

[Mr. Chairman.]

There will also be the question hour during the extended period of the session

ALLOTMENT OF TIME FOR CONSIDERATION OF MOTION RE REPORT OF THE OIL AND NATURAL GAS COMMISSION

MR. CHAIRMAN: I have to inform Members that under rule 133 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I have allotted two hours for the consideration of the motion regarding the Annual Report of the Oil and Natural Gas Commission for the year 1960-61.

MESSAGE FROM THE LOK SABHA

THE HINDU ADOPTIONS AND MAINTENANCE (AMENDMENT) BILL, 1962

SECRETARY: Sir, I have to report to the House the following message received from the Lok Sabha, signed by the Secretary of the Lok Sabha:

"In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose herewith a copy of the Hindu Adoptions and Maintenance (Amendment) Bill, 1962, as passed by Lok Sabha at its sitting held on the 8th August, 1962."

Sir, I lay the Bill on the Table

[THE DEPUTY CHAIRMAN in the Chair.]

THE NATIONAL CO-OPERATIVE DEVELOPMENT CORPORATION BILL, 1962—continued.

श्री विमलकुमार मन्नालालजी चौरङ्गिया
(मध्य प्रदेश) माननीय उपसभा-पति महोदया, मैं जो कल चर्चा कर रहा था

उसी के प्रसंग में यह निवेदन है कि एक और तो आप एडजुडिकेटेड इनसालवेंट को इस बोर्ड का सदस्य होने से वंचित करते हैं और दूसरी तरफ यदि कोई आदमी इनसालवेंट घोषित किये जाने के लिये प्रथनापत्र दे देता है या उस की इनसालवेंसी की कार्यवाही जारी होती है तो उस के लिये इस में प्रतिबन्ध नहीं करते हैं। इसलिये जो भी ऐसे आदमी हैं जिन का दिवाला निकल चुका हो, सरकार की तरफ से उस के लिये वह सर्टीफाइड हुआ हो या वह स्वयं चाहता हो कि उसे दिवालिया घोषित कर दिया जावे, उन को भी इस में सम्मिलित करना चाहिये, उन को मुक्त रख कर हम कोई लाभ नहीं पहुंचा सकते हैं। इन सब प्रतिबन्धों के बारे में आप कुछ विचार करें और इसीलिये सेलेक्ट कमेटी का मैं ने सुझाव दिया है। इसी तरह कम से कम पढ़ाई लिखाई की कुछ योग्यता होनी चाहिये, ताकि जब बोर्ड के मेम्बर बनें तब जो कागज पत्र वहां आयें उन को देख सके। ऐसा न हो कि वे उस के योग्य न हों। कहा तक उन की योग्यता हो, इस के बारे में भी थोड़ा सा प्रतिबन्ध रखने के लिये अगर विचार कर लिया जाता तो ज्यादा अच्छा होता, क्योंकि बोर्ड के सीमित सदस्य रहने हैं और अगर उस में से कुछ ऐसे हो जायें जो कि वहां के पत्र-व्यवहार को, वहां के कागजात को भी समझ नहीं सकें तो ऐसी स्थिति में बड़ी गड़बड़ होने की सम्भावना है। इस दिशा में भी कुछ विचार किया जाना चाहिये था।

अब मैं श्रीमान् का ध्यान धारा ६ पर आकर्षित करता हूँ। धारा ६ में फक्शंस आफ दि कारपोरेशन के बारे में उस के कर्तव्यों के बारे में बताया गया है। लेकिन उस के पहले मैं धारा ६ की ओर ध्यान आकर्षित करना चाहता हूँ। धारा ६ हमारे इस विधेयक की ऐसी है कि मैं यह आरोप लगाने को बिल्कुल तैयार हूँ कि अगर सरकार चाहे तो इस के द्वारा राजनैतिक भ्रष्टाचार पनपा सकती है। मंत्री जी को जरा अभिप्रय लगेगा; क्योंकि उन का

जैसा अच्छा स्वभाव है उस में कुछ विपरीत पड़ता है। मगर उन की जगह अगर कोई दूसरा मंत्री ऐसा आ गया जिन का स्वभाव उन के अनुकूल नहीं हो और ऐसी स्थिति में उन के मन में केवल एक ही लक्ष्य रहे कि मेरे दल का आदमी आना चाहिये और यदि दूसरे दल का आये तो उसको मैं बिल्कुल बिना कारण के निकाल सकता हूँ, तब क्या स्थिति होगी? इस में निकालने के लिये कारण देने की भी आवश्यकता नहीं है। इसलिये जिस परिस्थिति का इस से निर्माण होने वाला है वह कुछ ठीक लगता नहीं है। इस की शब्दावली जो है वह इस तरह से है —

“6 The Central Government may, at any time, remove from office any member other than an *ex officio* member of the Corporation after giving him a reasonable opportunity of showing cause against the proposed removal.”

इस में कही भी इस बात का उल्लेख नहीं है कि किन कारणों से उनको हटा सकते हैं। उस के लिये कुछ आधार जरूर होना चाहिये। शासन ने यह केवल अपने डिस्क्रिशन पर रखा कि हम तुमको निकालना चाहते हैं और तुम कारण बताओ कि क्यों नहीं निकाले। केवल इतनी सी बात पर इन को निकाल देना कोई उपयुक्त प्रतीत नहीं होता है। इसमें इन शब्दों का समावेश होना चाहिये “आन रोजनेबिल ग्राउण्ड”। अगर यह इस में शामिल कर देते हैं तो आप को रोजनिंग एप्लाइ करनी पड़ती है। इस में से रोजन शब्द के हटाने का मतलब यह होता है कि आप रोजनिंग नहीं करना चाहते हैं। जनतन्त्र को एक तरफ रख कर के मनतन्त्र चलाना चाहते हैं। एक आदमी के दिमाग में आया कि अमुक सदस्य प्रिय नहीं लगता और कलम की एक नोक से लिख दिया कि तुम को क्यों नहीं निकाला जाये, इस का कारण बताओ और कारण पूछ कर के बाद में उस को निकाल दिया जाये। तो इस के लिये कोई भी आधार नहीं है, इस की इसमें कोई व्यवस्था नहीं है और यह ठीक नहीं लगता है। जनतन्त्र के आप भी उपासक हैं और मैं भी चाहता हूँ कि जनतन्त्र

चले। ऐसी स्थिति में रोजनेबिल शब्द सरीखा कोई शब्द इस में डालना चाहिये जिस से कि अगर आप कभी मनमानी करना चाहें तो आप को सोचना पड़े कि जनता की, पब्लिक की या न्यायालय की निगाह में यह अनरोजनेबिल तो नहीं लगता है। अगर ऐसा शब्द इस में हो तो यह बताया जा सकेगा कि यह शासन मनमानी कर रहा है और रोजनेबिल शब्द के आधार पर वह हाईकोर्ट में पेटीशन पेश कर सकेगा और बता सकेगा कि रोजनेबिल ग्राउण्ड पर नहीं निकाला गया है। अगर रोजनेबिल शब्द नहीं रखते हैं तो उस को न्यायालय में जाने का और न्याय पाने का अधिकार रहता नहीं है। तो ऐसी स्थिति में इस में इस की व्यवस्था होना अत्यन्त आवश्यक है।

