

श्री डी० के० पटेल : अब थोड़ा ही है ।

आज भारतवर्ष में 90 प्रतिशत से भी अधिक भवनों का निर्माण इंजीनियरों, डाक्टर्समनों द्वारा हो रहा है । अगर इनको वास्तुविदों के रूप में न रजिस्टर किया गया तो इनको अपने अधिकारों की रक्षा हेतु न्यायालय में जाना पड़ेगा । हमारी सरकार का गरीबी हटाओ, अन्याय हटाओ का नारा एक दिल को लुभाने वाला और वोट लेने वाला नारा तो लगता है परन्तु ये सब बेकार से मालूम होते हैं । यह बिल यदि बिना सशोधन के, जनता की राय लिये बिना, पास कर दिया गया तो लगभग 50,000 लोग बेकार हो जाएंगे, इसलिये इस बिल को जनता की राय लेने के लिये, प्रजामत के लिये, और पुनर्विचार के लिये भेजा जाये ।

PROF. S. NURUL HASAN : Sir, I have already dealt with the points raised by the hon. Member. ^There is the provision for an Expert Committee in the Bill and there is the provision for a Tribunal for registering, a Tribunal of three persons, and I entirely agree with what the hon. Member has said that their overwhelming majority of our people live in villages and quite obviously, for constructing >ny btiilding in villages this defiailion.^this restriction on the definition of architects, is not going to be applicable. Thererore, I request that the House may pass the Bill.

THE VICE CHAIRMAN (SHRI V. B. RAJU): The question is :

"That the Bill be passed."

The motion was adopted.

THE CONTINGENCY FUND OF INDIA (AMENDMENT) BILL, 1972

THE MINISTER OF STATE IN THE
MINISTRY OF FINANCE (SHRI K. R.
GANESH): Sir, I beg to move :

"That the Bill further to amend the
Contingency...

SHRI VIRENDRA KUMAR SAKA-
LECHA (Madhya Pradesh) : Sir, on a point
of order.

THE VICE-CHAIRMAN (SHRI V. B.
RAJU) : Just a minute. What is the point
of order ?

SHRI VIRENDRA KUMAR SAKA-
LECHA : Sir, the point of order is this :
Under Article 117 of the Constitution, under
Article 117 (3) of the Constitution, this Bill
is not...

THF VICE-CHAIRMAN (SHRI V. B.
RAJU) : Which Article did you mention ?

SHRI VIRENDRA KUMAR SAKA-
LECHA : Under Article 117 of the
Constitution, read with Article 110, Sir, this
Bill does not have the recommendation of
the President for consideration. For moving
this Bill in his House, it says, "a Bill which,
if enacted and brought into opeiation, would
involve an expenditure from the
Consolidated Fund of India, shall not be
passed by either House of Parliament unless
the President has recommended to that
House the consideration of the Bill." This is
not having the recommendation of the
President for consideration.

SHRI K. R. GANESH : Sir, it has been
passed by the Lok Sabha.

THE VICE-CHAIRMAN (SHRI V. B.
RAJU) : He says it has been passed by the
Lok Sabha.

SHRI VIRENDRA KUMAR SAKA-
LECHA : Sir, my point is different. What

[Shri Virendra Kumar Saka-lecha] is being said is that it has been passed by the Lok Sabha. But, Sir, the Article says, "for either House it requires the recommendation". So, Sir, the recommendation for the Lok Sabha does not fulfil the requirement for the Rajya Sabha.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Your point is that the recommendation should be available for the Rajya Sabha also ?

SHRI VIRENDRA KUMAR SAKA-LECHA : Yes, for the Rajya Sabha also.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Yes, it has been obtained.

SHRI VIRENDRA KUMAR SAKA-LECHA : No, it has not been obtained for consideration in this House.

THE VICE CHAIRMAN (SHRI V. B. RAJU) : It has been passed by the Lok Sabha.

SHRI VIRENDRA KUMAR SAKA-LECHA : No, Sir. It does not fulfil that requirement. It should be for this House as well.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : The Rajya Sabha has also received it.

SHRI VIRENDRA KUMAR SAKA-LECHA : It has not been appended with the Bill.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : That is not the practice.

SHRI VIRENDRA KUMAR SAKA-LECHA : When the Bill was introduced there, it is written here, "the President's recommendation under Article 117 of the Constitution is appended with the Bill".

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Your point is clear. The practice is that as the Bill is passed by the Lok Sabha, it is taken up in the from in which It was I

passed. If the Bill had been introduced in the Rajya Sabha, then all these things would have been shown in the Bill itself. I think your point of order is over. There is no point of order. Yes. 'Mr, Minister.

SHRI K. R. GANESH : Sir, I beg to move.

"That the Bill further to amend the Contingency Fund of India Act, 1950, as passed by the Lok Sabha, be taken into consideration."

