

Shri Hari Vishnu Kamath: On a point of procedure, may I submit again that you as Speaker of Parliament should be equal-minded, same-sighted, sama darshi, towards the Government as well as the Opposition. You cannot say that the Government should bring the business. We can bring the business and you should allow it. It is of national importance.

Mr. Speaker: On the one side he says that the Government should bring in the motion.

Shri Hari Vishnu Kamath: No, no. You said that.

Mr. Speaker: I said the Government has to allot time. I have to admit the motion, the notices that are received. He should consult the rules before he calls me one-eyed.

Shri Hari Vishnu Kamath: But you, Sir, in a particular case can override the Government.

Mr. Speaker: I am not allowing any debate on that.

श्री प्रकाशवीर शास्त्री : (बिजनौर): अध्यक्ष महोदय, श्री ए. प्वाएंटे और आर्डर— मैं निवेदन करना चाहता हूँ कि जहाँ तक इस भयंकर रेल दुर्घटना का सम्बन्ध है और उस की जांच का सम्बन्ध है यह जो ठीक है कि मंत्री महोदय ने बतलाया है कि जांच कार्य सम्पन्न होने जा रहा है लेकिन यह सिरीज और ट्रेन ऐक्सीडेंट्स के बारे में यहाँ हाउस में डिबेट होने के लिए विधि के अनुसार मैं ने आप से एक मांग भी की है लेकिन प्रतीत ऐसा होता है कि उस पर कोई ध्यान नहीं दिया जा रहा है। एक समय ऐसा भी था जब ट्रेन ऐक्सीडेंट्स हाने पर सेंट्रल गवर्नमेंट के मिनिस्टर्स अपनी जिम्मेदारियों का ग्रहण करके इस्तीफा दे देते थे और एक वक्त आज है जब कि इस प्रकार की चीज होती है और गवर्नमेंट की ओर से कोई ग्रहण नहीं किया जाता . . .

अध्यक्ष महोदय : आर्डर, आर्डर। इस में प्वाएंटे और आर्डर क्या हुआ ?

श्री प्रकाशवीर शास्त्री : विधान के अनुसार मैं ने इस विषय पर विवाद मांगा हुआ है और

अध्यक्ष महोदय : इस में कोई प्वाएंटे और आर्डर नहीं है।

श्री प्रकाशवीर शास्त्री : प्वाएंटे और आर्डर यह है कि लोक सभा का जो आपका प्रोसोज्योर है उस के हिसाब से मैं ने विवाद मांगा है। उस पर आप की क्या व्यवस्था है ?

अध्यक्ष महोदय : इस का पता लीजिये लेकिन यह प्वाएंटे और आर्डर कैसे हो गया ? दोनों आपको डिस्टिग्विश करना चाहिए। अब जो साहब यह चाहते हैं कि इस बारे में हाउस में डिस्कशन जल्दी हो तो जैसे मैं ने पहले कहा कि जब ४ बजे आज एक कमेटी हो रही है तो वे साहब जो इस में दिलचस्पी रखते हैं वह वहाँ पर जा जायें और गवर्नमेंट के स्पोकसमैन को कहें कि इस पर भी डिस्कशन के वास्ते वकत रखा जाये। मैं भी वहाँ हूँगा। मैं ने जो आपको बतलाया उन पर तो ध्यान देते नहीं हैं और बेकार में प्वाएंटे और आर्डर चलाते हैं।

13:10 hrs.

NATIONAL COOPERATIVE DEVELOPMENT CORPORATION BILL

The Deputy Minister in the Ministry of Community Development, Panchayati Raj and Co-operation (Shri Shyam Dhar Misra): Sir, I beg to move—

“That the Bill to provide for the incorporation and regulation of a corporation for the purpose of development of agricultural produce and certain other commodities on cooperative principles and for

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matters connected therewith, be taken into consideration."

Shri U. M. Trivedi (Mandsaur): On a point of order, Sir. Can this Bill be moved for consideration? The whole position is this. The rules require that the financial memorandum to be attached to a Bill of this kind should give the fullest details, as full as possible, of the financial commitments which arise out of the Bill. Unfortunately, a very slipshod financial memorandum has been attached at page 13 of the Bill. Not a single figure has been given to indicate what will be the financial commitments, what will be the expenditure incurred, from where the expenditure is to be met, who will bear the burden of this expenditure and what will be the total sum involved in it. What type of financial memorandum is this that has been supplied now? I submit that this is not the kind of financial memorandum which can entitle the Minister to present this Bill to the House. So, I raise this point of order.

Mr. Speaker: He should further say what I should do. If the financial memorandum is not in accordance with the rules, is the Bill to be thrown out? What is the idea? He should suggest what I should do.

Shri U. M. Trivedi: The whole question is that they should be asked to amend the financial memorandum.

Mr. Speaker: The hon. Member should guide me as to what I should do if the financial memorandum is not in accordance with the rules.

Shri U. M. Trivedi: The only question now is that it should be amended at least.

Mr. Speaker: I agree with the hon. Member. I also noticed it in the morning. When I read the financial memorandum, certainly, I also felt that this is not what is desired by the House. If Government are not prepared or are not able to give

definite amounts, at least some rough figures should have been given in the financial memorandum. I hope, either during the course of his speech or after that, the Minister will give the House an idea of what expenditure would be involved. Otherwise, where is the object of having a financial memorandum? The idea is to give to the House an estimate of the monetary commitments that are likely to be involved and not say in general terms that this would be done or that would be done. It is, really, not in accordance with what the House wants.

Shri Hari Vishnu Kamath (Hoshangabad): Could you not, Sir, direct the Minister or the Government that unless the Minister fulfils these conditions, the Bill cannot be taken up and will be held over?

Mr. Speaker: I do not think it is necessary. When every provision is being decided on its merits, if, at that moment, it is so necessary, then, perhaps, we might postpone it. For the present let us hear the Minister.

Shri Shyam Dhar Misra: I bow down to your ruling; and, all the details will be given.

This is an amending Bill; and it has its own history. The main problem of agricultural credit has been its inadequacy and untimely credit. During the last, about 50 or 60 years, several Acts have been passed regarding co-operatives. One was in 1904; another was in 1912; and a third was in 1919. Several committees were set up to enquire into this credit. The MacLaghlan Committee was there; the Royal Commission on Agriculture was set up. They made their recommendations. But, in spite of all these recommendations, the untimely credit and the inadequacy of credit were there till independence.

In 1954, the Reserve Bank of India set up a Rural Credit Survey Committee to enquire into the problems

of rural credit. That committee came out with its findings; and it is a monumental document in the history of co-operation. They came to the conclusion that only 3 per cent of the credit required for agriculture was taken care of by the co-operative societies. They made several recommendations. They recommended an integrated credit structure and stated that every organisational, financial and other aspect of the programme should be tightened. They recommended co-operative societies at various levels, for marketing, for credit, for land mortgage, for consumers and others and that Government should come in as a partner. Besides that, they also suggested that there should be a link with credit, marketing, processing and other sectors. They also suggested that trained personnel, both institutional and government and non-official, were necessary.

To implement all this, the Rural Survey Committee had recommended that we should have a National Co-operative Development and Warehousing Board. And they suggested the functions of this Board to be—

- (a) to promote planned development, throughout the country, of agricultural production on a co-operative basis;
- (b) to promote planned development of facilities for storage, warehousing of agricultural commodities etc.;
- (c) to promote on a country-wide-scale, distribution to the cultivators, on a cooperative basis, of manures, fertilizers, agricultural implements, tools of cottage industry etc.;
- (d) to give financial aid and accommodation to State Governments and through them to co-operative organisations;

- (e) to give general directions to all Indian warehousing corporations to administer the National Co-operative and Development Fund and the National Warehousing Development Fund and to make appropriations between the two Funds.

These recommendations were accepted by Government. It was thought that as these Boards, the Warehousing Board and the National Co-operative Development Board should be independent of each other there should be separate Boards. Later, at the instance of the Ministry of Food and Agriculture, because both these subjects were under that Ministry in 1956, it was decided that both these should be administered under one head as it would be more feasible and more practicable to administer under one Ministry.

For about 2 years this Board was administered by the Food and Agriculture Ministry. In December, 1958 it was decided that the department of cooperation will go with the Ministry of Community Development. It also taken up by the Ministry of Food and Agriculture in their note leading to the Presidential Order that these two Boards should be administered separately under two Acts. This view was accepted by the Cabinet in 1960; and thereafter a Bill was introduced in this House and now this is an amending Bill.

While this Bill is now being introduced, the other Bill regarding the Warehousing Corporation will be taken up subsequently by the Ministry of Food and Agriculture who will pilot that Bill after this is passed.

This, in brief, is the history of this Board. This Board has done really some useful work. We wanted, therefore, to continue this programme for the Third Plan and later also.

Opportunity has been taken to have some minor amendments. One very

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minor amendment is this. The original Act included agricultural produce. Now, the words 'notified commodity' have been included. This will only mean that if Government wants any commodity to be included, for which Parliament is competent to legislate, it will notify that commodity and apply the provisions of this Act to that commodity.

There was no provision for the formation of functional committees. This Board is supposed to take up the programme of marketing, processing, consumers co-operatives land mortgage banks, sugar and many other aspects of co-operative movement. In the present Act there is no provision for the formation of these functional committees. Opportunity has now been taken to amend this Act so that there will be functional committees which could be formed for credit, marketing, processing, consumers, etc. There was no power regarding delegation of the functions of this Board, to its executive, officer or the Minister or the Ministry. That has been included now. Certain minor changes regarding the composition of the board has also been suggested in the present Bill. Provision has been made for the transfer of the warehousing fund to the warehousing board. Under the present Act the National Co-operative Development Board had taken share in the National Warehousing Corporation. Government will take share in that Corporation. Previously the practice was to nominate now officials by the Government of India without consulting the State Governments. Now the State Governments will be consulted. The Board will frame its own rule, etc. as prescribed in the Act.

Most of the progress in co-operatives during the last five years has been due to this Board. It received from the Government about Rs. 18 crores and it made the best use of this amount in regard to the revitalisation of the societies, giving assist-

ance, managerial subsidy to the service co-operatives at the lower level to the marketing societies, taking share in the sugar co-operative factories, taking share in consumer stores and land mortgage banks and strengthening the staff at the State levels. Rs. 18 crores in the form of subsidy and loans were given to the States through this Board.

We are now trying to convert the agricultural credit societies as service co-operatives and we hope most of them will be converted so that they function not only as credit societies but also as marketing, supply, etc. societies. Towards this end a programme has been accepted. It was considered by the NDC and proposals were made by this Board

In 1955-56 the number of societies in this country was 160,000. Today, after five years, in 1960-61, the number is 212,000. When this board started its work the membership was 7.8 million; it has increased to more than 17 million now. In the qualitative performance too it can be seen that the average membership per society has increased; from hardly 50 it has increased to 80. Similarly, the share capital of these societies, their own money, was hardly Rs. 16 crores. Today it stands at Rs. 57.72 crores. Similarly, the average share capital per society, the average share capital per member, etc. have increased. Figures are before me but I do not want to bother the House. The most significant aspect is about the qualitative performance relating to the average loan per member. From Rs. 60-65 in the year 1955-56 the average per member loan has exceeded Rs. 100 and is about Rs. 105 and it is expected that through the efforts of this board it is going to be over Rs. 125 by the end of the Third Plan. Similarly, there were no marketing societies worth the name as suggested by the Rural Credit Survey Committee. In 1955-56 there were some market-

ing societies working in an *ad hoc* manner without a proper link between credit and marketing. During the last five years about 1800 marketing societies has come up. During the Third Plan the whole country will be covered through marketing societies. The total sale of agricultural products through these marketing societies comes to about Rs. 175 crores per year. That is the latest figure. Similarly, they have taken care of distribution or supply of agricultural production requisites worth Rs. 20 crores. This Board has taken care of the processing also, not to the extent desired or necessary of course. But I hope that when the report of the processing committee is studied, in course of time some steps will be taken to set up processing units in conjunction with marketing societies and consumer societies. Similarly, loans have been given to the extent of Rs. 7 crores for rural godowns for the societies and subsidy was given to the extent of Rs. 1.5 crores. Assistance was given for constructing 1700 godowns for the marketing societies, and also for constructing 5000 rural godowns. This Board has also taken share in the State Warehousing Corporation.

There were previously no co-operative sugar factories and within the last 5-6 years about thirty such societies have come up and it is expected that by the end of the Third Plan if the licensing position eases number will go up to about 60. Through the efforts of this Board twenty per cent of the present day sugar production in this country is through these co-operatives. This Board has taken share in these co-operative sugar factories for several crores of rupees.

There is an executive body which looks after the day to-day working of the Board; it met thirty times during the last few years. Recently the Board appointed four committees. One was

to go into the problems of consumer stores and consumer movement in this country, the other on co-operative marketing of paddy in Andhra Pradesh, the third on co-operative marketing of jute in West Bengal and the fourth on co-operative marketing of wheat in Rajasthan.

Shri Hari Vishnu Kamath: You are keeping a good account of the committees. Committee galore have appointed.

13.30 hrs.

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

The Deputy Minister in the Ministry of Community Development Panchayati Raj and Co-operation (Shri B. S. Murthy): Only four committees.

Shri Shyam Dhar Misra: The last was, as I said, regarding wheat in Rajasthan. All these were necessary because, if there has to be good marketing in this country, there has to be good link between credit and marketing. How to bring that about? How to market paddy from Andhra Pradesh which is surplus? How to market the wheat from Rajasthan? How to market the jute from the eastern States, especially from West Bengal? That was the real problem. I must give credit to these committees to the members of these committees; they have applied their mind and given the report very recently, within the last three months. These have been considered—at least three of them have been considered—by the Government, and the Government have accepted the recommendations of these committees. The fourth one has recently given the report—and that is with regard to wheat in Rajasthan—only last month. It is being processed. The reports have gone to the State Governments. It will take sometime. We hope that when these reports are implemented some good results will come in the matter of marketing, processing, and thereby in the credit itself.

Shri Hari Vishnu Kamath: Let us hope so.

Shri Shyam Dhar Misra: It is not an easy problem, and therefore I only said "we hope". In spite of all this, there are lots of problems in the co-operative movement to which this board will have to apply its mind in the course of the coming years.

One problem has been the problem of utilisation of loans. The structure below, as I indicated, is getting stronger. I would not say it is very strong, but it is getting stronger. The share-money of the society is increasing. The deposits also are increasing and the owned fund of the society is increasing. It is all increasing. There is subsidy and loan from the Reserve Bank, through the Government, to this Board. There is a subsidy from the Government. It is all there. In spite of this, there is a weakness and we find that there is difficulty in the utilisation of loans. This has to be tackled by this board and we have seen that this board is trying to utilise opportunities to discuss this matter and to take concrete steps. We hope that within the course of this Plan certain steps will be taken.

Shri Jashvant Mehta (Bhavnagar): At what percentage are these loans given?

Shri Shyam Dhar Misra: Usually, the percentage is five to six. If the hon. Member is enquiring what is the percentage at which the loan is given to agriculturists by the service co-operatives, then, I have answered that it is between 6 and 9½ per cent. In certain States it is six and in certain other States it is 6½. In others, it is 9½. But, if he was enquiring as to the rate of loan from the board to the States, I say it is something like six per cent. But it varies from scheme to scheme.

Shri Jashvant Mehta: At what percentage does the Reserve Bank advances these loans?

Shri Shyam Dhar Misra: We can give the details. Then, the other problem was the evaluation of the working of the societies at the lower levels—be it processing, be it marketing, be it the consumers or be it the service co-operatives themselves. This is a baffling problem. This board, I am sure within the course of a few years, will try to do something regarding the evaluation. Similarly, there is a very bad problem in this country regarding the eastern States. While about ten States are forging ahead in co-operation,—the figures for the second Plan and the first Plan amply speak for themselves and I do not say only the quantity but I am talking also of the quality, and though not everything is being done, something is done, and very good progress is being maintained in about nine to ten States—I am sorry to say,—and the Prime Minister has already indicated this and told the country last year—that four States, namely, the eastern States, are not making much headway. Therefore, a year and a half back, we had a conference of officials and non-officials and of other persons connected with this movement at Ranchi solely to find out the solutions regarding the eastern States. Certain steps were taken and certain suggestions were made. Certain special funds have been earmarked, namely, about a crore of rupees specially for the eastern States. Schemes have been drawn by almost all the States, barring a few here and there and these have been considered. I am sure this board, through this special assistance, and through several other steps it might consider appropriate, will give a boost to the co-operative movement in the eastern States as well.

Another problem is the coverage of members. While we can claim that 60 to 75 per cent of the villages are covered in this country, I must say with regret that the coverage of the population is hardly 30 to 40 per cent. This state of affairs is definitely going

to be improved by the end of the Third Plan. We are taking steps in this direction. We are revitalising the societies, and we are strengthening the apex banks and the district banks. We are linking the credit with marketing and processing. All these steps are taken together and these will be through the efforts of the board. I am sure that within the course of the third Plan itself the coverage of the members will definitely improve, as it has improved during the first Plan, and the second Plan.

All these will require planning and promotion of co-operatives through disbursement of financial assistance. We think that this body, in collaboration with non-officials of the country, the non-official co-operatives and representatives of the Reserve Bank and representatives of the concerned Ministries—with all these experts—will apply its mind and bring about certain changes in the co-operative movement. Through the efforts of this board, I am sure during the third Plan and the coming plans, a real impact will be made.

I submit that to remedy the weakness of co-operation, it is necessary that there should be a statutory board of this nature which can give a boost to the movement of co-operation in this country. I am sure that when the Bill is passed, when this board is established with expert men, expert co-operators and officials and non-officials in this country, the co-operative movement will definitely get the encouragement, support and guidance.

I move that the Bill be taken into consideration.

Mr. Deputy-Speaker: Motion moved:

"That the Bill to provide for the incorporation and regulation of a corporation for the purpose of development of agricultural produce and certain other com-

modities on co-operative principles and for matters connected therewith, be taken into consideration."

Mr. Deputy-Speaker: There is also an amendment. Does the hon. Member move it?

