

परिदार नियोजन मंत्रालय में राज्य मंत्री

(DR. DEBIPRASAD CHATTOPA-DHYAYA)
: Sir, I beg to move for leave to introduce a Bill to provide for the constitution of a Central Council of Homoeopathy and the maintenance of a Central Register of Homoeopathy and for matters connected therewith.

The question was put and the Motion was adopted

DR. DEBIPRASAD CHATTOPA-DHYAYA : Sir, I introduce the Bill.

ALLOCATION OF TIME FOR DISPOSAL OF GOVERNMENT BUSINESS

MR. DEPUTY CHAIRMAN. : I have to inform Members that the Business Advisory Committee at its meeting held today the 1st December, 1971, allotted time as follows for Government business to be taken up during the current Session of the Rajya Sabha :—

Business	Time allotted
Consideration and passing of:—	
(i) The Constitution (Twenty-fifty Amendment) Bill, 1971 as passed by the Lok Sabha.	To be taken up on the 7th December 1971, and completed on the 8th December, 1971, by sitting beyond 6 p. m. if necessary.
(ii) The Constitution (Twenty-sixth Amendment) Bill, 1971 as passed by the Lok Sabha.	To be taken up on the 9th December, 1971 and completed on the same day by sitting beyond 6 p.m. if necessary.

MR. DEPUTY CHAIRMAN : Only one minute is left. We can adjourn till 2 P.M. for lunch.

The House then adjourned for lunch at fifty-nine minutes past twelve of the clock.

The House reassembled after lunch at two of the clock, MR. DEPUTY CHAIRMAN in the Chair.

I. STATUTORY RESOLUTION DIS APPROVING THE RAILWAY PASSENGER FARES ORDINANCE 1971 (NO. 17 OF 1971), PROMULGATED BY THE PRESIDENT ON THE 22ND OCTOBER, 1971 AND

II. THE RAILWAY PASSENGER FARES. BILL. 1971

डा० भाई महावीर (दिल्ली) : उपसभापति जी, मैं सदन के सम्मुख यह संकल्प प्रस्तुत कर रहा हूँ :

“यह सभा राष्ट्रपति द्वारा 22 अक्तूबर, 1971 को प्रस्थापित रेल यात्री किराया अध्यादेश, 1971 (1971 का सं० 17) का निरनुमोदन करती है।”

महोदय, इस अध्यादेश के निरनुमोदन का प्रस्ताव रखने का मेरा कारण क्या है? सब से पहले तीन महीने के दौरान जब संसद् का अधिवेशन जारी नहीं था, इस बीच 13 अध्यादेश जारी किये गये। एक तरफ तो हमारी आर्डनेंस फैक्ट्रियां चलती हैं और दूसरी तरफ हमारे केन्द्रीय सचिवालय में आर्डिनेंसों की फैक्ट्रियां बन गई हैं और इन तीन महीनों के दौरान इतने अध्यादेश जारी किये गये जितने पहिले कभी नहीं किये गये थे।

(Interruptions)

श्री नेकी राम (हरियाणा) : देश के बारे में भी तो कुछ सोचो ?

डा० भाई महावीर : सोचने वाले सोचते हैं पर वह आपके बस की बात नहीं है। आप तो सोच सकते हैं। (Interruptions) आपके यहां आने का तात्पर्य इतना ही है कि हरियाणा में सांडों की नसल में कितनी उन्नति हो गई है यह पता लगता रहे।

इन तीन महिनो के अन्दर अध्यादेशों के द्वारा जनता के ऊपर कराधन भी किया

[डा० भाई महावीर]

गया है, टैक्सेशन लगाया गया है, जो लोक तंत्र प्रणाली के ऊपर अगर आघात नहीं तो उसका उपहास जरूर है। मैं इस विषय में लोक सभा के स्पीकर श्री मावलंकर जी ने जो रुलिंग दी थी उस में जाना नहीं चाहता हूँ, क्योंकि उसका उल्लेख इस सदन में और दूसरे सदन में हो चुका है, लेकिन, मैं इतना जरूर कहना चाहता हूँ कि 22 अक्टूबर को जो अध्यादेश जारी किया गया, जिसके अनुसार 15 नवम्बर से रेलों का किराया बढ़ना था। 15 नवम्बर को ही इस सदन का अधिवेशन प्रारम्भ होने वाला था, तो मानो एक तरह से लोकतंत्र परम्परा को जान बूझ कर मुह चिढ़ाने की कोशिश की गई। जिस दिन यह सदन बैठ रहा था उस दिन अध्यादेश को लागू करने के सम्बन्ध में सरकार बिल लाती और सदन को विश्वास में लेकर उसकी स्वीकृति प्राप्त करती है, लेकिन सरकार ने इस तरह से कार्य करना जरूरी नहीं समझा। कहा जाता है ऐसा न करने का कारण यह था कि 15 नवम्बर से यह किराया कर जमा करना शुरू किया जाना था। मैं नहीं जानता कि क्या किसी तांत्रिक ने या किसी ज्योतिषी ने यह बता रखा था कि अगर अध्यादेश को आप को जारी करना है तो वे कराये 15 नवम्बर को इकट्ठा होना अवश्य शुरू हो जाना चाहिए। 15 तारीख को कौन सी ऐसी विशेषता थी कि पांच दिन या सात दिन यह सरकार रुक नहीं सकती थी संसद की गरिमा की रक्षा के वास्ते।

महोदय, 5 प्रतिशत की दर रेल भाडे पर लगी है। दुनिया की सब सरकारें भी कर लगाती हैं, सब परिस्थितियों में कर लगाना पड़ता है, विशेष कर जब देश पर संकट की घड़ी आये तो कर लगाना और जरूरी हो जाता है और इसमें कोई संदेह नहीं है। लेकिन फिर भी कर लगाने के कुछ सर्वमान्य सिद्धान्त हैं, कुछ बुनियादी असूल हैं जिन को सामने रख कर के कर लगाया जाता है। एक

