

Swatantra Unites Parliament Against Government

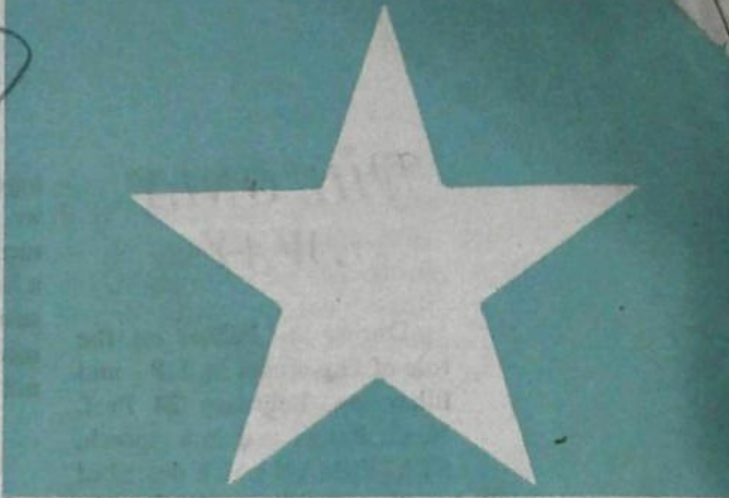
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IN two Bills before Parliament, the Swatantra Party assumed leadership of the House against the Government. In the first Bill, that of requisitioning and acquisition of Property, Lobo Prabhu laid the foundations of the attack. Requisitioning is a war time measure first introduced in 1939 under the Defence of India Act. In 1952, it was turned into an Act with six years life. Since then the Act has been renewed with a life which now expires on March 13. Under the Act, the Defence Ministry has under requisition 179 houses and 85.058 acres of land, the Directorate of Estates 222 houses, the Ministry of Finance 34 buildings and various other ministries smaller houses and areas. The total property under acquisition is valued at 33 crores, on which about 1 crore is paid as rent, which is the one prevalent 31 years ago at the time of requisitioning.

Loba Prabhu's attack was first that in making the law of requisitioning a permanent one, the Ministry had ignored the condition imposed by the Law Commission that the power of requisitioning was an extraordinary one to be invoked only on an emergency after a specific notification activates it. Secondly a separate law for requisitioning which includes provision for subsequent acquisition by a short circuit procedure and superfluous when there is already a Law for acquisition which also includes provision for requisitioning. The conflicting procedures and principles for taking possession for calculating compensation for appeals were not only bad jurisprudence but unfair to the parties, which did not have the benefit of the more generous Land Acquisition Law.

Lobo Prahu also recalled that the Minister on the occasion the law of requisitioning was extended had promised to follow the principles which the Mulla Committee is proposing for Land Acquisition. The Minister had no reply to these objections. But he felt the impact of the objections based on the actual working of requisiting, the rents of 1939 paid to owners whose fault was their buildings and land were more attractive to the authorities, secondly the failure to pay these rents to small owners, particularly of agricultural land, third the deterioration of property and the unnecessary immobilisation of large areas of land and fourth, the opportunities for abuse in allocation of houses frequently on political grounds and in releasing or acquiring property according as the lower officers were satisfied. There was a chorus of support, from all parties, including the ruling parties, with shocking examples of abuses. Shri Ranga spoke strongly of the injustice suffered by helpless individuals, while the Communists and Socialists stressed the discrimination against small owners.

In these circumstances Lobo Prabhu pressed that his amendment that requisitioning should be limited only to a period of three years as in the land Acquisition Act. During that period Government could



SWATANTRA IN PARLIAMENT

A record of Swatantra participation
in the proceedings of the Lok Sabha
and the Rajya Sabha

easily decide what property it would acquire and release the rest. The Minister realising that an adverse vote was inevitable, which would be a defeat of the Government, accepted the amendment. This is a triumph for the Swatantra Party, first because it broke the adamant attitude of Government to amendments of their Bills, second that the Communist and Socialist parties recognised that the right to property was the same to small and big owners and deserved to be protected against arbitrary acts of the Government, third that owners of property will, after 34 years, come into their own, the sooner if they move the concerned authorities for decision whether the government will acquire or failing that initiate steps to release within three years the property under requisition.

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THE QUESTIONS WE ASKED...

What is reproduced in these pages is only a fraction of what the Members asked in the two houses of Parliament. The selection is both difficult and unavoidable on account of shortage of space.

