

MR. DEPUTY CHAIRMAN: I think there is no difficulty.

SHRI M. P. BHARGAVA (Uttar Pradesh): If I may say so, all these difficulties have arisen because the Rajya Sabha has not been associated with the Select Committee.

SHRI SANTOSH KUMAR BASU: It is now clause 13 in this Bill no doubt. But when it becomes an Act, these will all become independent sections of the Act itself, and in that case, you cannot attach the proviso from sub-section D to sub-section A. You cannot do it. They will be sub-sections. If they are independent sections, you cannot transplant this proviso and skip through . . .

MR. DEPUTY CHAIRMAN: The proviso says—

" . . . such deviation was due to a cause beyond the control of the railway administration, . . . .".

And section 76A says—

"Where, due to a cause beyond the control of the railway administration. . . .".

and there is no breach of a contract. I think one governs the other, and there is no . . .

SHRI AKBAR ALI KHAN: How can it govern? , How can section 76A be governed by that proviso? It is obvious; let them correct it.

SHRI K. SANTHANAM: Section 76A will apply there. Tb9t will *bs* the proper way of drafting.

MR. DEPUTY CHAIRMAN: I think it is all right.

SHRI SANTOSH KUMAR BASU: Sir, I beg leave to withdraw my amendment No. 3.

*'Amendment No. 3 was, by leave, withdrawn.*

•For text of amendment, *vide* col. 3746 *supra*«.

MR. DEPUTY CHAIRMAN: The question is:

"That clause 13 stand part of the Bill."

The motion was adopted.

Clause 13 was added to the Bill.

Clauses 14 to 27 were added to the Bill.

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

SHRI S. V. RAMASWAMY: Sir, I move:

"That the Bill be passed."

The question was proposed.

SHRI P. RAMAMURTI: Sir, we have exceeded by forty minutes . . .

SHRI BHUPESH GUPTA: For nothing, we have exceeded the time.

SHRI P. RAMAMURTI: If there is bad drafting, what am I to do?

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be passed."

The motion was adopted.

# THE SUGARCANE CESS (VALIDATION) BILL, 1961

SHRI BHUPESH GUPTA (West Bengal): Sir, the hon. Deputy Minister should be told that under protest we are participating in the discussion because we have not been given enough time or notice for it here. The Minister is here. That should be made clear, because it is a violation of the rules. The Government is responsible for it.

THE DEPUTY MINISTER OF FINANCE (SHRIMATI TARKESHWARI SINHA): Mr. Deputy Chairman, I move:

"That the Bill to validate the imposition and collection of cesses on sugarcane under certain State Acts and to amend the U.P. Sugarcane Cess (Validation) Act, 1961, as passed by the Lok Sabha, be taken into consideration."

Sir, at the time of the consideration of the U.P. Sugarcane Cess (Validation) Bill, 1961 in this House on the 14th March, 1961, it was mentioned how the U.P. Sugarcane Cess Act, 1956, providing for the levy of cess on entry of sugarcane within the premises of a factory was declared *ultra vires* and beyond the competence of the State Legislature by a majority judgment of the Supreme Court. And it was comprehended that it was beyond the competence of the State Legislature to levy any cess or to legislate for the levy of any cess. The Supreme Court delivered its judgment on the 13th December, 1960, in the case of Diamond Sugar Mills Ltd. and another *versus* the State of Uttar Pradesh.

[THE VICE-CHAIRMAN (SHRI NAFISUL HASAN) in the Chair.]