सिद्धान्त का मैं जिक्र करना चाहता हूँ। एक बुनियादी सिद्धान्त यह है कि इक्विटी के लिए न्याय के लिए न्यूनतम आय के वर्ग के लोगों को कर मुक्त रहना चाहिये और जो अधिक आय वाले हैं उन पर प्रगामी दर से कर लगाना चाहिये। यह प्रोग्रेसिव टैक्सेशन का सिद्धान्त है, लेकिन यहां पर प्रोग्रेसिव टैक्सेशन के बजाये 5 प्रतिशत के हिनाब से एक फ्लैट रेट का कर उन पर लगाया गया है। शायद कोई यहां कह दे कि एक रुपये तक का किराया मुक्त रखा गया है। महोदय, एक रुपये का किराया गरीबों को मुक्त नहीं करता। यदि कोई समझे कि गरीब वर्ग के लोग सिर्फ एक रु० के किराये के अन्दर ही सफर करते हैं तो मैं समझता हूँ कि यह बहुत बड़ा भोलापन होगा, एक बहुत गलती होगी। वास्तविकता यह है कि गरीबों को भी दूर जाना पड़ता है। जब भी एक रु० से अधिक का तीसरे दर्जे का टिकट खरीदा जायेगा, उस पर 5 प्रतिशत का नया भार होगा। ऊपर के दर्जे के यात्रियों के वास्ते भी 5 प्रतिशत की दर है। मैं यह जानना चाहता हूँ कि क्या इस सरकार ने समाजवाद को लाने का यही एक तरीका समझा है कि सबके ऊपर बराबर कर भार डाल दो अर्थात् ऐसा कराधान हो जिसमें लखपति भी उतना ही भार उठाये और जो गरीब है, जिसके लिये हम रोटी की व्यवस्था नहीं कर सकते वह भी अगर समाजवाद को लाने का यही तरीका है, तो देश को समझ लेना होगा कि किस तरह की योजना हमारी सरकार के दिमाग में है, इसका एक संकेत किराये के इस अध्यादेश के अन्दर दिखाई देता है।

महोदय, अनुमान किया गया है कि 7 करोड़ रु० इससे इकट्ठा होंगे। 7 करोड़ रुपये कोई इतनी बड़ी राशि नहीं जिन के वास्ते कम आय वाले वर्ग के लोगों के ऊपर एक नया भार डाला जाय जो पहले ही दबे जा रहे हैं, पिसे जा रहे हैं

वास्तविकता यह है कि अगर रेलवे मंत्रालय, रेलवे बोर्ड या रेलवे प्रशासन प्रयास करता और जो उसमें अपव्यय हो रहा है, भ्रष्टाचार हो रहा है, उसको रोकता तो यह 7 करोड़ रु० आसानी से बचाया जा सकता था। लेकिन अपव्यय को रोकने की बात ऐसा मालूम होता है कि इस सरकार की पसन्द नहीं आती, अगर रेलवे बोर्ड के भूतपूर्व चेयरमैन की बात के अन्दर कुछ भी सच्चाई है तो श्री गांगुली ने कहा था कि 30 करोड़ रु० का घाटा भ्रष्टाचार के कारण रेलों को होता है, जिसे वे रोकना चाहते थे। मैं नहीं जानता कि उन्हें हटाने के पीछे कहाँ तक यह कारण भी था कि वे इस तरह से भ्रष्टाचार को दूर करना चाहते थे। ऐसा था या नहीं इस समय यह मेरा विषय नहीं है। मेरा कहना यह है कि जो उन्होंने 30 करोड़ रु० कहा है अगर उसका एक चौथाई भी सच हो तो भी जितना आप इस नये कर भार को डाल कर बचायेंगे या कमायेंगे उतना आप अपने भ्रष्टाचार को रोक कर बचा सकते थे।

महोदय, अभी उधर से कहा गया कि देश संकट में है और देश की बात सोची जाय। ऐसे लोग जिनके सोचने की शक्ति में किसी को आस्था नहीं है और कभी-कभी शक होता है कि वे क्या सोच सकते भी हैं, लेकिन वे भी इतनी बात तो कह ही सकते हैं कि देश की बात सोचो, देश की बात करो। मैं जानना चाहता हूँ कि देश की बात करने के पहले क्या इस सरकार ने कभी इस तरह का कर्तव्य दिखाया है जिससे सरकार के मंत्री, सरकार के मंत्रिगण, सरकार के जो उच्चाधिकारी हैं, उन्होंने देश की इस कठिन स्थिति को देख कर के सचमुच अपने खर्च में कटौती करना स्वीकार किया हो? कहीं कटौती दिखायी नहीं देती, कहीं बचत की कोई योजना दिखायी नहीं देती, कहीं इकोनामी का कोई प्रयास दिखायी नहीं देता। अगर कोई बात दिखायी देती

है तो यही दिखायी देता है ठाठ-बाट, शान-शोकत का वही आडम्बर प्रदर्शन आज भी है। कहीं फीता काटने के लिए, कहीं परदा उठाने के लिए, कहीं पत्थर रखने के लिए खूब धूमधाम से आने जाने की रवायतें आज भी देश के अंदर दिखायी दे रही हैं। तो गरीब लोगों को, मध्यम वर्ग के लोगों को कहना, जो कि पहले ही मटंगाई के बोझ से मर रहे हैं कि वे और बोझ उठाएँ, यह धाव पर नमक छिड़कने के बराबर है। मुझे याद आता है चाहे वह कुछ पुरानी घटना है, बंगला देश की समस्या पैदा होने के पहले की घटना है, लेकिन वह घटना सारे समाचार पत्रों में छपी है कि एक शादी पर किस प्रकार से शाहाना ठाठ-बाट के साथ खर्चा किया गया। शोलापुर के पास के शंकर राव मोहिते जो कि एक बड़े सहकार महर्षि कहलाते हैं, उनके यहाँ की शादी का जो वर्णन आया है उसमें मुझे वैसे ज्यादा दिलचस्पी नहीं लेकिन यह कहा गया है कि शादी के मेहमानों को लाने के वास्ते 700 बसों का किराये पर प्रबन्ध किया गया था। उनको जो भेंटें मिलीं उन में एक अम्बेसेडर कार, एक फियट कार, एक जीप, दो रेफ्रिजरेटर्स कई गोदरेज की अलमारियाँ और 500 सोने की अंगुठियाँ थीं। भेंट में उनको दस किलो सोना दिया गया। उन्होंने उस शादी की शान और शौकत के लिए एक नई इन्द्रपुरी मानो बसा ली हो ऐसा लगता था उसके लिए पर्याप्त बिजली मुलभ हो सके, इसके लिए आस पास की आटे की चक्कियाँ और खेती के पंपों की बिजली रोक दी गयी। यह सब कुछ हुआ। कहा गया कि कोई निजी व्यक्ति ऐसा कर सकता है, लेकिन वह साधारण व्यक्ति नहीं था। उस व्यक्ति के घर की शादी के मौके पर 10 मंत्री उपस्थित थे और हमारे वित्त मंत्री भी उनमें एक थे। उस शादी के अंदर वह मये और उन्होंने उसका मान बढ़ाया। वहाँ गुलाब जल

[डा० भाई महावीर]
के फव्वारे चलाये गये, लाखों बल्ब जलाये गये, हजारों ट्यूब लाइट्स जलायी गयीं . . .