Indian Rupee

K. P. SINGH DEO :
N. K. SOMANI asked :

(a) Whether the attention of Government has been drawn to the Press Report appearing in the Hindustan Times of the 14th January, 1970 regarding the sagging of Indian rupee in the unofficial foreign exchange market in the country and the disparity between the official and the unofficial rates leading to remittances from Indians abroad through unofficial channels thus weakening the rupee; and

(b) if so, the steps taken by Government in this regard?

MINISTER P. C. SETHI
replied :

(a) The transactions at unofficial rates of exchange involve a contravention of exchange control regulations and are of a very sporadic and marginal character. The disparity between the official and the so called unofficial rates of exchange reflects the impact of restrictions on illegal transactions. These have, therefore, no particular relevance to the strength of the rupee in international markets.

(b) Does not arise.

Aruna Asaf Ali

H. AJMAL KHAN
N. SHIVAPPA
C. C. DESAI
PILOO MODY
R. R. SINGH DEO

(a) Whether Government propose to start prosecution proceedings against Shrimati Aruna Asaf Ali for her receiving foreign money in Swiss Francs from Chinese Bank in the year 1964-65;

(b) if so the details thereof; and

(c) if not, the reasons for not taking legal action against her ?

MINISTER P. C. SETHI said :

(a), (b) & (c): The Government has no information about the receipt by Smt. Aruna Asaf Ali of Swiss Francs from the Chinese Bank in the year 1964-65. The other questions therefore do not arise. However, in 1966 she received a gift of Rs. 7,95,544 in Swiss Francs from abroad. This amount was remitted by her from Switzerland to India through official channels under the National Defence Remittance Scheme. No question of prosecution can, therefore, arise in respect of the said remittance.

Foreign Trade

S. K. TAPURIAH asked :

(a) Whether it is a fact that India's share in world has been decreasing throughout the sixties and its place has come down considerably during these years; and

(b) Whether Government are considering of making available increased finance to small exporters and give them proper incentive for rapid export promotion ?

DY. MINISTER OF
FOREIGN TRADE RAM
SEWAK said :

(a) Yes, Sir. India's share in world exports has been declining since 1961 and her rank according to the value of exports has fallen from 16 in 1961 to 22 in 1968.

(b) The Committee constituted by the Small Scale Industries Board have made some recommendations, which are being examined by the Ministry of Industrial Development.

Exports

D. N. PATODIA and others
asked :

(a) Whether it is a fact that there has been a steep fall in the rate of increase in exports during the first eight months of the current financial year;

(b) if so, the extent of fall recorded during the above period as compared to the corresponding period during the earlier year; and

(c) the causes for the same?
MINISTER RAM SEWAK
replied :

(a) & (b) : The rate of growth of exports in 1969-70

over the corresponding periods of 1968-69 steadily decelerated to 0.9% upto April-November, 1969 from 13.5% for 1968-69 as a whole. However in December 1969, there was an improvement as a result of which the total exports during the first nine months of 1969-70 showed an increase of 1.56% over the same period of 1968-69. A statement showing the monthly trends in exports is attached.

(c) The main causes of the decline in the rate of growth of exports are :

- (i) a sharp decline both in the quantum and unit value of tea exports owing to world trading conditions as well as abatement of the buoyancy which had characterised the exports of developing countries in 1968-69;
- (ii) shortfalls in the production of certain agricultural products such as oil seeds;
- (iii) losses in production and export due to industrial unrest;
- (iv) greater domestic absorption of industrial as well as agricultural products in consequence of the economic recovery;
- (v) rise in domestic costs and prices ; and
- (vi) shortages of certain article raw materials such as steel.

Pakistan Overland Route

N. SHIVAPPA asked :

(a) Whether Government's attention has been drawn to

the carrying of Soviet machinery and heavy equipments to Pakistan through new Pak-Soviet over-land route via Kandhar;

(b) whether Government have expressed her concern over the matter to USSR; and

(c) if so, the reaction of the Government of U.S.S.R. in this regard ?

DEPUTY MINISTER OF EAM SURENDRA PAL SINGH replied :

(a) According to reports, some Soviet textile machinery meant for Pakistan was transported overland from the Soviet-Afghan border into Pakistan via Kandhar.

(b) No Sir.

(c) Does not arise.

Bokaro

D. N. PATODIA asked :

(a) Whether it is a fact that the delay in commissioning the Bokaro Steel Plant has been attributed to the delay in supply of the indigenously procured refractories;

(b) whether it is also a fact that the representatives of the industry have stated that the Bokaro Plant authorities under the Soviet influence have adopted unrealistic specifications and have made the supply position difficult; and

(c) if so, Government's reaction thereto and the steps taken to ease the situation ?

