt. should increase the price of sugar by 50 paise per Kg. If the price of Kg. of sugar goes up by 50 paise, the sugarcane grower in the country would get Rs. 50 more per tonne for his produce. It will boost the production of sugar in the country. So I request the hon.

Minister to consider the increasing of sugar price by 50 paise per Kg. in order to pay a remunerative price to the cane grower. I hope he would take steps in this direction soon.

Sir, there are 5 lakh 80 thousand villages in the country. But there are only 3 lakh and 20 thousand fair price shops functioning at present in the country. The remaining 2 lakhs and 60 thousand villages do not have fair price shops. The present norm of the Government is to have a fair price shops for every 2000 of our population. A poor agricultural worker works hard for the entire day to earn his daily wage. As the sun sets, he returns home with his wage. Then he has to trek 3 to 4 miles to the nearby village to purchase essential commodity from the fair price shop. One can imagine what his condition would be by the time he arrives home. Hence in order to benefit the millions of such rural poor, the Govt. should open a fair price shop in every village. It will not cost much to the exchequer. We know very well that our rural areas are very thinly populated and hence this norm of one fair price shop for 2000 of population should be dispensed with forthwith. I hope the Govt. would take immediate steps to provide a fair price shop in every village in the country.

Sir, the success of our public distribution system depends on perfect coordination of production, procurement, transportation, storage and distribution of essential commodities. The success or failure of the public distribution policy depends mainly on these factors. Hence the Govt. should ensure better coordination of these factors. Some far reaching and revolutionary steps are necessary to achieve this coordination. I hope, the Govt. would streamline its machinery for achieving this goal.

Sir, I thank you very much for giving me an opportunity to say a few words and conclude the speech.