

[श्री शिव चंद्र भा]

ऐसा सोच रहे हैं कि जजेज चुने जायें, जुडिशियरी इलेक्टेड हो अपने देश की परिस्थितियों के मुताबिक ?

मैं मानता हूँ कि अमरीका के पुराने इतिहास में जायें तो हो सकता है कि वहाँ कुछ ऐसी परिस्थितियाँ रही हों। लेकिन वैसे भी जज का चुना जाना जनतन्त्र के आदर्श के मुताबिक मालूम होता है। इसलिए यूनियन टैरीटरीज में जब जुडिशियरी और एग्जीक्यूटिव को अलग करने जा रहे हैं तो यह अच्छी बात होती कि सरकार इस बात पर गौर करती कि जुडिशियरी के जो आदमी हैं वह चुने जायें। इस तरह का रास्ता यदि सरकार अपनाती तो सोने में सुगन्ध की बात हो जाती।

MR. CHAIRMAN: Now, the question is:

“That the Bill be passed.”

*The motion was adopted.*

MR. CHAIRMAN: We pass on to the next item—Companies (Amendment) Bill. The hon. Minister.

16.39 hrs.

#### COMPANIES (AMENDMENT) BILL

THE MINISTER OF INDUSTRIAL DEVELOPMENT, INTERNAL TRADE AND COMPANY AFFAIRS (SHRI F.A. AHMED): Sir, I beg to move:

“That the Bill further to amend the Companies Act, 1956, be taken into consideration.”

I would like to remind the House that some time in 1967 when a Private Member's Bill was introduced by the hon. Member (Shri Madhu Limaye) I had given an assurance to the House in December, 1967, that I would introduce a Bill to serve the same purpose which the hon. Member had in view, that is, to bar donations by companies to political parties and individuals for

political and elections purpose. The Bill, which is now before this House, fulfills the assurance given by me.

In this Bill, as the hon. Member might have noticed, there are provisions which will make it impossible for a company to make any contribution to political parties. Under existing provisions, a company can give a donation to the extent of Rs. 25,000 or 5% of the average profit of 3 years preceding the year when the donation is made.

This Bill seeks to do away with this right of the company and even of the Board of Directors to give any donations to political parties particularly for election purposes.

It also provides that any one found guilty, for violating this provision, can be punished upto a term of 3 years.

These are the two main provisions which have been made and which will serve the purpose of prohibiting companies from giving donations to political parties either for political purposes or for election purposes.

I need not refer to the reasons regarding this prohibition because this matter has been discussed both outside and also in this House on several occasions. In fact, even before Shri Madhu Limaye introduced this Bill in the present Lok Sabha, many members in the earlier Lok Sabha had also tried to introduce a Bill seeking the authority of this House to ban contributions to political parties. But for one reason or other, these could not be pursued by this House and it became necessary for Shri Madhu Limaye to introduce the Private Member's Bill. When that Bill was discussed I gave the assurance to introduce a bill on behalf of the Government and I am fulfilling that assurance now.

Not much argument is required to support these provisions and I hope that the House will unanimously support the move of the Government. This, I think, will be in the interest of the country and will help in clean public behaviour. All kinds of suspicions and doubts are now raised. I think the ban to give donations to political parties will remove such doubts and it will be better both for the Government benches

and also others to feel that the public life is clean and the means by which a company or any one who has something to do with these companies can have any influence over political activity or elections.

The second important provisions which this Bill includes is in respect of abolition of managing agency system. I think the Hon. Members will agree with me that this system of the managing agency is an out-moded system.

SHRI M. R. MASANI (Rajkot): Question.

SHRI F. A. AHMED: It was a system actually introduced in this country by the British people and this ought to have gone with the British rule. But it has remained in our country, though the people who had introduced this system and who were actually the beneficiaries at that time are no longer in charge of administration of our country. I think, Hon. Members will also agree with me that, apart from U.K., in no other country this managing agency system exists or is given that opportunity which has been given in our country for managing the affairs of companies. Under the existing provisions, the authority has been given to Government by notification to abolish the managing agency system. On the basis of the report of a Committee, it was decided that in five industries this managing agency system should be abolished, under the notification the opportunity has been provided to these units to wind up their business by 1970. As a result of this action taken by the Government, about 226 companies will not have any managing agency system by the end of March 1970. But instead of leaving this authority to the Government and instead of allowing this inequitable position this Bill seeks to make a provision for abolishing the managing agency system in all the companies. Under the proposed amendment time is given to the companies that is to say by the 3rd of April 1970 all the managing agencies which have not in the meanwhile ceased to exist will be abolished. Therefore this bill also includes and the very good provision which will be helpful for the clean development of company affairs in our country.

Recently, we had also introduced the system of secretaries and treasurers. We found that that system also was not very useful and it suffered more or less from the same evils as the managing agency system. Therefore, we have provided in this Bill a provision which will do away with the system of secretaries and treasurers. These are the main provisions of this Bill.

I need not at this stage enter into further detail before the House. I am sure hon. Members realise the utility or usefulness of the provisions for which I now seek the sanction of this House and therefore it is not necessary for me to give in detail the reasons for these amendments in the Act which placed before the House. If any question arises in the course of discussion and if any hon. Member requires any matter to be clarified, I shall be glad to do so, after I have had the benefit of views from hon. Members. At the present moment, I only commend my motion for the acceptance of the House.

MR. CHAIRMAN: Motion moved:

“That the Bill further to amend the Companies Act, 1956, be taken into consideration.”

The time allotted for this Bill is only 4 hours. So, I would request hon. Members to be very brief.

