

[Shri Bogawat]

I had to say much about Defence, but as time is short, I have to summarise it by saying that unless we build a strong Defence Force, it is not possible to save our country.

With these few suggestions, I humbly submit that the present Budget is a very good Budget and the Finance Minister has done his best.

#### INDIAN TARIFF (AMENDMENT) BILL

The Minister of Commerce and Industry (Shri T. T. Krishnamachari): I beg to move:

"That the Bill further to amend the Indian Tariff Act, 1934, be taken into consideration."

The broad points covered by this Bill are two: the main point is that it seeks to replace Section 3A of the Indian Tariff Act, 1934. The scheme is much the same, but there is a slight difference. Section 3A of the Indian Tariff Act expires on the 28th of March 1953. The life of it is only for two years and the two years will expire on the 28th of March. The present intention is that the provision of this particular section should be part of the statute permanently.

I know, that it raises in the minds of some hon. Members certain doubts as to whether Government is seeking to depart from an established precedent laid down and take more powers to be exercised in a manner which will prejudice the consumer interests in this country. After all if Government seeks to give protection in advance of the permission that this House would extend to such protection, it might not have the advantages of canvassing the benefits or otherwise of the protection to be granted, which is only possible in a House of this nature. It is also agreed—it is a thing with which I totally agree personally—that the consumer interest is a paramount factor in the granting of protection.

I might at once admit that when this provision was brought in first two years back, I did have serious misgivings. For one thing, the Government policy in regard to protection was not very clear at that moment. Whatever might be the personal views of individual Members of Government today the policy of protection has come to be accepted. The statement

made by the authors of the Fiscal Commission, that it was not a matter whether Government was wedded to a policy of protection, but all that was necessary was only to examine the quantum of protection, is coming to be more true even in the policy of Government. I think it is a policy which the House has more or less been insisting on that our industries must develop and whatever sacrifice we should make for that purpose should be made.

Speaking for myself, I am a very strong protagonist of the consumer interest. I do feel that while we want development and we want development very quick, in a country with notoriously low standards of living, the consumption propensity being what we call a matter of very high marginal rate, the moment purchasing power diminishes the standard of living goes down rapidly. A country with a backward population has got a very high marginal rate of consumption propensity. That being so, we should safeguard the consumer interests.

After all, all these plans that we now envisage are only for one purpose, namely, to raise the standard of living and anything that the Government or this House does in depressing it, though it might be for very good reasons, will defeat the very purpose of all our plans and efforts. Therefore, looking at a proposal of this nature from the consumers' point of view, I quite agree with any hon. Member that might make that proposition before this House that the consumer interests must be safeguarded.

However, as I said there is the accepted policy of Government to encourage industries. The position has slightly changed since the amendment of the Tariff Act two years back in that while at that time we had an *ad hoc* body called the Tariff Board with a very temporary existence, its life being extended from time to time, Government having accepted the recommendations of the Fiscal Commission, we have now a Tariff Commission which is a statutory body and which has come to stay for all time. That puts a slightly different emphasis on the need for Government implementing the Tariff Commission's recommendations as quickly as possible. Today the Tariff Commission has on hand a number of enquiries and a number of reviews. The House has complained in the past whenever we brought a measure of this nature that the proceedings of the Tariff Commission have been extremely dilatory and

that the relief afforded is not quick. I should say that we are trying our best to accelerate the work of the Tariff Commission. All that only goes to show that we feel that dilatoriness on the part of Government in giving effect to the recommendations of the Tariff Commission should not add further burden on the industry which we want to develop. So the emphasis that we put on a measure of this nature two years back, that we would like to have it only for a temporary period, because of the temporary nature of the body itself which was giving protection and also the fluidity of the policy of Government does not now hold good. Therefore, the first submission that I am making to this House is that section 3A should become a permanent part of the statute.

