

MR. DEPUTY CHAIRMAN: Now, I shall put The Jharkhand Contingency Fund (Amendment) Bill, 2009 to vote. The question is:

That the Bill to amend the Jharkhand Contingency Fund Act, 2001, as passed by Lok Sabha, be taken into consideration.

*The motion was adopted.*

MR. DEPUTY CHAIRMAN: Now, we shall take up Clause-by-Clause consideration of the Bill.

*Clauses 2 and 3 were added to the Bill.*

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

SHRI NAMO NARAIN MEENA: Sir, I move:

That the Bill be returned.

*The question was put and the motion was adopted.*

**The Essential Commodities (Amendment and Validation) Bill, 2009**

MR. DEPUTY CHAIRMAN: Now, we shall take up the Essential Commodities (Amendment and Validation) Bill, 2009. Mr. Minister, Prof. K.V. Thomas.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND THE MINISTER OF STATE IN THE MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION (PROF. K. V. THOMAS): Sir, I beg to move:

That the Bill further to amend the Essential Commodities Act, 1955 and to make provisions for validation of certain orders issued by the Central Government determining the price of levy sugar and actions taken under those orders and for matters connected therewith, as passed by Lok Sabha, be taken into consideration.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: Shri Arun Jaitley, not here. Shri Kalraj Mishra.

**श्री कलराज मिश्र (उत्तर प्रदेश) :** माननीय उपसभापति जी, अभी जो विधेयक लाया गया है, जो पहले अध्यादेश के रूप में घोषित किया गया था, आवश्यक वस्तु (संशोधन और विधिमान्यकरण) विधेयक, 2009, इसमें जिस प्रकार के संशोधन हैं, उन संशोधनों को देखने के बाद यह लगता है कि भारत के गन्ना उत्पादक किसानों के साथ विभेदपूर्ण व्यवहार किया गया है और इस प्रकार की स्थिति निर्माण की गई है, जिससे लगता है कि सरकार पूर्ण रूप से मिल मालिकों को हर तरह से समर्थन देने के पक्ष में है। गन्ना उत्पादक किसान का हित जितना भी नुकसान की तरफ हो, उसकी चिन्ता नहीं की गई है, लेकिन मिल मालिक को फायदा हो, इस दिशा में प्रयत्न है।

**[उपसभाध्यक्ष (प्रो. पी.जे. कुरियन) पीठासीन हुए]**

पूरे विधेयक में इसी बात का जोर है, भले ही प्रारम्भ में, उसकी पृष्ठभूमि में विभिन्न मुकदमों का जिक्र किया गया है और मुकदमों के माध्यम से ही यह जताने की कोशिश की गई है कि जो लेवी सुगर है, उसका जो Statutory Minimum Price है, इसको इस ढंग से सुनिश्चित किया जाए, जिसके कारण मिल मालिक को फायदा हो। गन्ना उत्पादक किसान की इसमें पूरे तौर पर उपेक्षा की गई है। अध्यादेश के माध्यम से देश के सामने जो बात रखी गई है और आज जो कानून बनाने की बात कही जा रही है, उसमें पूरे देश में fair and remunerative price एक ही होगी, इस प्रकार की बात कही गई और जो भी इस संशोधन के अन्तर्गत धारा थी, जिसके आधार पर State Advisory Price भी सुनिश्चित करेगा और जो अन्तर होगा, SMP और SAP में, उस अन्तर को मिल मालिक और स्टेट, दोनों मिल कर पूरा करेंगे।

इसमें परिवर्तन यह किया गया है कि पूरे देश में एक ही प्राइस होगी। अगर कोई राज्य सरकार इसे बढ़ाती है, तो इस अन्तर को उस राज्य सरकार को पूरा करना पड़ेगा। मान्यवर, इसके कारण किसानों का बड़ा नुकसान होगा, क्योंकि गन्ने की उत्पादकता देश में विभिन्न क्षेत्रों में भिन्न-भिन्न प्रकार की है। वहाँ की जलवायु, वहाँ के कृषि-सम्बन्धी संसाधन, वहाँ के फसल उत्पादन का सुनिश्चित अवसर, अवधि कब हो, आदि ये कुछ ऐसी चीजें हैं, जो पूरे देश में अलग-अलग स्वरूप स्थापित करती हैं। इसलिए सब जगह समान रूप से गन्ने का उत्पादन होगा, ऐसा नहीं रहता है और उसी के आधार पर गन्ना मिलों में जब गन्ना जाता है तब उसकी रिकवरी जो होती है, वह अलग-अलग होती है। अभी प्रणब बाबू अपने एक जवाब में बोल रहे थे, तब कह रहे थे कि जहाँ कहीं 8.5 परसेंट की भी रिकवरी है, उसको भी हमें ज्यादा देना पड़ रहा है और कहीं 9.5 परसेंट और उससे ज्यादा की रिकवरी है, जैसे 10 परसेंट या 11 परसेंट की रिकवरी है। वह गन्ना की गुणवत्ता के आधार पर निर्भर करता है। इसलिए जो ज्यादा गुणवत्ता वाले गन्ना को विस्तृत रूप से करने वाले क्षेत्र हैं, कृषि-क्षेत्र हैं, वहाँ तो उन किसानों को लाभ होगा, लेकिन जहाँ इस प्रकार की गुणवत्ता नहीं है, वह चाहे उत्तर प्रदेश हो, पूर्वी उत्तर प्रदेश हो, बिहार का क्षेत्र हो, जहाँ रिकवरी बहुत कम है, वहाँ बड़ा नुकसान हो जाएगा तथा वहाँ का किसान सर्वाधिक परेशान होगा। मुझे लगता है कि इस संशोधन में इस बात का गम्भीरता से विचार नहीं किया गया है।

