

SHRI PRANAB MUKHERJEE: A large number of points have been raised and it is not unusual in this type of discussion. As per the normal practice, I will deal with the points concerning my Ministry and the rest I will pass on to the concerned Ministry.

Two points have been raised by Mr. Ramavatar Shastri—one regarding dearness allowance and the other is regarding freedom fighters. To these two I would like to react.

As the hon. Members are aware of it, this question was raised on the floor of the House on an earlier occasion also and my colleague, the Home Minister, has informed me just now that the Government are looking into the various aspects of it and shortly it will be possible to take a decision on it.

With regard to the DA problem, I have already replied that two instalments have fallen due and we will have to release them. I have made some provision in the Budget itself. We are talking to the representatives of the employees and we are looking into it.

In regard to the other matters, as the hon. Members know, to tackle the whole problem of wage structure and other things, the Fourth Pay Commission has been set up. Hon. Members have their own views and we have our own.

SHRI RAMAVATAR SHASTRI: Everybody is opposing.

SHRI PRANAB MUKHERJEE: I do not agree with him.

15.15 hrs.

[MR. DEPUTY SPEAKER in the Chair]

So, I am not going into that aspect in detail. The question of smuggling has been raised by Mr. Mehta and Mr. Shastri. We are trying to improve our enforcement machinery in the border areas and I do hope in will be possible to settle the problem. I seek the cooperation from all quarters.

MR. DEPUTY SPEAKER: The question is:

"That the Bill to provide for the withdrawal of certain sums from and out of the Consolidated Fund of India for the services of a part of the financial year 1983-84, be taken into consideration."

The motion was adopted.

MR. DEPUTY SPEAKER: We shall now take up clause by clause consideration. The question is:

"That clauses 2 to 4 and the Schedule stand part of the Bill."

The motion was adopted.

Clauses 2 to 4 and the Schedule were added to the Bill.

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

SHRI PRANAB MUKHERJEE: Sir, I beg to move:

"That the Bill be passed."

MR. SPEAKER: The question is:

"That the Bill be passed."

The motion was adopted.

15.18 hrs.

SUPPLEMENTARY DEMANDS FOR GRANTS (GENERAL), 1982-83

AND

DEMAND FOR EXCESS GRANTS (GENERAL—1980-81).

MR. DEPUTY-SPEAKER: We now go to the next item. Items Nos. 14 and 15 will be discussed together.

Motions moved:

"That the respective supplementary sums not exceeding the amounts on Revenue Account and Capital Account shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of India to defray the charges that will come in course of payment during the year

ending 31st day of March, 1983 in respect of the following demands entered in the second column thereof:

Demand Nos. 1, 4, 5, 7, 8, 10, 11, 12, 13, 14, 15, 16, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 37, 38, 39, 41, 42, 44, 45, 46, 47, 48, 49, 50, 52, 53, 54, 55, 56, 57, 58, 59, 61, 62, 63, 64, 65, 69, 70, 71, 76, 77, 78, 79, 81, 82, 83, 84, 86, 88, 89, 90, 92, 93, 94, 95, 96, 98, 100, 101, 103, 106, 107 and 108."

"That the respective excess sums not exceeding the amounts shown in the third column of the Order Paper be granted to the President out of the Consolidated Fund of India to make good the excess on the respective grants during the year ended 31st day of March, 1981, in respect of the following demands entered in the second column thereof;

Demand Nos. 11, 17, 21, 22, 23, 24, 38, 39, 50, 53, 55, 81, 83, 84 and 91."

