

15.47 hrs.

**PROFITEERING PREVENTION
AND PRICE CONTROL BILL**

by Shri K. Lakkappa—Contd.

MR. CHAIRMAN: We shall now take up Private Members' Bills.

SHRI P. K. DEO (Kalahandi): We have already taken 15 minutes of the time allotted for non-official business for disposing of the previous item. After Shri Lakkappa's Bill, My Bill is next in the list. So I should at least get the time to move it today.

MR. CHAIRMAN: If that is over, you will get it. Otherwise, it will come next time.

SHRI P. K. DEO: No next time.

MR. CHAIRMAN: I cannot force the conclusion of the debate on that Bill.

SHRI P. K. DEO: There is a time-limit. Shri Lakkappa's Bill has got another 1 hour and 15 minutes.

MR. CHAIRMAN: The time allotted was 2 hours and time taken 45 minutes; the balance is 1 hour and 15 minutes. So if we finish that, we will touch your Bill.

SHRI P. K. DEO: No question of 'if'. I beg of you to let me move my Bill. It was introduced as early as 1971. It has come in the ballot. I should get at least one minute to move it.

MR. CHAIRMAN: I will try.

We will take up further consideration of the following motion moved by Shri K. Lakkappa on the 8th April, 1976:—

"That the Bill to regulate the prices of essential articles of daily consumption and to prevent profiteering in such articles, be taken in consideration".

Shri K. Suryanarayana was on his legs last time. He may continue.

SHRI K. SURYANARAYANA (Eluru): After hearing our Minister of Industry and Civil Supplies, I think he has calmly left the Civil Supplies department to our Minister, Shri George, to be dealt with when this Bill comes up for consideration. Please allow me to congratulate my good friend, Shri Lakkappa, on his far-sightedness and extraordinary sense of anticipation in introducing this Bill as early as in 1973. In the present context, I think Government have already taken several steps. Not only that, After the proclamation of emergency, all prices have come down. However, now that the Bill has come up for consideration, I would like to express my views on it. This should apply not only to controlled articles but to all goods essential to the common consumer. We should appreciate the hon. Mover's painstaking efforts in preparing this Bill as long ago as 1973.

I am much impressed by clause 4 of the Bill.

Clause 4 of the Bill says:

"Every dealer shall exhibit at a conspicuous place at this shop or place of business the fixed price of essential articles and the details of stocks of such articles held by him in the prescribed form."

After the emergency, every shop must have a price list of the articles. In introducing the Bill the hon. Member is guided by a desire to goad the government to take effective action against profiteers and blackmarketeers who had, in the past, played havoc with the price structure and created artificial scarcities. Now action under MISA and other laws is being taken. There are no two opinions on this matter. It is reported the prices reached the peak level of 328.9 in September 1974; they had fallen to 282.9 in March 1976. The consumer price index has similarly declined to 290 from 335 in October 1974. This achievement is all the more creditable when you consider the behaviour of prices of essential commodities during the lean period

[Shri K. Suryanarayana]

which generally witnesses an upward trend in prices. Government had achieved this near miracle by a system of continuous monitoring of prices and supplies, through expansion and improvement of the public distribution system and by giving more scope for the consumer co-operatives to operate in the field of distribution of essential commodities.

There are so many co-operative stores; you say you are implementing the scheme of co-operative stores. The figures show an increase in the number of stores. But they do not show how many stores are not giving service properly, or are not supplying goods in the way they should do. For twenty years I have been associated with the co-operative movement. In my district two societies were started a long time back and they went into liquidation. Later on, again two co-operative stores were started and they are going on because supervision is being done by the District collector directly. No action was taken against the persons concerned for the loss of about Rs 2 lakhs in the earlier societies which went into liquidation. In this movement, they show the figures and they start stores and super bazars and they totally neglect the rural areas. I have recently visited the backward areas and the tribal areas. There the consumers do not know the prices; there is no list. There are no agitators like our Shastriji who agitates for factory workers. Those facilities are available in cities only. The consumers in the villages, the tribal people and people in the backward areas, get no idea of the prices. The Prime Minister has also emphasised that the backward and illiterate people should be looked after properly. There are no co-operative stores in tribal areas or in the villages.

Last year was a momentous year. We all agree that it was a momentous year. Momentous indeed it was for the low ebb of our confidence and morale, for the inflationary spiral and lack of discipline in all walks of our life which

we were witnessing just at this point of time a year ago and the sea change which has been brought about in such a short span of less than a year. For this we owe our gratitude to the able and firm leadership and guidance of our Prime Minister. All the parties have agreed on this; even the persons in the jails have agreed and they are writing to the government that they agree with the twenty point programme. We have been able to achieve all these things because of the able leadership and guidance of our Prime Minister. With the announcement and implementation of the 20-point economic programme, she has made us all to realise that the right of the country is the first and the foremost and then only comes the right of the individuals or the groups. The 20-point economic Programme has only started and more and more measures have to be taken. Now, there is respect for law in the country. There is discipline at every level, especially in regard to the prices of the essential commodities. The prices of the essential commodities have come down very rapidly after the declaration of Emergency and the announcement of the 20-point economic programme. In my own district, that is, West Godavari, the granary of Andhra Pradesh, the prices of essential commodities have recorded a fall after the declaration of Emergency. Now, I give you the retail prices of the essential Commodities before and after the proclamation of emergency, that is, 15-6-1975 to 9-4-1976. The Collector of West Godavari District has given these figures.

	Rate per Kg. on 15-6-75	Rate per Kg. on 9-4-76
	Rs.	Rs
Rice (variety A)	2.25	1.50
Rice (variety B)	2.10	1.35
Maize	1.15	0.80

Bengal gram	2'75	2'50
Redgram	1'75	1'40
Blackgram	2'55	2'00
Salt	0'15	0'20

The price of salt has gone up by five paise. I do not know the reason for this. Then,

Chillies	13'50	8'50
Tamarind	2'40	2'50

The price of tamarind has also gone up by ten paise per Kg. The tribal people are selling this commodity. I do not know the reason for the price rise of this commodity. Then,

Girgelly oil	10'00	7'00
Groundnut oil	8'00	5'20
Veraspiti	11'05	7'50

So, from the above statement, we will know that the prices of the essential commodities have come down after the declaration of Emergency. We must be thankful to the Prime Minister for her timely action for proclamation of Emergency and bringing down the prices of the essential commodities.

श्री जगन्नाथ मिश्र (मधुबनी) सभापति महोदय, मैं लकप्पा जी को और उनकी योग्यता को जानता हूँ। जिस स्थिति में उन्होंने इन विधेयक का प्रारूप तैयार किया था, वह ठीक ही था लेकिन इस प्रारूप को तैयार किया गया था 1973 में और आज हम इस पर सन, 1976 में बहस कर रहे हैं। समय बदल गया है और परिस्थितियाँ सुधर गई हैं। इसलिए लकप्पा साहब को एक बार फिर इसके बारे में सोचना होगा और जो हमारे डाइनामिक मिनिस्टर हैं, उनको भी कुछ सोचना होगा।

इस विधेयक में जो कुछ लिखा गया है, सब गलत है, ऐसी बात नहीं है। यह सही है कि कीमतें जो पहले प्राप्तमान छू रही थीं, उनको कब्जे में कर लिया गया है और काफी नीचे वे आ गई हैं और कानून वगैरह का जो स्थिति बिगड़ गई थी, कहीं कानून, नियम रद्द नहीं गया था, जगह-जगह झगड़े हो रहे थे, स्ट्राइक्स और ले-आफ भी जगह-जगह पर हो रहे थे जिनके कारण उत्पादन कम होता जा रहा था और कारखानों अदि में सब बातें बिगड़ दिशा में हो रही थी, उन सब पर अब काबू पा लिया गया है। इनको आज कोई अस्वीकार नहीं कर सकता है। इसके अलावा ब्लैक-मार्केटियर्स, प्रोफिटियर्स और होर्डर्स के खिलाफ भी कार्यवाही की गई है लेकिन सब का बाहर निकाल लिया गया है ऐसी बात नहीं है और सब कुछ पक्का हो गया है यह बात भी नहीं है। ह्वोलसेलर्स और मोनोपली हाउसेज पर तो कुछ असर पड़ा है लेकिन अभी रिटेलर्स पर ज्यादा असर नहीं पड़ा है। इनके अलावा आपके यहां एजुकटेड अनएम्प्लायमेंट का भी समस्या है, यह किसी से छिपा हुआ नहीं है। मेरा आपको सुझाव यह है कि रिटेल ट्रेड में क्यों नहीं आप एजुकटेड अनएम्प्लायड जो लोग हैं उनको लगाते हैं। इनसे एक पंच दो काज सिद्ध होंगे। एक तो उनको काम मिल सकेगा और बेरोजगारी कम हो सकेगी और दूसरे जो मैलप्रैक्टिसिंस हैं उन पर भी कुछ हद तक चैक लग सकेगा।

16 hrs.

