

15.25 hrs.

TARIFF COMMISSION (REPEAL),
BILL

THE MINISTER OF COMMERCE
(PROF. D. P. CHATTOPADHYAYA):
I beg to move:

"That the Bill to repeal the Tariff Commission Act, 1951, as passed by Rajya Sabha, be taken into consideration "

Sir, this Bill seeks to repeal the Tariff Commission Act, 1951 (50 of 1951) and consequently to wind up the Tariff Commission established in January, 1952.

Sir, I shall set out in brief the position about the establishment of the Tariff Commission.

The Tariff Commission was established in January, 1952, as a permanent statutory Commission in pursuance of the Tariff Commission Act, 1951 (50 of 1951), for examination of all cases of protection to industries, as recommended by the Second Fiscal Commission (1949-50). Prior to this, the practice was to set up *ad hoc* Tariff Boards for investigation of the claims for protection from different industries, as and when necessary.

15.26 hrs.

[SHRI VASANT SATHE in the Chair]

Sir, one of the important functions entrusted to the Tariff Commission pertains to enquiries regarding the grant of protection to indigenous industries. The grant of protection to indigenous industries through "protective duties" has, however, lost its utility over the years because of the *de facto* protection these industries enjoy by virtue of the import control regulations, which is necessitated by balance of payment considerations and other measures taken by Government from time to time for ensuring the planned development of industries in the country.

This will be proved further by statistics. In 1952, there were 42 protected industries. Since then only 16 initial protection enquiries were referred to the Commission, the last reference being in 1957. During this period, most of the industries on the protected list have been de-protected and as of now, only two industries, viz—Dye-Intermediates and Sericulture are protected.

Sir, the other main function of the Commission is with regard to enquiries relating to fixation of prices of particular commodities, whether protected or not. It has been found that only three to four references relating to price enquiries per year have been made to the Commission since 1971, and that no new reference has been made to it in 1975. Only two references relating to prices on sugar and jute bags are currently pending with the Commission. Thus it would be seen that the number of price fixation enquiries entrusted to the Tariff Commission is also very few.

As regards the other functions which the Tariff Commission is expected to perform, it has been found in practice that there has not been any occasion to invoke the mechanism of the Tariff Commission for any of them so far.

Sir, from this it will be clear that the reasons for which the Tariff Commission was originally set up, are no longer relevant in the changed conditions of today, when there is effective protection being ensured to Indian industries; the scheme of protection through the instrument of the Tariff Commission has become unnecessary. Besides, apart from the establishment of the Bureau of Industrial Costs and Prices whose assistance is invariably sought by the administrative Ministries concerned because its working is much less time-consuming, considerable expertise has been developed in the various Ministries and other organs of Government to deal adequately with any problem

that may arise in respect of any industry. In the event of major problems, it is always possible to constitute *ad hoc* commissions under the Commissions of Inquiry Act, 1952. A separate organisation like the Tariff Commission does not therefore seem necessary in the circumstances and may be wound up.

Sir, after the Commission is wound up, the industries viz. Dye-Intermediates and Sericulture, assessed to protective rates of duty upto 31-12-1977 and 31-12-1979, respectively will continue to be protected upto these dates. The question of fixing suitable rates of import duty on these items after expiry of protection will be considered by the Ministry of Finance (Department of Revenue and Insurance) at the appropriate time, if considered necessary. As to the pending price fixation enquiries the one relating to sugar has been entrusted to the Bureau of Industrial Costs and Prices. For the other one pertaining to B. Twill and D.W. Flour Bags, a Commission of Enquiry will be set up under the Commissions of Inquiry Act, 1952 by the Ministry of Commerce. For the staff that will be rendered surplus, after the Tariff Commission is wound up, a scheme of disposal/dispersal has already been drawn up. Every effort will be made to fix this staff in the best possible manner.

Sir, I do not want to take any more time of the House and beg to move that the Bill to Repeal the Tariff Commission Act, 1951, be taken into consideration.

MR. CHAIRMAN: Motion moved:

"That the Bill to repeal the Tariff Commission Act, 1951, as passed by Rajya Sabha, be taken into consideration."

SHRI DINESH JOARDER (Malda): Now this Tariff Commission Act 1951 is going to be repealed. We are glad that the long-drawn demand from

different corners of the country that the Tariff Commission had lost its utility long ago has now been accepted by the Ministry of Commerce.

On many occasions, we have discussed its functions and activities. Even in 1974, when the staff of the Dye-Intermediates and Sericulture industries was given protection under the Indian Tariff Commission Act, at that time also, we discussed it, debated it and demanded that this Tariff Commission should be abolished. Even at that time, the Ministry and the Government had defended the Tariff Commission like anything. In 1972-73 and 1973-74, it was also claimed that the Tariff Commission should be placed on a firm footing and more powers should be given to this Commission for protection purposes. This situation was prevailing in 1972-73 and 1973-74 also. This Commission was defended by the Ministry as well as by the Government even on the face of the severe criticism that was made by different review committees and also similar other bodies. They were very often disagreeing with the Report of this Commission. The Bureau of Industrial Costs and Prices and similar other bodies were very often disagreeing with the Report of the Tariff Commission. Even at that time this Tariff Commission was being defended by the Ministry and they said that more powers should be given to this Commission.

Now, all of a sudden, within a period of two years' time, the Ministry has understood that actually the utility and the purpose of this Commission has been over, and that is why, it is going to be abolished and the Act is going to be repealed. We have no objection. Rather, we are glad that, after all, after so much of criticism and demand and after such a long period, this demand of the people and the House is now going to be accepted by the Ministry.

