

इस पर चर्चा अभी हो। गैर-कानूनी तरीके से हमारे सदस्य के मुंह को पन्द्रह दिन तक बन्द करके रक्खा जाये यह इतना गम्भीर मामला है कि इसको रोका नहीं जा सकता। प्रागे की कार्रवाई स्थगित होनी चाहिये।

15 47 hrs.

STATE AGRICULTURAL CREDIT CORPORATION BILL—Contd.

MR. CHAIRMAN : I will put amendment No. 40 and 41 to the vote of the House.

Amendments Nos. 40 and 41 were put and negatived

SHRI K. NARAYANA RAO : I am not pressing my amendment No. 100.

MR. CHAIRMAN : All right.

Amendment No. 100 was by leave withdrawn

MR. CHAIRMAN : The question is :

"That Clause 8 stand part of the Bill."

*The motion was adopted
Clause 8 was a added to the Bill*

Clause 9— *Constitution of Board*

MR. CHAIRMAN : We will take up Clause 9. There are a number of amendments.

SHRI P. VISWAMBHARAN : Sir, I move my amendments No. 12, No. 13 and No. 15.

I beg to move :

Page 5, line 34.—

omit "who shall be the Chairman of the Board" (12)

Page 6, line 6,—

*for "Central" substitute—
"appropriate" (13)*

Page 6,—

after line 8, insert—

"(2) The Chairman of the Board shall be elected by the Board." (15)

MR. CHAIRMAN : Shri Srinibas Mishra is not here. Mr. George Fernandes, are you moving your amendments ?

SHRI GEORGE FERNANDES : Yes. I would like to move amendments No. 42 and No. 43.

MR. CHAIRMAN : No. 42 is the same as No. 12. You can move amendment No. 43.

SHRI GEORGE FERNANDES: I move my amendment No. 43.

Page 6, line 6,—

after "(c)" insert—

"a Chairman and" (43)

MR. CHAIRMAN : For amendment No. 58.

Shri P. P. Esthose is not here. Shri Mohammad Ismail, are you moving amendment No. 78 ?

SHRI SHIVA CHANDRA JHA : I beg to move :

Page 5, line 39,—

after "Corporation" insert—

"or has been associated with any political party." (57)

SHRI MOHAMMAD ISMAIL : Yes, Sir, I am moving amendment No. 78.

MR. CHAIRMAN : It is just like amendment No. 56.

Since that is not moved, you can move it.

SHRI MOHAMMAD ISMAIL : I move :

Page 5, line 33:—

for "Central" substitute—

"State". (78)

MR. CHAIRMAN : Amendment No. 79 is the same as No. 78.

It cannot be moved. There is amendment No. 101. Is it being moved.

SHRI VIKRAM CHAND MAHAJAN (Chamba) : Yes, Sir, I move :

[Shri Vikram Chand Mahajan]

Page 6,—

after line 8, insert—

"Provided that, in appointing a managing director of a Corporation established in a State, the Central Government may also consult the Government of that State." (101)

MR. CHAIRMAN : Is amendment No. 114 being moved :

SHRI SHINKRE : Yes, Sir, I move :

Page 5, line 34,—

after "who" insert—

"is not an active or retired employee of the Central or State or Union territory's Government or of the Reserve Bank, State Bank subsidiary bank, banking company, or Food Corporation." (114)

MR. CHAIRMAN : There are some amendments by Shri Lobo Prabhu, Nos. 123, 124 and 125.

SHRI LOBO PRABHU : I move my amendments Nos. 123, 124 and 125.

I move :

Page 5, lines 35 and 36,—

for "nominated by the appropriate Government"
substitute—

"approved by Parliament or the State Legislature concerned" (123)

Page 6, line 7,—

after "Government" insert—

"after consulting the Union Public Service Commission" (124)

Page 6, lines 7 and 8,

omit "and except in the case of first appointment, after consultation with the Board" (125)

SHRI MAHANT DIGVIJAI NATH : I beg to move :

Page 5, line 34,—

add at the end—

"in the first instance and later on elected by the Board". (183)

Page 6, line 7,—

after "Government" insert—

"in consultation with other parties."
(184)

MR. CHAIRMAN : All these amendments are moved and together with the clause are before the House.

SHRI P. VISWAMBHARAN : Clause 9 deals with the constitution of the board of directors of the Corporation. It is provided that both the Chairman and the Managing Director are to be appointed by the Central Government. The Corporations are called State Agricultural Credit Corporations and yet the two key posts are proposed to be filled by the Central Government. The Central Government subscribe to only 30 per cent of the paid up capital ; still they want to appoint these two important functionaries.

My amendment seeks to elect the Chairman by the board of directors instead of being appointed by the Central Government. Another amendment seeks to invest the appropriate Government, that is, the State Government with the power to appoint the Managing Director. As has been said earlier by Shri Fernandes, this Government has got a tendency to appropriate more and more functions to itself from State Governments. This is another instance of that tendency and I think it is only proper that that the clause be amended in terms of my amendments I have explained.

श्री जाजं फरनेन्डोज : मेरा संशोधन यह है कि केन्द्रीय सरकार को जो चेयरमैन नियुक्त करने का अधिकार दिया जा रहा है, इसको इस में से हटाया जाए और चेयरमैन या मैनेजिंग डायरेक्टर की नियुक्ति एप्रोप्रियेट गवर्नमेंट करे। अगर किसी सूबे में स्टेट एग्रिकलचर क्रेडिट कारपोरेशन चलती है तो उस सूबे की सरकार इनकी नियुक्ति करे, इसको स्वीकार करने में मंत्री महोदय को कोई तकलीफ नहीं होनी चाहिये। इस संशोधन के द्वारा उनके अधिकार को छोने जाने की बात नहीं है क्योंकि इस में केवल इतना कहा गया है कि जहां एग्रिकलचर क्रेडिट कारपोरेशन बने वहां की सरकार ही चेयरमैन या मैनेजिंग डायरेक्टर

की नियुक्ति करे। वही एप्रोप्रियेट गवर्नमेंट हो सकती है। अगर यूनियन टैरिटररी है तो वहाँ पर एप्रोप्रियेट गवर्नमेंट यूनियन गवर्नमेंट है, केन्द्रीय सरकार ही वहाँ पर एप्रोप्रियेट गवर्नमेंट होगी और वही इस काम को करेगी। लेकिन केरल हो, उड़ीसा हो, बिहार हो, महाराष्ट्र हो, मध्य प्रदेश हो, वहाँ पर अगर कारपोरेशन बनाई जाती है, तो वहाँ पर चेयरमैन की नियुक्ति या मैनेजिंग डायरेक्टर की नियुक्ति का जहाँ तक सम्बन्ध है, वहाँ की स्टेट गवर्नमेंट ही एप्रोप्रियेट गवर्नमेंट है। अगर कानूनन भी आप इस बात को देखेंगे तो यह बात आप कबूल करेंगे कि जब आप वीम परसेन्ट शेयर कैपिटल इस में स्टेट गवर्नमेंट द्वारा डाले जाने की बात कहने हैं तो फिर इन पदों पर नियुक्तियाँ करने का अधिकार भी उनको ही होना चाहिये। केन्द्रीय सरकार अपने हाथों में सारी शक्ति केन्द्रित जो करती जा रही है, सारी शक्ति अपने हाथों में केन्द्रित करने की जो उसकी आदत हो गई है। इस आदत को उसे थोड़ा बदलना चाहिये।

श्री शिव चन्द्र भा : जहाँ पर आपने बोर्ड आफ डायरेक्टरों नियुक्त करने की बात कही है, वहाँ पर आपने कहा है कि एक तो सेंट्रल गवर्नमेंट नियुक्त करेगी और वह उसका चेयरमैन होगा और बाकी दो डायरेक्टरों में से।

"... one of whom shall be a person who has special knowledge of co-operation and who is not an employee of the Central or State Government or of the Reserve Bank, subsidiary bank, banking company, or Food Corporation";

आपने कहा है कि जो एम्प्लायी न हो, इस तरह का एक आदमी डायरेक्टर होना चाहिये। दूसरा जो बहाल किया जाएगा वह राज्य सरकार से बिचार विमर्श करके किया जाएगा। आपने कहा है कि उस आदमी को नियुक्त किया जाएगा जो स्पेशल नालेज रखता हो, स्टेट एम्प्लायी न हो, बैंक एम्प्लायी न हो। मैंने यह

