

MR. DEPUTY-SPEAKER: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

14.27 hrs.

LEVY SUGAR PRICE EQUALISATION FUND BILL

MR. DEPUTY-SPEAKER: We now take up the Levy Sugar Price Equalisation Fund Bill.

Mr. Shahnawaz Khan.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND IRRIGATION (SHRI SHAHNAWAZ KHAN): I beg to move*:

"That the Bill to provide for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India and for matters connected therewith or incidental thereto, be taken into consideration."

This is a non-controversial Bill with a very limited object. This Bill, after it is passed, will be followed by a general discussion on price of sugarcane—all matters pertaining to the price of levy sugar and price of sugarcane. This Bill has only a very limited object. The producers of sugar are required to deliver a certain percentage of the sugar produced by them to the nominees of the Central Government for distribution to the consumers at a fair price. Such sugar is called levy sugar. The ex-factory prices fixed by the Central Government in relation to levy sugar were challenged by several producers. In many cases, pending final decision, they were permitted by courts to charge from the Government nominees prices in excess of controlled prices. In several cases, the control-

led prices fixed by the Central Government have been finally upheld by the courts. The realisations made by the producers of sugar in excess of the controlled prices do not legitimately belong to the producers. Therefore, such excess realisations ought to be refunded to the consumers from whom excess realisations were made. But it will not be possible for the mass of consumers to claim refund of the excess realisations from the producers. Consequently, the producers will continue to hold certain monies which do not legitimately belong to them. In the circumstances, the Bill seeks to constitute a Fund to be called 'Levy Sugar Price Equalisation Fund', in which the producers of sugar will have to deposit the excess realisations made by them. The money standing to the credit of the fund being legitimately the property of the consumers, initially the consumers will be given the right to claim refund from the Fund on production of adequate proof. The unclaimed monies would vest in the Central Government and would be utilised for the overall benefit of the consumers in accordance with the existing scheme of equalisation of retail price of levy sugar throughout the country. If any lawful claimant appears at any time even after utilisation of the monies standing to the credit of the fund for the benefit of the community of consumers, necessary refund shall be made from the Central revenue. As the Bill seeks to protect the interest of the common man, I commend the same for its early consideration and passing.

MR. DEPUTY-SPEAKER: Motion moved:

"That the Bill to provide for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India

*Moved with the recommendation of the President.

and for matters connected therewith or incidental thereto, be taken into consideration."

Dr. Saradish Roy.

DR. SARADISH ROY (Bolpur): Mr. Deputy-Speaker, Sir, this Bill for the establishment of a fund is nothing but to perpetuate the dual price system of sugar, that is free and levy sugar, and allowing the mill-owners to make extra profit out of the system. It is a compromise that the Government and the mill-owners have arrived at to squeeze the common man.

About 35 percent of sugar produced in the country is being requisitioned by Government, the other is being sold by the mill-owners at a high rate fixed by them. The mill-owners do not reveal their actual production; that is being concealed. In my constituency, there was a sugar mill, now it is closed, but at that time I have seen that stealthily hundreds of tonnes of sugar were taken out of the mill without payment of any excise duty. I am told that such a practice is prevalent all over the country. The mill-owners do not pay excise duty on their full production; they conceal some part of their production and make abnormal profits by cheating Government of payment of excise duty.

When the system of dual price was introduced and the free sale of sugar was allowed, Government claimed that this was to encourage the mill-owners to increase the production, but during the last few years, we have seen that the increase in production is very much marginal and the mill-owners have made enormous profits and they have diverted this amount to other industries.

During the last few years, the price of sugar has gone up three times. In 1965-66, the wholesale price index was 130.8, and in October last it was 393. However, during this period,

there has been no appreciable increase in the case of wages of the sugar mill workers, nor has there been any appreciable increase in the sugar-cane price. The mill-owners have minted money.

There is a common demand that the entire stock of sugar should be taken over by Government and distributed through Government channels at a reasonable price, so that the consumers may get this essential commodity at a reasonable price. But that is not being done. The Government, on the other hand, by this system of dual pricing is encouraging the black-marketing system in our country. In the name of free sale of sugar, several concessions have been given to the mill-owners during the last few years. The excise duty on levy sugar has been reduced, but the consumer price has not been reduced. That amount has gone into the pockets of mill-owners. The excise duty on free sugar has been increased and that has meant extra cost to the consumers and the price of free sugar has increased many times.

The ruling party has been talking of nationalisation, specially before the elections, they passed resolutions and made a propaganda.

MR. DEPUTY-SPEAKER: This speech would have been more appropriate in the next item. This is only for constituting a fund.

DR. SARADISH ROY: They have appointed commissions to go into the matter but they have put their reports in cold storage. People know the reason for this compromise between the Government and the mill-owners and people have now come to know of the role of the Government in this matter.

The Government is exporting a huge quantity of sugar though sugar is scarcely available in the market and their prices have gone high. Still, in the name of availability of surplus,

[Dr. Saradish Roy]

They are exporting sugar and the people of our country cannot purchase sugar because the rate of sugar in the free market is so high that it is not within the reach of the common man and, though there is no real surplus which the Government is exporting.

Then, Sir, the Government by its policy, that is by the release of monthly quota of levy sugar, are creating such a condition that there is an artificial shortage and the prices are going up. As a result, the mill-owners and the traders are making extra profits.

Now, Sir, take sugar exports. It is being done at a subsidised price of Rupee one per kg I hope the Minister will clarify this. By this you are imposing an extra burden on the common consumer because he is being over-charged. This is your patriotism and nationalism by which you are supplying sugar at a cheaper rate to the foreigner but at an extra higher rate to the Indian consumers.