SHRI M. R. MASANI (Rajkot): I beg to move:

Companies Act, 1956 be referred to a Select Committee consisting of 21 Members, namely: Shri N. Anbuezhian, Shri Frank Anthony, Shri Surendranath Dwivedy, Shri Hari Krishna, Shri Hem Barua, Shri Humayun Kabir, Shri S.M. Joshi, Shri Kameshwar Singh, Shri S. S. Kothari, Shri J. B. Kripalani, Shri D. K. Kunte, Shri Bal Raj Madhok, Shri H. N. Mukerjee, Shrimati Sharda Mukerjee, Chaudhary Nitiraj Singh, Shri P. Ramamurti, Shri N.G. Ranga, Shri Narendra Kumar Salve, Shri Prakash Vir Shastri, Shri S. N. Shukla; and Shri M.R. Masani.

“That the Bill further to amend with instructions to report by the last day of the first week of the next session.”

(5)

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The 21 names cover Members of all parties including the ruling party and it is our wish that this Bill, which is highly controversial, should be scrutinised and carefully examined by a Select Committee representative of this House.

There are two entirely unrelated provisions in this measure to which the hon. Minister has referred. There is nothing in common between them except that they both make amendments, as it happens to the same law.

The first change that is proposed is to do away with contributions or donations by companies to political parties and to individuals for political purposes.

As it happens, the first time this issue was raised in this House was by myself in 1960 when the Companies (Amendment) Bill was before the House. I had then moved an amendment in precisely the same sense as the hon. Minister has now belatedly come round to doing. Unfortunately, the Congress Party alone in this House had the distinction of opposing that reform. Shri Lal Bahadur Shastri, who was then in charge of the Bill was, however, a good and sympathetic friend of mine. He conceded on the floor of the House that there was a great deal to be said for my amendment and he was rather sad for reasons he did not disclose to have to oppose it but he would meet part of the proposal and he made a compromise which he offered, which was the compromise to which the hon. Minister has referred, namely a ceiling of Rs. 25,000 or 5 per cent of the profit whichever was greater; and another amendment which I had moved he accepted, namely, that the amount should be shown in the balance sheet of the company for the year in question. I was sorry to have to turn down his compromise and insisted on dividing the House. I am glad to say that all Opposition Parties without exception voted for my amendment except the great socialist party led by the great socialist, Pandit Jawaharlal Nehru. Now, at least nine years later, these gentlemen have picked up enough courage to do without a part of the funds that they extort and extract from organised business.

We support clause 3 of the Bill, which is the first part of this measure for two or

three very good reasons of principle. We in this Party are opposed to money power on the strength of which the Congress Party has ruled India to its disaster for the last twenty years. We are opposed to the use of money power whether it comes from the rich or it comes from a totalitarian dictatorship abroad to their Fifth Columns in this country; both are equally objectionable. The second reason why we oppose company contributions to political parties is that this has become particularly pernicious in a controlled economy. Where there is unfettered free enterprise, the hold of Government over enterprises is minimal, and business can decide for itself what it wants to do. But where, as in India, a State-Capitalist economy is operated under the specious name of 'socialism' and Government have got all enterprises by the throat, they can not only get free contributions made from the heart but also extort them, as they are in the habit of doing, and in which they excelled on the eve of the February 1969 elections in Northern India.

So, in a controlled economy, such a measure is objectionable also because it becomes an engine of oppression and extortion which the Congress Party has used to its own advantage and to the harm of the country. A "New Class" has come on top consisting of my hon. friends sitting on the Treasury Benches and their corrupt friends in business who jointly exploit the common people.

This is our "New Class" a mixed Class in a mixed economy. They are together and have got together for this purpose. Serajuddin and Malaviya are a good prototype of the alliance of the unscrupulous businessman and the unscrupulous politician.

Thirdly, we are opposed to company contributions because the shareholders do not come together for the purpose of political activities. The shareholders of a company came together in order to make a legitimate profit in producing goods or services for the needs of the country. They come together completely indifferent about the political affiliations of one another. They buy shares in the market without knowing the political affiliations of the company. Now, if thousands of share-

holders in a political judgment and to make a political contribution, what complications would result? When corporate enterprises are asked to make contributions, then inevitably it is a great injustice to thousands of shareholders who may not agree with the decision of the board or of the majority in the general body meeting of that company. This would lead to further complications because then quarrels would start, injunctions would be obtained and the very purpose, the good purpose, for which the company was formed, namely, to make a profit in the service of the community, is lost on the way; political factions might start within the company.

So for all these reasons, contributions made by corporate bodies are bad, and we in our country, as in the United States, the world's leading liberal democracy, should ban them.

I may be accused by some people of being a little politically naive. I may be asked: 'Why do you suppose this Government would not get contributions? Don't you know about corruption? Don't you know about their extortions? Don't you know that they work hand in glove with disreputable industrialists in this country?' We do know about all these practices and our blood boils when we think about them. But I would rather take the risk despite these doubts about the motives of the hon. Mover of this Bill.

It is suggested that the motive of my hon. friend is that the Congress Party, with its capacity for extortion while it is in office—it is not good, honest to God, open contributions made by the boards and general bodies of companies, as were made in 1962 and 1967—would benefit much more in the process. It is true that they have benefitted much more than we or anyone else on these Benches. But perhaps they would like to hurt to us by denying us a few lakhs even if they deny themselves a few crores. But then the Congress can make up for it by getting black money under the counter, as they are in the habit of doing, and as they did only last January for the February elections.

It is possible that is their motive. It is possible their own calculations are right.

But I believe in certain moral principles, My party is prepared to take the risk that while we will be denied honest funds given by honest business, they may continue to export money or get it from their corrupt accomplices. But two wrongs do not make a right. I am prepared to take that risk and forgo good company contributions, given openly by the finest institutions in business in our country, to my party. I am prepared to take this challenge and go without them. We shall go to the common people of this country and raise money and we will take the risk of these gentlemen going and squeezing it out of big business by misusing the controlled economy.