अब, धारा ६ के बारे में मैं निवेदन कर रहा था। आप ने कुछ योजनाये तो बड़ी अच्छी बनाई हैं और उन योजनाओं के तहत उनको लाभ दिलवाने की व्यवस्था करते हैं। मगर एक प्रश्न यह आता है कि हम ये सारे साधन इसलिए कर रहे हैं कि हमारा कृषक कर्जे से मुक्त हो लेकिन परिस्थिति ऐसी है कि हम कुछ चीजों के लिये लोन देना चाहते हैं और कुछ के लिये लोन नहीं दे रहे हैं। इस में सब के लिये व्यवस्था नहीं है। हम अलग-अलग स्रोत रखते हैं। नकाबों के लिये अलग व्यवस्था है, लाग टर्म लोन के लिये मार्टगेज बैंक की अलग व्यवस्था है, तो ये अलग-अलग स्रोत हैं। एक आदमी अपने व्यक्तिगत इफ्लुएस से कई स्रोतों से कई प्रकार की रकम ले कर के कर्जा बढ़ाता चला जा सकता है। ऐसी स्थिति में हमारे लिये अत्यन्त आवश्यक है कि हम इसी कानून को इतना उपयुक्त, इतना पूरा, बना दे कि उसको सब उधार, जितनी भी रकम लेना है वह सब, एक ही स्थान से मिल सके। क्या कारण है कि हम उसको बैंक लेने के लिये इससे रुपया उधार नहीं दे सकते? क्या कारण है कि हम उसको पेपिंग मेट के लिये इस विधान के तहत रुपया उधार नहीं दे, ट्रैक्टर के लिये इस विधान के अन्तर्गत रुपया नहीं दे और अलग अलग चीजों के लिये

[श्री विमलकुमार मन्नालालजी चौरड़िया]

अलग-अलग स्रोत रखें ? यह ठीक नहीं लगता है और हमें इस बारे में विचार करना चाहिये कि इसी विधान के तहत उसको क्यों नहीं सब लाभ दें ? अलग-अलग स्रोत रखने का परिणाम यह होता है कि इधर का पैसा उधार लिया उधर का रुपया चुकाया; उधर का उधार लिया इधर का चुकाया। वह द्विशश सरकिल चलता रहता है। इसको हम कहीं-कहीं बैंक करके एक रूप में रख दें।

पहले श्रीमान ने अपना जो भाषण दिया था उस में बताया था कि हमारे इन लोगों के कर्जों में वृद्धि होती जा रही है। उन्होंने एक तरह से संतोष कर लिया कि हम ने खूब रुपया उधार दिया। उन्होंने बताया कि जहां पहले औसतन हर मेम्बर ६४ रुपया लोन था वह अब १०४ हो गया है। वे बड़ी उदारता से काम ले रहे हैं। मगर जो सहकारिता का मूल उद्देश्य है उस में बचत होनी चाहिये। ६४ रु० की जगह और कम होना चाहिये, इस तरह से आपको सोचना चाहिये कि वह बचा सके और कम खर्च करे। यह हो नहीं पा रहा है, इसका कारण यह है, कि हम उसकी आवश्यकता पूरी नहीं कर पाते हैं और इसलिये उनको कर्ज लेना पड़ता है। . . .

सामुदायिक विकास, पंचायती राज और सहकार मंत्रालय में उपमंत्री (श्री एस० डी० मिश्र) : महोदया, एक कन्स्यूजन मालूम होता है जिसको मैं क्लीयर करना चाहता हूं। यह प्रोडक्शन लोन है। प्रोडक्शन लोन अभी ६४ से १०४ रु० हुआ है। इसको इससे भी ज्यादा बढ़ना है; क्योंकि हिसाब लगाया गया है कि नान इरिगेटेड एरियाज में भी करीब करीब ४० रु० पर एकड़ चाटिय, कम से कम प्रोडक्शन लोन के लिये। जिस किसान के पास एक बीघे, दो बीघे या चार बीघे की जमीन होगी उसको भी १०४ रु० कम से कम, स्मालेस्ट, लोन चाहिये। तो अभी जो १०४ का

फिगर है वह कम है, इससे भी आगे होना है। कर्जा लेना खराब नहीं है, अगर कर्जा लेकर प्रोडक्शन प्रोग्राम में लगाया जाये तो अच्छी चीज है।

श्री विमलकुमार मन्नालालजी चौरड़िया :

मेरा इसीलिये निवेदन है कि जैसा श्रीमान के यहां शार्ट टर्म, मीडियम टर्म और लांग टर्म की व्यवस्था है, हमारे यहां आपने जो हिसाब बताया था वह शार्ट टर्म का बताया था और प्रोडक्शन से मतलब जो उसके इम्प्रूवमेण्ट में लगने वाला लोन है, वह है। मान लीजिये, वह मीडियम टर्म में बैल खरीदता है या लांग टर्म में जमीन खरीदता है, तो बजाय इसके कि वह कर्ज कहा जाये वह एक कैपिटल इन्वेस्टमेण्ट होता है। जो चीजें उसके लिये आवश्यक हैं, जैसे बीज लेना है, खाद डालना है यह शार्ट टर्म में है और उसी हिसाब से उसको लाभ मिलना है। उसके लिये अगर आप देते हैं तो ऐसा प्रतीत होता है कि एक तरफ आप दुहाई देते हैं कि हमारे किसान की ताकत बढ़ गई, उसकी आमदनी बढ़ गई, मगर साथ ही जो कर्जा अधिक लेते जा रहे हैं शार्ट टर्म पर, उससे ऐसा प्रतीत होता है कि उसकी आमदनी बड़ी नहीं। लेकिन उसे अभी भी कर्ज का भार अपने सिर पर रखना पड़ता है। मैं तो मानता हूं, यह जो अभी मिल रहा है वह सचमुच कम है, मगर जो आप फिगर्स देते हैं, एक तरफ शासन के द्वारा बतलाते हैं कि उनकी काफी उन्नति हो गई है, वह बचत करने के क्षेत्र में आ गये हैं, वह सही नहीं है। या तो वह शासन की घोषणा से सही है या यह सही है कि कृषक अभी भी गरीब है। मैं आपके साथ इसको सही मानता हूं। इस बात को मही नहीं मानता हूं कि उनकी बचत हो गई है। उनको अभी भी मनीलेन्डर्स से रुपया लेना पड़ता है। आपको अगर कृषक को लाभ देना है तो इस मनीलेन्डर को इलीमिनेट कर देना चाहिये और कोऑपरेटिव सोसाइटी के माध्यम से ही रुपया सदस्यों को देने की व्यवस्था करनी चाहिये और जो भी दूसरा कोई कर्जा देने

वाला होगा उसको नाजायज करार कर देना होगा। अगर वह रुपया देकर दावा कर देगा तो भी वसूल नहीं कर सकेगा। यह व्यवस्था जब तक नहीं करते तब तक एक, दो, तीन, चाहे जितनी एजेन्सी आप रखिये, आप अपना लक्ष्य नहीं प्राप्त कर सकते हैं। एग्जिक्यूटिव डैट रिलीज एक्ट के मातहत आप सब को एक बार फाइनली कर्ज से मुक्त करवा के यह घोषित करवा दें कि आगे से जो दूसरे तरीके से कर्ज दिया जायेगा वह गैर-कानूनी होगा। इसी आधार पर हमेशा के लिये हम उन को बचा सकेंगे। हम देखते हैं कि बैंक का चुकारा करने के लिये जब किसी सेठ के पास जा कर वे कर्ज लेते हैं तो ब्याज ३ रुपया सेंकड़ा प्रति माह दर का होता है और एक माह का ब्याज देना पड़ता है चाहे वह तीन रोज में ही रुपया वापस कर दे। नतीजा यह होता है कि जो रुपया वे महाजन से उधार लेते हैं उस को आप के बैंक से कर्ज ले कर पूरा करते हैं और फिर उधार लेते हैं। तो यह, जो अहमद की टोपी मुहम्मद के सर पर और मुहम्मद की टोपी अहमद के सर पर, होता है, इस नुकसान से कृषक को बचाने के लिये इस मार्ग को अपनाना होगा कि जिस में ऐसी व्यवस्था की जाये कि इस में जो बुलक्स, ट्रैक्टर्स, पम्पिंग सेट्स के लिये व्यवस्था नहीं थी उन के लिये भी व्यवस्था करनी चाहिये और जो दूसरे स्रोत हैं उन को बंद कर देना चाहिये।

इसी तरह से धारा २० के बारे में कुछ चर्चा करना चाहता था। इस में कहा गया है कि :

"Every member, auditor, officer or other employee of the Corporation shall, before entering upon his duties, make a declaration of fidelity and secrecy in the form set out in the Schedule."

