

**ANNOUNCEMENT *RE* IMPRISON-
MENT OF SHRI C. N. ANNADURAI**

MR. CHAIRMAN: I have to inform Members that I have received the following letter from the District Magistrate's Court (J), Vellore, dated the 16th August, 1962: —

"I have the honour to inform you that Shri C. N. Annadurai, M. A., Member of Rajya Sabha, New Delhi, was tried at the District Magistrate's Court (J), Vellore, before me on charges of being a member of unlawful assembly, causing wrongful restraint, and molesting a person to prejudice of employment or business, punishable under sections 143 and 341 I.P.C. and section 7(1) (b) and (a) of the Criminal Law Amendment Act XXII of 1932. On 16th August, 1962 after a trial lasting for seventeen (17) days, I found him guilty of the abovesaid offences and sentenced him to undergo Rigorous Imprisonment for Ten (10) Weeks on each of the 3 counts, the sentence to run concurrently. He has been committed to the Central Jail, Vellore, and provisionally placed in 'A' Class."

**LEAVE OF ABSENCE TO SHRI B. C.
NANJUNDAIYA**

MR. CHAIRMAN: I have further to inform Members that the following letter dated the 8th August, 1962, has been received from Shri B. C. Nanjundaiya: —

"I have been admitted as an inpatient in Victoria Hospital, Bangalore, from 12th July, 1962, for enlargement of prostate. I went through the first stage of operation on 18th July, 1962. The second stage of operation is to be conducted very shortly. I will have to remain in the hospital till the first week of September. As such, I cannot attend the present session of Parliament."

I request you to grant me permission to absent myself from all the sittings of the present session of Rajya Sabha."

Is it the pleasure of the House that permission be granted to Shri B. C. Nanjundaiya for remaining absent from all meetings of the House during the current session?

No hon. Member dissented.

MR. CHAIRMAN: Permission to remain absent is granted.

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

DR. A. SUBBA RAO (Kerala): Mr. Chairman, the other day when the House adjourned, I was trying to prove that even qualitatively the progress of the co-operative movement had not been satisfactory. Only primary credit societies have increased in number and size as compared to the other types of societies which actually contribute to the development of agriculture. Even the loan advanced by these primary credit societies is not being utilised for the purpose of development of agriculture, but instead it is being utilised in many cases for paying off the old debts and for their day-to-day expenditure, because many of the peasants are so poor and so indebted that the credit given by these credit societies, which is meant for the development of agriculture, is being utilised for other purposes.

[THE DEPUTY CHAIRMAN in the Chair]

Madam, when we take into consideration the total amount of credits given by these credit societies and try to analyse the different strata of people who get the greatest advantage of all these credits, it will be realised that the upper strata of society are getting the greater share of the credits advanced by these societies. Now when we take into consideration the classification of all these societies which

[Dr. A. Subba Rao.]

gives an insight into the development or the improvement of all these societies, it will be realised that only 15 per cent, of the total number of societies are classified under "A" and "B" class. That means that only 15 per cent, of the societies are sound and are able to stand on their own legs without the help of the Government or whatever it might be. This has been stated by the Estimates Committee as well. So, the remaining 85 per cent, of the societies are not functioning satisfactorily at all. Forty thousand societies were revitalised in the Second Plan, and last year over 15,000 societies were said to have been revitalised. So, it means that nearly 40,000 societies in the past five years were not able to function properly and were about to be liquidated, and so the Government and the co-operative movement had to go and help them and revitalise them. But even after spending a lot for the revitalisation of the societies We do not know whether all these societies, which were dormant, are active again. When we take into consideration that over 15,000 societies were liquidated in the last year, it will prove that qualitatively the co-operative societies have not improved their position. And yet we are told that the Board has been doing wonderful work in improving or in contributing for the development of these co-operative societies. The method so far adopted is not sufficient. The Board has not been successful in getting its own recommendations implemented in the various States. Unless there is a complete reorientation in our outlook and unless we try to implement certain of the recommendations of the Rural Credit Survey Committee and other bodies, we cannot hope to achieve any satisfactory progress in the co-operative movement. Now, Madam, this Bill intends to set up a Corporation in place of the existing Board. We are told that this Corporation will continue to perform the same function as the old Board. We are told that the Board has been working very well and has been res-

ponsible for the development of the co-operative movement all these years. If that is so, I cannot understand the necessity for setting up a Corporation different from the Board. If the functioning of the Board has been satisfactory, what is the necessity for forming a Corporation? What are the other advantages that we are having in forming a Corporation? We could gather from the Annual Report on Co-operation issued by the Ministry of Community Development and the speech of the Deputy Minister that the Board has been only an advancing agency for the respective States. Of course, they have set up three or four committees to go into the question of the various aspects of the co-operative movement. I think this job can be done by the Ministry itself. This has been pointed out by the Estimates Committee as well in page 5 of their 133rd Report. They say :

"If, however, the functions relating to warehousing are to be taken away from the Board it may be a moot point whether there should be a separate Co-operative Development Board and whether the same work could not be done by the Ministry itself. The Committee feel that even if for the sake of some administrative advantage the integrated set-up is to be disturbed, there may not be sufficient justification for the continued existence of a separate Board merely for disbursing funds to the State Governments since it is done on the basis of programmes and policies already approved by Government and for which financial ceilings are fixed by the Planning Commission. In their view, the extent of co-ordination with the Central Warehousing Corporation that will be achieved in the changed set-up by representing each of the bodies on the other, can be obtained in the absence of the Board equally at the official level or by means of an advisory committee composed of officials and non-officials representing banking and other connected interests and other persons experienced in the co-operative field."

The Estimates Committee does not even feel that there is any necessity for having a separate Board. Disregarding its recommendation, the Government is trying to set up a Corporation. We do not know what other advantages it is going to have. It is stated in the Statement of Objects and Reasons that this Bill has been brought forward to enable the two bodies, that is the National Co-operative Development Warehousing Board and the Central Warehousing Corporation, to function better and for administrative convenience. Then, am I to understand that the National Co-operative Development Warehousing Board has had to face all these years many administrative difficulties in its proper functioning? If that is so, how can the Government claim that the Board has been doing good work all these years? The Minister has got to explain the difficulties that this Board has been facing all these years and the necessity of forming a Corporation.

Now, coming to the composition of this Corporation and of the Executive Committee as it is envisaged in the Bill, it is evident that it is practically riddled with Government officials. There is only a sprinkling of non-official representation. I can understand the constitution of the Board as it is done by the Ministry of Food! and Agriculture. We know the views, with regard to democratic decentralisation, of the Minister of Food and Agriculture. But I cannot understand how the Minister of Community Development who lays great stress on, and gives importance to, democratic decentralisation can copy the same old method that was there with regard to the composition of the old Board and incorporate it in the new legislation, practically going back on his own recommendations that the co-operative movement must be representative of, or carried on by, non-official bodies. It is relevant at this time to point out that the Prime Minister himself has pointed out that the co-operative movement must be actually carried on by non-official bodies and that official

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interference must be the least. But when we take into consideration the composition of the Corporation and the Executive Committee, non-official representation is practically negligent. So, all these factors have to be taken into consideration.

Again, before the Bill was brought forward before the House, the Government should have taken advantage to liberalise certain regulations, taking into account the past experience and impediments in the growth of the co-operative movement. The Government should have tried to make this legislation more democratic and more conducive to the development of the co-operative movement. I am sorry to say, Madam, that the Bill as it is will not help in any way—in a significant way—the development of the co-operative movement. It has got many defects as pointed out by my friends earlier. So, it is better that this Bill is referred to a Select Committee. Just because the Opposition is demanding reference of this Bill to a Select Committee, it must not be construed, as some of my friends from the opposite side did, that We are trying to adopt delaying tactics. There are some defects in the Bill and it is all the more advantageous to the Ministry to refer it to a Select Committee and make certain modifications. I hope that, in view of the criticism that is levelled by the Opposition, the Minister, who is very reasonable, will now try to refer this Bill to a Select Committee or at least accept certain of the amendments tabled by my friend, Mr. Desai.

SHRI M. C. SHAH (Gujarat): Madam Deputy Chairman, the Minister in charge, in his preliminary remarks while introducing the Bill, gave a short resume of the development of the cooperative movement. We are all aware that this movement is growing from strength to strength. Especially after independence, the co-operative movement has done very good work. Even then, it is admitted that it is quantitative and not qualitative. Quality requires to be introduced into this

[Shri M. C. Shah.J

movement, and we are trying our best to see that the co-operative societies are working efficiently and qualitatively.

The Corporation envisaged in this Bill is an all-India body. We are thinking of decentralising our institutions and it could have been better if the Government had thought of having some Corporations, if not at the State level, at the zonal level. It is our experience that all-India bodies take very long time to move and there is much to be desired in their administration and efficiency, and specially, the hon. Minister in-charge of Co-operation was proclaiming that the co-operative movement must be entrusted to non-officials and that its administration must be decentralised as far as possible, one expected that the Corporation, instead of being an all-India body, should have been at the zonal level so that it could work more efficiently. This Corporation, a-, it is a statutory body, is expected to be more vigorous and to work without any hinderance from officialdom, but reading the various clauses one is bound to see that the Corporation, as it is envisaged under this Bill, has been tied down in several manners by various Government officials and various Government agencies. As a matter of fact, a statutory body is established with a view to seeing that it functions in a very expedient manner and without any hindrance from any outside agency. It is true that this Corporation has to deal with Government money, and therefore one can naturally envisage some officials of the Central Government to watch the handling of Government money, but unfortunately in this Bill we see that all the members are practically nominated ones. Of course the State Governments have been asked to nominate some persons but they are also to be nominated by the Central Government. It is therefore desirable that non-officials should be in a larger number on this Board rather than officials. After all this is a popular Government and it is a Government

manned by elected representatives of the people. Then why this distrust of non-officials in this Board? To illustrate what I mean to say I would refer you to the various provisions of this Bill.

In clause 2 defining "agricultural produce", I would suggest the addition of "edible oils" also after "edible oilseeds", occurring in sub-clause (a)(i), and also "milk and milk products" there. In sub-clause (a)(v) I am not clear in my mind whether this "vegetable oils" which include, what I may call, vegetable ghee, since the manufacturers of vegetable ghee are so powerful. We know, Madam, that for years the people have been clamouring that this vegetable ghee should be coloured, but unfortunately our Health Ministry has not been able to have a colour which can distinguish this vegetable ghee from pure ghee, and people feel that it is because of the great influence of the manufacturers of vegetable ghee. Therefore it is not necessary that they should have any support under this Bill.

Then, Madam, clause 3 deals with the establishment of the Corporation, and we find that nine members representing the Central Government are to be nominated by the Government on this body, then one representative of the Reserve Bank, to be nominated by the Reserve Bank, one representative of the State Bank, to be nominated by the State Bank, one representative of the Central Warehousing Corporation, to be nominated by that Corporation, then eight non-officials nominated by the Central Government of whom one shall be a representative of the National Cooperative Union of India, two shall be persons who have special knowledge of rural economics and co-operation; and five shall be persons recommended by State Governments.

Madam, it is really strange that practically in every sentence we find the words "to be nominated by the Central Government." In a co-operative body, to work in the way which

is envisaged under this Bill, it is rather strange to find all persons nominated, and the non-officials are too few.

Then in clause 3(5) it has been seated that the Chairman and the Vice-Chairman of the Corporation shall be chosen from among the members in such manner as may be prescribed. I do not understand the word "chosen"; why is it not "elected"? I want to know whether the Government wants to nominate these persons, or they are to be elected from among the members of the Board by the members. It would have been better if the word "elected" had been substituted for the word "chosen".

Then we find that a Corporation of this type, unfortunately, is not given the power to appoint its own Secretary. Clause 8 lays down that the Central Government shall, in consultation with the Corporation, appoint a person to be the Secretary of the Corporation. It is really strange that a Corporation of this magnitude, which has to deal with crores of rupees, has not the power to appoint its own Secretary. Why is it necessary for the Central Government to appoint the Secretary? Why not give this power to the Corporation? It is very difficult to find similar instances in any of the other Corporations. They always function as supreme bodies; once it is statutorily established, it is supreme, and it must have the powers to appoint its own Secretary, to appoint its own Executive Committee. But we find something strange in this Bill. Here, the appointment will be by the Central Government in consultation with the Corporation. I fail to understand this. When the entire Board is nominated, when there are as many as nine officials of the Central Government, why not trust this Corporation to make the appointment, why should not this Corporation have the power to appoint its own Secretary, and what better Secretary can the Central Government choose if it is to be done in consultation with this Corporation? I feel, Madam, that this—to speak in rather very moderate terms—shows the 'after

want of confidence in this Corporation. Why the Central Government should intervene in the appointment of the Secretary is beyond one's comprehension. It is true that the Corporation has been given powers to frame regulations for other officers and employees but not the Secretary.