Sir, if this was the only part of the Bill, I would not have asked for referring it to the Select Committee, though there is a point which needs examination as to what its political purpose. There is no definition either in this Bill or in the Companies Act as to what is a political purpose, and when we are told that the company may not make a contribution to political parties, that is easy. But when it says that they may not make a contribution to an individual for a political purpose, I can see complications coming in. It is not a well worked out measure. My hon. friend has done his homework rather poorly. So, a Select Committee might be useful in order to lay down what is a political purpose for which contribution may not be made, because sometimes educational and political and other purposes come very close and it may well be some very good cause like, let us say, the All India Sarva Seva Sangh of Acharya Vinobha Bhave and Jaiprakash Narain, may not get a contribution from a company because somebody might say: "This is a political purpose." And who is going to argue this, when the law is silent on the subject? However, that is a minor point.

Now, I come to the other part of the Bill: the proposal to abolish the managing agency system. This, Sir, is a hasty and ill-conceived move. The hon. Minister has tried to mislead the House by trying to give a dog a bad name and then hang him. The managing agency system in India is responsible for the larger part of the process of industrialisation which took place under British rule, and in the face of a

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great deal of obstruction from the British Government in India.

16.57 hrs.

[MR. DEPUTY-SPEAKER *in the Chair*]

Our cotton textile industry, our steel industry, our jute industry and many other industries were established in India, all the way back, till 1947-48, against the opposition and obstruction of the British Raj, and yet, the Minister had the effrontery to suggest that the managing agency system was a kind of stodge of the British Raj. This kind of perversion of history he probably takes from his friends in Moscow.

The managing agency system has a very honourable and constructive record in this country. The managing agents, the earlier ones, did a good job of pioneering Indian capital was very timid. They brought it into the money market by giving a hallmark of honest and good administration provided by the founders of the original managing agency system. It is a well-proven system. In a way, it was an anticipation of what we today call scientific management. It came in when scientific company management was not known. Now, under the impact of modernisation, this system as it is fading out. The laws of economics and technology are working and the managing agency system is going, and if the Minister and the Government would not interfere, it would go in God's good time.

Let me come now to the figures. On 31st March, 1956, just before the last Companies Act was passed, there were 5,055 companies with managing agents, out of a total of 29,874 companies. This is from the 11th Annual Report on the Working and Administration of the Companies Act published by the Government. In other words, almost a sixth of the companies had managing agents. But gradually, the number has gone down. By 31st March, 1963, there were only 1,450 companies left with managing agents, and the last figure we have, as on 31st March, 1967, is this: only 720 companies were left with 429 managing agents.

As far as new companies are concerned the managing agency is not very much

favoured. In 1964-65, there were proposals for 15 new companies to be formed with managing agents. In 1965-66, there were only four such proposals. And in 1966-67 there was only one proposal to have a new managing agency. This shows that without any of the unnecessary and unwarranted meddlesome interference on the part of my hon. friends opposite, technology and modern management are having their way, and there is no need to disturb what has already grown up in this country, which has roots in this country. Therefore, if they were left alone, very soon managing the agency system would normally, in another 30 to 40 years, become a thing of the past.

It is said that there are abuses. Of course there are abuses. Are there no abuses in the Managing Director companies which we are now going to have? Are there no misuses in Government? Do we not know of corrupt officials and corrupt Ministers? Have we not had enough evidence of this in the Union Government and in the States? So, because of the abuse, abolish managing agents, and because there are corrupt Ministers, abolish the Government and have anarchy in this country. This is the precious logic of my hon. friend opposite.

Our opposition to this is based on two grounds of principle. We in our party believe in two principles which this provision violates. The first is the principle of maximum competition and minimum governmental interference or regulation. The second is the principle of freedom of choice for the producer, for the investor, for the worker, for the industrialist, and for the consumer. How does it violate these two principles?

17 hrs.

How you run your company when you form one is your own business. It is none of the business of the Government to poke its nose into this matter. If five or ten people form a partnership or if a hundred people form a limited company, who they put in charge of the company and how they run the management is their business. Today there are three ways of doing it. One is to appoint a managing director. Another is to appoint secretaries and

treasurers. The third is to appoint a managing agent. It is entirely the job of the shareholders to decide now to run their business. It is none of the business of Government to poke its meddlesome nose into their affairs. It is in this way that this measure interferes with the freedom of choice of the investor to choose the kind of management that he believes in and we oppose this provision. We are not particularly wedded to the managing agency system. I am neutral. As a management consultant, I think a managing director or secretaries and treasurers or a managing agent are all perfectly legitimate ways of running a company. Some of each kind are good and some of each kind are bad. It is not that all managing agents are bad and all managing directors are good. I wish it was so, because the majority are managing directors. We feel there are enough powers under the Companies Act with the Government to stop abuses, whatever the nature of the abuse may be.

I want to warn my farmer friends against the principle of this measure. If today Government asserts the right to interfere with the way in which shareholders manage their business, what principle will then stop Government from poking their nose into the running of farms and telling the farmer how to run his farm? The principle having been conceded, I want to warn my agriculturist friends that this is the thin end of the wedge by which collective farming, under the name of joint co-operative farming, will then be produced to them as a "progressive" way of managing their farms. These are the reasons why we are opposed to the second part of this Bill.

It is not only an academic opposition. If clauses 4 and 5 of the Bill are passed, considerable damage to our economy is going to be done after a year. Managing agencies are a cheap and economic form of management, because the same services are given to all the companies at cheap cost. If managing agencies are broken up, each of these companies will have to duplicate these services. Parkinson's Law will begin to operate. Each company will want a public relations officer, a labour relations officer, a marketing officer, and so on. Today all these functions are performed by one set of officials for a whole group of

companies. What does this mean? It means that the cost of management in India is going to go up. When the cost of management in 720 companies goes up, the cost of products to our consumers is going to go up. Two years from now, the consumer will have to thank Mr. Fakhruddin Ahmed and his colleagues for mulcting them unnecessarily by raising the cost of products. Because the cost of our products will go up, our competitive capacity in the markets of the world to foster our exports will be damaged. Already, we are a high-cost economy and we find it difficult to compete. If this measure is passed, I can promise the House that two years from now, our capacity to export will be badly damaged in so far as 720 major companies are concerned.

