

अ. पा. म. राजगोत्र : मैं दो तीर
ज्याइस कहा च कहा हूँ ।

MR. DEPUTY CHAIRMAN: I can understand if you had any references to make at the First Reading stage.

अ. पा. म. राजगोत्र : मेरे सिर्फ
दो तीर आइस है ।

SHRI B. R. BHAGAT: How can he speak?

MR. DEPUTY CHAIRMAN: How can you speak at this stage? I can understand the point if you had raised any objections and if they had not been answered. But you were not here at the time.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be returned."

The motion was adopted.

THE APPROPRIATION (No. 7) BILL, 1959

THE DEPUTY MINISTER OF
FINANCE (SHRI B. R. BHAGAT): Mr.
Deputy Chairman, Sir, I beg to move:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent in respect of the former Part C States of Delhi and Himachal Pradesh on certain services during the financial year ended on the 31st day of March, 1957, in excess of the amounts granted for those services and for that year, by the Legislature of each of those States as passed by the Lok Sabha, be taken into consideration."

As hon. Members are aware, former States of Delhi and Himachal Pradesh like other Part C States with Legislatures had separate Consolidated Funds of their own and funds required by

them were provided through Appropriation Acts passed by their respective Legislatures. With the repeal of the Part C States Act, 1951, under Section 130 of the States Reorganisation Act, 1956, the former Part C States of Delhi and Himachal Pradesh became Union Territories to be administered by the President under Article 239 of the Constitution. The expenditure from 1st November, 1956 onwards in respect of these territories is thus being met from the Consolidated Fund of India.

The States Reorganisation Act, 1956, empowers the President to regularise by order, the excesses relating to these States for the year 1955-56 or any earlier financial year, but the Act is silent in respect of the excesses relating to the period 1st April to 31st October 1956. Government have been advised that in so far as the excesses of the former States of Delhi and Himachal Pradesh for the first seven months of the year 1956-57 are concerned, Parliament alone is competent to regularise them. The Bill before the House accordingly seeks to regularise the expenditure incurred by these States in excess of the Grants sanctioned by the former State Legislatures for the whole of the year 1956-57.

The Appropriation Accounts of Delhi and Himachal Pradesh for the period 1st April to 31st October, 1956 were laid before Parliament on the 24th November, 1958 and 11th December, 1957 respectively. These accounts have been examined by the Central Public Accounts Committee and the Committee have in their Twelfth and Sixteenth Reports presented to Parliament in April last recommended the regularisation of these excesses. Sir, with these words, I move.

MR. DEPUTY CHAIRMAN: Motion moved:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent in respect of the former Part

C States of Delhi and Himachal Pradesh on certain services during the financial year ended on the 31st day of March, 1957, in excess of the amounts granted for those services and for that year by the Legislature of each of those States, as passed by the Lok Sabha, be taken into consideration."

شری فرید الحق انصاری (اتر

پردیش) : مسٹر ڈپٹی چیئرمین -

مجھے اس ایروپیشن بل کے متعلق

کچھ زیادہ کہنا نہیں ہے۔ دہلی کے

متعلق جو امونٹ ہے اس کے بارے

میں مجھے صرف یہ بات کہنی ہے

اور وہ یہ ہے کہ دہلی کی حکومت سے

یہ قیامت دہی ہے کہ یہاں پرماننت

سرکٹ بلج ہونا چاہئے۔

†[श्री फरीदुलहक अन्सारी (उत्तर प्रदेश): मिस्टर डिपुटी चैयरमैन, मुझे इस एप्रोप्रियेशन बिल के मुतल्लिक कुछ ज्यादा कहना नहीं है। दिल्ली के मुतल्लिक जो अमाउन्ट है उसके बारे में मुझे सिर्फ एक बात कहनी है और वह यह है कि देहली की हमेशा से यह डिमांड रही है कि यहां परमानेंट सरकिट बेंच होना चाहिए।

श्री बी० आर० भगत : यह पालिसी मैटर है। सन् १९५६-५७ में जो एक्सेस एक्स्पेंडीचर हुआ, उसको रेगुलेराइज करने के लिए यह बिल है। दिल्ली में सर्किट बेंच हो या न हो, यह पालिसी मैटर आप उठा रहे हैं, जो कि आपको इस बिल पर नहीं उठाना चाहिये।

SHRI FARIDUL HAQ ANSARI: It is not a question of policy. So far as the question of a Circuit Bench is concerned, they have accepted the Circuit Bench for the State of Delhi. But it is not permanent.