Then we come to the Executive Committee—Clause 10—and the clause lays down that there shall be an Executive Committee of the Corporation which shall consist of the following members: the Vice-Chairman of the Corporation; three members nominated by the Central Government in such manner as may be prescribed;—now these three members are to be from among the officials of the Central Government; then the representative of the Reserve Bank, two members nominated by the Central Government. Now, Madam, this Corporation has not the power to appoint its own Secretary; this Corporation has not the power to appoint its own Executive Committee; this Corporation has not the power to elect its own Chairman or Vice-Chairman. So I fail to understand why this Corporation is established at all. Any cell in the Reserve Bank would have done this work if all these people were to be nominated and the Central Government was to intervene at all the various states of the working of this Corporation. The Vice-Chairman also is to be an official of the Central Government because he is to be appointed from among those nine members of the Central Government, who are to be nominated on this Board. Under clause 20 it has been laid down:—

"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."

I have read the Schedule but I do not understand what fidelity is required of them. I can understand the oath of secrecy because the Corporation has to deal with financial matters. But

[Shri M. C. Shah.] that way everybody is expected to bear fidelity to the body in which he works. What special necessity was there to introduce a new thing like the oath of fidelity? As I said earlier, secrecy one can understand and fidelity is expected from all officials of the Government as well as the officials of these corporate bodies. They are all expected to have fidelity. But I find here that all officers or the employees have to take the oath of fidelity. This is something strange.

Then, in clause 23 it has been laid down that the "Corporation may, with the previous sanction of the Central Government, by notification in the Official Gazette, make regulations not inconsistent with this Act". The making of regulations by the Corporation should be "not inconsistent" with the Act. But I fail to understand why the Corporation is to have the previous sanction of the Central Government in the making of regulations under which it has to work. These are routine matters of the Corporation for their own requirement and it is not clear why these regulations require the previous sanction of the Central Government. It shows want of confidence in the Government servants, officials to be nominated from the Central Government and other people nominated, in their knowledge or their capacity to frame such regulations. This will mean that there will be undue delay in the working of this Corporation and the members of the Corporation will never feel that they are responsible for the good working of the Corporation.

Then in sub-clause (3) of the same Clause it is laid down that:

"The Central Government may, by notification in the Official Gazette, rescind any regulation which it has sanctioned and thereupon the regulation shall cease to have effect."

The usual courtesy also has not been shown that the Central Government will rescind any regulation, if neces-

sary, in consultation with the Corporation. The Corporation has been given the power to frame the regulations with the previous sanction of the Central Government. Now, if circumstances require that certain regulations have to be rescinded, why should the Corporation not do it? Or, how can the Central Government know that in the working of this Corporation a particular regulation made is not fitting. And, therefore, unless the Corporation moves the Central Government to rescind a particular regulation, how on earth the Central Government sitting here can know that it requires to be rescinded? But, in spite of that, the power has been taken by the Central Government to rescind any regulation which it has sanctioned. Of course, it has been sanctioned by the Government as such in consultation with the Corporation. It passes one's comprehension as to how this Corporation will be able to function. It must be, as a matter of fact, the Corporation to have the power to rescind any regulation which it finds unworkable. Instead, the Central Government takes the power, as in sub-clause (1):

"The Corporation may, with the previous sanction of the Central Government. . ."

Here, if consistency is to be followed, it should have been that the Corporation "should, in consultation with the Central Government, rescind any regulation, if found necessary". But this is not to be found in this clause.

Madam, these are some of the remarks which I wanted to make on the various clauses of this Bill and I would urge that it is very necessary that this Bill should be amended in a proper way or it should be sent to the Select Committee for further investigation.

SHRI N. B. MAITI (West Bengal): Madam Deputy Chairman, this Bill has been assailed from various quarters. Its name, its scope, its com-

position and other provisions have been attacked from various sides. I believe it would have been better for our understanding if the hon. Minister for Community Development, Panchayati Raj and Co-operation had given in his introduction a lucid answer anticipating the points raised on the Bill. So far as I have understood, Madam, I would give my answers to some of the points raised by the hon. Members.

One of the questions was as to why a Corporation has been proposed to be set up when there was under the Agriculture Ministry a Board already. Now, Madam, Co-operation was a subject which was under the Ministry of Agriculture, I believe, some time before. Now that the subject has been transferred to the Ministry of Community Development and Panchayati Raj it is proper that a Board or a Corporation should be set up under that Ministry because that would be of administrative convenience and it would be for better working of both the organisations, one under the Agriculture Ministry and the other under the Community Development Ministry. The Board, that will be under the Agriculture Ministry, will have to deal with, I believe, warehousing to a large extent. Because of the import of food, etc., warehousing is very important. I believe the Corporation that will be set up under the Community Development Ministry will not have to deal with a task of that magnitude; it will be engaged with other tasks. Therefore, in my opinion, for convenience, administration and other things it is better that a Corporation should be set up under the Community Development Ministry. As distinct from that, the Warehousing Board should be under the Agriculture Ministry. It has been asked as to why the name should be the National Co-operative Development Corporation. I believe some hon. Member said in this connection that it should be Agricultural Produce Co-operative

Development Corporation or so. I believe that should not be so because this Co-operative Development Corporation will be engaged not only with agriculture but with those commodities which are called notified commodities. These notified commodities might be other than those which are called agricultural commodities. Therefore the epithet 'agricultural' should not be put before the Development Corporation. It will be wider and will contain more subjects if the name is left as it is given here.

As regards the scope of the definition of 'agricultural produce', some doubts have been raised. As a matter of fact some suggestions have been made that fruits, vegetables, fish, milk, etc. should have been indicated under the definition of 'agricultural produce'. I believe that by giving a broad term as 'foodstuff' all these things have been included, namely fish, milk, fruits, vegetables, etc. That is a very wide term and would contain all the things that we need.

The Bill has been assailed from that side and from this side as regards the composition of the Corporation. There is a great deal of resentment against the nomination given here. The body, as my friend suggests, is predominantly official and nominated. I believe the object of the framers of the Bill is to make it a compact body, having men affiliated and a body which would be working day after day so that the object of the Bill might be fulfilled as quickly as possible. After all I do not know who will be the Chairman or Vice-Chairman. I would be very glad if the Minister himself might think it fit to preside over the Corporation. It would be giving a very great fillip and strength as well as momentum if he himself becomes the Chairman of the Corporation. The sense of resentment that is now felt against the nomination would be greatly removed because he himself is the chosen man

[Shri N. B. Maiti.] of the people and he has the drive and zeal in him and he would be pushing the body in such a way that it would give the results desired from it. In case he finds it difficult to be in the Executive Committee, he should put his own lieutenant as the Vice-Chairman of the Committee and the Chairman of the Executive Committee. That will be giving the popular representation as expected by so many Members here because the top popular men would be there. It has been suggested, that there is no need to make a Central body but the States should have been asked to form their Corporations instead. I believe there should be a Central body to give momentum and speed to the State Corporations if they are formed and I would like that at the State level Corporations as conceived under the Bill, should be formed to put the objects of the Bill into action. It has been suggested that the formation of such State Corporations is not envisaged in this Bill. That is quite so but they can take the cue from here and they can form their own Corporations. Then I would like that the extent of the Bill should be widened. It should have covered Jammu and Kashmir also. I do not know why that State has been excluded. The Minister would kindly enlighten us on that point and give an assurance that at a suitable time he would include that State under the scope of this Bill. One of the reasons for the proposal to refer it to a Select Committee was that no financial memorandum was placed in the hands of Members. I think the whole system of routing the loans to the States would be through this Corporation.

THE DEPUTY CHAIRMAN: You may continue after lunch. The House stands adjourned till half past two of the clock.

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

The House reassembled after lunch at half-past two of the clock, THE DEPUTY CHAIRMAN in the Chair.

SHRI N. B. MAITI: Madam Deputy Chairman, I want to make two or three more points before I conclude my remarks on this Bill.

It has been suggested that there should be no such thing as giving the power to the Corporation to make rules. Madam, it is difficult to visualise a corporation, of this kind having no power to make rules. The rules that this Corporation is going to make will be about the election of the Chairman, the Vice-Chairman, the choosing of officers and so on and so forth. Every local body and every corporation should have the power of making rules. Therefore, I think it is only proper that this Corporation should be vested with rule-making powers.

It was suggested by some esteemed friends that there should be no provision for maintaining secrecy or for bearing fidelity to the organisation. I, however, feel that these two things—maintaining secrecy and bearing fidelity—are most important. In a financial organisation especially, maintaining secrecy is most important. If the officers and employees of the organisation go about telling things, good, bad and indifferent, about the financial position of the Corporation, that would not be conducive to the satisfactory working of the Corporation or of any organisation. Therefore, secrecy is very important. So far as fidelity is concerned, in these days, we lay stress upon our rights, but we do not lay stress upon our duties. Fidelity is a thing which lays stress and emphasis on the performance, of duty. I am, therefore, glad that a clause has been inserted in the Schedule which says:

"I will faithfully, truly and to the best of my judgment, skill and ability execute and perform the duties which are required of me."

I do not see any objectionable feature in such a declaration, and I rather welcome this provision in this measure.

Madam, it was also suggested that the auditor should be exempted from taking this oath of secrecy and fidelity. I do not know, but I do believe that auditors are persons who keep the things that they audit, secret and confidential, and they report only to the persons who appoint them for that purpose. They do not go about talking about the internal matters of the organisation they audit, to all the people right and left. If they do, then it would be a deplorable state of things. Therefore, in my humble opinion the provision for making the auditor keep the internal working of the organisation secret and confidential is good and should be commended.

One hon. Member suggested that as the Bill has not been published in Hindi it should be referred to a Select Committee now. It is very good to have the Bill published in Hindi, there is no doubt about that. I do not know whether this Bill was published in Hindi or not. But even if it had not been published in Hindi, that should not be any reason for asking that a Bill of this nature should be referred to a Select Committee. After all, most of the hon. Members here, I believe, are conversant with the English language and they can follow the provisions. Of course, when the Bill is passed into an Act, then it will be incumbent upon the Government to publish it in the national and State language, and also in other languages. But that could not be any reason for this Bill now being referred to a Select Committee.

It was also suggested that the number of non-officials should exceed that of the officials. This is a very plausible argument. But then, here at the Centre, we are concerned with work and so it is necessary that the representatives of the concerned Ministries and the concerned organisations

should be there. Of course there should be non-official representatives and their views should

be certainly be considered and given due weight. It is for that reason that the non-official element has been introduced and they are eight in number, and so far as the one representative of the National Co-operative Union of India is concerned, he must be a very knowledgeable person and I would say he is the greatest non-official concerned in the matter because it is supposed that he knows things most of all. Therefore, it is good that he will be a representative there. Then there will be two persons who have special knowledge of rural economic and co-operation. This is unexceptionable. Then there will be five persons who will be recommended by the State Governments on a zonal basis and they will be nominated by the Central Government. There are five zones in the country and zone-wise they may go. Five persons will come and it may be that one State sends its representative for one year or for a term and the next State of that zone sends its representative for the following term. The mechanism of election would be such that most of the States will have representation in due course. As I said before, here we are not concerned so much with democratic decentralisation. Democratic decentralisation is a very good thing but that will be at the village level, at the tehsil level and at the district level. Here we are more concerned with a thing to be pushed through so that it may go on. Therefore, democratic decentralisation does not come in here.

Taking all these things into consideration, I believe that this measure is an important one, is a timely one and should not be delayed for some reason or the other but should be passed as quickly as possible. I congratulate the Ministry for having brought forward this Bill and I hope it will succeed. So far as some of the doubts expressed during the course of the general discussion are concerned,

[Shri N. B. Maiti.] I hope the Minister will kindly bear them in mind and if he finds any difficulty in its working, I am sure he will not hesitate to bring in any amendments that may be necessary.

