

MR. DEPUTY-SPEAKER : It not a question of a verbal reply. So, he should have submitted a full statement to the chair before making it. That is one point. Then, he has referred to the letter or opinion of the Attorney-General. Hew ill have to place it on the Table of the House. He can give the full statement even tomorrow. Then alone we will proceed with the matter.

SHRI M. YUNUS SALEEM : I am sorry, I could not do it today. It will be done tomorrow.

13.02 hrs.

BANKING COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL—Contd.

MR. DEPUTY : I want to make one announcement about this Bill. Though we had allotted only four hours for the clause by clause consideration of this Bill, we have already exhausted 3 hours and 25 minutes on two clauses alone. It is an important measure and guillotine is the last desperate remedy which I do not want to follow. So, I would make one suggestion. After lunch hour when we take up the clauses various parties should concentrate their attention on those clauses and points with which they are vitally concerned. In that case, there will be no overlapping. In that way alone we can conclude a major portion of the work today. Government have given notice of some amendments now.

SHRI SURENDRANATH DWIVEDY (Kendrapara) : They are debarred.

MR. DEPUTY-SPEAKER : I will permit them with this condition that those clauses to which amendments have been given notice will be held over and debated tomorrow, because full notice must be there.

SHRI N. DANDEKER (Jamnagar) : Sir, I intend challenging some of those amendments, given notice of by the government, under rule 80 (i) of the Rules of Procedure.

MR. DEPUTY-SPEAKER : That can be done only when the amendments come before the House.

SHRI N. DANDEKER : I am giving advance notice so that you may give me an opportunity to do that at the proper time.

MR. DEPUTY-SPEAKER : We will not dispose of those clauses today, because I am permitting those amendments. Those clauses and amendments will be held over till tomorrow. The rest of the clause by clause consideration will be concluded today. The third reading will be take up tomorrow.

SHRI N. DANDEKER : Sir, you have stated that some of the amendments given notice of by the government will be considered tomorrow. But they will certainly affect some of the amendments that are going to be considered today to other clauses.

MR. DEPUTY-SPEAKER : I have already told the Law Minister that the consequential results of the present amendments must be taken into consideration while other clauses are being debated. That will be done.

I would appeal to members to help the chair to see that within the three hours that are at our disposal we conclude every clause except those where fresh amendments have been given notice. I would inform the Law Minister that as a consequence of these fresh amendments if certain modifications are called for to the other clauses, he should be prepared for them after the lunch hour. He should be well-prepared for them. Now we will adjourn for lunch.

13.05 hrs.

The Lok Sabha adjourned for Lunch till Fourteen of the Clock

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

[SHRI VASUDEVAN NAIB in the Chair]

BANKING COMPANIES (ACQUISITION AND TRANSFER OF UNDERTAKINGS) BILL—Contd.

Clause 4—(Undertaking of existing banks to vest on corresponding new banks.)

SHRI S. S. KOTHARI (Mandsaur) : Sir, I move :

Page 3.—

after line 3, insert—

“Provided that the Central Government shall constitute a Central Board of Banking which shall control, direct and coordinate the management and operations of the new banks.” (210)

SHRIMATI ILA PALCHOUDHURI (Kishnagar) : Sir, I move :

Page 3, line 1.—

after “of” insert—

“and all shares and debentures issued and/or held by” (347)

MR. CHAIRMAN : There is a Government amendment to clause 4.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI P. C. SETHI) : I am not moving my amendment (No. 120).

MR. CHAIRMAN : Then, there is an amendment in the name of Shri Somani. He is absent.

SHRI S. S. KOTHARI : Sir, the activities of the new banks have to be co-ordinated and for this purpose there must be a central authority constituted of a Central Board of Banking, just as there is a Controller of Insurance or the Company Law Board.

Such a Central Board is necessary in order that it may look after the formulation of banking policy ; give direction and guidance to these banks from time to time ; control their functioning and coordinate their activities. This would also be the authority with which they will file their returns, etc. and the Board will also control and pull them up, if they do not act in a proper manner consistent with Government policy. Besides that, the returns that would be submitted by the new banks will also have to be scrutinised properly.

In all these respects, in my opinion, the Central Board is necessary. Somebody may say that the Reserve Bank is there. It is precisely because the bureaucratisation that is represented by the Reserve Bank is to be avoided and we have to introduce

an element of professional management and control that it is necessary that the Central Board of Banking should be constituted. A professional banker should be made the Chairman of the Central Board, so that we have the least amount of bureaucratisation and that would assist in fulfilling the purpose of nationalisation. Otherwise, what will be the difference between social control and nationalisation if the same policies are pursued, if the control is in the hands of the same bureaucrats, the some Reserve Bank officials ? Therefore, in order to obviate such bureaucratic control and to ensure that the new banks to adhere Government policy, that the new direction that is given to Government banking policy is pursued properly by the new banks, the Central Board of Banking is absolutely necessary. Therefore, I would urge upon the Government to accept it.

SHRIMATI ILA PALCHOUDHURI : Mr. Chairman, Sir, I commend this amendment to the House. It is a very simple one. It is from the point of view of making the clause more specific. My amendment is to insert “and all shares and debentures issued and/or held by” in clause 4, on p. 3. Unless it is made as specific as possible, some loophole might be left and the very object of nationalisation may be jeopardised.

There is one other point. My amendment to clause 5 is just consequential and and my amendment to clause 6 is from a point of view that Government must also take into consideration. It is that cash must be given as compensation. We all welcome this Bill. But in West Bengal, particularly, lately, as you have seen, many things have cropped up and ever after this bank nationalisation Bill. Many people have been deprived of land, fisheries, etc. by forcible occupation. Thousands of people have been thrown out of employment. Now, compensation is to be paid as per clause 6 and I would say my amendment should be accepted and Rs. 500 should be given in cash. It would then certainly have some effect of ameliorating the grievances of these people. I would also commend to the Treasury Benches that although it is a fact that perhaps Rs. 10 crores is easier to give to an entrepreneur across the table than Rs. 1 crore to 50,000 farmers. It is more

[Shri S. S. Kothari]

difficult to do this. The machinery must be evolved so that the benefit of the nationalisation percolates to the lowest strata of the farmers. If that is not done, then the whole object of this Bill as stated in the Objects and Reasons of the Bill will not be served.

When the Opposition Members and Shri Dange welcomed this Bill, I thought of a saying in Bengali :

मूत्र मुखे रामनाम

When the evil spirits take the name of Rama, they are delivered from their State of evil spirits. Now, the Communist Party has also congratulated the Congress Party on taking up this measure. I hope this measure will serve the purpose which it richly deserves.

There are one or two points that I would like to bring to the notice of the hon. Minister...

MR. CHAIRMAN : We do not have a general discussion at this stage.

SHRIMATI ILA PALCHOUDHURI : But everybody has spoken about everything.

MR CHAIRMAN : The hon. Member, I am sure, must have heard the Deputy-Speaker saying in the morning that the time allotted for the second reading was almost over.

SHRIMATI ILA PALCHOUDHURI : I shall conclude in just two minutes.

I would put it to the hon. Minister that there are certain things which vitally need to be done, and in countries like Malaysia where they do not like nationalised banks operating, negotiations must start at once so that some viable agreement could be reached, because otherwise, the persons working in those banks would not only be rendered homeless but rend jobless too. So, the negotiations must be taken up at once.

I would also stress that the whole benefit should go to the poor farmer. The hon. Food Minister himself has said that about Rs. 500 crores will be needed for farm

implements. Let that come out of this Rs. 2700 crores, that will be made available to Government now. Let us not hear that there is "no money with the Central Government" to make farm implements for the benefit of the poor farmer. Otherwise, the rich landlords, or to use the Russian phrase, "kulaks" who are now replacing the zamindari system will get the benefit. It is really to be seen that the very poorest farmer with one acre or half an acre of land gets the benefit of nationalisation.

I hope my amendments will commend themselves to the House, particularly the one where I have suggested that Rs. 5000 should be paid in cash at once to those who may have some assets in these 14 banks, and want to start some new venture after having been thrown out of employment, as far instance, from land and fisheries in West Bengal.

THE MINISTER OF LAW AND SOCIAL WELFARE (SHRI GOVINDA MENON) : Shri S.S. Kothari wants a central board to be appointed to co-ordinate etc. the work of these 14 banks which have been taken over. I am not opposing the idea. I am sure the hon. Member and the House heard the Prime Minister saying that a scheme would be framed for the management of these banks, and in clause 13, there is a reference to that scheme, and, therefore, I would suggest to the hon. Member to raise that matter when that scheme comes up.

Regarding Shrimati Ila Palchoudhuri's amendment, I would say that she wants not only the undertaking but also the shares and debentures issued or held by the undertaking should be taken. The debentures issued by a bank are liabilities of the bank and therefore, they will come under liabilities which are taken over.

SHRIMATI ILA PALCHOUDHURI : Liabilities are also to be taken along with assets.

SHRI GOVINDA MENON : Assets are being taken ; shares held by the banks are also assets of the bank and they are taken over. The shares issued by the bank are taken over. That is what was covered by Shri P. C. Sethi's amendment, that is,

Government will be taking the shares also. It was thought that it would be superfluous; when the entire undertaking is being taken and the value of the undertaking is being given, a provision to purchase the share was thought to be superfluous and, therefore, we have not put it forward. So, these two amendments are not necessary and I would pray that they may be withdrawn.

SHRI S. S. KOTHARI : In view of the Law Minister's assurance that a Central Board would be included in the scheme...

SHRI GOVINDA MENON : I did not say that. I said that that was a matter which could be considered.

SHRI S. S. KOTHARI : In view of that assurance, I seek leave of the House to withdraw my amendment.

SHRIMATI ILA PALCHOUDHURI : If the hon. Minister will give some thought to the contents of my amendment, I am willing to withdraw my amendment. I would also like him to give thought to the idea of giving cash compensation.

I seek leave of the House to withdraw my amendment.

Amendments Nos. 210 and 347 were, by leave, withdrawn.

MR. CHAIRMAN : The question is :

"That clause 4 stand part of the Bill".

The motion was adopted.

Clause 4 was added to the Bill.

Clause 5—(General effect of vesting)

SHRI BHOGENDRA JHA (Jainagar) : I beg to move :

Page 3, after line 47, insert—

"Provided that all the credit advances committed by the 'existing banks' shall be thoroughly scrutinised by the corresponding new banks and recalled if not found in consonance with new policies and priorities." (48)

SHRI P. C. SETHI : I beg to move :

Page 3, line 13, after 'liabilities' insert "(including contingent liabilities)" (121)

Page 3, line 24, for "winding up the affairs of that bank", substitute "transferring such assets and discharging such liabilities." (122)

Page 3, lines 20 and 30, omit "in connection therewith". (123)

Sir, I am not moving my amendment No. 124.

MR. CHAIRMAN : These amendments are now before the House.

श्री भोगेन्द्र झा : समापति जी, मेरा जो संशोधन है, उसमें कोई नयी बात नहीं है। जो इस बिल का उद्देश्य है और जिसके बारे में यह क्लॉज जिक्र करता है, उसी उद्देश्य की पूर्ति के लिए और उसको स्पष्ट करने के लिए मेरा यह संशोधन है। विधि मंत्री जी इसको देख लें, अगर यह सम्भव हो जो कि मेरी सम्झने सम्भव है तो इसको मंजूर करें। संशोधन यह है :

"Provided that all the credit advances committed by the 'existing banks' shall be thoroughly scrutinised by the corresponding new banks and recalled if not found in consonance with new policies and priorities."

यह सवाल इसलिए पैदा होता है कि 19 तारीख को अध्यादेश जारी हुआ लेकिन 18, 17, 16 और 15 तारीख को कुछ कर्ज दिये गए हैं सिर्फ कागज पर ही,—17-18 तारीखों को बैंक हुई है, रकम की अदायगी नहीं हुई है, पैसा बैंक में ही है लेकिन कागज पर कर्ज दे दिया गया है तो वह कमिटमेंट हो चुका है। उसी के बारे में मेरा यह संशोधन है। मुझे शक है कि यह चीज बड़े पैमाने पर हुई है क्योंकि 24 तारीख को स्टेट्समैन जो कि टाटा का अखबार है, जोकि लगातार राष्ट्रीयकरण का विरोध करता रहा है...

SHRI S. S. KOTHARI : On a point of order. How does he say that *The Statesman* is Tata's paper ?

SHRI BHOGENDRA JHA : If he has got inner knowledge he will know it. If he contradicts it, I have no objection,

SHRI PILOO MODY (Godhra) : Yes, he contradicts it.

SHRI BHOGENDRA JHA : He seems to be a better authority.

तो स्टेट्समैन ने इस बात का जिक्र किया है, अलग से लिखकर के कि बैंकों में जो सरकार रुपए की मदद करती है उसका बहुत बड़ा हिस्सा, तीन-चौथाई रुपया आलरेडी कमिटेड हो चुका है और जो कमिटेड हो चुका है उसका भुगतान नहीं हुआ है, बाद में लोगों को अदा करने का सवाल पैदा होगा।

"All the credit advances committed by the existing banks shall be thoroughly scrutinised by the corresponding new banks and recalled if not found in consonance with new policies and priorities."

तो इसमें वह जाल करने की गुंजायश न रह जाये। जो भुगतान नहीं हुआ है उसी के बारे में यह है। मैं आशा करता हूँ कि विधि मन्त्री इसको स्वीकार करेंगे और सदन से भी मेरा आग्रह है कि मेरे संशोधन को स्वीकार करे।

SHRI P. C. SETHI : With regard to amendment No. 124 to clause 5 (1), it seeks make it clear that liabilities include contingent liabilities also. That is why I am seeking your permission to insert after 'liabilities' 'including contingent liabilities'. Contingent liabilities are those which are liable to arise in future.

As far as amendment No. 122 is concerned, sub-clause 2 of clause 5, deals with the question of vesting of all assets and transfers of all assets and liabilities of any foreign branch of an existing bank, where such vesting or transfer to the new bank as envisaged in the Bill cannot take place in accordance with the law of that country. As the intention of the expression 'winding up' is to transfer the assets and liabilities of the existing bank to the new bank for actual transfer deeds, it has been felt that

the position may be clarified through the proposed amendment. The amendment seeks to substitute the words 'transferring such assets and discharging such liabilities' in place of the words 'winding up the affairs of that bank'.

Amendment No. 123 is only a verbal amendment. As I have said already, I have not moved amendment No. 124.

SHRI N. DANDEKER (Jamnagar) : I object to amendment No. 121 concerning the inclusion of contingent liabilities. As the hon. Minister has just explained, contingent liabilities are liabilities which are not present liabilities, but liabilities which may arise in future in respect of past transactions. I see nothing in the Second Schedule as regards the valuation of contingent liabilities. That is the first objection that I have.

The second and more important objection is that, if contingent liabilities are to be included among the liabilities taken over and, therefore, going to reduce the net value of the assets taken over, then certainly I cannot see why Government have not included among the assets the intangible assets. There are several intangible assets, some of the simplest examples being the tenancy rights and things of that kind. I see nothing in this that says that intangible assets are to be included. This seems totally contradictory to talk on the one hand of including contingent liabilities and on the other hand of nothing about intangible assets. As a person connected with financial affairs, I admit that there are such things as contingent liabilities, that is to say, a situation may arise in relation to a present asset which, in future, may be contingently found to be not worth what it is supposed to be at present. But the whole scheme of valuation of assets and liabilities is *in praesenti*, as at the date of acquisition which is the date on which the Act comes into operation. I cannot see, on the date of the Act coming into operation, how liabilities which are not liabilities now and which may hereafter become liabilities—this is one of the calculated commercial risks one has to take when one takes over an undertaking—are to be deducted on the one hand and one on the other, why intangible assets of kinds which, I am sure, the Finance Minister and certainly the Reserve Bank of India

would be aware of, are not being included. I oppose the inclusion of contingent liabilities.

श्री हुकम चन्द कछवाय (उज्जैन) : आज समाचार पत्रों में देखा है कि माननीय शिव नारायण जी अध्यक्ष बनने जा रहे हैं। तो उनसे कहिए कि वह सदन में प्रचार न करें। प्रचार करना है तो बाहर करें।

श्री मधु लिमये (मुं गेर) : मेरा भी इस पर एक अमेंडमेंट था, मैं दूसरे काम में फँसा था। नहीं, नहीं दूसरे क्लॉज पर मेरा अमेंडमेंट है।

SHRI SHEO NARAIN (Basti) : I want to submit ..

MR. CHAIRMAN : Let us not waste the time of the House on these matters.

SHRI SHEO NARAIN : You tell the other Member also.

MR. CHAIRMAN : Yes ; I request him also.

श्री हुकम चन्द कछवाय : यहाँ प्रचार कर रहे हैं। इन्हें कोई स्पीकर बनाने वाला नहीं है, जबरदस्ती गले पड़ रहे हैं।

MR. CHAIRMAN : Order, please.

SHRI GOVINDA MENON : I am accepting the amendments moved by Mr. Sethi and in doing so would like to speak one or two words about what Mr Dandeker said. He objects to contingent liabilities being included in the liabilities of the company, i.e., in 5 (1), '...and shall also be deemed to include all borrowings, liabilities and contingent liabilities'. I hope that you will agree that when the entire assets and liabilities of the banks are being valued and the difference between the assets and the liabilities is being proposed to be given as compensation, unless contingent liabilities are also taken into account, it will lead to a very incongruous situation.

The hon. Member spoke about assets. I hope that he would refer to it when the definition of 'assets' given in the Second Schedule to this Bill is taken up,

SHRI N. DANDEKER : Perhaps I have not explained adequately, for the understanding of the Law Minister, what I have in view. Things like debts have to be valued according to Schedule at their realisable value. In other words, all the assets are to be properly valued—we shall assume for the moment—according to the Second Schedule. What is this contingent liability that is being thought of in those circumstances, I really do not understand, because, Mr. Sethi while moving this did speak about liabilities which may arise in future. If you are acquiring an undertaking as of a given date, I really do not see how liabilities which may arise in future in respect of past transactions—and they may well arise because of mishandling of past transactions after the undertaking have been taken over—are being included when the assets are being properly valued which is, I suppose, admitted under the Second Schedule. Whatever objection I may have, the Government's proposal will result in a proper valuation of the assets. When the *proper* valuation of assets has taken place and a *proper* allowance for liabilities has taken place, there is no room for any future liability that *may* arise. I do not know how or what will happen to these future liabilities that may arise 10 years later, or may not arise at all in relation to a transaction which is presently merely a contingent liability in the technical sense of the term.

Am I to understand that even after a proper valuation of liabilities and assets, once again some kind of contingent liabilities is likely to be deducted ?