MINISTER K. C. PANT replied :

(a) Yes, Sir. The delay in supply of refractories by the indigenous manufacturers is one of the main reasons for re-

phasing of the commissioning schedule of the Bokaro Steel Plant.

(b) No Sir. The indigenous refractory manufacturers have only pointed out that the specifications and the inspection procedure are rather stringent.

(c) Orders for import of 22,000 tonnes of refractories have been placed on the U.S.S.R. It is also proposed to import another 24,063 tonnes of special types of refractories from the USSR to adhere to the construction schedule of the plant. Permissible relaxations in inspection procedure for supplies from indigenous sources are also being allowed without affecting the quality of refractories.

Bokaro

N.K. SOMANI :

M.R. MASANI :

R.K. AMIN :

J. MOHAMED IMAM :
asked :

(a) whether the attention of Government has been drawn to a report in the Hindu (Madras) of the 25th January, 1970 regarding Indo-Soviet differences on the Bokaro Steel Project which include inter alia the Soviet Union reserving to itself the right to seek repayment in Sterling contrary to the general impression that the Soviet credit to India for the construction of the Bokaro Steel Plant is repayable only in Rupee; and

(b) if so, the reaction of Government in this regard ?

MINISTER K. C. PANT replied :

(a) Yes, Sir.

RED TRIANGLE MOVES IN CIRCLES

Speaking in the Lok Sabha on February, 24 on Union Duties of Excise (Distribution) Amendment Bill, Mr. Lobo Prabhu ridiculed the Government for both promoting family planning and population increase at the same time. He said :

The non-Plan expenditure for the States is going to be increased by Rs. 1,300 crores. It is a very substantial sum which we have to find for the States. We should expect that this sum should be distributed equitably but it is found that this sum is distributed most erratically and almost irrationally. I have to take all the allocations into consideration because if we take only excise we miss the principles used in the other allocations.

One principle used throughout is population. I am very glad that my hon. friend pointed out that in the Fifth Finance Commission's report we have the first taste of family planning. Now onwards whatever the Ministry of Health may say about family planning we have the Ministry of Finance saying, "Increase your population", because that is the only way to get a higher contribution. In respect of income-tax devaluation the previous proportion for population was 80 per cent. That has been raised to 90 per cent and only the balance of 10 per cent is based on the actual contribution of the States.

Coming to excise duties, there are two excise duties. First is the general excise duty on which the principle followed is : 80 per cent on the basis of population and 20 per cent on what is described as social and economic backwardness. Out of that 20 per cent, two-thirds is given for the *per capita* income of the State. Now, the *per capita* income of a State which is over-populated is the lowest. So the net result is that something like 93 per cent of the excise duties are simply allotted to a State on their capacity to increase the population. I may compliment Bihar and UP on their performance in this direction. But it is not fair that the people who are more prudent and who have smaller families should be penalised like this.

A REGRET AND A PROTEST

On the President's Address delivered on February 19 Lok Sabha Members N. G. Ranga, M. R. Masani, P. K. Deo, J. M. Lobo Prabhu and D. N. Patodia moved amendments to say :

That at the end of the motion, the following be added namely :

1. "but regrets that the Address displays a spirit of smug complacency and claims illusory achievements in the fields of agriculture, industry and employment which are entirely unrelated to the grim realities of the common people's plight."
2. "but regrets that while taking note of the manifestations of violence in the country, the Address :

(a) does not refer to the situation in West Bengal where according to the Chief Minister of that unfortunate State, there exists an "uncivilised and barbarous Government", nor contains any statement of intentions as to how the Union Government propose to deal with the situation which involves a complete breakdown of the constitutional machinery and of law and order;

(b) fails to take note of the widespread seizure of crops in the State of Kerala with the connivance and encouragement of some of the parties in power, both in the past and at present; and

(c) ignores a factor which aggravates the violence in the country, namely the incitement from the highest quarters towards a disregard for the rule of Law for the Fundamental Rights of the citizen and for the judiciary."

3. "but regret that while dealing with a regional arrangement for economic cooperation in South, South-East and East Asia the Address indicates no readiness or intention to take steps to develop co-ordinating measures of political cooperation and the defence of the region."
4. "but regret that while giving expression to an unrealistic expectation that the Chinese Communist regime would respect our sovereignty and territorial integrity, the Address fails to make any mention about steps to redeem the pledge given in Parliament on 22nd November, 1962, for the recovery of the territory which continues to be wrongfully occupied by Communist China."