Today we are short of experienced managerial talent. I happen to know because I have a management consultancy firm which advertises for talent. Even if we offer Rs. 2,000 or 3,000, we cannot get good talent which we can give confidently to our clients and say: "Here is a man who will suit you." Quite often, we have to apologise and say: "Nobody comes forward to take up your Rs. 2,500 job." I am talking of qualified, technically equipped managerial talent. When we are in this condition, is it right to insist that we make a further drain on our scarce managerial resources? These are some of the considerations which have been overlooked.

In the Statement of Objects and Reasons, the Minister has taken the liberty of misquoting the Monopolies Commission of 1965 and given the impression, by quoting out of context, that the Monopolies Commission did not like the managing agency system and wanted its abolition. Quite the contrary. The Monopolies Commission refused to recommend the abolition of managing agency system. On page 188 of their report the Monopolies Inquiry Commission of 1965 dealt—right at the end of their report—with this. They have given reasons why they do not advise the abolition of managing agency system. They say:

"The reasons are more than one. The most important of these is that we are doubtful whether even the total abolition of the managing agency system at the present stage would have any

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marked effect in curbing the growth of concentration of economic power. We are inclined to believe that even if the managing agency system goes, its place; would quickly be taken by some other system of group management, or some other method which it will not be practicable to prevent. Secondly, the question of what action, if any, should be taken as regards managing agency system has to be decided—what action, if any, in addition to what is provided in the Companies Act—not only on a consideration of its effect on concentration of economic power but on full and careful assessment of the effects of any proposed action on the process of industrial advancement in the country, which is hardly possible for this Commission to undertake."

Now, Sir, it is because of this conclusion of the Monopolies Commission that I propose that we appoint a Select Committee to carry out the function that the Monopolies Commission says should be performed before the managing agency system is touched in the manner that is proposed here. Let us appoint a Select Committee. Let that Committee take two or three months to go into it and let it come before us with its proposal.

MR. DEPUTY SPEAKER: The amendment is also before the House.

श्री प्रेम चन्द बर्मा (हमीरपुर) : उपाध्यक्ष महोदय, मैं आपका बड़ा आभारी हूँ कि आपने मुझे ऐसे समय पर बोलने का मौका दिया जबकि स्वतन्त्र पार्टी के नेता, श्री मसानी साहब ने बड़े अच्छे ढंग से अपने केस को रखा। उन्होंने कहा कि हमारी पार्टी चन्दा लेने के विरुद्ध है—पहले भी रही है और आज भी है। मैं इस बात का स्वागत करता हूँ। उन्होंने कहा कि कांग्रेस पार्टी ने मेरे विधेयक की मुखालिफत की और वह विधेयक पास नहीं हो सका था। मैं समझता हूँ अगर ऐसा हुआ—मुझे मालूम तो नहीं—तो कांग्रेस पार्टी ने अपनी भूल को अब सुधार लिया और आज कांग्रेस पार्टी इत्फाक राय से इस विधेयक को पार्लियामेंट के सामने लाई है। तो जब कांग्रेस पार्टी ने

अपनी भूल को सुधार लिया है, मैं समझता हूँ विरोधी दलों को भी पीछे की तरफ से कान में हाथ नहीं लगाना चाहिए बल्कि जवांमदों की तरह बहादुरों की तरह और स्टेट्समेन की तरह उस बात को मान लेना चाहिए। इस बात से कौन इनकार कर सकता है कि जितने पूंजीपति हैं—जैसा कि मसानी जी ने कहा है वह बहुत अच्छा कहा है—उन पूंजीपतियों और व्यापारियों का राजनीतिक पाटियों पर कोई प्रभाव नहीं होना चाहिए। लेकिन वह प्रभाव तभी नहीं होगा जबकि हम उनसे चन्दा न लें। अगर चन्दा लेंगे तो प्रभाव होगा। दायें हाथ से, बायें हाथ से, पीछे से, आगे से, चुपचाप खामोशी से या किसी ढंग से भी अगर हम चन्दा लेंगे तो उसका प्रभाव रहेगा। बार-बार विरोधी दलों की ओर से यह कहा गया कि कांग्रेस पार्टी जान-बूझकर इसको लाना नहीं चाहती है। मैं श्री फखरुद्दीन अली अहमद और उनके सहयोगी श्री रेड्डी को मुबारिकवाद देता हूँ कि वे इस विधेयक को लाये हैं और इस गज से लाये हैं कि यहां पर इसको पास करना है लेकिन अब श्री मसानी जो कहते हैं कि इसको ज्वाइंट सेलेक्ट कमेटी के सुपुर्द कर दिया जाये ताकि इसको गढ़े में डाला जा सके। मेरी तो ऐसी धारणा रही है कि जिस काम को न करना हो या जिस काम को लेट करना हो या जिस काम में कोई रोड़ा अटकाना हो, उसको सेलेक्ट कमेटी के सुपुर्द कर दिया जाता है। ज्वाइंट सेलेक्ट कमेटी बना दी जाय, कोई किसी प्रकार की कमेटी बना दी जाय। मैं इस बात का विरोध करता हूँ मसानी जी का कि इस विधेयक को पास करने में कुछ विलम्ब किया जाय। मैं चाहता हूँ कि एक दिन के लिए भी इसका पीछे नहीं करना चाहिए, बल्कि मैं तो कहता हूँ कि जब यह सदन आज उठे तो इस विधेयक को पास करके उठे और जो पूंजीपति सारे समाज और राजनीति पर छाये हुए हैं उन्हें इस बात का पता लग जाय कि सारा सदन उनके विरुद्ध है और चाहता है कि पूंजीपतियों का प्रभाव किसी प्रकार से भी

