

**MOTION RE EXTENSION OF TIME  
FOR PRESENTATION OF THE  
REPORT OF THE JOINT COMMITTEE  
OF THE HOUSES ON THE  
MONOPOLIES AND RESTRICTIVE  
TRADE PRACTICES BILL, 1967**

SHRI DAHYABHAI V. PATEL  
(Gujarat) : Madam, I move :

"That the time appointed for the presentation of the Report of the Joint Committee of the Houses on the Bill to provide that the operation of the economic system does not result in the concentration of economic power to the common detriment, for the control of monopolies, for the prohibition of monopolistic and restrictive trade practices and for matters connected therewith or incidental thereto, be further extended up to the first day of the second week of the 66th (November-December, 1968) Session of the Rajya Sabha.

The question was proposed.

SHRI BHUPESH GUPTA (West Bengal) :  
Madam, I should like to have an explanation from the mover as to why extension of time is sought. That is the first point.

Now we from outside are a little apprehensive about the progress of the work. We do feel that all kinds of lobbies have been created in order to frustrate and create difficulties for the work of the Joint Committee.

We have also indications from the Press and otherwise that big business people are coming to Delhi in order to lobby certain important personalities in Parliament and in the Government so that proper amendments are not accepted and the law may be modified in such a way as to suit the interests of the monopolistic class. We have also seen in the newspapers reports of certain meetings taking place and personally speaking we have come across bloated capitalists in Parliament House which has added to our apprehension that the lobby is in full operation. Besides, there are other facts also. Now, my colleague has asked for time. Normally I would not have liked to give time but I think in this matter with all due deference to you, Madam, and to him I will be in favour of granting the time but with certain observations that in future no more time will be sought.

This should be the last time when they ask for more time. Meanwhile certain steps will have to be taken. These licences and other things should not be given to those big business people till the Committee decides upon this measure and gives its recommendations because time is the essence of the thing. We do not know when this is going to be passed and I think pending consideration of these things all concessions to these people should be frozen especially to those who figure in the Report of the Monopolies Commission.

SHRI M. RUTHNASWAMY (Madras) :  
What has all this got to do with the request for extension of time ?

SHRI BHUPESH GUPTA : Because you don't know. This is a motion and I can speak on it. You need not speak of course.

SHRI M. RUTHNASWAMY : You make your appeal to the Government, not to Mr. Patel.

SHRI BHUPESH GUPTA : I am asking my friend; he is the mover, as you know. I am addressing these words to him as a sentinel of the House—I do not know what type of sentinel he is—he must take care of it. I am not saying that he should do it but certainly the Joint Committee should impress upon the Government that pending the disposal of this measure by that Committee no further fresh licences for industrial undertakings and other things should be granted, for example, to the Birlas and similar other concerns. That is very essential. We are apprehensive because we find some people connected with big business still drawing salaries or emoluments from big business or business houses, that the Private Secretary to the Deputy Prime Minister of our country... {Interruptions} I cannot but say that it causes apprehension because the connections are there, the links are there...

THE DEPUTY CHAIRMAN : Please, that will do.

SHRI BHUPESH GUPTA : How am I to be sure that here malpractice and corruption will not take place even when we are discussing this motion when I find that the son of the Deputy Prime Minister here connected with a very shady business concern was still drawing his salary...

HON. MEMBERS : No, no.

THE LEADER OF THE HOUSE (SHRI JAISUKHLAL HATHI) : It is not relevant.

SHRI BHUPESH GUPTA : It is relevant because the conduit pipe is there...

SHRI JAISUKHLAL HATHI : How is all this relevant ? What is all this ? Here the motion is that the time appointed for the presentation of the Report of the Joint Committee be extended. It is not relevant. You say how all this is relevant.

SHRI BHUPESH GUPTA : I know it. Until I came to the holy name everything was relevant. I say you consider it. You are a Member of the Committee on our behalf. Suppose we are mistaken, still we would expect sympathetic consideration by you and Mr. Patel.

SHRI DAHYABHAI V. PATEL : I will reply.

SHRI BHUPESH GUPTA : One minute. It is relevant, because I find that this is being delayed. The conduit pipe is working to influence the Government on policy matters and they have got their henchmen placed in high positions and crucial positions and Mr. Hathi beiiig what you are, you do not understand the relevance of this simple fact. That goes to show how these people influence people in high places.