Then comes this question of safeguards. The amending Bill will indicate that the provisions have been so changed that instead of the necessity of the Government introducing a Bill within fifteen days of issue of a notification if Parliament is sitting, or within fifteen days after the re-assembly of Parliament, this merely says that a Bill should be introduced as soon as may be during the next session. I venture to submit that it is not the desire of Government in any way to augment its own powers. There are certain practical difficulties which have a bearing on the work of the House about which I would like to dilate at some length. This is the first measure that we have brought under the provisions of section 3A. It is possible that we might have three or four Bills during this session. Hon. Members of this House will understand that the Chair has been so good as to give away an hour from the very serious work of this House in order to accommodate this Bill because of the urgent nature of the decision to be gone into. During this session, which may perhaps continue till the middle of May or perhaps even longer, I have got four similar measures. I venture to submit, in all humility, that it is an undue strain on the House to consider four separate measures. What is sought to be done by this amendment is to club all these four measures together and to bring it during this session. That is the idea.

It is pointed out to me by my hon. friend Mr. A. C. Guha that while the intentions are all right, it does not clearly indicate that if any notification is issued during this session the Bill should be introduced in this session, because the wording says "next session", and it does not say expressly that the Bill is to be introduced during

the session if Parliament is in session at the time the notification is issued. But the purpose will be the same. I think he has tabled an amendment in this respect, and if the Chair permits and the House agrees I have no objection to accept it. Though it does not alter the purport of the clause, it certainly seeks to clarify the intention of the House if it is going to give its imprimatur to this proposal.

Then the other question is there is a proviso in the original section, which is due to lapse, which stated that "where for any reason a Bill as aforesaid does not become law within two months from the date of its introduction in Parliament, the notification shall cease to have effect on the expiration of the said period of two months". What will happen in this particular case is that if for reasons of exigencies of business we introduce a Bill towards the end of the session—and what Government would like is that the Bill should be finalised and passed—but if something happens and it is not passed and the House adjourns, the Bill will be hanging fire. So a condition of that nature, with the slight flexibility that we now intend to put into the section, will also have a qualifying provision that it should be taken up immediately after the House meets again. My hon. friend Mr. A. C. Guha felt that though it was not absolutely necessary that a provision should be put in to say that a Bill must be taken up within a particular time, because the Constitution enjoins that no period of six months should elapse between two sessions, the obligation is there on the part of the Government to bring a Bill before the House and have it passed. That is what my hon. friend Mr. A. C. Guha mentioned. I quite agree that being human beings, and being subject to take advantage of exigencies, we should not resist any attempt on the part of this House to put it in clear terms that there must be a period within which the Government must face the House and get the Bill through. So I am quite willing to accept any amendment which will indicate that a period of six months will be the longest period of life that the Government may give for a Bill of this nature. Having introduced it, it does not mean that the Government divest themselves of their responsibility and that the protection operates indefinitely whether the Bill is taken into consideration or not. If the amendment of Mr. Guha is accepted, automatically the protection will come to an end within a period of six months.

That, in substance, is the amendment proposed in regard to section 3A.

[Shri T. T. Krishnamachari]

In regard to the third clause of this Bill, hon. Members, I have no doubt, would have read the report of the Tariff Commission in regard to ball bearings. The report is a very interesting one in that the industry which the enquiry seeks to cover is an important one. It may be that since there is only one concern in operation and there is only one concern which is beginning to operate or has made proposals to go into operation, a protection was not necessary. But the policy of the Government being what it has been all along, namely to encourage these concerns to develop, some kind of assurance of protection was necessary.

The House will recognize that the quantum of protection is not something new. It is merely a conversion. The goods covered, to a very large extent, are subject to the same duty which they pay now as revenue duty. All that has been done is to seek to convert it to a protective duty. And the only concession that this conversion gives to the industry is that if at any future time there is dumping by somebody and the industry is precariously perched, the Government may give some kind of relief immediately, which the Tariff Act empowers the Government to do. In actual fact, the provisions of clause 3 merely seek to stratify, or rather bring within the protective wing of the law, a duty which is now in existence as a revenue duty. And in regard to the reasons why the Tariff Commission accepted this recommendation hon. Members, I have no doubt, who are interested would have read the recommendations of the Tariff Commission, which are fairly clear, that the need for this assurance to the industry was there. And in so doing they felt that the duty which was there as revenue duty was ample and that there need be no increase in the duty than what is envisaged by the revenue authorities.

