

MR. CHAIRMAN: That is all right. If you are going to place it on the Table of the House that is enough.

SHRI PILOO MODY: Then they would want to know why the explanation has been delayed.

श्री श्याम लाल यादव (उत्तर प्रदेश) :

हमें आपत्ति यह है कि आइटम नं० 2 में मिस्टर कौशिक ने जो एयर इंडिया का बजट और रिवाइज एस्टीमेट पेश किया है मैं कहना चाहता हूँ कि आज स्थिति यह है कि इंडियन एयर लाइन्स के जहाज समय पर नहीं चल रहे हैं

MR. CHAIRMAN: You have not been permitted. Nothing will go on record.

1. The Union Duties of Excise (Distribution) Bill, 1979.

2. The Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1979.

3. The Estate Duty (Distribution) Amendment Bill, 1979.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI SATISH AGARWAL): Mr. Chairman, Sir, I have got three Bills to move for consideration by this House. I seek your permission and permission from the House to move them all together because all of them arise out of the recommendations of the Seventh Finance Commission.

MR. CHAIRMAN: You can do separately.

SHRI SATISH AGARWAL: They arise out of the recommendations of the Seventh Finance Commission. Therefore, the discussion will take place simultaneously.

MR. CHAIRMAN: It makes no difference

SHRI SATISH AGARWAL: These three Bills are in the direction of the implementation of the recommendations of the Seventh Finance Commission. They relate to the Union Duties of Excise Distribution, the Additional Duties of Excise, Goods of

Special Importance and the Estate Duty Distribution. So the discussion has to be one comprehensive thing. With your permission I want to move all of them together.

SHRI BHUPESH GUPTA (West Bengal): What is there?

SHRI SATISH AGARWAL: This is being done because they arise out of the recommendations of the Seventh Finance Commission. Whatever resources are to be transferred under the three Duties is provided in these Bills and hence the discussion has to be a comprehensive one.

SHRI SHYAM LAL YADAV (Uttar Pradesh): Sir, out of these three Bills, two are to be returned by this House and one has to be passed by this House. They should be taken up separately because they relate to different nature of duties.

MR. CHAIRMAN: Let us start one after another.

SHRI BHUPESH GUPTA: Sir, I have a suggestion. I do not know what arrangement can suit you that way. Sometimes Bills of the same nature are moved together. I am not objecting to it that way. But they are separate Bills. In any case, voting may not be that way. That you have to consider. But may I request you to take up the discussion under Rule 176 at half past two? This is what we want. There is no use taking up this subject of Aligarh development at the far end of the session. This should be discussed when really the House is in a mood to discuss. Therefore, this is my earnest request to you personally. From our side, we shall co-operate in transacting whatever business you have, either before or after. But my earnest request to you is, as we always do, this short duration discussion we take up of half past two. We take up such discussions generally not later than three, but generally we take up at half past two or two. I suggest that you kindly take it up at half past two. Meanwhile we can do whatever we can with regard to these other Bills.

SHRI NAGESHWAR PRASAD SHAHI (Uttar Pradesh): I support Shri Bhupesh Gupta that it should be taken up . . .

MR. CHAIRMAN: Your support is quite all right but the Minister did consult other Members of the parties and he announced on the floor of the House that it will be taken up at 5 O'clock.

THE MINISTER OF STATE IN THE MINISTRY OF LABOUR AND PARLIAMENTARY AFFAIRS (DR. RAM KRIPAL SINHA): Sir, we have a heavy agenda of Business and I would request the hon. Member to follow today's agenda. We can have this discussion as long as you want after 5 because the Members are interested in this discussion and I hope they will be here as the subject is important. So, I request that let the Business be taken up as in the agenda.

SHRI BHUPESH GUPTA: He wants it his own way.

SHRI SATISH AGARWAL: I have to make one submission in this connection. There are two Bills which are to be considered and they are to be returned. The third one is for consideration as well as for passing. All these three Bills arise out of the recommendations of the Seventh Finance Commission. So, the discussion has to be a comprehensive one. So it will be more appropriate if I am permitted to move all the three Bills for consideration and at a later stage there can be separate motions for return and passing. So far as the consideration stage is concerned, it will be more convenient for the House also looking to the shortage of time because only one day has been allotted for consideration, discussion, passing and all that.

I beg to move:

"That the Bill to provide for the payment out of the Consolidated Fund of India of sums equivalent

to a part of the net proceeds of certain Union duties of excise to the States to which the law imposing the duty extends and for the distribution of those sums among those States in accordance with the principles recommended by the Finance Commission in its report dated the 28th day of October, 1978, as passed by the Lok Sabha, be taken into consideration."

I beg to move:

"That the Bill further to amend the Additional Duties of Excise (Goods of Special Importance) Act, 1957, as passed by the Lok Sabha, be taken into consideration."

I beg to move:

"That the Bill further to amend the Estate Duty (Distribution) Act, 1962, as passed by the Lok Sabha, be taken into consideration."

With your permission, I may give some introductory remarks. As the House is aware, the report of the Seventh Finance Commission along with the Government's action taken memorandum was laid on the Table of the House during the last session, as required under Article 281 of the Constitution. The three Bills which I have just moved for consideration are for implementing the recommendations of the Commission relating to the sharing and distribution of the net proceeds of Union duties of excise, additional duties of excise and Estate duty.

The first Bill provides for sharing and distribution of basic excise duties. The sharing of excise duties started with the recommendations of the first Finance Commission. The sharable pool was increased by the successive Finance Commission either by bringing larger number of excisable commodities within the divisible pool or by increasing the percentage of the net proceeds to be shared with the States. Under the Sixth Finance

Commission's award, 20 per cent of the net proceeds of excise duty on all commodities was shared with the States. The Seventh Finance Commission has recommended 40 per cent of the net proceeds of duty on all commodities other than on electricity and the entire net proceeds of duty on electricity attributable to the States. The Commission has thus more than doubled the share payable to the States. Population and backwardness of the States are the two main criteria adopted by the successive Finance Commissions with varying weightages to each of these factors to determine the share of each State in the divisible pool. Each Commission had followed its own method for assessing the relative backwardness of the States. The Seventh Finance Commission has determined the share of each State in the divisible pool, by giving equal weightage of 25 per cent to the factors of population, inverse per capita State domestic product, the percentage of poor in each State and a formula of revenue equalisation. In the Commission's view, the adoption of such a multiple criteria for the distribution of the net proceeds of the excise duty among the States instead of one single criterion would reduce the chances of the formula becoming unduly favourable to certain States or working harshly against some other States. The estimated transfer to the States during the year 1979-84 on account of basic excise duties, including the duty on electricity would be of the order of Rs. 12,493 crores as against Rs. 3,717 crores actually transferred during the years 1974-75 to 1978-79 in terms of the recommendations of the Sixth Finance Commission. The Bill deals with the transfer of 40 per cent of the net proceeds of duty on all commodities other than on electricity to the States. A separate Bill will be brought before the House for transfer of excise duty on electricity.

The second Bill provides for the distribution of the net proceeds of

additional excise duties levied on sugar, tobacco and textile fabrics in replacement of the States' sales taxes thereon. This levy, as the hon. Members are aware, has been imposed with the consent of all the State Governments and the proceeds from the duty, other than the proceeds attributable to Union Territories, are passed on to them in accordance with the principles recommended by the Finance Commission. The Seventh Finance Commission, unlike the earlier Finance Commissions, has prescribed the percentage share of each State, differently in respect of different commodities. In the case of sugar, the percentage share payable to each State, has been determined by the Commission, on the basis of the average despatches of sugar during the three years ending 1976-77. In the case of textiles and tobacco, the percentage share of the States has been worked out on the basis of average per capita domestic product of each State, during the three years ending 1975-76, multiplied by the population of the State according to the 1971 Census. The transfers to the States on this account during the five years 1979-84 would be about Rs. 18.67 crores.

The third Bill provides for the distribution of the net proceeds of estate duty on property other than agricultural land. The Estate duty on property other than agricultural land, is one of the items which under article 269 of the Constitution is levied and collected by the Central Government but the proceeds are assigned to the States, and distributed among the States by law of Parliament. All the earlier Finance Commissions considered the 'location' of property as the most appropriate basis for the distribution of that part of the duty attributable to immovable property. As far the portion of the proceeds of duty attributable to property other than immovable property 'population' was considered as the suitable criterion. The Seventh Finance Commis-

sion has done away with this distinction between the proceeds attributable to immovable property and to those relating to movable property and has recommended that the entire proceeds of estate duty on property other than agricultural land may be distributed on the basis of gross value of all property located and brought into assessment in the State. The net proceeds of estate duty to be assigned to the States during the years 1979-84 are estimated at Rs. 64 crores.

The House is well aware of the various other recommendations made by the Seventh Finance Commission and I need not go into those once again. In absolute terms, the transfer of resources recommended by the Seventh Finance Commission has been the highest so far. Including the debt relief to the States, the transfers under the Seventh Finance Commission's award during the period 1979-84, would be of the order of Rs. 23,063 crores, as against estimated transfer of Rs. 11,578 crores during the period 1974-79, recommended by the Sixth Finance Commission. In per capita terms, the transfer under the Seventh Finance Commission, excluding debt relief, would be Rs. 385 as against Rs. 177 under the award of the Sixth Finance Commission. The Seventh Finance Commission has sought to ensure that as many of the less affluent States as possible are left with substantial surpluses on revenue account which they could use for fresh development. The Government of India have accepted the recommendations of the Commission despite their impact on Centre's own finances having regard to the position accorded to the Commission under the Constitution. Apart from the transfers under the award of the Finance Commission, the Centre also assists the States in a big way in their developmental programme and also assists the States in meeting their other specific requirements like assistance for natural calamities for clearance of their overdraft with

the Reserve Bank of India and so on. It is often said that the States have less resources and more responsibilities. The question is not whether the Centre has more resources or the States have more resources. The question, in my opinion, is essentially one of using the available resources to the best possible advantage of the nation as a whole. Since the constraint is only the availability of the resources, the common endeavour of the Centre and the States should, therefore, be to raise adequate resources so that the developmental process does not suffer for want of resources. Once adequate resources are found, the deployment of such resources would follow the priorities set in the national Plan. The Commission has made a number of observations on various aspects of fiscal management by the States. These observations of the Commission will call for effective and purposeful action on the part of the States, so that the surplus resources placed at their disposal by the Commission can be used for fresh developments as contemplated by the Commission.

Sir, I have briefly explained the background of the three Bills, which I have moved for consideration. I shall try to cover the points which the hon. Members may raise during the debate later.

The questions were proposed.

SHRI L. R. NAIK (Karnataka): Mr. Chairman, Sir, at the outset, I would like to confess that it has not been possible for me to go through all the Bills that have now been taken for consideration. However, it has been possible for me to cursorily go through the Seventh Finance Commission's report and it is a matter of gratification to note that the work done by the Seventh Finance Commission is of a far greater importance. It would also be proper to say that if the recommendations are to be accepted and implemented properly, I think all these three Bills will go a long way in achieving this object.

(Mr. Deputy Chairman *In the Chair*)

Now, we are hearing so much of fissiparous tendencies among various States in our country. There are tendencies for separation. We have heard of these tendencies on a number of time. Though they are of a political nature, it has to be seen how these tendencies are cemented and converted into a sort of solidarity of the nation.

Sir, politically India has never been one as far as my memory and the history go except perhaps during the period of Asoka and also Maurya. Since then India has never become one and it has always remained a sort of conglomeration of separate States. Now the same tendency is being exhibited after independence and in order to see that these tendencies disappear, the best way is to distribute the finances in a proper and equitable manner. Now I see from the statement of the hon. Finance Minister that certain basic features have been taken into consideration to distribute the excise duty and other income of the State. I think they are of a very sound nature and they will go a long way in putting an end to the fissiparous tendencies among States that are raising their heads nowadays for separation.