श्रीमती विद्यावती चतुर्वेदी (मध्य प्रदेश) :
वित्त मंत्री ज्योतिष नहीं पढ़े थे कि वहाँ यह आडम्बर होगा।

डा० भाई महावीर : जब गुलाब जल के फव्वारे चले तो उसके लिए समाचार पत्रों में यह छपा कि वहाँ कीचड़ के अंदर से भी खुशबू आ रही थी। वह कीचड़ तो सूख चुका होगा, उसकी खुशबू भी समाप्त हो चुकी होगी, लेकिन उसने जिस तरह के विलास और आडम्बर के कीचड़ को फैलाया है और जिसके फैलाने में हमारे वित्त मंत्री और दूसरे अन्य दस मंत्री साक्षीदार हैं, मैं समझता हूँ कि वह कीचड़ हमारे सारे देश के सांस्कृतिक जीवन के वास्ते एक कलंक बन कर पड़ा रहेगा। परन्तु हम जब अपनी सरकार से पूछते हैं कि आप . . .

श्री अकबर अली खान (आंध्र प्रदेश) :
मिनिस्टर ने कंडम किया होगा।

डा० भाई महावीर : फाइनेंस मिनिस्टर ने वहाँ जा कर छत्रपति शिवाजी के पुतले का उद्घाटन करने का साथ में एक कार्यक्रम बना कर और शादी में शामिल होकर अगर वह समझा कि उनके कंडम करने से यह बात रुक जाएगी तो मैं समझता हूँ कि वे बड़े भोले लोगों की दुनिया में रहते हैं। ऐसे विलास और आडम्बर का प्रदर्शन करने वालों को इसी तरह से प्रोत्साहन मिलता है और सरकार की तरफ से उस आडम्बर को रोकने का कोई प्रयत्न नहीं होता। इतना ही नहीं, यहाँ तक कहा जाता है कि मंत्रियों के भत्ते और 'परिवर्जित्स' जो आज हैं, एक हिसाब लगाने वाले ने हिसाब लगाया है कि एक मंत्री पर 12 लाख रुपये की आमदनी

से जो 'परिवर्जित्स' प्राप्त हो सकते हैं/ एक केन्द्र के मंत्री को प्राप्त होते हैं। क्या सरकार ने इस बात की कोई जांच की कि यह भत्ते कम किये जायें? क्या इन भत्तों को कम करना सरकार को कोई जहरी चीज नहीं मालूम होती? क्या गरीब आदमी के ऊपर और बोझ डालना ही सरकार की वीरता को प्रदर्शित करने वाली एक मात्र चीज है? कहा जायगा कि हमें इतना रुपया चाहिए और उसके लिए ही यह किराया बढ़ाया जा रहा है। परन्तु रेलवे में तो शायद 7 करोड़ का तो कोयला ही चोरी होता है। हमें याद है मुगलसराय में, जिस समय पंडित दीनदयाल उपाध्याय की वहाँ हत्या हुई थी उसके बाद यह तथ्य प्रकाश में आया कि सारे मुगलसराय के शहर में, पूरे कस्बे में कोई कोयले का डिपो नहीं है, लेकिन सारे शहर को कोयला मिलता है; सब घरों में कोयला जलता है, सब दुकानों और होटलों में कोयला इस्तेमाल होता है। वह कहाँ से आता है। रेलवे के कोयले की चोरी होती है। वही एक मात्र स्रोत है, जहाँ से उस सारे शहर को कोयला मिलता है। क्या इस सरकार को पता नहीं? क्या रेलवे मंत्रालय को पता नहीं? क्या रेलवे मंत्री इस बात को नहीं जानते? अगर जानते हैं तो उसके लिये क्या प्रयत्न किया गया? सात करोड़ का तो कोयला ही आप बचा लेते और ऐसा करके आप देश में भ्रष्टाचार भी कम करते और गरीब वर्ग पर नया बोझ डालने की नीवत भी न आती।

महोदय, जब यह कहा जाता है कि जरूरत है, कठिनाई है, बंगला देश के रिफ्यूजी आये हैं, तो मैं उन लोगों में से हूँ कि जो यह कभी नहीं कहेंगे कि अगर इस तरह की पुनीत और महान जिम्मेवारी को निभाने का मौका आता है तो देश का कोई भी नागरिक उस के पीछे रहेगा। हम भी उसमें पीछे नहीं रहेंगे, परन्तु जब आप

टैक्स लगाने की बात करते हैं तो उस वक्त हम आपको यह कह सकते हैं कि टैक्स आप इस तरीके से लगाइये, ऐसे लोगों पर लगाइये, उन चीजों पर लगाइये जिसे कि गरीब आदमी पर बोझ न बढ़े। इस दृष्टि से मैं कुछ सुझावों का जिक्र करना चाहता हूँ और यह कह कर जिक्र करना चाहता हूँ कि इन सुझावों को मैं पहली बार नहीं कह रहा हूँ। ये सुझाव हम पहले भी देख चुके हैं, प्लानिंग कमिशन के सामने भी दे चुके हैं। जब भी ये सुझाव दिये गये हमें कहा गया कि ठिक है, आपके सुझाव बड़े अच्छे मालुम पड़ते हैं, हम उन पर गौर करेंगे, विचार करेंगे। सरकार के गौर करने की प्रक्रिया चल रही है, महीनों तक चलती है। लेकिन आर्डिनेंस जारी करने के लिये एक मिनट की भी देर नहीं लगती। करों के आर्डिनेंस जारी करने के लिये तो जो सामान्य वर्ग है, मध्यम वर्ग है यह एक सोने का अंडा देने वाली मूर्ति जैसा है कि जैसे उसकी गर्दन दबाई और अंडा निकाल लिया वैसे इससे कर वसूल कर लिया। क्या यह सरकार के गरीबी हटाव आन्दोलन का हिस्सा है? मैं नहीं जानता, सरकार को यह जवाब देना होगा। मैं एक सुझाव का जिक्र करता हूँ। हमने कहा कि जो लाटरी इस देश में चल रही है, सारे प्रदेशों ने जारी कर रखी है और जारी कर रहे हैं, उसमें जिस आदमी के नाम पर लाटरी निकलती है, उसके ऊपर कोई टैक्स क्यों नहीं लगाते। उसके ऊपर कोई टैक्स नहीं लगता। एक लाख, दस लाख, 15 लाख 20 लाख तक लाटरी निकलती है, (मैं नहीं जानता कि कितने लाखों तक लाटरी की रकम जा पहुँची है) तो पूछा गया कि जिसको लाटरी मिलती है उसके ऊपर लाटरी-टैक्स लगाने में क्या कठिनाई है? हमें बताया गया कि टैक्स लगाने से लाटरी के लिये 'इंसेंटिव' खत्म हो जायगा। वहाँ इंसेंटिव के लिये टैक्स नहीं लगाते हैं! इसी तरह से दूसरे 'विंडफाल्स' फूड़ भी है। दौड़ के द्वारा लोग

