

[Shri Karmarkar]

respect whether he has ascertained the facts. Ultimately, a decision in a way different from his decision might have been taken by the Government. That does not mean we have shielded. There is the other alternative that his conclusion is wrong. If the police went there, and made the search, the whole thing was done in a responsible manner. The thing came back and we decided to drop the matter. Surely, there must have been a valid reason for doing that. If he has ascertained the facts and if he is prepared to make that statement, I am prepared to make an enquiry into the matter, but only on his promise that if he finds himself in the wrong, he will not repeat such a statement again.

That is about all.

Mr. Chairman: The question is:

"That the Bill be passed."

The motion was adopted.

ESSENTIAL COMMODITIES BILL

The Minister of Commerce (Shri Karmarkar): I beg to move:

"That the Bill to provide, in the interests of the general public, for the control of the production, supply and distribution of, and trade and commerce in, certain commodities, be taken into consideration."

Before I pass on to my observations, I should like to say that there has been expressed to me personally a desire on behalf of some Members of the House that this is a rather important measure and that it is much better to have it sent to a Select Committee. In case any hon. Members want to suggest it, I would only like to say that I am prepared to accept that suggestion. But if there is no such suggestion, I can proceed.

Mr. Chairman: The Minister must inform the House whether he would accept such an amendment.

Shri Karmarkar: I will accept the amendment. That is what I said.

Mr. Chairman: Motion moved:

"That the Bill to provide, in the interests of the general public, for the control of the production, supply and distribution of, and trade and commerce in, certain commodities, be taken into consideration."

Shri Venkataraman (Tanjore): I beg to move:

"That the Bill be referred to a Select Committee consisting of Shri N. M. Lingam, Dr. Suresh Chandra, Shri Ganesh Sadashiv Altekar, Shri Basanta Kumar Das, Shri Ghamandi Lal Bansal, Shri Radheshyam Ramkumar Morarka, Shri Bhagwat Jha 'Azad', Shrimati Tarkeshwari Sinha, Shri Tribhuan Narayan Singh, Shri Raichandbhai N. Shah, Shri Nandlal Joshi, Shri Chaudhri Muhammed Shaffee, Shri Bishwa Nath Roy, Shri Khushi Ram Sharma, Shri Debeswar Sarmah, Shri Banarsi Prasad Jhunjhunwala, Pandit Thakur Das Bhargava, Shri Narendra P. Nathwani, Shri Shivram Rango Rane, Shri Tek Chand, Shri Tulsi-das Kilachand, Shri Asoka Mehta, Shri M. S. Gurupadaswamy, Shri Shankar Shantaram More, Shri A. M. Thomas, Shri U. M. Trivedi, Shri Kamal Kumar Basu, Shri Tushar Chatterjea, Shri D. P. Karmarkar, Shri T. T. Krishnamachari and the Mover, with instructions to report by the 15th of March, 1955."

Mr. Chairman: Amendment moved:

"That the Bill be referred to a Select Committee consisting of Shri N. M. Lingam, Dr. Suresh Chandra, Shri Ganesh Sadashiv Altekar, Shri Basanta Kumar Das, Shri Ghamandi Lal Bansal, Shri Radheshyam Ramkumar Morarka, Shri Bhagwat Jha 'Azad', Shrimati Tarkeshwari Sinha, Shri Tribhuan Narayan Singh, Shri Raichandbhai N. Shah, Shri Nandlal Joshi, Shri Chaudhri Muhammed Shaffee, Shri Bishwa Nath Roy, Shri Khushi

Ram Sharma, Shri Debeswar Sharma, Shri Banarsi Prasad Jhunjhunwala, Pandit Thakur Das Bhargava, Shri Narendra P. Nathwani, Shri Shivram Rango Rane, Shri Tek Chand, Shri Tulsi-das Kilachand, Shri Asoka Mehta, Shri M. S. Gurupadaswamy, Shri Shankar Shantaram More, Shri A. M. Thomas, Shri U. M. Trivedi, Shri Kamal Kumar Basu, Shri Tushar Chatterjea, Shri D. P. Karmarkar, Shri T. T. Krishnamachari and the Mover, with instructions to report by the 15th of March, 1955."