SHRI ABID ALI (Maharashtra) : Madam, I have to reply to him. The hon. Member, whenever such questions come, stands up and starts abusing the Government, saying that they are under the influence of big business and all that. Is it not a fact that prominent Members of the Opposition, who here shout so much against these employers occupy their motor-cars for going from one place to another, take money from them, black money earned by "chori", and they take money through "chor darwaza" ? He said that they pay us and buy us and that we are submitting to them, their tactics, because of money and that we want to delay this matter. The Committee over which you are presiding has recommended extension of time. On such a simple matter he takes this sort of objection. Is it not a fact—I asked the other day—that the hon. Member, who was talking so much against the Birlas, went from Calcutta to Asansol in his car, moved

about in Muzaffarpur in his car, and how much money they take ? So for as the Congress is concerned...

SHRI BHUPESH GUPTA : I never toured about...

SHRI ABID ALI : This is the time for him to listen...

SHRI BHUPESH GUPTA : I have not moved about... {Interruptions.} What is he saying ?

SHRI ABID ALI : No, no. I will not submit to him.

SHRI BHUPESH GUPTA

V SHRI ABID ALI : He is habituated to saying nothing but irrelevance. ..

SHRI BHUPESH GUPTA : When did I travel in Birlas' car ? Never like that... (Interruptions.)

THE DEPUTY CHAIRMAN : Order, order.

SHRI ABID ALI

(Interruptions.)

SHRI BHUPESH GUPTA : Protege of the INTUC...

SHRI ABID ALI : I am replying to the charges he has made. If you are not prepared to allow us to reply to him, what should we do ? We have to refute his charges. Please do not permit him to make these false charges. Is it fair. ..

SHRI A. D. MANI : Is it parliamentary to call a Member

(Interruptions.)

THE DEPUTY CHAIRMAN : Order, order.

SHRI ABID ALI : Kindly do not allow him to bring in here these things, which are irrelevant, which are false,...

THE DEPUTY CHAIRMAN : That will do.

SHRI ABID ALI : which are defamatory.

SHRI BHUPESH GUPTA :

♦Expunged as ordered by the Chair.

SHRI AKBAR ALI KHAN (Andhra Pradesh) : The word is unparliamentary. He called him a

SHRI ABID ALI

{Interruptions.}

THE DEPUTY CHAIRMAN : All abusive language will be expunged. Mr. Patel.

SHRI ABID ALI : What is expunged ? Please tell me, so that I know it.

THE DEPUTY CHAIRMAN : Mr. Abid AH, you must learn to listen to the Chair when I say something and not ask me to say it again. I have said all abusive language, phrases and words used will be expunged.

SHRI BHUPESH GUPTA : On a point of order, why ? I say everything should be on record. We are not afraid of what he calls me. I am not afraid of it. (Interruptions.) The more he shouts against me, the more our bona-fides are established. (Interruptions.) I am very grateful to him.

SHRI ABID ALI :

THE DEPUTY CHAIRMAN : Order, order. Mr. Patel.

SHRI DAHYABHAI V. PATEL : Madam, since you are the Chairman of the Committee you should have moved it, but you are now presiding over the House. In the Committee work has been going on and in your absence also the Committee has been meeting. We met through practically three weeks of vacation at Bangalore and then we had another session here just before Parliament assembled. Since Members asked me to preside over meetings in your absence, it seems that my name has been put along with your name to move this.

SHRI BHUPESH GUPTA : You are in good company.

SHRI DAHYABHAI V. PATEL : The work of the Committee is going on as fast as it can. Members have other duties. There are several Committee meetings going on at the same time. I myself found it difficult to keep pace because I am on two other Select Committees. It is not true that in any way

\*Expunged as ordered by the Chair.

the work is slowing down. On the contrary, there is a feeling that the work of an important Committee of this kind is being unnecessarily hustled. We asked for witnesses to come from other countries. They have not been able to come. Within the time that we gave them and within the time we want them to come, they have not been able to come and give evidence before the Committee. If at all, the blame is the other way about, that the Government is trying to push this through at the instance of people like Mr. Bhupesh Gupta or others. This is a very serious matter that is being sought to be put on the Statute Book. I would say that there is no question of going slow. If at all, the Committee is going fast and I would like the Committee to examine all the witnesses who are yet to come before it. We have some witnesses coming on the third and I hope they will be able to come. Certainly we have always to accommodate witnesses. If they are important witnesses, and that is my reply. Therefore, the Committee has asked for time and it may be permitted to present its Report later on.