राजनीति पर नहीं रहने देना चाहते हैं। क्योंकि जब हमारा समाज बदल रहा है, पुराने बूढ़ों की बात कही है, मैं उस बात में नहीं जाना चाहता, अंग्रेज चले गये, बूढ़े भी आहिस्ता-आहिस्ता जा रहे हैं, अब जवानों का जमाना आ रहा है तो नये तरीके से, नये ढंग से समाज को ढालना होगा और इस समाज के अन्दर वह रीतियाँ लानी होंगी, वह तरीके लाने होंगे जिनसे कि जो कहें वह करें और जो सोचें वह करें। अभी जो उनकी राजनीति है मैं समझता हूँ कहते कुछ हैं और करते कुछ हैं, मन में कुछ है और ज़बान पर कुछ है। आज हमें उसको बदलना होगा। जो भी राजनीतिक दल हैं जो ज़बान से कहें वही करें। लेकिन यह बातें यहाँ पर मान्य नहीं हैं। मैं स्वतंत्र पार्टी के बारे में केवल इतना ही कहना चाहता हूँ।

इसके बाद मैं यह भी जरूर कहूँगा कि उनके नेता प्रोफेसर रंगा बड़े आदरणीय हैं, मैं उनका मान करता हूँ, लेकिन अफसोस यह है कि जब नीतियों का मामला आता है तो राजनीति में कांग्रेस और स्वतंत्र पार्टी में मेल नहीं है क्योंकि वह पूंजीपतियों को रेप्रेजेंट करते हैं और हम गरीब जनता को रेप्रेजेंट करते हैं।

इनके साथ ही उन्होंने कहा है मैनेजिंग एजेन्सी सिस्टम के बारे में। यह सिस्टम सबसे बड़ा चोरी का एक जरिया है। मैनेजिंग एजेन्सी सिस्टम ऐसा है कि जो सारे गरीब शेयर होल्डरों को लूटता है, खामोशी से लूटता है, कैंची से लूटता है, उनके साथ धोखा करता है। और मैनेजिंग एजेन्सी सिस्टम, जैसा श्री मसानी ने भी माना है और हमारे मन्त्री महोदय ने भी कहा है कि यह अंग्रेजों के जमाने को देन है, अंग्रेजों को एक लानत है जो यह सिस्टम हमारे उद्योग में है, अगर मैं आंकड़े पेश करूँ, चूँकि समय नहीं है, इसलिए सब नहीं पेश कर सकता हूँ लेकिन उन आंकड़ों से पता चलता है कि 75 खानदानों के पास हिन्दुस्तान की आधी दौलत मैनेजिंग एजेन्सी सिस्टम की वजह से चली गई है, वह खानदान लूटकर ले गये हैं। जो 55 करोड़ लोगों ने अपने खून-

पसीने की गाढ़ी कमाई इन कम्पनियों में लगाई है उसको इन 75 खानदानों ने जैसे लूट है उसका वर्गान करना समय की कमी की वजह से सम्भव नहीं है, लेकिन मोनोपली कमीशन ने उसका जिक्र अपनी रिपोर्ट में किया है। माननीय मसानी जी ने मोनोपली कमीशन की रिपोर्ट से वकीलों की तरह वहीं पढ़कर सुनाया जो उनके पक्ष में जाता है, लेकिन वह नहीं पढ़ा जहाँ मोनोपली कमीशन ने कहा है कि अगर पूंजीपतियों की इन सारी चीजों को नहीं रोका गया तो सारा का सारा समाज और राजनीति इन 75 आदमियों के हाथ में होगी। मैं मोनोपली कमीशन के बारे में ज्यादा नहीं कहना चाहूँगा। केवल यही कहूँगा कि जो मैनेजिंग एजेन्सी सिस्टम है इसके साथ यह कहते हैं कि सेक्रेटरी बना दें, खजान्ची बना दें वह जो यह कहते हैं कि खजान्ची और सेक्रेटरी रखे जाने चाहिए तो मेरा कहना है कि यह तो बड़ी पुरानी शराब को मद्ध नई बीतलों में रखने की बात कही गई है। मैं समझता हूँ कि इस मैनेजिंग एजेंसी रूपी शराब के कारण हमारे मुल्क का बहुत नुकसान हुआ है और इसके कारण से देश में आर्थिक असमानता और अधिक बढ़ी है। अमीर और गरीब के बीच की खाई इससे और अधिक चौड़ी हुई है। इस मैनेजिंग एजेंसी सिस्टम का परिणाम बड़ा घातक हुआ है और तमाम देश की दौलत चन्द एक हाथों में सिमट कर रह गई है और इसलिए यह जो उनकी तरफ से खजान्ची और सेक्रेटरी रखने का सुझाव आ रहा है यह उसी पुरानी शराब को नई बीतलों में रखकर पेश करने का प्रयत्न किया जा रहा है। जैसा मैंने अभी कहा इस शराब के जरिये अमीर और गरीब का फर्क बढ़ता चला गया है और वह और अधिक बढ़ता चला जायगा। यह बात बिल्कुल स्पष्ट है कि अगर हमें इस आर्थिक असमानता को दूर करना है, अमीर व गरीब की चौड़ी खाई को पाटना है तो हमें इस मैनेजिंग एजेंसी सिस्टम की लानत को देश से खत्म करना होगा। मैं चाहूँगा कि सरकार के ऊपर स्वार्थी तत्वों द्वारा, पूंजीपति



[प्रेम चन्द वर्मा]

वर्ग द्वारा किसी तरह का दबाव इसे किसी न किसी रूप में जारी रखने का यदि लाया जाय जोकि लाया ही जायगा, तो सरकार उसके अक्षर में कदापि न आये। सरकार इस तरह के किसी भी सुझाव को मानने से साफ इंकार कर दे कि इस बिल को ज्वाइंट सेलैक्ट कमेटी के सुपुर्द किया जाय क्योंकि वह महज इस लानत को ज्यादा से ज्यादा देर तक बनाये रखने की कोशिश है। सरकार को बिना देरी किये इस बिल को पास कर देना चाहिए।