Shri U. M. Trivedi: Yes, Sir. I move:

"That the Bill be referred to a Select Committee consisting of 16 Members, namely, Dr. M. S. Aney; Shri Ramchandra Vittal Bade; Shri Mani Ram Bagri; H. H. Maharaja Pratap Keshari Deo; Shri Hari Vishnu Kamath; Shri Narendrasingh Mahida; Shri Shankarrao Shantaram More; Shri Man Singh P. Patel; Shri Purushottamdas R. Patel; Shri Sham Lal Saraf; Shri Prakash Vir Shastri; Shri Jagdev Singh Siddhanti; Shri Sivamurthi Swamy; Shri Vishram Prasad; Shri Ram Sewak Yadav and the Mover with instructions to report by the 30th August, 1962."

Mr. Deputy-Speaker: The motion and the amendment are before the House.

Shri U. M. Trivedi: Mr. Deputy-Speaker, Sir, when the hon. Deputy Minister moved his motion for consideration of the Bill, I took an exception that the financial memorandum that is attached to the Bill is vague and very general and does not fulfil the requirements necessary for studying the Bill. Unfortunately, there is no provision in the rules as to what should be done when such a mistake has been committed. Therefore, the Speaker was kind enough to allow him to proceed with his motion for consideration, but with this suggestion that he would make an effort to furnish us with the correct financial memorandum about this Bill. Unfortunately, even when he

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has finished his speech, moving for consideration of the Bill, he has not furnished any memorandum yet. That puts us in a very awkward position. When he had an opportunity, he ought to have expressed a desire to take time. But he has not done it and he has put us in a very awkward position.

The rule regarding the financial memorandum—Rule No. 69—is like this:

“A Bill involving expenditure shall be accompanied by a financial memorandum....”

So, it is a mandatory provision. It is admitted that this Bill does involve expenditure; the very printing of the Bill shows it, because clause 12 has been printed in thick letters. These are clear indications that it does involve expenditure and there is no denying that fact. The rule further says:

“...Which shall invite particular attention to the clauses involving expenditure and shall also give an estimate of the recurring and non-recurring expenditure involved in case the Bill is passed into law”

Where is the estimate for the recurring expenditure? Where is the estimate for the non-recurring expenditure? What criticism this House is going to offer on this Bill certainly passes my comprehension.

I do not want to recapitulate what I have said. But the position is clear that before this Parliament discusses a Bill, it must know what are the commitments that are likely to come. In one single sentence, it is put down here that:

“The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to this Corporation ...” etc.

So, amounts are to be paid to the Corporation from the Consolidated Fund of the Union. The charge is being created by virtue of this law and yet the financial commitments are not mentioned. The recurring expenditure and the non-recurring expenditure are not mentioned.

Mr. Deputy-Speaker: There will be an Appropriation Bill for that purpose.

Shri U. M. Trivedi: What will the Appropriation Bill do? That question comes later on when the budget is presented. But before the House discusses the Bill, the House must know the financial commitments.

Mr. Deputy-Speaker: It is for the Corporation to give its budget and after the budget is given, an Appropriation Bill will come.

Shri U. M. Trivedi: I quite appreciate what you say. But what is the function of the financial memorandum? The rule clearly lays down that the recurring and non-recurring expenditure involved in case the Bill is passed into law must be mentioned. If that is not mentioned, what is the fate of this Bill?

Shri Shyam Dhar Misra: I may add ...

Mr. Deputy-Speaker: He may reply at the end.

Shri U. M. Trivedi: It is not a question of reply. The question is that the discussion on the Bill cannot proceed. That is my submission. What are we going to discuss? What will I place before the House? In what manner will I persuade the Members who are sitting here that this is a bogus thing?

Mr. Deputy-Speaker: I do not think so.

Shri U. M. Trivedi: The financial memorandum being absurd, what will

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It is incumbent and imperative for the Government first to place these figures.

Mr. Deputy-Speaker: This point was raised before the Speaker and he has ruled that the debate can go on and the financial memorandum will be given during the course of the debate.

Shri D. C. Sharma (Gurdaspur): On a point of information. May I know how much time has been allotted for this Bill?

Mr. Deputy-Speaker: 4 hours.

Shri Hari Vishnu Kamath: The Members who participate in the debate will be handicapped for want of complete information before proper consideration of the Bill.

Mr. Deputy-Speaker: Within 10 minutes, he will give the figures. The hon. Member can go on with his other points.

Shri U. M. Trivedi: We are in your hands and it is the duty of the Speaker to protect us.

Mr. Deputy-Speaker: The figures will be given now.

Shri U. M. Trivedi: It may be given. It is a matter of disgrace that they have not prepared it.

Shri Jashvant Mehta: The debate may be held over.

Mr. Deputy-Speaker: Please give the figures immediately.

Shri B. S. Murthy: They are being prepared and will be given in ten minutes.

Shri Hari Vishnu Kamath: We can have an interval of ten minutes.

Shri U. M. Trivedi: We may rise for half-an-hour.

Mr. Deputy-Speaker: No purpose will be served. During the course of

your speech you will get them. You can make out other points.

Shri U. M. Trivedi: It will require some study.

Shri Jashvant Mehta: It is against the procedure, Sir, to proceed with the Bill now.

Mr. Deputy-Speaker: He can make out other points and then come back to this point afterwards.

Shri U. M. Trivedi: I will have to come back to this point. I am prepared to go whole hog with it. My difficulty is, without studying the figures what can I say.

Shri Kashi Ram Gupta (Alwar): The House may adjourn for ten minutes.

Mr. Deputy-Speaker: I do not think it will take so much time for you to study the figures.

Shri U. M. Trivedi: Sir, it is a very ticklish thing. I do not want to obstruct the proceedings.

Mr. Deputy-Speaker: Let us go on.

Shri U. M. Trivedi: Sir, I have moved that this Bill may be referred to a select committee.

Shri Hari Vishnu Kamath: Sir, I rise to a point of order. The language of the rule is very clear and categorical. Rule 69 says:

"A Bill involving expenditure shall be accompanied by a financial memorandum....."

The word used is "shall". Then it says:

".....which shall invite particular attention to the clauses involving expenditure....."

Again the word used is "shall" and not "may". It goes on to say:

".....and shall also give an estimate of the recurring and

non-recurring expenditure involved in case the Bill is passed into law."

Here also the word used is "shall".

Mr. Deputy-Speaker: It shall be given presently.

Shri Hari Vishnu Kamath: This Rule 69 forms part of the chapter relating to consideration of Bills before the House. Under this rule, therefore—I am sure you are anxious to enforce the rules as much as we want to—the Bill cannot be considered now. It is out of order at this stage and till the figures are supplied.

Mr. Deputy-Speaker: Where is it stated that it shall not be considered? The Speaker has already given a ruling.

Shri Hari Vishnu Kamath: This rule was not cited before him.

Mr. Deputy-Speaker: The Speaker has already considered this point.

Shri Hari Vishnu Kamath: Without this rule before him.

Shri S. S. More (Poona): Sir, I rise to a point of order. Whether right or wrong, the Speaker has already ruled that the House may proceed with the Bill. Are the Members competent to discuss that ruling by the Speaker?

Shri Hari Vishnu Kamath: A ruling by the Speaker cannot over-rule the rules.

Mr. Deputy-Speaker: I cannot sit in judgment over the ruling of the Speaker.

Shri Hari Vishnu Kamath: This rule was not before him. You may refer to the transcript of the proceedings.

Shri Shyam Dhar Misra: I can give the statement now.

Shri S. S. More: Leave aside the statement. Whether it is right or

wrong we are anxious to save the sanctity of the ruling of the Speaker. If he has ruled that the proceedings may go on and the discussion of the Bill may proceed, how are the Members qualified to raise questions which may question the correctness of his ruling itself. This is my point of order, Sir, and I submit it for your consideration.

Dr. M. S. Aney (Nagpur): Shri Kamath has read out to you the rule regarding the submission of the financial memorandum.

Mr. Deputy-Speaker: If the hon. Minister has got the figures he may place them before the House.

Shri Shyam Dhar Misra: Sir, while requesting the House for consideration of the Bill I had stated that Rs. 18 crores was the figure for the Second Plan in the form of loan, subsidy etc. There are three kinds of expenditure that will be involved. One is the administrative expenditure of the Board itself. This year—1963-64—it will be Rs. 3.5 lakhs.

Shri U. M. Trivedi: It would be better if you circulate those figures to the Members.

Shri Shyam Dhar Misra: That is what I said earlier. I will circulate it.

Mr. Deputy-Speaker: He is giving it now for your information.

Shri U. M. Trivedi: It is not necessary that he should speak about it in the House. I must know what the financial memorandum is.

Mr. Deputy-Speaker: What he wanted was information and that information is being given now.

Shri Shyam Dhar Misra: I will get it circulated. As I said, in 1962-63 the expenditure will be Rs. 3.25 lakhs and Rs. 3.50 lakhs for 1963-64. As regards loans and subsidies given to State Governments through this Board, the figure is Rs. 19.65 crores

[Shri Shyam Dhar Misra]

for the years 1961-62, 1962-63 and 1963-64. This figure is settled annually during the Plan discussion. I will circulate these figures just now.

Shri S. S. More: What is the cost of running this Board, this Corporation itself?

The Minister of Community Development, Panchayati Raj and Co-operation (Shri S. K. Dey): If I may quote, Sir, in 1956-57 the expenditure on administration of the Board was Rs. 56,000. In 1957-58 it was Rs. 2,03,000. In 1958-59 it was 1,31,000.

Mr. Deputy-Speaker: We are not concerned with these past figures.

Shri S. K. Dey: In 1962-63 it will be Rs. 3:25 lakhs and in 1963-64 it is expected to be Rs. 3:50 lakhs.

Shri Hari Vishnu Kamath: Sir, on a point of clarification. May I ask, in view of the fact that these figures have been compiled in a hurry, whether these figures can be a reliable basis for discussion in the House?

Mr. Deputy-Speaker: When they come from the Ministers they are reliable figures.

An Hon. Member: Others dispute them.

Shri U. M. Trivedi: Sir, unfortunately, the figures that have been given do not indicate what will be the non-recurring expenditure and what will be the recurring expenditure that is expected. Only an attempt is being made to show what will be the total expenditure. That is not fair to the House. However, Sir, I find that the Rules of Procedure is defective to this extent that there is no positive provision that such a Bill must be ruled out of order. That is why I refrained from making such a submission. In this case it was up to the Government to have come prepared and not taken us by surprise. Simply because the Speaker is good enough or kind enough to allow them

to proceed with the business without obstructing it, it is not proper for them to come like this and then take us by surprise. Thereby they are preventing us from offering a proper and cogent criticism of the Bill that is before the House.

Sir, I have moved that this Bill be sent to a Select Committee. My ground for sending it to the Select Committee is to probe into the necessity that has arisen before the Government for doing this. Why should it have become necessary to create two corporations in place of one corporation? The explanation given will not appeal even to a child, and it certainly will not appeal to a sensible man. It is said:

"to provide for the incorporation and regulation of a corporation for the purpose of development of agricultural produce and certain other commodities on co-operative principles and for matters connected therewith."

I hope I will not be challenged when I say that not one word in this Bill fulfils the objects of the very preamble with which it is being introduced. If we examine the language in which the preamble and the law has been framed, the preamble suggests one thing and the Bill suggests something different. Therefore, is it not necessary that the Bill be referred to a Select Committee to reframe it in a proper manner? It is to the advantage of the Government if it goes to the Select Committee; not to the advantage of the opposition. It is for the benefit of the country, for the benefit of the Government if the whole Bill is thrashed out before the Select Committee for a better appreciation of the necessity which has arisen for separating the two corporations which have been jumbled up so far. Why that necessity has now arisen is not explained to us, or is explained in a very cursory manner.

14 hrs.

The hon. Minister, while speaking on this Bill, stated that it is not only for foodstuffs but for notified commodities also. I wonder what he meant by "not only for foodstuffs but for notified commodities". What is a "notified commodity"? He gives another definition for "notified Commodity". According to List III, item 33, in the Seventh Schedule to the Constitution, this law can always be made by Parliament. Where is the necessity to declare a commodity as "notified commodity"? It does not give additional powers. I will read out item 33 of the Concurrent List:

"Trade and commerce in, and the production, supply and distribution of,—

(a) the products of any industry where the control of such industry by the Union is declared by Parliament by law to be expedient in the public interest, and imported goods of the same kind as such products;

(b) foodstuffs, including edible oilseeds and oils;

(c) cattle fodder, including oilcakes and other concentrates;

(d) raw cotton, whether ginned or unginned, and cotton seed; and

(e) raw jute."

What does he mean by a "notified commodity"? Is it the suggestion that they want to travel beyond the very purpose of the Bill, viz., development of agricultural produce? Are they going beyond it? Are the Government desirous of saying "we will treat an imported good as a notified commodity"? That cannot be done under the law when the preamble is being there. That is why I say the necessity has arisen for referring the Bill to a Select Committee. As I said earlier, every paragraph, every clause of this Bill requires detailed and full consideration. It cannot be done in the House within a short

time of four hours. It is impossible; it cannot be done. I do not know why this Bill is being introduced in such a great hurry, without attaching the financial memorandum and by just reading it out in the House. We are not able to get sufficient time to read the memorandum and still we are being told to approve of it. Though the expenditure mentioned is Rs. 18 crores, I am quite certain that it will go beyond that. I am sorry to say that the House is not being taken into confidence in this matter. The House is not going to discuss the very purpose for which this Bill is being introduced.

What does this Bill seek to create? It seeks to create a corporation. And what will be the composition of that corporation? It will be a corporation of politicians. It will be a corporation of people who will have a hold on the purse-strings. It will be a corporation to spend money and to shut the mouth of anybody who wants to raise his voice against the government of the day. Is this the reason why this corporation is being created? Look at the provision: "The Corporation shall consist of the following members, namely:—

(i) nine members representing the Central Government, to be nominated by that Government in such manner as may be prescribed;"

Whom are they going to nominate? When a railway accident enquiry committee is to be appointed, who will be appointed in the railway enquiry committee? Certainly not the members of the opposition who will raise their voices against the misdemeanours committed by these people.

Shri A. C. Guha: The Chairman of the Railway Accident Enquiry Committee does not belong to the Government party.

Shri U. M. Trivedi: I am not referring to the Chairman of the Railway Enquiry Committee. I am now referring to the Dumraon railway accident.

[Shri U. M. Trivedi]

Now nine persons are going to be appointed. They are not going to be appointed just because they happen to be Members of Parliament or intelligent persons or reputed economists. They will be the nominees of the Central Government. And we know what Government wants and what Government does. We can give any number of examples to show that the Government is not going to act in a fair, judicious and just manner. Then the Bill says that there would be a representative of the Reserve Bank and another representative of the State Bank. There is no denying the fact that these are all government bodies. Then the Central Government is to nominate one member of the Central Warehousing Corporation, the same warehousing corporation from which these people have created another corporation. Why should the members of that corporation poke their nose into the affairs of the new corporation? And yet the excuse given for the creation of this corporation is that the other one is governed by another Ministry. Therefore, they wanted to separate it. Yet, they want to bring the representatives of that corporation into the picture again.

Then eight non-officials shall be nominated by the Central Government. Again, the same thing. So, there shall be nine members nominated by the Central Government, eight non-officials nominated by the Central Government and representatives of the Reserve Bank and the State Bank. What is the object of this?

Shri Shree Narayan Das (Darbhanga): What is your suggestion?

Shri U. M. Trivedi: Naturally, this is a body created by the Government for the benefit of the Government, not for doing the job properly.

Since the financial memorandum has not been attached to the Bill, we

do not know why this corporation is being created. What necessity has arisen for the creation of this corporation?

Then, coming to the composition of the body, once a person is accused of moral turpitude, is the quantum of punishment also an ingredient which comes into the picture? Suppose a person is accused of moral turpitude and convicted by a court of law for two months, three months or 5 months and 29 days. What does it matter? Why should a man who has got a bad name, who has been convicted by a court of law be allowed to become a member of this corporation which handles money? Now a person who has got rigorous imprisonment of three months for criminal breach of trust can become a member of the corporation. A person who has been guilty of cheating or deceiving people, who has been sentenced under section 420 of the IPC can still become a member of the Corporation because he has been sentenced for only four months of rigorous imprisonment.

All these points have to be considered by the Select Committee. So, I would urge upon the hon. Minister to realise this proposition. What I am now saying is not for the sake of criticism of the Government. Whenever money is being spent or legislation is being made, we have to take into account the condition obtaining in the country. We should not make a law in a hurry and then repent at leisure. Why should we make such a law?

There is a provision in the Bill which says that a person shall be disqualified for being chosen as, and for being a member of the corporation "if he is a salaried official of the Corporation". But if he is a salaried official of another Corporation, he shall not be disqualified; in the same way, if he is a salaried official of the Reserve Bank or the State Bank he shall not be disqualified. But he can-

not be a salaried official of the same corporation. So, the salaried officials of one corporation are disqualified and not that of others.

Then, a person who has been adjudged as insolvent is kept out whereas an undischarged insolvent when insolvency is annulled can still be a member. Then, I will draw the attention of the hon. Minister to clause 9 of the Bill, which says:

“Subject to the provisions of this Act, the functions of the Corporation shall be to plan and promote programmes for the production, processing, marketing, storage, export and import of agricultural produce and notified commodities through co-operative societies....”

I would like him to explain this. I am a lawyer, yet I have not understood it. What is the difference between agricultural produce and notified commodities that you have in mind? Will the hon. Minister kindly enumerate for the enlightenment of this House the notified commodities which he wants to have.

An Hon. Member: All that is defined here.

Shri U. M. Trivedi: I know that definition. I will again read it out for your benefit and for my benefit. It says:

“‘notified commodity’ means any commodity...which the Central Government may, by notification in the Official Gazette, declare to be a notified commodity for the purposes of this Act, being a commodity with respect to which Parliament has power to make laws by virtue of entry 33 in List III.....”

I have read it over again. I may repeat for your benefit and for my benefit also that I find that there is no sense in having the words ‘notified commodity’. I will, therefore, say with great respect to you—I do respect you—and to the hon. Deputy

Speaker that this is something very diabolical. I do not understand what the meaning of it is and I submit that the House must not be done in the eye by using a language which people do not understand and the significance of which has not been brought to bear upon the House.