SHRI MAHESH SARAN (Bihar): Madam Deputy Chairman, co-operation has had a chequered career for a very long time. We all know that the first Act regarding co-operative credit was passed in 1904. There have been many other enactments after that but till Independence not very great progress was made. The reason is not far to seek. We only gave credit to the cultivators but there was no method of using that credit, there was no arrangement for manure, no arrangement for seed, no arrangement for bullocks or anything of that sort. The people who got the loans felt very perplexed and they did not know how to manage things and what happened was that instead of using the money for agricultural purposes they sometimes spent it on food and got more and more indebted and things went from bad to worse. Therefore, Madam, it was a very happy thing that in 1954 the Reserve Bank of India set up the Rural Credit Survey Committee to enquire into the problems of rural credit and this has been the turning point in the history of the fate of the agricultural people, and it came to the conclusion that although credit was given to the villagers, only three per cent, of the credit required by the agriculturists was taken care of by the co-operative credit societies so that enough credit was also not there. Now, Madam, this Survey Committee made three very important suggestions and those are (a) promotion of planned development throughout the country of agricultural production on a co-operative basis including processing and marketing of agricultural commodities, (b) promotion of planned development facilities for storage and warehousing of agricultural commodities, etc., and (c) promotion, on

a countrywide scale, of assistance to the cultivators on a co-operative basis of manure, fertilisers, agricultural implements, tools for cottage industry. So, what was lacking before was provided for. Without co-operation progress is impossible for the petty landholders. They have no facility. They cannot move a step forward unless they are helped by the co-operative societies and, therefore, when these suggestions were made by the Survey Committee, we were happy to find the Government setting up the two Boards, the Warehousing Board and the other, the National Co-operative Development Board, both under the Food and Agriculture Ministry. During these five or six years, there has been some improvement. I do not say that the improvement has been really very much; a lot has yet to be done. The majority of people live in the villages and unless the condition of the village people, especially of the people with small holdings, improves, the country will not progress at all. We find considerable progress made during these five or six years. The number of societies increased from 1,60,000 to 2,12,000. Membership has arisen from 7 '8 millions to 17 millions. The membership per society has increased from 50 average per society to 80 average. There were no marketing societies before but now there are 1800. Distribution or supply of agricultural production is worth twenty crores of rupees. It is true that progress in processing was slow. Earlier there were no co-operative sugar factories but now there are over thirty. In spite of all these, if we consider the vastness of the country, we find that the progress is not enough. What I feel is that the principles necessary for the progress of the country are there now and if work is done on those lines, then there is great hope for the country. Our Minister for Community Development and Co-operation is full of vigour and zeal. He puts his whole heart into the things he takes up. For him it is a big trial because if he succeeds, India

progresses, but if there is any lacuna, well, I do not know what the result would be. But I hope that things would go on well. The whole point is that it is not the framing of a Plan that is important. The important thing is the putting into practice of the great principles which we enunciate and it is there that we lack. Things go on slowly. At the Centre things go on smoothly and vigorously but when we go to the States we find that stereotyped things go on. The country will not progress if there is no zeal, if there is no enthusiasm in the workers and if they do not realise that their utility is only possible if they can put in some progress somewhere in the country.

Now, what I feel is that training and education of the co-operative staff is very essential. These are the people who for the time being will be in charge of these different organisations and if they understand the principle on which they should work, then alone progress is possible. They have to realise that they have to train the people so that they may take the place of these officers. They should realise that their duty lies in creating a spirit of understanding, in creating a spirit of co-operation among the people. Then alone progress is possible. Madam, I am to state that this feeling of earnestness, this feeling of zeal, has to be created and it can only be created if there are in States people like our Minister Mr. Dey. I have visited many places and I have seen that they want the things to go on in a humdrum sort of way. In that way we cannot progress; in that way the country's future is dark.

Therefore what I would very humbly suggest to our Minister here is that his job is to create people like him; his job is to tour about the country and find out people who will be able to work on co-operative basis because I am certain that in this country in which there are so many small and petty tenants progress is not possible without co-operative societies of all sorts. And if one link is missing, then progress stops.

For example, we have given the people credit facilities; there are also some facilities for the supply of seeds and manure but there are no facilities for provision of ploughs, for marketing, for storing these things and so on. So the whole scheme fails. Therefore every link must be strong; every link must be such that it bears the strain. Madam, I see a great future in this co-operation. I am one of those who believe that India's salvation lies in co-operation. Some people ridicule the idea of co-operative farming. But it is the one thing which can take India forward because this country of ours is full of small tenants. They can do nothing unless they all pool together their energies, work together and have co-operative farms. Then alone will we succeed. I have seen them succeed in some of the places that I have visited. There have been cases where things have not been so good also but this is just the beginning. What I feel is that before we start a thing, all the requisites must be there so that there should be no failure. If once there is failure, if for some time things are not there at the proper moment, then there is a setback to the movement. So my submission to the Minister is that he should see that the other Departments from which we get money, from which we get the other things, are co-operating in full and to see that when a thing is started all the requisites are there so that the whole thing goes forward smoothly. There

is great hope for the country and that hope is one which very few will visualise now. Some people may laugh at it; some people may talk about it but I am certain that the only hope for the salvation of the country is through joint work, through co-operatives in all directions. Then alone we can progress.

Madam, there are one or two points which I wanted to stress. As I said, the previous Act has taken us a little forward but not very far. And there are one or two things in this Bill which are important. The first Act applied only to agricultural produce

[Shri Mahesh Saran.] but now this will apply to notified commodities also so that the scope is slowly being widened. The previous Act had no provision for functional committees but now we will have functional committees which will take up programmes of marketing, processing, etc. Attempt to convert agricultural societies into service co-operatives is, I am told, one of the aims. If that is the motto, if that is the aim, I am sure there will be success.

Now, Madam, I am rather distressed that the rate of interest charges is excessive and I think the Minister should reconsider this position. I think it is 9 to 12 per cent. That is what I understood. If it is less, it is all right. Anyway, the rate of interest must be less than what it is now.

There is one other point I would like to mention before I sit down. , Clause 4(ii) reads as follows:

"A person shall be disqualified for being chosen as, and for being a member of the Corporation—

(ii) if he is or has been convicted of any offence involving moral turpitude and sentenced in respect thereof to imprisonment for not less than six months, unless a period of five years has elapsed from the date of expiry of the sentence;"

3 P.M.

I was shocked to read it. We are encouraging moral turpitude. This is a thing which should not have been in the Bill. Really, I cannot understand how it is there—if it is six months you are not eligible, but if it is five months you are eligible. If there is even a suspicion of moral turpitude, a person should not be allowed to be a member. And I am sorry to find that this aspect of it has been brushed aside by the Minister in the other House. I hope he will carefully ponder over this and decide that this is one of most obnoxious clauses in the Bill. It should not be there

and if it is there, then we are encouraging moral turpitude.

I am happy that this Bill has come and the subject has been transferred to the Ministry of Community Development, Panchayati Raj and Cooperation. As I said before, I am sure the Minister will have a new look at the whole thing and that great progress will be made.

Thank you.

THE MINISTER OF COMMUNITY DEVELOPMENT, PANCHAYATI RAJ AND CO-OPERATION (SHRI S. K. DEY): Madam, Deputy Chairman, my colleague, Shri S. D. Misra, when moving this Bill for the consideration of the House the other day, had already given a fairly lucid description of some of the quantitative achievements in the co-operative movement during the past few years. I am very grateful for the opportunity that you have given to the Minister and the Ministry to have, on such an exhaustive pattern, the views of different Members of this House during the past two or three days. Certainly the Ministry will keep in view the sense and the consensus of the views expressed in this House during the elaborate discussions on almost all aspects of the co-operative movement, as also on the various aspects of the Bill, which has been brought before the House. I would not like to burden the House now with quotations of quantitative statistics to indicate the progress that the co-operative movement has made. Before I am in a position to answer some of the questions and objections raised on the wording of the various clauses of the Bill, I feel that it is most appropriate that I should try to share with the House the background on which we inherited the co-operative movement in the country at the time of our independence, and the background on which we inherited the movement when a new department was created in the Government for promoting the co-operative movement in this country according to a new resolution of the National Development Council.

As you are aware, before independence, almost all departments of the Government functioned as ornaments, except for some which related to law and order and collection of revenues. Co-operation was one of the most supernumerary ornaments the disposal of the Government. While it is true that certain very advanced States, relatively speaking—I am talking in the co-operative sense—such as Madras, Bombay—now Maharashtra and Gujarat States—and Andhra did a fairly good job in the field of cooperation, because of the relatively superior quality of leadership that co-operation could attract, in the major part of the country, co-operation moved more or less as a department of Government with the facade of a co-operative signboard. I am very sorry to say that despite all the efforts that we have made during the past fifteen years, even today, in fairly appreciable sections of the country, the same situation applies. In fact, in three or four States, particularly the States in the eastern region, the co-operative movement, relatively speaking again, can be considered to be totally stagnant. Now, when the new Department of Cooperation was created early in the year 1959, the Government of India expected the new Department to give a push to the co-operative movement as a whole, to see that it did become a really live movement of the people, that it did become a vital sector of the economy of the country and that the weaker and the stronger States in co-operation collaborated with each other, pooled their wisdom and experience and tried to reach a higher level of performance. It was the intention that the co-operative movement should be diversified, so that what was previously a movement primarily for the issue of credit to a certain limited number of cultivators, would encompass within its sweep the entire rural population, not merely in the field of credit, but also in the field of supplies, in the field of processing, in the field of marketing, in the field of consumer services and other services, such as the agricul-

tural community in India primarily demanded, in order to be able to accelerate the pace of agricultural progress. When this new Department was created, it was also decided by the Government of India that the National Co-operative Development and Warehousing Board, which had been created earlier by the Government of India by an Act of Parliament in response to the recommendations of the Rural Credit Survey Committee appointed by the Reserve Bank of India, should be bifurcated, so that the warehousing side of the activities could be vested in the Food Ministry—because that Corporation primarily was intended to deal with the commercial aspect of food operations—and the developmental aspect of the Board could be vested in the new Department of Co-operation, so that it could receive from the new Department of Co-operation an added impetus for undiluted, single-minded effort for the promotion of co-operation primarily for the benefit of the rural population. Therefore, Madam, when I come before this House today with this new Bill for the bifurcation of the existing Board and for the passing of a new legislation, it is not something new that I am planting in this House. It is *de jure* recognition of a *de facto* position. Already since the Presidential Order was issued and the new Department was created, for all practical purposes the Board has been functioning as two virtually independent autonomous units: one in the Department of Co-operation attached to the Ministry of Community Development and Co-operation, and the other in the Ministry of Food and Agriculture in the Department of Food. So, it is not something new that I am asking this House to recognise.

I mentioned, earlier Madam, that the Government of India in deciding to create a new Department of Cooperation was guided by the consideration, overwhelming in character, of giving a push to the co-operative movement as a whole. That was because the Government of India felt

[Shri S. K. Dey.]

that co-operation had to play a very vital part in the development of the economy of this country. We have the public sector which is taking up a large number of economic enterprises. We have the private sector on the other hand taking up other economic enterprises. Left alone, the public sector can have and can create many difficulties for the people, if it is allowed to grow without limitations, and the same thing applies, perhaps with even greater vehemence, to an unfettered expansion of the private sector. The character of a people, whether they are forward or backward economically, socially and culturally, is judged by the degree to which they can co-operate with each other in conducting the affairs of their life. It was felt necessary that we should have a co-operative sector in the economy of our country which would grow progressively from the virtual nothingness where it started to something very significant, vibrant, as a vital force and a balancing force in between the growing public sector on the one hand and the private sector on the other. Now this could not be done unless co-operation first spread and encompassed the entire rural, particularly the agricultural, population in the first place and then the population engaged in other allied occupations. Secondly, it could not grow into a vital sector unless other aspects of the economy also began to function on the basis of co-operation, whether it is marketing of produce, whether it is consumers' services, whether it is industries, transport, housing, labour, fishery, dairying, animal husbandry, etc. In fact all aspects of the economic life of the people must have a co-operative element, and it must progressively grow until it becomes a really vital sector taking the major initiative in the building up of the economy of the country. This could not be done unless the movement had first been relieved of the weight of officials, of a limited number of people with entrenched vested interests who made co-operation to work as though it was

a hand-maid. Thus started, with the creation of the new Department of Co-operation, a move from the Ministry on its own initiative to deofficialise the movement.