Statement

Supplementary Demands for Grants (General) for 1982-83 submitted to the Vote of Lok Sabha

No. of Demand	Name of Demand	Amount of Demand for Grant submitted to the Vote of the House	
1	2	Revenue Rs.	Capital Rs.
MINISTRY OF AGRICULTURE			
1	Department of Agriculture and Cooperation	14,45,000	..
4	Animal Husbandry and Dairy Development	41,21,33,000	..
5	Forest	1,000	..
7	Department of Food	45,73,72,000	..
8	Department of Agricultural Research and Education	5,89,000	..
MINISTRY OF CIVIL SUPPLIES			
10	Ministry of Civil Supplies	1,000	..
MINISTRY OF COMMERGE			
11	Ministry of Commerce	22,01,000	..
12	Foreign Trade and Export Production	1,000	7,20,62,08,000
13	Textiles, Handloom and Handicrafts	2,000	48,68,09,000

No. of Demand	Name of Demand	Amount of Demand for Grant submitted to the Vote of the House	
1	2	Revenue Rs.	Capital Rs.
MINISTRY OF COMMUNICATIONS			
14	Ministry of Communications	10,06,000	..
15	Overseas Communications Service	4,53,82,000	..
16	Posts and Telegraphs—Working Expenses.	115,55,43,000	..
MINISTRY OF DEFENCE			
19	Ministry of Defence	12,27,28,00	8,79,60,000
20	Defence Services—Army	124,31,58,000	..
22	Defence Services—Air Force	112,29,50,000	..
23	Defence Services—Pensions	14,65,00,000	..
24	Capital Outlay on Defence Services . . . . .	..	42,09,00,000
MINISTRY OF EDUCATION AND CULTURE			
25	Department of Education	8,80,000	..
26	Education	29,84,27,000	71,51,000
27	Department of Culture	45,87,000	..
28	Archaeology	57,21,000	..
MINISTRY OF ENERGY			
29	Department of Coal . . . . .	..	41,000
30	Department of Power	13,40,26,000	93,10,59,000
MINISTRY OF EXTERNAL AFFAIRS			
31	Ministry of External Affairs	17,73,78,000	17,84,37,000
MINISTRY OF FINANCE			
32	Ministry of Finance	5,12,28,000	..
33	Customs	1,27,93,000	..
34	Union Excise Duties	6,64,56,000	..
35	Taxes on Income, Estate Duty, Wealth Tax and Gift Tax	8,75,76,000	..
37	Audit	10,38,09,000	..
38	Currency, Coinage and Mint	5,96,64,000	..

No. of Demand	Name of demand	Amount of Demand for Grant submitted to the Vote of the House	
1	2	3	
		Revenue Rs.	Capital Rs.
39	Pensions	24,80,09,000	..
41	Transfers to State Governments	222,80,80,000	..
42	Other Expenditure of the Ministry of Finance . . . . .	..	31,00,37,000
MINISTRY OF HEALTH AND FAMILY WELFARE			
44	Ministry of Health and Family Welfare	18,18,000	..
45	Medical and Public Health	3,25,71,000	1,000
46	Family Welfare	50,40,81,000	..
MINISTRY OF HOME AFFAIRS			
47	Ministry of Home Affairs	55,04,000	..
48	Cabinet	73,19,000	..
49	Department of Personnel and Administrative Reforms	98,52,000	..
50	Police	44,90,16,000	..
52	Other Expenditure of the Ministry of Home Affairs	14,91,54,000	22,38,00,000
53	Delhi	31,30,13,000	29,06,80,000
54	Chandigarh	4,25,57,000	..
55	Andaman and Nicobar Islands	15,57,000	..
56	Dadra and Nagar Haveli	8,05,000	..
57	Lakshadweep . . . . .	..	16,65,000
MINISTRY OF INDUSTRY			
58	Ministry of Industry	43,03,000	..
59	Industries	117,11,74,000	51,80,7,000
MINISTRY OF INFORMATION AND BROADCASTING			
61	Ministry of Information and Broadcasting	10,00,000	..
62	Information and Publicity	62,00,000	..
63	Broadcasting	2,84,00,000	1,000