What is the purpose of it? What is the object? Is it to become a sort of a State Trading Corporation? It is not a development corporation; it is a trading corporation that is being created. Is that what is required under this Bill? This is what the Bill says:

“.....the functions of the Corporation shall be to plan and promote programmes for the production, processing, marketing, storage, export and import.....”

Everything is there. They will do everything. They will export, import and process. What is this?

Shri Shree Narayan Das: It will be through the co-operative society.

Shri U. M. Trivedi: It will be a co-operative society doing everything, the panacea for everything for cheating the poor agriculturist or what it is, God knows! The middleman will still remain. The big fellows, the coat-patloonwallahs will still go about and do the poor agriculturist in the eye.

Then, it says:

“in particular and without prejudice to the generality of the foregoing provision, the Corporation may—

advance loans or grant subsidies to State Governments for financing co-operative societies and for employment of staff for implementing programmes of co-operative development;”

What is this? Is this a ruse only to provide hopes and jobs for certain job-hunters who bring the votes for

[Shri U. M. Trivedi]

the Congress Party? It is nothing but just a shelter, a big shelter for the specific purpose of political advancement of the party in power.

Then again:—

“provide funds to State Governments for financing co-operative societies.....”

plan and promote programmes through co-operative societies....”

The Corporation shall so exercise its functions under this section as not to interfere with the activities of the Khadi and Village Industries Commission established under the Khadi and Village Industries Commission Act, 1956.”

That gives up the show. The object is only of the same type as that of the Khadi and Village Industries Commission. This is merely to fill up the gaps where they have been left out. I know that my appeal to the hon. Minister falls entirely on deaf ears. He is not prepared to budge an inch from the position that he has taken up, namely, that the Bill must be passed; whatever happens in this country the Bill must become a law. I, therefore, appeal to this House and to all the sensible hon. Members of this House to rise to the occasion and throw out this Bill.

Shri Inder J. Malhotra (Jammu and Kashmir): Sir, are there some hon. Members who are not sensible?

Mr. Deputy-Speaker: Has the hon. Member finished his speech?

Shri U. M. Trivedi: No, Sir, I have not finished. My hon. friend is very anxious to speak.

Mr. Deputy-Speaker: He should finish soon. Four hours have been allotted for this Bill.

Shri U. M. Trivedi: This is a Bill and there is no time limit for discussion on Bills.

Mr. Deputy-Speaker: The Business Advisory Committee has fixed four hours for this.

Shri U. M. Trivedi: The Business Advisory Committee has not yet met. This is the Government's decision.

Shri Hari Vishnu Kamath (Hoshangabad): We do not agree.

Shri U. M. Trivedi: If you say that four hours have been allotted, I agree; otherwise, with great respect to you, I am not prepared to agree. Why should it be only four hours for this important Bill? They want to spend Rs. 18 crores.

Mr. Deputy-Speaker: The House has allotted four hours for this.

Shri U. M. Trivedi: The House has met for the first time today.

Mr. Deputy-Speaker: It was done last time.

Shri U. M. Trivedi: Last time it was merely the introduction of the Bill and at the introduction stage we cannot allot time. This is the consideration stage.

Mr. Deputy-Speaker: The Business Advisory Committee met last time.

Shri U. M. Trivedi: It was not discussed in the Business Advisory Committee. I remember it.

Then it says:

“The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Corporation—

by way of grant.....”

I would like to know where the provision is for this Corporation to earn some money and pay to the Govern-

ment. It is all take and no give. What is this going about with a beggar's bowl, to begin with a beggar's bowl and to have it in the bowl. It says:

"The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Corporation—

by way of grant.....

by way of loan, such sum of money on such terms and conditions....."

I know that you have been kind enough to indicate to me that four hours' time has been given for this. My hon. friend might be anxious to speak. But I have made out a sufficiently strong case to put before the House that a reading even of these 12 clauses indicates to me that this is a Bill which must go before a Select Committee for proper consideration. I, therefore, appeal to the House that my motion be carried.

Mr. Deputy-Speaker: Before I call the next speaker, I have to apportion the time between the general discussion and the clause-by-clause consideration. There are some amendments also. Therefore we will go on with the general discussion for three hours, that is, till 4 o'clock. How much time does the hon. Minister want for his reply?

The Minister of Community Development, Panchayati Raj and Co-operation (Shri S. K. Dey): Half an hour.

Mr. Deputy-Speaker: We are left with only 1½ hours for general discussion. Hon. Members will, therefore, take ten minutes each.

Shri A. C. Guha: No, not ten minutes.

Shri Kashi Ram Gupta (Alwar): It will be too short.

Shri Hari Vishnu Kamath: Let the House fix the time.

An Hon. Member: The Bill cannot be passed today.

Mr. Deputy-Speaker: I will call the hon. Minister at 3.30.

Shri Hari Vishnu Kamath: When did it start?

Mr. Deputy-Speaker: It started at 1 o'clock. Shri Shree Narayan Das.

श्री श्रीनारायण दास : माननीय उपाध्यक्ष महोदय, सहकारिता आन्दोलन के विकास के लिए जो विधेयक अभी माननीय उपमंत्री महोदय ने सदन के सामने उपस्थित किया है, उसके पीछे जो सिद्धान्त है, उसका मैं हृदय से समर्थन करता हूँ।

यह बात सभी को मालूम है कि हिन्नन्तान में खेती और खेती सम्बन्धी जो उद्योग हैं, उनके विकास का जो कार्यक्रम है, तथा तृतीय पंचवर्षीय योजना के लक्ष्यों की प्राप्ति का जहां तक सम्बन्ध है, उनको तब तक अच्छी तरह से नहीं चलाया जा सकता है तथा उन लक्ष्यों को तब तक प्राप्त नहीं किया जा सकता है जब तक हम सहकारिता आन्दोलन को हर क्षेत्र में पूरी तरह से विकसित न करें। इसी ब्याल से समय समय पर कई कमेटियां बनाई गई हैं जिन्होंने खेती सम्बन्धी वित्त की आवश्यकताओं के बारे में तथा खेती से सम्बन्ध रखने वाले छोटे छोटे उद्योग षचों के सम्बन्ध में वित्त की आवश्यकताओं के बारे में, तथा उनके विकास के लिए जो दूसरे आवश्यक पदार्थ हैं उनको किस तरह से मुहैया किया जाए, उसके बारे में जांच पड़ताल की है। जैसा कि माननय उपमंत्री महोदय ने बताया है कि रिजर्व बैंक आफ इंडिया ने एक कमेटी बनाई थी जिस ने सहकारिता आन्दोलन को बढ़ावा देने के लिए कई तरह के सुझाव दिए थे और उन सुझावों को सरकार ने मान लिया। उन्हीं सुझावों के अनुसार एक कारपोरेशन और एक बोर्ड बनाया गया। जब यहां

[श्री श्रीनारायण दास]

केंद्र में सहकारिता का मंत्रालय बन गया है और उसने अपन ऊपर पंचायती राज, सामुदायिक विकास और सहकारिता आन्दोलन को बढ़ावा देने के लिए विभिन्न राज्यों के सहयोग से इस काम को पूरा करना आरम्भ कर दिया है, तो मैं नहीं समझता कि इस में कोई आपत्ति की जानी चाहिये कि जो नेशनल कोऑपरेटिव डिवेलपमेंट एंड वेयरहाउसिंग बोर्ड बना हुआ है और जिस का काम खेती की उन्नति के साथ साथ वेयरहाउसिंग का विकास भी है, उसको दो टुकड़ों में बांट कर एक अलग से नेशनल कोऑपरेटिव डिवेलपमेंट कारपोरेशन क्यों न बना दिया जाये जो विशेषकर कृषि तथा कृषि से सम्बन्ध रखने वाले जो दूसरे उद्योग धन्धे हैं, उनका विकास कर सके। जो सहकारिता समितियां देहातों में काम करती हैं, उनको सहायता देने के लिए अगर एक विशेष अधिनियम बनाने का निश्चय सरकार ने किया है और उसके लिए यह बिल अभी सदन के सामने विचाराय उपस्थित किया है तो मैं नहीं समझता हूँ कि इस में कोई आपत्ति होनी चाहिये।

जैसा कि इस विधेयक के उद्देश्यों में बताया गया है, अब तक जो कार्य इस सम्बन्ध में किया गया है, वह बहुत ही प्रशंसनीय है। अभी माननीय उपमंत्री महोदय ने कहा कि तृतीय पंच वर्षीय योजना में इस काम को पूरा करने के लिए और भी विशेष रूप से प्रयत्न करने की जरूरत है। मैं इस विधेयक का समर्थन करता हूँ और इस सम्बन्ध में कुछ सुझाव देना चाहता हूँ।

जहां तक मेरा ख्याल है इस में जो ऐग्रिकल्चरल प्रोड्यूस की परिभाषा की गई है वह हूबहू जो हमारे संविधान के शैड्यूल ७ की कांकरेंट लिस्ट के क्लॉसिफिकेशन नं० ३३ के अनुरूप की गई है। केंद्रीय सरकार को

केवल खेती सम्बन्धी इन्हीं विषयों के सम्बन्ध में कानून बनाने का अधिकार है। इस तरह से इस को यहां पर सीमित रखा गया है। लेकिन जहां तक मेरा ख्याल है, क्लॉसिफिकेशन (२) में जो नीचे दिया गया है "वेजिटेबल फ़ूड्स" उस का अर्थ यह है कि जो वेजिटेबल फ़ूड्स एडिबल हैं उन्हीं के सम्बन्ध में संसद को कानून बनाने का अधिकार है। लेकिन वेजिटेबल फ़ूड्स एडिबल भी हो सकते हैं और इन एडिबल भी हो सकते हैं। इसलिये विधेयक के क्लॉसिफिकेशन २ की जो उपधारा (५) है उस में "एडिबल" जोड़ देना चाहिये। तभी वह हमारे संविधान के अनुसार उपयुक्त होगी।

दूसरी बात मैं यह कहना चाहता हूँ कि प्रिएम्बल में जो शब्द दिये गये हैं, जहां तक मेरा ख्याल है वह संविधान के आर्टिकल ३३ के अनुसार नहीं हैं। जो सातवां शैड्यूल है संविधान का उस में जो कांकरेंट लिस्ट है उस के अनुसार ऐग्रिकल्चरल प्रोड्यूस के प्रोडक्शन, डिस्ट्रिब्यूशन और सप्लाई के लिये ही यह सदन कानून बना सकता है। इसलिये प्रिएम्बल में इन शब्दों को जोड़ देना बहुत उपयुक्त होगा। शनिवार के दिन जो संशोधन मैं ने दिये थे वे शायद अभी माननीय सदस्यों को वितरित नहीं हुए हैं, लेकिन अगर मौका मिला और यह बिल आज पूरा नहीं किया जा सका तो कल इस पर विचार करते समय मैं अपने संशोधन इस सम्बन्ध में दूंगा। लेकिन उस के पहले मैं समझाना चाहता हूँ कि प्रिएम्बल में "डिवेलपमेंट शब्द" के बाद इन शब्दों को जोड़ देना उद्युक्त होगा।

"...production, supply and distribution of agricultural produce and certain commodities on co-operative principles and for matters connected therewith."

ऐसा कर देने पर ही यह संविधान के अनुरूप हो सकेगा।

तीसरी बात मैं यह कहना चाहता हूँ कि इस विधेयक मैं यह बतलाया गया है कि कारपोरेशन का हेडक्वार्टर नई दिल्ली में होगा। यह एक बहुत विशाल देश है और जैसा उपमंत्रि महोदय ने बतलाया है, हमारे देश में लाखों सहकारिता समितियां काम करेंगी और तरह तरह की समितियां होंगी जो एक दूसरे के उद्योग धर्मों को बढ़ावा देंगी। लेकिन इस काम को करने के लिये यह बतलाया गया है कि हेडक्वार्टर नई दिल्ली में रक्खा जायेगा। मैं समझता हूँ कि खाली इस से ही कार्य सम्पन्न नहीं हो सकता है। जिस तरह से इंडस्ट्रियल फाइनेन्स कारपोरेशन के सम्बन्ध में जो कानून है उस में बतलाया गया है कि बम्बई में उस का मुख्य कार्यालय होगा और दो शाखायें कलकत्ते में और एक दूसरी जगह होगी, उसी तरह से, जहां तक मेरा ख्याल है, इस विधेयक में भी इस बात का जिक्र होना चाहिये कि निगम का हेडक्वार्टर यहां होगा लेकिन अगर आवश्यकता पड़े तो देश के विभिन्न भागों में उस की शाखायें खुल सकती हैं। वैसे तो निगम को अधिकार होगा कि आवश्यकता पड़ने पर वह और शाखायें खोल सकता है, लेकिन इस विधेयक में ही इस बात का जिक्र होना चाहिये क्यों कि मैं समझता हूँ कि इस की एक शाखा का आफिस दक्षिण में होना चाहिये और एक शाखा का आफिस उत्तर में होना चाहिये, तभी कोम्प्रापरेटिव आन्दोलन अच्छी तरह से चल सकेगा। बल्कि इस विधेयक में ही इस बात का जिक्र हो जाना चाहिये कि इस का एक शाखा कार्यालय उत्तर में होगा और एक दक्षिण में होगा।

इस विधेयक के जरिये जिस कारपोरेशन की स्थापना की जा रही है जहां तक उस के संगठन का प्रश्न है, मैं समझता हूँ कि वह स्पष्ट नहीं है। क्लॉज ३ के अन्दर दिया हुआ है कि ६ सदस्य सरकार द्वारा मनोनीत किये जायेंगे, लेकिन किस प्रकार से मनोनीत किये जायेंगे यह नियम के द्वारा निर्धारित

किया जायेगा। मैं जानना चाहूंगा कि इस सम्बन्ध में सरकार का क्या इरादा है। अगर सरकार चाहती है कि केवल सरकारी अफसर ही ६ सदस्यों में हों तो इस बात का जिक्र इस में होना चाहिये। मेम्बरों की नियुक्ति नियमों के द्वारा निर्धारित करने का जो तरीका है वह मुनासिब नहीं होगा, लेकिन अगर सरकार का इरादा यह है कि ६ मेम्बरों में न केवल सरकारी अफसर ही बल्कि दूसरे भी हो सकते हैं तो इस बात का इस विधेयक में जिक्र होना चाहिये।

तीसरा विषय जिस के सम्बन्ध में मैं निवेदन करना चाहता हूँ वह निगम के संगठन के सम्बन्ध में है। चेअरमैन और वाइस चेअरमैन जो निगम के होंगे उन के सम्बन्ध में यह बिल्कुल स्पष्ट नहीं है कि उन को नियुक्ति किस ढंग से होगी। अगर सरकार उन को नियुक्त करेगी तो इस का जिक्र इस विधेयक में होना चाहिये। लेकिन अगर सरकार चेअरमैन और वाइस चेअरमैन की नियुक्ति न कर के सदस्यों के ऊपर छोड़ना चाहती है तो इस को अस्पष्ट छोड़ना उचित नहीं है। यहां पर इस को निश्चित कर देना चाहिये कि चेअरमैन और वाइस चेअरमैन जो निगम के होंगे उन का चुनाव सदस्यों के द्वारा होगा या वे सरकार द्वारा मनोनीत किये जायेंगे।

निगम के सम्बन्ध में मुझे दो एक बातें और कहनी हैं। विधेयक के क्लॉज ३ के सब-क्लॉज (५) में दिया हुआ है कि ८ गैर सरकारी सदस्य सरकार द्वारा मनोनीत किये जायेंगे। मैं इस सम्बन्ध में कहना चाहता हूँ कि हमारे देश में चार जोन्स को मान लिया गया है। यहां दिया गया है :

"five shall be persons recommended by the State Governments on a zonal basis."

हमारे देश में चार जोन्स घोषित किये गये हैं। इस लिये वर्तमान ढांचे के बदले एक-एक प्रतिनिधि हर एक जोन से होना चाहिये जिन्

[श्री श्रीनारायण दास]

का चुनाव स्टेट गवर्नमेंट द्वारा किया जायेगा, साथ ही एक ऐसा सदस्य होना चाहिये जो कि फ्राप इन्श्योरेन्स का एक्स्पर्ट हो। यद्यपि अपने देश में फ्राप इन्श्योरेन्स एक नई चीज है लेकिन मैं समझता हूँ कि जब खेतों के लिये वित्तीय व्यवस्था की जाती है और प्रदेशों में सहकारिता भन्दोलन चलता है वह इस लिये सफल नहीं हो पाता है कि हमारे यहां फ्राप इन्श्योरेन्स जारी नहीं किया गया है। अगर निगम में एक सदस्य ऐसा होगा जो फ्राप इन्श्योरेन्स की जानकारी रखता होगा तो इस निगम के काम में सहायता मिल सकेगी। सारे देश को चार जोन्स में बांट कर एक-एक सदस्य एक एक जोन से लिया जाना चाहिये और एक एक्स्पर्ट को अप्रोपेटिव इन्श्योरेन्स का ले लें।

जहां तक क्लॉज ४ का ताल्लुक है उस के सम्बन्ध में जैसा श्री त्रिवेदी ने कहा, जिन्हें किया गया है कि कौन-कौन सी डिस्क्वालिफिकेशन्स होंगी जिन के कारण कोई भी व्यक्ति निगम का सदस्य नहीं हो सकता है। उन में से एक यह है कि जिस आदमी को मारल टरपीट्यूड के लिये छः महीने से ज्यादा की सजा दी गई हो वह इस निगम का सदस्य नहीं हो सकता। मैं वकील तो नहीं हूँ लेकिन जहां तक मेरी जानकारी है अभी तक मारल टरपीट्यूड की कोई परिभाषा नहीं की गई है। जब जब इस सदन में कोई कानून बना, खास कर जब पीपल्स रिप्रेजेंटेशन ऐक्ट हमारे सामने आया उस समय यह सवाल हमारे सामने आया था कि जिस आदमी को मारल टरपीट्यूड के सम्बन्ध में सजा हुई हो वह इस सदन का सदस्य नहीं हो सकता या विधान सभा का सदस्य नहीं हो सकता। यह बात कही गई कि चूंकि मारल टरपीट्यूड की परिभाषा अब तक नहीं की गई, किसी कोड में उसे डिफाइन नहीं किया गया है, इसलिये इस बात का जिक्र इस विधेयक में न होता

तो अच्छा था, लेकिन अगर सरकार चाहती है कि मारल टरपीट्यूड का अपराधी कोई इस निगम का सदस्य न हो तो मैं समझता हूँ कि इस में यह जोड़ना आवश्यक है कि सरकार की राय में अगर कोई आदमी मारल टरपीट्यूड का अपराधी हो तो उसे इस निगम का सदस्य नहीं होना चाहिये। इस को जोड़ देने से यह चीज बिल्कुल स्पष्ट हो जायेगी।

इस विधेयक में दो एक और बातें हैं जिन के सम्बन्ध में मैं कहना चाहूंगा। धारा ६ में लिखा है कि कारपोरेशन के फंक्शन्स क्या होंगे। जहां तक मैं समझता हूँ कि इस कारपोरेशन का यह काम भी होना चाहिये कि अगर किसी सहकारी समिति को किसी संस्था से कर्ज लेना पड़े, और यह निगम समझे कि सहकारिता समिति की वित्तीय स्थिति ऐसी है कि वह कर्ज ले सकती है तो इस निगम को उस लोन की गारंटी करने का अधिकार भी होना चाहिये।

इन्हीं शब्दों के साथ मैं इस विधेयक का समर्थन करता हूँ। मैं भी यह समझता हूँ कि अच्छा होता अगर इस विधेयक को प्रवर समिति के सुधुर्द कर दिया जाता क्योंकि उस अवस्था में इसमें बहुत सुधार हो सकता था और सुधार की इसमें आवश्यकता है। लेकिन अगर सरकार इस सुझाव से सहमत नहीं है तो मैं इस बिल का समर्थन करता हूँ और आशा करता हूँ कि जो सुझाव मैंने दिए हैं उन पर विचार किया जाएगा।

Shri Narasimha Reddy (Rajampet):
Mr. Deputy-Speaker, in the long trail of very heavy white elephants that have been fed from the revenues of our country, this Bill is the latest arrival asking for very fat provender. This Corporation envisages a membership of twenty with a Chairman and a Vice-Chairman. The Vice-Chairman is also to be the Chairman of an Executive Committee with five members.