एक तरफ तो आप यह कहते हैं कि यह सारा जनता का राज्य है, सारे जितने कागजात हैं सब की जनता मालिक है। कोई एक मेम्बर ही उस का मालिक नहीं है, या मंत्री जी मालिक नहीं हैं या मैं मालिक नहीं। जो भी हमारे भारतवासी हैं जिन का इस से सम्बन्ध है वे सब मालिक हैं और ऐसी स्थिति में सब को आवश्यक जानकारी मिलनी चाहिये। क्या उस से इंग्लैण्ड वाला सीक्रेट ले लेगा ? या फिर आप ने समझ लिया कि डिफेन्स सर्विसेज की सीक्रेट हैं जो मालूम हो जायेंगी ? आज जहां मर्जी चाहते हैं वहां से फाइलें गायब हो जाती हैं। आज ही हमारे दातार साहब इतने नाराज हुए कि पूछने लगे, जनाब, आप को ये जानकारी कहां से मिली। अगर कल कोई उन की टोपी ले जायगा और हम ला कर दे देंगे तो पूछेंगे कौन ले गया था ? तो ऐसी स्थिति में यह प्रतिबंध लगाना कि सीक्रेट रखेंगे, ठीक नहीं है। आखिर जनता के सामने हम वोट लेने जाते हैं और अपने को जनता का सेवक कहते हैं। तो जो हमारे मालिक हैं उन से हम सीक्रेट रखना चाहते हैं ? या कोई रशिया वाले इंटरस्टेड हैं इस कारपोरेशन में या इंग्लैण्ड वाले इंटरस्टेड हैं या अफ्रीका वाले इंटरस्टेड हैं जिस से आप इस को छिपाना चाहते हैं ? आखिर हमारा उद्देश्य क्या है, इस चीज को हम ने सामने रखना है। यदि हमें फारेनर्स से उसकी सीक्रेसी जान लेने का खतरा है तब तो दूसरी बात है। सीक्रेसी का जहां तक सवाल है, यदि विदेशों से सारा मामला सम्बद्ध है तब तो आप प्रतिबंध लगा दें, तो कोई आपत्ति नहीं है। लेकिन आपकी ही नीति का यह परिणाम है कि देश में मुंदड़ा और पटेल का कांड हुआ और जो कुछ विस्फोट हुआ वह किसी से छिपा नहीं है। तो आप को अपना चैप्टर खुला रखना चाहिये, जो भी मनुष्य चाहे उस को देखे। ज. चीज शासन के नाम से सारे समाज के लिये बनाई जा रही है, आप को चाहिये उसको सब के लिये खुला रखें। मैं पूछना चाहता हूं कि

[श्री विमलकुमार मन्नालालजी चौरड़िया]
आखिर आप के मन में ऐसी बात क्यों पैदा हुई जो इस तरह की स्थिति रखने का कारण पैदा हुआ ? इसी तरह से आडीटर के ऊपर भी बंधन लगाना यह तो बिल्कुल ठीक नहीं लगता । किस के लिये सरकार ऐसा कर रही है, कुछ समझ में नहीं आता ।

THE DEPUTY CHAIRMAN: How much more time do you want?

श्री विमलकुमार मन्नालालजी चौरड़िया :
मेरी तो इच्छा एक बजाने की है ।

THE DEPUTY CHAIRMAN: There is no time limit also, but there are a number of other speakers. You took twenty-three minutes yesterday.

श्री विमलकुमार मन्नालालजी चौरड़िया :
मैं तो इसी से प्रासंगिक बोल रहा हूँ । अप्रासंगिक हो तो बात भी है । फिर, मैं ज्यादा इलेबोरेट भी नहीं कर रहा हूँ उस चीज को । तब भी मैं प्रयत्न करूँगा जल्दी से जल्दी समाप्त करूँ ।

श्री उपसभापति : आप खयाल रखें दूसरों को भी बोलना है ।

श्री विमलकुमार मन्नालालजी चौरड़िया :
इस के शिड्यूल में यह दिया है कि signed before me, तो यह किस के सामने होगा ? क्या बोर्ड के चपरासी के सामने सिग्नेचर कर देंगे फ़ाइलेलिटी की या सीक्रेसी की शपथ लेने के बारे में ? इस में इस बात का कहीं वर्णन नहीं है कि कौन वह अथारिटी होगी जिम क सामने सिग्नेचर करना होगा ? यह ठीक है कि १९५६ के कानून में इस तरह की व्यवस्था थी और प्रिसिडेंट्स ऐसे हैं कि, अमुक के सामने ऐसा होना चाहिये । लेकिन कानून को हर बात में "एक्ज़ैक्ट" होना चाहिये । signed before Vice-Chairman or Chairman इस तरह की कोई चीज होनी चाहिये । सीक्रेसी के सार्टिफिकेट के बारे

में, समय कम है, इसलिये ज्यादा विश्लेषण नहीं करना चाहता । यह आप की मर्जी पर है, चाहे आप चपरासी के सामने फ़ाइलेलिटी और सीक्रेसी का सार्टिफिकेट दाखिल करें । मुझे पता नहीं इस में आप की प्रतिष्ठा भी बिगड़ेगी या नहीं, किन्तु हमारी प्रतिष्ठा तो बिगड़ेगी । इसलिये आप को चेतावनी देने के लिये यह प्रश्न रखा है ।

इसी तरह से सेक्शन २१ में डिसोल्यूशन आफ कारपोरेशन के बारे में है । अगर कारपोरेशन को डिज़ाल्व करना है तो उस को चुपचाप ही हमारी सरकार डिज़ाल्व कर सकती है । यह कानून हम से बनवायेंगे, कारपोरेशन हम से निर्माण करवायेंगे और जब दफ़्तर दाखिल करना होगा तो चुपचाप कर देंगे, हम को उस की सूचना भी नहीं होगी कि हमारे कारपोरेशन का क्या हुआ क्या नहीं । मेरी एक प्रार्थना है कि जब हम लाखों रुपये खर्च करने वाले हैं तो क्या कारण है कि आप उस डिसोल्यूशन के बारे में सारी रिपोर्ट हमारे सामने नहीं प्रस्तुत करते ? संसद् के सामने आप को प्रस्तुत करने में किसी प्रकार की हिचकि-चाहट नहीं होनी चाहिये । इसलिये निवेदन है कि आप कृपा कर के डिसोल्यूशन होने के बाद सारी रिपोर्ट संसद् के सामने प्रस्तुत करें, तो ज्यादा अच्छा होगा ।

शिड्यूल के बारे में मैंने निवेदन कर दिया है और मेरी प्रार्थना है कि जो मैंने इस सम्बन्ध में प्रस्ताव रखा है वह इसी आशय से रखा है । अब जब मेरे संशोधनों और श्री देसाई के संशोधनों पर चर्चा होगी तब मैं इस विषय में कहूँगा; क्योंकि इस समय, समय के बारे में प्रतिबंध लगा दिया है । तब मैं माननीय मन्त्री जी से प्रार्थना करूँगा कि आप की और हमारी प्रतिष्ठा के लिये यह अत्यन्त आवश्यक है कि हम इस बिल को प्रवर समिति को सौंपें । अगर आपको मेरे नामों के बारे में किसी किस्म की आपत्ति है तो आप उसमें और नाम इन्क्लूड