इसके साथ ही साथ मैं एक बात और कहना चाहूंगा। मेरे पास आंकड़े मौजूद हैं और अगर मैं उनको सदन में रख दूँ तो माननीय सदस्य हैरान रह जायेंगे। उधर के लोगों द्वारा आये दिन हम कांग्रेस वालों पर जो यह इलजाम लगाया जाता है कि कांग्रेस पार्टी को कम्युनिज से बहुत पैसा मिला करता है अगर मैं उन्हें आंकड़ों के द्वारा यह सिद्ध करके बतलाऊँ कि सन् 1967 के चुनाव में कांग्रेस पार्टी की अपेक्षा दूसरी पार्टियों को ज्यादा पैसा मिला है तो आप लोग हैरान हो जायेंगे। यह बात मैं दावे के साथ कह रहा हूँ और अगर जरूरत हो तो मसानी साहब और मैं बैठ जायेंगे और मैं नाम वार इसकी तफसील उन्हें बतला दूंगा कि कांग्रेस पार्टी के मुकाबले उन पार्टियों को ज्यादा पैसा कैसे मिला है। मेरे पास नाम सहित सारा विवरण मौजूद है...

SHRI S.K. TAPURIAH (Pali): If he has made a statement, let him prove it. Why does he want a private hobnobbing with Mr. Masani? If he is truthful, let him give the figures.

श्री प्रेम चन्द वर्मा : मैं कह रहा हूँ कि हम और वह बैठ जायेंगे और मैं उन कम्पनियों के नाम उन्हें मय तारीखों के बतला दूंगा कि किस-किससे किस-किस तारीख को इतना पैसा मिला है। वह जो अपने को दूष का धुला हुआ मानते हैं हकीकत यह है कि उनको हमारे मुकाबले अधिक पैसा चुनावों के दौरान मिला।

वह पैसा जो उन्हें मिला वह केवल ड्राफ्टों और चेकों के जरिये ही नहीं उन्हें दिया गया बल्कि अलग से भी। चेकों के तो मैं नम्बर तक बतला सकता हूँ। यहां तक मैं बतला सकता हूँ कि वह किस-किस बैंक में कैश हुए हैं? मेरे इधर के दोस्त इस बात को छोड़ दें तो अच्छा होगा क्योंकि मैं कीचड़ नहीं उछालना चाहता लेकिन अगर वह फैंक्ट्स एंड फीगर्स पर आयेंगे तो मैं अथारिटी के साथ कह सकता हूँ कि आप लोगों को हमारे मुकाबले कम्पनियों से अधिक पैसा मिला है। लेकिन जैसा मैंने कहा मैं यह कीचड़ नहीं उछालना चाहता और उचित यही होगा कि जो विधेयक इस समय पेश है उसी के मुतालिक हम लोग बातचीत करें। मैं अपने उन मित्रों से कहूंगा कि कांग्रेस को इस बारे में बदनाम करने से पहले वह खुद अपनी चारपाई के नीचे झाँककर देख लें कि वहाँ पर तो गड़बड़ नहीं है। मुझे मानूम है कि उनके वहाँ काफी गड़बड़ मौजूद है। पिछले दो साल में मैंने इस बारे में काफी फैंक्ट्स एंड फीगर्स इकट्ठा की हैं और उपाध्यक्ष महोदय अगर चाहें तो मैं उन्हें उनके कमरे में बैठकर वह सब बतला दूंगा। वहरहाल मैं इस बात को यहीं पर छोड़ता हूँ।

इसी के साथ-साथ मैं यह कहना चाहूंगा कि सरकार जो यह कानून बनाने जा रही है वह बिला शक एक उचित व सराहना योग्य कानून है लेकिन उसे इस बात पर भी ध्यान देना चाहिए कि इस पर भ्रमल भी ठीक तरीके से हो और इस कानून को इस तरीके से उचित रीति से लागू कराया जाय ताकि इसमें किसी प्रकार की खराबी न रह जाय। और जिन बातों से आज हम राजनीतिज्ञों के तौर पर बदनाम हैं, यानी यह कि हम सरमायेदारों से पैसा लेते हैं और पार्लियामेंट में चले जाते हैं, मैं समझता हूँ कि उनसे हम को दूर रहना चाहिये। अगर हमें इस सदन की शान को बरकरार रखना है, अगर हमको हिन्दुस्तान की लोक सभा में या राज्य सभा में 55 करोड़ लोगों की नुमाइन्दगी करनी है, तो जब हम यहां आते हैं तब हम कम से कम

इस बात का जरूर ध्यान रखें कि जितने भी सदस्य यहां आते हैं वह सरमायेदारों के पैसे पर नहीं आते हैं बल्कि अपने बलबूते पर आते हैं, जनता हमको चुनकर भेजती है, हम दौलत के बल पर यहां नहीं आते, सरमायेदारों के बल पर नहीं आते हैं। अगर हम दौलत के बल पर यहां आते तो यहां डिमाक्रेमी नहीं होती। तब यह होता कि पूंजीपति सारे समाज पर कब्जा कर लेते और समाज की बागडोर उनके हाथ में होती। तब सारे पूंजीपति कह सकते कि जितने एम पीज हैं सब हमारी जेब में हैं। किसी भी पार्टी का मेम्बर हो, अगर कोई सरमायेदार उसके लिये कहता है कि पार्लियामेंट के मेम्बर हमारी जेब में हैं, यह हमारे लिये शर्म की बात है और इस सदन की शान के खिलाफ है।

मैं समझता हूँ कि अगर इस देश की सरमायेदारी निजाम को खत्म करना है और पुरानी परम्पराओं को खत्म करना है तो मॅनेजिंग एजेन्सी सिस्टम और पार्टीज के चन्दे बन्द होने चाहिये। मैं इस विधेयक का समर्थन करता हूँ और हाउस से रिक्वेस्ट करता हूँ कि वह उसको सर्वसम्मति से पास करे।