SHRI S. S. KOTHARI : If the Minister refers to "the present value of contingent liabilities" it may make some sense. If you simply value contingent liabilities as they are in the form of Notes an Accounts, mean over-valuation of liabilities. The contingent liability arises only on some contingency occurring. If that contingency does not occur, the contingent liability may not arise at all. Therefore, an estimate must be made of the present value, if at all. If the Government wants to include contingent liability, let them take the present estimated value of the contingent liability.

SHRI TENNETI VISWANATHAM (Visakhapatnam) What are the contingencies he has in view ?

SHRI GOVINDA MENON : Shall I try to illustrate ? Suppose taking over is taking place. Income-tax assessment may not be over. Income-tax assessment may become a liability only a little later. It is a contingent liability. Gratuity payable to the staff of the concerns. That may not be immediately payable. It may be a contingent liability.

SHRI S. S. KOTHARI : The present value of that.

SHRI GOVINDA MENON : This is a matter of detail. Contingent liability is something a liability which occurs later. But the sense of it is already there in the affairs of the bank and unless the words 'contingent liability' are mentioned, it will lead to an incongruous situation.

SHRI S. S. KOTHARI : The officials do not explain the correct position to the Minister. The Minister must consult them again.

MR. CHAIRMAN : You will agree with me, you cannot go on arguing like this. There must be an end to it.

SHRI GOVINDA MENON : Provided that all credit advances submitted by the existing bank shall be thoroughly scrutinised by the corresponding new bank and regulated. According to the new banks we cannot regulate it immediately. It will all be released. It will become part of the assets of the undertaking.

MR. CHAIRMAN : I will put amendment 48 to clause 5 to the vote of the House.

Amendment No. 48 was put and negatived.

MR. CHAIRMAN : I shall now put amendments 121, 122 and 123 to the vote of the House.

The question is :

Page 3, line 13,—

after "liabilities", insert

"(including contingent liabilities)" (121)

Page 3, line 24,—

for "winding up the affairs of that bank", substitute "transferring such

assets and discharging such liabilities" (122)

Page 3, lines 29 and 30,—

omit "in connection therewith" (123)

The motion was adopted.

SHRI N. DANDEKER : I am assured by the Deputy-Speaker on one thing. Some of the amendments of Government which have not yet come but may come tomorrow and consequential upon the amendments that are then given notice of, some of these we are now dealing with may be affected. In that case they will be taken up tomorrow. This was the assurance given to us this very morning that such clauses will be held over till tomorrow. On some of the amendments which he is bringing forward tomorrow, we may have amendments to suggest and I cannot say what would be the repercussions of those amendments on this clause. In terms of the Deputy Speaker's assurance, I request that consideration of this clause be postponed now.

MR. CHAIRMAN : Let us go ahead with clause 5. As far as I can understand, the assurance of the Deputy Speaker was that those clause for which there are new amendments which are not already in the hands of members will be held over.

SHRI N. DANDEKER : There may be a consequential effect upon this clause on account of the amendments which may come. I do not know what they are. So this should be held over till tomorrow.

Shri Shakhder was here at that time and I got this confirmed from him in regard to the Deputy Speaker's assurance. I do not know now what are the consequential clauses that are effected. I feel sure that on cl. 5 as it is now, there will be consequential things that may have to be considered. I do not know. I am only guessing. I cannot but be guessing because I have no other basis to go upon now in dealing with this matter.

SHRI GOVINDA MENON : There are no new amendments to this clause.

SHRI N. DANDEKER : But this clause may be consequentially affected because of the other amendments which are still to come.

SHRI GOVINDA MENON : In that way, no clause can be put to vote.

SHRI P. RAMAMURTI (Madurai) : Consequential amendment comes in this way. If, for example, we pass an amendment which requires a consequent amendment to some other clause, than that particular thing can be held over.

SHRI N. DANDEKER : He was not here when the Deputy Speaker gave the assurance.

SHRI GOVINDA MENON : With respect to cl. 5 or the contents of cl. 5, Government are not moving any further amendments.

SHRI N. DANDEKER : Let me repeat for the thousandth time. I am talking of consequential matters arising out of amendments not before me now. If those amendments were before me now and I find that there are consequential matters affected in cl. 5, then that cl. has to be held over. The Deputy-Speaker has assured us that such clauses would be held over.

SHRI GOVINDA MENON : If that generalisation were accepted, no clause can be put to vote. But I can assure you that none of the other amendments which have been tabled by Government will have any consequential impact on the provisions of cl. 5.

MR. CHAIRMAN : For the time being, on that assurance, let us proceed.

SHRI N. DANDEKER : Suppose they have amendments to Schedule Two. Schedule Two is obviously going to have a consequential effect on cl. 5. If the Minister is going to say that such amendments will not have any effect on cl. 5, I am astonished.

MR. CHAIRMAN : The new amendments are to clause 6, 7, 8, 9 and 21. There are no amendments to Schedule Two. Any way at this stage of the disposal of cl. 5, that question does not arise.

SHRI N. DANDEKER : I got a specific clarification from the Deputy-Speaker in this matter. Even in regard to cl. 6, the Minister says he is going to move new amendments. Clause 6 is a very

important clause. If it has a consequential effect on cl. 5, then the clause can be reworded. But unless I know what those amendments are, I cannot proceed with it now. With great respect, I should submit that in the light of this consideration, cl. 5 must be held over until I can see whether there are any consequential amendments. I would like to suggest to cl. 5 because of the amendments suggested to later clauses. I hope I am being clear. I hope I am not overstating the assurance to Deputy-Speaker gave.

MR. CHAIRMAN : Even after hearing Mr. Dandekar again, I think we can continue with clause 5 on the assurance given by the Law Minister that the subsequent amendments do not have any bearing on clause 5. As far as subsequent clauses are concerned, let us discuss them and if there are some concrete cases where consequential changes are needed, we shall consider them at that stage. (*Interruptions.*) The question is :

“That Clause 5, as amended, stand part of the Bill.”

The motion was adopted

Clause 5, as amended, was added to the Bill.

MR. CHAIRMAN : Clauses 6, 7, 8 and 9 are not being taken since the Government are moving amendments to those clauses and the Deputy Speaker has ruled that those clauses will be considered only tomorrow.

SHRI KANWAR LAL GUPTA (Delhi Sadar) : When the Government is not prepared to discuss clauses 6, 7, and 8 which are the most important clauses of the Bill, how can you discuss the other clauses which are dependent upon those clauses? This is unprecedented in the history of Parliament. We want your ruling on this.

SHRI GOVINDA MENON : Please look at chapter IV—management of corresponding banks and clauses 10, 11, 12, 13, etc. This can have absolutely no bearing on the other clauses. These are independent things.

SHRI PILOO MODY : You will recall that initially there was a good deal of

[Shri Pilo Modu]

discussion on how many hours should be spent on this Bill, and the Law Minister was very adamant that we should not spend more than eight or ten hours on this Bill. If we had at that time accepted it and spent only eight hours on this Bill, these amendments to the Bill would have come after the Bill had been passed because we have already spent more than eight or ten hours.

What I am trying to say is that none of us are able to understand the indecent haste of the Government which is causing complete confusion by passing legislative processes, bringing in amendments after the the clauses have been passed. This is no way of making legislation. This is a legislative body ; it is not a butcher's shop where you can go on chopping and changing everything at your will. I submit that if the Law Minister is not prepared to bring forward a logical and orderly Bill which can be passed by the due procedure laid down by this House, he must withdraw his Bill till he is ready.

MR. CHAIRMAN: Has he got to say anything on the point made by the Law Minister that Chapter IV deals with certain matters which have absolutely no bearing on chapter III ?

SHRI PILOO MODY: Are we going to pass legislation piecemeal ?

Is this what you are suggesting we should do ?

MR. CHAIRMAN: I am placing before him a particular point that was raised by the Minister.

श्री कंबर लाल गुप्त : समापति महोदय, जैसा कि मेरे मित्र, श्री पीलु मोडी, ने कहा है, यह बिल्कुल सही है कि सरकार को जिस तैयारी के साथ इस बिल को लाना चाहिए, वह तैयारी उसने बिल्कुल नहीं की है। दिमाग में एक ख्याल आ गया और एक आर्डिनेंस जारी कर दिया और उसके बाद एकदम बिल बनाकर जैसे तैसे हाउस के सामने रख सरकार की तरफ से पञ्चीस एमेंडमेंट्स

दी गई हैं, जो कि तेरह सफ़रों में हैं। उसके बाद आज मंत्री महोदय कह रहे हैं कि सरकार आज उन क्लॉजिज कोडिसकस करने के लिए तैयार नहीं है। इसका कारण यह है कि उनको पता ही नहीं है कि क्या करना है और क्या नहीं करना है।

मैं आप का ध्यान क्लॉज 13 की तरफ दिलाना चाहता हूँ, जिसमें कहा गया है ;

"The Central Government may, after consultation with the Reserve Bank, make a scheme for carrying out the provisions of this Act.

(2) In particular, and without prejudice to the generality of the foregoing power, the said scheme may provide for all or any of the following matters, namely :—

(a) the capital structure of the corresponding new bank, so however that the paid-up capital of any such bank shall not be in excess of rupees fifteen crores ;

(b) the constitution of the Board of Directors, by whatever name called, .." and so on and so forth.

इसमें सेंट्रल गवर्नमेंट को पावर दी गई है कि वह रिजर्व बैंक से बातचीत करके काम चलाने के सम्बन्ध में एक स्कीम तैयार करे। चैप्टर 3 में कम्पेन्सेशन के बारे में व्यवस्था की गई है। क्या उससे ताल्लुक नहीं है ? स्कीम कैसे बनाई जायेगी, कितना कम्पेन्सेशन दिया जायेगा और उसके बाद कितना पैसा बाकी बचेगा, हर एक बात का उससे ताल्लुक है।

मैं आपके जरिये से मंत्री महोदय से पूछना चाहता हूँ कि उन्होंने सैंकड़ों बिल पायलट किये होंगे, लेकिन क्या आज तक कभी ऐसा हुआ है कि सरकार ने कहा हो कि अमुक क्लॉजिज को छोड़ दिया जाये, उनसे आगे की क्लॉजिज को ले लिया जाये। यह एक अनप्रेसिडेंटिड बात है, जो आज तक नहीं हुई है। गवर्नमेंट की अक्ल के दीवालियापन का यह एक सुबूत है। क्लॉज 13 में सेंट्रल

गवर्नमेंट को एक स्कीम बनाने की पावर दी जा रही है। क्या इसका सम्बन्ध चैप्टर 3 से नहीं है ?

सभापति महोदय, हम आपका प्रॉटेक्शन चाहते हैं। जो माननीय सदस्य इस बिल को पसन्द करते हैं, वे करें, इसमें कोई एतराज नहीं है। और जो इसका विरोध करना चाहते हैं, वे भले ही विरोध करें। लेकिन बिल को पास करने की पद्धति ठीक होनी चाहिए। पहले भी डिप्युटी स्पीकर ने बिल को वेव किया है। सारी पार्लियामेंटरी प्रॉविडंस को छोड़कर किसी न किसी तरह से इस बिल को पास करना गलत है। कम से कम पार्लियामेंटरी प्रॉविडंस के मुताबिक ही इस बिल को पास करना चाहिए।

SHRI N. DANDEKER : Sir, you asked Shri Pilloo Mody a question, and with your permission, I would like to reply to it. You asked him and so did the Law Minister how on earth the chapter about management of corresponding new banks, which is what Chapter IV deals with, could in any way possibly be affected by anything that might be done in relation to the clauses to which even hereafter he may be moving amendments.

Preliminarily, I would like to say that a whole heap of confusion has been caused by their having previously notified the amendments to clause 4, and now that they have suddenly withdrawn, I have again to start thinking about the whole structure of clause 4. I am mentioning this for the reason that they are postponing clause 6; and I do not know how they are going to prepare for it.

I will read out the provisions of clause 11 in this connection. Clause 11 says :

"Every corresponding new bank shall, in the discharge of its function, be guided by such direction in regard to matters of policy involving public interest as the Central Government may, after consultation with the Governor of the Reserve Bank, give."

Now, the mode of acquisition, the manner of payment of compensation, who is to pay compensation, all this kind of thing is going to be covered by matters of policy.

Secondly, more specifically, what clause 13 says is :

"The Central Government may, after consultation with the Reserve Bank, make a scheme for carrying out the provisions of this Act."

I do not know what the provisions of the Act are going to be in relation to clauses 7, 8, 9 and 10 which the Minister mentioned. "The Central Government may, after consultation with the Reserve Bank, make a scheme for carrying out the provisions of this Act..."; but some of these provisions I do not know. Therefore, I am not in a position to deal with the provisions of clause 13.

Moreover, item (c) of sub-clause (2) of clause 13 says :

"such incidental, consequential and supplemental matters as may be necessary to carry out the provisions of this Act."

If we were to go logically section by section one knows the point at which these management provisions come in and therefore one knows the main character of the Bill. The main character of the Bill is contained in clauses 3, 4, 5 and 6. These are the main clauses which contain, what I may say, apart from definitions, the main substantive provisions of the Act. Clause 3 which has been passed, clause 4 which has been passed, clause 5 which has been passed and clause 6 which has not been passed are the main fulcrums, so to speak, of the character of the Act. I do not know what it is and I do not know what I shall be agreeing to when I say :

"The Central Government may, after consultation with the Reserve Bank, make a scheme for carrying out the provisions of this Act."

Act means the Act as a whole including the sections which are held over in, what you may call, suspense. We do not know

[Shri N. Dandekar]

anything about them. They too do not know anything about them. Nobody knows what the sections are going to be like. Therefore, my submission is that we really cannot proceed further.

SHRI GOVINDA MENON : It is a well known legislative practice to hold over clauses and go to subsequent clauses. That is the ruling given by the Deputy-Speaker, Shri Dandekar and his friend, Shri Gupta and others, are in effect questioning the statement or ruling of the Deputy-Speaker, that some of the clauses over which there are new amendments will be held over (*Interruption*). Which are the clauses ? The clauses in Chapter III deal with compensation. Whatever be the decision of this Parliament with respect to compensation, Chapter IV deals with the management of the corresponding new banks, and even the provisions read out by Shri Dandekar are intended simply to create confusion, with due respect to him, because these deal with scheme to be regulated prepared by the Government in consultation with the Reserve Bank. That does not depend upon the provisions of the clauses held over. I, therefore, submit there is absolutely nothing wrong if we take up consideration of clauses 10, 11, 12 and 13 contained in Chapter IV which stand apart because they deal with the management of the corresponding new banks. The previous clauses refer to compensation payable to the existing banks. Whatever be the compensation payable to the existing banks we can have our own ideas as to how the corresponding new banks should be managed, and I do not see any reason whatsoever, with great respect to Shri Dandekar and his wisdom, how there will be any difficulty to consider any of the clauses in Chapter III and that was the ruling given by the Deputy-Speaker earlier (*Interruptions*).

MR. CHAIRMAN : I understand the difficulty of hon. Members because Government has chosen to move amendments at such short notice. They are not yet in the hands of hon. Members. So it is a real, genuine difficulty that hon. Members are feeling. With all that, I should also say that on former occasions we have held over parts of Bills, clauses like this, and considered the other clauses, and here with all the argu-

ments given by my hon. friends on this side I too feel that without difficulty we can consider clauses 10, 11 etc. in Chapter IV. Even though one can argue that there is a mention of "according to the provisions of this Act", Chapter III is a very specific subject of payment and determination of compensation, which need not have any complication on the working of the new banks. So, I think, we can proceed with the work of consideration of other clauses of the Bill. Now we take up clause 10.

Clause 10—(*Head office and branches*).

SHRI S. S. KOTHARI : Sir, I rise on a point of order.

MR. CHAIRMAN : No point of order at this stage.

SHRI S. S. KOTHARI : I have given notice of an amendment to clause 10 this morning. I submit that that also should be taken up. It is a very small amendment.

SHRI GEORGE FERNANDES : (Bombay South) : I beg to move :

Page 6, after line 5, insert—

"Provided that where his emoluments exceed Rs. 2,000 per month they shall be reduced to Rs. 2,000." (21)

Page 6, line 9.—add at the end—

"which shall not exceed Rs. 2,000 per month." (22)

SHRI ABDUL GHANI DAR (Gurgaon) : I beg to move :

Page 5, lines 35 to 38,—

for "at such place as the Central Government may, by notification in the Official Gazette specify in this behalf, and, until any such place is so specified, shall be at the place at which the head office of the existing bank,"

substitute—

"as situated at present" (72)

Page 5, line 44,—

after "Custodian" insert—

"against whom no allegations have been made before the date of the Banking Companies (Acquisition and Transfer of Undertakings) Ordinance, 1969." (73)

Page 6, line 1,—

after "Chairman" insert—

"except those against whom allegations have been made for enquiry before the Banking Companies (Acquisition and Transfer of Undertakings) Ordinance, 1969." (74)

Page 6, line 6,—

for "is of opinion" substitute—

"has substantial reasons" (75)

SHRI HUMAYUN KABIR (Basirhat) :

Page 5,—

for lines 35 to 40, substitute—

"10. (1) The head office of each corresponding new bank shall be at the place at which the head office of the existing bank, in relation to which it is the corresponding new bank, is on the date of the commencement of this Act located :

Provided that the Central Government may, on the advice of the Reserve Bank, have the head office located at some other place in the interest of decentralization." (94)

Page 6, line 8,—

after "bank" insert—

"on the recommendation of the Reserve Bank." (95)

Page 6,—

for lines 10 and 11, substitute—

"(4) The Custodian shall hold office till such time as permanent arrangements are made under section 13 of this Act for the administration of the corresponding new bank unless on

the recommendation of the Reserve Bank he is removed earlier by the Central Government and in such case a new Custodian shall be appointed in terms of sub-section (3) of this section." (96)

SHRI P. C. SETHI : I beg to move :

Page 6, line 6,—

after "Central Government may", insert

"if the Chairman of an existing bank declines to become, or to continue to function as, a Custodian of the corresponding new bank, or". (128)

SHRI KANWARLAL GUPTA : I beg to move :—

Page 6, line 11,—

add at the end—

"Provided that no custodian shall be removed from his office unless he has acted to the detriment of the interests of the bank." (147)

SHRI MADHU LIMAYE : I beg to move :

*Page 5,—

after line 40, insert—

(2) "Every corresponding new bank shall maintain as its branches all branches of the existing bank which were in existence immediately before the 19th July, 1969, and no such branch may be closed without the previous approval of the Central Government,

(3) Every corresponding new bank may establish branches at any place in or outside India in addition to the branches referred to in sub-clause (2).