कर सकते हैं। मुझे इसमें और नाम रखने पर किसी किस्म की आपत्ति नहीं होगी जिससे कि इस बिल के बारे में ठीक तरह से व्यवस्था हो सके और उसमें जो कमी रह गई है उसका हम दूर कर सकें। अगर हमने ऐसा नहीं किया तो इस बिल की भी वैसे ही दुर्दशा होने वाली है जिस तरह एडवांकेट बिल की हुई है। जिस समय हमारे माननीय मन्त्री जी एडवांकेट बिल पास करने जा रहे थे उसी समय हमने चेतावनी दे दी थी कि इसमें इस तरह की कमी रह गई है और उस कमी को दूर करने के लिये जनता आन्दोलन करेगी। जनता के आन्दोलन के बाद सरकार को अक्ल आई और उसी का यह नतीजा है कि आज एडवांकेट बिल फिर लक्ष्मभा में वापस आया है और उसके बाद यहां आने वाला है। इस तरह से शासन को बाद में अक्ल आने के लिये मुझे कुछ कहना नहीं है। कानून का विभाग गलती कर सकता है, आप गलती कर सकते हैं, मैं गलती कर सकता हूं लेकिन जो गलती कानून बनाते वक्त सामने आती है अगर उस पर समझदार आदमी ध्यान नहीं देता है, स्वीकार नहीं करता है तो वह बेसमझी और बेशर्मी की बात है। परन्तु इस बिल में जा डिफेक्ट्स हैं उनको दूर करने के लिये यह अत्यन्त आवश्यक है कि इस विधेयक को प्रवर समिति को सौंप दिया जाये। प्रवर समिति के लिये मैंने जो छः नाम दिये हैं, अगर माननीय मन्त्री जी चाहें तो और नाम शामिल कर सकते हैं, इस पर मुझे कोई आपत्ति नहीं होगी। कृपा करके इस बिल में मैंने जो संशोधन दिये हैं उन्हें स्वीकार करके अनुमोदित करें।

The question was proposed.

SHRI K. SANTHANAM (Madras): Madam Deputy Chairman, I wholeheartedly welcome this Bill. It is to create a body which will specialise in promoting agricultural operations through the co-operative movement and therefore, it deserves to be welcomed.

I want to raise only two or three points and I do not want to take much time of the House. Clause 9(1) says:

"Subject to the provisions of this Act, the functions of the Corporation shall be to plan and promote programmes for the production, processing, marketing, storage, export and import of agricultural produce and notified commodities through co-operative societies."

Is this to be done through the State Governments or directly? It is a matter of importance and it should not be left in a vague position because the State Government normally controls all the co-operative organisations in the State, and all assistance must be channelled through the State Government, of course subject to the condition that the State Government makes the finance available to the co-operative societies of the State. But here it is left vague and when we read sub-clause (2)(a), the confusion gets worse confounded. It says:

"advance loans or grant subsidies to State Governments for financing co-operative societies and for employment of staff for implementing programmes of co-operative development;"

Now, this thing has to be done only through the State Government. Sub-clause (2)(b) says:

"provide funds to State Governments for financing co-operative societies for the purchase of agricultural produce and notified commodities on behalf of the Central Government."

Here again, the financing is to be done through the State Government.

Sub-clause (2)(c) says:

"plan and promote programmes through co-operative societies for the supply of seeds, manures, fertilizers, agricultural implements and other articles for the development of agricultural produce."

[Shri K. Santhanam.]

It suggests as if this Corporation can promote these programmes directly through the co-operative societies. Is it intended that these should not be done through the State Government? This matter must be made clear; other wise, there will be a lot of confusion, because all these programmes are a part of the co-operative movement in every State. Programmes such as the supply of seeds, manures, fertilizers, etc., are a part of the Panchayati Raj and these have to be done through the State Government. But it looks as if this Corporation can go over the head of the State Government and do these things directly. If this is not the intention, I do not know what difficulty is there to say "plan and promote programmes through the State Governments to help the co-operative societies in supplying seeds, etc." That is one point to which I want to draw the attention of the Minister

Then, clause 12 is rather very curiously worded. It says:

"The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Corporation—

(a) by way of grant each year, such sum of money as is required by the Corporation for giving subsidies to State Governments and for meeting its administrative expenses; and

(b) by way of loan, such sum of money on such terms and conditions as the Central Government may determine."

Madam, in the case of grants and subsidies, is it intended that the Corporation should have unlimited powers of deciding as to what amount should be given as grants or subsidies? Then, why is this difference between grants and loans? It says:

"by way of loan, such sum of money on such terms and con-

ditions as the Central Government may determine."

Should not this condition be fixed to grants and subsidies also? It looks as if the Corporation may decide to have an enormous amount of subsidy which the Central Government may not be able to finance or may not be willing to finance. Why is there no power for the Central Government to determine the conditions or the terms on which these grants or subsidies should be given? In fact, these conditions are much more necessary for grants and subsidies than for loans because loans are to be recovered but these things are to be written off. Therefore, I do not know why this distinction has been made in this clause between subsidies and loans.

Then, again, sub-clause 13(2)(a) says:

"advancing loans and granting subsidies to State Governments on such terms and conditions as the Corporation may deem fit for the purpose of enabling State Governments to subscribe to the share capital of co-operative societies or for otherwise financing co-operative societies."

What exactly is meant by "for otherwise financing co-operative societies"? Under this clause, can it pay the salaries of all the officials of the co-operative societies? Is it intended to cover such an expenditure? The word 'financing' means either loans or grants or subsidies or anything whatsoever. I think there is lack of precision in the idea itself.

Then, clause 15 says:

"In all matters including matters of policy, the Corporation shall be guided by such directions as may be given to it by the Central Government."

I thought that it should be only on matters of policy that directions should be given. But it is stated here "in all matters including matters of policy." It looks as if in matters of detail as

to how a clerk or other staff should be appointed or how things should be done, the Central Government may give directions I do not think that it is intended to be so. I think it is a mistake of the draftsman. If it is stated "In all matters of policy, the Corporation shall be guided by such directions as may be given to it by the Central Government", I can quite approve of it and understand it. But as the clause stands, there is nothing—from the appointment of a clerk to the incurring of any expenditure by the Corporation—on which the Central Government cannot give directions to it.

I have pointed out these things because loose drafting may create troubles and difficulties for the Corporation. I want this Corporation to become a solid, independent body which will regulate the production, sale and marketing of agricultural produce through the co-operative movement. I welcome that and therefore I suggest to the Minister that he should try to clarify these points, if not by an amendment of the Bill at least by framing proper rules.

SHRI MULKA GOVINDA REDDY (Mysore) Madam, Deputy Chairman, I would like to make some observations on this National Co-operative Development Corporation Bill, 1962. The Minister, while moving this Bill for consideration, stated that there was already a Board which was called the National Co-operative Development and Warehousing Board under the 1956 Act. At that time, co-operation was under the administrative control of the Ministry of Food and Agriculture and now that it was bifurcated and handed over to the Ministry of Community Development, Panchayati Raj and Co-operation, it was found necessary that a separate organisation working under this Ministry should be formed and this Bill has now been brought forward to bifurcate the organisation that was established under the 1956 Act.