**श्री प्रकाशबीर शास्त्री (हापुड़) :** उपाध्यक्ष महोदय, किसी अन्य माननीय सदस्य के भाषण आरम्भ करने से पहले मैं निवेदन करना चाहता हूँ आपकी मार्फत अपने मित्र श्री वर्मा से कि वह कांग्रेस पार्टी के मिनिस्ट्रों को भी सलाह दें कि जब वह प्रश्नों के उत्तर दें तो इस तरह से दें जिससे उनको कोई दिक्कत न हो। 1967 के चुनावों के बाद से आज तक के चन्दों के बारे में उत्तर देते हुए श्री फखरुद्दीन अली अहमद ने कहा था कि कांग्रेस को 66 लाख और स्वतन्त्र पार्टी को 20 लाख रुपये मिले। मंत्री लोग इस तरह के उत्तर न दें, जिनसे वह स्वयं फंस जायं।

**श्री प्रेमचन्द वर्मा :** असल बात यह है कि सरमायेदार जान-बूझ कर जो चन्दा कांग्रेस पार्टी को देते हैं उसकी इन्फार्मेशन देते हैं,

दूसरों के बारे में सारी इन्फार्मेशन को खा जाते हैं। (व्यवधान)

**श्री शशि भूषण (खारगोन) :** सरमायेदार व्हाइट मनी का जो चन्दा देते हैं उसकी खबर देते हैं लेकिन वह दूसरी पार्टियां को जो ब्लैंक मनी का चन्दा देते हैं उसकी खबर नहीं देते। (व्यवधान)

एक माननीय सदस्य: वह भी कह रहे हैं कि कांग्रेस को चन्दा मिलता है।

**श्री कंबरलाल गुप्त (दिल्ली सदर) :** उपाध्यक्ष महोदय, मैं मंत्री महोदय को बघाई देना चाहता हूँ कि उन्होंने सदन के सामने यह विधेयक रक्खा है। मुझे आशा नहीं थी क्योंकि जो विधेयक पिछले सेशन में आना चाहिये था और पास होना चाहिये था, वह पिछले सेशन में नहीं आया। क्यों नहीं आया? क्योंकि मिड टर्म-पोल थे और इस पार्टी को बड़े-बड़े सरमायेदारों से चन्दा लेना था। इसकी वजह से यह पोस्टपोन किया गया। अब चूँकि मिड-टर्म पोल समाप्त हो गये, इस लिये अब उसके बाद यह आया है। लेकिन यह आज भी आ गया, इसके लिये मैं मंत्री महोदय को बघाई देना चाहता हूँ।

अभी श्री वर्मा ने कहा कि कांग्रेस वाले सरमायेदारों के पीछे नहीं हैं। मुझे मालूम नहीं कि वह कौनसी कांग्रेस का जिक्र कर रहे हैं। कई तरह की कांग्रेस हैं। मैं कांग्रेस के अध्यक्ष श्री निजलिंगप्पा के विचार आपके सामने रखना चाहता हूँ।

“On 4th November, 1968, the Congress President, Shri Nijalingappa, opined, ‘any blanket ban on company donations is likely to result in malpractices, under-table dealings and corruption’ and further stated, ‘there is nothing wrong in political parties accepting company donations as long as these are willingly given.’”

मैं जानना चाहता हूँ कि वर्मा किस कांग्रेस के मेम्बर हैं। क्या वह उसी कांग्रेस के मेम्बर

**[श्री कंबर लाल गुप्ता]**

हैं जिसके अध्यक्ष श्री निर्जालगप्पा हैं या कोई और काग्रेस है ?

इतना ही नहीं, श्री एस० के० पाटिल, अतुल्य घोष और कांग्रेस वकिंग कमेटी के आघे से ज्यादा मेम्बर हैं जिन्होंने इस बात का विरोध किया है कि ब्लैकट बैं कम्पनियों पर लगाया जाय। जब कांग्रेस वकिंग कमेटी में यह सवाल आया और उन्होंने प्रधान मंत्री को दबाया तब प्रधान मंत्री ने भी यह कहा कि हम इस पर पुनर्विचार करेंगे।

**एक माननीय सदस्य :** दबाव डाला।

**श्री कंबर लाल गुप्त :** दबाव डाला, यह कहना ज्यादा उचित है।

मैं मंत्री महोदय को बघाई देना चाहता हूँ कि उन्होंने इस बिल को यहां ऐसे अवसर पर उपस्थित किया है जबकि कांग्रेस वकिंग कमेटी, कांग्रेस प्रधान और स्वयं प्रधान मंत्री भी डांवा-बोल हो रहे थे, उनका दिल डांवाडोल हो रहा था। इसको यहां लाने के लिए मंत्री महोदय सचमुच बघाई के पात्र हैं।

कांग्रेस कैसे चलती है, इसका नमूना आप देखें। कांग्रेस संगठन एक तरफ जा रहा है और कांग्रेस की सरकार दूसरी तरफ जा रही है। अच्छा हो ये दोनों एक ही रास्ते पर चलें।

इस बिल के उद्देश्य के बारे में कोई दो रायें नहीं हो सकती हैं। अजर देश में प्रजातंत्र को चलाना है तो इस बात को स्वीकार नहीं किया जा सकता है कि कुछ लोग पैसे के जरिये लोगों की भावनाओं को, लोगों के जमीर को खरीदकर जिस रास्ते पर देश को चलाना चाहते हैं चलायें, जिस रास्ते पर उसको चलाना ठीक समझते हैं, उस रास्ते पर चलायें। कुछ लोग जिनके पास धन है, सम्पत्ति है वे राजनीति को कुरप्ट करें, भ्रष्ट करें, इसकी आज्ञा किसी भी प्रजातंत्रीय देश में किसी भी व्यक्ति या व्यक्तियों के समूह को नहीं दी जा सकती है। उपाध्यक्ष महोदय, आप तो जानते ही हैं

कि अमरीका में भी इलैकशंज पर बहुत पैसा खर्च होता है। वहाँ पर भी इस पर पाबन्दी लगाई गई है। लेकिन उसके बावजूद वहाँ काफी पैसा खर्च होता है। यहां जो पाबन्दी अब लगाई जा रही है इसको बहुत पहले लगा देना चाहिए था। लेकिन आप देखें कि ये पाबन्दी कब लगा रहे हैं ? उस वक्त लगा रहे हैं जब कांग्रेस खत्म हो रही है, जब उसको पैसा मिलना आहिस्ता-आहिस्ता कम हो रहा है। बन्द हो रहा है, यह मैं नहीं कह सकता हूँ लेकिन कम जरूर हो रहा है।