With these few words, I fully support all the three Bills. It may not be necessary for the House to spend a lot of time of their discussion. The Bills, as envisaged, will go a long way in solving some of our financial problems.

SHRI ARVIND GANESH KULKARNI (Maharashtra): Sir, after hearing the Minister who has moved the Bills, one gets the idea that the Bills have been brought forward in view of the recommendations of the Seventh Finance Commission. He has mentioned that more money to the extent of 40 per cent has been transferred to the States. This, what you call, is a statistical myth. Sir, I come from Maharashtra State. At present,

the role of excise duty in the total revenue collection efforts of the Central Government has risen to such percentages that out of the total revenue, 70 per cent of the revenue is coming out of the duties collected by the Government of India. The reason why I say it is mythical is that the Maharashtra Government itself, while briefing the Members of Parliament, has shown that the share of the State in the revenue originating in Maharashtra as regards the excise duties has come down. So that plea of the Minister that the State Governments are receiving more has to be a little bit carefully taken. And it is in that context that I have made this observation.

Sir, I want to make another observation. This is an occasion when we are dealing with excise matters, particularly in view of the Seventh Finance Commission's recommendations. It might be an indirect approach but, Sir, I find—as I mentioned at the outset—that the excise duty is making great inroads into the industrial field in this country. Particularly the consumers are vastly affected by the levy of excise duty by the Government of India on the various products. Various Committees were appointed by the Government of India—Chanda Committee was there; then the Jha Committee was there—which have made various recommendations in regard to the streamlining of the excise procedures. Sir, I want to highlight this point particularly. Before I go to other points, I want to say something about the personnel employed in the Excise Department. Sir, the Excise Department is a pyramidal structure where we have at the lower level the Inspector and at the top the Chairman of the Central Board of Revenue. This type of pyramid is existing as an administrative set-up. My experience as a small scale entrepreneur and as one particularly connected with the small scale and cooperative industries for the last 30 years is that the richest fellow is the Inspector at the lower level. What is the share of the Chair-

man of the Central Board of Revenue in the total booty, I do not know. Perhaps it might be nil. But the share of the Inspector is staggering. I do not want to give examples and blow it out of proportion. But Mr. Agarwal is a very clever person and he knows it himself as he was an advocate that an ordinary thread ceremony at the Excise Inspector's house collects a minimum of Rs. 70,000, on what we call 'Ahir', but what you call it in English or Hindi, I do not know. At present, the Excise Inspector who really represent the Excise Department of the Government of India is such an abused person that the total image of the Government suffers, just as a 'Talathi' in the Revenue system spoils the image of the entire administrative set-up of a State Government. The same analogy can be cited here.

I shall come to this problem again. I do not want to leave it at this stage because I want to make some more observations. I want to suggest to the Minister who is quite capable of understanding the work of his Ministry that there is still need for simplifying the Excise procedures. I shall particularly highlight two or three points before I go to the next topic because the time is very short. The trouble starts from the interpretation of the notification. The notification issued by the Government of India refers to the 10-year old notification. How do you expect the small-scale industrialist—leave aside organisations which are members of the Federation of Indian Chambers of Commerce and industry, whose management and consultants are highly paid persons—who pay more excise duty, to interpret that the Excise Inspector at the lower level or the Superintendent of Central Excise can interpret the notification correctly. That notification refers to the old notification. God alone knows what happens to that. The harassment is at the lower level. Sir, when I gave evidence before the Estimates Committee I highlighted this point. This point is still not

being taken care of in the new Finance Bill.

Sir, the exemption under Rule 8(1) of the Central Excise Rules, 1944 has also been misinterpreted and misused whereby the traders and not the producers, get the maximum benefit. Actually the producer has to be benefitted more than the middleman. Whether it is the incentive or the refund, it must reach the producer and not the trader. It is a strange system whereunder the trader gets more benefit than the producer. I think the Chanda Committee has referred to this matter. They have suggested that an improvement in this procedure is necessary.

Then, Sir, as for the interpretation of excise tariff I wonder how many Members will understand what I am suggesting. I will give you one or two examples. The water pump, a lathe, has got a coolant pump. It means a pump which circulates water in the operation of a lathe so that the heat generated is kept to normal temperature. Sir, an agriculturist uses water pump. He uses it for bringing water to his field either from a well or from a river. There is no specific interpretation. I will give you another example of a machine tool, an electrical drill. Here the notification says, "an electrical tool, hand or motor-operated". This can be operated in a hundred ways.

There are ancillary industries growing. As you know, the machine tool manufacturers supply very important ancillary small units. When an electrical motor is manufactured at the unit it attracts duty and it becomes component of an electrically driven tool and again attracts duty. What is this type of duty you are collecting? You are collecting duty at two points. So either do it at the producer's stage or do it at the last stage, the finished product stage.

In this connection I refer you to the Jha Committee which has also

made observation that ultimately it will be in the interest of the country to align with the world connotation which is given in the B. T. N. Tariff. That type of improvement I would request Mr. Agarwal to consider.

Another point is about the Appellate Tribunal. About 80 per cent. of the cases are instituted by the Excise Department at the lower level—I do not say at the higher level. My difficulty and my grouse is against your administration, right from the Collector of Central Excise to the Inspector of Central Excise. I need not remind the Minister how he himself was in a soup on the interpretation of what you call handloom cess or something like that. Still I think Mr. Agarwal has not come out of the web. Sir, it is surprising that his own department and officers have taken him for a ride for the last three or four months. But he is a person who understood the problem and I am a person who always pursues a problem, so, ultimately Mr. Agarwal used his strong arm methods and at least saved this small scale industry from being harassed over collection of duty. But he understood the problem. The problem is about the collection of duty, the interpretation of it and the decision-making process. I remember, in a speech you yourself had observed that interpretation of excise disputes must come before a quasi-judicial tribunal. If I remember correctly, Mr. Agarwal had made this observation. Perhaps this may have been introduced also. Unless this improvement takes place, all the tall talk has no meaning. Excise duty can be collected. Police also can collect the various duties. If you want to use the gun or threat, anything can be collected but you must have some sort of a judicial approach to this problem.

Sir, another problem which is of great importance to me is duties on hand processing, etc., but I am not going to say anything about it now since tomorrow there is the meeting

of the Consultative Committee and therefore I am sparing all my points to be made out at that meeting. I have much to say there on this and therefore I do not want to say anything now.

The last point I want to make is about the particular problem of harassment by Excise Inspectors. I think that unless a drastic improvement takes place and if upgradation of the capacity of the Excise Inspectors to interpret and administer your laws does not take place, this problem cannot be solved. Otherwise the entire administration of the Central Government will come under strain. Why I say this particularly to Mr. Agarwal is because this is directly connected with the problem of corruption. I do not want to go into the larger gamut of corruption in the Excise and Customs Departments. Now, fortunately, the tobacco growers are left out and Raigaji is very happy. I placed this before the Estimates Committee and said that it should be removed immediately and, luckily, Mr. Charan Singh came in who understood the farmers' language and so he might have taken action. I do not take credit for that, thanks to you and your senior Minister.

Mr. Agarwal, the frustration of the people, whether in the small industry or large is because inroads the excise tariff levies have gone far and corrupt implementation creates this frustration continues. While I am on corruption, what is happening now? Take the problem of the Punjab Police or any other problem. On a small provocation people go to the streets and come to blows. Why? People are tired. The credibility of the politicians has come under great strain and the reason is corruption. The various Governments, whether the previous Government or this Government have debased the moral values. Sir, during the previous regime we made many mistakes—I can admit, but now in your regime itself, your infighting is there. One Minister is denouncing the other Minister and that

has created fore frustration than what might have been there during the last ten years. The outbursts of police in Punjab or Jamshedpur, or the students' fight or whatever it is in Aligarh and other places is all due to doubtful creditability of politicians. There is debasement by politicians of moral values and corruption of all the best that we had inherited. Particularly, this in-fighting is there. I am not using this popular slogan to denounce your Government. Leave aside the in-fighting. One Minister says this thing will be nationalised and another Minister says this will not be nationalised. One says this and one says that. And ultimately you start some inquiry against somebody else. Actually the bureaucrats know all the inner side of your business. They know how you pass orders and they know whom you are favouring. This is going on, I do not claim that this is the problem of the Janata Government only. It was there in the previous Government also. So the problem is, now the bureaucracy has also become indifferent. It has become more corrupt. We have made them corrupt. Now the problem is that the class of beneficiaries has changed. During our time the beneficiary may be X and under the new Government the beneficiary may be Y, whether K. K. Birla or G. D. Birla or somebody else. G. D. Birla is a very sane person. He gave a very good advice. He said: For Heaven's sake do not believe in the politicians and the threats that they are holding. He said it because he knows that it is money that makes the mare go.

SHRI BHUPESH GUPTA. He buys politicians.

SHRI ARVIND GANESH KULKARNI: That is what I am saying. Birla knows that money makes the mare go. The only difficulty is with Tata. He gave an interview. Many a time I have said here that Tata should not be so amateurish. He is a very renowned industrialist. He should follow Birla. G. D. Birla is the guru of all industrialists in the country.

SHRI BHUPESH GUPTA: I think everybody should follow G. D. Birla and Goenka.

SHRI ARVIND GANESH KULKARNI: Goenka is another one. Now his brother has been sentenced in Madras for defrauding Punjab National Bank. I can make the suggestion that G. D. Birla and Goenka should be the Sai Babas, one the bigger Sai Baba, the old one, and the other the present Sai Baba, and both should be followed by all the industrialists, including Tata. This I can say in a light manner. My basic point, Mr. Agarwal, is that the debasing of the moral values, interference by politicians in the day-to-day affairs and encouraging corruption will lead to a situation one day when the people will lose faith in democracy. That time is coming near. I want to warn you about it.

SHRI BHUPESH GUPTA: Sir, I am very glad about the last part of his speech. It is a good philosophy which I share with him. The only thing is that B. D. Goenka is only a tiger. They should go in for the Royal Bengal tigers, namely, G. D. Birla and Ramnath Goenka. If you can put them in prison, much of your problem will be solved. Therefore, I say that if you are hunters in the Ministry of Finance, go after the Royal Bengal tigers.

SHRI ARVIND GANESH KULKARNI: Mr. Gupta, he has a problem. If he puts them in jail, wherefrom will we politicians get money? You must make arrangements for money, not from Russia or from America.

SHRI BHUPESH GUPTA: I entirely agree with you. He himself is a moneyed man. That may be Mr. Kulkarni's problem, but that is not the problem of many others. And the tycoons do not give money to all, as you know. But that advice is a good advice. About the bureaucracy, what can you do? Mr. Kulkarni, you got annoyed with me when I raised the matter about Kasbekar, the per-

son who is the Chief Secretary of the Maharashtra Government.

SHRI ARVIND GANESH KULKARNI: That is a different thing. Please try to understand me. I know Mr. Kasbekar personally. Now, since you have raised it, it is an opportunity for me to explain it. I will tell you one thing. Perhaps you might have misunderstood it. The co-operative Chief Controller of Imports and Exports organisation imported some parts. The Customs people said that the interpretation given by the Chief Controller of Imports and Exports was not correct. So we went to the Chief Controller of Imports and Exports who wrote to the Customs Officer saying that the real interpretation was this. Is this a bribe? Is this something hanky-panky? So for Heaven's sake, do not bring in Kasbekar's name. Leave that out.

SHRI BHUPESH GUPTA: Sir, I am not bringing anybody for Heaven's sake or even for my sake. I believe in myself more than I believe in Heaven. Where is this Heaven? Does it exist in some sugar co-operative? My friend should tell me where I can find it. It does not seem to exist in our sugar co-operatives in Maharashtra. Heaven is not to be found anywhere, but Kasbekar is to be found in the Sachivalaya of Bombay. Sir, his case was investigated by the CBI which found him guilty and the recommendation was a major penalty, namely, reduction in pay and rent. Then it went to the Vigilance Commission. The Vigilance Commission found him guilty. It also suggested, as the Minister has replied, that major penalty should be imposed with reference to the second charge. And then thirdly how does the Union Public Service Commission come in? Is it a CBI? Is it a Vigilance Commission? Investigations have been done by two bodies, the CBI and the Vigilance Commission.