संशोधन दिया है कि साथ ही साथ वह किसी राजनीतिक दल से एसोसिएटिड न रहा हो।

सभापति महोदय, आप जानते ही हैं कि दारे हुए जो उम्मीदवार होते हैं खास कर कांग्रेस पार्टी के उनको महत्वपूर्ण पदों पर, पब्लिक अडरटेकिंग में नियुक्त कर दिया जाता है और इस तरह से एक बहुत बड़ा भ्रष्टाचार का रास्ता खूल गया है। जनता ने तो उन्हें ठुकरा दिया होता है और इसका नतीजा यह होता है कि जिस संस्था का उनको इंचार्ज बनाया जाता है, वहाँ पर भी भ्रष्टाचार होने लग जाता है। इसके मुनासिब बहुत सी बातें आपके सामने आई भी हैं। इसलिए मेरा संशोधन है कि जो दो डायरेक्टरों होंगे उन में जहाँ आपने कहा है कि एक स्पेशल नालेज रखने वाला हो और एम्प्लायी न हो उसके साथ साथ आप इस बात को भी यहाँ रखें कि उसका किसी राजनीतिक पार्टी से सम्बन्ध न रहा हो। राजनीतिक विचार उसके हो सकते हैं। हिन्दुस्तान जैसे देश में राजनीतिक विचार न होना मुश्किल बात है। लेकिन चिम आफ पालिटिक्स जो है, उनके द्वारा जहाँ तक राजनीतिक पार्टी के माध्यम से काम करने की बात का सम्बन्ध है, उस तरह के व्यक्ति अगर रहेंगे तो सम्भव है वे तरफदारी से काम करें और भ्रष्टाचार भी उभरे हो जाए। इस वक्त हिन्दुस्तान की राजनीति में हम एक ऐसी स्टेज में से गुजर रहे हैं जबकि हम को बहुत खबरदार रहना होगा और इस तरह के लोगों को इन कारपोरेशनों में से बाहर रखना होगा। अगर आप चाहते हैं कि ये कारपोरेशन्स हकीकत में ठीक तरह में चलें और जिस मकसद के लिए इनको बनाया जाता है, वह मकसद पूरा हो और किसानों को कर्जे मिलें, उनको मिलें जिनको इनकी वास्तव में आवश्यकता है और ठीक तरह से देश की तरफकी हो तो मेरे इस संशोधन को आपको मान लेना चाहिये। आपको इस बात का खयाल रखना होगा कि जो दूसरा डायरेक्टर आप नियुक्त करें वह बहुत दिनों से,

[श्री शिव चन्द्र भा.]

बहुत धरसे किसी राजनीतिक दल से सम्बन्ध न रहा हो। मैं प्रार्थना करता हूँ कि आप मेरे इस संशोधन को स्वीकार कर लें।

श्री मुहम्मद इस्माइल : सभापति महोदय, मेरा जो एमेंडमेंट है वह बिल्कुल सिम्पल सा एमेंडमेंट है। मैंने यह चाहा है कि जहाँ पर सेंट्रल गवर्नमेंट लिखा गया है, वहाँ पर स्टेट गवर्नमेंट लिख दिया जाए।

पहले तो आपने यह कहा है :

"(c) a managing director, to be appointed by the Central Government and except in the case of first appointment, after consultation with the Board."

दूसरे आपने यह कहा है :

"The Central Government may, after consultation with the Board and for sufficient cause, remove the managing director from office."

मैं चाहता हूँ कि आप बतायें कि सेंट्रल गवर्नमेंट बोर्ड से कंसल्ट करके इसको क्यों करे, स्टेट गवर्नमेंट इसको क्यों न करे? क्यों आप स्टेट गवर्नमेंट को यह अधिकार नहीं देते हैं। उनकी स्टेट में यह बोर्ड भी होगा और उससे कंसल्ट करके वे इसको कर सकती हैं। इस वास्ते क्यों न इस अधिकार को स्टेट गवर्नमेंट को दे दिया जाए।

यह एक नई चीज आप लोगों की तरफ से आ रही है। अगर आपने इसको इसी तरह से रखा तो आप लोग ही बाद में तिलमिलायेंगे और कहेंगे कि सेंटर के खिलाफ ये आवाज उठा रहे हैं। आप ही आग लगाते हैं और फिर हमें दोष देते हैं कि इन्होंने आग लगाई है। इस वास्ते आप आग न लगाइये ताकि बाद में बुझाने का सवाल ही पैदा न हो। हम तो बुझाने वाले हैं, लगाने वाले नहीं हैं। सेंट्रल गवर्नमेंट के अधिकारों के बारे में सवाल उठ चुका है। जब ये कारपोरेशन विभिन्न प्रान्तों में बनेंगे तो भी एक्वाइटीमेंट्स का अधिकार

आपके हाथ में रहे और स्टेट गवर्नमेंट्स के हाथ में न रहे, यह कैसे चलेगा? इससे तो भगड़े ही बढ़ेंगे। आप इस भगड़े में न फँसिये। इस तरह से काम नहीं हो सकेगा। इसी चीज को मद्देनजर रखते हुए मैं इस एमेंडमेंट को लाया हूँ और उम्मीद करता हूँ कि आप इसको स्वीकार कर लेंगे।

16 hrs.

SHRI VIKRAM CHAND MAHAJAN : My amendment is that the managing director should be appointed in consultation with the State because part of the capital is going to come from the States. Sometimes it may happen there is one Government at the centre and another Government in the States as they are now. Therefore, in order to bring harmony—suppose the states may not like a particular individual States should also be consulted. Therefore I submit that as they are contributing to the capital also, they should be consulted.

श्री शिंकरे : सभापति महोदय, आप जानते हैं कि कारपोरेशन के चेरमैन का पद बहुत महत्वपूर्ण है। चेरमैन वैसा नहीं होना चाहिए, जिसे मराठी में सहयाजीराव कहते हैं,— जो केवल सही अर्थात् हस्ताक्षर (सिग्नेचर) करने वाला हो। चेरमैन ऐसा होना चाहिये, जो कारपोरेशन की पालिसी निर्धारित कर सके, उसको गाइडेंस दे सके। मैं चाहता हूँ कि चेरमैन स्वतन्त्र वृत्ति का व्यक्ति हो। इसलिए मैंने एमेंडमेंट में कहा है कि कोई एक्टिव या रिटायर्ड गवर्नमेंट आफिअर या किसी बैंक अथवा बैंकिंग कम्पनी का एक्टिव या रिटायर्ड एंपलाई इस पद पर नियुक्त न किया जाय, क्योंकि कोई स्वतन्त्र वृत्ति का व्यक्ति ही, जो अर्थ-शास्त्र का उचित ज्ञान रखता है, कारपोरेशन की नीतियों और कार्यों के सम्बन्ध में स्वतन्त्र दिमाग रख सकता है।

आप जानते हैं कि हमारी कई पब्लिक

ग्रण्डरटेकिंग्ज इसलिए फेल हो गई है, क्योंकि उनके चेयरमैन गवर्नमेंट सर्वॉट होते हैं और पब्लिक ग्रण्डरटेकिंग्ज में उनके यशस्वी होने में, उनकी श्रद्धा नहीं होती है। जब ऐसे व्यक्ति पब्लिक ग्रण्डरटेकिंग्ज के चेयरमैन बनाये जाते हैं, तो वे उन्हें सक्सेसफुल करने के लिये कोई प्रयत्न नहीं करते हैं। प्रभी-प्रभी मन्त्री महोदय ने कहा कि चेयरमैन कोई इण्डिपेण्डेंट व्यक्ति होना चाहिये और साथ ही उन्होंने यह भी कहा कि वह यह नहीं चाहते हैं कि चेयरमैन कोई गवर्नमेंट आफिसर ही हो। लेकिन मैं चाहूँगा कि चेयरमैन कभी भी कोई एक्टिव या रिटायर्ड गवर्नमेंट आफिसर या किसी बैंक या बैंकिंग कम्पनी का एक्टिव अथवा रिटायर्ड एंप्लॉई न हो।

SHRI LOBO PRABHU : I have two amendments and both relate to the same sphere. If the Government is given authority to appoint to Corporations and other bodies, Government will seek to favour its own men to find employment for political refugees. I want the Government to be completely out of the picture. Therefore, I propose that in nominating the Chairman and the Directors of these corporations, the Government should take the approval of the Parliament. It is very important for us to realise that a man who can face the Parliament, whatever his qualifications are, is the one who can be trusted. On the other hand a man who has something against him will not dare to aspire for an appointment of this nature. Therefore, I would urge upon the Government that whenever an appointment is made to the Corporation, it should have the approval of the Parliament so that undesirable ones are kept away and those who are prepared to face the public with their record are appointed.

My second point is in respect of the Managing Director. It is simply said that Government in consultation with the Reserve Bank will appoint him. Why is it that such an important post should be left entirely to the discretion of the Government. Is there no Public Service Commission which can advise the Government about the suitability of a person to be the

Managing Director. We cannot trust the Government for these appointments. We have a bitter experience of their appointing their own men. The co-operative sector also is in a bad because they filled the posts with their own men shape. If you take this precaution and if you want to appoint any one, it should be only with the approval of Parliament. Corporations would not be in the sad State they are.