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI B. N. DATAR): May I point out, Sir, that this amount relates to a previous period? So far as the question of the continuance or otherwise of the Circuit Bench is concerned, it is entirely an independent matter, and hon. Members can speak on that subject only when there is any resolution or motion relating to the present state of affairs in Delhi.

SHRI ROHIT M. DAVE (Bombay): The item is there . . .

MR. DEPUTY CHAIRMAN: This relates to some amount spent in 1956-57. So they want sanction for that amount spent in excess. Your remarks, if any, should be confined to that.

SHRI FARIDUL HAQ ANSARI: I want that the Circuit Bench should be permanent.

MR. DEPUTY CHAIRMAN: That will not be proper. When the General Budget comes up, you can speak on that.

SHRI H. P. SAKSENA (Uttar Pradesh): Mr. Deputy Chairman, Sir, these are the days of austerity and the little money that we have in the possession of the Government of India should be very cautiously and carefully spent. This Consolidated Fund of India, as it is known, is not an inexhaustible one and it is not like the proverbial 'Karun ka khajana' from which we can draw any amount we desire whenever there is an occasion and whenever there is an opportunity. I am surprised to find that whenever any Part A or Part B or Part C State is in financial trouble, we are asked to advance money from the Consolidated Fund of India. This is a very unhappy practice. I personally am very unhappy at this state of affairs. All the arguments that the hon. Deputy

[Shri H. P. Saksena.]

Minister of Finance has given in support of this Appropriation Bill are, to my mind, very unpalatable, unwholesome and unreasonable. Therefore, Sir, I stand as the watchdog for the funds of the Government of India and they should not be spent so lavishly as they are being spent.

With these words, Sir, I want to enquire from the hon. Minister who has sponsored this Bill as to why these Territories—former Part 'C' States—were not warned of the necessity of leading an austere life, of spending as little money as possible.

My hon. friend on my right has raised objections about circuit benches or electricity but then, apart from that, I want to say that, with the little money that we have at our disposal and not forgetting the austerity through which the country is passing, we should be very careful about the amount of money that we sanction as excess appropriation.

श्री पा० ना० राजभोज (मुम्बई):

उपसभापति महोदय, १,२१,६२१ रु० दिल्ली के बारे में १६५६-५७ में जो ज्यादा खर्चा हुआ है उसका समर्थन करते हुए मैं आपको एक दो बातें बताना चाहता हूँ। यह जो एक्सेस हुआ है वह फाइनेंशल एडजस्टमेंट है लेकिन जब तक कोर्ट का इससे ताल्लुक है तब तक यह कहना जरूरी है कि दिल्ली में जो कोर्ट है उसने सुविधा नहीं है और बहुत सी शिकायतें अव्वारों में आती रहती हैं। बार असोसिएशन ने भी इस पर अपनी शिकायत बताई थी। तो मेरी प्रार्थना है कि उस पर ध्यान दिया जाय।

दूसरा प्वाइंट यह है कि यह बात सन् १६५६-५७ की है इसलिये और चूंकि पब्लिक एकाउंट्स कमिटी ने इसको रीगलराइज करने की सिफारिश का है इसलिए हम इस पर अधिक बहस नहीं कर सकते हैं लेकिन दिल्ली में जो पचास हाई कोर्ट का सर्किट बेंच है