And he said that the charges were not proved. Why have they not been proved? They have been proved by the CBI and the Vigilance Commission. I say it is a privilege motion because he has made the statement. I would ask your officers to ask for the report of the Union Public Service Commission in order to satisfy ourselves on what basis they say that the charge has not been proved. On what basis? Is it because some new Chairman of the Union Public Service Commission. Mr. Shi Hari, came? After that it has happened. I say that I gave the question on the basis of the information which has been confirmed. My friend, Mr. S. D. Patil, Minister of State in the Ministry of Home Affairs, took interest in getting Kasbekar, as Chief Secretary, because previously it was thought that they were pushing him to that position by superceding five. But then came the Vigilance Commission and the CBI, the obstacles came. The obstacles have been removed through the mechanism of the Union Public Service Commission. When Mr. Kidwai was there, this was not done. The moment Mr. Kidwai went away and somebody else came, the whole thing changed. I have given his name. Very well, again I repeat it here before I pass on to other things. His name is Shri Hari. The moment he came, the whole thing changed. Find out, I say, my friends, you are the ruling party. He is the Chief Secretary. It is demoralising. Tomorrow the whole country will know that the person found guilty by the CBI and convicted by the Vigilance Commission, recommending reduction of his salary and also demotion, has been promoted as the Chief Secretary. Where there should be demotion there is promotion! I do not know how much corruption he has to indulge in to become a Governor.

DR. BHAI MAHAVIR (Madhya Pradesh): Dada, about this new Chairman of the UPSC, if you remember, I raised the question here

the floor of this House. My friends on that side gave a wrong twist to it and said that I was saying it because that gentleman happened to belong to the Scheduled Caste. That is how other people try to give a twist.

SHRI BHUPESH GUPTA: I do not know whether he belongs to the Scheduled Caste or not. I might have forgotten. But, Sir, I am not going into caste business here. We are not dealing with caste business.

The fact remains that he is the Chief Secretary today. He should have been punished. Where is the punishment? Mr. Kulkarni, you may be knowing him. Mr. Kulkarni has gone away. He thinks, he has done his job. Well, he would get two more licences. Watch Mr. Kulkarni so that by defending Mr. Kasbekar directly or indirectly he does not get two more licences. I do not mind the co-operatives getting them. You know, the Maharashtra Sugar Co-operatives are name-plates. Really the magnates are ruling over them. They put Kasbekar and others there. This is the case.

I have given notice of a Half-an-Hour discussion because I want to pursue this matter. It is a question of public morality and public policy. I charge this Government, I charge this Government of putting a man as Chief Secretary or allowing him to be put as Chief Secretary of a major State of our country when the Vigilance Commission and the CBI have found him guilty.

Now, as far as this is concerned, it should be quickly passed. I agree. After all this is for giving effect to the recommendations of the Seventh Finance Commission. We shall not take much time. I will also not take much time because, you see, the Bills give effect to the recommendations of the Finance Commission, and these recommendations, in so far as they go, are good, although they do not go far enough. Take the case of Union excise duty. I would like that not 40 per cent but not less than 50 per cent—in fact, it should be 75 per cent—should go to the States. It was previously 20 per cent. Now, the

Seventh Finance Commission has made it 40 per cent. Good. They have increased it. In fact, we had been demanding more, and we stand vindicated by the seventh Finance Commission. But I think the States should get more. Sir, the States do not have any sources of revenue, really speaking. Well, when the Union Government raises through excise duty, a revenue of the order of Rs. 5,000 crores, the revenue of all the States put together does not come to that amount. You can imagine what happens. They have to rely on the system of transfer of resources from the Centre and the share of the States in the Central revenues. So my suggestion is, a share of 50 to 75 per cent should be considered, not 40 per cent. That is not enough.

Now, Sir, there is another point in this connection. Why should not the Government share the customs revenue with the States? The States should have a share in the revenues under customs. Why it should be exclusively taken by the Centre, I cannot understand. The States do not get any share in the company taxes. In income-tax and others, they get a share. But why should not the company taxes, a major source of revenue, be shared with the States? The States do not get any share in the export duty. I think they should also get a share in the export duty. These are very important sources of revenue—customs, company taxes and export duty—and they should get a share in them. The Seventh Finance Commission has kept the question open in some respects. I think this should be discussed and changes in the Constitution should be made in order to see that the States do get a share, under the mandate of the Constitution, in customs, in export duty and in company taxes. The States are now indebted, I think, to the tune of Rs. 16,000 crores. How will they pay this money? They are not in a position to pay. There are overdrafts amounting to nearly Rs. 1,000 crores. How they can manage all these things. I do not know. They

do not have the resources that you have. You have got Nasik and other printing presses. Whenever you like, you go and print money. The States cannot do it. Deficit financing of this type they cannot do. You have got all the financial institutions under your control, public finance institutions, whose policy you shape, whether it is the LIC or development banks or nationalised banks which are under your control. The States do not have any say. External resources are all in your hands. The States do not have any share. The major economic policies are laid down by you. The States are really handicapped. I fully demand on behalf of the States, and support their demand also, that economic relations must undergo a radical change, where it will not be a question of doles and bounties but will be a question of sharing the wealth of the nation, coming to the exchequer, with the States in a fair and equitable manner. And this cannot be done without drastic changes in the Constitution. The Centre undoubtedly needs resources for development and other things. It has to rely on the public sector more and more. They have to follow the policy of nationalising many concerns under the Tatas and Birlas and of many other people whom we have been naming in this House. That should be the approach. Therefore, Sir, I have no hesitation in supporting the Bills. But that will not solve the problems of the States.

1.00 P.M.

Take, for example, West Bengal. West Bengal has demanded more money recently. I support that demand. Others are demanding more money. Today Andhra is passing through a great calamity. It has been an unprecedented natural calamity. Human lives have been lost. Big enough; it may be a thousand or so. Yesterday I was in Andhra. It is a thousand or more. It must be much higher. But the material devastation is terrible, unprecedented. More than 2 million people have been rendered

homeless. Vast areas in Prakasam district, in Nellore district and other places have been completely destroyed. Now they will need more money. I know, when I am pleading for Andhra Pradesh, I do have in mind that Andhra Pradesh is headed by Dr. Chenna Reddy. I say that Government, by Indra Congress, is one of the most corrupt state Governments the country has known, one of the most corrupt Governments. I was there for 24 hours. And many people told me that they have never seen such a corrupt Government in their life. The Janata people, the Congress people, the Cong (I) people, our people, everybody said it, there is a complete national consensus. You do not require a Morarji Desai to produce a consensus here, or somebody else. There is a complete consensus. Not one person said anything else. Everybody from every side said, this is the corruptest Government they have seen. For everything there is money. From transfer to supply, for everything there is a price. Even with that Government in power, I would not like Andhra people to be punished. They should be given all money. And you should see that that money is properly used. I am now speaking for the Andhra Pradesh State, and hence the Government comes in. But we should take care of Dr. Chenna Reddy. I do not know how to do it. I am very glad that he did not come here to march in the procession, otherwise, people would have seen him. I am not sorry also. But, of course, we could have seen here is corruption marching. Here is corruption or what we call *murtiman* corruption personified. But people have not been given that sight of the personified corruption, the march of corruption personified in Dr. Chenna Reddy, participating in the great rally which, however, was a total flop. So I say, still give money, they need money today. And you have to give money irrespective of the Government of the State, because people must not suffer. And this cannot be

done without changing the some aspects of the constitutional provisions. The matter is not one of the Finance Commission. The matter is one of changing the policy of the Government. The matter is one of changing the policy of the Government and then giving direction to the Finance Commission after making the necessary changes in the Constitution. My friend, Mr. Kulkarni, has come. I am very sorry. I only said, Mr. Kulkarni, I hope the Chief Secretary will not give you two more licences.

SHRI ARVIND GANESH KULKARNI: Mr. Bhupesh Gupta, for your information, Chief Secretary is not empowered to give licences, Chief Secretary of a State has not got any power to give any licences to you or to me. If you want, you can have a licence directly from your...

SHRI BHUPESH GUPTA: It is an expert advice, Mr. Kulkarni. Mr. Kulkarni says Chief Secretary has no powers any more than the Chief Minister has power to give a licence. But the trouble is when the Chief Secretary telephones in favour of a licence being given, not only is a licence issued immediately, but factories begin to rop up and many things happen. You know very well. I am a student, as far as you are concerned...

SHRI ARVIND GANESH KULKARNI: I have already made my point about that Chief Secretary. Forget it now. At this age why are you after some small men?

SHRI BHUPESH GUPTA: After my diabetes, I have completely forgotten all about sugar. But I cannot forget about either the sugar cooperative or the Chief Secretary of Maharashtra. I hope you will understand it.

SHRI ARVIND GANESH KULKARNI: I have understood it.

SHRI BHUPESH GUPTA: I will try to forget it. But it will be very

difficult. There is no such insulin now.

SHRI ARVIND GANESH KULKARNI: There are so many big sharks. Why don't you catch them? Why are you after a small fish? You are a Bengali.

SHRI BHUPESH GUPTA: You are one of them—a cooperative shark. This shark, I agree, is relatively harmless. It bites. It cannot swallow. Nibbling it does. Beyond that, it cannot go. This shark is half non-violent and half violent. The other sharks are fully violent.

Well, I think we generally support this Bill. But let this question be discussed. Let these policies be discussed.

As far as corruption is concerned—since my friend mentioned it—I was thinking whether I should take a vow not to speak of corruption in Parliament. What is the use? The more I speak, the more it grows...

SHRI ARVIND GANESH KULKARNI: That has become the order of the day.

SHRI BHUPESH GUPTA: It grows in respect of some people. These capitalists and Indian monopolists have now built up their system. Corruption has become a built-in feature of the capitalist rule, or, what I may call, the bourgeois rule. Whatever combination my friend Mr. Chandrasekhar may try, it will be surrounded by them.

The other day I said about yesterday's procession. I said the main demand will be to withdraw the Special Courts Act. Shri Kamapatiji said that there would be forty demands. Now, I find that 23 demands are there. But the main demand of the processionists that paraded the streets yesterday was the Special Court abolition demand. All the other demands were bodyguards of that Special Courts abolition demand.

SHRI ARVIND GANESH KULKARNI: The main attraction was Sanjay.

SHRI BHUPESH GUPTA: Please do not take that name. We are elderly people. He says so many things. Why take his name? He is the son of my friend, Mr. Feroze Gandhi. Do you think I should take his name? Everybody knows what it is. If I had my way, I will put him in a reformatory. Somebody asked him about Communists and RSS. He said it was a choice between Malaria and—what was the other thing—Typhoid. The choice between RSS and Communists is like this. A person who says this—what to speak of him? The only thing I can say is that he is a spoilt young man. I wish him well because his father was my friend. His right place is perhaps a reformatory...

SHRI ARVIND GANESH KULKARNI: Or, mental hospital?

SHRI BHUPESH GUPTA: Reformatory or borstal school or some such thing. Who says such things? The choice between Communism and RSS is a choice between Malaria and Typhoid. He has understood neither. I do not think he can spell the word Typhoid. And I am sure he will falter even in spelling even the word Malaria. In one shot, he will not be able to do it. I have not the least doubt about it. Such a man tells about you the difference between the two.

So corruption should go. But Mr. Agarwal belongs to Mr. Charan Singh's Ministry. What to do? Till the Kasipur deal is settled and till we are satisfied about it...

SHRI ARVIND GANESH KULKARNI: Why embarrass him?

