

are not able to reimburse the money within 5-6 years, their industries are auctioned. The profit earned as a result of auctioning that industry in the market and the amount the said industrialist had taken from the Finance Commission is not returned to the industrialist well on time. Therefore, I urge that the said amount should be returned on time and the time period for recovery of loans advanced by the Finance Commission to the small scale industrialists should at least be extended to 10 years.

My second submission is that the objective behind setting up of Industrial Development Bank was that it will give grants-in-aid to the traders for running their respective business but now the Government is on a privatisation spree as a result of which the foreign entrepreneurs will come in the way of progress of Indian traders and we have, as a matter of fact, surrendered before them by signing the Dunkel agreement and it has been nowhere provided in this ordinance that the multinationals and foreign banks will not be included in it. There is no check on them. Once they set their feet on our land, I understand that they will dictate terms to all the banks.

My third submission is that a person holding the office of the Chairman cum Managing Director is not able to evaluate his functions. He will, simultaneously, be an administrative executive as well as the Managing Director. Therefore, I submit that a public representative should be appointed as Chairman. I request the Hon'ble Minister that there should also be a provision for strengthening the rural banks.

[English]

MR. CHAIRMAN: The question is:

"That is Bill be passed."

*The motion was adopted.*

15.29 hrs.

**STATUTORY RESOLUTION RE: DISAPPROVAL OF  
CONTINGENCY FUND OF INDIA (AMENDMENT)  
ORDINANCE;  
AND  
CONTINGENCY FUND OF INDIA (AMENDMENT) BILL**

[English]

MR. CHAIRMAN: Now, the House will take up item nos. 18 and 19 together for discussion. Shri Girdhari Lal Bhargava.

[Translation]

SHRI GIRDHARI LAL BHARGAVA (Jaipur): Mr. Chairman, Sir I beg to move:

"That this House disapproves of the Contingency Fund of India (Amendment) Ordinance, 1994 (No. 10 of 1994) promulgated by the President on 10th Oct., 1994."

This is a good Bill of Contingency Fund. I do not rise to oppose it but there was no need of bringing it in the form of an ordinance. Through you, I would like to submit that Hon'ble Ram Naik Ji, who is present here, made the first attempt at it and later all the parties extended their co-

operation in bringing forward this Bill. It is being discussed since Dec. 1993 and now, it is December 1994. Thus, it has taken one full year. Lastly, the Government said that Rs.5 lakh have been allocated to each district collector and people can get their work done. But it was a clear perception that the Central Government had not given this sum out of its own budget. It was a part of Jawahar Rozgar Yojna. People noticed that this amount of Rs.5 lakh was made available to the State Government after deducting it from JRY. I think that this dialogue was beyond our perception. Finally the people asked the Hon'ble Rural Development Minister and the Prime Minister and the Hon'ble Members repeatedly raised the question in the House as to what about the grant of Rs. one crore meant to be given to every M.P. for the development of his constituency? Now the Government has brought in this ordinance.

My submission is that it is full of lacunae. The Government took a decision in August and brought in this ordinance here but I would like to say that there should be no need of D.R.D.'s clearance limit in it. My first request is that there should be no ban on investing the whole amount in Public Institutions. Secondly, we should be allowed to complete incomplete works: We can't complete the construction work of a link road left incomplete in a city which only works as a city footpath. I can't understand how will the M.Ps, whose electoral constituencies include urban areas also, be able to utilise this amount of Rs. one crore? There should be a provision in this regard as well. Then, the works promised to be undertaken by the M.Ps should also be completed.