SHRI RANGA : I wish to support the amendments moved by my hon. friend, Shri Lobo Prabhu, in regard to the appointment of managing directors. He said quite rightly that in many cases we have come across the wrong way in which Government has used its discretion in appointing people to these very high positions. Only very recently the House was made aware of the manner in which people like our earlier friend, Mr. K. D. Malaviva, and several others who were defeated at the polls, who could not be found positions either in the Ministry or around the Ministry came to be appointed to these many strategical positions irrespective of the fact whether they are really qualified for holding these positions or not. I have no objection to any defeated public worker being appointed to any positions provided he is really qualified for it, but that Government should have thought of appointing these people merely because they wanted to find positions for them is something which is very unhealthy and which should be deprecated. And there is every possibility of these various positions that are going to be created in the wake of the creation of these financial institutions being offered to such of their eminent political friends and colleagues as could not be accommodated, and therefore, this caution which my hon. friend Shri Lobo Prabhu has sounded is very timely.

I would like my hon. friend the Minister to take advantage of this occasion and consider this suggestion and to make a beginning in seeing to it that whenever such positions are filled with their nominees, they do come before the House and place the information before the House and give it an opportunity of saying 'No' if by any chance any one of them is found to be utterly unsuitable, incompetent or only politically suitable to the Government.

[Shri Ranga]

and not specially suitable to the posts to which they are appointed. Therefore, I hope that my hon. friend will give a very careful consideration to this amendment.

श्री महन्त दिग्विजय नाथ : सभापति महोदय, मेरा संशोधन यह है कि क्लज 9 में इन शब्दों के बाद

'(a) one director to be nominated by the Central Government who shall be the chairman of the Board'

यह जोड़ दिया जाय :

"in the first instance and later on elected by the Board"

मेरा दूसरा संशोधन यह है कि क्लज 9(ई) में इन शब्दों के बाद

"(e) a managing director, to be appointed by the Central Government"

यह जोड़ दिया जाये ।

"inconsultation with other parties"

SHRI K. C. PANT ; Sir, a number of these amendments seek to take away the power of appointing the chairmen from the Central Government. These are not acceptable for the simple reason that, as I said earlier, the Central Government is a major shareholder and is interested in this ; it has 20 per cent more and the Reserve Bank is also interested in it and one has to consider the Union territories also, besides the State Bank which is also interested. But I may add that, apart from that, one must always keep in mind the central idea behind this matter. It is only in areas where the State Government has not been able to build up a good enough co-operative structure that this has come in, and the Central Government wants that that co-operative structure should be built up in future, and then these corporations will be withdrawn. So, it is not as though it is sought to be introduced where it is not wanted. That is not the idea at all. That has to be kept in view.

That is not acceptable to me. But I do accept the force in the argument that the State Government needs to be consulted, particularly as the State Government is

also a party. There are two main offices — Chairman and Managing Director. I, therefore, propose to accept amendment No. 101 of Mr. Mahajan, in which he provides for the consultation of State Governments as well. I hope the central idea in the minds of many hon. members will be accommodated by this.

Mr. Shiva Chandra Jha denigrated his own tribe by trying to exclude anybody belonging to any political party. We should have more respect for ourselves. I think a co-operator does not become bad merely by being in a political party. There can be good cooperators also in political parties. He may be a good cooperator himself.

I have not specified which political party. Why use the brush to tar all of us ? I think respect begins with oneself and spreads out. I hope he will not press his amendment.

So far as Mr. Shinkre's amendment is concerned, as I have indicated, if an eminent cooperator is available, that would certainly be preferable. But the amendment he has given is very restrictive. I do not think I can accept it.

Mr. Lobo Prabhu wants to make the appointment of Directors contingent upon the approval of legislatures. That is hardly practicable, nor is it practicable to make the appointment of the Managing Director contingent upon the approval of the UPSC. I do not say Government can never make a mistake, but Government has to shoulder the responsibility of making these appointments.

श्री जार्ज फर्नण्डीज : अध्यक्ष महोदय, कोरम अभी नहीं है ।

MR. CHAIRMAN : The bell is being rung.—

Now there is quorum.

The question is :

Page 6,—

after line 8, insert—

"Provided that, in appointing a managing director of a Corporation established in a State, the Central Government may also consult the Government of that State." (101)

The motion was adopted.

MR. CHAIRMAN : Now, I will put all the other Amendments together to vote.

Amendments, Nos. 12, 13, 15, 43, 57, 78, 111, 123 to 125, 183 and 184 were put and negatived.

MR. CHAIRMAN : The question is :
"That clause 9, as amended, stand part of the Bill".

The motion was adopted.

Clause 9, as amended, was added to the Bill.

Clause 10—(Managing Director)

SHRI P. VISWAMBHARAN : I beg to move :

Page 6, line 14,—
for "Central" substitute "appropriate".
(16)

Page 6, line 17,—
for "Central" substitute "appropriate".
(17)

Page 6, line 22,—
for "Central" substitute "appropriate".
(18)

Page 6, line 31,—
for "Central" substitute "appropriate".
(19)

SHRI GEORGE FERNANDES : Sir, I move my amendments 45, 46, 47 and 48.

MR. CHAIRMAN : They are same as Amendments No. 16, 17, 18 and 19.

SHRI SHIVA CHANDRA JHA : I beg to move :

Page 6, line 15,—
after "and" insert "shall not" (59)

SHRI SHINKRE : I beg to move :
Page 6, line 13,—
for "five" substitute "three" (115)

Page 6, lines 29 to 31,—

Omit "or is absent on leave or otherwise in circumstances not involving the vacation of his appointment" (116)

Page 6, lines 32 and 33,—

Omit "during the absence" (117)

श्री जाजं फर्नेन्डीज : अध्यक्ष महोदय, उनके इनकार करने के बाद तो इस पर बोलने से कोई मतलब है नहीं।

श्री शिव चन्द्र भा : अध्यक्ष महोदय, मुझे इतना ही कहना है, मैनेजिंग डायरेक्टर के री-अप्वाइंटमेंट की जो बात है उसके मुतल्लिक मेरा निवेदन है कि 5 साल तक वह रहे, उसके बाद उसको री-अप्वाइंट न किया जा सके, इस बात पर आप गौर करें इसलिए कि उससे एक वेस्टेड इंटरैस्ट वाली बात आ जाती है। तो पांच रहने के बाद उसका री-अप्वाइंटमेंट नहीं होना चाहिए। मेरा संशोधन यही है :

The Managing director shall hold office for such term, not exceeding five years as the Central Government may specify at the time of the appointment and shall not be eligible for re-appointment.

आप जानते हैं कि आज की जो परिस्थिति है प्रशासन की उसमें री-अप्वाइंटमेंट हो जाने से एक वेस्टेड इंटरैस्ट क्रिएट हो जाता है और नतीजा यह होता है कि जो करप्शन की बातें आज चारों तरफ फैलती जा रही हैं, वह और जोरों से फैलने लगती हैं। इसीलिए वह कितना भी काबिल क्यों न हो, कितना भी लायक हो, उस के तजुर्बे से आप दूसरे रूप में फायदा उठाइये। उसको दूसरी जगह इस्तेमाल करिए लेकिन उसी जगह पर उस आदमी को फिर बहाल कर देते हैं तो सम्भावना रहेगी कि भ्रष्टाचार ही और समाज से जो भ्रष्टाचार आप दूर करना चाहते हैं वह दूर नहीं होगा, बल्कि और बढ़ेगा। आप उसके तजुर्बे का इस्तेमाल न करें, यह बात नहीं है। आप उसका इस्तेमाल करें। लेकिन उसके री-अप्वाइंट जो करना चाहते हैं वह न करें। एक बार के लिए उसको अप्वाइंट करें ताकि वेस्टेड इंटरैस्ट पैदा न हो। यही मेरा संशोधन है।

श्री शिंकरे : मेरा जो प्रमोशन है वह क्लाज 10 सेवान (सी) के बारे में है और मैं ने कहा है कि पांच की जगह पर 3 किया जाय । यहां पर ऐसा स्पेसिफाई कर दिया है कि the Managing Director shall hold office for such term, not exceeding three years, instead of five years इसका मानी यह हो जाता है कि सेंट्रल गवर्नमेंट उसका जो नामिनी है वह पांच साल के लिए ही नहीं तो श्री ईयर्स के लिए भी उसका प्रमोशन कर सकती है, लेकिन ऐसे वह सन्दिग्ध रहता है और ऐसा सन्दिग्ध रहना मैं अच्छा नहीं मानता हूँ । इसलिए मैं कहना चाहूँगा कि इंस्टेड ऑफ 5 ईयर्स 3 ईयर्स किया जाय जिसे जो सन्दिग्धता है वह दूर हो जाय ।

SHRI K. C. PANT : Sir, I accept amendment No. 115, moved by Shri Shinkre, substitute 'three' for "five" years. Because I accept it, now the term of the Managing Director will be only three years. Consequently, I hope Shri Jha will not press his amendment, which prohibits the Managing Director from seeking re-election.