SHRI M. P. BHARGAVA (Uttar Pradesh) : Madam, instead of the Committee coming up again and again for the extension of time, I am giving a suggestion. It will be better if the Committee takes a little more time and the extension be not up to November-December, but up to February, 1969.

SHRI DAHYABHAI V. PATEL : I think we can accept his suggestion.

SHRI BHUPESH GUPTA : Up to the 21st century.

THE DEPUTY CHAIRMAN : Now, please. As regards Mr. Bhargava's suggestion, I have to say that I am presiding over this Committee and, therefore, the schedule will be kept. We shall try to expedite the matter and bring it before the House as we have laid down here.

The question is :

"That the time appointed for the presentation of the Report of the Joint Committee of the Houses on the Bill to provide that the operation of the economic system does not result in the concentration of economic power to the common detriment, for the control of monopolies, for the prohibition of monopolistic and restrictive trade

practices and for matters connected therewith or incidental thereto, be further extended up to the first day of the second week of the 66th (November-December, 1968) Session of the Rajya Sabha."

lite motion was adopted.

THE DEPUTY CHAIRMAN : Next item. The Border Security Force Bill.

The time allotted for this Bill is four hours.

### **THE BORDER SECURITY FORCE BILL, 1968**

THE MINISTER OF HOME AFFAIRS (SHRI Y. B. CHAVAN) : Madam Deputy Chairman, I beg to move :

"That the Bill to provide for the constitution and regulation of an Armed Force of the Union for ensuring the security of the borders of India and for matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

I would like to submit a few remarks at this stage of consideration of the Bill.

As we know, before 1965 the arrangement for the security of the border was left to the State Police. The State Police used to look after this work and the cost of their work was being borne by the Government of India. It became very evident that that system was not producing the maximum results that were expected of it, and therefore early in 1965 some study teams were appointed to go into this very question, and the scheme of having a Central Border Security Force was the culmination of the studies that were undertaken early in 1965. Therefore, on the 1st of December, 1965 under the old C.R.P. Act this Force was formally constituted. Now it is functioning as such for the last two or three years.

SHRI PITAMBER DAS (Uttar Pradesh) : I have sent in an amendment. If it is circulated, it would be better.

THE DEPUTY CHAIRMAN : The time has not come. That will be circulated.

SHRI Y. B. CHAVAN : I am moving my motion.

SHRI PITAMBER DAS : If that amendment also is before you, it would be better.

SHRI Y. B. CHAVAN : My motion is before you. Your amendment is not before me.

SHRI PITAMBER DAS : That is why I want it to come before you.

SHRI Y. B. CHAVAN : You better think about it later on. You better learn the procedure of the House.

SHRI PITAMBER DAS : You might like to refer to it in the general discussion.

SHRI Y. B. CHAVAN : This Force was formally constituted in December, 1965. This Bill is necessary because I think a Force of this kind should have its own statutory sanction behind it, because its very character is quite different from the Central Reserve Police or any other police force. Popularly it is called Border Security Police, but its function is not policing, it is something more than that. Though it is functioning on the borders, it is not the army. The task of this Force is such that it is something between the Army and the Police Force. The type of discipline that is expected of this Force requires that it should have its own idea of discipline, its own idea of courts to enforce these things. Therefore, we thought that it was necessary to have this Bill. This is the background. This is the genesis of this particular Bill.

Coming to the very scheme of the Bill as such, one can see that the first Chapter deals with the different definitions of the terms and other things that are dealt with in this Bill. Chapter II deals with the constitution of this Force. For example, if we see clause 4, it very precisely and very briefly defines the function of this Force. It says : "There shall be an armed force of the Union called the Border Security Force for ensuring the security of the borders of India." The Chapter also deals with control, direction and certain other aspects. Chapter III deals with offences and other ideas of requirements of discipline. Chapter IV to which I would like myself to invite the attention of the House deals with punishments. I must say that the structure of punishments provided in this Bill are comparatively more severe than any