If there is a time limit of December or March, then, Mr. Chairman, Sir, you are aware that many states are going to polls now and any development work, by utilising this sum of Rs. one crore, of a parliamentary constituency has been banned till elections in February. I understand that this money can't be utilised in March, therefore, all these institutions shall be in favour of extending the time limit of spending this sum of Rs. one crore beyond 31st March. The aim of granting this money will be achieved if the Hon'ble Members are able to spend this amount of Rs. one crore during the next year. An M.L.A. is empowered to spend Rs. 15 lakh for the development of his constituency and the Chief Minister of the Government of Delhi, Shri Madan Lal Khurana has also declared that each M.L.A. can undertake a developmental work of his constituency to the tune of Rs. one crore. So, I think that for a Member of Parliament, whose constituency covers five, eight or even ten Assembly constituencies, like there are eight Assembly constituencies in my Parliamentary constituency, this amount of Rs. one crore is very inadequate. Therefore, at the first instance, this amount should be raised to Rs. 5 Crores.

Mr. Chairman, Sir, I understand that this amount will not be increased to this extent on my request but it should at least be Rs. two crores. I know that the MPs can do their work with this sum for the first time. It is also said that an M.P. can undertake 24 types of works as per the guidelines. But where are the guidelines? These have not been provided to the Hon'ble Members so far. In reply to a question on 7th of the month in the Parliament, it was said

that revised guidelines can be framed and will be provided to all the Hon'ble Members after finalising them by the end of the current session. But these revised guidelines were not provided whereas only four days are left in the conclusion of this session.

Lastly, I would like to say that we have no monitoring or evaluating agency. The hon. Minister should, in his reply, make all these things clear. In view of all these anomalies, I think that this grant of Rs. one crore is like a drop in the ocean and this is not going to do any good to M.Ps.

The Central Government took a decision in 1993 and I oppose its tendency of getting this Bill passed by bringing an ordinance after a lapse of one year. It will be appropriate to increase the sum of Rs. one crore to Rs. two crores, amend the revised guidelines and resolve the difficulties the hon. M.Ps are going to face in utilising that amount. On the basis of rules, you could have brought amendments in regard to Rs. one crore and reveal it in a meeting with M.Ps. That way, the money could have been utilised by now and there was no need for us to make requests. I do not oppose the intention of the Bill but do oppose the Central Government's tendency of bringing Ordinances. Therefore, I have moved a motion of disapproval of this proposal and I lay emphasis on that.

[English]

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI M.V. CHANDRASHEKHARA MURTHY): Mr. Speaker, Sir, the Corpus of the Contingency Fund of India established under the Contingency Fund of India Act, 1950 is Rs. 50 crores.

Under the Centrally sponsored scheme so M.Ps. Local Area Development Scheme, the Members of Parliament can suggest works of capital nature not exceeding Rs. 1 crore per year. There are, at present, 545 seats in Lok Sabha and 245 seats in Rajya Sabha and, therefore, the total requirement is Rs. 790 crore which is to be totally borne by the Central Government.

As the available grants and the Contingency Fund could not accommodate fully this requirement, an Ordinance was promulgated by the President on 10th October, 1994 to raise the corpus of funds by Rs. 790 crores to make it Rs. 840 crores up to the financial year ending March, 1995 to meet the expenditure of the M.Ps. Local Area Development Scheme. This Bill seeks to replace the above ordinance.

I beg to move:

"That the Bill further to amend the Contingency Fund of India Act, 1950, Be taken into consideration."

MR. CHAIRMAN: Motions moved:

"That this House disapproves of the Contingency Fund of India (Amendment) Ordinance, 1994 (No. 10 of 1994) promulgated by the president on October 10, 1994."

"That the Bill further to amend the Contingency Fund of India Act, 1950, Be taken into consideration."

[Translation]

PROF. RASA SINGH RAWAT (Ajmer): Mr. Chairman, Sir, the Members of this side have the first right to speak.

MR. CHAIRMAN: Your names have not come as yet.

SHRI RAM NAIK (Bombay North): We have given our names.

[English]

MR. CHAIRMAN: Shri Sobhanadreeswara Rao, Vadde.

SHRI SOBHANADREESWARA RAO VADDE (Vijayawada): Mr. Chairman, Sir, I rise to support this Bill. I fully support the idea behind this Bill.