In this Bill there is a provision which I am not able to understand. The Minister said that it is meant only for the consumers. But there is a clause, clause 6(3) which says

"Provided that if the amount standing to the credit of the Fund is not sufficient to enable the Central Government to make the refund, such refund shall be made from the Central revenues."

That is, the mill-owners will get some money. ...

MR DEPUTY-SPEAKER: No, no. It is refund to the consumer.

SHRI S. M. BANERJEE (Kanpur): It is the wholesaler who will get. Suppose the common man purchases 1 kg. or 2 kg., how is it possible to make the refund?

MR DEPUTY-SPEAKER: No refund to the producer, as far as I can see.

DR. SARADISH ROY: Refund to whom?

MR. DEPUTY-SPEAKER: That is why he has made this. He said that it is very difficult to decide which consumer should get the refund. It is very difficult. He has admitted that. That is why he said that this money, if not claimed or not justified for any consumer, will come to the Fund and the Government would utilise that in the overall benefit of all the consumers in the country, although how they are going to do that is not clear to me.

DR. SARADISH ROY: Then why does the question of refund come? You see clause 6(3).

SHRI S. M. BANERJEE: Refund to whom?

MR. DEPUTY-SPEAKER: Let the Minister make it clear.

SHRI SHAHNAWAZ KHAN: It is provided in the Bill that after six months, all the amount which remains unclaimed would vest in the Central Government.

SHRI S. M. BANERJEE: Who will claim refund?

SHRI SHAHNAWAZ KHAN: The consumer. . . (Interruptions)

DR. RANEN SEN (Barasat): How can a consumer who purchases 2 kg. or 4 kg. claim refund?

SHRI DINEN BHATTACHARYA (Serampore): It is a hidden subsidy.

MR. DEPUTY-SPEAKER: As I understand, it is this (Interruptions) I will allow you. Let me regulate it.

The refund will not be to the producer. The producers will be compelled or already they have made some deposits of the difference which they have realised over and above the price fixed by the Government. They

will have to deposit this money. So, there is no question of refunding it to the producers. The question is refunding it to the consumers. And who are the consumers, is a very difficult question and I think, even the Minister is not clear. That is why they have made certain provisions that if a wholesaler has realised the increased rate from the retailer, then no refund to the wholesaler and if the retailer has realised a higher rate from the consumer, then no refund to the retailer and all the money comes to the Government.

In the case of refund, whether feasible or not, the money remains with the Government. The Government says that they are going to utilise this money for the overall benefit of the consumer.

DR. SARADISH ROY: How?

MR. DEPUTY-SPEAKER: I do not know. That is why I say it is not clear to me.

SHRI S. M. BANERJEE: There is a point of order.

Here is a Minister who comes in the House with the Bill saying that this has a limited scope and is a non-controversial Bill and so on. He was about to say that we should pass it without discussion.

MR. DEPUTY-SPEAKER: I say, the principle is non-objectionable.

SHRI S. M. BANERJEE: The Point of Order is if the Minister cannot possibly give us a clarification, a satisfactory clarification, even at the introduction stage, what are we passing? What are we discussing? You have put a very pertinent question—how will the money be utilised?

MR. DEPUTY-SPEAKER: You have put a question. It is not a Point of Order.

SHRI H. M. PATEL (Dhandhuka): This is a basic point which has arisen. The Minister should be asked to explain what is meant by 'refund' under Sections 3 and 6. I have a cer-

tain understanding, the Speaker has a certain understanding. Your understanding. Sir, does not coincide with his or mine.

MR. DEPUTY-SPEAKER: In what way is my understanding different from yours?

SHRI H. M. PATEL: The refund is not envisaged here as being claimed by the consumer. The refund is to be claimed by the dealers—either wholesaler or retailer.

MR. DEPUTY-SPEAKER: They are supposed to be consumers.

SHRI H. M. PATEL: I want only that the Minister be good enough to explain the scheme of this Bill—exactly what he means, how is the fund going to be created, who pays the excess, who has to recover the excess payment, how is the excess going to be claimed. Quite clearly the consumer can never succeed in getting a refund. This is an utterly impracticable proposition.

DR. SARADISH ROY: It seems to me that the Minister is concealing some points. In some cases the Government may have to pay extra money to the mill-owners, and in some cases they have realised extra money and the money has been deposited in the bank. They are utilising the funds. In that case, you have to pay more to the mill-owners by court decrees. In that case the refund is to be made to the mill-owners. That is the point.

SHRI SHAHNAWAZ KHAN: A large number of cases were filed by the producers of sugar (the sugar mill-owners) in different courts.

SHRI DINEN BHATTACHARYYA: Sugar mill workers produce sugar.

MR. DEPUTY-SPEAKER: It is a very tricky complicated point.

SHRI SHAHNAWAZ KHAN They claimed and obtained from the Government nominees who lifted the sugar at higher prices under interim orders of courts than were allowed to them under the levy sugar price fixation order. Those amounts have remained with them. The Supreme Court has given a decision in some cases in favour of the Government upholding the sugar price fixation order. But, as I said they wanted that these amounts (which they collected) should be allowed to be retained by them. The Government is advised by the legal experts that the amount retained by them that is, the higher prices charged by them, should go to the consumers that is to say, the persons who paid higher prices. We admit this. It is the consumer who should ultimately claim this amount. He has to prove that he has purchased so much sugar and he has to give the proof. Where such proof is forthcoming, the amount would be given to the consumer, as I said. Much depends upon the proof and if no proof is forthcoming should it be given to the mill-owners is the question. What we have suggested is this, that this should come to the Levy Sugar Price Equalisation Fund. It should be used for the common good of the consumer by ensuring a uniform price for sugar throughout the country, and if the amount is a sizeable one, then, to bring down or stabilise the uniform retail price of levy sugar. So Sir, this is the general scheme of the thing and I do not at all think that anybody can take any objection to this.