Sir, the co-operative movement is progressing very well but there are certain pitfalls in implementing the objectives of the co-operative movement. The Annual Report (1960-61) that has been placed before us by the National Co-operative Development and Warehousing Board has pointed out that the co-operative credit societies in the agricultural sector have progressed very well. The credit societies have increased their membership from 7.79 millions to 17.38 millions and number of primary agricultural credit societies has increased from 1,59,939 to 2,13,247. But in spite of this increase, it is not quite correct to say that the agricultural farmers are being well served by these co-operative credit societies. You know, Madam, that most of these primary societies in the rural parts have not been functioning properly and that the loans, etc. that are being given for the benefit of the farmers are not being properly distributed to the ryots. Most of these societies are now being managed by some of the important leaders in the villages either in their capacity as secretaries or as presidents of these societies and most of them belong not to the poorer sections of the population or the landless tenants or the marginal farmers or others but they belong to the landowning sections of the population. The exploiter has now taken recourse to the co-operative society and he is trying to exploit the ignorance of the farmers in these matters. So much so, the credit moneys that are being made available for the benefit of the agricultural farmers have not been properly utilised. The Minister, while making a statement yesterday, did say that there was no proper utilisation of the credit that was being given to the farmers. On page 12 of this Report, it is stated:

"Co-operative societies should endeavour to admit to their membership, all classes of cultivators, including marginal and sub-marginal farmers, landless tenants, etc. with a view to assisting agricultural production and providing them ade-

[Shri Mulka Govinda Reddy.]
quate credit on the basis of their
production requirements and re-
paying capacity. In order to enable
the co-operative societies to do this
and play an appropriate role in this
behalf, government should make
outright grants to primary credit
societies as well as to central banks
for credit to "Special Bad Debt
Reserves" to cover the risks involv-
ed in giving loans to all classes of
cultivators at the rate of 3 per cent
and 1 per cent respectively "

And this rate of interest that has been
suggested has not been applied. The
rate of interest that is being charged
to the farmers in the rural areas is
from six to nine per cent which does
not go a long way in helping the agri-
culturists in their operations

Secondly, the rural population is
submerged in heavy indebtedness. The
land mortgage banks that are now
working in the States have been try-
ing their utmost to liquidate the
indebtedness that has been incurred
by the farmers in the rural areas. But
the processes and methods that have
been adopted by these co-operative
land mortgage banks have not been
quite satisfactory and the funds at
their disposal are not quite adequate to
solve this burning problem of the
agricultural farmers. Unless some
radical legislation is enacted by this
Parliament, the debts incurred by the
agriculturists will not be wiped out.
Unless and until it is done, it is not
possible for the farmers in the villages
to be free from this burden and to
apply their minds to cultivate their
lands satisfactorily and bring in more
production

In this Report, it has also been
stated that agricultural credit should
be linked with marketing. It is stated

"The Committee on Credit has
observed that 'a factor that stands in
the way of a member of a co-
operative credit society to take his
produce to the marketing society is
the inadequate supply of credit by
the former. As a result, the culti-

vator looks to a trader or a merchant
and obtains and accommodation from
him against promise of selling the
produce to him' "

This is the very crux of the problem.
Even today, a money-lender or a tra-
der in the village gives some advance
to the marginal or sub-marginal far-
mer, and he makes it a condition that
the farmer should sell his produce to
him and that he should sell it at a rate
much lower than what is obtaining in
the market. He will have to make
some sacrifices so that he can borrow
money from the money-lender or the
merchant. And in order to stop this
unhealthy practice, the credit societies
in the rural parts should go to the help
of the farmers by giving generous cre-
dits to these farmers for their agricul-
tural operations and for other purposes.
Even for lift-irrigation purposes, to go
in for machinery for electric water-
supply, etc. these credit societies
should be in a position to advance
money. Sometimes, the conditions that
are imposed for giving credit are so
rigid that it is not possible for a ten-
ant to obtain loans from these societies.
Such conditions should be liberalised,
and the officials should be advised to
view those cases with sympathy and
some consideration

There are regulated markets that
have been established in some of the
taluk headquarters and in centres
where the particular commodity is
grown. There are regulated markets
for cotton, regulated markets for
groundnuts, etc. When the ryot brings
his produce for marketing to these re-
gulated markets, there are no mar-
keting societies worth the name, which
can compete with the private mer-
chants, and these merchants try to
dictate their own rates for the produce
that the ryots bring to the markets.
There are no storage facilities, no
proper godown facilities to enable the
ryots to store their produce in the hope
of getting better prices. In the absence
of such facilities to enable them to
store their produce, not for one day
for a week, sometimes for ten days
they are obliged to sell their produce

at too low a rate, at the low rates dictated by the private merchants. Many a time it so happens that the wholesale merchants and the wholesale traders combine together—it is an unholy alliance—combine together to dictate or to fix the rates of these commodities at a very low level so that because of the necessity to dispose of his produce, the agriculturist or the ryot who brings his produce to the market will be forced to under-sell his produce. He feels the pressure to dispose of, because there are no godown facilities and perhaps also because he wants money for some other purpose, for repaying some debts or for paying the interest on them. So, it is necessary that agricultural marketing societies should be in a position to advance some loans, should be in a position to give some credit to the ryots, and the societies should step in as the merchant so that the rates that the ryots should get for the produce that they bring to the market for sale could be reasonable rates and would not be the rates that are now being dictated by the mercantile community in most of the regulated markets. In the village parts the Warehousing Board is trying to construct some godowns, and in the taluk headquarters or tehsil headquarters they have constructed some godowns but the pace of progress is not adequate. In the village parts there are no proper godowns for the agricultural produce that is grown by the ryots, to be stored there. Unless proper storage facilities are provided, unless proper godowns are constructed in the marketing centres and unless marketing societies step into these regulated markets to compete with the merchants coming there, the rates that the ryots will get for their produce will not be reasonably adequate.

Madam, I would now like to make some observations regarding the drafting of this Bill, the reference in it to the Constitution, and some other matters. It is a case where it can be rightly said that the Bill has not been properly drafted. It has already been pointed out by the two speakers who

preceded me that the drafting is bad in this Bill. In the Preamble it says

“to provide for the incorporation and regulation of a corporation for the purpose of development of agricultural produce and certain other commodities on co-operative principles and for matters connected therewith”

It can be understood quite clearly that there is an agricultural bias in this Bill, which is natural, it should be, because 80 per cent of the population in India live on agriculture, and it is the duty of the Government to see that the agriculturist is protected and that all facilities are afforded to him to increase production, to increase the yield per acre and to get proper rates for the produce that he produces and on which depends the progress of the country and the progress of the nation.

Now clause 2 says

“In this Act, unless the context otherwise requires—

(a) “agricultural produce” means any of the following classes of commodities, namely—

(i) foodstuffs, including edible oil-seeds,

(ii) cattle fodder, including oil-cakes and other concentrates;

(iii) raw cotton, whether ginned or unginned and cotton seed,

(iv) raw jute, and

(v) vegetable oils,”

Now, there are many other commodities which are grown by the agriculturist and he wants that he should get proper rates for them too, particularly for tobacco, for chillies and for arecanut. These are all the produce of agriculture and I do not understand why the Minister or the draftsman has not classified these commodities as agricultural produce.

[Shri Mulka Govinda Reddy.]
Now sub-clause (e) of clause 2
says:

"notified commodity" means any commodity (other than agricultural produce) which the Central Government may, by notification in the Official Gazette, declare to be a notified commodity for the purposes of this Act, being a commodity with respect to which Parliament has power to make laws by virtue of entry 33 in List III in the Seventh Schedule to the Constitution."