महोदय, आदरणीय पवार जी बड़े योग्य मंत्री हैं। किसानों के बारे में उनकी एक अपनी दृष्टि है। पूरे देश-भर में कृषि उत्पादन क्षेत्र कौन-कौन-से हैं, गन्ना उत्पादन क्षेत्र कौन-कौन-से हैं, उनकी जलवायु कैसी है, उनकी स्थिति कैसी है, उसके बारे में उनको जानकारी नहीं होगी, ऐसा नहीं है। हर चीज के बारे में उनको जानकारी है। लेकिन, जानकारी होने के बावजूद भी यह जो अमेंडमेंट किया गया है, यह बड़ा खतरनाक amendment है। इसमें इन्होंने जो कहा कि खंड 3 बी के रूप में इसमें जोड़ा जाएगा। जो खंड तीन में है, जिसमें जहाँ SMP तय की जाएगी, वहीं यह भी प्रावधान है कि अलग से, SAP के हिसाब से भी, प्राइस सुनिश्चित की जा सकती है। स्टेट एडवाइजरी प्राइस, गन्ना में जो लागत लगती है, वह और लागत के साथ-ही-साथ किसानों को जो लाभकारी मूल्य प्राप्त हो सकता है, उसको ध्यान में रख कर SAP तय की जाती है। SMP जो तय की जाती है, उसमें जो लेवी सुगर है, उस लेवी सुगर का कम-से-कम कितना दाम सुनिश्चित किया जाए, उसका यह भी भाव रहता है कि उपभोक्ता को सस्ती दर पर चीनी मिले तथा चीनी मिल मालिकों को नुकसान भी न होने पाए। इसीलिए लेवी सुगर के आधार पर SMP तय करते हैं। गन्ना उत्पादन की लागत और किसानों को कैसे लाभ प्रदान हो सकता है, इन सारी चीजों को ध्यान में रखते हुए SAP तय होती है। इसलिए SMP और SAP में बहुत फर्क होता है। उत्तर प्रदेश में हम SAP तय करते हैं। मैं आपको बताना चाहूँगा कि SAP और SMP का जो अंतर है, उसका कुछ वर्षों का उदाहरण मैं आपको देना चाहूँगा। उससे यह बात समझ में आ जाएगी कि ऐसा क्यों तय करते हैं। 2001-2002 में SAP 95 रुपए थी और केन्द्र सरकार ने 62.05 रुपए तय किया था।

इसमें 32.95 का अंतर है। वर्ष 2002-03 में एसएपी 95, एसएमपी 64.50 है और अंतर 30.50 है। इसी ढंग से 2004-05 में एसएपी 107, एसएमपी 74.50, 2005-06 में 115 एसएपी और एसएमपी 79.50, 2006-07 में एसएपी 125 और एसएमपी 80.25, 2007-08 में एसएपी 125 और एसएमपी 81.18, 2008-09 में एसएपी 140 और एसएमपी 81.18 और 2009-10 में 165 एसएपी और एसएमपी 107.76 था, लेकिन इसी 2009-10 में यह जो अध्यादेश के माध्यम से 129.84 की घोषणा की गई। अब 129.84 पूरे देश के लिए - और अगर इसमें एसएपी तय करते हैं तो राज्य सरकार को अलग से देना पड़ेगा। राज्य सरकार देने में सक्षम नहीं है। इसका परिणाम यह होगा कि उत्तर प्रदेश का किसान परेशान होगा। उसे गन्ने का सही दाम प्राप्त नहीं हो पाएगा और यह हालत होगी कि किसान आंदोलन करने के लिए बाध्य होगा। इसीलिए क्लॉज 3 में 3(बी) करके जोड़ा जा रहा है, जिसमें साफ-साफ यह कहा गया है कि इसमें एसएपी तय करने का कोई प्रावधान नहीं है। आप कोई additional price तय नहीं कर सकते हैं। अगर कोई प्राइस तय करते हैं तो यह उनको खुद देना पड़ेगा, राज्य को खुद देना पड़ेगा। इन्होंने 5(ए), जो 1974 के अमेंडमेंट के अंतर्गत था, जिसके अंदर प्रावधान था कि एसएपी तय की जाएगी और स्टेट-मिल मालिक, ये मिलकर गन्ना किसानों को दाम देंगे। उस फायदे को भी समाप्त कर दिया गया कि फायदे उसमें नहीं रहेंगे। इसलिए दो धाराओं को, एक क्लॉज का एडिशन और दूसरे क्लॉज का समापन, ये दोनों चीजें मिल कर गन्ना किसानों के लिए जबर्दस्त समस्या पैदा कर रही हैं। इसी का परिणाम है कि चारों तरफ आंदोलन प्रारंभ हो गए। इधर, जिस तरीके से लेवी शुगर के आधार पर एसएमपी तय हो रही है, उसमें जिस ढंग से प्राइस राइज़ हुई है, शुगर की प्राइस राइज़ हुई है, अगर उसके आधार पर भी तय किया जाए, तब भी उसके अनुरूप गन्ना किसानों को दाम नहीं मिल पा रहा है। अब चालीस रुपये किलो चीनी मिल रही है और गन्ना किसान को 129 रुपया आप देंगे! इसका कोई तालमेल नहीं बैठ रहा है। उस हिसाब से भी अगर हम देखें तो यह गन्ना किसानों के साथ ज्यादाती है। इतना ही नहीं, यह जो विधेयक आया है, अगर इसके खिलाफ आप कहीं किसी प्रकार का केस करना चाहें तो इस विधेयक में यह साफ है कि आप वह नहीं कर सकते हैं। यह नहीं सुना जाएगा। कोई बात, किसी भी प्रकार का केस आप नहीं कर सकते हैं। मूल अधिनियम की धारा 3 की उपधारा (3ग) के अधीन जारी किए गए विनिर्दिष्ट आदेशों के अधीन की गई कार्रवाई आदि का विधिमान्यकरण और उसमें जितना भी है, उसमें इन्होंने कहा है कि "किसी न्यायालय, अधिकरण या अन्य प्राधिकरण में कोई दावा या चुनौती इस आधार पर ग्रहण नहीं की जाएगी कि केन्द्रीय सरकार ने किसी विनिर्दिष्ट आदेश के अधीन उद्ग्रहीत चीनी की कीमत के अवधारण में मूल अधिनियम की धारा 3 की उपधारा (3ग) में विनिर्दिष्ट कारकों में से किसी कारक पर विचार नहीं किया था।"

