

Mr. Speaker: Where was the fun in obstructing me then? I shall put all the clauses together.

The question is:

"That clauses 3 to 5 stand part of the Bill."

The motion was adopted.

Clauses 3 to 5 were added to the Bill.

Clause 1, the Enacting Formula and the Title were added to the Bill.

Shri Hajarnavis: I beg to move:

"That the Bill be passed."

Mr. Speaker: Motion moved:

"That the Bill be passed."

Shri Abdul Ghani Goni (Jammu and Kashmir): Sir, I welcome the Bill . . .

Mr. Speaker: Young men like the hon. Member should speak more loudly.

The welcome should always be warm.

Shri Abdul Ghani Goni: I welcome the Bill, particularly the extension of its application to the State of Jammu and Kashmir. Such Bills which are purely meant for the development of the natural resources and their exploitation should be extended to the State of Jammu and Kashmir. For instance, I really feel that the resources there which were undiscovered have been discovered after the extension of the Act relating to the development of industries to Jammu and Kashmir and there is an atmosphere to start industries.

Recent coal surveys have shown that there is plenty of coal and other natural resources particularly in Jammu, which have been so far unexploited. With this amending Bill, I expect that the Oil and Natural Gas Commission would give some priority to the exploration of the resources in Jammu and Kashmir.

It has been expressed so many times that in view of the backwardness of the State, its resources can be exploited and the economy of the State can be improved. The economic condition of the State is well-known to hon. Members; particularly the transport system has been neglected for pretty long years. After the accession of the State, we are progressing in many fields. The natural resources in our State, which were unexploited so far are being surveyed and to some extent exploited also. Taking coal deposits, for instance, there were plenty of them formerly which were known, but no action was taken to exploit them. Now after the Central Government took the initiative, the coal deposits are being worked out and coal is supplied to Punjab. Similarly, I suggest that if the Oil and Natural Gas Commission gives some priority to this State, we would be really very much benefited. I expect that after this amending Bill is passed, the resources in that State will be tapped for the benefit of that State.

Mr. Speaker: Now that their powers are being enhanced, certainly they would pay attention to Kashmir also.

The question is:

"That the Bill be passed."

The motion was adopted.

13.10 hrs.

INDUSTRIES (DEVELOPMENT AND REGULATION) AMENDMENT BILL

The Minister of Commerce and Industry (Shri K. C. Reddy): Mr. Speaker, Sir, I beg to move:

"That the Bill further to amend the Industries (Development and Regulation) Act, 1951 be taken into consideration."

This Bill, Sir, is a very short one and, I believe, it is not controversial either. The Industries (Development and Regulation) Act, 1951 covers a wide range of industries which are

enumerated in Schedule I of that Act. Section 2 of the Industries Development and Regulation Act contains a declaration by Parliament that it is expedient in the public interest that the Union Government should take under its control the industries specified in the First Schedule of the Act. As I said, a number of industries have been so mentioned in the Schedule of the Act.

Now, the effect of this declaration is to enable Parliament to legislate in respect of these industries which are in the First Schedule of the Act. Legislation can be undertaken either by virtue of item 52 of List No. 1—Union List—or item No. 33 of the Concurrent List. Entry 52 in the Union List is as follows:

“Industries, the control of which by the Union is declared by Parliament by law to be expedient in the public interest.”

Item No. 33 of the Concurrent List is:

“Trade and commerce in, and the production, supply and distribution of,— . . .”

Many products are mentioned under this item.

The First Schedule of the Act includes what are known as ferrous metals and non-ferrous metals. Strictly speaking, non-ferrous metals include gold and silver as well, but in popular usage non-ferrous metals are deemed to be only copper, zinc, aluminium, tin etc., and gold and silver are deemed to be precious metals. So there is an element of doubt in regard to this matter. This Bill is intended to remove that doubt by specifically mentioning “Precious metals, including gold and silver, and their alloys” in the First Schedule of the Act. By this we hope to remove any doubt that

may remain in the mind of anyone and make it “pucca legal”, if I may say so.

Shri Hari Vishnu Kamath (Hoshangabad): Fool-proof and knave-proof.

Shri K. C. Reddy: Even people less than fools may mis-interpret. So we cannot rightly say that we are making it fool-proof.

That is one of the objects of the amending Bill, and we have already stated this particular aspect in the Statement of Objects and Reasons.

Another fact that I would like to bring to the notice of the House is, gold mines have been taken over or are about to be taken over from the hands of the Mysore State Government. The Union Government is going to take them over; perhaps the take-over will become effective from the 1st November this year. As one hailing from the Kolar gold fields—I come from that part of the country—I know the history of the Kolar gold fields. It was in the private sector. Messrs. John Taylor & Sons were the managing agents for decades.

Shri Hari Vishnu Kamath: Unfortunately, you won't be here in November.

Shri K. C. Reddy: Fortunately or unfortunately, I do not know. That is a different matter.

Shri Hari Vishnu Kamath: “Unfortunately”, I said.

Mr Speaker: “Unfortunately” for some and “fortunately” for some others.

Shri Hari Vishnu Kamath: “Fortunately” for you, for Punjab.

Shri K. C. Reddy: Well, we have still a month to go. Let us see.

Shri Hari Vishnu Kamath: Oh, I see.

Shri K. C. Reddy: No no; there is nothing, no uncertainty so far as today is concerned. Anyhow, that is a different matter.

[Shri K. C. Reddy]

Then, Sir, after sometime these Kolar gold mines were nationalised in 1956 by the Mysore Government. Now it is a nationalised industry; only it is changing hands from the State to the Centre. That is being done for good reasons. The Mysore Government also have agreed to this transfer. It is by mutual agreement that it is being effected.

Another aspect I would like to mention in regard to this amending Bill is this, that we must take note of our foreign exchange difficulties. They are, in all conscience, very serious and critical. It is not that we are unable to face it. We are prepared to face it. But to face it successfully we have to take certain steps. I do not want to go into all those aspects at the present moment, because there will be other occasions when we will have to deal with these aspects of this very important subject. I am merely pointing out that it is very essential for the Union Government to bestow special attention on gold for various reasons.

As the House is aware, the price of gold has been steadily rising over the past few years. Every increase, of course, obviously, gives fresh filip to smuggling activities. We have to check smuggling.

Shri Bade (Khargone): Are you going to take all the gold which is there in the form of ornaments in India?

Mr. Speaker: All gold concealed in the corners....

Shri K. C. Reddy: That question does not arise now. All those aspects will come up later. We have to do something to check smuggling, and this cannot be done by merely augmenting the anti-smuggling squad. Something more than that will have to be done. Measures to discourage hoarding of gold, prevention to the maximum extent possible of speculation on gold, measures to check the rising trend in price etc., are necessary. Of course, this is neither the time nor the occa-

sion to go into all those aspects of the question. But when once this power is taken by Government to legislate in respect of this industry, what we have to do at any particular point of time is for the Government to consider and then bring forward proposals, in so far as those proposals have to be brought before Parliament, and take action after getting the Parliament's approval. Of course, some administrative action can also be taken by the Government and the Government will take it, but at this stage we should confine ourselves to the amendment of the Act to take power to legislate etc. in respect of gold and silver and other precious metals.

Sir, I would like the House to take note of this fact, that we need not enlarge the scope of the discussion by referring to smuggling, how to arrest it, what is being done now and all that.

Shri Hari Vishnu Kamath: That is for the Finance Ministry.

Shri K. C. Reddy: So all that, I submit, will be rather out of place in today's discussion on this amending Bill.

Shri Hari Vishnu Kamath: We have a Select Committee which is considering that question.

Shri K. C. Reddy: That is my submission, Sir, but it is for the Chair to regulate the discussion. We might confine our debate today to the very simple amendment which is to bring gold and silver within the purview of the Industries (Development and Regulation) Act.

I do not think it is necessary for me to take more time of the House. No notice of any amendment has been received, and as such I hope that this Bill will receive the unanimous approval of this hon. House. Sir, I move.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Industries (Development and Regulation) Act, 1951, be taken into consideration."

Shri S. M. Banerjee (Kanpur): Mr. Speaker, Sir, I welcome this Bill. But before I give my unconditional and unqualified support to this Bill, I must bring to the notice of the hon. Minister certain irregularities committed by many concerns where the provisions of this Industries (Development and Regulation) Act have not been applied and investigations are not made. It is very good, when the price of gold is going up, when there is smuggling going on in the country and there is an international gang, which unfortunately has resulted in the murder of a very senior official of our country, we should take a very serious note of the situation. As such, Sir, I welcome this Bill which seeks to include gold and silver in the definition of non-ferrous metals. In the Statement of Objects and Reasons it is said:

"Precious metals like gold and silver are also non-ferrous metals, but in popular usage, the expression "non-ferrous metals" is taken to cover metals like aluminium, copper, zinc and tin, rather than precious metals like gold and silver."

Under this Act, Sir, investigations were carried out in almost all the industries. When there is something wrong with the management of an industry like the textiles or iron ore and it is facing closure because of the mismanagement or because of certain technical difficulties faced by the employers, an investigation under this Act can be made. In this House we raised questions after questions, we initiated discussion after discussion regarding the closure of many textile mills and it is this Act which came to the rescue of the mill-owners. At the same time, if investigations are made under this Act, I hope that many of the textile mills would be re-opened and would start functioning efficiently.

Taking advantage of this Act, many people have raised questions regarding certain concerns which are facing a crisis, a man-made crisis, because of mismanagement and gross negligence

on the part of the employers. It may not be very relevant to bring this particular case here but a question was asked in the other House about the British India Corporation. The British India Corporation was previously owned by the Britishers. After they sold it to Shri Mundhra, he was running it. We all know the fate of Shri Mundhra, how he wanted to swindle the Central Government, LIC and other units.

Shri K. C. Reddy: I do not want to interrupt the hon. Member, but may I inform him that this BIC affair does not fall within the purview of the Industries (Development and Regulation) Act.

Mr. Speaker: Probably, the difficulty with the hon. Member is that Shri Mundhra also belongs to Kanpur.

Shri S. M. Banerjee: What I am saying is when an attempt was made in this House . . .

Mr. Speaker: What is the relevancy?

Shri S. M. Banerjee: Investigation also comes under the same Act. I only want that this should be investigated into. There is no point in extending the scope of the Act to cover gold and silver; something more is necessary. Because people are losing faith. After the question was raised in the other House, there were telephonic enquiries as to whether people should withdraw their shares from the BIC. That is why I say that an investigation should be made under this Act, if it is possible. We want to make a request to the hon. Minister to move in the matter.

The Minister of Industry in the Ministry of Commerce and Industry (Shri Kanungo): These matters which the hon. Member mentions come under sections 14 to 18 of the Act which are not being touched upon by the present amendments.

Mr. Speaker: Anyhow, he may make his points briefly.

Shri S. M. Banerjee: We are not discussing only a section of the Act; we are discussing the Act as a whole.

Shri Kanungo: I am submitting for your consideration whether it is permissible.

Mr. Speaker: In the consideration stage brief reference to the other provisions can also be made.

Shri S. M. Banerjee: I am not touching the sore point of any hon. Minister. When the question was raised in the other House, there were numerous queries. That is what I am submitting for the information of the House. BIC has now been purchased by the biggest speculator in the country, called Mr. Bajoria.

Mr. Speaker: Now he cannot go into the details here.

Shri S. M. Banerjee: I want to know whether there is some investigation.

Shri Bade: He might not name him, but he can state the facts.

Mr. Speaker: It is not fair to say "the biggest speculator" or "gambler". We have to observe some decorum and decency. Liberty or freedom of speech is allowed to Members of Parliament only because there is already a check by the Speaker. It is not absolute liberty without any check. We should not abuse our powers. It should not be done.

Shri Bade: He was referring to a private individual.

Mr. Speaker: He may be a private individual. Even then we have to see that we act as responsible Members. We cannot just run down outsiders. At least those things should be checked even inside by the Speaker.

Shri S. M. Banerjee: I fully agree with you. I used the word "speculator" because all businessmen do speculation. They indulge in market speculation. It is not an offensive term.

Shri Bade: Perhaps the word "biggest" is objectionable.

Shri S. M. Banerjee: My submission is this. I am told that Govern-

ment or LIC are withdrawing their shares. I want to know whether that is true. If Government wants to withdraw their shares, naturally, other shareholders will feel scared about the future of the BIC.

Shri K. C. Reddy: I would like to assure the hon. Member that Government have not disposed of any of those shares, nor have they any intention of disposing of those shares. Facts should be correctly stated, whether other remarks are justified or not.

Shri Kanungo: Those insinuations are not proper.

Shri S. M. Banerjee: I said that they are going to withdraw their shares. I do not know what is the insinuation there.

Shri Kanungo: That itself is an insinuation.

Shri S. M. Banerjee: That question was put in the other House.

Shri Kanungo: And replied to by the hon. Minister.