Now the co-operative movement in the country which is something already in operation cannot be promoted by merely a negative approach that it should be rid of the burden of officials controlling it. In its place there must be something which can prove a worthier substitute. Therefore, while we continue our effort to rid the movement of officials, we should try to build up federal organisations in the co-operative movement from the ground upwards. Simultaneously we should try to diversify the activities of the credit co-operative in the village and let it grow into what we call today a service co-operative providing to the farmers and other allied workers in the village multiple services such as supply of fertilisers, seeds, insecticides, services of implements, etc. on the one hand, and on the other, services of marketing, facilities for processing, also facilities for certain essential consumer requirements, etc. Now a service cooperative in a village cannot do this unless it federates into higher organs of a specialised nature. We said, therefore, that there should be Marketing Unions for providing marketing services, Processing Unions for processing services, Central Bank for providing credit, Co-operative Unions at the district and other levels to provide facilities for training and education, and so on, and that we should build up the higher echelons of the co-operative movement. Today we have at the State level the Land Mortgage Bank for providing long-term credit, we have the State Apex Bank for providing short-term and medium-term credit, and we have the State Apex Marketing Union for providing marketing services. In some States we have the Co-operative Sugar Factories Unions providing services to their constituents. Similarly, we have the State Co-operative Union for providing edu-

estion and training in co-ioperation to both officials and to the office-bearers and members in the co-operative movement.

At the national level, Madam, we have the National Co-operative Union, a federal organ of the co-operative movement. We have the National Marketing Federation, again a federal organ of the State Marketing Unions. We have the National Sugar Syndicate which is again a federation of the State Co-operative Sugar Factories Unions. On similar patterns we hope to build up numerous other organisations growing from the roots federally, organically up to the national level. We know that the co-operative movement, in order to be vital, has to be diversified. What the character of the co-operative activity should be in the different sectors of economy has to be examined by competent people, a combination of officials and non-officials.

The Co-operative Development Board had set up a number of working groups. They went into the question of processing, of consumers, and some other s

subjects. Similarly, we have appointed already five Working Groups and the sixth Working Group is going to be appointed very shortly. One Working Group will be on industrial co-operatives, the second will be on housing co-operatives, the third will be on transport co-operatives, the fourth will be on dairy and animal husbandry, the fifth will be on fisheries and the sixth will be on co-operatives under Railways, Posts and Telegraphs and other Centrally-administered sectors. In this way, we are trying to build up an integrated picture of co-operation in the various sectors of the economy. When these studies have been completed, we will have a further integrated study of the individual reports in the Planning Commission, if need be, by getting the services of distinguished people in the country, who have exercised their minds on these problems and who can make a contribution to this thinking. As a first step towards building up the initiative in

the people and their representatives in the co-operative movement, we have transferred the entire responsibility for training and education in cooperation of the officials as also the members and the office-bearers of the co-operatives to a special Board appointed by the Na

tional Co-operative Union. So, from now on the Ministry will continue to support this new Board under the National Cooperative Union with all the assistance it can give, financial, administrative and technical. But the responsibility for conducting the training and education shall vest in this purely and entirely non-official organisation in the States, it will function through its counterparts, namely the State Co-operative Union. Where the State Co-operative Unions are not in a position to shoulder the burden because of their inadequacy or underdevelopment, the responsibility will be of the National Co-operative Union to direct them from its headquarters on such time as the local organs of the co-operative movement are developed strongly and adequately to shoulder this burden on its behalf. I am quite sure, Madam, that this House would be very proud and happy to know that we have succeeded, in spite of considerable resistance initially by the distinguished person concerned, in securing for the National Co-operative Union the services of a distinguished Member of this House, I mean Shri V. T. Krishnamachari, than whom I do not know of a greater veteran enthusiast in the field of co-operation. I am quite sure that some time or the other this House will have the opportunity of knowing firsthand from Shri V. T. Krishnamachari to what extent the Ministry has already gone out of its way and is prepared to go out of its way to see that the non-official character of the National Co-operative Union is accelerated and that it is given all the assistance that a Government organisation can give it to promote its objectives. I do not wish to say niore about it. Here is a non-official organisation at the Centre with organs in the States. • It has been the cong-

[Shri S. K. Dey.] nuous endeavour of the Ministry to see that its arms are strengthened, its muscles are strengthened, by being given wider responsibilities and that in the discharge of responsibilities these organisations are assisted without any strings by the Government, whether it is the State Government or the Central Government. In fact, if there is one credit that the Ministry of Community Development and Co-operation can claim during the first 3½ years, it is that it has been able to build up a tempo in the direction of a non-official movement in co-operation in India and has substantially rid the movement of the weight of officials, direct or indirect.

SHRI AKBAR ALI KHAN (Andhra Pradesh): Quite right.

SHRI S. K. DEY: Now, Madam, questions have been raised as to the necessity for this Board. I can readily appreciate the anxiety of Members. I was myself very anxious to see that I was not adding a fifth wheel into the coach when this Board was contemplated and when I was proposing a new Bill for the creation of this new Board. Co-operation, this House will appreciate, is ultimately to be a movement of the people. In fact, it is my ambition to see, while I am alive, that the co-operative movement has nothing whatsoever to do with the Government. It has not got to be dependent in the slightest degree on any crutches provided by the Government. But that consummation cannot take place in a sub-continent of this magnitude, in India, and considering the background of the first few years in which we have functioned, it will have to be done in stages. We are trying, as far as it is humanly possible, to accelerate the pace; you cannot hustle it, but you can certainly accelerate it.

Now, in the process of acceleration, two steps are indicated. One is, wherever possible, you build up an organisation of the representatives of the movement, give them complete responsibility for handling their aff-

airs and provide scope for the assumption by them of increasing responsibilities. On the part of the Government, you try to ensure that all the decisions are not taken by them unilaterally and that in all matters of policy and in other activities conceivable, it becomes a joint operation by officials and non-officials, even where the Government has to act. Where the non-official organisations can act unilaterally and independently they must be enabled to do so. Therefore, we are carrying on this double-pronged attack. On the one hand, we are creating a purely non-official organisation giving it financial, administrative and technical assistance, enabling it to assume greater responsibilities; on the other hand, we are trying to see that the Ministry does not function as a purely Government organisation while servicing the co-operative movement in the country and that it is assisted by the joint organisation of officials and non-officials, officials who count, who are representatives of the various Ministries and who are invariably involved in every process in the growth of the industries, whether it is transport, whether it is industries, whether it is coal or whether it is the Railways, in all matters, we have to get the co-operation of the Ministries. Therefore, the association of officials becomes very important in order to help the co-operative movement to be serviced. Simultaneously, we must also get the representatives of the movement to participate in thinking, in policy-laying and in implementing it to the extent that the Government has to implement certain policies.

Now, against this background I would like to give answers to some of the Questions raised. Naturally, these questions have been discussed for the past three days and it would not be possible for me to answer all the questions that have been raised. We will have to go on for two or three hours more if I were to do so. But I would try to answer the essential points that have been raised. I would say the vital points that have

been raised, and I would give an assurance to this House that we have taken very clear note of the feeling of the House in most of the matters that have been raised. While formulating the rules of business, while actually conducting the business of the Board from day to day, I assure this House we shall never fail to be guided by the consensus that has been reflected during the discussions here including that in the rules of business that we shall frame.

Now my hon. friend Shri Chordia and Shri D. B. Desai, mentioned that bifurcation is not necessary. "Why bifurcate?", they asked. Madam, it is not a decision that is being taken today. This bifurcation was decided upon at the time the Board was created, I mean at the time the new Department of Co-operation was created and the Board's activities were to be handed over. It was an Order of the President that called for the bifurcation. Bifurcation is necessary because warehousing, as I mentioned earlier, is a different type of activity; it is not so much of a promotional activity of the co-operative sector alone. We do not want to mix it up and yet I know it is not possible for the co-operative sector to function in complete independence of the warehousing sector or *vice versa*. Therefore we have tried to ensure that in the creation of the new or the Corporation, as you may call it and which is the designation now—in substance there is no difference—the two organs will have representation in each other. The Warehousing Board will have representation in the Co-operative Development Board, and the Co-operative Development Board or the Corporation will have representation in the Warehousing Board. So that way the interests of one will be represented in the other without getting a body of a dissimilar character too deeply involved in the operation of the other.

It has been suggested that bifurcation will mean an increase in expenditure. The hon. Shri Desai had made

specific mention of this point. Well, we are already incurring the expenditure, ever since the Department was* created, and the expenditure in any case, as has been indicated to this House, is not of a very high order. The administrative expense of the Board which is Rs. 2J-3 lakhs, may rise to Rs. 4 lakh

s later, about the end of the Third Five Year Plan; it is not a very large amount. It is true that if the two Boards were combined, we might have been able to save a few thousand rupees, may be Rs. 20,000 or Rs. 30,000 or Rs. 50,000, or even may be a lakh of rupees* But consider the disadvantages that we incur for saving this one lakh of rupees. Is it worth it? You get dissimilar activities pursued by a dissimilar organisation.

It has been asked by Mr. Desai why co-operative farming was not forming a part of the Board's activities. I myself asked this question a year and a half ago, two years ago, of the Board, as to why they should not take up co-operative farming. Now the Board, I believe, very rightly decided against it. Their argument was that co-operative farming is something which requires, which will call for an extraordinary form of effort, an effort of a very different character at least to start with. If co-operative farming gets mixed up with other activities, either this effort will suffer in competition with the other activities of the Board, or other activities of the Board, which are vital to the growth of the co-operative sector, will suffer in competition with the specially creative effort that joint cooperative farming calls for in this country in view of the organised vendetta against it. Therefore it was felt by the Board.

SHRI D. B. DESAI (Maharashtra): May I know, Sir,

SHRI S. K. DEY: I would be very happy to answer any questions that the hon. Member may like to put but after I finish. I did not interrupt the hon. Member when he spoke. He can note down all his points and I

[Shri S. K. Dey.] would be most happy, as long as he wishes to stay here, to continue attempting to answer him.

Therefore, Madam, we had to abide by the advice of the Board which, we felt, was really a very wise decision, and we created a new Joint Co-operative Farming Advisory Board in the Ministry. That Board has been doing work with fairly creditable success. I am quite definite that in the course of the next two years Parliament will be fairly well seized of whatever we have been able to initiate in the direction of joint co-operative farming.

Now it has been 'mentioned again by the hon. Mr. Chordia—and he was joined in this issue by Shri Deoki-nandan Narayan—that foodstuffs have not been defined, and they were not sure if milk products, spices, etc. were included under the definition of foodstuffs. I am happy to say that they are.

Now, as to the question that has been raised about "notified commodities", I would like to give a little explanation. There is a Concurrent List in our Constitution, and from time to time Parliament has been authorised to frame rules and conduct business in regard to these "notified commodities" bringing new items under its purview within the permissive clauses of the Constitution. We do not want, every time we wanted to make a minor change in a commodity under that clause, to come again to Parliament and involve unnecessary delay on the part of the Corporation and unnecessary trouble to Members of Parliament on paltry matters. Therefore in this legislation we have introduced an enabling clause authorising this Corporation to conduct business in such items which are authorised under that particular clause by Parliament.

There has been a lot of argument and criticism on the question of com-

position. Here again this is not a non-official Board that we have created. It is an organ of Government for all practical purposes created under an Act of Parliament. It is intended, for all practical purposes, to act as an agent of the Government for routing its funds to the States, and also for conducting a certain amount of supervision over activities relating to the spending of those funds. We could not create here a purely non-official organisation with all the risks of political pulls here and there, as are inevitable, when the purpose is to implement programmes, implement the policies of Parliament and to route the funds which are sanctioned by Parliament for expenditure from year to year, or as loans to the State Governments. We wanted therefore to have, as I mentioned earlier, an organ which will be a combination of representatives from the various operational Ministries involved in the cooperative activities on the one hand, and representatives of the cooperative movement on the other. And I may assure you, Madam, the Board shall have a fully balanced team of officials and non-officials.

Questions have been raised as to why we did not introduce the element of elections, why we have everywhere put nomination instead of election. Again, I have to mention to the House that there are Government servants representing various Ministries. Certainly, this House does not want Government servants to become participants in political pulls and electioneering for this candidate or that candidate, or this group of people or that group of people. Instead of doing co-operative business through the Board we shall spoil the character of the Government servants by involving them in something for which they are not equipped, they are not trained, and which is completely outside their terms of reference. We, therefore, felt that in these matters we should leave discretion ultimate with the Central Government which is going to use this organ as its agent.

Now, Madam, instead of the Central Government nominating, if the Board was to be left free to elect its own executive, it is quite clear that the powers of this Board would have been very severely truncated, and regardless of the wording in the Bill, in actual practice every one of the decisions of this Board would have been subjected to scrutiny by every one in the Ministry from the Assistant upward. We did not wish to run this risk. Therefore, we introduced the element of nomination, avoiding party-mongering, political tug-of-wars between different groups of people in the Board and at the same time ensuring collective, joint operation between officials and non-officials.