Sir, the Bill seeks to replace the Contingency Fund of India (Amendment) Ordinance which was promulgated by the President on the 9th February 1972 to raise the corpus of the Fund temporarily from Rs. 30 crores to Rs. 100 crores during the period beginning on the 9th day of February 1972 and ending on the 30th day of April 1972. The Ordinance was Promulgated under compelling circumstances. Sir, as the House is aware, after Bangla Desh achieved its freedom, its Government was faced with the stupendous task of rehabilitating its economy. Towards this objective the Government of India had to render substantial assistance. As the available budget in the Grants and the Contingency Fund could not accommodate fully the various commitments which the Government of India had to make by way of aid to Bangla Desh, an immediate augmentation of the corpus of the Contingency Fund became necessary in February, 1972. As the Parliament was not in session then and as there was no other alternative to provide the necessary funds, recourse to Ordinance was taken to augment the corpus of the Contingency Fund. But this is only a temporary measure and the corpus of the Fund will come down to the normal figure of Rs. 30 crores from 1st May, 1972.

After the Ordinance was promulgated, an advance of Rs. 20 crores was sanctioned on 17th February, 1972, from the Contingency Fund as grant to Bangla Desh. Subsequently, another advance of Rs. 20 crores for the same purpose and an advance

of Rs. 12.5 crores for loans were sanctioned on 4th March, 1972. These advances were included in the Supplementary Demands for Grants presented to the Parliament on the 13th March, 1972, and were duly recouped to the Fund after the Supplementary Demands were sanctioned.

Sir, I move.

The question was proposed.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): Mr. Sanyal.

SHRI SASANKASEKHAR SANYAL (West Bengal): Mr. Vice-Chairman, Sir, the object of this Bill is to sanction funds for the rehabilitation of Bangla Desh. Sir, Bangla Desh has by all means to be rehabilitated. There are no two opinions about that, because Bangla Desh is very affectionately depending upon us, and we should reciprocate by generous contributions. But, Sir, before we are able to rehabilitate Bangla Desh, is it not necessary that we rehabilitate ourselves properly, so that we can effectively extend our helping hand.

Sir, the first point that occurs to me and which have not been discussed in the course of the budget discussion and taxation measures of late, is that if we can restore the value of our rupee to the former level, we can more effectively help Bangla Desh. Sir, our rupee was overnight devalued, not at our instance, but at the instance of a patron power on whom we had to be so much dependent in the past. There are so many strings of the super power; so much solicitude had to be undergone. We had to submit very grudgingly to this devaluation. Sir, nobody was happy. But now that the U.S.A. is withdrawing help from us and we are also trying to withdraw ourselves from the help of U.S.A., is it not time that we take steps for revaluing our rupee to the former position? Sir, I repeat this question to my hon. friend: What are the difficulties? Once upon a time the rupee had a particular

value. For artificial reasons that value was brought down. Now what is the obstacle in removing these difficulties and for restoring our position to the former level? As between Bangla Desh and ourselves, we are on a parity basis, rupee to rupee. But why should we not be on a parity basis of former value of the rupee in relation to the dollar, sterling pound and all that? Sir, by this our capacity to help our neighbour, who will be our friendly only tomorrow add a neighbour at that, will improve very much. This is a thing which ought to be very quickly considered for normalising the situation as before.

Sir, this leads to the moot question of demonetisation. Why not demonetize the present currency? Sir, there is so much black money. It will come up if you say that you will exchange it with new currency. Ah this hoarded money will come up. That portion which does not come up is dead. And that portion that comes up will be exchanged with new currency notes. Here also we shall be able to impose a ceiling. We are imposing ceilings on rural properties, agricultural properties; we are imposing a ceiling on urban property. We should be able to impose a ceiling on hard currency also, people with a certain amount of money getting a certain amount of new currency, people beyond that getting proportionately less and certain amounts being squeezed. Therefore, in all humility I submit that the question of revaluation and demonetisation should be taken up forthwith so that our paying capacity becomes improved and we become a less dependent nation.

Now a very interesting thing comes up. We are not improving the paying capacity of the cultivator. About one year back, I remember, I had put a question asking whether it was not a fact that in India fertilizers were the costliest in the whole world. The answer was in the affirmative. On the 16th of March our fertilizers have been taxed by fresh budget proposals. On the day preceding—

[Shri Sasankasekhar Sanyal] 15th March—in answer to my question No. 47—
Starred Question—the answer was given :

"It is the responsibility of the State Government, . . . to ensure that adequate fertilizers reach the farmers.

Government have been aware of need for maintaining reasonable prices for fertilizers and have, in fact, prescribed statutory ceiling prices for three common fertilizers, namely, Ammonium Sulphate, Urea and Calcium Ammonium Nitrate. The States have been [empowered to prosecute dealers selling at prices exceeding the ceiling prices."

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Mr. Sanyal, you are going into a wider forum.

SHRI SASANKASEKHAR SANYAL : Just two minutes, Sir. I am, winding up.

"The Government of India reduced the prices of certain varieties ... It is hoped that with the establishment of large-sized fertiliser, factories, cost of production would come down and the price of fertilisers would be further reduced."

Is it not an irony, is it not a huge joke that you are crippling the capacity of the Indian farmer ? One day you say 'that you; will see that fertilisers (are available at cheap rates. On the next day you are taxing and you expect us to extend our helping hand to our neighbours which we do not grudge. Then there is another point.