Shri A. M. Thomas (Ernakulam): Is not the hon. Minister making any remarks?

Shri Karmarkar: Yes. In view of the fact that this Bill will go to the Select Committee, I think it would not be proper for me to make a long speech at this stage.

Shri K. C. Sodhia (Sagar): On a point of order. I beg to enquire whether this sort of motion referring the Bill to a Select Committee without having given notice at the proper time is admissible now.

Shri A. M. Thomas: The Chair can always waive notice.

Mr. Chairman: The rule is clear. The Chair has discretion to waive notice, and in this particular case, since the amendment is an agreed one I am allowing it.

Shri Karmarkar: As hon. Members are aware, in respect of the control of the production, supply and distribution of certain essential commodities like the ones mentioned, control is absolutely necessary.

Now, I will not take the commodities one by one. Take for instance, raw cotton, raw jute and things like paper, iron and steel, cotton and woollen textiles.

Though we are achieving more and more of sufficiency, it will be obviously seen how essential it is to control these commodities which are

quite essential to the life of the community. We all know how absolutely necessary it is, in the first instance, to have control of cotton, for instance, and of cotton textiles.

Hon. Members are aware that after partition, we have made a lot of progress in respect of cotton. In fact, our progress has been really much more than we had hoped to achieve. If I remember aright, the supply of cotton had reduced itself to something like 21 lakhs bales or thereabouts. But last year, i.e. 1953-54, the Indian cotton crop has been estimated to be about 42 lakhs of bales. While this can be considered as no mean achievement, yet the cotton position is by no means satisfactory. We have still to import cotton from outside. Though we have already reached the targets fixed by the Planning Commission, namely 4700 million yards for mill-made cloth, and 1700 million yards for handloom cloth, still we want about 318 million pounds of cotton, while the present supplies are estimated to be only 218 million pounds. So, it is only necessary in the interest of textiles as a whole, both textiles produced in mills as well as the textiles produced in handlooms, to see that we do keep under control both the production, and the supply and distribution of both cotton as well as textiles.

Coming to another commodity, namely raw jute, it is so essential for our jute industry. Before Partition, as hon. Members are aware, India had a world monopoly of raw jute, and India had also the largest jute industry. But Partition made a change for us in respect of the supply of the raw material, namely raw jute. So, instead of exporting raw jute ourselves, we have become dependent on imports from our neighbour in respect of raw jute. As hon. Members are aware, in the post-Partition year, the total production of raw jute was 18½ lakhs of bales, and from then, we have reached almost the figure of 47 lakhs of bales in 1952-53. In 1954-55, I understand that the production is estimated to be about 36 lakhs of

[Shri Karmarkar]

bales, which means a temporary setback. As hon. Members are also aware, the Indian industrial consumption of raw jute is somewhere about 60 lakhs of bales; and although the production has in the past two years been improved due to foreign overseas demand, still there have been times where in spite of heavy demand from export markets, Indian mills have had to effect drastic reduction in their working hours because of the shortage of raw jute. So, control is essential in the case of raw jute as well.

About iron and steel, hon. Members are aware how much necessary this control is, especially in view of the large requirements for our public developmental ventures, as well as for our work of distribution of iron and steel at proper prices to the industries.

About foodstuffs, I need not detain the House very long. In spite of the fact that we have largely crossed the danger margin, in respect of food and foodstuffs, it is absolutely necessary for us to keep a careful eye on the situation, for one does not know what will happen in the future. In India especially, this subject has to be carefully kept under consideration, because supposing there is failure of rain or there is abnormally low crop, then it may be necessary to take recourse to controls, from which we have happily for ourselves and for the whole of our economic life been able to get out. In any case, it is wise to have the powers for the State to control all foodstuffs. The same thing is true about cattle fodder also.