यह साफ तौर पर किसानों के साथ जबर्दस्त ज्यादाती की जा रही है और यह ऐसे समय में की जा रही है, जब चीनी की आवश्यकता है। यह ऐसे समय में की जा रही है जब स्वयं कृषि मंत्री ने इस बात को बताया है कि चीनी की मांग 230 लाख टन है और चीनी का उत्पादन 160 लाख टन है। जिसमें 70 लाख टन का अंतर पड़ता है। इस समय डिमांड और सप्लाई में काफी अंतर है, डिमांड ज्यादा है और सप्लाई कम है, डिमांड ज्यादा है, उत्पादन कम है। जब पहले ही उत्पादन कम है और ऐसी स्थिति में जो यह कानून आप ला रहे हैं, तो फिर गन्ना किसान गन्ना बोने के लिए तैयार नहीं हैं। अभी तो गन्ना किसानों ने ऐसी स्थिति उत्पन्न कर दी है जिसमें 14.9 परसेंट गन्ने का उत्पादन कम हुआ है और गन्ना खेत में भी अब गन्ना किसान गन्ना बोने के लिए आगे नहीं बढ़ रहे हैं, वे उसमें दूसरी फसल ले जाने के लिए तैयार हो रहे हैं। तो गन्ना उत्पादन का क्षेत्र भी कम हो गया है, गन्ना उत्पादन भी कम हो रहा है और इस कानून के बन जाने के बाद तो बहुत निराशाजनक स्थिति निर्मित हो जाएगी क्योंकि गन्ना किसान गन्ना बोने के लिए आगे नहीं बढ़ेंगे और उसके स्थान पर किसी दूसरी फसल के उत्पादन के लिए वे प्रयत्नशील होंगे। इसलिए इसको बहुत गंभीरता से लेने की आवश्यकता है। अगर इसको गंभीरता से नहीं लेंगे तो आगे चलकर बड़ी खराब स्थिति उत्पन्न हो सकती है। हमारे उत्तर प्रदेश में

गन्ना किसानों का वैसे ही बकाया पड़ा है, 1500 करोड़ रुपए वैसे ही बकाया हैं और पिछली बार SMP और SAP का जो अंतर था, उस अंतर को भी नहीं दिया गया। यह सब मिलाकर और इसका जो इंटररेस्ट बनता है, इन सबको मिलाकर 4000 करोड़ रुपए का गन्ना किसानों का एरियर है। गन्ना किसान अनुभव करने लगे हैं कि अगर यही स्थिति बनी रही तो आगे चलकर हम क्या कर सकते हैं। इसलिए, मैं चाहूंगा कि गन्ना किसानों को इस दिशा में प्रोत्साहित करने के लिए, इस प्रकार के जो कानून आ रहे हैं, जिनसे किसानों के बीच में संदेश जा रहा है कि यह जो संशोधन किया जा रहा है, यह मिल-मालिकों और गन्ना मिलों को लाभ प्रदान करने के लिए किया जा रहा है, उनसे बचा जाए। पिछली बार भी यह अनुभव हुआ था कि गन्ना मिलों को पूरा गन्ना नहीं मिल पाया था और इस बार तो पूरा लगने लगा है कि किसान गन्ना मिलों को गन्ना नहीं दे रहे हैं, खेत में जला रहे हैं, लेकिन मिलों को गन्ना नहीं दे रहे हैं। क्रेशर के पास जा रहे हैं, उसको दे रहे हैं, वहां गन्ना पेला जा रहा है, लेकिन मिलों को गन्ना नहीं दे रहे। इस संशोधन के कारण यह बड़ी दुर्दयी और विकट स्थिति का निर्माण हुआ है। मैं यह भी आपको कहना चाहूंगा कि जो SAP थी, उसमें मिल मालिक और राज्य सरकार दोनों आपस में सामंजस्य बैठते हुए गन्ना किसानों का पेमेंट करते थे, उसमें किसी तरह का झगड़ा नहीं होता था। न्यायालय में जाते थे, न्यायालय ने भी फैसला किया, न्यायालय ने भी स्टेट एडवाइजरी प्राइस को जस्टिफाई किया और उसके अनुसार पेमेंट भी होता रहा है। यह जो संशोधन लाया जा रहा है और संशोधन के जरिए कहने की जो कोशिश की जा रही है कि मिल-मालिक और गन्ना किसानों में सामंजस्य बैठेगा, झगड़े कम होंगे, बल्कि इससे तो और केसिज़ आगे बढ़ेंगे, इसके कारण विवाद और तेजी के साथ बढ़ता चला जाएगा और हालत ऐसी पैदा हो जाएगी कि गन्ने के लिए लोग तरसने लगेंगे और जिस तरह से चीनी की स्थिति का निर्माण हो रहा है, चीनी का उत्पादन कम हो रहा है, बड़ी तेजी के साथ उसका क्षरण होता चला जाएगा। इसलिए मैं चाहूंगा कि जो 3(b) क्लॉज़ इसमें डालने की कोशिश की जा रही है, जिसके माध्यम से राज्य सरकार अपना कोई मूल्य, गन्ना किसानों की लागत के आधार पर, तय करने की सोचे, वह नहीं तय कर पाए, इसको किया जा रहा है और 5(a) के माध्यम से जो यह अधिकार प्रदान किया गया है राज्य सरकार को कि राज्य सरकार एक प्रकार का परामर्शदात्री मूल्य निर्धारित कर सकती है, राज्य सरकार का नियंत्रण खत्म हो जाएगा।

जब राज्य सरकार का नियंत्रण खत्म हो जाएगा, तो गन्ने की दुर्दशा होगी। इसलिए मैं इस संशोधन का विरोध करता हूं। मैं चाहूंगा कि सरकार इस पर गंभीरतापूर्वक विचार करे और विचार करके इसको समाप्त करे, यही मैं आपके माध्यम से

इस सदन में आग्रह करता हूं। मंत्री जी इस पर विचार करें और पूरे देश के किसानों को यह संदेश दें कि यह सरकार मिल मालिकों की नहीं है, यह सरकार गन्ना किसानों की है। अगर वे यह संदेश नहीं दे सकते हैं, तो मुझे यह कहने में कोई संकोच नहीं होगा कि यह सरकार गन्ना किसानों के जबर्दस्त विरोधी के रूप में काम कर रही है, इतनी बात कहकर मैं अपनी बात समाप्त करता हूं। धन्यवाद।

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Thank you, Kalraj Mishraji. Now, Shri Sudarsana Natchiappan

DR. E.M. SUDARSANA NATCHIAPPAN (Tamil Nadu): Mr. Vice-Chairman, Sir, I support this Bill, but, at the same time, I have to bring forth the matter behind it.