THE VICE CHAIRMAN (SHRI V. B. RAJU) : It is a simple Bill for Contingency Fund ...

SHRI SASANKASEKHAR SANYAL : Also it is a simple statement which I am

making. We are talking of bilateral talks with Pakistan. We are giving several hundred crores of rupees to our friends and 'allies. But then the question is: Why does not the Government speak in terms of getting compensation for these refugees, which was an act of invasion by Pakistan? We are talking of the ceasefire line and withdrawal of troops, bilateral talks and all that. The first act of invasion by Pakistan was the sending of so many people and then, the declaration of war unilaterally. But we did not reciprocate with a declaration of war. We declared cease-fire. So, according to international law and convention, is it not proper for us to say at first that Pakistan must give us compensation before any talk is entered into? And if Pakistan does not accept that position, then the funds of the foreign powers that inspired Pakistan to go in for this War—the Americans—should be frozen forthwith.

One more point, Sir. Sir, we are caring so much for the people who are our neighbours. But are we caring for our own defence personnel ? Sir, we know, you are a man of experience ; you have been a Minister and you have got wide political experience. Do you know the staggering position that , no pension is paid to the family of a soldier who dies on the field ? It is at the discretion of the President and if it is given it is given to the widow but not the children. And if the widow marries another man—which she has every right to do—then the children do not get the pension. These are the things which are to be squared up. Let our country feel happy, let our defence personnel feel happy, let [our farmers feel happy and let us feel that we are doing something worthwhile for our people so that we can more freely, more gladly and more cordially extend our helping hand to our neighbour who is an affectionate dependent and who will be our friendly ally hereafter.

SHRIMATI PURABI MUKHOPADHYAY (Vest Eengal) : I rise to support

the Bill regarding the Contingency Fund which was utilised mainly for the evacuees from Bangladesh for their shelter. There cannot be two opinions on the utilisation of this Contingency Fund or the necessity for it. Mr. Sanyal seems to be obsessed with the idea of rehabilitation and being ousted from all corners of the country, they have lost all their moorings and they are now finding a place where to rehabilitate themselves.

SHRI SASANKASEKHAR SANYAL : We have not been dislodged from this House yet.

SHRIMATI PURABI MUKHOPADHYAY : Very soon you will be. He knows that not only we are proud of our performance in India but the whole world and all the nations feel proud of the leadership that India specially the Prime Minister, has shown in this respect. So whatever was necessary for us to do to help the evacuees from Bangladesh and the Bangladesh Government we did it, we will do in the future also if needed. So there was nothing wrong in taking money from the Contingency Fund and I support the Bill.

श्री जगदम्बी प्रसाद यादव (बिहार) : माननीय उपसभापति महोदय, आपने कहा कि यह सिम्पल और छोटा-सा विधेयक माननीय मन्त्री जी लाये हैं। श्रीमन्, यह छोटा सा नहीं, 30 करोड़ से लेकर 100 करोड़ तक की बात इसमें है और माननीय वित्त मन्त्री को करोड़ शब्द भले ही छोटा लगता हो, लेकिन जब गरीब देश की बात आती है तो एक बहुत बड़ी बात मालूम पड़ती है। जहां तक बंगला देश की बात है, हमारे सभी सदस्य उसका समर्थन करते हैं और मैं भी उसमें पीछे रहने वाला नहीं हूँ, लेकिन बंगला देश की बात के सिवाय अपने देश की बात भी कुछ होनी चाहिए। श्रीमन्,

जहां तक बंगला देश को बसाने की बात है, भारतवर्ष सदा शरणार्थियों को शरण देने में और उनकी रक्षा करने में आगे रहा है। यह उसका पुरातन इतिहास है, यह उसकी परम्परा रही है, लेकिन मैं माननीय मन्त्री जी से जानना चाहूँगा कि अभी-अभी मन्त्री जी ने अखबारों में पढ़ा होगा और बिहार की कांग्रेस के मन्त्री ने भी उसे स्वीकार किया है कि संचाल परगने के संचाल पहाड़ी लोग हजारों की संख्या में अन्न और जल के बिना मर गये। आज उनके पास कोई रोजगार नहीं, खाने का उनके पास कोई साधन नहीं। एक हाहाकार उन संघालियों के बीच आज मचा हुआ है। मैं जानना चाहता हूँ कि जहां तक शरणार्थियों की बात है वह तो समझ में आती है, लेकिन अपने देश में भी अनेक स्थान ऐसे हैं, जहां लोग भूख से हाहाकार कर रहे हैं। मैं इस संदर्भ में यह भी जानना चाहूँगा कि बिहार में बाढ़ पीड़ितों की समस्या आयी थी और आज तक उन बाढ़ पीड़ितों की वे समस्याएँ सुलझी नहीं। सरकार ने उनको कितनी मदद दी? मैं सरकार से यह भी जानना चाहूँगा कि पाकिस्तान ने हमारे ऊपर युद्ध घोषा था और उसको हमने युद्ध में पराजित किया और आज हम उसके 93,000 सैनिकों को खुराक दे रहे हैं और उनको रख भी अच्छी तरह से रहे हैं और उन पर करोड़ों रुपया खर्च हो रहा है। तो क्या सरकार यह रकम भी पाकिस्तान सरकार को रिलीफ फंड में देगी या पाकिस्तान सरकार से इसके लिए कंपेंसेशन माँग कर इसकी पूर्ति की जायेगी? श्रीमन्, मैं यह भी जानना चाहता हूँ कि...