DR SARADISH ROY Sir my point is this. Please see sub clause (3) of Section 6. Here it is stated as follows. I quote

'Provided that if the amount standing to the credit of the Fund is not sufficient to enable the Central Government to make the refund, such refund shall be made from the Central Revenue'

Why do you say that it is from 'Central Revenues' from which such refund shall be made? This is my point.

SHRI SHAHNAWAZ KHAN Because they will be merged with the Central revenues after dissolution of the Fund. That is to say, after dissolution of the fund refund, if any, would be made from the Central revenues to which the amounts in the dissolved Fund may be credited.

SHRI H M PATEL If you will see the statement of objects and reasons, you will find this in the last sentence. The monies are vested in the Central Government—this is the unclaimed money and that is what is referred to in the Supreme Court judgment. The money arises because of the Supreme Court's judgment and the monies are vested in the Central Government who will utilise them for ensuring that the price of levy sugar throughout India is uniform. Now, the price of levy sugar is not uniform throughout.

MR DEPUTY-SPEAKER This is only for a certain period when there are no claimants.

SHRI H M PATEL The main object of the bill is this. The monies vested in the Central Government will be utilised for ensuring that the price of levy sugar throughout India is uniform etc etc. Now the levy price of sugar varies from State to State. The country has been divided into sixteen zones for the purpose of fixing the levy price of sugar. Therefore, for instance in Gujarat the levy sugar purchased is at Rs 124 a quintal. The price varies from zone to zone.

MR DEPUTY SPEAKER They may have a pool price.

SHRI H M PATEL I know that. The price varies. Therefore, in order to ensure that a uniform price is fixed for the levy sugar which is subsequently made available to the consumers, the levy prices are pooled and a uniform price fixed by Government. That is the object of this Bill. But, in the

process of pooling the price, the situation may arise that some dealers and some fairprice shops might have been given sugar initially at a different price and later on, the difference is to be refunded to those people. That is how the ordinary consumers will get sugar at the same price throughout the country. And, in the process of achieving this, they may not initially have released the levy sugar to these fairprice shops or the dealers at a price which is same. That is how presumably the refund question arises. There is no other explanation that I can think of.

DR. SARADISH ROY: On this point I want to say that no fund should be diverted from the Central revenue for payment of this kind. Therefore, I am bringing in an amendment on this. The levy should be imposed on the sugar millowners in order to create this fund. I want to speak a few words on the sugarcane price, that is going to be discussed very soon.

MR. DEPUTY-SPEAKER No, no. that is in the next item.

DR. SARADISH ROY: Then, Sir, in conclusion, I want to say that this piecemeal legislation will not help. radical steps should be taken to nationalise the sugar mills. Government should examine the sugar policy so that consumers can get the sugar at a reasonable price throughout the country and sugarcane growers interest protected. With these words, I have done.

SHRI K. SURYANARAYANA (Eluru): Mr. Deputy-Speaker. Sir, I support this Bill. I wanted to clarify doubts of the hon. Members.

DR. RANEN SEN: You are also supporting a wrong cause!

SHRI K. SURYANARAYANA: I am for producer cooperatives, consumers as well as factory owners. You

wanted everything to be nationalised. We have no objection for that also when conditions are favourable.

Government also say that the originators of agro-industries are the cane producers. There is no question of any dispute or doubt about this. The point raised by Mr. Patel was this. The money vested in the Central Government will be utilised for ensuring that the price of levy sugar throughout India is uniform. That means they are not charging from the factory the same price for the levy sugar which is being distributed and given to the consumers. That means the fund will directly go to them. Once it goes to the dealer from the factory or from the Food Corporation, the dealer is collecting it from the consumers. In the interest of the general consumers, this fund will be utilised. And whenever there is any price speculation, this will be utilised for the consumers' benefit. There is no dispute that the fund will be utilised for the consumers' benefit only. Then there are other things. Mr. Pandey's resolution is there. When it comes up, we can raise all these things. So, Sir, I say that in order to prevent the exploitation the Government have come forward with this measure.

So the Opposition parties should not have any doubts on each and everything and oppose for the sake of opposition. In the amendment, they have referred to Central revenues. 'Central revenues' means not general revenues. This is only because you are collecting this money—excess amount—from the sugar consumers. If there is any necessity, this fund may be utilised for the benefit of the sugar consumers by way of reducing the price in future sales. There is a reference in the High Court decisions also to difference in price. We can speak about all these in the next discussion. In the meanwhile, there is no necessity to have a general discussion or any lengthy discussion on this. I would appeal to members to let this be passed in half an hour or fifteen minutes. I support the Bill

MR. DEPUTY-SPEAKER: Before I call others, let us be clear about one thing. A certain excess amount has been realised by the producers.

SHRI K. SURYANARAYANA: By the factory-owners; otherwise it will be interpreted as sugarcane producers.

MR. DEPUTY-SPEAKER: Is it not right that this excess money should be utilised for the benefit of the consumer? I think that is the meaning.

SHRI H. M. PATEL: We accept that.

MR. DEPUTY-SPEAKER: If we are agreed on that, other problems can be taken care of.

SHRI H. M. PATEL: I would agree—if only he could make that clear. What exactly is the scheme of the thing? That is why I referred you to the statement of objects and reasons.

MR. DEPUTY-SPEAKER: I have seen that.

