

Shri Naushir Bharucha: The Food Minister must resign.

श्री नवदीप बरुवा : जब रोम जल रहा था तब नीरो बासुरी बजा रहा था ।

Some Hon. Members: We stage a walk-out.

12.25 hrs.

(Some hon. Members then left the House.)

12.25½ hrs.

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

“In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 1st September, 1958, agreed without any amendment to the Armed Forces (Assam and Manipur) Special Powers Bill, 1958, which was passed by the Lok Sabha at its sitting held on the 18th August, 1958.”

12.25½ hrs.

LEAVE OF ABSENCE

Mr. Speaker: The Committee on Absence of Members from the Sittings of the House in their Eighth Report have recommended that leave of absence may be granted to the following Members for the periods indicated in the Report:—

Raja Mahendra Pratap (Mathura): Sir, you have been very kind to us; you have been very kind-hearted but the hon. Minister is hard hearted (Interruptions.)

Mr. Speaker:

1. Shri S. C. Choudhury
2. Shri M. Elias
3. Shrimati Lalita Rajya Laxmi

4. Shri C. Bali Reddy
5. Shri M. Gulam Mohiudeen
6. Shri B. Pocker
7. Shri D. S. Raju
8. Shri U. Muthuramalinga Thevar
9. Shri Indulal Kanaiyalal Yajnik
10. Shri Karsandas Parmar
11. Her Highness Maharani Vijaya Raje Scindia of Gwalior
12. Shri Kamal Narayan Singh

I take it that the House agrees with the recommendations of the Committee.

Hon. Members: Yes.

Mr. Speaker: The Members will be informed accordingly.

12.26½ hrs.

MANIPUR AND TRIPURA (REPEAL OF LAWS) BILL—contd.

Mr. Speaker: The House will now take up further consideration of the following motion moved by Dr. P. S. Deshmukh on the 2nd September 1958, namely:—

“That the Bill to provide for the repeal of certain laws in force in the Union Territories of Manipur and Tripura, be taken into consideration”

Out of the one hour allotted for all the stages of the Bill, 53 minutes now remain.

Shri Laisram Achaw Singh may continue his speech.

श्री धर्जन सिंह भदौरिया (इटावा) : अध्यक्ष महोदय, मैं आपसे जानना चाहता हूँ कि कब तक लोगों को इस सदन को त्यागने के लिये बाध्य किया जाता रहेगा ? इस मुल्क में भुखमरी फैली हुई है । लोग जहर खा खा कर के मर रहे हैं और हम कब तक इस चीज को बरदाश्त करते रह सकते हैं ? आप कब तक लोगों को मजबूर करेंगे कि वे

Mr. Speaker: Order please. There is a State Government and let the hon. Member go there and make his representation.

Shri Arjun Singh Bhadauria: It is the duty of the Central Government and not of the State Government.

12.27 hrs.

(The hon. Member then left the House).

Mr. Speaker: Shri Achaw Singh.

Shri L. Achaw Singh (Inner Manipur): The present Bill seeks to replace the existing Acts on co-operative societies in Tripura and Manipur by Acts from Bombay and Assam. The Union Territories (Laws) Act of 1950 only authorises the Centre to extend certain laws from other States to these Union Territories but it does not authorise the repeal of existing Acts. Hence the introduction of this measure. The Bill, therefore, seeks power from Parliament to repeal existing Acts.

There is a saving clause which provides that anything done under the previous Acts will not be affected by the operation of the new Acts. The Minister-in-charge said yesterday that there were defects in the existing Acts in Tripura and Manipur. I fully agree that these defects have to be removed and also that there should be no lacuna or flaw in the co-operative law which would prevent smooth working of the co-operative societies in Tripura and Manipur.

Now, we are engaged in the implementation of the different development schemes in these Territories. And, it is an accepted fact that the successful implementation of co-operative methods is a pre-condition for the regeneration of our economy in the rural areas, particularly of these Territories.

I have studied the working of the co-operatives very minutely in my own Territory. I may not be familiar

with the actual conditions prevailing in Tripura. But, I am sure that the conditions there are more or less the same as in Manipur.

In Manipur the Co-operative Department was started in 1947 and, since then, there has been very little progress. First, it was started as a Consumers' Society because, just after the War, we were in need of those controlled commodities. The supply and distribution of these controlled commodities were started by these societies. Later on we found that almost all the necessaries were decontrolled and all these co-operative societies were also liquidated.