MR. CHAIRMAN : I will now put all amendments to clause 10, excepting that of Shri Shinkre, to the vote of the House.

Amendments Nos. 16 to 19, 59, 116 and 117 were put and negatived.

MR. CHAIRMAN : I will now put amendment No. 115, moved by Shri Shinkre and accepted by the hon. Minister, to the vote of the House. The question is :

Page 6, line 13,—

for "five" substitute "three" (115)

The motion was adopted.

MR. CHAIRMAN : The question is :
"The clause 10, as amended, stand part of the Bill."

The motion was adopted

Clause 10, as amended, was added to the Bill.

Clause 11—(Term of office of directors other than managing director.)

SHRI LOBO PRABHU : I beg to move :

Page 7, line 3,—

add at the end—

"for a period not exceeding five years" (126)

I find that the Minister is beginning to soften. He has accepted one amendment. My amendment is that the appointment of the nominated directors should not be for an indefinite period at the will of the government. There should be a term set because we do not want to create any life term for any particular person. My amendment is only a very simple one, stating that the appointment will be for a period of five years, which is a long enough period in all conscience.

SHRI K. NARAYANA RAO : I beg to move :

Page 7, line 3,—

add at the end,—

"and the period of such office, unless terminated earlier, shall be two years : Provided that a nominated director shall be eligible for re-nomination" (185)

My amendment is also more or less on the lines of the one moved by Shri Lobo Prabhu. As it is, the tenure of office was very indefinite. So, I suggested a definite period of two years for this purpose. Whereas Shri Lobo Prabhu has suggested a term of five years, I have suggested two years with a possibility of re-appointment of the same person.

SHRI K. C. PANT : I am going to surprise Shri Kanwar Lal Gupta by accepting the amendment of Shri Narayana Rao. While accepting it, I must acknowledge the spirit in which Shri Lobo Prabhu moved his amendment, which was the original amendment I received first. I accept the spirit in which he has moved it. But since the period he has suggested is a little too long, I have accepted the other amendment.

MR. CHAIRMAN : I will now put amendment No. 126, moved by Shri Lobo Prabhu, to the vote of the House.

Amendment No. 126 was put and negatived

MR. CHAIRMAN : I will now put amendment No. 185, moved by Shri Narayana Rao and accepted by Government, to the vote of the House. The question is :

"Page 7, line 3,—

add at the end,—

"and the period of such office, unless terminated earlier, shall be two years: Provided that a nominated director shall be eligible for re-nomination." (185)

The motion was adopted

MR. CHAIRMAN : The question is :

"That clause 11, as amended, stand part of the Bill"

The motion was adopted.

Clause 11, as amended, was added to the Bill.

Clause 12—(Disqualifications)

SHRI GEORGE FERNANDES : I beg to move :

Page 7, line 17,—

for "Central" substitute "appropriate" (49)

SHRI MOHAMMAD ISMAIL : I beg to move :

Page 7,—

after line 17. insert —

"(e) is or is related to a money lender, landlord, trader by profession." (80)

श्री आर्चं करनेवाली (बम्बई दक्षिण) : सभापति महोदय, मेरा तो काफी आग्रह रहेगा कि मन्त्री महोदय, मेरी इस तरकीब को स्वीकार कर लें। आप देखें कि—

"No person shall be a director, who,—is or has been convicted of an offence which, in the opinion of Central Government, involves moral turpitude."

धन क्लॉज 9 का (बी देखें जो यहां पर पास हो चुका है—

"two directors nominated by the appropriate Government, one of whom shall be a person who has special knowledge" etc.

इसमें अगर मौरलटर्पचूडवलि प्रश्न को सरकार को उठाना होता तो 'एप्रोप्रियेट गवर्नमेंट' वहां पर रखना ज्यादा उचित होता। क्योंकि हम लोगों का ऐसा अनुभव है और कल-परमों वहां पर किसी ने कहा भी था कि जिन लोगों को एक जमाने में देशद्रोही कह कर जेल में बन्द करके रखा था, वही लोग आज सुबों में मन्त्री बन कर वहां की सरकार को चलाते हैं। इसलिये इस बात को नहीं भूलना चाहिए कि ऐसे लोग कल केन्द्र में भी सरकार चला सकते हैं। ऐसे किसी व्यक्ति की शकल अगर आपको पसन्द न हो या उनको बोर्ड में रखना ठीक नहीं लगता हो, लेकिन उनको सूबे की सरकार पसन्द करे तो के द्रीय सरकार को उनको हटाने का अधिकार नहीं रहना चाहिये। ऐसे किसी व्यक्ति को जिसको किसी जमाने में केन्द्र सरकार ने किसी न किसी कानून में गिरफ्तार किया है, उन पर कोई उल्टे-मुल्टे आरोप लगाये हैं, ऐसे व्यक्ति का बोर्ड आप डायरेक्टमेंट में प्राना यदि राज्य सरकार पसन्द करती है तो केन्द्र सरकार को उसको न लेने का अधिकार नहीं होना चाहिये।

मेरे कहने का यह मतलब नहीं है कि कोई गलत काम करने वाले या मौरलटर्पचूड में जो व्यक्ति पकड़ा गया है, ऐसे व्यक्ति को बोर्ड में भेजा जाय, मैं सिर्फ इतना ही कहना चाहता हूँ कि इस बात का अन्तिम निर्णय केन्द्र सरकार के हाथ में न रखते हुए जिस राज्य के व्यक्ति को बोर्ड में लेना है, उस राज्य सरकार के हाथ में रहना चाहिये। ७ बी क्लॉज का क्याल में रखते हुए कि राज्य सरकार किसको नोमिनेट करना पसन्द करती है, यह तय करना केन्द्र सरकार के हाथ में न रहे, इसके बारे में राज्य सरकार को पूरा अधिकार रहे।

श्री मोहम्मद इस्माइल : सभापति महोदय, मेरी अमेंडमेंट तो बहुत सिम्पल है और मुझे उम्मीद है कि मन्त्री महोदय इसको जरूर मंजूर करेंगे। मैं चाहता हूँ कि पेज 7 पर लाइन 17 के बाद यह इन्सर्ट करें

"is or is related to a money-lender, landlord, trader by profession."

मैं यही चाहता हूँ कि इन सब लोगों को बोर्ड में भी न लिया जाय। मैं उम्मीद करता हूँ कि आप इसको मंजूर करेंगे।

SHRI K. C. PANT : So far as Shri Fernandes' amendment goes, it relates to the point as to who should judge whether the disqualification is attracted or not. No one can say that anybody who is involved in moral turpitude should be allowed to stay. The only point is who should judge whether the disqualification is attracted or not. He says that it should be the appropriate Government. But since the majority of the directors are to be appointed by the Central Government or its associated bodies, we feel that this power should be with the Central Government.

As far as his argument that some parties which may be ruling today in the States may come and rule at the Centre, is concerned, I may remind him that in a democracy the reverse is also possible and where they are ruling today the party that is ruling at the Centre may rule tomorrow. Therefore that cannot be an argument.

So far as Shri Ismail's amendment goes, he seeks to lay down that a director who is related to a money-lender, landlord or trader should be disqualified. It is an unusual restriction and, I would say, is an unreasonable restriction which cannot be accepted.

MR. CHAIRMAN : I shall put the amendments of Shri Fernandes and Shri Ismail together to the vote of the House.

Amendments Nos. 49 and 80 were put and negatived.

MR. CHAIRMAN : The question is :

"That clause 12 stand part of the Bill."

The motion was adopted.

Clause 12 was added to the Bill.

MR. CHAIRMAN : There are no amendments to clauses 13, 14 and 15. So, I put them to the vote of the House.

The question is :

"Clauses 13, 14 and 15 stand part of the Bill."

The motion was adopted.

Clauses 13, 14 and 15 were added to the Bill.