SHRI H. M. PATEL: He spoke about the selling price of levy sugar. I was going to explain that the levy sugar procured by Government is at different prices from different factories. Therefore, you have to pool the price. In the process of that pooling, it is possible that there is a difference in the price of sugar that is released to the distributors. This will later on be adjusted. If this is not the scheme, let the Minister explain what it is.

MR. DEPUTY-SPEAKER: I said I am not sure how they are going to administer it, but I can imagine a certain amount of money in the hands of Government out of these proceeds, say Rs. 3 crores, Rs. 4 crores or Rs. 10 crores whatever it is. Now if this money cannot be refunded to the consumers because of the complications involved

SHRI K. SURYANARAYANA: It is not possible.

MR. DEPUTY-SPEAKER: . . . then Government want to utilise this money for the benefit of the consumer, and the scheme is that they would have a uniform price of sugar all over the country, may be this money may be used for subsidising that price, fixing it at a lower price.

SHRI H. M. PATEL: Let him say so.

DR. SARADISH ROY: That should be met from the Central Government, as mentioned in cl. 6(3).

MR. DEPUTY-SPEAKER: The only thing is that because there is a time-limit, if this money that is accumulated in this fund cannot be reimbursed to the consumer, it will go into the Consolidated Fund.

DR. SARADISH ROY: No, Sir. It should be met from the central funds, that is not mentioned here by the Minister.

MR. DEPUTY-SPEAKER: When we come to the clauses you can talk about it. It goes to the Central revenues.

SHRI K. SURYANARAYANA: We do not want to accept that.

MR. DEPUTY-SPEAKER: Shri Sarjoo Pandey.

I think that can be made clear by some kind of amendment.

SHRI H. M. PATEL: Let him clarify that.

SHRI SHIVNATH SINGH (Jhunjhunu): It will be provided for in the rules as to how it will be utilised. Therefore, there will be no doubt about it.

श्री सरजू पांडे (गाजीपुर) : उपाध्यक्ष महोदय जैसा कि अभी आप ने फर्माया है इस विल का उद्देश्य है कि जिन मिल मालिकों ने ज्यादा कीमत पर चीनी बची है और जो ज्यादा पैसा लिया है उसको या तो कन्ज्यूमर को

लौटा दिया जायगा या अगर उन का कोई दावेदार नहीं होगा तो केन्द्र में वह रुपया जमा हो जायगा और उस रुपये का इस्तेमाल देश में चीनी के दाम में एकरूपता लाने के लिए किया जायगा। इस तरह से यह बिल देखने में तो अच्छा है और इस का उद्देश्य भी अच्छा है। मगर यह चीनी की समस्या हिन्दुस्तान में बड़ी भयंकर है और ये चीनी के मिल मालिक तक्षता पलटते रहते हैं। जब जैसी चाहें सरकार बना देते हैं। हमारे उत्तर प्रदेश में तो सरकार बनाने और बिगाड़ने में इन का बड़ा हाथ है।

14.58 hrs.

[SHRI C. M. STEPHEN in the Chair]

अभी जब गन्ने के भाव का सबाल ग्रायेगा तो मैं बताऊंगा। आपने जो चीनी धालों को बाजार में बचने की खुली छूट दे दी है उसमें खुली चीनी तो हर जगह अवैलेबिल है लेकिन लेवी की चीनी कहीं नहीं मिलती है। खुद आपने कहा है कि बहुत सी अदालतों में मुकदमे चल रहे हैं। अदालतों ने शुगर को रोकर कहीं कहीं मनमाने दाम पर बचने की इजाजत दे दी है। लेकिन जो छोटे छोटे कंज्यूमरस हैं, दो, तीन या एक किलो इस्तेमाल करने वाले वे किस तरह से पैसा क्लेम करेंगे। अगर अदालत में दरख्वास्त देंगे तो जितने की चीनी नहीं होगी उतनी कोर्ट फीस हों जायगी। क्या आप कोई मशीनरी बनाएंगे जो रिफंड करा कर पैसा दे दे कि फलां टुकानदार ने इतने एक्सेस दाम लिए हैं, वह उस को लौटा दिया जाय। लेकिन उस का इस में कोई प्राविजन नहीं है। मेरी समझ में नहीं आता किस तरह से पैसा दिया जायगा। अगर ऐसी कोई मशीनरी नहीं होगी तो सारा का सारा पैसा सरकार के पास आ जायगा और फिर कंज्यूमर को मिलेगा नहीं। इसलिए जो इस बिल का मंशा है वह समाप्त हो जायगा। फिर जैसा आप कहते हैं कि शुगर के दाम में एकरूपता लाने के लिए वह पैसा खर्च किया जायगा