Sir, as it is, we have helped the sugar mill owners. Many of the mills are owned by the cooperative sector in Maharashtra, Tamil Nadu and other places, but, basically, they are run by many big industrialists. They are having the benefit of bringing raw sugar from foreign countries. Many other benefits have also been given by various Governments. Then, they sell it in the open market. We brought another amendment to the Sugar Act for giving them interest-free loans. About five per cent interest was borne by the Government of India and seven per cent was taken away from the Sugar Fund. Thus, the sugar mill owners are getting funds to repay it to the agriculturists. Without any interest they are getting the capital. Now, we are giving them more opportunities to have a good price when they sell it. There is no doubt, Sir, that the industry has to be protected because we are party to the various nearby countries, ASEAN countries and other countries. We are having an agreement so that the sugar supply could come from the South East Asian countries which are very much dependent on sugarcane. The market will be flooded with sugar and there will not be any deficit at all. But, at the same time, who are the sufferers actually? The Triangle is like this. One part of it is the sugarcane growers; another one is the manufacturers of sugar, and, then, the consumers. Are we protecting the interest of these agriculturists and consumers? This is the question we have to answer. Very often, we are missing that. Already, we have made it plus twenty-five paise, per kilo, for the consumer to pay because we are bearing the interest charges paid to the manufacturers. We pay back to the agriculturists. The agriculturists are already suffering even though under the Essential Commodities Act, the price of sugar is fixed on the basis of by-products, the molasses and alcohol. How are they using it for producing electricity? These are all the calculations made according to the rules made in favour of the sugarcane growers. But to which extent that price is fixed is doubtful. We are not taking into consideration that one unit of electricity that the manufacturers of the sugar factories are selling at Rs.15/-. They can take away the other wastage, and through other process, they can produce electricity. But to that extent they were not paying to the sugarcane growers. Therefore, the ultimate sufferers are sugarcane growers. We have to protect the interests of these growers because we know that the agriculturists are not getting proper protection in various fields. Even the banks which are instructed to give more loans to the agriculturists are not giving. They are only dependent on the sugar factories.

They are giving a lot of money to the sugar factories. But they are not paying the interest properly. Every burden is shifted to the sugarcane growers. Therefore, if you compare the price difference between what the sugar producers are getting and what the actual sugarcane growers are getting, the price which is coming to the hands of the sugarcane growers is less. On this aspect, there was an agitation throughout the country, especially, in Tamil Nadu and Uttar Pradesh. There was a huge agitation by the agriculturists and the sugarcane growers. So, they should also be heard and made a party to it, when you decide the price. But now we are

lessening the burden of the State Governments because the agitation was in a way compromised by saying that the payment made by the State Government will be compensated. Therefore, there is no need for any worry on the part of the State Governments. But, at the same time, we have to worry about the consumers, as also the sugarcane growers. I would like to request the hon. Minister and the Government to think about this aspect and to protect the interests of these people who do not have any powerful lobby like the sugar manufacturers. They have a very strong lobby. They have got all scientific methods for analysing the issues and to fix the prices. They get every help on every aspect. But the poor agriculturists and the poor consumers do not have such a lobby. It is reflected when we go for seeking votes. Therefore, we have to think about that. In a democratic country we have to consider all the three sectors together and fix the price.

Anyhow, I support this Bill. But I would like to request the Government to call all the three sectors, sit together and decide the price accordingly. Thank you.

SHRI MATILAL SARKAR (Tripura): Sir, while speaking on this Bill which has come before us on account of the Ordinance, I would like to place some observations on the Bill. This is the Bill which had rocked this House and the other House in the beginning of the session. This is the Ordinance against which the farmers were agitating. When I make these references, definitely there is something wrong in the Ordinance.

Sir, I would like to highlight some of the points. In the Ordinance the SMP was replaced by the FRP ignoring the existence of SAP, that is, the State Advised Price. The State Advised Price was ignored. Moreover, it is stated that if the State Advised Price, that is, SAP, exceeds the FRP, the difference will be borne by the State, not by the mill owners. Thirdly, under the FRP, the sugarcane price was fixed at a very low rate. It was Rs.107 per quintal and now it is Rs.130 per quintal. It is far lower than the prevalent rate in the market. It is lower than the market rate. The reasons why the promulgation of this Ordinance was objected by the farmers and the State Governments are, firstly, there is a change in the policy of the Government. There is a change in the sugar policy. When a change is made, generally, it is customary, it is the convention, to consult the relevant sections. The relevant sections mean, the Parliament, the State Government and the farmers' organisation. None of them was consulted.

It was not discussed with anybody. Nobody was invited to give his suggestions and opinion. I think there is something wrong in computing the SMP. In this Bill, some formula has been given for making payment to the producer. But I do not find in the Bill how the FRP will be calculated. Previously, there was no proper system for computing the SMP and now also there is no criterion for assessing the FRP. As I stated earlier, the Government wants to help the

6.00 P.M.

mill owners. The difference between the SAP and the FRP would be borne by the State Government, not by the mill owners. But the sugarcane farmers have not been taken into account. Their interest has not been taken care of while formulating the FRP and while deciding about paying the difference between the FRP and the SMP. It is due to the policy of the Government that the sugarcane farmers are withdrawing from the fields. I would like to quote some figures. In 2006-07, the production was 282 lakh tonnes and after two years, in 2008-09, the production was 145 lakh tonnes. It has gone down drastically. What are we doing? Why are the sugarcane farmers averse to sugarcane cultivation? This needs to be looked into. The reason is, when they sell the sugarcane produce to the mill owners, they do not get the payment on time. There is a rule that within 14 days they should get the payment. But not to speak of 14 days, they do not get the payment for months together. I would like to quote some figures. Till 31st March, 2009, Rs. 1,225 crores was the arrear towards sugarcane farmers. It is nearly seven to eight per cent of the total cost. Nobody is bothered about the farmers who are not getting their dues. Nobody from the Government side is caring about them. The sugarcane farmers are not getting any support. So they are withdrawing from the fields. What is the acreage? How much is the area under sugarcane cultivation? It has come down from 52 lakh hectares to 37 lakh hectares. It is very serious that the sugarcane farmers are switching over to other cultivations because they are not getting their dues.

Lastly, our aim is to achieve self-dependence and self-reliance in foodgrains. One of the items is sugarcane. If we think deeply, if we study deeply, we can see that we are not successful in any area. We are already importing pulses, edible oil and wheat. So far as paddy is concerned, we have attained some sort of self-sufficiency. Now we are importing rice also.