उपसभाध्यक्ष (श्री वी० बी० राजू) : यादव जी, इस बिल से इसका क्या ताल्लुक है?

श्री जगदम्बी प्रसाद यादव : यह इसमें उठ जाता है।

उपसभाध्यक्ष (श्री बी० बी० राजू) : इस तरह से सारी दुनिया इसमें आ जायेगी तो मुश्किल हो जायेगी।

श्री जगदम्बी प्रसाद यादव : एक पैसा भी लिया जाय तो दुनिया की बात आ जाती है, दुनिया की बात न भी आये तो देश की बात तो उसमें आती ही है। इसलिए श्रीमन्, मैं यह भी जानना चाहता हूँ कि जहाँ तक शरणार्थियों की बात है, अपने देश में भी बाढ़ से, सुखाई से, अनइंफ्लायमेंट से लोग शरणार्थी बन रहे हैं। आप जहाँ पर रिलीफ फंड देने की बात दूसरे देशों के लिए करते हैं तो वह अपनी परम्परा की बात कर जाते हैं। लेकिन हमारे यहाँ जो शरणार्थी बन रहे हैं, जो नौजवान शरणार्थी बन रहे हैं, पढ़ लिख कर शरणार्थी बन रहे हैं, जिनके पास काम नहीं है, तो इस कांटेजेंसी फंड से सिर्फ बंगला देश की ही व्यवस्था की है, लेकिन ऐसे लोगों के लिए जो कि सचमुच में शरणार्थी हैं, अपने देश में शरणार्थी हैं, उनके लिए कुछ नहीं किया है। जब इस तरह की बात की जाती है, बेकारों को पेंशन देने की बात की जाती है चाहे वह कांसोलिडेटेड फंड से दिया जाय चाहे कांटेजेंसी से दिया जाय, तो मन्त्री महोदय जवाब देते हैं कि अमेरिका और इंग्लैंड में कम बेकार हैं, इसलिए वहाँ उनको बेकारी पेंशन दी जाती है, लेकिन जब कम बेकार हैं तो वहाँ की समस्या कम है और जब यहाँ अधिक बेकार हैं तो समस्या यहाँ बड़ी है। इंजीनियर और दूसरे पढ़े लिखे लोग, नौजवान बेकार हैं, उनका परिवार है, उनकी कैसे परवरिश हो रही है, समझ में नहीं आता। सिर्फ गरीबी हटाओ के नारे से तो उनका कल्याण नहीं हो सकेगा। इसलिये मेरा निवेदन है कि

अगर कांटेजेंसी फंड उसमें भी कुछ कारगर होता है तो उसके ऊपर गौर करें और अगर नहीं होता है तो और क्या तरीका हो सकता है उस पर सोचें। यह कारगर हो सकता है तो ठीक है अन्यथा और क्या सम्भव है, उस पर भी आपको विचार करना चाहिये।

SHRI K. R. GANESH : Sir, this is a very simple Bill. Under article 267 (1) and 283 (1) of the Constitution the Contingency Fund of India Act, 1950, was enacted providing for the establishment of a Contingency Fund of India and for the custody of such fund and the payment of moneys into and withdrawal of moneys from it. Under section 2 of this Act as amended by the Contingency Fund of India (Amendment) Act, 1970, the corpus of the Fund is Rs. 30 crores. Out of this Rs. 2 crores have currently been placed at the disposal of the Ministry of Railways and the balance of Rs. 28 crores is at the disposal of the Ministry of Finance to meet the requirements of unforeseen expenditure on civil, defence and P & T Department. As a result of the requirement of meeting the demands of restoring the Bangla Desh economy after Bangla Desh became independent the Government decided to raise the corpus of the Contingency Fund of India from Rs. 30 crores to Rs. 100 crores for a period beginning from 9th day of February 1972 and ending on the 30th day of April 1972. As a result of the Supplementary Demands that have been passed this Fund has been recouped. The amounts that have been spent out of this Fund and which I had indicated in my speech earlier are Rs. 20 crores sanctioned on 17th February 1972 as grant to Bangla Desh, subsequently another Rs. 20 crores for the same purpose and an advance of Rs. 12.5 crores for loans sanctioned on 4th March 1972. All these were recouped after the Supplementary Demands were passed on 13th March 1972. And now the corpus of the Fund will revert back to Rs. 30 crores from 1st May 1972.

The other questions that hon. Members have raised are larger questions of national policy which have already been discussed and debated when the Budget was placed before Parliament and the Finance Minister replied to the Debate. Sir, I commend this Bill.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): The question is :—

"That the Bill further to amend the Contingency Fund of India Act, 1950, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : We shall now 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 K. R. GANESH : Sir, 1 move :—

"That the Bill be returned." *The question was proposed.*

SHRI SANAT KUMAR RAHA (West Bengal) : Mr. Vice-Chairman, Sir, this Contingency Fund of India (Amendment) Bill, 1972, has got every connection with Bangladesh and with Bangladesh India has got laudable connections in historical activities for the last one year.