लकप्पा जी ने जो बिब पेश किया है उसके आबजैक्ट्स एंड रीजंस में उन्होंने बहुत ही सुन्दर बात कही है। मैं उसका एक वाक्य ही आपको पढ़ कर सुनाना चाहता हूँ :

"The rise in prices, particularly in respect of foodgrains and other essential articles of daily consumption is now to such an extent that both

[श्री जगन्नाथ सिन्हा]

the 'down-trodden and the middle class people are confused as to how they will survive with their families'

कितने सुन्दर डग से उन्होंने इस चीज को हमारे सामने रखा है। यह खुशी की बात है कि आज स्थिति में सुधार हुआ है और दिन प्रति दिन सुधार होता ही जा रहा है। सरकार ने जो सख्त कार्रवाई की उसी के परिणामस्वरूप आज स्थिति में सुधार हुआ हम देख रहे हैं। जो हालात थे वे काबू से बाहर होते जा रहे हैं। हमारी प्रधान मंत्री जी ने इसको बहुत देर तक बरदाश्त किया। लेकिन जब उन्होंने देखा कि स्थिति काबू में बाहर होती ही चली जा रही है और एक ऐसी स्टेज आने वाली है जब इस पर काबू नहीं पाया जा सकेगा तब उन्होंने देश में एमरजेंसी लागू की। उन्होंने बहुत बरदाश्त किया है। एमरजेंसी लागू करने के बाद उन्होंने बीस सूत्री आर्थिक कार्यक्रम की घोषणा की। उस पर अमल शुरू हुआ और उनका यह फल है कि स्थिति दिन प्रति दिन सुधरती जा रही है। महंगाई में भी काफी कमी आई है। जो कल कारखाने बन्द थे या उनमें कम उत्पादन हो रहा था, वे खुल गये हैं, उन्होंने काम करना शुरू कर दिया है और उत्पादन भी हमारा बढ़ रहा है। सभी जगह ठीक से, शान्तिपूर्वक काम होने लग गया है। देश का नक्शा ही तब से बदल गया है।

सभी मामलों में सुधार हो गया है तथा और सुधार की कोई गुंजाइश ही बाकी नहीं रह गई है यह समझ कर हमें संतोष नहीं कर लेना चाहिए और हाथ पर हाथ धर कर बैठ नहीं जाना चाहिए। ब्लैक मार्केटिंग, प्राफिटियर्स और होर्डिंग्स अभी भी हमारे देश में हैं और उनको एक एक करके चुन चुन कर हमें बाहर निकालना होगा और ऐसे लोगों से आप देश को बिल्कुल फी और पवित्र करना होगा।

जीवन की हर आवश्यकता काबू में बिल्कुल महंगाई नहीं रह गई है, ऐसी बात नहीं है। लेकिन आप प्रयत्न करें ताकि महंगाई जितनी घट सकती हो घट जाए।

अभी भी मेरा ऐसा अनुमान है कि उपभोक्ताओं से दो हजार करोड़ रुपया तक विभिन्न प्रकार की मेलप्रीमिटिसिज घपना कर ठगा जाता है। इसको रोकने की कड़ी व्यवस्था आपको करनी चाहिए।

इंडस्ट्री मिनिस्टर ने वितरण की बात कही है। मैन्यूरों ने आग्रह किया कि चूक बेकवर्ड एरियाज में सड़के नहीं हैं वहां सामान महंगा बिकता है। वहां के बास्ते अगर आप चावल या नेह्रू मुहैया करेंगे तो वह तो आप ब्लाक स्तर पर ही मुहैया कर सकेंगे। गावों में वहां से जाने के लिए सड़कें ही नहीं हैं। किस तरह से उसको आप वहां ले जायेंगे। इसका परिणाम यह होता है कि वहां तक माल पहुंचते पहुंचते महंगा हो जाता है, उसके दाम अधिक हो जाते हैं। जो चीज शहरों में सस्ती दर में मिलती है वही गावों में महंगी मिलती है। यह जो स्थिति है इसको भी बदला जाना चाहिए। ट्रांसपोर्ट की सुविधा आपको वहां मुहैया करनी चाहिए। गांव-गांव में चीज आसानी से पहुंच सके और सस्ती दर पर वहां उपलब्ध हो सके इस और आपका ध्यान जाना चाहिए। मैं समझता हूँ कि पढ़े लिखे लोगों को इसमें लगाने से एक तो बेरोजगारी दूर होगी और दूसरे मेलप्रीमिटिसिज घटेंगी।

इन शब्दों के साथ मैं लक्ष्मण साहब को इस बिल को लाने के लिए धन्यवाद देता हूँ। लेकिन मैं साथ साथ उनसे आग्रह करता हूँ कि अगर मंत्री महोदय स्वयं आगे आते हैं इनकी बातों को मानने के लिए और इनके सुझावों को अपनाने के लिए तो इनको भी उदारता बरतनी चाहिए और अपने इस विधेयक को वापिस ले लेना चाहिए।

श्री राजबेब सिंह (जीनपुर): मैं लकप्पा जी को इस बिल की हमारे सामने लाने के लिए धन्यवाद देता हूँ। यह सीधा सा बिल है लेकिन यह बहुत महत्वपूर्ण बिल। इसमें उन्होंने तीन चीजों पर बहुत जोर दिया है। एक तो उन्होंने कहा है कि हर दुकानदार को प्राइस लिस्ट डिस्प्ले करनी चाहिए। यह भी उन्होंने कहा है कि हर चीज की क्या स्टॉक पोजीशन है इसको भी प्रामिनेंट जगह पर डिस्प्ले करना चाहिए। वह यह भी चाहते हैं कि सामान जो दुकानदार से लिया जाये और उसके जो दाम दिये जायें उनकी वह रसीद इशू करे। बहुत सीधो सी बात है इस बिल में। मैं समझता हूँ कि सरकार के पास कोई ऐसा कानून है जिससे दुकानदार इन तीन चीजों के लिए मजबूर किया जा सके तब तो लकप्पा जी से मैं कहूँगा कि वह अपना बिल वापिस ले लें। लेकिन अगर सरकार के पास इस समय ऐसा कोई कानून नहीं है तो उसे सीधे ही इस बिल को स्वीकार करना चाहिए।

मैं यह जानना हूँ कि जब दिल्ली में एमरजेंसी हुई तो थोड़े से दुकानदार डरे और प्राइस लिस्ट लगाना शुरू किया और उसे मैटेन किया, लेकिन जैसे-जैसे वक्त बीतता गया प्राइस शायद हो किसी दुकानदार के यहां प्राइस लिस्ट मिलेगी और स्टॉक पोजीशन भी शायद ही किसी के यहां नया हो। जहां तक रसीद देने का सवाल है, अगर 10 रुपये की चीज है, तो दुकानदार ही कहता है कि पनीर बांगोरो तो सेलैटेड्स और 2 रुपये देना पड़ेगा। ग्राहक उस 2 रुपये के पीछे रसीद नहीं मांगता। इसलिए ऐसा किया जाना चाहिए जिससे दुकानदार को रसीद ज़रूर देना पड़े। अगर उसकी स्टॉक-पोजीशन ठीक होगी तो उससे पता लग सकेगा कि रसीद दिया है या नहीं। यह उससे वैरीफाई किया जा सकता है। इसलिए स्टॉक-पोजीशन, प्राइस-लिस्ट और रसीद का इश्यू करना बहुत ज़रूरी विषय है।

कलकत्ता में सन् 1944 में 36 लाख लोग भूख से मरे। चावल गोदामों में भरा हुआ था, होर्डिंग हुई थी, हार्ड प्राइस पर बे देते थे। इसी कारण बंगाल में कोई भी भूख से नहीं मरा, ऐसा नहीं हुआ कि उसको चावल न मिला हो। गरीब आदमी ही बिना चावल के भूखों मरा। तो जहां प्रीफिटीयरिंग का मोटिव होता है, वहां होर्डिंग भी ज़रूर होती है। होर्डिंग कर के चीजों की कमी बाजारों में ही जाती है।

आपको ताज़्जुब होगा, साल भर पहले लोगों ने रेलवे वालों से मिलकर मालगाड़ी के पूरे रिक में माल को रोकवा हुआ था। मालगाड़ी पर सीमेंट लदा हुआ था लेकिन सीमेंट की कमी दिखाने के लिये कहते हैं कि यह गाड़ी भरा नहीं जा सकती है। गाड़ी साइड के स्टेशन पर खड़ी रहनी थी, बिजनेस मैन रेलवे के लोगों को पैसा देकर अपना काम करवा लेते थे, फिर मनमाने दामों पर माल को बेचते थे। इस पर कड़ी निगाह की ज़रूरत है। श्री लकप्पा का बिल कारगर है।

बंगाल का चित्र आज भी हमारे सामने है। तो हम तरह के समाज विरोधी लोगों के साथ किसी तरह की रियायत नहीं होनी चाहिए। मैं सरकार से अनुरोध करूँगा कि इस बिल को स्वीकार कर ले।

*SHRI JAGADISH BHATTACHARYA (Ghatal): Mr. Chairman, Sir, we are today discussing the Profiteering Prevention and Price Control Bill, 1973 brought forth by Shri K. Lakkappa. It is a well intentioned Bill and there is no doubt that every body will support it. There cannot be two opinions about it. The Bill was introduced long back and even today it has not perhaps lost its utility. Black marketing, profiteering, and hoarding has tended to be hereditary and it is not known when the people will get relief from its clutches. While congratulating

[Shri Jagadish Bhattacharyya]

ing Shri Lakkappa for his noble intentions in bringing forth this Bill. I feel that this Bill has been drafted in a sort of hurry and as a result some other essentials are missing.

Section 3(1) of the Bill seeks to fix a maximum price for the essential articles but the maximum price is most often dependent on the supply position of such articles. Unless supply position is also attended to, the mere fixing of a maximum price will not be very effective. The fixing of a maximum price is not enough unless articles are available at that price. Section 3(2) of the Bill says that "the maximum price to be fixed under sub-Section (1) may be different in the different parts of the country for different articles". In my opinion this is not a very judicious provision and not very fair either. Price may vary in different places in one State and the traders may take advantage of the situation if on account of drought or cyclone etc. articles are in short supply in one area and as a result the price shoots up, the profiteers and black marketeers will take advantage of the situation and procure the essential articles from an area where they are in plentiful supply and available at a cheaper rate. They will then sell these articles in the scarcity hit areas at a much higher rate and thereby make large profits. Now in those areas from where those things are bought at a cheaper rate, those things will fall in short supply and consequently the price will shoot up in those areas. Therefore, it will be better if a subsidy is given on the price of essential goods where they are not available and price have shot up. This will also prevent inter-State smuggling of essential goods.