उस पर सरकार को अपनी नीति जाहिर करने की जरूरत है। यह सर्किट बेंच कायम की जाय ऐसी लोगों की मांग है और चंडीगढ़ में आने जाने का जो खर्चा और इनकंवीनियेंस होता है उसको कम किया जाय। सस्ता और जल्द इन्साफ हो ऐसी हमको कोशिश करनी चाहिये।

श्री उपसभापति : यहां यह विषय नहीं है।

श्री पा० ना० राजभोज : ला कमिशन की रिपोर्ट में इस बारे में लिखा है कि सिर्फ एक ही बेंच होगा और ये बेंचेज खत्म किये जायेंगे। इस बारे में सरकार का धारण क्या है उसकी जानकारी हमें मिलनी चाहिये। और यह बिल्डिंग के बारे में भी एक बात कहूंगा कि हास्पिटल तथा हाईकोर्ट के लिये हम पैसा खर्च कर के इमारतें बनाते हैं लेकिन उनमें सुविधा नहीं होती है।

SHRI M. P. BHARGAVA (Uttar Pradesh): How are we concerned with all these things?

MR. DEPUTY CHAIRMAN: There is nothing in the Bill about all these. The same objection that applies . . .

SHRI ABHIMANYU RATH (Orissa): I cannot understand, Sir, how reference to things of Chandigarh can come here.

MR. DEPUTY CHAIRMAN: It has no relevance.

श्री पा० ना० राजभोज : एक मिनट में खत्म होता है।

श्री उपसभापति : एक मिनट की बात नहीं है।

श्री पा० ना० राजभोज : लीगल प्वाइंट के लिये मैं बात कर रहा हूँ। एकता लागल प्वाइंट है, दूसरा प्वाइंट यह है कि इमारतें न खड़ी हो जायें और उस पैसे को

गरीबों के लिये, हरिजनों के लिये नीगल एड देने के वास्ते खर्च किया जाय। ग्राम पंचायतों की अधिकार देने से इसाफ . . .

MR. DEPUTY CHAIRMAN: Order, order.

श्री पा० ना० राजभोज: मैं बताना चाहता हूँ कि सस्ता होगा।

MR. DEPUTY CHAIRMAN: There is nothing about Gram Panchayats, legal aid, Chandigarh. This is Appropriation Bill.

श्री पा० ना० राजभोज: मैं आपके जरिये से कुछ नये सजेशंस दे रहा हूँ।

श्री उपसभापति: इस बिल में सिर्फ तीन आइटम्स हैं, उन तीन आइटम्स के बारे में ही कहें।

SHRI ABHIMANYU RATH: These things are irrelevant, Sir.

श्री पा० ना० राजभोज: मुझे आप बोलने के पहल ही डिस्टर्ब कर देते हैं तो मैं क्या बता सकता हूँ।

SHRI ABHIMANYU RATH: How are these related to this thing?

श्री पा० ना० राजभोज: ये विरोधी पार्टी के लोग हैं। आप हिन्दी तो समझते नहीं हैं।

श्री अभिमन्यू रथ: हम समझ रहे हैं।

श्री पा० ना० राजभोज: आपका शुभनाम क्या है?

MR. DEPUTY CHAIRMAN: Order, order.

श्री पा० ना० राजभोज: जो मैंने प्वाइंटस बताये हैं इसके लिये . . .

MR. DEPUTY CHAIRMAN: You can only speak about the three items

in the Bill. You are speaking something about . . .

श्री पा० ना० राजभोज: मैंने यह बताया कि ला कमिशन का रिपोर्ट में इस बारे में लिखा गया है कि सिर्फ एक ही बैंच होगा और बैंचें खत्म की जायेगी। इस बारे में सरकार का धारण क्या है उसका जानकारी हमें मिलनी चाहिये। और बिल्डिंग के बारे में भी एक बात कहूंगा कि हास्पिटल तथा हाई कोर्ट के लिये हम पैसा खर्च कर के इमारतें बनाते हैं लेकिन उनमें सुविधा नहीं होती है . . .