I think that there are some questions raised by some of our friends that the procedure in the promulgation of the Ordinance by the President is not democratic. These things should be considered very seriously. As we are in a democratic set-up and as our country is secular, democratic and sovereign, it is our main task that before an Ordinance is promulgated, we should seriously think whether we can avoid such a situation of issuing Ordinances by passing Parliament and by passing the democratic procedure. The procedure and method of promulgating President's Ordi-

nance, though not appreciated by some sections of our friends, still we can, in all respects, support this Bill, as it has got a historic significance regarding Bangladesh and its rehabilitation. The question has been raised why just a month before Parliament met this Ordinance was promulgated. This question should be answered. Could not be additional funds of Rs. 70 crores have been provided for in the Central Budget? This question also should be answered. Could not the Government foresee the situation in time to avoid the promulgation of the Ordinance? This question too should be answered. Whether the Contingency Fund has been properly utilised or not should also be answered. These are things for a democratic Government to answer to the people through the legislatures as in other countries. In the matter whether the Contingency Fund has been properly utilised, we have no hesitation in saying that there is the machinery to check it up and see whether the Fund has been utilised for democratic or for undemocratic purposes. If there be some lacuna in the procedure of expending that Fund, there should be some criticism so that a new machinery can be set up to remove the lacuna and to see that this sort of Contingency Fund is utilised properly.

However, I welcome the Statement of Objects and Reasons of this Bill. Bangladesh is our neighbour country. Bangladesh today is free, sovereign, secular and democratic. India can have every pride in herself in that in the world India has been hailed for her activities in the cause of Bangladesh, and Bangladesh has been liberated from Yahya Khan, the sadistic butcher in world history. India has got every well-wisher in the democratic world, in the anti-imperialist forces in the world and in the secular sections of the world. Thus, India occupies a laudable place in world history because India has rendered every help to Bangladesh to free itself from the military junta and from imperialist cliques.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : This is the third reading stage

[Shri V.B. Raju] and one must be very brief in his observations.

SHRI SANT KUMAR RAHA : I am closing now, Sir. India is a friend of national liberation movements. All these things we should keep in our mind because history is going to be written day in and day out. Today we are passing through a history in which the imperialist sections are conspiring against us. The Peking-Washington Axis is always trying to create dissensions between ourselves and Bangladesh and to create dissensions between ourselves and Bangladesh and Soviet Russia. We know that we have got our glorious Treaty between India and the USSR. We have also our glorious history and Treaty between our India and Bangladesh. For a secular country, for a sovereign country, for a democratic country, these are the weapons and we should always be prepared to criticise imperialist connivance.

I do hope that this Bill would be accepted and supported in all respects because it has got the very brilliant background of liberating Bangladesh from world imperialist conspiracy and world imperialist domination.

I do conclude here, Sir.

SHRI NIREN GHOSH (West Bengal) : Mr. Vice-Chairman, Sir, I rise to say a few words. It is good that some money has been allocated, but let no pretensions be made of it because if we read into it many things will catch our eyes which need explanation. For example, a few days ago, as far as I remember during the Question Hour the question was raised whether the inflow from foreign countries for the relief of refugees, the total quantum, has been handed over to the Bangla Desh Government. We got the impression that whatever was in the pipeline would be sent, but there is no question of diverting whatever more the Government is receiving. The world community or the different States from whatever source it be, allotted funds for the relief of the refugees.

We also know that when these refugees returned home they were given fourteen days' relief and some pittance, with their homes, houses and everything destroyed. They had nothing to fend upon, those who came to this side. Also, there were refugees, one crore or more, on that side. So, I wonder how the Government of India receiving sums from abroad, could keep to themselves a portion of them. The Budget at one time provided for Rs. 200 crores as if it is a handsome relief to the Bangla Desh Government; but there is a deceitful thing about it. I want to remind the House that during those nine months at least Rs. 120 crores worth of raw jute was smuggled into India by the jute magnates. If these were in possession of Bangla Desh, Rs. 120 crores worth of foreign exchange they would have got. Bangla Desh was cheated by the Indian magnates with the blessings of the Government of India of Rs. 120 crores worth foreign exchange. Now, they make a big show of giving them relief and all that. It is sheer robbery and nothing else. I hope the Government have read the "Newsweek", an illustrated and illustrious journal from the USA. It is a pro-Bangladesh paper as far as the liberation struggle is concerned, and against President Nixon. What did it say? In its issue of the 20th March or so—I do not remember the exact date—one Bangla Desh official angrily commented to the "Newsweek" representative there that all the arms and equipment surrendered by the Pak army have been taken by the Indian army and brought to India.....

HON. MEMBERS : No, no.

SHRI NIREN GHOSH: You have to prove it. Assertions are not arguments. If that were so, it is very easy and you can assert anything.

SHRI A. G. KULKARNI (Maharashtra) : As if you were there on that day.

SHRI NIREN GHOSH : It is there, a Bangladesh Government official angrily saying that these things belonged to them

because Pakistan purchased the arms by levying taxes on them.