And, in the sector of sugar, we had the capacity to export. We were the second largest producer of sugar in the world; and to export it. But, now, this time, we have come in the list of importers. We are importing sugar. So, what freedom are we attaining? The cultivators, whether in respect of wheat, pulses, rice or sugar, in every corner, they are in a fix. They are perplexed. They give their share of produce, but they do not get remunerative prices. Finally, I would like to say that trying to push the country from a position of selfdependence to the position of dependence on others will not be tolerated by the patriotic people of the country. People want justice; farmers want justice. The bias towards the mill owners should stop, and the bias towards the sugarcane growers should be established. Otherwise, the people will come to the streets. They have no other option left. Sir, I have seen in newspapers that the Prime Minister himself has intervened in the matter. I do not know what intervention he has made. I would like

to hear from the hon. Minister as to how the Government is going to solve the woes of the sugarcane farmers. If this is not done, I don't think it is going to be accepted by anyone. With these words, I conclude, Sir.

THE LEADER OF THE OPPOSITION (SHRI ARUN JAITLEY): Sir, this Amendment to the Essential Commodities Act was brought by an Ordinance, and the ostensible reason, as to why the Government brought it by an Ordinance, is that the Government felt the Validation Act was required, because of the judgement of the Supreme Court, some huge arrears had to be paid to the sugar mills. The fact of the matter was that the Supreme Court Judgement really pertained to only the four or five petitioners before the Court. It did not pertain to the entire industry. And the judgement, specifically, said that it pertained to those people only; the others have not come over. But there was an apprehension that the Government had was that the others might approach some other Court. Therefore, a figure of about Rs.14,000 crores was being mentioned, which the Government will have to pay. Now, to get over that liability, this Ordinance was promulgated, which has now come up before us. But, along with this Ordinance, after a gap of just two or three days, the Sugarcane Control Order was also amended. Now, the Amendment of the Sugarcane Control Order clearly showed that the intention of the Government was otherwise. The Amendment to the Sugarcane Control Order did not have anything to do with the arrears of Rs.14,000 crores. But it only related to somehow eliminating the primacy of the State Advised Price, which the State Governments have been making, to ensure that the farmers' sugarcane is bought by the mills at some remunerative prices. Now, there was a protest in this House, and there was consultation. The Government agreed to re-look into the matter. I hope and we want an assurance from the hon. Minister that that part of the intention of the Government, which was brought about, eliminating the primacy of the State Advised Price, will be completely gone for good, that there will be no effort, either direct or indirect, to bring that back.

Sir, having said this, sugar itself, and, sugarcane has a very important component in the Indian economy. We are the second largest growers of sugarcane after Brazil. About three per cent of the cultivated area in India is sugarcane, and in terms of the number of farmers, it is almost 50 million people who are involved as far as sugarcane cultivation is concerned. We manufacture, and also export, and domestically consume almost 15 per cent of the world's sugar. Our total investment in the sugar industry is about Rs.50,000 crores. Our annual turn over is about Rs.27,000 crores. And this includes the payment that is made to farmers, etc. Now, there has been a big conflict — which was apparent when this amendment came, and also when the Sugarcane Control Order came — pertaining to the jurisdiction of the Central Government and the State Governments. There are about 20 States which have sugar mills. We have approximately, I am told, 516 sugar mills. Some are in the cooperative sector; some are in the private sector. Most of these mills are spread over 7-8 States, though 20 States have different sugarcane cultivation.



Now, sugarcane is an item which falls in the Concurrent List. It comes under List III, Entry 33. The Central Government has a power under the Essential Commodities Act; earlier, it was licensed and you required a license under the IDR Act for setting up a sugar mill; that licensing was waived off in 1998 and you didn't require a license thereafter.

But sugar remains partly controlled for two reasons. The first reason is that sugar is also distributed under the Public Distribution System to the weaker sections of the society. Therefore, the Essential Commodities Act implies — and that is this amendment — that the sugar, which State Governments have to purchase for distribution to poor people through the PDS, is to be priced by the Central Government and the States will all purchase it at that price. Now, that sugar, since it is meant for the poor people, obviously, has to be very reasonably priced; there cannot be a profit element in that. Therefore, we had a Statutory Minimum Price of sugarcane which the Central Government used to notify, which is the SMP and, on the basis of that SMP, the Central Government would fix the sugar prices, the States would buy sugar, which is called the Levy Sugar, from the mills for distribution through the PDS and the rest of the sugar used to be sold in the open market. Now, a difficulty has arisen because it is on the Concurrent List and there is no licensing now. There is a policy that every sugar mill has an area of 15 kilometres around it, which is called its Cane Area. That Cane Area has to be fixed by the State Governments or the Cane Commissioner of every State. Therefore, you have to have a reasonable distance. The second part of control comes in the sugar industry because this Cane Area is fixed by the State Government; so, every mill has an interest in enriching the farmer so that he is able to produce more sugarcane, which goes to the benefit of the mill. But the difficulty now arises that the mill becomes a monopoly purchaser of the sugarcane of that farmer. So, the farmer can be pushed to distress if the mill refuses to buy sugar and if the mill refuses to pay him for the sugar because he has no other sources of selling his sugarcane since he is now bound by law to sell it only to this mill, not to anybody else. Now, it is because of this distress of the farmer that the Central Government fixes the prices under the Essential Commodities Act for the purposes of Levy Sugar alone, which is for the PDS, but State Governments separately fix a State Advised Price for the purposes of payment to the farmer because, otherwise, if the State does not fix the price, it remains a controlled commodity. Then, the mills would exploit the farmer because the farmer has no other option to sell except to the mill within whose cane area the farmer is located. Now, historically, the State Advised Price has always been 30 to 40 to 50 rupees more than the Central Government price. Now, the sugar mills have a grievance as to why this price is higher; they feel they are being robbed of their profits. Sir, there is a good rationale behind this is a higher price. The higher price is for the reason — and that is the error into which the Government fell when it notified the Sugarcane Control Order — that the sugar which the State Governments buy for distribution under PDS, is pure and simple sugar; it has no

other use except consumption by people. It is to be eaten by people. But from the sugarcane which a mill buys, it manufactures sugar; it manufactures *gud*; it manufactures *khandsari*; it is used for power generation; it is used for molasses; it is used for liquor distilleries; it is used for ethanol; it is used for organic chemicals. So, unlike the Central Government's Statutory Minimum Price, which is only for one purpose, that is, the sugar which is to be eaten, the State Advised Price looks at the various uses which the mills put it to and, therefore, it is higher and the farmer, therefore, will always be paid 40-50 rupees more for his produce.