On a request being received from the Government of Uttar Pradesh and after taking into account the above judgment of the Court as also the problem faced by that Government of having to refund a large amount of cesses collected by them since January, 1950, Parliament was pleased to enact the U.P. Sugarcane Cess (Validation) Act, 1961, that is, Act No. 4 of 1961, validating the cesses imposed and collected by the U.P. Government under the impugned Act between the period 26th January, 1950 to the 3rd February, 1961. When the above Bill was being considered, it was mentioned that the above judgment of the Supreme Court would also affect other States—the other States where sugarcane cess levies were being collected—and that it would be necessary to bring forward another legislation validating the collections made by other affected States. It was not pos-

sible to include them in the U.P. Validation Bill as all the relevant facts about other States were not fully available at that time. The States of Andhra Pradesh, Bihar, Gujarat, Madhya Pradesh, Madras, Maharashtra and Mysore have since requested the Central Government to intervene in the matter stating which of their levies or laws were affected, and have requested for a validating legislation in their cases, as has been done in the case of U.P. The Government of Uttar Pradesh, whose cesses were validated for the period from 26th January, 1950, to the 3rd February, 1961, only at their request, have also approached the Centre for the validation of the State levies prior to 26th January, 1950, also.

Sir, in view of the above judgment, the affected State Governments can not retain the cesses already collected and utilised by them unless a validating legislation, as in the case of U.P., is enacted by Parliament in their cases as well. The amounts involved are very large, Sir, approximately it comes to nearly Rs. 49.47 crores in respect of all the affected States excluding U.P., of which levies of about Rs. 45 crores have already been validated, and if its refund is allowed, the benefit or refund would go to the sugar factory owners and not to the consumers of sugar from whom the cess has all along been recovered. The Central Government have, therefore, decided to come to the rescue of the State Governments and to take steps to validate the past levies and collections of cess by them. For the future, the State Governments have been advised to levy their levies within the framework of the powers available to them under the Constitution.

In this context I may also add that when the U.P. Sugarcane Cess (Validation) Bill, 1961, was considered in this House, some hon. Members had raised the point whether the State Government had utilised the amount of cess collected by them for the benefit or for the development of the sugar

[Shrimati Tarkeshwari Sinha.] industry. The amount of cess has already been collected and spent, mostly for the development of the sugar industry. It is, however, possible to say that the amount has been wholly utilised for that purpose. In some States, certain other purposes have also been mentioned. For example, the Maharashtra Act mentions sugarcane research, development of irrigation, agricultural research and development, etc., so that the cess can be made applicable to all this developmental work. The purpose for which the legislations were enacted by the State Governments have been kept in view by the States while utilising the amount. If there was any departure from the objects mentioned in the Acts, there would be certainly audit objections. Apart from this, in a planned economy, where all development is planned and all available resources are pooled for it, earmarking of receipts of any tax for a particular purpose has lost much of its significance. Developmental activities, Sir, benefit the community as a whole, and they should be taken as a whole, and not in parts.

Sir, the validating measure in the case of TIP. had the unanimous reception from all sections of the House. The purpose of the present Bill, which has been passed by the other House, is more or less the same, because it is now giving validation to the other laws of the other State Governments. It seeks to extend the benefit of validation to the other affected areas, and to amend the U.P. Sugarcane Cess (Validation) Act, 1961, so as to provide for the validation of the levies prior to 26th January, 1950, in the State of Uttar Pradesh. I trust that the House will unanimously accept the Bill as had been done on the previous occasion.

Sir, I move.

*The question was proposed.*

VICE-CHAIRMAN (SHRI NAFISUL HASAN); Any hon. Member wishing to speak may kindly do so after which the hon. Minister will reply.

SHRI H. P. SAKSENA (Uttar Pradesh): Mr. Vice-Chairman, Sir, this Sugarcane Cess (Validation) Bill is a measure that was very urgently needed by my State, and that is the State from which I come—I mean Uttar Pradesh. I whole-heartedly support the Bill.

SHRI BHUPESH GUPTA; Since there are no more speakers, I find, I would like to make only a few enquiries. Now the hon. lady Minister made two points about the moneys that have been available. She said something like this, that because of the developmental activities the earmarking of receipts of any tax for a particular purpose has lost much of its significance. To a point I can understand it. But then, Sir, it is also necessary to tell the House exactly how this money has been utilised for giving relief to those sections involved in this industry, which are affected adversely as a result of the very many things that have been taking place there. Sir, it is also important what line of development is taking place in this particular industry, namely, in the sugar industry. As far as we can make out—she would make it clear—a terrific concentration of wealth is going on there and we find that despite all these regulatory measures and cess measures, that concentration continues. Therefore, what are the aspects of development of this industry? Now we cannot accept a general thing. I agree that moneys should be brought and spent for various purposes. One need not earmark them. But here is a vital industry, and it is important from the point of view of the country today, especially Uttar Pradesh. Now here, in the course of the discussion last time, this House, and the other House also brought in the question of the sugarcane growers, their interests and also

