

kisans. Therefore, I would suggest that you may be good enough to order that this Bill should be advertised in all the local language papers so that the public would be able to know the contents of the Bill; if it is published only in the official Gazette, it would not be possible for them to know the contents of the Bill. Therefore, I request you to take action on these lines.

**Shri Warior** (Trichur): This Bill had been postponed for the last two sessions. So, I humbly submit that its passing should not be postponed any further.

**Shri Krishnamoorthy Rao:** So far as the copies of the Bills and Acts are concerned, they have been printed. Copies are being distributed to Members of Parliament, apart from laying them on the Table. Those Members who are interested in them can certainly collect the copies.

**Shri Ranga:** What about the Bill itself?

**Shrimati Renu Chakravartty:** In the case of all Select and Joint Committees, copies of Bills are supplied to all Members who are interested in them.

**Mr. Speaker:** Regarding the points raised by Shri Ranga, so far as directions by the House to the Committee are concerned, they can be given at the time when the Bill is being referred to the Select Committee or at the time when the Bill is sent back to the House by the Committee. The Speaker can give directions if he thinks that there are certain things required to be done at any time. Shri Ranga wants that I should direct that the Committee should go round the country and take evidence. I may inform him that in an earlier occasion when Shrimati Renu Chakravartty was the Chairman of the Select Committee, such a request was brought to me but I refused it.

**Shri Ranga:** But this is a constitutional amendment.

**Mr. Speaker:** I know that. But I cannot agree that the Joint Committee should go round the country and try to collect evidence. Those witnesses who desire to appear before the Committee should come forward with their evidence. They can send in written memoranda or appear before the Committee in person. Every facility would be provided to them for that. So, I cannot accede to that request in this case also.

Now, I am going to put the amendment to the vote of the House. The question is:

“That the time be extended only up to 1st December, 1963”.

*The motion was negatived.*

**Mr. Speaker:** Now, the question is:

“That the time appointed for the presentation of the Report of the Joint Committee on the Bill further to amend the Constitution of India, be extended up to the last day of the first week of the next session.”

*The motion was adopted.*

12.34 hrs.

MOTIONS RE: COMMITTEE ON PUBLIC UNDERTAKINGS—contd.

**Mr. Speaker:** The House will now take up further consideration of the following motions moved by Shri Nityanand Kanungo on the 21st September, 1963, namely:—

I. (1) “That a Committee of this House to be called the Committee on Public Undertakings be constituted with ten members who shall be elected from among the members of this House according to the principle of proportional representation by means of the single transferable vote.

[Mr. Speaker]

(2) That the functions of the Committee shall be:

- (a) to examine the reports and accounts of the Public Undertakings specified in the Schedule;
- (b) to examine the reports, if any, of the Comptroller and Auditor-General on the Public Undertakings;
- (c) to examine, in the context of the autonomy and efficiency of the Public Undertakings, whether the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices; and
- (d) such other functions vested in the Public Accounts Committee and the Estimates Committee in relation to the Public Undertakings specified in the Schedule by or under the Rules of Procedure and Conduct of Business of this House as are not covered by clauses (a), (b) and (c) above and as may be allotted to the Committee by the Speaker from time to time.

Provided that the Committee shall not examine and investigate any of the following matters, namely:

- (i) matters of major Government policy as distinct from business or commercial functions of the Public Undertakings;
- (ii) matters of day-to-day administration;
- (iii) matters for the consideration of which machinery is established by any special statute under which a particular public undertaking is established.

(3) That the members of the Committee shall hold office for a period of five years:

Provided that one-fifth of the members shall retire every year by rotation and the members to retire by rotation every year shall be those who have been longest in office since their last election but as between members who were elected on the same day, those who are to retire shall be determined by lot.

(4) That in other respects the Rules of Procedure of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make.

#### SCHEDULE

##### (List of Public Undertakings)

##### Part I

(Public Undertakings established by Central Acts)

1. The Damodar Valley Corporation
2. The Industrial Finance Corporation
3. The Indian Airlines Corporation
4. The Air India International
5. The Life Insurance Corporation
6. The Central Warehousing Corporation
7. Oil and Natural Gas Commission.

##### Part II

(Public Undertakings which are Government Companies formed under the Companies Act)

Every Government Company whose annual report is placed before the Houses of Parliament under subsection (1) of Section 619A of the Companies Act, 1956, other than the

Public Undertakings included in Part III hereof.

Part III

1. Hindustan Aircraft Ltd., Bangalore
2. Bharat Electronics Ltd., Bangalore
3. Mazagon Docks Ltd., Bombay
4. Garden Reach Workshop Ltd., Calcutta."

II. That this House recommends to Rajya Sabha that Rajya Sabha do agree to nominate five members from Rajya Sabha to associate with the Committee on Public Undertakings and on the constitution of the said Committee to communicate to this House the names of the members so nominated by Rajya Sabha."

श्री राम सेवक यादव (वाराणसी) : अध्यक्ष महोदय, इसके लिए कितना समय रखा गया है ?

अध्यक्ष महोदय : समय के बारे में अभी तक कोई निर्णय नहीं किया गया है हम देखेंगे कि डिबेट कैसे चलती है ।

श्री हरि विष्णु कामत (होशंगाबाद) : दस घंटे होने चाहिए ।

अध्यक्ष महोदय : अगर हाउस कोई समय मुक़रर करना चाहता है, तो मुझे कोई एतराज नहीं है ।

श्री बजरंग सिंह (बरेली) : अध्यक्ष महोदय, समय पहले तय किये बगैर बड़ी परेशानी हो जायगी । इस प्रकार डिबेट ठीक तरह से कैसे चल सकेगी ?

अध्यक्ष महोदय : चल सकती है । हाउस को अख़्तियार है कि वह जब चाहे, समय मुक़रर करे । श्री कानूनगो ।

The Minister of Industry (Shri Kanungo): Mr. Speaker, I have had

the privilege of moving these two motions on the 21st September 1963. These motions have a chequered history. A similar motion was moved on 24th November 1961. The general election intervened in January 1962 and the present Lok Sabha came into existence after the general elections. A notice of a motion was put on the agenda on 28th August 1962 but was subsequently withdrawn and today I have the privilege of moving a motion which, I hope, will meet with the approval of the House.

It may be recalled that there was a debate in the Lok Sabha in December 1953 on a Private Members' Bill, the Public Finance Control Board Bill. The sixteenth report of the Estimates Committee also dealt with this question at length. The late Speaker, Shri Mavalankar addressed a letter to the Prime Minister, and I seek the indulgence of the House to quote extracts from the same:

"During the recent debate in the House on Parliamentary Control over autonomous and semi-autonomous corporations etc., there was a general feeling that a Standing Parliamentary Committee might be appointed to see from time to time how these corporations etc. were working and to make suggestions for improvements. Subsequently, I received a letter signed by fifteen members suggesting that I should consider the question of the appointment of such a Committee. It appears that the Finance Minister was agreeable in principle to the appointment of such a Committee.

I referred the letter to the members of the Rules Committee for their consideration. The Rules Committee have suggested that there is no harm if a separate Committee is appointed with limited functions, such as to examine reports and the working of such bodies after the reports are pre-

[Shri Kanungo]

presented to or are otherwise circulated to members and on matters concerning their organisation, working and administration. The proposed Committee will not go into the problems of day to day administration of such corporations, but would only consider questions of policy and their working broadly.

It is conceded that Parliament should have sufficient control over such bodies. The question is only how it should be ensured. To my mind, asking of questions or raising discussions on the working of such bodies by the whole House is neither desirable nor practicable. The corporations must be left free in their day to day administration and Ministers should not be called upon to answer detailed questions or discussions in the House except on such occasions when questions of some general policy have to be raised or discussed. It is also clear that the Estimates and the Public Accounts Committees are already over-burdened with the work assigned to them and find very little time to go into the working of Corporations. I have also other practical difficulties. Members are tabling a large number of questions, resolutions and giving notices of discussions relating to these corporations. At present, they are disallowed on the plea that as these corporations have their own constitutions and have a certain amount of autonomy, various Ministers are not directly concerned with the detailed aspects of the matter and, therefore, they should not be called upon to answer them in the House. A large number of notices are, therefore, disallowed and this is causing an avoidable dissatisfaction among the members. A *via media* has to be found, whereby, members are made to feel that their

legitimate grievances are not being throttled and there are safeguards from the parliamentary point of view.

As the matter has cropped up several times in the House and there is a feeling about it, I see no harm in agreeing to the recommendations of the Rules Committee for the constitution of a separate Committee on autonomous bodies, with functions as specified in para 2 above. The Committee will, of course, work under my directions and it will be my effort to see that they do not stray beyond the functions assigned to them or cause day to day interference."

Hon. Members will notice that the motion which I have the privilege of moving is almost the same as the previous motions except that the following portions have been dropped:

- (1) Second proviso to para 2 which reads "provided further that with regard to the public undertakings specified in Part III of the schedule, the Committee shall not adopt or pursue any procedures which are not consistent with the interests of security".
- (2) That the Committee shall have the power to examine witnesses so however that such examination shall take place in the presence of the representatives of the Ministries concerned.
- (3) That as from the constitution of the Committee, the Estimates Committee and the Public Accounts Committee shall cease to exercise their functions in relation to the public undertakings specified in the schedule and steps shall be taken separately to make separate amendments to

the Rules of Procedure and Conduct of Business of this House.

Hon. Members will notice that the Schedule is divided into three parts and Part III enumerates four undertakings, i.e., Hindustan Aircraft, Bharat Electronics, Mazagon Docks and Garden Reach Workshop. These establishments are almost wholly concerned with production for purposes of defence and as such an examination of their affairs has to be conducted with due regard to the overriding requirements of security. This purpose can be achieved as well and perhaps better when the Committee prescribe their rules under rule 282 of the Rules of Procedure of Lok Sabha or as the hon. Speaker may direct from time to time under rule 283 of the Rules of Procedure.

A part in the Schedule is maintained separately so that when any other establishment is set up in this category it may be added in this part.

Regarding the procedure for examination of witnesses and ensuring the presence of representatives of concerned ministries at such examination, the purpose can be achieved by the directions of the hon. Speaker:

Para 2(d) of the Motion provides that the functions of the Public Accounts Committee and the Estimates Committee in relation to the public undertakings will be the responsibility of this Committee. The purpose is that duplication and overlapping of functions should be eliminated and the management of the undertakings and Government need not be examined on the same matters twice over. At present we cannot foresee where the areas of duplication or overlapping would arise. This can be observed only by experience when the Committee gets into its stride. Therefore, it is considered prudent to leave the resolution of any problems of this nature to the directions of the hon. Speaker.

Several hon. Members of Parliament of both Houses have expressed their concern at the delay in setting up of this Committee. As far as Government is concerned they had accepted the necessity of setting up a Special Committee for Public Undertakings and in pursuance of that decision had moved a motion in November 1961. In earlier debates the desirability of setting up a Special Committee had been expressed. The utility of such a committee has been expressed in the following terms by a member of the House of Commons in the United Kingdom:—

“Another important effect of a Select Committee should be to elucidate the principal issues and direct attention to them. It is a familiar defect of House of Commons debates on wide topics, that the speeches deal with diverse matters, and there is often no thread of continuity or even a meeting of minds. One speaker may discuss export difficulties, the next may expatiate upon some new safety device in the industry which he thinks should be compulsory, the next may ask about the industry's long term development programme, the next may criticise disparities between wage rates. A general discussion of a nationalised industry could easily degenerate into one of these rambling and discursive debates, with many speeches delivered primarily for constituency consumption. Usually the House is at its best in debating a Bill or other documents which specifies a limited number of issues upon which Parliament has to pronounce. The simplest way to obtain the same precision would be to base the debate upon the matter contained in the Select Committee's report. Parliament has learnt by experience that in order to supervise administration it is necessary to appoint a small committee with power to send for persons and papers—a procedure which would enable the whole

[Shri Kanungo]

matter to be investigated by calling witnesses and cross-examining them."

It would be a mistake for the Estimates Committee to undertake this work of investigating the nationalised industries. It already has enough work to do, and, moreover, it would almost inevitably apply the methods used in the case of government departments to the Boards, thereby destroying the flexibility of the Board method of administration. Both the Public Accounts and the Estimates Committees should, in fact, keep clear of the nationalised industries.

In a careful study of the problems of parliamentary control over public undertakings by a group of Members which included the late Feroze Gandhi who has been universally acknowledged as a great parliamentarian, as also Shri Mahavir Tyagi and Shri Dasappa the following views were expressed:—

"We look forward to the situation where this Committee while by no means being an Expert Committee (such is not the intention), would be a well informed Committee, informed of all the circumstances in which the concerns function. The purpose of our recommendation would be adversely affected if either the Committee of Parliament becomes imbued with the feeling that it is a fault finding body or that it is a Super Board of Management. At the same time there cannot be any fettering of its judgment and the expression of its views in good parliamentary traditions. The Committee would also no doubt, bear in mind that any public expressions of views which are intended to correct errors or to provide greater incentives in respect of any concern or all of them are not of such a character as would have the opposite result of lowering the concern in public estima-

tion or affect our credit or capacity to be well regarded abroad.

Parliamentary control will become more real with the knowledge that Parliament will be concerned more with policy and with the advancement of the objectives of production as a whole and that it would take a long term view rather than concern itself with the minutiae of administration. It would not be the intention of Parliament....".

श्री किशन पटनायक (सम्बलपुर) :  
अध्यक्ष महोदय, माननीय मंत्री जीवां हुई  
स्पीच पढ़ रहे हैं।

**Shri Kanungo:**

"It would not be the intention of Parliament that its control should be, or should appear, as a challenge or hindrance to the initiative of the man at the bench or at the desk. Parliament would desire its control to be real and gainful. The knowledge in the public mind and even more of those immediately concerned, that Parliament is jealous of the standards of public conduct, which includes industrial conduct and that any serious breaches of them irrespective of the immediate content involved would attract parliamentary attention is at once a wholesome corrective and an inspiration.

One of the more important factors in Parliamentary intervention being at the optimum is that Parliament should be well informed. It has been said that

'A well informed Parliament would choose to interfere as little as possible in their (nationalised undertaking) day-to-day working'.

The proposed Committee would be the new machinery for this purpose. Its composition should be the concern of Parliament not only from the point of view of immediate political advantage or

of patronage but in terms of long-term vision and in the hope that this Committee would lay down a tempo both of the required vigilance and the restraint and take itself seriously. It may be hoped that Parliament by its own approach will also encourage both initiative and long term planning in Government concerns. In regard to both these, the Government undertakings are normally backward or very shy".

The members of such a Committee will be elected by Parliament much in the same way as the Public Accounts and the Estimates Committees are elected. These two committees, therefore, will cease to perform their present functions in regard to the working of the concerns that come under the proposed committee.

Mr. Butler as Leader of the House of Commons in introducing a similar motion, gave a lead on the guidance that the House wished to give to the Committee:—

"The reports and accounts reveal wide range of subject matters all affecting the finances and efficiency and scope of the industries which the Committee can usefully consider. But at its two extremes—namely where the issues involved are purely matters of day-to-day administration at the one extreme, and at the other where they are matters of major government, as distinct from commercial, policy—it is surely right that the Committee should not seek to trespass upon the authority of these bodies respectively responsible, namely, in the one case the Corporations themselves and in the others, the Ministers of the Crown."

It took more than five years for the British House of Commons to set up a committee of this nature which is proposed now. It is curious that the leaders of the Labour Party were not in favour of setting up such a committee. Their main argument was

that the enquiries of such a committee would inhibit initiative, enterprise and necessity of taking commercial risks, by the management boards, and thus the very purpose of setting up these enterprises would be defeated. However, the working of the Committee for more than four years has belied those apprehensions. The reports of the Committee have steered clear of the two extremes mentioned by Mr. Butler and have been found to be a very useful basis for the debates in the House.

However, we have to remember that conditions in the UK and in our country are entirely different. For one thing the enterprises which were taken over by Government for management like transport, power production, coal etc., had been working for several decades under private ownership. The general industrial climate and experience of management was highly developed compared to our country. And all the public undertakings in the UK are governed by special statutes enacted by the Parliament.

In our country, barring seven corporations established by statute of Parliament all the rest of the undertakings have been set up as limited companies governed by the Companies Act and their number today is, I believe, 52 and more are being added up every year. The Companies Act is a fairly exhaustive piece of legislation as far as regulation of management of companies is concerned and all Government companies have got to conform to all the regulations. Besides there is a special chapter which is applicable to Government companies only. It is obligatory on Government companies to prepare their annual reports and audited accounts within specified time limits for submission to both Houses of Parliament. The accounts of the companies are audited by auditors appointed on the advice of the Auditor General and the Auditor General has powers to give instructions to the

[Shri Kanungo]

auditors so appointed, and also he has the power to conduct supplementary or test audit of the companies' accounts. Therefore, there is double check on most of the public undertakings in our country.

Further, the autonomy of the public undertakings in our country is ensured by the company form of organisation inasmuch as the Government, though they are hundred per cent shareholders in the companies than an ordinary shareholder in any ordinary company in our country. Of course, the Government is responsible for the appointment of the Boards of these companies and also for the memorandum of association which lays down the extent and limitation of the operation of the companies and any amendment of the same. Government comes to the Parliament from time to time when additional capital has to be invested in the companies but those occasions are rare.

At present annual reports and accounts of 60 undertakings are placed before both Houses of Parliament every year. The number is likely to increase from year to year. Even now it is difficult to find time in the tight schedule of both Houses for discussion of more than four or five reports per year. It would be certainly useful if the House is helped by reports of the Committee which is being proposed now. The Committee will analyse reports and accounts of the particular undertakings which it takes up in a year and by seeking further information and discussions with the Board of Management of the undertakings would highlight the problems and points to which the members of the Houses can devote their attention in the debates that would follow. Thus the Parliament will keep itself informed through its Committee of the progress or regress of public undertakings and by its comments and criticism encourage and stimulate the efforts of the Boards of Management for better performance.

To enable the members of the Committee to discharge their responsibilities to both Houses of Parliament, it will be desirable that the members of this Committee are able to function for sufficient length of time to get themselves familiar with the problems which are intricate. Therefore, it has been proposed that the tenure of membership of such Committee should be five years....

**Shri Tyagi** (Dehra Dun): Sir, I just want to have a clarification. How could it be for five years?

**Mr. Speaker:** For the life of the Parliament.

**Shri Tyagi:** How will the tenure of five years continue? We have a tenure of three years only. Now it is being made five years.

**Shri Kanungo:** I am coming to it.

**Mr. Speaker:** The Minister says, he is coming to it.

**Shri Tyagi:** I want a clarification. The Members of the Committee shall hold office for five years provided that one-fifth of the Members shall retire every year. Even if in the beginning of Parliament it is elected, the Member who will retire after the fourth year cannot continue for five years. This is something illogical.

**Shri Kanungo:** All the illogical aspects can be pointed out in the course of the debate. I have mentioned five years because this is co-terminus with the term of the House itself.

Therefore, it has been proposed that the tenure of membership of such Committee should be five years. It is hoped that a convention will be built up that whenever a vacancy occurs by rotation the representation of various parties should not be disturbed.



A word about the second motion inviting the member of Rajya Sabha to associate with this Committee. Lest the phraseology of the motion might be misunderstood, I would make it clear that the wording of the motion is exactly the same as the motion which is made for inviting members of the Rajya Sabha to the Public Accounts Committee. It has been made clear by the Hon. Speaker of the Lok Sabha and the Chairman of the Rajya Sabha that the membership of the Public Accounts Committee for members of either House carries the same responsibility without any difference.

**Shri Tyagi:** The Rajya Sabha does not dissolve.

**Shri Kanungo:** Therefore, the membership of this Committee will be on same terms, that is, without difference or distinction but subject to the jurisdiction of the Hon. Speaker of the House of the Lok Sabha, as this Committee will be a Committee of the Lok Sabha.

By setting up the Committee on Public Undertakings, we are taking a firm step forward in the process of quicker industrial progress and particularly of parliamentary accountability of public undertakings. It will be the privilege of the members of this Committee when formed to allay the fears and hesitations of many and create a bond of confidence between the Boards of public undertakings and the Parliament and also inspire the public undertakings to greater efforts.

Thank you, Sir.

**Shri Tyagi:** He has not given any clarification.

**Mr. Speaker:** He has given an ample clarification that all these illogics can be taken up during the debate.

I have received notice of some amendments to both the motions. The hon. Members who wish to move them may do so.

**Shri A. C. Guha (Barasat):** Sir, I beg to move:

That in the motion,—

in the first paragraph,—

for "ten members" substitute—  
"fifteen members". (1)

**Shri S. N. Chaturvedi (Firozabad):** Sir, I beg to move:

That in the motion,—

in paragraph (2),—

after clause (b), insert—

"(bb) to examine whether the organisational structure and procedures are conducive to maximum efficiency and economy and make recommendations for their improvement;" (2)

**Shri A. C. Guha:** Sir, I beg to move:

That in the motion,—

in paragraph (2),—

after clause (c), insert—

"(cc) to suggest alternative policies in order to bring out efficiency and economy in administration;

"(ccc) to examine whether the money is well laid out within the limits of the policy implied in the estimates;" (3).

**Shri Bade (Khargone):** Sir, I beg to move:

That in the motion,—

in paragraph (2),—

after clause (d), insert—

"(e) to exercise general supervision and control of those industries in which Government has whole or partial interest either financial or otherwise." (4).

**Shri A. C. Guha:** Sir, I beg to move:

That in the motion,—

omit proviso to paragraph (2).  
(5).

**Shri B. K. Das** (Contai): Sir, I beg to move:

That in the motion,—

in paragraph (2),—

for part (i) of the proviso, substitute—

“(i) matters of major Governmental policy as distinct from the principles underlying the efficient and economic functioning of the Public Undertakings on sound business lines;” (6).

**Shri V. B. Gandhi** (Bombay Central South): Sir, I beg to move:

That in the motion,—

in paragraph (3),—

for “five years” substitute “two years”. (7).

**Shri A. C. Guha**: Sir, I beg to move:

That in the motion,—

in paragraph (3),—

for “five years” substitute “one year”. (8).

**Shri B. K. Das**: Sir, I beg to move:

That in the motion,—

in paragraph (3),—

for “five years” substitute “three years”. (9).

**Shri V. B. Gandhi**: Sir, I beg to move:

That in the motion,—

omit proviso to paragraph (3). (10).

**Shri S. N. Chaturvedi**: Sir, I beg to move:

That in the motion,—

in the proviso to paragraph (3),—

for “one-fifth” substitute “one-third”. (11).

**Shri V. B. Gandhi**: Sir, I beg to move:

That in the motion,—

in PART II of the Schedule,—

(i) omit “other than the Public Undertakings included in Part III hereof; and

(ii) after the existing paragraph, the following proviso be inserted—

“Provided that with regard to the Public Undertakings specified in Part III of the Schedule, the Committee shall not adopt or pursue any procedures which are not consistent with the interests of security.” (12).

**Shri A. C. Guha**: Sir, I beg to move:

That in the motion,—

in the Schedule,—

omit PART III and the entries thereunder. (13).

**Mr. Speaker**: There are two amendments to the second motion also. The hon. Members who wish to move them may do so.

**Shri A. C. Guha**: Sir, I beg to move:

That in the motion,—

for “five members” substitute “seven members” (1).

**Shri S. N. Chaturvedi**: I beg to move:

That in the motion,—

for “five members” substitute “six members”. (2).

**Mr. Speaker**: Now, both the motions and the amendments thereto are before the House.

**Dr. L. M. Singhvi** (Jodhpur): **Mr. Speaker**, Sir, I have submitted to you a letter today.

**Shri Surendranath Dwivedy** (Kendrapara): I have some amendments. I had given notice previously in the last session, I have given a fresh notice today because it was not possible to do it earlier. It was already circulated during the last session.

**Mr. Speaker:** The hon. Members have been giving notices even of adjournment motions for the last 15 days. Could he not give notice of the amendment earlier?

**Shri Surendranath Dwivedy:** On the last occasion I had done it, You said that we will be permitted to move the amendments.