DR. R. B. GOUR: (Andhra Pradesh): On a point of order, Sir. The point is that the hon. Member is making a speech which has nothing to do with the Appropriation Bill, and I would like your guidance on this point, whether he should be allowed to speak.

श्री पा० ना० राजभोज: मेरे भाई हर वक्त विरोध में बोलते हैं। ये कम्युनिस्ट भाई हैं। यह कोई अच्छा नहीं है। जब मैं बोलता हूँ ये हर वक्त प्वाइंट आफ आर्डर निकालते हैं। यह इनकी आत हा गई है। हमारे बोलने के पहले ही प्वाइंट आफ आर्डर लगा दिया।

MR. DEPUTY CHAIRMAN: Order, order; you are not speaking on the Bill.

श्री पा० ना० राजभोज: मेरा कहना है कि हमारे प्राइम मिनिस्टर साहब कहते हैं कि स्कूलों को बड़े मकानों की जरूरत नहीं है। इतने बड़े मकान बनाये हैं, इनकी क्या जरूरत है? पेड़ के नीचे या ओपे प्राऊंड पर स्कूल चल सकता है।

SHRI ABHIMANYU RATH: Sir, what is all this? Is it relevant?

श्री पा० ना० राजभोज: यह समझते नहीं हैं।

श्री अभिमन्यु राय : हम समझते हैं, आप समझते नहीं हैं। How is all this related to the Bill? How is it allowed to go on?

श्री पा० ना० राजभोज : हम उपसभापति जी से बात कह रहे हैं, आप लोग ऐसा क्यों कर रहे हैं। यह ठीक नहीं है।

MR. DEPUTY CHAIRMAN: Mr. Rajabhoj, I have been telling you that you are irrelevant. What you are talking is irrelevant. If you have anything to say on the Bill, you can speak; otherwise you can close your remarks. Please sit down.

SHRI B. R. BHAGAT: Mr. Deputy Chairman, Sir, I am sorry the hon. Member has left. Perhaps he has not made the remarks seriously. He has charged me with speaking unpalatable and unreasonable words. I am not given to speak unpalatable words. I might explain to the hon. Member very briefly that the excesses that he meant are not the excesses that are meant here. I can assure him and the House that no wastage has occurred. What happens is that money is . . .

श्री जयराज राय काटू : (उत्तर प्रदेश) आप राजभोज जी को समझा नहीं हैं तो हिंदी में ही यह बता दीजिए।

SHRI B. R. BHAGAT: The hon. Member was not present. I am replying to the Member who sits behind him, Mr. Saksena. The excesses are of this nature. Now, when the accounts are compiled it is found that something more has been spent. First, some more money goes out and the accounts are compiled a few months later. Then we find that some excess in expenditure has been incurred. Then the Public Accounts Committee looks into it and recommends to Parliament for regularising it, that is to say, any amount spent in addition to the amount voted by Parliament can only be regularised by Parliament. So, such excess does not mean any wastage here or any

excess in the usual sense. So, the hon. Member may rest assured that so far as Government is concerned, it takes care that money is spent fruitfully and very usefully and no money is wasted.

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill to provide for the authorisation of appropriation of moneys out of the Consolidated Fund of India to meet the amounts spent in respect of the former Part C States of Delhi and Himachal Pradesh on certain services during the financial year ended on the 31st day of March, 1957, in excess of the amounts granted for those services and for that year by the Legislature of each of those States, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

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

Clauses 2 and 3 and the Schedule were added to the Bill.

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

SHRI B. R. BHAGAT: I move:

"That the Bill be returned."

MR. DEPUTY CHAIRMAN: The question is:

"That the Bill be returned."

The motion was adopted.

3 P.M.

THE MISCELLANEOUS PERSONAL LAWS (EXTENSION) BILL, 1959

THE DEPUTY MINISTER OF LAW (SHRI R. M. HAJARNAVIS): Sir, I move:

"That the Bill to provide for the extension of certain personal laws