SHRIMATI PURABI MUKHOPADHYAY : Sir, on a point of order. This vague allegation of such a serious nature should not be made in this House without corroboration and without having an authentic report from anybody. We must know from Mr. Ghosh the source of his assertion.

SHRI NIREN GHOSH : She has been long in parliamentary life. Yet, she does not know what is a point of order. I have quoted the newweek.

SHRIMATI PURABI MUKHOPADHYAY : I have raised a point of order and he has to give an answer.

SHRI NIREN GHOSH : They have given it in inverted commas that a Bengalee official said that "Pakistan purchased arms and equipment with taxes levied on us by exploiting and draining wealth from Bangla Desh and India has taken them as war booty and brought them to this side." Can You challenge ?

SHRI N. G. GORAY (Maharashtra) : I would like to ask Mr. Niren Ghosh one question : Since when he has started relying on newweek ? That is all that I want to know.

SHRI NIREN GHOSH : You came later. It is a journal which agitated for Bangla Desh.

SHRI N. G. GORAY : Well, it suited it then.

SHRI NIREN GHOSH : It is an anti-Nixon journal and...

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Mr. Ghosh, such a serious allegation shall not be made. You should not depend upon newweek or some other report unless you have verified it.

SHRI NIREN GHOSH: You live on this side of the brother. Are we ignoramuses ? Let me tell the House—It is not so simple as that. Have not vital parts of the jute mill machineries been brought away to India and the jute mills cannot run there now ? It is a fact. And now you speak of great things. Since you prefer to challenge me, I say, those who will say this will forfeit or lose the confidence of the Bengalees this side or that side. Let them remember. *(Interruptions)* It is not so easy and so simple. You have taken such a war booty. And now, you make a pretence of this and that. And the border trade—complete smuggling is going on there. Three-Tier trade. That tier of free trade between the borders is complete smuggling. Is it not a fact that during the liberation days rice used to sell cheaper in Bangla Desh compared to West Bengal ? And huge quantities of rice was smuggled and now the price of rice has gone up there. How many lakhs of tonnes ? But it is a fact. Rice used to sell at Fts. 3 or Rs. 2-50, which was being sold at Re. 1 or Rs. 1.50. And it was spirited away here, it was smuggled here. How can it be done. When do you represent in the Government of India ? The smugglers, profiteers and the Marwari magnates there.

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Please come to the Bill.

SHRI NIREN GHOSH : Now, after all those things, you come here and tell us; you are making a show of benevolence. Let the country know of all those things; those deceitful things will not get you anywhere.

SHRI K. R. GANESH : You are imagining. You must say something on the basis of some fact, not on the basis of imagination, not on the basis... *(Interruptions)* I have produced the Bill, I have introduced the Bill.

SHRI NIREN GHOSH : I am speaking on the basis of facts. What do you know ?

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : You have taken nearly 20 minutes. You are going into other aspects.

SHRI NIREN GHOSH : You think that the swindlers of the West Bengal Assembly will carry confidence there? It is not so easy. So, Sir, what I want to point out is that fair behaviour has not been done towards Bangla Desh. Is the Government doing that? (*Interruptions*)

SHRI A. G. KULKARNI : This should not be allowed here. It should be challenged.

SHRI A. G. KULKARNI: You want to drive a wedge between India and Bangladesh.

SHRI MAHAVIR TYAGI (Uttar Pradesh) : Sir, I have no specific objection against the Bill. After all, there was justification for the expenditure. There is no doubt about that. Money had to be spent and legally it could not be spent unless the funds were raised. That, too, I understand. But there is one difficulty. I could not follow whether the President is authorised by law to just promulgate such Ordinances because this Fund is kept at the disposal of the President himself. Now, is he entitled to increase the amount of this Contingency Fund? Under what law can it be done? Does the Constitution permit it? My hon. friend is here. He is a master of law. He might just put the legal position before the House and explain to us whether—I do not attribute any motive—it was legal for the President to issue an Ordinance on this issue because this Fund is created by Parliament alone by law. It is only Parliament which can create a Fund like that and put it at the disposal of the President. Whatever Parliament can do, can the same thing be done by the President himself? Can the President issue Ordinances with regard to his own powers? Here although temporarily the corpus was increased from Rs. 30 crores to Rs. 100 crores, it becomes a precedent. If the Parliament is not sit-

ting, an Ordinance is issued and if the party in power has a majority, they can get it approved in Parliament. So, the budgetary control of Parliament will become absolutely nil. There is no way out if the party in power gets an Ordinance issued in this respect and then with its majority, gets it approved in Parliament. They get a free hand in that matter. There must be some restriction. This is what I could not follow. If legally it is regular and legally it is sound, then I would be fully satisfied. But I feel that the rights of Parliament should not be interfered with especially in money matters, which is the privilege of both the Houses. So I would like to have clarification on this.