**Mr. Speaker:** They lapse. The hon. Members ought to have repeated them.

**Shri Surendranath Dwivedy:** In this case I want you to relax the rule because it was already circulated.

**Mr. Speaker:** Dr. Singhvi's case is just the same. He has also given notice today. How can I take them up? It is difficult for me.

**Shri Surendranath Dwivedy:** If it was not circulated before, then what you say is reasonable.

**Mr. Speaker:** If the House so desires, I will accept them. Then, it will not be possible to circulate them. But they must be admissible. I will accept them with the approval of the House, if they are otherwise admissible. I am not waiving that condition.

**Shri Daji** (Indore): I have submitted my amendments on 13-11-63 by post. There are several amendments. I have sent them in one bunch.

**Mr. Speaker:** I will find that out.

**Shri Daji:** Holidays might have intervened. That is not my fault.

**Mr. Speaker:** The post office is the agent of the sender, not of the re-

ceiver. That is the difficulty. The law provides like that. We have to take precautions that the things reach in time. In those cases, the amendments or the substitute motions had only to be repeated and, therefore, the hon. Members concerned argued that the House had already had notice of those amendments and substitute motions. Therefore, I have waived the question of delay in the case of the amendments and substitute motions of those two Members.

13 hrs.

**Shri Daji:** It should ordinarily have reached on the 14th, because it was posted by express delivery, and it must have reached by the 15th in any case.

**Mr. Speaker:** It was received on the 16th at 5 p.m.

**Shri Indrajit Gupta** (Calcutta South West): That is the result of express delivery!

**Shrimati Renu Chakravartty** (Barackpore): On this particular point, I would definitely ask the House to condone the delay. The situation as far as the Posts and Telegraphs Department is concerned is such that it is absolutely impossible for the sender to guarantee . . .

**Mr. Speaker:** If the hon. Member is requesting the House to condone the delay, then, her mood should not be such.

**Shrimati Renu Chakravartty:** I think that every Member will condone it. If the delay could be condoned in the case of those Members who have not repeated the notices, I think it can be condoned even more so in this case because the Member has taken the trouble of sending it on the 13th.

**Mr. Speaker:** There is a difference. Both cannot be kept on the same level. The House can, of course, con-

[Mr. Speaker]

done delay, and I have no objection at all. But the two should not be taken together.

**Shrimati Renu Chakravartty:** The Member has taken the trouble of sending it on the 13th, and that too by express delivery, and it should have reached here on the 15th. If it does not reach here, then, how is the Member to blame for it? We are not in a court of law here.

**Mr. Speaker:** We might not be in a court of law. Then too, it is a simple question of procedure. Supposing it does not reach us at all, then what can we do? Then, the Member is not to blame, because he has posted it . . . .

**Shrimati Renu Chakravartty:** We are only asking you to condone the delay. It is not a question of blaming, but it is only a question of condoning the delay.

**Mr. Speaker:** It is the receipt by the office that is to be considered and not the despatch by the Member which can be considered.

**Shrimati Renu Chakravartty:** Then, it is impossible for us to function.

**Mr. Speaker:** If the House permits, I have no objection.

**Shri Tyagi:** Special permission may be given. If there is any piece of wisdom there, we might pick it up.

**Mr. Speaker:** That also might be considered.

श्री यशपाल सिंह (कैराना) : मेरा अर्मेंडमेंट भी स्वीकार कर लिया जाए । वह शायद दो मिनट बाद पहुँचा होगा । उसको बाई हूँड भेजा था ।

अध्यक्ष महोदय : अब आप जाने दीजिए बहुत हो चका ।

Both these motions as well as the amendments are now before the House.

**Shri Tyagi:** On a point of order. I want to know whether this motion is a resolution of the House, or it is a standing order. I would like to know what the position will be. Definitely, this is not a Bill. I want to know whether this motion will be treated merely as a resolution or whether there will be any change in the standing orders and this will be added to the standing orders. For, my fears are that according to the convention of the British Parliament, resolutions of the House generally apply only to the session in which they are passed—the term 'session' means five years—unless they are expressly passed as standing orders, and if not so passed but intended to have continued force, are voted again every session.

So, if it is a resolution, it will have to be repeated again and again.

**Mr. Speaker:** Why does the hon. Member not read from our rules instead of reading from the conventions of the British Parliament?

**Shri Tyagi:** Ours follow a similar pattern.

**Mr. Speaker:** No.

**Shri Tyagi:** Resolutions cannot have standing force because . . .

**Mr. Speaker:** We are not to repeat the resolution every session.

**Shri Tyagi:** I am sorry. The resolutions which are of an operative nature, resolutions by means of which we are required to act will have to be repeated otherwise, they will have to be added to the standing orders . . .

**Mr. Speaker:** There are so many committees that the House appoints every day. And they remain in force for the term of the House. It would

be a motion constituting a committee, and it would last up to the life of the House. Of course, when the new House comes, the old committee is dissolved, and the new House shall have to take it up again and constitute the committee.

**Shri Tyagi:** All right, the resolution for the election of the committee alone would not do . . . .

**Mr. Speaker:** The motion is there, and it is a motion pure and simple. Such motions are provided for in our rules. Our rules provide that such motions can be taken up. So, there is nothing peculiar in it.

**Dr. L. M. Singhvi:** You have been pleased to observe that in respect of the amendments and my substitute motion, the delay would be condoned, subject to their being otherwise admissible. I submit that so far as my substitute motion is concerned, it has already been admitted earlier, and, therefore . . . .

**Mr. Speaker:** The earlier admission was also subject to that condition.

**Shri Tyagi:** My submission was this. The Estimates Committee and the Public Accounts Committee are not constituted by resolutions of the House, but their constitution has been included in the standing orders. Since the hon. Minister is doing a similar thing now, why not include it in the standing orders?

**Mr. Speaker:** When he gets an opportunity, he might raise all those points.

**श्री काशीराम गुप्त (अलवर) :** ये जो संशोधन एडमिट किये गये हैं, इनकी कापी मेम्बरों को नहीं भेजी गई है। अगर यह कहा जाए कि पहले भेजे जा चके हैं तो पहले तो प्रस्ताव भी भेजा गया था लेकिन यह रद्द हो चुका।

**अध्यक्ष महोदय :** इनकी कापीच मेम्बरों को भेजी जा रही।

**Shri A. C. Guha:** On a point of order. Clause 2 (d) of the first motion provides that:

“such other functions vested in the Public Accounts Committee and the Estimates Committee in relation to the Public Undertakings specified in the Schedule . . . .”

These functions will be covered by the new committee. But rule 308(3) lays down the functions of the public Accounts Committee as follows:

“It shall also be the duty of the Committee—

(a) to examine the statement of accounts showing the income and expenditure of state corporations, trading and manufacturing schemes, concerns and projects together with the balance-sheets and statements of profit and loss accounts . . . .

(b) to examine the statement of accounts showing the income and expenditure of autonomous and semi-autonomous bodies, the audit of which may be conducted by the Comptroller and Auditor-General of India either under the directions of the President or by a statute of Parliament; and

(c) to consider the report of the Comptroller and Auditor-General in cases where the President may have required him to conduct an audit of any receipts or to examine the accounts of stores and stocks.”

In view of these provisions in the Rules of Procedure, I do not know how this particular clause can stand in this resolution. I would like to have your ruling on this matter.

**Shri Tyagi:** I am not going to surrender the rights of my Committee, unless the standing orders are amended by Parliament.

**Mr. Speaker:** Hon. Members will have those opportunities. If the House constitutes that committee and vests in this new committee certain powers that are vested in the other committees by our rules for the present, then, of course, it would be an indirect repeal of those rules by this House, for powers must have been taken . . .

**Shri A. C. Guha:** Would it not be preferable that those rules should be amended first and then these motions moved here?

**Mr. Speaker:** This is what I am telling the chairmen of both the committees, namely that they might make their points, and then the House can decide, because if these motions are passed or adopted by this House, then the effect would be that this House has taken away certain powers from those committees, which are vested in them for the present under the rules. Therefore, the House should be aware of all that, that is, by adopting in this motion, the effect would be that. So, the two hon. Members might make their speeches, and then the Members can make up their minds whether they are prepared to pass this or not.

**Shri A. N. Vidyalkar** (Hoshiarpur): But nowhere has it been stated in this motion that these powers are being taken away from the Public Accounts Committee and the Estimates Committee.

**Shri A. C. Guha:** It has been stated there. There is also another point of order which I want to raise. In 1953, when the Prime Minister moved a resolution inviting the Rajya Sabha to nominate seven Members to associate with the Public Accounts Committee, then he made a clear distinction between the Public Accounts Committee and the Estimates Committee. Objections were raised at that time that the Rajya Sabha Members should not participate in any of those financial committees, because the financial matters were the exclusive privilege

of the Lok Sabha. Then, the Prime Minister met that objection and made the following observation:

“But the main point for the House to consider is this. This Public Accounts Committee has nothing to do with what I might call the financial powers of this House which, of course, are supreme in that matter. There is another committee—the Estimates Committee. A distinction is made by us as between the Public Accounts Committee and the Estimates Committee.”

So, he admitted that as regards the estimates, the Estimates Committee of this House was the supreme body, and the Estimates Committee, as the mouth-piece of this House should consider the estimates of Government. The Government is going to invest about Rs. 200 crores every year in these public undertakings. Already the investment is about Rs. 2,000 crores . . .

**Mr. Speaker:** That would be the speech of the hon. Member. The Prime Minister's statement is not included in this.

**Shri A. C. Guha:** No, Sir. I would like to point out that paragraph 2 of the Motion will take away the rights of the Estimates Committee to look into the estimates which will be voted by this House, estimates amounting to about Rs. 200 crores a year. I would like your ruling on this matter also.

**Mr. Speaker:** It is not a case where my ruling is called for. He may make all these points when he is given an opportunity. I will give him that opportunity. Then the House will decide.

**Dr. L. M. Singhvi:** Shri Guha is raising a constitutional question. He says that if the Estimates Committee's functions are also vested in this Committee, then this House will lose its primacy in the matter of estimates.

This was the purport also of the earlier resolution brought forward by the predecessor of the present Minister wherein it was said clearly that so far as the Estimates Committee's functions were concerned, the Members of the Rajya Sabha would have no right to participate.

**Mr. Speaker:** That does not need my decision. Members can take it up.

**Dr. L. M. Singhvi:** On the constitutionality.

**Mr. Speaker:** Ever on the constitutionality, the House has to decide, not the Speaker.

**Shri Tyagi:** There is one more point. I would appeal to you to look into this matter because you are ultimately the custodian of the rights and privileges of this House as well as of the taxpayers' money. The estimates are to be approved by this Committee. I can well understand the position that either they could take any Estimates Committee's business or they could take any work of the Public Accounts Committees. A Committee which sanctions expenditure cannot itself sit again to re-examine whether that was sound or not therefore. I submit that both these functions must be separate. The Auditor General's position has been kept absolutely independent with a view to his being able to keep an independent eye on the expenditure side. So combination of both these functions might perhaps not be very healthy.

**Mr. Speaker:** I have all sympathies with the two Committees as well as their Chairmen.

**Shri A. C. Guha:** I am not speaking as Chairman of the Estimates Committee. In 1961, I was not even a member of that Committee and still I raised this objection.

**Mr. Speaker:** That would be discussed by the House and the House can then decide.

**Shri H. N. Mukerjee** (Calcutta Central): May I make a submission? If it is under the terms of the Constitution itself that this House has a certain primacy in regard to estimates of revenues and if because of that the Estimates Committee is appointed, and is responsible solely to this House, if that is the basically constitutional provision, is it open to the House itself at this present point of time to discuss the merits of a suggestion which objectively means that estimates in regard to certain matters may be examined by a body in which there would sit people who are not Members of this House? If that is a basic constitutional proposition—am not a pundit—the matter should be stopped here and now and the Government should come forward with its legal representatives to put forward its point of view.

**Mr. Speaker:** First, I deny that Shri Mukerjee's statement that he is not a pundit. He is a pundit in this sphere also. But he must know that the Speaker does not give a decision on constitutional points. It is for the House to decide. If today I decide that a matter is constitutional and it goes to the courts and they decide that it is not, probably the House will not like that situation to arise. That is left to the courts. Both the constitutional points as well as the factual merits are before the House. The judiciary cannot say that the House was wrong in this or that; it can only give its own judgment taking all things into consideration.

Therefore, the House takes the responsibility. It has the power to pass constitutional laws or measures or even to amend the Constitution. Let the judiciary decide.

**Shri H. N. Mukerjee:** You have put the position correctly but my feeling is that when this matter comes before the House and the members of the Government party as well as of the Opposition express their constitutional doubts in regard to this

[Shri H. N. Mukerjee]

proposition, it is only fair that in the House the legal advisers of Government should be present in order to explain these difficulties when they are formulated. When I came into the House, the Chairman of the Estimates Committee was making his submissions to you. I find the legal advisers of Government are nowhere in the picture. We can do whatever we can; the law courts can declare that we did something wrong—that is a hypothetical matter. But before we do that, we are merely putting it before you so that you can adjure the Government to do its duty which it is neglecting. They are not present here to listen to the legal and constitutional aspects of this matter, because one of their spokesmen has put forward this proposition, which does seem to have constitutional implications.

That is why I submit in all humility that you might ask Government to do something in regard to satisfying the House—because some of us are in some doubt over this matter—even before we proceed to a discussion of the merits, as to what exactly their interpretation of the constitutional position is.

**Shri U. M. Trivedi (Mandsaur):**  
rose—

**Mr. Speaker:** This does not require any further observation at this stage.

**Shri U. M. Trivedi:** No, it does. I wish to make my submission. Words have come out of your mouth which require some elucidation. You have been pleased to say that we can make any law, constitutional as well as unconstitutional. It is not that we knowingly make an unconstitutional law. That is not possible.

**Mr. Speaker:** We have made so many laws that have been held to be unconstitutional.

**Shri U. M. Trivedi:** May be. They have been held to be. But we have knowingly not done it.

**Mr. Speaker:** Who said that? We are not doing that.

**Shri U. M. Trivedi:** Therefore, the plain question arises. If a constitutional point has been made, if a constitutional difficulty has been pointed out, would it not be fit and proper for Government to come and say what they are doing in regard to it if it comes into conflict with the constitutional position? The very opening sentence here makes it very clear . . .

**Mr. Speaker:** Order, order. Again Members are arguing on that point. Of course, there may be many things where it may be said that they are unconstitutional or against the provisions of any law. But as I told this hon. House, I am not concerned at this moment with giving my decision, however strong the case may be and whatever may be my thinking also on the subject. That is not my position at this moment.

So far as Government are concerned, their spokesman is here. He is listening to all the arguments advanced. Of course, the presumption is that before bringing forward this motion, they must have consulted their legal advisers. Otherwise, they may not have brought this forward.

**Shri A. C. Guha:** I do not think so.

**Shri Tyagi:** They are a law unto themselves.

**Mr. Speaker:** The Minister is listening. He will respect the wishes of hon. Member and bring in legal advise also. That is what I can say.

**Shri A. C. Guha:** I have another point of order.

**Mr. Speaker:** How many more has he in his bag?

**Shri A. C. Guha:** I am not in the habit of raising many points of order in this House; I am a very silent and



quite Member. When this House is dissolved and fresh elections take place in 1967, as expected, the Lok Sabha Members will cease to be Members of the Committee; but the Rajya Sabha Members will continue to be Members of the Committee.

**Shri Tyagi:** Not of the Committee.

**Shri A. C. Guha:** Surely, they will be Members. What will be the position of the Committee then?

**Mr. Speaker:** These are questions that should be put to the Minister so that he may reply. These are points that should be made in the debate. But again and again, I am being asked to answer these questions. How can I answer and say what the position of Government is? Hon. Members may take up every objection that they have, advance their arguments in support and then the Minister shall have to reply to them. Whether they feel satisfied with the reply or not has to be seen afterwards.

**Shri A. C. Guha:** My apprehension is that in the interim period, the Rajya Sabha Members will constitute the quorum; they will convene a meeting and do anything. That is a possibility. That is the vacuum that will be created. That is why I am bringing this to your notice and saying that they have not consulted any legal advisers.

**Mr. Speaker:** If he is going to say everything now, what shall he say afterwards?

**Shri Tyagi:** The Ministers can go that way and ridicule themselves by not putting it in logical form. But how can the House allow it? We are considering the motion now.

**Mr. Speaker:** Order, order. The hon. Member will realise that if Ministers are ridiculing themselves, the House can throw out the Government.

**Shri Tyagi:** How can we permit this thing to be considered.

**Shri U. M. Trivedi:** Should we not bring it to the notice of the Minister that such a constitutional difficulty is there, and should not the Minister also be considerate enough to give some thought to what has been expressed? He seems to have made up his mind, in the sense that he is there and mechanically he wants to proceed with it without telling us that he has consulted the legal advisers and taken their advice, that it is a constitutional measure, that it does not come into conflict with the rules of procedure of this House, that it is not a measure which is just being shoved along.

In the first Parliament there was a Bill relating to Manipur on which Shri Datar went on saying that they were giving powers to local bodies to decide civil disputes whether it was of one rupee, ten lakhs or crores of rupees, and then the Secretary said it was a mistake and wanted to correct it. Instead of that, why not the Minister say that he has consulted his legal advisers?

**Mr. Speaker:** If there was a mistake committed by one Minister at one time, I cannot presume the same thing is being repeated now.

**Shri Tyagi:** It is drafted by the Rajya Sabha, because they have a continuous life.

**Mr. Speaker:** I have again and again submitted to the hon. Members that these are objections that they can take up during the speeches that they make here. That is the proper time. All points must be made then, and the Minister then shall have the opportunity to answer them. Then the House would make up its mind whether really it has been satisfied by the arguments or not. What they expect from me, I do not understand.

**Shri Tyagi:** We always draw wisdom from you.

**Dr. M. S. Aney (Nagpur):** You were right in saying that in constitutional matters, it is for the House

[Dr. M. S. Aney]

to decide, not for you. That is so, but the question that you as the Speaker of this House have to guide the discussions on this matter. If you find that there are constitutional questions raised here which require to be properly considered, it is for you to say that those questions involve constitutional points, and the Ministers should be given an opportunity to explain, and then you should decide whether those points can be decided or discussed in the House or not. After that, the other part of the Bill should be proceeded with. That is my humble submission.

**Mr. Speaker:** Can we proceed now?

**Shri Sonavane** (Pandharpur): I have to place my point of view.

You were good enough to say that by passing this motion, the House automatically would divest of certain powers vested in the Estimates and Public Accounts Committees and give them over to the new committee. That is what I understood to be your interpretation. But I feel that would not be a correct interpretation. Unless the House passes an express resolution divesting the Estimates and the Public Accounts Committees of the particular powers, and the House decides to form a new committee with those powers, it would not be in order. That is my interpretation.

**Shri Indrajit Gupta:** In view of all that has been said here and repeated by so many hon. Members, would you not consider it once again, so that the debate may be really fruitful and not be just an expression of so many doubts and speculations? The hon. Law Minister may be asked by you to come here before the debate proper commences on the merits of the resolution, to state before us what the Government's views are on these very weighty constitutional questions.

**Mr. Speaker:** It is for the Government, when such doubts are expressed

by so many Members, to get the best legal aid they have for the guidance and information of the Members. The Minister is listening to it, as much as I am doing.

**Dr. L. M. Singhvi** (Jodhpur): May I request you now.....

**Mr. Speaker:** No, I will not allow any more discussion.

**Shri Bade:** What is the time allotted?

**Mr. Speaker:** We will see.

In addition to the amendments already moved, amendments 14 to 25 and No. 3 will be allowed to be moved.

**Shri Surendranath Dwivedy:** I beg to move:

That in the motion,—

in the first paragraph,—

for "ten members" substitute "twenty members". (14).

That in the motion,—

after the first paragraph, insert the following proviso,—

"Provided that a Minister shall not be elected a member of the Committee, and that if a member after his election to the Committee, is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment." (15).

**Shri Daji:** I beg to move:

That in the motion,—

in paragraph (2), after clause (c) insert—

"(cc) to suggest measures for better and efficient functioning in such Public Undertakings". (16).

That in the motion,—

in clause (d) of paragraph (2),  
omit—

“and as may be allotted to the  
Committee by the Speaker from  
time to time”. (17).

That in the motion,—

omit proviso to paragraph (2).  
(18).

**Shri Surendranath Dwivedy:** I beg  
to move:

That in the motion,—

omit part (i) of the proviso to  
paragraph (2). (19).

That in the motion,—

in paragraph (3),—  
for “five years” substitute “three  
years”. (20).

**Shri Daji:** I beg to move:

That in the motion,—

omit proviso to paragraph (3).

**Shri Yashpal Singh:** I beg to move:

That in the motion,—

in paragraph (3), after the exist-  
ing proviso, insert—

“Provided further that the  
Chairman of the Committee be  
from amongst the members of the  
Opposition Party.”

**Shri Daji:** I beg to move:

(i) That in the motion,—

after paragraph (4), insert—

“(5) (a) That the Committee shall  
have the power to examine  
witnesses and to send for per-  
sons, papers and records.

(b) That the Committee shall,  
from time to time, report to  
both Houses of Parliament in  
respect of all or any of mat-  
ters examined by it.

(c) That as from the constitution  
of the Committee, the Esti-  
mates Committee and the Pub-  
lic Accounts Committee shall  
cease to exercise their func-  
tions in relation to the Public  
Undertakings specified in the  
Schedule and steps shall be  
taken separately to make  
necessary amendments in the  
Rules of Procedure and Con-  
duct of Business of this House.

(d) That a Minister shall not be  
elected a member of the Com-  
mittee and that if a member  
after his election to the Com-  
mittee is appointed a Minister,  
he shall cease to be a member  
of the Committee from the date  
of such appointment.”

(ii) That in the motion,—

after item 7 of PART I of the Sched-  
ule, insert—

“and every Public Undertaking  
that may be established by the  
Central Acts after the adoption of  
the motion by the House”.

**Dr. L. M. Singhvi:** I beg to move:

That for the original motion, the fol-  
lowing be substituted, namely:—

“That a Committee of this House  
to be called the Committee on Pub-  
lic Undertakings be constituted with  
twenty-one members, fourteen from  
this House and seven from Rajya  
Sabha, who shall be elected from  
among the members of each House  
according to the principle of propor-  
tional representation by means of  
the single transferable vote.

(2) That the functions of the Com-  
mittee shall be:

(a) to examine the reports and  
accounts of the Public Under-  
takings specified in the Sched-  
ule;

[Dr. L. M. Singhvi]

- (b) to examine the reports, if any, of the Comptroller and Auditor-General on the Public Undertakings;
- (c) to examine, in the context of the autonomy and efficiency of the Public Undertakings, whether the affairs of the Public Undertakings are being managed in accordance with sound business principles and prudent commercial practices;
- (d) such other functions as are at present vested in the Public Accounts Committee and the Estimates Committee in relation to the Public Undertakings specified in the Schedule by or under the Rules of Procedure and Conduct of Business of this House notwithstanding the foregoing examination in clauses (a), (b) and (c).

Provided that with regard to the Public Undertakings specified in Part V of the Schedule, the Committee shall not adopt or pursue any procedures which are not consistent with the interests of security.

(3) That the Committee shall have the power to examine witnesses and to send for persons, papers and records:

Provided that Government may decline to produce any papers and records on the ground that such disclosure would be prejudicial to the safety or interest of the State.

(4) That the Committee shall, from time to time, report to both Houses of Parliament in respect of all or any of matters examined by it.

(5) That as from the constitution of the Committee, the Estimates Committee and the Public Accounts Committee shall cease to exercise their functions in relation to the Public Under-

takings specified in the Schedule and steps shall be taken separately to make necessary amendments in the Rules of Procedure and Conduct of Business of this House.

(6) That the members of the Committee shall hold office for a period of two years:

Provided that a Minister shall not be elected a Member of the Committee and that if a Member after his election to the Committee is appointed a Minister, he shall cease to be a member of the Committee from the date of such appointment.

(7) That in order to constitute a sitting of the Committee, the quorum shall be seven.

(8) That in other respects the rules of this House relating to Parliamentary Committees shall apply with such variations and modifications as the Speaker may make.