Mr. Speaker: The hon. Member must make himself sure of the facts.

Shri S. M. Banerjee: I repeat that the same question was put in the other House.

Shri Kanungo: And it has been replied to.

Mr. Speaker: That is no ground. Because the same question was put in the other House, it does not necessarily mean that it should be put here also.

Shri Kanungo: In spite of the questions and the definite answers in the other House, the hon. Member has taken the opportunity to slur over the answers and repeating insinuations, to which I take objection.

Shri S. M. Banerjee: How could he say that I have insinuated?

Mr. Speaker: His point is that the same question, as has been observed by the hon. Member as well, had been put in the other House. An answer has also been given. If the hon.

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Member knows that the question was put, he must also know that the answer is also there. If he knows that the answer is there and the Government has definitely stated that there is no intention absolutely to transfer any shares, then there is no need to put the question.

Shri K. C. Reddy: Sir, on a point of order. Apart from that aspect, it is for the Chair to consider whether discussion can be allowed on a side issue when discussion on a very specific issue is going on.

Mr. Speaker: That is what Shri Kanungo has also raised. When an amending Bill is brought, brief references to the other sections of the Act can be made.

Shri K. C. Reddy: This is not a brief reference.

Mr. Speaker: I have already asked him that he should not go into those details, so far as the other provisions are concerned.

Shri S. M. Banerjee: I will take some other opportunity to say this. Because the Britishers are still there, I am convinced in my heart that the BIC is trying to make this factory useless. So, it is better to terminate the services of the senior British officials.

Mr. Speaker: He cannot help it, I suppose.

Shri Kanungo: Sir, he is again referring to that.

Mr. Speaker: In spite of my repeated objections and appeals, he is continuing in the same vein.

Shri S. M. Banerjee: Unless we make repeated requests, they will not hold any enquiry.

While supporting the Bill, I would request the hon. Minister to kindly let us know something more about the taking over of the Kolar Gold fields. When it is taken over by the Central Government the question will arise about the service conditions of the Kolar Gold field employees. The hon.

Minister knows about this better than myself because he happens to know that State properly. Further, he was a trade unionist of that particular gold mine, if not of the other gold fields. So, he knows the position better than myself.

Therefore, while lending my support to the Bill, I want to make only two points. Firstly, when they are taking over the gold mines, there should be proper check on hoarding. Then a question was raised by an hon. friend whether this government will take over all the gold and jewellery of this country. There is already speculation in the country. I would like to know how they are going to control the hoarding of gold. If the hoarding of gold or the smuggling of gold can be checked, not by the introduction of this amendment but by bringing in another legislation, I would welcome that too.

I am sorry that certain observations made by me, certain sentences used by me, have injured the sentiments of the hon. Minister. I apologize for that. I never meant any offence either to Shri Bajoria or to Shri Mundhra.

Shri Kanungo: Again those names are mentioned.

Mr. Speaker: He cannot help it.

13:30 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

Shri Sonavane (Pandharpur): Sir, I take this opportunity of discussion on the amending Bill before this House to bring to the notice of the hon. Minister of Industry how the Industries (Development and Regulation) Act has not been taken seriously by the Ministry. All those industries that are enlisted in the First Schedule have not been properly regulated as regards their development and production of goods by certain industries. I am sorry to say that a half-hearted approach is made towards certain industries which are not working well. I have particularly in mind the textile industry.

[Shri Sonavane]

I come from Sholapur District which has seven or eight textile mills. In some other parts this industry may be making or is making good progress but affairs in Sholapur, particularly in one mill, that is, the Sholapur Spinning and Weaving Mill, have gone from bad to worse and it has been a source of constant trouble, disappointment and misery to the people of Sholapur who are employed there. It has affected the peace of the city also.

Probably the hon. Minister is aware of the history of this mill. An Ordinance had to be promulgated, but it proved infructuous. That history might be fresh in the memory of the hon. Minister of Industry. Then, some years ago a committee was appointed to enquire into the affairs of the Sholapur Spinning and Weaving Mill.

Shri Kanungo: May I submit that the hon. Speaker ruled that brief references could be made to sections of the Act other than the one which is under amendment? Now, in his speech the hon. Member is mentioning about a case which was investigated under this Act. There are hundreds of cases which have been investigated and if at this rate cases are mentioned of investigations, we can never end this discussion. I would, therefore submit that the hon. Member may be directed to make only a brief reference to the other sections and not a general reference to all cases of investigation which are made under the rules.

Mr. Deputy-Speaker: The working of the Industries (Development and Regulation) Act is in question. So, he can make some reference to it, but he has to be brief and has to confine himself to the provisions of the Bill. He can make general remarks.

Shri Sonavane: As the hon. Speaker had directed the hon. Minister, hon. Members can legitimately make a reference though in brief. Still, as there are very few speakers on this Bill....

Mr. Deputy-Speaker: It is, I think, only incidentally relevant. So, he has to be brief.

Shri Sonavane: However, the misery is so great that I am obliged to draw upon the sympathy of my learned friend who may not object to my making some reference to the state of affairs of the Sholapur Spinning and Weaving Mills. Nearly 6,000 workers are without jobs. First an enquiry committee was appointed. Then it was stated in reply to my question that it was confidential. The findings were not made known. Now, another committee has been appointed and still to my question some days back it was stated that the findings would be confidential and would not be placed on the Table of the Sabha.

Now, we would like to know how long one industrialist who is incorrigible will be allowed to continue in his own way. Is the State helpless? I think, it is not. Then, what is the meaning of this Industries (Development and Regulation) Act, if it is not meant to regulate? I think Government should abdicate its authority and let them have their own way. I think, that is not the way of government. I hope, the hon. Minister here would be good enough to take a stringent view in this matter and set things right.

Several representations have been made by the workers. The Maharashtra State Government is anxious to solve this problem. They are awaiting the attitude or the action that the Central Government is taking in this behalf to set one of the units of that industry right which is working to the detriment of the country and of labour. I am coming from that constituency. The feelings and the hardships of the people there are very great. I think, the hon. Minister, great as he is, will, I think, before he adorns the *gadi* of Punjab and before he leaves, do something to correct this. With that end in view I have brought up this matter and I hope something will be done shortly.

श्री बड़े (खारगोन) : उपाध्यक्ष महोदय, यह जो बिल हमारे सामने आया है यह देखने में तो छोटा सा है लेकिन इसके जो नतीजे हैं वे बड़े ही दूरगामी होंगे। इसमें इतना ही कहा गया है कि गोल्ड एंड सिल्वर को भी शड्यूल १ में सम्मिलित कर लिया जाए। चूंकि शासन को इस एक्ट में कुछ एम्बिगुअटी दिखाई दी इस वास्ते उसने गोल्ड एंड सिल्वर का भी इस एमेंडिंग बिल के जरिये स्पष्टीकरण करना उचित समझा है। मैं समझता हूं कि जैसे एक छोटा सा सांप होता है और बड़ा होने पर वह पायजनस हो जाता है, उसी प्रकार से यह जो बिल है, यह भी एक खतरनाक बिल है।

राजाजी जैसे कहते हैं कि आज का शासन लाइसेंस और परमिट का शासन हो गया है, वह सही बात है। यह गोल्ड एंड सिल्वर जो बचा था, वह भी लाइसेंस और परमिट के बिना नहीं चल सकेगा, ऐसा आभास मिलता है। जितनी भी इंडस्ट्रीज हैं, उन सब में दो पक्ष होते हैं, एक तो उत्पादनकर्ता होता है और दूसरे उपभोक्ता होता है। यही दो क्लासिस हिन्दुस्तान में हैं। शासन का हमेशा ही यह लक्ष्य रहता है कि उत्पादनकर्ता जो है, वह जो काम करता है, उसके जो साधन हैं, उन पर कंट्रोल किया जाए, उसके लिए ऐसा करने के लिए परमिट और लाइसेंस जरूरी कर दिया जाए। यही चीज शासन गोल्ड के बारे में करने जा रहा है। शासन ने जब देख लिया कि दूसरे जरियों से उसको आय नहीं होती है तो उसका ध्यान गोल्ड की तरफ जाने लग गया और माननीय मंत्री जी ने जाते जाते एक धोखे की सूचना दे दी है, ऐसी एक सूचना दे दी है कि गोल्ड को भी हम कंट्रोल करने जा रहे हैं क्योंकि हमें फौरन एक्सचेंज की जरूरत है। माननीय श्री बनर्जी साहब को, जब वह भाषण कर रहे थे, मैंने टोका था और पूछा था कि क्या गोल्ड आर्नमिंट्स को भी कंट्रोल करना चाहते हैं तो उन्होंने कहा था कि गोल्ड

आर्नमिंट्स के बारे में भी अगर कोई चीज आए तो कोई हर्ज की बात नहीं है। मैं अपने मित्र बनर्जी साहब से पूछना चाहता हूं कि जितनी हिन्दुस्तान की महिलायें हैं, जितनी हिन्दुस्तान की मातायें हैं और मिसेज बनर्जी भी हैं, उन्होंने क्या उनसे कभी पूछा है कि अगर उनके आर्नमिंट्स चले जायेंगे तो क्या उनको दुःख नहीं होगा और अगर ऐसा किया जाता है तो उनकी क्या प्रतिक्रिया होगी? जहां तक मैं समझता हूं वे सब जरूर इसका विरोध करेंगी।

इसमें गोल्ड एंड सिल्वर जो लिख दिया गया है उसका मतलब यह साफ है कि जो गोल्ड माइज हैं, उनकी तरफ शासन का लक्ष्य है और उनको कंट्रोल करने के लिये लाइसेंस और लाइसेंस देने के लिये शासन ने इस बिल को हमारे सामने रखा है। चूंकि पहले वाले बिल में, एक्ट में, कुछ एम्बिगुअटी थी और अगर उस एम्बिगुअटी के रहते प्रेशस मेटलज को जैसे गोल्ड एंड सिल्वर है, नान-फेरस मेटलज में शामिल किया जाता तो यह हो सकता था कि यह मामला किसी कोर्ट में जाता और कहा जाता कि गोल्ड एंड सिल्वर इसमें नहीं आता है, इस वास्ते सरकार ने इसका स्पष्टीकरण जरूरी समझा है। मैं समझता हूं कि मैसूर की गोल्ड माइज तथा दूसरी गोल्ड माइज को लेने की तरफ सरकार का लक्ष्य जरूर है और इस इंडस्ट्री को भी वह नेशनलाइज करने जा रही है। इस तरह का एक बड़ा धोखा इसमें हमें दिखाई देता है।

इसी एक्ट के नीचे जो जो इंडस्ट्रीज आती है उन में मैंने देखा है टैक्सटाइल इंडस्ट्री में मैंने देखा है कि जहां जहां पर भी प्राइवेट सेक्टर होता है वहां वहां काम अच्छा होता है लेकिन जब भी इसको नेशनलाइज कर दिया जाता है तो काम अच्छा नहीं होता है जहां तक लेबर का सम्बन्ध है, उसके लिए तो लेबर लाज बने हुए हैं। लेकिन जहां जहां शासन का हस्तक्षेप होता है वहां पर दूसरे जो प्राइवेट सेक्टर के लोग रहते हैं, वे और अपना

बड़े]

समें खर्च करना नहीं चाहते हैं जिसका नतीजा यह होता है कि नए नए एंटरप्राइज शुरू नहीं होते हैं। पर उस वक्त जो बनर्जी साहब ने कहा था कि पूंजीपति लोग और स्पेकुलेटर्स जो रहते हैं वह हस् क्षेत्र करते हैं, और उनका ही सारी सुविधायें मिलती हैं। माननीय मंत्री जी को खराब लगगा लेकिन मैं कहना चाहता हूँ कि मैं इन्दौर में रहता हूँ, मैं ने टेक्स्टाइल मिलों में देखा है कि जहाँ पर भी शासन हस्तक्षेप करने लगा, वहाँ काला बाजार शुरू हो जाता है, भ्रष्टाचार शुरू हो जाता है, साथ साथ लाइसेंस और परमिट देने की व्यवस्था में भी मुश्किल पड़ती है, ऐसा कह कर के नेशनलाइजेशन आफ इंडस्ट्रीज हो रहा है। इसलिये मैं इसके विरुद्ध हूँ। हिन्दुस्तान में नेशनलाइजेशन आफ इंडस्ट्रीज नहीं होना चाहिये, प्राइवेट एंटरप्राइज बढ़नी चाहिये, और शासन जहाँ जगह हस्तक्षेप करता है वह भी गलत है।