Every Member of Parliament has been given an opportunity to suggest works totalling worth Rs. one crore in respect of the developmental works relating to his constituency. I feel, this is a scheme which is very useful. As far as my experience in my State is concerned, I can say. I do not know about the experience of other hon. Members.

But in our State it is going on a very nice manner. We are writing and suggesting to the Collector and, in fact, Mr. Chairman, Sir, when people from rural areas approach me seeking me to sanction funds out of this, I ask them to come forward and contribute to some extent their might also whether it is in respect of construction, milk collection centre building, school building, community hall, rural road or in the lift irrigation schemes. Like that, in respect of those developmental schemes, the villagers are also coming forward. When we involve those people, naturally, they will have lot of interest in the implementation of the scheme and will see to it that the total amount that is allocated, from their contribution, through my contributing something out of this fund and some of the funds that are the disposal of the District Collector, the Engineering Department, R & B Department, Panchayati Raj Department, Irrigation Department, is properly utilised for creating a durable asset in that area.

Mr. Chairman, Sir, you will fully agree with me that still there are two lakh villages which are not having all-Weather roads in spite of the implementation of the Eighth Five Year Plan. At the end of the Eighth Five Year Plan, still, 95 per cent of the rural population will not be having adequate sanitation facilities. You yourself are accepting it. In these circumstances, through this opportunity given to the Members of Parliament. I feel that we will be able to do something to serve our rural constituencies particularly because the rural areas are being neglected since several decades. In many rural villages, basic minimum needs, basic infrastructural facilities are lacking.

It is giving satisfaction to us that we are able to help something to fulfil the wishes of our people who have elected us. I fully support this and, in fact, I suggest that the amount may be enhanced. The thing is that after all it is the District Collector who is the authority, who is implementing it through Government Departments. Our job is only to write a letter saying that out of my funds, I am herewith giving my sanction and to allot so much amount

for a particular work, where the people are also coming forward.

This is a very good thing. That is why, I have risen to support this scheme.

[Translation]

SHRI RAM NAIK (Bombay North): Mr. Chairman, Sir, I rise to oppose and express my views on the ordinance regarding Contingency Fund.

There is a saying in English that "bad habits die hard". The bad habit of the Government to issue ordinance is coming to the fore time and again. I oppose the habit of the Government to misuse the powers conferred on them through the Constitution. The practice of issuing ordinance specially in economic matters, where some funds are required to be created, is the worst habit. Therefore, I oppose this ordinance.

There is a saying that if some good deed is done in a wrong manner we should think on it. We should also think of virtuousness of means in the means and ends. I am sorry to say that no attention has been paid towards it. Now an amendment of Rs. 790 crore is going to be made through this Bill. This way, this scheme appears to be good. Many amendments can be carried out in it but the question is that whether it was necessary to bring the ordinance for this purpose? The provision for the scheme announced by the hon. Prime Minister in December 1993 could have been made in the budget in February-March. It was not done at that time but was done later on. When we reminded them they said that they were working on it. Thereafter, monsoon session started. Even after reminding time and again, the Government did not bring the supplementary demands. In between it was done by issuing an ordinance. We were under the impression that the Finance Ministry and specially the Finance Minister, who is efficient and takes quick decisions will do it soon. Why did the hon. Finance Minister delay this issue? We came to know that the hon. Finance Minister was against this scheme. We tried to postpone it by assigning one or the other reasons. Why did not he take the decision immediately at the time of the budget? The hon. Finance Minister does not have any link with the common man. He is concerned for the tycoons and the multinationals. The representative of the people are required to do something for the poor persons living in the village. The hon. Finance Minister does not know anything about it. That is why, the hon. Finance Minister was opposing it, even though he declared it later. They talk about efficiency and many such labourers and intellectuals are asked [English] you must work efficiently and Finance Ministry is not working efficiently." [Translation] They have lost the moral right to say so. All the hon. Members of Parliament of the country were mocked at. People come to us and ask for work since we have been allocated rupees one crore each. Our projects remain pending with the collectors. When we make inquiry about it, they say that they can not start the work unless the Government allocate the money. They have tried to humiliate the Members of parliament before the common people throughout the country.