There would be a Secretary, I believe a very highly paid Secretary to assist the work of this Corporation. Added to that, clause 8 says that "subject to such rules as may be made by the Central Government in this behalf, the Corporation may appoint such other officers and employees"—it is un-numbered, it simply says "may appoint such other officers and employees as it considers necessary for the efficient performance of its functions." Undoubtedly, these officers in course of time will multiply in such a manner that amongst themselves they would absorb in all the income of this Corporation, if at all it gets any income. This would be a continuing drain on the monetary resources of the States.

Then again, provision is made in this Bill for the appointment of various other committees. We can safely presume from our experience in the past the number of these committees will go on multiplying. It is, therefore, plainly seen that the creation of this Corporation gives endless opportunities for these various committees to have picnicing jaunts throughout the whole of the Indian peninsula for which our poor country would have to pay in the shape of fat T.As. and other incidental charges.

Why should such a Corporation be established when our country is having lots of financial worries? We have on the Treasury Benches a plethora of Ministries, Ministers of State, Deputy Ministers and Secretaries, any one of whom could take up this function as a departmental affair. I am unable to understand why at this time of the day when our Finance Minister has been going about from one country to another for more funds, the much-valued tax-payer's money should be dissipated on this wholly unnecessary body.

Whenever Government has delegated functions to such corporations there has been wastage and extravagance resulting in inefficiency, so much so that these corporations have been the target of public criticism.

The functions of the Corporation are described thus in section 9: "To plan and promote programmes for the production, processing, marketing, storage, export and import of agricultural produce through co-operative societies." That is to say, this Corporation is supposed to promote programmes for the production of agricultural produce. The provision in clause 9(2) is that this Corporation shall provide funds to State Governments for financing co-operative societies for the purchase of agricultural produce and other commodities, and also for the supply of seeds, manures, fertilizers, agricultural implements, etc. I submit that all this is an insidious method of introducing co-operative farming by temptations, if possible, by compulsion, if necessary.

Then again, I wish to draw the attention of this House to sub-clause (3) in clause 9 which says that "the Corporation shall so exercise its functions under this section as not to interfere with the activities of the Khadi and Village Industries Commission". Why do they make an exception? I would have been very glad if the Government had introduced this provision at the end that they will not interfere with the activities of the Khadi Commission or with the independent agricultural activities of the individual ryots or their holdings or with their initiative and judgment. If the Minister is really honest about the ryots he could have introduced such a provision at the end of sub-clause (3) of clause 9.

It is quite plain that this Bill envisages the introduction of co-operative farming hoping to raise thereby agricultural production. I am an agriculturist myself and I have seen many of these agricultural demonstrators, who are supposed to be experts, coming to our farms without knowing the rudiments of agriculture and without knowing something of practical agriculture from the old farmers who are tilling our land. If such is the position of agricultural experts, how could we increase the agricultural

[Shri Narasimha Reddy]

production of our country? No doubt any number of them, would be manufactured in the laboratories of the Community Development Department; but I am quite sure that they will not be able to make out a dry land from a wet land or a bajra field from a paddy field.

Shri B. S. Murthy: Why not?

Shri Narasimha Reddy: I submit that the Government should not dabble with co-operative farming or tamper with the rights of the ryots.

Shri Inder J. Malhotra: How does the question of co-operative farming arise here?

Shri Narasimha Reddy: If the hon. Member reads the wording of clause 9 he will find that it says "to promote programmes of agricultural produce". How do you produce agricultural produce? Not from the air, not by incantations, not by any other procedure but by taking to farming. You are a co-operative society and you are introducing co-operative farming. There is no doubt about that. If my hon. friend had read the section he would not have come forward with this interruption.

I submit that this whole Bill is nothing but a farce, a drama being played to throw dust into the eyes of the self-relying and honest ryots of our huge sub-continent. This co-operative farming, or these communes as they are otherwise called have failed in Russia and China from which latter country millions are running away in famine in hunger and in starvation. In our own country we have gone through many vicissitudes and trials and have been subject to successive invasions through centuries. And if through all these invasions our country and our civilisation has endured, it is on account of the fact that we have had a free ryot population carrying on their agricultural existence unhampered by any limitations whatsoever. The abodes of our ryots

have been the havens of peace and contentment, the sublime teachings of our land and its culture being handed down from father to son through the devotion of our women-folk through un-numbered centuries. I remember, while I was young I attended a lecture by Dr. Annie Besant, a passionate lover of our country and one of the distinguished ex-Presidents of the Indian National Congress. Speaking about the ryots of India and how they went to work by first paying obeisance to the Almighty, she said:

"There is greater philosophy in the lean and lanky ryot plying his lonely furrow on the banks of the Ganges than in all the philosophies of the west."

I warn the Government, do not kill the ryot by this new religion of yours, this uneconomic, exploded and detested co-operative farming. I say, do not tamper with, do not play with, the rights of the ryot because in them flows the immemorial blood of countless aeons of agricultural ancestors. Especially at this time when our country is threatened by foreign invasion, when our sacred soil is tampered with by the vile feet of aggressors, we should not consign our sturdy, strong yeomen to an atmosphere of dejection and frustration. We should not at this time of crisis make our ryots feel that they are bondmen in their own country, that they are subjected to destitution and hunger. I would advise our Minister, who has already sufficiently tampered with, disturbed and disintegrated the peaceful, rural pastoral life of our villages by his 'community development' and by his 'panchayati raj', to withdraw this Bill (*Interruptions*).

Shri B. S. Murthy: On a point of order. I think the hon. Member used the word 'tampered'. I submit it is not proper to use that word.

Shri Narasimha Reddy: If he feels so very delicate and touchy about it, I will not say 'tampered'; but I will say that he has sufficiently disturbed

and disintegrated the rural, pastoral life of our country. So, I would request the Minister to withdraw the Bill, go home and offer prayers to the Almighty and take a vow never more to trifle with the rights of the ryots of our land.

Shri B. S. Murthy: To Lord Narasimha!

Shri P. R. Patel (Patan): While supporting the Bill, I would like to offer some suggestions. We know that the National Co-operative Development and Warehousing Board was established under the Act of 1956. The Deputy Minister was good enough to say that the Board has done excellent work. He gave figures of increase in the membership of co-operative societies, increase in the number of societies, increase in the number of marketing societies and so many other societies. If the Board, according to the Deputy Minister has done good work, what is the reason for changing this Board to a Corporation? If the word 'Corporation' is put for the word 'Board', how is it going to serve the agriculturists in a better way than the Board does today?

The reason for the separation of the two bodies, the National Co-operative Development and Warehousing Board and the Central Warehousing Corporation, has been given in the Statement of Objects and Reasons as follows:

"Both the bodies were under the administrative control of the Ministry of Food and Agriculture. Subsequently, there has been a reallocation of business by which the administrative control of the National Co-operative Development and Warehousing Board has been transferred to the Ministry of Community Development and Corporation while the administrative control of the Central Warehousing Corporation continues to be in the Ministry of Food and Agriculture. The two bodies are thus under the administrative control of two different Ministries. In the altered situation, and

in the interest of the better functioning of the two bodies and for administrative convenience, it is considered that the two bodies should function independently under separate enactments".

It is now clear that even though the two bodies were controlled by one Act, however excellent the functioning of the Board was according to the Deputy Minister, the only difficulty is that one body is put under the administrative control of the Ministry of Community Development and Co-operation while the other is under the administrative control of the Ministry of Food and Agriculture. These two Ministries are under the same Government. Do they not co-operate so far as the functioning of these two bodies is concerned? Is there non-cooperation in co-operation? Otherwise, if one is put under the administrative control of one Ministry and the other is put under the administrative control of another Ministry, that does not necessarily create conditions for the enactment of separate legislation. So I wish that the matter be considered by the Ministry.

There is another thing. Co-operation is not a new thing to us. It was started in 1904, when we had the Co-operative Credit Societies Act. Then in 1912, another Co-operative Societies Act was passed for the establishment of central financing agencies to provide funds to the primary agricultural societies. Then in 1914, the MacLagan Committee was appointed to review the progress of the co-operative movement. In 1919, the Montagu-Chelmsford reforms came and the subject of co-operation was transferred to the provincial governments. Thus it became a provincial subject. In 1929, a Royal Commission on Agriculture was appointed. They also considered this problem. In 1954, after 50 years, the result has been that we had hardly touched the fringe of the problem. The Reserve Bank of India appointed a Rural Credit Survey Committee to inquire into the matter, which came out to say

[Shri P. R. Patel]

that the total credit given by the co-operative societies to the agriculturists is only 3.1 per cent of the total credit requirements of the farmers, and even this was not given always to those who were in real need. The Committee recommended the setting up of a National Co-operative Development and Warehousing Board. And so we had the enactment of 1956, The Agricultural Produce (Development and Warehousing) Corporation Act, and we had these two Boards. When the two Boards are working so well as mentioned by the hon. Deputy Minister, I do not know why we should bifurcate it.

Shri Shyam Dhar Misra: We are not hesitating to bifurcate it.

Shri P. R. Patel: Well, there is no hesitation; rather, we are in haste.

Shri Inder J. Malhotra: That amounts to the same thing.

Shri P. R. Patel: I will not refer to the figures of progress in the last five years. Looking at them, we see the progress is nice and good, but that is only so far as the figures go. But has the principle of co-operation been imbibed by the people, or do they go to co-operatives for certain advantages? That is the question. No doubt, we have got co-operative societies. It is a good thing. But I am of opinion that unless 90 per cent of the members of such co-operative societies are agriculturists, such societies registered under the Co-operative Societies Act do not become co-operatives. The principle underlying it is that the agriculturist should be benefited, and for that, unless 90 per cent of the members are agriculturists in the cotton co-operative society, I would not call it a Co-operative.

I have seen certain co-operative societies, co-operative ginning factories, and I think the merchant community make the best use of these co-operatives and try to earn. So, I request the hon. Minister to see that in reality

the advantage that we want to give to the co-operatives go to the deserving, the farmers.

You will find that the intention in having co-operative marketing societies is to benefit the agriculturists, but the middlemen become members of such societies and take advantage of the co-operative movement. I am submitting not by way of criticism, but only with the view that the Minister and the Ministry may see to it that co-operation in the real sense is there in all co-operative societies.

The idea behind establishing the Board and the Corporation is a nice one. It is given in clause 9:

"Subject to the provisions of this Act, the functions of the Corporation shall be to plan and promote programmes for the production, processing, marketing, storage, export and import of agricultural produce and notified commodities through co-operative societies."

We badly require an increase in the export of our agricultural produce. We know that agricultural produce contributes more than 76 per cent to our exports, and unless we double our production, we cannot increase our exports. We must earn foreign exchange too, and if this is the idea in establishing this Board and this Corporation, I would be very happy, but there is one thing. Some two or three months back a statement was made by the Minister of Commerce on the Export Promotion Council that all those who were taken were representatives of the different Chambers of Commerce. There were Government servants, too. Representation was given to the cotton dealers, the Cotton Exchange, the Seeds Exchange, the merchants and the associations, but no representation to the agriculturists. If at all we want to improve and increase our production, increase export of agricultural products, I do not understand why we should not give representation to the

agriculturist. We recognise labour unions and invite their representatives, we invite bank employees and have consultations with them; we also have consultations with Government servants' associations, with merchants' associations, and we are benefited thereby. Shall we not be benefited if we take the co-operation of the representatives of the agriculturists? Is it not time that there should be an association of agriculturists in the country to look after more production in agriculture and its export? Would that not be beneficial to the country? I do not understand why we are afraid of that.

Shri Shyam Dhar Misra: But are not the federations of these agricultural cooperatives at the district and apex level, federations of agriculturists?

Shri P. R. Patel: If he at all say that we are going to have representatives of the agriculturist co-operative societies, I would welcome it, but what is in this Bill? It says that the Government will nominate. Why should there be nominations. In this year of 1962 when democracy is everywhere—we are all for democracy—why should there be a nomination? You find out some way by which elections are held and representation is by organised associations of agriculturists. Let the co-operative societies of the State elect a representative. Where is the difficulty? That would be sufficient, but you do not do it. I do not say you recognise agricultural associations.

Clause 10, I find, reads:

“(1) There shall be an Executive Committee of the Corporation which shall consist of the following members, namely:—

- (a) the Vice-Chairman of the Corporation;
- (b) three members nominated by the Central Government in such manner as maybe prescribed;
- (c) the representative of the Reserve Bank . . .

- (d) two members nominated by the Central Government from among the members of the Corporation . . .”

And how is the Corporation to be formed? Under Clause 3(3),

“The Corporation shall consist of the following members, namely:—

- (ii) nine members representing the Central Government, to be nominated by that Government in such manner as may be prescribed;

— not representatives of the co-operative societies—

“(ii) one representative of the Reserve Bank, to be nominated by the Reserve Bank;

(iii) one representative of the State Bank, to be nominated by the State Bank;

(iv) one representative of the Central Warehousing Corporation, to be nominated by that Corporation;

(v) eight non-officials nominated by the Central Government . . .”

So, there is no representation to the co-operative societies. I suggest that Government might make this clause a democratic clause. I would urge the Government to consider this view and do the needful in the matter.

15 hrs.

श्री सरजू पाण्डेय (रसड़ा) : उपाध्यक्ष महोदय, पिछली बार इस सदन में बजट के अन्वय पर सामुदायिक विकास मंत्रालय पर जब बहस हो रही थी उस समय मैंने को-ऑपरेटिव्स के बारे में अपने विचार व्यक्त किए थे। मैंने यह सोचा था कि सदन में ऐसा कोई विधेयक लाया जाएगा जो पूरे देश में को-ऑपरेटिव्स पर समान रूप से लागू हो सके और सभी को-ऑपरेटिव्स उसके अन्तर्गत आ जाएंगी। लेकिन मेरी समझ में यह बात

[श्री सरजू पाण्डेय]

नहीं आई है कि इस विधेयक को लाने की क्या आवश्यकता महसूस हुई है। इससे पहले भी इसी सदन में एक विधेयक पास हो चुका है और जो कानून भी बन गया है जिसका नाम दी एग्रीकलचरल प्रोड्यूस (डिवेलेपमेंट एंड वेयरहाउसिंग) कारपोरेशंस एक्ट, १९५६ है। इस विधेयक में भी वही सारी बातें कही गई हैं, जो उसमें कही गई थीं। जहां तक मैं समझा हूं इन दोनों के उद्देश्यों में कोई खास अन्तर नहीं है।

इसमें कोई शक नहीं है कि हमारे देश में कोऑपरेटिव आन्दोलन को बड़े पैमाने पर चलाने की आवश्यकता है। मैं उन लोगों में से नहीं हूँ जिनका यह विचार है कि इस मुल्क में कोऑप्रेशन गलत है और वह नहीं होना चाहिये। मेरी शिकायत तो सरकार से यह है कि वह सही मानों में कोऑपरेटिव आन्दोलन को देश में चलाना नहीं चाहती है। कोऑपरेटिव मूवमेंट का वह नाम तो लेती है, बात तो करती है और छोटे मोटे कानून उसके सम्बन्ध में भी बनाती है लेकिन सही मानों में उसको बढ़ावा नहीं देना चाहती है। पिछली बार भी मैंने कहा था कि कोऑपरेटिव सोसाइटीज बहुत सी ऐसी हैं जो फर्जी हैं, एक एक आदमी के हाथ में दस दस कोऑपरेटिव सोसाइटीज हैं। जो आंकड़े और जो इनफार्मेशन मैंने कोऑपरेटिव सोसाइटीज के बारे में पहले दी थी, वह आज भी दे सकता हूँ। कितने ही गबन इन सोसाइटीज में होते हैं। इसके अलावा यह सोसाइटीज असल में अकेले आदमियों के हाथ में होती हैं। मेरे पास National Cooperative Development and Warehousing Board's Annual Report for 1960-61.