Then, we made an experiment with the producers' societies, but that was not a success. Most of the money which had been sanctioned or allotted for the co-operative department has been devoted to the appointment of staff. There was little progress except in the multiplication of the staff—not in the actual development of the co-operative societies.

In the co-operative department there is some discontent among the staff; there is some bickering. I understand that wrong recruitment, wrong promotion, wrong transfers and wrong allocation of work among the officers do very great harm to the co-operative movement. Too much interference has also been made in the work of the co-operative officers. So, there has been a lot of *golemal*.

Another feature of the co-operative movement here in Manipur is that the liquidation of societies is proceeding faster than the formation of societies. During the Five Year Plan period, at the beginning the number was 323; it increased to 373. But, on 30th November 1957, the number of co-operative societies of all types stood at 273. That indicates how the co-operative movement is working there. I do not think that the existing Act is responsible for this state of affairs. The fact is that generally co-operative societies are

[Shri L. Achaw Singh]

not allowed to grow there due to the unfavourable conditions created by the Registrar of co-operative societies. He is more popularly known as the liquidator of co-operative societies. The general tendency is to say: let us form co-operatives and get as much loans and subsidies as possible. Most of the societies are of that type. The Government of India is providing loans and subsidies to co-operative societies. Some workers' organisations have been started by unscrupulous persons and they are misusing the fund. I would request the hon. Minister to make an enquiry because serious allegations had been made against the Registrar and the co-operative department. I know some oil crushing co-operative; and some hand pounding co-operatives which have continuously been provided loans without any verification of the actual work done by them. I still doubt whether the extension of the Assam Act would straighten the state of things in the co-operative department. As a result of the unco-operative attitude of the Registrar, genuine co-operative societies have been deprived of the loans and subsidies. There is the M.D.U. co-operative bank which was started in 1947 and it is the only co-operative bank which has done great service to the cause of small scale producers, hand-loom industries and various other cottage industries. But an attempt is being made to liquidate this bank and loan application; from this co-operative bank are held up. There was also an attempt to liquidate the Manipur agrarian co-operative society. It made a huge profit during the First Plan. Then it was liquidated. Now, we find that another central co-operative marketing society has been established and it has been allotted the work of procurement of rice. Rice business is very lucrative in Manipur. When this function has been allotted to this co-operative society, I think the prospects are very bright. I welcome the establishment of this new central co-operative marketing society and if the Government wants to make it a

success, I request a larger margin of profit should be provided to this co-operative society. The procurement price is Rs. 10 per maund and they are given only one anna per maund as profit.

[MR. DEPUTY SPEAKER in the Chair]

12.35 hrs.

If necessary the procurement price of rice should be put at a higher level at Rs. 12 and a large proportion of profit margin should be allowed to them. I would like to say only one word about the comparative merits of the Assam Act and the Bombay Act. I do not know why different Acts have been applied to Manipur and Tripura. I find the Assam Act defective because the Registrar has been given very wide and sweeping powers and no civil court has got any jurisdiction over him. This is dangerous and that is why I say that this Assam Act would not suit the conditions in Manipur. The Bombay Act is superior because there is a provision for the constitution of a tribunal to hear appeals from the Registrar. There are also provisions for financial assistance to the less developed and young societies etc. There is a special provision for farming co-operatives. If that Act would have been applied it would have been better. I am informed that the Ministry of Agriculture has constituted a committee to produce a model Act for the whole of India and bye-laws and rules there under. That would be the best. My fear is that this Assam Act will again be repealed and another Act will again be applied. Lastly my feeling is that the extension of the law to the Union Territory is creating confusion. The working of the Union Territories Act, 1950 has been very much discouraging. We find that acts from all parts of India have been applied to the Union Territories, for instance, the Bihar Loudspeakers Act, the Vidarbha Land Reforms Act, the Madras Livestock Act have been applied to my territory. Then, the

Government takes one or two provisions from here and one or two from there and removes two or three from there Or, some provisions are applied in a modified form All these things create confusion In spite of the best intentions of the Central Government, these laws have not fulfilled the expectations of our people That is why I would rather suggest that giving power to the Central Government to extend all kinds of laws to such territories is not satisfactory It may be argued that Parliament has no time to make legislation for all these Union Territories I submit that now we have got the Territorial Councils They have been elected on adult franchise All the members are there and they are given Rs 100 per month and allowances I would ask the Government to allow these Territorial Councils to legislate on subjects which they know best They know the circumstances, the conditions and the difficulties and so I would request the Government to invest these Territorial Councils with legislative power