Section 5 of the Bill provides that every dealer shall issue a receipt for every article sold by him and every purchaser shall ask for a proper receipt. Now the small retailer will be really faced with the problem on account of this because sometimes pur-

chases are in extremely small quantity. In villages mostly things are purchased for 5 Paise or 10 Paise. A person may be entitled to 2 litres of kerosene oil but he sends his child with a small lamp to be filled with kerosene. Now how is it possible for the retailer to issue receipts for such small purchases? They may be harassed unnecessarily. These are some of the practical difficulties, in issuing a receipt in respect of every retail sale.

Section 9 of the Bill says, "any Police Officer not below the rank of a Sub Inspector of Police may arrest a person without warrant on receipt of a credible information that such person is concerned with an offence punishable under this Act etc." Now who will be the judge of the credibility of information? Therefore, this term credible information is rather vague. If a Member of Parliament goes to a Police Officer and complaints about some dealer who is charging a higher price than that fixed by the Government or he is refusing to give proper receipt etc. then this information may be taken as credible. But if a poor cultivator lodges a similar complaint it may not be treated as "credible". Therefore, such complaints should be subjected to Verification rather than giving sweeping powers to the petty police officers and leaving these things to their entire discretion. Such sweeping powers may result in undue harassment to people. We know how the people behave. They are likely to misuse these powers for getting free supply of all the articles needed in their household. That means they may harass the traders unnecessarily and manage a free supply for themselves. This section needs to be properly amended.

I will, therefore, request Shri Lakkappa to bring forth another well thought and suitably amended Bill for this purpose and I have no doubt that the entire House will lend support to it, as this Bill is very well intentioned and shows much concern for the masses by and large. With this, Sir, I conclude.

श्री रामबल्लभ शास्त्री (पटना) : समापति महोदय, जिस विधेयक पर हम लोग चर्चा कर रहे हैं, वह बड़ा ही महत्वपूर्ण विधेयक है और सरकार को उसको स्वीकार करना चाहिए। अगर वह इस स्थिति में नहीं है, तो कम से कम जिन बातों की चर्चा श्री लक्ष्मी के इस विधेयक में की गई है उन्हें शामिल करते हुए वह एक बड़ा विधेयक इस सदन के सम्मुख शीघ्र से शीघ्र पेश करे। इस विधेयक में जिन आवश्यक वस्तुओं की चर्चा की गई है वह बिल्कुल सही है बल्कि कुछ और भी चीजें छूटी हुई हैं जिनको इनमें जोड़ा जाना चाहिए था। उदाहरण के लिए हमारे देश में लाखों की तादाद में बुनकर हैं जो कर्षा चलाते हैं और कपड़ा बुन करके अपनी रोज़ी कमाने हैं लेकिन उन्हें मूल नहीं मिलता है। जो मूल मिलता भी है उसकी कीमत पिछले दिनों बढ़ी है। और चीजों की कीमत कुछ कम हुई है लेकिन मूल की कीमत में बढ़ाव हुआ है जिसको लेकर उनमें संकट है। आज उनका कपड़ा बिकना नहीं है। तो मूल भी आवश्यक वस्तु में गिना जाना चाहिए। दवा की बात इसमें कही गई है। उसकी कीमत बढ़ने देना नहीं चाहिए, उसकी कीमत ठीक करनी चाहिए लेकिन भ्रष्टाचार की बात है कि स्वयं सरकार ने इधर पिछले दिनों दवा की कीमत बढ़ा दी। एक तरफ तो सरकार कहती है कि कीमतें कम होनी चाहिए लेकिन दूसरी तरफ स्वयं इन चीजों की कीमतें बढ़ा देती है जिसका भ्रम माध्याम और गरीब लोगों पर पड़ता है।

इसी तरह से चीनी की कीमत सभी जगहों पर एक समान नहीं है। अभी मैं पद यात्रा कर रहा था तो मेरे ही क्षेत्र के दो स्थानों पर 7-8 मील के फासले पर एक जगह चीनी की कीमत साढ़े तीन रुपया किलो थी और दूसरी जगह चार रुपया किलो थी। साढ़े तीन रुपया किलो उस स्थान पर जो मेरे क्षेत्र का हिस्सा है और चार रुपया किलो

उस स्थान पर जोकि श्री बलिराम भगत, हमारे अध्यक्ष जी के क्षेत्र में है। तो भगल-भगल नी जगहों पर इस तरह का फर्क है। तो इस विधेयक में जिन आवश्यक सामग्रियों की चर्चा की गई है उनकी कीमतें उचित तय करनी चाहिए। आप जानते ही हैं कि 1972 से लेकर 1974 तक किस तेज़ी के साथ चीजों की कीमतें बढ़ी तो उस समय हमारे देश की दक्षिणपंथी शक्तियों ने, फासिस्ट शक्तियों ने उमका इस्तेमाल करते गुजरात और बिहार में जो बाबूला खड़ा किया उससे हम और आप परिचित हैं। उस समय चीजों की कीमत भी बढ़ रही थी और मुनाफाखोरो और गल्लाखोरो ने, जो चीजें थी भी उनको दबा कर रखा जिसके कारण चीजों की कीमतें और बढ़ी, चीजें मिलती नहीं थी, लोगों का परेशानी होती थी। आवश्यक सामग्री लेने के लिए लोगों को चक्कर लगाने पड़ते थे। एक किरासिन तेल की ही ब्रान लीजिये, इसकी कीमत में कहीं कमी नहीं हुई है। गल्ले की कीमत में गिरावट है, वह भी बहुत ज्यादा नहीं है लेकिन किरासिन तेल में कोई गिरावट नहीं है। कोयले की कीमत में कोई गिरावट नहीं है। और भी इस तरह की कई चीजें कहीं जा सकती हैं। इनकी कीमतें भी गिरनी चाहिए। यह बात ठीक है कि अनाज बाजार की कीमतें गिरी हैं। किसान तबाह हैं, उनको सपोर्ट प्राइस देने की बात सरकार कहती है। एक तरफ किसानों की चीजों की कीमतें गिर रही हैं लेकिन जिन चीजों को किसान खरीदते हैं, जिनका इसमें जिफ़ है जैसे चीनी, कपड़ा, खेती का सामान—उन सभी चीजों की कीमतें बढ़ी हैं या फिर जिस अनुपात में औद्योगिक सामान की कीमतें गिरनी चाहिए थी वह नहीं गिरी हैं। तो इसकी तरफ भी सरकार का ध्यान जाना चाहिए कि जिस अनुपात में किसानों की चीजों की कीमतें गिरती हैं उसी अनुपात में औद्योगिक सामान की कीमतें भी गिरें। यदि आप निश्चित रहे, खुशफहमी में रहे कि चीजों

[श्री रामावतार शास्त्री]

के काम गिरे हैं, लोगों में कोई भ्रष्टाचारी नहीं है, दक्षिणपंथी दलों का खतरा हमारे मुस्क में नहीं है तो आप फाल्गुन पैराडाइज में रहेंगे। मेरे पास एक अन्नबार है "जनपथ" जोकि दिल्ली से निकलता है उसकी खबर है

"दक्षिणपंथी पार्टियों द्वारा पुनः गिरावट होने की कोशिश"

इसमें जनसब का दल आता है, भालाद आता है, सगठन कांग्रेस के और, सोशलिस्ट पार्टी के लोगों ने 20, 21 माइ को बम्बई में जयप्रकाश नारायण के नेतृत्व में एक गुप्त बैठक की और फैसला किया है कि जनता का असतोष भाग्य भड़क सकता है उसका इस्तेमाल करते आन्दोलन की तैयारी की जाय। जनता पार्टी बनाने का उन्होंने फैसला किया है। उस मीटिंग में जयप्रकाश नारायण का भाषण हुआ उसका मैं एक जुमला पढ़ कर सुनाना चाहता हूँ "लोकनायक ने स्थिति का विश्लेषण कर चुकने के बाद यह निष्कर्ष निकाला कि फिलहाल किसी क्रान्ति की कोई सम्भावना नहीं है क्योंकि ऐसा लगता है कि कीमते गिरने और जरूरी जिनमों के अधिक रमाने पर उपलब्ध होने से लोगों की हानि में आर्थिक सुधार हुआ है।" इसको वह देख रहे हैं। लेकिन भाग्य वह क्या कहने है "अगर आर्थिक स्थिति बदतर हो जाये और राजनीतिक स्थिति ऐसी ही बनी रहे या बदतर हो जाय तो मैं यह नहीं रोबा कि लोग इसे ज्यादा दिनों तक स्वीकार करेंगे।" तो यह पार्टी इस बात की तलाश में है कि जो काले कारनामे यह पहले कर चुकी है उस तरह के काले कारनामे फिर शुरू हो, और जैसे जैसे चुनाव का समय नजदीक आयेगा यह लामबन्द होते जायेंगे, एकत्र हों कर आप पर चोट करने की कोशिश करेंगे। तो उनसे बचने के लिए एक ही तरीका है कि चीजों की कीमतें बढ़ें नहीं; चीजें पर्याप्त मात्रा में मिलें, ब्लैक मार्केटिंग, होर्डिंग और गल्ला चारों के खिलाफ