तो उस को आप कैसे करेंगे? हमारी दरख्वास्त है कि देश में चीनी की समस्या बहुत गंभीर है जिस पर विचार करने की जरूरत है। लगातार मिल मालिकों ने चीनी के रोजगार में कितना ही धन कमाया है और दूसरी तरफ हिन्दुस्तान के काश्तकार लड़ रहे हैं। नतीजा यह है कि लोग गन्ने की खेती की तरफ में हटते जा रहे हैं। उन का इतना ज्यादा शोषण हो रहा है कि वे गन्ने की खेती नहीं करना चाहते। फिर हम देश का होगा क्या? इसलिये मैं समझता हूँ एक कामप्रीहेम्बिव बिल लाने की जरूरत है। अभी इस साल चीनी के दाम बढे हैं, शीरे के दाम बढे हैं। सारा का सारा मुनाफा पूजीपतियों की जेब में जाता है। वे अदालतों की भी शरण ले कर महंगी चीनी बच लेते हैं। ऐसी अवस्था में मेरा अनुरोध है कि ऐमे कानून को भी जरूरत है जिससे हमारे देश के कंज्यूमर को भी फायदा हो और साथ साथ जो गन्ना उत्पादक है उनको भी लाभ हो। आज तो वे दोनों ही लूटे जाते हैं। फायदा मिल मालिकों का होता है। कंज्यूमर को भी महंगी चीनी खरीदनी पड़ती है और काश्तकार को भी उस भाव में अपना गन्ना बेचना पड़ता है जिस भाव में सूखी नकड़ी भी नहीं मिलती। मैं इस बिल का समर्थन करता हूँ। सिद्धान्त रूप में मेरा इस से कोई विरोध नहीं है। लेकिन कंज्यूमर को रिफंड करने का क्या प्रोगीजर है? इस को आप क्लीअर करें तो मैं समझता हूँ बिल ज्यादा अच्छा होगा और इस पैसे को इस्तेमाल करने का क्या तरीका होगा ये दोनों प्वाइंट्स आप क्लीअर करें। वैसे यह बिल ठीक है, मैं इस का सामर्थन करता हूँ।

15.00 hrs.

SHRI P. NARASIMHA REDDY (Chittoor): While supporting the Levy Sugar Price Equalisation Fund Bill, I should like to seek some information on one or two points. While introducing the Bill, the hon. Minister said

[Shri P. Narasinha Reddy]

that it was a wholly non-controversial Bill and there was no need for much discussion. It is pertinent to know why a situation has arisen under which a fund of this type is sought to be set up in difficult circumstances.

You are aware that sugar pricing policy is largely being handled and decided by the Supreme Court and not by the Government. This is not the first time that difficulties of this nature have arisen. If I remember right, two years ago when the original levy price was considered and implemented, the matter was taken to the courts. Excess realisations were made by factories. I should like to know from the hon. Minister how much of excess realisation was made by the sugar producers during the previous levy policy and what has happened to that excess realisation? Whether they have been ploughed back to the supplier of cane or to the consumer, we would like to know? Secondly, under the revised levy policy which is the root cause of the whole evil and which has resulted in lot of litigations, the necessity of introducing this Bill has arisen. It is pertinent and here it is, in fact, relevant to ask: why Government should not apply its mind to avoid such situations when factories and producers are allowed to make excess collection? You say that it is because of the intervention of the court. But we cannot, as it is, avoid or bar the jurisdiction of the court in these matters pending some of the reforms which you are thinking of. Meanwhile, Government at least should apply its mind to have a second look at the revised levy policy which has caused great hardship and loss to a large section of the cane-growers. Even to avoid such frequent legal resorts by producers and such awkward situations being created when the consumer is made to pay excess and all these things, it is high time that the Government should give a second look at this revised levy policy, the defects of which have been pointed out to the Government more than once.

This Bill, I am sorry to say, has attempted to treat the symptoms and not the disease. Diseases have got to be tackled. The Government has got to give a second and urgent look to the revised levy policy if the entire sugar industry and sugar production is not going to be jeopardised. Time and again, responsible cooperative organisations have brought in detail where exactly this revised levy price policy is pinching the sugarcane growers and sugar factories particularly in the cooperative sector. Some of the Members who spoke before me have rightly drawn the attention of the Government to the real cause of the whole trouble and that is the dual pricing policy and equal controlling policy system which you are trying to adopt towards this industry. It is high time that this dual approach is given up and the unified pattern is imposed. Either bring all the industries in the cooperative sector or in the national sector or bring them under the full-fledged control and not in this way of dilly dallying with the pattern of sugar industry and pricing which will cause less unrest and trouble.

Another main factor which has given rise to this sort of instability in the industry and among the growers is the failure on the part of the Tariff Commission and the Government itself to appreciate the cost of production in regard to cane, manufacturing cost in regard the factory and assumption of free-market price. In all these three aspects, the realities have not been properly appreciated or assessed, so much so that this sort of sugar industry crisis has been created which finds reflected in the High Court interventions and so many other consequences which we would like to avoid. I therefore, appeal to the Minister to apply his mind immediately to overhauling this revised levy price system so that justice may be done to the growers and to ensure long term prospects of our sugar industry and export in this country.

‘लेवी शुगर प्राइस बिल (सुभान) : संभाषित जी, इस लेवी शुगर फण्ड के द्वारा कुछ रुपये जो मिल-भारतियों के पास जमा हो गया है और जो अधिक रुपया वसूल करने की वजह से जमा हुआ है, उस की सरकार नियंत्रण में लाना चाहती है। इस हद तक इस बिल की मंजोरी ठीक है और मैं उस का समर्थन करता हूँ। लेकिन इस रुपये का किस प्रकार यूटिलाइजेशन होगा, इस के बारे में चिन्तन-विचार करने हैं और मैं भी इस के बारे में अपनी राय आप के सामने रखना चाहता हूँ।