I shall not detain the House in regard to the other substances mentioned in this Bill, such as coal, component parts and accessories of automobiles, paper, petroleum and petroleum products, and other items. In item (xi) of clause 2 (a), we have said further:

"any other class of commodity which the Central Government may, by notified order, declare

to be an essential commodity for the purposes of this Act.....

because at any time, there might be either a glut or a shortage of some essential commodity, in which case we shall have to exercise control, it however being a commodity with respect to which Parliament has power to make laws by virtue of entry 33 in List III of the Seventh Schedule to the Constitution. We have provided for this only by way of safe precaution.

This is the *raison detre* of the Bill. Since this is rather an important measure to be considered, I thought it was proper to have referred it to a Select Committee, because ultimately, I am quite sure, the House will find itself in entire agreement with the substance of the measure—both at this stage and also at the later stage—namely the necessity of control in respect of essential commodities. Any country which has no large powers of control will always work at its own peril, and we shall not know where it will land the people whose destinies are in its control. Therefore it is that I certainly expect—and it is natural to expect—that the House will be at one with us in so far as the necessity of these controls in respect of essential commodities are concerned. But certainly, we would like to benefit from this House from the observations both at this stage and also later on at the consideration stage, regarding the wisdom or unwisdom of governmental action in either imposing restrictions on certain commodities or relaxing certain commodities from restrictions, as also regarding the administration of controls. I think this discussion will prove absolutely useful, because in respect of essential commodities—as in the case of, certainly, other commodities, but much more so in the case of essential commodities—we have to see to it that not only the powers that we have got are sound, but that the administration of the powers also is soundly exercised; and

I look forward to very stimulating suggestions from hon. Members of this House in respect of this measure.

Mr. Chairman: Next, I call upon Pandit D. N. Tiwary. Is he a Member of the Select Committee?

Pandit D. N. Tiwary (Saran South): No, I am not fortunate as to be a Member of the Select Committee.

Shri Karmarkar: If he is very anxious, perhaps we might include his name.

Shri Nambiar (Mayuram): Not fortunate, but so unfortunate.

पंडित डी० एन० तिवारी : मिस्टर चेरमन, हमारे उद्योग मंत्री ने जो यह इसेन्शियल कम्पोजिटीज बिल पेश किया है, मैं समझता था कि आज जब कि लक्षकस्मिती से कंट्रोल बगरह के कानून खत्म हो गये हैं, तो इस तरह का बिल बड़े बहुत सतर्कता से, होशियारी से और बहुत खबरगोरी के साथ प्रागे के लिये पेश करेंगे। प्लान्ड एकोनामी तथा कंट्रोल बुरी चीज नहीं है लेकिन हमारे यहां पिछले सालों में जिस तरह कंट्रोल ने बर्क किया है, उसे देखते हुये हमें शक होता है कि प्रागे चल कर फिर कहीं वही घांघली शरू न हो जाय। आप मुझसे इसमें असहमत नहीं होंगे कि गत वर्षों में जिस वक्त कि यहां पर अन्न, चीनी, कपड़े और तेल का कंट्रोल था उस समय हम लोगों का मारेल कितना नीचे गिर गया था। इस परिस्थिति के लिये हम किसी को न अलग करना चाहते हैं न किसी पर दोषारोपण करना चाहते हैं। लड़ाई के बाद और लड़ाई के समय में हमारे यहां जो कंट्रोल आये, वह हमारी नैतिकता को इतना नीचे ले गये कि जिसकी कोई हद नहीं थी और अबस्था इस हद तक पहुंच गई थी कि यह कहना बड़ा मुश्किल था कि कोई भी इससे बंचित है और कौन प्रादमी इससे अपने को अलग रख सकता है। आपको याद होगा कि जिस वक्त हमारे देश में चीजों की बड़ी कमी थी और कंट्रोल जारी थे, उस