मौजूद है। इसमें कहा गया है कि उड़ीसा में एक टीम गई थी कोऑपरेटिव के कार्यों की विवेचना करने के लिए, उनकी जांच करने के लिए और उसने बहुत अच्छे सुझाव दिए हैं। बैंको के सूद के बारे में उसने कहा है कि वह कम होना चाहिये। साढ़े नौ परसेंट तक

जो सूद की दर है उसको काफी कम किये जाने की आवश्यकता है। उसने यह भी कहा है कि गवर्नमेंट नामिनीज की जो तादाद है, वह घटनी चाहिये। बजाय इसके कि गवर्नमेंट नामिनीज की तादाद घटाई जाए, हम देखते हैं कि इसमें वह बढ़ा दी गई है। यहाँ पर जितने भी मੈम्बर हैं, सारे के सारे नामिनीज है, चुन कर एक को लेने की भी व्यवस्था नहीं की गई है। टीम ने सुझाव यह दिया था कि नामिनीज की तादाद घटनी चाहिये लेकिन यहाँ पर इससे थिंकल उलटा किया गया है।

एक सजेशन कमेटी की यह थी :--

The influence of the individual representative on the management of some Central Banks appears to be rather great. This should be curtailed as far as possible.

लेकिन इस पर भी कोई ध्यान नहीं दिया गया है। मैं सोचता था कि एक ऐसा बिल लाया जायेगा जो सही मानों में इन सारी चीजों का जवाब होगा। बजाय इस के कोई ऐसा बिल लाया जाता, एक बिल ला कर हमारे सामने उपस्थित कर दिया गया है जिस से जो मुश्किलात हैं, उन का कोई हल नहीं निकलता है। यद्यपि इस बिल का जो मंशा है, उस से हमारा कोई विरोध नहीं है लेकिन सब से बड़ी बात यह है कि जहाँ पर एग्रीकलचरल प्रोड्यूस को इस बिल के अन्तर्गत लायें, वहाँ पर तम्बाकू का कोई जिक्र नहीं किया है। वह भी किसान पैदा करता है और काफी बड़ी मात्रा में इस की खेती करता है। इस को एग्रीकलचर प्रोड्यूस में शुमार नहीं किया गया है। इसी तरह से मिर्च का सवाल है। मैं चाहता हूँ जिस तरह से और चीजें एग्रीकलचरल प्रोड्यूस में शामिल की गई हैं, उसी तरह से तम्बाकू तथा दूसरी चीजों को भी इस में शुमार किया जाना चाहिये।

जो हमारा दूसरा विरोध इस बिल के बारे में है, जैसा मैं पहले कह चुका हूँ, इसलिये है कि सारे के सारे मेम्बर गवर्नमेंट नामिनेटिड हैं और इस में चुनाव को कोई महत्व नहीं दिया गया है। बार बार कहा गया है कि कोओप्रेटिव मूवमेंट में गवर्नमेंट का दखल, गवर्नमेंट की मदाखलत कम से कम होनी चाहिये और जितनी भी टीम्स गई हैं, सभी ने यही सुझाव दिया है। लेकिन बजाये इस के कि गवर्नमेंट की मदाखलत कम हो, मैं देखता हूँ कि इस बिल में सरकार की मदाखलत को और भी बढ़ा दिया गया है।

जहां तक डिसक्वालिफिकेशन आफ मेम्बरज का सम्बन्ध है बहुत से माननीय सदस्यों ने अपने विचार व्यक्त किये हैं। इस में नैतिक अपराधों के लिये सजा पाने वालों के लिये छः महीने तक की छूट दे दी गई है। यह कहा गया है कि जिस को छः महीने तक की सजा हो गई हो, उस को रख लिया जाये तो कोई हर्ज की बात नहीं है। मैं समझता हूँ कि यह गलत है और इस तरह की क्लज नहीं होनी चाहिये और इस को एमेंड किया जाना चाहिये। जो नैतिक अपराधी है चाहे उस को तीन महीने की सजा हुई है या चार महीने की, उस को इस मूवमेंट में शामिल नहीं किया जाना चाहिये, उस को इस में रहने का अधिकार नहीं होना चाहिये।

धारा ५ की उप-धारा ३ में कहा गया है :—

All questions at a meeting of the Corporation shall be decided by a majority of votes of the members present and voting, and, in the case of an equality of votes, the Chairman, or, in his absence, the Vice-Chairman, or, in the absence of both the Chairman and the Vice-Chairman, the person presiding shall have and exercise a second or casting vote.

मैं समझता हूँ कि यह भी गलत है। सिर्फ एक

मेम्बर की मैजोरिटी से कोई चीज डिसाइड कर ली जाये कोओप्रेटिव सोसाइटी में तो लाजिमी तौर पर वह कोओप्रेटिव सोसाइटी चल नहीं सकती है। कोषिषा इस बात की होनी चाहिये कि ज्यादा तर फैसले इस तरह से किये जायें जिस से झगड़े न हों और अगर मैजोरिटी से ही कोई बात तय होनी हो तो मेरी राय में दो तिहाई मेम्बरज को, जो फैसला किया जाना है, सहमत होना चाहिये। ऐसा नहीं होना चाहिये कि एक मेम्बर ने हां कह दी, दूसरे ने न कह दी और चेयरमैन के कास्टिंग वोट से फैसला कर लिया जाये। जब तक दो तिहाई मेम्बर रजामन्द न हों, तब तक कोओप्रेटिव कोई फैसला न कर सके, ऐसी व्यवस्था इस में होनी चाहिये।

एक और चीज मेरी समझ में नहीं आई है। पेज ५ पर, धारा ६ की उपधारा ३ में कहा गया है :—

The Corporation shall so exercise its functions under this section as not to interfere with the activities of the Khadi and Village Industries Commission established under the Khadi and Village Industries Act, 1956.

इस को अलग रखने की क्या आवश्यकता है, क्या मंशा है, मेरी समझ में नहीं आया है। खादी कमिशन को सरकार लाखों करोड़ों रुपया देती है। इस के अन्दर अगर यह भी होता तो लाजिमी तौर पर सारा आडिट, इस के जरिये जो कर्ज दिये जाते हैं तथा दूसरी बातें होती हैं, वे भी आ जाती और यह ज्यादा अच्छा होता। बजाय ऐसा करने के हम ने अलग से कमिशन और अलग से ही एक बोर्ड बना कर रख दिया है। इस से दो बातें होंगी। एक तो जनता के ऊपर दुहरा भार पड़ेगा और दूसरे उस के अलग नौकर होंगे, सारा काम धाम और दूसरी बातें अलग होंगी। इस का नतीजा यह होगा कि जनता के ऊपर बिला वजह इस का भार पड़ेगा। मैं नहीं समझता कि सरकार को उस को भी इस

[श्री सरजू पाण्डेय]

कानून के अन्दर लेने में क्या एतराज है। मैं समझता हूँ कि खादी और विल्सेज इंडस्ट्रीज को भी इस में ले लिया जाये तो कोई बड़ा नुकसान नहीं होगा बल्कि आसानी हो होगी।

मैं देखता हूँ कि इस कानून के आने के बाद भी कोओपरेटिव मूवमेंट में कोई बड़ी प्रगति नहीं होगी। कोओपरेटिव मूवमेंट को सफल बनाने के लिये यह जरूरी है कि हम उन तमाम ऋणियों को देखें जो हमारे तजुबों में हमारे सामने आई हैं, और उन को दूर करने का प्रयत्न करें। माननीय मंत्री जी ने कहा कि हमारे देश में बहुत ज्यादा सोसाइटीज काम कर रही हैं और उन की मैम्बरशिप लाखों करोड़ों में है। लेकिन मैं जानता हूँ कि इन में से आधी से ज्यादा सोसाइटीयां या तो काम नहीं करती हैं या उन के जिम्मे कर्ज बकाया है या दूसरी चीजें हैं। खुद प्रधान मंत्री जी ने कहा है कि कोओपरेटिव सोसाइटीज में रजिस्ट्रेशन के मामले में तथा दूसरे मामलों में गड़बड़ियां होती हैं, लोग अपना शेयर जमा कर देते हैं, दो दो और तीन तीन साल तक पड़े रहते हैं, उन का रजिस्ट्रेशन नहीं होता है। लोग आफिसिज में दौड़ते दौड़ते भर जाते हैं, लेकिन उन की कोई मुनवाई नहीं होती है। आप कानून में आसानियां पैदा करने के बजाय, और चक्कर पैदा करने जा रहे हैं।

अब आप देखेंगे कि कोओपरेटिव के काम में कितनी दिक्कतें आती हैं मैं अपने सूबे का तजुर्बा बतला सकता हूँ। मैं तो एक कोओपरेटिव का डाइरेक्टर भी था। इतनी ज्यादा मुसीबतें कोओपरेटिव के अन्दर होती हैं कि मामूली आदमी तो उस से घबरा कर कहता है कि वहां से भाग जाओ। उस के विचार अच्छे हैं, बातें अच्छी हैं लेकिन जितनी कानूनी अड़चनें और पचड़े किसानों और गरीबों के रास्ते में डाली जाती हैं कि उस से बड़ खूद ही परेशान हो कर भागने की कोशिश

करता है। फर्ज कीजिये कि एक सोसायटी के किसी मेम्बर ने रुपया अदा नहीं किया। अगर एक या दो मेम्बर ने भी रुपया अदा नहीं किया तो सारी सोसायटी के लिये यह तै कर दिया जाता है कि सोसायटी इस काबिल नहीं है कि उसे रुपया दिया जाये। एक मेम्बर की वजह से सारे मेम्बरों को सफर करना पड़ता है। यही नहीं और भी दिक्कतें होती हैं। दूसरे कर्ज इतने ज्यादा हाई रेट पर दिया जाता है कि किसान दोहरे कर्ज में फंस जाता है। मैं ने उस वार भी कहा था अगर एक आदमी सोसायटी से कर्ज लेता है तो एक फिक्स्ड टाइम है, उस ड्यू टाइम के अन्दर कहा जाता है कि रुपया अदा कर दो। उस बीच में अगर वह रुपया नहीं दे पाता है तो उसको महाजन से आ कर कर्ज लेना पड़ता है। इस तरह से वह कोओपरेटिव को भी सूद दे है और महाजन को भी सूद अदा करता है। और वह सूद तब तक देता है जब तक कि रुपया जमा हो कर कोओपरेटिव में न पहुंच जाये और उसे दुबारा रुपया न मिल जाये। इस तरह की गड़बड़ियां चला करती हैं।

इसलिये मेरा मुझाव है कि अब्बल तो इस बिल मे जो यह कहा गया कि मेम्बर चाहे एग्जिक्यूटिव के हों या उन के हों उनका ठीक से चुनाव होना चाहिये। माननीय मंत्री जी ने कहा कि इस में बड़े बड़े एक्स्पर्ट रखे जाते हैं। लेकिन जितने एक्स्पर्ट आप रखेंगे, वे इस देश का नाश कर के छोड़ेंगे। उन्हें दुनियां का कोई तजुर्बा नहीं। मैंने खुद एक इंजी-निअर से कहा कि फलां ट्यूब वेल नीचे पर है, इस को ऊंचा कर दो। तो कहने लगा कि पांडे जी, मेरे कागजों में तो यह ऊंचे पर ही है, जमीन पर वह भले ही नीचे पर हो। ऐसे बंडरफुल एक्स्पर्ट हैं। वे मौके पर जाने की तकलीफ गवारा नहीं करते। उन्होंने ने कह दिया कि नक्शे में तो यह जमीन ऊंची दिखाई गई है भले ही वह ऐक्चुअल मौके पर कितनी ही नीची हो। इस तरह के एक्स्पर्ट आप के

दिल्ली में बैठे हुए हैं। उन के बारे में कोई दो रायें नहीं हो सकतीं। वे कोआपरेटिव के बारे में कुछ भी नहीं जानते। बेकार के कानूनी पच्चे लाते हैं जिन से बेचारा गरीब आदमी दौड़ते दौड़ते मर जाता है, चाहे छोटी इंडस्ट्रीज में हो, चाहे कोआपरेटिव में हो, चाहे खेती के औजारों का मामला हो। मैं जानता हूँ कि नैनीताल में लाखों करोड़ों रुपयों के खेती के औजार पड़े हुए हैं जिन का कोई इस्तेमाल नहीं है। जिस से भी पूछो वह कहता है कि हम क्या करें? यह कोई भी नहीं कहता कि आखिर उन का क्या होगा। पम्पिंग सेट्स बेकार पड़े रहते हैं, खाद पड़ी रहती है। कोआपरेटिव ने कानून बना दिया कि जो किसान खाद नहीं लेगा उसे कर्ज नहीं दिया जायेगा। चाहे जमीन ऐसी हो जिन को खाद की जरूरत न हो, लेकिन चूँकि एक्सपर्ट ने बतला दिया इसलिये खाद नहीं लेगा कोई उसे कर्ज नहीं मिलेगा। नतीजा यह होता है कि उन लोगों को भजबूर हो कर खाद लेनी पड़ती है जिन को उस की कोई जरूरत नहीं है और इस तरह से बिना चर्ज उन को परेशान किया जाता है। मैं चाहता हूँ कि एक्सपर्ट्स के बजाय सरकार उन लोगों को रखे जिन को पब्लिक का तजुर्बा है, जो रात दिन गांवों में काम करते हैं। आज हम देखते हैं कि जनता सही मानों में कोआपरेटिव में परेशान है। सिर्फ आप के यह एक्सपर्ट्स कोआपरेटिव को किसानों तक नहीं ले जा सकते और न सरकारी मशीनरी ही उन को इस के लिये तैयार कर सकती है क्योंकि हम लोग उस समाज के हैं जहाँ जन्म से ही यह शिक्षा मिलती है कि पहले घर में दिया जलाओ फिर बाहर जलाओ। पहले व्यक्ति, समाज बाद में, जहाँ यह नारा होगा, लाजिमी तौर पर उस नारे पर चलने से समाजवाद नहीं आयेगा। इस में बड़ा टाइम लगेगा। यह नैतिक आन्दोलन है और इस में काफी समय लगेगा। आप के सरकारी अधिकारी और शास्त्री जी यहाँ बैठे हुए हैं और आप के कानून कोई मदद इस सिलसिले में नहीं कर सकते। इसलिये जो मेरे दो तीन मुझाव हैं, मैं चाहता

हूँ कि माननीय मंत्री जी उन को मान लें।

अब्वल तो यह कि जो आप ने नामिनेशन की बात रखी है उस को बिल्कुल हटा देना चाहिये। यहाँ पर यह मुझाव दिया गया है कि पार्लियामेंट के मेम्बरों को उस में रखा जाये। हमें इसमें कोई ऐतराज नहीं है। पार्लियामेंट के मेम्बरों को रख लीजिये। लेकिन इस में आवश्यक व्यवस्था होनी चाहिये।

दूसरे एग्जक्यूटिव कमेटी जो बनाई गई है उस में भी हमारा ऐतराज यह है कि उस में नामिनेटड लोग नहीं होने चाहिये चुने हुए लोग ही उस में जाने चाहिये।

तीसरी बात जो यह कही गई है कि तमाम क्वेश्चन्स बाई वोट डिमाइड होंगे, उस में २।३ मैजोरिटी होनी चाहिये।

चौथा मुझाव यह है कि खादी ऐंड विल्लेज इंडस्ट्रीज को भी इस में ले लिया जाय।

इन चार मुझावों के साथ मैं आम तौर पर इस बिल को सपोर्ट करता हूँ, मगर साथ ही साथ माननीय मंत्री जी से कहना चाहता हूँ कि देश में कोआपरेटिव आन्दोलन चलाने के लिये उन तमाम मुझावों पर गौर करें जो पहली दफा कमेटियों ने दिये हैं, तभी जा कर इस देश में कोआपरेटिव आन्दोलन सफल हो सकता है।

Shri Himatsingka (Godda): I have been trying to understand the reasons for which this Bill has been introduced and I entirely agree with the hon. Member Shri Patel regarding the objections he pointed out to this Bill. It has been stated by the Deputy Minister that the functions that are intended to be carried out by the present Bill have been very well done by the body formed under the Act of 1956. Because the two bodies are now under two different administrative ministries this Bill has been introduced. Most of the functions or, rather all of them I should say, mentioned

[Shri Himatsingka]

in clause 9 of the Bill are connected with agriculture; the other body also continues to be under that Ministry and I cannot understand why this body which will also be connected and concerned with development, processing, marketing, etc. of agricultural products be under another Ministry except if you want to say that these things are intended to be done through co-operative societies. 'Co-operative' is a word which is producing charm in certain directions. In the name of co-operatives, things are done or are happening which one would not tolerate if such things are unconnected with that word and I will give some examples thereof afterwards. Therefore, I cannot understand as to why this should have been introduced to place it under another Ministry.

If you go to any important place in the village where a lot of important development work is going on, you will find a number of officers; development officer, welfare officer, health officer, agricultural officer, panchayat officer. My hon. friend behind me here remarks that it has no concern with this. After all the intention is to do certain things for improving agricultural production which also takes place in the villages. The main purpose of this Bill appears to be to borrow money from the Government of India and to lend it to the States. Broadly speaking, they will take money from the Government and advance it by way of loans or grants for financing co-operative societies. What happens is this: When you lend money the borrowers think that it is not payable. You will find that moneys lent are not being realised and the moment any attempt is made to realise such moneys there is objection and people begin to interfere in the work of realisation and therefore, all these moneys are lost. It appears from clause 9 that the object is to finance co-operative societies for employment of staff and implementing programmes of co-operative develop-

ment. Why cannot the something be done by the Food and Agriculture Ministry, which they have been doing so far? There is no reason why another body should be set up and separate expenditure incurred. As has been mentioned, the expenditure in 1963-64 will be Rs. 3.5 lakhs which will go on increasing. The only purpose, it appears, is to borrow money from the Centre and lend it to them.

Shri Shyam Dhar Misra: I said: it is not the only object. It would plan and promote co-operatives; I have said that also.

Shri Himatsingka: Planning will be by the Central body or by the State bodies or the different co-operative societies? After all, so far as the question of planning for production, processing, marketing, etc., is concerned, it all means the same thing. I do not see why there should be a duplicating and overlapping of functions and increasing difficulties at every stage. As a matter of fact, what will happen is that if a person comes for something to be done, one Ministry will say, "put this thing before the other Ministry" and the man will be like a shuttle-cock, being sent from one Ministry to the other. Therefore, I feel that there is no justification for a separate body to be set up.