लाखों रुपया जीतते हैं, लेकिन उसके ऊपर भी टैक्स लगाने में हम शर्माते हैं। लेकिन जहाँ शर्माना चाहिए, वहाँ हमें शर्म नहीं आती है, जहाँ निघड़क हो कर काम करना चाहिए, वहाँ सरकार संकोच में दबी रह जाती है।

महोदय, केन्द्रीय सरकार ने दिल्ली के प्रशासन को कहा कि आप करों का सुझाव दीजिए, कर लगाने के प्रस्ताव कीजिए, तो जो प्रस्ताव उन्होंने रखे उनका मैं उल्लेख करना चाहता हूँ। उन्होंने कहा कि यहाँ जो बड़े-बड़े रेडिस होटल्स हैं, 'फाइव-स्टार और फोर स्टार होटल्स' हैं, इसमें रहने वाले यात्री जब सौ रुपये रोज के हिसाब से कमरे का किराया दे सकते हैं और दो सौ रुपया शराबों में और खाने पीने में खर्च कर सकते हैं तो उन पर आप 10 परसेंट या 15 परसेंट कर लगाइए, इसमें क्या तकलीफ है? यह कर क्यों नहीं लगा सकते? लेकिन हमारी सरकार जो यह सुझाव पसन्द आयोगा या नहीं मैं नहीं जानता। इसी तरह से जो विलायती शराबें पी जाती हैं, उनके लिये सुझाव दिया गया। जिन शराबों की पार्टियों के अन्दर उच्च-पदाधिकारि भी शामिल होते हैं जिन काकटेल रिसेप्शनन्स के अन्दर अनेक मंत्री लोग विराजमान देखे गये हैं (चाहे वे शराब न लें कुछ और रस ले लें अपने हाथ में) तो ऐसी पार्टियों में जो विदेशी शराबें पी जाती हैं, उन पर कर क्यों नहीं लगाया जा सकता, मैं नहीं जानता।

महोदय, हमारे देश के अन्दर जो और बहुत भारी काले धन का स्रोत है, जिसकी चर्चा भी हमने प्लानिंग कमिशन से की थी। और अभी तीन दिन हुए विदेश व्यापार मंत्री से भी मैंने फिर से आग्रह किया कि आज देश के अन्दर जो आयात है, जो इम्पोर्ट लाइसेंस हैं वह एक बड़ी बल्यूएबिल कमोडिटी (मूल्य-

[डा० भाई महावीर]

वान वस्तु) बन गई है, एक ऐसा पदार्थ बन गया है, जिसके द्वारा बहुत कमाई होती है, जिसके ऊपर 300 और 400 प्रतिशत का प्रीमियम है। आप जिसको इम्पोर्ट का लाइसेंस देते हैं उसके केवल इम्पोर्ट लाइसेंस से वारे-न्यारे हो जाते हैं, सारे साल कुछ नहीं करता सिर्फ अपने पेट के ऊपर हाथ फेरता रहता है। इम्पोर्ट लाइसेंस लिया और 200 या 300 प्रतिशत नफे पर उसको बेच दिया। हमने कई बार कहा कि जो इम्पोर्ट प्राइस और मार्केट प्राइस में यह जो फर्क है, यह फर्क सरकार ले ले, एक्सचेंजर के लिये सरकारी खजाने के लिये ले लिया जाये। यह फर्क कितना होगा? आज अगर हमारे देश में 1,300 या 1,400 करोड़ रुपये का आयात किया जाता है तो उसमें से यदि आधे आयात को निकाल दें जो कि आवश्यक चीजों का है, जो दूसरा आधा है वह करीब 700 करोड़ रुपये का बचता है। अगर उसमें औसत 200 प्रतिशत का प्रीमियम भी लगा लें तो 700 करोड़ के इस इम्पोर्ट पर 1,400 करोड़ रुपये का नफा वे कमाते हैं। अगर आप इस इम्पोर्ट प्रीमियम को सीधे-सीधे एक्वायर कर सकते हैं तो करें, या किसी भी तरीके से करें आयातों को मार्केट प्राइस पर उपलब्ध करायें जिस मार्केट प्राइस पर वह वास्तविक उत्पादक को मिलता है। लेकिन कुछ कृपा पात्र लोग हैं, कुछ फेवरिट्स हैं, कुछ ऐसे लोग हैं जिनको पेट्रोलियम मिला हुआ है और वे इसमें से मुनाफा कमाते हैं, तो अगर उनके बजाय आप सरकार के खजाने के लिये यह राशि प्राप्त कर लें तो वास्तव में मैं समझता हूँ कि न सिर्फ यह टैक्स लगाने की जरूरत नहीं पड़ेगी, बल्कि और भी बहुत से करों के बोझ से जिनसे हमारा समाज पिस रहा है वे भी हटाये जा सकेंगे।

महोदय, यहाँ रेलों की बात है। तो मैं पूछना चाहता हूँ कि क्या रेलों ने अपने काम

में कोई बचत करने की या आमदनी बढ़ाने की कोशिश की? मैं नहीं समझता कि इस बात के लिये किसी को फुर्सत भी है। यह आज सच है कि रेलवे के अन्दर जितना बिना टिकट यात्रा के कारण घाटा होता है, बैग्स के मिस-यूज के कारण जितना घाटा होता है, पैसों की जो बर्बादी होती है और जो भ्रष्टाचरण होता है इसको भी अगर रोकने की कोशिश की जाय तो इस टैक्स को लगाने की कोई जरूरत नहीं रहेगी। इसी तरह से वहाँ जो पिलफरेज होता है, माल बैग्स में सील कर देते हैं और सोचते हैं कि अगले स्टेशन पर भेज दिया लेकिन रास्ते के अन्दर माल गायब हो जाता है।