वक्त महात्मा गांधी जी ने अपनी जोरदार आवाज कंट्रोल के खिलाफ उठाई थी और उनका कहना था कि भले ही देश में कुछ लोग भूखे मर जायें और बर्रर कपड़े के रह जायें लेकिन कंट्रोल को कायम रखना उचित नहीं है, क्योंकि भूखे रहने से तो कुछ ही लोग मर जायेंगे लेकिन नैतिकता का पतन होने से सारा देश मर जायगा। हम देखते हैं कि उनकी बात कितनी सच थी। इन कंट्रोलों का ही नतीजा है कि हमारी नैतिकता का काफी पतन हुआ है। हमारी सरकार कंट्रोलों के कानूनों को लागू करने में उतनी सफल नहीं हो सकी और लोगों को कर्षण के चंगुल से बचाने में उतनी सफल नहीं हो सकी जितना कि वह होना चाहती थी और उसे होना चाहिये था। हो सकता है कि यह उनके काबू के बाहर की बात रही हो या तो जहां ब्रिचज जनरल हों वहां कानून की रक्षा करना हमारे शासकों के बूते की बात नहीं है। आपने देखा कि न केवल प्रांतों में ही बल्कि सेंट्रल गवर्नमेंट के भी सेक्रेटरीज प्रासिक्यूट हुये, एक, दो पर मुकदमा भी चला लेकिन कितने और उन चीजों में शामिल थे यह नहीं कहा जा सकता। उस जमाने में जब कंट्रोल था, तो किसी चीज को महंगा करने का एक जरिया कंट्रोल हो गया था। लोग कहा करते थे कि यदि किसी चीज को महंगा करना हो तो उस पर कंट्रोल लगा दो। हमारे देहात में एक बहुत ही गंदा कुआ था। उसका पानी साफ नहीं होता था, लोग उसको पसन्द नहीं करते थे। कुछ लोगों ने सुझाव दिया कि उसके पानी पर कंट्रोल लगा दिया जाय तो वह तुरंत साफ हो जाय। तो लोग कंट्रोल का मतलब यह समझते थे। जिस वक्त किदवई साहब मिनिस्टर हुये उस वक्त फूड पर कंट्रोल था। मिनिस्ट्री में आने के बाद उन्होंने यह आवाज लगाई कि कंट्रोल उठा दिया जाय। उन्होंने कहा कि हमारे सामने जो फेक्ट्स एंड फीसर्स हैं वह रिलाय-

[पंडित डी० एन० तिवारी]

बुल नहीं हैं। हिन्दुस्तान में अन्न काफी है, लेकिन हम लोग नाहक कंट्रोल लगा कर उसको महंगा करते रहते हैं। हमने उनकी बात के पीछे चल कर देखा कि उनकी बात में सत्यता थी। जैसे जैसे कंट्रोल हटता गया, वैसे वैसे हमारे देश में गल्ला सस्ता होता गया। आज भी आप देखिये कुछ चीजों पर कंट्रोल है। लेकिन हमारे यहां कंट्रोल से चीज नहीं मिलती। अगर कंट्रोल के अन्दर कीमत ₹ १०० १ आ० है तो बाजार में खले आम वह ₹ १०० १२ आ० में मिलता है। गवर्नमेंट उसको रोक नहीं सकती है। हां, जो लोग हाकिमों को खुश नहीं कर सकते हैं, उन पर केस जरूर चलते हैं। कभी भी केवल ब्रीचेज के लिये केस नहीं चलते हैं, सिर्फ उन्हीं लोगों पर चलते हैं जो अफसरों को खुश नहीं कर सकते हैं।

अगर कोई एसेन्शियल चीजें हैं जिन के बिना गवर्नमेंट का काम न चलता हो, तो उन पर कंट्रोल जरूर रखा जाय, जैसे आज गवर्नमेंट को अपने डवलपमेंट के कामों के लिये लोहे की बहुत जरूरत है, उस पर आप कंट्रोल रखिये, लेकिन फूडब्रेन्स और फाडर पर कंट्रोल की क्या जरूरत है? मैं नहीं जानता कि कभी भी किसी जगह फाडर पर कंट्रोल लगा हो, देहातों में या शहरों में जब फाडर की कमी हो जाती है तो वह रुपये का चार, और पांच, सेर बिकता है। लेकिन इस पर आज तक कोई केस नहीं चला। न गवर्नमेंट चलाना चाहती है और न अफसरान ही चलाना चाहते हैं। क्योंकि एक तो उनकी पाकेट गरम होती है और दूसरे वह उसको कंट्रोल भी नहीं कर सकते हैं। वह डिमांड के मुताबिक सप्लाई ही नहीं कर सकते हैं। इसलिये ऐसी चीजों पर कंट्रोल लगाना कहां तक जायज यह मेरी समझ में नहीं आता है।