मैंने देखा ड्रम्स ऐक्ट में भी इसी तरह से हुआ। सरकार ने देखा कि लोग पाउडर और स्नो का ज्यादा उत्पादन करके फायदा उठा रहे हैं। उसने ड्रग्स ऐक्ट में अमेंडमेंट कर दिया और जितना भी टायलेट बगैरह का सामान है उस पर शासन ने अपना कंट्रोल रख दिया जिसमें कि लाइसेंस और परमिट लागू करने की जरूरत पड़ गई। इस प्रकार से आज समाजवाद के नाम पर हर जगह शासन का हस्तक्षेप हो रहा है। शासन बड़ी बड़ी इंडस्ट्रीज खोल रहा है और कहता है कि चूँकि हम इंडस्ट्री को ठीक से चलाना चाहते हैं, इसलिये हस्तक्षेप करना चाहते हैं। यह बात नहीं है। जनता तो यह कहती है कि जो भी उत्पादन के साधन हैं, उनके ऊपर अपना कंट्रोल रख कर सरकार एक प्रकार से मकड़ी का जाला या जिसको मछली पकड़ने का जाल कहते हैं, उसका निर्माण कर रही है अपना कंट्रोल करके। इस तरह कहीं भी जनता को स्वतंत्रता नहीं हो सकती है। यदि आर्थिक स्वाधीनता जनता को नहीं

मिलेगी तो उसमें बड़ा विक्षोभ हो जायेगा। इसी लिये मैं इस बिल का विरोध करता हूँ और कहना चाहता हूँ कि जो भी प्राइवेट एंटरप्राइज चल रही है, उनको चलते रहना चाहिये।

मैं मानता हूँ कि जहाँ ज्यादा मुनाफा-खोरी हो, वहाँ पर ज्यादा कंट्रोल होना चाहिये, लेकिन मूल ऐक्ट में जो संक्शन दिये हैं जहाँ पर कि परमिट और लाइसेंस देने की बात थी वहाँ पर जिस तरह संशोधन किया जा रहा है, मैं समझता हूँ कि उस पर कोई भी कारखानेदार या इण्डस्ट्री वाला तैयार नहीं हो सकता है। जो मूल कानून है उसके सम्बन्ध में खराबी यह है कि उसका इम्प्लिमेंटेशन ठीक से नहीं हो रहा है। जहाँ पर भी शासन का हस्तक्षेप होता है वहाँ काला बाजार और भ्रष्टाचार की वृद्धि होने लगती है। यद्यपि इस कानून का उद्देश्य देखने में बड़ा अच्छा है लेकिन उसका जो इम्प्लिमेंटेशन होता है वह खराब होता है। इस लिये मैं शासन से कहना चाहता हूँ कि जो वह हर एक जगह हस्तक्षेप करता चाहता है वह गलत है।

इसके साथ साथ मैं बतलाना चाहता हूँ कि हमारे मन्त्री महोदय ने कहा कि गॉल्ड को किस प्रकार लिया जाये इसके वास्ते भी वे विचार कर रहे हैं। मैं इस हाउस में कहना चाहता हूँ कि यदि आपने साने का हाथ लगाया तो इस देश में बड़ा असन्तोष फैलेगा। वह तो आज बहुत से लोगों के जिन्दा रहने का साधन है। अगर उन्होंने साने को इस तरह से खींचने का प्रयत्न किया तो जनता में बड़ा क्षाम पैदा हो जायेगा। आजकल जनता को खाने का मिलता नहीं है, बड़ा गड़बड़ा हो रही है, और उनके पास जो गॉल्ड आज है उस पर भी आप की काक दृष्टि पड़ जायेगी तो उसमें विक्षोभ हो जायेगा। आज जनता में यह बात फैलनी शुरू हो गई है कि बैंकों में जो गॉल्ड रक्खा है उसे वापस ले लेना चाहिये क्योंकि न जाने कब मन्त्री महोदय यह आदेश दे दें कि

आज जितना गोल्ड है उसकी आज की कीमत का दुगुना दस साल बाद दिया जायेगा। अगर किसी का गोल्ड १०० रु० का है तो १० साल बाद उसके लिये २०० रु० दिया जायेगा, यह कह कर वो सारा सोना वापस ले लेंगे। आज जनता में इतकी चर्चा हो रही है कि श्री मोरारजी देसाई ने स्टेटमेंट दिया है कि वह विचार कर रहे हैं कि देश में जितना गोल्ड है उसका फारेन एक्स्चेंज पाने के लिये किस तरह काबू में लिया जाये। इस चीज से बड़ा असन्तुष्ट पैदा हो गया है।

अभी मैंने यह बिल देखा। गोल्ड और सिल्वर क्वाएन्स पर भी आप को काफ़ी दृष्टि पड़ रहा है। आज जनता में यह भावना पैदा हो रही है कि आगे जा इन्फ्लेशन खराब चलने वाला है भले हो आप उनका ले लें, लेकिन जो इन्फ्लेशन ठोक से चल रहा है, उनका आप लेना चाहते हैं। यह ठोक नहीं है।

इसलिये मैं इस बिल का विरोध करता हूँ। मैं कहना चाहता हूँ कि आपका उद्देश्य भले हो अच्छा हो लेकिन उसका इम्प्लिमेंटेशन ठोक नहीं है।

Shri Ram Ratan Gupta (Gonda): Mr. Deputy-Speaker, this Industries (Development and Regulation) Act was brought into existence with the best of motives, to regulate industry, to stop wastage by undue growth of industry which is not needed in the country, to channelise the resources of the nation in the production of more essential items. But, the working of this Act so far has shown that instead of helping development of industries, it has been acting more in stopping the development of industry on a wider scale. As a matter of fact, we hear everyday in this *Sadan* complaints about monopoly industrial development in this country. That has been the result of the procedure followed by the Industries Development wing of the Government. There are several instances where the

persons who have originally applied for licences, their copies have passed on to other industrialists and those persons have been awarded licences before, and persons originally applying for these licences—so far, many cases have come to my knowledge—have not received so far. Not only that. Under the procedure which has been laid down, the type of information which is required involves a lot of investigation and expenses of lakhs before even the application can be submitted to the Development wing for licence, which means that for a small person who wants to start an industry with a small capital, it is almost next to impossible to take advantage of obtaining the licences, under the industrial development procedure. Then, it takes a very long time to dispose of an application for a licence. As a matter of fact, if somebody applies for a licence for an industry, from that very day, he starts incurring expenses. When it takes a long time to get a licence or the result of his application for that long period, he has to continue to incur large expenses which are unfruitful expenses. Not satisfied with that much, now, I understand that a Capital Goods Control Committee has been appointed over and above the Licencing committee.

Shri K. C. Reddy: I am sorry to interrupt the hon. Member.

Shri Ram Ratan Gupta: I am coming, after this general exposition of difficulties....

Shri K. C. Reddy: On a point of order, Sir. I am sorry to interrupt the hon. Member. One hour has been allotted for this simple Bill. Some hon. Members have referred to the general aspects of the working of the Industries (Development and Regulation) Act, taken specific instances and dealt with them in detail as to what actions has been taken by the Government and what action has not been taken by the Government. The hon. Member who was just on his legs was referring to the whole gamut of the

[Shri K. C. Reddy]

working of the Act, licensing policy, disposal of licences, information regarding transfer of licences etc. If I have to reply to them satisfactorily, I will require, if you are pleased to give me that time, more than 45 minutes. In view of this, I would submit to you to regulate the discussion in such a manner that would enable us to complete the discussion of this Bill within the one hour that the Business Advisory Committee has given to it.

An Hon. Member: Two hours: not one hour.

Shri K. C. Reddy: Even in two hours.

Shri Ram Ratan Gupta: My object was to take advantage of this opportunity to bring to the notice of the hon. Minister the difficulties which are generally experienced and which are general complaints. I was suggesting that over and above the Licensing committee in which probably representation from all the States or there, another committee has been appointed and that is called the Capital goods committee. Now, I am told that one more committee has been appointed and that is the Imports Authorisation committee.

Mr. Deputy-Speaker: We are now concerned with the Industries Development Bill.

Shri Ram Ratan Gupta: After saying this, I will come to that point.

Mr. Deputy-Speaker: Yes.

Shri Ram Ratan Gupta: My suggestion is that if the functions of these committees, the Capital goods committee and the Import authorisation committee are carried on....

Mr. Deputy-Speaker: Do not go into the wider question. Confine yourself to the Bill and the working of the Act.

Shri Ram Ratan Gupta: Coming to the amendment proposed by the hon. Minister, my submission is that since

the licensing of mineral exploitation is already in the hands of Government, there is no special necessity to bring forward an amendment of this kind to provide that these two precious metals will be under the control of Government and they cannot be developed by anybody else except Government. In my opinion, it would be more appropriate that if somebody finds those minerals anywhere and he applies for a licence, then at that time Government can issue whatever orders they want to issue. If, from the very beginning, they restrict it, the result will be that the persons exploring mineral resources will not probably care to explore them.

Shri K. C. Reddy: May I submit that this has nothing to do with the mineral resources licensing aspect? This is entirely different. I am sorry to say that the hon. Member is rather off the rail, so far as this point is concerned.

Shri Ram Ratan Gupta: As has been rightly pointed out in the Bill, these two items are already covered under the head 'non-ferrous metals'. Now, these two metals have been sought to be specifically mentioned there. My submission is that Government have the power in their hands to issue licence for exploration of mineral resources; so, whenever these things are found or any action is needed, at that time, they can impose whatever conditions they like. If they bring forward a Bill by which they prevent people from exploring these two resources, the result will be that they will not investigate these minerals at all, and that would naturally mean a loss to Government and the nation.

Shri Jashvant Mehta (Bhavnagar): As far as this Bill is concerned, it only seeks to make a minor amendment. But I would like to offer some remarks on the working of the Industries (Development and Regulation) Act. My hon. friend has stated a little while ago that there is no need for

such an Act, but I do not agree with him. In a planned economy, there is need for an industrial development wing, and need for such an Act as this, and it is also necessary for the country as a whole to act in such a planned way that we can achieve the targets of the Third Five Year Plan and we can thereby achieve our ultimate aim of a socialist pattern of society.

As far as the working of the Industries (Development and Regulation) Act is concerned, I would like to bring to the notice of this House how this Development Wing is working. I have also seen how this law is being implemented, and how Government function under this act.

As far as the question of licensing is concerned, according to the reports, last year, that is, during 1960, 2,241 applications were received under this Act, and out of these 1,907 applications were disposed of. I would like to ask the hon. Minister to inform the House how many applications took more than six months, and how many took more than nine months before they were sanctioned. The process is such that you will be surprised to know that when an application goes to the Development Wing, the agent of the office goes to the applicant before he goes and reaches his house and tells him that his application has been received, and a certain amount would be required for disposal of that application, and that amount has been given. The applicant would ask the question 'How did you come to know that the application has been sent?'. That is the way in which the whole thing is worked. Most of the licences are issued or are settled at restaurants and hotels in Connaught Place and not in the Development Wing. I can give you so many examples to show how the Department is functioning.

When the hon. Minister says that under this Act, and under the rules thereunder, he wants to go ahead, I agree with him completely, but, first

of all, he should take the trouble to set the house in order.

Shri K. C. Reddy: The house has been in a fairly good order. It may be improved, I admit, but the house is in a fairly good order.

Shri Jashvant Mehta: By 'house' I am referring to the Development Wing.

Shri K. C. Reddy: I know that.

Shri Jashvant Mehta: So, the Development Wing should be set in order first, because this is the way how it is functioning. This has been the general experience of people. Otherwise, why should there be so much of roaming about, and why should there be so many offices in Delhi which are called the agents' offices? Those offices are functioning here only as agents to get the licences, and the licences are borrowed or got or sanctioned or secured through these agencies.

When we were talking of the gold standard, we used to hear so many stories and so many scandals. Similarly, when the history of the Development Wing is written, we shall be able to know how many scandals are going on there.

So, my first suggestion is that the Act should be simplified and there should be a simple process for the issue of licences. The paper should not be tossed from one table to another, and delay should be avoided. The Ministry should move in the matter and see that delay is avoided. My hon. friend has cited his experience, and I would also support his contention and say that unless the Act is amended and simplified, all this corruption will not go. So, that is one of the important tasks which the hon. Minister should take into consideration.

My second point is regarding the gold scandal. Smuggling of gold is going on in this country on a huge scale. I completely agree with the

[Shri Jaswant Mehta]

hon. Minister that something should be done to bring down the prices of gold and to check the smuggling of gold. We know that a lot of foreign exchange is being wasted in this gold scandal. Unless Government take some bold step, this problem cannot be solved. If necessary, Government should appoint a committee to go into this whole problem and find out a solution for stopping the gold smuggling in this country, because this gold smuggling costs crores of rupees by way of foreign exchange for our country. Some figures have already appeared in the press about two or three days ago, and some information was also given by the Finance Minister. But I can say that at least ten or twelve times that amount might be smuggled into this country, and so, several crores worth of foreign exchange are being wasted thereby.

By way of immediate steps, Government should lay down a new policy regarding the bringing down of the price of gold and for the prevention of gold smuggling.

With these words, I support this Bill and say that it is a step in the right direction.