Now, the mills have been agitating that 'we should not have to pay this extra'; and, therefore, they have been litigating for many years. Finally, the Supreme Court resolved this issue by saying, 'well the State-advised price is a sugarcane price for a different purpose. It can't be confused with the price fixed for the purposes of Essential Commodities Act for levy sugar, and, therefore, it is enforceable price.' The Constitution Bench of the Supreme Court by a majority opinion has decided this in favour of the State Governments, and, therefore, in favour of the farmers. Now, this entire scheme, which the Food Ministry and the Agriculture Ministry brought out when seen collectively, seemed to upset this whole arrangement. Now, the ostensible purpose indicated was, 'suddenly we have to pay Rs.14,000 crores as arrears because the Supreme Court in another judgement has said that 'for levy sugar, don't give them statutory minimum price; statutory minimum price must have some nexus to the market price'. Sir, I am afraid, I am sorry to say that — certainly, we can express a contrary view — I don't think the Government pleaded its case effectively before the Supreme Court. If market price and profit are all to be read into the price of sugar which the Government has to fix for PDS distribution, then the whole purpose of the Essential Commodities Act will be defeated because then poor people will get it through the PDS system at a very high price. The whole object of the Essential Commodities Act is that the poor people must get it at a very low price. But the Supreme Court judgement curiously says, "No, look at the market price; look at the profit element; look at the various things, and then fix the sugar prices." I don't think so. Either the judgement seems to be somewhat erroneous or it was not effectively pleaded, as a result of which some Rs.14,000 crores of arrears, as what the Government now suspects, it is a liability, has come up. While we support the Government in that move — after all it is the judgement of the Supreme Court, it is a law declared by the Supreme Court — and we are one with the Government if the Government wants to retrospectively amend the law, change the basis of the judgement, with effect from 1974, and avoid over that liability of Rs.14,000 crores. But, we are not with the Government if in the garb of washing off this liability of Rs.14,000 crores, it says that the State-advised price should now be eliminated. This amendment Bill did not say that. But, along with it came a Notification of amending the Sugarcane Control Order, which said, "There will be a fair and reasonable price, and if any State Government fixes a State advised price, then,

the mills will not pay, but the State Government will pay.” The effect of that is that no State Government will want to pay. As a result of which, the State Governments will not fix the State advised price. The mills will benefit; they will pocket the entire profit, and the mills will not pay the farmer that additional price. So, while we will be one with the Government — why I wanted to intervene — in this support, we want an assurance from the Government to this effect. Insofar as you want to wash off this Rs.14,000 crores liability of the mills which has been given as a result of this judgement with effect from 1974, we are one with the Government, we will support that amendment. But, we want an assurance that no effort will be made as a part of this new scheme to anyway dilute the concept of a State-advised price because that is the only relief that the sugarcane farmer today has. If that relief goes, then, the farmer will be reduced to distress and the profit of the sugar mills will keep on increasing.

With these words, Sir, we would like to have an assurance from the Government, and we will consequently support this legislation.

DR. K. MALAISAMY (Tamil Nadu): Mr. Vice-Chairman, Sir, I thank you very much. I feel at home and very much elated for two reasons.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Because it is sugar, it is sweet!

SHRI S.S. AHLUWALIA (Jharkhand): Sir, sugar or sugar-coated?

DR. K. MALAISAMY: I could see Mr. Vice-Chairman, presiding over the proceedings, who has been nice, likeable and pleasant. That is one aspect.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): But, keep your time!

DR. K. MALAISAMY: Sir, my most important point is that I am speaking on a subject in which the farming community is interested, to which I belong. That is the most important part of it. Sir, before I come to the discussion, I was casually thinking of the farming community and made a SWOT analysis as to what their strength is, what their weakness is, what their opportunities are; what their threat is. Everybody could see that more than 60 per cent of the total population belongs to the farming community. Secondly, the entire country's food security depends on their contribution. Thirdly, they are in occupation of being eco-friendly which the entire country, even the world at large, is very much interested. Sir, not only that, it is the largest segment of the voting bank.

With this background, when I look upon their weaknesses, they are manifold. They are not at all well-educated, well-informed and they are poor too. Secondly they are most disorganized

and ignorant of the famous mantra of Dr. Ambedkar: “Organise-Educate and Agitate. Another important weakness of this community is, as told by my colleagues that they lack Liaison licence, lobbying and employ pressure groups to get the things done.

On the weakness side, the next point is, their occupation depends on several ifs and buts, particularly depending on the vagaries of monsoon and seasonal eccentricities also and uncertainties. It is risky. On the weakness side, Sir, the demand and supply will never go together. They are not able to obtain due prices. Lastly, due to lack of infrastructure facilities, storage facilities, transport facilities, and marketing facilities, they are very much handicapped.

Their threats are more than opportunities. In such a situation, when I come to the core of the Bill, after listening to the Leader of the Opposition, Shri Arun Jaitley, who was able to give the statistical data, historical background and the legal background, my job is pretty easy. I would not repeat the points already raised.

If you ask me whether I would support the Bill or oppose it, as far as I could see, I am willing to give a conditional support. The condition which I am going to put is, whether the Minister is able to concede to my points and give an assurance I will have no problem to support. On the other hand, if there is no assurance, I have to oppose it. Sir, without going into the details and background, I would like to know from the hon. Minister whether Clause 5A of the Sugar Control Order, 1996 is going to be retained which will give two things, namely, the additional price and also the share of 50 per cent of the profit enjoyed by the manufacturer. The second point is the right of the State to fix the State Advisory Price. As far as I could see, any privilege or concession given to any person, the Government can only enhance it but cannot be withdrawn. The basic norm any Government or authority should be the greatest happiness of the greatest number. Mr. Sudarsana Natchiappan also pointed out three sectors—agriculture sector meaning the farmer sector, the consumer sector and the manufacturer. Of all the three, if you ask me whose rights are to be protected first and foremost, I would say that it should be the farmer's. If at all there is the next choice, I would go by the consumer. Thirdly, if possible the manufacturer should be protected. They know how to manage, how to get the things done.

What I would like to say is that if these two major things — retention of clause 5A and the State's power to fix the price—are safeguarded, then the other things are okay. In the absence of it I have to remain with the three mantras of Dr. Ambedkar. In fact, some of the organisations of the agriculturists and farmers came, met me, and briefed me. Sir, this time we are fairly organised, and we are willing to go to any extent. If any of our interest is going to be affected, we are not going to remain idle just like others. Not at all! This time we are going to wage a war. I

am trying to give a caution to the hon. Minister that the protection of the interests of the farmers should be done at any cost failing which Govt. will be in trouble. Thank you.