यह बिल चूक गवर्नमेंट बिल है, इसलिये पास तो होगा ही, लेकिन मैं सेलेक्ट कमेटी के मेम्बरो से कहूंगा कि वह इस में ऐसी चीजों को न डाल दें जिन पर वह खुद कंट्रोल नहीं कर सकते। आज फूड ब्रेन्स के सम्बन्ध में कंट्रोल करने की क्या जरूरत है? आज तो यहां पर रोज रोज फालिंग प्राइसेस के बारे में बहस होती है। यह सवाल उठता है कि दाम रोज ब रोज गिर रहे हैं। तो क्या हम यह समझें कि यह फालिंग प्राइसेज को रोकने का तरीका है और चीजों को महंगी करने की गरज से यह कंट्रोल लगाया जाता है? या इसमें सचमुच कोई राज छिपा हुआ है। आप जानते हैं कि किसी चीज की तरफ जब सरकार हाथ बढ़ाती है तो लोगों की दृष्टि उधर जाती है और वह समझते हैं कि शायद इस चीज की कमी कहीं हो रही है और इस भय के कारण यह कंट्रोल लगाया गया है इसके कारण कुछ दिनों के लिये चीज महंगी हो जाया करती है। तो जब अन्न इतना सस्ता हो रहा है, फाडर की कमी नहीं है फिर इन चीजों पर कंट्रोल क्यों लगाया जा रहा है? मैं सेलेक्ट कमेटी के मेम्बरो से कहूंगा कि इन चीजों पर वह गौर करें और उन चीजों पर कंट्रोल न लगायें जो आज देश में बहुतायत से मिल रही हैं। हां, अगर कभी जरूरत हो कंट्रोल करने की तो आपके हाथ में शक्ति है, दो मिनट में आप आर्डिनैन्स इश्यू कर सकते हैं, पार्लियामेंट बुला कर बिल पास करा सकते हैं या एडिशन करवा सकते हैं। लेकिन झूठ मूठ एक शक्ति अपने हाथ में रखने के लिये आप ऐसा क्यों कर रहे हैं?

अभी हम लोगों के प्रश्न पछूने पर मालुम हुआ कि हिन्दुस्तान में सप्लाई विभाग के करीब ६०,००० आदमी बेकार हैं। एक तरफ तो आप उनको हटाते जाते हैं कि कंट्रोल जारी रखने की मंशा नहीं है और दूसरी तरफ से आप ऐसे कानून ला रहे हैं। इसकी आखिर क्या जरूरत है? किस लिये ऐसा बिल लाया

जा रहा है ? हमारे कुछ भाई घीरे बोलते हैं कि "बिल मस्ट बी देअर" तो बिल तो आप के हाथ की बात है, जब चाहें पास कर दें। क्यों बिल मस्ट बी देअर ? आप उन चीजों पर कंट्रोल रखिये जिन की कमी हो, लेकिन जो बहुत हैं उन पर कंट्रोल रखने की क्या जरूरत है ? खैर, मैं बहुत स्टैटिस्टिक्स बें जाना नहीं चाहता, न इसमें कोई बहुत ज्यादा समझाने की जरूरत है। मैं तो यही कहूंगा कि तमाम चीजों को, जिन की कमी नहीं है, कंट्रोल से बाहर रखिये।

साथ ही आप बिल के सेक्शन १३ और १४ देखिये। सेक्शन १३ में है :

"Where a person is prosecuted for contravening any order made under section 3 which prohibits him from doing any act or being in possession of a thing without lawful authority or without a permit, licence or other document, the burden of proving that he has such authority, permit licence or other document shall be on him."