श्री सिंहासन सिंह (गोरखपुर) : उद्योग्य महोदय, इस विधेयक का यह कह कर विरोध किया गया कि हमारे घरा में जा साना चाँदा है उसका भाँ लेने का विचार गवर्नमेंट कर रहा है। मेरे विचार में इस विधेयक के अन्दर से यह स्थल नहीं उठना चाहिए। इस विधेयक के अन्दर कई चीजें ऐसी नहीं हैं कि हमारे घरा के अन्दर जा साना चाँदा है उसको भाँ सरकार ले ले। इस प्रतिनिधिम का जो रूप अभी तक था उसमें सने चाँदा का पैदा करना, उसका खानें आदि नहीं आते थे। परिभाषा के रूप में यह चीज आ सकता था लेकिन उस परिभाषा का साफ करने के लिये हो यह विधेयक लाया गया है। स्टेटमेंट आफ

आबजैक्ट्स एण्ड रीजन्स में यह दिया गया है कि नान-फैरस मैटिल्स उसके अन्दर आया करते थे, लेकिन प्रायः यह सन्देश उठा करता था कि ये वास्तव में उसके अन्दर आ सकते हैं या नहीं। इस सन्देश को दूर करने के विचार से यह विधेयक लाया गया है ताकि यह चीज साफ हो जाए। मैं नहीं समझता कि यह जो इण्डस्ट्रिज (डिवेलपमेंट एण्ड रीगुलेशन) अमेंडमेंट बिल सदन में पेश है इस पर किसको आपत्ति हो सकती है। हमने यह तय किया है कि हम इस देश को समाजवादों ढाँचे को तरफ ले जाना चाहते हैं हालाँकि उसके अन्दर हमने आर्थिक व्यवस्था कुछ मिला जुला रखी है। समाजवाद भाँ है और पूँजावाद भी है। यह कर्प्शन और भ्रष्टाचार जिसका कि वर्णन किया जा रहा है वह मेरा समझ में इसी मिक्चर्ड एकोनामो के कारण हो रहा है। समाजवाद का तरफ ले जाने का विचारधारा होते हुए भी पूँजापतियों का इतना ज्यादा जोर है कि वे अपना काम करा लेते हैं और उनका कोई काम नहीं रुकता है। सरकार की इस मिला जुला अर्थ नीति का हो यह परिणाम रहा है कि कुछ चीजें तो पब्लिक सेक्टर में रहें, सरकार के पास रहें और काफ़ी चीजें सरकारी विभाग से निकल कर व्यक्तिगत विभाग में अर्थात् प्राइवेट सेक्टर पूँजापतियों के हाथ में चली गयीं। गवर्नमेंट का सन् १९५६ का इण्डस्ट्रियल पालिसी रेजलूशन होते हुए भी बहुत से उद्योग प्राइवेट उद्योगपतियों के हाथ में चले गये हैं। जब तक देश में यह मिला जुला अर्थशास्त्र का नीति अर्थात् मिक्चर्ड एकोनामो रहेगा तब तक देश में भ्रष्टाचार का दूर करना एक असम्भव सा चीज दिखाई पड़ता है। यह साधारण नियम है कि बहुत पूँजा ईमानदारी से इकट्ठा हो नहीं सकता वह तो भ्रष्टाचार और बेईमानी आदि से ही सम्भव हो सकता है। आज से नहीं प्राचीन कालसे यह चीज होती आई है और हमारे यहां कहा भी गया है कि जिसका जितना घना देखा उसका उतना ही बेईमान समझा। यह वाक्य पुष्टि कर के

हैं कोई में अपनी ओर से यह नहीं कह रहा हूँ। युधिष्ठिर से नारद ने पूछा था कि अधिक धन कैसे होता है तो युधिष्ठिर ने जवाब दिया कि चोरी से होता है। यह चीज आज भी उतनी ही सत्य है जितनी कि उस समय थी। यह पूंजीपति लोग ईमानदारी का दम भरते हुए भी दरअसल गलत और अनुचित तरीकों से धन इकट्ठा करते हैं और सदा तीन के तेरह करने की फिफ्ट में रहते हैं। आज इस बात की बहुत आवश्यकता है कि सरकार इस सम्बन्ध में विशेष सतर्कता बर्तें क्योंकि इस मिली जुली अर्थ नीति में आज जो गड़बड़ घुटाला हो रहा है उसको बन्द करने के लिये नियन्त्रण कड़ा किया जाय और अधिक सख्ती की जाय।

14 hrs.

अभी परमिट्स की बातें कही गयीं। परमिट लेने के लिये बहुत सी संस्थाएँ खुली हैं। परमिट लेती हैं और परमिट बेचती हैं। अब इन पर कुछ रोक होनी चाहिए। इसके लिये हम कुछ कदम उठा रहे हैं और इस विचार से उठा रहे हैं ताकि धीरे धीरे पूंजीवाद के शिकंजे से निकाल कर हम अपने देश को समाजवादी समाज की तरफ ले जायें। मौजूदा संशोधन विधेयक उस ओर एक कदम है। अभी तक सोना और चांदी सरकार के नियन्त्रण के बाहर थे और उस वजह से हर कोई जानता है कि इन दो कीमती धातुओं को लेकर कितनी गड़बड़ और भ्रष्टाचार देश में होता था। अब सोना और चांदी को भी इंडस्ट्रीज (डेवलपमेंट एण्ड रैगुलेशन) ऐक्ट के मातहत ले आया गया है। अभी तक सोने और चांदी का स्वतन्त्र रूप से जो व्यवसाय चलता था उस को भी सरकार अपने नियन्त्रण में ले रही है और यह ठीक भी है क्योंकि बगैर इसके जो सोने और चांदी में गड़बड़ चलती है वह बन्द नहीं हो सकती है।

इस ऐक्ट के अन्तर्गत जो भी उद्योग सरकारी नियन्त्रण में आते हैं सरकार उनके लिये लाइसेंस देती है। अब अगर कोई लाइसेंस-शुदा व्यवसायी सही तरीके से चीजों का उद्गा-

दन नहीं करता है और जो कि आज अब सर देखने में आता है तो यह एक अनुचित बात है और सरकार को उस पर पर्याप्त श्रंकुश लगाने चाहिए और कड़ाई से पेश आना चाहिये। यह बड़े कलंक की बात है कि अपने देश का बना हुआ माल जब हम आज बाजार में खरीदने जाते हैं तो विक्रेता कहते हैं कि यह घड़ी तो हिन्दुस्तान में निमित है इसकी हम जिम्मेदारी नहीं ले सकते हैं अलबत्ता अगर आप चाहते हैं कि हम जिम्मेदारी लें तो फिर आप स्विटजरलैंड की बनी घड़ी खरीदिये। देश में बनी साइकिल की जिम्मेदारी व्यापारी नहीं लेना चाहते हैं अलबत्ता बाहर की बनी हुई हरकुलीस साइकिल की जिम्मेदारी लेने को वह तैयार हैं। यह देश का दुर्भाग्य ही कहा जायगा कि हमारे देश के पूंजीपति जो कि देशी चीजें बनाते हैं उनकी प्रवृत्ति मुनाफाखोरी की रहती है चीज की क्वालिटी की तरफ कम रहती है और यही कारण है कि हमारे देश में बनी हुई चीजें विदेशों में निमित चीजों का मुकाबला नहीं कर पाती हैं। अन्य देशों के पूंजीपति और व्यवसायी चाहते हैं कि उनका बना माल सुन्दर और टिकाऊ हो जबकि हमारे देश के पूंजीपति केवल भारी मुनाफा ही कमाना चाहते हैं और यही कारण है कि यहां का बना माल औरों के मुकाबले घटिया होता है। इसीलिये हमने यह कानून बनाया है और कंट्रोल कौंसिल रक्खी है कि वह इन तमाम चीजों पर नजर रक्खे। केन्द्रीय सरकार का जिन इंडस्ट्रीज पर कंट्रोल है उनमें ठीक से काम हो रहा है और चीजों का उत्पादन हो रहा है यान हीं यह देखना इस कंट्रोल कौंसिल का काम है। आज प्रशासन में भ्रष्टाचार फैला हुआ है और अभ्यागवश हमारे सरकारी अधिकारी प्राइवेट उद्योगपति और पूंजीपतियों के हाथ में खेलने लगते हैं। हमारे माननीय गृह मन्त्री ने शायद कोई योजना भ्रष्टाचार को दूर करने के लिये बनाई है। वह दिन देश के इतिहास में एक मुबारक दिन होगा जिस दिन वह योजना लागू होगी। मेरा तो विचार है कि देश से

[श्री सिंहासन सिंह]

अष्टाचार उस समय तक दूर नहीं हो सकता जब तक कि संविधान की दफा ३११ तरमीम न हो जाय। इस दफा के अन्दर सरकारी अधिकारियों को हमने यह अधिकार दे रखा है कि वे तब तक निकाले नहीं जायेंगे जब तक कि उनको पहले चार्जशीट नहीं दे दी जाती। बाद को चार्ज साबित होने पर ही उसके खिलाफ कोई ऐक्शन लिया जा सकता है। आपने अखबार में देखा होगा कि दिल्ली निगम के एक इंजीनियर के खिलाफ पिछले तीन वर्ष से कैसे चल रहा था कि वे निकाले जायें कि नहीं। अब डेमोक्रेसी में खींचतान चलती है और जिसके खिलाफ चार्जशीट लगाई जाय उसको पूरा मौका दिया जाता है कि वह उसके खिलाफ चार्जजोई करे। दिल्ली निगम के उस इंजीनियर जिसके कि खिलाफ सबूत था तीन साल तक मुकदमा चला तब कहीं जाकर कारपोरेशन के कमिश्नर साहब को अपील करने पर उस इंजीनियर को निकालने की स्वीकृति मिली। प्रजातन्त्र में हर एक आदमी को हम पूरा मौका देते हैं कि वह अपने को निर्दोष साबित करे लेकिन इसके मानी यह नहीं है कि हम जो अष्टाचार अथवा गड़बड़ियां चल रही हैं उनकी रोकथाम न करें। सोना बड़ी आकर्षक वस्तु है और सोने में पाप की पूंजी काफी मात्रा में रहती है। आज तक उस पर सरकार का नियन्त्रण नहीं था। इस संशोधन विधेयक की मार्फत उसको नियन्त्रण में लाया जा रहा है यह स्वागत योग्य बात है। सदन के हर एक भाग से इस का स्वागत होना चाहिये।

सोने के भाव बढ़ने की चर्चा हुई। अब सोने का भाव इसीलिये बढ़ता है कि यह धंधा प्राइवेट पूंजीपतियों के हाथ में रहा है। जिस तरह से और चीजों के भाव बढ़ते गये उसी तरह से सोने के भाव भी लगातार बढ़ते गये। सोने का धंधा कुछ हाथों में केन्द्रित हो गया है। इस मोनोपली को दूर करने के लिये सरकार कदम उठाये, इसका काम अपने हाथ

में ले ले और वितरण करे। सोना अरेबिया से आता है और वह काफी मात्रा में स्मगल होता है। जिस सोने का भाव वहां ३०-४० रुपये तोला है वहां वही सोना करीब १५० रुपये तोला मिलता है। अब इस में जो भारी और अनुचित मुनाफाखोरी चलती है सरकार द्वारा उस की रोकथाम अवश्य होनी चाहिये। सोने की स्मगलिंग में बड़े बड़े आदमी लगे हुए हैं। सोने का सरकारी नियंत्रण में लाने के लिए जो यह संशोधन विधेयक आया है मैं उस का स्वागत करता हूं। इस सम्बन्ध में मैं अपनी सरकार से केवल यही कहना चाहूंगा कि नियंत्रण करने के लिए जो कौंसिल बनाई है उसके लिए सरकार इस बात को देखे कि वह सही तरीके से अपने कर्तव्य का पालन करती है। सरकार इसको इश्वर करे कि गड़बड़ियों की ठीक तरीके से रोकथाम करती है या नहीं, सही तरीके से चीजें बनती हैं या नहीं और अगर ठीक तरीके से और ठीक अनुपात से नहीं बनती हैं तब उसको ठीक करने के लिए सरकार को सक्त से सक्त कदम उठाना चाहिए ताकि सही चीजें बन सकें।

हिन्दुस्तान मशीन टूल्स फैक्टरी द्वारा निर्मित कल, पुरजों और घड़ियों आदि की बड़ी कद्र हो रही है और निर्माण कार्य वहां ठीक प्रकार से चल रहा है। मैं चाहता हूं कि उस तरह से यहां पर चीजें बनें और दुनिया के मार्केट में वह कम्पीट करें। जर्मनी और स्विटजरलैंड आदि देशों में बनी हुई घड़ियों और साइकिलों के मुकाबले में भारत में निर्मित साइकिलें और घड़ियां अच्छी ठहरे और हम उनका मार्केट कैप्चर कर सकें। इस के लिए मैं अपने पूंजीपति लोगों की ओर से जो सदस्य यहां आये हैं उन से अपील करूंगा कि वे इस में सरकार को अपना सक्रिय सहयोग प्रदान करें और मुनाफाखोरी की भावना को छोड़ कर देश के हित का खयाल करें और सही व उम्दा चीजें बनायें जोकि फौरेन मार्केट में कम्पीट कर सकें।

अभी यहां मोटरकार के निर्माण का भी जिक्र आ गया। ५००० रुपये की छोटी मोटर बनने वाली थी। इस घोषणा से हमारे जैसे छोटे आदमियों को बड़ी खुशी हुई थी कि चलो यह सस्ती कार खरीद लेंगे। लेकिन हम ने देखा कि सम्बन्धित उद्योगपति और पूंजीपति लोगों ने इस के रास्ते में रुकावट डाली और परिणामस्वरूप इस बारे में दो, दो कमेटियां बनीं और इस तरह से इस काम को टाला गया। कमेटी ने अपनी रिपोर्ट दी कि फलां कार बने। मुझे हमेशा से यह डर रहा है कि जब तक यह मोटर निर्माण का घंघा दो बिजनेस हाउसेज तक सीमित है, दो के पास इसकी मोनोपली है, तबतक सरकारी क्षेत्र में मोटर नहीं बन सकती और हम ने देखा कि वह सस्ती मोटरकार सरकारी क्षेत्र में नहीं बनी। यह खेद का विषय है कि हमारी राजनीतिक पार्टियां पूंजीपतियों के हाथों में खेल रही हैं क्योंकि वैसे में बड़ी ताकत है

Shri Gauri Shankar Kakkur (Fatehpur): What about your party?