SHRI BHUPESH GUPTA: I do not know whether he would like to be like Mr. Saklecha whose son went and made a bid for Rs. 1,25,000¹-. Have you got one?... (Interruptions)

No. He has not got such a son. Previously they used to say: Like father, like son. It is now: Like son, like father. Everything is topsy turvy... (Interruptions)

DR. BHAI MAHAVIR: Does it apply to Feroze Gandhi also?

SHRI BHUPESH GUPTA: We are living in a period of transition from the days of 'Like father, like son' to the days of 'Like son, like father' and 'Like son, like father, like mother'... (Interruptions) This is what is happening in the country. Save this country, from this misfortune and calamity, from this corruption and degradation in public life, from this misery and suffering on top of it. We are not a country of poor resources, a country of poor men. We have been ruled by a lot of corrupt people. All I can say is that the people know how to deal with it. They have shown this yesterday. They are not going to respond to them. They are not going to do that. They have made it know to the whole world yesterday. They said: The whole of India may coverage on Delhi, sweeping everything; and avalanches will come from all parts of India to stop not only the Special Courts but everything. But, Sir, it was only a diseased mouse that appeared and disappeared. All I can say is, I wish our people well. They are doing magnificently. But we must rise to the occasion and help our people. One of the ways of helping them is to make more resources available to the States through the correct policies of the State Governments and the Central Government.

श्री उपसभापति : अब सदन का कार्य-
वाही सवा दो बजे तक के लिए स्थगित की
जाती है ।

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

The House reassemble after lunch at eighteen minutes past two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

MR. DEPUTY CHAIRMAN: Now, we shall resume discussion on the three Bills. Mr. Adiseshiah.

DR. MALCOLM S. ADISESHIAH (Nominated): Sir, I join in associating myself with the three Bills, two of which we are to return and one of which we are to approve. Sir, I am not quite sure whether I heard the Minister right that what is involved here in the three bills is a sum of Rs. 23 odd crores. We are not able to make out from the Bills the exact sums involved. For the 5-year period, two of the Bills indicate a sum of Rs. 13214 crores, which is misleading. While introducing these three Bills, Mr. Agarwal said that we are in the process of taking note of the fact that through these 3 Bills, the States will be receiving 23 odd crores of rupees. This is a large sum and I note and welcome it.

On a second point, I am in disagreement with Mr. Agarwal and in agreement with Mr. Bhupesh Gupta in the matter of financial devolution. The States have been vested by the Constitution with expanding development functions but have, on the other hand, inelastic sources of revenue and, therefore, this financial devolution that these Bills bring is a very important element in the discharge, by the States, of their expanding responsibility in agriculture, in small industries, in health and education, in rural water supply, etc. The various developmental functions never cease to expand whereas their sources of revenue are extremely limited. The Central revenue resources are on the other hand of an expanding character. I think, these three Bills make some restitutioning relation to this fact.

The third point I want to make is that in the Bills, in various clauses, there is the rule-making power of the Government. Clause 5 of the Union Duties of Excise (Distribution) Bill, under the rule-making power and

which is also explained in the note, says: "The Central Government may, by notification in the official Gazette make rules providing for the time at which and the manner in which any payments for this Act are to be made." I wish to ask Mr. Agarwal as to the actual manner in which this rule has been given effect to in the past in terms of making available the resources at particular periods of times to the States because a large amount is involved here. I ask this question, Mr. Deputy Chairman, Sir, because more generally the problem we face both in the States and at the Centre is that vast resources are being mobilised and collected but these resources are not being expanded in a manner in accordance with plans and in accordance with the carefully-prepared projects with feasibility reports and so on, so that there is not only wastage but there is also the inflationary pressure on the economy. So, I wish to ask here whether the rule-making powers which are contained in each of the Bills under clause 5 of this bill for example have been administered in the past and will be administered during the year in such a way that the resources will be made available so that projects are carried out in a normal manner without haste and without the last-minutes rushes which lead to waste and also add to inflationary pressures. This is a more general problem that we face with regard to our increasing resource mobilisation with which I have associated myself in the past when speaking on the budget and finance bill.

Sir, the fourth point that I wish to make is that there is need for Parliament to review the Seventh Finance Commission Reports because, I think, these three Bills are, in fact, based on the Seventh Finance Commission Report which has been accepted by the Government in toto with one exception which has been noted by the Parliament also. So, we can do nothing about these Bills unless we go back on the decision which we have already concurred in. The Government has already accepted the Seven

Finance Commission Report. When I ask that we have an opportunity in Parliament to review the Seventh Finance Commission Report, what I have in mind is to discuss the Finance Commissions findings, the basis of their recommendations, so as to guide the future Finance Commission. Now, Mr. Deputy Chairman, Sir, I must say that I have appeared before every Finance Commission, since I came back to India, as an individual, as an economist, as Director of an institution, as Professor of a University. But, I think, Members of Parliament have at least as much right as the various groups that I have referred to, to review the basis on which the Finance Commission has come to its conclusions. I know that we cannot change the current Finance Commission's recommendations. Once the Finance Commission has written its Report, it is almost like the Bible or the Koran. It is sacrosanct; it is never changed. And I think we should keep it that way. But, I think, if we could discuss it in Parliament as we do in economic circles, as we do in the Universities, as we do in commercial circles, it will guide the future Finance Commissions, and it will guide the Parliament also in our debates. I think, some of the issues raised here are the criteria for distribution, etc. I think, Mr. Agarwal knows that one of the criteria that has been used in the Seventh Finance Commission has been the reverse, State domestic product is the subject of debate amongst economists and specialists. What is involved, Mr. Deputy Chairman, Sir, is crores of rupees. Even 0.1 per cent difference in the calculations involves crores of rupees for a State. And, therefore, there are people in Parliament here as in outside who should be given an opportunity of debating the criteria used by the Finance Commission. I am referring to a new criteria brought in by the Seventh Finance Commission. I belong to the group which supports Dr. Raj Krishna, in the Finance Commission, which developed this new formula and not to

the group which is now trying to tear it to pieces. I want that we should have an opportunity of really exchanging views on those technical problems.

Finally, Mr. Deputy Chairman, Sir, I note that the share of resources of the Union territories under each of the Bills varies a great deal. Under the Estate Duty (Distribution) Amendment Bill, 1979, it is computed at 2.5 per cent. I do not see anything with regard to the Union Duties of Excise (Distribution) Bill, 1979, unless I have not read it correctly. This Bill does not contain any figure, as far as I know, for the Union territories being set aside. In the other Bill, namely, the Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1979, sums varying from 2.192 per cent to 3.271 per cent have been set aside for Union territories.

Now, as I do not wish to speak when each Bill is taken up separately, I just ask one question, namely, that I take it again that this is based on the Finance Commission's computations and calculations and unless we debate the Finance Commission's Report, we cannot debate this. In the Additional Duties of Excise (Goods of Special Importance) Amendment Bill, 1979, the figure given there in respect of sugar and so on, which has been set aside for Union territories, varies from 2.192 per cent to 3.271 per cent.

Then in the Second Schedule of the Bill, there is reference to a figure of 1.41 per cent. I wonder whether there is a means of explaining and reconciling these differences in figures.

श्री रामलखन प्रसाद गुप्त (बिहार)

उपसमापति महोदय, यूनियन ड्यूटीज आफ एक्साइज (डिस्ट्रिब्यूशन) बिल, 1979 जो रखा गया है, मैं इसका समर्थन करता हूँ और इसमें मैं ऐसा समझता हूँ।

पहले पहल सैवन्थ फाइनेन्स कमीशन के रेकोमेंडेशन पर जो चालीस प्रतिशत एक्साइज ड्यूटी स्टेट्स को दिये जाने का प्रावधान किया गया है और उसके जिसके अनुसार 1979-84 में रु० 12,493 करोड़ रुपये आते हैं, यह आंकड़े मिक्सथ फाइनेन्स कमीशन के द्वारा जो राज्यों को देने का अनुमोदन किया गया था, उसके दुगने से भी अधिक है और इसलिये यह कहा जा सकता है कि सबसे पहले इस बिल के अनुसार राज्यों को पहले की बनिस्वत दुगने अंकों में उन्हें अनुदान दिया जायेगा। यह भी सही है कि इसमें जो हर राज्य की आबादी, गरीबी और आमदनी है इन सारी चीजों का ख्याल करके यह किया गया है और इससे यह स्वरूप भी निखरता है कि इकनामिक पावर का विकेन्द्रीकरण हुआ है। इतने सारे रुपये का जो प्रतिशत केन्द्र के हाथ में रह जाता था, उसका विकेन्द्रीकरण इस से किया गया है और यह सचमुच जो अपना फ़ैडरल स्ट्रक्चर है उसका सही स्वरूप क्या होना चाहिये, उस ओर बढ़ते हुए यह एक कदम है। परन्तु इसके अन्दर यह भी देखा गया है कि कुछ एक्साइज लगा दिये जाते हैं या कुछ विडड्रा कर लिये जाते हैं राज्यों से पूछे बिना, मेरी समझ में यह उचित नहीं है क्योंकि जो भी आमदनी एक्साइज से आती है और उस आमदनी का राज्यों को चालीस प्रतिशत जाता है, तो जब हम कोई एक्साइज टैक्स विडड्रा करते हैं, तो वैसी हालत में राज्यों को पूछना भी आवश्यक है। बल्कि जब एक्साइज बढ़ाते भी हैं; तब भी पूछना चाहिये।

उदाहरण के लिये तम्बाकू के ऊपर, जो अन-मैनुफैक्चर्ड तम्बाकू है उस पर से एक्साइज वापिस ले ली है। इससे एक सौ करोड़ रुपये का घाटा एक्सचेंजर को होगा और यदि सौ करोड़ रुपये का घाटा है तो इससे स्टेट्स को जो आमदनी आनी चाहिये उसमें भी कमी हुई है। इस कारण यह जो

अन-मैनुफैक्चर्ड तम्बाकू पर से इक्साइज वापिस ले लेना या किसी चीज के ऊपर लगा देना, यह स्टेट्स की कनसल्टेशन के बगैर नहीं होना चाहिये।

श्री सतीश अग्रवाल: जो अन-मैनुफैक्चर्ड टुबेको पर रिलीफ दिया है उसको मैनुफैक्चर्ड टुबेको पर ट्रांसफर कर दिया है। इसमें —

—In terms of realisation that does not make a difference, States are not losers.

