

II. Notification of the Ministry of Industry and Company Affairs Publishing the Companies (Acceptance of Deposits) Third Amendment Rules, 1985.

THE MINISTER OF STATE IN THE MINISTRY OF INDUSTRY AND COMPANY AFFAIRS (SHRI ARIF MOHD. KHAN): Sir, I beg to lay on the Table—

I. A copy each (in English and Hindi) of the following papers, under section 62 of the Monopolies and Restrictive Trade Practices Act, 1969:—

(i) Report of the Monopolies and Restrictive Trade Practices Commission, under section 21(3) (b) of the Monopolies and Restrictive Trade Practices Act, 1969, in the case of M/s. Feico Electronics and Electricals Limited, Calcutta, for industrial licence for the manufacture of Mini Computer/Micro Processor Based Systems at their existing factory at Pimpri, District Pune, in the State of Maharashtra and an Exemption letter dated the 26th June, 1985 of the Central Government thereon, together with an explanatory note. Placed in Library. See No. LT-1345/85].

(ii) Report of the Monopolies Restrictive Trade Practices Commission, under section 12(3)(b) of the Monopolies and Restrictive Trade Practices Act, 1969, in the case of M/s. Ciba Geigy of India Limited, Bombay, for the manufacture of Isooproturon—a wheat herbicide—at their existing factory at Santa, Monica, Corlim, Goa and an Order dated the 7th June, 1985 of the Central Government thereon, together with an explanatory note. [Placed in Library. See No. LT-1344/85].

SHRI ARIF MOHD. KHAN: Sir, I also beg to lay on the Table a copy (in English and Hindi) of the Ministry of Industry and Company Affairs). (Department of Company Affairs) Notification G.S.R. No. 482(E), dated

the 5th June, 1985, publishing the Companies (Acceptance of Deposits) Third Amendment Rules, 1985, under sub-section (3) of section 642 of the Companies Act, 1956. [Placed in Library. See No. LT-1310/85].

REPORT OF THE PUBLIC ACCOUNTS COMMITTEE

SHRI NIRMAL CHATTERJEE (West Bengal): Sir, I beg to lay on the Table a copy (in English and Hindi) of the Tenth Report of the Public Accounts Committee on Action Taken on 15th Report (7th Lok Sabha) regarding Coaching Services.

MESSAGE FROM THE LOK SABHA

The Indian Railways (Amendment) Bill, 1985

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

“In accordance with the provisions of Rule 96 of the Rules of Procedure and Conduct of Business in Lok Sabha, I am directed to enclose the Indian Railways (Amendment) Bill at its sitting held on the 14th August, 1985.

Sir, I lay the Bill on the Table.

PERSONAL EXPLANATION BY MISS JAYALALITHA

MR CHAIRMAN: Now, Personal Explanation by Miss Jayalalitha.

MISS JAYALALITHA (Tamil Nadu): Mr. Chairman, Sir, I thank you very much for permitting me to make this Personal Explanation under Rule 241.

Sir, on Tuesday, the 13th August, 1985, in a reply to Unstarred Question

[Miss Jayalalitha]

No. 1876 put by Shri Pyarelai Khandelwal, as to the names of film artistes against whom income-tax and wealth-tax arrears amounting to more than Rs. one lakh are outstanding, the Minister of State for Finance, Shri Janardhan Poojari released a list of several film personalities, in which my name was also included.

Sir, I would like to clarify the true position since my personal prestige and reputation are at stake, and particularly because I have been subjected to great embarrassment, because this news item has been sensationalised in the vernacular Tamil press, and has been blown out of all proportion. Since my personal integrity is at stake, I express my profound gratitude to the hon. Chairman for permitting me to make this Personal Explanation under Rule 241 of the Rules of Procedure and Conduct of Business in the Council of States.

Sir, the truth of the matter is as follows: I have always been very prompt in paying all my tax dues. And, in fact, several times I have paid excess amounts, and I can proudly say that I am one of the very few film artistes who has frequently been the recipient of refunds from the Income-tax Department because I had paid more than was due. The amount in question is only for the assessment year 1976-77 which has been disputed, and an appeal has been filed to the Commissioner of Income-Tax (Appeals), Madras. A refund is also due to me from the Income-tax Department, and after the disposition of the appeal, if the disputed amount has to be paid, it will be adjusted against the refund. Therefore, it cannot be classified as arrears. The important point to note here is that I should not be subjected to embarrassment or penalised because of the inordinate delay by the Income-tax Department in disposing of the cases. In this particular case, Sir, even in the year 1976-77, an appeal had been filed and the case was set

aside by the Commissioner of Income-Tax (Appeals) at that time. Now for reasons best known to itself, after a lapse of eight years, the Income-tax Department has suddenly decided to take this case against for re-assessment and has referred it once again to the Income-tax Officer. Hence, once again an appeal has been filed with the Commissioner of Income-tax (Appeals).