That, more or less, brings me to the end of my story. As I said before, I would once again like to say—in order to remove or dispel any impression that hon. Members of this House might have in regard to the intentions of the Government—I would like to reassure them once again that there is no intention on the part of Government to bypass Parliament. So far as I am concerned, provided the business of the House will permit, I would certainly like to place any case for protection before the House and get its approval. But at the same time, as the House will also agree, if I have four measures in

respect of which I issue four notifications, it is only fair and proper to the House itself that there should be one Bill to cover all of them instead of four Bills, as would be the case if the original provisions of section 3A continue to operate. With the safeguards proposed by my hon. friend Mr. A. C. Guha, if his amendment is accepted and if you permit him to move it, I think the position so far as the House is concerned is very well covered.

**Mr. Chairman:** Motion moved:

“That the Bill further to amend the Indian Tariff Act, 1934, be taken into consideration.”

**Shri K. K. Basu (Diamond Harbour):** May I know the amendment to which the hon. Minister referred?

**Mr. Chairman:** I have not received it so far.

**Shri K. K. Basu:** That is why we do not know.

**Shri A. C. Guha (Santipur):** The hon. Minister has practically forestalled me. He has repeatedly referred to me, because I had some discussion with him. Yet I should admit that I have not been feeling very happy over this Bill.

First of all, with regard to this provision of introducing a Bill within fifteen days of notification, I do not know what practical difficulty there can be to abandon it and make it as lax as the present amending Bill seeks to put it. I can understand the difficulty of getting a Bill passed soon now in the House because it has always a crowded programme. It may be difficult to get a Bill passed in time but I do not think there might have been much practical difficulty in introducing a Bill within 15 days after the notification if the House was in session or within 15 days after the assembling of the House if the House was not sitting at the time of the notification. Anyhow, when we are confronted with these practical difficulties, I do not like to rub the point much. I expect that with the little concession that the hon. Minister is agreeable to make, the Bill would be introduced expeditiously at least when Parliament is in session.

As regards other amendments which seek to do away with the proviso to sub-section (3) of section 3A, I am not quite happy here also. I agree, as I have already stated, that there may be difficulty in getting a Bill passed just in two months but to leave no time limit or even to make it six months

may not be quite appropriate. Yet I have no other alternative but to accept that.

Every time when such a Bill is introduced before the House, we are furnished with notes regarding the industries which are going to be protected by the Bill. This time we have not got that note regarding the ball bearing industry. About three years ago, in the course of a discussion on a similar Bill, this point was raised and the Ministry started the practice of furnishing us with a note. Because the Tariff Commission's report is rather bulky and only one or two copies were available in Parliament, it is not always possible for the Members to read the Tariff Commission's Report. So, the Ministry concerned started the practice of furnishing us with a note. I hope the practice followed this time will not be treated as a precedent also for the future.

**Dr. Lanka Sundaram** (Visakhapatnam): You are an optimist.

**Shri A. C. Guha:** I think the hon. Minister will assure this House that in future, a similar note will be supplied whenever a Bill like this is introduced in this House.

Then, as regards the industries that are going to be protected, ball bearing is not a consumer's goods. It is a raw material. In the Tariff Commission's Report we find that the cost of production is 151 per cent. higher than the landed cost of imported articles which means that it is three times higher and this Bill goes to give protection at 91 or 94 per cent. I do not know whether this protection will be sufficient for the industry. But at the same time as it is one of the most important raw materials for many engineering industries, we should also be careful that we should not subject the raw material to a very high tax. Because, in that case, the cost of production by the companies which use this raw material will go up to that extent. The main industry using ball bearing is the electric fan industry, and I think the Indian electric fan industry is now in a position to compete with any foreign industry of that category. And I think during the last two years, Indian electric fans have also been exported to other countries. I would particularly like to emphasise the case of the electric fan industry because that consumes about 80 per cent. or near about 75 per cent. of the total ball bearing consumed in India.

In the Tariff Commission's Report there is one point to which I would like to draw the attention of the hon.

Minister. The Commission has not been quite sure about the cost of production in the industry. There is only one factory and ball bearing is a very important item and everyone would like that such an industry should develop in this country and it should get the necessary help and protection from the Government. But at the same time, when we give some protection to the industry, the Tariff Commission should be sure of the cost of production. On that ground the Tariff Commission is not quite sure in this case. I hope the hon. Minister will take steps to see that the cost of production of that industry may be accurately calculated.