उपाध्यक्ष महोदय क्लब की ही बात है कि गूजर मल्ल मोदी को टायर का लाइसेंस दिये जाने बारे में सवाल किया गया था। श्री मोदी को पद्म विभूषण की उपाधि से भी सम्मानित किया गया था। कल यह आरोप लगाया गया था कि मिड टर्म पोल में पाँच लाख रुपया कांग्रेस को दिया गया था और इसके बारे में सवाल पूछा गया था। इसके जवाब में यह कहा गया कि हमने लाइसेंस पैसे के लिए तो नहीं दिया। लेकिन मंत्री महोदय ने यह नहीं बताया कि उन्होंने पैसा दिया था या नहीं दिया था। मैं जानना चाहता हूँ कि उन्होंने कांग्रेस को लाखों रुपया इस मिड टर्म पोल में दिया या नहीं दिया ? क्या उन्होंने केन्द्रीय नेताओं को अलग और राज्य के नेताओं को अलग नहीं दिया ? दो तरफ से लाइसेंस लेने के लिए पूजा करनी पड़ती है। लाइसेंस के लिए दो तरफ से रिकोमेंडेशन होना जरूरी है। स्टेट गवर्नमेंट को भी रिकोमेंड करना पड़ता है और सेंटर को भी करना पड़ता है। दोनों पुचारियों की पूजा होती तब लाइसेंस मिलेगा। मैं चाहता हूँ कि इसका स्पष्टीकरण हो। अगर यह कहा जाए कि पूजा नहीं हुई तो इनको चाहिए कि ये चेलेज करें कि कांग्रेस को उनसे धन नहीं मिला।

इतना ही नहीं, मैं बड़ी जिम्मेदारी से कहना चाहता हूँ कि इस मिड टर्म पोल में सी० पी० डब्ल्यू० डी० के ठेकेदारों को गवर्नमेंट

के इंजीनियरिंग ने बुला-बुलाकर यह कहा कि आप कांग्रेस को चन्दा दें। इन ठेकेदारों ने पेईज एकाउंट के चैक आल इंडिया कांग्रेस कमेटी के नाम दिये हैं। एक ठेकेदार ने नहीं बहुत ठेकेदारों ने दिये हैं। मैं चाहता हूँ कि आप इसकी इन्क्वायरी करें।

MR. DEPUTY-SPEAKER: The hon. Member may resume his speech on the next occasion.

श्री शक्ति भूषण : क्या यह आज खत्म हो गया है ? हम भी दिल्ली जन संघ के बारे में बताने वाले थे।

MR. DEPUTY SPEAKER: It is not over. It is to be continued.

17.30 hrs.

[SHRI GADILINGANA GOWD in the Chair]

#### BUSINESS ADVISORY COMMITTEE THIRTY-SIXTH REPORT

THE MINISTER OF PARLIAMEN-  
TARY AFFAIRS, AND SHIPPING AND  
TRANSPORT (SHRI RAGHU RAMAIAH):  
I beg to present the Thirty-sixth Report of  
the Business Advisory Committee.

SHRI SEZHIAN (Kumbakonam) :  
What is the recommendation? Is there any  
change in the programme now?

SHRI RAGHU RAMAIAH: Tomorrow  
it will come before the House. For  
tomorrow it will be planning discussion. It  
has already been announced.

17.30 hrs.

#### HALF-AN-HOUR DISCUSSION

PENDING APPLICATIONS FOR SCOOTERS  
AND CARS.

SHRI S. S. KOTHARI (Mandsaur):  
The Government's policy regarding scooter  
manufacture is characterised by procrastina-  
tion sluggishness, and red-tape. The

Ministry is reluctant to part with licences  
as a miser is reluctant to part with his  
gold. This is the position. The delay of  
about 4 years in the issuance of licence for  
scooters indicates that the Government is not  
interested in establishing new scooter  
factories. It wants to perpetuate the short-  
age. That is the only conclusion that can  
be drawn.

Sir, it is stated that it takes more time  
to obtain an industrial licence in this country  
than to establish an industry in Japan or  
West Germany. That is the deplorable  
state of affairs which is existing today. If  
you criticise other Ministries, they at least  
go through what is stated and try to rectify  
matters, but this Ministry is impervious to  
criticism and does not want to learn from  
past mistakes they go on perpetuating the  
mistakes.

About the demand for scooters, I have  
the figures with me, which show that in  
1964, there was a registered demand of about  
1.5 lakh scooters, which rose to 2.5 lakhs in  
1968 about 3 lakhs in 1969, that is, at pre-  
sent. Yet, in 1964, the Ministry, in its  
wisdom, decided to ban the licensing of new  
units. In March, 1965, the Ministry woke  
up from its slumber and decided to invite  
applications from new entrepreneurs for  
licences to establish new scooter factories.  
The response was excellent. A total of 191  
applications for industrial licences was recei-  
ved. The Ministry dilly-dallied with those  
applications and after 2 or 3 years, 70 appli-  
cations were selected. Later on, some mathe-  
matical genius in the Ministry reduced the  
selected applications from seventy to seventeen.  
So, these seventeen were selected. In March,  
1968, when the Ministry felt that they could  
not delay any further, they decided to select  
3 out of 17 applications. Further there were  
more of discussions, more committees were  
appointed, licensing committees, sub-com-  
mittees and so on. And then they became  
wiser and decided to issue one license for the  
establishment of a factory for 50,000 scooters.

Then, the funniest part is this that even  
that decision had to be reconsidered. They  
have invited the various applicants to send  
their representatives. The licensing com-  
mittee would re-examine the whole situation  
and it may take another 3 or 4 months