(4) Notwithstanding anything contained in sub-clause (3) every corresponding new bank shall establish not less than 50 branches out of which at least 25 branches in rural areas per annum for a

[Shri Madhu Limaya]

period of five years or such extended period as the Central Government may specify in this behalf. The places where such additional branches are to be established shall be determined in accordance with any such programme as may be drawn up by the Central Government in consultation with the Reserve Bank and the Planning Commission from time to time and no such branch shall be closed without the previous approval of the Government." (178)

Page 6,—

for lines 1 to 9, substitute—

- (3) "The Central Government shall appoint such custodian with in one month of the commencement of the Act ; and he shall be a person who has not been the Chairman or Director of the Corresponding existing Bank, and shall receive such emoluments as are fixed by the Central Government :

Provided that until the aforesaid appointment is made, the Chairman of the existing Bank holding office as such immediately before the commencement of the bank shall be the custodian of the corresponding new bank and he shall be associated by an officer of the Reserve Bank of India as Joint Custodian." (185)

SHRI S. KUNDU (Balasor) : I beg to move :

Page 6

for lines 1 to 5, substitute—

- "(3) The Central Government will have the power to appoint new Chairman of the taken over banks who will be the Custodian of corresponding new bank." (224)

SHRI LOBO PRABHU (Udipi) : I beg to move.

Page 6,—

omit lines 6 to 11. (225)

SHRI NAMIBAR (Tiruchirappalli) : I beg to move :

Page 5 line 43,—

after "section 13" insert

"but for a period not more than one month." (322)

Page 6, line 3,—

after "new bank" insert—

"for a period not more than one month" (323)

Page 6, line 3,—

for "during the pleasure of the Central Government" substitute

"for a period not more than one month and shall be replaced by a new one who had no connections with the bank in any capacity previously". (324)

SHRI SHISHI RANJAN (Pupri) : I beg to move :

Page 6, lines 10 and 11,

for "Central Government" substitute—
 "Reserve Bank" (352)

SHRI LAKHAN LAL KAPOOR (Kishanganj) : I beg to move :

Page 5, line 46,—

add at the end

"The Custodian of the bank will act by the advice of a board consisting of representatives of workers, creditors Government nominee, representatives from Industry, Commerce and Trade and persons having special knowledge of Banking, system, accountancy, economics." (375)

श्री जार्ज फरनेन्डीज : अध्यक्ष महोदय, मेरे दो संशोधन हैं—21 और 22। 21 का मतलब है कि जहाँ आज इस विधेयक के द्वारा सरकार यह चाहती है कि बैंकों के राष्ट्रीय-

करण के बाद भी उन जो चेयरमैन रहेंगे या हमारे जो कस्टोडियन रहेंगे उनको वही तनखाह मिले जो अब तक मिलती थी उस जगह पर मेरा यह संशोधन है कि उन्हें सिर्फ 2 हजार रुपया दिया जाय और जहाँ ज्यादा मिलता था वह कम किया जाय। और इसके आगे जो नये कस्टोडियन या नये चेयरमैन या सबसे बड़े अफसर नियत किये जायेंगे उनकी तनखाह किसी भी हालत में 2 हजार रुपये माहवार से ज्यादा न रखी जाय। यह सार्वजनिक क्षेत्र जो हिन्दुस्तान का चल रहा है हम सभी लोग जानते हैं कि इसमें फिजूलखर्ची और पैसे की बरबादी बहुत बड़े पैमाने पर होती है। चाहे जिस संस्था को भी देखें हिन्दुस्तान स्टील से लेकर अशोक होटल तक यह हकीकत है कि तनखाह चाहे भले ही तीन हजार या साढ़े तीन हजार रुपये माहवार हो लेकिन जो सुविधाएँ उनको मिल रही हैं उनको कुल को रुपये में जोड़ा जाय तो हो सकता है कि 30 हजार रुपये से 1 लाख रुपये तक माहवार कमाने वाले यह अफसर हों। हिन्दुस्तान स्टील जैसी एक संस्था है वह तो एक ऐसी रियासत बनी है कि जहाँ निजी विमान भी चलते हैं। निजी विमान भी चेयरमैन और मैनेजिंग डायरेक्टर की सुविधा के लिए रखा गया है। इन तमाम चीजों पर जो रुपया खर्च होता है उसको जोड़ा जाय तो जो मैं एक लाख रुपया कहता हूँ वह भी हो सकता है कि कभी-कभी कम हो। इनके दौरे होते हैं, उन दौरों के दरमियान जो भत्ता दिया जाता है, जो रुपया ट्रेवेलिंग एलाबंस देने में लगता है, अलग-अलग शहरों में इनके लिए जो बंगले बनाकर रखे हैं, जैसे एल० आई० सी० के चेयरमैन के लिए दिल्ली में भी बंगला है, बम्बई में भी बंगला है, दोनों जगह पर ड्राइवर हैं, यह एल० आई० सी० के खर्च पर रखे हैं, खाना पकाने वाले हैं एल० आई० सी० के खर्च पर रहते हैं, माली एल० आई० सी० के खर्च पर रहता है, यानी उसके जीवन में कोई चीज नहीं जहाँ अपना निजी पैसा वह इस्तेमाल करता हो। ये लोग

हर एक चीज सार्वजनिक पैसे से इस्तेमाल करते हैं। यह पब्लिक सेक्टर की बात मैं कह रहा हूँ।

इसलिए अब जो यह राष्ट्रीयकरण बैंकों का कर रहे हैं, राष्ट्रीयकरण के पहले तो प्रधान मंत्री ने बड़ी भूमिका रखी है कि नई प्रक्रियाएँ, समाजवाद की ओर देश को ले जाना तो समाजवाद की ओर देश को ले जाने के लिए जब बैंकों का राष्ट्रीयकरण करने का फैसला लिया तब निजी हाथों में उन बैंकों के रहते हुए उसके मैनेजिंग डायरेक्टर को, उसको चेयरमैन को जो तनखाह मिलती थी और जो सुविधाएँ मिलती थीं उन्हीं को चानू रखना यह कहां तक मुनासिब है यह हम समझ नहीं सकते। आज यह हकीकत है कि जो देश के बड़े बैंक हैं इन बैंकों के बड़े अफसरों के लिए यानी जो चेयरमैन या मैनेजिंग डायरेक्टर हैं, जनरल मैनेजर हैं इनके लिए 7 हजार से 15 हजार रुपये माहवार तक तनखाह मिलती है और जब आप यह कहते हैं कि जो एमाल्यूमेंट्स इस समय मिलते थे वही एमाल्यूमेंट्स दिये जाएंगे तो इसका अर्थ यही होगा कि आपकी जो नई दिशा है वह अपनी जगह पर रह जायगी और जिन हाथों में वह बैंक थे केवल उनको हटाकर अपने लोगों को बिठा कर वही फिजूलखर्ची का जो सिलसिला अन्य सार्वजनिक कम्पनियों में चलता है, पब्लिक सेक्टर के अन्दर वही इनके अन्दर भी चलता रहेगा। इसलिए हम यह चाहते हैं कि खर्च पर यह 2 हजार रुपये की सीमा लगाने वाली बात हो और जो इन कम्पनियों के चेयरमैन लोगों को हिन्दुस्तान के राष्ट्रपति से भी ज्यादा तनखाह देने वाली बात है वह राष्ट्रीयकरण के बाद बन्द हो। दो हजार रुपये की सीमा लगाकर जो नई दिशा देने वाली बात है, सचमुच उस नई दिशा में उसको ले जाया जाय।

श्री अश्वत्थ गनी डार : सभापति महोदय, मेरा अमेंडमेंट नम्बर 72,73,74,75 और 76 है। इस बलाज में कई बातें उठाई गईं। एक यह

[श्री अट्टुल गनी डार]

कि जो बक नेशनलाइज किये जा रहे हैं इनका हेड आफिस कहाँ रखा जाय ? तो उस पर मैंने यह अर्ज किया है कि जहाँ अभी हैं वहीं वह रहें और उसमें मेरा साफ मकसद यह है कि करोड़ों रुपये खर्च करके इन बैंकों को बिल्डिंग बनी हैं। वहाँ उन्होंने पूरे इन्तजाम किये हैं और ऐसे ही जैसे एमजॉसी में आकर यह आडिनेन्स लाए वैसे ही एमजॉसी समझ कर फोरन हुक्म दें कि दिल्ली आ जाओ तो दिल्ली में तो पहले ही जो गवर्नमेंट के मुलाजिम हैं उनको जगह नहीं मिलती तो बैंकों को कहाँ जगह मिलेगी ? इसलिए मेरा कहना है कि आप उनको वहीं रहने दें जहाँ वह हैं।

दूसरा मेरा प्वाइंट बड़ा इम्पॉर्टेंट है और उस पर ला-मिनिस्टर साहब मैं समझता हूँ गौर करेंगे कि गवर्नमेंट की ओपिनियन में जो भी उनको ठीक लगे, जिसको चाहे उसको वह कस्टोडियन बनाएँ, यह नहीं होना चाहिए। मैंने उस पर यह कहा है कि इसमें कोई माकूल वजह होनी चाहिए, माकूल दलायल होने चाहिए कि क्यों उसको कस्टोडियन बनाया जा रहा है। उसमें बड़ा सीधा-सादा सवाल है और हमारा तजुर्बा है दूध को जला छाछ को भी फूँक-फूँक कर पीता है, इनके ही कहने के मुताबिक जो आज कांग्रेस के नेता कहते हैं कि हमारा पब्लिक सेक्टर इसलिए फेल हुआ कि उसको सेबोटेज करने वाले लोग थे। उन्होंने सेबोटेज किया है, इसलिए करोड़ों रुपयों का नुकसान हो रहा है। मैं कहना चाहता हूँ कि कस्टोडियन के बारे में कौन जानता है, जिस तरह से आपने अपने पब्लिक सेक्टर को यूनियन पब्लिक सर्विस कमिशन के परब्यू से निकाल कर बाहर कर दिया है, वे जिसको चाहें—मामा के मामे को, भांजे के भांजे को, साले के साले को नौकर रख सकते हैं, उसी तरह से अगर यहाँ भी कस्टोडियन ऐसे लोग बन जाय तो बैंकिंग का तो भट्टा ही बैठ जायगा। इसलिए जरूरी है कि ऐसे आदमी को कस्टोडियन

बनाया जाय, जिसको उस काम का तजुर्बा हो, जिसने इन बैंकों में काम किया हो, उसकी ओनेस्टी पर हमारे ला-मिनिस्टर को, होम मिनिस्टर को, प्राइम मिनिस्टर को यकीन हो, ऐसे आदमी को रखा जाय।

15 hrs.

मेरे भाई जाज फरनान्डीज ने तनख्वाहों का मामला उठाया, वह भी जरूरी है, उनके सोशलिज्म के नुकतेनिगाह से उन्होंने मुनासिब बात कही है और हिन्दुस्तान के हालात के मुताबिक तो ठीक ही है। इन्होंने इसमें यही कहा है कि जो इस वक्त चेयरमैन हैं, हम उन्हीं को कस्टोडियन बना देंगे, लेकिन मेरा इसके बारे में संशोधन है, मैं यह चाहता हूँ कि जिनके खिलाफ सीरियस एलीगेशन हैं, जिनके खिलाफ एन्क्वायरी हुई हो, उनको कस्टोडियन नहीं बनाना चाहिए। मैंने अपने संशोधनों में तीन बातें कहीं हैं—पहली तो यह कि जो सरकार की मर्जी हो, वही किया जाय। आप जो करते आये हैं, वह तो हमने देख लिया, 10-20 सालों से जब से ये पब्लिक सेक्टर शुरू हुए हैं, आपने अपनी ओरोनियन का इस्तेमाल कर लिया, लेकिन अब बैंकों के मामले में, आपको यह अधिकार नहीं दिया जाना चाहिए। जो बैंकिंग के काम का जानने वाला है, जिसके खिलाफ कोई सीरियस एलीगेशन नहीं है, उसको ही रखा जाना चाहिए।

आखिर में जाकर इन्होंने यह कहा है कि जो गवर्नमेंट का फैसला होगा, वही फाइनल माना जायगा। यह ठीक है कि इनको बड़ा अधिकार है। जैसे अभी ये भाई एतराज कर रहे थे कि जब 6-7-8-9 क्लाज नहीं आई तो क्लाज 10-11 क्यों आये, मैंने कहा कि भाई एमरजेंसी है। एमरजेंसी के तेहत अगर ये कोई फैसला करदेते हैं और सुप्रीम कोर्ट नलीफाई कर देता है तो फिर इनका फैसला फाइनल नहीं होना चाहिए। ये तो सारी चीजों पर ही खुद ही कब्जा करना चाहते हैं—

खुद ही कातिल, खुद ही शाहिद,
खुद ही मुन्सिफ ठहरे,
अकरबा मेरे करें,
खून का दावा किस पर ।

अगर सुप्रीम कोर्ट को सुप्रीम नहीं रखा जायगा तो काम नहीं चलेगा । अगर किसी मामले पर इनके और उसके दरमियान झगड़ा हो, जैसे गरीब शेअरहोल्डर का मामला है—अगर किसी बड़े आदमी का मामला हो, जिसके पास बड़ी दौलत है, तब बात दूसरी थी—लेकिन बेशुमार डिपॉजिटर्स हैं, छोटे-छोटे शेअरहोल्डर्स हैं—उसमें ये खुद ही मुन्सिफ न बन जाय, इनकी गवर्नमेंट का फंसला फाइल नहीं होना चाहिये । सुप्रीम कोर्ट को अपॉरिटी होनी चाहिये और अगर सुप्रीम कोर्ट इनके फंसले को रद्द करता है तो इनको उसके सामने सिर झुकाना चाहिए ।

मैं ऐसी बात क्यों कहता हूँ ? इसलिए कह रहा हूँ कि आप डेमोक्रेसी को चला रहे हैं और मेरे दोस्त जो बड़े जोर शोर से इस वक्त इस बिल की हिमायत कर रहे हैं, वह शायद हम से भी ज्यादा डेमोक्रेट हैं—मेरा मतलब कम्युनिस्ट भाइयों से है । यह ठीक है कि आप नेशनलाइज करो, लेकिन नेशनलाइजेशन के मायने समझो । नेशनलाइजेशन के मायने यह है कि हर एक को इन्साफ मिले, उसका हक मिले और अगर वह इनसे इंसाफ न ले सके तो सुप्रीम कोर्ट तक जाने का उसे हक हो ।

मैं तो यह चाहता हूँ कि नेशनलाइजेशन के बाद बैंकों का काम सुभीते से चले । मैं यह नहीं कहता कि इस वक्त जितने चियरमैन हैं, सब खराब हैं, उनमें बहुत से अच्छे भी हैं, लेकिन जो निकम्मे चियरमैन हैं, उनका इलाज ये नहीं कर सकेंगे । इसलिए मैं आपके जरिये इनसे दरखास्त करता हूँ कि हमने आपका तजुर्बा कर लिया है, दूध का जला छाछ को फूंक-फूंक कर पीता है । हमने एल० आइ० सी० में देख लिया है, स्टील प्लांट्स में देख

लिया है, हमको क्या मुँह दिखाते हो । इसलिए मैं चाहता हूँ कि मेरी अमेण्डमेंट्स को मंजूर किया जाय ।

[श्री عبدالغنی قار : سہاينی مہودے۔
میرا امینڈمینٹ نمبر ۷۲-۷۳-۷۴-۷۵ اور ۷۶ ہے۔ اس کلاز میں کئی بانیں اٹھائی گئیں۔ ایک یہ تھی جو بینک نیشنلائز کئے جا رہے ہیں انکا ہیڈ آفیس کہاں رکھا جائے۔ تو اس پر میں نے یہ عرض کیا ہے کہ جہاں ابھی میں وہیں وہ رہیں اور اس میں میرا صاف مقصد یہ ہے کہ کروڑوں روپے خرچ کر کے ان بینکوں کی بلڈنگز بنی ہیں۔ وہاں انہوں نے پورے انتظام کئے ہیں اور ایسے ہی جیسے ایمرجینسی میں آکر یہ آرڈینینسی لائے ویسے ہی ایمرجینسی سمجھ کر فوراً حکم دیں کہ دلی آ جاؤ تو دلی میں تو پہلے ہی جو گورنمینٹ کے ملازم ہیں انکو جگہ نہیں ملتی۔ تو بینکوں کو کہاں جگہ ملیگی۔ اس لئے میرا کہنا ہے کہ آپ ان کو وہیں دھلے دیں جہاں وہ ہیں۔

دوسرا میرا پوائنٹ بڑا امپارٹینٹ ہے اور اس پر لا منسٹر صاحب میں سمجھتا ہوں کہ غور کریں گے کہ گورنمینٹ کی اوپینین میں جو بھی انکو ٹھیک لگے، جسکو چاہے اسکو وہ کسٹومر بنائیں یہ نہیں ہونا چاہیے۔ میں نے اس پر کہا ہے اس میں کوئی معقول وجہ ہونی چاہئے معقول دلائل ہونی چاہئے کہ کیوں اسکو کسٹومر بنایا جا رہا ہے۔ اس میں بڑا سیدھا سادا سوال ہے اور ہمارا تجربہ ہے دودھ کا جلا چھانچہ کو بھی بھونک بھونک پیتا ہے ان کے ہی کہنے کے مطابق جو آج کانگریس کے نیتا کہتے ہیں کہ ہمارا پبلک سیکٹر اس لئے فیمل ہوا کہ اس کو سہولتیج کرنے والے لوگ تھے۔ انہوں نے سہولتیج کیا ہے۔ اسلئے کروڑوں روپیہ کا نقصان ہو رہا ہے۔ میں کہنا چاہتا ہوں کہ کسٹومر کے بارے میں کون جانتا ہے۔

[سہری عبدالغنی ڈار]

جس طرح سے اپنے اپنے پبلک سیکٹر نو یونین پبلک سروس کمیشن کے پورویو سے نکال کر باہر کر دیا ہے - وہ جسکو چاہیں - ماما کے مامے کو - بھانجے کے بھانجے کو - سالے کے سالے کو نوکر رکھتے ہیں اس طرح سے اگر یہاں بھی کسٹوڈین ایسے لوگ بن جائیں نو بینکنگ کا تو بھٹا ہی بیٹھ جائیگا - اسلئے ضروری ہے کہ ایسے آدمی کو کسٹوڈین بنایا جائے جسکو اس کام کا تجربہ ہو - جس نے ان بینکوں میں کام کیا ہو - اسکی اونیسٹی پر ہمارے لائسنسٹر کو - ہوم منسٹر کو - پرائم منسٹر کو یقین ہو - ایسے آدمی کو رکھا جائے -

