

13.2 hrs.

SUPPLEMENTARY DEMANDS FOR GRANTS (PONDICHERRY), 1974-75

SHRI SEZHIYAN (Kumbakonam):
Regarding this item, I want to make a submission.

The Minister is going to present a statement showing the Supplementary Demands for Grants in respect of the Union Territory of Pondicherry for the year 1974-75. In this respect, this business has come up before the House because as per an earlier Presidential order, the Assembly of Pondicherry was dissolved and its function transferred to this House. Therefore, only in respect of that one, we are asked to consider these Demands.

The first Presidential Order was issued on 20th March 1974 and it was placed on the Table of the House the same day, that is, 20th March 1974. That order put the operation period by six months, that is, upto 20th September 1974. Now, they have come before the House. After going through the records I find the President has issued an order on 26th September, 1974 extending this for a further period of 6 months. But that order so far has not been placed on the Table of the House. The House is not aware of the continuation of the period of this House to be in charge of the affairs of Pondicherry in the place of the Pondicherry Assembly. He may say it has to be done by some other Minister, Finance Minister or Home Minister or whatever it may be; but I am not concerned with that. The House is not taken into confidence. This is Presidential Order issued on 27th September, 1974, it is only on the basis of which that the House would become entitled to go into supplementary grants or whatever they place on the Table of the House. It cannot be said that there is no rule preventing it to be laid on the Table of the House. Another Presidential Order of 29th was sought to be placed on the Table

of the House. It was withdrawn after objection was taken. Now the House has been asked to do the duty of the Pondicherry Legislative Assembly. That Presidential Order issued on the 27th of September 1974 is not placed on the Table of the House. This is a serious lapse on the part of the Government not to have taken this House into confidence, because, that order issued by the President empowers this House to do certain duties allotted in the Act to the Pondicherry Assembly. First order was placed on the Table of the House. This House is concerned only for a period of 6 months to act. For further extension no order has been placed on the Table of the House. This is a serious lapse on the part of the Government and I would request you to pull up the Government on this issue.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI PRANAB KUMAR MUKHERJEE):
Sir, There is difference between Presidential Order in the State and in a Union Territory. This is the position here. Presidential Rule is declared in any State under Art 356 (1) which is subject to control of the Cabinet. The legislation is laid on the Table of the House. But so far as Union Territory is concerned, the position is this. This comes under Clause 51 of the Union Territories Act of 1963. The hon. Member has asked about this laying on the Table of the House. This was laid on the Table of the House then because the Parliament was in session, when President issued this proclamation under Section 51 of the Union Territories Act of 1963. The Home Minister also made a statement on the floor of the House. As a result of that the notification was laid on the Table of the House. But when it was extended for second time, there was no occasion for making any statement by the Home Minister because Parliament was not in session at that time.

SHRI SEZHIYAN: There is serious lapse on the part of the Government..

SHRI PRANAB KUMAR MUKHERJEE: Under Section 51 of the Union Territories Act this is not required to be laid on the Table of the House. There is no legal compulsion to lay it on the Table of the House. That is why it has not been done.

SHRI SEZHIAN: Sir, we are not satisfied about it. He says, there is no compulsion. In that case why it was placed on 28th March? Regarding Presidential Order of 29th March seeking to withdraw about Rs. 65 crores from the Consolidated Fund of Pondicherry what happened? They were opposed again and again; but they were coming again and again to place it on the Table of the House.

MR. SPEAKER: I examined this thing. I examined this this morning also. And, after hearing the Minister, again I come to the same conclusion, that this should have been laid before the House. If you go into technicalities there is no end to this.

SHRI PRANAB KUMAR MUKHERJEE: I submit to your direction, Sir.

MR. SPEAKER: Budget, finance, this and that—on these, it is as you know, the basic right of Parliament to know about these things.

Of course, all other matters can be remedied or rectified. But, this is a basic matter. And at the earliest that should come before Parliament. But, if you go on defending it, there is no end to it.

SHRI PRANAB KUMAR MUKHERJEE: I beg to present a statement showing Supplementary Demands for Grants in respect of the Union territory of Pondicherry for the year 1974-75.

13.36 hrs.

TOBACCO CESS BILL*

THE DEPUTY MINISTER IN THE MINISTRY OF COMMERCE (SHRI VISHWANATH PRATAP SINGH): Sir, I beg to move for leave to introduce a Bill for the levy and collection, by way of cess, of a duty of excise on virginia tobacco and a duty of customs on tobacco, for the development of tobacco industry and for matters connected therewith.

MR. SPEAKER: The question is: "That leave be granted to introduce a Bill for the levy and collection, by way of cess, of a duty of excise on virginia tobacco and a duty of customs on tobacco, for the development of tobacco industry and for matters connected therewith."

The motion was adopted.

SHRI VISHWANATH PRATAP SINGH: Sir, I introduce the Bill.

13.37 hrs.

RAILWAY BUDGET 1975-76—GENERAL DISCUSSION—contd.

MR. SPEAKER: Now, the Minister will reply to the debate. Shri Tripathi.

SHRI B. V. NAIK (Kanara): Sir, there is a long list waiting.

MR. SPEAKER: I am sorry. Already three days are over.

SHRI B. V. NAIK: Still you have got one hour.

MR. SPEAKER: The Business Advisory Committee fixed the time. If it goes beyond that, I am not bound to accommodate all of them.

SHRI B. V. NAIK: Sir, it is still possible.

MR. SPEAKER: We can accommodate you all when the demands for grants come up. I shall try to accommodate all of you.

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†Introduced with the recommendation of the President.