No. of Demand	Name of Demand	Amount of Demand for Grant submitted to the Vote of the House	
1	2	3	
		Revenue Rs.	Capital Rs.
MINISTRY OF IRRIGATION			
64.	Ministry of Irrigation	1,000	..
MINISTRY OF LABOUR			
65.	Ministry of Labour	18,38,000	..
MINISTRY OF PETROLEUM, CHEMICALS AND FERTILIZERS			
69	Ministry of Petroleum, Chemicals Fertilizers	8,00,000	..
70	Petroleum and Petro Chemical Industries . . . . .	..	5,000
71	Chemicals and Fertilizers Industries	45,99,000	2,000
MINISTRY OF SHIPPING AND TRANSPORT			
76	Ministry of Shipping and Transport	46,54,000	..
77	Roads	8,05,66,000	25,31,60,000
78	Ports, Lighthouses and Shipping	8,69,48,000	..
79	Road and Inland Water Transport . . . . .	..	4,99,00,000
MINISTRY OF STEEL AND MINES			
81	Department of Steel . . . . .	..	1,000
82	Department of Mines	1,000	1,000
MINISTRY OF SUPPLY AND REHABILITATION			
83	Department of Supply	2,94,000	..
84	Supplies and Disposals	50,00,000	..
MINISTRY OF TOURISM AND CIVIL AVIATION			
86	Ministry of Tourism and Civil Aviation	11,93,000	..
88	Aviation	79,13,000	2,000
89	Tourism . . . . .	..	5,20,00,000
MINISTRY OF WORKS AND HOUSING			
90	Ministry of Works and Housing	14,35,000	..
92	Water Supply and Sewerage	1,78,70,000	..
93	Housing and Urban Development . . . . .	..	30,12,01,000
94	Stationery and Printing	4,18,54,000	..

No. of Demand	Name of Demand	Amount of Demand for Grant submitted to the Vote of the House	
1	2	Revenue Rs.	Capital Rs.
DEPARTMENT OF ATOMIC ENERGY			
95	Department of Atomic Energy	3,50,000	..
96	Atomic Energy Research, Development Industrial Projects . . . . .	..	11,00,00,000
DEPARTMENT OF ELECTRONICS			
98	Department of Electronics	1,000	..
DEPARTMENT OF OCEAN DEVELOPMENT			
100	Department of Ocean Development	12,43,50,000	17,00,00,000
DEPARTMENT OF SCIENCE AND TECHNOLOGY			
101	Department of Science and Technology	2,000	..
103	Grants to Council of Scientific and Industrial Research	6,75,00,000	..
PARLIAMENT, DEPARTMENT OF PARLIAMENTARY AFFAIRS, SECRETARIATS OF THE PRESIDENT AND VICE-PRESIDENT AND UNION PUBLIC SERVICE COMMISSION			
106	Rajya Sabha	15,13,000	..
107	Department of Parliamentary Affairs	2,30,000	..
108	Secretariat of the Vice-President	73,000	..

Demands for Excess Grants (General) for 1980-81 submitted to the Vote of Lok Sabha

No. of Demand	Name of Demand	Amount of Demand submitted to the Vote of the House	
1	2	3	
I. EXPENDITURE MET FROM REVENUE			
11	Ministry of Commerce	Rs. 1,13,982	
17	Posts and Telegraphs	19,49,66,591	
21	Defence Services—Army	45,95,82,358	
22	Defence Services—Navy	5,96,54,577	
23	Defence Services—Air Force	3,06,12,952	

1	2	3
24	Defence Services—Pensions	3,68,08,901
38	Currency, Coinage and Mint	3,26,333
39	Pensions	5,75,09,752
53	Delhi	3,65,93,506
55	Andaman and Nicobar Islands	2,93,64,712
81	Mines and Minerals	3,11,37,588
83	Department of Supply	28,897
84	Supplies and Disposals	8,07,234
91	Public Works	1,89,41,943