میرے بھائی جارج فرنانڈیز نے تنخواہوں کا معاملہ اٹھایا - وہ بھی ضروری ہے - انکے سوشلزم کے نقطے نگاہ سے انہوں نے مناسب بات کہی ہے اور ہندوستان کے حالات کے متعلق تو ٹھیک ہی ہے - انہوں نے اسمیں یہی کہا ہے کہ جو اسوقت چورمیں ہیں ہم انہیں کو کسٹوڈین بنا دیں گے - لیکن میرا اسکے بارے میں سنشودھن ہے - میں یہ چاہتا ہوں کہ جڈکے خلاف سپریس ایلیکیشنز ہیں - چنکے خلاف ایلکوٹری ہوئی ہے انکو کسٹوڈین نہیں بنانا چاہیے - میں نے اپنے سنشودھن میں نون باتیں کہی ہیں پہلی تو یہ کہ جو سرکار کی مرزی ہو وہی کیا جائے - آپ جو کرتے آئے ہیں وہ تو ہم نے دیکھ لیا - ۱۰-۲۰ سالوں سے جیسے یہ پبلک سیکٹر شروع ہو رہے ہیں آپ اپنی اویلیشن کا استعمال کر لیا - لیکن اب بینکوں کے معاملے میں آپکو یہ ادھیکار نہیں دیا جانا چاہئے - جو بینکنگ کے کام جاننے والا ہے - سمجھنے والا ہے - جسکے خلاف کوئی سپریس ایلیکیشن نہیں ہے اسکو ہی رکھا جانا چاہئے -

آخر میں آکر انہوں نے یہ کہا ہے کہ جو گورنمنٹ کا فیصلہ ہوگا وہی فائنل مانا

جائیگا - یہ ٹھیک ہے کہ انکو برا ادھیکار ہے - جیسے ابھی یہ بھائی اعتراض کر رہے تھے کہ ۶-۷-۹ کلاض نہیں آتی تو کلاض ۱۰-۱۱ کہوں آئے - میں نے کہا کہ بھائی ایمرجینسی ہے ایمرجینسی کے تحت اگر یہ کوئی فیصلہ کر دیتے ہیں اور سپریم کورٹ تلیڈائی کر دیتا ہے تو پھر انکا فیصلہ فائنل نہیں ہونا چاہیے - یہ تو ساری چیزوں پر خود ہی قبضہ کرنا چاہتے ہیں -

خود ہی قائل خود ہی شہاد
خود ہی منصف تھے
اکریا میرے کریں
خون کا داوا کسبو

اگر سپریم کورٹ کو سپریم نہیں رکھا جائیگا تو کام نہیں چلیگا - اگر کسی معاملے پر انکے اور اسکے درمیان جھگڑا ہو - جیسے غریب شہر ہولڈر کا معاملہ ہے - اگر کسی بڑے آدمی کا معاملہ ہو جسکے پاس بڑے دولت ہے تب بات دوسری تھی - لیکن بیشمار تپازتزر ہیں - چھوٹے چھوٹے سپر ہولڈرز ہیں - اسمیں بے خود ہی منصف نہ بنجائیں - انکی گورنمنٹ کا فیصلہ قائل نہیں ہونا چاہیئے - سپریم کورٹ کو انہورٹی ہونی چاہئے اور اگر سپریم کورٹ انکے فیصلے کو رد کرتا ہے تو انکو اسکے سامنے سر جھکانا چاہئے -

میں ایسی بات کیوں کہتا ہوں - اسلئے کہ رہا ہوں کہ آپ ڈیموکریسی کو چلا رہے ہیں اور میرے دوست جو بڑے زور شور سے اسوقت اس بل کی حمایت کر رہے ہیں وہ شاید ہم سے بھی زیادہ ڈیموکریٹ ہیں - میرا مطلب کمیونسٹ بھائیوں سے ہے - یہ ٹھیک ہے کہ آپ نیشنلائزیشن کرو - لیکن نیشنلائزیشن کے معنے سمجھو - نیشنلائزیشن کے معنے یہ ہیں کہ ہر ایک کو انصاف ملے - اسکا حق ملے اور اگر وہ انسے انصاف نہ لے سکے تو سپریم کورٹ تک جانے کا اسے حق ہو -

[Shri Humauun Kabir]

should be on the recommendation of the Reserve Bank.

My third amendment is this. It has been provided in the Bill that the custodian shall hold office during the pleasure of the Central Government. This is how the clause stands in the Bill as moved. I have suggested in place of that the custodian shall hold office till such time as permanent arrangements are made under section 13 of the Act for the administration of the corresponding new banks unless on the recommendation of the Reserve Bank he is removed earlier by the Central Government and in such a case a new custodian shall again be appointed on the recommendation of the Reserve Bank. The purpose of this amendment is that the removal or the continuance of a custodian should not depend upon the discretion of the Government. I think Government will also recognise that in such matters it is always advisable to have a buffer between the Government and the particular executive officers with whom they have to deal. In many cases, advisory bodies are set up, appellate authorities are set up, and some kind of intermediary bodies are constituted so that direct political pressure may not in any way affect any of the functions of the banks.

My first amendment only puts in a legal form what the Prime Minister herself said on the floor of the House, namely that the intention is to maintain the present position and not to disturb it, but from the way in which this Bill has been introduced, we find that Government are introducing an element of uncertainty and they are starting with the presumption that it shall be at such place, which means some other place, in other words, it means that until it is removed to some other place at the discretion of the Central Government, it may continue to have its present headquarters. Secondly, when a new custodian is appointed, it should be on the recommendation of the Reserve Bank, and thirdly if any custodian is to be removed, it should not be at the absolute discretion of Government but on the recommendation of the Reserve Bank.

SHRI P. C. SETHI : My amendment reads :

Page 6, line 6, after 'Central Government may' insert.

"if the Chairman of an existing bank declines to become or to continue to function as, a Custodian of the corresponding new bank, or".

This amendment seeks to make clear that the Central Government may change the custodian if the chairman of the existing bank declines to function as the custodian.

श्री कंवर लाल गुप्त : सभापति जी, 147 नं० का जो मेरा अमेन्डमेंट है वह क्लॉज 10 (4) में है। गवर्नमेंट ने कहा है :

"The Custodian shall hold office during the pleasure of the Central Government".

15.15 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]
I have added at the end :

"Provided that no custodian shall be removed from his office unless he has acted to the detriment of the interests of the bank."

मेरा तात्पर्य केवल यही है कि जो बिल है इसमें मन्त्री महोदय कहते हैं कि जिसको सरकार चाहे उस कस्टोडियन को हटा सकती है जिसका मतलब यह है कि गवर्नमेंट ने स्वीपिंग पावर्स अपने पास रखी है। सरकार जिस चेयरमैन या कस्टोडियन को पसन्द नहीं करती, किसी और कारण से भी, उसको भी हटा सकती है। मैंने केवल यही संशोधन किया है कि अगर वह कस्टोडियन कोई ऐसा काम करता है जो कि बैंक के इन्ट्रेस्ट के विरुद्ध हो तो उसको हटा दीजिए—इस बात का सरकार को अधिकार होना चाहिए—लेकिन अगर वह बैंक के इन्ट्रेस्ट के विरुद्ध कोई काम नहीं करता है तब फिर उसको हटाने की पावर सरकार को नहीं होनी चाहिए। मेरी पार्टी ने राष्ट्रीयकरण का जो विरोध किया है उसका एक मुख्य कारण यह है कि हमें यह डर है कि इस सरकार के पास इस विधेयक के जरिए से करीब पौने 5 हजार करोड़ रुपया आयेगा जिसके लिए

बहुत बड़ी-बड़ी बातें कही जाती हैं कि वह गरीबों के काम आयेगा लेकिन वास्तव में वह गरीबों के काम आ सके उसका प्रबन्ध किया जाना चाहिए। आपने श्री के० डी० मालवीय को एक्वाइन्ट किया या हिम्मतसिंह को एक्वाइन्ट कर दिया क्योंकि आपके पोलिटिकल एक्वाइन्टमेंट्स होते हैं और हमें डर है कि कल ऐसा न हो कि कोई कस्टोडियन अच्छा काम कर रहा है लेकिन आपका कोई कांग्रेसी मेम्बर हार गया, या कांग्रेसी लीडर हार गया, उन फ्रस्टेड, डिजेक्टेड, नाकारा और निकम्मे कांग्रेसियों के लिए आप भले ही कोई गीसाला खोल दीजिए वह ठीक रहेगा लेकिन आप बैंकों के साथ खिलवाड़ करेंगे, पाँच हजार करोड़ रुपए के साथ खिलवाड़ करेंगे—वह बहुत गलत बात होगी। इसलिए मेरा संशोधन है कि सरकार के ऊपर पाबन्दी होनी चाहिए कि कोई भी कस्टोडियन, जब तक कि वह बैंक के इन्ट्रस्ट के विरुद्ध कोई काम नहीं करता, उसको सरकार हटा नहीं सकेगी।

आज तक हमने देखा है कि सरकार ने अपनी पावसं का मिसयूज किया है। पब्लिक सेक्टर में तीन हजार करोड़ रुपया लगा हुआ है। उसमें जो घाटा होता है उसका कारण यह है कि वहाँ पर जो एक्वाइन्टमेंट्स होते हैं, खास तौर पर सीनियर आफिसर्स के वह पोलिटिकल कंसिड्रेशन्स से होते हैं। यहाँ पर भी हमें डर है कि कहीं इसके बीच में पालिटिक्स न आये। उसकी रोकथाम की जानी चाहिए। अगर यहाँ पर भी पोलिटिकल कंसिड्रेशन्स से एक्वाइन्टमेंट्स हुईं तो हमें डर है कि यह जो बैंकों का नेशनलाइजेशन हुआ है वह एक पार्टी के लिए इस्तेमाल होगा और पार्टी भी नहीं, एक व्यक्ति के लिए इस्तेमाल होगा और फिर देश में डिक्टेटरशिप पैदा होगी। उसी को समाप्त करने के लिए मेरा संशोधन है। मैं समझता हूँ इसमें पार्टी का कोई कंसिड्रेशन नहीं होना चाहिए। कोई भी व्यक्ति जो प्रजातन्त्र में विश्वास करता है वह इस बात से

सहमत होगा कि कोई भी कस्टोडियन जब तक कि वह बैंक के हितों के विरुद्ध काम नहीं करता, उसको हटाने का अधिकार सरकार को नहीं होना चाहिए। अगर इस मामले में सरकार का मनमानी करने दी जायेगी तो मुझे डर है कि सारे हारे हुए कांग्रेसी जिनके पास काम नहीं है और जिसकी बाजार में कोई कीमत नहीं है, वह बिठा दिए जायेंगे।

(व्यवधान)

श्रीमती लक्ष्मी कान्तम्मा (खम्म): आपके वाजपेयी जी एक बार जीत कर आये हैं।

श्री कंवर लाल गुप्त : हम उनको बैंकों का डायरेक्टर बनाने वाले नहीं हैं।... (व्यवधान)
.. चौधरी रणधीर सिंह पहले सोशलिस्ट थे, अब डिफेक्टर हैं। इनको मायूम नहीं है कि कांग्रेस में क्या है। अभी ये नये-नये कांग्रेसी हैं। जो पुराने कांग्रेसी हैं वे जानते हैं... (व्यवधान)...

श्री रणधीर सिंह (रोहतक) : ये भी आर० एस० एस० के डिफेक्टर हैं।... (व्यवधान)...

श्री कंवर लाल गुप्त : जो पुराने कांग्रेसी हैं वे जानते हैं कि किस तरीके से पावर मिसयूज की जाती है। इसलिए मेरा कहना है कि इसमें कोई पार्टी का कंसिड्रेशन नहीं है। अगर आप इस मशीनरी को इस्तेमाल नहीं करना चाहते हैं तो मैं मन्त्री महोदय से कहूँगा कि वे मेरे इस संशोधन को स्वीकार कर लें। क्योंकि मैंने इसमें कोई ऐसी बात नहीं कही है जो कि गलत हो। मैंने यही कहा है कि किसी कस्टोडियन को तभी हटाइए जबकि वह बैंक के हितों के विरुद्ध कोई काम करे।

MR. DEPUTY-SPEAKER : I would request hon. Members to be very brief. Even this morning I had objected to the bringing in of extraneous things. If hon. Members bring any extraneous arguments in their speeches, as I have noticed just now, then I shall cut short their speeches. Otherwise, we shall not be able to conclude the debate. Hon. Members should be relevant to the clause and to their amendments.

श्री अब्दुल गनी डार : डिप्टी स्पीकर साहब आपने फरमाया कि क्लॉज पर जब बोलें तो कोई ऐसा रैफरेंस न दें जो क्लॉज के मुनाविक न हो। मैं आपकी रूलिंग चाहता हूँ कि अगर इन दी इट्रेस्ट आफ कन्ट्री, चूँकि नैशनेलाइजेशन कन्ट्री के भले में है, किमानों, मजदूरों और छोटे काश्तकारों के भले में है, हम यह कहें कि जो गलतियाँ हुई हैं अब न कीजिए क्योंकि आप नैशनेलाइज करने जा रहे हैं, जिसमें हम आपके साथ हैं, तो उसमें कहाँ पाप आ जाता है जो इनके पाप को सामने न लाया जाय। आप क्यों रोकेंगे।

[श्री عبدالغنی دار : دیپٹی اسپیکر صاحب—آپ نے فرمایا کہ کلاز پر جب بولیں تو کوئی ایسی ریفرنس نہ دیں جو کلاز کے مطابق نہ ہو۔ میں آپ کی رولنگ چاہتا ہوں کہ اگر ان دی انٹرویسٹ آف کونٹری چونکہ نیشنلائزیشن کونٹری کے بھلے میں ہے، کسانوں مزدوروں اور چھوٹے خدمت کاروں کی بحس میں ہے ہم یہ کہیں کہ جو غلطیاں ہوئی ہیں ان کو اب نہ کیجئے تو اس میں کیا اعتراض ہو سکتا ہے اور کون سا پاپ ہے۔ آپ نیشنلائز کرنے جارہے ہیں لیکن اگر ان کی خامیوں کو سامنے لایا جائے تو اس میں پاپ کی کیا بات ہے۔ آپ کیوں روکیں گے۔]

MR. DEPUTY-SPEAKER : There is no point of order. I repeat what I said in the morning. This is not the stage for dwelling on the sins of commission or commission. What was said in the general consideration need not be repeated now.

SHRI KANWAR LAL GUPTA : Why not ?

MR. DEPUTY-SPEAKER : I will not permit it in discussion of clause by clause. Otherwise, we will lose time and it will have to be guillotined.

SHRI ABDUL GHANI DAR : I bow to your ruling. But can you quote the rule under which you are saying this ?

MR. DEPUTY-SPEAKER : We are on the clause by clause stage to scrutinise the clause to add to them or subtract from them. On that members can argue and ask why a particular phrase should be there or should not be there.

SHRI RANDHIR SINGH : The Speaker is a rule himself. He can do no wrong.

श्री श्रीम प्रकाश त्यागी (मुरादाबाद) : बैंकों की सफलता कस्टोडियन्स पर निर्भर करेगा और उनकी नियुक्ति योग्यता के आधार पर होनी चाहिए। राजनीतिक आधार पर नहीं होनी चाहिए ...

MR. DEPUTY-SPEAKER : I have followed him. I did not interrupt him.

श्री श्रीम प्रकाश त्यागी : अगर ऐसा न हुआ हो भूतकाल में, अगर इस प्रकार की नियुक्तियाँ न हुई हों तो यह न कहा जाता। लेकिन ऐसी राजनीतिक आधार पर नियुक्तियाँ हुई हैं।

श्री मधु लिमये : उपाध्यक्ष महोदय, मेरा संशोधन नम्बर 178 है। इसमें मैंने बैंकिंग व्यवस्था के विस्तार के लिए कुछ सुझाव दिये हैं। इस पूरे विधेयक में इसके बारे में कोई बात नहीं है। असल में मेरी बुनियादी शिकायत यह है कि इन्होंने सारे अधिकार अपने हाथ में ले रखे हैं। सदन के सामने कोई अपनी योजना नहीं रखी। इस बिल में सिवाय इसके कि हम इन बैंकों को अपने हाथ में लेंगे और कोई बात नहीं है।

दो, तीन दिन पहले एक खबर छप रही थी एक अपेक्स बौडी होगी और उसके, हारे हुए भूतपूर्व खाद्य मंत्री श्री सुब्रमण्यम, प्रमुख होंगे। उसके बाद खबर आती है कि कोई अपेक्स बौडी नहीं होगी। हमारी समझ में नहीं आता कि इनके सामने तस्वीर क्या है ? क्या यह सदन को आश्वासन देंगे कि जो भी वे योजना बनायेंगे वह ऐसी होगी कि उसमें

कांग्रेसियों के लिये रोजी देने की बात, ऐमप्लाय-मेंट एजेंसी नहीं होगी ?

श्री रणधीर सिंह : हम यह स्पीच सुनने के लिए तैयार नहीं हैं। इनका जवाब मैं दूंगा। आप इनको रोकते नहीं हैं और यह हमको गालियां दे रहे हैं। कांग्रेस को बदनाम कर रहे हैं। क्लाइ पर बात कहें, कांस्टीट्यूशन की, ला की बात कहें, बैंकिंग बिल की बात कहें तो ठीक भी है। यह कहाँ तक मुनासिब है कि कांग्रेस को गालियाँ दें। अगर यह बोलेंगे तो मैं इनका जवाब दूंगा।

श्री मधु लिमये : इनको बीच में दखल देने की जरूरत नहीं है।

श्री रणधीर सिंह : यह फिर प्रावोक कर रहे हैं। कांग्रेस को गालियाँ देने का ठेका उठा रखा है ?

श्री श्रोम प्रकाश त्यागी : शासन, आपके हाथ में है। गाली आप खायेंगे कि हम ?

श्री मधु लिमये : मैं मंत्री जी से आश्वासन चाहता हूँ कि हारे हुए कांग्रेसियों के लिये यह नई बैंकिंग व्यवस्था ऐमप्लायमेंट एजेंसी नहीं बनेगी।

विस्तार के बारे में मेरे जो तीन सुझाव हैं उनको मैं संक्षेप में सदन के सामने रखता हूँ। सब से पहले मैं चाहता हूँ कि बैंकों की जो वर्तमान शाखायें हैं उनको बन्द न किया जाय जब तक कि केन्द्रीय सरकार की अनुमति न ली जाय।

दूसरी बात यह कही है कि इनकी नई शाखायें इस देश में और विदेशों में खोलने की छूट होनी चाहिए।

तीसरी बात यह है कि 14 बैंक आप अपने हाथ में ले रहे हैं इनमें से हर एक बैंक कम से कम आने वाले पांच साल में नई 50 शाखायें खोलें यह सब मैं विस्तार के लिए बता रहा

हूँ। और इन 50 शाखाओं में से 25 शाखायें देहाती क्षेत्र में हों।

अब इस खंड के उपखंड (3) के बारे में मैं निवेदन करना चाहता हूँ जो इनकी तनखाह और भत्तों से संबंधित है। हमारे कांग्रेस पार्टी के मंत्री और दोस्त लोग बार-बार समाजवाद की आज कल बात करते हैं। लेकिन इनका समाजवाद निर्गुण निराकार ब्रह्म की तरह है। तो जब तक समाजवाद का कोई ठोस और निश्चित ढाँचा नहीं रहेगा तब तक आप बैंकों को ले लीजिये, या और किसी और चीज को ले लीजिए, हालत में कोई परिवर्तन नहीं होने वाला है। समाजवाद का मुख्य उद्देश्य है बराबरी, समानता। लेकिन इन लोगों को बराबरी से नफरत है। हर किसी चीज में बराबरी से नफरत है। मंत्रियों की तनखाह, भत्ते और सुविधायें देखिये। इनको कम करने की बात करना यह कबूल नहीं करेंगे। आपको याद होगा कि अविश्वास प्रस्ताव के समय माननीय दांडेकर जी ने एक बात कही थी कि जर्मनी में एक पोस्टर लगा था कि जवानों को रोजी नहीं, गरीबों को रोटी नहीं, लेकिन न्यू हाउस फार दी प्राइम मिनिस्टर।...