‘आप हम देखते हैं कि हम जो शुगर इस्तेमाल करते हैं, उस की दो कीमतें हैं—एक फ्री मार्केट प्राइस है और दूसरी लैवी-प्राइस है। पिछले दिनों जब फ्री-मार्केट का कोटा बढ़ाया गया था, उस वक्त यहाँ सदन में कहा गया था कि फ्री मार्केट का कोटा इस लिये बढ़ाते हैं ताकि उस से फैक्टरी-आनर्न का मुनाफा बड़े और वे उस रुपये का इस्तेमाल अपनी मशीनरी के इम्प्रूव करने में लगाने। लेकिन प्रिग चीनैज है, महापति महोदय, इस दंश में एक भी फैक्टरी-गोनर ऐसा नहीं है जिस ने इस अधि-रुपये का इस्तेमाल अपनी मशीनरी को इम्प्रूव करने में किया हो। उन के दिमाग में जो गत-दिन यही रहता है कि किस प्रकार से हम अधिक में अधिक मशीनरी और मजदूरी का गणन करें। ऐसी हालत में जहाँ तक इस बड़े हफ नफे का इस्तेमाल की बात है—सरकार इस के बारे में सोचें कि क्या इन फैक्टरी-आनर्न को इस प्रकार की लूट करने की इजाजत दी जाय और यदि दी जाय तो कब तक दी जाय।

‘इस वक्त जो सवाल हमारे सामने है—वह यह है कि लैवी-प्राइस की शुगर की जो अधिक रकम जमा हो गई है, उस के लिये हम कुछ बनाने जा रहे हैं—उस फण्ड का यूटिलाइजेशन हम कैसे करें। आप को याद होगा, पिछली बार हम के सदन में, “प्रायज़ इन्वेलपमेंट फण्ड”, बनाया था, उस में अक्सर-प्राइस, पर लैवी लगाया था और

उस के पीछे हमारा मूद्दा यह था कि हम उस रुपये को आयल, के इन्वेलपमेंट पर खर्च करना चाहते हैं। उसी तरह में आप ने पिछले दिनी गेहूँ की लैवी पर काश्तकारों को बीनस दिया, वह बीनस किमी इण्टीविजुअल या कन्ज्युमर का नहीं दिया गया बल्कि काश्तकारों ने इन्वेलपमेंट को लिए खर्च किया गया। इसी तरह में मैं चाहता हूँ कि इस फण्ड का भी किमी कन्ज्युमर को न देकर शहर-सेन-प्रोअर्स की कण्ट्रीशन को इम्प्रूव करने के लिये खर्च किया जाय, केन के इन्वेलपमेंट पर खर्च करे, उस को अच्छा फर्टिलाइज़र दे, अच्छा सीड दे, सब्जी-डाइज्ड गेट पर दे—जिस ने उन को राहन मिले और देश की पैदावार बढ़े।

‘प्रभी यहाँ एक-दो शक्य प्रकट की गईं—जहाँ तक कन्ज्युमर का पहला क्लेम है—उस के बारे में कुछ फिगर्स मंत्री महोदय के पास होनी चाहिये थीं। आप ने कहा है कि कन्ज्युमर का पहला क्लेम होगा, यदि वह अपना क्लेम इस्टैब्लिश कर पायेगा, तो सब से पहले उस को रिफण्ड किया जायगा। मैं पूछना चाहता हूँ क्या आप के पास ऐसी कोई स्कीम है या ऐसे टार-वीम रेसेज हैं जहाँ इस तरह में रिफण्ड करने की बात हुई हो, अगर नहीं है तो फिर यहाँ ऐसी बात क्यों लाई गई है। आप ने क्लॉज 8 में कहा है -- under (1) thereof:

“... such amount shall be utilized by that Government in such manner as may be prescribed having regard to the interests of the consumers of levy sugar as a class...”

उस के बाद क्लॉज 16 में आप ने क्लॉज बनाने की प्रावस ली है—इस क्लॉज के फर्टमी में आप ने कहा है—

“the manner in which amounts standing to the credit of the Fund shall be utilized,—

इस का मतलब है—जैसे किसी स्टेट में शुगर पैदा होती है और दूसरी स्टेट में जहाँ पैदा नहीं होती, सिर्फ कन्ज्युम होती है—मिदाय, उस स्टेट को शुगर भेजने में जो, किरा

[श्री शिवदाथ सिंह]

लगता है, उस हद तक सन्सीडाइज किया जा सकता है ताकि सारे मुल्क में शुगर का एक दाम रखा जा सके—मेरे ख्याल में यह मकसद एक बहुत सीमित मकसद है— इसलिये मैंने निवेदन किया है कि आप इस को शुगर-केन प्रोग्राम की कण्डीशन को मुद्धारने में खर्च करें, उन को अच्छा बीज और फर्टिलाइजर मुनामिव दामों पर मुहिया करें— जिस से उन की हालत में मुद्धार हो और पैदावार बढ़े ।

श्री इसहाक सम्भली (अमरोहा) : चेयरमैन साहब, सरकार शुगर लेवी का बिल लायी है । मुझे खुशी है कि इतने अर्थों के बाद सरकार को खयाल आया कि शुगर मिल के मालिकों ने जो लूट की है उस रुपये को किसी तरह से अच्छे काम में खर्च करा जाय । जहां तक हिन्दुस्तान को शुगर इंडस्ट्री का ताल्लुक है यह विलकुल सही चीज है कि हिन्दुस्तान के प्राइवेट शुगर फ़ैक्ट्री ओनर्स ने इस इंडस्ट्री में पैसा कमा कर कि इसको तबाह किया है । मेरी खुद कांस्टीट्यूेंसी में अच्छी बड़ी शुगर फ़ैक्ट्री है, इसको देख कर यह ताज्जुब होता है कि हमारे यहां पर शुगर फ़ैक्ट्री वाले गन्ने का रस निकाल कर के बाकी भारी चीज फेंक देते हैं जिन्हसे कि और कोमती चीजें बन सकती हैं । चीनी के अलावा और कैमिकल्स बन सकते हैं उस खोई से जिसको बेकार समझ कर के फेंक दिया जाता है और भी कई तरह की दूसरी चीजें बन सकती हैं जो कि दूसरे मुल्क बना रहे हैं । इसके वास्ते शुकर फ़ैक्ट्रीज का कमणलैक्स लगाना चाहिये ।