Shri Dasaratha Deb (Tripura) Sir, I agree with the hon Minister when he says that the Tripura Co-operative Societies Act, 1958 (Tripura Era) and the Tripura Kuid Niyamak Bidhi 1913 (Tripura Era) are insufficient to deal with the situation in the Tripura State Our people have also been demanding that this outmoded law should be amended so as to meet the local situation there But at the same time I cannot agree with the way it is sought to be done It would have been better if our Minister has brought all the Acts the Bombay Co-operative Societies Act and also the Bombay Money Lenders Act so that they may be discussed in the House I do not know why the Minister wanted to bypass the Parliament by asking us simply to give our consent whether this particular Act should be extended to my State or not They should have examined the whole case I request that in future, if they want to bring any legislation for the Union Territories, they should bring a whole

Bill so that Parliament may get an opportunity to examine it in details At the same time I also want to say something about the co-operative movement in Tripura and state how things are going on there During the last five years we saw the emergence of a number of co-operative societies throughout the whole State I cannot give the exact number, but there are about four hundred in our State at present So far as these co-operative societies are concerned, though their nature is multi-purpose, up till now they have been mainly dealing with rural credit At the same time there is ample scope in our State to develop this co-operative movement, because it is a backward agricultural area and more than 77 per cent of the people are agriculturists And these people are suffering at the hands of the unscrupulous money-lenders, etc They have to take loans from the mahajan that is the money-lenders, at exorbitant rates of interest, sometimes at the rate of 100 per cent, sometimes at 300 per cent or even more So it would be very desirable for the Government if they take steps to establish and develop co-operative societies there, as also a land mortgage bank from which at least the peasantry can get some loans by mortgaging their land itself But at present these things are not there

I want to draw the attention of the hon the Minister of Cooperation to another aspect of the matter Though in our State we have now got more than four hundred co-operative societies, it cannot be said that these co-operative societies have been put on a sound basis Because, these co-operative societies mainly deal with one Co-operative Officer who is all in all The co-operative officer, and the Co-operative Department, with the Co-operative Officers at the top, they always interfere with the democratic functioning of the co-operative societies I may particularly mention here the co-operative societies which have been formed under the auspices of the Relief and Rehabilitation Department Their number is near-

[Shri Dasaratha Deb]

about seventy-five. In most of these co-operative societies the key offices, that is the Chairmanship, the Vice-Chairmanship and the office of the General Secretary of the co-operative societies, all these posts are held by the Rehabilitation Officers themselves and not by any member of the co-operative society. Only, they selected some seven employees from these people.

Also, the people were not encouraged in coming to the co-operative societies. Because, although this executive committee is formed, it remains as a mere paper organisation and practically they have no function to perform.

About this Department also I can give you some very interesting example. On the 22nd October, 1956, the Co-operative Officer, Tripura addressed a letter asking the executive committees of all the co-operative societies existing in the colonies to pass a resolution asking the Rehabilitation Department to deposit all their amounts with the Sales Emporia which have been formed to purchase beedi leaves tobacco etc. You know, under the Relief and Rehabilitation Department there was a beedi scheme, forty-one schemes to help the beedi industry, and also the dhenki scheme. This scheme was built under the Co-operative Department, and the Relief and Rehabilitation Department had sanctioned Rs. 2,000 as loan to each of the co-operative societies. The Co-operative Officer himself asked the executive committees of the co-operative societies to pass a resolution so that all this money should be deposited with the Sales Emporia. And the result is very serious. You know that the Sales Emporium did not supply the better beedi and tobacco leaf with the result that the co-operative society had to incur a heavy loss, and most of the beedi industries are not functioning now. Even among these seventy-five co-operative societies, most of them are now non-existent,

because the people are not getting any encouragement.

And that is why I say that simply extending the Bombay Co-operative Societies Act will not give much help to our State unless Government take special care to develop these co-operatives and also give a chance to the people themselves to work in the co-operative societies.

There is another thing. I do not know—the Relief and Rehabilitation Department might have known about it—but I understand that this money which has been advanced to the co-operative societies from the Relief and Rehabilitation Department does not come under the jurisdiction of the audit of the Relief and Rehabilitation Department even. I do not know whether any arrangement is there at least to make an audit of these accounts. So far as my knowledge goes, the Relief and Rehabilitation Department finds it very difficult: when the Audit party goes there they find it very difficult to know whether this money is actually utilised for useful purposes, for any gainful purposes of relief. They cannot say. And whenever those people are asked about it, their reply is, "It is under the Co-operative Department; it is not within our jurisdiction; so we cannot audit them". That is the position. Whether any audit has been done regarding the money which has been spent by the Co-operative Department, I do not know. If it has not been done, I think the hon. Minister should take note of it and take special steps so that this audit is made without further delay.

