

[Shri Shyamnandan Mishra]

have the two Railwaymen Federations been saying about it? What are the points of difference so far as the Railway administration and the two Federations are concerned?

Before I make the second point I should like to make it clear that, generally, I do not want to refer to any individual case in the services and if I do so it is with utmost reluctance and without any ill-will or prejudice to the officer concerned. It has come to my notice that there has been an irregular promotion and extension of service of the Deputy Financial Commissioner Mr. Bhandari. He may be a very good officer. I really do not want to say anything against him, but it has been brought to my notice that the Financial Commissioner Mr. Sundararajan was to retire later in the month of December, 1973 and the Deputy Financial Commissioner was to retire in the month of November, 1973. Maybe Mr. Bhandari's services have been excellent and his record has been impeccable. But the person who was due to retire earlier had been promoted to the post of the Financial Commissioner. He had also been granted two years' extension. One would like to know what factors weighed with the hon. Minister in granting him not only promotion but two years' extension, although he was to have retired earlier than the Financial Commissioner?

These are the two points on which I wanted some clarification and I am grateful to you for having given me time for it.

17.26 hrs.

STATEMENT RE. FIXATION OF EX-FACTORY PRICES OF LEVY SUGAR OF 1973-74 PRODUCTION

THE MINISTER OF AGRICULTURE (SHRI F. A. AHMED): Taking into account the revised Cost Schedules recommended by the Tariff Commission in its latest Report (Oc-

tober, 1973) on the Cost Structure of the Sugar Industry, and the estimated duration of the crushing season, recovery of sugar, etc., the Government have revised the ex-factory prices of levy sugar of 1973-74 production in the various zones as required under section 3(3C) of the Essential Commodities Act, 1955. Sub-section (6) of section 3 of the same Act requires that every Order made under this section should be laid before both the Houses of Parliament, as soon as may be, after it is made. Accordingly, I lay on the Table of the House a copy of order No. G.S.R. 522-E|Ess. Com|Sugar dated the 14th December, 1973. [Placed in Library. See No. LT-6024 73.]

These revised prices should have normally resulted in an increase in the uniform retail price of levy sugar for the consumers all over India by about 10 paise per kilogram. The Government of India have, however, decided to maintain the consumers' price of levy sugar unchanged at the existing level of Rs. 2.15 per kilogram throughout the country by reducing the excise duty on levy sugar from 26 per cent to 20 per cent *ad valorem*. To off set the loss of revenue arising consequently, the excise duty on free sale sugar has been raised from 30 per cent to 37.5 per cent *ad valorem*, which is the maximum permissible under the Central Excise Tariff.

A reference was made this morning to lapsed quantity of levy sugar being diverted by the Food Corporation for sale in the open market. Under the existing instructions, lapsed quantities of levy sugar are taken into the Central pool and re-allotted by my Ministry only as levy sugar and not allowed to be sold as free sale sugar in the open market.

SHRI SHYAMNANDAN MISHRA (Begusarai): Why does not the minister express regret for not having come before the House earlier with this notification?

श्री अटल बिहारी बाबुपेयी (ग्वालियर) :
सभापति महोदय, आज सबरे दो मामले खड़े किये गये थे। एक तो यह कि जब पार्लियामेंट की बैठक हो रही थी, तो इस तरह एक्साइज ड्यूटी को बढ़ाने का फ़सला क्यों किया गया। दूसरा यह कि जो फ़सला किया गया था, उस के बारे में आज प्रातःकाल संसद को विश्वास में नहीं लिया गया—सभा-पटल पर वह आदेश नहीं रखा गया—सभा पटल पर वह आये हैं। वह देर से आये हैं, लेकिन फिर भी दुस्त नहीं आये हैं। वड़प्पन की बात यह थी कि जो चलती हुई है, उस के लिए वह माफ़ी मांगते।