I do not know whether, while including this sub-clause proper consultation was made with the Law Ministry or, if it was drafted by the Law Ministry, whether they gave proper thought when drafting this provision because entry 33 in List III in the Seventh Schedule to the Constitution says:

"Trade and commerce in, and the production, supply and distribution of,—

(a) the products of any industry where the control of such industry by the Union is declared by Parliament by law to be expedient in the public interest, and imported goods of the same kind as such products;"

Now the Minister appears to have stated in the other House that tobacco, coffee and tea can be included in this Bill by declaring them to be notified commodities. But I really fail to understand how coffee or tea or tobacco or chillies can become "the products of any industry where the control of such industry by the Union is declared by Parliament by law to be expedient in the public interest". This sub-clause requires to be properly examined and scrutinised. I very much doubt whether the intentions of the Minister could be fulfilled, or whether the commodities that he mentioned in the other place could be brought under "notified commodity" if he would look into this provision more carefully.

Then, Madam, in clauses 3 and 20 there are some printing mistakes. It should be "sued" instead of "used" as now appears in line 32 on page 2. Similarly, it should be "member" instead of "mmembr" as now appears in line 18 on page 8. I do not know if there are other printing mistakes like these. I do not also know why the draftsman or the Minister has not corrected these things before placing the Bill before the House.

I now refer to sub-clause (3) of clause 3 which says:

"(3) The Corporation shall consist of the following members, namely:—

(i) nine members representing the Central Government, to be nominated by that Government in such manner as may be prescribed;

(ii) one representative of the Reserve Bank, to be nominated by the Reserve Bank;

(iii) one representative of the State Bank, to be nominated by the State Bank;

(iv) one representative of the Central Warehousing Corporation, to be nominated by that Corporation;

(v) eight non-officials nominated by the Central Government of whom—

(a) one shall be a representative of the National Co-operative Union of India;

(b) two shall be persons who have special knowledge of rural economics and co-operation; and

(c) five shall be persons recommended by State Governments on a zonal basis in consultation with non-official co-operative organisations in the States in accordance with rules made under this Act."

This clearly shows that this Corporation is going to be constituted with official majority and the non-official element will not be in a position to bring to the notice of the Corporation the broader intentions of the Government in this respect. The official representatives of the Government will always look in a very narrow-minded way. For a Corporation of this nature, which is intended for the development of co-operative movement for the purpose of development of agricultural produce, etc., it is necessary that the non-official element in such a Corporation should predominate. On the other hand, in this Corporation the official element will predominate. It is, therefore, not proper that we should allow such a thing to happen.

Sub-clause (5) says:

"There shall be a Chairman and a Vice-Chairman of the Corporation who shall be chosen from among the members in such manner as may be prescribed."

Clause 5(1) says:

"The term of office of members of the Corporation and the manner of filling vacancies among members shall be such as may be prescribed."

There is no time-limit prescribed for the term of office of the members of this Corporation though in the end it is stated that they are going to frame regulations under which the term of office of members may be prescribed.

Clause 9(1) says:

"Subject to the provisions of this Act, the functions of the Corporation shall be to plan and promote programmes for the production, processing, marketing, storage, export and import of agricultural produce and notified commodities through co-operative societies."

Madam, while welcoming this clause I am doubtful whether this Corporation will have the required finances to achieve these very high aims adumbrated under this sub-clause.

Then Clause 10 says:

"There shall be an Executive Committee of the Corporation which shall consist of the following members, namely:—

(a) the Vice-Chairman of the Corporation;

(b) three members nominated by the Central Government in such manner as may be prescribed, from among the members of the Corporation referred to in clause (i) of sub-section (3) of section 3;

(c) the representative of the Reserve Bank nominated under clause (ii) of sub-section (3) of section 3;

(d) two members nominated by the Central Government from among the members of the Corporation referred to in clause (v) of sub-section (3) of section 3."

I really do not understand the need for such an Executive Committee empowered with so many powers and functions. It looks as though the Executive Committee is more powerful than the main Committee. The main Committee will meet not at regular intervals but the Executive Committee will always remain in session because the functions of the Corporation are such that the Executive Committee should meet every now and then.

Again, the Executive Committee is being nominated by the Central Government. When we are thinking in terms of Panchayati Raj, democratic institutions and decentralisation, why should the Government step in to nominate this Executive Committee? The Executive Committee should be elected from among the members of the Corporation under some rules that may be framed in this respect. Instead of that the Government have taken power to nominate the Executive Committee. They should have indicated the broad outlines on which this Executive Committee should be elected.

[Shri Mulka Govinda Reddy]

I am glad that under clause 11 the Corporation can constitute some functional committees whenever such necessity arises for general or special purposes

Clause 12 says

"The Central Government shall, after due appropriation made by Parliament by law in this behalf, pay to the Corporation—

(a) by way of grant each year, such sum of money as is required by the Corporation for giving subsidies to State Governments and for meeting its administrative expenses; and

(b) by way of loan, such sum of money on such terms and conditions as the Central Government may determine."

The anomaly has already been pointed out by Mr Santhanam. I would also urge that the move will reconsider why instead of loans being freely distributed by the Corporation the grants are being freely distributed by it. The loans ought to be distributed under the instructions of the Central Government

Coming to clause 13(2), it says

"The moneys in the Fund shall be applied for—

(a) advancing loans and granting subsidies to State Governments on such terms and conditions as the Corporation may deem fit for the purpose of enabling State Governments to subscribe to the share capital of co-operative societies or for otherwise financing co-operative societies,"

I really cannot understand why grants should be given to State Governments for enabling them to subscribe to the share capital of co-operative societies. In this sub-clause it is not very specific, it is rather confusing. Even the grants that are given to the State Governments can be utilised for

subscribing to the share capital of co-operative societies which means that the share capital of societies subscribed out of the grants allowed by the Central Government will go to the coffers of the State Governments. On the other hand it is only the loan that should be given to the State Government for such purposes and the grants should be given for giving subsidies to co-operative societies for managerial purposes and other expenses in the initial stages of the society.

Then, there is another clause, clause 14, which is a very welcome clause which prescribes furnishing to the Central Government returns and statements and particulars in regard to the discharge of its functions, a copy of which should be placed before both Houses of Parliament.

By virtue of clause 19 the Corporation may,

"by general or special order in writing, delegate to the Chairman or the Vice-Chairman or any other member or any officer of the Corporation subject to such conditions and limitations, if any, as may be specified in the order such of its powers and functions under this Act as it may deem necessary."

For day-to-day working it may be necessary that some powers should be delegated to the Chairman or the Vice-Chairman, but I really do not understand why all the powers and functions under this Act can be delegated to the Chairman or the Vice-Chairman. Under specific conditions certain powers and functions can be delegated. This clause requires to be carefully scrutinised.

Clause 22 deals with the power to make rules. It says

"The Central Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.

(2) Without prejudice to the generality of the foregoing power, such rules may provide for—

(a) the manner in which representatives of the Central Government shall be nominated under clause (i) of sub-section (3) of section 3;

(c) the manner in which the Chairman and the Vice-Chairman of the Corporation shall be chosen;"

Again, read sub-clause 22(2)(f) which says:

"the manner in which the members shall be nominated under clause (b) of sub-section (1) of section 10 and the manner in which the Vice-Chairman of the Executive Committee shall be nominated under clause (b) of sub-section (2) of that section;"

Here there appears to be a little contradiction or confusion. Sub-clause 22(2)(c) says:

"the manner in which the Chairman and the Vice-Chairman of the Corporation shall be chosen;"

But under sub-clause (2)(f) "...the Vice-Chairman of the Executive Committee shall be nominated under clause (b) of sub-section (2) of that section;" I really do not understand why this Vice-Chairman should again come in here when we have already provided for him in sub-clause (2)(c):

"...the Chairman and the Vice-Chairman of the Corporation shall be chosen;"

In this Corporation it looks as if the Vice-Chairman is more powerful than the Chairman because the Vice-Chairman will be the Chairman of the Executive Committee which is very powerful and the Vice-Chairman appears to be a whole-time officer of this Corporation. I do not know why the Chairman should be there at all. If the intention of the Government 1 P.M. is that the Chairman of the Corporation should be a full-time Member and the Vice-Chairman of the Corporation

should be a full-time Member, there is no need to provide two officers or two places for this Corporation. I would very much urge that instead of the Vice-Chairman functioning as a full-time officer, the Chairman should be full-time officer of this Corporation.