the manner in which the sugar mills were functioning. Now this kind of speech that she has made, it is ^oort so fa, as it goes, but the point is that on such occasions it is necessary to give the House a little more enlightenment o<sub>n</sub> this subject. This is all that I want to know from her. Sir, I am not an expert on this subject but certainly, I heard the theory being made of the moneys being brought in and not being used for a particular purpose but that since all the moneys were being put to developmental activities, benefits accrue to the society—something like that. Well, these are general statements. Here there ivare some cesses; certain funds accrued out of an industry, accrued out of the result of the labour in that industry and that of those who worked in the fields. *One* would like to know how the funds are being utilised for the advancement of the cause of those people, who are growing sugarcane and who are also producing sugar in the mills. This is very important. I do not say every pie should be spent. But how those interests are being looked after?

Secondly, Sir, there is concentration of wealth going on in the sugar industry, and the people from T.J.P. tell me that something should be done, because there are all kinds of malpractices and corruption going on in the industry—details I do not know. Something on these topics she could have enlightened us *on*. Otherwise, so far as the measure is concerned, she is validating something the principle of which may perhaps be good in the long run—nobody can quarrel with that. Therefore, will she kindly tell us about this thing? I know that her brief doe<sub>s</sub> not contain that—that brief that was read out does not contain thai—but then, Sir, if she has any information, she can furnish it extempore here even without referring to the o\*ber briefs she may have in h<sup>r</sup> possession.

SH<sup>n</sup>T-IATT TARKESHWARI SINHA: Mr. Vice-Chairmn. Sir, only two hon. Members have spoken. That means the hon. Members have given unani-

mous support to this Bill. I am grateful to all the hon. Members for that.

Sir, actually what honourable Mr. Bhupesh Gupta has raised is a wider issue and goes far beyond the purview of this Bill. Actually he should not have expected all that information from me because from time to time discussions on the problem of sugar have been taking place in both the Houses and the Minister of Food and Agriculture, who looks after this portfolio of sugar, has been trying to satisfy hon. Members of both the Houses in his own way. Only the other day the other House had a full discussion about this problem of sugar, sugarcane, sugarcane growers and the problem of consumers, and the Minister of Food and Agriculture tried to satisfy the entire House elaborating on the whole problem of sugar, and I am neither expected to elaborate any further—and that will be taking the time of th<sub>e</sub> House—nor do I think I am capable of answering the points of the hon. Member to that satisfaction as the hon. Food and Agriculture Minister will be able to do, because it is not my portfolio. I have not gone into the details of it. But whatever information pertaining to this Bill i<sub>s</sub> available with me, I am prepared to give that information. That is to say, how much cess has been collected by vairous States, how much of the cess has been in arrears and why it has not been collected and so on.

Let me assure the hon. Members that the mention of Rs. 45 crores which I made in my speech, all that amount has been spent, and if it is scheduled to be spent in a particular manner, certainly it is bound to be spent in that manner; otherwise the audit will not sleep over it. I have no hesitation in saying that I do not have all that information with me from 1950 onwards, or even before that period, probabiv 1936 onwards. All this money is being spent for developmental purposes mostly on sugarcane. Some amount probably, may h<sub>av</sub>e gone to irrigational purpos<sup>o</sup>s, but in-

[Shrimati Tarkeshwari Sinha.] directly it has also benefited the cultivation of sugarcane. But I cannot possibly give all that information under the scope of the present Bill. I am not in a position to say how much amount has been scheduled and how much amount has been spent over the specific purposes mentioned in the Bill. But this is a matter of common-sense, which the hon. Member also understands, namely, the audit is there to supervise the expenditure of every penny and also to scrutinise that the money is not only spent but spent properly, spent for the purpose for which it is meant to be spent. Otherwise, certainly the audit would have taken objection. Now, we do not find the audit taking any objection. So far we were bound by the provisions of the Act as it was operating there in Uttar Pradesh. Well, we tried to contact the various State Governments. We had a discussion with them and we tried to seek as much information as was possible but I am not saying that I have got everything here. What I am saying is that I have not known whether any audit objection was made, that is to say, the money scheduled for a specific purpose has not been spent properly.

