

are not giving me any complement. On the one hand, you are saying that you are giving complement. Therefore, I say that we are inspired and that we are always bringing the provisions for the welfare of labour, every one, each one of them and we stand by them and we shall try for this in future because this is the Government for the welfare of workers. There are some friends, some trade unions, who are trying the other way. What can I do? I cannot agree with them. Nor can they agree with me. Therefore, I say this Bill be passed. What Prof. Mehta has said, I have already explained. What Mr. Verma has said has been explained by me beforehand.

I will now ask that all the Members should unanimously pass the resolution.

MR. DEPUTY-SPEAKER : The question is :

"That the Bill be passed."

The motion was adopted.

13.57 hrs.

CHIT FUNDS BILL

THE DEPUTY MINISTER IN THE MINISTRY OF FINANCE SHRI JANARDHANA POOJARY : I bag to move :

"That the following amendments made by Rajya Sabha in the Bill to provide for the regulation of chit funds and for matters connected therewith, be taken into consideration:—

Clause 7

(1) That at page 6, after item (c) of the first proviso to sub-clause (2), the following item be inserted, namely :

"(d) that the foremen had been convicted of any offence involving moral turpitude and sentenced to imprisonment for any such offence unless a period of five has elapsed since his release."

Clause 16

(2) That at page, 9, for sub-clause (3), the following sub-clause be substituted, namely :—

"(3) Where any draw was not conducted on the ground that two subscribers required to be present at a draw under sub-section (2) were not present or on any other ground, the Registrar may, on his own motion or on an application made by the foreman or any of the subscribers, direct that the draw shall be conducted in his presence or in the presence of any person deputed by him."

MR. DEPUTY-SPEAKER : Shri Somnath Chatterjee.

SHRI SOMNATH CHATTERJEE : (Jadavpur): What is the procedure? The motion has to be passed first. Then the amendment can be taken up. You have to put the resolution.

MR. DEPUTY-SPEAKER : You have to move for consideration of the amendment.

"The following amendments made by Rajya Sabha in the Bill to provide for the regulation of chit funds and for matters connected therewith, be taken into consideration."

He has moved. You go through the Bill. That is the consideration motion. For consideration, there is no opposition. That is why I called you.

SHRI SOMNATH CHATTERJEE : So far as the Bill was discussed here, I have said that this is a Bill which should have been brought for total banning of the chits.

MR. DEPUTY SPEAKER : It is agreed to. We are completing this. Then we go to 193 discussion. It is agreed to.

SHRI SOMNATH CHATTERJEE : We said that these organisations are creating havoc, specially among the middle

and ordinary people who are in need of some extra funds but this has brought havoc in our national economy and I gave illustrations as to how they have made money for themselves. One is Sanchaita which has made Rs. 100 crores minimum and yesterday I had to go to the Supreme Court to get an order for permitting investigation into the affairs of Sanchaita by the criminal agencies. I have been requesting this Government "What action are you taking against Sanchaita?". No reply. I put a question "Has Income-tax Department taken any action?", because it is said that "Income-tax—Department is taking action." What Supreme Court has said? Action has to be taken. But there is no answer. For years, this firm has not filed any return.

No assessment has taken place. Now this type of firms are being sought to be regulated. You cannot change this evil; you cannot chasten this evil either.

14.00 hrs.

One or two proposals have come from the Rajya Sabha which are for the improvement of the Bill, no doubt. I do not oppose it, but I oppose it on principle that the sooner these institutions go to the oblivion, the better; the people will be protected; otherwise, the national economy will be in danger. I warn this Government: for the sake of politics, they are submitting to the whims of these money-lenders—they are really money-lenders—and this will not be for the benefit of the country. Therefore, I submit that this Government should categorically say that they would ban these organizations altogether.