(9) That this House recommends to Rajya Sabha that Rajya Sabha do agree to associate with the said Committee and communicate to this House the names of the Members to be appointed by Rajya Sabha.

## SCHEDULE

### (List of Public Undertakings) PART I

(Public Undertakings established by Central Acts)

1. The Damodar Valley Corporation.
2. The Industrial Finance Corporation.
3. The Indian Airlines Corporation.
4. The Air India International.
5. The Life Insurance Corporation.
6. The Central Warehousing Corporation.
7. Oil & Natural Gas Commission.
8. The Employees' State Insurance Corporation.

9. The Khadi & Village Industries Commission.
10. The State Bank of India.
11. The Reserve Bank of India.
12. The Bombay Port Trust.
13. The Calcutta Port Commission.
14. The Madras Port Trust.

PART II

(Public Undertakings which are Government Companies formed under the Companies Act)

Every Government company whose annual report is placed before the Houses of Parliament under sub-section (1) of section 619A of the Companies Act, 1956, other than the Public Undertakings included in Part V hereof.

PART III

All Departmental Industrial and Commercial Undertakings of the Government of India.

PART IV

All companies and Undertakings in which the Government of India hold 25 per cent. or more of the equity capital.

PART V

1. Hindustan Aircraft Ltd., Bangalore.
2. Bharat Electronics Ltd. Bangalore.
3. Mazagon Docks Ltd., Bombay.
4. Garden Reach Workshop Ltd., Calcutta."

**Shri Surendranath Dwivedy:** I beg to move:

That in the motion,—

for 'five members' substitute 'ten members'. (3).

**Mr. Speaker:** These amendments are before the House.

**Shri Daji:** The Committee on public undertakings has been conceived under an inauspicious constellation of stars, and it has taken more than a conventional nine months to be born. It was conceived in 1959, there was an abortive attempt in 1961, then again some time last year, and finally now, almost at the fag end of 1963 we are able to debate this resolution of the Government.

15.26 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

I think there would be almost unanimity on one point, namely that the undertakings of our public sector need a committee of Parliament for better review, better control, better gathering of information and also better discharge of democratic control which is the *sine qua non* of democratic ownership in the public sector undertakings.

Before I propose to deal with the merits of the motion before us, let me say a word about the performance and prospects of our public sector. Our public sector undertakings are under constant pressures and constant attacks. Broadly speaking, the attacks on the public sector are directed from two opposite ends. One angle of attack on our public sector is that so ably championed by the hon. Member from Rajkot who, when he spoke last time on the No-Confidence Motion, painted a totally dismal and negative picture of the performance of the public sector, ran it down, and even said that instead of sinking so many crores of rupees in the steel plants, it would have been more useful and fruitful if that amount had been invested in some consumer industries. That is a definite philosophy which he reflects, and of which he is the spokesman. That philosophy represents the wound that the high barians of the private sector feel at the growth of the public sector. They are wounded deeply, and I say that the country and the people enjoy their criticism. The more vehemently the public sector is criticised by gentlemen of the private sector, the

[Shri Daji]

more people are convinced that there is something good in the public sector, because the people have come to know that what is to the liking of the big business is certainly not to the good of the country, and that what is not to their liking is certainly to the good of the country. Even this sheer logic of exclusion makes us enjoy their attacks on the public sector. They make an all-out attack on the public sector because the growth of the public sector means the abridgement of the area of loot of the private sector, and the more the public sector grows, the more they fear that their area of operation, their area of loot, which they claim has for centuries been their sole preserve, is being slowly abridged, narrowed.

If things go according to our Five Year Plan, with a little modification here and there, by the end of the Third Plan, out of the total industrial life, public sector will own 25 per cent, and over 33 per cent in mineral production. To that extent, private monopoly loot is being restricted, and it is this that hits them, and the more it hits them, the more it pleases us.

I can only say that the hon. Member from Rajkot seems to have forgotten even the ABC of economics which he wrote some years back, which we read and learnt. He has now re-read his economics at the feet of mighty tycoons of the private sector, and therefore he views the whole economic growth of the public sector with coloured glasses.

There is another angle of criticism of the public sector which does not disparage the public sector, which does not want it to cease to function but to prosper, which criticises because it feels that unless the public sector performance is improved, unless it is tightened, unless better managerial control is exercised over the public sector, unless the public sector is able to deliver better goods, it will not stand

the test of competition with the private sector. I venture to offer some criticism on the working of the public sector solely from this angle, sharply dissociating myself from whatever may be spoken from the other angle.

It strikes us that not only the philosophers of the Swatantra group, not only the high priests of the private sector but the Government themselves have a rather lukewarm, step-motherly attitude towards the public sector. To begin with I can never understand why officers found not fit to be employed in other departments of the Government by reason of superannuation are supposed to be fit to man high posts of general managers, directors, resident directors and chairmen of these undertakings.

**Shri Tyagi:** Because they are not through Public Service Commission.

**Shri Daji:** I say that the private sector mentality of disparaging and looking down upon public sector has invaded Government that is clear from the sort of appointments made. It seems public sector posts are being made into sinecure for persons who can dance around and with such personnel you cannot expect the best results. It is in spite of these officers that some of our public sector undertakings have given the best results; it is because of the dedication and determination of the workers and ordinary technicians who want to make a new India.

In addition to the export of retired officials from the Government to the public sector, there has been an export of the bureaucratic administrative mentality. I am glad that recently our Minister of Heavy Industries has been going round the country speaking firmly about this mentality and the harm it has done. It is on record that an indent for spare parts required immediately takes two years to be sanctioned: from plant to Ranchi, from Ranchi to Delhi, from Delhi to Ranchi, Ranchi to plant, from plant to supply officer,

then again to Delhi for tenders, then back again to Ranchi and then to plant. In this condition no public sector concern, no concern worth the name can be expected to function efficiently.

In many cases the posts in the public undertakings are treated as sinecure posts to be offered to desired persons. We take the German specification, or the Russian specification or the Swiss specification and ask our employees to fulfil them. Very good; they should do it and in many cases our Indian technologists have done it. In HMT Bangalore, we have beaten the best tenders from Europe; we are proud of it. But when it comes to officials, I may say that Rourkela has got four times more headquarters staff than any other plant anywhere in Europe. Such is the over-burdening of the headquarters staff. It is stated in the report. It is not so in Rourkela alone. In Bhilai it is like that; in other places it is like that. There are officers and officers. If any relative, kith and kin has got to be provided a cushioned job and paid money for doing nothing, plant him on a public undertaking as some officer such as public relations officer, labour adviser, legal adviser, purchase adviser or supply adviser. There are so many advisers.

There is another aspect also. The hon. Minister says that things are going to improve; let us hope so. Initially I said that I did not subscribe to the Swatantra ideology and I did not work out like Mr. Masani and did not say that the return is 0.3 per cent return on share capital. Many other aspects have to be considered while talking of the efficiency and return of the public sector concerns. There are the social ends and needs. Bhilai, Durgapur and Rourkela may not make profit in the normal sense during the gestation period. But the saving of Rs. 300 crores in foreign exchange effected by them is a national asset. Having accepted all that, one must say that at a certain point of time, at optimum efficiency, normalisation of production costs must result. If that did not happen, the working should be reviewed to see what is wrong and where.

Unless we are able to do that we will not be able to make public sector really competitive and effective force.

The difficulty is that our officers whom we have inherited from the British administration are not imbued with the new spirit of public sector. Their ideology and thinking is such that results in serious malpractices, I want to cite two startling malpractices. There are four senior officers in Heavy Electricals, Bhopal: manufacturing engineer, superintending engineer for fabrications, assistant works manager and executive engineer of works department. Their relatives have got a private sector firm just near the H.E.L. Not only are orders placed on that firm—I am making this statement with full responsibility and I am ready to substantiate this charge in any enquiry that may be held—but workers are marked present in attendance register in H.E.L. and are sent to work in the relative's industrial concern across the street. They are people occupying high posts and stores are also transferred. In Bangalore the brother of the chief executive of a public undertaking is in collaboration with a foreign company and there the some thing happens. Parts are manufactured in HMT but they are meant for the other collaborating company and are sent there. Because of the bureaucratic attitude of the Government, whenever such malpractices are brought to their notice, instead of instituting an enquiry and coming down heavily on the culprits, they just postpone things and want to hide them. Such whitewashing by the Government stifles the growth of the public sector.

One of the greatest blights of public sector unfortunately is the very bad industrial relations; industrial relations are at a low ebb due to the bureaucratic tendency of the officers and something else also. Politics enters the industrial relations in public sector plants in a much bigger way than even in the private sector plants. The tendency to boost up unions which subscribe to the ideology of the ruling party is so much in the public sector.

[Shri Daji]

It is not so much in the private sector because ultimately an enlightened employer in the private sector feels; I must get my work done and so let me carry on with whoever is there. In public sector it is not so. Industrial relations in the public sector require to be studied. In fact, I suggest that the Labour Minister, Shri Nanda, who is also now the Home Minister, together with Shri C. Subramaniam, the Minister of Heavy Industry, should immediately call a tripartite industrial committee of all public sector undertakings to discuss threadbare the present labour relations. Today, I have got a communication from a union at Pimpri. The other day, I attended the function in Vigyan Bhavan when Shri Nanda distributed some prizes—the President's Awards—and Pimpri was one of them. From Pimpri comes the communication from the Union represented by none else than Shri Khadilkar, Congress MP, to the Members of Parliament, saying how the public sector undertaking deals with its own employees whose leader is a Congress MP, Shri Khadilkar. What does it say? After four years of fretting and fighting before the industrial court headed by Justice Mehr, the workers got an award fixing the minimum wages, scales of pay, dearness allowance, etc. of the workers at Pimpri, a prospering concern. The award was given, and after three and a half years the workers got a minimum wage. But this Pimpri, a public sector company, has decided to go in appeal to the Supreme Court over the award of the industrial court, and thus make it impossible for the workers to get justice, because this union, as it is mentioned here, consists of 1,400 workers, paying a subscription of four annas each; for the public sector company, it was a Central Government might, pitted against the union, and the company went in appeal just because the workers were bold enough to stand up to the injustice and then win the award in their favour.

Our hon. Minister, Shri Nanda, in

every tripartite meeting, of course gives a long lecture saying, "do not go to the high court or the Supreme Court against the award of the industrial tribunal. Make it final because it is modern arbitration." But the preachings of Shri Nanda do not hold good for the public sector and the employees there must go from pillar to post to get justice. These are only small examples.

There is another point that arises. The tripartite committee came to a unanimous decision, and it was agreed to by the employers, the Government and the employees that contract labour should be abolished by 1st December, 1962. We are now nearing 1st December, 1963. While contract labour has been abolished in mines owned by the private employers, the Bhilai steel mines have refused to abolish contract labour. While the private employers have been forced to abide by this agreement, the public sector mines refuse to do away with the contract labour. What does the worker in the mines get? He gets, even in these days, only Rs. 1-2-0 or Rs. 1-4-0 per day. In these conditions, the public sector cannot work because I say there is a challenge to the very concept of the public sector from the tycoons of the private sector and the best defenders of the public sector are the workers. Give the workers a fair deal, and give them encouragement and give them the opportunity for participation in the management; give every democratic control for the workers over the management. With one stroke, do away with bureaucratic administration and also inspire and enthuse the workers with a new vigour to see that the public sector undertakings run and prosper and are successful. It is only when you take the industrial workers into confidence and give them a democratic control of the public sector that the public sector shall really be a public sector.

The point, therefore, is how we are going to bring about a democratic



control of the public sector. Various views have been expressed. The other day, in a seminar held by the FICCI, a really novel suggestion was made by no one else than the leading industrialist, Shri Sarabhai. He made a very novel suggestion. The suggestion was that to improve the management of the public sector plants, the management should be given over to a private company as a holding company, so that the ownership will be of the State. It will be a public ownership under private management. So he pleaded that this will give better results. He said after all even in the private sector industries it is like that; the owners are not shareholders and all of them are not under a managing agency; only one holds a managing agency and runs the industry. So, he said that that principle should be applied to the public sector. That was the suggestion made by Shri Sarabhai in the presence of Shri Subramaniam at the seminar of the FICCI and where so many of our illustrious leaders of the public sector including the Chairman of the HEL, Pimpri Chairman and the Secretary, the Finance Ministry, Shri Jha were present. But I was surprised to find that not one of them stood up and contradicted him and say this is humbug, bogus and bunkum and nonsense, this suggestion of letting the private sector hold the public sector as a holding company, importing the principle of 'holding' in this matter.

**Shrimati Renu Chakravarty:** Mr. Jha subscribed to that.

**Shri Daji:** Not one of them supported it. But the ex-Finance Secretary, Shri H. M. Patel, who is now the Chairman of the State Electricity Board, Gujarat, a person who featured in the famous *Mundhra kand*, of course, supported Shri Sarabhai and said there was something in that suggestion which should be examined. What pained me is this. None of these managers of the public sector who were present there stood up and

crossed swords with Shri Sarabhai on this problem. That suggestion was meant absolutely to scuttle the principle or the very concept of the public sector: to invest money and pick a company to hold it and to run it as a private company. I do not subscribe to it, because it is dangerous.

There were other suggestions also in this regard: for example, shares may be floated in the market; let the shares of the public sector be put in there. On this, I must congratulate Shri Bhagat who flatly contradicted the suggestion in the Rajya Sabha. I think the Government should take this opportunity of flatly denying and contradicting this suggestion as absolutely nonsensical, the suggestion of Shri Sarabhai, who wants to use public money and obtain private management of the public sector undertakings.

When we say all this, we must remember one thing. We must have full faith on an effective democratic control over the public sector. Democratic control is always pitted against efficiency by these bureaucrats who want to run the undertakings in their own way. If democratic control is denied, then public ownership is also negated. The very concept of public ownership includes the concept of democratic control, and democratic control under our present circumstances is a control by Parliament. But Parliament is a big body; to have effective control of the growing nexus of public sector undertakings, the Public Accounts Committee or the Estimates Committee had searching eyes to go into the question of the working of these undertakings. But the Estimates Committee and the Public Accounts Committee have various other activities also, various governmental activities. With all the burden of that work, it is very difficult to see how these two Committees could have a continuous watch on the work of the public sector undertakings. I think, therefore, that it is the function of separate Committee like this, holding powers, both of

[Shri Daji]

the Public Accounts Committee and the Estimates Committee, and formed by this Parliament, to keep a continuous vigil over the working of the public sector undertakings. I think that there should be no misgivings about such a Committee. I think even the Government is now not very sure and not very clear and is not very confident about giving full and square powers to this Committee. It is miserly. The Minister just now said, let us watch and see how it is going. There is nothing to fear or lose confidence about it. After all, the Committee shall be manned by Members who are responsible. The Committee shall not be an enemy, it shall not be a critic, it shall not be a fault-finding body, but it shall be a confider, and shall be a protection against irresponsible pressures as well as the guardian of public interest. It will be a Committee which shall be responsible and shall function *vis-a-vis* Parliament, and correlate information regarding the working of public sector undertakings *vis-a-vis* the management of public sector undertakings, and explain what is required by them to Parliament, and put their difficulties before Parliament; *vis-a-vis* the Government, they should examine how far the Government is fulfilling its duties by having just the minimum interference and at the same time, the necessary check on the working of the public sector undertakings.

**Mr. Deputy-Speaker:** The hon. Member's time is up.

**Shri Daji:** I will take some more time. These are the aspects into which the Committee will have to go. Now, the hon. Minister referred to the Committee in England. The Committee in England itself was as a result of another Select Committee which was appointed to examine what the powers of the Committee would be, and the Select Committee's terms of reference were exactly in terms of those found here.

**Dr. M. S. Aney:** They have copied it here.

**Shri Daji:** Not wholly copied. They requested full powers to the Committee. The first Conservative Government did not accept that advice, and gave them restricted terms of reference. The result was that the Committee came back to Parliament and said, "We refuse to work with these terms of reference; we cannot work." Then a second Committee was appointed and that Committee was given wider, plenary powers. The first sentence of that resolution has been copied here. The powers given to the English Committee were "to examine the reports and accounts of public undertakings specified in the Schedule." That was the only one sentence that was included. Explaining it, Mr. Butler said that it will include financial outcome of operations, working of the industry with reference to devolution of authority, working of the industry with reference to techniques of management, recruitment and training relations with consumers, relations with outside industries, unremunerative responsibility of the Board etc. The Government of England left it to the good sense of the Committee, by its own conventions, to establish the conduct of non-interference in day-to-day administration or in government's policies.

Here we find that what we are giving with one hand we are taking by the other. There are provisos added saying that the Committee should not do this, the Committee should not do that. What is significant is that the Committee has not been given clearly the powers to call for documents, reports and papers and also to take evidence. I do not know whether it is thought that this Committee being the inheritor of the rights of the Estimates Committee and the Public Accounts Committee will automatically get those powers. But why should that be left in doubt? Without the necessary power for summon-

ing witnesses or for requisitioning documents from the undertakings or departments concerned, this Committee will only be an ornamental committee. If you do not give full powers to the Committee and make it only an ornamental committee, I say it will be a nuisance committee. With divided powers it is bound to create more nuisance. Give it more powers and responsibility, and it will function in a more responsible way. That is why, Sir, I have moved an amendment—Dr. Singhvi and others also have moved similar amendments to that effect—seeking to give more powers to this Committee. The power to call for reports is absolutely necessary.

I have also suggested that the reports of the Committee may be placed on the Table of the House. It shall be placed before Parliament for discussion every year. That is the practice in England. I suggest that that provision may also be included here. I do not understand why the Government is so miserly about it, why the Government is so nervous about giving powers to this Committee. Such doubts were also expressed in England. After a review that has been taken, the uniform opinion now is that the committee has had a salutary effect, it has posted Parliament with better information, for the Minister it has meant a closer scrutiny and for the directors of the boards it has meant better understanding. This is the conclusion of Mr. Davis, a Member of Parliament, given in an article on the working of the Committee in England.

Therefore, the first point is, if you want this Committee to be really effective, clothe it with full powers and responsibility. Trust the Committee, and I am sure that trust shall not be misplaced. The Committee if trusted and given full powers shall be able to really work as the conscience of the nation to guard against public misconduct whether it be in any industry or Government. Public conduct in a public industry is also as

sacred as Government conduct. This Committee can become the watchdog of that.

Then, I personally do not appreciate this provision of rotational retirement of members. I am very glad the Minister said that a convention can be built up that when a member retires, a member from the same party should be elected again. I do not understand this clumsy rotation business after every one year. There should be some continuity. Make its life two years, three years or even five years—of course, if you make it five years there is the difficulty that was pointed out by Shri Tyagi. But the term of the Committee should not be too short. It should be long enough for experience to be accumulated. At the same time, this principle of rotational retirement should not be there. It is not there either in the Estimates Committee or in the Public Accounts Committee. It should not be there because this rotation principle is bound to work against smaller groups, and smaller opposition parties will suffer. It may not always be possible to follow the convention.

**Shri Bade:** It may exclude opposition Members.

**Shri Daji:** Any time it may exclude opposition Members.

There is another point on which I have given an amendment. We want it to be made clear that Ministers should not be members of the Committee and any member who becomes a Minister should resign from the Committee. This is a Committee of the House. We do not want any mixing up of the Government with the Committee. With all respect, Sir, I say, let the members function without the overbearing eyes of the Ministers sitting there. I do not want to enter into any controversy about it, but I have found how sometimes the presence of Ministers has affected the independence of Members. I have moved a clear amendment to that

[Shri Daji]

effect. This convention is also there in England. In England many things are done by conventions. England has no written Constitution even. But here we do not keep our conventions so sacred. Therefore, it is better that we write them down clearly.

There are some other aspects which I am sure other hon. Members will take up, but I want to say only this, that this Committee should have a say over all the public sector undertakings. Let there be no exception to it. Then the whole cumbersome scheme of the schedule may be done away with by only one sentence that all public sector undertakings, whether they are corporate bodies, other institutions or companies incorporated under the Companies Act, shall all be under the control and scrutiny of this Committee. I do not understand why there should be this schedule. Some of the units have been omitted and some hon. Members have given amendments seeking to add this unit and that unit. Instead of all that I suggest that with one sentence, as I have submitted earlier, we can bring all the public undertakings under the control of this Committee.

I submit, in conclusion, that the public sector undertakings are going to gain in importance. I do not want to gloat over it and say that public sector means socialism as some hon. Members claim it to be. At the same time, I do not say that public sector is a negation of democracy as is said by the Swatantra Party. I do say that public sector has helped the growth of the sinews of new India, and as the new India marches on the public sector has to expand rapidly. It has got to expand and not in an apologetic manner. Even now the policy followed by the Government in regard to public sector is apologetical. When a certain trade or industry is taken in the public sector, the Government is apologetic about it. If the socialism to which the Congress has sworn and tried to reaffirm at

Jaipur has got any meaning, the public sector has to expand so fully as to become the main fulcrum of economic activity and it should be able to account for the major produce in our industrial undertakings. It should be the private sector which should be on apologetic terms, it should be the private sector which should be at sufferance and it should be the public sector which should dominate, which should be at the mounting heights of our economy. Whatever the spokesman of the Swatantra Party might say, whatever the prophets of doom may prophesy; I do say that India has to march on to socialism, march on to a welfare State, march on to a new India, developing India into a new Independent India, and in economic terms it has got to take to the form of public sector. So when public sector grows, let this Committee be given full power and responsibility armed with which this Committee shall function as the watch-dog both of the interests of the public sector, the public, the Parliament and exercise financial Control.

**Shri Bade:** May I know, Sir, how much time is fixed for this discussion?

**Mr. Deputy-Speaker:** Let us see.

**Shri S. M. Banerjee (Kanpur):** Let us fix some minimum time for this.

**Mr. Deputy-Speaker:** It will go over to tomorrow.

**Shri A. C. Guha:** Mr. Deputy-Speaker, Sir, while speaking on this motion of the Government, the first thing that strikes my mind is the attitude of indecision, vacillation and confused thinking on the part of the Government. A very simple proposal is to be put before the House that a Committee of this House is to be set up to assist the Estimates Committee and the Public Accounts Committee in regard to the examination of the working of the public sector undertakings. That simple process they

have avoided, and year after year, for the last three years, we have been experiencing the way in which the mind of the Government has been working on this question.

Sir, in 1961, I think in November, they moved a motion which was couched in a worse form. It contained some worst clauses and I raised a point of order. It should be made clear that I am not speaking here today as a member of the Estimates Committee, not to speak of as the Chairman of the Estimates Committee. In 1961 I was not even a member of the Estimates Committee. Yet, I raised certain objections to the motion as then worded. I spoke then, and I speak now, as a member of this House to safeguard the rights and privileges of this House and to see that any Committee of this House may be empowered with proper authority to conduct the business and discharge the obligations put on it.

14 hrs.

In 1961, the Speaker gave certain decisions on my point of order and the Law Minister had to come to the help of the then Industries Minister and he agreed to modify the resolution according to the directives of the Speaker. So, it was our expectation that he would come before this House within the life-time of that session, which continued for about three more weeks after that debate on that motion. But, for reasons best known to them, Government did not bring forward the resolution in the modified form in that session. Then, last year, even though a notice of a resolution was given in August, they did not actually move the resolution, and we do not know for what reason. Again, this year, after much hesitation, they brought forward the resolution on the last day of the last session, knowing fully well that the resolution could not be discussed and passed in that session. Even though it was repeatedly expressed on the floor of the House that the resolution should be brought forward in an

acceptable form so that a Committee of this House may be set up to examine the working of the public sector undertakings, Government delayed the matter till the last day of the previous session.

Of course, there have been some improvements in the wording of the resolution presented today, as compared to the one given notice of last year, which again was better than the one brought forward in 1961. The main objection at that time was that it was to be a Joint Committee and this House had to share with the members of the other House certain financial obligations the discharge of which is the absolute privilege of this House. Now they have agreed to put forward the proposal in a modified form, under which the members of the Rajya Sabha will only be associate members, as they have been in the case of the Public Accounts Committee. I do not know what the status, rights and privileges of the associate members in this Committee will be. Even in the case of the Public Accounts Committee it remains more or less undefined. I do not know what will be the reaction of the members of the other House to their being relegated to the position of associate members, who are surely not full members.