SHRI AKBAR ALI KHAN: But that is basically against your policy that you have adopted so far.

SHRI S. K. DEY: But I have not built it as an institution of the people. We have other institutions of the people like the National Co-operative Union, the National Marketing Federation or the National Sugar Syndicate. In those institutions we do not have one single person. There the Government is a servant; it has no say whatsoever. It does not nominate one single member to any of them. The organisations are completely free. But this is a Corporation that is being created as an organ of the Government for all practical purposes and I cannot afford to have in it elections or any tug-of-wars, otherwise my whole year's programme will get bogged down, through internal pulls and stresses. I cannot afford to do it unless, of course, ultimately we find that wisdom has grown, and I hope a time will come when we do not require so many ministries at the Centre and instead there will be organs of the people who will be able, with direct assistance from the Finance Ministry and Plan allocations from an organisation like the Planning Commission, to carry on their affairs in the States. But such a day is yet far off.

592 RS—9.

Mr. Deokinandan Narayan raised a question as to why we have kept a provision for non-interference in the areas which are operated by the Khadi Commission. Now, this is a point which I would like to clarify. The Khadi Commission has many activities like hand-pounding of rice, pressing of oil ghanis and so on. The intention was that where the Khadi Commission is conducting such activities this Board will not offer funds to the State Governments to initiate competitive activities which are inimical to the growth of these activities by the Khadi and Village Industries Commission. Those areas will be left alone to be operated by the Khadi and Village Industries Commission. That was the intention and that intention we wish to carry out.

Hon. Members, Shri Santhanam and Shri Govinda Reddy, had mentioned about loose drafting of the document. Well, I am very sorry to say, Madam, I myself am not a lawyer and I do not understand these law points. But this is a document which has been, as far as we know, very carefully drafted by the Law Department of the Government of India, by their experts and, in any case, most of its wording here has been taken physically from the original Bill which had earlier been passed by both the Houses of Parliament. Of course, there is no justification why if there is any looseness left in the original Bill it should not have been corrected while we are introducing a new Bill.

The point raised by Shri K. Santhanam was that he was not sure if this Board did not intend, in some matters, to operate through the cooperative societies, direct, instead of through the State Governments. Well, I may give a categorical assurance to this House that it never was the intention of the Ministry of Community Development and Co-operation or the Board which we are asking to be created, to function except exclusively through the State Government. We do not function through any other agency. The State Government is our agent at the State level. So, that

[Shri S. K. Dey.] question does not arise. Before I go to another point, Madam, I would say that we have noted some of the points raised relating to possible looseness in the drafting of this Bill. We have taken note of the spirit of the queries raised and I may assure the House that while drafting the rules of business we will make sure that the spirit of what has been demanded of us is really honoured.

Mr. Desai wanted to know why we did not accept the recommendation of the Estimates Committee while the latter had recommended against the bifurcation of the Board. I have already given the reasons. I would add further that the Board is particularly necessary at this stage of development of co-operation in this country because it is this Board which can ensure virtually hundred per cent, recovery from the State Government. I think till now we have had 99 per cent, or more recovery of the loans that we have given to the States. Secondly, what is even more important to me in the context of today is that under the new procedures that have been established between the State Governments and the Centre a State Government is authorised to appropriate and reappropriate funds allotted to it by the Centre as between the different departments in the State. I have no guarantee, therefore, that the funds, if they were allotted by the Centre originally for co-operative purposes, would in fact eventually be spent for co-operation because the State Governments are authorised to divert, if they so want, the funds from Co-operation to some other sector. But because there is a Board and the Central Government has given the funds to that Board, the State Government is not authorised to make any re-appropriation. So far as the ~mds of the Board are concerned, these have to be spent specifically for the purpose for which the funds are allotted, and in case they cannot be spent they are surrendered. So, this is a very great advantage in the con-

text of today when State Governments are functioning under serious stresses of competing priorities between the various departments and the various quarters of the State. Shri Mahesh Saran particularly mentioned that the rate of interest in the Co-operatives is too high. Well, it is between 6 per cent, and 9 per cent. It is very rarely that it is 12 per cent; I do not remember but there may be one or two small places. But generally it is between 6 per cent, and 9 par cent, but there is no help to this situation because today a depositor demands 4£ per cent, to 5 per cent. He gets 4£ per cent, return from the Government securities or more. Why should he deposit in a Co-operative Bank for less than 4J per cent, or 5 per cent? So when a depositor deposits at that rate of interest, you have to add something to it. In spite of the assistance that is being given by the Reserve Bank through reduced rates of interest, you have still to add the operational expenses of the State Apex Banks, the Central Banks and ultimately the Service Co-operative Societies which are tendering loans to the cultivators in the final analysis. So when all these factors are considered, the rate of interest between 6 per cent, and 9 Der cent, is certainly not too high. If I wish in this country today to borrow money against an insurance policy of mine which is 100 per cent, secured in the L.I.C., I will have to pay, I think, 6£ per cent, interest. Now how does anyone expect less in a village?

AN HON. MEMBER: Money-lenders charge 24 per cent, to 50 per cent.

SHRI S. K. DEY: Yes, those money-lenders charge that much. Of course we are not making any comparison. In case there is a profit made by a Co-operative Society out of this interest that it earns, ultimately whom does it belong to? It belongs to the Society which builds up its reserve fund, which builds up dividends or which builds up assets from which it can do service to the members. So

the benefits, if at all the interest rates are high, ultimately are distributed to the borrowers.

Another point I would like to mention is about the suggestion that this Bill should be referred to a Select Committee. I always consider it a most unpleasant thing to have to disagree with well-intentioned friends. If this Bill had been referred to a Select Committee, it would mean just an avoidable delay probably of several months in the processing of the new Board. Already we have many plans. The Third Five Year Plan has advanced already a year and a half or more and it is advancing fast. There are many plans that the Ministry has drawn up, many of which the Ministry wishes to execute through the Board, through its many functioning committees and others which have to be created afresh. If we are to refer this matter again to a Select Committee, it will unnecessarily hamper all this programme which is calling for urgent action on our part. We do not know what a Select Committee really can contribute to a Bill relating to an institution functioning already and which has been created by an Act of the Parliament. Therefore I would beseech my friend who has made this demand to withdraw it. I am very sorry that for obvious reasons I am not in a position to meet the demand. That is all I wanted to say.

THE DEPUTY CHAIRMAN: I shall now put the amendment to vote.

The question is:

"That the Bill 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, as passed by the Lok Sabha, be referred to a Select Committee of the Raiya Sabha consisting of the following Members, namely:

1. Shri P. N. Kathju
2. Shri Ram Sahai
3. Shri A. D. Mani
4. Shri R. S. Khandekar
5. Shri Bairagi Dwibedy, and
6. Shri V. M. Chordia (the Mover),

with instructions to report by the 30th August, 1962."

The motion was *negatived*. ■

THE DEPUTY CHAIRMAN: I shall now put the motion to vote.

The question is:

"That the Bill 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, as passed by the Lok Sabha, be taken into consideration."

The motion was *adopted*.

THE DEPUTY CHAIRMAN: We shall now take up the clause by clause consideration of the Bill.

Clause 2.—Definitions

SHRI V. M. CHORDIA (Madhya Pradesh): I am not moving my amendments Nos. 1 and 2 in view of the explanation given by the Minister.

Clause 2 was *added to the Bill*.

Clause 3.—Establishment of the National Co-operative Development Corporation

SHRI D. B. DESAI: Sir, I move:

3. "(1) That at page 2, for lines 36 to 38, the following be substituted, namely:

'(i) chairmen of all State Apex Co-operative Banks in India except Jammu and Kashmir';"

SHRI V. M. CHORDIA: Sir, I move:

4. "That at page 2, line 36, for the word 'nine' the word 'four' be substituted."

5. "That at page 3, line 7 for the word 'eight' the word 'twelve' be substituted."

6. "That at page 3, line 12, after the word 'cooperation' the words 'and take keen interest in co-operative activities' be inserted."

7. "That at page 3, line 13, for the word 'five' the word 'nine' be substituted."

8. "That at page 3, after line 16, the following proviso be inserted, namely:

•Provided that one of the members shall be a member of a Panchayat."

The questions to be proposed.

SHRI D. B. DESAI: Madam, my amendment requires no elucidation. I request the Minister concerned to consider the amendment. He himself said that they require some federating link. I quite appreciate his argument that the Co-operative Board is a sort of a Government organ but actually the Rural Credit Survey Committee contemplated an entirely different scheme at the top. So I could not agree with the Minister. So I move this amendment.

श्री विमलकुमार मन्नालालजी चौरडिया :

मेरा पहला अमेन्डमेन्ट इस प्रकार है :

"That at page 2, line 36, for the word 'nine' the word 'four' be substituted."

जैसाकि माननीय मंत्री जी ने बतलाया, मुझे उनके भाषण में दो बातों पर विरोधाभास प्रतीत हुआ। पहली बात तो उन्होंने यह कही कि सेलेक्ट कमेटी को भेजने के बारे में जो प्रस्ताव रखा गया है उससे काम में देरी होगी और हमारी जो बहुत सी योजनाएँ हैं उनको कार्यान्वित करने में देरी हो जायेगी।

उसी वाक्य के साथ उन्होंने यह भी कह दिया कि हमारा काम चल रहा है, आलरेडी बोर्ड फंक्शन कर रहा है, तो ऐसी स्थिति में पुराने कानून के हिसाब से उसमें भी नियम हैं, धाराएँ हैं, सब काम जब हो रहा है तो फिर इस चीज की क्या आवश्यकता रह जाती है? तो जो भी हो, फिर से इस बारे में अपना अमेन्डमेन्ट रखने का मतलब यह है कि जनता के लोगों का रिप्रेजेंटेशन इसमें ज्यादा से ज्यादा हो सके और शासन की जो पालिसी है वह जनता को अच्छी तरह से मालूम हो सके। वैसे देखा जाय तो बोर्ड सारा ही गवर्नमेंट का है। इसमें जो भी नान-आफिशियल मेम्बर्स होंगे वे भी एक तरह से गवर्नमेंट के ही आदमी होंगे। मैंने जो संशोधन रखा है उससे घबराने की आवश्यकता नहीं है क्योंकि अगर वह मान भी लिया जाता है फिर भी सरकार के नुमाइन्दों की ही बोर्ड में ज्यादा संख्या रहेगी। मेरा जो चार मेम्बर रखने का निवेदन है वह इसलिये है कि केन्द्रीय सरकार के प्रतिनिधि तो इस बोर्ड में रहेंगे ही। स्टेट बैंक और रिजर्व बैंक का भी एक एक प्रतिनिधि इसमें होगा। धारा (V) के 'सी' में पाँच आदमी रखे हैं। उसकी जगह ६ रख लें तो वह आपकी संख्या बराबर हो जाती।

वैसे भी आप नामिनेट करें या स्टेट्स की माफ़त नामिनेट करवायें, आपका परपज़ पूरा होने वाला है, आपकी मर्जी के आदमी आने वाले हैं, इसमें दो मत नहीं हैं कि आप जैसा चाहें वैसा काम करने वाले हैं और उसमें कोई आपत्ति नहीं करेगा। मगर मेरा यह निवेदन था कि केन्द्र नामिनेट करे, इसकी अपेक्षा स्टेट्स से उनका सुझाव आता और स्टेट्स उनको नामिनेट करती तो ज्यादा अच्छा था।

4 P.M.

इसके बाद दूसरा संशोधन यह है :

"That at page 3, line 7, for the word 'eight' the word 'twelve' be substituted."

छठा संशोधन इस प्रकार है :

"That at page 3, line 12, after the word 'cooperation' the words 'and take keen interest in cooperative activities' be inserted.

इसमें लिखा है :

"One shall be a person who has special knowledge of co-operative education".

हमारे यहां ग्रामीण भाषा में एक कहावत कही जाती है कि कोई चाहे जितना पढ़या हो, गुणयां न हो तो किसी काम का नहीं। कोई आदमी चाहे जितना पढ़ा हुआ हो, यदि उसमें प्रैक्टिकल नालेज न हो तो वह किसी काम का आदमी नहीं होगा। किसी आदमी ने थ्युरी समझ भी ली हो, फिर भी यदि उससे कोई प्रैक्टिकल काम करने को कहा जाय तो वह उसे नहीं कर पायेगा। इस दृष्टि से ये जो शब्द इसमें उपयोग में लाये गये हैं कि कोआपरेटिव एजुकेशन की नालेज चाहिये, वे तो होने ही चाहिये, उनके साथ साथ ये शब्द भी होने चाहिये :

"and take keen interest in co-operative activities".