श्री सिंहासन सिंह : अब हमारी पार्टी को भी पूंजीपतियों से चंदा मिलता है इस से मैं इंकार नहीं करता। लेकिन मैं आप को बतलाऊं कि सन् १९४२ के जमाने में एक दफा एक महाराजा ने कहा कि आप हम से चंदा भी लेते हैं और हमें गाली भी देते हैं यह आखिर क्या बात है? हम ने उन को जवाब दिया था कि भाई चंदा भी दोगे और गाली भी सुनोगे। चंदा आप भी उन से लेते हैं और हम भी लेते हैं। आप को यह चंदा इसलिए देते हैं कि आप स्ट्राइक करा देंगे और हमें चंदा इस उम्मीद पर देते हैं कि हम परमिट दिला देंगे बस फर्क इतना ही है। वह तो चंदा दोनों को देते हैं और देंगे

Mr. Deputy-Speaker: Please address the Chair.

श्री सिंहासन सिंह : जरूरत इस बात की है कि हम सब अपने आपको टटोलें तो हम आप भी पायेंगे कि शायद हम लोग भी

गहरे पानी में हैं। आवश्यकता इस बात की है कि सही तरीके से देश का काम चले और जो भी गड़बड़ियां या भ्रष्टाचार कहीं पर चलता है उसको सस्ती से समाप्त किया जाय और इसमें सब का सहयोग अपेक्षित है . . .

Shri Hari Vishnu Kamath: It is an interesting confession he has made 'परमिट दिला देंगे' He has confessed.

श्री सिंहासन सिंह : ऐसा हम नहीं कहते हैं। अलबत्ता वह चंदा देने वाले यह समझते हैं और उनको यह आशा रहती है कि शायद हम उनको परमिट दिलवा सकते हैं।

उपाध्यक्ष महोदय : माननीय सदस्य अब कृपया समाप्त करें।

श्री सिंहासन सिंह : वैसे कहना तो मुझे अभी बहुत कुछ था लेकिन चूंकि मेरा समय समाप्त हो गया है और इस पर काफी लोग बोलना चाहते हैं इसलिए इस संशोधन विधेयक का समर्थन करते हुए मैं अपना स्थान ग्रहण करता हूं।

श्री गौरी शंकर कक्कड़ : उपाध्यक्ष महोदय, यह बहुत छोटा सा संशोधन आया है और इस का लक्ष्य अवश्य यह है कि सोने और चांदी की खानों पर नियंत्रण किया जाये। इस का तो मैं जरूर स्वागत करता हूं, परन्तु, जैसा कि कई बार इसी सदन में कहा जा चुका है, यह ठीक है कि एक बार तो सरकार ने इस आशय का प्रस्ताव पास कर लिया कि हमारे देश में समाजवादी आर्थिक व्यवस्था होनी चाहिए, परन्तु उस समाजवादी आर्थिक व्यवस्था को स्थापित करने के लिए क्या कदम उठाये जा रहे हैं, वह समाजवादी आर्थिक व्यवस्था किस तरह से बनाई जा रही है, इस को बहुत गौर से देखने की जरूरत है। अगर यह कहा जाये कि सरकार के सीधे नियंत्रण में हो जाने से हालत सुधर जाये और चीजें सभल जायें, तो इस में मुझे काफ़ी सन्देह है। जिन संस्थाओं को सरकारी अंकुश (कंट्रोल) में लिया गया है, जिन उद्योगों का राष्ट्रीयकरण किया गया है, उनमें भी प्रायः

[श्री गौरी शंकर कक्कड़]

यह देखा गया है कि इस देश के मूठ्ठी भर पूंजी वाले लोगों का फ़ायदा होता है और उन्हीं को प्रोत्साहन मिलता है। सोशलिज्म का नारा जरूर लगाया जाता है, किन्तु उस को अमल में नहीं लाया जाता है। प्रायः हर संशोधन, हर बिल, जो कि इस सदन में रखा जाता है, का लक्ष्य दिखाने के लिए जरूर यह होता है कि उस के द्वारा हम सोशलिज्म की तरफ़ बढ़ रहे हैं।

इस विषय में मुझे यह निवेदन करना है कि व्यवसाय के बारे में जितना जबर्दस्त भ्रष्टाचार हमारी सरकार में है, शायद उतना भ्रष्टाचार और दूसरे महकमों में नहीं है। जैसा कि अभी हमारे एक मित्र ने कहा है—मुझे खुद भी इस बात का काफ़ी तजुर्बा है—यहां पर दिल्ली में लाइसेन्स और परमिट्स लेने के लिए प्रायः बहुत सी संस्थाएँ खुली हुई हैं जिन की सहायता के बिना लाइसेन्स या परमिट लेना प्रायः असम्भव है। यह कहा जाता है कि अगर पांच हजार रुपया खर्च किया जाय, तब वहां पहुँच होती है। इस का नतीजा यह होता है कि जो लोग वास्तव में मुस्तहक होते हैं, उन को कभी भी परमिट या लाइसेन्स नहीं मिलता है, बल्कि सिर्फ़ उन्हीं लोगों को मिलता है, जो कि सरकार की निगाहों में हों, जिन को प्रोत्साहन दिया जाता है और जिन के द्वारा भ्रष्टाचार बढ़ रहा है, कम नहीं हो रहा है।

अभी यहां पर पीपल्स कार का जिक्र किया गया, लेकिन खाली पीपल्स कार की ही बात नहीं है। उत्तर प्रदेश में यह विश्वास दिलाया गया था कि मिर्जापुर के पास रिहंद बांध से जो बिजली पैदा होगी, उस का ज्यादातर भाग देहात में दिया जायेगा, गरीब किसानों के प्रयोग के लिए दिया जायेगा, परन्तु पता नहीं किस तरह से ऊपर ही ऊपर एक बड़े इंडस्ट्रियलिस्ट के साथ एक मुआहिदा हो गया, जिस के बारे में यह बताया जा रहा है

कि अभी तो वहां पर तैयार होने वाली बिजली का साठ परसेंट हिस्सा उस के एलुमिनियम कन्सर्न के लिए डाइवर्ट कर दिया गया है और यह बात भी विचाराधीन है कि जब वहां पर बड़ा प्लांट लगे, तो और पावर वहां डाइवर्ट कर दी जाये। मैं निवेदन करना चाहता हूँ कि लक्ष्य तो यह सामने रखा गया था कि जनता के लिए, किसानों की उपज बढ़ाने के लिए वह योजना बनाई जा रही है, लेकिन अब उस का पूरा पूरा फ़ायदा एक इंडस्ट्रियलिस्ट को दिया जा रहा है। क्या यह सोशलिज्म है ?

एक माननीय सदस्य : वह इंडस्ट्रियलिस्ट कौन है ?

श्री गौरी शंकर कक्कड़ : उन का नाम लेने की जरूरत नहीं है। सब लोग उन को जानते हैं। अभी वह एलुमिनियम प्लांट को बढ़ाने के लिए अमरीका जा कर और ज्यादा कर्ज लेने की बात कर रहे हैं।

अगर हम ने समाजवाद और सोशलिज्म की तरफ़ बढ़ना है, तो फिर मशीन के बकिंग को ध्यान से देखना चाहिए कि क्या वह वाकई सही तौर पर चल रही है या नहीं। मुझे बड़े खेद के साथ कहना पड़ता है कि सरकार का ध्यान इस ओर कभी भी नहीं जाता है कि नियंत्रण म ले लेने के बाद किसी संस्था या उद्योग को ऐसे ढंग से चलाया जाये कि उसका फ़ायदा साधारण जनता को पहुँचे, किसी व्यक्ति-विशेष को न पहुँचे। यह बात बिल्कुल ध्यान में नहीं रखी जाती है।

इस विधेयक का मैं स्वागत करता हूँ, परन्तु उपाध्यक्ष महोदय, मैं आप के द्वारा माननीय मंत्री जी का ध्यान इस ओर आकर्षित करना चाहता हूँ कि जब १९५१ के रेगुलेशन एक्ट की धारा १५, १६ और १८ के अन्तर्गत जब ये सोने और चान्दी की खान नियंत्रण में आये और उन का कार्य-संचालन हो,ण

Amendment

Bill

उस समय अवश्य इस बात का ध्यान रखना चाहिए कि इस में लाइसेंस सही तौर पर दिये जाय और उन व्यक्तियों को दिये जायें, जिन के द्वारा भ्रष्टाचार न हो।

लेकिन मैं समझ नहीं पाता कि यह सरकार समाजवादी आर्थिक व्यवस्था किस तरह से देश में लायेगी, जब कांग्रेस पार्टी देश में चुनाव लड़ने के लिए निकलते वक्त अपना इलैक्शन का कोष उन लोगों के द्वारा इकट्ठा करती है ? इस अवस्था में उस को कैसे साहस होगा कि वह मुट्ठी भर कैपिटलिस्ट्स के खिलाफ कोई कार्य कर सके ? मैं कोई मनगढ़न्त बात नहीं कह रहा हूँ। हमारे प्रदेश में एक दिन में केवल प्रधान मंत्री श्री ने कई लाख रुपया चुनाव-फंड के लिए कैपिटलिस्ट्स से इकट्ठा कर लिया। मैं निवेदन करूंगा कि जब कांग्रेस पार्टी के कार्यक्रम का श्रीगणेश, आरम्भ, इस तरह से होता है, उन लोगों के सरमाये की बिना पर होता है, तो फिर वह समाजवादी की बात किस तरह से कह सकती है। इसलिए मैं सरकार से कहूंगा कि या तो वह मिक्सड इकानोमी या समाजवाद वाली बात हटा दे और इस तरह से देश और देश की जनता को धोखा न दे, अथवा अगर उस ने सिन्सेरिटी के साथ समाजवाद स्थापित करने के लिए काम करना है, तो उस का कदम उम्मी के मुताबिक उठे। यह नहीं होना चाहिए कि दिखाने के लिए तो वह समाजवादी आर्थिक व्यवस्था की बात करे, परन्तु रोज-बरोज वह पूँजी वालों को बढ़ाये और उन की परवरिश करे, मंत्री लोग उन के मेहमान बने और हमेशा उन के इन्ट्रेस्ट और हितों को ध्यान में रखें।

Shri Sham Lal Saraf (Jammu and Kashmir): I welcome this amending Bill which has been moved in this House this morning. While I am commending it, I make the following observations.

Incidentally, gold and silver are non-ferrous metals and the mention

of several other non-ferrous metals has also come in this Bill. I would like to draw the attention of the hon. Minister to the fact that mostly the non-ferrous metals that are at present being handled by our Ministry are almost controlled commodities. They are not being distributed in a proper manner. Not that I would just lay the blame upon the Ministry. What I mean to submit is that the present system is not the correct system which would be conducive to the well-being and help to the industry as a whole. I would submit that the distribution system of non-ferrous metals, as a whole, be again gone into and a proper system devised, maybe in collaboration with the Ministers working in the States. If it is done.....

Shri Kanungo: May I point out, Sir, that the distribution of non-ferrous metals is governed by a separate Act and not by the Act which is under discussion?