I was mentioning about the charm in the word "co-operation." What happens in Assam? Hon. Members from Assam will support me when I say this. In Assam, Government has given monopoly to co-operative societies to purchase paddy. If you make enquiries as to what is happening to those co-operative societies and how they are functioning and what is the fate of the agriculturists who have to come and sell paddy, you will realise what an injustice and harm is being done to them. The co-operative societies have not been provided with sufficient funds. They have got no

arrangement for storage or purchasing. As a result, a lot of unfair activities are going on and the agriculturist is suffering. For a co-operative society for a sugar farm, only Rs. 5 lakhs to Rs. 6 lakhs come from different persons—the co-operatives—and the rest had to be found by the Government. The total needed is about Rs. 70 lakhs. The sugar that was produced cost about Rs. 60 per maund in the first year. That is the cost of the sugar that was produced. What I was feeling is that we should not be charmed by the word "co-operative" unless it functions properly. Certainly, the work that is intended to be done is very important. If programmes can be formulated for production, processing, marketing, storage, etc., by co-operative societies certainly that ought to be done, but no separate body is needed for the same. All these functions can be carried out by the existing bodies.

Moreover, the main thing which will help in the increased production of agricultural produce is the supply of seeds, manures, fertilisers, etc. Simply because you increase the number of bodies for doing this work, it does not mean that it will help in the distribution of better seeds, proper seeds, supply of seeds in time or the supply of manures and fertilisers in time. These things have to be arranged whether by this body or any other body. What has to be done is to make arrangements for the supply of all these things and not to increase the number of bodies with the same objects to be performed or fulfilled. Therefore, what I feel is that actually our attention should be diverted and applied to finding ways and means whereby we can be in a position to supply the needs of cultivators by seeing that they get proper seeds, manures, fertilisers, agricultural implements and a lot of other articles for the development of agricultural activities and produce. But not much is being done in that direction, or, rather, not sufficient is being done in that direction. Our attention should

be focussed towards that direction so that our people get these things—they need these things—in time, in proper quantities and in proper quality and at reasonable rates. That should be our intention and only then our purpose will be very much served and helped.

One of the objects is said to be the import of agricultural produce. Is not the Agriculture Ministry importing whatever articles we need? They are importing them. About export, I do not know how these co-operative societies will be in a position to export, which is a very big thing and a technical thing, and which needs a lot of experience and a lot of information of world markets. I do not see in the near future whether any co-operative society will be in a position to take up any of these activities that are intended by way for export of any agricultural commodity. Therefore, I feel that the matter needs very careful consideration and examination before we really support this Bill.

As I said, the objects are not bad, but these objects can be performed and are being performed by other bodies, and there is no need for duplicating the same. The money that will be spent in the employment of persons, etc., will be better utilised for the supply of seeds, fertilisers, etc. With these words, I say that the matter should be reconsidered.

Shri Jashvant Mehta: I have been listening to the debate and heard my hon. friends speaking on this Bill which seeks to establish a National Co-operative Development Corporation. While moving the motion for consideration of the Bill, the hon. Deputy Minister had put before the House the development of the co-operative sector and the co-operative movement as a whole. I would like to ask the question: what is the ultimate aim of the co-operative movement? Our ultimate aim is prosperity. When we want to establish or develop this co-operative sector, we must be

[Shri Jashvant Mehta]

very clear in our mind. I am always one with those who support the co-operative movement. When I look at the co-operative movement, the picture which the hon. Deputy Minister presented to the House comes to my mind. Let us look at the practical aspect of the co-operative movement. Co-operation has developed in quantity on a large scale,—in statistics and numbers. But when we look at the practical aspect of the co-operative movement, we really feel where we are going. A time has come when we should stop and think and think again, about which type of co-operation and co-operative sector we want to develop and what would be our pattern.

I would tell the House in brief how this philosophy is implemented in action. Our ultimate aim is, through this co-operative movement, to develop agricultural production, processing, marketing and other things. But really, how far have we progressed in this matter? Our aim is to establish a separate corporation. We are always starting different organisations on a gigantic scale, with a top-heavy administration. But how do they deliver the goods? After the report of the Rural Credit Survey Committee of the Reserve Bank, which has revolutionised the co-operative movement, we had the V. L. Mehta Committees report also before us. If you look at both the reports, and the policy of the Government and the programme of the Government as to how the philosophy is implemented in practice, you will realise the present position.

One point which I want to place before the policy-makers of this Government is this. In any policy 50 per cent of it should be theoretical, but you must have at least 50 per cent mass approach. How is the thing going on practically? How we are implementing the programme practically must be examined. I will tell the House that even in the report of the Rural Credit Survey Committee,

they have said that co-operation has failed but co-operation must succeed. On the same lines, I want to use the same words; co-operation has failed but co-operation must succeed. The Reserve Bank was advancing crores of rupees at 1½ per cent, but when the money goes to the farmer, the real agriculturist has to pay nine per cent interest. How is it? From the Reserve Bank to the farmer, though the middle agencies, how is that there is such a great difference, when credit is transferred from one organisation to the other? We are now establishing a central corporation and this corporation will advance to the State Banks, and the State Banks will advance to the district banks and the district banks will advance to the primary societies. Through this ladder, this top-heavy administration, the cost will not be cheaper but it will be dearer. Why do you duplicate the agencies? The Reserve Bank is directly advancing to the State Banks. You are also starting a new corporation which will advance money for all these purposes. What is the use of that agency? The Reserve Bank has its own organisation. Through that agency the present State Banks directly take the loans. They distribute them to the district banks. The district banks will give it to the primary societies. First of all, there must be clarity of thought. When we want to develop the co-operative sector, there should not be overlapping of agencies. The ultimate aim is production and prosperity. Let us see what type of credit we are advancing. There are agencies for advancing long-term, short-term and medium-term credit, but there is no coordination and unification. We are organising a separate agency for long-term advancement and for short-term advancement, there is a separate organisation. All these administrative costs have to be borne by the real farmers and agriculturists.

We expand the co-operative movement. We give statistics saying so

many lakhs of cooperatives have been organised, so many lakhs of shareholders are there and so many crores of capital have been advanced. But what is the quality change? There is no quality progress. So far as the rural area is concerned, if you appoint an enquiry commission, you will realise how many societies are defunct societies and how many societies are living on oxygen, i.e. societies which are taking advances from shawkars or exploiters. Before organising so many different types of agencies with top-heavy administration, Government should first of all find out what steps should be taken to attain uniformity and to deliver goods in a simple and straightforward manner. In the States, they have their own organisations. What will be the link between this organisation and the State Bank? There is no clarification as to whether the State Bank will take credit from this organisation or from the Reserve Bank. This should be clarified.

Even the Co-operation Ministry has not got a clear picture as to how far the cooperative sector is going to play an important role in this matter. There is challenge from other sectors also to this cooperative sector. At that time, the cooperative sector must be more vigilant, more efficient and more dynamic, so that it can deliver the goods for more production, more prosperity and more development.

I just wanted to draw the attention of the Minister to these two or three points. Quality progress should be there and an enquiry must be instituted. We must be told what steps Government are going to take to remove corruption from the cooperative movement. Corruption has gone deep down and because of that the cooperative movement has degenerated. So, in the interests of the cooperative movement, a new approach is required and while organising new corporations, Government should have a proper perspective of the cooperative movement.

Shri A. C. Guha: Sir, while generally welcoming the provisions of this Bill, I have my own words of criticism about the necessity of having a Bill which means bifurcating the two organisations. The Act of 1956 was passed on the recommendation of the All-India Rural Credit Survey Committee. That report clearly recommends that these two bodies—the National Cooperative Development Board and the Central Warehousing Corporation—should work in close cooperation. Not only that. It has also been stated that one of the functions of the Board is to give general directions to the All-India Warehousing Corporation. This Board was expected to be the parent body under which the Central Warehousing Corporation would function. This Board was holding more than 60 per cent of the shares of the Corporation. Out of 59,000 shares, 40,000 shares were held by this Board. Now these shares will be transferred to the Government of India, but the intimate connection which was necessary for the proper implementation of the recommendations of the All-India Rural Credit Survey Committee between the Board and the Warehousing Corporation is now to be cut off.

I think the words as put in the Statement of Objects and Reasons are not quite correct. It has been stated:

“In the altered situation and in the interest of the better functioning of the two bodies and for administrative convenience, it is considered that the two bodies should function independently under separate enactments.”

There may be some administrative convenience. I am not sure about that. But it will not be correct to claim that in the interest of better functioning of the two bodies, they should be separated. Rather I feel that the Warehousing Corporation will go far astray from the ideal for which the corporation was set up. From the report of the Warehousing Corpora-

[Shri A. C. Guha]

tion, we have our apprehension that it has been functioning not so much to render help to the agriculturists and producers, but rather for the benefit of some richer section of the people. If this intimate connection between the Board and the Warehousing Corporation is cut off, I think the Corporation will go farther astray from the ideals for which it was set up.

Warehousing and have two functions. It can help the actual primary growers and the agriculturists or it can help the profiteers and rich merchants. I think the present tendency for the Corporation is to help the profiteers in cornering the stocks, so that they can shoot up the price. If the Corporation were divorced from this ideal of cooperation as envisaged by the All-India Rural Credit Survey Committee, I apprehend that the Corporation will serve only the latter purpose, i.e., helping the profiteers and stock-pilers.

As regards the performance of the Board, the Deputy Minister, while moving for consideration of the Bill, gave us a very glowing picture about the development of the cooperative movement.

Shri Shyam Dhar Misra: I also stated the problems.

Shri A. C. Guha: I know there has been quantitative improvement in the cooperative movement and I do not deny that there has been some qualitative improvement also. But basically, the cooperative movement in India, I should say, lacks the spirit of co-operation. The Deputy Minister has mentioned about the sugar cooperative factories. Most of the money has been supplied by this Board. I am not quite sure who are the members of these cooperatives, because they have not developed in my part of the country. But I have reason to believe that the members are not the real agriculturists who produce sugarcane or

the workers in the sugar factories, but they are somebody else, other than these two categories who have not been the real beneficiaries. If the cooperative movement develops only on Government money and to the benefit, not of the primary producers, but for the benefit of some middlemen or some richer section of the people, there should be concern for the Government regarding the quality aspect of the cooperative movement. Sir, I only can expect that the Ministry as such is not so complacent as the Deputy Minister's speech would indicate about the qualitative aspect of the co-operative movement.

The speaker who preceded me has referred to the Reserve Bank. The Reserve Bank has been giving, I think, near about Rs. 80 crores annually at a subsidised rate of only 2½ per cent. To that Rs. 80 crores, this Board has added another about Rs. 4 crores annually. Compared to the sum given by the Reserve Bank, this sum of Rs. 4 crores is a paltry amount. I cannot understand why this should not have been processed through the Reserve Bank. The only point raised is that a certain part of the amount is given as grants and not as loans. That is all right. The amount given as grants may be processed through this Board or the Corporation that is likely to come, but the amount given as loan, I think, should be processed through one agency, through the Reserve Bank or its subordinate agent the State Bank. A government department or any corporation subordinate to the Government should not give any loan in that way, and it should be processed through one agency, which is the Reserve Bank of India.

After this Rural Credit Survey Report, we have also the report on credit conducted by the Committee presided over by Shri Vaikunthlal Mehta. That Committee has made certain important recommendations particularly about giving loans to

persons who may not be credit-worthy but who may be credit-deserving. Even though that matter was discussed in the consultative committee and through the Ministry here is very enthusiastic about that, I do not know whether any of the co-operative societies or the State Governments have shown any enthusiasm in giving loans to peasants who may not be credit-worthy but who may be credit-deserving. There will be a certain amount of risk in giving credit on the basis of standing crop.

With this is connected the aspect of linking credit with marketing. If the loan is given on the basis of standing crop or on the honesty and integrity of the loanee, surely the co-operative societies will have to step into the field of marketing. From the report we find that up till now about 1800 marketing societies have been benefited by this Board. From another report I find that the total number of marketing societies including the State, Central and the primary societies would be near about 3000 or a little more than 3000. Why is it that the remaining societies have not been helped? Did they not approach the Board for any help, or is it that there is anything wrong with those societies due to which the Board could not give any help to them? After all, India has over 5,50,000 villages all over the country. There are a number of markets—they may not be big mandis, but markets big enough to attract commodities worth lakhs of rupees—all over the country. In such a big country, if only 1800 marketing societies with a sale of commodities worth Rs. 192 crores have been benefited or have been helped by this Board, I think the achievement of this Board in that regard is not very commendable, particularly when we remember that in 1960-61, the value of agricultural produce was worth over Rs. 6,500 crores.

As regards the functions of the Corporation, clause 9 gives us the functions. Apart from the generality of the purposes, sub-clauses (2)(a),

(b) and (c) enumerate the special functions on which the Corporation is expected to concentrate. In this I do not find any mention of processing, marketing, storage etc. If, as is said here, the Corporation will concentrate primarily on the items mentioned in sub-clauses (2)(a), (b) and (c), I am afraid the aspect of processing and marketing will not get the due attention of this Corporation.

It has been mentioned in the report of the Third Plan, in the Chapter on price policy, that what is important for consideration is that the producer gets the price which the consumer pays, that not a portion of it or a considerable portion of it is taken away from the producer by the middlemen: Whether the grower always gets the benefit of the price that the consumer pays or whether his gains are intercepted by middlemen is the main consideration for any economic policy of the Government, particularly for the price policy. So, if this Corporation or the co-operative movement does not take proper care about processing, marketing and other things but only gives money for credit purposes, then I think the price policy of the Government will be hampered.

There are one or two other points which I would like to mention. The Rural Credit Survey specifically mentions that the Chairman of the Forward Markets Commission must be a member of this Board. According to the 1956 Act he is there. But in this Bill I do not find any mention of the Chairman of the Forward Markets Commission. I think that functionary is an important man as regards agricultural commodities, and I hope under the powers given the Government will take care to see that the Chairman of the Forward Markets Commission will always be there on this Board.

I have some basic objection to the designation "Corporation". This will be a promotional body and not at all a commercial body. This body will not have any share capital. It will

[Shri A. C. Guha]

depend on the annual recurring grants or loans from the Central Government. Therefore, it is better that the designation "Corporation" be avoided and the older designation "Board" be retained. "Corporation" would generally mean a commercial body or a Municipal Corporation. There is only one Corporation which is a promotional body and that is the Handicrafts Corporation. But that has also got a share capital and the Central Government has subscribed to that share capital. In that sense it can be called a corporation. But there is no share capital for this body. I think, therefore, that to call it a "Corporation" will be misnomer for this body.

Dr. L. M. Singhvi: Mr. Deputy-Speaker, I have often admired the probity and the practical idealism of the Minister of Community Development and Co-operation but, frankly, I am sorry that the present piece of proposed legislation does not credit to Speaking in an entirely non-partisan spirit, I feel that not sufficient attention has been bestowed upon this subject so that what we have before us is nothing more than a routine recasting of the earlier institutional body that we had, namely the Board. I feel that opportunity should have been taken while streamlining, the institutional set-up, while recasting the organisational set-up, to make radical, importance and far-reaching changes; but, this opportunity unfortunately, has not been availed of and I feel, therefore, that this is a premature piece of legislation. It may be very well conceived but it is ill-delivered. So, in the interests of giving to the country a mature and a well-considered piece of legislation, I should like to commend the suggestion made by Shri U. M. Trivedi that this will be referred to a Select Committee and in the alternative, I would like to request the Minister to bestow very considerable thought on the various provisions in this proposed legislation.

There is perhaps a definite functional need for such an institution. It is perhaps true that an organisation like this would promote pointedly the cause of co-operation, but the only justification that is stated in the Statement of Objects and Reasons, and to which some of the earlier speakers have referred is:

"...there has been a re-allocation of business by which the administrative control of the National Co-operative Development and Warehousing Board has been transferred to the Ministry of Community Development and Co-operation while the administrative control of the Central Warehousing Corporation continues to be in the Ministry of Food and Agriculture. The two bodies are thus under the administrative control of two different Ministries. In the altered situation and in the interest of the better functioning of the two bodies and for administrative convenience, it is considered that the two bodies should function independently under separate enactments."

If that is the only justification, then there was no justification for the haste with which this Bill has been brought before us. I feel that though it does not actually add to the large institutional framework, it does put on the statute book an enactment which has been ill-considered in the sense that various provisions, a discussion of which is not appropriate in details at this stage, have not been gone into with sufficient forethought, with sufficient foresight.

I feel that the scheme of the Bill, in the first place, lies buried in a welter of confusion. Even the preamble is of no great assistance to us. Secondly, I feel that the drafting of the Bill, I am sorry to say, is rather of a poor order, and contains expressions which are evidently loose and

not fit to find place in a Bill brought by the Government before us; it would be excusable perhaps if a private Member brought it because he has not got the resources, but if bodies such as the Government of India bring forth a piece of legislation which is not properly drafted, it does not reflect well on them. I feel that this is evidently one of the numerous progeny the ever-prolific female that is bureaucracy. The anxiety is to put another enactment on the statute book without really considering the various pros and cons of the provisions contained therein and this, I think, is a great shortcoming in the present proposed piece of legislation before us.

I feel that a detailed discussion of the failures and successes of co-operation is not warranted at this stage. It is not appropriate for us, while discussing this Bill, to go into the details of the failures and successes of this movement in this country. The failure of co-operation in this country is the failure of the human element. It exemplifies the crisis of national character to which our country as a whole is at present subject. But I would like to say that in providing for an institutional framework, in trying to streamline procedures, we must make an effort to see that a legislation is enacted which would promote the ends and the cause which we have in view. I do not think that the present proposed corporation would be able in any great manner or measure to promote the cause of co-operation in this country.

First, I would like to refer to the looseness of the Bill. For example, the preamble itself says that it is:

"A Bill to provide for the incorporation and regulation of a corporation for the purpose of development of agricultural produce and certain other commodities on co-operative principles and for matters connected therewith".

These "certain commodities" are no doubt the notified commodities which are defined in clause 2(e) of the Bill. Now, when we try to find out what a "notified commodity" is, we find that we are only travelling in a vicious circle which it is impossible to break at any point because a notified commodity is a commodity which is notified by the Government. What a definition! And what vagueness in trying to provide for the regulation of certain commodities by setting up a corporation. This means that all commodities which are not agricultural produce are covered within the scope of this Bill, and I suppose there is hardly anything which could not be defined as non-agricultural produce. If you divide all produce into agricultural and non-agricultural then practically everything could come under the regulation of this corporation but that is, I suppose, reducing it to an absurdity. So, it is very evident that the notified commodities, or those "certain other commodities" ought to be well-defined. We cannot, in fairness to ourselves and in fairness to the country, leave the scope of these "certain other commodities" or "notified commodities" completely unaccounted, completely unexplained in the legislation which we are seeking to put on the statute book.