सच्ची की जाय। जब तक गल्ला चोर रहेंगे, मुनाफाखोर रहेंगे दाम बढ़ेंगे। बाहिर बात है कि आप का सरकारी तंत्र उनसे मिल कर के काम करता है, चीजों की कीमतें बढ़ती हैं। इसीलिये हमारा दल बार-बार मांग करता रहा है कि आवश्यक चीजों का या गल्ले का जब तक राष्ट्रीय व्यापार नहीं कीजियेगा तब तक आप गल्ला चोरों को, मुनाफाखोरों को आखिरी तौर पर पराजित नहीं कर सकेंगे क्योंकि वे सब तरह से आपके कर्मचारियों को मिलाना जानते हैं, और उन्हें मिलाते हैं। इसलिये भ्रष्टाचार कम नहीं हुआ है, बल्कि बढ़ा है।

अतः जो मन्त्रा इस विधेयक का है इसे स्वीकार कीजिये तभी आप दक्षिणपंथी ताकतों का राजनीतिक तौर से मुकाबला कर सकते हैं। माननीय राजदेव सिंह ने कहा कि अब कहीं भी लिस्ट नहीं लगती है, न आपके अधिकारी, दुकानदारों से कहते हैं कि लिस्ट टांगें। कोई दुकानदार कैश में मो नहीं देता। इन्होंने पांच साल की सजा की बात कही है। वह बिल्कुल सही है। लेकिन उसके भाग्य आपने या जगा दिया कि 5,000 रु० जुर्माना। मेरा कहना है कि 5,000 क्या अगर आप 10,000 रु० जुर्माना भी लगा दीजिये तो बेईमान व्यापारी जुर्माना दे देगा और बच जायगा। इसलिये मेरी राय में उसे सजा ही दीजिये तभी आप उनका नियंत्रण कर सकते हैं। और आप राष्ट्रीय व्यापार की तरफ बढ़िये। अगर नहीं बढ़ सकने हैं तो जिन बातों की चर्चा इस विधेयक में की गई है उन्हें स्वीकार करते हुए भाग्य बढ़िये और अपने तंत्र को चुस्त कीजिये। इमरजेंसी की जो हवा शुरू में थी वह समाप्त होती आ रही है। उसे फिर से स्थापित कीजिये तभी आप आवश्यक वस्तुओं की कीमतों को भाग्य बढ़ने से रोक सकते हैं, या कम कर सकते हैं। किसानों के साथ न्याय कीजिये। उन्हें काम आने वाली चीजें, मिलने वाली चीजें सस्ते दर पर दीजिये, खासतौर से कपड़ा और चाद।

इन शब्दों के साथ मैं इसका समर्थन करता हूँ और मुझे विश्वास है सरकार इसको स्वीकार करेगी और इसके आधार पर कोई नया और विस्तृत विधेयक प्रस्तुत करेगी।

श्री राज सिंह भाई (इन्दौर) : माननीय सभापति महोदय, मैं इस बिल का समर्थन ही नहीं, बल्कि आवश्यक समझता हूँ। कुछ सज्जनों ने अभी कुछ ऐसी दलीलें दीं जिनसे मुझे आश्चर्य हुआ। इसमें नई बात कुछ नहीं है। यह कहा गया है कि आवश्यक वस्तुओं के भाव बांध दीजिये ताकि मुनाफाखोरी न हो और दूसरे यह कि कानून भंग करने वाले को मजा दी जाय। मंत्री जी ने पहले ही कितनी दफा कहा है कि हम भाव बढने नहीं देंगे। लेकिन भाव बढ़ रहे हैं, और बहुत सी चीजें ताँ ऐसी हैं कि जिनके भाव घटे ही नहीं हैं, बल्कि बढ़े हैं। मेरे पास कपड़े के भाव हैं। 1972 में कपड़े का भाव क्या था और आज क्या है। दिसम्बर महीने तक भाव बढ़े हैं और कच्चे माल के भाव कम हुए हैं। इसका माननीय मंत्री जी ने भी स्वीकार किया है और कन ही मैं इस मामले पर बोला हूँ। आपने ये भी आदेश दिये हैं कि हर वस्तु का स्टाक बताया जाये और उसके भाव उस पर लिखे जायें। तो श्रीमन्, मैं यह निवेदन करना चाहता हूँ कि भाव बांधने में कठिनाई भी क्या है, अभी माननीय सूर्यनारायण जी बोल गये कि भाव कम हो गये हैं। इसलिये भाव बांधने की जरूरत नहीं है? मैं कहता हूँ कि जब भाव उतरने हैं तब उनका बांधना बहुत आसान और आवश्यक होता है। जब भाव बढ़ते हैं लोग जरूरत पड़ने पर चोरी से ज्यादा पैसे देकर चीजें खरीदते हैं और दुकानदार चोरी से ज्यादा पैसे लेकर माल बेचते हैं। आप के पास वस्तुएं हैं और भाव गिरे हैं तो भाव कंट्रोल करने का मतलब तो यही होता है कि चीजें अपने कब्जे में रहें और गलत तरीके से कब्जे से बाहर न जायें।

714 LS—8

आपके बीस-सूत्री कार्यक्रम में यह निश्चित तौर पर ठहरा दिया गया है कि उचित मूल्यों पर वस्तुओं के वितरण की व्यवस्था की जाये। आप वितरण की व्यवस्था तो बीस-सूत्री कार्यक्रम के अन्तर्गत करेंगे और उसी प्रकार में उचित भाव बांधना भी आप के लिये बहुत आवश्यक है और आपने अगर भाव नहीं बांधें तो बहुत सी चीजों के भाव बढ़ने लगेंगे। कोटन के भाव पिछले साल क्या थे और इस साल क्या हाल है इसमें कपड़े के भाव भी बढ़ रहे हैं। जहाँ तक इन वस्तुओं का जोकि कल्ललकण जी ने बिल में शामिल की है, का सवाल है, मैं समझता हूँ कि इनको कोई आवश्यकता नहीं है। आपका कहना है कि आवश्यक वस्तु कानून बना हुआ है, जिसमें आवश्यक वस्तुएं क्या-क्या हैं, वे ठहरा दी गई हैं और हर एक प्रदेश की सरकार अपने-अपने आवश्यकताओं को समझ कर उसमें और चीजें इन्क्यूड कर सकती है और उसमें से निकाल भी सकती है।

श्रीमन्, अपने कार के दाम कम कर दिये लेकिन मइकिल के दाम कम नहीं किये। आपने टेलीविजन की कीमत कम कर दी लेकिन एक देहाती जो ट्राजिस्टर को लेकर चलता है, उसकी कीमत कम नहीं की। तो बहुत सी वस्तुयें ऐसी हैं जिनकी कीमत आपको निर्धारित करनी पड़ेगी और इसमें आपको स्वीकार करने में एतराज भी क्या है। आप यह जरूर कर सकते हैं कि कुछ टाइम मांग लीजिए और सोच समझ कर उन वस्तुओं के भाव रूखिये। गवर्नमेंट को मौका भी देना चाहिये। इसके बारे में लक्ष्मी साहब खुद मोचेंगे और गवर्नमेंट इस बारे में सोचकर भाव निर्धारित करे। वह यह संच साती है कि कौन कौन सी वस्तुओं को आवश्यक वस्तु की लिस्ट में इन्क्यूड किया जाये और उस भंग के लिये क्या गजा रखी जाये। इन चीजों को गवर्नमेंट के ऊपर ही छोड़ना चाहिये . . . (व्यवधान) . . .

बन मुझे इतना ही कहना था।

श्री बलू लाल शर्मा (पाली) : मेरे सबसे बड़े शोष लक्ष्मी साहब हैं और मैं उनको बहुत म्बारुबाद देना हूँ परन्तु उनसे यह कहना है कि यह बिल लागू नहीं किया जा सकता है। जाज साहब, आप इसको पढ़ें यह लागू नहीं किया जा सकता है और सबसे बड़ी बात यह है कि आपका एमेशियल कोमोडिटीज एक्ट 1955 है। शरानन्द जी उनको समझा रहे हैं कि वे एमेशियल कोमोडिटीज एक्ट, 1955 पढ़ लें। इस एक्ट को पढ़ने के बाद यह मालूम हो जाएगा कि यह जो बिल लाया गया है इसको कैसे लागू किया जा सकता है और इनको लागू करना एक बहुत बड़ी बात है।

उस गांव के अन्दर जो कि लक्ष्मी साहब का निर्वाचन क्षेत्र है, वहां कोई दुकानदार बैठा है और दो, तीन, चार या पांच रुपये रोज कमाना है, तो उनको सबह उठ कर यह बोर्ड पर लिखना होगा कि मेरे पास इतना घी है, इतना तेल है, इतनी दालें और इतनी शक्कर है और फिर एक एक भाव का उसको लिखना पड़ेगा और बेचने के बाद उसको क्वाटिटी लिखनी होगी और भाव मर्जर करने होंगे। अब जाज साहब का यह काम हागा कि समय समय पर गजट में जाया कराये कि क्या क्या भाव हैं। तो यह उनके लिये एक बहुत भारी काम हो जाएगा।

A very important work which is being entrusted to you.