I must point out, Sir, that it is for the State Governments to go ahead and take steps suitable for their own needs. Many State Governments have provided how they will spend the money. The State of Maharashtra has provided that the money will be spent not only for sugarcane but it will also be spent for wider research purposes, for irrigation purposes, for canals and other things. So, it depends on the various Governments how they should really operate this law, to get the maximum benefit out of it. What I was saying was a general observation. In the developmental field of activity we cannot have water-tight compartments, and make these plan-activities more difficult. We should not be a party to saying that we should really incur an expenditure on water-tight compartment

basis. Suppose an expenditure supposed to be made in a particular way is not capable of being used. Now, should that source of money be tagged down to that particular expenditure? Should it not be taken away from that schedule and be spent for some more useful purpose? I think I would not be a party and probably the House will also commend this opinion of mine and they will agree that actually in developmental field of activities there should not be any rigidity. When we need resources and the resources are at our disposal, and if it does not harm the sister developmental activity, I think there should be no hesitation in taking that money and devoting it to some more useful purpose.

Now, Sir, if the hon. Member wants to have figures, it is here. So far as Uttar Pradesh is concerned, Rs. 45 crores were already validated by the previous Act. Now we have taken the pre-26th January, 1950 period. Of that amount I think Rs. 1,449-88 lakhs is going to be validated. So far as Andhra Pradesh is concerned, Rs. 339 14 lakhs has already been collected, Rs. 13.25 lakhs is still to be collected. Out of that amount which has been validated—I am quoting that amount—so far as Bihar is concerned, almost all the amount has been collected. Gujarat: Probably Rs. 10-47 lakhs is yet to be collected. Madhya Pradesh: Rs. 8 lakhs has to be collected. Maharashtra: They have collected nearly Rs. 1,008-78 lakhs and they have yet to collect nearly Rs. 70 lakhs. Mysore: They have been able to collect nearly Rs. 300-81 lakhs and they have yet to collect Rs. 20-38 lakhs. This is the position.

AN HON. MEMBER: What about Madras?

SHRIMATI TARKESHWARI SINHA: Rs. 89-62 lakhs has already been collected.

SHRI BHUPESH GUPTA: And how much remains to be collected?

SHRIMATI TARKESHWARI SINHA: As I already pointed out in my

mam speech, it is Rs. 6 35 lakhs. The total amount is Rs. 49-47 crores.

SHRI BHUPESH GUPTA: It remains to be collected?

SHRIMATI TARKESHWARI SINHA: It is the total amount. I have included the amount which has been collected as well as the amount which has not been collected, which is yet to be collected. When I was mentioning the figures, side by side I was also mentioning those figures which have been collected.

SHRI BHUPESH GUPTA: Have you got the total with you?

SHRIMATI TARKESHWARI SINHA: I think the hon. Member is enough of a mathematician himself. I will have to write down myself and total up. That will take two to three minutes. I will give you the total outside the House.

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): The question is:

"That the Bill to validate the imposition and collection of cesses on sugarcane under certain State Acts and to amend the U.P. Sugarcane Cess (Validation) Act, 1961 as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): We shall now take up the clause by clause consideration of the Bill. There are no amendments.

*Clauses 2 to 5 were added to the Bill.*

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

SHRIMATI TARKESHWARI SINHA: Sir, I move:

"That the Bill be returned."

*The question was proposed.*

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, Sir, before she gives the figures .

SHRIMATI TARKESHWARI SINHA: I have already calculated.