I may draw attention to another matter. Some time ago the Central Marketing Co-operative Society has been formed at Agartala town itself. But this Central Marketing Society is constituted in such a way that it cannot be said to be a central marketing co-operative society, because it is not constituted with the representatives of all the co-operative societies at the base. As a matter

of fact, no such marketing society at the base does exist in Tripura. This Central Marketing Society was formed at the initiative of the Co-operative Officers and also the District Magistrates of Tripura Administration. And the persons who were selected to it were according to the likings of these people. And only some small group of businessmen who are known to be corrupt people, always engaged in black-marketing and other things, only these people are getting this benefit. And lakhs of rupees have been advanced to that co-operative society.

I suggest that if Government want to have a Central Marketing Co-operative Society, they must first build up these co-operatives at the base, and after forming those co-operatives they should constitute a Central Marketing Co-operative Society, taking into it the representatives of all those societies. Then it will function very smoothly and it will be helpful to the people also. But if you form it from the top without keeping any contact with the base, then it cannot produce any good results.

You may say that some money should go to this particular section of the people. It is a very interesting thing. I do not want to mention the name, but in the Central Marketing Society the elder brother of the Co-operative Officer is also one of the members; he is the pioneer of that co-operative society. And, secondly, I want to draw the attention of the House to another matter. There is another co-operative society, that is the Co-operative Transport Society which is also one of the most fortunate organisations which have been receiving a large amount of funds from the Co-operative Department. I suppose that the amount is not less than a lakh of rupees; it may be more. And the same set of people are controlling this Transport Co-operative Society also. In that

Committee also the elder brother of the Co-operative Officer is a member. He is not only a member, he is the most important member of this committee. I do not know why these things are allowed to go on I think the Centre also must take note of this and take steps in this matter.

I also want to draw the attention of the hon. Minister to another point. There are certain co-operative societies which have been formed with the initiative of the people. There is the co-operative society of Kolaghachia area, for example. That is a very small co-operative society. The people there wanted to start that co-operative society, and they also wanted to distribute rations. They applied to the Government for permission to distribute rations. But this co-operative society was not given that permission, and some particular person who does not belong to any co-operative society was given permission. He was also given stocks of rice to be distributed in that area, whereas the co-operative society was not allowed to do so. If it is the policy of the Government to see that our co-operative societies develop and they play a great role in the development of the rural area, I think they must be given the required encouragement from the Government side also.

There is one co-operative society formed in the Julaibari area in Belonia Sub-Division. That co-operative society, so far as my knowledge goes, is running very well. Auditing is being done every year, and they also have stocked rice purchased from open market when the price was considerably lower. They have also collected funds out of that. They bought rice from the local people and kept it in stock. Recently, when in Tripura we were passing a grave food crisis, this co-operative society on their own initiative offered to the Tripura Government to supply rice at Rs. 20 or Rs. 22 a maund, whereas in the local market the price of rice at that time

[Shri Dasaratha Deb]

was Rs. 40 to Rs. 45 a maund. But at that time the Government did not allow this co-operative society to bring that rice to Agartala, even though they were prepared to deposit that rice in the Government godown.

Shri Mahanty (Dhenkanal): Sir, there is no quorum in the House. Has the Congress Party also joined the walk-out?

The Minister of Parliamentary Affairs (Shri Satya Narayan Sinha): Contagion is spreading.

Mr. Deputy-Speaker: The bell is being rung—Now there is quorum. The hon. Member, Shri Dasaratha Deb, may continue his speech.

Shri Dasaratha Deb: Sir, I was speaking about the Julaibari Co-operative Society. My point is not that the Government should look after a particular co-operative society, but what I say is that Government should look after the entire co-operative societies in Tripura so that they can develop with the help of Government.

At the same time, Sir, one point should be borne in mind. Now under the Tribal Welfare Department some co-operative societies are going to be formed, and some have already been formed in Tripura. In those cases Government is applying their mind to see that some office bearer, either Secretary or President, should be a Government employee. The people who have purchased shares in the co-operative societies are not taken into confidence. When I talked to the Relief and Rehabilitation Minister and also the Home Minister about this matter, their reply was: "We are advancing a good amount of money. These refugee people have come from various parts. They do not know each other in the colony. If we do not put our officers at the top there will be misuse of money. Therefore, in order to have a check on that we have selected our officers to be at the top." I do not think this argument can stand.