SHRI UMRAO SINGH (Jalandhar): A petition has been filed against the Government in the court.

SHRI RAM NAIK: They do not know anything about it. The unawareness of the hon. Members of Congress is his real strength. I do not want to say anything about it since it is their right to speak. The Government functions the way he speaks... (Interruptions)... Has he made allocation of rupees one crore to the MPs?.. (Interruptions)... The people, throughout the country are making fun of the Members of Parliament. They ask us, about the allocated money. They also ask us, what we are doing with that money. All the Members have been made to face embarrassment in a way. The hon. Finance Minister is responsible for it. It is required to be taken care of. Where has their financial discipline gone? What compelled them to bring the ordinance? They could have easily brought the supplementary demands in August. They think that they are working in a proper way. I would like to read out the page number 4 of the Section under amendment. It is written there in that the consolidated Fund is to be increased i.e., a Bill related to Contingency Fund had to be amended in 1980. No need was felt even for once to bring such an amendment in last 14 years. So, we do not know in what way the Government is working. What prompted them to give instructions?

I do not know what has happened in the other States but I would like to tell you the position about Bombay. The Government sent instructions in this regard every where on 26th October. There are 48 Lok Sabha Constituencies in Maharashtra. Bombay alone has 6 M.Ps I came to know that the Collectors have been informed of allocation of rupees 42 crore. Two Legislative Assemblies fall in my Constituency Thane rural. When I asked the Collector about the instructions regarding Bombay, he said that he did not have any such instructions. After that, I contacted the hon. Minister Shri Thakur. I told him that rupees 6 crore should have been sanctioned for 6 M.Ps of Bombay. Later on, on 8th November, rupees 6 crore were allocated but this amount was not sent to the collector. The amount for Bombay was sent to Maharashtra Housing Development Area. There is no official information regarding it to the M.Ps of Bombay.

[English]

I quote from the Annexure at page 4 which says:

"Provided that during the period beginning on the 22nd day of October, 1979 and ending on the 31st day of March, 1988..."

[Translation]

What happened after that? I would like to inform you about the instructions given regarding six crore rupees meant for the M.Ps of Bombay. It is written in the instructions that:—

[English]

"To this extent, instructions in the guidelines for M.Ps Local Area Development here stand modified. Detailed instructions regarding expending the amount released will be issued in due course."

[Translation]

The detailed instructions have not been sent till date and in the absence of it no work has started at least in Maharashtra. How long will the Government take to send these detailed instructions? They had said that some changes were required to be made in the guidelines. When it will be done? The hon. Members of Parliament from Uttar Pradesh have informed me that the different agencies of Public Works Department.

[English]

They are charging 20 per cent as departmental charges.

[Translation]

It means that 20 percent departmental charges are being charged. If the work is done in this way then the work meant for the common man will never be completed. (Interruptions) The information regarding improvements in the guidelines is very important. I would like to know that by when these guidelines will be amended?

Besides, I urge upon you that on 23rd December, the House would adjourn sine-die. Therefore, the revised guidelines should be issued to all the Members of Parliament at least on the last day of this session. One more thing is linked with it. The money has been granted so late and the projects have not been approved so far. Further, the works are required to be completed by 31st March, 1995, as per the budgetary guidelines. It seems to be impossible. Therefore, my submission is that its period should be extended for 9 months more so that the projects can be completed.

[15.55 hrs.]

[MR. SPEAKER in the Chair].