श्री मधु लिषधे (बांका) : सभापति महोदय, मेरा व्यवस्था का प्रश्न है। अभी मंत्री महोदय ने जो बयान दिया है, उस में उन्होंने दो काननों का उल्लेख किया है, एक तो एग्जल कामोडिटीज एक्ट और दूसरा एक्साइज ड्यूटी के बारे में। उन दोनों के तहत जो आर्डर का नोटिफ़िकेशन जारी किये जाते हैं, उन को सदन के सामने जल्द से जल्द रखने का प्रावधान है। 14 दिसम्बर को सदन उठने के बाद यह निष्पत्ति हुआ है। उन्होंने इस बात की कोई सफ़ाई नहीं की है कि उन्होंने आज सबरे 12 बजे यह वक्तव्य, या यह नोटिफ़िकेशन, या यह आदेश सदन के सामने क्यों नहीं रखा।

जब इस में विलम्ब हो जाता है, खासकर टैक्सेशन के मामले में, तो उन को इस विलम्ब के लिए जरूरी माफ़ी मांगनी चाहिये। अगर वह माफ़ी मांगते, तो हम सांच सकते थे।

उन्होंने यह बताने की कोशिश की है कि राशन की दुकानों पर जो चीनी मिलती है, उस का दाम नहीं बढ़ा है। लेकिन उन्होंने यह नहीं बताया कि खुले बाजार में जो चीनी मिलती है, उस का दाम कितना बढ़ेगा। लैप्ड क्वोटा के बारे में उन्होंने कहा कि उस को सेंट्रल पूल में लिया जाता है। क्या मंत्री महोदय इस बारे में सारे आंकड़े सदन के सामने रखेंगे कि लेवी शुगर का कितना क्वोटा हर महीने रिलीज किया जाता है? मेरी जानकारी के अनुसार शादी-विवाह के दिनों में, पूजा के अवसर पर और जिन महीनों में ईद या दिवाली आती है, उन में चीनी जानबूझ कर कम रिलीज की जाती है, ताकि खुले बाजार में चीनी का भाव ऊंचा उठे। उन्होंने इस बात का कोई खुलासा नहीं किया है। अगर वह चीनी के माहवार क्वोटे, जो रिलीज किये जाते हैं, और लैप्ड क्वोटे के आंकड़े देंगे, तभी इस सदन को संतोष होगा।

श्री एस० एन० बनर्जी (कानपुर) :
सभापति महोदय, आज सुबह जब यह सवाल श्री मिश्र ने उठाया, तो विरोधी दल के तकरीबन सभी सदस्यों ने इस बात पर जोर दिया था कि अगर सरकार को शुक्रवार को इस बारे में फ़सला करना था, तो मंत्री महोदय 6 बजे तक सदन में वक्तव्य दे सकते थे। मेरी समझ में नहीं आता कि पट्टोल के दाम बढ़ाने हों या चीनी के, उन के बारे में रात का फ़सला क्यों लेते हैं। यह फ़सला शुक्रवार को लिया गया, यह जानते हुए भी कि शनिवार और इतवार को सदन को

[श्री एस० एम० बनर्जी]

बैठक नहीं होगी। मंत्री महोदय ने आज सबेरे भी इस नोटिफिकेशन को सदन के टेबल पर नहीं रखा।

मंत्री महोदय काफ़ी बुज़ुर्ग हैं। माफ़ी का सवाल नहीं है। माफ़ तो हम कर चुके हैं। मैं इस बारे में आप की हलिंग चाहता हूँ कि अगर एक्साइज ड्यूटी की मार्फ़त टक्सेशन बढ़ाने की बात हो, तो उस को इस तरह नोटिफिकेशन या आर्डर के द्वारा न बढ़ाया जाये, वरना पार्लियामेंटरी डेमोक्रेसी पर से लोगों का विश्वास उठ जायेगा। किसी दिन यह भी हो सकता है कि बजाय इस के कि फाइनेंस बिल वह यहां पर फरवरी के सेशन में या बजट सेशन में लाएं, सारी एक्साइज ड्यूटी ऐसे ही लगा दें और उस के बाद आकर हम यहां उस का पोस्ट-मार्टम करें। तो यह पार्लियामेंट हाउस है कि या पोस्ट-मार्टम हाउस? यह पद्धति के खिलाफ है। इसलिए माननीय मंत्री जो को चाहिए कि वह आइन्दा के लिए विश्वास दिलाएँ कि आगे ऐसा काम नहीं होगा।

SHRI SHYAMNANDAN MISHRA:
I have to raise two or three points for the consideration of the Chair. In the morning the hon. Minister said that it was within his administrative authority to raise the duty. One would like to know what is the provision in the Constitution which arms the Government with this administrative authority.