Shri B. S. Murthy: Please read it once again. I think there is sufficient explanation to say that it is not a blanket provision.

Dr. L. M. Singhvi: What clause is the hon. Minister referring to?

Shri B. S. Murthy: I am saying that on page 2 there is a full explanation for "notified commodity".

Dr. L. M. Singhvi: But the difficulty is, as I have already referred to, clause 2(e) refers to certain entries in the Concurrent List of the Constitution. I do not think that "notified commodity" is sufficiently specific in this legislation. If it is then I would like the Minister, while he is addressing the House again, to specify

as to what are those various notified commodities. Is he notifying them in advance? Is he able to say what they are?

Shri Shyam Dhar Misra: They will be tobacco, coffee and tea.

Dr. K. L. Singhvi: The Minister says that tobacco, coffee and tea are the three notified commodities. Then where is the need for a notified list? We only need to say that along with the agricultural produce these three other commodities will be included. Why phrase laws in such ambiguous manner so as to leave the laymen and even the lawyers in considerable confusion?

Shri U. M. Trivedi: I am sorry to disturb my hon. friend. Does the hon. Minister want to tell us that these notified commodities will travel beyond item 33?

Shri Shyam Dhar Misra: No.

Shri U. M. Trivedi: Then under what head will you get the following:

"the products of any industry where the control of such industry by the Union is declared by Parliament by law to be expedient in the public interest, and imported goods of the same kind as such products"?

Does he want to bring it under that head? What is a notified commodity? Under what head will it come?

16:00 hrs.

Dr. L. M. Singhvi: I am thankful to Shri Trivedi for the intervention he has made. I feel that everyday we are letting loose concepts which are not properly defined and therefore we are providing for more confusion, more litigation, more difficulties and more equivocation. Why can the statute not be more simply and more directly drafted? We do not have to travel in circles in order to see what commodities we want to cover within the scope of this piece of

legislation. Legislation is supposed to clarify and simplify; it is not supposed to confuse.

I would also like to refer to certain aspects of the proposed legislation. One of the hon. Members here suggested that in clause 4 we should provide that if in the opinion of the Government it is an offence involving moral turpitude then such a person may not be taken in the Corporation. I would take serious exception to that. Of course we would not like to give such blanket powers to the executive to define what offences they would like to include as offences involving moral turpitude.

In this connection I would also like to endorse Shri Trivedi's observation that there should be no real distinction between offences involving moral turpitude on the mere criterion of the sentence awarded. Whether it is a sentence of a month, or of two months or of two years, it should make no difference as long as there is an offence which involves moral turpitude. I think, we should exclude a person who has been guilty of an offence involving moral turpitude from becoming a member of the Corporation.

I would also like to refer to clause 6 in which the Central Government is given blanket and general powers for the removal of members without stating within the body of this piece of legislation the grounds on which such removal can be ordered by the Union Government.

Shri Shyam Dhar Misra: Reasonable opportunity is there.

Dr. L. M. Singhvi: Reasonable opportunity is there but no grounds for removal are prescribed. They may give a reasonable opportunity but grounds for removal are not specifically stated or defined.

Similarly, I feel that it is wrong to provide in clause 21 that the Central Government in its sweet will and at its own discretion may dissolve the Corporation. This again is a provi-

sion which arms the Government with arbitrary powers.

I could go on and on in respect of this piece of legislation but the Rules of Procedure of this House are that we do not discuss the clauses in detail. But I do refer to them because they involve fundamental principles regarding this legislation.

I would also like to refer to the fact that the existing Board is sought to be transformed into a Corporation, but I do not find the necessary incidents of a Corporation in the proposed organisation. The first and fundamental incident of a Corporation is autonomy and I find that this Corporation is very much tied to the apronstrings of the Central Government and the Bill does not provide for an adequate measure of autonomy for this Corporation.

In the same way I feel that this Bill does not purport to define the relationship between this Corporation on a national level and the myriads of co-operatives and co-operative organisations which exist all through the country and in letting this relationship remain obscure I think the Bill has failed in one of its basic purposes.

I feel that at least in the case of this particular piece of proposed legislation Government has approached the business of legislation in somewhat lighthearted manner. I do say this not with any gusto but with a sense of sorrow because—I am sure, Sir, as a lawyer yourself, you are aware—in this country we are bringing on the statute book ill-conceived, ill-delivered and ill-drafted enactments everyday. I think if Parliament is to perform its basic and all-important duty of giving proper legislation to the country, it must necessarily provide for more mature and deep consideration of the matters involved in the provisions of proposed legislation. I, therefore, suggest that the hon. Minister should agree either

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to hold up the passage of the Bill or to a Select Committee in order that the Bill may receive a greater and a more mature consideration.

Shri Man Sinh P. Patel (Mehsana): Mr. Deputy-Speaker, Sir, I would like to take this opportunity to compliment the Ministry on coming forward with the proposal for a corporation instead of the Board. No doubt, the objects stated in the Bill do not speak very clearly whether it will only be transferring the work of the Board to the Corporation just for higher administrative expenses or whether it will, on the contrary, be to enhance, to implement and to have further progress of the co-operative movement and the precessing and marketing aspect of the co-operative movement. As I understand from the objects of the Bill, the existing National Co-operative Development Board and Central Warehousing Corporation, no doubt, works interdependently but there are two separate and independent Ministries. The fundamental aspect, that is, the co-operative part of it, is not necessarily only overproduction or producing more agriculture products but the whole process of a systematic life, that is, all the agricultural produce should be systematised into or channelised through a co-operative system as a whole.

I have a very long experience of the co-operative movement and that too in the different units, whether it is an apex unit at the District or State level or a primary unit, grants or subsidies or loans are so sparse that I will not wholeheartedly agree with the rosy picture given by the hon. Deputy Minister. The progress, no doubt, is very great, but it may not be so encouraging to the existing co-operators as to what end or after what period the whole society will be engrossed into a co-operative system alone.

Now, let us take one or two examples. We want to channelise every produce of the agriculturist

[Shri Man Singh P. Patel]

through marketing societies. There are marketing societies at every Taluka level and at village level who have no finances of any nature to deal with even 10 per cent of the marketing of the agricultural produce. As my hon. friend Shri A. C. Guha very rightly said, today the Central Warehousing Corporation indirectly helps only profiteers who can purchase from the market and hoard their stocks in the marketing centre by having a godown of their own. Very recently the financial aspect of this independent Corporation has been envisaged and a circular is being issued. But Rs. 5 crores or Rs. 6 crores a year is too small an amount to cover an area of 550 lakhs villages and so many primary units. I come from Gujarat State. It is after more than three years that a co-operative society has its turn to have a godown. It is after more than two years that we get our share contribution from Government as is required for a primary unit to run and to give to the individuals. As is well said by the hon. Deputy Minister the average loan to an agriculturist hardly comes to Rs. 100 or Rs. 110. If we really want to progress, the Co-operative Department wants a corporation independently which can go ahead with the co-operative movement at its back and with all apex or primary institutions to come forward at a little faster speed whereby the real agriculturists get an advantage.

Shri Shyam Dhar Misra: In every-thing, Gujarat ranks very high.

Shri Man Singh V. Patel: My hon. friend The Deputy Minister has said in his initial speech that so far as the cotton sale and ginning aspect is concerned, Gujarat is No. 1, but as far as agricultural produce is concerned, UP is No. 1.

As far as I know, in my district, there are about seven Taluka sale and purchase unions, and about 900 primary co-operative societies, but not

a single warehouse or a godown has been built by either Central Warehousing Corporation or State Warehousing Board. If after six years of working, the Central Warehousing Corporation cannot have a phased programme whereby it can provide at least one warehouse in a district with 16,85,000 population, how can we expect that the whole processing will be canalised through these marketing societies?

As I understand it, the purpose of having an independent corporation is that the work will be speeded up, and the progress of the co-operative movement will be accelerated, and certain additional facilities will be provided for the small apex units, the district units and taluk units, so that they will get their godowns, they will have their share capital, and they will also have certain additional facilities for processing and marketing at each unit level.

With these remarks regarding supporting the present Bill, I have got one drastic suggestion to make to the Ministry. I would suggest that in any corporation the majority of the members should in no case consist of officials. The present Bill envisages 21 members in all, out of whom only 8 are non-officials. Some of my hon. friends with progressive views or otherwise are saying in a spirit of criticism that it should be a fully democratic body. But I may not go to that stage at this moment. In the initial stage, when the corporation itself is just coming up, and without having any share capital of its own, is mainly dependent on the Central Government, I would not mind if it is a nominated body with all the respective agencies and other interests of co-operation represented on it. But out of 21 members, there should necessarily be at least 12 non-official members. So, I would suggest that at least clause 3(3) (i) may be amended in such a manner that the Central

Government may nominate only six representatives of the Government, or clause 3(3) (v) may be amended so that they can nominate about 12 non-official members. In any case, the membership may be increased or reduced, but the majority should be non-officials.

Clause 10 provides for an executive committee which is also to be nominated by the Central Government. I would earnestly urge the Ministry that they should leave this executive committee to be elected by the whole corporation. When once Government take a decision and form a corporation consisting of members fully nominated by Government, they must leave the freedom to the corporation to form the executive committee; at the most, they may provide that the vice-chairman or chairman may be nominated by Government, but the remaining members of the committee should be chosen by the corporation as a whole. There should not be repeated nominations each time even in a small executive committee of such a corporation.

There has been a lot of criticism about the term 'notified commodity' not having been defined properly. As I understand it, some of my hon. friends have suggested that milk will also be considered as a commodity coming within the meaning of this term. But as I see it, entry 33 in List III of the Seventh Schedule may not include it; tobacco, tea, coffee etc. may come under the term 'notified commodity', but milk may not; but I would call milk even as a direct agricultural produce, because the chief subsidiary income of an agriculturist is from milk; so, milk should necessarily form a part of the category of notified commodities. The reason why I talk of milk is this. Gujarat can take pride at least in one dairy, namely the Amul Dairy in Kaira district, which is run on a co-operative basis. According to the last census, there are two other districts having a much more cattle population than Kaira itself. I belong to one of them. There

we have recently formed a district co-operative milk union. We are having a tremendous production of milk. We want to process and market it on the same lines as at Amul. When the agriculture departments of the respective Governments, Central and State, were phasing their plans under the Third Five Year Plan, they might not have envisaged the possibility of the development of this co-operative movement in other districts. Such co-operative movements can also be covered by this Corporation.

With these remarks, I compliment Government on the courageous stand they have taken not only in respect of the bifurcation of Board and a Corporation but also in envisaging a bright future for the co-operative movement to be ushered in, in a very short period.

Shri Inder J. Malhotra: Before you call upon the hon. Minister, I would like to submit just one point for his consideration. It is stated that this Bill extends to the whole of India except the State of Jammu and Kashmir. But I understand there are certain constitutional procedures to extend the laws passed by this House to that State. I would request the hon. Minister to take those steps for the extension of this law to Jammu and Kashmir.

Shri S. K. Dey: I am very glad, and grateful to the House, that on the subject of this Bill there has been a fairly exhaustive discussion on various aspects of the co-operative movement in the country. My hon. friend, Shri A. C. Guha, said that when my hon. colleague, the Deputy Minister moved the Motion for consideration, he reflected a certain amount of complacency about what has been achieved under co-operation till now. We have never claimed any very great success in the co-operative movement, particularly in the qualitative sense, till now. I have myself every time I have discussed this subject in the House, at the time of the budget

[Shri S. K. Dey]

grants or on other occasions, never failed to mention that we inherited a jungle.

Shri Jashvant Mehta: What steps have been taken?

Shri S. K. Dey: I am coming to that

Since the Ministry was created, we have throughout been engaged in building an order out of that jungle. You know that the Ministry has appointed a number of committees headed by very distinguished people in the country who have served the co-operative movement. Some of them were established under the Ministry, some others under other auspices. The recommendations of all these committees have been carefully analysed in the Ministry and with the State Governments and considerable improvement has already begun to take place. But you cannot put a jungle in order in a vast sub-continent such as ours in a period of three or four years. Ever since we had this subject transferred to the Ministry and a new department was created, an effort has been made to build up the non-official sector of the co-operative movement in the State. I would say if there is anything for which this Ministry can feel proud, it is the fact that it has from the every beginning tried to displace officials from the helm of the movement, and substitute non-officials almost throughout the country. In the past even Ministers used to be the head of the co-operative institution. Today neither in the Centre nor in the States, with maybe one or two exceptions, are Ministers to be found as office-bearers in any of the co-operative institutions. We have tried to ensure that even Government officers keep away from their position as office-bearers in the co-operative institutions, and we are trying to build up a federated structure of the co-operative movement from the village upwards. There is today a National Marketing Federation, purely non-official. It is, under the revised cons-

titution, a federation of the State institutions. Again, the State marketing bodies are being attempted to be built into federated structures based on the village co-operatives and the marketing units. We have at the national level the National Sugar Syndicate. We have today in the National Co-operative Union, an outstanding administrator whose ability is unquestioned in the country, Shri V. T. Krishnamachari, a Member of the other House and ex-Deputy Chairman of the Planning Commission, who has taken up the responsibility of running the National Co-operative Union at the instance of the Prime Minister, ourselves and many other non-official co-operators in the country who pressed on him to come into it. We have transferred the entire responsibility for training and education, regardless of any risks that might be involved, to the National Co-operative Union, to a special Board. Does it indicate that the Government wishes to strengthen its stranglehold on the co-operative movement? It indicates that we are attempting very honestly and sincerely to build up structures of the people themselves, co-operators, to which we can hand over responsibilities. That is what is being attempted.

I feel a little distressed that there should be so much of misunderstanding as to the purpose of this Bill. This is not a new Bill that we are introducing. A Bill was introduced in Parliament several years ago, which was a Bill for a Corporation. It was the Agricultural Produce (Development and Warehousing) Corporation Act of 1956, and it said under section 3(1) that with effect from such and such date as the Central Government may by notification in the Official Gazette fix in this behalf, there shall be established at New Delhi a corporation by the name of the National Co-operative (Development and Warehousing) Board. Here again, the title is the same—it is the National Co-operative Development Corporation Bill, and there is no difference whatsoever.

Why do we introduce a new Bill? The question is very simple. When four or five years ago the Bill was passed by Parliament, there was no national co-operative policy in the country. There was a policy that was adumbrated by the Reserve Bank's Committee on Rural Credit, and according to that, just for the purpose of giving financial assistance, a new corporation was envisaged in the Warehousing and Co-operative Development Board. So, the Bill came here, and a new Board was created. A couple of years later, very justifiably, and the House should feel very happy about it, the National Development Council took a decision that co-operation should be given a new look and a new spirit. According to that, the Government of India created a new department of co-operation charged with the special responsibility of promoting co-operation, so that it could grow to be a people's movement, as a counterpart of the people's political democracy which was being envisaged under Community Development and Panchayati Raj etc.

When this new and enlarged responsibility was given to a newly constituted Ministry in the Centre, it was quite obvious that the Board, which was to be an agency of the Government for allotting funds to the States as a corporation and for giving joint assistance of the non-officials and officials to the State Government while servicing the States from the Centre, also must be transferred to the newly created Department of Co-operation. It was transferred; and, as my colleague had earlier mentioned, under the orders of the President.

When the department was created, it was envisaged that there would be two organisations, one looking after the warehousing board as a commercial institution and the other looking after the Co-operative Development Board, which would be attached to the new Department of Cooperation.

I could have easily brought in an amendment of the old Act. But, we

felt that it is a new department that has been created in the Government of India and it was proper that we establish a new Board with a new constitution of its own rather than getting mixed up with the constitution of the Warehousing Board. It is intended that the representatives of the Warehousing Board will be represented in this Board also and *vice versa*. That way, the activities of the two can be properly co-ordinated. In any case, both of them will be working under the Government of India and that way the Government of India was also being represented on both the Boards and they will be able to bring about proper coordination.

Shri A. C. Guha: May I know whether that Warehousing Corporation will also be working on a cooperative basis? If so, why that also should not be transferred?

Shri S. K. Dey: For that a new Bill will be placed before the House and I am sure the hon. Member will have ample opportunities of discussing that Bill and ensuring, to the extent feasible in the context of today, the co-operative character or the potentiality of cooperative development in the Warehousing Board also.

Dr. M. S. Aney: I did not quite understand the hon. Minister. Is the main object or rather the chief object of bringing this Bill to vindicate the existence of the new cooperative Department that has been started? Is this so?

Shri S. K. Dey: I am very sorry. Certainly, it is not the intention. Hon. Member Dr. Singhvi had mentioned that the Bill is not progressive enough. Words do not make any institution progressive. If words can make any institution progressive, we must be the most progressive country in the world, both in action and in theory. But it is the men who work the institutions that make the institutions progressive.

The work of this Board will be subject to the scrutiny of an institution

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like the Parliament of India. And every year, Mr. Deputy-Speaker, this House has an opportunity to tear the Board, and the Minister to pieces if it finds that they are not functioning progressively enough. I would come here and place all the cards before you without concealing any fact. I do not believe even the worst critic of the Community Development Ministry and the Cooperation Ministry would ever say that this Ministry has been guilty of not placing all the facts before the Members of Parliament. I do not know what I have not placed before them. In fact, I had put even my own loud thinking before the House whenever I got an opportunity for that.

Question has been raised about 'notified commodity'. As the Bill has been worded, in the first place, it mentions only agricultural produce. Now, there are other matters, as my colleague had mentioned earlier, like tea, coffee, tobacco etc. These also are part of the activities which must be handled by this Cooperative and Development Board. That is why there has been an enabling clause incorporated in this Bill enabling the Government of India to declare a 'notified commodity', which means any commodity other than agricultural produce.