One more thing is being observed in many cities. It is being said that the work should be done as per the standard of JRY but the daily wage fixed under JRY is Rs. 20. People living in Delhi, Bombay and Calcutta etc. will not work on such low wages. Therefore, the guidelines are required to be amended so that these works can be undertaken by the State Governments on contract through P.W.D. and Corporations etc. and tenders can also be floated. In this regard, the procedure of the State Government should be followed. Therefore, the changes in the guidelines and simplification of the procedure is essential.

[English]

MR. SPEAKER: This is a very very limited Bill.

SHRI RAM NAIK: It is limited. But they have brought an Ordinance for Rs. 798 crores.

MR. SPEAKER: That is to give money to the M.Ps.

SHRI RAM NAIK: That is true. But why is it so late?

MR. SPEAKER: But you are speaking on Jawahar Rozgar Yojana.

SHRI RAM NAIK: I am not speaking on Jawahar Rozgar Yojana. I will complete within five minutes.

MR. SPEAKER: It is a simple Bill for contingency fund. Otherwise, if you discuss the entire Budget, it will be difficult.

SHRI RAM NAIK: I am suggesting that the guidelines which are to be revised, they should be revised properly so that the work can be done effectively. Otherwise, if the guidelines are not revised accordingly, no work will be done in the cities. That is a problem which we are facing. I am completing within four to five minutes.

[Translation]

Finally I would like to say that this scheme is not in accordance with the Constitution. A writ petition in this regard was filed in Bombay High Court in April 1994. I was ill at that time when I knew about it I took apt in it as a party. In spite of several reminders of the judges of High Court, Central Government had not sent any affidavit and in absence of this affidavit the whole exercise done for this scheme will be futile. I, therefore urge that the Government should send the affidavit immediately.

At last I would like to say that guidelines should be revised where needed immediately accommodating the suggestions received upto 23rd December. Time limit for this scheme should be extended upto December 1995 for proper implementations of the scheme. With these words I conclude.

[English]

MR. SPEAKER: I think, the Minister can reply and we can put it to the House....(Interruptions)

SHRI CHETAN P.S. CHAUHAN (Amroha): It is better if the Rural Development Minister is here because this is concerning him...

MR. SPEAKER: As far as rules are concerned...

SHRI CHETAN P.S. CHAUHAN: We are facing a lot of problems in our constituencies.

MR. SPEAKER: You are continuing to speak without hearing me what I am speaking. This matter which was raised by Shri Naik is being looked into. Rules are likely to come here.

SHRI CHETAN P.S. CHAUHAN: We are genuinely facing the problem. District Magistrates are not very clear about it. It is not being done. (Interruptions)

[Translation]

PROF. RASA SINGH RAWAT: Mr. Speaker, Sir, it is my submission that the hurdles coming during the implementation of this scheme should be removed.

MR. SPEAKER: I have told that.

[English]

16.00 hrs.

SHRI M.V. CHANDRASHEKHARA MURTHY: Mr. Speaker, Sir, I am thankful to all those hon. Members who have participated in the discussion... (Interruptions)

We are aware that the hon. Prime Minister made an announcement on the floor of the House on 23rd December, 1993 regarding a scheme for the Members of Parliament which has been launched in February, 1994 for the Local Area Development Scheme, under which choice of all Members of Parliament had to be accommodated within the existing allocation. Accordingly, the Ministry of

Rural Development released a sum of Rs. 37.75 crore at the rate of Rs. 5 lakh to each Member of Parliament from the funds allocated for the implementation of Jawahar Rozgar Yojana during 1993-94. But, during the course of the discussion on the scheme in the Monsoon Session of Parliament it was clarified and many of the Members expressed their difficulty in implementation of this scheme and we have decided to remove those difficulties. After a detailed discussion it was decided that a separate fund will be constituted for implementing this Scheme. Hence, an Ordinance was promulgated and we have provided Rs. 790 crore which has to be borne by the Central Government and these funds are to be released directly to the District Collector. We have already disbursed directly to the District Collectors to execute the work suggested by the Members of Parliament and we have released funds in respect of 533 Lok Sabha Members of Parliament and 214 Rajya Sabha Members of Parliament to the concerned District Collectors for which they have given their option and the entire scheme is monitored by the Ministry of Rural Development. They have already issued guidelines. Regarding the revised guidelines, they are being discussed, and you are also well aware, Sir, that the revised guidelines will be issued shortly. I request the hon. members to pass this Bill.