SHRI K. NARAYANA RAO : Is that relevant.. (Interruption)

श्री रणधीर सिंह : बिटोरे में से उपले ही उपले निकलते हैं।

MR. DEPUTY-SPEAKER : I leave it to the good sense of the Members.

श्री रणधीर सिंह : हमारे प्रधान मंत्री से माननीय मधु लिमये जी का मकान बड़ा है और इनका खर्चा भी प्राइम मिनिस्टर से ज्यादा है। हमारी प्राइम मिनिस्टर दुनिया के प्राइम मिनिस्टर्स की बनिस्वत सब से छोटे मकान में रहती हैं।

SHKI K. NARAYANA RAO (Bobbili) : I have a point of order. You cannot stop me.

MR. DEPUTY-SPEAKER : We cannot conclude even one clause if we go on like this.

श्री रणधीर सिंह : अपोजीशन के सब लीडर्स का मकान हमारी प्राइम मिनिस्टर से बड़ा है। यह बिल की बात करें, वेकार की बात क्यों करते हैं ? यह घर की बात क्यों कर रहे हैं। इनको कंट्रोल करना चाहिए।

MR. DEPUTY-SPEAKER : What is your point of order, Mr. Naryana Rao ?

SHRI K. NARAYANA RAO : My point of order is this. What is the scope of the Bill ? What is the scope of discussion ? When we discuss the generalities of the Bill, perhaps we make go a little this way or that way. But when we are discussing the clauses, our comments and discussions must be in conformity with the particular clause before the House.

MR. DEPUTY-SPEAKER : I have followed your point. I have ruled, but unfortunately, if a Member brings in extraneous matters while arguing his point or his amendment, ultimately I will have to leave it to his good sense. What else can I do ?

श्री रणधीर सिंह : इस बिल में प्राइम मिनिस्टर के मकान का कहां जिक्र आता है ?

MR. DEPUTY-SPEAKER : I have told him already.

श्री रणधीर सिंह : नहीं तो हम भी जवाब देंगे। अगर वह हमको प्रोवोक करेंगे तो हम भी इंटरप्ट करेंगे।

श्री मधु सिमये : यह हल्ला करने वाले लोग हमको मना करने वाले कौन होते हैं ?

श्री रणधीर सिंह : ऊटपटांग बात करेंगे तो हम खड़े होकर बोलेंगे।

SHRI K. NARAYANA RAO rose—

SHRI N. DANDEKER : Sir, can you

not restrain those self-appointed, spiritual bodyguards of the Prime Minister ? (Inter-ruption)

MR. DEPUTY-SPEAKER : Mr. Rao, intervention because of something irrelevant or something unparliamentary, may be all right. Now, it is over. Please resume your seat.

श्री मधु सिमये : यहां पर श्री फखरुद्दीन अली अहमद बंठे हुए हैं जो अलफाबेटिकली नं० 2 हैं। वह इन लोगों को कंट्रोल क्यों नहीं करते ? माननीय अध्यक्ष महोदय इस तरह से इधर के सदस्यों को कह रहे हैं कि उनको भी अपने दिलों पर नियन्त्रण करना चाहिए। मैं दो मिनट से ज्यादा समय नहीं लूंगा।

उपाध्यक्ष महोदय, आप बहुत जानी हैं। समाजवाद का आपने गहरा अध्ययन किया हुआ है। आप समाजवाद क्या है जानते हैं। क्या आप इस बात को काट सकते हैं ? समाजवाद में सम्भव बराबरी हो। मैं नहीं कहता कि सबको पचास-पचास रुपये दीजिये। अधिक से अधिक बराबरी लाइये। इमीलिये मैं अर्ज कर रहा था कि पूंजीपतियों के मुनाफे के बारे में जरूर रोक लगानी चाहिए। लेकिन साथ ही जो राष्ट्र हित को आघात पहुंचाने वाले मंत्री और नौकरशाह लोग हैं उनकी तन्ख्वाहों और भत्तों पर रोक लगाइये। मैं जानता हूँ कि आप कहेंगे कि यह राष्ट्रीयकरण जन-हित में हो रहा है। इसी लिए हम यह अर्ज कर रहे थे।

आपको दूसरा उदाहरण देता हूँ। श्री जार्ज फरनेन्डीज ने संशोधन दिया कि 2,000 रुपये तक आप करें। इसका मैं समर्थन कर रहा हूँ। इसीलिये प्रधान मंत्री के मकान की चर्चा अगर आपको अच्छी नहीं लगती तो मैं उसको छोड़े देता हूँ, मैं दूसरी बात कहता हूँ। कल हमारे यहाँ राजाओं के निजी कोष का सवाल आ रहा है। कल कसौटी होने वाली है। चौधरी साहब से, जो हमारी पार्टी से बाहर चले गये हैं, मैं कहना चाहता हूँ कि जिस तरह से पूंजीपतियों के मुनाफे पर इस बिल में रोक है उसी

तरह से नौकरशाही पर भी लगाइये। अब सामन्तशाही और राजाशाही की बात आती है। कौन नहीं जानता है कि श्रीमती इन्दिरा गांधी के मंत्रिमंडल में राजाओं महाराजाओं की भरमार है। यह भी मैंने सुना है कि जो जमीदार टाइप के राजा हैं वह भी अपने घर वालों से कहते हैं कि मुझे महाराज कहो। लेकिन शायद वह नहीं जानते हैं कि महाराज जो दूसरों के घरों में रसोई बनाने का काम करते हैं उनको कहते हैं। मैं यह अर्ज कर रहा था कि निजी कोषों के बारे में कल चर्चा होने वाली है। राष्ट्रीयकरण के कार्य को हम समाजवाद की दिशा में ले जाना चाहते हैं और नौकरशाही पूँजीवाद की तरफ, जैसा चीनियों ने कहा है, नहीं ले जाना चाहते हैं। नौकरशाही पूँजीवाद शब्द का हम लोग इस्तेमाल करते थे, केवल पीकिंग रेडियो नहीं। समाजवाद की दिशा में बढ़ने के लिए, नौकरशाही पूँजीवाद की तरफ नहीं, नौकरशाही तथा सयासत वालों की तन्स्वाहों और भर्त्ता पर भी रोक लगाई जाये और निजी कोषों को समाप्त किया जाय। मैं अपील करता हूँ कामराज साहब से, चव्हाण साहब से, जिन्होंने राष्ट्रीयकरण को ऐतिहासिक कदम ठेराया कहाँ हैं ये लोग? वह लोग कहीं चले गए हैं। राजा महाराजा लोगों से श्रीमती इन्दिरा गांधी घिरी हुई हैं। मैं चाहता हूँ कि कामराज साहब, चव्हाण साहब और चौधरी साहब आगे आयें और बैंकों के राष्ट्रीयकरण को बराबरी के आधार पर सफल बनायें।

SHRI P. RAMAMURTI : Mr. Deputy Speaker, Sir, my amendment relates to the personnel of these custodians. The provision under this Bill is that the existing chairman will continue as the custodians unless the Government for any reason choose to remove any one from that custodianship. Shri George Fernandes and Shri Madhu Limaye were talking about the emoluments of these custodians. While I agree with them I want to lay emphasis not on that aspect.

I want to say that these people who have been the chairman of many of these banks

do not deserve to continue as the custodians of these banks. After all, we have the experience of the nationalisation of the LIC. When the LIC was nationalised and the big officers of the various insurance companies were brought here as officers we know what was the result. I am not blaming anybody particularly. A man may be good, a man may be bad, but there is a mentality that has been developed over years of functioning. That mentality is to abet, to help, to aid big business houses in this country. You cannot today take away that mentality merely because Government has today nationalised them. My friends might be very anxious to keep them, but my point is that these people cannot bring to bear on this national sector that outlook that is necessary if this nationalised sector is to perform its functions.

Therefore, if it is to perform its functions and if the functioning of these banks has to be informed with social purpose, as far as the people are concerned they think social purpose synonymous with interest of big businessmen. Therefore, my amendment seeks that within one month these people who have been chairmen of these banks or any of these banks—not one particular bank—they shall have nothing to do whatsoever with the custodianship, and during that one month they can—because Government has got to make some arrangements and I do not except them to make them overnight—make the necessary arrangements. During that period of one month I do not want them to play ducks and drakes. Many things may be done in this one month. So I want that they should be associated as co-custodians with some other officers appointed by the Government of India. This is my simple amendment and I want Government to accept it.

SHRI S. KUNDU (Balasore) : Mr. Deputy-Speaker, Sir, my amendment number is 224. I have suggested in another amendment that there should be an advisory board consisting of workers, some experts and persons who have knowledge of banking to manage these banks. In this amendment I have suggested that the continuance of the chairman as custodian should go and the appointment of custodian should remain with the Government. Ultimately they will be under the control of the advisory board. When I am suggesting this

[Shri S. Kundu]

amendment, I want that if the Government are really keen to pursue the larger social purpose for which they have taken over these banks they should see that the men who directly run these banks have some sort of abiding commitment to the social purpose. Otherwise, the entire purpose for which banks are taken over would be defeated.

These banks have been taken over not to perpetuate their transformation into a certain form. We want that the transformation should be real and should have some content and quality. If you want that it should have a transformation bearing a certain content and quality, then the men who man these banks must be really purposive. They must show their loyalty to the larger purpose; otherwise, the entire purpose will be defeated.

We committed this mistake in 1947 when we took over the reins of administration from the British. We wanted to nurture the same bureaucracy with which the Britishers ruled this country for 200 years. We committed the same blunder again in running the big national projects in the public sector. We put some ICS or IAS people, who had passed the examination with British history, as directors or managers of fertiliser corporation or some such projects in which they had no bearing. There were some ICS or IAS people who had passed out in agriculture, and they were put as directors or managers of other public sector units. Those who had no knowledge of the subject were put there. For 20 years we have been suffering from this wrong prescription of irrelevancy of purpose.

This is a very innocuous amendment. The power of appointment of Custodians may be with the Government and if there are some good Chairmen, you appoint them as Custodians but if there are bad chairmen, throw them out. As your clause is drafted you cannot do anything but appoint them as Custodians. The humiliating thing about the amendment that has been moved by the Government is that if the Chairman does not like he can get out. If he does not like, he will of course, go out. No amendment is necessary for that. Therefore I request the Law Minister to have the

power to appoint Chairman as Custodians, if so likes, but my amendment also gives him power not to appoint them. His amendment and clause leaves a lacuna. It does not mean that you do not appoint Chairmen as Custodians but if there are good people, take them and if there are bad people, do not appoint them. He is a reasonable man and sometimes accepts amendments. I hope, he will accept it

SHRI LOBO PRABHU (Udipi) : My good friends here have not realised the deep meaning of appointing ex-Chairmen as Custodians. The reason why they are appointed as Custodians is to take the line of least resistance and have people from the other camp to handle affairs of nationalisation. Therefore my friends are making a mistake in insisting that these people should not be appointed Custodians because they are ex-Chairmen. If you do not do that, what is going to happen is that when you do not have the Chairmen as Custodians they will be aggrieved parties and will go to the Supreme Court. This is a very important point.

No doubt, clause 15 provides for a committee of advisors and of chairmen thereto for whom some expenditure may be sanctioned to maintain the interests of shareholders, but the interest of the bank as such is not under any Custodian or any Chairman. So, what the Government has achieved by this very clever move of appointing Chairmen as Custodians is to draw the teeth out of the bank, to have it just their own way and, so to say, to leave to others to fight this battle of the freedom of banks.

What I have suggested is that since you have appointed these people as Custodians even for your own nefarious purposes you should not have the further power of ordering them or of removing them because in that case not only will these people betray the interest of banks as they are put in future they will do exactly as the Government orders them. So, I have proposed through my amendment that this power to remove the Custodian should be cancelled. This is what I want.

The other relevant point is this. Who he is a custodian for? Ordinarily, the custodian would be for those who have been deprived of their rights or property. You have a Custodian of Evacuee Property, a

Custodian of Enemy Property etc., but in this case he is a custodian for Government. It is such a contradiction in terms. He should not be called a Custodian because he is no longer watching the interests of the erstwhile owners or the share-holders of the banks. In these circumstances, I would suggest that the clause must be enlarged. You can have a Custodian if you have obtained a man from the other side to be in your camp. But there should be a Chairman who will look after the interests of the banks and of the share holders who will be able to take the case to the Supreme Court, if necessary, and as is necessary. That is my amendment. Therefore, you delete the portion mentioned by me and also enlarge the clause to give the Chairman and the Board of Directors full power to represent the bank and the full power to spend money to defend the interests of the bank.

SHRI N. DANDEKER : I have only one comment to make. I would like to have an assurance from the Law Minister that, in conformity with the policy announcement that have been made, in no circumstances will the Chairmen or the Custodians of the Banks will be non-professional bankers. I take it that the purpose which has been made clear in the speeches of the Prime Minister and also of the Law Minister that they wish to continue the process of professionalising the management of the Banks will be strictly adhered to. If I have their assurance, I do not press both my amendments.

MR. DEPUTY-SPEAKER : Then, there are amendments by Shri Nambiar ; he is not here.

SHRI N. SREEKANTAN NAIR : I am a signatory to these amendments.

MR. DEPUTY-SPEAKER : All right ; you can speak on them.

SHRI N. SREEKANTAN NAIR : Sir, these are also very small amendments almost on the lines of those of Shri P. Ramamurti. We understand the difficulties of the Government and we do realise that, all of a sudden, from nowhere, they cannot bring experts in banking. These people have got to be continued for the present as Custodians. But I want to urge the urgency and the thoroughness with which the Govern-

ment should tackle this problem. Otherwise, the Government and the country will fail to achieve the purpose of nationalisation. First of all, in sub-clauses (2) and (3) there is a contradiction. In sub-clause (2), it is said that the chief executive officer should be the Custodian and in sub-clause (3), it is said that the Chairman should be the Custodian. In some Banks, he may be the same person but in some other Banks, he may be different person. That confusion has got to be corrected.

Then, the Custodian should not be there for more than a month. Why ? The continuity must be there. He is the Custodian of the share-holders also. The share-holders are to be paid compensation. Therefore, what Mr. Lobo Prabhu said is not correct, to say that he is not the Custodian of the Government. He is the Custodian of the Government and of the share-holders. He is the Custodian of both. But if the policy of nationalisation of the Government is to be carried out, I am afraid, these people should not continue for long. Some of them may know nothing about banking. But there may be others who know something about banking. In one respect, I agree with Mr. Dandekar that those people who know something about banking should be there. But those who know nothing about banking and who have misused thousands of share-holders' money in crores and crores of rupees should not be allowed to continue.

SHRI SHASHI RANJAN : Sir, my amendment is very small but it is of a very far-reaching consequence. As a matter of fact, the managements of the banks are the crux of the question of nationalisation and the idea of nationalisation. If the managements are drawn properly, we will meet the same fate as we are meeting in other public sector enterprises. From the Bill as it is presented to us, it is more towards governmentalisation than nationalisation. I would request that it must be looked from the point of view of nationalisation. I see that the Central Government has consumed all powers in all matters.

I agree—not very much agree but to some extent agree—that the Reserve Bank needs lot of improvement. but I do not agree that the Reserve Bank is completely not doing properly its duty. I know that

[Shri Sashi Ranjan]

the Reserve Bank has very much put its hands on the other banks and has controlled the banks efficiently, if not very efficiently. So, I feel that wherever it is said that the Custodian shall hold at the pleasure of the Central Government, it should be 'at the pleasure of the Reserve Bank or the Governor of the Reserve Bank'. Of course, the Reserve Bank is under the control of the control of the Government and they can make improvements. One institution is already there to look after the banks and unless and until we set up another institution, we have no reason to shut completely the Reserve Bank from laying its hands on the other banks.

The Government has not given any plan about co-ordination. the integrated homogeneous growth of the entire banking sector. After the nationalisation of these banks, there will be three or four institutions—the Reserve Bank, the State Banks, these nationalised banks, then the commercial professional bankers may be those who banks. If at all there is going to be an apex body, Government must come out with a complete plan as to what will be the co-ordination between these bodies. Only then we can have the full idea, the full purpose, of nationalisation.

The Prime Minister was good enough to say that the banking industry would be left in the hands of professional bankers. I have only one word to say in this connection and that is that it must be in the hands of professional Commercial bankers, because professional bankers may be those who have got only book experience, but this needs persons who are in the commercial line. Whatever Mr. Dandeker and my other hon. friend might have said, I wish that the word 'commercial' must be added there.

श्री लखन लाल कपूर : उपाध्यक्ष महोदय, मेरा अमेंडमेंट नं० 375 है। उसमें यह कहा है :

Page 5, line 46,—

add at the end—

"The Custodian of the bank will act by the advice of a board consisting of representative of workers, creditors, Government nominee, representative

from Industry, Commerce and Trade and persons having special knowledge of Banking system, accountancy and economics."

इसमें अभी तक जो कस्टोडियन है जो बैंकों को चला रहे हैं जिनके माध्यम से काम हो रहा है, उसमें सरकार जब इनका राष्ट्रीयकरण कर रही है तो समाजीकरण का उद्देश्य तभी पूरा हो सकता है जब कि इसमें जो हमने मेशन किया है कि इन-इन लोगों के प्रतिनिधि रहें, इन प्रतिनिधियों के रहने से मैं समझता हूँ कि बैंकों का इन्तजाम अच्छी तरह से हो सकता है और इससे उस उद्देश्य की पूर्ति हो सकती है जिसके लिए विधेयक पेश किया गया है।

MR. DEPUTY-SPEAKER : Mr. Kothari.

SHRI S. M. BANERJEE (Kanpur) : I want to oppose the Government's amendments.

MR. DEPUTY-SPEAKER : I will call you later on.

Mr. Kothari may move his amendment.

SHRI S. S. KOTHARI : I beg to move : Page 6, after line 11, insert—

"(5) The Custodian shall be designated as 'Chairman' from the date of commencement of this Act."

We have heard of the Custodian of Enemy Property, and Custodian of shares, but with regard to full-fledged new banks which will be public sector companies, I do not understand what it means, unless it is enemy property in terms of class war.