Sir, my argument is this: If the Commissioner of Income-tax (Appeals) had decided eight years earlier that the amount in dispute should be paid as tax dues, I would have paid it then and there. But the Commissioner of Appeals set it aside at that time. And the matter rested there for the past eight years. Now all of a sudden the Income-tax Department decides to take up this case for re-assessment after eight years. It seems to be a case of the Income-tax Department having second thoughts or afterthoughts about this matter. Therefore, Sir, since this is not my fault, I respectfully submit that since the Commissioner of Income-tax (Appeals) has not yet decided whether the amount is payable as tax dues or not, hence it cannot be classified as an arrear. And since there is already an amount pending as refund to me by the Income-tax Department against which this can be adjusted should the need arise, this cannot be termed as income-tax arrears, and my name should not have been included in the list of persons against whose names income-tax arrears are outstanding. Thank you, Sir.

SHRI PARVATHANENI UPENDRA (Andhra Pradesh): Sir, I am on a point of order.

THE MINISTER OF FINANCE AND COMMERCE AND SUPPLY (SHRI VISHWANATH PRATAP SINGH): Sir, I just want to say that I did not know that this mention of arrears will be costly in terms of refunds.

SHRI PARVATHANENI UPENDRA: Sir, on a point of order. It is good you have given an opportunity to Miss Jayalalitha to explain her position. May be the other film-stars also have got some explanation to offer. Will you allow us to talk on their behalf also here?

MR. CHAIRMAN: No, no. Mr. Upendra, if you are involved, I will give you a chance but not for others.

Now, we will take up the special mentions. A number of people have given notices of special mentions on the situation in Sri Lanka and I have allowed three people, who gave the notices within time. Yes, Shri Mohanarangam.

REFERENCE TO ALLEGED LARGE-SCALE KILLING OF TAMILIANS BY SRI LANKAN SECURITY FORCES

SHRI R. MOHANARANGAM (Tamil Nadu): Mr. Chairman, Sir, I am really very glad today for the opportunity given to me to express some of our feelings on this issue. Yesterday we have seen in almost all the leading newspapers in our country the report that nearly 500 innocent Tamils, women and children included, were murdered and it has been the worst ever genocide outburst known to human-kind, after what the Hitler did with the Jews in Nazi Germany. Not even a single session we have passed without debating this sad...

MR. CHAIRMAN: May I ask for a more temperate language?

SHRI R. MOHANARANGAM: Sir, this is the type of language that has to be used only for this issue. Never in the past so many years in my career as a Member of Parliament I have used such words. But this is a really very very serious issue. Can you imagine the position of 500 people who have been killed. They were just made to line up and shot dead

by the Sri Lankan army. As I told you in the beginning, not a single day was passed without discussing this tragic issue. Now the Thimpu talks have broken down. But we are thinking that the Colombo Government will definitely take up this issue as a serious one and solve this problem. Sir, if I just turn one by one to the pages of Sri Lankan history, I do not think that they will go for solving this problem. As far as India is concerned, they feel that this issue is still alive and anyhow we can solve this problem. But as far as Colombo and Tamil group is concerned, they have already come to the conclusion that this issue will never be solved and it is dead. Whereas we are of the opinion that we are going to solve this problem. As I already told you, Sir, this has been the worst-ever genocide outburst known to human-kind but now the public anger in Tamil Nadu is running very high, and they have started questioning the wisdom of the Indian Government even knowing fully well that the Indian Government has taken up all the responsibility to solve this problem. Especially for the past two to three weeks negotiations are going on between the representatives of the Tamil group as well as the Government of India. But the Colombo Government has started annihilating the Tamil race. If we turn one by one the pages of Tamil history at Colombo you will see that they have shed their blood, sweat and tears for the development of Ceylon. If at all Ceylon is considered as one of the best countries, that is because of the efforts put in by the Tamil race, and not the Sinhalese, who have developed that country by just shedding their blood, sweat and tears. What has happened now is that President Jayewardene is not at all willing to solve this problem. Sir, I can even go to the extent of telling that Mr. J. N. Dixit, Indian High Commissioner at Ceylon, went to the extent of asking Jayewardene not to announce that Thimpu conference is a failure. I can quote this paper, a very leading