Shri Sham Lal Saraf: I am coming to that. I am sorry I was not here at the moment when the hon. Minister introduced this Bill here. I was away in some meeting. Therefore, I do not know how he introduced it and what he said at the time of introducing the Bill. Since mention has been made in the Bill of non-ferrous metals like copper, zinc etc. therefore, I thought it my bounden duty to bring it to the notice of the Minister and the Government that today the distributing system of the said non-ferrous metals is not a proper system.

The hon. Minister knows it. I happened to be in charge of this very department in my State for sometime and I know what difficulties the States have been facing with regard to getting proper quota of these non-ferrous metals and their distribution.

Coming to the question of gold and silver being brought in under this Act, while welcoming it, I do not know what effect or bearing it will have upon the hoarding of gold in the country. I wish that while

Bill

[Shri Sham Lal Saraf]

replying to the debate the hon. Minister tells us as to how he and his Government intend to handle that problem. The provision is really a welcome step. When we find today that gold and silver and other precious metals are being hoarded by people for this reason or that reason, and sometimes very ignorantly too, if hands could be laid on it, that capital which lies to the tune of millions and billions with the people, and if that could be converted into what you call rupees, annas and pies and be utilised for the benefit of the people, especially at the moment when the country has launched an all-round programme of five year plans, it will be very helpful.

Here again, I would just join my hon. friend Shri Gauri Shanker Kakker in respect of the question of distribution and handling of these metals. That question will again come in. What will be the ulterior purpose in the mind of the Government in bringing in this Bill? I hope the House will have the benefit of hearing the details from the Minister when he replies to the debate.

Shri K. C. Reddy: I have referred to that aspect in my opening remarks. The hon. Member unfortunately was not here then.

Shri Hari Vishnu Kamath: Did he refer to the ulterior motive? I do not think he referred to that aspect!

Shri Sham Lal Saraf: I said ulterior purpose. Now, in whatever way this question of non-ferrous metals and precious metals as well is going to be handled, would submit that the question of supply and distribution is most important and the question is, how they are going to be handled. If they are handled properly, well and good. Otherwise, as the doubts have been expressed by some hon. Members, whether on this side or on that side, it will never end. I hope they will handle this problem well and give it a proper shape when implementing the provisions of the

amending Bill. I hope the action would be well organised and that it would be done so well that the voiced doubts may not arise.

With these words, I again welcome the Bill.

श्री तुलशीदास जायव (नांदेड़) :

उपाध्यक्ष महोदय, जो मूल एक्ट है, इंडस्ट्रीज (डिवेलपमेंट एंड रेग्युलेशन) एक्ट, १९५१ उसका जो शैड्यूल १ है उसमें उन इंडस्ट्रीज का जिक्र किया गया है जिन पर सरकार कंट्रोल कर सकती है और उस शैड्यूल में एक दुस्ती करने के लिये सरकार ने इस एमॉडिग बिल को हमारे सामने पेश किया है। जो दुस्ती की जा रही है वह इस बारे में है कि जो नान-फेरस मेटल्स हैं, उनमें गोल्ड एंड सिल्वर भी आ जाए और यह चीज ज्यादा क्लीयर हो जाए और उसमें किसी प्रकार की भी शंका की कोई गुंजाइश न रहे। इस वास्ते यह कह दिया गया है कि प्रेशस मेटल्स इनक्लूडिंग गोल्ड एंड सिल्वर। इसके लिए जहां तक मैं समझ पाया हूं सरकार को धन्यवाद तो दिया ही जाना चाहिये और वह इसलिये कि जो इनका धंधा चलता है जो कारवाने चलते हैं वे इस तरह के नहीं चलने चाहिये कि जैसा उन धंधों को चलाने वाले लोग चाहें, करते चले जायें और उनके ऊपर सरकार का कुछ न कुछ कंट्रोल होना ही चाहिये। अगर हमने यहां पर सोशलिस्टिक पैटर्न आफ सोसाइटी की स्थापना करनी है जो कि हमारा लक्ष्य है तो उनको अपने तांबे भी लिया जा सकता है। जो इन गोल्ड एंड सिल्वर का धंधा चलता है, यह भी बाकी न रह जाये जिस पर कि सरकार का कंट्रोल न हो, इस दृष्टि से जो यह कानून यहां पेश किया गया है, वह लाजिमी दिखाई देता है और मैं समझता हूं कि इसको पास कर दिया जाना चाहिये।

इतना कह चुकने के बाद मैं यह भी कहना चाहता हूं कि जिस किसी भी चीज को हम अपने हाथ में ले लें, उसको ठीक रीति से

चलाने की भी हम को कोशिश करनी चाहिये, इम्प्लेमेंटेशन जिसको कहते हैं, वह ठीक ढंग से होना चाहिये। माननीय सदस्यों ने बहुत सी बातें यहां पर कही हैं और मैं समझता हूं कि वे सही हैं, उनमें वजन है। आज भी जो बटवारा होता है नान-फेरस और फेरस मैटलज का, उसके बारे में बहुत सी कम्प्लेंट्स हैं। यह कहा जाता है कि जो बड़े नजदीक के आदमी हैं या जो बड़े पूंजीपति हैं, उनको उसका ज्यादा फायदा पहुंचाया जाता है यह बात आम सुनने में आती है। दूसरे, कोई घंघा निकालने के लिए जो लाइसेंस दिये जाते हैं, उनमें भी कोई इस तरह की बात न हो। इस की तरफ आपको विशेष ध्यान देना चाहिये। इस तरह की टीका के लिये कोई स्थान नहीं होना चाहिये, कोई मौका किसी को नहीं दिया जाना चाहिये। साथ ही जो प्रिंसिपल जो ध्येय इस सरकार ने मंजूर किया है, उसको देखते हुए यह जरूरी है कि जो कॉमो प्रेटिव बेसिस पर घंघा चलता है, उसको ज्यादा से ज्यादा उत्तेजन दिया जाए। कई जगहों पर ऐसा नहीं किया जाता है वर्तमान में। एक दूसरी मुश्किल भी है जिसकी तरफ मैं आपका ध्यान दिलाना चाहता हूं। प्राइवेट ओनर्स जो होते हैं, उनका जो घंघा होता है, उनके पास अधिक पैसा होता है, लेकिन उनके साथ साथ जो वही घंघा करने वाली कॉमोप्रेटिव सोसाइटी होती है, उसके पास उतना नहीं होता है और उसको बड़ी मुश्किल का सामना करना पड़ता है। साथ ही जो प्राइवेट ओनर हैं वह शुरू शुरू में नुकसान भी बर्दाश्त कर सकता है, उसकी यह भी कोशिश रहती है कि यह जो कॉमोप्रेटिव सोसाइटी है, इसका घंघा न चले और इस ध्येय की पूर्ति के लिये वह इस नुकसान को भी शुरू शुरू में बर्दाश्त करने के लिये तैयार हो जाता है। मैं आपके सामने एक मिसाल रखना चाहता हूं। जब कपड़े पर कंट्रोल था, अनाज पर कंट्रोल था, उस वक्त सरकार इन सोसाइटियों को बढ़ावा देने की दृष्टि से, उनको

कोटे दिया करती थी। और प्राइवेट ओनर्स को भी साथ साथ न दिया करती थी। लेकिन इन सोसाइटियों को बड़ी मुश्किल का सामना करना पड़ता था। अगर आप कॉमोप्रेटिव बेसिस पर दूकानों को चलाना चाहते हैं और साथ ही साथ वहीं पर प्राइवेट ओनर्स को छूट देते हैं कि वे भी चला सकते हैं तो इससे बड़ी मुश्किल पैदा होगी। प्राइवेट ओनर्स के साथ साथ कॉमोप्रेटिव बेसिस पर उस घंघे का चलाना मुश्किल है। अगर गवर्नमेंट अपने हाथ में उस चीज को ले लेती है तब तो दूसरी बात है, अन्यथा इस तरह से वह चीज चल नहीं सकती है। यह बीच का रस्ता चल नहीं सकता है। मैं चाहता हूं कि इस पर सरकार जरा सोच विचार करे।

मैं यह भी कहना चाहता हूं कि जितनी भी चीजों को सरकार अपने हाथ में लेना चाहती है उनको जल्दी से जल्दी अपने हाथ में ले ले। जितनी भी इसी तरह की चीजें हैं इनका सरकार को अपने हाथ में ले लेना चाहिये। ज्यादा से ज्यादा चीजों को सरकार को चाहिये कि वह अपने हाथ ले ले। आज जो गड़बड़ी है, उसका यही इलाज है। अगर ऐसा नहीं किया जाता है तो जो टीका चलती है, वह चलती रहेगी। अभी मेरे भाई ने कहा कि जो बड़े बड़े सरमायेदार हैं, जो बड़े बड़े कैपिटलिस्ट हैं, उनको सरकार की तरफ से लाइसेंस दे दिये जाते हैं और यह इसलिये किया जाता कि इन्वेन्शन के लिये उनसे पैसा लेना होता है। जब इस तरह की टीका की जाती है तो मैं इसमें कोई सार नहीं पाता हूं। दूसरे जो भाई हैं, दूसरी जो पोलिटिकल पार्टीज हैं, वे भी तो कहीं से पसा लाती हैं और ऐसी बात तो नहीं कि वे बगैर पैसे के काम करती हैं। लेकिन यह बात सही है कि ऐसी टीका करने के लिये भी कोई गुंजाइश बाकी नहीं बच रहनी चाहिये। इस वास्ते जहां तक सरकार को ज्यादा ज्यादा चीजों को, ज्यादा से ज्यादा बंधों

[श्री तुलशीदास जाधव]

को अपने हाथ में ले लेना चाहिये और अपनी इस गति को तीव्र करना चाहिये। इस तरह की टीका से बचने का यही गम् उपाय हो सकता है, यही एक रास्ता हो सकता है। जो प्राइवेट ओनर्स होते हैं, वे कितनी बेपरवाही से धंधा चलाते हैं, इसकी मिसाल अभी मेरे डिस्ट्रिक्ट के अन्दर घटी एक घटना की माननीय श्री सोनावने ने दी है। वहाँ पर जो प्राइवेट ओनर्स द्वारा चलाई जा रही स्पिनिंग एंड वीविंग मिल है, उसमें जो गड़बड़ी हुई है, उसने सभी लोगों को हैरान कर दिया है। सरकार सब कुछ देखते हुए भी कुछ नहीं कर सकती है। ऐसी उनकी अवस्था है। इस के ऊपर ज्यादा से ज्यादा कंट्रोल तो चाहिये। लेकिन आगे जा कर मैं यह कहूँगा कि सरकार धन्ये हाथ मे ले, लेकिन उसी तरह से जिस तरह हम ने लैंड के बारे में किया था। जो बीच में लैंडलाइस थे उन को निकालने के लिये हम ने टेनेन्सी ऐक्ट पास किया। उस के साथ साथ यह किया कि जमीन पर सोरिंग लगाई जिस में कि एक आदमी के पास बहुत ज्यादा जमीन न रहे, जिस तरह कि महाराष्ट्र में किया गया। इसी तरह से धन्वों के बारे में भी जल्दी से जल्दी कदम उठाये जाने चाहियें। मैं कहना चाहता हूँ कि आज लोग है राज्य की तरफ बड़ी आशा से देखते हैं कि उन गरीबों के लिये जिन को धन्वा नहीं मिलता और जिन की हालत बड़ी खराब है उन के लिये यह सरकार जल्दी से जल्दी कुछ करे।

मैं आप को शोलापुर स्पिनिंग और वीविंग मिल्स के बारे में बतलाना चाहता हूँ। मैं डिटेल् में ज्यादा नहीं जाना चाहता लेकिन सन् १९४९ से उस की हालत इतनी खराब है कि जहाँ पर पहले ६,००० वर्क्स काम करते थे वहाँ आज कल केवल ३,००० वर्क्स हैं। उन लोगों को काम नहीं मिलता न तो सरकार ही कुछ करती है और न प्राइवेट ओनर्स ही उस की तरफ देखते हैं। इस तरह से उस मिल की हालत है। दूसरी

बारसी शहर के मिल मालिक अफ्रीका में जा कर बैठ गये वहाँ भी राजन नाम की एक कपड़ा मिल बन्द है। इसलिये कहना है कि ऐसे जो धन्वे हैं उन पर ज्यादा से ज्यादा कंट्रोल होना चाहिये। अगर कंट्रोल कर के भी काम न चले, तो सरकार को उन को अपने हाथ में ले कर चलाना चाहिये।

मैं जो कहना चाहता था वह यह है कि बिल में जो अमेंडमेंट लाये गये हैं वह बहुत अच्छे हैं। सोने के बारे में बार बार मैं कहता हूँ, और हम सुनते हैं कि कई लोगों के पास सोना बहुत है। इतना ही नहीं, कई लोगों के पास ब्लैक मार्केट का पैसा भी बहुत है, लेकिन उस का बाहर निकालना मुश्किल है। इस के लिये आप रास्ता बतलाये। इस कानून से यह भी हो आयेगा कि जिन खानों से सोना निकलता है उस पर भी ज्यादा से ज्यादा कंट्रोल हो सकेगा और इस से समाज में जो आर्थिक ऊँच नीच का भाव है वह पैदा न होगा। इसलिये इस बिल में जो अमेंडमेंट लाया गया है, वह बड़ा अच्छा है। मैं उस का हार्दिक समर्थन करता हूँ। मेरा बार बार यह कहना है कि धन्वों को अपने हाथ मे ले कर, हम लोगों को अपने ऊपर इस तरह की टीका करने का मौका न दे।

Shri K. C. Reddy: Mr. Deputy-Speaker, Sir, when I made my motion for consideration of this amending Bill, I confined myself to a few remarks to explain to the House the why and the wherefore of this amending Bill. I had expected that the hon. Members who would participate in the debate would more or less confine themselves to this particular amending Bill and I had hoped that the scope of the debate would not be considerably enlarged. But I must own to a certain amount of surprise that the debate has covered a very wide ground indeed.