I do not understand how you can term as custodian, persons who will enjoy very high status. They will also preside over the Advisory Board and the Board of Directors. Therefore, they should be designated as Chairmen. This is a very simple amendment. I hope Government will accept it.

MR. DEPUTY-SPEAKER : What do you want Mr. Banerjee ?

SHRI S. M. BANERJEE : The amendment tabled by Shri Samarendra Kundu

gives the power to the Chairman. Here it depends upon the free will to the Chairman. If the Minister accepts amendment No. 224, then I will have nothing to say. If he does not accept it, then I will explain further. The present chairman is co-extensive. Whether a particular Chairman of a particular Bank believes in nationalisation or not, he will become the custodian according to the law. My contention is Government should reserve the right, should have some power in the hands to change that particular person if they so desire. I am opposing to this particular amendment by Government. Let them accept the amendment of Mr. Kundu.

SHRI TENNETI VISWANATHAM : I am also opposing it. They have supported the nationalisation for good motive. After 24 hours their minds might have changed. The original proviso is good enough. It says that the Central Government may appoint any other person as the Custodian of the Bank. It is a beautiful proviso. It is an effective answer to all the criticisms made that the Government are really perpetuating the old system. But, on the other hand, here comes the Law Minister with an amendment which binds him. In that he cannot touch anybody. Exactly what my friend from the Swatantra Party, Mr. Dandekar, said was that nobody shall be touched. On the other hand, the original proviso was good. If they find it necessary to change, they should change. Here comes an amendment which unnecessarily extracts the power to the Government. Sometimes, the person may not believe in nationalisation. They are all supposed to be professional man. While the Banking Regulation Act continued all these years while the Reserve Bank is exercising this control over these deposits, they are used only for concentration in a few hands.

16 hrs.

That is what we have been observing. Somehow or other, the results we see do not logically flow from what has been done. They had perfect freedom, perfect control and perfect regulation ; yet concentration of wealth in a few hands has been the result. These funds had been utilised only to help big business. It is to undo this that Government had the good idea of nationalisation. But now they are binding themselves hand and foot. Therefore, I would ask

minister to with how the government amendment. The other amendments also won't be necessary because wherever it is necessary, they will remove the custodian ; otherwise, if they are good men, they can continue.

SHRI GOVINDA MENON : Cl. 10 deals with the head office, Custodian etc. There have been very valuable suggestions. Shri Dandekar did not move his amendment and said he would not do it provided I would assure him that the management of the bank would be entrusted to people who know banking business. The Prime Minister has said—I think repeated it—that is the idea. Therefore, there need be absolutely no anxiety on the part of anyone in this House that we are going to import anyone else who does not know the A B C of banking to run these banks.

SHRI KANWAR LAL GUPTA : No political appointments.

SHRI GOVINDA MENON : Some of these people may have politics.

That is a different matter. We cannot avoid it.

Now arises the question of the custodian. Three members have spoken about it in different strains, Shri Lobo Prabhu, Shri Ramamurti and Shri Kundu. Imagine for a moment what happened. The Ordinance was issued on 19 July,

श्री अब्दुल गनी जार : मैंने भी कहा है कि जिनके खिलाफ एलीगेशन है, उनको न रखा जाय।

[شری عبدالغنی ڈار—میں نے بھی کہا ہے کہ جنکے خلاف ایلگیشن ہے انکو نہ رکھا جائے۔]

SHRI GOVINDA MENON : I will come to that. By virtue of the Ordinance on 19th July, these 14 banks came into the custody of the Government of India. Would it have been possible for Government to go about and find people who will run the bank ? The practical method was to ask the persons who were then Chairman to continue as Custodians. There is nothing

[Shri Govinda Menon]

wrong in the word 'Custodian'. They are persons who hold custody of the banks on behalf of Government. I want to remind the House that this was the word used when life insurance business was nationalised some years ago.

Shri Ramamurti and Shri Kundu do not want the existing Chairmen to continue as Custodians. The existing Chairmen are professional bankers who have run these banks. Unless these banks are prosperous and flourishing banks, Government would not have gone to nationalise them. Therefore, under the tutelage of these 14 Chairmen, these banks have been flourishing.

Shri Sreekanatan Nair and some others want to provide in the Bill itself that they will continue for only a month or two. I want the House to consider whether that kind of formulation is possible in a Bill like this.

I will now say why the amendment of Shri Sethi became necessary. Cl. 10 (3) says :

"The Chairman of the existing bank holding office as such immediately before the commencement of this Act shall be the Custodian of the corresponding new bank and the Custodian so appointed....."

We wanted to provide for a contingency in which one or other of the Chairmen of these 14 banks may say 'I do not want to be there'. Therefore, we thought this amendment necessary. If they do not agree, we can appoint other persons. It is not at all the intention of Government to cause dislocation. There were friends here who suggested that when the banks are taken over, the employees should be left undisturbed. For a transitional period, we want to see that those who have been working the bank upto now continue as Custodians. Other questions may arise. Suppose they do not behave properly or are not doing things well. Sub-clause 4 meets that contingency as the custodian shall hold office during the pleasure of the Central Government. A suggestion was made by Mr. Dar, as also Kabir who is not here, that there should be provision that they can be removed only for proved misconduct, etc. The result would be to raise

the position of custodians and others to the status of Government servants who are governed by article 309 of the Constitution. That way we cannot carry on the management of commercial banks. Then comes the point raised by Mr. Fernander and Mr. Limaye regarding salary. What they on the one hand say and what Mr. Dandekar and others on this side say do not go together. If you want persons who know something about banking, with some experience of banking, it may not be possible for us to get such persons for Rs. 2,000. If you want to get as custodians and managers persons on Rs 2,000 they may not know anything about banking. That is the difficulty we are placed in. But I agree that there should be no extravagance and that is the object of the Government also. In the matter of the conduct of the nationalised banks, Government has to steer a middle course. They have to see that the bank is run by persons who know the business of banking. Because it is a nationalised bank, an agriculturist walks in ; he wants some money and he may say ; give him some money. Or any man with a small business goes in and he says : give him some money. If inexperienced persons are appointed that kind of thing will happen. On the other hand we have to see that the conception of credit worthiness is changed. The old conception that only a man with some property or huge accumulation of holdings in gilt edged securities or otherwise can draw from bank that should go. Therefore, we must have an arrangement under which co-operatives will directly deal with agriculturists and advances to the agriculturists are also protected. With that view we shall be drawing up a scheme which would not be an autocratic scheme but which will be placed before the House as provided for under clause 30 in consultation with the reserve Bank.

Mr. Limaye had a very interesting amendment to his credit that each of those fourteen banks shall establish fifty branches every year and it would come to this : every year 700 new branches of these banks will be established. I think he did not consider the consequences when he moved the amendment.

श्री मधु लिमये : सोचा है । उपाध्यक्ष महोदय, मेरा प्वाइन्ट ऑफ़ आर्डर है । ये

पढ़ते नहीं हैं, मैंने उसमें 5 साल कहा है।
आप 178 को पढ़िये।

SHRI GOVINDA MENON : The consequence will be that in the course of a few years, the country will be flooded with banks and nothing else.

SHRI MADHU LIMAYE : On a point of order. He has not read the amendment. I quoted the number for him.

आप 178 पढ़िए।

SHRI RANDHIR SINGH : Let us hear him.

MR. DEPUTY-SPEAKER : He is not opposing the opening of branches in the villages. Only he referred to the number.

श्री मधु लिमये : इनको अमेंडमेंट पढ़ना सिखाओ। मैं आपके साथ हूँ चौधरी साहब। 700 ब्रांचेज हो जायेंगी, उसमें से आधी ग्रामीण क्षेत्र में हो जायेंगी। यह पाँच साल तक के लिए कहा है। सरकार चाहे तो अधिक समय बढ़ा सकती है। ये एक भी अमेंडमेंट पढ़ते नहीं हैं।... (व्यवधान)... आपको नहीं मानना है तो न मानिये।

SHRI GOVINDA MENON : I shall stand corrected if there is a printing mistake, because the amendment reads as follows :

"Notwithstanding anything contained in sub-clause (3) every corresponding new bank shall establish not less than 50 branches per annum..."

That is what I referred to :—

"out of which 25 shall be in rural areas" etc.

What I said is, if this is adopted and incorporated, it will be a mandate in the statute that 700 branches shall be opened every year: 50 multiplied by 14.

SHRI MADHU LIMAYE : Printing error.

SHRI GOVINDA MENON : That is why I said if it is a printing error, I stand corrected. The idea is that there should be branches where they are necessary. In

a statute like this, where we lay down the principles, we cannot say how many branches shall be opened every year, etc. Therefore, I hope that all these amendments will be with drawn; and I accept Mr. Sethi's amendment.

श्री विमूति मिश्र (मोतीहारी) : ये 50 कहते हैं—इनको चाहिए दस, पंद्रह, या बीस गांवों पर होगा। जैसे कि आपने ब्लाक बनाये हैं 60-70 हजार पर वैसे ही इनको कहना चाहिए तीस, पचीस, या पचास हजार पर एक ब्रांच खोलेंगे। अगर बिल में नहीं होता है तो जो रूल्स बनेंगे उसमें तो कोई देखेगा नहीं। गांवों की कोई बान आती है तो उसको पीछे हटा दिया जाता है। मैं चाहता हूँ आप कबूल कीजिए। कि इतने गांवों पर एक ब्रांच बनाई जायेगी।... (व्यवधान)...

SHRI R. D. BHANDARE : (Bombay Centre) What is the procedure you are following? After the reply to the debate on the amendments, you are allowing him to speak.

श्री विभूति मिश्र : आप इस तरह का कानून बनायेंगे तो हम बोलेंगे नहीं ? ... (व्यवधान) ...

श्री रणधीर सिंह : मैं एक बात कहना चाहता हूँ कि एक बात इन्होंने जो कही है बड़े जोर से कि 25 हजार की आबादी वाले को गांव मानेंगे तो इस तरह से सारी ब्रांचेज शहरों में ही खुलेंगी क्योंकि गांवों की आबादी मुश्किल से 5-7 हजार ही होती है। अगर पाँच सात सौ नहीं खोल सकते हैं तो कुछ तो देहातों में ले जायेंगे या नहीं ? इसलिए मेरी गुजारिश यह है कि इसकी बाबत रूल्स में कोई प्राविजन होना चाहिए। इसके अलावा अगर कोई अच्छे अमेंडमेंट दूसरी तरफ से या श्री मधु लिमये जी की तरफ से आते हैं उस वक्त भी आप सरकार की डपली बजाते रहें वह बात ठीक नहीं है।... (व्यवधान)... बैंक नेशनलाइजेशन से 45 करोड़ लोगों को फायदा होना है जिसमें हरिजन, बैंकवर्द्ध आदिवासी, किसान सभी

[श्री रणधीर सिंह]

आते हैं। इनके फायदे की कोई बात अगर उसी तरफ से भी आती है तो उसको मानना चाहिए। इस अमेंडमेंट में मैं उनके साथ हूँ।

MR. DEPUTY-SPEAKER : If you want to open a debate a second time, that is not possible now. You want some sort of assurance ; he has said that every effort will be made to open branches. keeping the banking and other interests in view. Beyond that, what assurance can he give ?

SHRI GOVINDA MENON : I am extremely sorry that I have been misunderstood. All that I meant was that there can be no rigid provision such as is contained in Mr. Madhu Limaye's amendment. But the policy of the Government would be this. I can give an assurance to friends here that it will be our attempt to see that there will be banks in the rural areas.

SHRI RANDHIR SINGH : 80 per cent of them.

SHRI GOVINDA MENON : And the Reserve Bank has not said that they will only be in towns. Unless the policy is to open as many branches in the rural areas as the requirements of the rural population demand, it would be of no use. The branches in the towns are intended to draw the deposits, and we will have as many branches as are required in the rural areas to serve the purpose of the rural people (*Interruption*).

MR. DEPUTY-SPEAKER : I shall put all the amendments, excepting Government amendments, to clause 10 to the vote of the House (*Interruption*).

SHRI SURRENDRANATH DWIVEDY (Kendrapara) : Sir, the Minister has not said whether he is accepting or rejecting the amendments that some of our friends have moved to this clause.

MR. DEPUTY-SPEAKER : He said that he was not accepting any amendment except the amendments moved by Shri Sethi. Unless he conveys to the House and to the Chair his willingness to accept any amendment, there is no acceptance of any amendment. So I will put all the other amendments together.

SHRI KANWAR LAL GUPTA : Sir, I want amendment No. 147 to be put separately.

SHRI GEORGE FERNANDES Amendments Nos. 21 and 22 may be put separately.

SHRI S. KUNDU : No. 224 may be put separately.

SHRI NAMBIAR : Number 324 also.

श्री मधु लिमये : मेरा प्वाइन्ट ऑफ ऑर्डर है।

MR. DEPUTY-SPEAKER : Order, order. The hon Member is not the master of rules. Once the process of voting begins no point of order can be raised. I am not prepared to hear any point of order now. I am now asking hon. Members whether they want any amendment to be put to vote separately. If the hon. Member wants any amendment to be put separately he may tell me the number.

श्री मधु लिमये : उसी के बारे में है। मेरा अमेंडमेंट रखा जाये यह कहने का मेरा अधिकार है।

श्री रणधीर सिंह : मधु लिमये जी ऊट पटांग बात नहीं कहेंगे। इनका अमेंडमेंट सुन लीजिए। यह देहात की बात कह रहे हैं।

श्री मधु लिमये : 178 में दो तीन प्रिटिंग एरर्स हैं। जैसे कल ए० आई० सी० सी० के बारे में था तो उसको कौन दुस्त करेगा। मंत्री महोदय को भी उससे गलतफहमी हो गई। तो उसका करेक्ट वजन जाना चाहिए।

MR. DEPUTY-SPEAKER : The question is :

Page 6, after line 5, insert

"Provided that where his emoluments exceed Rs. 2,000 per month they shall be reduced to Rs. 2,000" (21)

Page 6, line 9—add at the end—

"which shall not exceed Rs. 2,000 per month" (22)

The Lok Sabha divided :—

DIVISION NO. 11]

AYES

[16.24 hrs.

Abraham, Shri K. M.
 *Azad Shri Bhagwat Jha
 Benerjee, Shri S. M.
 Bharti, Shri Maharaj Singh
 Biswas, Shri J. M.
 Brmahanandji, Shri Swami
 Brij Bhushan Lal, Shri
 Dwivedy, Shri Surendranath
 Esthose, Shri P. P.
 Fernandes, Shri George
 *Gajraj Singh Rao, Shri
 Gopalan, Shri P.
 Guha, Shri Samar
 Halidar, Shri K.
 Jha, Shri Bhogendra
 Jha, Shri Shiva Chandra
 Kalita, Shri Dhireswar
 Kameshwar Singh, Shri
 Kapoor, Shri Lakhan Lal
 Kundu, Shri S.
 Kushwab, Shri Yashwant Singh

Limaye, Shri Madhu
 Madhukar, Shri K. M.
 Mandal, Shri B. P.
 Mangalathumadam, Shri
 Meghachandra, Shri M
 Misra, Shri Janeshwar
 Nair, Shri Vasudevan
 Narayanan, Shri
 Nihal Singh, Shri
 Patil, Shri N. R.
 Ramji Ram, Shri
 Satya Narain Singh, Shri
 Sen, Shri Devan
 Sharma, Shri Yogendra
 Shastri, Shri Ramavtar
 Shastri, Shri Raghuvir Singh
 Shastri, Shri Sheopujan
 Shastri, Shri Shiv Kumar
 Thakur, Shri Gunanand
 Viswambharan, Shri P.
 Yadav, Shri Jageshwar

NOES

Achal Singh, Shri
 Abirwar, Shri Nathu Ram
 Aga, Shri Ahmad
 Ahmed, Shri F. A.
 Amat, Shri D.
 Amin, Shri R. K.
 Ankineedu, Shri
 Bajpai, Shri Vidya Dhar
 Barua, Shri Bedabrata
 Barua, Shri R.
 Basumatari, Shri
 Bhagavati, Shri
 Bhandare, Shri R. D.
 Bhanu Prakash Singh, Shri
 Bhattacharyya, Shri C. K.
 Birua, Shri Kolai
 Bohra, Shri Onkarlal
 Buta Singh, Shri
 Chanda, Shri Anil K.

Chanda, Shrimati Jyotsna
 Chatterji, Shri Krishna Kumar
 Chaudhary, Shri Nitiraj Singh
 Chavan, Shri D. R.
 Chavan, Shri Y. B.
 Choudhary, Shri Valmiki
 Dalbir Singh, Shri
 Damani, Shri S. R.
 Dandeker, Shri N.
 Das, Shri N. T.
 Dasappa, Shri Tulsidas
 Deo, Shri K. P. Singh
 Deoghare, Shri N. R.
 Desai, Shri C. C.
 Deshmukh, Shri B. D.
 Dhuleshwar Meena, Shri
 Dixit, Shri G. C.
 Dwivedi, Shri Nageshwar
 Ering, Shri D.

*Wrongly voted for AYES.