यह तो चाहते हैं कि आदमी इमानदार न बने। अगर ईमानदार बने तो कानून का सहारा ले। ये जो वकील है ये पांच-पांच हजार रुपये कमाते हैं, एक छोटा-ना डाक्टर सात-सी खया कमा लेता है, ये सफेदपोश चोर हैं। इन चोरों का इलाज क्या है? आप छोटे छोटे दुकानदारों को पुलिस के हवाले करने जा रहे हो। मैं आपको एक

पियाल हूँ। एक इंस्पेक्टर किसी छोटे से दुकानदार के पास जाकर कहता है कि तुमने यह निब कर क्यों नहीं ठांगा कि तुम्हारे पास कितना दूध है? उसने कहा कि दुधुर चार किनो दूध लाया था, दो किलो चाय में लग गया, दो किलो रह गया। इंस्पेक्टर ने कहा कि निब कर क्यों नहीं ठांगा, कानून यह कहता है। आपभी यह कानून बनाना चाहते हैं। कितना स्टाफ कौन रखेगा, इस कानून का क्या मतलब है, यह समय में नहीं आता। आप लिखते हैं—

"Every dealer shall exhibit at a conspicuous place at his shop or place of business the fixed price of essential articles and the details of stocks of such articles held by him in the prescribed form"

दुनिया परेशान है इस कानून से, अगर ये कानून नहीं हटते तो फिर बन्द करो इन दुकानों को।

सभापति जी जाज साहब बैठे हैं। गांवों में आसकी एमेशियल कोमोडिटीज इन्विलिये नहीं पहुंच पाती कि डीलर को कलेक्टर वृत्ता है कि जिला हैडक्वार्टर में जो भाव है, उस पर गांव में बेजनी पड़ेगी। छोटा जो बिजनेस करने वाला है वह कहता है कि इनको नहीं खरीदूंगा। आप उसे पेट्रोसीन का टिन देते हैं, वह नहीं ले जाता क्योंकि सारा टिन बेचने के बाद उनको दो-चार रुपया ही मिलता है।

यह लक्ष्मी साहब बड़े विद्वान हैं। सभापति जी महोदय ये क्या लिखते हैं इसमें—

".... stocks of such articles held by him in the prescribed form."

गांव में दो रुपये की चीज लेनी है तो कहा जाएगा कि रसीद लाओ। हिन्दुस्तान में दो परसेंट पढ़े लिखे लोग नहीं हैं और आप

कानून बनाने जा रहे हैं कि रसीद दो और रसीद लो। इन कानून से तो कोई चार आने को गुजर जाएगा तो कहेगा कि रसीद दो। अब वह बिचारा छोटा-सा दुकानदार रसीद देगा या अपना घंश करेगा। भाटे साहब आप तो इन चीजों को अच्छी तरह से जानते हैं—देखिये

"Every dealer shall issue a receipt in the prescribed form for every article sold by him...."

श्री बी० बी० बी० लक्ष्म (कनरा) : प्राइस फिक्सेशन के बारे में बोलिये।

श्री मूल चन्द शाही : प्राइस फिक्स कैसे होगी ? आप तो काफी अच्छे एडवोकेट हैं देखिये कि क्या लिखा है—

".... and the person so arrested shall be produced before a Magistrate within 24 hours of such arrest."

अब आपका कॉन्स्टीट्यूशन का आर्टिकल 22(2) कन्ता है कि

"Every person who is arrested and detained in custody shall be produced before the nearest Magistrate within a period of 24 hours...."

यह बिल जो आप लाये हैं, इसे 1972 में लाते, जब कि भाव चढ़ रहे थे। अब इस बिल को जरूर नहीं है। आप इसको चारम ले लीजिये, मैं आपको धन्यवाद दूंगा।

SHRI B. R. SHUKLA (Bahraich): Sir, the Bill of Shri Lakkappa is unnecessary and is an unnecessary exercise in legislation. Whatever be the objectives he has in mind, most of them are already covered under the provisions of the Essential Commodities Act and the Rules and Regulations and Notifications issued thereunder by the Central Government and by the State Governments from time to time.

Moreover, we have got two Defence of India Acts, one passed in 1971 and the other passed in 1975 and, under the Defence of India Acts, the prices of essential commodities have been fixed. For his information and for the information of those who have not cared to know the realities of the situation prevailing now-a-days, I may say that there is a Price Control Order and there is a provision for the display of a price-list in each and every shop. The District Magistrates are empowered to fix the prices of eggs and milk in their respective districts under the Essential Commodities Act and cognizance of offences under that Act and the regulations made thereunder can be taken by the courts of law on the report of public servants, and police officers can arrest persons for infringement of these rules. Therefore, my submission is that Mr. Lakkappa should be more up-to-date in his knowledge.

A surprising thing is that, in clause 10 of his Bill, he has mentioned that "An Order under the Essential Commodities Act, 1955 shall have effect notwithstanding the provisions of this Act or rules made hereunder". So, it appears he is conscious of the existence of an analogous law, the Essential Commodities Act, 1955. If he cares to go through the provisions of that Act, he will find that nothing in this country can escape the clutches of all the comprehensive provisions of the Essential Commodities Act.

So far as drugs and cosmetics are concerned, their prices are regulated under the Drugs and Cosmetics Act. So far as the prices of cars and other motor vehicles are concerned, they are controlled under the Industrial Regulation Rules. So far as the prices of popular varieties of cotton cloth are concerned, there is price fixation of standard cloth and anybody who sells them at a price higher than that prescribed therefor will be liable to be prosecuted. As regards silken and polyester cloth, their prices have not been fixed under any rules, but so far

[Shri B. R. Shukla]

as the law goes, Government may fix the price of any commodity it thinks fit.

Therefore, my submission is that, although his objectives are very laudable, these objectives are capable of being achieved under the provisions of the present law

So far as Mr. Daga is concerned, of course he is totally oblivious of the fact that these commodities are under control and even under the 20-point programme, most of them have been brought within the regulatory procedure of the Essential Commodities Act. Therefore, without taking up the time of the House further, I would appeal to my honourable friend that he should have a second look, if the debate is postponed, at the provisions of the Essential Commodities Act and withdraw this Bill. He should rather bring in a Resolution for regulating the prices under the Essential Commodities Act if some of the items have not yet been brought within the rules of that Act.

श्रीमती सावित्री श्याम (ग्रांवला) :
महापति महोदय इसमें तो कोई मन्देह नहीं कि श्री लक्ष्मी का यह बिल बहुत पुराना सन 1973 का है और उस समय का जो वातावरण था उसकी हम सभी को याद है। दूसरा साल भी सन 1974 का ऐसा ही रहा। जीवन की कोई भी आवश्यक वस्तु यहां तक कि दियामलाई माबुन की टिकिया डालडा बिल्कुल समाप्त था और नहीं मिल रहा था। उम्मी भवना से प्रेरित होकर माननीय सदस्य यह बिल लाये।

पर जिन एक्ट बारे में बताया है जब कि एमेशनियल कोडिटीन एक्ट और ड्रग एक्ट हैं उसके बाद भी हम देखते हैं कि ये उस वक्त भी थे लेकिन चीजें नदारद होती थी। स बिल में यह ध्यान आकर्षित किया गया है कि आज भी उपभोक्ताओं को

यह चीजें जिन ठीक कीमतों पर मिलती च हिये वह नहीं मिलती हैं।

र-मैटीग्रियल के दाम घटे हैं किसानों को पैसा कम मिला है गेहूं की 105 रुपये विक्टल की प्रोक्योरमेंट की कीमत है लेकिन बाजारों में 90 रुपये तक मिल रहा है। मिसाल के तौर पर 'ट्रैक्टर धंशर' पिग-सेट जो किसान की अपनी जरूरत की चीज है जिनकी साइंस, टेक्नोलॉजी से किसान ने ये दिन खियाया है कि वह ग्रीन रैबोल्यूशन लाया है, क्या ये चीज उसकी मर्यादा मिलती है? क्या इन चीजों की कीमतों को रूगु-लेट नहीं किया जा सकता है? इसकी बहुत जरूरत है।

अभी हमने देखा 2,3 दिन पहले एक कांग्रेस हुई फंडेशन आफ इंडियन चैम्बर आफ कमर्स एंड इंडस्ट्री की। उन इंडस्ट्री वालों ने कुछ मांगें की। इंडस्ट्रीज ने हमेशा सरकार को भाले की नोक पर दबाया है अगर डालडा की कीमत नहीं बढ़ाई गई तो डालडा पैदा नहीं करेंगे अगर मंगेस्ट की कीमत ही बढ़ेगी जो कि प्राइवेट सैक्टर में था तो सीमेंट नहीं बन ई जाएगा। आज भी उनकी टेडेरी और प्रचलन उसी तरह की है और वे उसी तरह काम कर रहे हैं। जो मीटिंग तीन-चार दिन हुई आपने भी जोग-शोर में पड़ा होगा मैंने भी देखा है। उन्होंने कहा है कि सेल्स-बैस को एक्साइज में मिलाया जाये जो पर्सना बैंकों से क्रेडिट इस्टीमेशन से लिया जाता है उसका रेट बढ़ा दिया जाये। कोई-कोई तो यह कह गया कि 4 परसेंट ब्याज पर रुपया इंडस्ट्रीज को मिलन चाहिये। इसके साथ ही सरकार को ब्यापार के क्षेत्र में बिल्कुल नहीं घुसना चाहिये। एक सञ्जन मजाक में कह रहे थे कि सरकार ने गल्ले का टेक-ओवर किया और फिर वापिस किया। जब सरकार की क्षमता नहीं है तो उसको नहीं लेना चाहिये। आज मुट्ठी भर लोग ही ब्यापार को अपने हाथ में लिखे

हुये हैं। सारे देश की इकानामी को अपने हाथ में लिये हुये हैं। वे चाहते हैं गरीब खादमी जीवन-भर आवश्यक वस्तुओं से मुहूर्त रहे। इस बिल का चाहे जो मंशा हो लेकिन इसने सरकार का ध्यान इन और जरूर आकर्षित किया है। सरकार को चेखना चाहिये कि किसी तरह चीजों की किमती को रेगुलेट करे।