श्री राम लखन प्रसाद गुप्त: परन्तु मेरा एक सिद्धांत का सवाल है कि लगाने या वापिस लेने में राज्य सरकार से कंसल्टेशन होना चाहिए। इसी संदर्भ में मैं मंत्री महोदय का ध्यान बिहार की तरफ ले जाना चाहता हूं। मैंने पहले भी अपने एक भाषण में कहा था कि बिहार समूचे देश के अन्दर सबसे पिछड़ा राज्य है उड़ीसा से भी पिछड़ा राज्य बिहार हो गया है, जब कि बिहार के अन्दर हर चीज है, देश के अन्दर सबसे ज्यादा उत्पादन कोयले का बिहार में होता है। उसी तरह से लोहा, मइका, कापर, बोक्साइट, यूरेनियम, सिल्वर, गोल्ड सारे खनिज पदार्थ वहां होते हैं। इन सारी चीजों के बावजूद आज आर्थिक दृष्टि से भी बिहार क्यों पिछड़ा है। सामाजिक दृष्टि से पिछड़ा होना एक और बात हो सकती है। परन्तु इतनी सारी चीजों का उत्पादन होता है, उन सारी चीजों के ऊपर एक्साइज लगता है, उसके बावजूद बिहार इतना पीछे है, उस के कोई काम हो नहीं पाते हैं। ला एण्ड आर्डर को मेन्टेन करने में कितना खर्च होता है? उससे उसकी आमदनी में कमी होती है। इसलिए मैं मंत्री महोदय का ध्यान आकर्षित करता हूं कि इन सब चीजों के रहते हुए बिहार की यह हालत क्यों है? इस पर यह सोचना चाहिए कि क्या पालिसी अपनाई जाए जिससे कि बिहार की आमदनी बढ़े, बहुत अधिक बढ़े, जिसके कारण आर्थिक स्थिति में वह हिन्दुस्तान के और भी प्रदेशों की बराबरी में आ सके।

[श्री राम लाखन प्रसाद गुप्ता]

जहां तक दूसरा इस्टेट ड्यूटी डिस्ट्रिब्यूशन अमेण्डमेंट बिल 1979 है इसका भी मैं समर्थन करता हूं। इस के अनुसार भी 1979-84 में 64 करोड़ रु० राज्यों को दिए जाएंगे, परन्तु, जहां तक मैं समझा हूं, इस बिल के अनुसार जा आमदनी उसको आएगी, एग्रिकल्चरल प्रापर्टी को छोड़कर जो आमदनी आएगी, उसका वितरण किया जाएगा। यह समझ में बात नहीं आती है कि जब इस्टेट ड्यूटी में एग्रिकल्चरल प्रापर्टी भी है, मूवेबल, इम्यूवेबल प्रापर्टी और अग्रिकल्चरल प्रापर्टी भी है, जो एग्रिकल्चरल प्रापर्टी को छोड़कर बाकी रूपए का शेयर स्टेट को दिया जाएगा मैं इस पर चाहूंगा कि मंत्री महोदय एक्साइज करेंगे या तो मेरी समझ में बात नहीं आयी इस में एग्रिकल्चरल प्रापर्टी को भी जोड़ना चाहिए।

जहां तक एक्साइज ड्यूटी का प्रश्न है, इस का भी मैं समर्थन करता हूं। लेकिन इस के अन्दर जो शुगर टोबैको और फैब्रिक्स का बात रखी गई है, मैं इसके संदर्भ में एक बात कहना चाहता हूं कि अगर शुगर के लिए ईख है, तो ईख से ही चीनी बनती है, चीनी के ऊपर एक्साइज लगता है। जो मोलेसज हैं, छेवा है, गुड़ है उस के ऊपर भी एक्साइज लगता है। परन्तु जब ईख की मिठी बन जाती है जो कहीं तो जलावन के काम आती है, कहीं पेपर के काम में आती है, और पेपर पर भी एक्साइज लगता है तो उस मिठी के ऊपर लगाने का प्रश्न कहाँ आता है उसके ऊपर एक्साइज नहीं लगाना चाहिए, लेकिन उस पर भी लगता है। इस तरह की कई प्राइम्स ऐसी आती हैं कि जिस पर एक्साइज नहीं लगाना उस पर लगाना और जिस पर लगाना उसको छोड़ देना। इस बात की ओर ध्यान देना चाहिए।

जहां तक भ्रष्टाचार का प्रश्न है, उसभाषा में महोदय, यह बात सही है जैसा

हमारे श्रेष्ठ वक्ता गुप्त जी ने कहा, पार्लियामेंट में भी भ्रष्टाचार की बात करना बेकार है क्योंकि दैट इज आर्डर आफ द डे। मैं इस बात को नहीं मानता। भ्रष्टाचार तो बहुत जगह है परन्तु सब जगह है यह हम नहीं कह सकते हैं और बिल्कुल इस बात को मान कर कि यह सभी जगह है निराश होकर चलने से भी नहीं होगा बल्कि हमें तो उस रास्ते को देखना होगा जिस रास्ते से भ्रष्टाचार न हो और उसको कैसे कम किया जा सकता है। परन्तु है क्या यह उपसमापति महोदय? यह एक स्कूल आफ थॉट है जो महात्मा गांधी, लोकमान्य बालगंगाधर तिलक, के० ए० मुन्शी लाला लाजपत राय, पुरुषोत्तम दास टंडन आदि इस तरह से कुछ ऐसे राजनीतिक हुए हैं; हिन्दुस्तान के अन्दर जिन्होंने आध्यात्मिकता को राजनीति के साथ जोड़ा हुआ है, जिन्होंने व्यक्तिगत चरित्र को राजनीति के साथ जोड़े हुए रखा है। परन्तु एक ऐसा भी स्कूल आफ थॉट है जवाहर लाल नेहरू, इन्दिरा गांधी जैसे लोगों का जो कहते हैं कि व्यक्तिगत चरित्र का राजनीति से कोई सम्बन्ध नहीं है और यह कहने से इस तरह की बात फेलती जा रही है चारों तरफ हमारे नजवानों में और राजनीतिज्ञों में कि व्यक्तिगत चरित्र का कोई सम्बन्ध नहीं है राजनीति से। कल मैंने एक सिनेमा देखा था "किस्सा कुर्सी का" उसमें जैसा कहा गया है 'Politics is the art of compromise.'

और यह कहकर जो स्वरूप रखा गया है आज उसी स्वरूप के कारण भ्रष्टाचार बढ़ता-बढ़ता इतनी दूर तक आ गया है कि पता नहीं कहां तक जायेगा। इसलिए हम सब राजनीतिज्ञों को इस बात पर ध्यान देना होगा। हमें सिर्फ निराशा की बात न करके, करप्सन की बात न

सोचकर, अच्छे रास्ते पर कैसे लाया जा सकता है देश को इस बात पर ध्यान देना होगा। एक्साइज का जो ला है उसके नीचे भ्रष्टाचार है, लेकिन सभी जगह भ्रष्टाचार नहीं है। कई जगह ऐसा उत्पादन है जिससे ऑटोमैटिकली एक्साइज आता है। वहां भ्रष्ट अफसर भी कुछ नहीं कर सकते हैं। लेकिन नेपाल बोर्डर पर भ्रष्ट अफसर हैं। हिन्दुस्तान और नेपाल का सैकड़ों मील का बार्डर है। आज बहुत सारा माल आता-जाता है, स्मगलिंग होती है बिहार में। करोड़ों रुपए का माल नेपाल से आता होगा बिहार और आकर बिकता होगा। इन सारी जगहों पर पोस्टेड अफसर बहुत सारे भ्रष्ट भी होते हैं और उसके ऊपर भी ध्यान देना होगा।

हमारे श्री भूपेण गुप्त जी ने बहुत ही गौरव के साथ कहा, संजय गांधी और कम्युनिस्टों के साथ आर० एस० एस० का मुकाबला किया, कहा कि आर० एस० एस० किसी काबिल है कि कम्युनिस्टों के साथ मुकाबला कर सके। मुझे उस समय बहुत हंसी आ रही थी पर बीच में इंटरफियर करना उचित नहीं था। आर० एस० एस० कभी नहीं चाहता कि उसकी तुलना कम्युनिस्टों के साथ की जाये। एक देश-भक्त और एक दूसरे देश के अन्दर आस्था रखने वाले—एसे दो दलों के लोग की तुलना बिल्कुल उचित नहीं है। उन का यह सोचना सही नहीं है। इन्हीं शब्दों के साथ मैं अपनी बात समाप्त करता हूँ।

श्री कल्पनाय राय (उत्तर प्रदेश) : आदरणीय उपसभापति महोदय, आदरणीय अग्रवाल जी ने संघ उद्देश्य (वितरण) विधेयक और अतिरिक्त उत्पाद शुल्क (विशेष महत्व का माल) विधेयक प्रस्तुत किया है। मुझे बड़ी तकलीफ है कि राज्य सभा के अन्दर जब भी वित्त विभाग पर बहस होती है तो यहां वित्त मंत्री मौजूद नहीं रहते हैं। जब भी यहां

बहस होती है उन्हें यहां पर मौजूद रहना चाहिये। चौधरी चरण सिंह यहां मौजूद नहीं हैं बल्कि राज्य मंत्री अग्रवाल जी मौजूद हैं। मैं नहीं समझता कि वे वित्त मंत्री किस बात के लिए हैं। चेंबरमैन साहब ने भी हाउस में कमेंट किया कि जब वित्त मंत्रालय के लोग वित्त सम्बन्धी प्रश्नों को नहीं समझते हैं तब इसके लिए मैं क्या करूं। खुद वित्त मंत्री जी उस समय मौजूद थे। ऐसी स्थिति में यह निन्दा का विषय है कि देश के वित्त विभाग पर बहस हो रही हो तो सदन के अन्दर वित्त मंत्री मौजूद नहीं। जहां तक हमने समझा है यों तो वित्त मंत्र सतीश अग्रवाल जी को होना चाहिये क्योंकि उनमें यह योग्यता है, यह क्षमता है कि हाउस में आकर सदस्यों के प्रश्नों का मुकाबला करें लेकिन जुल्फिकारउल्ला और चौधरी चरण सिंह जो वित्त विभाग को जानते ही नहीं ऐसे लोगों को रखा हुआ है। इनको तो अपने मन से ही इस विभाग को छोड़ देना चाहिये। क्यों जुल्फिकारउल्ला जैसे लोगों को वित्त मंत्री बनाने हैं? शिव चन्द्र झा को बनाइये, भाई महावीर को बनाइये। जो मानसिक रूप से दिवालिए लोग हैं वे क्यों आकर इन विभागों में बैठते हैं और संसद में हम क्यों बहस चलाये।

उपसभापति महोदय, जनता सरकार ने अपने सेविन्थ फाइनेंस कमीशन के माध्यम से जो राज्यों को कुछ ज्यादा राहत दी है वित्त के मामले में वह एक सराहनीय कदम है और इस कदम से निश्चित ही राज्यों को कुछ बल मिलेगा। लेकिन इसके साथ पूरे देश में एक आवाज लगातार यह उठ रही है ज्योति बसु की, एम० जी० रामचन्द्रन की, देवराज अर्स की, प्रकाश सिंह बादल की, राज्यों की तरफ से लगातार यह आवाज उठ रही है कि राज्यों के विकास के लिए जितने पैसे की आवश्यकता है उतना पैसा नहीं मिल रहा। यह

[श्री कल्प नाथ राय]

बात सही भी है अनेक राज्यों को डेवलपमेंट के काम करने पड़ते हैं और जितनी उनकी आवश्यकतायें हैं उसके अनुकूल उनके पास फाइनेंस नहीं है। केन्द्रीय सरकार तो विदेशों से भी कर्ज ले सकती है, केन्द्रीय सरकार बैंकों से भी कर्ज ले सकती है, केन्द्रीय सरकार एक्स्ट्रा नोट भी छपवा सकती है, लेकिन यह सुविधा राज्यों को नहीं है क्योंकि आप ने तो अब ओवर-ड्राफ्टिंग को भी बन्द कर दिया है। राज्य सरकारें ओवर-ड्राफ्ट ले कर भी अपने डेवलपमेंट का काम नहीं कर सकतीं क्योंकि आपने उस पर भी बड़ी भारी रोक लगा दी है। इस सातवें फाइनेंस कमीशन के अनुसार 40 प्रतिशत धन राज्यों के विकास पर खर्च किया जाएगा और पिछले 60वें फाइनेंस कमीशन से दूना धन इसमें एलोकेट किया गया है। यह एक बहुत अच्छा कदम है। लेकिन विकास तो इस मुल्क में तभी होगा जब कि यहां एक चौखम्बा राज्य की स्थापना होगी। गांव की पंचायत, जिले की पंचायत, राज्य की पंचायत और केन्द्र की पंचायत, इन चार पंचायतों के आधार पर हमारे देश के जनतंत्र की आधारशिला रखी गयी है। आज हमारे देश में 5 या 6 लाख गांव हैं। उनके विकास के लिए उनका अपना कोई बजट नहीं है। उनके पास उनके चुने हुये प्रधान हैं, उनके अपने पंचायत के सदस्य हैं, उसके बाद डिस्ट्रिक्ट की पंचायत है। उसका भी संचालन डेमोक्रेटिक तरीके से होता है, लेकिन अपने जिले के विकास के लिए उनके पास पैसा नहीं है। इसी प्रकार राज्य की पंचायत का हाल है। तो सरकार को कोई ऐसी व्यवस्था करनी चाहिये कि इस मुल्क में जितनी धनराशि एकट्ठा हो राज्य का संचालन करने के लिए उसका एक बटा चार हिस्से गांधी की मिलना चाहिये, एक बटा चार हिस्सा जिले को मिलना चाहिए एक बटा चार हिस्सा राज्य को मिलना चाहिए और