SHRI BHUPESH GUPTA: You are very good at that. Now, Sir, what a layman would like to know is how the money is being spent. Then once a Bill is brought forward we express our views as to whether the money spent has been rightly spent. I know that it would not have been spent apart from the schedule which has been sanctioned. That is quite clear; otherwise the audit would come and stop it. Nonetheless, when such a thing is taken up, it is important that we should review this thing. That gives us an opportunity to have a little review of it. That opportunity we do not have.

Sir, I do not expect the hon. Deputy Minister of Finance to embark upon a speech of the type expected to be delivered by the Minister of Food and Agriculture. It would be a horrifying thing. I do not like it. But the point is this that when a measure of this kind is brought up, some salient features have to be explained by the mover of the measure, apart from giving some very broad factual things. That she has done. I do not deny it, although it is not complete. I was told here that there should not be any watertight compartments in the matter of administration of the funds. I do understand it but at the same time there should not be any watertight compartments in the Council of Ministers that when you ask some questions on a matter like this from a Member of the Government sponsoring it, nothing is said because the other gentleman is not here, that briefing also should come.

The point is, that in this whole case, the cultivator, the grower as we call him, and the workers—these are the two sections who are most hard hit at times. We have seen what havoc sometimes the sugar millowners play with the industry and we have seen how the cultivators suffer. The matter came up to Parliament primarily because of this thing happening..

[Shri Bhupesh Gupta.] Naturally Parliament was interested in seeing that financial and other reliefs were given to the cultivators more especially and, of course, to the workers. The workers have their organisations to fight it out at the trade union level which sometimes the sugarcane growers do not have. Therefore, it is necessary but we find now that the Central Government is coming to the rescue of the State. It is good, we are not opposed to it. The Central Government should help and certainly those who are assessable especially the sugar millowners under this law should not go unassessed, I agree. But the point is this. What is the policy? Is the task of the Central Government only to come to the rescue so that the State can become a good tax-collector or at the same time it is also the task of the Central Government to ensure that a proper policy, both economic and social objectives being there, is implemented by the State Governments? It seems from what the hon. lady Minister has said that there is no such proper policy. A discussion took place in the other House. Even if we support this measure, it does not mean that we are satisfied with the policy of the Government in regard to this matter. We are only empowering you to do certain things, to levy tax and collect it. but at the same time it does not mean that we, who support you from this side, are necessarily agreed with the various facets of the policy of the Government in regard to this. Therefore, a discussion of the policy is essential. Now we find that the cultivators are the sufferers, in U.P. especially. Now nobody knows what is happening there from this discussion. I wish some hon. Members from U.P. had participated in the debate but I find a difficulty because the Bill we got this morning only, probably it reached hon. Members when they were leaving for Parliament or just before they left for Parliament. We are called upon to discuss it and pass it today. Naturally many Members who would have otherwise given thought to this

matter are not in a position to do so. That is why none participated in the discussion and the hon. lady Minister interprets this as being a great support because nobody has participated in the discussion except Mr. Saksena who got up and said that he supported it and we, who asked certain questions. She is quite happy that everybody has supported it. Possibly in this case she is right.

SHRI AKBAR ALI KHAN (Andhra Pradesh): The other Members did not take part because the thing is so obvious but in any case, you must say something.

SHRI BHUPESH GUPTA: Your support to the Government is always obvious. I think none doubted that you will support the Government. That is obvious.

PANDIT S. S. N. TANKHA (Uttar Pradesh): It is a well-known saying that silence amounts to consent.

SHRI BHUPESH GUPTA: Yes, there is a well-known saying that silence is golden but I think that adage does not apply in Parliament because there voice is golden . . .

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): At least Mr. Bhupesh Gupta believes in that.