Here I do not like to make any aspersion on the dignity of the other House, which is also a supreme body. That House has its own privileges, as this House has its privileges. The privileges of this House concern mainly with the financial matters of the Government of India. So, that position should be clearly understood and clearly maintained in whatever step we may propose to take.

In the preliminary stage, I raised certain points of order, and the Speaker was good enough to advise me to mention them in the course of my speech. My point is, firstly, certain provisions of the Rules of Procedure

[Shri A. C. Guha]

and Conduct of Business, particularly rules 308 and 310 go counter to some of the provisions of this motion. It would have been more decent for the Government first to have approached the Speaker to modify the rules and then to have brought forward the resolution in this form instead of adopting the indirect approach of taking away some of the powers of the Public Accounts Committee and the Estimates Committee, which they have been enjoying all these years. If we look at rule 308, we will find that sub-rule 308(3), clauses (a), (b) and (c) refer to the functions of the Public Accounts Committee which clearly this motion is going to take away from the purview of the Public Accounts Committee.

Similarly, the Estimates Committee has been examining the estimates of the public sector undertakings all these years. Perhaps, Members of the House may not be fully aware of the fact that there is a Sub-Committee of the Estimates Committee, consisting of fifteen members, to look after the working of the public sector undertakings. Of course, the tentative report of the Sub-Committee has to be placed before the full Committee and approved by it before it is presented to the Lok Sabha. This Sub-Committee of fifteen members is specially charged with the duty of looking after the affairs of the public undertakings, and every year four or five public undertakings are examined and reports submitted to this House.

**Dr M. S. Aney:** This Committee will supersede the old arrangement of the Sub-Committee.

**Shri A. C. Guha:** This motion would imply or mean taking away the rights and privileges enjoyed by the Public Accounts Committee and the Estimates Committee. My submission is that they should have first moved a motion to modify the rules and then by a standing order they should have set up a committee of this nature, instead of adopting this cumbersome process of

an indirect approach of curbing the rights already enjoyed by these two Committees.

As I have mentioned in the course of my point of order, when in 1953 the Prime Minister moved the motion for associating seven members of the Rajya Sabha with the Public Accounts Committee, he made a clear distinction between the Estimates Committee and the Public Accounts Committee. He conceded that since the Lok Sabha enjoys the exclusive privilege of financial control over the expenditure of the Government of India, it is the Estimates Committee which alone will be entitled to look into the estimates of the Government. The estimates will include also estimates of expenditure, investment and loans to be given to the public undertakings. Already, near about Rs. 2,000 crores have been invested in the public undertakings, about Rs. 1,200 crores in equity capital and about Rs. 800 crores as loans. The target of the Third Plan is to invest Rs. 1,200 crores, which in the Fourth Plan will increase by about 100 per cent. So every year nearly about Rs. 400 crores to 500 crores of the money of the Government of India will be invested in public undertakings and if we are to have, if this House is to have, only an indirect share in the control of the expenditure of the Government or in the estimates of the Government, I think it will not be fair for us to agree to the curtailment of the rights and privileges of this House.

Much has been said about the autonomous character of the public undertakings. They are very sensitive if a question is asked in the House regarding the working of the public undertakings. We fully share the idea that public undertakings should be autonomous bodies, that is, autonomous within certain limitations to be decided by the Parliament. But our experience is that the autonomy of these bodies is more a fiction than a reality. For many small administrative matters of somewhat routine nature they have

to wait upon the officers here to get the final approval. For many things they have to keep a liaison office in Delhi to chase their files and to pursue their cases with the respective ministries. This is the autonomy that they have been enjoying. So, if in the name of autonomy there is a subtle move to curtail the right of scrutiny by this House, we should surely resist that.

This motion sets certain limitations. It says that matters of major Government policy and matters of day-to-day administration will not be looked into by this Committee. I do not know what then is going to be left for this Committee to do. I am glad, Shri Kanungo mentioned about the experience in the UK and Mr. Butler's statement in the House of Commons. But I think, he has conveniently avoided mentioning certain unpleasant things which would not confirm the step or outlook they are going to take about this motion. In March 1955 the first committee was formed in England and certain limitations, just as we are having in this motion, were put on the rights of that committee. Then, within a few months the Committee reported that its terms of reference left it—

“insufficient scope to make enquiries or to obtain further information regarding the Nationalised Industries which would be of any real use to the House.”

They declined to proceed any further in their work.

Then, after a few months Mr. Butler came before the House of Commons with another motion and there he said:—

“We have come to the conclusion, for that reason, that it is wiser to try not to debar the the Committee from discussing certain questions by a series of specific prohibitions; therefore we have learned something from experience,—but simply to trust to the good sense and good will of the Committee itself.”

But I am sorry to say that this Government is not willing to learn by experience, at least by the experience of the UK Government and of the last two years. Even now they have put this limitation that major Government policy and day-to-day administration are not to be discussed or scrutinised by this Committee.

What is major Government policy and what is the present position of the Estimates Committee? If you look at rule 310(b) of the Rules of Procedure, you will find that one of the functions of the Estimates Committee is:—

“to suggest alternative policies in order to bring about efficiency and economy in administration.”

Then again, what is day-to-day administration? The Estimates Committee very often examines the administrative set-up of the public undertakings and this year also they have taken up the examination of some administrative features of the public undertakings. The Government can easily say that this is day-to-day administration and refuse to place the papers before the Committee.

Shri Daji has mentioned many cases of nepotism. I may not fully share his view about the enormity of nepotism but surely I think even the hon. Minister will not say that there are not cases of nepotism in the public undertakings or even in the Government services. So, if there are cases of nepotism, will not this Committee be allowed to look into those things on the plea that they are day-to-day administrative matters?

Last year the Estimates Committee submitted a report on some of the public undertakings and, I think, it mentioned some glaring cases of administrative lapses for not disclosing which to this new Committee the Government or the public undertakings can now surely take this plea if

[Shri A. C. Guha]

matters of day-to-day administration are excluded. It is a question of trusting the Parliament and a parliamentary committee. If they want the Parliament to function, they must have full confidence in Parliament. If they want a parliamentary committee to function efficiently, they must trust that parliamentary committee and must not shackle its powers with certain limitations.

Regarding the five-year tenure, I think, the hon. speaker mentioned that the Government must have consulted its legal advisers while framing this motion. I have never studied law and I can approach a problem simply as a layman and from the common-sense point of view. I think, the five-year provision and the rotation of one-fifth of the members after two years will put them into serious legal difficulties. Apart from the position of the smaller parties which Shri Daji has mentioned—I think, they will safeguard that—there will be a sort of a vacuum after the dissolution of the House at the end of the General Elections. Then only the Members of the Lok Sabha will cease to be members of the Committee; the Rajya Sabha Members will continue to be members of the Committee and will have full quorum to do anything they like. Of course, I have full faith in the good sense of the Members of the Rajya Sabha; I know, they will not do it, but still there is the possibility. There is the legal flaw in that there would not be any Member of the Lok Sabha on that committee but the committee will hang on in vacuum with only five Members of the Rajya Sabha. I am surprised that neither the Law Ministry nor the Industries Ministry have considered this aspect of the question while for these two or three years they have been discussing this matter and have been repeatedly coming before this House with the motion in the same form.

I have mentioned also that this motion will mean the divesting of the

Public Accounts Committee and of the Estimates Committee of certain rights. I do not know how far this House can agree to this indirect way of curtailing the rights of the two committees created by this House. The two committees are the creature of this House. The two committees are the mouth-piece and representatives of this House and it will not be proper for hon. Members of this House to treat these two committees with this scant courtesy and to curtail their rights in an indirect manner.

I have stated that the approach of the Government is perhaps mainly based on a sense of distrust or mistrust of the Parliament and of the Estimates Committee and the Public Accounts Committee. That is why they have put all those limitations and that is why they have been insisting on a permanent body which may be set up once in the life-time of Parliament and may not be repeated every year. This may lead to a very convenient body being set up by the Government. I belong to the party of the Government. I know what obligations the ruling party owes to this House and to the country. From that point of view, I would submit that it may not be proper for the Government to insist on the five-year tenure and the rotation of 1/5th of the members retiring every two years. These three Committees should enjoy the same right, the same privilege and the same tenure. There should not be any distinction. Nothing should be mentioned in the resolution about the rights and privileges which should be regulated by the rules of procedure about the rights and privileges of the Estimates Committee. That has to be decided by the Speaker and the good sense of the Committee.

Then, about, the policy matter, in the main body of rule 310, it has been stated: "within the policy decided". But the term 'policy' referred to rule 310(a) relates only to "policies laid down by Parliament, either by means



of statute or by specific resolution passed by it from time to time. It shall be open to the Committee to examine any matter which may have been settled as a matter of policy by the Government in the discharge of executive functions."

I may place this note\* before the House—it will be too lengthy for me to read out—which will indicate as to on how many occasions the Estimates Committee made recommendations on policy matters even on matters affecting certain laws passed by this House. In such cases when the recommendations of the Estimates Committee concern certain provisions of the Act passed by this House, the Estimates Committee is conscious enough to couch its language in proper form and with proper accent. So, I may place this note before the House which will indicate on how many occasions the Estimates Committee has made recommendations even for the change of certain Acts passed by this House, not to speak of any policy matter decided by the executive authority and the Government.

Then, in Part III, the hon. Member wanted to exclude these four public undertakings from the purview of this Committee. I think, he knows that even now these are being examined by the Estimates Committee. The Estimates Committee has already submitted its report on the Hindustan Aircraft Ltd. and also on the Bharat Electronics Ltd. The Estimates Committee can surely take up the examination of the Mazagon Docks Ltd., and the Garden Reach Workshop Ltd. Anything excluded from the purview of this Committee will not be excluded from the purview of the Estimates Committee.

**Shri Kanungo:** In the present draft, it is not excluded.

**Shri A. C. Guha:** This Part III is excluded.

**Shri Kanungo:** No.

**Shri A. C. Guha:** That was in the 1962 resolution. That has been changed now. Anyhow, it is further amended.

Before concluding, I would like to read out what the Hon. Speaker Mr. Mavalankar mentioned in this House in 1950 before the Estimates Committee was set up.

"Consequent upon the provisions of Article 116, as also independently thereof, it was felt necessary to constitute a Committee on Estimates for better financial control of the House over expenditure by the executive. Provision has, therefore, been made for a separate Committee on the lines of a similar Committee in the House of Commons called the 'Committee on Estimates'. The chief functions of this Committee will be to examine such of the estimates as may seem fit to it and to suggest economies consistent with the policy underlying the estimates. There will be in addition, the usual Committee on Public Accounts. The functions of these Committees will be mutually complementary and it is expected, will not only give a picture of the entire financial position but the committees will be mutually helpful in examining the finances for the future in the light of the expenditure in the past".

I hope there shall not be any deviation on the part of the Government and this House to curtail the rights of the Committees of this House in financial matters whether it is in the public undertakings or in the administrative departments of the Government.

With these words, I conclude.

**श्री बड़े :** उपाध्यक्ष महोदय, माननीय मंत्री जी ने जो मोशन हाउस के सामने रखा है, उसका मैं हादिक समर्थन करता हूँ।

यह मोशन बड़े महत्व का है। लेकिन मुझे एक किस्सा याद आता है। एक आदमी

\*The Speaker not having subsequently accorded the necessary permission, the document was not treated as laid on the Table.

[श्री बड़े]

ने भगवान के पास से लड़का मांगा। उसने कहा तुझे लड़का जरूर मिलेगा लेकिन काना, लंगड़ा और लूला मिलेगा। उस आदमी ने इसके जवाब में कहा कि इससे तो लड़का ही न ही हो तो ही अच्छा है। इसी प्रकार से इस मोशन में केवल ग्यारह इन्डस्ट्रीज को ही इनकलूड किया गया है जब कि अपने देश में इस वक्त ७३ स्टेट एंटरप्राइजिज हैं। ७३ स्टेट एंटरप्राइजिज में से केवल ग्यारह इन्डस्ट्रीज को इनकलूड करना कहां तक उचित है, इसको आप सोचेंगे। इसका कारण क्या है, इसके पीछे रहस्य क्या है, इस पर न मंत्री महोदय ने अपने भाषण में प्रकाश डाला है और न ही इसके बारे में मोशन में कुछ कहा गया है। जिस तरह से उस आदमी को लूला, लंगड़ा और काना लड़का मिला था उसी तरह से हमें यह चीज मिल रही है। ग्यारह इन्डस्ट्रीज पर ही यह चीज लागू होगी और बाकी इन्डस्ट्रीज पर लागू नहीं होगी, बाकी सब स्टेट एंटरप्राइजिज को छोड़ दिया गया है। इससे तो अच्छा यही था कि जो पोल खाता अभी चल रहा है, उसी को आप चलने दें। इस प्रकार की इन्डस्ट्रीज कितनी हैं, इसका उदाहरण मैं आपको देता हूँ और जो हालत है उसको आप देखें।

The Explanatory Memorandum annexed to the Government of India Budget for 1962-63 disclosed that of 73 state enterprises, only 10 had so far yielded results. On an investment of Rs. 605.63 crores in 1960-61, the return was Rs. 1.95 crores which means barely 0.3 per cent, and in 1961-62 the yield has fallen to Rs. 1.95 crores on an investment of Rs. 709 crores. During 1962-63, the investment was expected to mount up to Rs. 801 crores and profits to Rs. 3 crores. The picture of enterprises owned by state governments is no better. For instances, the fifth report of the Madhya Pradesh Vidhan Sabha Public Accounts Committee for 1961-62 noted that most of the

concerns run by the State Government were working 'unsatisfactorily'.

मध्य प्रदेश में हैवी इन्डस्ट्रीज का किस्सा अभी माननीय दाजी ने आपको सुनाया है। माननीय मंत्री जी यदि जाकर वहां देखें तो उनको पता चल जाएगा कि किस प्रकार का पोल खाता चल रहा है। लेकिन शासन के सामने इस प्रकार के रेजोल्यूशन सन् १९५३ से आते रहे हैं। पहले १९५३ में आया फिर १९५४ में आया, उसके बाद १९५५ में आया और फिर १९५६ में आया। मगर १९५३ में रेजोल्यूशन पास होने के बाद भी अभी तक इसकी तरफ शासन ने नहीं देखा। मैं कहता हूँ कि जब ७३ स्टेट एंटरप्राइजिज हैं और शासन उन पर पूर्ण रूप से पैसा लगा रहा है तो उन पर पार्लियामेंटरी कंट्रोल होना जरूरी है। इसके लिए सन् १९५२ में आडिटर जनरल ने जो कहा था मैं आपको वह बतलाना चाहता हूँ।

In 1952 the Auditor-General had said that it is a fraud on the Constitution to spend money without parliamentary sanction. The Auditor-General said:

"These 'Private Limited' Companies are, in my opinion, a fraud on the Companies Act and also on the Constitution, because money cannot be taken away from the Consolidated Fund for the establishment and transformation of certain concerns into Private companies in the name of the President and Secretary to Government. Under the Companies Act, a Company can be formed by a group of persons. The President or the Secretary to Government is not a person. These officers do not have any personal financial interest in the Company, and their joining together cannot constitute a Company in the correct sense of the term. Further to convert a Government concern into a Private Company solely by exclu-

tive action is unconstitutional. While recognising that the management of industrial and business concerns differs from normal day to day activities of administration and that special organization and delegation of authority more in accordance with the speedier business practices may be necessary, the Government should have the backing of suitable Parliamentary enactment for the setting up of Corporations".

यह जो मैंने कांस्टिटर जनरल का कंटेन्शन पढ़ा है उसमें वे कहते हैं कि कंसोलिडेटेड फंड में से पैसा लगा कर प्रेजिडेंट के नाम में शेअर्स लेते हैं और कम्पनी स्टार्ट करते हैं। यह कांस्टिटर जनरल के ऊपर एक फ्राड है क्योंकि पालियामेंटरी बाडी का उस पर कोई कंट्रोल नहीं है।

That is a fraud on the Constitution. And according to article 114(3) of the Constitution:

"No money shall be withdrawn from the Consolidated Fund of India except under appropriation made by law passed in accordance with the provisions of this article". And according to article 266(3):

"No moneys out of the Consolidated Fund of India or the Consolidated Fund of a State shall be appropriated except in accordance with law and for the purposes and in the manner provided in this Constitution."

कांस्टिटर जनरल के अनुसार यदि कंसोलिडेटेड फंड में से एक पैसा भी किसी कम्पनी में हम डालते हैं तो उसके जो शेअर्स होते हैं वे प्रेजिडेंट के नाम में होते हैं। उसका शेअर-होल्डर प्रेजिडेंट रहता है। जब इस प्रकार से होता है तो उस पर पालियामेंटरी कंट्रोल भी होता है। जब हाउस में सन् १९५१ में इसके बारे में डिस्कशन हुआ था तब भी यही डिस्कशन हुआ था कि जब तक नेशनलाइज्ड इंडस्ट्रीज पर पालियामेंटरी कंट्रोल नहीं होता तब तक कंसोलिडेटेड फंड 1383 (Ai) LSD—8.

में से कोई पैसा किसी इंडस्ट्री में नहीं लगाना चाहिये। उस समय चार्ल्स साहब इंग्लैंड के प्राइम मिनिस्टर थे। उन्होंने खुद रेजोल्यूशन रखा था एंड वेन दी कमेटी वाज अप्वाइंटेड जब वह कमेटी अप्वाइंट हुई तो उसे पूरे अधिकार सभी इंडस्ट्रीज पर दिये गये। मैं नहीं समझता कि उस तरह से यहाँ क्यों नहीं किया गया। आखिर इतनी ही इंडस्ट्रीज क्यों रखी गई, बाकी क्यों नहीं ली गई। अलग अलग इंडस्ट्रीज हैं, जैसे डिफेन्स मिनिस्ट्री है। उसके कारखाने बाकी हैं, मिनिस्ट्रीज के भी कारखाने हैं, कारपोरेशन्स हैं कम्पनियाँ हैं। उन सब को क्यों नहीं रखा गया, यह मालूम नहीं पड़ता।

मैं पी० ए० सी० के साथ ठीक में गया था। मैंने देखा कि पिपरी में पेनिसिलीन २ आ० में तैयार होती है और ५० न० पी० में बेची जाती है।

**Shri Kanungo:** I am sorry to interrupt the hon. Member. But Part II says "every Government Company whose annual report is placed before the Houses of Parliament". It covers all the companies.

**श्री बड़े :** लेकिन आपने जो नाम दिये हैं वह तो ११ ही हैं।

**Shri Kanungo:** Those are not under 'Companies'.

**श्री बड़े :** बाकी की जो ७३ इंडस्ट्रीज क्या वह सब इनक्लूड की जायेंगी।

**Shri Kanungo:** I have read out Part II.

**श्री बड़े :** तो ठीक है। मिनिस्टर महोदय ने कहा कि सभी इंडस्ट्रीज आ जायेंगी ऐसा होता है तो मैं समझता हूँ कि दरअसल कुछ काम होगा और उन पर पालियामेंटरी कंट्रोल हो जायेगा। लेकिन पालियामेंटरी बाडी होने की जरूरत क्यों पड़ी, वह भी मैं बतलाता हूँ। मैंने पिपरी की पेनिसिलीन फैक्ट्री देखी, प्रागा टूल्स देखा, एअर इंडिया

[श्री बड़े]

देखा। मालूम होता है कि वह एक छोटी सी स्टेट तैयार हो गई है। पिपरी में २ आ० में पेनिसिलीन तैयार होती है लेकिन कंज्यूमर्स को ५० न० पैसे में बेची जाती है। उस पर इस तरह से प्राफिट लिया जाता है, कंज्यूमर्स की तरफ नहीं देखा जाता। मैंने वहां पर सवाल पूछा कि तुम इतना प्राफिट क्यों लेते हो, तो कारण यह बतलाया गया कि स्टेट मनोपोली है। इम्पोर्टेड पेनिसिलीन बहुत सस्ती पड़ती है लेकिन यहां पर स्टेट का सारा पैसा खर्च किया जाता है **एँइ इफ इट इज ए स्टेट बिब-इन ए स्टेट**। मैं आपको बतलाता हूँ कि डा० लंकामुन्दरम ने क्या कहा था :

"There is absolutely no competition at all, with the result that the consumer angle has been completely forgotten. I would like to develop this point, but I have no time. But the House will bear with me if I say that each one has become an *imperium in imperio*—small kingdoms, completely assigned to, shall we say, the overlordship of the Officer who happens to be the Managing Director or Chairman".

वहां मैनेजिंग डाइरेक्टर या चेअरमैन राजा समझा जाता है। वह सभी छोटी छोटी स्टेट्स हैं। एअर इंडिया में आप देखिये कि उसको गवर्नमेंट ने २२ करोड़ ६० लोन दिया हुआ है और १९६६ तक उससे कोई इंटरैस्ट नहीं लिया जायेगा। मैं कहना चाहता हूँ कि जब इस प्रकार से इंडस्ट्रीज को रुपया दिया जाता है जैसे कि २२ करोड़ ६० एअर इंडिया को दिया गया है विदाउट टेकिंग ऐनी इंटरैस्ट अपटू १९६६ तो उस पर पालियामेंटरी कंट्रोल जरूर होना चाहिये। इतना होने पर भी वह लास में जा रहा है। इसका कारण यह है कि वहां का मैनेजमेंट ठीक नहीं चल रहा है। कंज्यूमर्स को वह बहुत महंगा पड़ता है और वह इसलिये कि देअर इज नो अदर कम्पिटिशन। कंज्यूमर्स का इंटरैस्ट इस तरह से सफर करता है

क्योंकि उसके इंटरैस्ट को देखने वाला कोई है ही नहीं। कंज्यूमर्स का इंटरैस्ट तो पालियामेंट ही देख सकती है। मैंने देखा है कि प्रागा टूल्स में सभी शेअर्स आंध्र प्रदेश के हैं। देअर आर आनली सेवन आन दि बोर्ड आफ डाइरेक्टर्स। उसमें आंध्र प्रदेश और अपने प्रेजिडेंट के शेअर्स हैं और थोड़े से दूसरे शेअरहोल्डर्स हैं। सात में से चार प्रेजिडेंट के नियुक्त किये गये हैं, दो आंध्र प्रदेश के हैं और एक पब्लिक का है। सात बोर्ड आफ डाइरेक्टर्स हैं और दे आर नामिनेटेड बाई दि प्रेजिडेंट। प्रेजिडेंट मीन्स मिनिस्टर। पूरी ७३ इंडस्ट्रीज हैं उनमें से जो जिस मिनिस्टर के अन्तर्गत है वह उनकी किंगडम समझी जाती है। मैंने प्रागा टूल्स देखा, पिपरी देखा, एअर इंडिया देखा, मजगांव डाक्स देखा। सभी में किस प्रकार से अक्वाइंट-मेंट्स होते हैं यह मैं हाउस के सामने नहीं कहना चाहता हूँ, लेकिन वहां सिफारिश बहुत चलती है। वहां चार चार करोड़, दस दस करोड़, ग्यारह ग्यारह करोड़ रुपया कंसोलिडेटेड फंड में से लगाया जाता है फिर भी वह लास में रहते हैं। कारण यह है कि वहां का मैनेजमेंट ठीक नहीं है। मैनेजमेंट इसलिये ठीक नहीं है कि उन पर पालियामेंटरी कंट्रोल नहीं है। देअर इज आनली दि मिनिस्टर टू कंट्रोल। मिनिस्टर इज ए राजा। मैनेजिंग डाइरेक्टर ऐंड दि चेअरमैन आर दि किंग्स। उनके बादशाह मिनिस्टर। इस तरह से यह कारखाने चल रहे हैं। मैं चाहता हूँ कि जब इस तरह से कंसोलिडेटेड फंड में से पैसा लिया जाता है तो पालियामेंटरी कंट्रोल होना चाहिये। जिस प्रकार से पब्लिक सर्विस कमीशन के सामने जाकर सारे अक्वाइंट-मेंट्स होते हैं उसी तरह से एक कमेटी जिसे चाहे अक्वाइंट करे। कैबिनेट की एक अक्वाइंट कमेटी होती है, वह बड़े बड़े मैनेजिंग डाइरेक्टर्स नियुक्त करती है तीन तीन, चार चार हजार रुपये पर, लेकिन उन पर पालियामेंटरी कंट्रोल न होने से उनके अक्वाइंट नहीं देखे जा सकते हैं। जो अक्वाइंट छपे होते हैं

वही मालूम किये जा सकते हैं। एक जगह मैं गया था, इस लिये मैं उसे आपके सामने रखना चाहता हूँ क्योंकि पार्लियामेंटरी बाडी का कंट्रोल सभी जगह होना चाहिये :

Indian Airlines Corporation  
General Manager was appointed by  
the Central Government in November,  
1957.