यह ठीक है कि हमने मिक्सड इकानामी के नाम पर कंज्यूमर क्षेत्र को बिल्कुल प्राइवेट, सैक्टर के हाथ में छोड़ दिया है त कि बेसिक चीजें बनाई जाती हैं। सरकार कर भी नहीं सकती इसलिए उसने कंज्यूमर्स गुड्स को हाथ में नहीं लिया है। इसी वजह से हम उन पर निर्भर हैं। आप पढ़े-लिखे लोग हैं आप देखने हैं कि कंज्यूमर गुड्स बनाने वाले प्राइवेट सैक्टर के उद्योगपति कितना खर्चा करते हैं। उनके आलीशान बगले होने हैं आलीशान गाड़ियां होनी हैं दफ्तर होने हैं और और वे अपने यहां बड़े बड़े अफिजर्स को 10 10 और 15 15 हजार रुपये महावार तनख्वाह देते हैं और इसके अलावा सम्बन्धारी एनाउन्स भी देते हैं। दुनियाभर की चीजें उनकी मिलती हैं। हमारा पढ़ा-लिखा नौजवान प्राइवेट सैक्टर की तरफ जाने की आकर्षण होता है वह सरकारी नौकरी में नहीं जाना चाहना। इसलिए कि उनके यहां स्लैमर है शान है, उसको ज्यादा पैसा मिलता है।

सबसे बड़ी आवश्यकता आज यह है कि प्राइवेट सैक्टर में सरकार इस बात को देखे, हमारी इमोक्रैटिक सरकार है, सोशलिस्ट सरकार है, वह यह देखे कि वहां दुनिया भर के बड़ी तनख्वाह वाले लोग न रखे जायें क्योंकि हमको लहू लोग नहीं मिलते, दूसरे जितनी भी राशि उनके मैनेजमेंट और दूसरी चीजों पर खर्च होती है, वह हमारी कोस्ट आफ प्रोडक्शन को बढ़ाती है और यह खर्चा अल्टीमेटली कंज्यूमर को सहन करना पड़ना है।

प्राइवेट स्कूल और सरकारी स्कूलों के टीचर्स की तनख्वाह बराबर हो इस बारे में कर्फ आवाज उठाई गई थी। लेकिन आज हमने देखा कि चार्ज-पीच बरत के संघर्ष के बाद ये तनख्वाहें बराबर आई हैं। मेरा निवेदन है कि सरकार इस बात की व्यवस्था करे कि प्राइवेट सैक्टर और पब्लिक सैक्टर में ऊपर से लेकर नीचे तक, बड़े बड़े अफसरों से लेकर नीचे के कर्मचारियों तक, की तनख्वाहों में पैरिटी हो।

मंत्री महोदय ने बताया है कि कंज्यूमर्स की प्रोटेक्शन के लिये एक कौंसिल—नेशनल कंज्यूमर्स प्रोटेक्शन कौंसिल—बनाने के सम्बन्ध में एक बिल लया जाएगा। अगर वह बिल तैयार है, तो उसको इपी मेशन में लाना चाहिये, नहीं तो उसको अगले मेशन में अवश्य लाया जाये। हमारे देश के कंज्यूमर्स के हितों की रक्षा करना बहुत आवश्यक है।

मार्जिन आफ प्राफिट की रेशो निश्चित करना भी बहुत जरूरी है। मैं तीस, चार्वीस, हजार रुपये खर्च कर के शिक्षा प्राप्त करने के बाद नौकरी करती हूँ, और मुझे गिने-चंगे पैसे मिलते हैं। अगर मैंने कोई व्यापार या धंधा किया होता, तो सम्भवतः मैं कहीं अधिक हाया पैदा कर सकती थी। आज समय आ गया है कि यह तय कर दिया जाये कि एक उद्योगपति को इतना पैसा लगाने पर पर इतना प्राफिट मिलना चाहिये।

एक माननीय सदस्य प्राफिट मैर्जिन होती चाहिये।

श्रीमती सावित्री इयांग यह जरूर है कि कि कंज्यूमर्स के हितों की रक्षा की जाये।

THE MINISTER OF STATE IN THE
MINISTRY OF INDUSTRY AND CIVIL
SUPPLIES (SHRI A C GEORGE)
Mr Chairman, Sir, my friend Shri
Lakkappa has brought this Bill with

[Shri A. C. George]

the best of intentions and welcome objectives. I must say that this is a very well-meaning Bill. Not only that, in some respects it is even prophetic. Shri Lakkappa introduced or formulated this Bill in March 1973 and I fully agree that at that time this Bill was quite relevant. I say 'prophetic', because when I went in detail into the various provisions of the Bill that he has submitted for the consideration of this House, I found that quite a few of them have already been implemented. So, this Bill has been acted upon. In fact, quite a few actions have already been taken.

If you think of 1973-74, at that time there was a scarcity psychosis in this country. The prices were shooting up, many items of mass consumption were just not available and there was a general clamour among the consumers that they were an absolutely neglected entity. When we look at the price level also, during 1973-74, we can see that there was an unprecedented price rise of 28 per cent. That is why, I say that there was every justification for the hon Member, Shri Lakkappa to think of this Bill in 1973. But during the course of these two-three years, quite a few actions and measures have been taken by the Government. Towards October, 1974, for the first time, a separate Department by the name of Civil Supplies was created by the Government of India. Earlier, there were so many departments and Ministries which were looking after the production administratively. 'Produce More' was the slogan, but the concept of 'Distribute Better' and in a more systematic way was started in 1974. A sustained effort was made in that direction. This year 1975-76 is perhaps the one full year of the functioning of this Department. And, with all modesty, may I humbly submit that due to the various fiscal, enforcement and

monetary measures taken by the Government of India, there was a climbing down on the blackmoney circulation and, to that extent, on the hoarding capacity of the profiteers. Apart from that, the attempts made in streamlining the public distribution system also has had a salutary effect and the economic system this year witnessed a containment of the inflation and increased production and a vast improvement in the availability of essential commodities. A major achievement of this year 1975-76, if I may say so, has been on the price front. Not only has inflation been contained but also there has actually been a sharp decline in prices as compared to the preceding year. While during 1974-75, a rate of inflation of 23.1 per cent was recorded, we have achieved a negative rate of inflation of 3.4 per cent in the wholesale prices on the basis of the 12-monthly average, in the year ending March 1976. On a point to point comparison, a minus rate of inflation of 1.7 per cent was achieved in July 1975 soon after the proclamation of Emergency, but it is more telling and revealing after the emergency. This minus rate of inflation has almost continuously improved in the subsequent months reaching a record level of minus 8.5 per cent in March 1976. It may be added that the wholesale price index has reached the peak level in 1974 September, perhaps a year after Mr. Lakkappa moved this Bill. When it stood at 330 at the end of March 1975, luckily it has come down to 309 and since then it has fallen sharply reaching 282.9 which, I am glad to inform this august House, is the lowest figure ever achieved during the past 25 months. May I, with all modesty, submit that in the whole world there is not a single country other than India which can claim that the price level has been brought down to a point which was prevailing 25 months ago while the general tendency was for inflation. We are able to bring it down to that level.

The falling trend in the wholesale prices has been reflected in the consumer prices. Earlier the situation, especially, before the emergency, was that when there was an increase in the wholesale price index, the consumer prices were quick to catch up and they were very quick to increase the prices but, by any chance, if there was a reduction in the wholesale price index, the time-lag was 1 month, 6 weeks and even 2 months and they strictly refused to bring it down. A salutary effect of the emergency is, as I pointed out just now, that when the wholesale price index was coming down to the level of 283 or 285, the consumer price index also has come down very near to that, in the sense that it has come down to 288 or 290. This also is a phenomenon which we were able to achieve during the last 5-6 months. Normally, the consumer price index used to lag behind and quite often refused to come down to the level of the wholesale price index. It is very relevant perhaps at this juncture to point out that the consumer price index for industrial workers reached a peak in October 1974 when it stood at 335. By March it has declined to 321 and since then it has declined further and the latest available consumer price index in February 1976 is 209. In other words, the fiscal year 1975-76 has witnessed a decline of 65 per cent in the consumer prices for industrial workers. This is more telling in the matter of agricultural labour. A large and sharp decline has taken place in the consumer price index for agricultural labour. The index for consumer price for agricultural labour reached a peak of 385 in October 1974. By the end of March 1975 it declined to 373 and since then it has come down to 292 for the month of February 1976. In other words, there has been a remarkable fall of 21.7 per cent in the consumer price index for agricultural labour during the preceding financial year.

I am just quoting these figures. I know that statistics alone will not feed the people. There may be a few places or some pockets or some items where during the week some slight fluctuation

might take place. That is why I may point out that we have a very very happy situation when the wholesale price index is almost stable. During the whole month, if we take from the 27th March to the 24th April, the price index is almost stable ranging between 283 to 288. Our intention is to consolidate this distribution and review the price situation, as it will be very relevant, when we think about the lean months also. In our country from May to October, every year when there is a general tendency in the price to go up, for the first time, last year, i.e. May 1975 to October, 1975 we were able to not only prevent the prices going up, but we were also able to bring down the prices and we are taking different measures to see that this position is consolidated. May I, at this juncture, make it very plain and take a clue from my hon. friend Shri Ramavatar Shastri that it is not our intention to achieve the crash of price that will hit against the farmers whose incentive of production will slow down, which ultimately will tell badly in the next year. We are not attempting a price crash but we are only trying for a price stabilization at a reasonable level when it will be remunerative for the agriculturists and the farmer to produce and at the same time for the consumer to get at a rather reasonable price. For this we have to evolve an agency to monitor price and supplies, to expand the public distribution system, and to take measures for consumers protection and the development of consumer co-operatives. Monitoring is an important factor in a vast country like ours with 570 million people and with varying consumption habits also.