II. EXPENDITURE MET FROM CAPITAL

50	Police	33,57,969
53	Delhi	5,60,20,192

SHRI SOMNATH CHATTERJEE (Jadavpur): Sir, I want to rise on a point of order and my point of order is based on the Constitution. Kindly see the two items—Supplementary Demands for Grants (General and Demands for Excess Grants (General). These have been circulated. We have got the list. Kindly take up the list of Supplementary Demands for Grants (General) for 1982-83. Kindly see what is mentioned here. Under Ministry of Agriculture they have mentioned certain items and amounts. Now, please refer to the Constitution because the authority is in the Constitution—Article 115—which is the only Article which permits such Demands. It says:

“The President shall—

(a) If the amount authorised by any law made in accordance with the provision of Article 114 to be expended for a particular service for the current financial year is found to be insufficient for the purposes of that year...

Therefore, certain amounts have already been sanctioned for a particular service, which are inadequate. Therefore, before the end of the year they must come.

“...or when a need has arisen during the current financial year for supplement-

tary or additional expenditure upon some new service not contemplated in the annual financial statement for that year.”

I am on supplementary grants. Therefore, on two grounds the demand for supplementary grant can be made. One is if an expenditure for a particular service will be found to be insufficient or has been found to be insufficient but there is no appropriation made for that or a totally new service can be thought of which was not contemplated either by the Appropriation Bill or the budgetary provision grant. Kindly look at the Supplementary Demands. The House has been completely kept in the dark. There is the list of supplementary Demands. It can be either of the two, nothing else. Then, Sir, what happens? The President shall cause to be laid before both Houses of Parliament another statement showing the estimated amount of that expenditure or cause to be presented to the House of the People a demand for such excess, as the case may be. Now, the Department of Agriculture and Cooperation does not say whether it is a New Service or an additional expenditure for an old service. It is not there.

THE MINISTER OF FINANCE (SHRI PRANAB MUKHERJEE): What is the point?

SHRI SOMNATH CHATTERJEE: The point is this. Article 115 of the Constitution of India permits supplementary demands on two cases. There is no third case. One is that the amount already authorised by the Appropriation Bill is insufficient for continuing the service or you want the money for a New Service. These are either of the two cases on which you can ask for supplementary demands. Now, Sir, on what basis this is being asked for? That must be contained in the statement that is placed before the House. The statement which has been given does not contain that.

SHRI PRANAB MUKHERJEE: This book you have not seen.

SHRI SOMNATH CHATTERJEE: That is not the statement.

SHRI PRANAB MUKHERJEE: This is the one.

SHRI SOMNATH CHATTERJEE: Let us go one by one. Whether it is New Service or whether it is continuation of Old Service, nobody knows. Sir, it must indicate either of the two things. It should say whether it is in respect of a service already approved or a new Service. Then I will come to the next point.

SHRI PRANAB MUKHERJEE: We have given the explanation. Kindly see it.

SHRI SOMNATH CHATTERJEE: Don't be impatient. What is the hurry? I will come to it.

MR. DEPUTY SPEAKER: As Chairman, you know, at 3.30 p.m. we have to take up Private Members' Business.

SHRI SOMNATH CHATTERJEE: man, you know, at 3.30 P.M. we have to Still the time left is 2 hours. Is it to be completed today? Time is left tomorrow. Why are you impatient? I don't understand.

SHRI PRANAB MUKHERJEE: I would like to know this. Do you feel that the explanation which has been given does not fulfill any constitutional provision? Then you make out such a thing which is either not a New Service or where the

demand which was appropriated at the time of presentation is in excess. You please tell me the item.

MR. DEPUTY SPEAKER: You said, New Demands or something like that; this is according to Article 115. Now you please see page 92 of this book. What is written there is:

"The Supplementary Grant is required for meeting additional requirements on account of the following:"

SHRI SOMNATH CHATTERJEE: Kindly appreciate my point. Kindly look at the Constitution.

MR. DEPUTY SPEAKER: You read again.