Lastly, every time when this sort of a Bill comes before this House, we are reminded of the Fiscal Commission and its recommendations. I do not know how many of the recommendations of the Fiscal Commission have been implemented by the Government. I think excepting the establishment of the Tariff Commission, no other recommendations of the Fiscal Commission have been given effect to. If I am wrong, I hope the hon. Minister will correct me. If the Government have no intention of implementing the recommendation of such an important Commission, then why was that Commission at all set up and some money, some energy, some resources spent on that? So, I think the hon. Minister will also clarify the position of the Government as regards the recommendations of the Fiscal Commission.

**Shri Kasliwal** (Kota-Jhalawar): This Bill proposes to give protection to the ball bearing industry. In fact, however, the protection is given to one single solitary concern known as the National Ball Bearing Factory situated in Jaipur. Anyway, I welcome this Bill for the reason that this ball bearing industry is an industry of vital and basic importance. But I must say that the way in which the managing agents of this industry sought protection is certainly open to question. This industry was started, actually it started production sometime in August 1950. But even before one year, the managing agency started correspondence with the Government of India for protection and it was sometime in August 1951 that they did get it. Probably Government or the Tariff Commission took some time in thinking over the matter and what the managing agents did was just to close down in January or February the entire concern. Over 500 workers were thrown out of employment. They gave no reason at all except that they put up a notice one fine morning that the factory is being closed down. Later on, however, it

[Shri Kasliwal]

appears that the Tariff Commission hurried to the factory, made spot enquiries and the result is now this recommendation of the Tariff Commission for protection. I hope the hon. Minister will bear in mind that this is not the way that an industry with a pistol pointed at the head, seeks protection for itself.

My hon. friend Mr. Guha has drawn attention to the high cost of production in this factory. The Tariff Commission went into this question and they found that this factory was working without a proper programme or production. They found that there was no method of costing in this factory. They found that there were no proper accounts kept in the factory. It was a matter of surprise to them and yet this particular national ball bearings industry came in for protection. Anyway, I would like to draw the attention of the hon. Minister to paragraphs 15 and 16 of the recommendations of the Tariff Commission in which they have said that this particular concern must be told to rectify these things. I hope the hon. Minister will draw the attention of this particular factory to these things.

On the floor of this House, many times it has been said that when protection is being granted to a particular industry, it must be seen that that industry works up to its rated capacity. The rated capacity of this factory is production of six lakh ball bearings every year, if it works on a single shift of eight hours. But, this factory is not working up to the rated capacity. In 1950, they produced two lakh ball bearings. The Tariff Commission says that in 1952, from April to December, their programme was to produce about four lakh ball bearings. We do not know and the hon. Minister has not said anything as to what was the production in 1952. But, I must say that if such a high protective duty is being imposed, it is the business of the Government to see that such factories work up to their full capacity. The total demand, as the Tariff Commission has said, for ball bearings, comes to nine lakhs, most of which, as my hon. friend Mr. Guha has said, is consumed in the manufacture of electric fans. If the Company were to work conscientiously up to its rated capacity, I do not see why the entire demand of this country should not be met from the production of this factory.

There is one little matter to which I would like to draw the attention of the hon. Minister, and it is this. In item 72 (35) he has made a little distinction, a distinction which was not

recommended by the Tariff Commission. He says: ball bearings of two inches bore, of British manufacture will have 91½ per cent. *ad valorem* whereas non-British manufacture will have 94½ per cent., that is 91½ plus three per cent. I hope the hon. Minister will kindly tell us the reason for this particular distinction.

There is another matter to which I would like to draw the attention of the hon. Minister. The Tariff Commission have recommended that we should withdraw from the GATT, that is, the General Agreement regarding Trade and Tariffs in this particular matter. I am glad that the hon. Minister in the case of adapter bearings has imposed a revenue duty of ten per cent., which is the maximum leviable under the GATT. Although the Tariff Commission has recommended that it should be only 5½ per cent., I am glad that this revenue duty has been increased up to ten per cent.

There is only one other small item to which I would like to draw the attention of the hon. Minister. This is a very important industry. It is not merely a basic industry; but it is also an industry of strategic importance. The demand on this company will be continuously increasing. I suggest that because there is only one concern and because it is of such national importance, steps may be taken to nationalise this industry.