What were the activities of the Tariff Commission upto 1973? I only

[Shri Dinesh Joarder]
 want to mention some of them. The negative part of the responsibility of the Ministry is fulfilled by this Tariff Commission (Repeal) Bill. But what will be the positive action that will be taken by the Ministry? There are certain responsibilities of the Ministry towards the balanced development of industries in organised sector, in big industries sector, in medium and small-scale industries sector and in cottage industries sector. In all these different sectors, what will be the attitude of the Ministry towards the balanced development of the industries in our country? That is the positive step which has to be taken by the Ministry.

It was also suggested by the Tariff Commission in its report in 1974 that the data relating to organised sector, the large industries sector and the medium and small-scale industries sector should be collected and co-ordinated and that for a balanced development of industries, a Central agency should be there to look after the activities and functioning of industries and also to look after the protection that each sector of industries needs so that each sector of industries can grow in our country.

Here, in India, we see that different units of industries come under Ministries and different Departments, some under the Ministry of Commerce, some under the Ministry of Industry and some under the Ministry of Agriculture. There is no such coordinating body to look after the cost structure, the protection that the industries need, the supply of raw material, the export and import impetus, the bonus and other concessions. Regarding all these things, there is no such coordinating agency in India which can look after the activities and the functioning of the different sectors of industries and the needs and necessities of these industries. That is the positive step and the positive aspect of the responsibility of the Commerce Ministry as well as the Government as a whole to establish such an agency.

Here, in the Statement of Objects and Reasons, it has been stated that the functions that were still left out by the Tariff Commission will be dealt with by the Bureau of Industrial Costs and Prices. What is the actual functioning of the Bureau of Industrial Costs and Prices? In answer to a question, whether the Bureau of Industrial Costs and Prices has under consideration applications from different industries. I quote the Minister's reply:

"The Bureau of Industrial Costs and Prices does not receive and entertain applications from industries for price revision except in respect of drugs and formulations as indicated below... The administrative Ministries concerned refer cases of investigation into the cost structure of industry as and when they deem necessary to the Bureau of Industrial Costs and Prices."

So, actually, they do not function on their own and *suo motu* take up any unit of industry for determining the costs and prices of commodities produced and manufactured by that industry. So, whichever industry it may relate to, by the time the report comes, it becomes obsolete because of the time lapse. The Ministry concerned had sent for a report in 1976 but the report came in the year 1978. There was thus a gap of two years and the calculations etc. had become outdated. Factors like the price prevailing in the market, labour raw material, demand and supply and other things will be quite different from what they were two years ago.

Now, we want to know from the Hon. Minister what steps have been taken after the abolition of the Tariff Commission because the Tariff Commission had certain responsibilities also, though they utterly failed to fulfil their tasks and utterly failed to satisfy the need for which the Tariff Commission was set up. In the Act itself it is stated, in regard to reference of matters relating to protection of industries, that the Central Government may refer to the Commission

for enquiry and report any matter requiring information as to what sort of grant or protection should be given and what kind of decrease or increase in the Customs and other duties should be made and also in regard to the action to be taken in connection with the dumping of goods in the market, occasioned by excessive imports or otherwise. That is one aspect. Another aspect is regarding action to be taken to see whether an industry is taking undue advantage of the Tariff protection granted to it, particularly with reference to whether a protected industry is charging unnecessarily high prices for its goods or is acting or had omitted to act in such a manner that it resulted in high prices being charged to the consumers or in limitation of quantity or deterioration in quality or inflation of costs etc. or in restricting trade to the detriment of the public. These are important aspects and a very important part of the functions that were entrusted to the Tariff Commission. Now, what we see is that in each and every sphere in our country most of the industries which are producing or manufacturing essential commodities are enjoying the protection of the Tariff Commission Act, but they are also dumping articles for creating artificial price rise and artificial demand. That is why this black-marketing is taking place throughout the country. The Tariff Commission Act gave protection to certain industries which are taking undue advantage of this protection. They are producing articles and dumping them in such a manner that prices are going up unnecessarily and they are also acting in such a way as to result in restricted trade to the detriment of the public, creating monopolies and other things. Such an atmosphere is being created that other small industries cannot grow. So, whether the protected industries are fulfilling their obligations or not, after getting this advantage, should also have been looked into by the Tariff Commission, but the Tariff Commission utterly failed in

this duty. There was severe criticism by many bodies and in this House also that the Tariff Commission were giving protection to a certain class of industries which were termed as monopoly industries and which were also termed as big industrial houses, and they were enjoying privileges of many kinds. They were enjoying not only the protection of the Tariff Commission but they were enjoying freight and other concessions, leniency in licensing and in regard to import and export, bonus and other things. In addition, they were given this protection, and these monopoly houses don't allow other small and medium industries to grow. They were going on enjoying the protection of the Tariff Commission Act apart from other advantages. So, we are glad that this Tariff Commission Act is going to be repealed. But we would like to know what will be the positive action on the part of the Ministry for fulfilling the obligations of the Tariff Commission which the Tariff Commission itself could not fulfil.