यह जो प्रैक्टिकल उसको अनुभव हो जाता है, इस तरह का अगर आदमी हम इसमें रखेंगे तो ज्यादा लाभदायक होगा और उससे आपके बोर्ड की प्रतिष्ठा भंग होगी ऐसा मैं नहीं मानता। इतना ही नहीं, आपके काम में अनुपयोग किये हुये आदमियों का उपयोग हो सकेगा।

"That at page 3, line 13, for the word 'five' the word 'nine' be substituted".

इस सम्बन्ध में मैं पहले ही कह चुका हूं। आठवां संशोधन यह है :—

"That at page 3, after line 16, the following proviso be inserted, namely:—

'Provided that one of the members shall be a member of a Panchayat'."

चूंकि आजकल पंचायत राज आपके ही जिम्मे है, इसलिये मेरा यह निवेदन था कि पंचायतों का भी प्रतिनिधित्व हो सके, इसके लिये हम इसमें मुख्यतया यह प्राविद्धो डाल दें कि यह जो नामिनेशन बयैरह होंगे उनमें कम से कम एक आदमी पंचायतों का आयेगा। पंचायतों और सरकारी समितियों का किस तरह से ठीक सम्बन्ध हो सकता है और उनको अपना कार्य करने में कौन कौन सी कठिनाइयां आती हैं, इन सब बातों को ध्यान में रख करके हमारे लिये यह अत्यंत आवश्यक हो जाता है कि बोर्ड में एक ऐसा राय बहादुर रहे जो कि पंचायतों का प्रतिनिधित्व कर सके और पंचायत और सहकारिता के बीच में जो कठिनाइयां आती हैं उनका बोर्ड में ठीक तरह से खुलासा कर सके। इसी दृष्टि से मैंने यह संशोधन रखा है।

वैसे सहकार मंत्री ने यहां भाषण में भी बड़ा सहकार बताया है और आशा है कि मैं यह जो सहकार की भावना के साथ यह संशोधन उपस्थित कर रहा हूं, इनको वे स्वीकार करेंगे और इस विधेयक को ठीक बनायेंगे।

SHRI S. K. DEY: Madam, Deputy Chairman, I wish I could agree with my hon. friend on the other side of the House; but as I have already explained earlier, we have tried very carefully and very delicately to balance the official and the non-official elements in the composition of this Board. There are quite a number of official agencies which have to be represented. I would just, by way of example, like to mention the persons who constitute the Board today, I mean the present Board. That will give an approximate indication of the character of the representation on the new Board. We will try to improve on it by the rules of business. The Minister of Community Development and Co-operation is the Chairman of the Board. There is the Secretary of

[Shri S. K. Dey.] the Ministry of Wood and Agriculture as a member. The Joint Secretary in charge of Co-operation is a member. The Joint Secretary in charge of Finance is a member and that is very essential. There is the Director of Commercial Traffic from the Railway Board as a member. From the Road Development Department of the Government of India, Mr. H. D. Sinha, Consulting Engineer for Roads is a member. The Director-General of the Food Ministry is a member. Then Mr. Venkatachalam, Joint Secretary in charge of Small Scale Industries is a member. Mr. Doraiswamy, Chairman of the Forward Markets Commission, Bombay is a member. Prof. D. G. Karve, Deputy Governor of the Reserve Bank is a member. Then Mr. B. Mukerji, Managing Director, State Bank of India is a member. The President of the All-India Cooperative Union, Mr. Ansari, is a member. Dr. Sadashiv Misra, Professor of Economics, Cuttack is a member. And Mr. Parameswaran Pillai, Chairman, Kerala State Cooperative Bank is a member. Shri R. G. Saraiya, a cooperator from Bombay is a member. Dr. P. Natesan, General Secretary, Tamil Nadu Cooperative Union is a member. Shri Jagan Prasad Rawat, Chairman, U.P. Cooperative Land Mortgage Bank is a member. Shri Tarapado Chaudhuri, Chairman, West Bengal Provincial Cooperative Bank is a member. And there are two places vacant at the moment. We did not want to fill them up, pending the enactment of this new legislation.

We have provided that the non-officials who will be nominated by the Central Government will be from a panel offered by the State Governments on the basis of consultations with the non-official apex cooperative organisations in the States. So what the hon. Member has in view, namely, that the Central Government should not make an ad hoc nomination is fully satisfied, because the State Governments are being asked to suggest persons from out of the State co-

operative movement. The Central Government will ensure that they represent the non-official elements from the movement. So this part can be satisfied without any amendment in the legislation.

So far as the members are concerned, as I have said, we have very carefully weighed both the aspects, the official aspect and the non-official aspect and we say that it would be a disadvantage to remove the official element from it because the Board would require the services of various agencies in the Government of India and elsewhere, if it is to make an appropriate and adequate use of the funds which are being placed at its disposal by the Government of India. So, I am very sorry, Madam, that I am not in a position to accept the amendment. But I appreciate the spirit of the suggestions he makes and I believe in a very large way, that can be satisfied by exercising adequate discretion within the framework of the law that is being enacted.

THE DEPUTY CHAIRMAN:
The question is: "That at page 2, for lines 36 to 38, the following be substituted, namely:—

(i) chairmen of all State Apex Co-operative Banks in India except Jammu and Kashmir";

The motion was negatived.

THE DEPUTY CHAIRMAN:
The question is: "That at page 2, line 36, for the word 'nine' the word 'four' be substituted."

The motion was negatived.

THE DEPUTY CHAIRMAN:
The question is: "That at page 3, line 7, for the word 'eight' the word 'twelve' be substituted."

The motion was negatived.

THE DEPUTY CHAIRMAN; question is:

6. "That at page 3, line 12, after the word 'cooperation' the words 'and take keen interest in co-operative activities' be inserted."

The motion was negatived.

THE DEPUTY CHAIRMAN; question is:

7. "That at page 3, line 13, for the word 'five' the word 'nine' be substituted."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

"That at page 3, after line 16, the following proviso be inserted, namely:—

"Provided that one of the members shall be a member of a Panchayat."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

"That clause 3 stand part of the Bill."

The motion was adopted.

Clause 3 was added to the Bill.

Clause 4—Disqualifications for being a member of Corporation

THE DEPUTY CHAIRMAN: There is one amendment, No. 9, but it is a negative one and so cannot be moved.

Clause 4 was added to the Bill.

Clause 5 was added to the Bill.

Clause 6—Removal from office of Member, etc.

SHRI V. M. CHORDIA: Madam, I beg to move:

10. "That at page 4, line 1, after the word 'may' the words 'on reasonable grounds' be inserted."

The मेरा ख्याल है कि यह "रीजनेबिल ग्राउंड" का जो शब्द मैंने रखा है उसका कानून के हिसाब से क्या अर्थ होता है इसका मंत्री जी को स्वयं तो ज्ञान होगा ही लेकिन अगर ला डिपार्टमेंट से भी इसके बारे में राय ली होती तो ज्यादा अच्छा होता। यह निर्विवाद है कि अगर इस में "रीजनेबिल" शब्द नहीं होता है तो आप अपनी स्वेच्छा से जब चाहें तब जिस भी सदस्य को चाहें उसको निकाल सकते हैं। वैसे भी नामिनेशन से यह सब कुछ आपका चल रहा है और उधर से स्टेट की तरफ से जो नान-आफिशियल्स भेजे जाने वाले हैं वे भी रहने वाले हैं। जहां तक स्टेट की तरफ से नामिनेटेड लोगों का सवाल है उनको तो आप कुछ भी कह कर हटा सकते हैं परन्तु ये जो नान-आफिशियल्स आने वाले हैं उन्होंने अगर कुछ अपनी मर्जी के मुताबिक काम नहीं किया, अगर उन्होंने वहां पर रह कर आपकी मर्जी के मुताबिक काम नहीं किया तो आप उनको भी हटा सकते हैं। अभी तो कल्पना नहीं की जा सकती है कि ऐसी गड़बड़ होगी मगर मान लीजिये कि आप किसी दूसरे डिपार्टमेंट के मंत्री हो गये और कोई ऐसे मंत्री जी आ गये जिन के द्वारा कुछ गड़बड़ होने की सम्भावना है तो उस समय तो कानून बदला नहीं जा सकेगा और उस समय जो भी आदमी इस बोर्ड की कुछ गड़बड़ निकाल कर जनता को देता है या यहां की गड़बड़ियों पर चेक लगाता है, निर्यंत्रण लगाता है और यह असम्भव हो जाय कि उस आदमी को ऐसा करने से रोक सकें तो वह मंत्री जी इस घारा के तहत उस आदमी को तुरन्त निकाल सकेंगे। अगर इस में "रीजनेबिल" शब्द होता है तब जो निकाला जाने वाला है उसको इस बात का अधिकार प्राप्त हो जाता है कि वह न्यायालय के द्वारा इसका निर्णय करना सके कि उनका निकाला जाना उचित था या अनुचित था। मैं यह नहीं कहता कि अगर कोई अनुचित कार्य करे तो भी उसे आप नहीं निकालें और इसीलिये हम इसमें इस प्रकार का संशोधन दे रहे हैं कि :

[Shri V. M. Chordia.]

"The Central Government may on reasonable grounds, at any time, remove from office..."

हम आपको पूरा अधिकार दे रहे हैं मगर हम यह प्रार्थना करते हैं कि केवल "रीजनेबल ग्राउंड" पर आप निकाल सकते हैं। अगर आप मनमानी करना चाहते हैं तो वह न कर सकें। आपका स्वभाव अच्छा है लेकिन इसका मतलब यह नहीं है कि जो दूसरे मंत्री आयेंगे वह भी अच्छे ही रहेंगे, इसलिये हम चाहते हैं कि "रीजनेबल ग्राउंड" शब्द इसमें जोड़ दिया जाय ताकि जो साहब भी मंत्री रहें— डे साहब रहें या कोई दूसरे साहब रहें—अपनी मनमानी कर के किसी को निकाल नहीं सकें। कानूनी दृष्टि से इस में डिफिक्ट नहीं होना चाहिये और इसी आधार पर मैंने यह संशोधन दिया है। मेरा खयाल है कि माननीय मंत्रीजी ने इस तरह से सब बातों के लिये रीजनिंग दी है उसी तरह से यहां भी "रीजनेबल ग्राउंड" शब्द को रख कर अपनी रीजनिंग का परिचय देंगे।

The question was proposed.

SHRI S. K. DEY: Madam, what the hon. Member has in view is fully covered by the clause given here which says that persons can be removed only after having been given a reasonable opportunity of showing cause against the proposed removal. This was fully examined by the Law Ministry and this clause fully covers the ground. We are satisfied that there will be adequate safeguards against all unreasonable use of this clause. I do not know why the hon. Member is so worried on this point because this is fully justiciable.

THE DEPUTY CHAIRMAN: Do you desire to withdraw the amendment.

SHRI V. M. CHORDIA: No, I press it.

THE DEPUTY CHAIRMAN: The question is:

10. "That at page 4, line 1, after the word 'may' the words 'on reasonable grounds' be inserted."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

"That clause 6 stand part of the Bill."

The motion was adopted.

Clause 6 was added to the Bill.

Clauses 7 and 8 were added to the Bill.

Clause 9—Functions of Corporation

SHRI D. B. DESAI: Madam, I beg to move:

11. "That at page 4, line 35, after the words 'to plan' the word 'coordinate' be inserted."

12. "That at page 5, line 3, after the word 'loans' the words 'on long term basis' be inserted."

SHRI V. M. CHORDIA: Madam, I beg to move:

13. "That at page 5, after line 12, the following be inserted, namely:—

'(d) plan and promote programmes through co-operative societies for advancing loans for the purchase of bullocks, tractors and pumping sets'."

The question were proposed.

SHRI D. B. DESAI: The House has accepted the Minister's version that this Corporation is going to be an organ of the Government. In spite of it, I think these words justify their existence in the Bill because, even supposing it to be a Government organ, unless the organ has got a coordinating activity or co-ordinating authority, I believe, it will not function properly.