SHRI BHUPESH GUPTA: How can I make up for others? Therefore, it is not that. I am sure if we had time, others would have spoken. Mr. Tankha, Mr. Bisht—they are very knowledgeable persons in this matter because they live there and you, Sir, also live there. Am I to understand that you have nothing to say about the sugar industry or about the cess or about the sugarcane prices or about the manner in which the industry is being run, or about the workers there or about those who consume sugar? Am I to understand that such hon. Members—intelligent and sympathetic people—would have nothing else to say at all than just say "Silence is golden"? No, no. It is obviously

not so, because there is a limit even to absurdity. It is not an unlimited thing. I know the trouble. That is why I wish to point out again that this is not right. I stand up, I hope hon. Members opposite will stand up and fight for the right of the House. As you know, as far as we are concerned, we are not for second Chambers. We snail go to the elections and perhaps we will demand the abolition of not only the Rajya Sabha but all the Councils. That we will do. But today you are in favour of it and I am here. I am here for 10 years. That does not mean that I accept this kind of legislative organisation in principle, but then, since you keep it, treat it properly. Play the game. Having kept it, what is the meaning of this? She has tried to make the best of the bargain, I must say and I have no quarrel with her. How elaborately has she prepared her speech, come here all the way and read it? She has taken a lot of pains in adding up and probably she will give the figure but she did not know that Members did not get the Bill till an hour before they left their houses. Some of them, I am sure, have not opened it even. Such is the position. All right, let the hon. lady Minister have her consolation about it that this support is something which she should be pleased with but the discussion should be initiated and the Government should do it.

As far as these figures are concerned, I always maintain, I maintain again, that some kind of information should be given alongside this. It is the Schedule that matters. It is the manner in which you spend the money that matters. We sanction the money but this information cannot be given in the course of a short speech, I agree, but we should be furnished with such material. She said that they are bound to spend. Well, you are bound to do so many things but then you do not do it sometimes, therefore, we can ask you, "Have you done it?" But we do not get anything from the lady Minister here. So we are a

little disappointed about the whole business and I will record it again on behalf of the entire House that we are disappointed. Supposing I had the Bill yesterday, even then I could have had proper consultations, some of us. The Congress Party has got a large number of people. It has got experts. They have among them experts in Swatantra politics, Socialist politics, Congress politics, Hindu Mahasabha politics, labour, employers, etc. It is a big mansion where everybody can get in. We are a smaller number here. Therefore, we have to consult among ourselves. They have got in addition a gentleman—Mr. Sheel Bhadra Yajee—who has changed 12 parties and this may be the 13th.

THE VICE CHAIRMAN (SHRI NAFISUL HASAN) : No personal remarks. I will not allow any personal aspersion against any Member. No, no.

SHRI BHUPESH GUPTA: On a point of order.

THE VICE CHAIRMAN (SHRI NAFISUL HASAN) : You say that a person has changed a number of parties. That is an aspersion. I will not allow it.

SHRI BHUPESH GUPTA: Please hear what I say.

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): I will not allow any personal insinuation against any Member.

SHRI BHUPESH GUPTA: On a point of order. Any Member who is in the House . . .

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): I will not allow you to repeat that.

SHRI BHUPESH GUPTA: I am making to you a submission. He is a great friend of mine.



THE VICE-CHAIRMAN (SHRI NAFISUL HASAN) : Certain decency must be observed and the dignity of the House must be maintained.

SHRI BHUPESH GUPTA: In this House also many things are happening. You can say about a Member, about his political things in the House. As you know, many things are said about us. I know. Then I will demand from now on—because you are quite right—that you should be brought to the Chair. I will do it. You are right, Sir, because you are a good man.

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): Thank you very much.

SHRI BHUPESH GUPTA: That I will do. I did not discover that thing before. But please remember, when things are said against us, at least you must get up from there. Of course, as far as the hon. Member is concerned, he is a great friend of mine. But this thing here is very material, Mr. Vice-Chairman, and your good remarks should be recorded. We shall avoid as far as possible personal remarks; but it should be a two-way traffic, I mean this avoidance. It should not be only one way. But sometimes, Sir, very interesting things should be said.

Now, Sir, coming to the point, here these reports are not there and I hope the hon. Minister will take this into me into speaking. That is how you measures come up . . .

SHRI H. P. SAKSENA: I have got in my possession a statement from Mr. Bhupesh Gupta that he provoked me into speaking. That is how you give provocation.

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): Please sit down, Mr. Saksena.