श्री जगदीश प्रसाद माथुर (राजस्थान) : श्रीमन्, जो कुछ नीरेन घोष जी ने कहा है, मैं सोचता हूँ कि एक दृष्टि से हमको उस पर थोड़ा विचार जरूर करना चाहिए। उन की बातों से मेरी सहमति नहीं है, जो विचार उन्होंने प्रकट किए हैं उनसे, लेकिन पिछले दिनों बंगला देश में इस प्रकार की एक आवाज उठी थी और उठती दिखाई दे रही है कि भारत की ओर से हमारा एक्सप्लाइडेशन हो रहा है, उसके नेता हमारा एक्सप्लाइडेशन कर रहे हैं। यह बहुत अच्छी बात है कि हम उनको मदद दे रहे हैं, हम ने बंगला देश के लिए बहुत कुछ किया है और हमको बहुत कुछ करना है और बंगला देश से हमारे सम्बन्ध अच्छे बने रहें सह सदन के दोनों ओर बैठने वाले पक्षों की इच्छा है। जहाँ तक जूट के सम्बन्ध में उन्होंने कहा, वह व्यवसाय यदि उस समय हुआ हो जब कि बंगला देश के किसान वास्तव में परेशान थे, जब कि उनका जूट वहाँ सड़ रहा था और बाहर नहीं जा सकता था, तो अगर उसको उन्होंने हिंदुस्तान में भेजा और हमारे माध्यम से उनको कुछ फायदा हुआ है, तो उससे बंगला देश

के लोगों को कुछ लाभ ही हुआ है, हिन्दु-स्तान के लोगों ने केवल अपने स्वार्थ से प्रेरित हो कर वह नहीं किया। लेकिन भविष्य की दृष्टि से मैं सरकार से यह एश्योरेंस चाहूंगा कि जहां तक जूट का ताल्लुक है, उसके बारे में वह अपनी नीति स्पष्ट रखें। आज वहां अकाल पड़ने की स्थिति है, लेकिन दो तीन दिन पहले ही मौलाना भासानी ने कहा था 'वी डोंट वान्ट इन्डियन डामिनेशन'। तो न तो सरकार का ही इस तरह का कोई विचार है और न भारत की जनता का ही कोई ऐसा विचार है कि भारत का डामिनेशन उन पर हो, तो मैं सरकार से चाहूंगा कि वह अपनी नीति स्पष्ट करे ताकि जिस प्रकार से सदन में आरोप लगे हैं, उसमें अपने देश के खिलाफ कहीं पर दुष्प्रचार न हो।

SHRI K. R. GANESH : Sir, I am quite sure that the House will join me in expressing extreme regret at some of the sentiments which have been expressed by Shri Niren Ghosh. Here is a very simple Bill which I placed seeking the approval of the House. The Bill seeks to approve the Ordinance which the President promulgated for raising the corpus of the Contingency Fund of India from Rs. 30 crores to Rs. 100 crores for a temporary period so that the requirements of Bangla Desh after its liberation could be met. I had indicated the amounts that were sanctioned and advanced as loans even before Parliament was in session. Neither in this Bill nor in the speech that I made nor in the remarks of any other honourable Member has there been any pretension—nobody has ever tried to make any pretension—and I think it is not in the mind of any leader of the Government of India or any leader of our country—about giving help to the fraternal people of Bangla Desh to stand on their own legs. Some of the remarks which the honourable Member has made, I must submit in all humility and with your permission, are absolutely

anti-national remarks, because Shri Niren Ghosh belongs to a political party which has lost all sense of proportion. Shri Niren Ghosh's party having been defeated in West Bengal, having been routed by the people of West Bengal, as a result of the negative policies that they continued to adopt. . .

SHRI SASANKASEKHAR SANYAL :
On a point of order, Sir

SHRI K. R. GANESH : No, please listen to me. Sir, I am not going to yield...

THE VICE-CHAIRMAN (SHRI V. B. RAJU) : Just a minute, he is on a point of order,

SHRI SASANKASEKHAR SANYAL :
Sir, you can attack a speech, you can attack a Member, But can you attack a party ?

SHRI MAHAVIR TYAGI : If you do not attack a party, then you attack him.

THE VICE CHAIRMAN (SHRI V. B. RAJU) : I do not know whether the Member is different from the party. There is nothing personal here against Mr. Ghosh.

SHRI K. R. GANESH : Sir, I was explaining that the party to which Shri Niren Ghosh belongs, having been routed by the people of West Bengal due to their negative policies and also their attitude to Bangla Desh... {Interruptions}

SHRI SASANKASEKHAR SANYAL :
Absolutely wrong.

SHRI K. R. GANESH : He has given an opportunity here for me to put before the house that the attitude of the CPM during the Bangla Desh crisis was most equivocal, it was most negative ...

SHRI SASANKASEKHAR SANYAL :
No. absolutely wrong.

SHRI K. R. GANESH : I maintain it, it
was most equivocal ...

THE MINISTER OF STEEL
AND MINES (SHRI S. MOHAN
KUMARAMANGALAM) : Truth
hurts.

SHRI K. R. GANESH : ... because they
could not join the mainstream that was there
as far as Bangla Desh crisis was concerned.
At every turn of the Bangla Desh crisis the
CPM took a particular position. Even when
the 7th Fleet was there, the position of the
CPM was that we should go and settle with
the Chinese so that we were not faced with
two power blocs. . .