श्री शाहनवाज खां : मौलाना साहब, इसका बिल से कोई ताल्लुक नहीं है ।

श्री इसहाक सम्भली : मैं इसलिये कह रहा हूं कि आप इस पैसे को इस काम के लिये यूटिलाइज करें । जल्द इस बात की है कि शुगर इंडस्ट्री को बेहतर बनाया जाय । आज किसान को पैसा यह कह कर कम दिया जाता है कि रिक्वरी कम है, इसलिये कि शुगर केन का यूटिलाइजेशन आपके पास सिर्फ

एक है । मैं कहता चाहता हूं कि इस इंडस्ट्री को ज्यादा पेइंग बनाने के वास्ते जरूरी है कि बड़े बड़े शुगर कामप्लैक्स बनाये जायें, और नमूने के तौर पर आप एक जगह कहीं पर बनायें । और सही बात यह कि प्राइवेट शुगर फ़ैक्ट्री वाले यह नहीं कर सकते । न वह गन्ने वालों को देंगे और कंज्यूमर्स को अलग लूटेंगे । उन का काम एक है कि ज्यादा से ज्यादा मुनाफा कमायें और उसको बरबाद करें । इसका हब तो एक ही है कि शुगर इंडस्ट्री को नेशनलाइज किया जाय । लेकिन जल्द इस बात की है कि यह पैसा जो उनमें लिया जाय वह पैसा जैसा कि मेरे भाई शिवनाथ सिंह ने कहा, केन प्रोवर्स के फावदे में खर्च किया जाय । मैं इतना और कहूंगा कि इस इंडस्ट्री को बेहतर बनाने के लिये खर्च किया जाय ।

[شری اسحاق سندھالی : امر وہ]

چیورمین صاحب سرکار شوگر لہوی کا بل لائی ہے - مجھے خوشی ہے کہ اتنے عرصے کے بعد سرکار کو خیال آیا کہ شوگر مل کے مالکوں نے جو لوٹ کی ہے اس روپے کو کس طرح سے اچھے کام میں خرچ کیا جائے - جہاں تک ہندوستان کی شوگر انڈسٹری کا تعلق ہے یہ بالکل صحیح چیز ہے کہ ہندوستان کے پرائیویٹ شوگر فیکٹری آنرز نے اس انڈسٹری سے پیسہ کما کر کے اس کو تباہ کیا ہے - مہری خود کانستٹیویشن میں اچھی خاص بڑی شوگر فیکٹری ہے - ہم کو یہ دیکھ کر تعجب ہوتا ہے کہ ہمارے یہاں پر شوگر فیکٹری والے کلمے کا رس نکال کر کے باقی ساری چیز پھینک دیتے ہیں جس سے کہ اور توہمگی چیزیں بن سکتی ہیں - چینی کے علاوہ اور کوہکل بن سکتے ہیں - اس کوہنی سے جس کو ہڈکار سمجھ کر کے پھینک دیا جاتا ہے اور یہی کئی طرح کی

دوسری چھڑیں بن سکتی ہیں ، جو کہ دوسرے ملک بنا رہے ہیں اس کے واسطے شوگر فیکٹری کا کمپلیکس لگانا چاہیے۔

شری شادنواز خان : مولانا صاحب اس کا ہل سے کوئی تعلق نہیں ہے۔

شری استحق سلیمانی : میں اس لئے کہہ رہا ہوں کہ آپ اس پیسے کو اس کام کے لئے یونٹلائز کریں۔ ضرورت اس بات کی ہے کہ شوگر انڈسٹری کو بہتر بنایا جائے۔ آج کسان کو پیسہ یہ کہہ کر کم دیا جاتا ہے کہ ریکوئری کم ہے۔ اس لئے کہ شوگر کھن کا یونٹلائزیشن آپ کے پاس صرف ایک ہے۔ میں کہتا چاہتا ہوں کہ اس انڈسٹری کو زیادہ پھلنگ بنانے کے واسطے ضروری ہے کہ بڑے بڑے شوگر کمپلیکس بنائے جائیں اور نمونے کے طور پر آپ ایک جگہ کہیں پر بنائیں۔ اور صحیح بات یہ ہے کہ پرائیویٹ شوگر فیکٹری والے یہ نہیں کر سکتے نہ تو وہ کئے والے کو دہانگے اور کنزیومر کو الگ لوتھانگے ان کا کام ایک ہے کہ زیادہ سے زیادہ منافع کمائیں۔ اس کو برباد کریں۔ اس کا حل تو ایک ہی ہے۔ شوگر انڈسٹری کو نیشنلائز کیا جائے۔ لیکن ضرورت اس بات کی ہے کہ یہ پیسہ جو ان سے لیا جائے۔ وہ پیسہ جیسا کہ میرے بھائی

شہواناتہ سلیم نے کہا کہ گین گوروز کے فائدے میں خرچ کیا جائے۔ میں اتنا اور کہونگا کہ اس انڈسٹری کو بہتر بنانے کے لئے خرچ کیا جائے۔

श्री दरबारा सिंह (होशियारपुर) : एक बात साफ नहीं है जिसको मंत्री महोदय साफ कर दें। कंजूमर इतना खर्चा नहीं खर्च कर सकता कि 10 रु० पाने के लिये 10 रु० और खर्च करे। इसलिये ग्राम ब्लैकट डिस्मिशन लें कि पैसे को कंजूमर के लिये खर्च करेंगे या केन प्रोवर्स के लिये खर्च करेंगे ?