Clause 16—Directors of Board or members of a committee not to vote in certain cases)

SHRI GEORGE FERNANDES : I beg to move :

Page 9,—

after line 11, insert

"Provided further that such director or member shall, within thirty days of the date on which any matter in which he has direct and indirect pecuniary or other interest has come to his knowledge, either give up his interest or resign from the Board or the Committee." (50)

उपाध्यक्ष महोदय, अगर आप क्लॉज को देखें तो उसमें बताया है :

"Every director or member of a committee who has any direct or indirect pecuniary or other interest in any matter coming up for consideration at a meeting of the Board or a committee shall, as soon as possible, after the relevant facts or circumstances have come to his knowledge, disclose the nature of his interest at such meeting and the disclosure so made shall be recorded in the minutes of the meeting of the Board or of the Committee, as the case may be, and no such director or member shall thereafter take any part in any deliberation or decision of the Board or committee with respect to that matter nor shall his presence at such meeting be taken into account for the purpose of determining the quorum for the meeting at the time of such deliberation or voting, and if he does vote, his vote shall be void."

इस क्लज में सरकार ने व्यवस्था की है कि जो बोर्ड प्रथवा कमेटी का सदस्य हो अगर उसका कोई निजी मामला वहाँ बहस के लिये आता हो जिसमें उसकी दिलचस्पी हो तो बहस में हिस्सा न ले और इसके पहले यह भी बताये कि क्या उसका सम्बन्ध है। मेरा संशोधन यह है कि ऐसे कोई भी सदस्य को जिनकी निजी दिलचस्पी हो, ऐसा वहाँ मसला आते ही, ऐसी संस्थाओं से उनको हट जाना चाहिये या जिस मसले में उनकी व्यक्तिगत दिलचस्पी है उसमें से उनको हट जाना चाहिये।

MR. CHAIRMAN : That is exactly the point. His action will be negatived so far as the particular matter is concerned.

श्री जार्ज फरनेन्डीज : मैं तो यह कहूँगा कि हट जाये, उसे बोर्ड से इस्तीफा देना चाहिये 30 दिन के अन्दर या जो संस्था कर्जा मांग रही रही है या क्रेडिट कारपोरेशन से वह सम्बन्ध रखता है तो उस संस्था से भी हट जाये, दोनों में से किसी में भी हट जाये क्योंकि डाइरेक्टर का बोर्ड में रहना और मीटिंग में हिस्सा लेना इसमें काम पूरा नहीं होगा क्योंकि रिश्ते जम जाते हैं और आज मेरा कोई भी मामला आ गया जिसमें मेरा इन्ट्रेस्ट है, इतना बताकर मैं उस मीटिंग में हट गया तो कल दूसरे का भी मामला आ सकता है और वह भी कह कर हट जायेगा कि इसमें मेरा इन्ट्रेस्ट है और आप जानते हैं कि तेरी भी चुप और मेरी भी चुप ऐसा आपसी समझौता होता है और एक डाइरेक्टर का कोई मसला आ जाये तो और दूसरे डाइरेक्टर उसका काम करें और जब पहले वाले का मसला आ जाये तो अन्य लोग मिल कर काम करें, ऐसे व्यक्तियों को ऐसे बोर्ड में नहीं रहना चाहिए जिनका इस कारपोरेशन के साथ कोई न कोई रिश्ता हो। मैं समझता हूँ कि कारपोरेशन को अत्यन्त ईमानदारी से चलाने की दृष्टि से मन्त्री महोदय मेरे संशोधन को स्वीकार करेंगे।

SHRI K. C. PANT : Sir, to presume that anybody who is interested is necessarily dishonest is not a fair proportion. A person may have a very limited interest in a very limited area and he may be genuinely interested in developing co-operative movement. Just because he is interested in one area, to debar him from being a member of the Board is not fair. That is far too restrictive. Already, we have provided a declaration of interest in matters as they come up."

MR. CHAIRMAN : Now, I put amendment No. 50 to the vote of the House.

Amendment No. 50 was put and negatived.

MR. CHAIRMAN : Now, I put clause 16 to the vote of the House.

The question is :

"That clause 16 stand part of the Bill"

The motion was adopted.

Clause 16 was added to the Bill.

Clause 17 was added to the Bill.

MR. CHAIRMAN : *Clause 18.* Mr. Shinkre..

SHRI SHINKRE : I am not moving my amendment.

MR. CHAIRMAN : There is no other amendment. I shall now put Clause 18 to the vote of the House.

The question is :

"That Clause 18 stand part of the Bill"

The motion was adopted.

Clause 18 was added to the Bill.

Clause 19— Business which the corporation may Transact)

MR. CHAIRMAN . There are some amendments to this Clause.

Mr. Viswambharan...He is moving his amendments.

Mr. George Fernandes...He is moving his amendments.

Mr. Sreedharan and Mr. Narayau Rao

[Mr. Chairman]

are not here. Mr. Lobo Prabhu...He is moving.

Mr. Lakkappa's amendments are the same as Mr. Viswambaran's. Mr. Mahant Digvijai Nath. He is moving his amendments. Mr. Tyagi and Mr. Bibhuti Mishra are not here.

SHRI P. VISWAMBHARAN : I beg to move :

Page 9, line 34,—

for "five years" substitute "ten years".
(22)

Page 9, line 34,—

for "agriculturists" substitute "persons engaged in agricultural operations".
(23)

Page 9, lines 36 and 37,—

for "or primary agricultural credit societies for agricultural operations or for"

substitute—

"primary agricultural credit societies or other cooperative societies the objects of which include agricultural operations or for" (24)

Page 10,—

after line 2,—insert—

"Provided the rates of interest charged on such loans and advances shall not exceed six per cent. per annum."
(25)

SHRI GEORGE FERNANDES : I beg to move :

Page 10, line 33,—

for "Central" substitute "appropriate"
(61)

SHRI LOBO PRABHU : I beg to move :

Page 9, line 34,—

after "agriculturists" insert—

"who are not members of Co-operative Societies". (127)

SHRI MAHANT DIGVIJAI NATH : I beg to move :

Page 9, line 34,—

for "agriculturists" substitute —

"cultivators and other persons so engaged in agricultural operations."
(187)

Page 10,—

after line 2, insert—

"Provided that the rates of interests charged on such loans shall not be more than five per cent. per annum."
(188)

SHRI P. VISWAMBHARAN : Clause 19(a) deals with granting of loans and advances. I want the period of loan to be extended from five years to ten years, and then the rate of interest has also to be stipulated in this Bill itself because, as I have said earlier, in the co-operative credit system by the time it reaches the agriculturist, he is called upon to pay 9 to 10 per cent. The maximum interest is paid by the farmers whereas the industrialists are getting crores and crores of rupees as loan interest-free. The rate of interest has to be provided in this Bill; otherwise, when these things are provided in the rules and when the loans pass from the Corporation to the primary society and then to the agriculturist, he may be compelled to pay 10 or 12 per cent as interest. So, my amendment seeks to provide in this Bill that the maximum interest that shall be assessed on the agriculturist, on the loanee, shall not exceed six per cent.

Another thing that I would like to bring to the notice of the Minister is regarding grant of advances and loans for operations allied to agriculture. In the notes attached to this Bill it is stated that the principal business of the Corporation will be to grant loans and advances for periods not exceeding five years for agricultural and allied operations. If this Clause is passed as it is, I fear that, for allied operations, the Corporation will not be able to issue any loan or advance. The definition 'agricultural operation' includes animal husbandry, dairy farming, pisciculture and poultry farming. I think, the idea of the Government is to issue loans for these purposes also. But when we read this Clause, we find that it may not be possible

for the Corporation to issue such loans for these purposes. The Clause reads thus :

"...the granting of loans and advances to agriculturists, agricultural marketing societies, agricultural processing societies. for agricultural operations or for such other operations connected therewith ..."

SHRI RANDHIR SINGH : What is the definition of 'agricultural operations' ?

SHRI P. VISWAMBHARAN : As I read out just now, 'agricultural operation' includes animal husbandry, dairy farming, pisciculture and poultry farming. My point is this. The loan can be issued only to agriculturists. So, the loanee is agriculturist only. That word, 'agriculturist' is not defined here.

Another thing, Sir. There are some cooperative societies which are enumerated here. There are agricultural societies. There are agricultural marketing societies, agricultural processing societies etc. But non of these societies do any function regarding development of fisheries or dairy development or poultry farming. There are different sets of societies dealing with these activities. So, if the intention of this Government is really to help these societies and persons engaged in these functions also, then I think, the clause has got to be amended. My amendment in that respect says this :

For 'or primary agricultural credit societies for agricultural operations or for'

substitute

'primary agricultural credit societies or other cooperative societies the objects of which include agricultural operation or for'

Also, in another amendment I said :

For 'agriculturists'

substitute 'persons engaged in agricultural operations'.

By this, agriculturists and also others who are doing allied operations may get in. By the first amendment, the dairy development societies, fisheries societies, and poultry farming societies may also come under this category. I hope that the Minister would accept these amendments.