THE DEPUTY CHAIRMAN: Mr. Reddy, you may continue after lunch. The House stands adjourned till 2:30 P.M.

The House then adjourned for lunch at one minute past one of the clock.

The House reassembled after lunch at half past two of the clock.

THE DEPUTY CHAIRMAN in the Chair

SHRI MULKA GOVINDA REDDY. Madam Deputy Chairman, there is one welcome provision in this Bill, namely, clause 13(1) which says:

"The Corporation shall maintain a fund called the National Co-operative Development Fund."

This is welcome because the loans and grants made by the Central Government to the Corporation in case they are not utilised fully, will not lapse, as those moneys will go into the non-lapsable fund. Therefore, I say that it is a welcome feature.

Under clause 9 (2) it is said.

"In particular and without prejudice to the generality of the foregoing provision, the Corporation may—

* * *

(c) plan and promote programmes through co-operative societies for the supply of seed manures, fertilisers, agricultural implements and other articles for the development of agricultural produce."

As far as the clause goes, it is important but the point is that it

[Shri Mulka Govinda Reddy.]
not been properly implemented in the sense that the manures and fertilizers and other agricultural implements meant for the development of agriculture are not supplied to the farmers at the rates at which they are expected to be supplied. On the other hand, in most of the societies, either the Secretary or the President or the Board of Directors misuse these fertilizers and sell them in the black-market at prices which are very high. Though many complaints have been lodged, proper steps have not been taken by the Department concerned because here the politics comes in. In most of these societies the office-bearers belong to the ruling party. So, the persons higher up are interested in saving their own kith and kin. I may quote an instance. In the Mysore State there was a society where Rs. 80,000 was misappropriated by one of the office-bearers of that society. Though the Assistant Registrar of the society was anxious to prosecute the person concerned, the higher-ups, the Minister, instructed through telephone message the officer concerned that he should go slow in the matter of prosecuting the person. If that is the way in which these societies are handled and if the culprits are not booked but are saved through influence with the Ministers concerned, then there is no hope for these societies to prosper. I would also like to quote another instance. A society called the Harijan Arthik Abhivridhi society which had undertaken works contract in Chitaldroog district in Mysore State had defalcated and misused the funds and it had not paid the instalments due to the Government of nearly Rs. 2 lakhs and now because that person concerned happens to be an influential person, having some good relations with the Ministers concerned, he is trying to see that it is waived and if this is the situation prevailing in most of the societies in the country, people will have no faith and no confidence in the co-operative movement. Their faith and confid-

ence are shaken because political influence is brought to bear on such people.

I would like to caution the Government with regard to the constitution of this Corporation. As I said earlier, the official element is much more than the non-official element. That is bad by itself. They have not provided as to how the non-official element is to be chosen. They say that 5 representatives are going to be chosen out of the names recommended on a zonal basis by the States concerned. We know how again political influence will play its part in this. It is quite likely that people who are not connected with agriculture in any way will find their way into this Corporation. The objectives of this Corporation are very laudable and if they are properly implemented, it will go a long way in establishing a co-operative commonwealth or co-operative societies based on the equality of incomes and based on the welfare of the people of the country and particularly the agricultural section of the population, but unfortunately some people who pretend to be interested in the welfare of the agriculturists and people who do not know the A, B or C of agriculture find their places in these Corporations and co-operative banks. So, I would earnestly urge that the non-official element that is going to be represented in this Corporation should be such that they are drawn from the agricultural community, who have immense knowledge of agriculture. Then only the intentions of this Corporation and the objectives of this Corporation will be fulfilled to some extent.

Regarding the nomination, I would bring to the notice of the Minister that this power to nominate directors to several societies particularly to the agricultural banks and Central District Banks has been misused. In Mysore, I would like to bring to his notice, there are District Banks in almost all districts and when nominations of these non-officials are made, they are

not made on the basis of the merit of the candidates concerned but they are made on the basis of the political party to which such people belong. It so happened in a particular case that even though in some districts some officers of Government were nominated, in this particular case the officers were not nominated but only some politicians wielding influence with the Government were nominated and in one year the nomination figure rose from 2 to 3 just to see that their man was elected as Chairman of the District Bank. I would therefore urge that this power of nomination to these District Banks and Central Bank should be completely done away with and they should be elected on any other basis that may be found suitable. In this case also I would urge that the election element should be introduced and the representatives coming from the rural areas should find their way through elections and represent those interests on the Corporation. Therefore, Madam, I would urge that this Bill which is not properly drafted and in which there are so many mistakes and which is a very important measure, need not be rushed through. Under the 1956 Act, the Board is functioning and I do not see there is any urgency about it and there is no reason why it should be rushed through. Therefore, there is ample ground for saying that this Bill requires to be scrutinised properly, thoroughly and calmly. Therefore, I support the motion for referring this Bill to a Select Committee.

SHRI D. B. DESAI (Maharashtra): Madam Deputy Chairman, I have a few observations to make on this piece of legislation. The hon. Deputy Minister for Community Development, Panchayati Raj and Co-operation has stated that this is only an amending Bill. I do not know why he has tried to minimise its importance. In fact, I would say that this is a fresh piece of legislation because it intends to establish a new corporate body which

is going to look after the entire co-operative policy and machinery in this country. If we go into the origin of this Corporation, we find that this Agricultural Produce (Development and Warehousing) Corporation was the result of the enquiry by the Committee appointed by the Reserve Bank to survey rural credit in this country. On page 333 of that Report, the Committee has stated:

"While these are the more important requirements regarding credit facilities, development of the credit and other activities, there are also the requirements of policy as indicated by our analysis of the co-operation as it operates at different levels. Almost all of them are with regard to the working of the co-operative organisations. These requirements are connected with (1) the need for co-ordination between different sections of the structure, (2) the clear demarcation of the functions of administration, supervision and audit, (3) the proper provision of trained personnel for efficiently carrying out the functions in different systems as administered in different parts of the structure. The lines on which reorganisation of the co-operative system is attempted, therefore, will have to take into account the need for bringing together rather than separating or duplicating those sectors of co-operative credit which are dealing with long-term lending on the one hand and with medium and short-term lending on the other."

I have specifically referred to this passage in the Report to show that the proposed Corporation and also the existing Corporation are meant to serve as links to co-ordinate all the agencies in the co-operative activities in this country.

If we look at the existing state of affairs, Madam, we find that these are the features of the system function-

[Shri D. B. Desai.]
ing at present. At the base level you have the co-operative society, be it a credit society, be it a multi-purpose society, be it a farmers' society or a consumers' society or any other society. On the credit side we have the District Central Co-operative Banks. At the State level we have the State Apex Banks and at the all-India level we have got the Reserve Bank. At the supervision stage, we have got at the district level the Panchayat Raj Committees. According to the new Panchayat scheme, these committees are appointed by the various local bodies. Then there is the bank's supervision. There is also the district supervision conducted by the officials. There is also some sort of supervision and audit by the auditing agencies appointed by the officials of the district authorities. There is also the auditing section appointed by the various apex banks. They are called the central auditors. And at the all-India level, there is also some auditing agency. There is again the guiding or directing agency and that agency belongs generally to the local bodies, the State Government and the Central Government. Generally the credit sections are conducted on the advice of the Reserve Bank or on the guidance of the Reserve Bank. Actually the Reserve Bank advanced something like Rs. 80 crores in the last 2 or 3 years. Other financing has been done with available funds that are advanced by the State Apex Banks, the District Central Co-operative Banks and at the village level, by the co-operative societies.