रेलवे को क्लेम्स दिए जाते हैं। रेलवे के क्लेम्स बढ़ते रहते हैं, लेकिन जो पिलफरर्स हैं, वर्गलर्स हैं, वे यार लोग बीच में स्टाफ के साथ मिल कर, उनसे सांठ-गांठ करके, माल निकाल ले जाते हैं। वह सारा अगर बचाया जा सके, चोरी को रोका जा सके, तो शायद इन नये करों की कोई जरूरत नहीं रहेगी। तो महोदय, अगर रेलों अपनी कार्यक्षमता को बढ़ा सकें, समय पर गाड़ियों के चलने का प्रबंध कर सकें, कुछ सुविधाएं दे सकें, तो अधिक कार्यक्षमता के कारण और सुविधाओं के कारण जितनी उनकी कमाई बढ़ेगी उतना ही कर बढ़ाने की जरूरत कम ही पड़ेगी। यहाँ पर एक और सुझाव देना चाहता हूँ जो रेल में यात्रा करते हुए अनुभव के आधार पर है।

मैं एक बार रेलगाड़ी से जा रहा था— शायद बम्बई जा रहा था दिल्ली से या लौट रहा था। जिस गाड़ी में मैं बैठा था उसमें रेलवे की डाइनिंग कार थी। उस डाइनिंग कार में आप जाएं, वहाँ पर डिपार्टमेंटल के कर्टींग के लोगों को ऐसा लगता है कि एक मुसिवत जैसी आ गई। पहले तो मुझे दरवाजे से ही टालने की कोशिश की गई यह कह कर कि साहब, सामान खत्म हो गया। जब मैं वहाँ

पहुँचा 9 बजने में 20 मिनट होंगे। उन्होंने कह दिया बस अब ब्रेकफास्ट खत्म हो गया। मैंने पूछा कितने बजे गए, तो कहने लगे बजे तो नहीं मालूम। मैंने अंदर जाकर मैंनेजर को बुलाया, उसने पूछा क्या बात है? मैंने पूछा यहाँ कितने बजे टाइम से नाश्ता बंद होता है या माल बिक जाता है, तब सारे बर्तन उठा लेते हैं वह कहने लगे, आपको क्या चाहिए? मैंने कहा, पहले सवाल का जवाब दीजिए। तो कहने लगे, वैसे तो 9 बजे का वक़्त है। मैंने कहा 9 बजने में 20 मिनट हैं। तो वे कहने लगे आप बताइए तो कि क्या चाहिए। मैंने कहा चाय या कुछ बिसकुट, टोस्ट दे सकते हैं? कहने लगे, चाय दे सकता हूँ, टोस्ट दे सकता हूँ, काफी दे सकता हूँ। इस पर मैंने कहाँ फिर सब खत्म हो गया यह कहने का मतलब क्या है? आधे घंटे तक जो मैं बात चीत करता रहा, उसमें उन्होंने बताया कि यहाँ पर जो काम करेगा उसके लिए कोई प्रोत्साहन नहीं, जो निकम्मा होगा उसके लिए कोई सजा नहीं। पहले इसी लाइन को एक और गाड़ी में प्राइवेट कान्ट्रेक्टर्स की डाइनिंग कार चलती थी। रेलवे ने समझा बड़ा नफ़ा है, हम बलाएंगे। उन्होंने केटरिंग को उनके हाथ से ले लिया और अब उसी में रेलवे को घाटा हो रहा है। ऐसी गाड़ियाँ हैं जहाँ प्राइवेट कान्ट्रेक्टर्स यह काम चलते थे, लोग भी संतुष्ट थे, लेकिन जब रेलवे केटरिंग ने उनका स्थान ले लिया तो वहाँ घाटा होने लगा। ऐसी गाड़ियों का मुझे पता है जहाँ डाइनिंग कार बंद कर दी गई, क्योंकि वह घाटे पर चलती थी। यानी, लोग खाएँ तो समाजवादी डाइनिंग कार से खाएँ, नहीं तो भूखे रहें। अगर रेलवे में इस तरह के भ्रष्टाचार व डिटर्माई को हटाया जाए और रेलवे के रेवेन्यू को बर्बादी से बचाया जाए, तो फिर इन करों की क्या ज़रूरत होगी? कई स्टेशनों के रिफ़ेशमेन्ट रूम्स की व्यवस्था की नीलामी की जाय तो आज रेलवे को रेफ़ेशमेन्ट रूम्स की ठेकेदारी से जो प्रॉफ़िट होता है, उससे दस-गुने तक की आय प्राप्त हो सकती है। इस

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प्रकार भी नए कर लगाने की कोई ज़रूरत नहीं रहेगी।

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इसलिए महोदय, मेरा आपसे निवेदन है कि इस सरकार ने जनता के सामने यह नहीं रखा कि क्या मजबूरी थी जिससे किराये बढ़ाये गए हैं, जनता के सामने उसने यह नहीं रखा कि उसने बचत करने का क्या प्रयत्न किया है, रेलवे की कार्य क्षमता और कुशलता से बढ़ाने का और मंत्रियों पर हो रहे व्यर्थ के खर्चों को रोकने का कोई प्रयत्न हुआ है? ये सब कुछ नहीं हुआ। तो स्वाभाविक रूप से अपने ऊपर एक नया बोझ उठाने के समय लोगों के मन में एक असंतोष, एक क्रोध, एक निराशा का भाव पैदा होता है। इसलिए मैं समझता हूँ, आपका सदन के अंदर बहुमत होने के कारण आपको फिक्र भले ही न हो, लेकिन आप भी अगर शांत क्षणों में सोचेंगे, किसी आराम के मौके पर खयाल करेंगे तो आपको अनुभव होगा कि जो बात आप कर रहे हैं उससे इन गरीबी हटेंगी, न देश के अंदर समाजवाद आएगा। इसका नतीजा यहाँ होगा कि गरीब आदमी और पैसेगा और पिसते-पिसते शायद उसमें कोई स्वाभिमान और हिम्मत नहीं रह जाएगी। इन शब्दों के साथ और इन कारणों से मैं इस अध्यादेश का विरोध करता हूँ और सदन से आप्रह करता हूँ कि इसके निरनुमोदन का प्रस्ताव स्वीकार करें।

THE DEPUTY MINISTER (N
THE MINISTRY OF FINANCE/ fsjg
HHTm H &*<& (SHRIMATI SUSHILA
ROHATGI) : Sir, I beg to move:

"That the Bill to provide for the levy of a tax on railway fares, as passed by the Lok Sabha, be taken into consideration."

Hon. Members are aware that after discussing the matter with the Governor and Chief Ministers of States at a

[Shrimati Sushila Rohatgi]
meeting held in New Delhi on 12th October, 1971, certain steps were taken to raise additional resources to meet the expenditure for relief of Bangla Desh refugees. One such step was the promulgation of the Railway Passenger Fares Ordinance, which provided for the levy of a tax of 5 per cent of the railway fares paid by passengers for journeys commencing on or after 15th November, 1971. The tax is being collected by railway authorities as an addition to the railway fare. This levy does not apply either to fares less than Re.1 or to season tickets for which the corresponding single Journey fare is less than Re. 1. The former exemption keeps out of the tax a majority of the 111 Class passengers travelling short distances. The latter exemption in respect of season tickets takes outside the purview of this tax many commuters, travelling on season tickets. The tax is thus generally likely to impinge on passengers travelling longer distances or by higher classes.