Now, in our country, because of haphazard growth, the industries are facing a serious crisis. The commodities are not getting their market in our country, there is no domestic market for most of the industries. Now, every industrial product is looking for market abroad. Unless there is export, the industries are collapsing, even big industries like jute, sugar, cotton, textiles, rubber, coal, steel and others are looking for export business; otherwise, they will be facing crisis; retrenchment and dumping of production will be there; there is a huge glut in rubber, coal, steel and other industries, including textiles. What actually is the policy for industrial development in our country? This is all because of the fact that the costs and prices are not being determined in a very calculative manner, so that the Indian market, the domestic market itself, can provide the market for these indus-

[Shri Dinesh Joarder]

tries. If the domestic market shrinks, then what will be the position? Each industry will have to depend on the foreign market.

Take, for instance, the Agricultural Prices Commission. We have discussed it many times in the Commerce Ministry's Consultative Committee meeting and in other meetings. The Agricultural Prices Commission are fixing prices of raw materials only to protect the big industries. Jute, sugarcane, cotton, rubber, oilseeds and so many other agricultural raw materials are needed for industrial production, and their prices are fixed in such a manner that the growers, the millions of growers, are not getting a proper price, an adequate price, for their cultivation and for earning their livelihood. Ultimately, after 28 years of Independence, we have come to this position that the entire rural people and also the urban people have lost their purchasing power, it is because of the erroneous and wrongful fixation of prices, industrial costs and other things. They are giving benefits only to big industries. The result is that the common people have lost their purchasing power, mainly the growers of raw materials, the growers and cultivators in the rural areas. Each and every item produced by our industries is looking abroad for market, even things like onion, potato and other agricultural products which we need for our daily consumption, are looking abroad for their market. This is the position. So, I want that there should be a certain coordinating agency. Those who fix the costs and prices in respect of each industry, should also see to it that the purchasing power of the people is not eroded and that the growers get the appropriate and adequate price not only for their cultivation but also for earning their livelihood, for purchasing other industrial goods and commodities, so that the industry also can grow.

There are also other factors like labour. Among the developing countries, labour is the cheapest in India. Unless the problems of labour and the other problems facing the industry are looked into properly, there cannot be any peace there cannot be an atmosphere for smooth development of the industries in our country. These are the important factors which the Ministry and the Government cannot ignore. Unless all these factors are fully coordinated, the abolition of the Tariff Commission only will not help in the development of better climate for the industrial growth in our country. In view of this, I would like to know from the hon. Minister, if he has any suggestions or proposals to announce in this House in order to tackle these problems which I have mentioned.

Upto 1973, the Tariff Commission had undertaken enquiries in respect of 262 cases referred to it by different Ministries. Out of these cases, 181 were the tariff enquiries, 71 were price enquiries and 10 were special types of enquiries. In many cases, the report of the Tariff Commission was not accepted or agreed to by the Ministry; in some other cases, other bodies disagreed with the reports and in certain more cases, the reports became obsolete because of the time lapse and because of sending the reports at a very late stage.

The Bureau of Industrial Costs and Prices only looks after the cases of drug industries and other allied products. I have read out the Minister's answer and mentioned about the cases which are specifically referred to it by different Ministries. I would be happy if the hon. Minister can satisfy us.

We would like to know what positive steps for protection of the medium, small scale and cottage industries in regard to the cost of production, prices and marketing will be taken by the Ministry.

With these words, I conclude my speech on this Bill.

सरदार स्वर्ण सिंह खोसी (जमशेदपुर) -
वियरमैन साहब, यह जो टैरिफ कमीशन
(रिपील) बिल सदन में आया है, इसका मैं
स्वागत करता हूँ और मिनिस्टर साहब को
बहुत बहुत बधाई देता हूँ।

पहली बात तो मैं यह कहना चाहता हूँ
कि टैरिफ कमीशन ने जो काम किया है वह
ठीक नहीं किया है। जब से यह बता है, मैं
बताता हूँ कि कैसा इसका काम रहा है।
स्टेट आफ् आबजैक्ट् एण्ड रीजन्स में जो इसके
फंक्शन्स थे, उनके बारे में यह लिखा है -

"The main functions at present
performed by the Tariff Commission
relate to inquiries regarding
the grant of protection to indigen-
ous industries and other matters
connected with it, as also to the
price fixation of particular
commodities."

लेकिन इसका काम बिल्कुल उल्टा होता
रहा है क्योंकि इनका काम सिर्फ यही था कि
इन्कवायरी करना और रेट फिक्स करना,
दाम फिक्स करना। ये काम बिल्कुल उल्टा
करते रहे हैं और जितने भी विजनेसमैन थे,
इन्डस्ट्रियलिस्ट्स थे, उनके साथ मिल कर इस
कमीशन के अक्रसर दाम फिक्स करते थे और
जिस चीज के दाम बाजार में दो रुपये हो सकते
थे उसको 100 परसेंट बढ़ा कर चार रुपये
फिक्स कर दिया। इसी तरह से ये चीजों के
दाम बढ़ाते रहे हैं। इसलिए मैं तो यह समझता
हूँ कि इस के फल होने का कारण यही है कि
इन लोगों ने चीजों के दाम बहुत बढ़ा दिये और
देश में इन्फ्लेशन हो गया। ज्यों ज्यों दाम बढ़ते
गये, त्यों त्यों इन्फ्लेशन होता गया।

मैं आपको बताना चाहता हूँ कि हमारे
जमशेदपुर में टिन प्लेट्स कम्पनी आफ
इण्डिया है। वह हिन्दुस्तान में पहली ही
टिन प्लेटों की कम्पनी थी। वह अंग्रेजों की
कम्पनी थी। अब तो दो, तीन और चार
साथ से राउरकेला में भी टिन प्लेटें बननी