**Shri P. T. Chacko (Meenachil):** I have only a few remarks to make on clause 3 of the Bill before the House. I do not know whether the protection contemplated to the ball bearing industry is actually a protection for an Indian industry. Because, from the report of the Tariff Commission it can be seen that actually this is an industry which is controlled by a British firm, Hoffmans Manufacturing Co. Ltd., Chelmsford. According to the agreement entered into between this company and the Birlas, this company came into existence. This is the one company which is now manufacturing ball bearings, and steel balls. As per provisions of that agreement, every month, Rs. 5,575 will have to be paid to Messrs. Hoffmans Co. Ltd., as a fixed royalty. Over and above this Rs. 5,575 to be paid as fixed royalty to the British firm, a variable royalty of 2½ per cent. nett, will have to be paid on the nett value of sale proceeds. That means that this 2½ per cent. will have to be paid even after paying Income-tax. Therefore according to Tariff Commission, it will come to about four per cent. So, out of the nett value of the sale proceeds, four per cent. will have to be given to the

English firm as variable royalty in addition to Rs. 5,575 as fixed royalty. The managing agency allowance is apart from these two items. That is Rs. 18,000 per month.

**Some Hon. Members:** Per month?

**Shri P. T. Chacko:** Rs. 18,000 per annum, I am sorry. Taking into consideration all these things, it can clearly be seen how the cost of production is almost 150 per cent. higher than the landed cost of the commodity in India. Even if the factory is to work and produce at its full capacity, it can produce only nine lakh ball bearings and the cost price as calculated by the Tariff Commission will come to about 16 lakh rupees. As regards steel balls, if the factory is to produce to its full capacity, it will produce about 7.3 lakh gross only, and the value will come to about Rs. 13.5 lakhs. Therefore, we can easily see from a calculation that in the cost price calculated by the Tariff Commission, almost 33 per cent. is accounted for by the allowance to the managing agents and royalty, while a major portion of it is accounted for by the royalty given to the British firm. If the factory produces about Rs. 28 lakhs worth of commodities, nearly Rs. 7½ lakhs are accounted for in this manner.

So it can be clearly seen that if there is any profit from this industry, that profit goes to the British firm and not to the Indian firm or the Indian people. Therefore, I am afraid, whether the protection given to this one company, is in the interests of this country at all, because this increase in the price of ball bearings will have its repercussions in other industries as well. There is also a tariff duty on the main raw materials, namely, high carbon and chromium steel. If the Government thinks that some protection should be given to this industry, then, even as it is, I would suggest that the tariff duty on this raw material may be reduced, if not abolished, and thereby protection be given to this industry. If it is given to such an extent as is contemplated in the Bill, then it will mean protection being given to one British firm in preference to all other firms, British as well as other foreign firms. I submit that these considerations also should weigh with the Government when protection is sought to be given to the industry.

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

**Pandit Thakur Das Bhargava (Gurgaon):** So far as this Bill is concerned, I only want to speak on the legal and the constitutional aspects of this Bill. In 1946, a Bill was brought before this House by the then Member for

Industries, Mr. Azizul Haque, who wanted that a departure should be made from the previous practice, to the effect that whenever the Minister of Industries felt that protection was to be given as a matter of urgency, then he could by his own order, before coming to Parliament, make a notification in the Gazette, for the purpose, and then subsequently bring forward a Bill before the House. At that time, a foreign Government was in office, and all the Members were very suspicious about the intentions of the Government. I was present in the House then and suggested an amendment to the effect, that if our Standing Committee on Industries had also agreed to the proposal, then only the hon Minister could be authorised to prejudice and place a notification, and later on to bring forward a Bill. Ultimately that Bill was passed. After three years, the matter came up again before this House. In 1950 we passed a Bill, and then again in 1951 also we passed a similar Bill. This is the third Bill which we are asked to pass now. I do not want to go into the history of the matter, because it does not look nice so far as a Member in my position is concerned, to bring all those matters once again before this House. You, Sir, fully remember what objections were taken legally and constitutionally, and you yourself were pleased to comment on that aspect, and you were of the view that as a matter of fact, this House is the only House which has got the full responsibility of passing a measure of this kind, and that the hon. Minister or as such the executive should not be given this power at all. I also placed this aspect of the question before the House, and submitted that according to our Constitution such delegated legislation was not warranted, but at the same time, the point was one which was a bit doubtful, because according to the practice of the House of Commons, such a power was found to be inherent in the Ministers. I—and if I may be allowed to quote you—you also felt that according to our Constitution, we were not well advised in giving this power to the executive, but our hon. Speaker then suggested that a compromise may be effected. The House also felt so, and ultimately a compromise was effected, and we passed that measure. The compromise was that when the House was sitting, within 15 days the Bill had to be brought before the House, and if the House was not sitting then, within 15 days of the re-assembly of Parliament, the Bill could be brought. But there was another essential condition that the Bill must be got through within two months. Otherwise the entire notification etc. were to lose their effect. That was the condition attached.