**श्री गोविंदराव आदिक (महाराष्ट्र):** महोदय, आपने मुझे यहाँ अपने विचार व्यक्त करने का जो अवसर दिया है, इसके लिए आपको धन्यवाद। मैं यहाँ आपकी अनुमति से आवश्यक वस्तु (संशोधन और विधिमान्यकरण) विधेयक, 2009 को समर्थन देने के लिए खड़ा हूँ।

सर, अगर इस संशोधन को देखा जाए, इस amendment को देखा जाए, तो मामला बहुत छोटा है, लेकिन मामला छोटा होते हुए भी उसका अर्थ बहुत बड़ा है और उसकी व्याप्ति भी बहुत बड़ी है, जैसा मेरे पूर्व वक्ताओं ने इसके बारे में यहाँ जिक्र किया है। सर्वप्रथम मैं आपकी अनुमति से इस संशोधन को समर्थन देते हुए केन्द्र सरकार का अभिनंदन करना चाहता हूँ। यह संशोधन करके सरकार ने एक बहुत अच्छा काम किया है, जिसका जिक्र अभी-अभी विपक्ष के नेता अरुण जेटली जी ने भी किया है। मामला थोड़े रकम का नहीं था, बल्कि 14 हजार करोड़ रुपये का मामला था। जो 14 हजार करोड़ रुपये सरकार की तिजोरी से private mill owners की तिजोरी में जाने वाले थे, उनको रोकने का एक ऐतिहासिक काम इस amendment bill ने किया है। इसलिए मैं इस सरकार का बहुत-बहुत अभिनंदन करता हूँ।

यह अभिनंदन करते समय मैं एक और विषय के बारे में भी अभिनंदन करना चाहता हूँ। यह सरकार और हमारे कृषि मंत्री हैं, श्री शरद पवार जी, जो खुद एक किसान हैं, एक sugar cane grower भी हैं और किसानों की समस्याओं को अच्छी तरह से जानते हैं, इसीलिए अपने कार्यकाल में उन्होंने बहुत अच्छे निर्णय किसानों के हित में किए हैं। अभी पिछले साल हमने देखा, दुनिया के इतिहास में इसकी मिसाल नहीं मिलेगी, ऐसा एक ऐतिहासिक निर्णय उन्होंने किया था। वह निर्णय किसानों को ऋण-मुक्त करने का था, जिसके लिए 70 हजार करोड़ की राशि सरकार ने खर्च की। देश के सारे किसानों को ऋण-मुक्त करने का वादा किया और सिर्फ वादा ही नहीं किया, उस पर अमल भी किया। इसके लिए मैं इस सरकार का खुलेआम अभिनंदन करना चाहता हूँ ... (व्यवधान) ... UPA की Chairperson सोनिया गांधी जी, प्रधान मंत्री डा० मनमोहन सिंह जी और हमारे कृषि मंत्री, श्री शरद पवार जी, इन सभी ने मिलकर जिस इतिहास का निर्माण किया है, महोदय, इसकी कोई दूसरी मिसाल आपको कहीं नजर नहीं आएगी। इसलिए मैं इनका इन दोनों कार्यों के लिए अभिनंदन करता हूँ और इस बिल का समर्थन करता हूँ। जैसा कि पहले कहा गया, बहुत सारे वक्ताओं ने जो कहा, उससे मुझे लगता है कि सबको यहाँ बहुत confusion हो रहा है।

यह जो बिल लाया गया है, जैसा जेटली साहब ने बड़े अच्छे ढंग से कहा कि ये दो अलग-अलग बातें हैं। शुगरकेन प्राइस, किसानों के लिए, गन्ना उत्पादकों के लिए तय करना एक अलग बात है और लेवी शुगर की प्राइस तय करना एक अलग बात है। यह जो Essential Commodities (Amendment and Validation) Bill है, यह सिर्फ लेवी शुगर की प्राइस तय करने के लिए लाया हुआ बिल है और किसानों को गन्ने की जो कीमत देनी है, उसके लिए शुगरकेन कंट्रोल ऑर्डर है। शुगरकेन कंट्रोल ऑर्डर के तहत एसएमपी भी गवर्नमेंट तय करती है और उसके मुताबिक प्रोड्यूसर को, मैन्युफैक्चरर को किसानों को कीमत देनी होती है, यह अभी तक का हमारा कानून है। सवाल केवल इतना ही है कि जो एसएमपी तय की जाती है, वह ठीक तरह से तय नहीं की जाती है। यह हमारी शिकायत है। अगर यह एसएमपी ठीक तरह से तय की जाए अथवा निश्चित की जाए और जितना खर्चा किसानों को गन्ना उत्पादन करने के लिए आता है, उसका हिसाब करके, उसके ऊपर अगर - जैसे यहाँ हमने मालिकों के लिए प्रावधान किया है, वह देखने लायक है। मैं चाहूँगा कि मंत्री जी उसके बारे में जरूर खुलासा करें।

इसमें जो अमेंडमेंट किया गया है, उसमें लिखा है कि Reasonable return on the capital employed in the business of manufacturing of sugar. जब लेवी प्राइस तय करनी होगी, तब इसके ऊपर भी विचार

करना होगा, लेकिन जो manufacturer है, उसका जो खर्चा आता है, उसका हिसाब करते समय, यह जो कहा है कि reasonable return, मतलब क्या है reasonable return का? Reasonable return का मतलब होता है, जैसा कि उन्होंने own explanation में दिया है, reasonable return on the capital employed means the return on the net fixed assets plus working capital of producer in relation to manufacturing of sugar including the procurement of sugarcane at a fair and remunerative price determined under this section. सर, इसमें यह बात साफ है कि reasonable return जो तय की जाती है, उसका का मतलब साफ है कि उनका जो capital investment है, उसको भी यहाँ secure किया गया है। जो वे working capital लगाते हैं, उसके लिए भी उनको पूरा-पूरा मुआवजा मिलने वाला है, उसकी कीमत मिलने वाली है और profit मिलने वाला है। ये दो बातें ध्यान में रख कर उनको अगर आप reasonable return देने वाले हैं तो हम कहेंगे कि हमारे किसानों को, जो गन्ना उत्पादन करता है और आपको शुगर बनाने के लिए देता है, उसको भी reasonable price मिलनी चाहिए। आप जिन factors पर विचार reasonable return में manufacturer के लिए करते हैं, आपको शुगरकेन की प्राइस तय करते समय भी उन्हीं factors पर विचार करना चाहिए, जैसा कि उसमें profitability हो। (समय की घंटी) अगर manufacturer को दाम मिलना है और इसमें profit भी include करना है तो किसानों को भी profit देने की जरूरत है। किसान क्यों नहीं profit प्राप्त कर सकते हैं? उनको भी profit मिलनी चाहिए और उनका जो उत्पादन का वास्तविक खर्चा आता है, वह खर्चा पकड़ कर जो कीमत होगी, वह कीमत fair and remunerative price में होनी चाहिए।