Short-term credit is given by the Reserve Bank of India to all the State Apex Co-operative Banks and to the village level societies. This Board is specifically meant to finance or participate in the State financing of long-term loans. This word is absent from the Bill. It requires no explanation or any very good argument in support. I would request the Minister to accept this amendment. I would request him to refer to the Report of the Rural Credit Survey Committee, pages 346, 347, 349 and 390. It is stated therein that it should be a coordinating body and that it should finance on a long-term basis. These amendments will be very useful for the Minister and I request him to accept it.

श्री विमलकुमार मन्नालालजी चौरडिया :
वैसे भिन्न भिन्न प्रान्तों द्वारा कृषकों को तकावी के रूप में और दूसरे रूप में रुपया उधार दिया जाता है परन्तु मेरी यह अपेक्षा है कि हमें केवल एक ही स्रोत रखना चाहिये जिस से कि वे कर्ज में अधिक न डूबें पायें। यह पहली बात है। दूसरी बात यह है कि यहाँ प्रारम्भ में, प्रिम्बल में हमने यह लिखा है :

"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."

तो उद्देश्य उपज को बढ़ाना है और अगर दो काश्तकार या १० काश्तकार जो कि नदी के किनारे रहते हैं वे मिल कर पम्पिंग सेट लगाना चाहते हैं और उससे खेत को सींचना चाहते हैं तो उनको हमें रुपया क्यों नहीं उधार देना चाहिये। इसी तरह से अगर वह बैल के लिए, बुलक के लिये, रुपया उधार चाहते हैं तो उस के लिये भी हमें उनको पूरी तरह से, ठीक तरह से, देना चाहिये ताकि जो हमारा उद्देश्य है वह पूरा हो सके। अतः यह अत्यंत आवश्यक है कि जहाँ हम सीड्स के लिये, मैन्योर के लिये, फर्टीलाइजर्स के लिये रुपया देना चाहते

हैं वहाँ बैल के लिये, ट्रैक्टर के लिये और—चूँकि आप बिजली भी लगवाते जा रहे हैं इसलिये पम्पिंग सेट के लिये—जो पम्पिंग सेट लगवायें उन के लिये भी रुपया उधार देना चाहिये। मेरा खयाल है कि यह संशोधन एग्रीकल्चरल प्रोड्यूस को बढ़ायेगा ही, घटायेगा नहीं। अगर मंत्रीजी की यह मान्यता हो कि इस संशोधन के होने से एग्रीकल्चरल प्रोड्यूस कम हो जायेगा तब तो मुझे कुछ कहना नहीं है नहीं तो वह इस संशोधन को स्वीकार करने का कष्ट करें।

SHRI S. K. DEY: Madam, the words "to plan" indicate an element of coordination. There can be no planning without co-ordination being involved in it. The element of co-ordination is already included in the concept.

As far as the word "loans" is concerned, this word covers short-term loans, medium term loans and long-term loans and so the question of specifying it does not arise.

It has been suggested that we should include tractors, bullocks, etc., but we gave here only an illustrative list. We never presumed to make it exhaustive enough. All these are covered in this clause. I do not believe any amendment is called for because all these things are implied.

THE DEPUTY CHAIRMAN: The question is:

11. "That at page 4, line 35, after the words 'to plan' the words 'co ordinate' be inserted."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

12. "That at page 5, line 3, after the word 'loans' the words 'on long term basis' be inserted."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

13. "That at page 5, after line 12, the following be inserted, namely:

'(d) plan and promote programmes through co-operative societies for advancing loans for the purchase of bullocks, tractors and pumping sets'."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

"That clause 9 stand part of the Bill."

The motion was adopted. Clause 9 was added to the Bill. Clause 10 was added to the Bill.

Clauses 11 to 15 were added to the Bill.

CJause 16—Submission of programme of activities and financial estimates

SHRI D. B. DESAI: Madam, I move:

15. "That at page 7, after line 25, the following be inserted, name^—

'(3) A copy of the statement received under sub-section (2) shall be laid before both Houses of Parliament'."

Clause 16 here says:

"16. (1) The Corporation shall prepare before the commencement of each year a statement of programme of its activities during the forthcoming year as well as a financial estimate in respect thereof.

(2) A statement prepared under sub-section (1) shall, not later than three months before the commencement of each year, be submitted to

the Central Government for approval."

And the Bill provides that the Houses of Parliament will sanction funds which will be appropriated by the Ministry. So the House would like to know actually what policies are to be undertaken, what activities are to be taken up by the Corporation. If the Minister expects both Houses to sanction money and when at the same time he is getting all these reports, why should the House be denied of those reports? This amendment really relates to the rights of both Houses and if he has respect for the House I think he should accept it.

The question was proposed.

SHRI S. K. DEY: Madam, this Ministry continues to send reports on all its activities, as well as on the activities of all the subordinate organisations and agencies. As far as I know there is an Annual Report of the Cooperative Development Board which is submitted every year.

DR. A. SUBBA RAO: That comes only after the year.

SHRI S. K. DEY: And under subclause (3) of clause 14 a copy of the report received under sub-section (2) shall be laid before both Houses of Parliament. If the House at any time feels not satisfied with the Report or the frequency of the information supplied, it has many opportunities of getting information from the Ministry either through questions or by raising a special discussion. The House is not debarred from seeking any information.

SHRI D. B. DESAI: The Ministry is getting these things. Why should they be kept out of the House? It is clear from the Bill that the Ministry will be getting these things from the Corporation.

DR. A. SUBBA RAO: The statements of 16. "That at page 8, line 18, the programmes and estimates are submitted to the word 'auditor' be deleted."
Ministry. They should also be placed before the Houses of Parliament so that we can 17. "That at page 8, line 20, the discuss the future programme. The Annual words 'and secrecy' be deleted."
Report which will be submitted is only post mortem.

The questions were proposed.

SHRI S. K. DEY: I am sorry that will go against the very fundamentals of the functioning of Government if every proposal and plan of the Ministry or its subordinate agencies has to be laid before Parliament. It will mean that Parliament will be ...

श्री बिमलकुमार मन्नालालजी चौरहिया :
विधेयक की जो धारा २० है वह इस प्रकार है :

SHRI D. B. DESAI: It is an autonomous body corporate and its reports can be laid before the Houses of Parliament.

"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."

SHRI S. K. DEY: The Report of course we will give but we cannot have the proposals laid before Parliament. I oppose the amendment.

पहले तो साधारणतः इसकी आवश्यकता ही नहीं थी क्योंकि यह मान कर चलना चाहिये कि कोई भी आदमी जो सरविस करेगा वह उसके प्रति बफादार होगा। और रहा सवाल सीक्रेसी का तो मेरा यह निवेदन है कि जब विदेशी सत्ता थी तब उस समय भी, मेरा जहां तक अनुमान है, कुछेक विभागों को छोड़कर कहीं इस तरह की सीक्रेसी का और फाइडेलिटी का जो पत्रक आपने दिया है उसके अनुसार देने की आवश्यकता पड़ती नहीं थी। और यह तो कोऑपरेटिव डिपार्टमेंट का काम है, अग्निकलचर प्रोडक्शन का काम है। इसमें सीक्रेसी और फाइडेलिटी का क्लोज लगाने की क्यों आवश्यकता पड़ी, मेरी समझ में नहीं आता। यह जो प्रतिबन्ध आप लगाते हैं इसके संबंध में फाइडेलिटी और सीक्रेसी रखने के लिये चाहे जितने सर्टिफिकेट आप लिखवा लीजिये उतने सर्टिफिकेट लाकर वे दिखा देंगे लेकिन उसके बावजूद भी परिणाम कुछ नहीं निकलेगा क्योंकि आज हम देखते हैं सेंसर के जो केसेज होते हैं उनमें फाइडेलिटी के और सीक्रेसी के श्रोथ लेने के बाद भी उसके विपरीत आचरण करते हैं।

THE DEPUTY CHAIRMAN: The question is:

15. "That at page 7, after line 25, the following be inserted, namely:—

'(3) A copy of the statement received under sub-section (2) shall be laid before both Houses of Parliament'."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

"That clause 16 stand part of the Bill."

The motion was adopted.

Clause 16 was added to the Bill.

Clauses 17 to 19 were added to the Bill.

Clause 20—Declaration of fidelity and secrecy

SHRI V. M. CHORDIA: Madam, I move;

इसी तरह से जो "सीक्रेसी" के लिये आप प्रतिबन्ध लगाना चाहते हैं तो मैं समझता हूं

[श्री बिमलकमार मन्नालाल चौड़िया]

कोई ऐसी बात है जो आप किसी से छिपाना चाहते हैं। क्या आप चाहते हैं कि जो चीज जनता की है उसी से वह छिपाई जाय ? और मेरी समझ में तो आडिटर के ऊपर प्रतिबन्ध लगाना और भी ज्यादाती है। आडिटर तो परीक्षार्थ पास करके आते हैं, चार्टर्ड अकाउन्ट्स का या रजिस्टर्ड अकाउन्ट्स का, उसमें उनके कुछ प्रोफेशनल एटोकेट्स होते हैं और उसी के साथ वे बंधे होते हैं और उसके लिये डबल प्रतिबन्ध करने की आवश्यकता नहीं थी। आखिर किससे आपको डर है ? वह जाकर कारपोरेशन की बातें कह देगा इसलिये सारी गड़बड़ हो जायगी—इस भय को रखने से काम नहीं चलेगा। ऐसा लगता है “चोर की दाढ़ी में तिनका” वाली बात है। कहीं कोई चीज, कोई तिनका अटका हुआ है जिसकी वजह से आप चाहते हैं कि हमारी पोल ढकी

SHRI S. K. DEY: Madam, it is customary in all organisations that the employees, members, auditors and others, are all bound down to secrecy of operation, talks, discussions, arguments etc. which go into the formulation of policies. We cannot make the affairs of this Corporation, every discussion, every account, a public document, apart from the Reports that we are submitting. No organisation can afford to allow its employees to make public everything that goes on inside. It will create very serious embarrassment to the organisation and to its constituents. So I oppose the amendment.

THE DEPUTY CHAIRMAN: The question is:

16. "That at page 8, line 18, the word 'auditor' be deleted."

The motion was *negated*.

THE DEPUTY CHAIRMAN: The question is:

17. "That at page 8, line 20, the words 'and secrecy' be deleted."

The motion was *negated*.

THE DEPUTY CHAIRMAN: The question is:

"That clause 20 stand part of the Bill."

The motion was *adopted*.

Clause 20 was added to the Bill.

Clause 21—Dissolution of Corporation

SHRI V. M. CHORDIA: Madam, I move:

18. "That at page 8, after line 25, the following proviso be inserted, namely:—

'Provided that a statement about the dissolution of the Corporation shall be laid before both Houses of Parliament as early as possible after the dissolution of the Corporation'."

यह जो आपने कारपोरेशन बनाया है उसको आप डिजाल्व करें या न करें यह निर्विवाद है। हम चाहते भी नहीं कि वह डिजाल्व हो। जब आपने कारपोरेशन बना लिया है और आप चाहे उसमें कितने ही पाप कर डालें अगर उसको डिजाल्व करना पड़े, दफ्तर दाखिल करना पड़े तो हमें इस बात का मौका दिया जाना चाहिये कि हम उसके डिजाल्व करने के बारे में सदन में चर्चा कर सकें। आपने जब इसमें अपने ही नुमाइन्दे सब रख लिये हैं और जो कुछ आप करना चाहते हैं आप कर सकते हैं लेकिन जब वह डिजाल्व किया जाय तो उसकी भी आप चर्चा सदन में नहीं होने देना चाहते हैं ? क्या यह बात जनतंत्र के विपरीत नहीं है ? आपका बहुमत है और उसी के आधार पर आप जो कुछ चाहें कर सकते हैं लेकिन जब आप

कारपोरेशन को डिजाल्व करना चाहते हैं, तो उसकी चर्चा सदन में अवश्य की जानी चाहिये, ताकि भविष्य में उसी तरह की गलतियां न दोहराई जा सकें। हम तो चाहते हैं कि जो नियम आप बनाते हैं, उसके अनुसार काम किया जाना चाहिये। मैं यह भी नहीं चाहता कि जो रिपोर्ट आप दें उसे सिर्फ चोरड़िया को ही दें, बल्कि सारे सदन में इस पर चर्चा होनी चाहिये। इस चीज को दृष्टि में रखकर मैंने अपना यह प्रस्ताव रखा है। अगर सदन उस रिपोर्ट पर बहस करना उचित समझता है, तो ठीक है, यहां पर बहस होनी चाहिये। अगर वह उचित नहीं समझता है तो नहीं होनी चाहिये। माननीय मंत्री जी इस बारे में अपनी राय दें, मुझे इस बारे में कोई आपत्ति नहीं है। लेकिन जो एक पुरानी परम्परा बन गई है कि हम विरोधी पार्टी का संशोधन नहीं मानेंगे, एक जिद्द पकड़ ली है, तो मुझे इस बारे में कुछ कहना नहीं है। इससे तो यही भावना प्रकट होगी कि आप किसी की बात भुनने वाले नहीं हैं। आप यह चाहते हैं कि जो गलतियां आप करें, उस पर बहस न की जाय। लेकिन मेरे संशोधन का अर्थ यह है कि विभाग या कारपोरेशन द्वारा जो गलतियां हों उनकी यहां पर चर्चा की जाय और उससे सबक लेकर आगे बढ़ा जाय।

The question was proposed.