श्री हरीश कुमार गंगवार (पीलीभीत): माननीय उपाध्यक्ष महोदय, मैं इन संशोधनों का समर्थन करता हूँ और सिर्फ यह बात कहना चाहता हूँ कि आपने बैंकों का नेशनलाइजेशन तो कर दिया, मगर यह दूसरे प्राइवेट बैंक खोल दिये, जिससे किसी प्रकार भी देश की इकनॉमी को फायदा नहीं पहुंचता है ये लोग भोली-भाली जनता का पैसा जमा कर लेते हैं, 15, 20 साल तक पैसा अपने यहां जमा रखते हैं, लोगों को देते नहीं हैं और बहुत सारे लोग अपने दफ्तर उठाकर भाग

जाते हैं। रामपुर, बरेली, मुरादाबाद में ऐसा ही हुआ है। लोग पैसा लेकर भाग गये।

पीयरबैस कंपनी पैसे का बहुत बड़ा काम कर रही है, बरेली में इसका दफ्तर खुलता ही नहीं है। वहां लोग भटकते रहते हैं, उनके पैसा नहीं मिलता। ये लोगों का पैसा 15, 15 और 20, 20 साल तक अपने पास रखकर देश की अर्थ व्यवस्था को बिगाड़ रहे हैं। इन प्राइवेट बैंकों को, जो कि पैसा लेते हैं, देते नहीं हैं, आप क्यों चला रहे हैं? क्या इस तरह से आपने कैपिटलिस्टों की मदद नहीं की है। घोखाघड़ी करने वालों को, कर-वंचकों को क्या आप इस तरह से प्रश्रय नहीं दे रहे हैं। मैं आपसे निवेदन करना चाहता हूँ कि चिट फंड पूरा का पूरा बन्द होना चाहिए, इनका नेशनलाइजेशन कर देना चाहिए और जिन्होंने गड़बड़ियां की हैं, उनको बन्द कर देना चाहिए।

श्री जगपाल सिंह (हरिद्वार): उपाध्यक्ष महोदय इस सदन में जब इस चिटफंड विधेयक पर डिबेट हुई तो मैंने इस पूरे बिल का विरोध किया था और यह कहा था कि यह चिटफंड बिल जो आप लाये हैं, और इसको जो कानूनी हैसियत आपने दे दी है, इससे यह लोगों को चीट करेगा, इसलिए इसको चिट-फंड की जगह अगर चीट-फंड नाम दे दें तो ज्यादा अच्छा होगा।

सबसे बड़ी बात यह है कि 'यह एजेन्सीज जो चिट-फंड कंपनीज चलाती हैं, रातों रात करोड़ों रुपये की मालिक हो जाती हैं। और ये ब्लैकमनी को व्हाइट मनी करके चलाती हैं। यह सीधे साधे लोगों से पैसा लेकर अपने पास रखती हैं जबकि इस पैसे का कोई भी मकसद इस देश के विकास में लगाने का इनका नहीं है। मैंने तब भी कहा था कि आप इन चिट-फंड कंपनीज से ऐसा करें कि ये 20 परसेंट या 40 परसेंट देश के डेवलपमेंट और विकास के लिए लगायें, आप इन पर ऐसा प्रतिबंध लगायें। लेकिन वह संशोधन आप नहीं लाये हैं।

आप छोटे-छोटे संशोधन लेकर आते हैं। इसलिए मैं अपील करूंगा कि आप अब भी इस बिल को वापिस ले लें तो अच्छा है। आप को-आपरेटिव सोसाइटीज चला सकते थे, इनके नेशनलाइजेशन

के द्वारा इस तरह से काम कर सकते थे। हमारे बटर्जी साहब का इस तरह का प्रयोजन था कि राष्ट्रीयकृत बैंकों से इस तरीके की सुविधा लोगों को दिलवायें। जो व्यक्तिगत लोग इस तरीके से सीधे-सादे लोगों के भविष्य को बिगाड़ रहे हैं उसके बदले में उम्मीद करता हूँ कि राष्ट्रीयकृत बैंक से आप इस तरीके से सुविधा लोगों को दिलवायें।

SHRI JANARDHANA POOJARY : This Bill was discussed in detail in this august House and also in Rajya Sabha, and I have given the reply in detail. Unfortunately, hon. Member Shri Somnath Chatterjee was not present when I gave the reply here but his colleagues belonging to his Party raised the issue in Rajya Sabha also and I have answered in detail.

Some hon. Members have stated that this is a Draconian Bill and it should not be there. Some other hon. Members have stated that the punishment is not deterrent and that some deterrent punishment should be given. These are the arguments advanced. My submission would be that we have to strike a balance here, this should be a balanced law. Some Members wanted a Draconian law, some wanted deterrent punishment and some others wanted that there should be no deterrent punishment. So, it is the duty of the Government to have a balanced law.