Secondly, even if there is administrative authority with the Government, then one would expect that the

notification would be placed on the Table of the House. Since it was not done, there has been breach of privilege and contempt of the House. And no contempt of the House can be retrospectively condoned. The breach has occurred, the offence has been committed. What is the kind of relief that the Chair proposes to give to the House for the offence that has been committed against the House? There is no ill-will against the Minister and there is nothing personal in it. But since the contempt of the House has been committed, we thought that the Minister would come forward with sincere apology for not having placed the notification on the Table of the House at the earliest opportunity which they had and not at 5.30 p.m. in the evening when they had the whole day. Therefore, the Chair has to tell us whether there can be any justification, any ground for the Minister not coming before the House with sincere apology for a lapse on his part and whether the Government have got the administrative authority which the Minister claims.

PROF. MADHU DANDAVATE (Rajapur): Sir, if you will see the proceedings of the morning session, you will find that the Minister had categorically stated "I do not know why the notification was not put before the House". Even now he has made no reference to that point. Sir, you should find out from him why he has refused to give an explanation on that point.

SHRI DINEN BHATTACHARYYA (Serampore): The Minister has given no explanation why he is laying the notification on the Table three days late.

SHRI P. G. MAVALANKAR (Ahmedabad): Sir, you will recall that in the proceedings this morning some of us have specifically stated that the Chair should also tell the Government that they had committed

a serious lapse in not bringing the matter before the House. The question of the power of the Government to issue a notification is not challenged. We realise that they have the inherent right under the Act. But the point is why they did not inform the House at the earliest opportunity. Lastly, if Shri Madhu Limaye had not invited the attention of the House and the Government, perhaps, they would not have come forward with a statement. What is the answer to that point?

SHRI F. A. AHMED: I have already pointed out to the hon. House that this order was passed under the Essential Commodities Act. According to the provisions of that Act, the notification has to be laid on the Table at the earliest possible opportunity. I was expecting that it could be placed on the Table this morning. But because some number was not available from the press, it could not be done today morning. As soon as the number was available, it was placed on the Table. I can assure the House that it was not intended to show any disrespect to the House and at the earliest possible opportunity I have taken the suggestion.

PROF. MADHU DANDAVATE: Before you go on to the next item, I want to bring one point to your notice (Interruptions).

SHRI SHYAMNANDAN MISHRA: He said that it was not his intention. We can take that. But what is the difficulty on his part in expressing an unqualified apology for it?

MR. CHAIRMAN: Not necessary.

SHRI SHYAMNANDAN MISHRA: Why? He should have come before the House. This is an offence against the House.

MR. CHAIRMAN: The Minister has explained the position to the House.

SHRI SHYAMNANDAN MISHRA: This is an offence against the House. You have to reprimand the Minister. You have to pass some remarks against it.

17.40 hrs.

STATEMENT RE. MEETRUT INCIDENTS

MR. CHAIRMAN: The Home Minister to lay the statement on the Table of the House.

THE MINISTER OF HOME AFFAIRS (SHRI UMA SHANKAR DIKSHIT): I beg to lay the statement regarding Meerut incidents on the Table of the House. (Interruptions).

MR. CHAIRMAN: Shri T. A. Pai to lay the statement on the Table of the House. . . . (Interruptions).

The Home Minister has placed a statement regarding Meerut incidents on the Table of the House. I asked him to lay it on the Table of the House. It will be circulated.

श्री अटल बिहारी वाजपेयी : सभापति महोदय, यह क्या रखा जा रहा है ? हम इस पर चर्चा की मांग कर रहे हैं ।

सभापति महोदय : वह आप फिर कीजिएगा ।

Shri T.A. Pai to make a statement regarding acquisition of Alcock Ash-down Company Limited. You lay it on the Table of the House. (Interruptions).

श्री मधु लिमये (बांका) : यह बयान किस चीज के ऊपर हो रहे हैं ? इन्हें ले न किया जाय, एक एक बयान को पढ़ा जाय । हम लोगों को दिलचस्पी है इन सारे विषयों में, इन को मंत्री महोदय पढ़ें ।

MR. CHAIRMAN: He is reading it out.