और एक कमेटी नियुक्त की गई थी यह देखने के लिये कि इंडियन एअरलाइन्स कारपोरेशन क्यों लाम में जाता है। उस में जो कारण मालूम हुए वह इस प्रकार थे :

general lack of consciousness throughout the organisation, inadequate planning, ineffective control of budget, cost accounting not properly used.

इसी प्रकार से जब भी कहीं पर कोई लास होने लगे तो वहाँ भी पार्लियामेंटरी बाडी को देखना चाहिये कि क्या कारण है लास के। मैं समझता हूँ कि सभी जगहों पर यह बातें मिलेंगी :

inadequate planning ineffective control of budget, cost accounting not properly used and pricing policy.

मैंने देखा है कि जितनी भी इंडस्ट्रीज हैं उनमें प्राइसिंग पालिसी के बारे में पॉटिकुलर स्टैंडर्ड नहीं रहता है। वहाँ मिनिस्टर साहब ने जो कहा, जेनरल मैनेजर ने जो कहा, चेअरमैन जो रहता है उसने जो कहा वही प्राइसिंग पालिसी बन जाती है। उसके लिये कोई यार्डस्टिक नहीं है, कोई कंट्रोल नहीं है। मिनिस्टर का तो कोई चीज देखने की फुर्सत नहीं है क्योंकि वह तो कामराज योजना के मारे घबरा गये हैं। मिनिस्टर तो पार्लिटिक्स पर ध्यान देते हैं। जनरल मैनेजर जो नियुक्त होता है वह चाहे जैसा काम करता है। इसलिये एक पार्लियामेंटरी बाडी होनी चाहिये जो कि उसके ऊपर कंट्रोल रख सके।

एक बात मैं और कहना चाहता हूँ कि चूंकि आपने पब्लिक एकाउंट्स कमेटी और एस्टीमेट्स कमेटीज का जुरिस्टिक्शन फिक्स नहीं किया है इसलिये दोनों का जुरिस्टिक्शन ओवरलैप होने का खतरा है। इसको फिक्स किया जाना चाहिये।

पब्लिक एकाउंट कमेटी जो जांच करती है वह तो पोस्ट मारटम जांच की तरह होती है। साल दो साल वह पूछती है कि ऐसा क्यों हुआ और अगर उत्तर संतोषजनक नहीं होता तो वह स्ट्रक्चर पास करती है। लेकिन जब एक काम हो चुका तो उसके बारे में कुछ नहीं किया जा सकता। इस लिये इन पर कंट्रोल के लिये एक पार्लियामेंटरी बाडी होनी चाहिये।

कहा गया है कि यह जो बाडी बनेगी यह इन उद्योगों के डे डे कारोबार पर ध्यान नहीं दे सकती। यह ठीक है कि वह एक एक वोल्ट और नट को नहीं देखेगी, लेकिन यह तो देखेगी कि कैसा काम हो रहा है, किस प्रकार खर्चा हो रहा है, कितना वेस्ट हो रहा है और कितना स्टोर पड़ा है जो कि फालतू है। इसके लिये एक पार्लियामेंटरी बाडी होनी चाहिये। इस पार्लियामेंटरी बाडी को यह देखना चाहिये कि यह उद्योग लास में क्यों जा रहा है जब कि यह मानापली है। सिदरी में स्टाक पड़ा रहा और नुकसान होता रहा। बाद में उसका पब्लिक एकाउन्ट्स कमेटी को पता चला। पब्लिक एकाउन्ट्स कमेटी उद्योग का चालू कारोबार नहीं देख सकती। दो साल बाद वह कहती है कि यह लास क्यों हुआ। उसका उत्तर मिलता है कि आइन्दा नहीं होगा और कुछ इसी प्रकार का उत्तर दे दिया जाता है। इस लिये मैं चाहता हूँ कि इस नई बाडी को इतना अधिकार दिया जाना चाहिये कि वह देख सके, दो, तीन या छः महीने बाद, कि उद्योग में क्यों नुकसान हो रहा है, इसका खर्चा कैसे चल रहा है कैसे इसका बजटिंग हो रहा है आदि।

[श्री बड़े]

मैंने भोपाल में देखा कि अगर किसी से मैनेजिंग डाइरेक्टर या जनरल मैनेजर नाराज हो जाये तो उसको नौकरी नहीं मिल सकती। जो हैवी इलेक्ट्रिकल्स में नौकर हैं उनको अन्य जगह नौकरी नहीं मिल सकती क्यों कि और जगह ऐसा काम नहीं है। इस लिये जो लोग मैनेजिंग डाइरेक्टर की चापलूसी करते हैं उनको नौकरी मिलती है। इस लिये लेबर की दृष्टि से, कन्ज्यूमर की दृष्टि से और इस दृष्टि से भी इन उद्योगों पर कंसालिडेटेड फंड का रूपया लगा है, इन पर कंट्रोल के लिये एक पार्लियामेंटरी बाडी की आवश्यकता थी। इसके लिये हम सन् १९५३ में प्रस्ताव ला रहे हैं।

एक और उदाहरण आपके सामने रखना चाहता हूँ। मैंने प्रागा टूल में पूछा तो पता चला कि चेयरमैन और मैनेजिंग डाइरेक्टर को प्रेसीडेंट नियुक्त करता है। मिदरी में भी यही बतलाया गया। प्रेसीडेंट के नमिनेट करने का अर्थ यह है कि इस पर मिनिस्टर साहब का कंट्रोल है। इस प्रकार यह अन्धा-धुन्ध कारखाना चल रहा है। जो इन उद्योगों में लास हो रहा है उसके बारे में पार्लियामेंट को पूरा कन्ट्रोल होना चाहिये। इसलिये यह जो बाडी आ रही है यह बहुत उत्तम है।

इसके साथ ही मैं फिर कहना चाहता हूँ कि पब्लिक एकाउंट्स कमेटी और एस्टीमेट्स कमेटी के जुरिस्डिक्शन को ठीक तरह डिफाइन कर देना चाहिये ताकि इनके जुरिस्डिक्शन में ओवरलैपिंग न हो।

इस प्रस्ताव पर जो संशोधन रखे गये हैं उन पर मंत्री महोदय को ध्यान देना चाहिये।

**Shri Hanumanthaiya** (Bangalore City): I wholeheartedly welcome the motions moved by the hon. Minister. I would make only one or two points. The first point that I would make is that this committee should be treated on a par with the estimates Committee and the Public Accounts Com-

mittee. The work of Parliament is increasing day by day. With the implementation of the ideology of socialism, naturally, governmental activities tend to grow, and to grow to such an extent that they may ultimately comprehend every sector of public activity. Thereby, the work of Parliament, the nature, the tempo and the extent of work, increase.

There was a time when the field of governmental activity was restricted. Therefore, the two committees, namely the Estimates Committee and the Public Accounts Committee were able to look after the work of Parliament in their respective jurisdictions. But the work has now so increased that it has become almost impossible for these two committees to manage all these governmental activities effectively and in time, and hence the necessity for this committee.

It has now been recognised on all hands in this House, by every party, that there is the need for the establishment of such a committee. My hon. friend the Minister said in his speech that there was a committee for this purpose in the United Kingdom, but the conditions in India and the United Kingdom differed. Yes, they differ, but they differ in order to give more work, power and prestige to the committee on public undertakings here, whereas he was meaning probably the opposite of it.

In the United Kingdom, as you know, the Government of the country for the last twelve years or so has not been a socialist government. They have more faith in private enterprise than in public enterprise. In fact, that is their political ideology. Therefore, the accepted principle of the House of Commons today is against socialism, and against public undertakings being managed by Government. Even the Labour Party in its annual conferences is fighting shy of nationalisation of

industries. Even if perchance Labour wins and forms a Government in the United Kingdom, I very much doubt whether they will go the whole hog towards nationalising every public undertaking in that country. So, what applies to the conditions in U.K. to the circumstances of the political ideology and its implementation there does not apply to Indian conditions. At any rate, in this Parliament, excepting probably the Swatantra Party, the rest of the parties stand for socialism. In fact, the competition is as to who could more effectively implement the ideology of socialism. By and large it may not be inaccurate to say that the accepted policy of this House is socialism. Therefore, the governmental activity which extends day by day to public sector has to be more effectively controlled by the representatives of the people in this House.

Controversy goes on even in this country that public undertakings are not being managed so efficiently, so honestly and in such a businesslike manner as private industries are being managed. Here lies the test of socialism. This House and its representatives either in Government or in committees have to show and to prove that public undertakings can be managed better from the point of view of efficiency, economy, honesty, profit and social welfare than private enterprise or private undertakings. It is from this point of view, the implementation of our ideology, building up a new socialist society, that the constitution of this Committee becomes very important. It is from this serious point of view that we have to look at the formation of this Committee. Therefore plead with the hon. Minister that this Committee must not be restricted in its scope or operation. If it is to be representative of this House, it must have the same powers and privileges as the House has, subject of course to the rules framed and conventions established of this House. To deprive it of any of its functions by way of restrictions,

riders and provisos is to go against the very spirit of the constitution of this Committee from the point of view I envisage.

Therefore, I would urge on my hon. friend, the Minister, to omit these provisos altogether. If in UK, the House of Commons imposes certain conditions and makes the work of the committee restrictive, it is because that House is not wedded to the idea of socialism, to the idea of bringing about the existence of a new order of society. Here our ideology and our accepted principles make it incumbent upon us to make this Committee work as effectively as possible, with as much power and prestige as possible.

The second argument is this. If the other two Committees, the Estimates Committee and the Public Accounts Committee, are not saddled with any of the provisos and conditions, why, I ask in the name of reason, should provisos come in in the matter of this Committee? After all, it is conceded even by the hon. Minister that some of the functions of the Public Accounts and Estimates Committees are being taken over by this new Committee. If so, where does the idea of proviso come in? Where does the idea of conditions being superimposed come in?

Therefore, there is absolutely no sense in restricting the scope of this Committee's work. It must be left, to say the least, as free as the other two Committees of the House are. The Chairman of the Estimates Committee has already spoken and given his weighty opinion. I am sure the Chairman of the Public Accounts Committee, if he speaks, will express similar views. Members of other parties, I understand, hold like views. So, the hon. Minister must democratically concede that there is no room for these provisos in the motion. They must be withdrawn.

Secondly, the Committee, in my view, should be a little bigger in membership. Here we are 500 Mem-

[Shri Hanumanthaiya]

bers; in the other place, they are about 250. The Committee's work, as I said, is to make a success of a sector of Government which ultimately has to prove to the people of India that socialism could be a success. Therefore, even in the matter of its constitution, I would urge that the number should be at least twice the one suggested. This is for two reasons. Every party in this House must be properly represented. Secondly, the best talent in this House, people who are able to understand these problems, who have experience of these problems, must be on the Committee. Though legally, we elect the Members to these committees, very often it is not the rule or reason that matters. Many a time what matters is really the choice of the concerned whip. Even if a mistake is made here and there, even if a wrong choice is made here or there, in the ultimate analysis, this Committee should consist of competent men to implement this all-important comprehensive idea of making public undertakings a success. Unless we make it a success, no amount of ideological fervour will be able to justify the formation of a socialist society. All argument will flounder if our public undertakings fall in efficiency, honesty and, much more than everything, in the matter of the price that people have to pay for the goods manufactured in these undertakings. We, Members of Parliament, by and large, represent not business entrepreneurs, not capital, and I might say, not even labour. Even the labour, big as it is, is a fraction of society. We represent the people of India who constitute mostly of the purchasing and consuming population. It is, therefore, from the point of view of purchasers and consumers, things have to be measured, adjusted and ultimately settled. It is not from the point of view of capital or labour. They are two constituents, and in the bigger context, very minor constituents. If profits are made by public undertakings, that by itself does not prove much; it has to be proved that in public undertakings the

goods and services are sold to the people at cheaper prices and of better quality. All these matters, have to be examined, as I said, in a competent manner. The membership of this Committee should be of an exemplary character. It must be selected from every party, from every point of view. Often it is the fashion now-a-days to classify persons into categories. In fact, I am of the view that even if there are many categories, every category must be represented because it is out of discussions of the representative categories that angularities will be smoothened and truth will shine better than what would be the case if only one category of people ruled the roost.

Therefore, I support this Motion wholeheartedly with the request, as I have already said, that these provisos may be deleted and the membership of the Committee may be increased to twice the number proposed at present.

**Shri Ranga (Chittoor):** I am generally in favour of the establishment of this Committee. But I am not satisfied with the functions that are sought to be given to this Committee, especially because of the provisos provided here. As my hon. friend, Shri Hanumanthaiya, has said just now, it is not right to condition or restrict the powers and activities of this Committee. I am particularly anxious that this committee should have all the power and all the sphere of influence that today have been given by Parliament to the Public Accounts Committee and the Estimates Committee. I would like to look upon this committee as the younger brother, if not the child, of the Public Accounts Committee and its aid.

15 hrs.

**Shri Tyagi:** Not an illegitimate child!

**Shri Ranga:** It is just because these two committees today have come to be overworked, and would like to be



assisted by a committee like this, that we have come to think of a third committee in this fashion. But let us also be careful to see that, just because this committee is being brought into existence in this manner and not as a statutory committee like the PAC, this committee is not prevented from doing all that is necessary in order to hold Parliament in seeing to it that all these public undertakings are managed efficiently, honestly, that they do serve the public and utilise public funds in the most effective and economical manner.

I for one used to think that public undertakings would be more efficient, their production would be cheaper, and their utilisation of public opportunities, materials and finances would be most economical, efficient and honest. But, unfortunately, the experience that we have had in our country during the past 16 years of the working of these public undertakings has belied all these hopes. So many of us came under the influence of British socialists like H. G. Wells, Bernard Shaw, Sidney Webb and his wife, G. D. H. Cole and various others, and therefore we thought that public undertakings would serve the people better than private enterprise. We were acquainted with the follies, foibles and failures of several private entrepreneurs and their institutions, factories and mills. Therefore, we thought that if the State itself were to go into the market and become a trader, a merchant and a manufacturer, public interests would be best safeguarded. Because of this faith, the British Labour Party, when it came to power, hastened to nationalise quite a number of industries and enterprises. Under the same influence, we also in the first flush of the achievement of our freedom, went ahead with entrusting more and more industrial enterprises and industries to the public sector in our country.

What has been the result? In England itself, the British Labour Party has come to the conclusion that it has made a mistake in accepting nationalisation as such as a panacea

for all the ills of capitalism and industrialisation, and therefore it has decided to approach this problem of public enterprises entirely on the basis of experience and trial and error.

What has been our experience? We have also found that our public enterprises have not succeeded, have not satisfied the nation, have not utilised the resources placed at their disposal as honestly, as economically, as efficiently and as usefully to the nation as was expected of them. Therefore, there arose the cry, the demand, long before the Swatantra Party came into existence, from quite a number of us, who, then were members of the Congress Party, that there must be some careful scrutiny into the working of these public enterprises and that Parliament should arm itself with special powers.

श्री कछवाय (देवाम) : ग्रान ए प्वांट  
आफ़ आर्डर । मंत्रो जी सो रूहे हें ।

**Shri Gauri Shankar Kakkur** (Fatehpur): The hon. Minister is not listening.

**Shri Ranga**: That has become the practice of the Ministers when inside the House. You remember, Sir, last time when you were presiding over the House, there was another Minister, Shri A. K. Sen, who also enjoyed the same privilege, as the present Minister does, of dozing a little just because he finds the House is not so very interesting.

**Mr. Deputy-Speaker**: He is hearing with rapt attention.

**Shri Ranga**: I am glad that now he has begun to give us a hearing.

Quite a large number of us who then belonged to the Congress were pressing upon the Government the need for arming Parliament with additional institutions and procedures to see that its functions were properly fulfilled, to supervise these public undertakings, to see that the moneys entrusted to them were properly utilised, to see that their labour, officers, etc., were supervised, controlled and utilised, so that it would all conduce to the welfare of the

[Shri Ranga]

nation. It was in response to that I think that this particular committee came to be conceived by Government.

Now that this committee is being proposed, what is it that we would like to see done by Parliament and Government? As I have already said, I would like Parliament to persuade and to press this Government to drop these provisos, so that the powers of this committee would be adequate.

I would also like Government not to insist upon the small number of Members in this Committee. They have suggested only ten from this House and five from the other House. It is not likely to give sufficient representation to all the important groups in this House, and it would not be sufficiently representative of the various shades of opinion in this House.

Secondly, I would like the strength of the representation to the other House also to be increased.

Thirdly, they propose a term of five years for this Committee, with some members vacating, and their places being filled by proportional representation. If they pursue this means, it is quite likely that after some time the Opposition parties would find themselves unrepresented on this committee. Therefore, as in the case of the other two committees, I would like the tenure of this committee to be a period of three years, and I do not want this process of vacation and all the rest of it.

I am not at all happy over the attitude of so many of our Members. As pointed out by Shri Hanumanthaiah, so many of them are in favour of socialism, and therefore more and more state enterprise. It is not too late for them to consider even now whether it is not in the interests of the nation to approach this problem of private or state enterprise from the point of view of trial and error. Rightly or wrongly, the country as well as Parliament have chosen to place so many of these industries at

the disposal of the state sector. They are there. A time may well come when it should be possible for Parliament to examine whether all of them should continue as state enterprises or some of them could, with benefit to the nation, be transferred as people's enterprises so that they may be managed better and may supply better goods at economic and competitive prices.

Sometime ago I happened to be a member of a committee appointed by the Congress Party and it was presided over by my friend Shri Krishna Menon and it suggested that too much control should not be exercised by the Ministers and by Parliament through them and that more autonomy should be given to the industrial managers and managers to prevent recurrence of scandals such as the Mundhra scandal in I.I.C. and also that jobbery and nepotism should not be indulged in by Ministers, Ministries and the ruling party. The latest statement in this direction is the one made by the Minister of Steel and Heavy Industries who wants devolution of larger authority to plant general managers. In multiplant organisations like Bhilai and Durgapur, he wants to allow a high degree of autonomy in the routines at the plant level, reserving to corporate headquarters the very important functions of broader policy making and staff services, as distinguished from line authority and so on. By 'line authority' he means that officers give directions comparable to the orders of military officers—the general managers to departmental heads, they to general foreman, they to foremen, and so on so that they may be able to appoint, promote and discharge persons within the plant organisations. When authority is given like this, what is likely to happen? One has got to think about it? We are afraid that Ministers may misuse power and that the ruling party may misuse its power. Is there not even greater dangers of these officers and directors also misusing power once all these restrictions are removed? We are not in favour of red tape

and we cannot allow people to ride rough-shod over the claims of their men, of officers or even plant managers. The bossism in public enterprises will be just as inefficient and they will be just as arbitrarily managed and bureaucratic as the present Government. Therefore, there is need to see that this devolution of power will not result in greater harm to the country than is the case now. Who can be the watchdog on behalf of Parliament if it is not to be this Committee? How can this function unless it is aided by the Auditor-General? We want to be assured that the Auditor-General would assist this Committee in the same manner as the Public Accounts Committee. In addition to this, this Committee should have the same powers and same strength as the PAC and Estimates Committee.

Having said that, I would now turn to a very relevant point made by Shri Hanumanthaiya. All these state and private enterprises will be judged by the quality of the goods they produce and the price at which they sell them. Let them compete and if they cannot stand the competition, it is high time for Government to take drastic measures to change the management or hand them over to people enterprise.

What is the complaint of the socialists? They say that the people's enterprise concentrates only upon making profits. Everybody now admits, even socialists admit, that the barometer of efficiency of any enterprise is the profit, of course, with due consideration to the interests of the consumers and of the workers and other staff employed by them. Unfortunately most of these public enterprises have not succeeded in reducing their prices and there are no reasonable profits also. Quite a number of them fail to show any profit whatsoever. Except on loans granted by Reserve Bank to under privileged sections of our people such as agriculturists, loans given by the State Banks carry not less than 6 per cent interest—I speak subject to correction—while I find that many public enter-

prises have not been able to show more than 2 per cent profit some run on losses. But there are public enterprises which make unconscionably high rates of profit because they have been given monopoly powers, such as the State Trading Corporation. One of the Ministers said the other day that public enterprises belong to Government and Government belongs to people—It is queer logic—and so nobody need fear the evils of monopoly. My friend has already said that we judge them by the prices they charge for the services. The STC has made a profit of 101 per cent on the paid-up capital. Can it be justified? The gross profits on the capital employed came to 34.36 per cent. No wonder price of sugar and various other commodities with which it deals had gone up so high. What is the use of the Government or the people crying hoarse over the so-called private enterprise profiteering over the people's need for sugar? Here is the worst possible offender. Therefore, we have to take care to see that these public enterprises which lose, and which are not able to show up or come up to the minimum level of efficiency, are re-organised, and they must be controlled and supervised, and if they become incorrigible, they should be handed over to other enterprises, that is, the people's enterprises. Also, they must see that those enterprises like the State Trading Corporation, which enjoy monopolies, are also suitably controlled so that they would not exercise such monopoly powers detrimental to the consumers and to the customers whom they have to serve. In order to discharge this very important function, we need a Committee like this, but the strength of this Committee will not give it that flexibility in its activity and also that degree of representative capacity. So, its strength should be increased, and its powers should also be suitably enunciated by the Speaker, so that it would be able to serve this Parliament as its eyes and ears in a very effective and wise manner.

**Shrimati Renuka Ray** (Malda): Mr. Deputy-Speaker, Sir, the Government

[Shrimati Renuka Ray]

is well-known for dilatory tactics or hesitations or doubts in many matters, but perhaps the history of this particular Motion is one that beats all record. When the Krishna Menon Committee reported sometime back, it drew attention to the need of a separate Public Undertakings Committee of Parliament so that the accountability to Parliament could be well-maintained with the growing public sector, and at the same time, those who are in charge of the actual administration could go ahead in an autonomous manner which does not actually take place under the present circumstances. One of these Members who spoke before me drew the attention of the House to this fact. I think it was Shri Guha, the Chairman of the Estimates Committee. He said that while much is talked about taking away the autonomy of all the public undertakings, if there is too much accountability to Parliament, very little notice is taken of the fact that as things are at present, in the case of the majority of such undertakings, there is interference from the Government departments, which in an inconceivable manner, is still going on. The public sector, I would maintain, has not had a chance yet to prove whether it is good or bad or is likely to be something which can really deliver the goods in this country. It is true that in the Ministry of Heavy Industry, some changes have been taking place today, but even with these, the changes are not of such a nature that we can say that autonomy is there. Therefore, I fail all the more to understand the hesitation of Government when they bring a resolution of this nature, to deprive this new Committee of a power that is already vested in the Estimates Committee. The new Committee on Public Undertakings, is required, because the public sector is increasing and will increase very much more if the socialist society is to come in. But I cannot understand, and I fail to understand, why in the very act of setting up such a Committee through a resolution the power that is today vested in the

Estimates Committee should be sought to be curtailed to so great an extent. For instance I do not understand why the day-to-day administration has been included among those matters in which the Committee is not to be allowed to have any say, or, why it should be a major policy of Government. I could understand even if it were major policies as laid down by Parliament, but what is the meaning of major Government policies. If no policy is to be looked into by this Committee, I do not see how it is going to undertake the function of the Estimates Committee at any rate. I personally feel that there has been some confusion in attending the work of the Estimates Committee and the Public Accounts Committee. The original suggestion was different. It was to take up the work of the Estimates Committee and the Public Accounts Committee and not restrict the functions of any of these Committees, but if the Government does feel that it has to restrict the Estimates Committee's present powers so far as the Committee on Public Undertakings is concerned, merely because it the Committee on Public Undertakings is concerned, merely because it hangs together with the Public Accounts Committee, I suggest that it should be separated. In any case I would particularly like to draw attention again to what Shri Guha has already pointed out, and which is absolutely true. That is, on many an occasion, the Estimates Committee in past years—I was associated closely with it from its very inception for very many years—was able to point out some of the major mistakes made, which found a way into Government policies, such as the ways in which undertakings were put up, which may spell disaster or even ruin in the manner in which they were running.