उतना ही भाग केन्द्र को मिलना चाहिए। जब तक विकेंद्रित अर्थव्यवस्था के आधार पर इस मुल्क के विकास के कार्यक्रम को नहीं चलाया जाएगा तब तक इस मुल्क का चतुर्विक विकास नहीं हो सकता। उप-सभापति महोदय, पिछले तीस सालों से इस मुल्क में कांग्रेस को हकूमत रही है। उसने देश के विकास के लिए अनेकानेक प्रयास किए हैं। अब एक नई सरकार आये हैं प्रजातंत्र में सरकार का आना जाना लगा ही रहता है और यह एक अच्छी बात है। लेकिन आज जनता सरकार द्वारा बहुत लम्बी चौड़ी बातों की जाती हैं मानो कि वह सत्ता में आ गये तो यह बड़ा भारी काम हो गया। वैसे तो कांग्रेस पार्टी को 15 साल के बाद सत्ता से हट जाना चाहिए था। 15, 20 साल में जब सरकारों का परिवर्तन होता है तो वह विकास के हित में होता है। तीस वर्ष तक एक ही पार्टी का सत्ता में बने रहना उचित नहीं था, लेकिन अगर आप सत्ता में आ गये तो दिन रात पिछली सरकार को कोसने से और किसी एक व्यक्ति की चरित्रहत्या करने से तो कुछ नहीं होगा। आप की आपसी उलझने किसी से छिपी नहीं है। मैं जानता हूं कि जनता सरकार ने कुछ अच्छे काम भी किये हैं लेकिन उन के आपसी झगड़ो ने और कुर्सी के लिये संघर्ष ने ऐसा विषाक्त वातावरण इस देश में बना दिया है कि आज मुल्क में एक अराजकता की स्थिति उत्पन्न हो गयी है। किसी भी मुल्क के विकास के लिये, किसी भी देश की आजादी की रक्षा के लिये उस की यूनिटी सबसे ज्यादा जरूरी चीज है। देश की एकता जब मजबूत होती है तभी उस देश की आजादी को बचाया जा सकता है और आजादी तभी बच सकती है कि जब देश सेल्फ रिलायंस हो। आज जब तक अपने मुल्क के पास आधुनिक अर्थ व्यवस्था नहीं होगी तब तक अपना या कोई भी मुल्क अपनी आजादी की रक्षा नहीं कर सकता। दुर्भाग्य है कि जनता सरकार ने सत्ता में आने के बाद इस दिशा में कुछ नहीं किया और पिछली सरकार की जितनी भी उपलब्धियां हैं, जो भी

उस ने हामिल की थीं उन को वह नष्ट करने पर तुली हुई है। आज जनता सरकार की हुकूमत में हिन्दुस्तान की एकता खतरे में है। देश की एकता खतरे में होने के कारण मुल्क की आजादी खतरे में है और आजादी इस लिये खतरे में है क्योंकि जो हिन्दुस्तान की अर्थ व्यवस्था सेल्फ रिलायंस की तरफ जा रही थी, जो अपने आप में आत्म-निर्भर हो रही थी वह अर्थ व्यवस्था अब विदेशों की ताकत पर निर्भर होने जा रही है। इस मुल्क में खेती के मामले में हमने आत्मनिर्भर हो कर खाद्यान्न के मामले में आत्म-निर्भरता प्राप्त की। हम ने लोहे, कोयले, सीमेंट के मामले में आत्मनिर्भरता हासिल की और सेल्फ रिलायंस इकानामी को डेवलप किया। हमने अपना तकनीकी विकास कर के सेल्फ रिलायंस को विकसित किया। हमने अनाज के क्षेत्र में सेल्फ रिलायंस इकानामी को प्राप्त किया और पिछली सरकार इस के लिये वधाई की पात्र रही है। उसने इस कंगाल, नंगे, भूखे हिन्दुस्तान को अन्न के मामले में आत्मनिर्भर बनाया। इंडस्ट्रियल क्षेत्र में इसको दुनिया का दसवां राष्ट्र बनाया, तकनीकी क्षेत्र में इस को दुनिया का छठवां बनाया और इस मुल्क की एकता को मजबूत किया, इस मुल्क की आजादी को मजबूत किया। इस मुल्क की आजादी का बरकरार रखने के लिए इस मुल्क के अन्दर सैल्फ-रिलायंस इकानामी को खड़ा किया। लेकिन आज क्या स्थिति है? आज हम सीमेंट इपोर्ट कर रहे हैं, आज हम कोयला इपोर्ट कर रहे हैं, आज हम अपने मुल्क के अन्दर लोहे का इपोर्ट कर रहे हैं, आज देश के अन्दर मल्टी-नेशनल कंपनीज को पब्लिक सेक्टर इकानामी के अन्दर, बुला रहे हैं। यह सैल्फरिलायेंस अर्थ-व्यवस्था को मजबूत करने की तरफ कदम है या विदेशियों के ऊपर मुनहसर करने का प्रबन्ध है। आज लम्बी चौड़ी बातों से काम नहीं चलेगा। इस मुल्क की जनता सब कुछ समझती है। जो आज यह समझते हैं कि इस देश की जनता समझदार नहीं है वह खुद बेवकूफ हैं। इस मुल्क की जनता खूब समझती है कि कौन

सरकार, कौन पार्टी, और कौन लोग इस मुल्क के लिए काम करते हैं। आज इस मुल्क की जो आत्म-निर्भरता की पालिसी थी उसको त्यागकर यह सरकार बिल्कुल साम्राज्यवादियों के ऊपर या उन मुल्कों के ऊपर मुनहसर करने जा रही है जो इस मुल्क को मदा के लिए गुलाम बनाकर रखना चाहते हैं। आज इस मुल्क की नीति का निर्धारण पार्लियामेंट में नहीं होता है, आज इसका निर्धारण कैबिनेट में नहीं होता, आज इस मुल्क की नीति का निर्धारण अमरीका में होता है। हिन्दुस्तान परमाणु विस्फोट करेगा कि नहीं यह प्रश्न कैबिनेट तय नहीं करेगा, यह प्रश्न तय करेगा अमरीका या विदेशी भूमि पर—प्रधान मंत्री उसकी घोषणा करेंगे। यह आत्म-निर्भरता की पीठ में छुरा घोंपने के समान है। यह सदा के लिए मल्टीनेशनल्स और विदेशियों के हाथों में देश को गिरवी रखने के समान है। मैं जानता हूँ कि मेरी बातों से आप सहमत नहीं होंगे, लेकिन मुझे अपनी बातों को कड़े शब्दों में आपने सामने रखने का अधिकार है।

उपसभापति महोदय, मैं आपसे निवेदन करना चाहता हूँ कि इस देश में हमने सैल्फ-रिलायेंस इकानामी को स्टेबिलाइज किया क्योंकि जब तक किसी भी मुल्क में पोलिटिकल स्टेबिलिटी नहीं होती है तब तक उस में इकानामिक स्टेबिलिटी नहीं हो सकती। आज हमारे देश में जो निर्माण के काम होने चाहिए, जो व्यूरोक्रेसी पर नियंत्रण होना चाहिए, जो मुल्क के अन्दर विकास की रफ्तार होनी चाहिए, जो मुल्क में पोलिटिकल इन्-स्टेबिलिटी है उसके कारण विकास के सारे काम ठप्प पड़ रहे हैं। आखिर क्या कारण है कि आज हिन्दुस्तान के पिछड़े इलाके हिन्दी भाषी इलाके हैं। उत्तर प्रदेश, बिहार, राजस्थान, मध्य प्रदेश, हिमाचल प्रदेश आज सबसे पिछड़े हुए इलाके हैं। ये हिन्दी भाषा भाषी इलाके प्रगति की रफ्तार में आर्थिक

दृष्टि से पिछड़े हुए राज्य है। यह सौभाग्य की बात है कि जनता सरकार का प्रबल बहुमत, स्ट्रागेस्ट मेजारिटी की सरकारें उत्तर प्रदेश, बिहार, राजस्थान, मध्य प्रदेश, हिमाचल प्रदेश और उड़ीसा में है जो हिन्दुस्तान के सबसे पिछड़े हुए इलाके हैं अर्थात् जो हिन्दी भाषा-भाषी इलाके आर्थिक दृष्टि से सबसे कमजोर इलाके थे उन इलाकों में जनता पार्टी की सरकारें आज कायम है। केन्द्र में जनता सरकार कायम है, राज्यों में जनता सरकार कायम है तो वहां इकानामिक डेवलपमेंट का काम सबसे ज्यादा होना चाहिए क्योंकि इन राज्यों में जनता सरकार का प्रबल बहुमत है। यह महान् दुर्भाग्यपूर्ण बात है कि आप के भी प्रान्त में आज ही मैंने पढ़ा कि वहां के दो कैबिनेट मंत्रियों को मुख्य मंत्री ने निकाल बाहर किया। पिछले दो वर्षों में जनता सरकार ने आर्थिक विकास के कामों को छोड़कर केवल कुर्सी की लड़ाई में पोलिटिकल इनस्टेबिलिटी कायम करने का काम किया है। हिन्दी भाषा-भाषी इलाकों में पोलिटिकल इनस्टेबिलिटी कायम करने के लिए जनता सरकार जिम्मेदार है। किसी भी मुख्य मंत्री को वह 5 वर्ष काम करने नहीं देगो बल्कि दो ही वर्ष के अन्दर तीन-तीन बार, पांच-पांच बार शक्ति परीक्षण करने का काम दिया गया और लगातार मुख्य मंत्री अपनी कुर्सी को बचाने के लिए हरियाणा से लेकर बिहार तक इस एम०एल० ए० को मिलाने, उसको मिलाने के काम करने के अलावा अपने राज्य के डेवलपमेंट की तरफ ध्यान नहीं दे रहा है। हिन्दी भाषी राज्यों में इकानामिक डेवलपमेंट की तरफ उसका ध्यान नहीं रहा बल्कि सारा ध्यान अपनी कुर्सी बचाने के चक्कर में रहा। अभी उन्हें दो या सवा दो वर्ष सत्ता में आए हुए है और इन दो वर्षों में एक भी इकोनॉमिक डेवलपमेंट का काम इन हिन्दी भाषा-भाषी इलाकों में नहीं हुआ है। इस लिए नहीं हुआ है क्योंकि पोलिटिकल स्टेबिलिटी नाम की कोई चीज इन राज्यों में नहीं है जबकि इन हिन्दी

भाषा-भाषी राज्यों में जनता पार्टी का प्रबल बहुमत है

आप ने बजट का एलोकेशन किया। राज्यों को आपने पैसा दिया। मैं पूछना चाहता हूं कि जो आपने पैसा दिया उस पैसे का इस्तेमाल कैसे होगा। आपकी वहां सरकार है और आपकी की सरकार रहनी चाहिये। मैं यह चाहता हूं और ईश्वर से बिनती करता हूं कि जनता पार्टी की सरकार पांच वर्ष तक तो कम से कम केन्द्र में और राज्यों में रहे। देश की जनता को यह अवसर मिलना चाहिये कि वह मूल्यांकन करके यह निर्णय ले कौन सी सरकार ठीक है। यह सरकार ठीक है या पिछली सरकार ठीक था या किसी अन्य पार्टी की सरकार अच्छा काम करेगी। क्योंकि प्रजातंत्र में सरकारों का आना-जाना जरूरी है और उनका सरकार में कायम रहना जरूरी है तभी जनता को मूल्यांकन करने का अवसर मिलेगा कि किस पार्टी ने किस सरकार ने हमारे डेवलपमेंट का काम ठीक से किया और किस ने ठीक से नहीं किया। मेरा यह कहना है कि जहां जनता सरकार है, जहां जनता सरकार का प्रबल बहुमत है वहां पोलिटिकल स्टेबिलिटी नहीं है, इकोनॉमिक दृष्टि से बैकवर्ड क्षेत्र हो गये हैं। यही कारण है कि आज देश को, हमारी इस सरकार को विदेशों से इम्पोर्ट करना पड़ रहा है सारा सामान। जिस चीज में पिछली सरकार ने आत्मनिर्भरता प्राप्त कर ली थी उन्ही चीजों को इनको इम्पोर्ट करना पड़ रहा है। इसलिये मेरा निवेदन यह है कि आदरणीय वित्त मंत्री जी से कि वह ऐसी व्यवस्था करें जिसके माध्यम से राज्यों को फेड्रल सिस्टम के अन्तर्गत पूरा पैसा मिले। जितना पैसा आपने दिया है इसके लिये तो आपको बढ़ाई लेकिन और भी पैसा देने की कृपा करेंगे क्योंकि उन्हीं के ऊपर ज्यादा डेवलपमेंट का काम मुनहसिर करता है। राज्य सरकारों को ही ज्यादा डेवलपमेंट का काम करना पड़ता है। इसके साथ

