

fore, there will be some meeting ground. It is not the question of approval, but there should be some sort of agreement. If Mr. Kalyan Roy wants Rs. 100 from me, I would like to satisfy myself whether Mr. Kalyan Roy is in a position to pay me back or he is going to appropriate it.

SHRI KALYAN ROY: If I get Rs. 100 from him, he is going to take Rs. 200 from me.

SHRI PRANAB MUKHERJEE: All right, I am changing the proposition. I am taking the money from you and you will definitely like to satisfy yourself whether I will be in a position to pay you back or not.

SHRI KALYAN ROY: I am the last person to give him any money.

SHRI PRANAB MUKHERJEE: So, this is no question of approval or ~~this~~ is no question of compromising the position, but definitely economic situation is to be reviewed from time to time and we do exchange views. As Mr. Jha wanted to know, it is not a question of giving the report, but the economy is being reviewed and in the policy statement which is normally accompanied with the forwarding letter by the Finance Minister we indicate our policies and as on a number of times it has been explained by my predecessor, these policies are in conformity with the objectives which we have set before us and which have been approved by Parliament. Thirdly, Sir, coming to loan burden, debt burden, up to now we need not be worried over seriously, but definitely with this addition of 5 billion dollars arranged to the extended fund facility and with the increased market borrowing we shall have to be little careful henceforth and particularly more so when we are finding that our assistance

from the concessional window from the multilateral agencies, is being reduced. Therefore, we can say that up to date it is not a matter of concern or worry or anxiety, but if we cross the limit, perhaps we will have to think that we are taking too much risk and we are fully aware of that problem because we cannot create a situation where we will have unnecessary burden on ourselves.

THE PREVENTION OF BLACK-MARKETING AND MAINTENANCE OF SUPPLIES OF ESSENTIAL COMMODITIES (AMENDMENT) BILL, 1982—Contd.

MR. DEPUTY CHAIRMAN: Now we shall take up the Bill. Shri Gopalsamy—not there. Shri T. Basheer—not there. Shri Matto.

SHRI GHULAM RASOOL MATTO (Jammu and Kashmir): Sir, I rise to support the Bill presented to the House by Mr. Birendra Singh for prevention of blackmarketing and maintenance of supplies of essential commodities with one amendment and that amendment is in the substantive clause 7 under which the imprisonment for a term which may extend to one year or with fine or with both. Here I would like to mention that when it is written 'which may extend to one year', the courts take a very vague view of this and, therefore, I would request the hon. Minister to amend this to mean that it will extend to three years with a minimum of one year. I want this amendment in this Act.

With regard to black-marketing as such, a lot has been said here. But, I for one am of the firm opinion—because I have some concern with trade and industry—that black-marketing is generated by lesser availability and lesser availability is caused by lesser production. Fortunately, all the essential commodities, like food-grains, pulses, meat, vegetables,

[Shri Ghulam Rasool Mattel]
sugar, milk etc. are under the Ministry of Agriculture and I would request the hon. Minister that he should constitute a Working Group of experts, who should visit every State and identify the shortages of these essential commodities in that particular State. As a result of that survey, this Working Group should recommend to the State Government concerned the steps that are required to be taken to augment the production of that particular commodity. And in case the State Government is not in a position to do so, the Central Government should take upon itself the question of meeting that gap and providing the balance so that scarcity is not created.

(The Vice-Chairman (Shri R. R. Morarka) in the Chair]

Secondly, sometimes the movement of essential commodities also creates black-marketing. For instance, I give you a small example. A minimum of 12,000 tonnes of rice is required by the State of Jammu and Kashmir per month. The Ministry of Agriculture has only given 9000 tonnes to us. Now the gap of 3000 tonnes is there and unless it is filled, this is bound to create black-marketing and difficulties for the people. I would request the hon. Minister to kindly see to it that the requirements of foodgrains for J & K are raised to 12,000 tonnes, which they have been promising all along. This is one point I want to make.