Under Article 269(1) of the constitution, this tax, though levied and collected by the Central Government, has to be assigned to the States under clause (2) of that Article. The Constitution provides that the "net proceeds" shall be distributed amongst the States in accordance with such principles of distribution as may be formulated by Parliament bylaw. As the States are to re-transfer the share of their proceeds to the Centre for a specific purpose, namely, relief of Bangla Desh refugees, clause 6 of the Bill enacts a simple mechanism for distribution of the net proceeds of the tax on the principle, that the share of a State in such proceeds would bear the same proportion as the total sale of railway tickets in such State bears to the all India total of the proceeds.

"^Sir, it became necessary to impose this levy through the above ordinance for the following reasons :—

- (a) Parliament was not in session.
- (b) Action had to be taken immediately to raise maximum resources, as delays would have impeded our efforts in this direction.
- (c) Steps were required to be taken to collect the tax where advance reservation for journeys commencing

on or after 15th November, 1971, were made.

(d) Other preparatory steps, were also necessary (i) to keep the collection machinery in readiness and (ii) to avoid inconvenience to the travelling public.

(e) For the above reasons, the date of effect had also to be kept as 15th November, 1971.

The present Bill, which has been passed by Lok Sabha, seeks to replace this Ordinance.

Sir, the above tax has been imposed for a very laudable purpose. I, therefore, commend the Bill and request the House to unanimously accept it.

The questions were proposed.

श्री सीताराम सिंह (बिहार) : उप-सभापति जी, मैं आपके द्वारा इस सदन का ध्यान इस बात की ओर आकर्षित करना चाहता हूँ कि जहाँ तक टैक्स का सवाल है, रेलवे में ज्यादा किराया बढ़ाने का सवाल है, पोस्टल पर ज्यादा पाँच फीसदी टैक्स बढ़ाने का सवाल है और किन-किन टैक्सों को मैं बतलाऊँ जैसे कि एक शायर ने कहा है—

“लेकर नखतर हाथ में, जराह ने कहा,
रग रग में जह्म है, लगाऊँ कहाँ कहाँ ।”

तो आज हर जगह पर टैक्स की भर-भार है और वह भी बंगला देश के नाम पर। बंगला देश के नाम पर और बंगला देश से जो रिफ्यूजी आये हैं अपने मुल्क में उनकी भावना के साथ कुठाराघात किया गया है और आघात किया गया है। चीनी आक्रमण के समय इस देश में टैक्स नहीं लाये गये थे, लेकिन देश के लोगों ने तन मन धन से अपने मुल्क की हिफाजत के लिए सब तरह की कुरवानी की। किसी ने सोना दिया, किसी ने चांदी दी, किसी ने पैसा दिया और काफी सक्रिय रूप से लोगों ने तन मन धन से अपने मुल्क की रक्षा करने के लिए हर तरह की कुरवानी की।

लेकिन 15 नवम्बर से जिस दिन से इस सदन की कार्यवाही चलने वाली थी, कौनसी विशाल घटना घटी कि इस तरह के टैक्स लगाये गये और वह भी आर्डिनेंस के जरिए सदन में यह बात आती, सदन की स्वीकृति ली जाती, विचार किया जाता और जनतांत्रिक पद्धति के जरिए कोई रास्ता निकाला जाता, लेकिन यह तो संसद् के साथ मखौल बनाया जा रहा है और संसद् को अपमानित किया जा रहा है। इस तरह से अपने देश में किसी तरह का भी प्रजातंत्र पनप नहीं सकता है।

जहाँ तक टैक्सों का सवाल है इस देश में लगभग साढ़े 5 सौ करोड़ रुपये देश के बड़े उद्योगपतियों पर, पूजापतियों पर बाकी हैं। अगर यह सरकार वही पैसा वसूल लेती तो फिर नये टैक्स लगाने की जरूरत नहीं होती। और टैक्स लगाने का भी क्या सिद्धान्त है। एक आदमी जो तगड़ा है, पांच मन का कोई वजन का सामान उठा सकता है, उस पर भी उतना ही टैक्स और जो मलेरिया से पीड़ित है उस पर भी उतना ही टैक्स। यह कैसा सिद्धान्त है। यह किस देश का सिद्धान्त है। यह मेरी समझ में नहीं आया कि करोड़पति पर वही टैक्स और जो झाड़ू लगाने वाला आदमी है उस पर भी उसी तरह का टैक्स। कोई अनुपात में फर्क नहीं किया गया है। यह तो एक दुःखद बात है। जहाँ तक मुझे याद है जब लोक सभा का चुनाव चल रहा था तो शाशक दल की ओर से यह वचन दिया गया था कि जनता की हम गरीबी हटायेंगे और समाजवाद लायेंगे। लेकिन गरीबी हटाने की बात तो दूर रही गरीबों को ज़रूर हटाया जा रहा है, गरीबों को ज़रूर कत्ल किया जा रहा है।

इसी सिलसिले में सदन को एक घटना बताना चाहता हूँ। बिहार में जो जुर्म और अत्याचार हो रहा है, उसकी ओर मैं सदन का ध्यान दिलाना चाहता हूँ। अभी-अभी