If you do not have any confidence at all in the people, do not form any co-operative society, do not talk of co-operation of the people. If you really want to develop co-operative societies, you must have the co-operation of people, you must take people into confidence, at least those who come forward to form co-operative societies. Regarding tribal welfare, there may be one or two cases where some local people might have become Secretary or Chairman, but in most cases Government officers are put up. Actually these co-operative societies particularly those which were under the Relief and Rehabilitation Department have no right to take up their own programme. It is the Relief Department which thrust upon them certain programme which they are asked to implement. They have no right to say whether that particular programme would be beneficial to the co-operative society or not. That is why, Sir, a larger number of failures occur and losses are being incurred in these co-operative societies.

I would request the hon. Minister to look into this aspect of the matter. There should be some arrangement whereby we can avoid all these irregularities, avoid all these difficulties, avoid all this misuse of money, and we can develop these co-operative societies. What I suggest is, the members of co-operative societies should have full freedom to elect their executive committee. Government should not put any condition that an officer of the Government must be taken in that committee. There should not be any such binding on them from the Government side. Also, there must be some provision by which at least a periodical audit should be made. If such a provision is there, there will be some officer of the Government to help the executive committee to deal with the matter.

There is one more thing. At present there are some laws relating to

co-operative societies, but the Co-operative Officer at the top is himself violating the bye-laws. That should not be allowed. He should not be allowed to violate the bye-laws.

I understand, Sir, that a good number of co-operative societies have applied for registration. Even there is some discrepancy, because it all depends upon the co-operative Officer. If he does not like a particular co-operative society, registration would not be given to that society. I understand that there are still quite a number of co-operative societies remaining un-registered even though they applied for registration three or four years back.

Finally, Sir, I suggest that co-operative societies of landless people in our State should be formed, and through these co-operative societies land should be given to the landless people. There are no such co-operative societies at present. I do not know whether there is any such provision for that, because there are certain terms and conditions under which ordinary poor people cannot become members of co-operative societies. Poor people cannot fulfil those terms and conditions. The rate of interest and the registration fee should be lowered. The value of shares also should be lowered so that a large number of agricultural labour, landless labour and tribal people can come into the co-operative societies.

I would also say, even though an agricultural co-operative bank has been started one year before, the capital of that bank is not sufficient to meet the requirements of that area. That is why I would suggest to the hon. Minister that several branches of that co-operative bank should be started, and there should be provision to the effect that people may get loans from that bank by mortgaging their land either individually or by group, in cases where some people are in need of money and they have not

sufficient land to be mortgaged. These people can form themselves into a group and come to some agreement. If such a co-operative society is formed it will play a great role in our State. I have done.

13 hrs.

BUSINESS OF THE HOUSE

Mr. Deputy-Speaker: There is a motion for discussion fixed at 4 P.M. today. The notice of it has been given by Shri Rajendra Singh, Shri Naushir Bharucha, Shri Goray, Shri Mathur, Shri Tangamani and Shri Kodiyan and the discussion is to last for two hours. I have been asked to advance it by one hour, so that the House may rise by five. There is a Cabinet meeting and this time is perhaps more convenient to Government. I hope hon. Members have no objection if we advance it by one hour. The motion will be taken up at 3 o'clock and discussion will last till five.

Some Hon. Members: We have no objection.

Mr. Deputy-Speaker: It is all right. In the meanwhile I will ask that the Members may be informed so that they may not be taken unawares. They should know, so that they may be present.

13.02 hrs.

MANIPUR AND TRIPURA (REPEAL OF LAWS) BILL—Contd.

Shri A. C. Guha (Barasat): Mr. Deputy-Speaker, Sir, I have not been able to understand the reason why the existing Manipur Act is being repealed and is replaced by another Act. The hon. Minister cited certain defects in the Act. I think those could have been amended and rectified.

Sir, I raise this question on a fundamental issue. This sort of block legislation seeking to enforce Acts consisting of eighty to eighty-five sections

[Shri A. C. Guha]

by this small Act should be opposed by this House. I think this is not a good procedure to be followed. By this small Bill, we are asked to enact four Acts in all having about 200 sections and even more. It is not possible for the Members of this House to give proper attention to the different sections in those few Acts. That is why I raise this question that instead of amending the Manipur Act what was the necessity of repealing that Act and replacing it by another Act?