The second point is that for certain areas in Jammu and Kashmir, like Ladakh, Kisntwar and other places, the movement is of very great importance. The movement of foodgrains should take place before the onset of winter which starts in October in those areas. I would request the hon. Minister for Civil Supplies to ensure that for these far flung areas, over and above the 12,000

tonnes that they are giving us, they should also arrange to see that the supplies to those remote areas of Ladakh, Kishtwar, Kargil and other places are made now so that we are not faced with a crisis in winter. I would request the hon. Minister to have a Cell for monitoring the availability of stocks in the different centres. This is not being done because I find in Kashmir in certain periods of time we have shortages of edible oils and things like that. A monitoring cell in the Central Secretariat should be established which should ensure what is the quantity available at a particular point of time, particularly in the case of far flung areas like the North-Eastern States and Jammu and Kashmir. This should kindly be done.

With these words, I support the Bill and request that it may be passed.

SHRI T. BASHEER (Kerala):
Mr. Vice-Chairman, I support this Bill further to amend the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act, 1980. Much has been said here by my colleagues. So I would not like to take so much of your time. This Bill is not so much important, but the subject is very much important. I would like to say that we should enforce vigorously the laws to check the activities of hoarders, black-marketeers and other anti-social elements. I am happy that this amendment is meant to avoid delay in cases of detention and expedite action against the absconding persons. This makes the provision more stringent. No doubt, all of us will welcome the measure. But, Sir, everybody knows that in the past we failed to take strong action against these blackmarketeers, smugglers and hoarders. That is the tragedy before us. We say a lot of things and we continue to say a lot of things, but no strong action is

taken. That is there. On the one side people are suffering due to price rise, especially the price rise in essential commodities. The people's struggle is to survive. On the other side a set of unscrupulous persons exploit the situation. We have many legislations for this, to curb blackmarketing hoarding and smuggling. The Essential Commodities Act of 1955 is there and this Prevention of Blackmarketing and Maintenance of Essential Commodities Act of 1980 also is there. My request is, the Government must intensify action against the malpractices indulged in trade and industry. The provisions of the Essential Commodities Act and the Prevention of Blackmarketing and Maintenance of Supplies of Essential Commodities Act should be vigorously enforced.

My hon. friend here has suggested about Vigilance Committees. I welcome the suggestion. I know in Kerala, my State, in every panchayat there are Vigilance Committees. Those committees work well. The committees can check blackmarketing, smuggling and hoarding. In this context, there is a proposal from the Government side to set up Special Courts to deal with these offences, but I don't know how much improvement there is in this regard. I urge upon the Government to take proper action and to give necessary directions to the State Governments to set up these Special Courts immediately. The second thing which also I would like to suggest is that the Price Display Orders also should be enforced. For some time this thing was there but now nobody cares. The traders must be made to display the price list and the stock list.

With these words, I support this Amendment Bill and once again urge upon the Government to in-

tensify action against smugglers, hoarders and blackmarketeers.

Thank you, Sir.

श्री मोहम्मद उस्मान आरिफ :
मिस्टर वाइस चेयरमैन महोदय, मैं उन तमाम मेम्बरान का आभारी हूँ जिन्होंने इस बहस में भाग लिया है। मैं उन का इस लिए भी आभारी हूँ कि उन सब ने इसको सपोर्ट किया है और किसी तरफ से कोई विरोध नहीं हुआ है। जहाँ तक अलग-अलग सुझावों का सवाल है उन का सारांश मैं यह समझ सका हूँ कि उन्होंने यही कहा है कि इस ऐक्ट को लागू करने में ज्यादा से ज्यादा सख्ती की जाए और ज्यादा से ज्यादा इस पर अमल-दरामद कराया जाए। जहाँ तक गवर्नमेंट का ताल्लुक है, गवर्नमेंट इस पर बड़ी कड़ाई, और सख्ती से, पाबन्दी कराने के लिए तमाम उपाय कर रही है और करती रहेगी।

हमारे माननीय सदस्य श्री रामानन्द जी यादव ने जो यह बात कही कि गवर्नमेंट ब्लैक-मार्केटिंग और होर्डिंग को रोकने में या कीमतों को रोकने में बिल्कुल असफल रही हैं, इस से मैं इतिफाक नहीं करता। अलबत्ता, यह बात जरूर है कि गवर्नमेंट बराबर प्रयास कर रही है ब्लैक मार्केटिंग और होर्डिंग को रोकने के लिए, कीमतों का नियंत्रण में लाने के लिए और यह कहा जा सकता है कि जितनी कोशिश हम कर रहे हैं जितनी कामयाबी हमें हासिल होनी चाहिए उतना लक्ष्य हम पूरा नहीं कर सके। जो उन्होंने सुझाव दिया कि हमें कंज्यूमर्स मूवमेंट को बन देना चाहिए और विजिलेंस कमेटी बनाना चाहिए, इसमें कोई दो राय नहीं है।