SHRI SASANKASEKHAR SANYAL :
Absolutely wrong.

SHRI K. R. GANESH : It is an opinion
you expressed. You must also learn to hear
the other opinions expressed. This was what
they said during and after the liberation of
Bangla Desh in West Bengal and it is the
greatest insult to a party which calls itself a
revolutionary party. The CPM tried to
confuse the masses of West Bengal in
relation to the policy that the Government of
India pursued. This is in continuation of
their policies, the equivocal policy, the
negative policy, the policies in which they
never believe that India would achieve this
tremendous victory as far as Bangla Desh
crisis was concerned. This is a continuation
of that policy. What all Shri Niren Ghosh
said today only means that he is trying to
...(Interruptions) ... create a feeling of
enmity between the people of Bangla Desh
and the people of India. The relationship
that was established by the blood of the two
peoples, the relationship which is
unparalleled in

history, that relationship today has won the
admiration of the world and Shri Niren
Ghosh, because he has lost all political
sense of perspective, today is out to malign
that relationship. Whom is he serving ? He
thinks he is serving a revolutionary cause.
Ho is serving the enemies of Bangla Desh.
Throughout the crisis they have been
opposed to the liberation struggle inside
Bangla Desh ...

SHRI SASANKASEKHAR SANYAL :
It was we who stood up first here asking
you to give recognition to Bangla Desh. We
were the foremost to do it. I stood up. Do
not mislead like this. You are a Minister.
You ought to be more responsible.

SHRI K. R. GANESH: The
early recognition talk has shown its worth.
History h's proved that the policies pursued
by the Government of India and the Prime
Minister were coirect policies and they were
the timely policies and it is as a result of
those policies we have achieved this
Victory.

There is another point. He has also raised
the point that the government has spent
more than Rs. 200 crores for maintaining the
refugees and reimbursement of our
expenditure. There are two aspects. We have
appropriated certain sums for helping
refugees while they were in our country.
This expenditure about which I have already
stated was taken from the Contingency Fund
of India to help the economy and rehabilita-
tion of free Bangla Desh...

SHRI MAHAVIR TYAGI : I do not
want to cross-examine you. Contingency
Fund limits are there. Whatever be the
justification for expenditure, it cannot be
drawn beyond its limit at any cost.

SHRI K. R. GANESH: I am trying to
explain that. Sir, I was saying that these are
two expenses which we had

incurred, This was taken from the Contingency Fund of India when Bangla Desh became free after our own officials went there and assessed the requirements of Bangla Desh. On the basis of that estimate and assessment this expenditure was incurred because Parliament was not in session-..

SHRI MAHAVIR TYAGI : On a point of order. Can Contingency Fund be enhanced beyond its limit ? can it be done on the basis of justification of the expenditure ? The whole fund is meant for that purpose. The limit is there. If it was an important issue. Parliament could have been summoned. But without the sanction of the Parliament, how could you exceed that limit ?

SHRI K. R. GANESH : I was coming to the point that the hon. Member raised, I was answering the point Shri Niren Ghosh was trying to make. He was trying to link the total expenditure that was there with the maintenance of refugees for which we appropriated necessary funds from the Parliament. It was taken from the Contingency Fund. Now I come to the point whether the corpus of the Contingency Fund of India could be enhanced. This matter has been gone into...

SHRI MAHAVIR TYAGI : There are two points I do not attribute any motive to the government. My point is only technical. Can you draw any money out of the limit of the Contingency Fund unless it was first increased ? Can you increase the limit retrospectively like this ? Second point is whether the President can be legally authorised to do this job by means of an Ordinance ? These are the two points.

SHRI K. R. GANESH : The Ordinance was issued by the President on the 9th February. After the Ordinance was issued by the President raising the corpus

of the Contingency Fund from Rs. 30 crores to Rs. 100 crores, the expenditure which was taken out of the Contingency Fund was incurred. That is the first point. The second point which the hon. Member has raised is whether the corpus of the Contingency Fund of India could be raised once that is fixed. This matter has been examined in the past and the view has been taken by the former Law Minister that this could be done and as a result of this understanding and with this precedent that was there, the Finance Ministry authorised the expenditure, Sir.

SHRI B. K. KAUL (Rajasthan) : Sir it is not clear to me.

THE VICE CHAIRMAN (SHRI V. B. RAJU) : He has answered all the points.

SHRI B. K. KAUL : No, Sir. I want a clarification.

THE VICE CHAIRMAN (SHRI V. B. RAJU) : Only a small clarification.

SHRIB, K. KAUL: Yes, Sir. I am not speaking now. I want a clarification only. Can he quote any clause whereby the President is authorised to draw from the Consolidated Fund of India beyond prescribed limit ?

SHRIMATI PURABI MUKHOPADH-
YAY : It is not the Consolidated Fund of India.

SHRI B. K. KAUL : It is the Conso-
lidated Fund of India.

SHRI K. R. GANESH : Sir, I have answered the points that have been raised.

THE VICE-CHAIRMAN (SHRI V. B. RAJU): All right. The question is.

"That the Bill be returned," *The*

motion was adopted.