

exists power shortage. Many power projects are held up at the Central Government for various reasons. The declaration that N.T.P.C. would be setting up a Thermal Power Project at Kayamkulam was a relief to the people of the State. Even as years have passed, the project has still not been set up. That is the case of many other projects too. Pooyankutty Hydro Project, Bhramapuram Kozhikode and Kasargod diesel plants are a few projects which await implementation.

I would, therefore, request the Central Government to take prompt steps in clearing and implementing these projects which are of vital importance for the Kerala State.

(viii) **Need to issue letter of Intent for setting up a sugar factory either in Saharsa or Supaul district of Bihar**

[*Translation*]

SHRI SURYA NARAYAN YADAV (Saharsa) : My Constituency Saharsa is an industrially backward area and it has been declared as No Industry district too. There are two districts—Saharsa and Supaul in my Constituency where there is a good agricultural production, especially, sugarcane crop is grown extensively in these areas. But there are no sugar mills in this area and as a result thereof the farmers are not getting remunerative price for their produce. At times large quantity of sugarcane goes waste. I, therefore, urge the Government to set up a sugar factory in Saharsa or Supaul so that the farmers get remunerative price for their produce and the youth of the districts also get employment.

[*English*]

12.52 hrs.

STATUTORY RESOLUTION RE. DIS-
APPROVAL OF THE CONSUMER
PROTECTION (AMENDMENT) ORDI-
NANCE, 1993

AND

CONSUMER PROTECTION (AMEND-
MENT) BILL

As passed by Rajya Sabha

Motion to consider

MR. SPEAKER : We will take up Item Nos. 11 and 12. Shri Ram Naik will speak on Item No. 11.

SHRI RAM NAIK (Bombay North) :
I beg to move*

"That this House disapproves of the Consumer Protection (Amendment) Ordinance, 1993 (Ordinance No. 24 of 1993) promulgated by the President on the 18th June, 1993."

This is a Bill which was introduced originally in the Rajya Sabha on 31st March and the Bill could not be passed.

In the last Budget session, though the House was working for nearly one and half months after its introduction—the bill was introduced on 31st March and the House adjourned on 14th May—the Bill was not discussed and on 18th June, the President issued the Ordinance.

I have seen the proceedings in the Rajya Sabha. When I saw the proceedings, I found that the resolution for disapproval of the Ordinance was moved there. But the Government did not introduce a new Bill which is normally done. The Bill which was introduced on 18th March was not withdrawn. The normal course should have been that to repeal the ordinance, a fresh Bill should have been brought out and the earlier Bill should have been withdrawn. But instead of doing it straightway, the Bill of 18th March was continued and, after the discussion of the Bill, an amendment was brought by the Minister in the second reading repealing the Ordinance. When I tried to read the Objects and Reasons of the Bill of 18th March, there was no mention of the Ordinance. I feel that it is not the proper course. It is perfectly legal. There is no doubt about it. But the Government should have always bring their Bills straightway to facilitate the easy understanding of the members. That is my point Number one.

*Moved with the recommendations of the President.

The objects of the Bill are, by and large, laudable. I would support the bill. But that is when I speak on the Bill. I am at present restricting myself to the Ordinance because Prof. Ram Kapse is our first speaker and he will speak on the merits or demerits or shortcomings of the Bill. But I have an objection about the misuse of ordinance power which the

Constitution has given and very often for small reasons the Government is resorting to the ordinance. If the Bill was so important, why was it not passed in the last session? There were one and half months at our disposal. That could have been done. If the Government would have requested both the Business Advisory Committees of Parliament that this Bill is very important and this must be passed, we would have sat even extra hours and passed the Bill. But after introducing the Bill, to pass an ordinance, is misusing the authority to issue the ordinance. This is very often evident from the way the Ordinances are being issued.

Sir, in 1992, the Government issued 21 Ordinances. In 1993, we have just completed the month of July and we are in the month of August. In this period, the Government has issued 29 Ordinances. That means, the speed and the proportion of issuing the Ordinances have increased considerably. That is why sometimes, I feel it and I say also that the Government is becoming Ordinance-addict. This ordinance-addict habit has to be changed. That is why, I am opposing the introduction of any legislation by way of an Ordinance.

The next point which is most important is if the Ordinance was that important, why was it not done immediately. Our Budget Session concluded on 14th May. The Ordinance was issued on 18th June, that is, nearly after one month. Why was it not done immediately? Why did you lose one month if it was that important? You have lost one month. But the point is, after one month, we are assembling here. Had the Bill been brought forward again in the July Session, what would you have lost? So, what has been lost could have been achieved earlier also. Therefore, the Government must explain why it did not do it immediately after the Session was over if the Ordinance was that urgent. What were the circumstances which changed immediately which necessitated the issue of this Ordinance?