[Translation]

SHRI GIRDHARI LAL BHARGAVA: Mr. Speaker, Sir, I did not get the reply. It is my submission that the time limit should be extended. As Ram Naikji has told that there is only two-three months time, ahead this amount can not be spent during such a short period... (Interruptions) Besides it the amount of Rs. 1 crore should be raised upto Rs. 2 crore. It should be reviewed. Smooth guidelines should be issued for it and it should be monitored. It will be difficult of this writ petition will be accepted. We have been given an opportunity for the first time to spend the money.

MR. SPEAKER: Hon. Minister has told about it precisely. Details will be given. Rs. 2 crore will become a big amount. Do not delay and properly utilise the funds allocated.

DR. CHATTRAPAL SINGH (Bulandshahr): please do make timely arrangement for next year.

MR. SPEAKER: You are a very intelligent Member. You should understand the hint, please do not drag the issue.

SHRI GIRDHARI LAL BHARGAVA: Sir, I seek the leave of the House to withdraw my statutory Resolution.

[English]

The Resolution was by leave, withdrawn

MR. SPEAKER: The questions is:

"That the Bill further to amend the Contingency Fund of India Act, 1950, be taken into consideration".

*The motion was adopted.*

MR. SPEAKER: The House shall now take up clause by clause consideration of the Bill.

The question is :

"That clauses 2 and 3 stand part of the Bill"

*The motion was adopted.*

Clauses 2 and 3 were added to the Bill.

**Statement by Minister**

MR. SPEAKER: The question is:

"That clause 1, the Enacting Formula and the Long Title stand part of the Bill."

*The Motion was adopted.*

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

SHRI M. V. CHANDRASHEKHARA MURTHY: I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is :

"That the Bill be passed."

*The motion was adopted.*

16.06 hrs.

[English]

#### STATEMENT BY MINISTER

##### (ii) Gyan Prakash Committee Report

THE MINISTER OF STATE IN THE PRIME MINISTER'S OFFICE AND MINISTER OF STATE IN THE DEPARTMENT OF ATOMIC ENERGY AND DEPARTMENT OF SPACE AND MINISTER OF STATE IN THE MINISTRY OF SCIENCE AND TECHNOLOGY (SHRI BHUVNESH CHATURVEDI): A Preliminary Administrative enquiry to ascertain and report to the Prime Minister facts and fix prima facie responsibility for lapses, if any, in dealing with the situation arising out of shortage in availability of sugar in the current season was ordered in July, 1994. The enquiry was entrusted to Shri Gian Prakash, Retired Comptroller and Auditor General of India.

Shri Gian Prakash had submitted his report on 5th October, 1994.

The report has been placed in the Library of Parliament to enable Hon'ble Members to peruse it.

The issues relating to the projections of availability of sugar in 1993-94 and imports to meet the shortage have two major facets. The first one relates to procedures within Government, for dealing with the situation that arose. These are issues having administrative implications. The other facet deals with issues relating to the allegations that the prices paid for import were unduly high and domestic industry was also given unreasonable profits at the cost of the consumer. Motives for deliberately delaying decisions have been imputed and it has been said that some beneficiaries of the inflated import prices have made money at the cost of the country. Similarly, releases were manipulated to jack up prices and allow extra profits to mill owners.

At the outset I have to make it clear that Shri Gian Prakash has conducted a Preliminary Administrative Enquiry and he has not investigated any question regarding lack of integrity on the part of any individual. He has looked at acts of omission and commission while