शुरू हो गई हैं। ये टिन प्लेटें पैकिंग के
काम में आती हैं। जैसे मैंने कहा कि सबसे
पहले अंग्रेजी कम्पनी थी जो इस काम को
करती थी। अभी आपने इण्डिया लिमिटेड
कम्पनी बना दी है। उसमें भी थोड़ी सी
अंग्रेजी की बू है। इनके अधिकारियों का
काम यह था कि टैरिफ कमीशन के पास
जाना, उनकी खुशामद करना और जो उनकी
कमजोरियाँ थीं उनका फायदा उठाना और
मार्केट रेट ज्यादा फिक्स करवाना। इस
रबका परिणाम यह हुआ कि टिन प्लेटों के
दाम बहुत चढ़ गये। अब इधर जब से
राउरकेला में टिन प्लेटें बननी शुरू हो गई हैं,
तो उससे इनका काम थोड़ा मुश्किल हो गया
है क्योंकि अब कम्पनीशन शुरू हो गया है।
इस चीज का एक्सपेंशन होने से वे अब ज्यादा
कम्पिट नहीं कर सकते हैं और इस तरह की
चीजें नहीं कर सकते हैं लेकिन टैरिफ
कमीशन से अधिकारियों से मिल कर वे
ज्यादा दाम फिक्स करवाते रहे हैं।

इस तरह की कई बड़ी बड़ी इंडस्ट्रीज
और भी हैं जो कि बड़े-बड़े शहरों में जैसे कि
बम्बई, मद्रास और कलकत्ता आदि में हैं।
जमशेदपुर में भी ऐसी बहुत सारी कम्पनियाँ
हैं और इनमें जो लोग हैं वे अक्रसरों से मिल
कर चीजों के दाम ज्यादा फिक्स करवा लेते
हैं। जो दाम किसी चीज का होना चाहिये
उससे ज्यादा दाम फिक्स करवा लेते हैं।
मैं चाहूँगा कि मंत्री महोदय इसके बारे में
थोड़ा प्रोब करवायें। अगर आप इन्कवायरी
करायेंगे तो 25 सालों से जो करप्शन हो
रहा था, उसका आपको पता चलेगा। आपको
लोगों से बहुत सारी बातें मालूम हो जायेंगी
अगर आप उनको सहूलियतें दें। यह नहीं
होना चाहिये कि इसको रिपील कर दिया
और अक्रसरों की छुट्टी हो गई। आप
मेहरबानी करके यह देखिये कि यह चीज
पहले क्यों हुई और 25, 25 साल से यह काम
इस तरह से करते रहे हैं। अब लोगों के
इस तरह से काम करने से टैरिफ कमीशन की

[सर्वदार स्वर्ण सिंह सोखी]

बदनामी हुई और आपकी भी बदनामी हुई है और इन्फ्लेशन बढ़ा है। इस सब की आप को जांच करनी पड़ेगी। इन लोगों ने कम्प्रीटीशन में इंडस्ट्री को नहीं आने दिया और जो रेट फिक्स करवाने चाहे करवा लिये। अगर कम्प्रीटीशन में चीज बनती है तो दाम कम होते हैं। आज जो एग्जीक्यूटिव वर्ल्ड में होती हैं उनमें हमारी साइकिल गई और बाहर लोगों को पता लगा कि हिन्दुस्तान में कैसी चीज बनती है और कितना सस्ता काम होता है। अगर साइकिल टैरिफ वालों के पास चली जाती तो उसके भी दाम बढ़ा दिये जाते। इसलिये ज़रूरत इस बात की है कि जो आफिसर्स इस कमीशन में इतने माल तक रहें और जिन्होंने इस तरह के गलत काम किये हैं उनकी पूरी प्रोब होनी चाहिये। मैं तो यहां तक कहूंगा कि अगर कोई आफिसर गिल्टी पाया जाता है और वह रिटायर भी हो गया है तो उसको पकड़िये और उसकी प्रोपर्टी को कन्फिस्केट कीजिये। जब आप ऐसी भिसाले कायम करेंगे, तभी काम ठीक तरह से चलेगा। यह नहीं होना चाहिये कि टैरिफ ऐक्ट आपने रिपील कर दिया और रिपील होने के कारण जिन लोगों ने गलत काम किये हैं वे बच गए। मैं यह जानना चाहता हूँ कि इतना जल्दी यह रिपील क्यों किया जा रहा है और आप ऐसा कानून क्यों बनाने हैं जिसको रिपील करना पड़े। बिल तो बहुत छोटा है लेकिन इस का महत्व बहुत अधिक है और इस का कनेक्शन भी दूर तक चला जाता है। इसलिये आप मेहरबानी करके इस पर कुछ ध्यान दीजिये और जिन आफिसरों ने गड़बड़ की है उनकी जांच कराइये। मुझे इसमें शक नहीं है कि उन्होंने इंडस्ट्री वालों से बहुत पैसा बनाया है। अगर इन लोगों की जांच करायेगे तो सारी बातें निकल आयगी।

इसके साथ ही मैं एक बात और कहूंगा। यह बिल तो पास हो ही जाएगा। आप इसके पास होने के बाद फौरन इस पर एक्शन