Shri Hari Vishnu Kamath: And has become interesting and exciting.

Shri K. C. Reddy: As many as nine Members have participated in the

debate, and the House has had the benefit of their views on various matters of major policy—socialism or capitalism, or what the Government is doing in order to implement its ideology of socialism, what they have done, what they have not done. Some Members have referred to controls, how they are not being properly done. Some others have spoken against controls altogether. Quality control has been referred to...

Shri Hari Vishnu Kamath: And permits.

Shri K. C. Reddy: Yes, and various other matters have been canvassed in the course of the debate during the last hour and a half.

I have noted down here the various points made by the hon. Members. Apart from questions of major policy, fundamentals as it were, other Members have gone to the somewhat—if I may say so—other extreme, and specific instances have been raised on the floor of the House during this debate. Of course, my hon. friend from Kanpur could not resist the temptation of referring to the B.I.C. My hon. friend Shri Sonavane could not resist the temptation of referring to the Sholapur Spinning and Weaving Mills. And the hon. Member there—he is an independent Member, I believe—who has very socialist views, could not resist the temptation of referring to the aluminium plant and its expansion, and what is being done to secure the licence, etc. Though he did not come out with any open accusation, still there was in what he said a sting about the ways and means adopted by people to secure what they want.

Also, public sector *versus* private sector was referred to; the virtues of the private sector, the drawbacks of the public sector, etc. Some Members have said one way, and others quite the contrary.

All these aspects have been covered during the course of the debate, and many more which I have not listed.

I was not prepared that the debate would take this turn—not that I have been perturbed by what has been said. I would have welcomed a debate on matters of this kind anyhow and I would have been glad to discuss the various fundamental matters also, and I would be willing to take up the detailed instances, the specific instances which have been raised during the course of the debate. But I hope I will have the indulgence of the House when I say that during the short time that is at our disposal for the consideration of this small amending Bill, it would not be possible for me to give a satisfactory reply, even to my own satisfaction. I cannot do it within the short time at my disposal.

Shri S. M. Banerjee: You have got half an hour.

Shri K. C. Reddy: So I would reiterate the plea that I made when moving my motion, the plea that we had rather confine ourselves to the specific motion that I have made.

What is the motion that I have made? Government wants to take power to legislate under the Industries (Development and Regulation) Act in respect of gold and silver as in the case of other non-ferrous metals. I said clearly that non-ferrous metals may be interpreted to include gold and silver. But there is some doubt in the minds of some. So, in order to clear up matters and to keep this issue absolutely beyond doubt we wanted to say, in addition to non-ferrous metals and alloys—which is already there we should add precious metals, gold and silver. And it is for that purpose that we have brought in this amending Bill. I said either under the relevant entry in the Union List or the entry in the Concurrent List we want to do something in the matter of distribution, etc., etc.—not distribution, we do not propose to distribute gold anyway—apart from distribution of non-ferrous metals, to which reference was

[Shri K. C. Reddy]

made by certain hon. Members, certain aspects of gold, some important aspects which were touched upon by me and touched upon by other hon. Members also.

I am caught between two stools whether I should say something about certain fundamental matters raised on the floor of the House or not. I think I had better do it briefly.

Firstly, we stand committed to the introduction of socialism in the country. Let there be no doubts in the mind of anybody about that. All our plans are drawn up on that fundamental assumption, on that fundamental principle which this House has accepted. Maybe, there may be some drawbacks here and there in the course of the implementation which the House, the Government, and everyone in the country has to take note of. But our goal is clear, and there can be no doubt our objectives. And if anyone thinks that we are going to set the clock back and revert to capitalism—some reference was made about the virtues of capitalism—if anyone thinks that we are going to give up the public sector in favour of the private sector, he is entirely wrong. One Member said, private sector is always right, public sector is always wrong, why do you want to meddle in these affairs and take over these industries, and so on and so forth. Well, the private sector has its virtues, and its defects. The public sector has also sometimes its pitfalls. But we have to think in terms of a national sector, of building up the public sector wherever it is necessary and wherever it is in the national interests. And let those friends who plead for the private sector understand that without the public sector progress during the last few years, the private sector would not have such remarkable progress. The private sector has benefited in a way by the furtherance of the programme and progress of the public sector in this country.

So, all these aspects are there. As I said, it is not possible for me to cover all these aspects in the brief debate that we have to be satisfied with on the present occasion.

Some hon. Member referred to quality control. It is the private sector that has to deliver the goods in this respect more than the public sector. This morning there was a question in the Rajya Sabha about the quality of playing cards. Government is asked, why the quality has gone down. The private sector has to play the game and produce products of the necessary quality.

Shri Hari Vishnu Kamath: Quality of the play or of the playing cards?

Shri K. C. Reddy: What I mean to say is, quality consciousness should be certainly there. In our country both the private sector and public sector should take care of quality, productivity, economic production of goods, cutting down of costs, etc. All these aspects are there. Let not the private sector cavil at the public sector. Both the private sector and the public sector in their respective places will have to play their role in the interest of the nation.

There was also reference by several hon. Members about the administration of this Industries (Development and Regulation) Act, about the Development Wing, licensing policy, procedure laid down for licensing, etc., the methods used by private parties to procure licences and so on. Regarding this matter again, I would welcome a debate at any time to go into all these aspects of the question. As I was listening to the debate, I was wondering whether it was a debate on the Budget Demands of the Ministry of Commerce and Industry. Some hon. Members have complained that the Industries (Development and Regulation) Act is not being properly administered and the requisite amount of control is not there. They said, there has been some laxity on the part of the administra-

tion and it has to be tightened up. As against that, another hon. Member said that all this control should be removed and there should be a free pasture for everyone. As between these two extremes, we have the power to control the industries in specific directions as provided in various sections of the Act . . .

Shri Sonavane: There are occasions to use those powers, but you are not using them.

Shri K. C. Reddy: The hon. Member has given one instance in support of his statement. So far as I know, the hon. Member comes from Pandarpur. That is his constituency and I do not blame him. Naturally, the question of Sholapur Spinning and Weaving Mills is very much in his mind. It is in our mind also. We do not want that any industrial unit in our country, the affairs of which can be taken note of under the Industries (Development and Regulation) Act should be lost sight of. The administration is alive to the needs of the situation and would like to do everything possible in order to establish these industries on a firm footing.

Shri Sonavane: The hon. Minister said that I pointed out only one instance from my constituency. It is not so. There are other mills also like the Parsi Rajendra Mills in Bombay. I pointed out one instance, but the malady is there at large.

Shri K. C. Reddy: The hon. Member knows that one swallow does not make a summer, but says he has got perhaps several swallows in his pocket. I may point out that 50 industrial units have been taken over by the Government for management under this Act and if more deserve to be taken over later on after proper scrutiny, that will be done. This morning in the Rajya Sabha I pointed out that one small concern, India Electric Works, Calcutta, was mismanaged; it had foundered on the rocks and we took it over. We are trying to put it in order,

but our comrades have started asking, because we have taken it over "What about the provident fund? Have the arrears been paid?" and so on. I said, let us first put the industry on its feet and then we will think of discharging all the other liabilities.

With regard to the Sholapur Mills, I would like to assure the hon. Member that the Government is doing all that it can. I want to inform him that an investigation committee has been set up in July 1962 under the chairmanship of Shri Rajaram and its report is awaited. Until that report is received, we cannot take any action even under this Act. We have to get the records, make the necessary investigation and then only we can take action. Otherwise, there will be cases in courts. This hon. House itself may take exception, why it was done without proper investigation.

Shri Sonavane: Investigation cannot go on *ad infinitum* . . .

Shri K. C. Reddy: I agree I was appealing to the Chair, let us not enlarge the scope of the debate. If questions are asked about specific instances and major policies, it is very difficult to answer them. I would request the hon. Member and also the other Hon. Member from Kanpur who spoke about the BIC, to come over to me and I can give them more satisfaction. I will supply the maximum information to them; I cannot possibly do it here and now.

That brings me to the instance raised by Shri Banerjee re. B.I.C. This is a very important issue—both Jessops and BIC the off-shoots of the Mundhra episode. What the Government are doing in regard to both these concerns is a big story.

Shri S. M. Banerjee: I am not interested in all that. I only wanted to know why when Shri Bajoria was to take over the BIC from the 1st November, according to the High Court order, in between many people have been sacked. That is my point.

Shri K. C. Reddy: My trouble is, I cannot explain the position in full in two or three sentences. I have to place the long history of this case before the House in order to give a proper reply to the hon. Member. I would only say that no Government shares have been sold to others and no transfers have taken place. This reply was given categorically in reply to a question in the Rajya Sabha by my colleague. There is no proposal at present to transfer any shares. 40 per cent or whatever it is the Government's holding will be completely in Government hands. There is no question of giving up that hold. He mentioned about Shri Bajoria. All I would say is, it is being managed now in virtue of a judgment of the Allahabad High Court. It has a legal complexion now; it is not merely an administrative matter. It is not as if the Government can take some excessive decision now and get away with it. The Allahabad High Court has passed an order and the judgment copy is yet to be received. All this is going on and in a sense it is sub judice. I do not know how far it is right for me or for the hon. Member to go into these matters. This is the position and I would like to assure him that in respect of the BIC also, we will not do anything which in our humble judgment will be against public interest or against the interest of proper industrialisation of our country.

Many other matters were referred to by the hon. Member, Shri Banerjee. He said: "Beware". About what? He said: "You are taking power now to regulate this industry. Have you taken note of the living conditions of the employees in Kolar Gold fields? What are you going to do about it. About 20,000 employees are working there". All that I can tell him in an humility is that I was bred in that area. I have got close links with the employees there. I was President of the Labour Association there for a number of years.

Shri S. M. Banerjee: I mentioned that.

Shri K. C. Reddy: I was a trade union man though not a leader. I know the conditions of labour there. Even today I am keeping in touch with the labour conditions in that particular area. The Government of India is taking over this gold industry from the Mysore State Government. I can assure my hon. friend that all legitimate demands of the employees will certainly be looked after. We won't lose sight of it. I am quite sure about it.

Shri Umanath (Pudukkottai): That is a standing assurance.

Shri K. C. Reddy: I know my friends in K. G. F. who are trade union leaders are also responsible. They know what to ask and what not to ask. If at times they ask for something which is beyond their legitimate right, they will retract when they are told about it. I have known cases where they have retracted like that. Like that the drama goes on.

Shri Hari Vishnu Kamath: Who is the hero of the drama?

Shri K. C. Reddy: Sometimes 'A', sometimes 'B'. When there is a hero there will be a heroine also.

Shri Sonavane: It is well enacted also.

Shri K. C. Reddy: Whole life is interesting, and the drama is pleasant. There is no doubt about it.

Sir, I would like to say a word or two about the administration of this Act or the implementation of the provisions of this Act. As one who is today holding the portfolio of the Ministry of Commerce and Industry, I can say that my officers in the Ministry and my colleagues—I do want to say much about myself—are doing their very best to see that the provisions of this Act are administered

honestly, justly and not too stringently but not with too much of laxity. There may be something wrong here or there. No one can claim perfection or infallibility. But I would like to say that it is being done, by and large, satisfactorily. That was the chit given by this very hon. House when the Demands for Grants relating to my Ministry came up for discussion in April last. Now I find that the Development Wing Work licensing policy, the licensing programme, the distribution of raw materials and other things are being assailed, and it is being said that the whole thing is unsatisfactory. I have got some figures here. I do not want to take more time of the House by giving all these figures. I have figures showing how many applications for licences were received and how many were issued etc.

Shri Sham Lal Saraf: There should be some difference between those who are engaged in the intermediary process and those who are engaged in the ultimate process.