Clause 2(e) on page 2 says:

"notified commodity" means any commodity (other than agricultural produce) which the Central Government may, by notification in the Official Gazette, declare to be a notified commodity for the purposes of this Act, being a commodity with respect to which Parliament has power to make laws by virtue of entry 33 in List III in the Seventh Schedule to the Constitution;"

If the Government is exercising its power badly, Parliament has always the opportunity of tearing the Government to pieces; that authority is not withdrawn by virtue of this particular clause. It is an enabling clause so

that we do not have to come to you every day for doing our day-to-day work.

Shri Narasimha Reddy has mentioned that Co-operative Development Board involves tremendous wastage of expenditure and also that the Community Development Ministry has been responsible for disintegrating the peaceful atmosphere in the countryside. He used many other strong words. I plead guilty to the charges he makes; I am very happy to be guilty of them. There was stagnation in the country and I am very happy if I have really succeeded through this Ministry as a representative of this House in disintegrating that stagnation, and creating some sort of a commotion in that stagnant pool so that a new order can be established. My unhappiness is that the disintegration of the stagnation that is there has not been effective enough. I am struggling hard and I would require a little more strength to be able to carry this through to success.

He says that there will be wastage of expenditure in the co-operative Board. All that we are attempting to do is not to get special funds for the Board from the Parliament. We are getting sanctions every year under the Plan for the Ministry. The funds of the Ministry are being routed through the Board. Some of the funds allocated to the Ministry of Co-operation under the Third Plan to be spent through the Board are being sent out to the States. If these funds had been given as loans by the Centre to the States there would have been no guarantee that they would be recovered promptly. So far as the Board is concerned, I am very happy to claim that virtually one hundred per cent of its loans are being recovered from the States because it is an independent Corporation created by an Act of this Parliament and so it can go on independently of any pressure for relaxation or collecting its dues from the State Government. It can

similarly insist that the funds that are being given by it shall be used for the purposes for which they are to be spent. Under the existing scheme of things there is no guarantee that funds given by the Government of India will be spent by the State for the same purpose for which they are given because the States have been given powers to appropriate and reappropriate funds from one head to the other and at least for the first nine months the State Government gets funds and there is no control over that. So, when the Board gives funds it gives them specially earmarked for specific purposes and nobody can divert these funds from those specific purposes. If they could not be spent the Board can recover it.

Shri Jashvant Mehta (Bhavnagar): Through which agency will the Corporation function in the States?

Shri S. K. Dey: The State Government. It does not function directly. The State Governments are its agencies. Shri P. R. Patel mentioned that agriculturists must be made members of the societies and middlemen and intermediaries should not get the cream of the co-operative activities. That is actually the effort of this Ministry from the very beginning and we have been struggling hard for it. I believe there has been considerable improvement in this direction during the past three and a half years and I have no doubt whatsoever that with the support of this House we shall continue to improve and ensure that it is the actual farmers who will become the ultimate beneficiaries. In fact, the sugar mills in the country are providing the benefits virtually to the farmers alone. There are very few intermediaries involved. Our effort throughout has been to see that it is the primary producer who should become member of the primary societies and the higher organisations should become the federated structure of the primary institutions, thereby eliminating intermediaries who used to constitute a racket at one time. We are still

fighting that racket but we believe we have made considerable progress.

It has been suggested that if the Reserve Bank can give 80 to 90 crores of rupees every year, the co-operative development board need not bother to be the separate agency for loaning Rs. 3 crores to Rs. 4 crores, a paltry sum, as against the 80 to 90 crores of rupees or even a higher figure of the Reserve Bank. The Reserve Bank is offering short term credit over a period from year to year, whereas this board is giving loans and subsidies, subsidies for managerial expenses and strengthening co-operative organisations both in the Government as also in the co-operative institutions themselves. The loans are given for share capital in co-operative institutions. The Reserve Bank cannot be involved in giving long term loans and getting into transactions which involve subsidies. It is the function of the Reserve Bank of a country to see that it remains free from all such activities which can effect its reputation abroad in the world market.

It has been asked, why nomination by Government and why not election. You can easily understand that a board is being created so that it can have a combination of the Government agencies which are dealing directly or indirectly with the subjects handled by the co-operative organisations in the country as also prominent non-officials and representatives of the co-operative movement. If we introduce an element of election, you will be compelled to ask the Government servants in that institution to come and vote for this person or that. Is it proper that a government servant should be asked to become a party to vote for this person and that? That is the first thing.

Secondly, it will immediately bring in a tug-of-war of party politics or group politics. We are introducing this as a combined, joint institution of people's representatives from the co-operative movement as also from the strategic Government organisations

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with a view to bringing the resources of both to the service of the primary producer, free of internal or external pulls of politics. Certainly you would not like to introduce elections in a thing of this nature.

Shri Indrajit Gupta: If the procedure for nomination is to be followed, why is it that an explicit provision is made for every interest except the marketing societies for whose benefit this Bill is being brought forward? There is an explicit provision for nomination except the marketing societies.

Shri S. K. Dey: We have given the responsibility to the State Governments to give us a panel of names representing the various co-operative institutions in the States. Naturally the State co-operative union is one of the State institutions just as the State co-operative bank, the land mortgage bank and the apex marketing union and other institutions. When the State Governments give their panel of names, obviously they will try to select people from these different institutions and ultimately we who sit here and try to decide whom to select out of this panel will try to ensure that all interests are properly represented. We have mentioned in the Bill that all this nomination will be done according to the prescribed rules. So, these rules will be prescribed.

Shri U. M. Trivedi: May I put a question? Why this zonal representation for the States? Will it not create trouble for all the States?

Shri S. K. Dey: It will be by rotation. We will try to do that.

Shri U. M. Trivedi: Then you will be creating jealousy between themselves.

Shri S. K. Dey: There will be no jealousy because every State will be ultimately represented sooner or later.

Now, there has been a suggestion by Shri Sarjoo Pandey that there should be a uniform co-operative law at the Centre. I have answered this question repeatedly in this House. In the first place, we have no right to enact a law in this House on cooperation, according to the Constitution, unless it is amended, because it is a State subject. Secondly, even if you are to have an amendment of the Constitution and enact a law, how do you make sure that that law will be equally representative of all the regions in the country? From pre-historic to post-historic, you have all stages of civilization which are being represented in this country, with its wide diversity of conditions. Therefore, all we have done is to specify to the States what are the essential features they must provide for in their cooperative law and every State strives to enact a law in the State, suiting those essential provisions which we have urged on them. The purpose that this House has in view is being much better served by leaving this to the State Governments and I think they are doing it very well.

It has been asked why moral turpitude is confined to imprisonment of six months and why not 4 or 3 months. I am very sorry I am not a lawyer and I do not understand it. But we have been advised on this by the Law Ministry, who are drafting all the Bills which come before this House. I think it is their right view that anything which is less than six months can be considered as minor turpitude which should be condoned in course of time and anything which is above six months is something which is fairly serious and certainly we would not like to have a person who has committed such a serious moral turpitude to be a member of a board like this.

It has been suggested that the Agriculture Ministry is doing everything and why have a board at all. The Agriculture Ministry is promoting agriculture. In fact, they are providing seeds, fertilisers, doing research,

providing extension, etc. They have plenty to do. It is after weighing the load and character of the functions that ultimately the Government of India decided that the responsibility for raising organisations, whether political, democratic institutions like panchayats or social and economic democratic institutions like cooperatives, should go to the same Ministry. Therefore there is this Ministry of Community Development, Panchayati Raj and Cooperation, to which was delegated the responsibility by the Government of India for developing co-operation, particularly the agricultural side of cooperation and supplementing the activities of the Agriculture Ministry. So, this is not cutting across the function of the Agriculture Ministry. In fact, it is supplementing the activities of the Ministry and supplementing to the extent that we are functioning efficiently or we can function efficiently.

It has been said that imports and exports also should come to the co-operative organisation. The National Marketing Federation has already taken up the import and export of agricultural commodities. They have been exporting pulses. Even recently, I think the State Trading Corporation has taken up a big responsibility of exporting a large quantity of pulses this year. So, the National Marketing Federation has been given the opportunity to export commodities like this. In the same manner, in the matter of import of seeds, the National Marketing Federation has already started functioning. Recently there was a seminar of the State marketing cooperative unions which assembled here under the auspices of the decisions of the National Marketing Federation and decisions have been taken that they should expand their activities for helping the primary agriculturists through supplies and services, importing from abroad and exporting their produce to foreign countries. We expect with the passage of time, there will be considerable improvement.

It has been suggested that the rate of interest is too high. It is true that at 2 or 2½ per cent, the Reserve Bank lends money to the cooperative apex institutions. From there, this money has to come to the central bank and from there to the primary cooperative society. Then, though the Reserve Bank gives Rs. 80 crores, we require another Rs. 120 crores or Rs. 200 crores.

Shri K. N. Tiwary (Bagaha): How much is charged from the agriculturists?

Shri S. K. Dey: Between 6 per cent to 9 per cent. That is the variation. This is nothing too high. Even in a very advanced country like Japan they are collecting about 12 per cent interest from the people. Anyway, that is no justification. The justification is this, that co-operative institutions receive only a limited amount from the Reserve Bank and they have to secure from the market a substantially unlimited amount. They cannot secure it from the market except at a rate of interest which is 4½ to 5 per cent.

Shri Jashvant Mehta: The Reserve Bank is advancing at 1½ to 2 per cent.

Shri S. K. Dey: I think it is 2 per cent.

Shri K. N. Tiwary: The sugar mills advance money at 6 per cent to the growers whereas your co-operative societies realise 9 per cent.

Shri S. K. Dey: Sugar factories are big institutions. They are equivalent to a large number of primary co-operative societies. If they give at 6 per cent, I think the primary co-operative societies should be highly justified in charging 9 per cent, because between them and primary societies there is a good deal of difference. There are also the servicing charges to be incurred. Wherefrom will all the money come? In any case, it is a question of availability. If money can be made available at a cheap rate, it will be given to them

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at a cheap rate. Besides, where does the money go? If there is some profit, that profit goes ultimately to the producer in the form of returns on their share capital. It goes to them as dividend or as reserve for the future building up of their own institutions.

It was suggested that assistance is not given to the landless and the marginal farmers. Here again, I think the House is aware that sometime ago, according to the recommendations of the Vaikunthlal Mehta Committee, we have introduced the system of outright grants to compensate for losses incurred by poor cultivators who may not be in a position to return the debts. With these outright grants we are hoping that the co-operative societies and the co-operative banks will be in a much better position to advance loans to people who were heretofore considered credit-unworthy. In fact, already there has been considerable improvement in the situation and we are trying to see that it expands.

It has been suggested that co-operative marketing is very inadequate. We agree that it is very inadequate. In fact, you may consider this to be the Achilles' heel of co-operation today as it stands. We realise that unless co-operative marketing and processing can be accelerated at a fairly fast pace it may not be possible for us even to expand the credit on which we have put our efforts and achieved success till now. Therefore, I may assure the House that we are trying to see that everything is done which is conceivable for the Ministry to do to accelerate the process of marketing as also processing. But you must appreciate that there are many interests which are deeply entrenched in the country and it is very difficult overnight to dislodge them. But gradually, I hope, we are putting in the thin end of the wedge which will ultimately work.

It has been suggested that this should be a promotional body and not a commercial one. We accept it com-

pletely. There is no question about it. It should be a promotional body. That is its main function and its term of reference.

Dr. Singhvi mentioned—and I am very happy that he did mention it this way—that failure of co-operation is the failure of the human character. We can enact laws here. We can procure money from inside, from abroad or from other sources. But, ultimately, what happens in the co-operative movement will be determined exactly by the character of the leadership that we can build up in the co-operative movement. We are hoping, with the various steps that we have already taken like building up apex co-operative institutions in the States and also at the Centre, with the further steps that we propose to take and with the additional support that this Board would give in future through its various functional committees, that we shall be able to make progress at a much more accelerated pace than we have done so far.

I would request that this House may consider this Bill as it is, without asking for a Select Committee because, as I mentioned earlier, this is not something new. It is not a new corporation that we are setting up. We are trying to regularise an institution which is already existing under a dual control. Therefore, we do not see what purpose a Select Committee can really serve. As I said, a change of word here or there does not make any institution progressive. Of course, it may make the document look very attractive.

Shri K. N. Tiwary: Clause 9(2)(b) says:

“provide funds to State Governments for financing co-operative societies for the purchase of agricultural produce and notified commodities on behalf of the Central Government.”

Will such co-operative societies purchase agricultural produce in the

competitive market or will Government fix some price and purchase it at that price?

Shri S. K. Dey: They will buy from the co-operative societies, and the co-operative societies will buy from the farmers according to conditions that are prevailing in a State. Suppose a State Government fixes a minimum level of prices for food commodities. Then the co-operative societies will buy according to the minimum price. Naturally, it will have to be competitive.

Shri K. N. Tiwary: Will the growers be compelled to sell to the co-operative societies at the reduced prices that the Government fix or will they be at liberty to sell it in the open market?

Shri S. K. Dey: We have introduced no compulsion that I know of and today there is no need to introduce any compulsion. But if in future we make it a condition that heavy loans given to a cultivator must be linked up with marketing of his produce through a co-operative, I do not think there is anything very irregular about it. But we will make sure that such conditions are offered that the cultivator is not put to any discrimination.

Mr. Deputy-Speaker: I will now put the amendment of Shri Trivedi for reference of the Bill to a Select Committee to the vote of the House.

The amendment was put and negatived.

Mr. Deputy-Speaker: The question is:

“That the Bill to provide for the incorporation and regulation of a corporation for the purpose of development of agricultural produce and certain other commodities on co-operative principles and for matters connected therewith, be taken into consideration.”

The motion was adopted.

Mr. Deputy-Speaker: We will now take up the clause by clause consideration.

Dr. L. M. Singhvi: Sir, I rise on a point of order. The clause by clause consideration cannot be taken up today under rule 75 of the Rules of Procedure which says:

“On the day on which any motion referred to in rule 74 is made, or on any subsequent day to which the discussion thereof is postponed, the principle of the Bill and its provisions may be discussed generally, but the details of the Bill shall not be discussed further than is necessary to explain its principles.”

So, under this rule, we can take up the clause by clause consideration only tomorrow.

Mr. Deputy-Speaker: I think we have been going on like this, so far as I know.

Shri B. S. Murthy: I think the convention in this House is that the Bill should be taken from one stage to the other.

Dr. L. M. Singhvi: The rule is very clear and in very specific terms. So, I do not think we can override the rules. Therefore, we are debarred from any further discussion today under rule 75(1).

Mr. Deputy-Speaker: It refers to the general discussion and explains the scope of the general discussion. It does not mean that we should not take up the clause by clause consideration.

Dr. L. M. Singhvi: I find that it opens with the expression “On the day on which”.

Shri Raghunath Singh (Varanasi): It is about the principles of the Bill.

Mr. Deputy-Speaker: It says the day on which we take up the general discussion. We have had the general

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discussion. We cannot go into the details of the Bill during general discussion. That is what is meant by this.

Dr. L. M. Singhvi: My submission is that when it says "On the day on which any motion referred to in rule 74 is made", it does not refer to the period during which we discuss the Bill but it refers to the day. That is very clear from the language of the rule itself.

Mr. Deputy-Speaker: There is no point of order.

The question is:

"That clause 2 stand part of the Bill."

The motion was adopted.

Clause 2 was added to the Bill.

Clause 3.—(Establishment of the National Co-operative Development Corporation)

Mr. Deputy-Speaker: There are several amendments standing in the name of Sarvashri P. R. Patel, U. M. Trivedi and Bade. I find that none of them is here. There is a Government amendment also standing in the name of Shri Shyam Dhar Misra. I will treat it as moved.

Amendment made:

Page 3,—

(i) for lines 11 to 14, substitute—

"(b) two shall be persons who have special knowledge of rural economics and co-operation; and";

(ii) line 15, for "(d)", substitute "(c)". (12)

(Shri Shyam Dhar Misra)

Mr. Deputy-Speaker: The question is:

"That clause 3, as amended, stand part of the Bill."

The motion was adopted.

Clause 3, as amended, was added to the Bill.

Clauses 4 to 21 were added to the Bill.

17 hrs.

Mr. Deputy-Speaker: Now, we come to clause 22. There is an amendment to this clause by Shri Shyam Dhar Misra. Is he moving it?

Shri Shyam Dhar Misra: Yes; it is a consequential amendment.

Amendment made:

Page 9, line 7, for "(d)", substitute "(c)". (13).

(Shri Shyam Dhar Misra)

Mr. Deputy-Speaker: The question is:

"That clause 22, as amended, stand part of the Bill."

The motion was adopted.

Clause 22, as amended, was added to the Bill.

Clause 23 was added to the Bill.

Clause 24 was added to the Bill.

Mr. Deputy-Speaker: There is an amendment to the Schedule, standing in the name of Shri P. R. Patel. Is the hon. Member moving it?

Shri P. R. Patel: Yes.

I beg to move:

Page 11, after line 29, insert:

"I further declare that I shall not do any business similar to one the Corporation does and also I shall have no interest in any business done by anybody similar to one the Corporation does." (28)

Mr. Deputy-Speaker: The amendment is now before the House. Does the hon. Member want to speak on it?

Shri P. R. Patel: I do not want to add anything; I have already spoken on it.

Mr. Deputy-Speaker: I shall now put the amendment to vote.

The amendment was put and negatived.

Mr. Deputy-Speaker: The question is:

“That the Schedule stand part of the Bill.”

The motion was adopted.

The Schedule was added to the Bill.

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

Shri S. K. Dey: I beg to move:

“That the Bill, as amended, be passed.”

Mr. Deputy-Speaker: Motion moved:

“That the Bill, as amended, be passed.”

Shri U. M. Trivedi rose—

Mr. Deputy-Speaker: Does the hon. Member want to speak at this stage?

Shri U. M. Trivedi: Yes.

Mr. Deputy-Speaker: We have already exceeded the time allotted, by one hour.

Shri U. M. Trivedi: We may have exceeded, but we may sit tomorrow and then pass this Bill.

Mr. Deputy-Speaker: In that case, the hon. Member can speak tomorrow.

BUSINESS ADVISORY COMMITTEE

THIRD REPORT

Shri Rañe (Buldana): Sir, I beg to present the Third Report of the Business Advisory Committee.

17.03 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Tuesday, August 7, 1962/Sravana 16, 1884 (Saka).