लीजिये। इतना कह कर मैं इस बिल का समर्थन करता हूँ।

श्री कमला निम्ब 'लक्ष्मण' (केसरिया) : सभापति जी, "रिफ आयोग कानून 1951 को रद्द करने के लिये यह बिल लाया गया है। मैं इस बात के लिये आपकी भारफत मिनिस्टर सहाब को बधाई देना चाहता हूँ कि आपने यह सही कदम उठाया है। हमारे पूर्व वक्ता श्री सोखी जी ने बहुत सारे प्रश्नों को उठाया है और इस बात की चर्चा सदन में लगातार होती रही है कि टैरिफ कमीशन एक त्रिन्कुल बेकार संस्था है। सही भावनों में, जब से इसका इतिहास शुरू हुआ यह बड़े उद्योगपतियों की ही सहायता करता रहा है। उद्योगों के सन्तुलन विकास, उद्योगों के लिये कच्चा माल पैदा करने वालों के लिये कीमत निर्धारित करने, उद्योगों के खर्चा आदि सारे प्रश्नों को यह बहुत गैरजिम्मेदारी के साथ हल करता रहा है। मैं उदाहरण देता हूँ और हमारे सभापति जी भी इस बात को जानते हैं कि गन्ना उत्पादकों के सवाल पर कि गन्ने की जितनी कीमत होनी चाहिये इस पर टैरिफ कमीशन की रिपोर्ट है जिस पर कि काफी बहस हो चुकी है और जो ग्राम चर्चा का विषय भी बन चुकी है। अगर टैरिफ कमीशन की रिपोर्ट को मान लिया जाये तो गन्ने की कीमत उत्तर प्रदेश में जहां कि ड्राई नाख टन चीनी होनी है, और दूसरे राज्यों में इतनी कम होगी कि जो लकड़ी जलाने के लिये मिलती है और उसकी जो कीमत होती है, उससे भी कम होगी। मुझे आश्चर्य होता है कि इस कमीशन की क्या उपयोगिता है। चीनी उद्योग में करोड़ों किसान उत्पादन में लगे हुये हैं, गन्ने के उत्पादन में लगे हुये हैं। उसके विषय में कीमत तय करने के सिलसिले में यह रिपोर्ट देता है कि चीनी का क्या दाम हो। वह दाम तय करने में हमेशा उसका सब बिल-मालिकों के पक्ष में रहा है। सोखी जी ने यह त्रिन्कुल ठीक कहा है कि अधिकारी लोग सही भावनों

में बड़े-बड़े पूर्वापत्तियों के प्रभाव में आकर उन्हीं की मदद करते रहे हैं। यह ठीक है कि उन्होंने कुछ छोटे-मोटे काम तो कर दिये हैं। हमारे इलाके में, इसकी चर्चा मैंने आपके सामने की थी कि सीप का बटन बनता है। बिहार और बंगाल में उसका खर्चा तय करने में काम में और दाम तय करने के काम में टैरिफ कमीशन की रिपोर्ट से सहायता मिल गई है लेकिन ये माइनर चीजें हैं, यह बहुत प्रधान चीज नहीं है। इसलिये टैरिफ कमीशन का खत्म होना, उसे हटा देना बहुत जरूरी है। लेकिन अब यह हट रहा है तो हमें यह भी देखना है कि प्राइस ब्यूरो क्या कर रहा है। जो इसका स्थान लेना आ रहा है, उसके काम में भी ऐसी बात नहीं पाई जाती है कि वह हिन्दुस्तान के तमाम उद्योगों की कोई सन्तुलित पिक्चर सामने ला सके। इसमें लागत, खर्च और कच्चे माल की कीमत इन सारी चीजों पर चर्चा की गई है। इसके जरिये से आप इन पर कोई सम्मत दृष्टिकोण बना सकें और उद्योगों के विकास के लिये छोटे उद्योगों, मध्यम उद्योगों और बड़े उद्योगों के बीच में जो बैकयूम है उसको दूर करने की व्यवस्था कर सकें तो मुझे खुशी होगी। ऐसी व्यवस्था आपने इसके जरिये नहीं की है। मैं कुछ प्रश्न भी करना चाहता हूँ। टैरिफ कमीशन को आप हटा रहे हैं और ब्यूरो आफ इंडस्ट्रियल कास्ट्स एंड प्राइसिस को इस काम को सीपने जा रहे हैं। टैरिफ कमीशन के काम करने के ढंग से जो विलम्ब होता था वह न हो, उसके द्वारा बड़े उद्योगपतियों की इच्छाओं की तथा उनके स्वार्थों की जो रक्षा होती थी, वह न हो सके, उद्योगों का समुचित विकास हो सके, छोटे और बड़े दोनों का समुचित विकास हो सके, हर एरिया में, हर क्षेत्र में इनकी स्थापना को प्रोत्साहन मिल सके, ये सब सवाल हैं जिनके बारे में समय-समय पर आपको रिपोर्टें प्राप्त करने का आवश्यकता पड़ सकती है। इसकी आपका

व्यवस्था करने चाहिए। वे रिपोर्टें ऐसी न हों कि जो सरकार के भानने लायक न हों, साथ ही साथ जो कच्चा माल पैदा करते हैं, उनको भी वे मान्य हों और जो तैयार माल पैदा करते हैं उनको भी मान्य न हों। टैरिफ कमीशन की रिपोर्टों के बारे में कई बार ऐसा हुआ है कि सरकार और इस कमीशन के बीच, कच्चे माल का उत्पादन करने वाले और तैयार माल का उत्पादन करने वालों के बीच अन्तर्द्वन्द की स्थिति पैदा हुई है। इस तरह की स्थिति फिर पैदा न हो ऐसी कोई व्यवस्था आप करने जा रहे हैं या नहीं करने जा रहे हैं, इस पर मैं चाहता हूँ कि आप रोशनी डालें।