श्री जार्ज फरनेन्डीज : कोई नई बात नहीं कहनी है वही बात दोहरा कर कोई फायदा नहीं है। मैं तो थक गया हूँ।

SHRI LOBO PRABHU : I have a small amendment. But it has a very large consequence. I raised the point that this Bill provides for a set up which is not complimentary but supplantary, of cooperation. The Minister accepted that in Assam there are 10 areas where this corporation will step in place of the cooperative organisation. It is a very serious implication which has not yet been impressed on this House. Apart from saying that my assessment was right, the Minister has not given enough attention to this matter.

AN HON. MEMBER : Your amendment fills a vacuum.

SHRI LOBO PRABHU : It is not filling a vacuum. This body is a new body providing finance to cooperative organisation. My amendment as proposed here is that any loan which this corporation advances should be restricted to those who are not members of cooperative societies. This will make the proposal complimentary and not supplementary. This will not mean that this organisation will take over members of the co-operative organisation. The importance of this is that even today members of cooperative societies borrow from money lenders. In fact there is a regular practice that just before the loan is due, an advance is made by the money lender for a month, the repayment is made and then the money is returned to the money lender at a high rate of interest. Are we going to create another agency which will do the same function of financing a fictitious repayment of the loan ? So, that is my amendment, that those who are in the cooperative movement should not get the loan. I had taken a very great interest in cooperation and I was for 4 years the Secretary to Government of the Cooperative Department. I am very seriously venturing to point out that under the guise of this Bill we are starting a movement to destroy and annihilate cooperation.

The Minister has not perceived it. But what can it be when there is more money available inevitable at a lower rate of inter-

[Shri Lobo Prabhu]

rest ; it may not be 5 per cent, but it will be less than 8½ per cent which is the present rate because it is only one bank and not two between the finance available and the member. Are we, therefore, going to end the co-operative movement, though slowly ? I as one very much interested in the co-operative movement would like the Minister to consider this aspect and agree at least to this amendment that loans from this organisation will not be given to members of co-operative societies.

SHRI RANDHIR SINGH : What is the harm if the farmer gets loans from different agencies ?

SHRI K. LAKKAPPA : rose—

MR. CHAIRMAN : His amendment is similar to the one already moved. But he can speak.

SHRI K. LAKKAPPA : My amendment seeks to substitute '10 years' in place of '5 years'. It is a very reasonable period. The real intention of Government is to protect the interest of the ryots who are engaged in agriculture and who have to get profit out the crops they raise. The period fixed under the Bill is not enough because experience of agricultural operations shows that certain crops such as coconut, arecanut, casuarina and cashew need more than 10 years before they are able to yield. So Government should concede to this reasonable amendment and raise the period to ten years, because this would give real protection of financial assistance to the poor classes, the ryots, who are the backbone of the country.

श्री महंत दिग्विजय नाथ : मेरा संशोधन यह है कि हममें जो पांच साल का समय रखा गया है वह थोड़ा है, उसको बढ़ाकर 10 साल कर दिया जाय। यह सुझाव मैंने इसलिए रखा है कि प्रायः किसानों की फसल मारी जाती है, कभी पानी न बरसने की वजह से और कभी बाढ़ के कारण। इसलिए उसको पांच साल के बजाय दस साल का समय मिलना चाहिए।

दूसरा संशोधन यह है कि एग्रीकल्चरिस्ट्स की जगह पर

"cultivators and other persons so engaged in agricultural operations"

रख दिया जाय। एग्रीकल्चरिस्ट को कहीं डिफायन नहीं किया गया है। उसको डिफायन होना चाहिए कि ये लोग इसमें इन्क्लूड किये जायेंगे।

तीसरा संशोधन यह है कि पृष्ठ 10 पर दूसरी पंक्ति के बाद

"Provided that the rates of interests charged on such loans shall not be more than five per cent per annum."

जोड़ दिया जाय। इसका कारण यह है सेविंग बैंक एकाउंट बर्गरह में डिपोजिट दो तीन परसेंट में होते हैं और प्राप एग्रीकल्चरिस्ट्स को बढ़ावा देने के लिए ही यह सुविधा देना चाहते हैं, उसी के लिए यह लोन दिया जा रहा है, इसमें कोई प्राफिट मोटिव नहीं है। इसलिए मेरा सुझाव यह है कि 3 परसेंट से ज्यादा इस को नहीं चाहिए।

श्री विभूति मिश्र : मेरा भी प्रमेंडमेंट है।

सभापति महोदय : आपने मूव नहीं किया।

श्री विभूति मिश्र : मैं यहां पर हाजिर नहीं था। डिप्टी स्पीकर ने कुछ कहा ही नहीं तो मैं क्या करूँ ?

सभापति महोदय, क्लॉज 22 के सम्बन्ध में मेरे दो प्रमेंडमेंट्स हैं जिनकी कि बाबत में केवल यह कहना चाहता हूँ कि पहले मैंने यह चाहा है कि बारोइंग्स और डिपोजिट्स की लिमिट्स जो कि बिल में टेन टाइम्स दी गई है उस टेन की जगह टाईटी कर दिया जाय और अपने दूसरे प्रमेंडमेंट में मैंने फिफटीन की जगह पर टाईटीफाइव करना चाहा है...

श्री जार्ज करनेगडीब : सभापति महोदय, अभी सदन में क्लॉज 19 पर विचार चल रहा है जबकि माननीय सदस्य क्लॉज 22 पर अपने

द्वारा पेश किये गये अमेंडमेंट्स पर बोल रहे हैं।

समापति महोदय : अग्नी माननीय सदस्य सन्न करें। क्लॉज 22 पर अग्नी हम नहीं पहुँचे हैं।

SHRI K. C. PANT : Firstly, I would like to tell my revered friend Mahantji that in the Agricultural Refinance Corporation also we have the same definition as in this Bill. There loans have been advanced for horticultural purposes. Therefore, in this case also horticulture would be covered.

The second point was about the rate of interest. It will be for the Board of Directors to specify the rate of interest on loans depending upon the prevailing market rate. We cannot tie them down to any fixed rate.

The third point was about raising the period from five to ten years. As I explained earlier, this provision is meant to replace co-operative credit structure at points where only short and medium term loans are given and the maximum period for them is five years. When you make it ten years you go to the field of land mortgage banks. The total is the same. You can want more to ten years and less to five years. I do not think that is the intention of any hon. Member. Therefore, we have to be very clear in our thinking about these matters and we have to see how much we can give for which purpose and then distribute properly.

16.54 hrs.

[*Mr. Deputy-Speaker in the Chair*]

For long term also there are agencies for distributing credit. There are other agencies designed to distribute short and medium term loans. Here is an institution replacing for some time other institutions which distribute short and medium term loans. Would it be proper for it to distribute long term loan and replace institutions distributing long term loans, instead of replacing institutions distributing short and medium term loans? Therefore, in this Bill we cannot provide for long term credit. It has to be short and medium term and I think my hon. friends will agree that short and medium term credit is also

very necessary. It is not as if there is enough of it with the farmer today. That is also necessary and I am quite certain they would not like to reduce that also.

Shri Viswambharan raised the point what agriculturist means. The dictionary meaning of agriculturist is a farmer or one skilled in agriculture. The clarificatory definition that he has suggested does not seem to be necessary.

He also raised some other doubts. I would like to tell him that his interpretation is not correct. Loans to poultry farming and dairy farming will be covered by agricultural processing societies. I would refer him to the definitions of agricultural processing society in clause 2 which is comprehensive. Shri Randhir Singh also referred him to that. Therefore, that covers his point.

Shri Lobo Prabhu said that loans should not be given to directors of co-operative societies. There are two points which I would like to bring to his notice. The first point is that agricultural credit societies will not completely displace the existing co-operative structure.

It will only replace it in these areas where it is weak. There may be areas where the Central Co-operative banks are strong. In these areas it is not our intention to replace them merely because we have an agricultural credit society. Again you have to build it up from the bottom. There may be many occasions where we have to disburse these loans to the existing co-operative societies and through them to the Members.

The second point is that this would be discriminatory and it would be a violation of Article 14 of the Constitution. That will be so if you pick out only the members of the co-operative societies and say we will not give them loans

MR. DEPUTY-SPEAKER : I shall now put amendment No. 61 to the vote of the House.

Amendment No. 61 was put and negatived

MR. DEPUTY-SPEAKER : I shall put all the other amendments to the vote of the House.

Amendment Nos. 22 to 25, 127, 187, and 188 were put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 19 stand part of the Bill."

The motion was adopted.

Clause 19 was added to the Bill.

Clause 20—*Borrowing by the Corporation*

MR. DEPUTY-SPEAKER : I would suggest one thing. We have devoted more than double the time and in the Business Advisory Committee all the parties were present. What I suggest is that the rest of the amendments excluding Government amendments together may be put to the vote of the House. I am prepared to give you a few minutes finally.