जिला पंचायतों और ग्राम पंचायतों को चाहे वहाँ कांग्रेस की सरकार हो या जनता पार्टी की सरकार हो जब तक डीसेन्ट्रलाइजेशन अर्थ व्यवस्था के अन्तर्गत उनकी ताकत के मुताबिक बजट का एलोकेशन नहीं करते तब तक हिन्दुस्तान में विकास नहीं हो सकता। इतने बड़े देश में आर्थिक स्वतंत्रता को प्राप्त करने के लिये, आत्म-निर्भरता को प्राप्त करने के लिये, प्रजातंत्र के साथ-साथ आर्थिक प्रजातंत्र को कायम करने के लिये मन की आजादी के साथ पेट की आजादी को भी कायम करने के लिये, मुल्क को अर्थिक सम्पन्न, ताकतवर बनाने के लिये यह आवश्यक है कि जितना भी पैसा, रुपया बजट में रखा जाता है उस बजट का $\frac{1}{4}$ हिस्सा गांवों में पंचायतों को दिया जाए और कंस्टीट्यूशन के अन्दर बुनियादी रूपसे इसके लिये परिवर्तन किया जाए। जिस स्टेट्यूटरी पावर्स के अन्दर यह देश काम कर रहा है, स्टेट्यूटरी अर्थ व्यवस्था के अन्दर मुल्क काम कर रहा है वंसी ही स्टेट्यूटरी व्यवस्था होनी चाहिये डिस्ट्रिक्ट पंचायतों में, ग्राम पंचायतों में तभी गांवों में विकास हो सकता है, राष्ट्र का विकास हो सकता है।

इसके साथ-साथ मुझे बड़ी तकलीफ है, मुझे बड़ा दुःख है कि आज जनता पार्टी की सरकार के मंत्री आज अगर कोई बात कहते हैं कल उसी को उलट देते हैं। आज इस मुल्क में नैतिकता का स्तर बहुत हद तक गिर गया है। यह मैं नहीं कहता यह जनता सरकार के ही मंत्रियों ने कहा है। हमारे मित्र ने जो अभी वान कही है वह भ्रष्टाचार की बात कही है। मैं आपसे निवेदन करना चाहता हूँ कि मैंने यह आरोप नहीं लगाया है। मैंने बीजू पटनायक जी पर आरोप नहीं लगाया है बल्कि जनता पार्टी के मेम्बर पार्लियामेंट ने बीजू पटनायक पर भ्रष्टाचार का आरोप लगाया है। मुख्य मंत्री श्री मन्मोहन बागेली के ऊपर भ्रष्टाचार का आरोप मैंने नहीं लगाया है जनता पार्टी के रामेश्वर सिंह ने लगाया है। प्रधान मंत्री के

बेटे के ऊपर भ्रष्टाचार का आरोप मैंने नहीं लगाया है, भारत के गृह मंत्री चौधरी चरण सिंह ने लिखा था, चौधरी चरण सिंह ने कहा था।

"The Janata Government is working under the shadow of corruption. I am surrounded by corrupt Ministers. I am working under the shadow of corruption. Let there be a Commission of Inquiry . . ."

यह बात मैंने नहीं कही है यह बात कही है चौधरी चरण सिंह ने भारत सरकार के भूतपूर्व गृह मंत्री ने कही है। उन्होंने 11 मार्च, को चिट्ठी लिखी। उन्होंने 21 मार्च, को चिट्ठी लिखी, 23 मार्च को चिट्ठी लिखी। उन्होंने गृह मंत्री की हैसियत से प्रधान मंत्री को पत्र लिखा —

"The Janata Government is working the shadow of corruption. I am surrounded by corrupt Ministers. Your son is corrupt There must be a commission of inquiry against your son." He quoted Lord Chatham, Minister of England:—

"If there is any allegation against a Cabinet Minister, let there be a commission of inquiry. If the allegation is correct, then the Minister will have to go out and the prestige of the Government will go high. And if the allegation is not correct, even then the prestige of the Government will go high."

इसके बाद खुद उस व्यक्ति ने, चौधरी चरण सिंह ने प्रधान मंत्री को पत्र लिखा

"If there is any allegation against my relations, a commission of inquiry be instituted, the sooner the better."

यह पत्र गृह मंत्री ने लिखा था। उसी गृह मंत्री पर भ्रष्टाचार के आरोप लगाये गये

हैं कि काशीपुर, नैनीताल जिले के अन्तर्गत एक-एक एकड़ जमीन साढ़े 9 लाख रुपयों में बेची गई है जिसमें चौधरी चरण के दामाद और उनकी बहिन का बेटा सम्मिलित है। मैंने कहा था कि —

Chaudhari Charan Singh is a benami owner of that land. Chaudhari Charan Singh's wife has knowledge of that land deal.

मैंने कहा था कि Chaudhari Charan Singh has knowledge of that land deal.

हमने इस संबंध में स्टैम्प लगा कर आरोप को पार्लियामेंट में पेश किया। आज सभी विरोधी पार्टियों के लोग चुप हैं, जनता पार्टी के लोग चुप हैं, कम्युनिस्ट पार्टी के लोग चुप हैं, मार्क्सिस्ट पार्टी के लोग चुप हैं, कांग्रेस पार्टी के लोग चुप हैं और हमारी पार्टी के लोग चुप हैं, मेरी समझ में नहीं आता कि ये लोग क्यों चुप हैं? श्री जवाहर लाल नेहरू ने श्री केशव देव मालवीय को अपनी कैबिनेट से निकाल दिया था। उनके ऊपर केवल इतना ही आरोप माबित था कि उन्होंने एक पत्र श्री सिराजुद्दौला को लिखा था जिसमें 10 हजार रुपये श्री जलील अब्बासी को देने के लिये कहा गया और वह रुपया चुनाव लड़ने के लिए दिया गया था। दास कमीशन ने अपने फंडले में लिखा कि चूंकि कैबिनेट मिनिस्टर ने 10 हजार रुपये देने के लिये लिखा है और उसका हिसाब ए० आई०-सी० सी० को नहीं दिया गया है इसलिए श्री के० डी० मालवीय ने भ्रष्टाचार किया है और इसलिए उनको हटाया जाना चाहिए। लेकिन यहाँ तो वित्त मंत्री के ऊपर डायरेक्टर आरोप साबित है। प्रधान मंत्री के बेटे के ऊपर भ्रष्टाचार के आरोप खुद श्री चरण सिंह ने लगाया है। जनता पार्टी के एक एम० पी० ने बीजू पटनायक पर भ्रष्टाचार के आरोप लगाये हैं। ऐसी हालत में आप कमीशन आफ इन्क्वायरी क्यों

नहीं एपायन्ट कर रहे हैं। मैंने पार्लियामेंट में कहा है,

I have said, if there is not a charge of corruption against Chaudhari Charan Singh, I will retire from public life but let there be a commission of inquiry against him. I will come before the Commission of Inquiry and speak what is the truth and what is not the truth.

इन लोगों में आज कोई शर्म नहीं रह गयी है। इन के पास मान्यताओं के लिये कोई जगह नहीं है। आज इस जनता सरकार के ऊपर अनेक भ्रष्टाचार के आरोप लगे हुए हैं। यह सदाचार की शिक्षा देने वाली सरकार खुद दुम दबा कर बैठी हुई है। मैं पूछना चाहता हूँ कि आप क्यों नहीं कमीशन आफ इन्क्वायरी बैठाते हैं। हमने मांग की है और प्रधान मंत्री को 21 मार्च को कहा है कि मंत्रियों के रिस्तेदारों के खिलाफ जो आरोप लगाये गये हैं उनके लिए कमीशन आफ इन्क्वायरी बैठाई जाय। आज ये लोग चुप क्यों है? श्री भूपेश गुप्ता और श्री कमलापति त्रिपाठी ने इन्क्वायरी करने से इन्कार कर दिया कि हम जांच नहीं करेंगे क्योंकि हमारे पास कोई ला की अथारिटी नहीं है।

"I have no authority of law. We people will not inquire into the matter."

मैं पूछना चाहता हूँ कि वित्त मंत्री खुद ही कमीशन आफ इन्क्वायरी क्यों नहीं बैठा रहे हैं? सदाचार का नारा लगाने वाले और स्वच्छ प्रशासन का नाम लेने वाले आज दुम दबाकर क्यों बैठे हैं? क्यों कमीशन आफ इन्क्वायरी बैठाते हैं ताकि कमीशन के सामने सारे भ्रष्टाचार के आरोप रख दिये जायें। आपके खिलाफ एक नहीं सैकड़ों भ्रष्टाचार के आरोप हैं।

श्रीमन्, अभी उन्होंने मुझे पत्र लिखा है कि साहब, आपने जो 'सूर्या' को इन्टरव्यू

दिया है उसके संबंध में आप मई के महीने तक जवाब दे दीजिए और अगर आपका जवाब नहीं आया तो मैं होम मिनिस्टर को चिट्ठी लिख दूंगा कि आपके खिलाफ कोर्ट में केस दायर किया जाए। मेरी चौधरी चरण सिंह को चुनौती है कि वे खुद मेरे खिलाफ केस दाखिल करें। यह कहना कि होम मिनिस्टर को कहेंगे कि वह आपके खिलाफ केस दायर करेंगे, दुनिया को बेवकूफ बनाने वाली बात है। आप में हिम्मत है तो मेरे खिलाफ कोर्ट में मुकद्दमा दायर कीजिए। मैं कोर्ट में एक-एक आरोप को साबित करूंगा। इसके अलावा भी मेरे पास भ्रष्टाचार के प्रमाण हैं। उनको मैं कोर्ट के सामने रखूंगा। मेरी आपको चुनौती है। यदि आप में हिम्मत है तो खुद कोर्ट में केस दायर कीजिए। हमारे खिलाफ होम मिनिस्टर को चिट्ठी मत लिखिये। देश को बेवकूफ मत बनाइये। इस जनता सरकार

पर भ्रष्टाचार के अनेक आरोप हैं। वह 3 P.M. भ्रष्टाचार के आरोप सही हैं। उन्होंने काशीपुर-नैनीताल जमीन कांड में भ्रष्टाचार किया है, करवाया है। उनके दामाद, उनके रिश्तेदार, उनके बहिन के बेटे उसमें शामिल हैं और उनके ऊपर भ्रष्टाचार के आरोप हैं। कमीशन आफ इन्क्वायरी में हम इस बारे में सारे प्रमाणों को रखने को तैयार हैं, कोर्ट आफ लॉ में इन प्रमाणों को रखने को तैयार हैं। उपसभापति महोदय, इन शब्दों के साथ मैं वित्त मंत्री महोदय से मांग करता हूँ कि वह राज्यों को ही नहीं बल्कि जिला पंचायतों और ग्राम पंचायतों को भी से अधिक अधिक धन देने की व्यवस्था करे।

डा० भाई महावीर : श्रीमन्, मैं अपने मित्र से एक छोटा सा प्रश्न पूछना चाहता हूँ। आपने कमीशन आफ इन्क्वायरी बनाने की जो बात की उसमें बड़ा वजन है। लेकिन एक कमीशन आफ इन्क्वायरी कर्नाटक के मुख्य मंत्री के बारे में बना था और उसके परिणाम आ चुके हैं, उसके बारे में मेरे माननीय मित्र का क्या कहना है ?