एक बात उन्होंने और श्री झा ने मिल कर मजमुई तौर पर कही है कि

[श्री मोहम्मद उस्मान आरिफ]

एक एटमासफेयर, एक वातावरण, पैदा किया जाए। दरअसल कोई भी गवर्न-
मेंट उस वक्त तक किसी निर्णय में या
किसी काम में कामयाब नहीं हो सकती
जब तक कि उसको जनता का सहयोग
न मिले और पब्लिक का सहयोग उसे
हासिल न हो। इस में कोई दो राय
नहीं कि ब्लैक मार्केटिंग या होटिंग
और एन्टी सोशल कार्रवाइयों के सिल-
मिले में हमें अपने मुल्क में नेशनल
कैरेक्टर को जगाना चाहिए और हमें
अपने मुल्क के तमाम लोगों में यह
सेन्स पैदा करना चाहिए कि जो लोग
ब्लैक मार्केटियर्स हैं, होर्डर्स हैं या एन्टी
सोशल एलिमेंट्स हैं उन का हम कन्डेम
करें, उन की कार्रवाइयों की रोकथाम
करें और ऐसा वातावरण न सिर्फ एक
पार्टी बनाए बल्कि तमाम पोलिटिकल
पार्टीज का फ्रज यह है और पोलिटिकल
पार्टियों के अलावा मुल्क भर में जितनी
समाजी संस्थाएं हैं, या दूसरी अन्य
संस्थाएं हैं जो हमारी सोसायटी को
दुरुस्त करने में लगी हैं, उन का फ्रज
है कि वे इस तरफ काफी तौर से ध्यान
दे। हर एक काम गवर्नमेंट की तरफ
से नहीं होता है। गवर्नमेंट अपना प्रयास
करती है और करती चली जाएगी
लेकिन जब तक कि पब्लिक ओपीनियन
नहीं बनायी जाएगी, हमारा नेशनल
कैरेक्टर तैयार नहीं होगा, जब तक हम
यह महसूस नहीं करेंगे कि हम हिन्दुस्-
तानियों को उन तमाम ऐबो से अलग
रहना है और उन बुराइयों से बचना है
उस वक्त तक हम शायद उस लक्ष्य तक
नहीं पहुंच सकेंगे। इसके लिए हम
प्रयास करते हैं और करते जा रहे हैं।

हमारे सदस्य, मोहतरिम श्री राम-
मूर्ति ने एक ब्योरा मांगा था और उनका
जवाब था कि ब्लैकमार्केटिंग ऐक्ट के

तहत कुछ कार्रवाई नहीं हुई है। उन्होंने
पूछा क्या ऐसा ब्योरा दे सकते हैं कि
आज तक कितने लोगों को डिटेन किया
गया है। मैं उसकी तफसील दे रहा
हूँ कि आन्ध्र प्रदेश में 3, बिहार में 3,
गुजरात में 16, मध्य प्रदेश में 13,
महाराष्ट्र में एक, उत्तर देश में 15
लोगों को डिटेन किया गया है। ऐसी
बात नहीं है कि इस पर असल-दगमद
न होता हो।