At the same time, I want to know one information. After issuing the Ordinance, what is the action taken by you. When the Ordinance was issued on 18th June, you must have done something.

What type of implementation activity have you done in respect of this important Ordinance? The House is entitled to know about it. That is why I request that when the Minister speaks, he should explain why the Ordinance was not issued immediately after 14th May, after the Session was over. What were they doing for one month? After issuing the Ordinance, what is it that they did? What action have they taken in respect of the various provisions which the Ordinance contains? This information must be given to the House.

According to the rules, whenever any Ordinance is issued, a statement is required to be laid on the Table of the House under Rule 71(1). Accordingly, the statement has been laid. The Government should take some care in respect of drafting statements also. Otherwise it becomes a routine type of statement. The reason for issuing the Ordinance has been given. I am quoting para 2 of the statement which says :

"The Consumer Protection (Amendment) Bill, 1993 was introduced in the Rajya Sabha on 31st March, 1993. The Bill, however, could not be considered and passed by either in the Lok Sabha or in the Rajya Sabha during the last Session due to paucity of time."

How could the Bill have been passed in the Lok Sabha? If the Bill is introduced in the Rajya Sabha, unless the Bill is disposed by the Rajya Sabha, it cannot come to the Lok Sabha for adoption. But this is a routine type of statement which has been appended. We cannot give any amendments to this type of a statement. So, I expect that the Government should take better care while drafting such statements.

MR. SPEAKER: If we do not want many ordinances then, we shall have to be brief also.

SHRI RAM NAIK: I agree. My last point is that there is substantial difference between the earlier Bill and the Ordinance. Probably, the most controversial amendment would be that the period of lodging the complaint has been increased from one year to two years. The Ordinance said that it is one year. But the Bill says that it is two years. I expect

that the Government should tell us in advance why the period was kept earlier as one year. Then, it has been changed to two years. Why has it been changed to two years? I feel and many Members have also given amendments that it should be three years so that proper justice can be done in respect of this Act.

Sir, with these words, I oppose the Government's addiction to the issuing of Ordinances. By and large, I would support the Bill. But I would do that afterwards, after the main speaker speaks.

MR. SPEAKER : Motion moved :

"That this House disapproves of the Consumer Protection (Amendment) Ordinance, 1993 (Ordinance No. 24 of 1993) promulgated by the President on the 18th June, 1993."

13.00 hrs.

THE MINISTER OF STATE IN THE MINISTRY OF CIVIL SUPPLIES, CONSUMER AFFAIRS AND PUBLIC DISTRIBUTION AND MINISTER OF STATE IN THE MINISTRY OF COMMERCE (SHRI KAMALUDDIN AHMED) : I beg to move :

"That the Bill further to amend the Consumer Protection Act, 1986, as passed by Rajya Sabha, be taken into consideration."

The objection raised by hon. Shri Ram Naik is more of a technical nature. I am grateful to him that he has pointed out certain matters, I will only respectfully submit that the Bill was moved in the Rajya Sabha and it could not be passed. The reasons are well-known to all the Members. They could not find time here, and with the result, it could not come here also. After that the Consumer Protection Council meeting was held and in that, the members said, "this Bill has been moved but it has not been passed. So, you now kindly issue an ordinance because otherwise the matters which have to be urgently taken up through the Bill will again take more time." It was mainly because of that recommendation of the Consumers Protection Council that this was done. And then consequent upon the promulgation of the ordi-

nance, certain action has been taken, for example, monetary jurisdiction of the various forums had to be taken and various administrative actions had to be taken by the State Governments. There were certain very pressing difficulties for which the Bill was brought.

I am sure that the hon. Members will agree with every amendment that has been there in the Bill because, by and large, there is a unanimity on the contents of the Bill and the measures that have been taken.

With these words, I request the hon. Members to carry through the Bill.

MR. SPEAKER : Motion moved :

"That the Bill further to amend the Consumer Protection Act, 1986, as passed by Rajya Sabha, be taken into consideration."

SHRI SHARAD DIGHE (Bombay North Central) : Mr. Speaker, Sir, I rise to welcome this Bill which has been brought by the Government. And I whole-heartedly support the Bill.

MR. SPEAKER : You can speak after lunch.

13.03 hrs.

The Lok Sabha then adjourned for Lunch till Fourteen of the Clock

14.06 hrs.

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

(SHRI NITESH KUMAR *in the Chair*)
RE : JAIL BHARO MOVEMENT IN DELHI AGAINST ANTI-PEOPLE ECONOMIC POLICIES OF THE GOVERNMENT

[*English*]

SHRI SOMNATH CHATTERJEE (Bolpur) : Mr. Chairman, Sir, a very serious situation has happened in the Capital of this country. Today, Sir, I mentioned in the House about the *jail bharo* movement, against the economic policies of this country, the anti-people economic policies of this country. A large number of people, working people, ordinary people