MR. DEPUTY CHAIRMAN: Mr. Mahapatro.

SHRI BHUPESH GUPTA: Let us hear the reply. I want to go. You sit down. It will save time.

SHRI LAKSHMANA MAHAPATRO (Orissa): Sir, I will speak at the time of the third reading.

SHRI SATISH AGARWAL: Mr. Deputy Chairman, Sir, I am thankful to the hon. Members who have, by and large, welcomed these three Bills. I am also thankful to the hon. Members for giving certain concrete suggestions which have to be borne in mind for future. It is neither possible nor desirable for me to reply to each and every point. But I would like to deal in brief with certain points which have been raised by the hon. Members here during the discussion on the motion for consideration of these three Bills.

Sir, my esteemed friend Dr. Adishesiah raised the question that the recommendations of the Seventh Finance Commission should be discussed on the floor of Parliament so as to give a better opportunity to the Members to discuss in detail the criteria laid down for distribution of shares amongst the various States. So far as I am concerned, I have no quarrel with this proposition and I would personally welcome such a move, that a discussion takes place in Parliament over the recommendations of the Seventh Finance Commission. I am sure the Government would benefit a lot by it. As the House is already aware, the Seventh Finance Commission adopted a procedure and invited a lot of people to appear before it and place their views. Now, Sir, the hon. doctor about the Union Excise duties asked why no separate provision for the Union Territories is made. So far as that is concerned, no separate percentage for the Union Territories is recommended by the Finance Commission because only a part of the

total net proceeds is given to the States; the balance remains with the Centre, including the Union Territories. So far as the Additional Excise duties are concerned, they are allowed a share as required. So far as the Estate duty is concerned, the Bill does not provide for any percentage of duties because, according to the Commission, the share of the Union Territories will be determined in the same way as for the States. Sir, a point with regard to the rule-making power was also raised by Dr. Adiseshiah. In this particular connection, I would like to inform the hon. Member that a similar provision was there when all the earlier distribution acts and the rules framed under the existing law provided for the payment of amount due for the year in monthly instalments to ensure a smooth flow of resources to the States. The payments are made as follows. I may be permitted to say for the information of the hon. Member. So far as the Excise duties are concerned, they are paid in eleven monthly instalments. The first ten instalments are on the basis of the total divided by twelve—in that ratio for ten months they are paid—and the last payment is made of the balance that remains there. So far as the estate duty is concerned, it is paid in two instalments, one in October and another in March. So far as the income tax is concerned, it is paid in nine instalments beginning from the month of July. That is why a provision has been made in the rules, and the rules are laid on the table of the House for further amendments.

Mr. Ram Lakhan Prasad Gupta raised the question: What about the estate duty, why is it not extended to the duty levied on agricultural land? He is not here unfortunately. So far as the agricultural land is concerned, it is a State subject and on their behalf the duty is now levied. No further reply is needed.

Mr. Kulkarni raised a question here. He has raised various fundamental questions also, and I would not take much time in replying to all of them. He has made certain concrete suggestion. I assure you that whenever Mr. Kulkarni had an occasion to meet me and make me understand about certain problems, he will vouch that I have given my best attention and tried to solve them. He raised a question: Why is Maharashtra which is giving so much excise revenue, not getting much more revenue? The question is that there are certain States where industrialisation is much more and the excise revenue is much more. But it comes to the divisible pool, and from there it is distributed to all the State Governments. But, Maharashtra, even then, has not been a sufferer. Only on that consideration I would like to point out to him certain figures. The total estimated transfer to Maharashtra under the award of the Sixth Finance Commission, for 1974-79, was Rs. 711 crores approximately while the total estimated transfer to Maharashtra under the award of the Seventh Finance Commission is going to be Rs. 1,714 crores approximately. It is more than double, practically more than double, under the Seventh Finance Commission award. In other words, Maharashtra's share of the total transfer under the Sixth Finance Commission was 7.40 per cent; it would now be 8.22 per cent. Even though the excise percentage share has gone down, the total has gone up.

SHRI ARVIND GANESH KULKARNI: What percentage revenue transfer is of the total collection in Maharashtra?

SHRI SATISH AGARWAL: It cannot be related to that.

SHRI ARVIND GANESH KULKARNI: That is the point.

SHRI SATISH AGARWAL: It cannot be.

SHRI ARVIND GANESH KULKARNI: We are contributing more to the Central pool than the other States but receiving less.

SHRI SATISH AGARWAL: The credit goes to Maharashtra that way. There is no point in it.

So far as West Bengal is concerned, Mr. Bhupesh Gupta made a very strong plea that West Bengal should get more. The total estimated transfer to West Bengal under the Sixth Finance Commission was of the order of Rs. 822.93 crores only while the total estimated transfer under the Seventh Finance Commission is going to be Rs. 1,597.11 crores which is practically double. In addition, West Bengal was given Rs. 143.12 crores of debt relief under the Sixth Finance Commission while the Seventh Finance Commission has recommended debt relief of Rs. 191.93 crores.

SHRI BHUPESH GUPTA: Finish.

SHRI SATISH AGARWAL: Shortly.

It is not that this is the only assistance given to the States. Lastly, Sir, in addition to whatever resources are transferred in accordance with the recommendations of the Finance Commission, there is Central assistance given for financing State Plans. This is in addition to that.

A plea was made: why do you keep that much with the Centre; why do you not transfer 75 per cent? If there is nothing with the Central Government pool, how do we offer to the State Governments, particularly those States which are deficit or which are not so much developed as Maharashtra, Gujarat or any other. So, this much figure I would give. Additional Central assistance for financing State Plans during 1979-80 of Rs. 2,073 crores will be given Central assistance for Central and

Centrally sponsored schemes during 1979-80 of Rs 1,002 crores will be given. There is *ad hoc* assistance for development. Outside the Plan also for 1979-80, it is Rs. 690 crores. So, that way Sir, . . .

SHRI ARVIND GANESH KULKARNI: What do you say about corruption in your department? This is my point. You say something.

SHRI SATISH AGARWAL: My hon. friend, Mr. A. G. Kulkarni wants to know something about corruption. In this particular connection, he has mentioned about the Inspectors and the methods of corruption adopted by the Inspectors. After all, this is nothing new that he has raised. It is often raised. But we are aware of this problem. I do not say that there is no corruption in the various Government departments. But I can assure you, Sir, and through you, the whole House, that we have taken various steps in the past. You will be aware of particularly one instance in 1976 during the Emergency. There was the case of a gang smuggling diamonds through Palam to the tune of Rs. 4 crores. And those officers got promotion. But when the file came to me, I immediately ordered an enquiry into it. Then, even after he had got promotion, I suspended that particular officer. And the case is going on in the court.

SHRI ARVIND GANESH KULKARNI: What about the politicians concerned with the diamond case? There you are silent.

SHRI SATISH AGARWAL: He is aware that so far as anybody who is involved in corruption cases is concerned, whether big or small, gazetted or non-gazetted, we take action according to law. After all, the law is there. Notices have to be issued, enquiries have to be made and cases have to be referred to the Vigilance Commission. Mr. Bhupesh

Gupta asked why the opinion of the UPSC was obtained. It is mandatory in the case of gazetted officers. Whatever the CBI may say, whatever the CVC may say, before inflicting any major penalty, the case will have to be referred to the UPSC; one may like it or not. Of course, the Government may override that opinion and say why we want to differ with the UPSC. But there is a provision in the Constitution, and under the rules we have to do all 'hat. And for this particular purpose, I set up a study group in my Ministry to identify the areas of corruption in the Customs Department. That report has not been published because I do not believe in publicity, I believe in action. I am examining the report to try to identify the areas and take action against those people who are resorting to these malpractices.

With these words, I once again put on record my deep appreciation of the useful criticism and constructive suggestions that have been made by the hon. Members while participating in the debate on the motion for consideration. Thank you very much.

MR. DEPUTY CHAIRMAN: Now, we will take up the Bills one by one.

The question is:

"That the Bill to provide for the payment out of the Consolidated Fund of India of sums equivalent to a part of the net proceeds of certain Union duties of excise to the States to which the law imposing the duty extends and for the distribution of those sums among those States in accordance with the principles recommended by the Finance Commission in its report dated the 28th day of October, 1978, 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 to 6 were added to the Bill.

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

SHRI SATISH AGARWAL: Sir, I move:

"That the Bill be returned."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: Now, the question is:

"That the Bill further to amend the Additional Duties of Excise (Goods of Special Importance) Act, 1957, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

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

Clauses 2 and 3 were added to the Bill.

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

SHRI SATISH AGARWAL: Sir, I move:

"That the Bill be returned."

The question was put and the motion was adopted.

MR. DEPUTY CHAIRMAN: The question is:—

"That the Bill further to amend the Estate Duty (Distribution) Act, 1962 as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

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

So far as West Bengal is concerned, clauses 2 and 3 were added to the Bill.

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

SHRI SATISH AGARWAL: Sir, I move:

"That the Bill be passed."

The question was put and the motion was adopted.

SHRI BHUPESH GUPTA: Sir, I would request you now to take up the Discussion under Rule 176 regarding Aligarh incidents.

DR. RAM KRIPAL SINHA: If the House agrees, I have no objection.

MR. DEPUTY CHAIRMAN: All right. We shall take up the Discussion under Rule 176 now.

DISCUSSION UNDER RULE 176 Recent Incidents in Aligarh resulting in the Closure of the Aligarh Muslim University

SHRI BHUPESH GUPTA (West Bengal): Sir, I am very thankful to the House and to my dear friend, the Minister for Parliamentary Affairs, for having no objection in this matter. I will be very brief because I have to go. I would like to be here in the debate but unfortunately there is another meeting and I cannot escape it.

Sir, we have discussed this matter in this House. Again we are discussing it in the light of what happened on the night of May 10/11. Within eight months of October communal holocaust in Aligarh, another riot took place, communal incidents took place, in the great city of learning, the centre of culture, India's composite culture and especially the centre of Islamic learning. It is a matter

of shame that even before the old wounds of one communal disturbance, had been healed, another was started there as if Aligarh would have no respite in the orgies of communal violence and terror, violence organised, violence preplanned, violence engineered from above and practised by trained people at the grass-root level, the communal forces. We hang our head in shame that after thirty-two years of independence we have to bear the sight of Aligarh, Jamshedpur, then back again to Aligarh. During the last year alone 200 communal incidents took place, according to the Home Ministry, and of them seven have been major riots in Sambhal and Aligarh—Jamshedpur was not included there. But the number is much more today. I do not go into that thing now. Here lives in India the biggest Muslim population next to that of Indonesia. Indonesia has 10 crores of them; India has 8 crores of them. How many countries in the world have 8-crore population? Not only that. In the world—I have found out—750 million Muslims live today out of whom 80 million live in our country, more than 12 per cent. Therefore, it is not just a minority we are dealing with. It is a big segment of the world's human population of a particular faith that happily lives in our own country, and it is their country; it is the country of the Hindus, the Muslims, the Sikhs, the Buddhists, all together. We are a composite culture; we are a composite civilisation; we are a multi-religious combined population. That is why in our ideas we have always unity in diversity. We cannot think of Indian culture for a single moment without taking into account its composite character and the contribution that has come from the various people belonging to various religions and various faiths, and so on. We are worried today when we find Muslims are attacked. We are worried today when we find in the name of Freedom of Religion Bill, Christians are sought to be