बहुत से सदस्यों ने आम तौर से
एक साम में दो बातें कही हैं—समर्थन
दिया है और कहा है कि ब्लैक मार्केटिंग
को रोका जाए, ऐसा कानून होना भी
चाहिए, लेकिन साथ-साथ कहा कि यह
तो मुल्क में तमाम फिजा ही ऐसी है,
वातावरण ही ऐसा है, चारों तरफ ये
चीजे हैं। तो सवाल यह है कि हम
लोग, जो पोलिटिकल लोग हैं या पोलि-
टिकल पार्टीज हैं, उन का दायित्व क्या
है? क्या हम उस दायित्व को निभाने
में कामयाब होते हैं? माननीय सदस्य
श्री राम लखन जी ने फर्माया कि इस
अमेडमेंट की जरूरत नहीं थी बल्कि
नेशनल सेक्योरिटी ऐक्ट में ही ऐसे लोगों
को धर दिया जाना चाहिए। मैं अर्ज
करता हूँ कि नेशनल सेक्योरिटी ऐक्ट
के सेक्शन 7 को इसमें एडाप्ट किया
गया है। अगर ब्लैक मार्केटिंग एण्ड
मेंटिनेन्स आफ सप्लाइज आफ इमेशियल
कमोडिटीज ऐक्ट के तहत हुए किसी को
नेशनल सेक्योरिटी ऐक्ट के मातहत धरा
जाता है तो वह दोनों विपरीत बाने
हो जाती है जिसको हम जस्टिफाई नहीं
कर सकते हैं।

दूसरे माननीय सदस्यों ने जो युष्माव दिये
हैं इसे के इम्प्लेमेंटेशन में बरे में, मैं उन से
सहमत हूँ कि हमें ज्यादा से ज्यादा कंशिश इस
बात की करनी चाहिए कि इस ऐक्ट पर ज्यादा

से ज्यादा तबज्जह दे। इतना ही कह कर मैं फिर तम म सदस्यों का शुक्रिया अदा करता हूँ जिन्होंने बहुत अच्छे सुझाव भी दिये और बहुत अच्छे बतें कही। एक बार फिर उत्तक धन्यवाद करना है।

THE VICE-CHAIRMAN (SHRI R. R. MORARKA): The question is:

"That the Bill further to amend the Prevention of Black-marketing and Maintenance of Supplies of Essential Commodities Act, 1980, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI R. R. MORARKA): We shall now take up the clause-by-clause consideration of the Bill.

Clause 2 was added to the Bill.

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

SHRI MOHAMMED USMAN ARIF: Sir, I beg to move:

"That the Bill be passed."

The question was put and the motion was adopted.

THE PREVENTION OF CRUELTY TO ANIMALS (AMENDMENT) BILL, 1982 ..

THE VICE-CHAIRMAN (SHRI R. R. MORARKA): We shall now take up the next item, the Prevention of Cruelty to Animals (Amendment) Bill, 1982. Yes, Mr. Minister.

THE MINISTER OF STATE IN THE MINISTRY OF AGRICULTURE AND RURAL DEVELOPMENT (SHRI R. V. SWAMINATHAN): Sir, Beg to move:

"That the Bill to amend the Prevention of Cruelty to Animals Act, 1960, as passed by the Lok Sabha, be taken into consideration."

Sir, prevention of cruelty to animals comes under the Concurrent List of the Constitution. The Central Government has played a very active role in the matter of measures taken to prevent cruelty to animals in the last two decades. The Prevention of Cruelty to Animals Act, 1960 was enacted by the Central Government with a view to prevent cruelty to animals and to amend laws relating to the subject of prevention of cruelty to animals. The Prevention of Cruelty to Animals Act of 1960 replaces the earlier Prevention of Cruelty to Animals Act of 1890. The Central Government established the Animal Welfare Board in 1962 under section 4 of the Provisions of Cruelty to Animals Act of 1960. The Animal Welfare Board Works as an apex-level organisation and co-ordinates the work of associations and bodies concerned with animal welfare and renders financial assistance to such organisations.

Keeping in view the experience gained in the working of the Prevention of Cruelty to Animals Act for the past 20 years and the suggestions made by the Legal Affairs Committee of the Animal Welfare Board, the amendments proposed were circulated to the State Governments. Concurrence has been received from the State Governments of Maharashtra, West Bengal, Bihar, Tamil Nadu, Orissa, UP, Rajasthan, Karnataka, MP, Himachal Pradesh, Meghalaya and the Union territories of Chandigarh, Dadra and Nagar Haveli and the Andamans.

The Lok Sabha considered and passed this Bill on the 29th April, 1982. With a view to giving a national character to the Animal Welfare Board, the Animals Welfare Board is proposed to be renamed as the Animal Welfare Board of India. The composition of the Board is being made more