SHRI BHUPESH GUPTA: I will never provoke, Mr. Saksena, never in my life. I feel like provoking some others, but not him.

What I say is, we have to see that in future, when such measures come, measures which give rise to or give occasion for a broad discussion of policies, these occasions should not be spoilt by the Government by hurrying through such measures. They should come here prepared and they should give us also a little time so that we could contribute something. This is all I have to say, Sir.

SHRIMATI TARKESHWARI SINHA: Sir, I find there is really nothing much for me to reply to or clarify. The hon. Member was referring to arrears. I may say that the uncollected arrears come to Rs. 128-45 lakhs. Out of a total amount of Rs. 4,947.06 lakhs, only a sum of Rs. 128-45 lakhs is still to be collected.

Secondly, Sir, I would like to clarify to the hon. Member that the amount of which he has been talking is not something to be spent. It has already been spent over a number of years, for some time past. The law only tries to validate what has been happen in; all these years, from 1950 onwards. They have been spending all this money from the entire revenue.

SHRI BHUPESH GUPTA: How much?

SHRIMATI TARKESHWARI SINHA: Well, a sum of Rs. 45 crores has been spent by Uttar Pradesh and it was validated previously. And now I think a sum of Rs. 14-49 crores is now to be validated. But the amount has already been spent over a number of years. Therefore, there is nothing for me to point out, as to how the amounts are going to be spent, how it is being spent now and all that. That has already been spent from the revenues, and they have been spent according to needs and according to their utility.

I do not thank the hon. Member seriously means that all the old fei;ts of historic value, as to how the money has been spent, and the historic antecedents and details of all these years should be brought into the purview of this Bill and discussed in this House. If the hon. Member is so interested, I would request him to collect all the State laws and see how they are operating and if he thinks there is any defect in those State laws, he can approach the State Governments through his party members and correct them.

SHRI BHUPESH GUPTA: But she is taking the power. Why should we do it? Why have we got Shrimati Tarkeshwari Sinha here?

SHRIMATI TARKESHWARI SINHA: We have no power as such. We are only trying to help out the State Governments from certain difficulties. Probably the hon. Member himself would not like all this money to be returned to the factory owners. We have satisfied the purposes of the consumers. We have satisfied the purposes of the nation and we have satisfied the States as such. Therefore, as I said, we have only gone to the rescue of the States when they asked for these facilities to be given to them and we have come forward with this legislation. The hon. Member can go and discuss with the State Governments if he finds that the laws are not being operated properly.

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): The question is:

"That the Bill be returned."

*The Motion was adopted.*

SHRI BHUPESH GUPTA: Sir, before you adjourn the House, I would like to point out to you, Sir, that it is now quarter to five. I have been pointing out again and again that this is how the business is being arranged. In the beginning of a session we do not have enough business and towards

the end of the session, there is rush of business and on that pretext the time of everyone, on this side and on the other side of the House, is cut. And when business comes, we finish it ahead of time.

SHRI AKBAR ALI KHAN (Andhra Pradesh): We wanted to have the Delhi Municipal Corporation Bill today, but you objected. It could not come up today, because you objected.

SHRI BHUPESH GUPTA: No, Mr. Akbar Ali Khan, yesterday it was decided that the Delhi Municipal Corporation Bill would not come now, because the time allotted for the last Bill was one and a half hours, and we have not exhausted that time yet. You see, that is what I am pointing out.

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): It was only one hour and we finished fifteen minutes earlier.

SHRI BHUPESH GUPTA: The point is this how the business is being arranged. Today, you see, fifteen minutes time has been lost. I am noticing that sometimes we finish ahead and sometimes we are behind. Anyway, the business is not properly arranged.

THE VICE-CHAIRMAN (SHRI NAFISUL HASAN): It depends on the hon. Members.

SHRI BHUPESH GUPTA: No, it does not depend on the Members. The Government should have anticipated it.

THE VICE CHAIRMAN (SHRI NAFISUL HASAN): The House stands adjourned till 11 A.M. tomorrow.

The House then adjourned at forty-seven minutes past four of the clock till eleven of the clock on Friday, the 8th September 1961.