Shri K. C. Reddy: I am coming to that. All this will take a lot of time to convince the House. I can give information regarding the licensing policy, the procedure, the processing etc. I can give details about the committees which go into these questions, what time schedules we have prescribed, in how many cases these time schedules have been kept up, in how many cases there have been deviations, in cases where there have been deviations why there have been such deviations etc. I can tell the House that in cases where there have been deviations, more often than not, they had something to do with the private party himself. In such cases we have found that something which the private party had to do he did not do. These deviations have occurred because of his acts of omission or commission. I have spoken to a number of private parties. When they complained to me that delay had occurred

I asked them to tell me what it was due to and what they had done. After getting the facts from the parties I have convinced them that the delay was not so much due to something that had to be or had not to be done by the Government but because something which had to be done by the parties themselves was not done. Therefore, these delays can be traced to the other party failing to do something which he ought to have done rather than to the Government.

Sir, I do not want to burden the House now with figures. Several statements have been made about transfers of licences, about manipulations taking place and about various other matters. With regard to these various aspects, I can only say that I do not claim perfection. I do not say that nothing has gone wrong anywhere. Everyone knows and the Government knows that here and there there have been abuses. It is not as if we simply close our eyes and say that everything is perfect. The very nature of this Ministry is such, with the licensing and all that—that, it is quite likely in some cases people have got away with it by using objectionable methods and getting licences which otherwise they would not have got. It is not as if such cases are not existing in our country. But, who is responsible? The Government is responsible, no doubt, to a certain extent. In all humility, Sir, I venture to submit that the people also are responsible, those who want to indulge in these malpractices, get the licences and become rich quickly. It is said that the people get the Government that they deserve. If people corrupt the Government, the Government is not solely to be blamed. That does not mean that the Government should be corrupted by one man here or one man there.

Shri Kashi Ram Gupta (Alwar): What do you mean by saying "corrupting the Government"?

Regulation)
Amendment
Bill

Shri K. C. Reddy: What some of the hon. Members have said is true. When some people want licences they go and get it by giving something—I think the figure mentioned was Rs. 5000 or something like that. If that kind of thing is done by any party and if, unfortunately, an official in the Government succumbs to it, that is corrupting the Government. I hope I have made myself clear.

Well, I was saying that I do not claim perfection. I am prepared to admit that there have been lapses. Otherwise, why have we got the Vigilance Department? Why have we got the Anti-corruption Department? We have all that because we know that vigilance is needed, we know that corruption is there and we want to put it down by all these institutions that we have. Naturally, the question is as to how far we have been successful and what more efforts we can put in. Not only the Government, but the Parliament, the hon. Members of this House and the general public will also have to put their shoulders to the wheel in order to see that better morale is made to prevail in our country. It is a national effort and it should be a national effort. It cannot be the effort only of a Ministry here or an officer there. It should be a national effort if you want to improve the morale of our country, the morale of our Government and the morale of our people. There is no doubt that it is a big problem.

Certain hon. Members asked, now that you have brought in this amending Bill what are you going to do after the Bill is passed. They asked as to how I was going to prevent smuggling which is there. It is there, but to what degree, is a matter of opinion. Some hon. Member asked as to whether I was going to take away the jewellery of the people of the land. That is a very astute way of posing the problem. To frighten away the people about a simple Bill of this kind is very easy. For some

people to say that this Bill has the malicious objective and intention of snatching away the jewellery of our people is very easy. You can rouse passions like that. You can have political advantage by saying such things. I do not want to say more about it. One hon. Member who spoke in Hindi—I did not completely catch what he said—made a criticism with reference to a statement reported to have been made by the Finance Minister, that Rs. 4000 crores worth of hoarded gold is there in the country and an attempt should be made to get hold of it. The hon. Finance Minister has explained what he meant. I do not want to go into the question just now. What has that got to do with this Bill directly? I do admit that there is some indirect connection. I want to make use of this occasion to say that it is not the intention of this Government, when they have brought forward this amending Bill, to just grab all the jewellery in the country which anyone or every one may possess. That is not the intention at all. If anybody has said that it is the intention, I can only say that it is very unfortunate, to put it most mildly. I can only say that it is very unfortunate, to put it most mildly. I had almost said that it is mischievous to make a statement like this.

15 hrs.

Shri Jashvant Mehta: Probably it was stated that Government is thinking on those lines about smuggling.

Shri K. C. Reddy: I do not know if the hon. Member was here when I moved this motion for consideration. If he were here, he would not have put that question, not the other hon. Member who put another question. I made it perfectly clear that this is not the time to discuss the various measures that may be taken by the Government with regard to various matters that may arise in future. We are only taking power here to do certain

things hereafter. It cannot be expected to tell the House what they are.

Shri Sham Lal Saraf: With your permission, I would like to say that the purpose of this Bill is not clear to us even now. The hon. Minister says that they want to include "silver" and "gold" in the list of non-ferrous metals. For what purpose?

Shri K. C. Reddy: It is made quite clear in the Act itself.

श्री बागड़ी (हिसार): मेरे ब्याल में . . .

Shri K. C. Reddy: I refuse to yield. The Act refers to production, distribution, regulation of prices, all those things.

Shri Sham Lal Saraf: Therefore, our questions are relevant.

Shri K. C. Reddy: Anything is relevant. In this world nothing is unconnected with the other. You can even speak of Veda, Vedanta, Bhagawat Gita and Kuran.

Shri Sham Lal Saraf: I said "in this context".

Shri K. C. Reddy: I do concede that there is some relevancy. My submission is that it was not so relevant as I would have expected it to be. That is what I said.

श्री बागड़ी : अगर देश में सोना लाया जाये, तो नफ़ा ही है, घाटा नहीं है ।

Shri K. C. Reddy: Unfortunately, I cannot follow his Hindi. Apart from other reasons

Shri Sham Lal Saraf: If gold is brought into the country

श्री बागड़ी : अंग्रेजी में जानता नहीं । अगर जानता, तो मैं भी स्मगलिंग करता ।

Mr. Deputy-Speaker: Order, order.

Shri K. C. Reddy: Now I have got that particular section. It says:

"to regulate trade and commerce in and the production, supply

and distribution of the products of the industry in question".

Broadly, that is the purpose. When an hon. Member was speaking, I intervened and said that the reference to mineral resources and the giving of licences to mines of gold was not perhaps quite relevant. I am prepared to admit now that there is some relevancy.

I was about to overlook a matter to which I was referring a little while ago. A question was asked: what are you going to do to prevent smuggling as a result of the powers that you seek to achieve when the hon. House will presently pass this measure? As I said, Government have this problem well in hand. Certainly, the House should not expect us to announce the steps that we are going to take, because the steps that we are going to take may perhaps be some sort of surprise checks in order to see that the proper thing is done. I cannot canvass, discuss or broadcast the steps that we propose to take in future. That will not serve our purpose. That is the point. That is why we have brought in this Bill without the seven days' notice. That is why we have sought the permission of the Chair to waive the two days' notice for making copies of the Bill available to the Members before the Bill is brought here. That is why we have made this an urgent measure and sought the Chair's permission to waive the ordinary rules of procedure so that we might do all that is necessary in order to secure our objective.

श्री रामेश्वरानन्द (करनाल) : उपाध्यक्ष महोदय, क्या लोगों के घरों में कुछ नहीं छोड़ना है ?

उपाध्यक्ष महोदय : माननीय सदस्य बैठ जायें । रेड्डी साहब खड़े हैं ।

Shri K. C. Reddy: Some reference was made about the distribution sys-

[Shri K. C. Reddy]

tem which is now in vogue in respect of non-ferrous metal.

Shri K. N. Tiwary: I would like to draw.....

Mr. Deputy-Speaker: Order, order. The hon. Minister is on his legs.

Shri K. C. Reddy: I am concluding presently. I am rather particular that I should not overlook any point or fail to answer any point that has been raised. That is why I am looking to the notes which I have jotted down when hon. Members were speaking. Before I conclude my remarks, I want to ensure that I have not missed any point.

A reference was made to the distribution aspect of other non-ferrous metals like zinc, copper etc. My hon. colleague has already intervened and stated something about it. The whole difficulty is the quantity of non-ferrous metals available in our country is so short that we have to import the most of it, which needs foreign exchange. The quantum of non-ferrous metals which we can import is governed by the amount of foreign exchange we are in a position to mobilise. Unfortunately, the quantity of non-ferrous metals available in our country today is not sufficient to meet the various needs of both small-scale and large-scale units. This difficulty is inherent in the situation.

So far as the distribution of the available quantity of non-ferrous metals is concerned, it is done through the State Governments. The State Governments have their own agencies for the distribution of non-ferrous metals. If there is any injustice here and there, if hon. Members will bring them to our notice, we are certainly ready to rectify those wrongs.

I have taken quite a considerable time of the House and tried to meet

some of the points raised by the hon. Members. I hope hon. Members are satisfied with what I have said. There has been practically no opposition to this measure except on the part of one Member who said that such a measure is intended to snatch away all the gold and jewellery in the country. This fear has no basis. As I have answered all the points, I hope the hon. House would be pleased to give unanimous support to this amending Bill. I have already said that we have not received notice of any amendments to this Bill. I would like to take this opportunity to thank those hon. Members who have participated in this debate and I hope the House would now be pleased to approve of this motion.

श्री रामेश्वरानन्द: उपाध्यक्ष महोदय....

उपाध्यक्ष महोदय : आप बैठिये ।

श्री रामेश्वरानन्द : मेरी बात तो सुन लीजिये ।

उपाध्यक्ष महोदय : नहीं, नहीं । आप बैठ जाइये ।

श्री रामेश्वरानन्द : क्या आप मेरी बात सुनना नहीं चाहते ?

Mr. Deputy-Speaker: There is no time.

The question is:

"That the Bill further to amend the Industries (Development and Regulation) Act, 1961 be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: Since there are no amendments to the clauses, I will straightway put them to the vote. The question is:

"That clause 2 stand part of the Bill".

The motion was adopted.

Clause 2 was added to the Bill.

Clause 1, the Enacting Formula and the title were added to the Bill.

Shri K. C. Reddy: I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

15-10 hrs.

LIMITATION BILL

The Deputy Minister in the Ministry of Law (Shri Bibudhendra Mishra): Sir, on behalf of Shri A. K. Sen I beg to move:—

"That this House concurs in the recommendations of Rajya Sabha that the House do join in the Joint Committee of the Houses on the Bill to consolidate and amend the law for the limitation of suits and other proceedings and for purposes connected therewith, and resolves that the following members of Lok Sabha be nominated to serve on the said Joint Committee, namely Shri A. Shanker Alva, Shri Frank Anthony, Shri Ramchandra Vithal Bade, Shri Rajendranath Barua, Shri Panna Lal Barupal, Shri J. B. S. Bist, Shri P. C. Borooah, Shri Sachindra Chaudhuri, Shri Tridib Kumar Chaudhuri, Shri Homi F. Daji, Shrimati Subhadra Joshi, Shri M. K. Kuamaram, Shrimati Sangam Laxmi Bai, Shri Dwarkadas Mantri, Shri Gopal Dutt Mengi, Shri K. L. More, Shri P. Muthiah, Shri S. Osman Ali Khan, Shri Vishwa Nath Pandey, Shri Mao Sinh P. Patel, Shri Bhola Raut, Shri Asoke K. Sen, Shri Bishan Chandar Seth, Shrimati Ramdulhari Sinha, Shri Pravinsinh Natavar-sinh Solanki, Shri Amar Nath Vidyalkar, Shri Virbhadra Singh, Shri N. M. Wadiwa, Shri T. Abdul Wahid, and the Mover."

1761 (Ai) LSD.—8.

So far as the Bill is concerned, it seeks mainly to implement the recommendations of the Law Commission made in its Third Report. So far as the sections are concerned, the suggestions made by the Law Commission for its amendment are of a very minor nature. They are either to make the language clear or more explicit or to make the intention clear where there has been a divergence of judicial opinion over the question of intention.

I will only refer to two important amendments that have been suggested by the Law Commission so far as the sections are concerned. One is amendment of section 29 of the Indian Limitation Act which has been accepted. Under the provisions of section 29 of the Indian Limitation Act, some sections of the Indian Limitation Act are applicable to special law and local law and not all the sections. So, the Law Commission has suggested that there is no reason why all the sections of the Indian Limitation Act should not be made applicable to any special or local law. It is open, of course, to the local or special law to exclude the operation of the provisions of the Indian Limitation Act. That has been accepted.

The second suggestion which has been to repeal sections 26 and 27 of the Indian Limitation Act, that is, acquirement of easement by prescription, has not been accepted. The Law Commission has recommended that these two sections should be repealed because the acquirement of easement by prescription is also covered by sections 15 and 16 of the Easement Act and the purpose will be served if the Indian Easement Act is made applicable to all the States of India. But the difficulty has been that easement is not specifically mentioned as one of the items in any of the Lists. Easement being a right over the land, probably it would come under the entry "Land". This is a State subject and hence, except the acquisition of easement by prescription which comes under the Concurrent List, the Par-