Then, Sir, I would like to raise another question. If for Manipur the Assam Act was found quite good, I cannot understand why it was not found good for Tripura and the Bombay Act was necessary for that State. Manipur and Tripura are more or less contiguous, though not exactly. Economic conditions and social conditions in both the States are more or less alike. I think there should have been a uniform legislation in this matter. If the Assam Act was found good enough for Manipur, I do not see any reason why it was not found good enough for Tripura also.

In this connection I would like to remind the hon. Minister that in the States Reorganisation Commission's report there was a suggestion that these Union Territories might be amalgamated with Assam. That matter was not pursued further. The temper of the people then prevailing did not encourage that proposal. I do not think that proposal has been altogether abandoned for ever. If ever these territories are to be coordinated with Assam even on that consideration the Assam Act should have been made applicable to both these territories. Anyhow, whatever might be the Act that might have been made applicable to both the territories. It should have been the same Act operating in these two territories.

In regard to the Bombay Act, my difficulty is that the conditions prevailing in Bombay are very much different from those prevailing in

Tripura, not only with regard to social and economic conditions but also with regard to development of co-operatives and the availability of credit. I am not quite sure whether the Bombay Act would be quite proper or suitable for the conditions prevailing in Tripura. As for the Tripura Kushid Niyamak Bidhi, the moneylender's licence fee is from Rs. 15 to Rs. 150 whereas under the Bombay Act the moneylender's licence fee Rs. 5 if the moneylender has transaction in one place and an addition of Rs. 2 for his second and third place transaction, besides the principal place of transaction. When the Tripura Act was passed many many years ago the moneylender's fees were based according to the value of money prevailing then. I do not understand why under the present value of money the moneylender's fee is so drastically reduced.

Lastly, the hon. Minister said that the Tripura and Manipur Governments have given their consent or have asked their old Acts to be repealed. He has not mentioned anything as to whether the Advisory Committees of these two States have also been consulted in this matter. These are composed of elected representatives. I think in a matter like this the Advisory Committees of both the States should have been consulted as to which Act would have been more suitable for them and which provisions would have been more convenient for the development of cooperatives. As regards the desirability of developing cooperatives there cannot be any difference of opinion, but my only apprehension is that two different Acts should not have been applied to two different territories. For both of them the Assam Act could have been applied. The Bombay Act may not be quite suitable for the conditions prevailing in Tripura.

Shri Bangshi Thakur (Tripura—Reserved—Sch. Tribes): Sir, I would like to say something about this Bill as far as Tripura is concerned.

The Manipur and Tripura (Repeal of Laws) Bill, introduces the Bombay Co-operative Societies Act, 1925 and the Bombay Moneylenders Act, 1946, in place of the Tripura Cooperative Societies Act, 1958 T.E., and the Tripura Kushid Niyamak Bidhi (2 of 1913 T.E) respectively. The Statement of Objects and Reasons says that as the old Acts do not fit in with the circumstances, this replacement is being made.

As far as the purpose of the Bill is concerned, I support it. At the same time I would like to mention that if one of the intention of such replacement is to get rid of the heavy burden of rural indebtedness, then that purpose is not likely to be served. However, I welcome the introduction of the new Acts to Tripura. At the same time I would like to invite the attention of the hon. minister to the necessity of addition to, or alteration of, the new Acts from time to time, with a view to safeguard the interests of the peasants of Tripura and to save them from the clutches of the moneylenders, the best remedy, in my opinion, would have been to start land mortgage banks, under the State Bank or the Reserve Bank. That would save the peasants from the exploitation of the moneylenders who will try to by-pass this Act somehow or other as they are accustomed to it. That is all I wish to say.

The Minister of Co-operation (Dr. P. S. Deshmukh): I am glad that this Bill has provided an opportunity to the hon. Members interested in Tripura and Manipur to give to the House their own view about the working of the co-operative societies in these two areas. It was questioned by some hon. Members as to why we should have two Acts for two different areas and why not the Assam Act be made applicable to both Manipur and Tripura. The reason for this is that the Bombay Act is considered to be more progressive and that was also the demand of Tripura. That is why we have applied the Bombay Act to the territory of Tripura.

I may also say that both the advisory councils of Manipur and Tripura have approved of the changes we have proposed and incorporated in this Bill. So it is not only the Governments but the advisory councils also that have supported the particular choice of the enactments which are going to be made applicable hereafter to these two areas.