Ganesh, Shri K. R.	Mukerjee, Shrimati Sharda
Ganga Devi, Shrimati	Mukne, Shri Yeshwantrao
Gautam, Shri C. D.	Murti, Shri M. S.
Ghosh, Shri Bimalkanti	Naghnoor, Shri M. N.
Ghosh, Shri P. K.	Oraon, Shri Kartik
Godwer, Shri Nanja	Padmavati Devi, Shrimati
Gupta, Shri Lakhan Lal	Pahadia, Shri Jaganath
Gupta, Shri Ram Kishan	Palchoudhuri, Shrimati Ita
Hazarika, Shri J. N.	Pandey, Shri K. N.
Jadhav, Shri Tulshidas	Panigrahi, Shri Chintamani
Jadhav, Shri V. N.	Pant, Shri K. C.
Jagjiwan Ram, Shri	Paokai Haokip, Shri
Jamna Lal, Shri	Parmar, Shri Bhaljibhai
Kahandole, Shri Z. M.	Parmar, Shri D. R.
Kamble, Shri	Partap Singh, Shri
Karan Singh, Dr.	Parthasarathy, Shri
Katham, Shri B. N.	Patel, Shri Manubhai
Kavade, Shri B. R.	Patel, Shri N. N.
Kedaria, Shri C. M.	Patil, Shri Anantrao
Kesri, Shri Sitaram	Patil, Shri Deorao
Khan, Shri Zulfiqar Ali	Patodia, Shri D. N.
Kinder Lal, Shri	Poonacha, Shri C. M.
Krishna, Shri M. R.	Pramanik, Shri J. N.
Krishna, Shri S. M.	Qureshi Shri Mohd. Shaffi
Kureel, Shri B. N.	Raghu Ramaiah, Shri
Kushok Bakula, Shri	Raj Deo Singh, Shri
Lakshmikanthamma, Shrimati	Rajasekharan, Shri
Lalit Sen, Shri	Ram, Shri T.
Lobo Prabhu, Shri	Ram Dhan, Shri
Lutfal Haque, Shri	Ram Dhani Das, Shri
Mahadeva Prasad, Dr.	Ram Sewak Shri Chowdhary
Maharaj Singh, Shri	Ram Swarup, Shri
Mahida, Shri Narendra Singh	Rana, Shri M. B.
Majhi, Shri Mahendra	Rane, Shri
Mandal, Shri Yamuna prasad	Ranga, Shri
Marandi, Shri	Rao, Shri K. Narayana
Master, Shri Bholu Nath	Rao, Shri J. Ramapathi
Masuriya Din, Shri	Rao, Dr. V. K. R. V.
Mehta, Shri P. M.	Reddi, Shri G. S.
Melkote, Dr.	Reddy, Shri Ganga
Menon, Shri Govinda	Reddy, Shri R. D.
Minimata Agam Dass Guru, Shrimati	Reddy, Shrimati. Sudha V.
Mirza, Shri Bakar Ali	Roy, Shri Bishwanath
Mishra, Shri Bibhuti	Sadhu Ram, Shri
Mishra, Shri G. S.	Saha, Dr. S. K.
Mody, Shri Piloo	Saigal, Shri A. S.
Mrityunjay Prasad, Shri	Saleem, Shri M. Yunus

Salye, Shri N. K. P.
Sambasivam, Shri
Sankata Prasad, Dr.
Sant Bux Singh, Shri
Savitri Shyam, Shrimati
Sayeed Shri P. M.
Sen, Shri Dwaipayam
Sethi, Shri P. C.
Sethuraman, Shri N.
Shambhu Nath, Shri
Shankaranand, Shri B.
Sharma, Shri Madhoram
Shashi Ranjan, Shri
Shastri, Shri Biswanarayan
Shastri, Shri Ramanand
Sheo Narain, Shri
Sher Singh, Shri
Sheth, Shri T. M.
Shinde, Shri Annasahib
Shiv Chandika Prasad, Shri
Shivappa, Shri N.
Shukla, Shri S. N.
Siddeshwar Prasad, Shri

Sinha, Shri Mudrika
Sinha, Shri R. K.
Sinha, Shrimati Tarkeshwari
Snatak, Shri Nar-Deo
Solanki, Shri S. M.
Somani, Shri N. K.
Sonavane, Shri
Supakar, Shri Sradhakar
Surendra Pal Singh, Shri
Sursingh, Shri
Swaran Singh, Shri
Tiwary, Shri K. N.
Ulaka, Shri Ramachandra
Veerappa, Shri Ramachandra
Venkatasubbaiah, Shri P.
Venkatswamy, Shri G.
Verma, Shri Balgovind
Verma, Shri Prem Chand
Virbhadra Singh, Shri
Vyas, Shri Ramesh Chandra
Yadab Shri N. P.
Yadav, Shri Chandra Jee

MR. DEPUTY-SPEAKER : The result* of the division is :

Ayes 42 ; Noes 177.

The 'Noes' have it.

The motion was negatived.

MR. DEPUTY-SPEAKER : Now I am putting amendment No. 147 to the vote of the House.

Amendment No. 147 was put and negatived.

MR. DEPUTY-SPEAKER : Now I am putting amendment No. 178 to the vote of the House.

SHRI MADHU LIMAYE : As corrected.

MR. DEPUTY-SPEAKER : Yes, as corrected.

Amendment No. 178†, was put and negative.

MR. DEPUTY-SPEAKER : Now I am putting amendment No. 324 to the vote of the House.

Amendment No. 324 was put and negatived.

MR. DEPUTY-SPEAKER : Now I am putting amendment No. 224 to the vote of the House.

Amendment No 224 was put and negatived.

MR. DEPUTY-SPEAKER : Now I put amendment No. 375 to the vote of the House.

Amendment No. 375 was put and negatived

MR. DEPUTY-SPEAKER : There is Government amendment No. 128 moved by Shri P. C. Sethi.

The Question is :

“Page 6, line 6,—

after “Central Government may”, insert

“if the Chairman of an existing bank declines to become, or to continue to function as, a Custodian of the corresponding new bank, or” (128)

The motion was adopted.

*The following Members also recorded their votes for NOES : Sarvashri G. S. Dhillon, M. G. Uikcy, Shashi Bhushan, Randhir Singh, Bhagwet Jha Azad and Gajraj Singh Rao:

†Corrected Amendment No. 178, see col..... 234

MR. DEPUTY-SPEAKER : Now I put all other amendments together to the vote of the House.

*Amendments Nos. 72 to 75, 94 to 96, 186
225, 322, 323, 352 and of Shri S. S. Kothari
were put and negatived*

MR. DEPUTY-SPEAKER : The question is :

"That Clause 10, as amended, stand part of the Bill"

The motion was adopted.

Clause 10, as amended, was added to the Bill

MR. DEPUTY-SPEAKER : Before I take up clause 11, as I said this morning, we had allotted some time and that time had been exhausted long ago. I am very reluctant to apply guillotine because it is an important measure and I want to give as much opportunity as possible to hon. Members. But even then there is a limit. I find it difficult. I put it to the House. There are two courses open. There is a discussion under Rule 193 on law and order situation in Delhi at 5 O'Clock today. I suggest it could be taken up next week...

SHRI KANWAR LAL GUPTA : I don't mind.

MR. DEPUTY-SPEAKER : ...and we may continue clause-by-clause consideration of the Bill till 6 O'clock. and at 6 O'clock we may apply guillotine in respect of remaining clauses other than those which have been held over for tomorrow. Those clauses will be excluded.

SHRI SURENDRANATH DWIVEDY : How can you apply guillotine today ?
(Interruptions)

MR. DEPUTY-SPEAKER : With the concurrence of the House, we have postponed four or five clauses.

SHRI N. DANDEKER : Let the clause-by-clause consideration go on only till 5 O' Clock. We cannot go on beyond that. We have got other engagements also. We should stop at 5 O' Clock and tomorrow we can go longer. We will see tomorrow.

MR. DEPUTY-SPEAKER : Then, tomorrow, we will apply guillotine.

SHRI TENNETI VISWANATHAM : What is guillotine in regard to a Bill ? I have not understood it.

MR. DEPUTY-SPEAKER : You will find other instances also. The Business Advisory Committee recommends time. As we progress, we extend time. But there is some limit somewhere. I have extended time four times.

SHRI P. RAMAMURTI : My submission is that the Government itself has not been cooperative in this matter. In this matter, the Government is to be blamed. At the last minute, they go on bringing forward amendments after amendments with the result that you have to hold over certain clauses. When that is the position, why try to guillotine it ? Let the other Members also move amendments and speak on them. It might take half an hour or so more. If you are not able to finish by 5 O' Clock, you need not apply guillotine. Let us go over tomorrow.

MR. DEPUTY-SPEAKER : Tomorrow we will apply guillotine.

SHRI D. N. PATODIA : It is the fault of the Government. We cannot agree to this.

SHRI SURENDRANATH DWIVEDY : You say that some time has been fixed and that scheduled has to be followed. We agree there, but the whole thing is this. As you know, we wanted 15 hours, but these people were not prepared for it. Now it will go for more than 15 hours, but in a very haphazard manner. Tomorrow we are going to get new amendments ; we have to study them, consider them and then go over to the other Clauses. To say that you would guillotine it would be very unfair ; that will be contrary to the practice that we have been following. Guillotine cannot be applied to this Bill because Government has been bungling from the beginning. They wanted to stall the progress of the Bill. The Law Minister had the checks to say that. These people have not applied their mind to the Bill. They wanted to get it passed in two days...

SHRI GOVINDA MENON : Don't guillotine me.

SHRI SURENDRANATH DWIVEDY : A person so irresponsible as that should be guillotined.

MR. DEPUTY-SPEAKER : Now let us go to the next Clause.

Clause 11—Corresponding new bank to be guided by the directions of the Central Government).

SHRI ABDUL GHANI DAR : I beg to move :

Page 6, line 19,—

add at the end—

“if the Supreme Court does not nullify it” (76)

SHRI D. N. PATODIA : I beg to move :

Page 6,—

for lines 14 and 15, substitute—

“involving public interest as the Reserve Bank may, whenever necessary in consultation with the Central Government, give.” (100)

Page 6,—

omit lines 16 to 19 (101)

SHRI SHIVA CHANDRA JHA : I beg to move :

Page 6, line 15,—

after “Bank” insert—

“and the representatives of the employees of that Bank”. (113)

SHRI P. C. SETHI : I beg to move :

Page 6, line 13,—

(1) *for “function”, substitute—*

“functions” ;

(ii) *for “direction”, substitute—*

“directions”; (129)

SHRI KANWAR LAL GUPTA : I beg to move :

Page 6, line 15,—

add at the end—

“subject, however, to the condition that there shall be no intervention in the day to day administration and affairs of the bank.” (148)

SHRI MADHU LIMAYE : I beg to move :

Page 6,—

after line 19, insert—

“(3) Every corresponding new bank shall utilise the additional deposits received by them over the deposits as on 19th July, 1969 in lending to various sectors of the economy as per the proportions specified in this behalf by the Central Government and such proportions shall not be less than the undernoted percentage :—
Small-scale industries 20 per cent
Agriculture-small farmers 40 per cent
Self-employed persons 10 per cent.

(4) Notwithstanding anything contained in any law at present in force, the Central Government shall appoint a one man Tribunal with a person who is or has been or is qualified to be a Judge of a High Court or the Supreme Court to go into complaints relating to cases of corruption in sanctioning of advances or other facilities by the various authorities in the corresponding new banks, the minimum punishment for which shall be two years imprisonment extending upto five years.” (179)

SHRIMATI SHARDA MUKERJEE (Ratnagiri) : I beg to move :

add at the end—

“and in accordance with the policies laid down by the Apex Body.

The nationalised banks as specified in the First Schedule and such other banks which might hereafter be included in the First Schedule shall

[Shrimati Sharda Mukerjee]

be subject to the credit policies laid down by the Apex Body and shall observe the percentage allocations to the different sectors of the national economy". (199)

SHRI LOBO PRABHU : I beg to move :

Page 6, line 14,—

for "Central Government" substitute—

"Parliament" (226)

SHRI N. DANDEKER : I beg to move :

Page 6, lines 12 to 15

for sub-clause (1) of clause 11, substitute—

"Subject to the provisions of this Act, the provisions of the Banking Regulation Act, 1949, as applicable to the existing banks immediately before the commencement of this Act shall apply to the corresponding new banks". (287)

SHRI BIBHUTI MISHRA : I beg to move :

Pages 6, line 14,—

after "involving" insert "rural" (344)

Page 6, line 17,—

after "involving" insert "rural." (345)

SHRI SHASHI RANJAN : I beg to move :

Page 6, line 14,—

for "Central Government" substitute—

"Governor of Reserve Bank" (353)

Page 6, line 15,—

for "Governor of the Reserve Bank" substitute—

"Central Government" (354)

Page 6, lines 17 and 18,—

for "Central Government" substitute—

"Reserve Bank" (355)

Page 6, line 18,—

for "Central Government" substitute—

"Reserve Bank." (356)

श्री मधु लिमये : अमेंडमेंट्स में बहुत सी गलतियाँ हैं, मैं करेक्ट वर्शन मिनिस्टर को दूंगा।

SHRI SURENDRANATH DWIVEDY : Before you call upon anybody to speak, I would like to say this. Tomorrow the Government is coming with new amendments on as many as six or seven Clauses. Tomorrow we would practically have only one hour for this because I do not think that before 2 O'Clock it would be possible for us to begin the discussion on this Bill. The Private Members' business starts at 3.00 P.M. Is it possible for us to finish all these Clauses and also the Third Reading within one hour? Is it at all possible? It has to be held over to the next week; it cannot be finished tomorrow; within one hour we cannot finish it.

श्री कंबरलाल गुप्त : जब कल सुबह सरकार के अमेंडमेंट मिलेंगे तब हो सकता है कि उनके अमेंडमेंट्स पर हम को भी अमेंडमेंट्स देने पड़ें। हम को मालूम नहीं है कि सरकार की तरफ से क्या अमेंडमेंट आने वाले हैं क्योंकि अभी उनको ही नहीं मालूम कि उनको क्या क्या अमेंडमेंट करना है। उनके अमेंडमेंट आने के बाद उनको हमें स्टडी करना होगा। इस लिये हम उसके बाद ही अमेंडमेंट दे सकते हैं। अगर सोमवार को बिल चलेगा तो सोमवार को भी अमेंडमेंट आयेंगे।

MR. DEPUTY-SPEAKER : We shall discuss about time and everything tomorrow. I cannot say anything now.

श्री कंबरलाल गुप्त : मेरा आप से कहना यह है कि आप सरकार को समय देते जा रहे हैं कि वह जब तक चाहे अमेंडमेंट देते रहें। कल अमेंडमेंट आयेंगे, परसों आयेंगे, चौथे दिन आयेंगे। मैं आपके द्वारा सरकार से कहना चाहता हूँ, उसको वाणिज्य देना चाहता हूँ कि सोमवार को हम अमेंडमेंट भेजेंगे। उस वक्त आप को गिलोटिन नहीं करना चाहिये।

MR. DEPUTY-SPEAKER : I have already assured the House about the new amendments... (Interruptions)

श्री कंबरलाल गुप्त : बात यह है कि प्रधान मंत्री का दिमाग है इस के पीछे। उन के हरीड थाट्स हैं और पाइलट यह कर रहे हैं। इसी लिये दिवकत पैदा हो रही है।

श्री अब्दुल गनी डार : उपाध्यक्ष महोदय, मैं आपके साथ कोआपरेट करता हुआ, सिर्फ दो मिनट अपने अमेंडमेंट पर बोलूंगा। मैं कहना चाहता हूँ कि :

जहांबानी से है दुस्वार कारे जहांबीनी
जिगरखूँ हो तो चरमे दिल में होती है
नजर पैदा।

लेकिन बकौल गालिब के :

“हम वहां है जहां से हम को भी कुछ
हमारी खबर नहीं आती”

आज उनकी हालत यह है कि उनको खुद पता नहीं है कि वह क्या करने जा रहे हैं। वह इतना तो जानते हैं कि इंदिरा गांधी यह जानती है कि हम इंटरनल मामलों में दखल न देगे। उनकी पालिसी चलेगी। ठीक है, उनकी पालिसी चलेगी। लेकिन उसके बाद यह कहते हैं कि अगर कोई झगड़ा पैदा हो जायेगा तो हम ही उसका फैसला कर देगे। इस बारे में मेरी अर्ज सिर्फ इतनी है कि अगर वह पार्टी बनें तो आखिरी अस्त्यार उन्हें नहीं होना चाहिये कि वह फैसला करें।

[شری عبدالغلی دار : اپادھیکش
مہودے - میں آپ کے سانبھ کوآپریٹ کرنا
ہوا صرف دو منٹ اپنے امینڈ مینٹ پر
بولونگا - میں کہنا چاہتا ہوں کہ —

جہاں بانی سے ہے دشوار کارے جہاں بیہنی
جگرخوں ہو تو چشمہ دل میں ہوتی ہے
نظر پھدا

لیکن بقول غالب کے -

ہم وہاں ہیں جہاں سے ہم کو
بھی کچھ ہماری خبر نہیں آتی
آج ان کی حالت یہ ہے کہ انکو خود پتہ

نہیں ہے کہ وہ کیا کرنے چاہے ہیں - وہ
اتنا تو جانتے ہیں کہ اندرا گاندھی یہ
جانتی ہیں کہ ہم انٹرنل معاموں میں
دخل نہ دینگے - ان کی پالیسی چلیگی -
تھیک ہے - انکی پالیسی چلیگی - لیکن
اس کے بعد یہ کہتے ہیں کہ اگر کوئی
جھگڑا پیدا ہو جائے گا تو ہم ہی اسکا فیصلہ
کر دینگے - اس بارے میں مدبری عرض
صرف اتنی ہے کہ اگر وہ پارٹی بلیں تو
آخری اختیار انہیں نہیں ہونا چاہئے کہ وہ
فیصلہ کریں -]

16.36 hrs.

[SHRI K. N. TIWABI in the Chair,]

SHRI D. N. PATODIA : My amendments are 100 and 101. One particular thing that is noticeable and conspicuous is that the Reserve Bank has receded into the background and the Reserve Bank has been bypassed. The Reserve Bank has been functioning more or less as a department of the Finance Ministry. This Bill proposes that most of the important decisions with regard to the policy, with regard to the constitution of the advisory Board, with regard to the constitution of the Board of Directors will now be handled directly by the Central Government in some cases in consultation with the Reserve Bank. The Reserve Bank over all these years had developed and acquired an expertise and intelligence over the banking activities. They were working satisfactorily and successfully. The commercial banks and the Reserve Bank had very good relations with each other. Secondly keeping this Reserve Bank in between the Central Government and the Commercial Bank would have prevented in future these banks to work as a department of the central government. Therefore, in my opinion, it is a very wrong decision to acquire power direct by the Central Government bypassing the Reserve Bank. My amendment, therefore, is a very simple one. What I have suggested is that in respect of all these matters particularly in respect of carrying out the policies of the banking, the decisions should be taken by the Reserve Bank of India and whenever necessary in consultation with the Central Government and not by the

[Shri D. N. Patodia]

Central Government as originally proposed in the Bill.

श्री शिवचन्द्र भा : सभापति महोदय, मेरा संशोधन क्लॉज 11 पर 113 नं० पर है। क्लॉज में कहा गया है कि :

"Every corresponding new bank shall, in the discharge of its function,"

बाद में गवर्नर आफ दि रिजर्व बैंक के बाद में रखना चाहता हूँ कि :

"and the representatives of the employees of the bank."

सरकार इस नये करेस्पोंडिंग बैंक को चलायेगी, अपने विचार और अपने नियमों के मुताबिक और उसमें सलाह लेगी रिजर्व बैंक के गवर्नर से। मेरा संशोधन यह है कि रिजर्व बैंक का जो गवर्नर हो उसकी सलाह तो लें, साथ साथ जो भी कर्मचारी करेस्पोंडिंग बैंक में काम करते हैं उनके जो रिप्रेजेन्टेटिव हों उनकी भी सलाह लें।

बैंकों के राष्ट्रीयकरण के सम्बन्ध में यह विधेयक इस महान् दर्शन और सिद्धान्त के मुताबिक लाया गया है कि अभी तक जो वैयक्तिक मिल्कियत थी, उस पर राष्ट्र और समाज का कब्जा हो। इस स्थिति में यह जरूरी हो जाता है, यह इतिहास का तकाजा है कि जो लोग हकीकत में बैंकों में काम करते हैं, उन्हें भी बैंकों की व्यवस्था में हाथ बंटाने का अधिकार दिया जाये। जब सरकार राष्ट्रीयकरण करने के बाद बैंकों को अपने नियमों के मुताबिक और रिजर्व बैंक के गवर्नर की सलाह से चलायेगी, तो राष्ट्रीयकरण या समाजीकरण के आदर्श के मुताबिक यह लाजिमी हो जाता है कि बैंकों के कर्मचारियों को भी मैनेजमेंट, व्यवस्था, में शामिल किया जाये। जाहिर है कि सब बैंक कर्मचारियों को मैनेजमेंट में शामिल करना सम्भव नहीं है। इसलिए उनके प्रति-निधियों से बैंकों की व्यवस्था के सम्बन्ध में उचित सलाह ली जाये

और उन्हें मैनेजमेंट में स्थान दिया जाये। ऐसा करने पर ही नये बैंकों का काम ठीक तरह से चलेगा, उनमें घाघलियां खत्म होंगी और उनके द्वारा हमारे सामाजिक उद्देश्यों की पूर्ति होगी।

SHRI P. C. SETHI : My amendment No. 129 is only to correct the printing mistakes on p. 6, line 13.