[Pandit Thakur Das Bhargava]

So far as the personality of our hon. Minister is concerned, I can assure him that we have got the fullest faith in him, and similarly so far as Shri Karmarkar is concerned, who was then the pioneer of that Bill, we also assured him of that confidence. I have no doubt in my mind that the power will not be abused, so far as these hon. Ministers are concerned. I appreciate the words of the hon. Commerce Minister when he said that so far as he is concerned, he is not out to usurp the powers of Parliament. He is perfectly right; so far as he is concerned, we are also not doubtful of him. I am personally not doubtful as to whether he will abuse these powers, or even our present Government.

But at the same time, in passing this Act, the Government want a complete change. It is not that the present Bill is only for a certain period. Previously when we arrived at the compromise, the arguments advanced were that the Bill might be for a particular period only, namely two years. But now the hon. Minister wants to have a complete change in the law. I am really very sorry to see this Bill, because it was only as a compromise arrangement that we agreed to at that time, and it held good only for two years, because we would not agree to a longer period. Therefore the question has come up again after two years. Now the entire law is sought to be changed. I, for one, am very very sorry that we should part with our powers or our rights—not that our Government will not do the right thing, but at the same time, the question arises, what are we here for? Have we not seen that yesterday the Bill was brought before us, and you were agreeable to it to the extent that you want to see it passed today? Does the hon. Minister think that in a Bill of this nature, Parliament will not do its duty? Is he of the opinion that if the Bill is brought before the House, the House will not be alive to its responsibility, and that the Ministers alone could appreciate the difficulty and not Parliament? My submission is that when Parliament is sitting, there is no reason whatsoever, why we should allow those powers to be exercised by any hon. Minister, whether we have confidence in him or not. The House has got a responsibility, and the House must discharge that responsibility. Considering the powers of this House, the responsibility of the House, and articles 105, 110, 117 and 265 of the Constitution, this House has the powers to make laws concerning the levy and collection of taxes and no other individual or body can exercise this power. According to article 265, all taxes must

be levied and collected by the authority of law, and law means a law made by this House. I may submit that I have not gone in detail into these questions at all, but when we are given the power, I do not see any reason why we should depart from the usual practice and allow delegated legislation; until a person goes to the Supreme Court and gets a different interpretation, I do not feel there is any reason why we should give this power at all to the executive. But all the same, when the change is being made in a manner that it is bound to curtail the rights of this House, I am bound to differ. I would therefore, respectfully ask the House to consider carefully whether they are going to accept this particular change in the law.

In a Bill of this nature I find that there is no urgency about the matter. Nothing would have been lost if this Bill had been brought after a month. I could understand the situation in 1946 and 1951 when our nascent industries were being sought to be protected. There time was of the essence, and it might be that if there was delay, the protection that we wanted to afford could not be availed of. But now when the House is sitting—sitting for eight months in the year—there is absolutely no reason why we should not ourselves exercise this right.

