

**SHRI K. P. UNNIKRISHNAN:** There is no urgency. It can be done tomorrow.

**MR. DEPUTY-SPEAKER:** I think the intention of the hon. Minister is to complete the discussion today so that the Minister can reply tomorrow. And there are many hon. Members from all parties yet to speak.

श्री कृष्ण दत्त (शिमला) : उपाध्यक्ष महोदय, मैं निवेदन करना चाहता हूँ कि हिन्दुस्तान के अन्दर तीन किस्म से उद्योगों का काम चलता है। एक पब्लिक सेक्टर, दूसरा प्राइवेट सेक्टर और तीसरा को-ऑपरेटिव सेक्टर। पब्लिक में जो इस वक्त उत्पादन की क्षमता कम है, उसका कारण जनता रिजीम का रहा है। इसके इन्तजाम में जो कुछ कमी है, वह आज की नहीं है बल्कि जनता पार्टी के पिछले 3 सालों के रिजीम में जो कमी थी, उसके कारण यह कमी है। उस समय बहुत से कारखाने बन्द हो गये और किसी तरह से भी पब्लिक सेक्टर को लाभ नहीं पहुँच सका। जनता पार्टी के शासन में बेरोजगारी जिस तरह से बढ़ी है और नौजवानों का जिस तरह से शोषण हुआ है, वैसा कभी नहीं हुआ। उस समय नौजवानों को सिर्फ़ एक्सप्लायट करने की बात थी।

जिस तरह से 1975 और 1976 में मुल्क आगे बढ़ रहा था, अगर जनता रिजीम में भी उसी तरह से आगे बढ़ता रहता तो आज यह दिन देखने को न मिलता। हमारे देश का बहुत सा पैसा पब्लिक सेक्टर में लगा है, लेकिन इस समय जो पब्लिक सेक्टर का इन्तजाम जामिया ढाँचा है, वह ऐसे अफसरों के हाथ में होना चाहिये जो उसको ठीक ढंग से चला सके। आज कई कारखाने बन्द पड़े हैं, उससे यह अन्दाजा लगता है कि उनका मैनेजमेंट, इन्तजामिया ढाँचा ठीक नहीं है।

इसलिये टारगेट मुवररर किये जाने चाहिये कि यह कारखाना इतनी पैदावार बढ़ायेगा जिससे मुल्क में किसी किस्म की तंगी महसूस न हो। मैं आपको बताना चाहता हूँ कि हमारे प्रदेश हिमाचल प्रदेश में कोई बड़ा कारखाना नहीं है।

18 hrs.

**MR. DEPUTY-SPEAKER:** The hon. Member may continue his speech tomorrow.

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PAPERS LAID ON THE TABLE—  
Contd.

NOTIFICATION UNDER CUSTOMS ACT

**MR. DEPUTY-SPEAKER:** Paper to be laid on the Table.

Shri K. P. Unnikrishnan.

**SHRI K. P. UNNIKRISHNAN** (Badgara): I have written to you. Mr. Deputy-Speaker, Sir, this has become a regular feature in this House that some of these Ministers and unfortunately my friend, regularly comes to this House in the evening at 6 O'clock..

**SHRI MALIK M. M. A. KHAN** (Etah): On a point of order. (Interruptions)

6 बजे हाउस बन्द हो गया। आपने 6 बजे के बाद कोई एक्सटेंशन नहीं किया है। इस लिए छः बजे के बाद आप हाउस को एक किन्ट भी नहीं बढ़ा सकते हैं।

**SHRI K. P. UNNIKRISHNAN:** There can't be any point of order when I am speaking on a point of order.

**SHRI MALIK M. M. A. KHAN:** Why are you allowing him after 6? How can you do that? Without the permission of the House, you cannot

extend the time of the House even by a minute.

MR. DEPUTY-SPEAKER: 'Paper to be Laid on the Table' was to be taken up at 6 P.M. I have permitted him.

SHRI MALIK M. M. A. KHAN: How can you permit him?

MR. DEPUTY-SPEAKER: He has already given a letter objecting to this and therefore, I am permitting him.

SHRI K. P. UNNIKRISHNAN: This has become a regular feature. Either this House has to go on on the basis of well established conventions, rules of procedure and Directions of the Speaker or if you want to run the House on the basis of *ad hoc* decisions by exploiting the generosity of the Hon. Speaker, then that is a different way of running the House, because they have the majority. It has never been done in this House. I see that it has become a regular feature in this House for this Minister to come running up at six O' clock and laying the paper. We have certain rights when something is put down on the list of business. I invite your attention to Rule 31 as well as Direction No. 2(vii), according to which the Papers to be Laid on the Table have a particular precedence. This has been the custom that the Speaker normally permits only such papers—unless they are extraordinarily important or there is a particular reason and the reason has got to be explained. It has never been done like this. It has become a common practice for some Ministers to come before the House at this late hour and lay the papers. It is possible that a member, who has the right—every Member has this inherent right—to object, to the substance, may like to do so. I am not going into the substance part at all. I am on a procedural issue. I want to specifically know whether the healthy precedents, practices and conventions shall prevail or *ad hoc* decisions.

DR. SUBRAMANIAM SWAMY (Bombay North-East): I have raised the same point of order with this Minister a number of times. This is not the first time that he is doing it. This Parliament is not only a legitimising instrument—this is not the way for the Minister to come and get legitimised what they are doing—but this is also a forum through which the public are informed of the things being done. Therefore, there has to be a proper procedure of dealing with it. Occasionally, I do not mind. Last time, when I objected to it, I was told by the Minister that it would not happen again. But it has happened and I am sure that, if we do not object to it, it would happen again. The reasons as to the urgency to lay it on the Table today itself and why it cannot be put tomorrow, must be given to our satisfaction.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI MAGANBHAI BAROT): I must say, with deference to hon. Members, Shri Unnikrishnan and Swamiji, that this is more because of respect to the House, rather than disrespect, that we are coming and seeking your permission to lay certain papers. (*Interruptions*). I think, I must have a chance to reply.