आज भी ऐसे उद्योग हैं, छोटे उद्योग हैं, मध्यम दर्जे के उद्योग हैं जिनको आपके प्रोटेक्शन की जरूरत है। उद्योग की बात तो आपने हटा दी है। आपने अपने बयान में कहा भी है कि मध्यम और छोटे दर्जे के कुछ उद्योग हो सकते हैं जिनको प्रोटेक्शन देने की जरूरत हो। लेकिन आपने इसकी सफाई नहीं की है। मैं चाहता हूँ कि आप सफाई दें कि क्या कुछ उद्योग अभी भी हैं या नहीं जिनको प्रोटेक्शन देने की जरूरत है और यदि हैं तो वे कौन से हैं और उनके लिए आप क्या व्यवस्था करने जा रहे हैं।

उत्पादन खर्च क्या आता है कच्चे माल का और तैयार माल की लागत क्या आती है इसके बारे में समय-समय पर आपके पास रिपोर्टें आनी चाहियें और वे रिपोर्ट ऐसी होनी चाहियें जो आपको मान्य हो, जो कच्चा माल तथा तैयार माल पैदा करने वालों को मान्य हों और जो उपभोक्ताओं के हित में भी हो। मैं जानना चाहता हूँ कि ऐसी रिपोर्टें आपको जल्दी-जल्दी आजाया करें इसके बारे में आप कौन सी व्यवस्था करने जा रहे हैं। ब्यूरो आफ इंडस्ट्रियल कास्ट्स एंड प्राइसिस जो चल रहा है उसका भी काम

[श्री कमला मिश्र 'मधुकर']

ठीक से नहीं हो रहा है। इस वास्ते टैरिफ कमिशन को हटाने के बाद जो वैक्युम पैदा हो जायेगा इसको आप कैसे भरने जा रहे हैं, उसको पाजिटिव फीचर क्या है, किध तरह से उसको आप अमल में लाने जा रहे हैं, यह भी आपको बताना चाहिए। आपको कोई ऐसी व्यवस्था करनी चाहिए ताकि जो अभाव पैदा हो रहा है उनकी पूर्ति हो सके।

मैं इस सड़े हुए कमिशन को—जो आप समाप्त करने जा रहे हैं—इसके लिए आपको बधाई देता हूँ। इस सड़े हुए आलू को आप सिर पर लादे हुए थे। एक सड़ा हुआ आलू सारी बोरी के आलूओं को खराब कर देता है। इस वास्ते इसको समाप्त करने के लिए जो आपने कदम उठाया है वह स्वागत योग्य कदम है। लेकिन सके कारण से जो समस्याएँ पैदा होंगी उनको हल करने के वह कौन से कदम उठाने जा रहे हैं। इसकी भफाई उनको करना चाहिए।

SHRI Y. S. MAHAJAN (Buldana):

Now that the Tariff Commission is to be wound up, I would like to say a few words by way of epitaph.

The Commission with its predecessor has rendered an important service for the development of industries in this country over the last 50 years. The First Tariff Board was appointed in 1922, as a result of the thinking for 4 or 5 decades, which was influenced by great German Economist, List, who maintained that in a developing country, growing industry should be protected against competition from industries in more highly developed countries.

This concept was accepted by Mahadev Govind Ranade and all our nationalist leaders, which resulted in the adoption of protection by the British Government in 1922. And the industries which received first protections were the textile and jute industries.

Till 1931, that is, till the beginning of the Great Depression, protection

for domestic industries in this manner was regarded as a major instrument of economic policy all the world over, except in the case of Great Britain, which stuck to free trade over the 19th century, till the year 1931.

The great depression however led to the adoption of quantitative restrictions in trade and exchange control which really made protection more or less obsolete. But, even then protective policies continued to be adopted by our country. Till recently, the Tariff Board have given protection to thirty-eight industries. There were two Tariff Commissions—one in 1922 and the other in 1934. Altogether they gave protection to 38 industries.

Then, Sir, during the Second World War—protection was not necessary because imports were almost prohibited and this gave blanket protection to Indian industries. It was thought that protection as a policy should be used as a means not only of developing certain industries but, as an instrument of the general economic development of the country as a whole. Therefore, in 1948 we appointed a Fiscal Commission on the recommendations of which we set up a Tariff Commission in 1952. This Fiscal Commission had a quasi-judicial status. Secondly, it was free from interference of the Executive and of the pressure groups; although its functions were advisory, it had the power of independent action in the collection and assessment of factual data and the formulation of its own conclusions.

This Commission has mainly two functions—first, to undertake enquiries in the case of industries applying for protection and secondly, to make enquiries as regards the costs of certain industries on a reference made by Government. This Commission has rendered good services.

But, after 1955 or 1957, it became utterly useless because, with the adoption of planned economic development, with our policy of import

[Shri Y. S. Mahajan]

substitution and with our policy of encouraging exports and with the perfect or blanket protection that the industries received in this country as a result of the quantitative restrictions and exchange control, the whole business of protection became obsolete. Therefore, in 1967, we had the Task Force or the Study Group appointed by the Administrative Reforms Commission recommending that the Tariff Commission should be wound up as the two important functions of this Commission now were no longer necessary. In the countries of the world—developing as well as developed—tariff protection as an important instrument of industrial development is not necessary or has lost its importance; secondly, Indian industries now enjoy blanket protection as a result of exchange control and detailed qualitative restrictions on imports of a wide variety of raw materials and other intermediates.