It is not possible for me to go into all the defects in the working of the co-operatives which have been pointed out, nor is the Bill by itself going to bring about any very radical change, although the intention is there. The intention is limited. The Bill is intended to remove certain defects. The provisions which contravene the principles of co-operation and certain other authorities which were exercised by officers are intended to be really taken away. My hon. friend complained that there are very many officers who do not act in the interests of co-operation very much, but work in various ways—the brother being the officer and another man controlling the co-operative society and so on. These things were possible under the existing law. These would not be possible hereafter since we have placed a certain amount of check.

My hon. friend also complained that there is no provision for audit and that audits are not being regularly done. This is also one of our intentions—that there should be regular audits, and provisions for audit will be there as soon as this new Act is applied. So, it will be seen that the intention behind this Bill is to improve the co-operative movement, but everything that we desire cannot be done by merely enacting this legislation. It will, however, certainly give us larger opportunities to reorganise certain societies and make them viable by amalgamation and other such measures and thus to advance far more money to the cultivators than was possible so far. This was the main idea with which this change is being brought about. As everybody knows, the co-operative credit is going to be increased very rapidly and I hope that we will be

[Dr. P. S. Deshmukh]

able to do it and bring about the same expansion of co-operative credit in these two areas also.

We will carefully note and take into consideration all the defects that have been pointed out, whether they are against particular officials or against the system of our governance there, and at the same time I can also assure my hon. friend that it is not our intention that the co-operatives should be controlled by officials. There may be circumstances which require some supervision and so on, but we will always reduce it to the minimum and always try to see that the spirit of co-operation is maintained. So, I can safely say that we will make every possible endeavour to see that co-operatives are worked on proper co-operative spirit.

Shri A. C. Guha also spoke, and he complained that we were being asked to approve of the application of an enactment within such a short time without giving them an opportunity of going through the whole Act and so on. That is true; I must say that the complaint is to a certain extent correct, but there is not much damage done or not much disadvantage to anybody, because these Acts are more or less of a model nature. If they are applied without having a detailed discussion in this House, so long as we have the consent of the advisory councils, I do not think my hon. friend's objection need be taken very seriously. If any of the provisions in either of these two Acts are not suitable to the area concerned, I am sure the advisory councils can always write to us and tell us that they would like certain changes to be made, and then we will be glad to bring them about. Of course, if we want to bring every legislation here and discuss it in Parliament,—legislation regarding the States of Tripura and Manipur—I do not know how much time it will take and how much time we will be able to spare for such legislation. That is the reason why we have taken the short cut. But I can assure the House

that the reason why Manipur has been given the Assam Act is that the organisation there is on the model of Assam, and that is also the demand of the advisory council there.

I have also noted the demand for land mortgage banks made by my hon. friend over there. We will see what can be done. I do not know if any effort has so far been made. There have also been complaints about the central marketing society that were organised there. I promise that I would look into the working of them. In a way, the contention is correct, namely, that it is no use having an apex marketing society without having any base, but sometimes we cannot wait so long as to provide a base in every possible area. We have tried to protect the interests of the people, but if the society is not protecting the interests, then of course, we stand, so to say, condemned. I mean that the remedy did not accomplish the good that was expected. But here also, we will certainly examine it, and if there is a possibility of improvement, we will certainly bring it about.

I think one of my hon. friends also suggested a central marketing organisation for the whole of India so that it will be possible to give some guidance and direction and advice or support to the central marketing organisations in Manipur and Tripura. We are contemplating to have such a central organisation and when that comes into being we will see what help we can render.

I do not think I need take more time of the House. I have already stated that we will note all the points and wherever we find that the defects exist we will try to remedy them. There was reference also to something being done by the Rehabilitation Department and certain other departments like the Tribal Welfare Department and so on. I have not got all the information. If there are any points which require being looked

into, we will see that relevant departments are addressed and the necessary relief given.

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the repeal of certain laws in force in the Union territories of Manipur and Tripura be taken into consideration".

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments. I shall put the question. The question is:

"That clauses 2 to 4, clause 1, the Enacting Formula and the Title stand part of the Bill".

The motion was adopted.

Clauses 2 to 4, clause 1, the Enacting Formula and the Title were added to the Bill

Dr. P. S. Deshmukh: I beg to move:

"That the Bill be passed".

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed"

Shri Dasaratha Deb: So far as the Bombay Moneylenders Act is concerned, it was considered by the Advisory Committee and at one time some suggestion was made, which was also accepted. I am not quite sure whether that amendment could be incorporated here or whether it will be extended exactly in the form as it is.