Whenever there is any immediate action taken, involving a revenue of Rs. 50 lakhs, and more, it has been agreed before the Committee on Assurances that we shall immediately bring it to the notice of the House. We treat this as a sensitive notification. We seek your indulgence to place it before this House. We also seek the indulgence of the hon. Chairman of the other House to place it before the Rajya Sabha. It is in consonance with that that we are seeking your indulgence. Supposing a particular item is objected to, certainly, the hon. Finance Minister will reply to the General Discussion on the Finance Bill tomorrow and with regard to certain items if there is any objection raised, it can be raised. But it is only because of showing our res-

[Shri Maganbhai Barot]

pect to the House, since it is an assurance and the matter involves more than Rs. 50 lakhs per annum, that we are coming before the House. And such things happen every day. We cannot escape it. Therefore, no sooner such a thing happens, and we prepare the notification than we request you and we request the hon. Chairman of the other House and then we seek your permission to place it before the House, before the day is over.

DR. SUBRAMANIAM SWAMY: You do it tomorrow.

SHRI MAGANBHAI BAROT: It is coming into existence today. Since it involves more than Rs. 50 lakhs per annum, we owe a duty to you, to inform you today itself. So, I should have thought that it should have been treated as a courtesy to the House rather than discourtesy to the House.

SHRI RAVINDRA VARMA (Bombay-North): Don't be so patronising as far as the rights of the House are concerned. The hon. Minister has no right to say that.. (Interruptions)

MR. DEPUTY SPEAKER: Has the occasion arisen only just now?

SHRI MAGANBHAI BAROT: Yes Sir. These are matters which happen from day-to-day. There are matters in which decisions are required to be taken by the Government, sometimes at certain hours, and during the course of the day, we come to you and seek your permission. This House has itself laid down that a matter involving more than Rs. 50 lakhs must be brought to the notice of the House. My friends are right. But there are exigencies arising; these are some of the exigencies....

DR. SUBRAMANIAM SWAMY: Why did you not bring to our notice in the morning? You should have come at 12 O'Clock. When was this

decision taken? When did the Government take this decision? Is it always that you take a decision at such a late hour?

SHRI MAGANBHAI BAROT: As soon as we take the decision, we immediately approach you, Sir. You see the notification. It will by itself make the position clear. May I read it out?

DR. SUBRAMANIAM SWAMY: What is your ruling on this? Please direct the Government to be careful in future. He cannot lay that paper on the Table of the House unless you give a ruling. (Interruptions).

SHRI NAWAL KISHORE SHARMA (Dausa): The hon. Member has a right to raise an objection. He was perfectly within his rights. But the hon. Minister has come out with an explanation and, if that explanation is plausible, *per se*, it should be accepted. There are certain exigencies of the situation and the Minister has got to be allowed to lay the papers or the notifications at an urgent time.

DR. SUBRAMANIAM SWAMY: What is your ruling on this?

SHRI MAGANBHAI BAROT: The notification itself will make the position clear if, in details, I read the same. I am giving you the satisfaction. If it is a matter of satisfaction, I am prepared to give you.

MR. DEPUTY-SPEAKER: The Committee on Subordinate Legislation in their Twelfth Report (Fifth Lok Sabha) has recommended:

"The notifications making changes in export duties, major changes in procedures and changes in import and Central excise duties involving revenue of more than Rs. 50 lakhs per annum, if issued before 6 P.M. on a day, should be laid on the Table of the House on the same day."

SHRI MAGANBHAI BAROT: I am doing that.

MR. DEPUTY SPEAKER: This recommendation was reiterated by the Committee on Subordinate Legislation in their Twentyfirst Report (Sixth Lok Sabha) presented to the House on 17th May, 1979. The notification included in today's Supplementary List of Business involves revenue of more than Rs. 50 lakhs per annum. This is the position. Therefore, I think immediately when a necessity arose that they should take the permission, they have brought it to the notice of the Speaker.

SHRI K. P. UNNIKRISHNAN: I hope, it will not recur in future. It should not be so frequent.

MR. DEPUTY SPEAKER: They use their discretion; they come and approach the Speaker. Because of the recommendation of the Committee on Subordinate Legislation, they have got to come. And he says that they have come in time. This is what he says. Therefore, now...

SHRI NIREN GHOSH: You should make a comment that this should not recur in future.

MR. DEPUTY-SPEAKER: The objection of Mr. Unnikrishnan and

Mr. Niren Ghosh is noted by the Government.

SHRI MAGANBHAI BAROT: Surely we do not want to make it a practice, but when circumstances do arise—and exigencies do arise—we are sure that, under the rules which you yourselves have given to us, you will allow us to do this.

SHRI G. M. BANATWALLA (Ponnavi): Have you allowed him to lay it on the Table, Sir?

MR. DEPUTY-SPEAKER: Yes.

SHRI MAGANBHAI BAROT: Sir, I beg to lay on the Table a copy of Notification No. 154-Customs/80 (Hindi and English versions) published in Gazette of India dated the 29th July, 1980, together with an explanatory note regarding continuation of the existing rate of export duty on Cardamom (other than 'Amomum Subulatum') beyond 31st July, 1980, under section 159 of the Customs Act, 1962 [Placed in Library. See No. LT-1175/80].

MR. DEPUTY-SPEAKER: The House stands adjourned to reassemble tomorrow at 11-00 A.M.

18-12 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, July 30, 1980/Sravana 8, 1902 (Saka).