I would refer particularly to the Sindri factory; in the earlier years, it was the Members of the Estimates Committee who went round and found that five independent authorities were in charge of the factory with no rela-

tion or contact with each other. There are many such examples, scores of such examples, to show how things went wrong due to inexperience or whatever be the reason. It was the Estimates Committee which was able to set the Government right. Under the circumstances, I do not understand this attempt to curtail the powers,

I will not speak much, because I have spoken even before this Resolution came this time, on another matter which deeply touches the interests of this particular House, because, this House is the one which exercises financial control on money matters regarding the Government business. As Shri Guha pointed out—and I am of the same opinion as he is—both the Houses are independent Houses. The other House may be even better than our House in many ways. I grant them that position and maybe it is of a much better standing than as but the point is, it is the Lok Sabha which is accountable to the country and which has the financial control. Therefore, the anomaly arises, and the Government, I fear, seeks to get over this by curtailing the powers of the Public Undertakings Committee. In doing so, it forgets that the very purpose which has been suggested by the Krishna Menon Committee is being by-passed, and if that has to be done, I do not see how we can go ahead.

I am one of those who is waiting impatiently for the setting up of this Committee, because I do feel that it is necessary to go into a much greater detail to find out in what ways these public undertakings can be placed on a footing from which they can actually go forward. Today, there is a hue and cry raised by vested interests in regard to the fact that many of the public undertakings are not yet paying concerns. If a Parliamentary Committee is fully seized of the matter and could report to Parliament as a whole, I feel certain that much of the doubts that arise today would be overcome; that much of the exaggerations about public sector undertakings that are now existent in the country

would be overcome also. I feel that much of the difficulties and much of the delays in procedures, many of the things that are now going wrong in the public sector today, could be set right. I know that this Resolution has been brought with that purpose, but why defeat your own purpose by putting in riders through which you cannot achieve your purpose?

One hon. Member pointed out that our objective today is the socialist society, and in building it, naturally the public sector plays a very important part. Therefore, these comparisons with other countries like the United Kingdom are not altogether relevant because in the United Kingdom the Estimates Committee has certainly more powers than what was first given to it by the Conservative Government at one time but it has not got full powers as we have envisaged here. That may be so because they have no particular objective regarding the society they are trying to build up. But we have laid it down and this House is wedded to that objective. When that is so, is it not a matter which we should treat with greater seriousness and we should have no hesitation and doubts about it? Let the Government make up its mind. Do they want this House to be seized of this problem through a Committee which has the same powers as the Estimates Committee or do they want to curtail those powers? If they want to curtail the powers, I am afraid, as Members of this House we cannot be agreeable to that. I do feel that the amendment suggested by Shri Guha suggesting that the Committee should have powers to suggest alternate policies in order to bring about efficiency and economy in administration should be incorporated in this resolution.

This Committee is to meet under the Speaker's direction. Therefore, it is not merely the question of the good sense of the Committee but the good sense of the Speaker is also involved. If the Speaker's direction is not good enough, I would like to ask the Gov-

[Shrimati Renuka Ray]

ernment, whose direction is good enough to suggest the way a parliamentary committee should act? Surely, it is not for the Government to interfere and place restrictions on the purpose of a committee of Parliament which is to work under the direction of the Speaker. Moreover, this Committee is entitled to get the same courtesy as is shown to the present Estimates Committee of Parliament. That is why, again and again, I reiterate this point because this is the most important point in the whole resolution as it stands before us today.

The second point is whether the other House should be associated with it. So far as the functions of the Public Accounts Committee are concerned certainly they are associated with them and they should remain so. So far as the Estimates Committee is concerned, I hope this Committee of this House will have full powers as the Estimates Committee as it functions in this country today.

In the Public Sector loans have been advanced to a very large extent—I think it is about Rs. 2,000 crores. In the next five years and in the Fourth Plan much more money is going to be advanced by this Parliament to the public sector. Therefore, the Parliament's control on the public sector is one thing that has to be exercised. Accountability to Parliament has been envisaged, and is perfectly understood, by the report of the Krishna Menon Committee which was the first report on this subject and which drew attention to the need of this Committee on public undertakings. Therefore, if we are to really serve the purpose in a proper manner, not only must the functions be as they are of the Estimates Committee but this Committee must also be given a chance to come into existence soon.

I hope as a result of this discussion the Government will not feel like withdrawing the resolution once more as it did last year. In that case perhaps another whole year will go by

before we have another resolution, whether more confusing or otherwise, before this House. I plead with the Government on this matter. As the public sector is growing and as the criticism on the public sector is also there, it is very necessary that without any delay this Committee be set up. Therefore, if there is any hesitation on the part of the Government, if again the Law Minister tells the Government that in view of what this House has expressed we will think over the matter again and bring a fresh resolution, I hope the Government will not succumb to it except if it is for a day. If by tomorrow they will let us know in an unconfused way that the functions of the Estimates Committee are actually being vested in the Committee on Public Undertakings we would be satisfied.

Certain technical points have been raised by Shri Guha and others. I do not very much mind them. Whether the resolution comes first or the orders come first, it does not matter. If the resolution is passed, orders can follow, though it would have been better if the orders were passed first.

Sir, I only want to conclude with these words, that let not the resolution be postponed again because of the fact that we as Members of this House from all sides have pointed out certain lacunae in the resolution. I would also suggest to the Government to think over the matter and bring up by tomorrow certain changes in this resolution or else at least accept the amendment moved by Shri Guha by which this Committee will have the power to discuss alternate policies with a view to bringing about efficiency and economy.

Sir, I support the formation of the Committee on Public Undertakings with these changes.

**Shri Surendranath Dwivedy:** Mr. Deputy-Speaker, Sir, I welcome this motion for the formation of the Public Undertakings Committee. In fact, a

decision about this Committee should have been taken long long back. This has been delayed not on account of the unwillingness of the Parliament to give its support to such a measure, but because of inter-party differences. How inter-party differences delay matters of such public importance is clear here. If an example is needed, this is one.

Even today, from the motion that is before us for discussion, I am not sure whether after this long deliberation the Government has been able or the Congress Party leaders have been able to resolve the differences inside their own party in regard to the association of all members of the Parliament in this Committee. Views have been expressed here regarding the rights and privileges of the Lok Sabha and Rajya Sabha, and also whether they will be associate members or full members. Even this resolution says that they will associate themselves with this Committee. I for one do not understand these technical objections to matters of such great importance. After all, the Parliament as a whole is responsible to the people, be it Rajya Sabha or Lok Sabha, and the taxpayer's money is invested in these public undertakings and Parliament as a body has the right to go into these questions and place before the public what they think about the working of these organisations.

We are giving this Committee the functions of both the Estimates Committee and the Public Accounts Committee. There should be, therefore, no restrictions whatsoever and equal rights should be given to all members so far as the rights of this Committee are concerned.

I want a categorical assurance on this point. This has been stressed by the previous speaker also. The Minister has not clarified this matter. I do not know whether the members of the Rajya Sabha have agreed to nominate their representatives to this Com-

mittee in the manner in which it has been suggested in this resolution. If they do not agree and if they disassociate from this, would Government again withdraw this motion? We would not like such a situation to arise. We would like this motion to be passed in this session itself so that the Committee could come into being as soon as possible.

Since we are committed to a socialist society, public undertakings or enterprises have to play a dominant role in the economic development of this country. That is a settled fact for which Parliament has committed itself. So, public sector undertakings are bound to grow more and more. That is the reason why it becomes still more necessary for the Government, when they constitute a Committee to scrutinise the working of public enterprises, to give more serious thought to the powers and functions of that Committee. The further progress of public undertakings in this country depends very much upon the efficiency and efficacy of such enterprises. So, we have to consider how efficiently they run, how economically they function and what is the net effect on the general economy as a whole by the expansion in public enterprises.

Some voices have been raised here in the course of the discussion as if it is a competition between public enterprise and private enterprise. Some people argue that because the public sector has failed in some fields, therefore, we should never go in for the expansion of the public sector. When that is the position, it becomes all the more imperative for Parliament which has taken up this responsibility of supporting such expansion, to go before the people and explain that real economic progress on the basis of socialist objective can be furthered by having more and more of public undertakings. For that, a close scrutiny of the working of public undertakings is necessary, which can be done only by Parliament.

[Shri Surendranath Dwivedy]

All these years Government have adopted a stepmotherly attitude towards Parliament and it has been kept in the dark about the working of public undertakings. No real information about their working is given to Parliament. We cannot put any questions about the administrative failures or the inefficiency of the public undertakings. We do not know what is happening in the public undertakings. Always information is withheld from Parliament on the plea of autonomy of the undertaking. Really speaking, there is no autonomy for these undertakings. It is the bureaucrats at the Secretariat and Ministerial level that really guide the functioning of the undertakings, sometimes even to the detriment of their better functioning. Since bureaucracy functions in this manner, it is but right and proper that Parliament should have the right to criticise the bureaucracy and curb the rights of bureaucracy so that the public undertakings may function efficiently.

Now, Parliament is not provided with the budgets of these undertakings. Though statutorily reports of these undertakings are to be laid on the Table of the House, often it is done only after many many years. So, generally we cannot get any idea of what is happening in these undertakings. As Parliament is such a big organisation which cannot go into all the details, it is but right and proper that a Committee of Parliament is set up, which would have sufficient time to go into the details of the working of these organisations. But why should the powers of this committee be restricted and curbed? I do not understand that. If the Government is really anxious that Parliament should be helpful in furthering the aims that we have in view then Parliament must have the right to go into matters like these properly.

But, again, I believe there is hesitancy; the Government, I believe, has

two minds even now. Probably they do not want to meet the criticism of the private sector through the Parliament, by saying that there are public enterprises whose working has been very minutely scrutinised by Parliament and its committee. The whole country will then be in a position to judge whether such enterprises are necessary.

They are saying that provisos are there about which references have been made. But I cannot for a moment understand what these provisos are. They specially say that matters of day-to-day administration will not be taken into consideration. Nobody wants to dabble into appointments here and there. But is it the contention of Government that, when this committee is set up, it will have no authority or no power to go into all these matters which are necessary, such as—I would suggest—unit cost of production, rate of output per man or per unit of capital employed, physical and financial programmes, achievement relation to programme, productivity, cost of production, price structure, employment trends, labour relations, organisational changes? All these are necessary.

**Shri Tyagi:** They are all included.

**Shri Surendranath Dwivedy:** They are not included, as my hon. friend says, because the provisos would not permit this committee to go into all these things. Take, for example, labour relations. It is a vital matter so far as the functioning of the public undertakings are concerned. Do the Estimates Committee or the Public Accounts Committee have any power today to go into the labour relations of the public undertakings or of any other undertaking? No. So, what I was feeling was that not only the proposed committee is not given all the powers that are enjoyed by the Estimates Committees and the Public Accounts Committee . . .



**Shri A. C. Guha:** As regards labour relations, we do not discuss any individual labour dispute but surely we discuss the general employees-employer relations in the public undertakings also. That is frequently discussed and also commented upon; but we do not take up any individual case.

**Shri Surendranath Dwivedy:** It is not a question of taking up individual cases. This has relation to the effective functioning of the undertaking as well. So far as that is concerned, I do not know which report of the Estimates Committee or of the Public Accounts Committee has really bestowed any thought or has gone into this question thoroughly and has shown that these have been the lacunae which should be removed so that the public undertaking or any undertaking that has come under review functions efficiently. Therefore I would have thought that more power should have been given to this committee, not only the powers that are enjoyed today by the Estimates Committee and the Public Accounts Committee but wider powers so that this committee would have been under no limitation for going into all these matters. But that has not been done. Even now the Government would do well if they amend this very motion. There are amendments moved and, I think, if they accept the amendments and do away with the provisos and add some of the clauses given in the amendments, as has been suggested by my hon. friend, Shri Guha—I have also given an amendment of like nature—then this work would be really worth having.

I have then to press for increasing the membership of this committee. A single transferable vote is there. For election of members to the Estimates Committee and the Public Accounts Committee also we have the same procedure.

Now, here is a Committee, as I have already stated, which is going to perform an important function of Parlia-

ment. It is necessary that all groups and all interests, so far as it is possible, should be represented on this Committee. Therefore, I think, the membership should be increased. At least, this Committee should have the same strength as that of the Estimates Committee. I object and I oppose the provision wherein it has been stated that the Members of this Committee should hold office for five years. It has already been pointed out that already two years have almost passed; the life of this Parliament is only three years more. Not only that, it provides that 1/5th of the members will retire every year. That means, there will be continuous election every year. It is suggested that this Committee should by experience have some expert knowledge. That is admitted. But it should be like the Estimates Committee or the Public Accounts Committee. You may increase it to three years. It does not matter. But let there not be any retirement of members in between. We may elect the Committee after three years. This retirement would actually work against the interests of the Opposition and small groups. As we find in Rajya Sabha, because of the strength of the ruling party in the Assemblies, the membership of the Opposition is gradually becoming thin. That is because after retirement, they have not the requisite strength to get them elected. Nobody can give an assurance here that our men will come. That is not so. We cannot believe in the assurances and in this manner of proceeding in this matter. Therefore, I suggest the Government should accept that it should be three years so far as this Committee is concerned, and this proviso should be removed. I have already stated about the association of Rajya Sabha with this Committee. I feel that the Rajya Sabha should also have the power to nominate not only five but ten members for this Committee.

Lastly, I will again point out that the Public Accounts Committee or

[Shri Surendranath Dwivedy]

committees like that almost play a negative role. My hon. friend Mr. Tyagi will excuse me for that.

**Shri Tyagi:** I am negative.

**Shri Surendranath Dwivedy:** They have to scrutinise the amounts which have already been spent. Now, this Committee is quite different in the sense that this Committee should have the power of a guiding function which would exercise the functions of Parliament, if necessary, to take initiative to suggest changes, alternatives and new methods for the running of public undertakings. This is what is needed most and I would suggest that the Government should also accept amendments of that nature that this Committee should have the power to suggest measures for better and efficient functioning of public undertakings. Otherwise, I do not think, the appointment of such a committee is going to benefit us in any way better than that we are having, the Estimates Committee or the Public Accounts Committee.

**Shri S. N. Chaturvedi:** This long-awaited resolution regarding the committee on public undertakings is very welcome, although it is hedged round with a number of limitations.

The public sector in this country has come to stay. It is growing and will continue to grow, and there must be some body to which it should be accountable. Parliament as a whole cannot exercise that close scrutiny which these public undertakings require.

Today, we hear different views about the comparative merits of the private sector and the public sector. Quite a number of things are said which have no substance. On the other hand, we are also hesitant to say that the public sector has made good. The contribution which was expected of it to the public exchequer during the Plans has not been forthcoming. There have been other complaints of too much of red

tape, bureaucracy, interference and the like. The management has been top-heavy. There has been interference at all levels which has not been conducive to efficient management.

The Estimates Committee and the Public Accounts Committee, of which this committee is a counterpart so far as the public undertakings are concerned, have proved their efficiency in the administrative sphere. In a large number of cases, they have drawn attention to the faults and failings to which our administration has been susceptible. And it is very necessary that the same scrutiny should be applied to our public ventures, because they cannot be themselves the judge of what they do.

As regards the faults that have been discovered, a number of bodies have made their comments about it.

The World Bank Mission which visited early in 1960 to study India's developmental plans remarked as follows:

"That present organisation of the publicly owned steel industry is felt to be unsatisfactory by many of those responsible for trying to make it work. It certainly satisfies few of the criteria that have been found elsewhere to be applicable to the efficient operation of public enterprises, and the Mission believe that it ought promptly to be re-examined."

Further on, it has remarked:

"An inordinate amount of time and energy is spent by the management of enterprises—public as well as private, small as well as large—in negotiating their way through Government regulations. Many of the main controls, including those over investment and imports, unquestionably have to be continued for the time being

in view of the overall shortage of resources. On the other hand, the Mission has the impression that the multiplication of controls has been carried in recent years to quite unnecessary lengths and that many of the existing controls do not contribute materially either to the better functioning of the economy or the fulfilment of the Government's social objectives. The experience of other countries has shown the damage that can be done by excessive controls exercised by remote Government officials over the operations of business enterprises, even though each regulation, taken by itself, can be justified in terms of public policy."

Similarly, there has been comment about the appointment of administrative officers, who have no experience of managing any business concerns, as managing directors or chairmen of the boards of these managements. Managerial capacity in this country is very scarce—probably the most scarce commodity, even more so than foreign exchange. Even so, the appointments which are made to these undertakings must be of persons who had some background of business management.

#### 16 hrs.

Secondly, the appointment of officials, service-men, on the boards of management make them almost a part of the ruling hierarchy. Prof. Galbraith has remarked:

"The presence of officials on the boards of public enterprises virtually destroys the autonomy of the enterprise and the board becomes a link in the civil service hierarchy".

These defects have been pointed out and we should try to set them right because if these undertakings do not make good progress, nationalisation of certain strategic industries in this country will receive a set-back. Private enterprise has its own shortcomings and deficiencies. We know that

1383(A) LSD—9.

they judge everything by the criterion of profitability. Here the criterion should be service. But under the garb of service, public undertakings must not fall a prey to inefficiency, waste, extravagance and the like to which the other enterprises are so susceptible. As a matter of fact, with the advantages that these public undertakings enjoy, in the matter of ample funds at their disposal and in some cases monopoly in production, they should serve as models to others in regard to prices, efficiency, the status they give to their workers, the attention they pay to their wages and welfare.

The constitution of the Committee is welcome and I hope, as others have done, the motion will be passed and implemented. I have submitted a few amendments. The feeling has been voiced in this House that the number of 10 from this House will not be adequate. It will not give representation to all sections. Therefore, I have raised it by an amendment to 15. At the same time, I have suggested raising the number of members of the Rajya Sabha to six. I think that rotation will not be harmful. The Opposition parties have some apprehensions, but if, as pointed out by the Minister, a convention is adopted that future vacancies will be filled from the same group to which the retiring members belonged, should reassure them.

I want that a larger number of Members from our House should have the experience of the working of this Committee. They should be able to look more closely into the working of those undertakings, so that the House is benefited and is enabled to exercise better vigilance on the working of these undertakings. I am glad my view to increase the number of members on this committee has been shared by others.

I have also suggested an amendment to paragraph (2) to include the words:

"to examine whether the organisational structure and proce-

[Shri S. N. Chaturvedi]

dures are conducive to maximum efficiency and economy and make recommendations for their improvement;"

What I have said before goes to show that a number of organisational defects persist, because of which these undertakings are not working as efficiently as they should. There are other matters also which probably will be remedied if this organisational aspect is taken into account. I think the addition that I have made is not covered by the terms of reference given in the body of the motion, and therefore I hope it will be accepted.

**Shri A. N. Vidyalankar:** In spite of what Shri Ranga says, the public sector in India is bound to expand. The drawbacks he has pointed out in the public sector are not inherent in the system, but are due to the unhealthy influence of the private sector. Certain traditions have developed in the private sector all over the world, which are imitated by the public sector in some places. But generally our experience shows that the public sector is coming into its own, giving a good account of itself, and slowly and gradually improving.

In the last session, the Minister of Steel and Heavy Industries explained certain measures that the Government has taken in order to improve the management of the public sector and the recent reports that have appeared show that the public sector has made a lot of improvement, and that soon many of these undertakings are going to yield profit.

The experience of other countries shows that the public sector is a source of huge incomes. In our country also, certain public undertakings like railways, although they do not come under the purview of this proposal, are a source of huge income to the State. Therefore, I have no doubt that if efficiently managed, if properly managed by technical personnel, the public undertakings can be run successfully. I am sure that the proposals now before

this House would help in improving the efficiency and in better control of the public sector by this august House.

The public sector has expanded much. In 1959 the investment was Rs. 29 crores in public sector; it rose to Rs. 81 crores in 1955 and to Rs. 956 crores in 1960-61, almost the end of the Second Plan. At the end of 1961-62, it stood at Rs. 1133 crores, and with the estimated investment of Rs. 1520 crores during the Third Plan period, the total investment will stand at about 2500 crores at the end of the Third Plan period. Similarly, the number of public sector industries stood at 6 in 1947; it rose to 14 in 1951, and to 31 in 1955 and at present there are about 65, including companies where Government has majority shares. There are besides companies in which Government holds minority shares.

The public sector is bound to expand and so it is essential that this House should have proper control. I do not think that this Bill casts any reflection on the work of the Public Accounts Committee or Estimates Committee which have been examining their reports and accounts and other things. Since the public sector is expanding, it is possible for those Committees in future to exercise proper control and so this House desires that in order to check their reports and accounts this House should have a committee.

This proposal is welcome. Every section of this House has welcomed this proposal. But the powers of this Committee should not be restricted. It should enjoy all the powers that are at present enjoyed by the Public Accounts Committee and the Estimates Committee; the powers should rather be expanded and not restricted because the tendency in these public undertakings, rightly, is to have more and more autonomy and independence. I refer to the statement our hon. Minister for Steel and Heavy Industries made in the last session. He says:

"As in the case of the Personnel Manager so also I consider it essential to emphasise the staff and service functions of the Plant Financial Adviser and Chief Accounts Officer and eliminate the control aspects of this office."

"Historically this officer has often been regarded as having veto powers over the General Manager or has sometimes exercised such powers in practice. I have myself made efforts to correct this situation, having authorised General Managers to overrule financial advice when they disagree. But the traditional prestige of Finance has lingered so tenaciously that a new outlook is needed. An aggressive Financial Adviser can find occasion to intervene in almost anything and even a strong General Manager will in the end take the easy way of submitting to prior financial concurrence with respect to too many of his decisions. The result may be delay" and so on.

He has suggested that the control of the Financial Adviser is to be reduced. Similarly, he has further said:

"... we must trust our public sector projects to managers with full authority and accord to such managers that same trust and confidence which we repose in our leaders in other fields."

He has further said:

"Consistent with these observations, at Durgapur and Sindri, the functions of the Financial Adviser and Chief Accounts Officer will be to assist the General Manager with internal plant accounting, cost accounting and financial advice. In fact, at these plants we should think in terms of a top plant management, a plant staff cabinet, so to speak, comprised of Chief Plant Accountant, Commercial Manager and Personnel Manager. But it is clearly understood that the functions of the Chief Plant Accountant or Financial Adviser is a staff, not an operating, function. He should be

and indeed is no more than one of the trusted lieutenants of the General Manager."

This shows that in the management—and it is rightly so—the powers of accounts officers and financial advisers are being reduced. After all the General Manager should exercise those powers and he should have a free hand in the management. But where these powers are being reduced, naturally the Finance Ministry will not get all reports. I am not very clear whether the financial advisers and other officers of the Finance Department would be allowed or be expected to submit their reports, wherever financial irregularities occur, to the Finance Ministry. So, I think the general tendency is to reduce the powers of the financial officers in these undertakings. If that is so, and the Finance Ministry is not going to exercise all these financial powers which till recently it has been exercising, then, it is very clear that this House should have a Committee which should at least have the power to fully and thoroughly examine all the financial undertakings and commitments of these enterprises. Therefore, I think that from that point of view, the Minister will consider this: that this House would like to see that financial control and supervision should be properly exercised.