[SHRI BARMAN in the Chair]

बात असल यह है कि किसी भी मुकदमे में कसूर साबित करने का भार प्रोसीक्यूशन पर रहा करता है, लेकिन इसमें आप यह भार डिफेंस पर डाल रहे हैं। आपको साबित करना है कि हां, साहब आप नहीं रख सकते हैं। आपके यहां रेकार्ड है, आप रेकार्ड पेश कर सकते हैं कि फलां आदमी को लाइसेंस नहीं दिया गया। उस गरीब पर आप यह भार क्यों डाल रहे हैं ?

दूसरी बात यह है कि आप जानते हैं कि सप्लाय डिपार्टमेंट के अफसरों का नैतिक स्तर क्या होता है। बहुत से केसेज केवल बैर विरोध पर हुआ करते हैं। सेक्शन १३ के अनुसार आपने उनको अक्षुण्ण बना दिया। आपने लिख दिया :—

"No suit, prosecution or other, legal proceeding shall lie against any person for anything which is in good faith done or intended to be done."

ऐसे बैर विरोध बहुत काम करते हैं और लोगों पर केस चलते हैं। आप सभी को इसका तजुर्बा होगा। खास कर जो १००, ५० रुपया पाने वाले जो लोग होते हैं जब वह अफसर हो जाते हैं तो चाहे जिस मतलब से हो कुछ लूटने के लिये या बैर विरोध के लिये, या उनकी बात नहीं मानी गई, इसलिये मुकदमा चला दिया। तो वह लोग जो अक्षुण्ण रहते हैं, उनके खिलाफ कोई कुछ नहीं कर सकता। आपको तो इसमें ऐसा रखना चाहिये कि जिससे अगर अफसरान कोई गलती करें तो उन पर भी मुकदमे चल सकें हायर अफसरों की हालत यह है कि किसी छोटे अफसर के खिलाफ यदि किसी ने दरखास्त भेजी तो वह दरखास्त घूम फिर कर उसी अफसर के यहां जाती है या उस के किसी भाई बन्द के यहां जाती है कि इस बात की एन्क्वारी करके भेज दो। बड़े से बड़े लोग मुकदमा चलाना चाहते हैं या उस पर स्टेप लेना चाहते हैं, लेकिन रिपोर्ट आने में ३, ६ या ८ महीने लग जाते हैं जिस में वह आदमी ऊब कर मामले को छोड़ देता है या फिर उस मामले को ही दबा दिया जाता है। मेरा तो यही अनुभव है। हमारे यहां एक आदमी था उसने मार्केटिंग इन्स्पेक्टर पर और एक व्यापारी पर मिल कर चावल बेचने का केस चलाया। केस सच्चा था। लेकिन इस तरीके से उसे मैनपुलेट किया गया कि मुकदमा करने वाले आदमी पर मुकदमा चल गया। इसलिये पब्लिक सफर न करे, ईमानदार लोग सफर न करे, बेईमानों को सजा हो, इसकी कोई गुंजाइश इसमें रखिये, नहीं तो, अगर आपने सब इल्तियार और सब अक्षुण्णता अफसरों को दे दिया

[पंडित डी० एन० तिवारी]

तो फिर आप उस पर क्या कंट्रोल रखियेगा, यह कहा नहीं जा सकता।

इसलिये इतनी ही चन्द बातें आपके सामने रख कर मैं चाहूंगा कि इसमें से कम से कम ऐसी चीजें निकाल दी जायें जो इस समय बहुतायत से हैं। कम से कम फूडग्रेन्स और फाडर और ऐसी ही दूसरी चीजें तो इस में से हटा दी जायें।

