

VIDYA CHARAN SHUKLA) : I beg to move for leave to introduce a Bill to provide for the setting up of a Council for the north-eastern areas of India to be called the North-Eastern Council and for matters connected therewith.

श्री शिव चन्द्र झा (मधुबनी) : उपाध्यक्ष महोदय, इस के मुतालिक भी मुझे वही कहना है कि जहाँ तक राष्ट्रपति के रैकमेंडेशन की बात है 117 (3) का रैकमेंडेशन इन्होंने लिया है जो कंसिडरेशन स्टेज के लिए है। इंट्रोडक्शन स्टेज के लिए 117(1) की रैकमेंडेशन होनी चाहिए। वह चीज मैं इस में नहीं पा रहा हूँ। इसलिए जब तक राष्ट्रपति का रैकमेंडेशन 117(1) में यह नहीं लाते हैं तब तक मंत्री महोदय इस को कैसे इंट्रोड्यूस कर सकते हैं। 117(3) कंसिडरेशन के समय आएगा। लेकिन पहले 117(1) की रैकमेंडेशन चाहिए।

SHRI VIDYA CHARAN SHUKLA : In this Bill our legal opinion is that we do not require any recommendation under Art. 117(1); only recommendation under Art. 117(3) is required. Therefore, only that recommendation of the President has been obtained and that is given in the Statement of Objects and Reasons.

श्री शिव चन्द्र झा : अध्यक्ष महोदय, जरा सुन लिया जाये लीगल ओपिनियन इन को यह कहता है लेकिन संविधान भी तो कुछ कहता है। आखिर में संविधान को भी तो मानना पड़ेगा। यदि इस तरह की बात है तो इस में फिर संशोधन की जरूरत है। संविधान में 117(1) में यह कहा है :

"A Bill or amendment making provision for any of the matters specified in sub-clauses (a) to (f) of clause (1) of article 110 shall not be introduced or moved except on the recommendation of the President and a Bill making such provision shall not be introduced."

यह इंट्रोडक्शन स्टेज पर है। इनकी लीगल ओपिनियन कुछ भी कहती हो लेकिन संविधान यह कहता है कि जैसे 117(3) में यह लाए हैं ऐसे ही 117(1) में इनको लाना चाहिए।

MR. DEPUTY SPEAKER : You have made your point and the Minister has given his reply. It is before the House now. I will put the question. The question is :

"That leave be granted to introduce a Bill to provide for the setting up of a Council for the north-eastern areas of India to be called the North-Eastern Council and for matters connected therewith."

The motion was adopted.

SHRI VIDYA CHARAN SHUKLA : I introduce the Bill.

14.59 Hrs.

REQUISITIONING AND ACQUISITION OF IMMOVABLE PROPERTY (AMENDMENT) BILL*

THE MINISTER OF HEALTH AND FAMILY PLANNING AND WORKS, HOUSING AND URBAN DEVELOPMENT (SHRI K. K. SHAH) : I beg to move for leave to introduce a Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952.

श्री शिव चन्द्र झा (मधुबनी) : अध्यक्ष महोदय, जरा इस पर भी सफाई कर दें। 117(1) में इसकी रैकमेंडेशन नहीं है राष्ट्रपति महोदय की जो कि इंट्रोडक्शन स्टेज पर चाहिए। इसीलिए जब तक वह नहीं आती तब तक यह इंट्रोड्यूस नहीं कर सकते हैं। 117(3) में इस की रैकमेंडेशन है जो कंसिडरेशन के वक्त जरूरी है लेकिन इस वक्त 117(1) में राष्ट्रपति की सिफारिश चाहिए जो कि नहीं है।

MR. DEPUTY SPEAKER : I will put it to the House. The question is :

*Published in Gazette of India Extraordinary, Part II, Section 2, dated 15-12-69.

"That leave be granted to introduce a Bill further to amend the Requisitioning and Acquisition of Immovable Property Act, 1952."

The motion was adopted.

SHRI K. K. SHAH : I introduce the Bill.

15.00 Hrs.

MONOPOLIES AND RESTRICTIVE
 TRADE PRACTICES BILL—*contd.*

MR. DEPUTY SPEAKER : The House will now resume further discussion on the Monopolies and Trade Practices Bill moved by Shri Fakhruddin Ali Ahmed on the 10th December, 1969; the House will continue this discussion up to 3-30 P.M. At 3-30 P.M. we have got another item. Shri K. K. Chatterjee was in possession of the House. He may continue his speech.

SHRI KRISHNA KUMAR CHATTERJEE (Howrah) : Mr. Deputy-Speaker, Sir, the architects of our Constitution were well aware of the potential danger to this country from the excessive concentration of wealth in a few hands. In Part IV of our Constitution, in the Chapter on the Directive Principles of State Policy it has been laid down as follows :

39. "The State shall, in particular, direct its policy towards securing—

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(b) that the ownership and control of the material resources of the community are so distributed as best to subserve the common good;

(c) that the operation of the economic system does not result in the concentration of wealth and means of production to the common detriment."

In flagrant breach of those Directive Principles, our economic system was allowed to work in such a manner that an industrialist contributing only a small capital himself could obtain control of a number of big business houses. The snow-balling process got strengthened as we

proceeded. Sir, Professor Shenoy gave a very timely warning that the import restrictions and exchange control have created conditions of increasing the income of those beneficiaries of this control to the tune of Rs. 450 crores a year. Therefore the monopoly power has been given to a whole group of people in the country. If the intention of this Bill is to prevent monopoly and restrictive trade practices then the reliance on it, I am constrained to observe, is too feeble to be effective in that direction. If the Bill seeks to prevent concentration of wealth in a few hands, then, I must say, the equipments that have been provided will not serve the purpose, will be found to be inadequate as it is mainly defective. The provisions of this Bill will not attain the objectives for which this Bill has been brought forward before this House.

Even then, Sir, I support this Bill only because it cuts the ice, it repeats the wishes of this Government which, although moving very slowly, wants to remove the evils of two decades of our economic policy which has been pursued in this country. Considerable wealth was given to 75 families who have been utilising that wealth for the purpose of building their own strength in our political system. They have been trying to control the administrative machinery through their political agents. Therefore, it is our bounden duty that we should try to prevent that. Perhaps, Sir, by bringing in this Bill, Government is thinking of bringing in some other subsequent Bills so that they can put a stop to this kind of concentration of wealth on the one hand and to stop the monopoly and restrictive trade practices in totality, on the other hand. I think the failure in this regard is due to the fact that we are working on a mixed economy basis. Planned economic development and mixed economy go contrary to each other, and perhaps they frustrate each other. Therefore, Government should have a second thought on the question of using this mixed economy in its present form for developmental purposes. That has to be thought out. Otherwise, we shall come to a position where we shall see that all our attempts to prevent concentration of wealth in a few hands will be marred and our