Enquiries in connection with price fixation or administering the prices have also been eroded almost completely as a result of the advent of planning. Secondly, as a result of the development of the Bureau of Industrial Costs and Prices, the Government tended to rely more on the Bureau rather than on the Tariff Commission with the result that the Tariff Commission did not have any work.

There is one difficulty about this. The Tariff Commission could do its work objectively and it had a quasi-judicial status whereas the Bureau of Industrial Costs and Prices is a subordinate body in the Department of Economic Affairs and it has not the same powers as the Tariff Commission had in collecting the data. But, because the Government continued to rely increasingly on the Bureau of Industrial Costs and Prices, the Tariff Commission became utterly useless. Because of the radical changes in our economic policy we find that, especially, prices are determined, first of all, in the case of agricultural com-

modities, on the recommendations of the Agricultural Prices Commission. Secondly the prices of many commodities are fixed by the different economic Ministries. These prices are again influenced by our fiscal and monetary policy in connection with which the Reserve Bank is an important body. Therefore, the price level is determined ultimately by the economic policy of the Government and no single body like the Tariff Commission or the Bureau of Industrial Costs and Prices have much to say except providing data, analysing it and giving advice to the Government and, therefore, as a result of the radical change in the position this Tariff Commission has become redundant and I do not know as to why it took the Government so many years to discover this fact. I am glad that Government has at last brought forward this Bill.

Protection as a problem arises where your industries are growing and you have to face the competition from developed industries in other countries. We are totally in a different position. We have a terrible gap in the balance of payment position because the demand for imports is inelastic. For example, in the matter of oil during the last two years we had a terrible blow which has almost broken the back of our economy. Our problem is to increase exports. It is to see that our exporting industries achieve competitiveness in the international market. This is a totally different problem from the one we had in the last few decades. The problem is what sort of policy is going to be followed to see that our exporting industries achieve competitiveness in the world market.

Industry must become competitive in the international market. Since prices are not determined in a competitive market nor are they being moulded by a long-term well-conceived strategy what has resulted is merely adhocism. According to the Study Group: "In this set-up which virtually

[Shri Y. S. Mahajan]

amounts to a sort of market sharing, it is not surprising that the domestic producers have no incentives for achieving optimum efficient production. There is no particular urge to reduce costs. The lack of cost-consciousness in our economy has almost reached alarming proportions. Over the years no national pricing policy or pricing system has been evolved and no price stability achieved based on the efficient functioning of the economy."

Therefore, this is the serious problem which you have to face. Abolition of Tariff Commission is a simple thing. It is not of great importance. We have to face a problem different from that which the Commission was meant to solve. The problem is as I have formulated it. I hope the hon. Minister will have some answer to this question. With these words I conclude.

SHRI DHAMANKAR (Bhiwandi): Mr. Chairman, Sir, it is good that the Government has now come with the decision to abolish the Tariff Commission. This Tariff Commission was instituted to give protection to the industries as well as price fixation of new commodities that replace the imports from other countries. In connection with certain commodities like nylon, artificial yarn, etc. the price fixation problem was sent to the Tariff Commission and for years together it was pending. In the meantime the spinners made huge profits and the consumer had to suffer. Now, it is good that the Tariff Commission is going to be abolished but there cannot be any vacuum. Some agency will have to replace the Tariff Commission. While answering the Starred Question the Deputy Minister said that the Administrative Reforms Commission recommended about replacing Tariff Commission by another Commission on Costs, Prices and Planning. It had been considered by the Government but they did not find it advisable. The recommendation of the Administrative Reforms Commission has not been accepted by the Government. Then,

Sir, some agency has to be instituted by the Government immediately to fix up the prices of new indigenous commodities which are coming up replacing the imports. Every time some sort of new Commission will have to be appointed by the Government. The new industries are coming up replacing the imports. The prices of new commodities that are produced indigenously will have to be fixed up taking into consideration the cost of production, foreign competition, etc. A commission for working out cost prices of various commodities produced indigenously will have to be instituted immediately so that it will not only be useful but it will work in the interest of the consumers, because every year more and more imports are being substituted by indigenous production. The Government must take decision immediately on abolishing the Tariff Commission and some machinery should be set up immediately, in its place, so that the work regarding the fixation of prices is not delayed in the interest of the consumers. With these words, I support this Bill.

THE MINISTER OF COMMERCE (PROF. D. P. CHATTOPADHYAYA): Sir, as you have yourself heard, the scope of the Bill under consideration is limited, namely, the repeal of the Indian Tariff Commission Act of 1951. This organisation is being wound up because it has outlived its utility. Sir, it may not be correct to say, as some of my hon'ble friends have said, that it was worthless and useless. Sir, it would not only be not kind, but worse it will also be incorrect, as Dr. Mahajan has very rightly pointed out. He is an economist and he is very well informed in this particular area. So, he has himself pointed out, thereby making my task light, that it is due to the protection provided by Tariff Commission and by the bodies preceding it over the years. . .

MR. CHAIRMAN: It sounded like an obituary reference.

SHRI Y. S. MAHAJAN: It was.