SHRI GEORGE FERNANDES : What about my amendment ?

MR. DEPUTY-SPEAKER : I cannot allow any speech.

SHRI GEORGE FERNANDES : I beg to move ;

Page 11, line 11,—

for "Central" substitute "appropriate" (67)

MR. DEPUTY-SPEAKER : I will now put amendment No. 62 of Mr. Fernandes to the vote of the House.

Amendment No. 62 was put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"That Clause 20 stand part of the Bill."

The motion was adopted.

Clause 20 was added to the Bill.

MR. DEPUTY-SPEAKER : There is not amendment to clause 21.

I will put it to the vote of the House. The question is :

"That clause 21 stand part of the Bill."

The motion was adopted.

Clause 21 was added to the Bill.

Clause 22—*(Limits on borrowing and deposits)*

SHRI GEORGE FERNANDES : I beg to move :

Page 11, line 19,—

for "Central" substitute "appropriate" (63)

SHRI BIBHUTI MISHRA : I beg to move :

Page 11, line 17,—

for "ten" substitute "twenty" (205)

Page 11, line 20,—

for "fifteen" substitute "twenty-five" (206)

MR. DEPUTY-SPEAKER : I will put these amendments to the vote of the House.

Amendments Nos. 63, 205 and 206 were put and negatived.

MR. DEPUTY-SPEAKER : Now the question is :

"That clause 22 stand part of the Bill."

The motion was adopted.

Clause 22 was added to the Bill.

MR. DEPUTY-SPEAKER : There are no amendments to clauses 23 to 26. I will put them together. The question is :

"That clauses 23 to 26 stand part of the Bill."

The motion was adopted.

Clauses 23 to 26 were added to the Bill.

Clause 27—*(Investment of surplus funds)*

SHRI GEORGE FERNANDES : I beg to move :

Page 12, line 17,—

after "Bank" insert "or Co-operative Bank" (64)

MR. DEPUTY-SPEAKER : I will put this amendment to the vote of the House.

Amendment No. 64 was put and negatived.

MR. DEPUTY SPEAKER : The question is :

"That clause 27 stand part of the Bill."

The motion was adopted.

Clause 27 was added to the Bill.

Clause 28—(*Recovery of moneys due to the Corporation*)

Amendment made :

Page 12, line 30,—

for "the State" substitute "that". (82)

Shri K. C. Pant

MR. DEPUTY SPEAKER : The question is :

"That clause 28, as amended, stand part of the Bill."

The motion was adopted.

Clause 28, as amended, was added to the Bill.

17 hrs.

MR. DEPUTY-SPEAKER : The question is :

"That clause 29 stand part of the Bill."

The motion was adopted.

Clause 29 was added to the Bill.

Clause 30—(*General Meetings*)

SHRI GEORGE FERNANDES : I move :

Page 14, line 8,—

for "Central" substitute "appropriate" (65)

MR. DEPUTY SPEAKER : I shall now put Shri Fernandes' amendment.

Amendment No. 65 was put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 30 stand part of the Bill."

The motion was adopted.

Clause 30 was added to the Bill.

Clause 31 was added to the Bill.

Clause 32 (*Audit*)

SHRI GEORGE FERNANDES : I move :

Page 14, line 31,

for "Central" substitute "appropriate" (66)

Page 15, line 27,

after "Government" insert

"On a representation from the appropriate Government." (67)

MR. DEPUTY SPEAKER : I shall put Shri Fernandes' amendments.

Amendments Nos. 66 and 67 were put and negatived

MR. DEPUTY-SPEAKER : The question is :

"That clause 32 stand part of the Bill."

The motion was adopted.

Clause 32 was added to the Bill.

Clause 33—(*Returns*)

SHRI GEORGE FERNANDES : I move :

Page 15, line 37,—

for "Central" substitute "appropriate" (68)

Page 16, line 3,—

add at the end—

"of the Central or State Government, as the case may be." (69)

MR. DEPUTY SPEAKER : I shall put Shri Fernandes' amendments to the vote.

Amendments Nos. 68 and 69 were put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 33 stand part of the Bill."

The motion was adopted.

Clause 33 was added to the Bill.

Clauses 34 to 43 were added to the Bill.

Clause 44—(Reserve Bank to submit report)

MR. DEPUTY-SPEAKER : There is amendment No. 129 by Mr. Lobo Prabhu. He is not here.

SHRI K. C. PANT : That is an amendment which I shall be prepared to accept.

MR. DEPUTY-SPEAKER : But he is not here. If it is so vital, we have to see to it.

SHRI K. C. PANT : It is a simple amendment. It may or not be accepted, but I shall just explain it. The clause says that the Reserve Bank shall make an review after five years. Shri Lobo Prabhu says that it should be done earlier, after three years. I am prepared to accept it

MR. DEPUTY-SPEAKER : We will give an assurance ; it has no meaning ; the hon. Member is not here.

SHRI RANGA : Sir, if the Minister is willing to accept it, what is the objection ? If the House is willing, let the Minister bring that amendment forward.

MR. DEPUTY-SPEAKER : Then you may ask permission to move.

SHRI RANGA : On behalf of Shri Lobo Prabhu, I beg to move :

Page 18, line 27,

for "five" substitute "three." (129)

MR. DEPUTY-SPEAKER : The question is :

Page 18, line 27,

for "five" substitute "three." (129)

The motion was adopted.

SHRI K. C. PANT : There is a consequential change now. If the house has no objection, I shall move it. I move :

Page 18, line 30,

for "five" substitute "three." (207)

MR. DEPUTY-SPEAKER : The question is ;

Page 18, line 30,

for "five substitute "three." (207)

The motion was adopted.

MR. DEPUTY-SPEAKER : Now, the question is :

"That clause 44, as amended, stand part of the Bill."

The motion was adopted.

Clause 44, as amended, was added to the Bill.

Clause 45 was added to the Bill.

Clause 46— Power of the Central Government to make rules)

SHRI GEORGE FERNANDES : I beg to move :

Page 19, line 3,—

for "Central" substitute—

"appropriate" (70)

Page 19, line 28,—

after "Parliament" insert—

"or the State Legislature, as the case may be" (71)

Page 19, line 32,—

after "Houses" insert—

"or the State Legislature, as the case may be" (72)

Page 19, line 33 —

after "Houses" insert—

"or the State Legislature, as the case may be" (73)

SHRI K. C. PANT : I move :

Page 19, lines 15 and 16,—

for "States" wherever it occurs, substitute—

"appropriate" (85)

MR. DEPUTY-SPEAKER : I will put the Government amendment No. 85.

The question is :

Page 19, lines 15 and 16,—

for "States" wherever it occurs, substitute—

"appropriate" (85)

The motion was adopted.

MR. DEPUTY-SPEAKER : I shall put all the other amendments to vote.

Amendments Nos. 70 to 73 were put and negatived.

MR. DEPUTY-SPEAKER : The question is :

"That clause 46, as amended, stand part of the Bill".

The motion was adopted.

Clause 46, as amended, was added to the Bill.

Clauses 47 and 48 Clause 1, The Schedule, the Fructing Formula and the Title were added to the Bill.

श्री हुकम चन्द कछवाय : (उज्जैन) उपाध्यक्ष महोदय, मदन में गगनपूति नहीं है।

MR. DEPUTY-SPEAKER : The bell is being rung. —Now there is quorum.

SHRI K. C. PANT : I beg to move :

"That...
(Interruptions)

श्री जार्ज फरनेन्डीज : उपाध्यक्ष, महोदय, मेरा व्यवस्था का प्रश्न है। मेरा कहना यह है कि इस समय थर्ड रीडिंग ली ही नहीं जा सकती। प्राय 93 (1) को देखिये :

"93(1) When a motion that a Bill be taken into consideration has been carried and no amendment of the Bill is made, the member in charge may at once move that the Bill be passed."

लेकिन प्राय 93 (2) को देखिये :

"92(2) Where a Bill has undergone amendments, the motion that the Bill as amended be passed shall not be moved on the same day on which the consideration of the Bill is concluded, unless the Speaker allows the motion to be made."

यहां पर मंत्री महोदय ने सिर्फ प्रस्ताव पेश किया है। स्पीकर की इजाजत वाली कोई बात नहीं आई है। मैं आपके सामने शकघर को भी पेश करना चाहता हूँ। वह कहते हैं कि :

"Where a Bill has undergone amendments, the motion that the Bill, as

amended, be passed, is not generally moved on the same day on which the consideration of the Bill has concluded. An objection can be taken to the motion being moved on the same day on the ground that member would like to study the Bill, as amended, and if such an objection prevails, the motion is brought forward on any future date."

