

17.23 hrs.

CONSTITUTION (AMENDMENT) BILL
(Amendment of Ninth Schedule) by Shri
C. K. Chandrappan

SHRI C. K. CHANDRAPPAN (Telli-cherry): Sir, although I wanted to move this Bill to amend the Constitution but now, Sir, I am not pressing this amendment due to some reasons. This Bill was to include the Kerala Private Forests (Vesting and Assignment) Act, 1971 in the Ninth Schedule of the Constitution to give protection to that Act from being questioned in courts of law. I presented this Bill when that Act was questioned by the Kerala High Court. Later, an appeal was filed in the Supreme Court and the Supreme Court had upheld that legislation. So, there is no reason now that it should be included or protected in the Ninth Schedule. But by withdrawing I would like the House to note certain very important things in connection with this legislation because I feel that this legislation is linked in character and a pace-setter in the field of land reform legislation in the country.

Seven lakh acres of private forest land in Kerala has been brought under Government control. It has been vested with Government without paying a single pie as compensation to any kulaka or to any landlord or to anybody. I do not think in the entire country there is such a legislation where the landlordism could be put an end to without paying a single pie as compensation. This was one of the very important features of this Bill. And this Act was brought forward as a part of the implementation of Kerala Land Reforms Legislation in that State. Perhaps, it may not be very irrelevant for me to mention here that in November, 1970 the new Kerala Government which is a coalition Government of Congress, Communist Party, Muslim League, RSP and various other parties, put into operation all the provisions of the Kerala Land Reforms Act. There were many, including my friends of the Marxist Party, who thought that the Congress Party would not support the implementation of this legislation. I should inform you that Kerala has again gained the unique distinction of abolishing

landlordism in Kerala through the enactment and implementation of the Kerala Land Reforms Act. Landlordism in Kerala is a thing of the past. It is no more there. The Marxist Party wanted the people to go and encroach upon the lands as they thought that the Government would not implement this Act, but in a peaceful manner the Act has been implemented.

I only want to point out one or two salient features of that Act. About 4,30,000 tenants have been made owners of land. "Land to the tiller", the slogan of the kisan movement in the country, has been put into practice in Kerala. About 3,50,000 families who were hutment dwellers, who never had a single inch of land, not even six square feet for burial after their death, have been given hutment rights. Ten cents of land has been given to everybody. Thus, the Act has been implemented very successfully in Kerala.

The Government has framed the rules under the Act, and the cultivable area of the forests will be taken over by co-operative societies. Co-operative farms, State farms and collective farms will be organised. Forest preservation will also be assured. So, I thought it would do a great deal to promote the cause of land reforms if this legislation was included in the Ninth Schedule. However, today I seek the permission of the House to withdraw my Bill as the Supreme Court decided in favour of the Kerala Government and for the implementation of this Act.

MR. CHAIRMAN: The question is:

"That leave be granted to Shri C. K. Chandrappan to withdraw the Bill further to amend the Constitution of India".

The motion was adopted.

SHRI C. K. CHANDRAPPAN: I withdraw the Bill.

18.28 hrs.

COMPANIES (AMENDMENT) BILL
(Omission of section 90) by Shri Madhu
Limaye

की मजदूरी मिलाने (बांका) केरा जी कम्पनी कामून के सहोचन लाने वाला विधेयक है उसकी में सदन के विचारार्थ रचना चाहता हूँ। मैं प्रस्ताव करता हूँ कि

'कम्पनी अधिनियम, 1946 का धीरे सहायन करने वाले विधेयक पर विचार किया जायगा।

समाप्ति गहोब --

MR CHAIRMAN He may continue on the next date Half an hour discussion

18 28-1/2 Hrs.

HALF-AN HOUR DISCUSSION

Enforcement of prohibition

श्री मूल बन्द डामा (पानी) जा विषय विभाग में प्रस्तुत करने जा रहा हूँ वह बहुत ही महत्व-पूर्ण विषय है। महात्मा गांधी जा हमारे राष्ट्रपिता हैं उन्होने जा एक बार कहा था उनका मैं आपका याद दिवाना चाहता हूँ --

"I hold drink to be more damnable than thieving and perhaps even prostitution Is it not often the parent of both "

वह भी उन्होंने कहा था --

If I was appointed dictator for one hour for all India the first thing I would do would be to close without compensation all the liquor shops

महात्मा गांधी ने शब्दा का याद दिवाना म मूझ कोई खुली नहीं हो रहा है क्योंकि व नाग बड़ पापी हात हैं जा उन शब्दा का याद ता करत है लखिन उनका काम म नहा लाते हैं। मूझ उमस काई फायदा नहीं लगता है। लखिन उनहा की बात को प्रो० नूदन हमन माहब जा शिक्षा मंत्री और शिक्षा शास्त्री है वह भी दोहरा रत है धीरे बड़े स्पष्ट शब्दा म उन्होंने अपनी बीबीनवी रिपोर्ट के कहा है

"I must express distress at the fact that the consumption of alcohol has been going up in the last four years "

प्रोफेसर नूदन हमन के 26 मार्च, 1974 को शब्दा की बकरी हुई धवन पर कुछ और बिगता प्रकट करत हुए कहा --

"We have been reaffirming year after year faith in prohibition I have got the figures. I must express regret at the fact that the consumption of liquor has been going up during the last four years

बहुन अधिक कुछ क मास उन्होंने यह बात कही। उनका इतना कुछ धीरे चिन्ता थी कि वे आज धाये ही नहीं। शब्दा की बज्रम्बन 1970 के 57919 किला लिटर 1971 के 63782 लि० लि० 1972 म 78,664 और 1973 के 79,911 किला लिटर हुई। एक प्रतिष्ठ चीनी मुहाबरा है कि पहल व्यक्ति शब्दा का पीना है फिर शब्दा शब्दा को पीती है धीरे फिर शब्दा के शब्दा व्यक्ति का पी जाती है। यह शब्दाके उन्कर देगा निर शम म भुव जाना है धीरे में साधता है कि शब्दा यही शब्दा रते ता यह देन पनब के बल में विर जायगा। मवाल यह है कि सरकार शब्दा क्या करती है? शब्दा म म उठाव गये कदम कभी कारगर नहीं हात। शब्दा इरादा मजबूत हा ता मफलता मिलती है। शब्दा सरकार का इरादा नहीं है ता वह कामटोटयूनन व अनुच्छेद 47 का हटा व जिनके कहा गया है --

The State has regard to the raising of the level of nutrition and the standard of living of its people and the improvement of public health as among its primary duties and in particular the State shall endeavour to bring about prohibition of the consumption except for medical purposes of intoxicating drinks and of drugs which are injurious to health

शब्दा बन्द बनने के लिये प्रभारे दब के बिन ही बंधाने के धान्योलन लिये थे, जेतो के बने थे। लाखो स्त्री धीरे पुछो के इनके लिये दुर्बलिया दी थी धरने लिये व। इती के परिधान-