Another point has been raised about banking institutions, that the banking institutions are prohibited from conducting this business. I have mentioned this fact, I have answered in detail in Rajya Sabha also.

The functions of the banking sector are quite different. They have to see the end use of the funds that are given to the people, that is, to the borrowers. We have to see the quantum that has been given to the borrowers. We have to see whether the amount that is given to the banking sector has been properly utilised or not. Whereas in the case of chit fund business, so far as the borrower, that is, the

subscriber is concerned, he is at liberty to use that amount for any purpose he likes. He can use it even for non-productive purposes like his daughter's marriage or for construction of a house. Not only that, in the banking sector we have to see whether the IIDP programme, the DRI scheme and the 20 Point programme are properly implemented or not. So I do not think the banking function is similar to that of a Chit fund business. In these circumstances, I request that the House may kindly accept the amendments made by the Rajya Sabha.

MR. DEPUTY SPEAKER : The question is:—

“that the following amendments made by Rajya Sabha in the Bill to provide for the regulation of chit funds and for matters connected therewith, be taken into consideration :—

Clause 7

(1) That at page 6, after item (c) of the first proviso to sub-clause (2), the following item be inserted, namely :—

“(d) that the foreman had been convicted of any offence involving moral turpitude and sentenced to imprisonment for any such offence unless a period of five years has elapsed since his release.”

Clause 16

(2) That at page 9, for sub-clause (3), the following sub-clause be *Substituted*, namely :—

“(3) Where any draw was not conducted on the ground that two subscribers required to be present at a draw under sub-section (2) were not present or on any other ground; the Registrar may, on his own motion or on an application made by the foreman or any of the subscribers, direct that the draw shall be conducted in his presence or in the presence of any person deputed by him.”

The motion was adopted.

MR. DEPUTY SPEAKER : I shall now put the amendments made by Rajya Sabha to vote.

Clause 7

MR. DEPUTY SPEAKER : The question is:

"That at page 6, after item (c) of the first proviso to sub-clause (2), the following item be inserted, namely :

"(d) that the foreman had been convicted of any offence involving moral turpitude and sentenced to imprisonment for any such offence unless a period of five years has elapsed since his release."

The motion was adopted.

Clause 16

MR. DEPUTY SPEAKER : The question is :

"That at page 9, For sub-clause (3), the following sub-clause be substituted, namely:

(3) Where any draw was not conducted on the ground that two subscribers required to be present at a draw under sub-section (2) were not present or on any other ground, the Registrar may, on his own motion or on an application made by the foreman or any of the subscribers, direct that the draw shall be conducted in his presence or in the presence of any person deputed by him".

The motion was adopted.

SHRI JANARDHANA POOJARY : Sir, I beg to move:

"That the amendments made by Rajya Sabha be agreed to".

MR. DEPUTY SPEAKER : The question is :

"That the amendments made by Rajya Sabha be agreed to."

The motion was adopted.

14.08 hrs.

DISCUSSION ON THE REPORT OF THE BACKWARD CLASSES COMMISSION, 1980

MR. DEPUTY SPEAKER : Now we come to the discussion under Rule 193. Shri Ram Vilas Paswar.

(Interruptions)

PROF. MADHU DANDAVATE (Rajapur) : Sir, this is such an important subject that affects vast sections of the population of the country and I am surprised to find that there is no quorum in the House. Sir, I formally raise the question of quorum.....

(Interruptions)

SHRI RAM VILAS PASWAN (Hajipur) : All our Ministers belong to the upper castes.

(Interruptions)

MR. DEPUTY SPEAKER : Prof Dandavate, there is quorum in the House. I have counted. There is quorum.....

(Interruptions)

SHRI SOMNATH CHATTERJEE (Jadavpur) : I am happy that Shri Shiva Shanker is present.

MR. DEPUTY SPEAKER : These things happen sometimes. There are more people here, sometimes and sometimes there are more people on this side. I can only take care of quorum; I cannot ask everybody to come. Prof Dandavate raised the question of quorum and I say there is quorum.

SHRI SOMNATH CHATTERJEE: There is quorum because of the presence of the Opposition Members. That should be noted.