

SHRI K. LAKKAPPA (Tumkur) : The machine was not working; now it is wrong.

SHRI K. K. NAYAR (Bahraich) : Mine also.

MR. SPEAKER : Noted.** The result of the division is : Ayes 193; Noes 39.

If one or two mistakes are there they would be recorded later on. They can make a note of it.

SHRI SRINIBAS MISRA (Cuttack) : Has this ever worked properly?

MR. SPEAKER : If there are one or two mistakes, we are prepared to take note of them.

SHRI NAMBIAR (Tiruchirappalli) : Voting in the Lok Sabha should not be approximate; it must be accurate.

MR. SPEAKER : It is not approximate. It is correct. The 'ayes have it; the 'ayes' have it.

The motion was adopted.

SHRI DINESH : SINGH : I introduce the Bill.

13 hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock.

The Lok Sabha re-assembled after Lunch at Fourteen of the Clock.

[**MR. DEPUTY-SPEAKER in the Chair**]

STATEMENTS REG. ORDINANCES

(i) THE ESSENTIAL COMMODITIES (AMENDMENT) ORDINANCE, 1967

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (**SHRI MOHD. SHAFI QURESHI**) : On behalf of Shri Dinesh Singh, I beg to lay on the

Table a copy of the explanatory statement giving reasons for immediate legislation by the Essential Commodities (Amendment) Ordinance, 1967, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library, See No. LT—1495/67.]

SHRI RANGA (Srikakulam) : I am surprised that this statement should be placed now, after the Bill has been introduced. The statement relates to the Bill. It should have come first, instead of the Bill being introduced first.

Secondly, how is it that this Government has become so public spirited that it must rush with this ordinance—was it on the 16th September or 21st October—when they knew that this House was going to meet on 13th November? Could they not have waited for these four or six weeks instead of foreclosing the whole thing by promulgating an ordinance and making it difficult even for their own members to exercise their judgment before the Bill comes to be introduced here, only to authorise that ordinance?

MR. DEPUTY SPEAKER : May I point out that under rule 71(1) it is not necessary to place the statement before the introduction of the Bill?

SHRI RANGA : It may not be necessary, but is it not advisable that the statement should first of all be made, so that the House will know for what reasons they have thought it fit to pass an ordinance instead of waiting until the house came to sit and gave its proper consideration to pass the Bill?

MR. DEPUTY SPEAKER : But you can raise these issues when the Bill is taken up.

SHRI RANGA : I have raised it. It is for them to reply.

SHRI MOHD. SHAFI QURESHI : The statement was laid, along with the Bill, under rule 71. It is for the Secretariat to arrange the laying of papers and business.

SHRI RANGA : Not for the Secretariat but for you to justify why you have passed this ordinance at all.

**The following Members were permitted to record their votes later :—

AYES : Sarvashri J. Ahmed, K. Anirudhan, Bansh Narain Singh, Valmiki Chowdhary, P. P. Esthose, Ganesh Ghosh, Hukam Chand Kachwai, Sitaram Kesri, B. K. Modak, Shrimati Padmavati, Sarvashri T. Ram, K. Ramani, R. D. Reddy, Shri Gopal Saboo, Sayyad Ali, N. S. Sharma, J. B. Singh and R. S. Vidyarthi.

NOES : Sarvashri Ramchandra J. Amin, S. N. Maitri, Shrimati Nirlep Kaur and Shri Ram Gopal Shalwale.

SHRI MOHD. SHAFI QURESHI : That is justified in the statement itself.

(ii) **THE ESSENTIAL COMMODITIES (SECOND AMENDMENT) ORDINANCE, 1967**

THE MINISTER OF STATE IN THE MINISTRY OF FOOD, AGRICULTURE, COMMUNITY DEVELOPMENT AND CO-OPERATION (SHRI ANNASAHIB SHINDE) : I beg to lay on the Table a copy of the explanatory statement giving reasons for immediate legislation by the Essential Commodities (Second Amendment) Ordinance, 1967, as required under rule 71(1) of the Rules of Procedure and Conduct of Business in Lok Sabha. [Placed in Library, See No. LT-1496/67].

SHRI RANGA : I voice my protest in the same manner about this also. This was promulgated on the 21st October. If they had waited for these 23 days for the House to meet, heavens would not have fallen. I protest against this bad habit of the Government to rush to ordinances.

SHRI PILOO MODY (Godhra) : Government by ordinance.

SHRI RANGA : I know how the Congress Party works within itself. If it is only a Bill, the members of the Congress Party and its executive or its general body would have an opportunity of giving some thought to it and helping their own Ministers to see that some abnoxious provisions are not included. Instead of that they simply issue an ordinance without the knowledge of their own party members, and other Ministers also, and get it passed by a rubber stamp from Rashtrapati Bhavan, and thereafter they make it difficult even for their own party to use its own judgment, with the result that the House is always put at a very great disadvantage. I am glad the Minister of Parliamentary Affairs is here in the House today.

It is his special responsibility to see that these ordinances are not allowed to be passed by these people in such a light-hearted manner irrespective of the wishes and judgment not only of the whole of the House, but also of their own party.

श्री अटल बिहारी वाजपेयी (बलरामपुर) :
उपाध्यक्ष महोदय, मैं एक बात कहना चाहूंगा ।

जिस तरह से यह अध्यादेश जारी किए गए हैं वह आलोचना का विषय है । या तो सरकार को इस बात का पूर्वाभास कर लेना चाहिए था कि ऐसी परिस्थिति पैदा होगी जिस में कानून को कड़ा करने की आवश्यकता न पड़ेगी और इस तरह का पूर्व विचार कर के कि जब सदन की पिछली बैठक हो रही थी तो उस में नियमित रूप से विधेयक संसद के सामने लाना चाहिए था किन्तु यदि सरकार आने वाली घटनाओं का पहले से अन्दाजा नहीं लगा सकी तो फिर उसे संसद की वर्तमान बैठक के लिए रुकना चाहिए था । मुझे पता नहीं, मंत्री महोदय ने क्या वक्तव्य दिया है लेकिन हम जानना चाहेंगे कि जब से आर्डिनेंस जारी किया गया है तब से और आज जब विधेयक पेश किया जा रहा है क्या इस आर्डिनेंस के अन्तर्गत कोई कार्यवाही की गई है ? क्या इस अध्यादेश का कोई औचित्य है और यदि कोई औचित्य नहीं है तो फिर इस तरह के अध्यादेश जारी करके कानून बनाने का तरीका गलत है और हम उसके विरोधी हैं ।

SHRI ANNASAHIB SHINDE : I agree with the hon. Member, Prof. Ranga, that ordinances should not be promulgated in a light-hearted manner, but may I submit for the kind consideration of the hon. member that this has not been done in a light-hearted manner at all, because, as far as this specific ordinance in regard to which I have made a statement is concerned, it refers to the sugar policy. The Government was very anxious to formulate a new sugar policy as early as possible, and hon. members were also many times agitated over the issue, that it should be done as early as possible. When actually the Government arrived at a decision, the Lok Sabha was not in session. Only the Rajya Sabha was in session, and on the last day of the Rajya Sabha that statement on the new sugar policy was made. Subsequent to that, in order to implement the new sugar policy, the Ministry of Law was consulted, and the Ministry of Law concurred that for this the amendment of law would be necessary. The new sugar season was to commence