SHRI SOMNATH CHATTERJEE: I am reading more than once. What does the statement show? You verify it with the List of Demands.

SHRI PRANAB MUKHERJEE: This is the demand; this is the combined thing; you must understand all these.

SHRI SOMNATH CHATTERJEE: There are two points that arise from this. One is that so far as the need is concerned, he should clarify whether it is for new service or in old service. Then, secondly, whether this expenditure has to be for the purpose of that year is to be clarified. So, two things arise out of this. Now, the Supplementary Demand is being asked for, that is, about Rs. 45 crore or Rs. 41 crore. It is during the year. Kindly read that out. A need has arisen during the year. This is found to be insufficient for the purpose of that year. Now, therefore, this has to be spent during the year. Now, where has the need arisen in New Service during that year? We are almost at the end of March 1983 and here it is in the Financial Year 1982-83. Now, where are those indications that it is in the New Service or it is in the Old Service? That is not there. That is why I am submitting. Therefore, without those indications, I submit that this cannot be taken up. Let those particulars be given.

SHRI PRANAB MUKHERJEE: My point is this. If the hon. Member looks at the original document which I have submitted—this is the copy of the document—the position is made clear there. If he looks at page 92 of the document to which you have drawn his attention, the hon. Member would satisfy himself. He is raising two objections that it should be either in New Service or in Old Service and it should have already been sanctioned and the provision is inadequate. Instead of having a global approach, let him tell on what particular item he is objecting, which does not come within the purview of any of these two criteria and I can answer those objections. If he tells me, I can reply to him. I can read out the whole thing. But instead of doing that, please open page 92.

SHRI SOMNATH CHATTERJEE: That is an example.

SHRI PRANAB MUKHERJEE: There is no question of example. It is given there. The second point which you have raised is also not relevant. The Supplementary Grant, sometimes we do take and even the expenditure is in anticipation and, therefore, you cannot forecast.

SHRI SOMNATH CHATTERJEE: Supplementary Grant is always to be in anticipation.

SHRI PRANAB MUKHERJEE: The point is whether you will be able to spend it within 31st March 1983? Yes, I expect that I will be able to spend it. If I cannot spend it I will have to come to the House and I will have to explain to the House. If I spend more, then also I will have to come to Parliament and get it sanctioned. Therefore, if you say that the items which I have listed out or any of the item does not qualify, then I will give the explanation.

MR. DEPUTY-SPEAKER: Now, the point has been clarified by the Minister.

SHRI SOMNATH CHATTERJEE: But you have not given your ruling.

MR. DEPUTY-SPEAKER: Do you want ruling on this point? He has already explained the points raised by you. He has clarified your points. Are you not satisfied with his clarification?

SHRI SOMNATH CHATTERJEE: I very respectfully differ from you. Now, so far as the Supplementary Grants are concerned, you will see that almost all the Ministries, major Ministries, have made demands. They are asking for Supplementary Demands, I do not dispute that. Supplementary Demands may be necessary. But the point I am making and which I have indicated earlier, also, has to be explained. But suddenly with this huge sum, whether it will be possible to spend, I do not know. But two aspects are extremely important. If the hon. Minister desires, he should clarify. One is with regard to the Supplementary Grants for the year 1982-83. If you will kindly take the Ministry of Agriculture, Department of Food, it is Rs. 45,73,072. Then there are other Departments etc.

Now, this is the year in which most of the States are facing very serious financial constraints due to drought. The drought which is there in our part of the country, such an experience has not been there for over a hundred years in the past. No doubt, the State Governments are forced to come to the Central Government for special assistance...

MR. DEPUTY-SPEAKER: You may continue tomorrow.

15.30 hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FIFTY-FIFTH REPORT

SHRI KAZI JALIL ABBASI (Domariaganj): Sir, I beg to move:

"That this House do agree with the Fifty-fifth Report of the Committee on Private Members' Bills and Resolutions presented to the House on the 16th March, 1983."