4 P.M.

Shri S. C. Samanta (Tamluk): The Essential Supplies (Temporary Powers) Act was enacted by the Central Legislature in 1946. Its life was limited to the 26th January, 1955. On the 26th January 1955, an Ordinance was promulgated to enliven the Act. Now the Bill has been brought before us and it is going to the Select Committee. I have mainly to refer the definitions that have been included in this Bill for the consideration of the Members of the Select Committee. In it, I find, 'food-stuffs, including edible oilseeds and oils'. It is also said that it is for the control of the production, supply and distribution of, and trade and commerce in certain commodities that have been mentioned in the definition. In the definition, foodstuff including edible oilseeds and oil have been mentioned. I cannot understand why oils only have been mentioned. There are other things also. Do not the Government want more production of those things? Government have established so many central committees, the Indian Central Coconut Committee, the Indian Central Tobacco Committee, the Indian Central Areca Nut Committee, the Indian Central Tea Committee, the Indian Central Coffee Committee, the Indian Central Silk Committee and so on. There are so many committees that exist for the improvement of production of these and other things. It should be considered why the other things are not mentioned and only edible oilseeds and oils are mentioned. We know that the Government is

thinking of constituting an Indian Central Spices Committee. That also comes under foodstuff. Not only foodstuffs, food crops have also been mentioned. Food crops includes crops of sugarcane also. Foodgrains and food crops should be defined in such a way that there will be no anomaly in the Act. From the previous Act I find that there was mention of mica also. It has also to be considered by the Select Committee as to why mica has been deleted.

There is one item, cotton and wollen textiles. I cannot understand why silk has been left out. There is a great necessity for giving attention to the silk industry of India. There is also the Indian Central Silk Board. So, I cannot understand why only cotton and wollen textiles have been mentioned and not silk goods.

Mr. Chairman: This Bill is in fact primarily for the purpose of control of the trade and commerce in certain commodities.

Shri S. C. Samanta: It is also concerned with production, supply and distribution and trade and commerce. So, I refer to these things also. Control is necessary only when there are disadvantages found in the country for the equal distribution of the things. We have a bitter experience of the controls that we have had during war time and afterwards. Control is a good thing if we cannot accept control as it is, or as it should be, then we are condemned. As we could not accept control that was there, our morals have gone down. Now, I hope, people have understood the bad effects of control and they are very careful about it. So, under the circumstances, we request the Members of the Select Committee to include only those items which are most essential and those articles which are in abundance and can easily be available should not be included.

Sir, I hope the Select Committee will give due consideration to the Bill. With these few words, I favour the motion for reference to the Select Committee.

Shri Raghavachari (Penukonda): I rise to make a few objections to this measure. You know that the Constitution, when it was first framed by the elders, definitely contemplated an emergency and that too for a temporary period. The present Government felt the need for power. Certainly, all cases for power come only in the interests of the public and not certainly in the interests of those who want to exercise the power. Therefore, the need for exercising that power or continuing that power was felt so much that they thought that even the existing Constitution should be amended and then the Constitution was amended.

Now, the question is, is the situation in the country even as bad as it was at the time the Constitution was made and even then they prescribed it for a few years only. The present Bill is to make it a permanent feature. If you examine the provisions of the various items and the schedules, the State, the Central and the Concurrent Lists, you will find that many of these essential goods which have been included in the Bill are goods the production, manufacture, control, sale and distribution of which are mostly the exclusive province of the States, particularly, the agricultural commodities. So, production and distribution of agricultural commodities are within the scope of the States. Inter-State may possibly come here. Therefore, you see that the present Bill which wants to control production, distribution and trade and other things, definitely transgresses the exclusive power of the States. No doubt, it might be said that the powers will be so exercised that the State interests will not conflict. But I daresay that it always happens that these powers are exercised not with the eye on the interests of a particular State but with the eye on the whole of India, which necessarily goes against the interests of some particular States. Therefore, I feel that it is very essential that the Select Committee has to consider some

safeguards as necessary. The language is very wide in some of the sections and words like 'incidental', 'necessary', 'conducive' etc., are used and they may very seriously interfere with the exclusive jurisdiction of the State. Safeguards must be provided necessitating the consultation with or after obtaining the previous consent of the States before these powers are enforced on them. Otherwise, it is sure to create some bitterness. That is a point which I wish to stress.