I am one with the Minister of Steel and Heavy Industry that the General Manager should have a free hand, and in the day-to-day working the financial advisers and accounts officers should not interfere too much. At present it is true that they do interfere. Sometimes, non-technical personnel who know only finance interfere so much that it becomes a very difficult thing for the General Managers to run these undertakings properly and profitably. I think under these circumstances, when this tendency is there, this Committee should have more financial powers, and it should have the power to control and supervise whatever financial commitments there might be. I agree with many of the Members who have sug-

[Shri A. N. Vidyalkar]

gested that this Committee should have full powers to call for and examine witnesses from all the departments. They should have the power to view all aspects of management, even to see whether the undertakings are run efficiently or not. In a general way, they should go into the details, and they should have a general supervision. In these undertakings, wherever there are failures, the causes are not inherent. But they should be considered as human failures because there are certain errors committed by those who run those organisations. For instance, there is the complaint about over-staffing in most of these undertakings. The tendency to over-staff is there. Nepotism is also there. Even the Estimates Committee in its earlier reports has referred to some of these defects. I think these defects must be removed if we have to run these undertakings in a proper manner. Therefore, in these matters and matters of administration, powers to have a general examination of the administration must be vested in this Committee. Otherwise, if we curb the powers of this Committee under the excuse that day-to-day interference should be avoided, all these matters about appointing persons and increasing the staff etc., may be considered to be within the purview of the General Manager. Therefore, all these matters should come within the purview of this Committee.

Then, from the motion as it is before us, it is not clear whether we are withdrawing the powers from the Public Accounts Committee or the Estimates Committee. It is implied, just as the hon. Speaker pointed out this morning, but I think it is very necessary, in order to be very clear about it, this House must decide while approving this resolution whether these powers are to be taken away from these two committees. Otherwise, Sir, a confusion might arise and both these committees also might exercise these powers.

About the number, I think the number should be increased and the num-

ber of members from Rajya Sabha should also be proportionately increased. About the duration of the Committee, I think the duration of five years as proposed is correct, but it should be stated that the members appointed will continue to be members so long as they continue to be Members of Parliament. If a member ceases to be a Member of the Lok Sabha or the Rajya Sabha, either due to defeat in the election or otherwise, he automatically goes from the Committee also. Otherwise, he should continue to be a member for five years. I think some such amendment should be brought in so that the difficulty pointed out by my hon. friend, Shri Tyagi, may be removed.

In the end, Sir, I welcome this proposal. I hope that no effort will be made to curb the powers of this Committee and it will at least enjoy full powers as are enjoyed by the Public Accounts Committee and the Estimate Committee at present. Because the functions of both these committees are combined in this Committee the responsibility of this Committee is very much enhanced. When its responsibility is so enhanced and when there is no other agency to exercise proper control over these undertakings, it is very necessary that this Committee should be given full powers and its powers should not be restricted in any way.

श्री काशीराम गुप्त: उपाध्यक्ष महोदय, यह जो प्रस्ताव सरकार की ओर से आया है वह बहुत इन्तिजार के बाद और उनकी ओर से बहुत ही सोच विचार के बाद आया है। किंतु इस सदन में माननीय सदस्यों ने जो विचार प्रकट किये हैं—विशेष कर कांग्रेस दल के सदस्यों ने—उनसे यह साफ़ प्रकट होता है कि सरकार को जितने गहरे विचार के साथ इस बात को लाना चाहिये या उस प्रकार से वह नहीं ला सकी और अब भी इसमें बहुत ही बड़े हेर फेर की आवश्यकता

है। यह बात यह जाहिर करती है कि हमारी सरकार जो काम भी करती है उसमें कोई भीतरी दृष्टिकोण दूसरा ही होता है। इसमें जो इतनी देरी हुई उसका कारण, जैसा कि मुझ से पहले श्री द्विवेदी जी ने बतलाया, कांग्रेस के भीतर का संघर्ष है, अन्यथा इतनी देरी की कोई आवश्यकता नहीं थी।

मंत्री महोदय ने बार बार यह कहा है कि अब क्योंकि सरकारी कारखानों का काम बहुत बढ़ रहा है इसलिये इसकी आवश्यकता पड़ी कि एक कमेटी बनायी जाये। किन्तु कृष्णा मैनन कमेटी की रिपोर्ट तो बहुत पहले की है, फिर इसमें इतनी देरी लगने का क्या कारण था। और अगर केवल यही करना था कि इस कमेटी को एस्टीमेट्स कमेटी और पब्लिक एकाउंट्स कमेटियों का काम सौंपना था तो यह तो इस तरह बहुत अच्छी तरह हो सकता था कि इस काम के लिये अलग से एक एस्टीमेट्स कमेटी और एक पब्लिक एकाउंट्स कमेटी बना देते। तो फिर इतना भारी वादविवाद भी न उठता और इतनी देरी भी न लगती।

अब भी रोज के कार्य में इसको किस प्रकार की कठिनाइयाँ आवेंगी उनमें जाने से पहले मैं आपके द्वारा मंत्री महोदय का विशेष ध्यान दिलाना चाहता हूँ, और वह यह कि उन्होंने जो पांच वर्ष की अवधि रखी है वह तो किसी भी हिसाब से पूरी नहीं होती। आज इस सदन की मियाद लगभग साढ़े तीन साल है और इसलिये तीन साल से अधिक समय रखना किसी भी प्रकार उपयुक्त नहीं हो सकता।

इसके अतिरिक्त उन्होंने जो यह आधार माना है कि इसमें से कुछ लोग प्रति वर्ष वापस जायेंगे यह बिल्कुल निरर्थक है, गलत है और इसका नतीजा कभी लाभदायक नहीं हो सकता। इसका केवल एक ही नतीजा हो सकता है कि अन्त में कुछ समय के बाद कांग्रेस पार्टी के लोग ही इसमें रह जायें।

यदि वास्तव में सरकार ईमानदारी से इस काम का करना चाहती है तो उनको चाहिये कि वे इस संशोधन को मान लें जो कि सदस्यों ने रखा है कि यह कमेटी तीन वर्ष की हो और जिस प्रकार से कि पब्लिक एकाउंट्स कमेटी और एस्टीमेट्स कमेटी के चुनाव होते हैं उसी प्रकार से इसके चुनाव हुआ करें।

यह भी दलील दी जाती है कि इसमें लोगों को अनुभव होना चाहिए। जब उनको आप काम ही सीमित रूप में देते हैं तो उनके अनुभव का प्रश्न कहाँ पैदा होता है। इसलिए अगर एस्टीमेट्स कमेटी का मेम्बर एक वर्ष के बाद बदला जा सकता है यदि पब्लिक एकाउंट्स कमेटी का मेम्बर एक वर्ष के बाद बदला जा सकता है तो फिर इस के मेम्बर क्यों नहीं बदले जा सकेंगे यह बात समझ में नहीं आती है।

इसमें लिखा है पांच साल। लेकिन पांच साल तो इस सदन की मियाद भी नहीं रही है। अभी मंत्री महोदय जो कुछ रखने जा रहे हैं उसका नतीजा क्या होगा। उसका नतीजा यह होगा कि जिस मंतव्य से हम इसको कर रहे हैं वह मंतव्य सफल नहीं होगा और स्वयं में नष्ट हो जाएगा। मंतव्य यह है कि इन कारखानों में अच्छे ढंग से काम चले, उनमें अपव्यय न हो, उनमें धींगा धांगी न हो, उनमें जो मजदूर हैं उनके साथ अत्याचार न हो, इनमें जो कुछ रुपया लगा है उसका उचित फल मिले और लोगों को सही चीज मिलें। यह सब मंतव्य इसका है। जैसा कि ढांचा बनाया गया है उसमें क्या इस कमेटी से यह मंतव्य पूरा हो सकेगा? इस ढांचे में दस श्रादमी लोक सभा के होंगे और पांच श्रादमी राज्य सभा के होंगे। राज्य सभा उनको चुन कर भेजेगी या नामिनेट करके यह इसमें उल्लेख नहीं है। राज्य सभा के मेम्बर एसोसिएट मेम्बर कहलायेंगे। एसोसिएट मेम्बरों और बाकी मेम्बरों में क्या फर्क

[श्री काशीराम गुप्त]

होगा यह इसमें नहीं बतलाया गया है। नतीजा यह होगा कि जब काम करने बैठेंगे तो लोग इन बातों में फस जायेंगे और जो असली काम है वह रह जाएगा। जो ढांचा बनाया जा रहा है वह पहले से ही गलत है। इससे ऐसा लगता है कि सरकार का शासन तंत्र यह चाहता है कि पार्लियामेंट का यह प्रयास असफल हो जाए, और यदि मंत्री महोदय इस असफलता के लिए जिम्मेदार कहलाए तो अचरज की बात न होगी। इसलिए मेरा निवेदन है कि इन सब बातों पर मंत्री महोदय को ध्यान देना चाहिए।

कहा जाता है कि इंग्लैंड में जो ऐसी कमेटियाँ हैं उनमें एक प्रभावशाली आदमी आडिटर जनरल की ओर से होता है। अगर इस कमेटी के साथ यहाँ भी एक ऐसा आदमी न जुड़ा रहेगा तो बहुत सी पेचीदगियाँ आयेंगी और उनको हल करने में बड़ी कठिनाई पैदा होगी। इसलिए जब हम इंग्लैंड का हवाला देते हैं तो वहाँ के काम काज की प्रणाली को देखना चाहिए और उसमें जो अच्छी बातें हों उनको हमें अपनाना चाहिए। पहले यह देखा जाए कि क्या केवल यह कमेटी बन जाने से और इस प्रकार का ढांचा बन जाने से हम कामयाब हो सकते हैं। मैं समझता हूँ कि हम इस प्रकार कामयाब नहीं हो सकते।

मेरे मित्र श्री हनुमन्तैया ने कहा कि हम को यह देखना चाहिए कि वहाँ पर कंज्यूमर्स की दृष्टि से चीजें और सामान बने। प्रश्न यह है कि अब तक जो सरकार के कुछ कारखाने हैं उन में बहुत सा सामान ऐसा बनता है जिन की कि स्वयं सरकार ही कंज्यूमर है। सरकार ही स्वयं उन की खपत करती है और सरकार ही उन को पैदा करने वाली है। इसलिए केवल एक दृष्टिकोण हमारा नहीं होना चाहिए अपितु सर्वांगण दृष्टिकोण को अपने सामने रखते हुए हमें आगे बढ़ना होगा। उत्पादन और खपत के जो मूलभूत सिद्धांत हैं उन के

अनुरूप हम को चलना होगा। अब मूलभूत सिद्धांतों के अनुसार यदि हम चलेंगे तो निश्चित रूप से हमें यह देखना पड़ेगा कि उनके प्रबंध के ऊपर उचित व्यय हो और वह उचित मात्रा से अधिक न हो। उसकी जो किस्म बने वह बहुत सही बने। उन में जो काम करने वाले हैं उनको उचित मजदूरी मिले। उस का कुल मिला कर जो खर्चा बैठे और जो उत्पादन व्यय बैठे वह ठीक हो। ऐस्टिमेट में जो बैस्ट होता है और फ़ालतू चीजें जो खराब होती हैं वह न हों। उसमें काम करने वाले लोग ईमानदार और कुशल हों और वे देश के प्रति वफ़ादार हों। अब इन सब बातों को देखने के लिए १५ आदमियों की इस कमेटी के पास क्या संवधान होगी? जिस प्रकार से उन के हाथ पैर बांध दिये गये हैं तो इस तरह से हाथ पैर बंधे हुए वह कमेटी क्या काम कर सकेगी? पब्लिक अंडरटेकिंग्स के वास्ते कमेटी वाले मोशन में कमेटी के वास्ते यह लिखा हुआ है :

“(i) matters of major Government policy as distinct from business or commercial functions of the Public Undertakings;”

यह बातें इस कमेटी के अधिकार में नहीं होंगी। मेजर गवर्नमेंट पालिसी के आधार पर कमेटी बनाते हैं लेकिन मेजर गवर्नमेंट पालिसी का प्रश्न ही यहाँ जुड़ता नहीं है। फिर लिखते हैं :—

“(ii) matters of day-to-day administration;”

मैटर्स आफ डे टु डे ऐडमिनिस्ट्रेशन का जहाँ तक ताल्लुक है, किसी एक कारखाने में इस बारे में जाने का कोई प्रश्न ही नहीं होता लेकिन जब ऐस्टिमेट्स कमेटी जाकर उन कारखानों की बातों को देखती थी कि उन में किस प्रकार का जोड़ तोड़ बिठा रहे हैं और कैसे उनका इंतज़ाम होता है, उनके अंदर कोई कोअररिनेशन, सामंजस्य है या नहीं जब यह शब्द जो कि मैं ने मोशन में से पढ़ कर,



बतलाये ऐस्टिमेट्स कमेटी के लिए नहीं है तो यहां इस कमेटी के लिए इन को क्यों जोड़ा जा रहा है यह मेरी समझ में नहीं आता है। जब ऐस्टिमेट्स कमेटी डे टु डे कामों में नहीं आती है तो यह विशेष व्याख्या क्यों की जा रही है और इस प्रकार की विशेष व्याख्या करने का क्या तात्पर्य है? क्या यह व्याख्या इस लिए की जा रही है कि सरकार के दिनाग में यह बात है कि ऐसी सम्भावनाएं होंगी हालांकि वास्तव में और व्यवहारिक रूप में वह सम्भावनाएं नहीं होंगी।

तीसरी बात उसमें यह लिखी हुई है:—

“(iii) matters for the consideration of which machinery is established by any special statute under which a particular public undertaking is established.”

यह एक रूकावट इसमें और डाल दी गई है। यह जो इस प्रकार की रूकावट डाली गई है यह साफ़ जाहिर करता है कि सरकार स्वयं स्पष्ट नहीं है। सरकार को डर लग रहा है कि पार्लियामेंट को जो कमेटी बनेगी वह उन सब कामों में शायद हमें उलटा घसीट कर वापिस ले जाना चाहती है या वह उस की प्रगति में योग देगी। सरकार स्वयं इस बारे में संशय में है। अब सरकार का संशय में रहना यह कोई बहुत अच्छी निशानी नहीं है।

राज्य सभा के जो पांच सदस्य आयेंगे और हमारी लोक सभा के जो दस सदस्य होंगे, तो अब तीन साल के बाद लोक सभा तो सारी की सारी बदल जाती है लेकिन राज्य सभा सारी की सारी नहीं बदल जाती तो राज्य सभा का जो ढांचा है उस ढांचे से जो पांच सदस्य आयेंगे, हो सकता है कि नये चुनाव के बाद या नये चुनाव होने के पहले या चुनाव समाप्त होकर जो दूसरे लॉग चुन कर आयें उस दरमियान में वही पांच रह जायें और उन

पांचों के आधार पर यह अंडरटेकिंग की कमेटी चलती रहे। इसलिए इन दोनों का मेल बैठता नहीं है। अच्छा यह होता कि ऐस्टिमेट्स कमेटी अलहदा बना देते और पब्लिक एकाउंट्स कमेटी अलग बना देते या अन्यथा यह स्पष्ट होना चाहिए कि राज्य सभा के जो मंत्रियों आयेंगे वह और हम मिल कर जैसे पब्लिक एकाउंट्स कमेटी का चुनाव है उसी प्रकार से एक नियत समय के लिए यहां भी चुनाव होगा और उस नियत समय के बाद सारी की सारी वह कमेटी बदल जायेगी। इस प्रकार का जो एक तरीका रक्खा है यह उन लोगों के लिए होना है जहां पर कोई बहुत थोड़े से नियम बने हुए हों, जहां पर एक निश्चित तरीका बना हुआ हो और जो लोग अनुभव के आधार पर वहां बैठे हैं उन के अनुभव से फायदा होता है। लेकिन जो यह सदन है उस में इस प्रकार का काम वह सफलता नहीं ला सकता है क्योंकि जो लोग भी आयेंगे, किसी भी पार्टी के हों, वह नये आ सकते हैं, उन का अनुभव कुछ और प्रकार का हो सकता है, इसलिए यह जरूरी नहीं है कि उनका पुराना अनुभव उस वक्त के मौके के मुताबिक मौजू बड़े। बहुत सी बातें इस में ऐसी आयेंगी जिनसे नये आने वाले लोग ज्यादा लाभदायक सिद्ध हो सकेंगे। इसलिए जिस प्रकार से हमारा ढांचा दोनों सदनों का चल रहा है, इस प्रकार की चुनाव प्रणाली ही उसमें उपयुक्त होगी।

अब प्रश्न यह रह गया जैसा कि बतलाया गया ७३ अंडरटेकिंग्स चल रही हैं। इन के दो, तीन हिस्से हैं। पार्ट वन में कारपोरेशन जो सरकार ने बनाई है, दामोदर वैली कारपोरेशन, इंडस्ट्रियल फ़ाइनेंस कारपोरेशन और इंडियन एयरलाइन्स कारपोरेशन, आदि, इनका तरीका और तीर दूसरा है और कम्पनीज ऐक्ट के तहत जो कम्पनीज बनाई हैं उनका तरीका दूसरा है। तीसरी चीज जो पार्ट वन में रक्खी है, इन तीनों में भी कम्पनीज ऐक्ट

[श्री काशीराम गुप्त]

के तहत जो कम्पनी बनी है वह उसमें शामिल नहीं की जायेगी जिसमें कि सरकार का ५१ प्रतिशत हिस्सा नहीं होगा। अर्थात् ५१ प्रतिशत हिस्सा जिन कम्पनियों में सरकार का नहीं होगा वह सम्भवतः इसमें शामिल नहीं होंगी। इमनिए जब तक एक निश्चित नीति की घोषणा न हो जाय, सरकार की ओर से स्पष्ट घोषणा न हो जाय, इस प्रस्ताव में तो वह बिल्कुल निहित नहीं है, तब तक यह मामला आगे चल कर खटाई में पड़ने वाला है।

10-36 hrs.

[MR. SPEAKER in the Chair.]

प्रध्यक्ष महोदय, आपके द्वारा मेरा मंत्री महोदय से निवेदन है कि जो कुछ विचार इस पर माननीय सदस्यों ने प्रकट किये हैं वह बहुत ठोस हैं और जो कुछ भी संशोधन उन्होंने पेश किये हैं वह भी बहुत ठोस हैं। मैं समझता हूँ कि उसमें यह नहीं देखा जायेगा कि सरकार ने एक पक्ष उपस्थित कर दिया इमनिए सरकार को अपने उस पक्ष को ही चलाने की कोशिश करनी है और उस के लिए क्लिप जारी होना चाहिए। जब इनके स्पष्ट तौर से माननीय सदस्यों ने अपने अपने विचार प्रकट किये हैं खास कर कांग्रेस दल के बड़े बड़े लोगों ने अपने विचार प्रकट किये हैं तो मैं यह निवेदन करूँगा कि सरकार को व्यवहारिकता के आधार पर इसमें ग्रामूल चल परिवर्तन करने चाहिए। यदि वह परिवर्तन नहीं किये गये तो यह बनी हुई कमेटी और भी ज्यादा खतरनाक होगी बनिस्वत उस स्थिति के जो दो, तीन वर्ष में अब तक नहीं बन पाइ है। कहा यह जाता है कि जो काम शुरू किया जाय भले ही वह देर से शुरू किया जाय, लेकिन वह किया अच्छे ढंग से जाये जिससे कि उसका नतीजा अच्छा निकले। यह जिस प्रकार से शुरू किया जा रहा है वह अच्छा ढंग नहीं है। वह गलत ढंग है और जाहिर है कि उसका नतीजा सही नहीं हो सकता है, यह मेरी एक निश्चित धारणा है।

अन्त में मुझे एक बात और कह कर अपने भाषण को समाप्त कर देना है। हम को जिस प्रकार के नतीजे इस से लाते हैं, उन ग्रंटरटेकिंग्स के बारे में कुछ लोग यह कहते हैं कि प्राइवेट ग्रंटरटेकिंग्स उन के मुकाबले में होनी चाहियें। मैं नहीं समझ पाया कि जब हमारी सरकार की नीति निश्चित है कि हमारा प्राइवेट सैक्टर अलग है और पब्लिक सैक्टर में विषय विशेष काम के लिये कारखाने हैं तो बार बार उस को बताने की आवश्यकता क्या पड़ती है। जो प्राइवेट सैक्टर वाले हैं वे यह कहें कि हम आप को बहुत अच्छा काम कर के दिखा सकते हैं और हम प्राइवेट सैक्टर वालों को ही इस प्रकार की कम्पनियाँ दी जायें, इस प्रकार से उन का कहना मैं समझता हूँ कि एक राजनीतिक चाल है और राजनीतिक चाल होने के अलावा एक दलीय चाल भी है। राजनीतिक और दलीय चाल होने के अलावा और कुछ नहीं है। हर एक की अपनी अपनी सीमायें हैं। जो काम सरकार का है उसे सरकार कर सकता है। सरकार की सीमायें अलग हैं। उदाहरण के तौर पर मैं बतलाऊँ कि जितने भी हमारे स्टील के कारखाने हैं वह आज प्राइवेट सैक्टर वाले चलाने में असमर्थ हैं क्योंकि उस में बहुत देर तक मुनाफा नहीं होता है। एक लम्बे अरसे तक। यह भी कहना कि मुनाफा नहीं हो रहा है या पब्लिक सैक्टर की इंडस्ट्रीज में मुनाफा नहीं हो सकता है यह सही बात नहीं है। किन्हीं कामों में जल्दी मुनाफा होना चाहिये, वहाँ मुनाफा अवश्य है। लेकिन किन्हीं कामों में मुनाफा देर से होगा, मुनाफा जल्दी नहीं होगा या मुनाफा नहीं होगा क्योंकि उन की अपनी एक अलग ही परिस्थिति है। इसलिये कोई एक लाइन खींच कर हम फैसला नहीं कर सकते हैं। कि अमुक प्रगति ठीक हो रही है अथवा अमुक प्रगति ठीक नहीं हो रही है। हाँ वह जो फैसला हो सकता है उस के आधार को देखें, लेकिन किस आधार पर हम उस को तोलना चाहते हैं तोलने का आधार निश्चित हो और उसे हटै निश्चित करना चाहिये उस मामले में खास

र से, जिस से नि. जो कुछ मार्गदर्शन इस कमेटी को मिले उस के आधार पर वह सही काम कर सके। धन्यवाद।

**Mr. Speaker:** Shri Banerjee.

**Shri Kanungo:** May I know, Sir, till what time will this debate continue?

**Mr. Speaker:** That I am enquiring from the House now. I was asked again and again to fix some time. I thought that the debate might go on for some time and then we will decide what time is to be allotted to this debate.

**Shri P. K. Deo (Kalahandi):** There are so many Members who are likely to take part in the debate.

**An Hon. Member:** Four hours more.

**Mr. Speaker:** Don't the hon. Members feel that the same points are being made again and again?

**Shri P. K. Deo:** Every Party has its own angle of approach.

**Mr. Speaker:** Of course, that angle I will certainly allow to be brought before the House. Then, tomorrow we might conclude by about 2-30 P.M. Will that be all right?

**Shri Radhelal Vyas (Ujjain):** Let it go on upto 4 P.M. at least.

**Mr. Speaker:** There is one thing that I have to disclose to this House that certain hon. Members have got engagements tomorrow at 5 O' clock. They had not known that the adjournment motion would be admitted. Therefore, they had fixed up certain other engagements. So, they suggest that the adjournment motion might be taken up at 2-30 P.M. and finished by 5 O' clock—those 2½ hours that are to be allotted to it might be taken there. We will try to finish it by 2-30. If there is a demand, we will take it up afterwards. Mr. Banerjee.