श्री कंवरलाल गुप्त : सभापति महोदय, मेरा संशोधन 148 यह है कि अन्त में ये शब्द जोड़ दिये जायें :

"subject, however, to the condition that there shall be no intervention in the day to day administration and affairs of the bank".

मेरे मित्र, श्री पाटोदिया, ने जो कुछ कहा है, मैं उससे सहमत नहीं हूँ मैं समझता हूँ कि इस क्लॉज में जो व्यवस्था की गई है, यह बिल्कुल ठीक है, क्योंकि जब सरकार ने बैंकों का राष्ट्रीयकरण किया है, तो उनकी नीति निर्धारित करने का अधिकार भी सरकार को होना चाहिए। मैं इस क्लॉज की इस व्यवस्था का स्वागत करता हूँ कि रिजर्व बैंक के गवर्नर से सलाह करने के बाद ही सरकार बैंकों को चलाने के सम्बन्ध में अपनी नीति निर्धारित करे। लेकिन क्रेडिट की नीति निर्धारित करने का अधिकार, किसको उधार देना है, एग्जीक्यूटिव, स्माल-स्केल इंडस्ट्रीज और लाज-स्केल इंडस्ट्रीज आदि को कितना उधार देना है, यह निर्णय करने का अधिकार सरकार को होना चाहिए।

लेकिन इस बारे में मुझे एक एप्रिहेंशन है, जिसके सम्बन्ध में मैं सरकार से एशोरेंस चाहता हूँ। मुझे डर है कि बैंकों की डे-टु-डे एडमिनिस्ट्रेशन में सरकार का दखल होगा, जैसा कि पब्लिक सैंक्टर के दूसरे संस्थानों में अभी तक होता रहा है। आपको मालूम है कि युनाइटेड कामर्सल बैंक से आल-इंडिया कांप्रेस कमेटी को दस लाख रुपया लोन मिला। इस

तरह एक और बैंक से भी कांग्रेस को दस लाख रुपये का लोन मिला, जबकि कांग्रेस ने कोई सिक्यूरिटी नहीं दी थी। हो सकता है कि कल मंत्री महोदय, या कांग्रेस के और कोई नेता, जो किसी बैंक के अधिकारी हों, कहें कि वगैर सिक्यूरिटी के कांग्रेस को लोन दे दिया जाये और कांग्रेस के पास लोन वापस करने के लिए न हो। बैंकों की डेटु-डे एडमिनिस्ट्रेशन में इस तरह का दखल नहीं होना चाहिए।

यही स्थिति एपायंटमेंट्स की है। हो सकता है कि कल मंत्री महोदय कहें कि हमने अमुक आदमी भेजा है, चाहे वह बैंकिंग का ए० बी० सी० भी न जानता हो, उसको एपायंट कर लिया जाये। अपने संशोधन के साथ इस क्लाज का समर्थन करते हुए मैं यह एसोर्स चाहता हूँ कि बैंकों के दिन-प्रतिदिन के काम में किसी प्रकार का दखल नहीं दिया जायेगा, एपायंटमेंट्स पोलिटिकल कन्सिडरेशन्स से नहीं होंगी, बल्कि बैंकों और लोगों के हित की दृष्टि से। यह ठीक है कि हमने बैंकों के राष्ट्रीयकरण का विरोध किया है, लेकिन अब हम चाहते हैं कि यह काम अच्छी तरह से और कामयाबी के साथ चले।

श्री मधु लिमये : सभापति महोदय, मेरे संशोधन में जो गलतियाँ आ गई हैं, मैं उनको सुधार कर पढ़ूँगा, ताकि मंत्री महोदय और सदन को तकलीफ न हो। मेरा संशोधन इस प्रकार है :

"Every corresponding new bank shall utilise the additional deposits received by them over the deposits as on 19th July, 1969 in lending to various sectors of the economy as per the proportion specified in this behalf by the Central Government and such proportion shall not be less than the undernoted percentage :—

Small-scale industries	20 per cent
Agriculture-small farmers	40 per cent
self-employed persons	10 per cent"

द्वितीय पंच-वर्षीय योजना से आज तक सरकारी क्षेत्र में और निजी क्षेत्र में सारा जोर

बड़ी योजनाओं पर और तथा-कथित बड़े उद्योगों पर दिया गया है। मैं समझता हूँ कि जितनी पूँजी इस सरकार ने बड़े उद्योगों पर लगाई है, अगर उतनी पूँजी खेती पर लगाई होती, तो आज मुल्क की हालत कुछ दूसरी होती। जो पाप इस सरकार ने किया, वही पाप निजी क्षेत्र में भी हुआ है। यह कहने की आवश्यकता नहीं है कि पिछले बीस सालों में बैंकों के डिपॉजिट्स बहुत तेजी से बढ़े हैं, जो कि रिजर्व बैंक के आंकड़ों से साफ़ हो जाता है। यह करीब-करीब सारा पैसा बड़े उद्योग-घंटों को, और उसमें भी कुछ इने-गिने लोगों को मिला है। साधारण चर्चा के दौरान मैंने आंकड़े देकर साबित किया कि स्टेट बैंक ने भी ज्यादा पैसा काश्तकारों को नहीं दिया।

इस का नतीजा यह है कि काश्तकारों और गरीबों को आज भी महाजनों और साहूकारों पर निर्भर करना पड़ता है। जब तक इस स्थिति को नहीं बदला जायेगा, तब तक कुछ होने वाला नहीं है। अब बैंकिंग व्यवस्था का विस्तार होगा और जो नये नये लोग खाते खोलेंगे और अपना पैसा लगायेंगे, वे तो साधारण लोग होंगे। मैंने सुझाव दिया है कि जब हमारी राष्ट्रीय आमदनी का 45 से 47 प्रतिशत हिस्सा खेती से आता है, तो क्या बजह है कि हम नये डिपॉजिट्स से 40 प्रतिशत खेती के लिए देने के लिए तैयार नहीं हैं। हो सकता है कि सरकार अपनी योजना में इन तथ्यों को रखे, लेकिन आज हम उस की रूप-रेखा चाहते हैं।

सभी लोग जानते हैं कि हिन्दुस्तान में तीन-चौथाई छोटे उद्योग ऐसे हैं, जिनकी बैंकों के द्वारा कोई कर्जा नहीं मिलता है। इस लिए मैंने सुझाव दिया है कि छोटे उद्योगों को डिपॉजिट्स में से 20 प्रतिशत कर्जा दिया जाये।

मैंने सेल्फ-एम्प्लायड पर्सन्स को 10 प्रतिशत देने का सुझाव दिया है। सेल्फ-एम्प्लायड पर्सन्स से मेरा मतलब है रिक्शा वाले,

[श्री मधु लिमये]

स्कूटर वाले, टैक्सी वाले कारीगर और ऐसे दूसरे छोटे-छोटे लोग। उन्हें भी अपना काम-धंधा करने के लिए बैंकों द्वारा मदद मिलनी चाहिए। उदाहरण के लिए किसी डेन्टिस्ट को कहीं भी अपनी दुकान खोलने के लिए पंद्रह बीस हजार रुपये की जरूरत होती है। अगर बैंक यह फ्रंसला करें कि जो डेन्टिस्ट चार पांच, दस हजार की आवादी वाले गांव या कस्बे में अपनी दुकान खोलेगा, हम उस की मदद करेंगे, तो बड़ा अच्छा होगा।

उससे यह जो स्वास्थ्य वाला मामला है वह भी ठीक हो जायगा।

अब मैं अपने दूसरे प्रमेंडमेंट पर बोल कर खतम करता हूँ। आगे मैंने कहा है नम्बर 4 क्लॉज में।

"Notwithstanding anything contained in any law at present in force, the Central Government shall appoint a one man Tribunal with a person who is or has been or is qualified to be a Judge of a High Court or the Supreme Court to go into complaints relating to cases of corruption in sanctioning of advances or other facilities by the various authorities in the corresponding new banks, the minimum punishment for which shall be two years imprisonment extending up to five years "

यह मैंने सुझाव इसलिए रखा है, इस पर भी मंत्री महोदय सोचें कि राष्ट्रीयकरण के बाद अब यह खतरा उत्पन्न होगा कि बैंकों के जो अधिकारी होंगे, शाखाओं के जाँ मनेजर होंगे यह कर्जा देते समय रिश्वतखोरी करेंगे। रिश्वतखोरी को पकड़ना महा मुश्किल है। लेकिन अगर पकड़ी जायगी तो उस के लिए मैं चाहता हूँ कि अलग इन्तजाम हो और सजा सख्त से सख्त दी जाय। उसके लिए अन्य कानूनों में भी परिवर्तन करने की आवश्यकता हो जैसा दाढ़ेकर साहब कहते हैं, तो वह भी किया जाय। लेकिन इस सिद्धांत को मंत्रीजी कबूल करें करना छोटे लोगों को बड़ी तकलीफ होगी।

सभापति महोदय, आप तो किसानी करने वाले हैं, आप जानते हैं कि जो तकावी दी जाती है वह तकावी लेते वक्त अगर 200 रुपये की तकावी है तो 60-70 रुपये रिश्वत देनी पड़ती है गांव के गुंडों को और अधिकारियों को। अगर बैंकों में भी यही होगा तो इससे तो कोई फायदा नहीं होने वाला है। तो मैं मंत्री महोदय से कहना चाहता हूँ, मैं कोई लकीर का फकीर नहीं हूँ, रिजिड नहीं हूँ, अगर अपनी योजना में वह ऐसी बात लाने वाले हों तो बैसा कर्हें, मैं अपने सशोधन को वापस लेने को तैयार हूँ। लेकिन कोई हपरखा आप ने नहीं बनाई है। तकावी लेने के बारे में जो होता है वही हो जायगा तो छोटे लोगों के लिए कोई भविष्य नहीं है, यही मैं कहना चाहता हूँ।

SHRIMATI SHARDA MUKERJEE :
Mr. Chairman, Sir, my amendment is No. 199. Clause 11 reads as follows :

"(1) Every corresponding new bank shall, in the discharge of its functions, be guided by such directions in regard to matters of policy involving public interest as the Central Government may, after consultation with the Governor of the Reserve Bank, give."

To this, I seek to add the following :
add at the end—

"and in accordance with the policies laid down by the Apex Body.

The Nationalised bank as specified in the First Schedule and such other banks which might hereafter be included in the First Schedule shall be subject to the credit policies laid down by the Apex Body and shall observe the percentage allocations to the different sectors of the national economy."

We have had the National Credit Council functioning for the last six months. In the last few days we have heard first that the National Credit Council is to be wound up and that there would be an Apex Body. Once again, we hear that there is not going to be an Apex Body. From this clause, it appears that the entire control

of the resources and allocation of credit, etc., will be in the hands of the Ministry of Finance and will be directed through the Reserve Bank of India. As you know, some years ago, there was quite a considerable controversy over the fact that the Reserve Bank, which was an independent, autonomous body, was brought under the purview of the Ministry of Finance which in itself was viewed with some doubt by a large section of the people. In addition to that, today, we have a situation where the Ministry of Finance will have everything done through the Reserve Bank of India. In fact, it has been said quite often that orders and directions were given to the bank managers on the telephone. They were not even given in writing. This clause should include a direction as to how the orders are to be given, and we should know what assurance we can have that the credit would be properly utilised.

It seems that this clause has been more or less copied from the State Bank of India Act, section 17 (2), with this exception that in that State Bank of India Act where we have said in this clause "involving public interest" there is one addition "in accordance with business principles". It is all very well to say that banks can function in accordance with public interest, but in addition to that one must see that they also do not function in the manner that some of our public sector projects have been functioning. It is something we really cannot afford in the banking sector. Therefore, I would request the Minister to add this also "in keeping with business principles".

My third point is, I am inclined to agree with my colleagues who have spoken before me that unless you have a separate body which is apart from the Government there is going to be quite a possibility of political considerations rather than economic considerations coming into being. To avoid this it is necessary, if you are not going to have the National Credit Council, to have the apex body with proper representation of the Deputy Chairman of the Planning Commission, trade, industry and economic technocrats etc. Without that I do not think that for years to come, when we are legislating, we can leave it entirely centralised in the Ministry of Finance.

SHRI LOBO PRABHU : Sir, this clause

concerns policies. The first problem of policy that this clause is concerned with is the investment of about Rs. 4000 crores. The magnitude of this amount must be realised. The policy here concerns also the problems that may arise in following the principles laid down for this nationalisation, in carrying out those directives. That is the second problem of policy. The third problem of policy is the opportunity for misuse of this large sum of money and power and the opportunities of political misuse of this large magnitude. Therefore, we cannot dismiss the direction of policy simply by saying that the Central Government in consultation with the Reserve Bank will give directives. The Reserve Bank is only 'His Master's Voice' and the officials, the Chairman and the Directors are appointed by Government. They have no individuality as such. Therefore, it means, as many speakers before me have said, the Central Government will have the final power of decision. It therefore means some official in the Central Government will lay down what should be done in respect of these three very important questions.

17 hrs.

I have, therefore, suggested in my amendment that Parliament should be substituted for the Central Government. I would like to explain that by "Parliament" I do not mean this whole body here but I mean by "Parliament" a Committee of Parliament like the Estimates Committee which will represent all parties and which can give directions on policy. It is a very important suggestion because this will eliminate many of the grievances if we bring to bear on these questions of policy the best talent available, at least the best talent which has been elected to this House. So, I would suggest to the hon. Minister that he accept my amendment, namely, that in place of "Central Government" the word "Parliament" be substituted, "Parliament" implying a committee appointed by Parliament.

MR. CHAIRMAN : Shri Dandekar.

श्री कंबर लाल गुप्ता : सभापति महोदय, 5 बज गये हैं, मेरी आप से प्रार्थना है कि अब आप इस विषय को लीजिये। इस क्लॉज का

[श्री कंवर लाल गुप्त]

डिस्कशन जल्दी खत्म होने वाला नहीं है इसलिये इसको कल लिया जाय और मेरे विषय पर बहस शुरू की जाय।

सभापति महोदय : जिन्होंने अमेण्डमेन्ट्स दी हैं, उनके बाद।

SHRI BAL RAJ MADHOK (South Delhi) : May I submit that we have our other engagements and we have adjusted our programme according to this? Therefore we would like you to take up the next item.

MR. CHAIRMAN : That will take only five minutes.

SHRI BAL RAJ MADHOK : You are not going to finish it in five minutes.

MR. CHAIRMAN : I will call only Shri Dandekar and then take up the next item.

SHRI KANWAR LAL GUPTA : Then the Minister will reply. In this already five minutes have gone.

SHRI P. VENKATASUBBAIAH (Nandyal) : This is an important clause. Of course, Shri Madhu Limaye has said that those who have not moved amendments should not be allowed to speak but this is a matter on which some of our Members also would like to offer their opinion. I therefore request you to consider this matter and allow some more time.

MR. CHAIRMAN : Others will be given time but after we have finished with the list of those who have move amendments.

SHRI KANWAR LAL GUPTA : How can they speak in support just in five minutes?

MR. CHAIRMAN : Not today.

SHRI KANWAR LAL GUPTA : Then, hold it over.

MR. CHAIRMAN : All right.

17.03 hrs.

DISCUSSION RE : DETERIORATING
LAW AND ORDER SITUATION
IN DELHI

श्री कंवर लाल गुप्त (दिल्ली सदर) :

सभापति जी, दिल्ली में अपराधों की संख्या इतनी तेजी से बढ़ती जा रही है कि हम रोजाना समाचार-पत्रों में पढ़ते हैं कि आज वहां पर कत्ल हो गया, कल वहां कत्ल हो गया। कत्ल, छुरेबाजी, चोरी और डकैती की वारदातें रोजाना बढ़ती जा रही हैं। सभापति जी, आप स्वयं दिल्ली में रहते हैं, जितनी इनसिक्योरिटी आज एक कॉमन-मैन दिल्ली में फील करता है, वैसी कमी नहीं थी। ये सोफेस्टीकेटेड फ्राइम्ज आर्गनाइज्ड गैंग के जरिये होते हैं और मुझे दुख के साथ कहना पड़ता है कि इतना कुछ होने के बाद भी आज तक पुलिस को जो कार्यवाही करनी चाहिये, उसमें पुलिस पूरी तरह से कोताही कर रही है।

सभापति जी, आपने पढ़ा होगा—कोई भी कत्ल होता है, पुलिस उसका कुछ न कुछ जवाब दे देती है। मुझे मालूम है कि मंत्री जी कुछ आंकड़ें देगे, जो उनका हमेशा का टेकनीक है, कि पहले इतने कत्ल हुए, इस साल इतने कत्ल हुए, पहले इतनी चोरियां हुईं, इस साल इतनी हुईं। मुझे इन आंकड़ों से कोई मतलब नहीं है। ये आंकड़े लोगों को तसल्ली नहीं दे सकते, ये आंकड़े लोगों के मन में सिक्योरिटी नहीं ला सकते, विश्वास नहीं ला सकते। जब तक पुलिस कोई ठोस कदम नहीं उठायेगी, तब तक लोगों के अन्दर विश्वास नहीं आ सकता कि पुलिस उनकी रक्षा कर सकती है।

यह सिर्फ दिल्ली का सवाल नहीं है। गाजियाबाद यू० पी०, हरियाणा, पंजाब, आसपास के जो गुण्डे हैं वहाँ आकर ठहरते हैं और दिल्ली एक ऐसा केन्द्र बन गया है जहाँ पर हम कह सकते हैं कि यह सेफेस्ट-हाइड-आउट हो गया है, जहाँ वे सुरक्षा से और आराम से रहते हैं। यहाँ की पोश-कालोनीज के अन्दर, डिफेन्स कालोनी और दूसरी कालोनीज में सोफेस्टिकैटेड फ्राइम्ज होते हैं। वहाँ नेकेड-फिल्म्ज दिखाई जाती हैं, जिसके लिये एन्ट्री का 20-20 और 25-25 रुपया लिया जाता है, वहाँ लिकर सर्व होती है, और सब