In the matter of edible oils, for example from the State I come from—the basic edible oil is the coconut oil, whereas in the North of India it is mustard oil and in the West of India it is the groundnut oil. In the matter of consumption pattern there are various factors. So, monitoring about different items is quite vital. That is why we have statistics from monitor-

[Shri A. C. George]

ing centres who will be feeding us with the information available—if there is any scarcity, abnormal price increase or crash in prices. All these factors go in for a stabilised system for the formulation of a policy for public distribution. I am happy to report that monitoring system is working very well. In the meantime our concept about public distribution, I may say, is not one of fire-fighting operation; it is not an ad hoc arrangement which has to spring up overnight when there is scarcity. In a vast country like ours, unless we have a ready made mechanism—a proper and healthy one—and at the time of scarcity if at all it comes when there is any difficult situation of availability, at that time when the people clamour for a proper distribution system, nobody can create it overnight. So, it must be a permanent entity, not a fire-fighting operation. For that in collaboration with different States, in co-operation with other State authorities, we are streamlining the system of public distribution which will come to the help of the public in times of difficulties and even in normal times.

In this context, I may like to appeal to the whole country, it is in the interest of the consumer to patronise the fair price shops. Of late, there is a tendency among the consumers when things are available at a reasonable price not to go to the fair price shops because the village trader at the same time is a small banker also. There is a credit part in it. It is quite natural for the consumer to go away from the fair price shop and go to the traditional retailer. If that happens and if the consumer do not patronise fair price shops at the time of difficulty, any Government, any machinery will find it impossible to spring up a system which will come to the help of the people. That is why we are thinking of a permanent entity of public distribution system and a model system is being evolved in various parts of the country and I am quite hopeful that

within a short period we will be in a position to evolve a final picture also.

MR. CHAIRMAN: Why do you not give goods on credit in your fair price shops?

SHRI A. C. GEORGE: In a country like India with 570 million population, spread from Kashmir to Kanya Kumari and Punjab to North Eastern Areas, the credit facilities can be thought of only through the co-operatives. That is why we want to bring more and more of the fair price shops and the public distribution system through the cooperatives. It is our intention and it is our earnest attempt to see that the public distribution system becomes fairly a good network through these consumer cooperatives.

17 hrs.

Now, if I could revert back to Mr. Lakkappa's Bill, under item No. 2, he wants the dealer to exhibit the prices. Sir, there may be a few complaints from one part of the country or another. But this has been recided and this has been pointed out to the State Governments. They have been told that these things should be implemented forcibly. There is also the recent package commodities order. There is also the provision under Defence of India rules and regulations. Every person is bound to show the net weight and measurement and the price at which he is to sell with the variation of the extra local taxes. In our country we have been long accustomed to the practice of short weightments and measurements. The consumers used to associate it with the philosophy of fate and karma, saying, God will punish you for this, because you are weighing less and charging more. So, they were looking upon it as something which is taken for granted. We have now changed the whole concept. Unfair trade practices should be put an end to. It is something for which punishment has to be awarded

by the Government. Instead of treating it as a sin to be punished by God after death, we have said, this is a crime, which has to be punished by the Government by society, in his own life-time, instead of his being punished by God after death. Therefore, what I say is that an effective consumer movement can be built up and institutionalised only with better awareness among consumers.

Now there is better awareness among consumers in regard to all these aspects and effective action is being taken by State Governments, especially after the proclamation of emergency and the announcement of the 20 point economic programme by our hon. Prime Minister. An effective consumer movement has to be built up and we hope that with the various measures that we have been taking, with the legislative measures which we are embarking upon, we will meet the requirements of the consumers. The Essential Commodities Act has been recently amended.

SHRI B. V. NAIK: I wish to ask for one clarification if he would kindly bear with me. Mr. Lakkappa wanted that Government should fix the maximum price. I want to know whether you have determined on the proper ingredients of a price fixation policy. The pith and substance of Mr. Lakkappa's proposal is this. You have to fix the maximum price. Are you today in a position to accept this and give us a pricing formula?

SHRI A. C. GEORGE: I will revert back to this question subsequently. It has been said that the present tendency is for the consumer movements to be concentrated in urban areas. The Consumers Cooperative Development Corporation has formulated a scheme whereby sufficient help will be given for the urban consumer co-operatives to spread out in rural areas.

And within two to three months, we were able to cover quite a few

villages through the urban co-operatives which are spreading to the villages also. Let me now just point out a few facts. Clause 1 speaks about the maximum price to be fixed. Obviously, this is a very very wider question with far-reaching consequences.

Most of the essential commodities of mass consumption in nature are already covered under different rules and regulations and guidelines about the prices. So, to make a sweeping decision that the maximum price has to be fixed is something, which this august House will appreciate, has to be gone into in depth. Though Mr. Lakkappa was prophesying something, it may take some more time for us to do that.

SHRI B. V. NAIK: Sir, I do not want to intervene many times. Take, for example grapes. Out of 115 million tonnes that you procured, you distributed only twenty million tonnes and the remaining ninety-five million tonnes are going to the open market. There is no price fixation and only the market prices are operating there. Let the hon. Minister kindly clarify this.

SHRI A. C. GEORGE: I would like to add here... (*Interruptions*)

SHRI B. R. SHUKLA: Kindly listen to me also. May I know whether the maximum price of commodities like wheat, paddy should be fixed or the necessity or the need of the time is to fix the minimum support price. It is just the other way (*Interruptions*)

SHRI A. C. GEORGE: Sir, I do not enter into the price controversy (*Interruptions*). It is no use only saying that this is a very well meaning Bill. Of course nobody can question the spirit behind this.

In 1973, it was relevant. But, during the past three years, many measures have been taken which actually absorbed the spirit behind it. I only said that there were certain provi-

[Shri A. C. George]

sions which were of very far-reaching consequences. And so, this has to be gone into in depth. This is a very well meaning bill which is something on which it may take us some more time to come to any conclusion.

The most important step in this matter is the price stabilisation. (Interruptions) A very prompt action was taken. That is, external vigilance, in a way, the price of the essential commodities. That step was taken in time. In this context, I would like to point out one thing. Just before the budget and, after the budget, it was decided that there should be a vigilance to avoid pre-budget hoarding and post-budget price manipulations. It had a very good effect and I can also report it to this august House that many other measures taken such as the taxation and other reliefs given by the Finance Minister had, to a great extent, reflected in prices.

I would like to conclude by saying that the National Consumers Protection Council is thought of as an important measure in the matter of price stabilisation for keeping the price level under check as also the quality control and the unfair trade practices. At present, the consumers are subjected to various types or cheating, such as exaggerated publicity, wrong type of packaging, under-measurement or underweighment, adulteration and cheating even in the brand names. All these types of unfair trade practices are proposed to be brought under control. And this National Consumers' Protection Council will be a watchdog committee with statutory powers to watch over the price situation and it will be of great relief to the consumers and this will be a great step forward in the consumer movement.

MR. CHAIRMAN: When is this going to be formed?

SHRI A. C. GEORGE: We are going to form it shortly. This National Consumers' Cooperative Council at the State and District levels will be a watchdog committee which will keep a strict vigilance over the price movement and availability of the quality goods.

Sir, in the light of the above explanation that gave even though I appreciate the spirit behind this Bill as a well-meaning step taken by Shri Lakkappa, I may request the hon. Member to kindly withdraw it. We have already implemented many of his suggestions. Others will be also thought of and given due consideration.

SHRI K. LAKKAPPA (Tumkur): Mr. Chairman, Sir, I must be grateful to the hon'ble Members and also the hon'ble Minister for having supported the principles, sentiments and the reasons behind the Bill. Of course, some of the friends have pointed out certain defects in the Bill but ultimately they also agree on principle that the reasons and objects which have been set-out in the Bill are commendable.

I am also grateful to the hon'ble Minister who has taken much pains to dig out certain facts. Sir, I would never like to minimise the steps taken by the Government. This Bill was introduced before the Emergency and because of the very many measures taken during the Emergency it has really brought a discipline in this country. We have to congratulate our Prime Minister, Shrimati Indira Gandhi, for these measures.

But, Sir, why can't the hon'ble Minister take advantage of this Emergency to consolidate and also see to it that full measures are taken for the benefit of the consumer. Mr. Chairman, Sir, I would like to say that even in the circumstances of today the object of the Bill is relevant as in spite of the various measures hav-

ing been taken the retail prices as well as the whole-sale prices in various parts of the country are not steadily improving. Even during the Emergency the prices of certain consumer articles have not come down inspite of the various measures having been taken. I agree that these are all deep-rooted.

After the declaration of Emergency the hon'ble Minister made a statement in Cochin wherein he said that Rs. 2,000 crores worth of fraud has been created in the consumer movement. It may be due to cheating, over-weighing, in the quality or in various modes of operating machinery employed by various traders and various other people who are operating on the lives of the consumers. The hon'ble Minister was very vehement that they want to introduce a consumer resistance movement in order to see that the prices of the essential commodities will be such that the same will reach the common masses. But I would like to quote here:

"The scheme for the distribution of controlled cloth has not enjoyed an altogether smooth sailing. Prior to March 1975, when quality control was introduced, the actual pattern of controlled cloth production seemed to have no relationship to demand, nor was the quality satisfactory."

Further, it is said:

"Again, the distribution arrangements, which were largely entrusted to the National Consumers' Co-operative Federation, proved to be somewhat unsatisfactory as the co-operative agencies found themselves unable to lift the entire quantities of controlled cloth allotted to them."