सदन में कुछ देर पहले पूर्णिया गौली कांड की बात चली थी। वह एक ही जगह की बात नहीं है। इस तरह से देश के अन्दर अनेकों जगह छुट-पुट हत्याएं और कत्ल होते रहते हैं और गोलियां चलती रहती हैं। आज मैं साफ शब्दों में सदन को बताना चाहता हूँ कि आज अपने देश में जो पुलिस है, पुलिस के बारे में एक बार न्यायाधिश मुल्ला ने कहा था कि पुलिस इस देश में संगठित वेतन भोगी अपराधकर्मियों का दल है, बड़े लोगों के साथ पुलिस की सांठ-गांठ चलती है और उस सांठ-गांठ के जरिये गरीबों के ऊपर जुर्म होता है और गरीब जब कत्ल होता है तो उसकी इन्तिला तक थाने में नहीं ली जाती है। इस सिलसिले में मैं सदन के सामने एक फोटू प्रस्तुत करना चाहता हूँ। यह 29-9-71 की संघटा की घटना है। मुजफ्फरपुर जिले के गोरील में अकारण पुलिस वालों ने यह कांड कर दिया। पुलिस के दलाल ग्राम पंचायत के चुनाव में पराजित हो गये थे और दुर्भाग्य ऐसा था कि वहाँ पुलिस के डी० एस० पी० एक ही जाति के थे, वहाँ पुलिस के दरोगा एक ही जाति के थे, मुंशी एक ही जाति के थे, कांस्टेबल एक ही विरादरी के थे, सी० आई० डी० के इंस्पेक्टर एक ही विरादरी के थे। उनको गुस्सा इस बात का था कि पुलिस के दलाल को एक छोटे आदमी ने ग्राम पंचायत के चुनाव में कैसे पराजित कर दिया। इसके लिए पुलिस जा कर के, उसके घर में बैठ कर के एक आदमी को तत्क्षण गौली से मार दिया और उसकी वहीं मृत्यु हो गई। पुलिस ने उसको घरासायी किया गौली मार कर के। उसके बाद वहाँ के जो मैजिस्ट्रेट थे, उन्होंने कहा कि हमने गौली चलाने का आर्डर नहीं दिया था। वहाँ बदला चूकाने की भावना से गौली मारी गई, जिसके कारण श्रीमान साह की मृत्यु हो गई और उनके छोटे भाई विश्वनाथ साह के एक गौली सीने में और एक गौली बांह में लगी। वह अस्पताल में सेंसलैस पड़ा था

[श्री सीताराम सिंह]

और डॉक्टर ने लिख कर दिया था कि अभी वह कोई बयान नहीं दे सकता है। एस० पी० के मना करने के बावजूद डॉ० एस० पी० श्री रमेश प्रसाद सिंह के आर्डर पर आप देखिए कि वह बैड़ पर पड़ा है और उसके हथकड़ी लगी हुई है। यह पुलिस की घांघली है और बिहार में इसी तरह की घटनाएं आगे दिन घटा करती हैं।

अभी उस महीने की 22 तारीख की बात मैं आपको बताना चाहता हूँ कि 22-10-71 को तथाकथित नक्सली नेता दरोगा राय की हत्या पुलिस कस्टडी में हुई और कैसे कस्टडी में हुई कि जब वह आदमी पकड़ा गया था तो मुजफ्फरपुर थाने में रखा गया था और जब थाने में 8 दिन उसको टार्चर कर के पुलिस वाले उससे किसी बात का पता लगाना चाहते थे तो एक दर्जन पुलिस राइफलधारी उसकी ड्यूटी में रहती थी, लेकिन जब उसको वे लोग हाजीपुर ले गये तो उसके साथ केवल लाठीधारी पुलिस ही थी। उसके साथ कोई राइफलधारी पुलिसमैन नहीं था। उसको 8 बजे रात्रि में हाजीपुर स्टेशन से हाजीपुर जेल ले जाया गया और पुलिस वाले ने उसको कत्ल कल दिया और वहीं पर कत्ल किया और उसके बाद हास्पिटल जब उसको ले गये तो हास्पिटल में डॉक्टर ने कहा कि यह तो मरा हुआ आदमी है, तो वहाँ पर एक दर्जन राइफलधारियों का पहरा फिर लग गया। यह करिश्में देश में हो रहे हैं। तो मैं आपको बताना चाहता हूँ कि हाजीपुर पुलिस द्वारा लगातार नृशंस हत्या के विरोध में मुख्य मंत्री के नाम खुला पत्र हाजीपुर के जो विधायक है यह उन्होंने लिखा है...

श्रीमती विद्यावती चतुर्वेदी : माननीय सदस्य विषय के बाहर जा रहे हैं।

श्री सीताराम सिंह : विषय तो यही है गरीबी मिटाने का। आपने बचन दिया था गरीबी मिटाने का। गरीबी मिटाने की बात तो अलग रही, आप तो गरीबों को ही मिटाने जा रहे हैं। तो मेरा आप से निवेदन है और मैं सदन से भी निवेदन करूँगा आपके जरिए कि इसके लिए सदन की एक कमेटी नियुक्त की जाय और तमाम देश में जो इस प्रकार की घटनाएँ हो रही हैं, पूर्णिया की घटना है, गोरौल की या हाजीपुर की घटना है, उनके लिए कोई विकल्प तैयार किया जाय। मेरा सुझाव है कि सदन की कोई कमेटी नियुक्त की जाय जो देश भर में घूम कर छानबीन करे और गरीबों को न्याय दिलाने के लिए कुछ काम करे। इसके मूल में एक कारण यह भी है कि जब तक देश में आर्थिक विषमता रहेगी तब तक इस तरह की घटनाएँ घटती रहेंगी। गरीब आदमी अपने लिए अपनी जीविका के लिए कर्ज लेता है या खेती के लिए जमीन लेता है, तो जो आदमी उसको कर्ज देता है या खेती के लिए जमीन देता है वह उस पर अमानुष अत्याचार करता रहता है। तो मैं इतना ही कह कर अपना भाषण समाप्त करूँगा कि हमारा सैद्धांतिक सवाल यह है कि चाहे वह पुलिस हो या चाहे वह नक्सलाइट बंदी हो, जितने जोर से हम नक्सल पन्थियों के सिद्धांत का विरोध करते हैं उतने ही जोर से हम आज की पुलिस का, जो लोगों को कत्ल करने का काम कर रही है, उसका विरोध करते हैं। यहाँ सवाल उठता है कि पुलिस को अधिकार है कि वह किसी भी मुजरिम को अपनी सुरक्षा में ले और रखे, उस पर केस चलाने और उसको सजा देने का अधिकार पुलिस को नहीं, न्यायालय को है। वह उसको जेल भी भेज सकता है और उसको फाँसी भी दे सकता है, लेकिन पुलिस को उसका अधिकार नहीं है, बाहिया खानकी पुलिस है जो लोगों को बाहर ही गोली मारती है, हमारी इन्दिरा गांधी की पुलिस लोगों के घरों में घुस कर गोली मारती है।

इन शब्दों के साथ ही मैं अपनी बात समाप्त करता हूँ।

MR. DEPUTY CHAIRMAN : Mr. Balachandra Menon.

SHRI BALACHANDRA MENON (Kerala) : Sir, I am sorry I have now to express my views on this and say that this taxation was uncalled for. As Rabindra Nath Tagore has said, "It is a royal joke to beg of a beggar". And that is what you are doing. Here are people who are groaning under the burden of taxation, both the State and the Centre. The ordinary man bears the entire burden. It is the third-class passenger from whom you are getting *this* maximum. He cannot bear that. He has been burdened to such an extent. And you want him to bear this burden also. And what is it that you are getting ? Only Rs. 7 crores for the refugees. That is what you will get. If the ruling party had appealed to other political parties to go along with them, go to our people and collect this money, that could be done. Then we should have been in favour of it. This burden could have been avoided. But you never did that. Every time this has happened and every time we have opposed. But I am so sorry that even now to oppose it will look also ridiculous. That is the real trouble with us, because we are as anxious as our other friends are that those who have come from Bangla Desh should be properly looked after. We are as anxious as anybody else. I am sorry when you think of war only then you think of a friend. The ordinary man is already finding it difficult to bear the burden, and here you are putting more burden on the camel's back.