If you will kindly see article 119 of the Constitution, it will be found that the Constitution does countenance such a position of emergency. Article 119 says that if it is necessary the House can itself arrange the timing in such a manner that an urgent matter of importance like a Money Bill or something like that, can be disposed in such time as the Speaker and the House choose to take over it. It is a statutory provision and we have been acting up to it, I do not see any difficulty when the House is sitting why the hon. Minister should not come before this House and then try to get the sanction of the House for the proposed protection. When the House is not sitting, I can understand if the power is not given, nothing would be lost, because the Ordinance-making power is there. When an Ordinance is made, we find that the whole Government is committed to it and not only the Minister of Commerce. Therefore, there is an additional safeguard, I should say, and if the President so wants, he can just promulgate an Ordinance. Those days are gone and we are not suspicious of Ordinances. At present if in a matter like this there is an Ordinance, people will appreciate the move and will not condemn it. Even supposing that this power is sought to be taken from the House—and the House seems to be

agreeable because I do not find that any hon. Member has so far tabled an amendment over it, Mr. Guha agrees and wants to make it six months—I do not know in what position people like me should stand. I would rather insist, if the House is not sitting and this power is taken, that within 15 days of the re-assembly a Bill must be introduced. Because what is the difficulty? Six months, I should say, is an unconscionably long time.

**Shri A. C. Guha:** Not for introducing, but.....

**Pandit Thakurdas Bhargava:** I know that. Previously the rule was that it should be passed within two months. Why it is so? Unless the hon. Minister justifies this extension of time, I am loath to give this power to the executive and to see that within two months the law is not passed.

It may be that if this power is once given—I am not speaking of this Ministry or that Minister—it will be very difficult to take it back. If this power is given and the hon. Minister chooses to bring in a Bill and give protection for several months, he can do so, and then withdraw the Bill and just cheat the House of its own powers. This can happen. I can visualise such a situation in which the House will be helpless. If we pass this Bill, my humble submission is that we should insist—and we should not go further than the powers which we gave in the previous Bill—on all those safeguards which we want.

In this matter so far as the personality of the hon. Minister is concerned, as I submitted, I have no doubt he does not want to usurp powers. He himself made a very fighting speech on the last occasion and we all cheered him. I have absolutely no doubt that he has got the best of motives. He was then also actuated by the best of motives and we followed him. We are bound to follow him and we are not going to abjure those lessons or principles which he propounded then. I would respectfully ask him, as he said in his own inimitable way that he does not want to usurp powers, for the safeguards which we have already got. He has made no case before us for changing the principles which we had accepted in the previous Bill. Had he come with some figures and justified that in certain cases the country did lose as we had not given such protection as he wanted, I could have understood it, and then there would have been some case for us to consider a change of law.

Even supposing four Bills were introduced, what would have been lost? Even supposing they were introduced

after 15 days, what would have been lost? Now the duties are changed only from revenue to protective. My humble submission is that we should consider twice before we agree even to the amendment of Mr. Guha and we should see that the law, as it stands, remains there. It was made as a compromise and with the willing consent of all the Members of that House then and I should be very loath to see it changed.

#### EVICTON OF SOME M.Ps. FROM WINDSOR PLACE

**Shri H. N. Mukerjee** (Calcutta North-East): I would beg of you, Sir, to give me some time to refer to a matter which is agitating us very much, that is, the raids on the houses of some Members here which are used for purposes of storing books, documents and all sorts of other things. These have been taken possession of by the police at a time when the matter in dispute was still not settled. Yesterday, Sir, I had a talk with the Speaker over the telephone and there was.....

**Mr. Deputy-Speaker:** The hon. Member refers to some quarters. The matter came up before me and before the Speaker. If any representation has to be made, there is a Committee of the House appointed. If I can be of help, I shall do so. But this is not the forum to discuss this matter. (Interruptions). Whatever it may be, all I would say is that this is not a matter for Parliament to take notice of. There is a Housing Committee with full powers, a Committee of Parliament, not a Committee of Government. Under these circumstances, I will have no objection to talk to the hon. Member inside the Chamber and if I can be of help, I shall do so.

**Shri H. N. Mukerjee:** We cannot have any access to our places and we cannot function as Members of Parliament—those who live there and those who depend on documents which are stored there. We cannot function as Members of Parliament unless access is allowed to those places.

**Mr. Deputy-Speaker:** So far as Parliament is concerned, it is guided by certain rules and regulations. This cannot be a subject matter which can be taken up by Parliament here. All that I can say is that there is a Committee of the House composed of Members of Parliament. If houses are allotted or not allotted etc., that is not a matter which Parliament here can decide.

**Shri Funnoose** (Alleppey): In the ordinary course it is a question of the Committee functioning. But here is a situation in which the residences of