In spite of all this, actually we have seen that the co-operative sector has not fulfilled our desires or aims that had been set forth in the various policy statements made by the Government of India as well as by the various State Governments. Actually, what has been our desire? We intended that the co-operatives or the co-operative movement should be a mass activity and it should be a

people's activity which would lead us to prosperity. Especially the co-operative activity among the agriculturists was expected to be linked with production and especially when production activity is brought into the co-operative sphere, it will engulf all the activities in our rural economy and as such it will lead to prosperity. That I think, is the policy of the Co-operative Department as well as of the Planning Commission. But when we look at the actual results, what do we find? Even the Deputy Minister did not try to enlighten the House about the actual position of the co-operative movement. He has given us various figures, that loans something like Rs. 104 per head had been advanced, that some thousands of co-operative societies had been organised, that some millions of members had been enrolled and so on. But does all this show that actually co-operative activity has taken root in our village system and rural economy? That is the basic question which I want to ask.

SHRI AKBAR ALI KHAN (Andhra Pradesh): That is one way. To have more co-operative societies and more members is one way of making it take root among the people.

SHRI MULKA GOVINDA REDDY: Yes, something like the bogus membership of the Congress.

SHRI D. B. DESAI: I may refer to a conversation I had with one of the officers. Recently, I had been to Uttar Pradesh to undertake a study of the co-operative farming there and I had the pleasure of meeting one of the highest officers there. We generally asked him: What is your opinion on the Government of India's policy on co-operative farming and other things? He just told us this: 'The Government of India sends us directives fixing the targets and they ask us to complete those targets within a particular period. Actually we do not know what happens and what is the actual condition of the societies

or the actual working of the societies. We have to fulfil those targets and discharge our obligation or responsibility. So, we ask our subordinate officers to go to the villages and enrol people, organise the societies and complete the target.' We have been told that the co-operative societies organised under the pilot project scheme were to fulfil three conditions. The minimum membership required was 10 to 15. So, in every society the membership was only 10 to 15, not more than that. Land should be pooled together. Actually we have seen this thing happening in respect of 50 acres, 51 acres, 52 acres. Then they say that animals should be pooled together, implements should be pooled together. Some implements were there. What I want to say is that this is not the position where we can say that the co-operative movement has taken root in the country.

The co-operative movement has done one thing and that is everybody, every member of the society, goes to the office bearers, asks for credit and gets it. Perhaps, that credit may not be linked up with production but with some other activity like house construction, marriage ceremony or some other thing. It may not be necessarily linked up with production. The Rural Credit Survey Committee has laid special importance on the fact that credit should be linked up with production. One fact in regard to credit advances by the co-operative societies is the creditworthiness. If a tenant asks for credit, his creditworthiness is dependent on the consent of the landlord but now this has been changed and the tenant can be advanced some loans but what amount of loan is advanced is a separate question. In some States it is up to five hundred rupees per acre, in some others it is up to two hundred rupees per acre while in some other States in the case of cash crops it is up to a thousand rupees per acre but according to the various figures supplied

by the statistical department regarding cost of production, the advances granted by the co-operative societies did not cover much of the cost of production with the result that ultimately the cultivator has got to go to the money-lender or the *arhathiya* or to some other sources and in the next season he comes to the society with a request for the loan to be carried forward. The officials of the society ask him to deposit the money with the society for two or three days or a week. This will be recorded as recovery, the returns will be sent to the banks showing the creditworthiness of the individual and the agriculturist will be granted another advance. This means that he has to pay the interest only and actually the financing of his productivity is at the lowest level. This is the sort of co-operative activity which is going on in the villages and I do not think there is any other picture which can be given by hon. Members here.

I want to know whether the existing Corporation has played any part to serve as a link between the various sectors of the co-operative movement, the co-operative agencies at the village level, the co-operative agencies at the State level and the co-operative agencies at the all-India level. I would like to know further what led the Ministry to bifurcate and duplicate this Corporation. In fact, the Rural Credit Survey Committee Report visualised one Board which would cover the activity of sales, warehousing and so on. There are three major activities, processing, marketing, transport and actual returns. The Co-operative Warehousing Corporation was to deal with all the activities, that is, it should plan, co-ordinate and promote the programmes of production, processing, marketing, transport and other activities which are necessary for agricultural production but the Board or the Ministry in their Report did not enlighten us on these points. I would here like to refer to the Report of

[Shri D. B. Desai.]

the Ministry of Community Development for the year 1961-62. This is the space actually taken up by the Co-operative Development Board which has been working for five years and on which Government has spent something like eighteen crores of rupees. The activities of the Board are enumerated there:

"The Board continued to provide financial assistance to the State Governments for the following purposes."

The purposes are enumerated in the Act also. However, the Board has done one thing. It appointed two or three sub-committees to study the marketing of certain products like cotton, wheat and jute. During the last five years, the Board has done only one thing and that is the advancing of loans. The Board was intended to plan, promote and co-ordinate the various activities in the co-operative sector but actually the Board has done nothing. Last year it has been transferred to the Co-operative Department. At this juncture, the Co-operative Department itself wants to bifurcate it. What is the reason for this? Is not warehousing or marketing purported to be under the co-operative sector? The policy of the Government of India is that marketing should be on the co-operative basis, processing factories should be on the co-operative basis, storing should be on the co-operative basis, warehousing should be on the co-operative basis. Why then are the warehousing, storing and marketing activities contemplated to be bifurcated from the co-operative credit system? In fact, no special board is required for the credit system only because there is the Reserve Bank which deals with short-term credits. There is only the question of long-term credits but seeing the volume of the long-term credit advanced by the Government which is only of the order of eighteen crores of rupees in the last five years as

against the eighty crores of rupees per annum given by the Reserve Bank with its Agricultural Price Stabilisation Fund and similar other funds, I do not think there is any necessity for a special board. We are now having a situation where we will have two separate establishments, two separate corporations to be managed by big I.C.S. officers. There will be some expenditure on administration, maybe a few lakhs. I am not bothered about the actual expenditure but I want to know whether it is necessary to have two separate boards. I would here like to refer to another part of the Rural Credit Survey Committee's Report.

THE DEPUTY CHAIRMAN: Mr. Desai, I think you better stop at this moment. We have time allotted for another motion. You will continue on the 16th when the debate will be continued.

3 P.M.

MOTION RE REPORT OF THE OIL AND NATURAL GAS COMMISSION

SHRI A. D. MANI (Madhya Pradesh): Madam, I move:

"That the Annual Report of the Oil and Natural Gas Commission for the year 1960-61, laid on the Table of the Rajya Sabha on the 19th June, 1962, be taken into consideration."

Madam, in initiating this debate I should like to say that the House is glad to have this opportunity of discussing this Report because so far we have not had any opportunity of discussing the oil policy of the Government. This matter was discussed some weeks ago in the other House and I hope that as a result of the discussion that we are going to have today the Ministry will throw some light on the possibility of getting more oil in the country during the Third Plan. I may have to offer. Madam, many critical remarks about the working of the Oil and Natural Gas Commission but I should like to