As my friend, Shri B. V. Naik, also pointed out we have not so far taken steps to fix the actual price of every essential commodity. We do not know what is the actual price or the actual manufacturing cost of an article,

and the inputs. Taking all these things into consideration, are the Government of India capable of fixing the actual price leaving a minimum or maximum profit? In the ultimate analysis, it has to reach the common man at a price which should be fixed.

They said that in regard to sugar, it is available in various open markets at controlled price. There are two markets operating in this. Sugar is a most important consumer article. The rich can afford to buy it and stock it. Reference was made to some brand names circulating and fake medicines, baby foods, essential commodities like oil, soap. Today we have not tackled the big manufacturers who are quoting fancy prices and showing you that this is the manufacturing cost. Actually you have not gone into what should be the marketing price to be fixed for every article that has been manufactured. The manufacturers take advantage of this situation. Sometimes when you announce control or removal of control, then take advantage of the situation. Take the case of cement. The cement manufacturers quoted exorbitant prices and sold it in the black market. Even sugar was sold in the black market. Hoarders are creating a situation whereby they control the prices. They are not amenable to any discipline. When the prices were fixed, the market was controlled, discipline was enforced and MISA applied and restrictions imposed and emergency operated, all these things have come under control. Advantage should be taken of this situation to put the hoarders, blackmarketeers, fake manufacturers and brand-name manufacturers in their proper place and control the whole situation. That is why I say that if you cannot control the entire manufacturing system, at least control the distribution system. If you control the distribution system, you will know actually what is the price. Therefore, the Government has to come forward to fix this price. That is why I say that even today this is very relevant. Unless the law

[Shri K. Lakkappa]

is stringent, unless you take all these steps, even the effects of the emergency may become stale. This must not happen. The emergency has to have its effect and we have to consolidate this situation.

Take, for instance, this situation. It was not the intention that there should be distress sales of commodities. But during this emergency, the prices of certain agricultural commodities are falling down and it has created a very difficult situation for the farmer. At the same time, you are not controlling the price of tractors. You are not even controlling the deposit that the farmer has to make for power consumption. Therefore, in order to control the overall economic system, you must deal with the matter more efficiently and more effectively.

17.19 hrs

[SHRI BHAGWAT JHA in the Chair]

There is the question of industry's responsibility to the consumers. This is also a very interesting subject. Has the Government of India ensured the discharge of this responsibility of the industry, those who manufacture consumer articles? Here is a very useful article. If I read it out, I think it will be very useful for members to know.

MR. CHAIRMAN: Are you reading the full article?

SHRI K. LAKKAPPA: It says:

"The social responsibility of private industry is a recurring topic for discussion these days, particularly among the critics of the private sector; profits are no longer an index of efficiency; if an enterprise makes profits its affluence is taken by these critics as conclusive proof of the selfishness of the enterprise and its callous disregard of public welfare. Similarly the losses made by enter-

prises, more particularly public sector enterprises, are sought to be justified by them, in all seriousness, as a measure of the sacrifices made by them in the public interest through sacrifices in the interests of the consumers or through public welfare measures not directly connected with production or through financial contributions to popular public causes....

The most important social responsibility of a business corporation is its responsibility to its consumers—to supply products and services of good quality at reasonable prices in adequate quantities. The growing list of public enactments for consumer protection in most countries is proof that the consumer requires protection against the corporation."

The consumer movement should be in a position to tackle the needs of society. The consumer movement has been operated through co-operatives. Will you kindly tell me how many co-operative institutions are functioning properly? Did you not find out even in Madras the co-operative movement, co-operative societies have become the hotbeds of corruption and vested interests. There are vested interests even in consumer movement, in the co-operatives, corporations and all those things. Consumer needs protection against the corporation. In India the producer can get away with practically any misrepresentation regarding the quality of his products. Protests were made when the producers and manufacturers are not producing quality items for the consumption of people. You have seen pharmaceuticals and anti-biotics and life-saving drugs and oil and other things. It is produced and distributed, adulterated and all that. Those people are taking advantage of every system and still those people are managing. Therefore, it is very necessary to have a system of public distribution for articles of mass consumption.

SHRI B. V. NAIK: Have you abandoned fixation of prices?

SHRI K. LAKKAPPA: It is not like that. Take Lever brothers and soaps manufactured by them. Have you gone through their accounts? Do you know how much they manufacture, whether they are manufacturing quality soaps, how the exchequer gets involved, what is the distribution system, blackmarketing that they are indulging in and so on. The whole economy has been controlled by those people. Similarly, medicine and other consumer articles. You must see that. Some categories should be organised. Categorywise consumer industry should be nationalised. All the prices should be controlled by you and fixed by the government. The quality should be fixed. Quality items are not forthcoming. Take the money value and the purchasing power of the people in this country. They are poor people. Mr. Daga was saying that small articles were purchased by small trader. Even today big trader and small trader are cheating small consumers. In a one rupee purchase, he cheats to the extent of 50 paise. For 100 rupees purchase, he will cheat Rs. 80. That is the dimension of cheating, fraud and everything. It is perpetuated. Ultimately it will result in consumer dissatisfaction. Therefore at least the distribution of consumer articles should be taken over; the distribution system has to be controlled. Prices should be fixed by the government and it should be notified. Today it is not so. Mr. Naik was saying this the other day; he was also supporting this point. Take the textile industry. What is the requirement of cloth in this country for the vulnerable sections of our people, poor and middle-class people. They must get at least one or two varieties of cloth. You allow all designs and types because they can manipulate and expand and make profits. At the same time they fix fancy prices for those designs. In this country we are thinking of social change and revolution. You are also thinking of bringing some structural changes in the comprehensive bill in order to elevate the system and also for the eradication of poverty in the country. While doing so, I would request you to see that the money sup-

plied to the poorer class of people has some value, because the purchasing power is going down. So, under these circumstances you must take advantage of this for at least controlling the prices of essential articles and the Government should not play in the hands of the monopolists. So far as consumer articles are concerned, this Bill would definitely go a long way. I think this bill has been appreciated by one and all. You have mentioned during your speech that certain steps and also certain measures will be taken at the national level. Before you take such measures, I think it is very necessary to go deep into the antecedents and the profit margin of these monopoly houses. What is the impact on the economy of the country on account of the activities of these monopoly houses? The Government should take note of this. Lastly, I would like to mention that you have applied these measures only to small people. Today even certain smugglers and big profiteers have escaped from the present Emergency and therefore the Emergency should work more vigorously. Still I feel that this Bill has got certain value. A notification in regard to the prices of various consumer articles is not enough. The Government should fix proper prices for the consumer articles. It is only the trader and the manufacturer who have said that they have fixed the prices of certain articles. The Tariff Commission operates only in the case of goods manufactured by the various entrepreneurs. They should see and work out what is the actual cost of the total goods produced by the manufacturer, what is the price fixed by the manufacturer and what is the actual profit that he gets. These are the important aspects that you have to take into account. I am glad that a comprehensive measure is being taken up in this regard. I also seek your permission that while considering the comprehensive measure, certain provisions of my Bill may also be incorporated in that. With these words, I commend my Bill.

SHRI A. C. GEORGE: I have already accepted many of the principles behind it.

MR. CHAIRMAN: I think the Minister has already accepted much of the provisions in principle and you have also stated that these measures may be considered in the comprehensive Bill. In the light of that, are you withdrawing your Bill?

SHRI K. LAKKAPPA: I think that the Hon'ble Minister has really appreciated my view-points. But I think that in respect of whatever measures you want to take, they should be covered by a time-bound programme. They should be beneficial to the common man. In the background of the assurances given by the Hon'ble Minister, I wish to withdraw my Bill.

MR. CHAIRMAN: The question is.

"That leave be granted to Shri K. Lakkappa to withdraw the Bill to regulate the prices of essential articles of daily consumption and to prevent profiteering in such articles."

The motion was adopted.

SHRI K. LAKKAPPA: Sir, I withdraw the Bill.

17.30 hrs.

CONSTITUTION (AMENDMENT) BILL

(Amendment of article 124)

सभापति महोदय : अगला विधेयक श्री पी० के० देव का संविधान में संशोधन के लिये है ।

श्री पी० के० देव ।

SHRI B. V. NAIK (Kanara): I have given an amendment to which some objection has been raised. It may be permitted to be considered.

सभापति महोदय : जब अमendment का समय आएगा, तब उस पर विचार करेंगे ।

श्री पी० के० देव ।

SHRI P. K. DEO (Kalahandi): Sir, I beg to move:

"That the Bill further to amend the Constitution of India be taken into consideration."

As early as 1971, while browsing through the Constitution of India as a student of law, I along with certain friends came across some lacunae and I thought it would be my duty to try to plug those loopholes. Under the compulsion of my duty, I brought this Bill which was introduced on 25th June, 1971. It must be remembered at this stage that my Bill has absolutely nothing to do with the later developments, i.e. when Mr. A. N. Ray was appointed as the Chief Justice of India on 26th April 1973. Two years prior to that, I brought this Bill and it is my good fortune that it saw the light of the day today in the ballot, after a lapse of five years.

If you go through the statement of objects and reasons you will be convinced yourself that a sound procedure should have been laid down regarding the appointment of Chief Justice of the Supreme Court. The statement of objects and reasons reads thus.

"The Constitution of India does not lay down any procedure for the appointment of the Chief Justice of the Supreme Court, though the Constitution is clear regarding the procedure of the appointment of other Judges of the Supreme Court. Any citizen of India who has been a Judge of a High Court or of two or more such courts for five years or has been an advocate of a High Court or of two or more such Courts for at least ten years and is considered by the President as a distinguished jurist is eligible for such appointment. The appointment of the Chief Justice of the Supreme Court is within the discretionary power of the President who acts on the advice of the Council of Ministers. It is, therefore, high time that