मैं मंत्री जी से प्रार्थना करूंगा कि आप यह खुलासा जरूर कीजिए कि यह fair and remunerative price का exactly मतलब क्या होगा? पहली बात तो यह है। दूसरी बात यह है कि यहाँ आपने manufacturer को जो reasonable return देने का वादा किया है, वैसे ही किसानों को आप reasonable return देने वाले हैं या नहीं? आप दोनों को एक न्याय दीजिए। अगर आप दोनों को एक न्याय देंगे तो मुझे ऐसा लगता है कि आपको कोई तकलीफ नहीं आएगी। इन्हीं सूचनाओं के साथ मैं इस बिल का समर्थन करता हूँ और सरकार को एक बार फिर धन्यवाद देता हूँ। धन्यवाद।

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THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Shri Syed Azeez Pasha.

SHRI S.S. AHLUWALIA: Sir, it is 6.30 P.M. now.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I think this morning we decided that we will sit up to 7.00 P.M.

SHRI TIRUCHI SIVA (Tamil Nadu): Sir, there are only two or three more speakers. We can go ahead.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay.

SHRI S.S. AHLUWALIA: We can take it up tomorrow. We don't have business tomorrow. There is no business tomorrow.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): They are not agreeing.

SHRI S. S. AHLUWALIA: Sir, we have done two financial businesses today. Tomorrow we will take this up first. This will be first item tomorrow.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): In the morning it was decided that we will sit up to 7.00 P.M.

SHRI S.S. AHLUWALIA: Sir, last night it rained. It is very cold outside today. Why do you want to kill us? We will do it tomorrow.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): What is the sense of the House?

श्री एस0एस0 अहलुवालिया : कल पर लगाइए, कल करेंगे। ..(व्यवधान).. कल कुछ नहीं करना क्या? ..(व्यवधान).. कल पास नहीं करना क्या? कल क्या करना है? ..( व्यवधान)..Sir, we will do tomorrow...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Ahluwaliaji, there is no consensus...(Interruptions)...They are not agreeing...(Interruptions)...What can I do?... (Interruptions)...They do not agree. What can I do? ... (Interruptions)...There is no consensus.

SHRI S.S. AHLUWALIA: Sir, listen to the Opposition also.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I always do that.

SHRI S.S. AHLUWALIA: That is why I am saying...(Interruptions)...Sir, sometimes, you should also listen to the Opposition...(Interruptions)...

MS. MABEL REBELLO (Jharkhand): Sir, let us continue and finish the debate ... (Interruptions)...

SHRI S.S. AHLUWALIA: Madam Mabel, you cannot pass the Bill with your own strength...(Interruptions)...You need our help ... (Interruptions)... You need our support also...(Interruptions)...Please, keep this in mind ... (Interruptions)...Please, don't argue...(Interruptions)...

SHRI TIRUCHI SIVA: Sir, we can continue...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Mr. Rajiv Shukla, do you want to say anything?... (Interruptions)...Please, the suggestion from Shri Ahluwalia is that we should adjourn now. The decision taken in the morning was to sit up to 7.00 p.m. I would like to take the sense of the House ... (Interruptions)...

SHRI RAJEEV SHUKLA (Maharashtra): Sir, when the decision was to sit up to 7 o' clock, we can sit up to 7 o' clock...(Interruptions)...

SHRI S.S. AHLUWALIA: Sir, the decision in the BAC was that we sit up to 6 o' clock...(Interruptions)...That is the decision of the BAC ... (Interruptions)...There was no such decision that the House would sit up to 7 o' clock...(Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Okay. Then, what is the sense of the House?... (Interruptions)...

SOME HON. MEMBERS: Sir, we will sit up to 7 o' clock. ... (Interruptions)...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Please, sit down ... (Interruptions)...No, no. Sit down. There is no consensus...(Interruptions)...We will go ahead ... (Interruptions)...Please, Ahluwaliaji... (Interruptions)...There is no consensus.

SHRI V. HANUMANTHA RAO (Andhra Pradesh): Sir, we can sit up to 7 o' clock.  
...(Interruptions)...

श्री एस0एस0 अहलुवालिया : हनुमंत राव, मेरी आवाज बहुत ऊंची है, मेरे को आवाज मत सुनाओ।  
..(व्यवधान)..

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): There is no consensus ...*(Interruptions)*...  
Ahluwaliaji, please. There is no consensus ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Sir, please listen to me ...*(Interruptions)*...

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): Why are you insisting? ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: Sir, I am not insisting. Just listen to me. If you are interested to run the House with consensus, then, tomorrow onwards we will do that. It is up to you, carry on.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I want your co-operation and proceed with the business. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA (Rajasthan): Sir, the BAC takes a decision. Whenever there is some demand in the House, the person who is sitting in the Chair says, 'we cannot go beyond it, because it was the decision of the BAC.' Now, the BAC took a decision to sit up to 6 o' clock.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): It is 7.00 p.m.

SHRI S.S. AHLUWALIA: No, Sir. It was 6 o' clock. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: Now, I am asking one question. Under which rule are you taking a decision that we sit beyond 6 o' clock? We know that it will not be over by 7 o' clock.

THE VICE-CHAIRMAN (PROF. P.J. KURIEN): I will read the decision of the BAC which has already been communicated to this House. It is like this and I quote, 'The Committee also recommended that the House may sit up to 6.00 p.m. and beyond as and when necessary for transaction of the Government Business.' ...*(Interruptions)*...

श्री सैयद अजीज पाशा (आंध्र प्रदेश) : सर, 6 o' clock बोले हैं, छोड़ दीजिए। ..(व्यवधान).. 6 o' clock is there ...*(Interruptions)*...

SHRI S.S. AHLUWALIA: It is up to 6 o' clock. ...*(Interruptions)*...We have gone beyond 6 o' clock. It is 6.30 p.m. ...*(Interruptions)*...It is over. ...*(Interruptions)*...

DR. (SHRIMATI) NAJMA A. HEPTULLA: If you take a decision, we will agree to sit even up to 12.00 p.m.....*(Interruptions)*...

SOME HON. MEMBERS: Okay. Then, we will adjourn the House. ...*(Interruptions)*...

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