Regarding the Bombay Co-operative Societies Act, I request the Minister that if it is found to be unsuitable for our State, at least after 6 months or one year later, they should bring that Act before Parliament and get it examined here.

Shri L. Achaw Singh: In the Bombay Act, there is no express provision for appeal to the State Government

against the decisions of the Registrar. Under sub-section (3) of section 18, no appeal shall lie to the State Government from the decisions of the Registrar. This matter has also been discussed by the Advisory Committee and doubts and objections have been raised about that particular section. So, there should be express provision for the constitution of a tribunal. I request the Minister to see if it would be possible to have some amendment of that section.

Then, one word about the money-lending business in Manipur. We want some Act to regulate the conditions of moneylending. In the rural area, it is 50 per cent on secured loans and 120 per cent on unsecured loans. In the urban area, it is 25 per cent on secured loans and 50 per cent on unsecured loans. So, something must be done, so that there may be some enactment to regulate the conditions of moneylending there also.

Dr. P. S. Deshmukh: Both the enactments are really intended to meet the very situation which my friend has just described. Greater co-operative credit is intended, so that the farmers may not be required to pay exorbitant interests charged by the moneylenders and we are also trying to give cheaper credit to the co-operatives.

The Moneylenders Act is also intended to check the exorbitant interest they charge. I may also inform my friend, Mr. Deb, that the Bombay Moneylenders Act has been amended by notification to the extent that the Advisory Committee for Tripura wanted us to do. They made certain suggestions. Those suggestions will be accepted and incorporated in the notification. He also asked whether we will be able to change it if it is found that this Act is found to be unsuitable to conditions in Tripura. Certainly we will be ready to change it if the Advisory Council and the people think that it is unsuitable and if something more suitable to them could be had. We will always consider their representations and suggestions sympathetically.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

13.24 hrs.

RAJGHAT SAMADHI (AMENDMENT) BILL

The Minister of Works, Housing and Supply (Shri K. C. Reddy): I beg to move:

"That the Bill to amend the Rajghat Samadhi Act, 1951 be taken into consideration."

This Bill seeks to amend certain provisions of the Rajghat Samadhi Act, 1951. With a view to maintain the Samadhi and to administer it properly, a statutory committee was constituted by the Act of 1951. At the time that Act was passed, the Samadhi was within the jurisdiction of the New Delhi Municipal Committee. Since then, as the House is aware, the Delhi Municipal Corporation Act has been passed and the Samadhi has come within the jurisdiction of the Delhi Corporation. Under the Act of 1951, the President of the New Delhi Municipal Committee was to be an *ex-officio* member of the committee. Now, it is proposed to amend the Act to make the Mayor of the Delhi Corporation an *ex-officio* member, instead of the President of the New Delhi Municipal Committee.

Secondly, when the Act was passed in 1951, there was only one House of Parliament, and there was a clause in that Act that two members were to be nominated by the Speaker. Now since we have two Houses of Parliament—the Lok Sabha and the Rajya Sabha—it is felt that representation should be given to both the Houses. It is the convention that the proportion of members in several committees

from Lok Sabha and Rajya Sabha is 2:1. So, instead of two members to be nominated by the Speaker as was provided under the 1951 Act, it is now proposed to amend the Act to provide for three Members of Parliament to be members of this committee, two to be elected by the Members of the Lok Sabha and one by the Members of the Rajya Sabha.

Thirdly, in the original Act, the tenure of membership of the Members of Parliament was not specifically laid down. The Committee on Subordinate Legislation, in its first report submitted to the House in 1957, recommended that it is very necessary that the tenure of membership should be specifically mentioned. That committee also recommended that this tenure of membership may be co-terminous with the membership of the particular person elected from either House.

With a view to make these changes, the present amending Bill has been brought forward. I do not want to go into the other aspects of the matter. Some amendments have been given notice of: I shall have occasion to speak about them when they are moved. It is a very simple amending Bill and I have explained the reasons why these amendments are proposed to be made now.

Sir, I move

Mr. Deputy-Speaker: Motion moved:

"That the Bill to amend the Rajghat Samadhi Act, 1951 be taken into consideration"

Shri Shree Narayan Das (Darbhanga): Sir, this amending Bill is a simple one. Certain provisions of the original Act are going to be amended with a view to giving increased representation to Members of Parliament. Also, since the Delhi Corporation has been constituted, it is necessary that representation should be given to that