SHRI S. K. DEY: Madam, there is no intention whatsoever, as the hon. Member himself says that under the law which is being enacted the Corporation should be dissolved. This is entirely an enabling clause and if the Corporation has at any time to be dissolved, it shall be done through a notification in the Official Gazette. It will be known to the whole country, to the whole world and certainly Parliament can raise a discussion if it wants. If a copy of the notification has to be submitted to Parliament, it will automatically come here. Also, there will be no difficulty in presenting a notification before the Houses

of Parliament. It does not require an amendment of this particular clause.

THE DEPUTY CHAIRMAN: The question is:

18. "That at page 8, after line 25, the following proviso be inserted, namely:—

"Provided that a statement about the dissolution of the Corporation shall be laid before both Houses of Parliament as early as possible after the dissolution of the Corporation'."

The motion was negatived.

THE DEPUTY CHAIRMAN: The question is:

"That clause 21 stand part of the Bill."

The motion was adopted.

Clause 21 was added to the Bill.

Clauses 22 to 24 were added to the Bill.

The Schedule

SHRI V. M. CHORDIA: Madam, I move:

21. "That at page 11, line 33, after line 33, for the words 'Signed before me*' the words 'Signed before me. . .

CHAIRMAN VICE-CHAIRMAN

The National Co-operative
Development Corporation'

be substituted."

यह जो सिग्नेचर की बात है, वह माननीय मंत्री जी के सामने होगी या सन्तरी के सामने होगी, इस बात का स्पष्टीकरण इस विधेयक में नहीं मिलता है। अगर माननीय मंत्री जी यह चाहते हैं कि इस बिल में इस

[Shri V. M. Chordia.]

तरह की पोल रहे कि फाइडेलिटी के बारे में कोई संतरी के सामने हस्ताक्षर पेश कर दे, तो मुझे कुछ कहना नहीं है। अगर ला को डिफेक्टिव रखना है, तो इस बारे में भी मुझे कुछ कहना नहीं है। इस चीज से न मेरी शान बढ़ती है और न आपकी शान बढ़ती है। मैं चाहता हूँ कि जिस आदमी को आप नियुक्त करना चाहते हैं कि उसके सामने सिगनेचर किये जाने चाहियें, चाहे वह सेक्रेटरी हो, चेयरमैन हो, वाइस चेयरमैन हो, मुझे इस बारे में कोई आपत्ति नहीं है; लेकिन इसका इस बिल में पूरा खुलासा होना चाहिये। अगर आप आगे के लिये सबक नहीं लेना चाहते हैं और गलतियाँ करना चाहते हैं तो आप मेरे संशोधन को अस्वीकार कर सकते हैं। किस के सामने हस्ताक्षर होंगे, इस बिल में इसका कोई स्पष्ट उल्लेख नहीं है। इस बिल की २०वीं धारा में यह दिया हुआ है: "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

तो फाइडेलिटी किस के साथ, वहाँ भी उसका स्पष्टीकरण नहीं है। क्या आप इस बारे में रूल्स बनायेंगे या नोटिफिकेशन निकालेंगे। आप किस आधार पर और किस के सामने यह करवाना चाहते हैं। इन सब बातों का इस बिल में कोई स्पष्टीकरण नहीं दिया गया है। इसलिये मैं अपना संशोधन पेश करना चाहता हूँ।

The question was proposed.

SHRI S. K. DEY: I would expect the hon. Member to have some confidence

SHRI S. &.. JJ&Y: This sovereign House should have some confidence in an organ which is completely under its control, which will have appropriate rules of business to cover all clauses of this particular Bill. Naturally this document does not have to be signed before the Minister or any particular person. There are different people before whom the different employees or different members will have to sign. Some people have signed before.

SHRI D. B. DESAI: It does not provide for the person before whom the declaration is to be signed.

SHRI S. K. DEY: It will all be provided for in the rules of business.

THE DEPUTY CHAIRMAN; The question is:

"That at page 11, line 33, after line 33, for the words 'Signed before me' the words 'Signed before me . . .

CHAIRMAN

VICE-CHAIRMAN

The National Co-operative Development Corporation'

be substituted."

The motion was negatived.

THE DEPUTY CHAIRMAN; The question is:

"That the Schedule stand part of the Bill."

The motion was adopted.

The Schedule was added to the Bill.

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

श्री बिमलकुमार मन्नालालजी चोरड़िया : कांफिडेंस की बात नहीं है, न्याय तो ग्रन्था होता है।

SHRI S. K. DEY: Madam, I move: "That the Bill be passed." *The question was proposed.*

श्री बिलकुमार मन्नालालजी चौरडिया : यह जो बिल पास किया जा रहा है और उसके सम्बन्ध में हमने जो संशोधन दिये थे उन पर माननीय मंत्री जी ने जो चर्चा की, उससे हमें संतोष नहीं हुआ। अब जैसा कि यह कानून बनने जा रहा है तो हम माननीय मंत्री जी से अपेक्षा करेंगे कि इस बिल में जो नियम बनाये गये हैं, उनके मुताबिक काम किया जायेगा। अक्सर देखने में यह आता है कि कानून का पालन करने के लिये जो रूल्स बनाये जाते हैं, उनको बनाने में काफी समय लगा दिया जाता है। इसलिये इस सम्बन्ध में जो भी रूल्स बनाने हों अथवा संशोधन करने हों, उनको जल्दी से कार्यान्वित करने की कृपा करेंगे, तो ज्यादा अच्छा होगा। पहली बात यह है।

दूसरी बात मैं यह कहना चाहता हूँ कि कोऑपरेटिव मूवमेंट की जो भावना है वह बहुत ही अच्छी है और इसी भावना को सामने रख कर इस सारे काम को शुरू करना चाहिये। लेकिन अक्सर यह सुनने और देखने में आता है कि अमुक कोऑपरेटिव सोसाइटी का प्रेजीडेंट इतने लाख रुपया लेकर फरार हो गया। इस तरह की शिकायत आपके पास भी आती होंगी और हमारे पास भी आती हैं। अगर आप इस तरह की बात को छिपाने की कोशिश करते हैं, तो हम इस तरह की चीजों को जनता के सामने लाने की कोशिश करते हैं। मैं यह चाहता हूँ कि जहाँ कहीं भी इस तरह की बात होती है वहाँ पर सरकार को उन पदाधिकारियों के खिलाफ सख्त कार्यवाही करनी चाहिये। इसी दृष्टि से मैं यह आशा करता हूँ कि अगर मंत्री जी चाहते हैं कि हमारा यह सहकारिता का आन्दोलन अच्छा और व्यापक बने, तो यह अत्यन्त आवश्यक है कि हम इसमें रहने वाले जिस किसी को सहकारिता के विरुद्ध आचरण करते हुए देखें, उसके खिलाफ सख्त कार्यवाही करके इस बात का प्रमाण जनता के सामने प्रस्तुत करें कि यह बिल्कुल ही

अच्छी संस्था है और इसके माध्यम से ही हम अपने देश का कल्याण कर सकते हैं। आज तक का व्यवहार ऐसा देखने में आया है कि अगर कहीं कोई गड़बड़ हुई तो उसको ढांपने की कोशिश की गई। अगर किसी से रुपया लेना था और वह फरार हो गया, तो वह रुपया बैंड डेट करके राइट आफ कर दिया गया। और कई तरह के इंस्टांसेज हैं। मैं प्रार्थना करूंगा कि इस तरह की कार्यवाही करने से हमारे कोऑपरेटिव मूवमेंट को बड़ा धक्का लगता है। आप समझते हैं कि उसको क्षमा करके आपने बहुत बड़ा काम किया, लेकिन साधारण आदमी जो टैक्स के रूप में पैसा देता है, वह यह समझता है कि हमारे पैसे पर यह जो दानव पल रहे हैं, वे हमारा बड़ा नुकसान करते हैं। तो दानव के रूप में जो कोऑपरेटिव में धुस कर उसको नुकसान करने वाले हैं, उनसे सावधान रह कर हमको चाहिये कि ऐसे लोगों को, ऐसे तत्वों को कोऑपरेटिव मूवमेंट से हटा कर, इस सहकारिता आन्दोलन को हम जिस आशय से चलाना चाहते हैं, उसको हम पूरा करें। यही मैंने आपसे आशा की है।

DR. A. SUBBA RAO: Madam, I would just like to say a few words. The Minister tried his level best to convince us that it was the intention while forming the Corporation to debase the official element. He has said that it is after all a Government body and that the very fact that they are ready to give some representation to non-officials proves their view of encouraging non-officials. But I fail still to understand why he should not have accepted certain of the amendments moved by the opposition. Naturally when we move that the proportion of non-official representation should be increased, I do not think it would have come up against his views, and he could also, having given representation to all the Departments, have increased the number of representatives of non-officials. Anyway in spite of our best efforts we see that he has not found

[Dr. A. Subba Rao.] it advisable to accept our amendments. I hope that the non-officials who are represented will be persons of repute and that their views will be given due consideration. Thank you.

SHRI S. K. DEY: Madam Deputy Chairman, I am sorry that I have not been able to give satisfaction to my hon. friend, Mr. Chordia. I would only like to tell him that even if we could draft a perfect document, there would be no guarantee that the implementation of the programme of this Board would be perfect because of the perfect character of the legislation, its wording and the clauses incorporated in it. An organisation really is as great and as effective as the people there are in it. It depends on the spirit with which the organisation is run. I have no doubt whatsoever that Mr. Chordia will have a different view after about a year if he would be good enough to ensure that there is a discussion on the affairs of the Board which will have been created afresh under this legislation. We will ensure that the Rules of Business are framed as fast as we can, and in fact our intention is that the new Board shall function with the new Rules of Business before the House sits again. But this will depend on the enactment of the legislation for the other Board, namely, the Warehousing Board, which is again coming up before the Lok Sabha and the Rajya Sabha, But we will take all steps possible to see that the Rules of Business are framed in a matter of weeks—the question of months does not arise.

In the case of non-officials also, if Ministers and Deputy Ministers can be considered non-officials—I hope they are—then the composition of the Board will undergo quite and appreciable change in spite of the fears expressed here. This is all I wanted to say Madam.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill be passed"

The motion was adopted.

THE SPECIFIC RELIEF BILL, 1962.

THE DEPUTY MINISTER IN THE MINISTRY OF LAW (SHRI BIBUDHEN-DRA MISRA): Madam; I beg to move:

"That this House concurs in the recommendation of the Lok Sabha that the Rajya Sabha do join in the Joint Committee of the Houses on the Bill to define and amend the law relating to certain kinds of specific relief and resolves that the following Members of the Rajya Sabha be nominated to serve on the said Joint Committee:—

1. Shri R. M. Deshmukh.
2. Dr. Shrimati Seeta Parmanand.
3. Shri G. S. Pathak.
4. Shri Jagan Nath Kaushal.
5. Shri Mahesh Saran.
6. Shri S. C. Deb.
7. Shri C. D. Pande.
8. Shri B. D. Khobaragade.
9. Shri M. N. Govindan Nair.
10. Shri M. S. Gurupada Swamy.
11. Shri Kamta Singh.
12. Shri J. Sivashanmugam Pillai.
13. Shri Krishan Dutt.
14. Shri K. S. Ramaswamy.
15. Shri Vimalkumar M. Chordia.

Madam, I would not like to waste the time of the House by speaking in detail since it is going to a Select Committee. The law of specific relief, as is well known, is a species by itself founded on the principle of absolute justice. It tries to give to the plaintiff the very thing that he is entitled to, and not compensation. It compels the defendant to do or not to do a thing which is his obligation to do or not to do. Sometimes circumstances arise in human relationship when in spite of the best attempts and the best wishes of the defendant he is not in a position to do that which he has to do and, therefore, he is put in a difficulty, and the difficulty of the defendant is