SHRI SHAHNAWAZ KHAN: Sir, there is some confusion among some hon. Members about this Bill. Some sugar mill owners, by obtaining decisions of courts, charged higher prices than the levy price. Now the Supreme Court has turned down their petitions and upheld the levy price paid by the Government. The question is what should happen to this amount. Should it go to the mill-owners, the consumer or the Government? It is admitted all round that this money should be returned to the person who paid it, who was charged in excess, and that is the consumer. We are giving an opportunity to the consumer to claim this amount. But suppose he cannot produce any evidence to claim it, then what should happen to this amount is the question which we have to consider.

The House is aware that in different zones different levy prices are fixed for the sugar mills. For instance, in some places it is Rs. 117 per quintal while in others it is Rs. 442. All this has to be equalised so that levy sugar may be issued at a uniform price of Rs. 2.15 per kg.

The Food Corporation of India lifts the sugar and pays the amounts fixed, for various zones, and a fund has been

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created so that the prices can be equalised and sugar issued at a uniform price. That scheme of the equalisation fund operated by the Food Corporation is already in existence, it is working. We were advised by our legal experts that a new fund has to be created to claim the excess amount with the sugar mills and that we cannot transfer this amount to any person or organisation. So, a special fund has to be created for this, and by the creation of this fund we have to give an opportunity to the actual persons who paid the excess amounts to claim them. In case they do not claim it, this amount would be utilised to ensure a uniform issue price throughout the country.

The amount involved so far is estimated to be about Rs. 40 crores. This amount can be utilised for either reducing the levy price or holding the price line in case there is a tendency for the price to go up. The rules will be worked out, and I presume that every person who claims this amount will not be required to go to a court of law, he will make an application in the manner to be prescribed in Rules.

SHRI SARJOO PANDEY: There is no procedure like that in your Bill.

SHRI SHAHNAWAZ KHAN: In the initial stages when the fund is in existence and claim is made within a period of six months refund to the consumer would be paid out of this fund, but after the fund is merged with the Central revenues, it can still be paid from the Central revenues.

My hon. friend Shri Roy seems to be little agitated as to why the Central revenues should be asked to pay this amount. I would respectfully point out to him that though the amount may be approximately Rs. 40 crores, we do not foresee the consumer claiming all the amount or anything in excess of it. We presume that the actual claim would be much less than the total amount that will become avail-

able. Therefore, there is no point in apprehending any burden on the Central revenues. I hope it is clear.

My good friend has suggested that this fund should be utilised for the development of sugarcane. It is laudable object. I appreciate it. But you will admit that this money belongs to the people who paid it, the consumer, and therefore, it should be utilized for the general good of the consumer. If this money can go towards holding the price line or lowering the levy sugar price, then I think it will serve the purpose.

SHRI H. M. PATEL: You may permit me to seek further clarifications.

MR. CHAIRMAN: No, please.

SHRI H. M. PATEL: Have you delegated your authority to him?

MR. CHAIRMAN: You want to put a question to him?

SHRI H. M. PATEL: If he says that the Food Corporation will have the power to lower the uniform price that is already fixed, and that the money in the fund will be used for that purpose, that is, for reducing the uniform price. The statement of objects and reasons in the Bill should have made that clear.

Today, you are releasing levy sugar at a uniform price. If that is so, then this money is to be utilized to reduce, to lower the price. If that is so, then the question of refunds is unlikely to arise.

SHRI SHAHNAWAZ KHAN: As I said, the amounts credited to this fund would initially be utilised for six months for making refunds. During this period, people can claim it. Even after this amount is vested in and utilised by the central government for the purposes of the Act, refund, if any, can be given from the Central revenues. The House is aware that the levy price is fixed by the Government and the distribution is done by the Food Corporation of India. But we know that

so much funds are available in the Fund. That factor can be taken into consideration for reducing the levy price, when it is considered.

MR. CHAIRMAN: The Minister has said what he has got to say. It may be satisfactory; it may not be satisfactory.

The question is:

"That the Bill to provide for the establishment, in the interest of the general public, of a fund to ensure that the price of levy sugar may be uniform throughout India and for matters connected therewith or incidental thereto, be taken into consideration."

The motion was adopted.

MR. CHAIRMAN: Now we shall take up clauses.

The question is:

"That clauses 2 to 5 stand part of the Bill."

The motion was adopted.

Clauses 2 to 5 were added to the Bill.

MR. CHAIRMAN: Regarding clause 6 in the name of Dr. Saradish Roy, there is an amendment. This amendment has to get the President's sanction. The President's sanction and the recommendations have not been received. Therefore, this amendment cannot be moved. The result is that there is no amendment.

The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clauses 7 to 16 were added to the Bill.

The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause (j) was added to the Bill.

Enacting Formula

MR. CHAIRMAN: There is an amendment in the name of the Minister.

Amendment made:

Page 1, line 1,—

for "Twenty-sixth" substitute—

"Twenty-seventh" (1)

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MR. CHAIRMAN: The question is:

"That the Enacting Formula, as amended, stand part of the Bill"

The motion was adopted.

The Enacting Formula, as amended, was added to the Bill.

The Title was added to the Bill.

SHRI SHAHNAWAZ KHAN: I beg to move:

"That the Bill, as amended, be passed."

MR. CHAIRMAN: The question is:

"That the Bill, as amended, be passed."

The motion was adopted.

15.31 hrs.

DISCUSSION RE. SUGARCANE PRICE

MR. CHAIRMAN: We now pass on to the next item, Discussion under Rule 193. I now call Shri N. N. Pandey to raise a discussion on the sugarcane price.