PROF. D. P. CHATTOPADHYAYA: ...over the last 50 years or so. Many of our industries which are now coming up have been made prosperous; particularly the jute and textile industries did get protection from the Tariff Board and from the Tariff Commission.

Sir, this body is sought to be abolished because many other bodies have been set up, necessitated by the enormity and complexity of the tasks connected with industries, commerce, export and import of the country. I think the abolition is according to what we call the law of parsimony, the law of avoidance or redundancy, replication and duplication of organisations. Now, we have so many other organisations. A pertinent question was raised by Mr. Joardar and other hon. Members: what after Tariff Commission which was doing some very important and very positive work? What about those positive works? Which organisations will look after them. As has been pointed out by Dr. Mahajan, I would like to say that because of the complexity of our industrial and commercial culture, the types of problems that we are now facing are diverse and deserve attention of most specialised bodies and organisations. Partly it is the Commerce Ministry through the Chief Controller of Exports and Imports, and through the instrument of Import Control which will have to look after this work. We formulate our import control policy in a manner that the deserving industries get the benefit of protection. Besides this, other organisations directly or indirectly marginally or substantially also come into the picture. So far as the pricing of agricultural products is concerned, the Agricultural Prices Commission has been doing some work. Maybe it has been subjected to severe criticisms at times. The MRTP Commission also is doing important work. Through exchange control formulated by the Reserve Bank, the Department of

Revenue and Banking are also doing some such work. I mention these organisations in response to questions as to what after the Tariff Commission?

MR. CHAIRMAN: The industries in the urban areas have mostly benefited by the Tariff Commission and have grown substantially. What are you going to do to give protection to agro-industries in rural areas?

PROF. D. P. CHATTOPADHYAYA: This is a very large question. As I said, the scope of the Bill is very limited. You yourself have studied all these problems, Sir. Certain steps have been taken by the Department of Revenue and Banking for providing extra credit for the agriculturists and agro-industries are also involved. The APC is fixing the prices of agricultural products year after year so that increasing returns are being ensured. Whether they are good enough is a matter of debate.

श्री कमला मिश्र 'ज्युकर': मंत्री महोदय ने कहा कि इवकीजिंग रिटर्न पर दिया जा रहा है। मैं कह रहा हूँ कि शूगर इंडस्ट्री के अंदर गन्ने की कीमत के बारे में टैरिफ कमिशन की जो रिपोर्ट होती है उससे किसानों को इंसेंटिव नहीं मिल रहा है। उसके लिए आप क्या करने जा रहे हैं ?

PROF. D. P. CHATTOPADHYAYA: An hon. member asked, why did you not abolish it earlier? As you are aware, there were two opinions about it. Dr. V. K. R. V. Rao Committee looked into it and suggested in the mid sixties that the Tariff Commission has still some utility. But thereafter the Administrative Reforms Commission set up a committee which further went into the matter and came to the conclusion that perhaps we should abolish it. In the meanwhile other organisations like the Industrial Bureau of Costs and Prices have come up. The D.G.T.D. in the Industry and Civil Supplies Ministry also looks after the interests of some manufacturing and

[Prof. D. P. Chattopadhyaya]

technological elements, providing protection in the face of possible foreign competition. Since these organisations have now come into being and have been rendering a good account of themselves and in view of these new developments, Government have come to the conclusion that it is no longer necessary to continue the Tariff Commission.

Another criticism made was that the Tariff Commission served only the big business houses' interests. It is not quite correct because, over the years, as many as 50 industries had been receiving protection. Under the umbrella of this protection, not only the big industries but some small-scale industries also enjoyed protection. The Tariff Commission was a professional organisation with experts which looked into the matters referred to them not only by the Commerce Ministry but other Ministries also. So, it is not correct that it was heavily biased towards the big business houses. With these words, I commend the Bill to the House.

MR. CHAIRMAN: The question is:

"That the Bill to repeal the Tariff Commission Act, 1951, as passed by Rajya Sabha, be taken into consideration"

The motion was adopted

MR. CHAIRMAN: Now, clause by clause consideration. There are no amendments to clauses 2 and 3. I shall put them together. The question is:

"That clauses 2 and 3 stand part of the Bill"

The motion was adopted

Clauses 2 and 3 were added to the Bill

MR. CHAIRMAN: Now, clause 4. There are amendments by Mr. Joarder and Mr. Naik. Since they are not

there, the amendments are not moved. The question is:

"That clause 4, clause 1, the Enacting Formula and the Title Stand part of the Bill"

The motion was adopted

Clause 4, clause 1, the Enacting Formula and the Title were added to the Bill

PROF. D. P. CHATTOPADHYAYA: I beg to move:

"That the Bill be passed"

MR. CHAIRMAN: The question is:

"That the Bill be passed"

The motion was adopted

16.32 hrs.

MOTION RE. REPORT OF THE COMMITTEE ON THE STATUS OF WOMEN IN INDIA

THE MINISTER OF EDUCATION, SOCIAL WELFARE AND CULTURE (PROF. S. NURUL HASAN): I beg to move:

"That this House do consider the Report of the Committee on the Status of Women in India, laid on the Table of the House on the 18th February, 1975"

Although more than a year has passed since this Report was placed on the Table of the House, this year has been very fruitfully spent and is in many respects a very important landmark in the cause of the removal of discrimination against women in India. This was, as the House would recall, the international women's year. On 25th of April, 1975, the House discussed this general matter on a motion moved by my hon. friend, Shri Indrajit Gupta and on that occasion, this House was