Here we are not talking on absolute principles whether control is necessary or not necessary. Any body might say that a State must have powers to control provided the control is properly exercised. It is always there, but what is our previous experience? An hon. Member was referring to our previous experience. If there is any bad taste of bitterness in our minds, it is due to the after effects of that wretched control and its management. It made the society most obnoxious. It made everybody concerned with the control administration exposed to criticism, and I for one feel that, in my experience of our composite State of Madras, that the moment you want to make any particular goods go out of public view in the market, you must bring them under control. If you bring them under control, the goods or materials suddenly disappear. I shall give an experience of mine. Once in Madras, two days before Deepavali, they introduced control on jaggery. The result was that in a place like Hindpur, where thousands of bags of gur are produced, the next day and on Deepavali not one seer of jaggery could be procured. Everything had gone underground. The only result of introducing control is to make the commodity disappear and that is how it has worked before. I am afraid in spite of the best management, it is bound to go in the same direction. We all know black-marketing and its concomitant things.

Mr. Chairman: The hon. Member will please remember that only one hour is allotted for this Bill.

Shri Raghavachari: I shall finish in a minute. The black-market and its concomitant things naturally follow. When such a measure is to be placed permanently on the statute-book, I do agree with my friend, who spoke previously, that only such of the commodities as are rare and are not very abundant may be controlled. All kinds of cattle fodder are mentioned and it is a most understandable thing. Similarly, in regard to the varieties of oilseeds; so far as the position of Andhra and Madras is concerned, oilseeds were grown there in abundance. The agriculturist grew them to the exclusion of other commodities. Then, in the manipulation or management of the controls, the agriculturist lost heavily. The State Government agitated and made representations to the Centre. So, there is the difficulty that in trying to control commodities which are grown by agriculturists and within the peculiar province of a State, the Centre creates irritation and the necessary consequence of it is bitterness.

I would submit that the Select Committee might consider that in the matter of controls, the better thing would be to fix an economic price for the commodities in advance rather than go about controlling after a thing is produced and then disappointing people who have grown it. Because of the loss they have suffered in a particular year those people might make up their minds not to produce it again. So, the control must be so exercised that economic price and other things are fixed in advance so that the commodity may be grown safely in anticipation of a proper market. I would request the Select Committee to examine most of these items and then omit those that are not necessary in the real interests of the larger economy of the whole of the State.

BUSINESS OF THE HOUSE

Mr. Chairman: I have to inform the House that the Business Advisory Committee has suggested that one

hour may be allotted for the consideration and passing of the Working Journalists (Industrial Disputes) Bill and that it should be put down from 5 to 6 P.M. on Thursday, the 10th March, 1955.

I take it that the House is agreeable to this recommendation.

Shri D. C. Sharma (Hoshiarpur): How much time was devoted to this Bill in the Rajya Sabha?

Mr. Chairman: It is the decision of the Business Advisory Committee and I have informed the House of that decision.

Shri D. C. Sharma: I beg to submit that one hour is not sufficient.

Shri Nambiar (Mayuram): One hour seems to be very little when compared with the work that is to be done.

Shri Sivamurthi Swami (Kushtagi): May I know whether the Bill was placed before the Advisory Committee as this is a very important Bill?

Shri Nambiar: Here, we are dealing with the Working Journalists Bill and I say that there must be at least two hours. My suggestion is that as we are anyhow sitting beyond 5 P.M., let us sit till 7 P.M. as that is a very important Bill.

Dr. Suresh Chandra (Aurangabad): Not on that day, but on another day.

Mr. Chairman: It is now put down as 5 to 6 P.M. Shri Nambiar's suggestion is that it may go upto 7 P.M.

Dr. Suresh Chandra: The time may be extended to two hours, but not from 5 to 7 P.M. and I do not think there would be enough quorum at that time

Mr. Chairman: For the present, let it remain as it is. On that day, let the further suggestions come. For the present, this is the order of the House.