**श्री स० मो० बनर्जी :** अध्यक्ष महोदय, मैं इस कमेटी के निर्माण का समर्थन करता हूँ। आप को याद होगा कि इस सदन में बार बार यह कोशिश की जाती रही है कि जितनी जल्दी हो सके, यह बहस इस सदन में आए और इस कमेटी का निर्माण हो। मुझ से पहले जिन माननीय सदस्यों ने इस डिस्कशन में भाग लिया है, उन्होंने ने इस बारे में कुछ मुझाव रखे हैं और कुछ संशोधन भी पेश किये गये हैं।

मैं समझता हूँ कि अगर इस वक्त लोक सभा और राज्य सभा का झगडा न ही आए, तो शायद अच्छा हो, हालांकि मैं खुद भी यह महसूस करता हूँ कि सिर्फ इस मामले में ही नहीं, बल्कि हर एक मामले में लोक सभा की आवाज ज्यादा होनी चाहिये, क्योंकि लोक सभा लोगों के चुने हुए नुमाइदों की संस्था है और इसलिये उस की आवाज ज्यादा होनी ही चाहिये। खेर, हम चाहते हैं कि दोनों हाउसों की एक मिली जुली कमेटी बने, जिन में कोई फर्क न हो, ताकि यह न कहा जा सके कि लोक सभा और राज्य सभा के सदस्य एक साथ नहीं बैठ सकते। फिर भी, जैसा कि कुछ माननीय सदस्यों ने कहा है, इस मामले पर दोबारा विचार किया जाये।

पब्लिक अंडरटेकिंग्स के बारे में, जिन को हम राष्ट्रीय उद्योग कहते हैं, हमारे प्रधान मंत्री जी ने कहा था कि वे प्लेसिज आफ पिल्लिमेज हैं, तीर्थ स्थान हैं। लेकिन जब हम वहाँ पर तीर्थ करने के लिये जाते हैं, तो कुछ चीजें ऐसी नजर आती हैं जिन से दिल कुछ बैठ जाता है।

**श्री बड़े :** वहाँ पर बड़े बड़े पड़े रहते हैं।

**श्री स० मो० बनर्जी :** अध्यक्ष महोदय, मैं आशावादी हूँ, और मैं आज भी यह विश्वास करता हूँ कि अगर हमारे देश ने सही तरीके से समाजवादी दृष्टिकोण ले कर आगे बढ़ना है, तो राष्ट्रीय उद्योगों का विस्तार और विकास अनिवार्य है। प्राइवेट सेक्टर को बुरा लगे,

[श्री स० मो० बनर्जी]

या अच्छा लगे, लेकिन अगर हम चाहते हैं कि देश फले फूले और वह समाजवाद की तरफ जाये, तो उन उद्योगों का विकास करना साज्जिमी है ।

हमारे देश में तीन इस्पात कारखाने लगे, हैवी इलेक्ट्रिकल्ज का कारखाना बना, लेकिन यह देख कर मुझे ताज्जुब होता है कि उन को इस कमेटी के अन्तर्गत नहीं रखा गया है । शिडयूल्ड के पार्ट १ में दामोदर वैली कारपोरेशन, इंडस्ट्रियल फिनांस कारपोरेशन, इंडियन एयरलाइन्ज कारपोरेशन, एयर इंडिया इन्टरनेशनल, लाइफ इंश्योरेंस कारपोरेशन, सैन्ट्रल वेयरहाउसिंग कारपोरेशन और प्रायल एण्ड नैचुरल गैस कमीशन को रखा गया है और पार्ट ३ में हिन्दुस्तान एयरक्राफ्ट लिमिटेड, भारत इनेक्ट्रानिक्स लिमिटेड, भैजागान डाक्स लिमिटेड वगैरह को रखा गया है । यह बड़ी खुशी की बात है कि इन कारखानों को इस में रखा गया, लेकिन आखिर विन्तृत रूप से सब राष्ट्रीय उद्योगों को क्यों नहीं रखा गया ? भोपाल के हैवी इलेक्ट्रिकल्ज को इस में शामिल क्यों नहीं किया गया ?

श्री कानूनगो : शिड्यूल्ड २ पढ़ लीजिये ।

Shri Morarka (Jhunjhunu): It is included.

Shri Bade: But some are not included.

Shri S. M. Banerjee: All are not included.

Shri Morarka: All the limited companies are included except those which are named.

श्री स० मो० बनर्जी : कभी कभी यह क्या होता है कि क्या वाकई इन बातों के बारे में अभी हमारे दिमाग साफ नहीं हुए हुए । यदि नहीं हुए तो हमें साफ कर लेने चाहिये । जब हम समाजवादी दृष्टिकोण

से आगे बढ़ना चाहते हैं और हम चाहते हैं कि पब्लिक सैक्टर की अंडरटेकिंग में एफिशियन्सी आये और उन में करप्शन भी न हो, तो फिर यह जरूरी है कि हम इस बारे में अपने दिमागों को साफ करें । अक्सर कहा जाता है कि पब्लिक सैक्टर इनएफिशियन्ट है और प्राइवेट सैक्टर करंट है और मैं समझता हूँ कि कुछ हद तक यह बात सही भी है ।

लाइफ इंश्योरेंस कारपोरेशन के बनने के बाद देश भर में यह फीलिंग फैलाने की कोशिश की गई, पालिसी-होल्डर्स के दिमाग में कुछ ऐसी बातें जमाने की कोशिश की गई कि उन की पालिसीज का क्या होगा । जब लाइफ इंश्योरेंस को नेशनलाइज किया गया, तो उस की बाग-डोर उन लोगों के हाथ में दे दी गई, जो कि बुनियादी तौर से राष्ट्रीयकरण में यकीन नहीं करते थे । मैं काई नाम नहीं सेना चाहता हूँ, लेकिन कुछ लोगों ने स्टेट्स भ्रम और दूसरे अशुभचारों में बाकायदा बयान निकाले, आर्टिकल लिखे कि लाइफ इंश्योरेंस का नेशनलाइजेशन नहीं होना चाहिये । लेकिन उन्हीं लोगों के हाथ में लाइफ इंश्योरेंस की नेशनलाइज्ड इंडस्ट्री सौंप दी गई, जिस का नतीजा यह हुआ कि बहुत से ऐसे कांड हुए, जिन का जिक्र इस सदन में भी आया और बहस भी हुई ।

इस लिये मैं यह कहना चाहता हूँ कि पब्लिक सैक्टर प्राजैक्ट्स को चलाने की जिम्मेदारी उन लोगों की होनी चाहिये जो समाजवादी ढांचे पर विश्वासन करते हैं, जो समाजवादी तरीके से इस देश को आगे ले जाना चाहते हैं । पब्लिक अंडरटेकिंग्स के माने यह नहीं होने चाहिये कि जिस को कहीं नौकरी न मिले, जो हर जगह से रिटायर हो गया हो, जो पेंशनर का जीवन व्यतीत करना चाहता हो उस को इन अंडरटेकिंग्स का चेयरमैन या जेनरल मैनेजर या चीफ पर्सॉनल आफिसर बना दिया जाये । इस विषय में भोपाल की बात

बार-बार आती है। मैं नहीं चाहता कि मैं इस पर ज्यादा कट्टं, लेकिन यह मिसाल हमारे सामने है कि वहां पर जितने भी बड़े बड़े अफसरान हैं, चाहे वह चयरमैन हो, रेजिडेंट डायरेक्टर हो, या जैनरल मैनजर हो, वे सब रिटायर्ड अफिसर हैं। वे बेचारे पेन्शनर हैं, जिन्दगी का बहनरोन हिस्सा वे रेलवेज में गुजार चुके हैं। उन्हीं ने वहां मेहनत की है और उन की एफिशियेंसी में कोई शक नहीं है, लेकिन अगर हम साठ साल की उम्र में उन से एफिशियेंसी की आशा करें, तो यह गलत है। वे लीगल एडवाइजर या कनसल्टेंट्स की हैसियत से रहें, इस में कोई एतराज नहीं है, लेकिन वे जैनरल मैनजर या चयरमैन आफ दि कारपोरेशन या चीफ इंजीनियर या वर्क्स मैनजर की हैसियत से एक्टिवली काम करें, यह बिल्कुल गलत बात होगी।

एस्टीमेट्स कमिटी के सभी सदस्यगण भोपाल के हेवी इलैक्ट्रिकलज कारखाने में गए थे। वहां पर अस्सी परसेंट केसिज में यह देखा गया कि मीटीरियल एवलेबल नहीं है। यह बात आम कही जाती है कि हिन्दुस्तान का सब से पहला ट्रान्सफार्मर जो वहां बना, वास्तव में वह वहां बना ही नहीं, बल्कि वहां पर केवल एसेम्बल किया गया, हालांकि प्रधान मंत्री जी उस को हिन्दुस्तान के सब से पहले ट्रान्सफार्मर के रूप में इनागुरेट कर के आए। मैं समझता हूँ कि इस से पब्लिक सैक्टर की बदनामी होगी और इन हालात में प्राइवट सैक्टर को यह कहने का मौका मिल रहा है कि ग्रोथ आफ पब्लिक सैक्टर के माने होंगे मोर करप्शन, फब्रिकरिडिज्म, नैपाटिज्म, इन-एफिशियन्सी, मैं राष्ट्रीय उद्योगों का समर्थक हूँ और अगर मेरा बस चले, तो मैं टिस्को, इस्को और टैल्को को नशनलाइज कर दूँ, क्योंकि मैं समझता हूँ कि जब तक स्टेट सैक्टर का विकास नहीं होगा, स्टेट मानापली डेवलप नहीं करेगी, तब तक देश में समाजवाद स्थापित नहीं हो सकता

है, देश का उत्थान और प्रगति नहीं हो सकती

जहां तक स्टील प्लांट्स का सम्बन्ध है, राउरकेल के बारे में कहा जाता है कि वह सिक चाइल्ड है। अगर वह सिक चाइल्ड है, तो प्रश्न यह है कि उस को बीमारी क्या है। अगर तपेदिक या कैंसर हो, तो उस बच्चे का बचना मुश्किल है, लेकिन अगर कोई मामूली बीमारी है, तो वह क्यूर हो सकती है। आखिर क्या वजह है कि भिलाई में प्राइवशन टारगेट से भी ज्यादा हुई और इस के लिये मजदूरों ने इतनी कोशिश की। इस की तुलना में राउरकेला की यह हालत क्यों है? वहां की इर्रेगुलिरिटीज के बारे में माननीय सदस्यों का ध्यान आकर्षित किया जा चुका है और माननीय सदस्य, श्री होमो दाजी, ने उन बातों को सफाई के साथ इस सदन में रखा था माननीय मंत्री जी को उनका गंभीरता से विचार करना चाहिये।

अब मैं कारपोरेशंज के जो चयरमैन नियुक्त होते हैं, जिस तरह से उनके सिलेक्शन होते हैं, उसके बारे में कुछ कहना चाहता हूँ। हिन्दुस्तान में न अक्लमन्द आदमियों की कमी है और न ईमानदार आदमियों की कमी है। जब आपकी तरह से इस कमी की बात की जाती है तो इसको सुन कर मैं दंग रह जाता हूँ। एक एक आदमी को दो दो कारपोरेशंज दे दिये जाते हैं। मेरे एक मुअज्जिज दोस्त जो इस सदन के मैम्बर थे और जो अब नहीं हैं और जिन का नाम नहीं लेना चाहता हूँ, उनको दो कारपोरेशंज का चयरमैन बना दिया गया, ब्रिटिश इंडिया कारपोरेशन का और इंडियन एयर लाइन्स कारपोरेशन का भी। यात्री यह समझ कर कि उनका तजुर्बा बहुत ज्यादा है, उनको दोनों का चयरमैन बना दिया गया। हुवाई जहाज किस तरह से चलते हैं, यह भी वे जानते थे और जूता किस तरह से बनता है यह वे वह जानते थे क्योंकि कूपर एंज उस में एक बहुत बड़ा कंसर्न है। इस तरह की

[श्री म० मो० बनर्जी]

बात जब होती है तो उसको देख कर मैं हैरान रह जाता हूँ। जब इस तरह के काम किये जाते हैं तो लोगों को अंगुष्ठनुमाई करने का मौका मिल जाता है और वे बैसा करने लग जाते हैं। बार बार कहा जाता है कि जो डिफ़ीटिड मैम्बरज हैं, जो डिफ़ीटिड मिनिस्टर्ज हैं, जिन को उतार दिया गया है गद्दी से उनको रखन के लिये ये तमाम कारपोरेशन बनाये गये हैं। इस तरह के जो कार्य होते हैं, उनका मैं विरोध किये बगैर नहीं रह सकता हूँ। अगर ऐसी अंगुष्ठनुमाई होन लग जाये तो मैं समझता हूँ कि हमारे देश में पब्लिक सैक्टर का पनपना दुश्वार हो जायगा। आप जानते ही हैं कि हमारे देश में कुछ लोग ऐसे हैं जो हमें समाजवादी रास्ते से खींच कर सामन्तवादी युग में ले जाना चाहते हैं। अगर समाजवादी ढांचा रहना है, जिस की चर्चा आबडी में हुई है और उसके बाद जिस की चर्चा जयपुर में दुबारा हुई है और यह मालूम हो सका है कि समाजवाद की परिभाषा क्या है और उसकी कुछ झलक जयपुर में नजर आई है, तो इस तरह के आक्षेप करने का लोगों को मौका नहीं दिया जाना चाहिये यह कमेटी तो बन और इसके साथ साथ इस कमेटी को ज्यादा से ज्यादा अखत्यारात भी हों, एस्टीमेट्स कमेटी या पब्लिक एकाउंट्स कमेटी के अखत्यारात को लेकर नहीं। यह कमेटी होली एंड सोली पब्लिक सैक्टर अडरटैकिंग्स की तरफ ध्यान दे। इस में रेलवेज नहीं हैं, डिफेंस की बहुत सी चीजें नहीं हैं। पी० ए० सी० और एस्टीमेट्स कमेटी उसको देखगी। लेकिन इस कमेटी को मैं चाहता हूँ कि काफी अखत्यारात मिलें जहां तक मैम्बरशिप का ताल्लुक है, यह न हो कि हर साल रोटेशन चला करे। यह गलत होगा। कम से कम दो तीन साल के लिये रहेंगे तो उनको तजुर्बा होगा, और तजुर्बा ह्रासिल करने के बाद उस तजुर्बा का फायदा लोगों को होगा।

लेकिन इसके अलावा मैं यह चाहता हूँ कि एक जांच कमेटी का फौरन निर्माण किया जाय जो पब्लिक सैक्टर अडरटैकिंग्स में करप्शन चल रही है, उसको दखें और उसको दूर करें। अगर इस करप्शन को बन्द नहीं किया गया तो नतीजे अच्छे नहीं निकल सकते हैं। वह कमेटी देखे कि परचेज सेल! या दूसरे दूसरे डिपार्टमेंट कैसे चल रहे हैं, किस तरीके से लोकल परचेज चल रहा है, किस तरीके से मैटीरियल की कमी है, किस गलत तरीके से जिस मशीनरी की हमें १९६७ में जरूरत होगी, उसको १९६२ में ही मंगा कर रख लिया गया है। य जो चीजें हैं, ये गलत हैं और जांच कमेटी को इसे देखना चाहिये।

इंडस्ट्रियल रिलेशंस की बात कह कर मैं समाप्त कर दूंगा। यह कहा गया है कि डे टु डे मेटर्ज में यह कमेटी जायेगी। अब आप इंडस्ट्रियल रिलेशंस को दखें। आप देखें कि भिलाई में या भोपाल में जो कारखाने हैं, वे सेंट्रल गवर्नमेंट के अन्दर में हैं, हैवी इंडस्ट्रीज मिनिस्ट्री के अन्दर में हैं, मंत्री महोदय के अंडर में हैं वहां पर अगर कोई बात होती है तो वह डिमाइड होती है मध्य प्रदेश इंडस्ट्रियल रिलेशंस एक्ट के तहत। इस चीज को देख कर मुझे ताज्जुब होता है। आखिर इसका कारण क्या है? जिन लोगों के पीछे एक भी आदमी नहीं है, जिन की यूनियन का कोई वजूद ही नहीं है, जिन को तलाश के लिये टार्च हाथ में ले कर जाना पड़ता है, उनको तो रिकगनिशन दे दिया जाता है और जो असल में यूनियन्ज होती हैं, उनको नहीं दिया जाता है। एस्टीमेट्स कमेटी के कहने के बावजूद भी आज तक वर्क्स कमेटी जो है, वह इलेक्ट्रिक बाडी नहीं बनाई गई है। इसकी जांच हो। अगर सही तरीके से मालिक-मजदूर का रिश्ता अच्छा हो, बाईपारटाइट एग्रीमेंट हो, रिप्रिजेंटेटिव यूनियन्ज को रिकगनिशन मिले तो काम ठीक ढंग से चल सकता है। अगर मालिक मजदूर का रिश्ता खराब

हो तो कोई फायलदा नहीं होगा। अगर किसी हालत से कोई गड़बड़ी वहां हो जाती है तो उससे धक्का सारे देश को लगेगा। प्रधान मंत्री जी ने कहा है कि प्लेसिस आफ पिल-ग्रिमेज हैं, ये तीर्थ स्थान हैं। मैं आशा करता हूँ कि तीर्थ स्थानों की पवित्रता को देखते हुए वहाँ उनके बीच में ऐसा अच्छा रिश्ता कायम किया जायगा जिस की कोई दूसरी मिमाल न हो और वह प्राइवेट सैक्टर के लिये एक मिमाल हो जाये।

आज ही सुबह जवाब देते हुए हमारे श्रम मंत्री महोदय ने कहा कि वेज बोर्ड का जो एवार्ड है इंटरिम रिलीफ; जो है, वह पब्लिक सैक्टर के जो तीन स्टील प्लांटस हैं, उन में कुछ कुछ लागू नहीं है। इस तरह की जो चीजें हैं, इनका फायदा क्या टिस्को नहीं उठायगा, इस्को नहीं उठायगा ?

इसका मैं समर्थन करता हूँ लेकिन यह भी चाहता हूँ कि कमेटी की पावर्ज ज्यादा होनी चाहियें। पावर्ज के साथ साथ लोगों को ही लाया जाय जो पब्लिक सैक्टर में विश्वास करते हैं, जो मिक्स्ड इकोनोमी क नाम से प्राइवेट सैक्टर को बूस्ट अप न करना चाहें।

**Mr. Speaker:** Shri Jashvant Rai Mehta, Shri Sinhasan Singh, Shri Venkatasubbaiah, Shri Gajraj Singh Rao, Shri Heda.

**श्री हेडा (निजामाबाद):** अध्यक्ष महोदय, मुझे खुशी है कि यह प्रस्ताव यहाँ आया है और इसके उपर गम्भीरता से चर्चा चल रही है। मैं यह कहें वगैर नहीं रह सकता हूँ कि इस प्रस्ताव के आने में काफी देर हुई है और काफी समय हमारा नष्ट हुआ है। वस्तुतः जो समय नष्ट हुआ है उसके लिए किसी को दोष देना उचित नहीं होगा। इसके कारण कुछ तो मनोवैज्ञानिक थे और कुछ जो प्रक्रियायें हैं, जो प्रोस.जर्ज हैं, उनके अन्दर

दिक्कत महसूस हुई और इस प्रकार से इस प्रस्ताव की अवधि बढ़ती गई। कुछ माननीय सदस्यों ने आशंका प्रदर्शित की है कि शायद यह प्रस्ताव इस सेशन में भी स्वीकृत न हो और अगले सेशन तक चला जाए। परन्तु मैं आशा करता हूँ कि ऐसा नहीं होगा और इसी सेशन में यह स्वीकृत हो जाएगा। इसका कारण यह है कि इसके बारे में आपका और राज्य सभा के जो चेयरमन हैं तथा जो इससे सम्बद्ध सज्जन हैं उन सब का परामर्श ले लिया गया है और उसके बाद ही इस की यह रूपरेखा बनी है . . .

**अध्यक्ष महोदय :** मालूम नहीं आपको कहने का क्या मतलब है कि हम से परामर्श कर लिया गया है। हमने अपनी कोई पसन्द नहीं दी है। यह तो हाउस के लिए है।

**श्री हेडा :** बीच में ऐसी बात हुई थी कि आप और . . .

**अध्यक्ष महोदय :** हुई थी कि करेंगे।

**श्री हेडा :** हाँ जी।

**अध्यक्ष महोदय :** आपने कहा है कि कर लिया गया है।

**श्री हेडा:** मैंने कहा है कि मैं आशा करता हूँ कि आपका परामर्श ले कर ही इस प्रस्ताव की वर्तमान रूपरेखा बनी है।

**अध्यक्ष महोदय :** ऐसा न कहिये।

**श्री हेडा:** अगर यह जो मेरा ख्याल है, यह गलत है तो मुझे इसका अप.मोस है कि ऐसा नहीं हुआ है। उसके बावजूद भी मैं आशा करता हूँ कि जो रूपरेखा इस प्रस्ताव को दी गई है वह ऐसी है जो कि इस सदन को तथा दूसरे सदन को भी स्वीकार्य होगी और इस प्रकार यह जो हमारा काम है, यह आगे बढ़ेगा और जो रोका ना दिखाई देता है वह नहीं रहेगा।

[श्री हेडा]

अब जो इस समिति को पावज़ दी गई है, जो अधिकार दिये गये हैं, उन पर अब मैं आता हूँ। अधिकारों के सम्बन्ध में इसके अन्दर कुछ मैटल रिजर्वेशंस कुछ मानसिक कठिनाइयाँ हैं, ऐसा दिखाई देता है। यह कहा गया है कि प्राक्कलन समिति या लेखा समिति जो है, उन के अधिकारों पर इसका कोई असर नहीं होगा। बहुत से माननीय सदस्यों ने इस पर आपर्ति उठाई है। मैं समझता हूँ कि जैसा इस प्रस्ताव में दर्ज है वह ज्यादा मुनासिब है। इसलिए ज्यादा मुनासिब है कि भाव रूप में, नोशनली जो भी अधिकार प्राक्कलन समिति के या लेखा समिति के हैं, वे रहने चाहियें, लेकिन व्यवहार रूप में यह समिति ऐसी होगी जो अपना काम बगैर किसी हिचकिचाहट के, बगैर किसी भी तरह के बंधनों के अपने तरीकों से करती रहेगी और साथ साथ ही यह भी हमारा व्यवहार चलना चाहिये, ऐसे तरीके को खोज निकालना जाना चाहिये कि जो काम यह करे उस में प्राक्कलन समिति या लेखा समिति अपना अधिकार होने के बावजूद भी हाथ न डालें। यह काम ये समितियाँ स्वेच्छा से कर सकती हैं। इस प्रकार से जो इस तरह के कार्य हैं, उनको यह समिति करती रह सकती है। यह भी हो सकता है कि कार्य विभाजित कर दिये जायें। यह भी हो सकता है कि इस समिति का यह काम होगा कि पब्लिक सेक्टर में जो भी कम्पनियाँ हैं या जो भी काम हो रहा है, वह किस प्रकार हो रहा है, क्या हो रहा, उस के बारे में यह समिति अपना निगय दे और प्राक्कलन समिति उसकी नीति के सम्बन्ध में, मूलभूत तःबों के बारे में अपने विचार प्रकृत करे तथा लेखा समिति, जो व्यय हुआ है वह कहाँ तक उचित ढंग से हुआ है और कहाँ तक अनुचित ढंग से किया गया है, उसके बारे में अपनी राय जाहिर करे। इस प्रकार का विभाजन भी हो सकता है। परन्तु मैं इसको अधिक पसन्द करूँगा कि सारे अधिकार इसी समिति को रहें और लेखा समिति और प्राक्कलन समिति के अधिकार रहने के बावजूद

भी वे इनके अन्दर हस्तक्षेप न करें और इस प्रकार इस समिति को पूरी स्वतंत्रता हो और यह स्वतंत्रता के साथ अपने काम को आगे बढ़ायें।

**अध्यक्ष महोदय :** आप कल जारी रखना चाहेंगे ?

**श्री हेडा :** जी हाँ।

**अध्यक्ष महोदय :** अब मिनिस्टर साहब एक एमेंडमेंट मूव करना चाहते हैं।

The hon. Minister wishes to move an amendment to the motion regarding the constitution of a Committee on Public Undertakings.

**Shri Kanungo:** I beg to move:

That in the motion, for paragraph (3), substitute—

“(3) that the members of the Committee shall hold office for the duration of the present Lok Sabha.” (Interruption).

**Mr. Speaker:** Objection was taken to the period of five years that that is not possible. Therefore, the amendment has been brought. It is only for the duration of the present Lok Sabha.

**Shri Ranga:** Three years.

**Mr. Speaker:** Whatever remains.

**श्री राधेलाल व्यास :** “इयूरेशन आफ दि लोक सभा” इतना होता तो वह हमेशा के लिये लागू होता।

**अध्यक्ष महोदय :** हाँ, वह हमेशा के लिये लागू होता, लेकिन अभी तो इतना ही है।

17:01 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, the November 19, 1963/Kartika 28, 1885 (Saka).