मेरा यह आग्रह है कि मंत्री महोदय, ने कई तरकीबों को स्वीकार किया है। इस लिए इस बिल पर बहम को स्थगित किया जाय और इस को कल फिर लिया जाये। प्रजेन्डा पर जो प्रगला विषय हो उस को इस समय लिया जाये।

SHRI SHEO NARAIN : The same rule says it shall be according to the will of the Speaker.

श्री जार्ज फरनेन्डीज : मैं तो नियम के अनुसार चलना चाहता हूँ।

MR. DEPUTY-SPEAKER : I agree that so many clauses have been guillotined and there was some justification, keeping in view the time that has been consumed. In case we postpone consideration at the last stage, tomorrow if again speeches are to be opened up, it will take a long time.

श्री जार्ज फरनेन्डीज : मैं खुनासा करूंगा मैं भाषणों के मुताबिक कोई बात नहीं उठा रहा हूँ। मैं तो सिर्फ नियम की बात उठा रहा हूँ। इस पर जिन को भी बोलना है वे बोल चुके हैं। लोगों की इस बिल के बारे में कितनी दिलचस्पी है यह प्राय देख रहे हैं।

दस बार कोरम की घंटी बजी है। अब भी अगर कोरम की घंटी न बजनी तो लोग घन्दर नहीं आते। इस पर ज्यादा बहस की जाए, यह मैं नहीं चाहता हूँ। मैं तो सिर्फ नियम का पालन करना चाहता हूँ। नियम को न तोड़ा जाए।

MR. DEPUTY-SPEAKER : I agree with you. The question whether to allow such a motion or not is left to the discretion of the Speaker. It is true that I have put so many amendments to the clauses

[Mr. Deputy-Speaker]

together and some amendments have been accepted by the Government. So, I am prepared to concede this demand, provided that not more than half an hour will be taken tomorrow. That must be clearly understood. Because, we have taken two much time today.

श्री जार्ज फरनेन्डीज : आप समय की पाबन्दी जरूर लगायें।

SHRI K. C. PANT : I would only say this that it is in response to the sentiments of the various hon. Members opposite that we have accepted various amendments, as we have gone along. Also, it has not materially changed the framework of the Bill or its substance, although we have tried wherever possible, to accommodate the sentiments expressed in the House. So, Sir, since it is, within your authority to allow the third reading to take place now, I would submit...

SHRI VASUDEVAN NAIR (Peermade):
[Why do you oppose the suggestion ?

श्री महाराज सिंह भारती (मेरठ) : वे तो गर्शनमेंट की ही एमेंडमेंट थीं। हमारे तो प्रादमी भी गैर हाजिर थे।

SHRI K. C. PANT : It would be better, in my view, to encourage the government to be responsive to the amendments suggested by the opposition and one of the best ways is to co-operate the government. Every time that we accept an amendment, if this rule is going to be applied that the discussion should go over to the next day, it will discourage the acceptance of amendments, even when they are reasonable. So, I would appeal to my hon. friend, Shri Fernandes, to be practical about it, because it is an inevitable psychological consequence.

MR. DEPUTY-SPEAKER : As the Minister has put it, it is in response to the suggestions made in the speeches from this side of the House that government have accommodated them by accepting some amendments. Now, if the stand is taken that because government have accepted certain amendments, so the third reading

cannot take place today, it will discourage the government from accepting amendments in future. Of course, I know the rule he has quoted. But I would request him to withdraw his objection so that we can dispose of this Bill today. Government have responded to some points made by the opposition during the debate and the Minister has accepted so many amendments at the last stage.

श्री जार्ज फरनेन्डीज : जो प्रश्न मैंने उठाया है उसको लेकर कुछ गलतफहमी हो रही है...

श्री रणधीर सिंह : बम्बई का बाबू किसान की बात क्या जाने।

SHRI RANGA : I would like to appeal to my hon. friend, Shri Fernandes, not to insist upon its objection because, as the Minister in charge of the Bill has put it in such a very clever and, at the same time, pleasing way, then what would happen is that in future no Minister would be willing to accept even innocent and innocuous amendments, when they are pressed for time, lest they will be forced to postpone consideration of the Bill. Therefore, without making it as a precedent, let the third reading be taken up now and the Bill passed. I would appeal to Shri Fernandes not to insist on his objection and allow the Bill to be passed today. Let us also co-operate with the government.

श्री जार्ज फरनेन्डीज : मैंने तो नियम की बात को आपके सामने रखा है। नियम मैंने नहीं बनाया, सदन ने बनाया है। मंत्री महोदय ने किस को एकमोडेट किया, किस को नहीं किया, यह प्रश्न नहीं है। आज किसी बात को लेकर किया है तो कल को किसी दूसरी बात को लेकर भगड़ा हो सकता है। इसलिए नियम का पालन हम लोग करें। इस में कोई समय बर्बाद नहीं होता है। अब एजेंडे की दूसरी आइटम चलेगी। कल यह प्रश्न पहले लिया जा सकता है। इस पर बहस पहले हो सकती है। अब केवल पन्द्रह मिनट ही बाकी हैं। पन्द्रह मिनट

में बहस पूरी नहीं होगी। आपने स्वयं ही कहा है कि आघ घंटा आप देंगे। तब भी इसको आज खत्म नहीं किया जा सकता है। इस वास्ते नियम का पालन होने दीजिये।

MR. DEPUTY-SPEAKER: Shri Fernandes has quoted from Mr. Shakhder's book in support of his contention. I have gone through the rule again and, so far as the rules are concerned, we would like to adhere to them and to the established procedure. But, as Professor Ranga has already stated and the Minister has explained, it is in response to the wishes of the hon. Members of the opposition that Government have accepted some amendments. That has to be borne in mind. Now, if he is not willing to go on with the item today, we will proceed to the next item.

SARI GEORGE FERNANDES: Tomorrow.

MR. DEPUTY-SPEAKER: All right. We will go to the other item.

श्री मोलहू प्रसाब (बांसगांव): उपाध्यक्ष महोदय, मेरा भी एक व्यवस्था का प्रश्न है। मैं आपके सचिव को लिखते-लिखते थक गया हूँ। मेरे सब प्रश्नों के उत्तर अंग्रेजी में आते हैं। पचासों प्रश्न मेरे पड़े होंगे। सब प्रश्नों के उत्तर मुझे अंग्रेजी में दे रहे हैं। आप तो जानते ही हैं कि मेरे मां बाप में से कोई अंग्रेजी नहीं जानता था और न ही हमारे अंग्रेजी के संस्कार हैं। मैं लिखते-लिखते थक गया हूँ लेकिन...

MR. DEPUTY-SPEAKER: Better address the Speaker. If there is any genuine difficulty, it will be looked into and removed. But this is not the time to rise it.

17 16 hrs.

MOTION RE FINAL REPORT OF ROAD TRANSPORT TAXATION ENQUIRY COMMITTEE

MR. DEPUTY-SPEAKER: The House will take up further consideration of the

Report of the Road Transport Taxation Enquiry Committee. 1 hour and 35 minutes only are left for this. So, hon. Members will be very brief. Shri Shri Chand Goyal.

SHRI SHRI CHAND GOYAL (Chandigarh): 4 hours have been allotted for this.

MR. DEPUTY-SPEAKER: You may take 10 minutes.

SHRI SHRI CHAND GOYAL: Sir, the Keskar Committee submitted its reports in three instalments—the first in September, 1966, another one in June, 1967 and the final report in November, 1967.

श्री शशि झूषण (खारगोन): हिन्दी में बोलिये, ताकि हम भी समझ लें।

श्री श्रीचन्द्र गoyal: मैं आपकी आज्ञा से घूँ कि कुछ मैम्बर माडिबान चाहते हैं कि हिन्दी में बोलूँ, हिन्दी में बोलता हूँ। केसकर साहब की अध्यक्षता में सड़क परिवहन के सिलसिले में जो कमेटी मुकर्रर हुई थी उसने तीन रिपोर्टें पेश कीं...

श्री रणधीर सिंह (रोहतक): उपाध्यक्ष महोदय, हाउस में कोरम नहीं है। जब किसानों का मसला जेरे गौर था तब इन्होंने बार-बार कोरम का सवाल उठा कर किसानों की तोहीन की थी; अब जबकि रोड्स के बारे में चर्चा हो रही है, मैं भी कोरम का सवाल उठाना चाहता हूँ;

MR. DEPUTY-SPEAKER: The bell is being rung.

Now there is quorum. The hon. Member may continue his speech.

SHRI SHRI CHAND GOYAL: Sir, I was submitting that the Report of the Road Transport Taxation Enquiry Committee which has been given in three instalments by the Keskar Committee has unanimously recommended, and it has come to an obvious conclusion, that the road transport industry has ceased to be a profitable in-