We know this problem is before us. We know that the outside countries are not helping us. We know that our appeal for help for the Bangla Desh refugees is not finding an echo in the heart of the world public.

We know that. But it is time for you. So many steps could have been taken by you to reorganise the entire economy on a new keel, on a war footing. Have you dared to do it? No. Blackmarketing was continuing as before. The cost of living was continuing as before.

The State sector industries must go on running at a loss. The huge bureaucratic burden must remain as it was before. There is no sense of a war economy. There is no sense of any patriotism to set the whole thing in order. This is a failure and this failure is going to cost us much. I am over-anxious. Even at this time I will appeal to you to understand the havoc you were doing if you hit this one beast of burden the poor peasant and the worker, on whom the entire edifice is built. The entire burden is on him. This huge thing is kept on him.

SHRI SHEEL BHADRA YAJEE (Bihar) : For Whom ?

SHRI BALACHANDRA MENON I am telling you for whom. It is only to benefit the monopolist. For whom ? It is only to benefit the big landlord. It is he who has bled this country white. It is for him that you have all these days Worked. And yet, even in the face of this crisis you dare not raise your hand against them. I am only sorry for that. What is it that you have done ? How many blackmarketeers go about ? How many monopolists go about ? Have you ever dared to do anything against them ? And now, at this time when everyone must be vigilant, when this rear has to be kept properly, those people who have been responsible for disrupting the economy, they continue to do that. And no steps against them. I would request Mr. Yajee and others, if they were really putting up the fight, to fight some small thing—because you can do only that much—to at least raise their voice of protest against the present condition where you allow the hoarded money to continue to disrupt the economy. Now, what about taxation ? What about the income-tax arrears ? You cannot immediately collect the income-tax arrears. But that is because you have continued to be negligent. Any time any of these Asiatic countries will have to face such a situation. They must always remember that evil-doers are out to do this sort of thing. And you should have been careful. You never cared to collect the money. When you could have collected it you did not do that. Why didn't you at least call the opposition parties together and ask them what are the new methods by which we can get at money which will help the Bangla Desh refugees to carry on this war—an elementary thing—witq

[Shri Balachandra Menon.]

out resorting to these ordinances ? We were meeting on the 15th of November and you could have come to Parliament for advice on that day. You could have at least waited till that day. But no. This is arrogance and nothing else. It is political arrogance by a majority party which led you to ruin previously, and which may again lead you to ruin if you continue at this rate—not that I want you to go to ruin. I will be very very sorry if such a thing happened and I do not want such a thing to happen. I want you to go for a rethinking, to respect the opposition. Everyone here is as much anxious as you. Any party, Right, Left, whatever you call them, on this question we are together. But you did not dare consult us. You did not want us. You did not require a helping hand when everybody is prepared to give you a helping hand. You think that you can carry on. And this is the arrogance which cost you much, which will again cost you.

Now, Sir, we know how the Railway's function. Ticketless travel continues as before. Huge bureaucrats there are who defy our Railway Minister. The Railway Board Chairman and others, even every minor officer thinks that he is a big man. He says that the Railway Minister is a temporary employee; "I am permanent." Can you believe that ? And this is the sort of thing that you have got down below. Everyone is arrogant. How many ? What an amount of waste also ? I would rather say that in this case very strict action should be taken against people who refuse to pay the fare because this is a war period, this is a very critical period. Take drastic action not only against officers who go wrong but also against our own people who refuse to pay the proper fare for the journey which they perform. At least that cannot be there. For a job that you do, you must get the cost. Even that is not there : why talk about socialism ? I do not want that. Let at least the market philosophy guide you : That also is not there.

Why should I pay for the discomforts that I am having ? That is it. In the railways, any pie that I pay is for a discomfort and not for a comfort. This is what is happening. I would, therefore, say that this joke that you are playing on the people, collecting five or six crores

of rupees saying that a big thing is being done is only an eye wash and nothing more than that. You should have the courage to impose greater taxation on people who can afford to pay. Here is a position where you should come out and say "Yes, we have decided to tax all Government officers who get Rs. 1,500". They should be asked to pay 1/10th of their salary for the Bengal Refugee Relief Fund. You bring a legislation to that effect—that anybody who earns Rs. 2,000 should pay ten per cent of that for this. We, Members of Parliament, shall start it; we shall do it. Will you do it for those who get fat salaries much more than any of these Members of Parliament? We are getting as much as clerk—if not in the railways, at least in the banks.

SHRI LOKANATH MISRA (Orissa): Junior clerks.

SHRI BALACHANDRA MENON : That is our salary. We are prepared to pay. But have you the courage to tax these bureaucrats, these fellows who get fat amounts ? I would, therefore request that a new tax on those who get Rs. 1,500 should immediately be resorted to for the Bangla Desh Refugee Relief Fund and for fighting our war. Had you brought an Ordinance to such an effect then at every street-corner and every trade union meeting we would have said "Here is a Government which dared to tax a bigger man".

Why tax the poor man ? He will carry the burden because, luckily for you the railway passengers do not get organised. If they got organised Mr. Hanuman-thaiya would not have dared accept this thing. The poor man in our country is not organised and, therefore, any man can ride on him and you are riding on him. Time is fast moving and he knows how to throw off this burden. So, let this Government be a good rider. Otherwise the horse or even the donkey will know how to kick it off. Such a situation should not come. I would therefore request you to have a better understanding of the economy of this country. The poor have suffered too much; they cannot have even two meals.

What is this one rupee on journey up to 100 miles ? Tax those people who travel first class and second class. Tax 25 per cent on those who can pay; that

will be of use. Tax them more. Tax those who can afford and that is the correct way of doing things. Therefore, I would appeal—although I do not like refusal of payment of the increased passenger fare—do not collect this from the poor. That is what I would appeal to you.

DR. (MRS.) MANGLADEVI TAL-WAR (Rajasthan): Mr. Deputy Chairman, Sir, I rise to support this Bill. The need for the Proclamation of the Ordinance was, in my opinion, a valid one although it was a very short time before Parliament was to be in session. We are passing through very difficult times. Our country is faced, as the Prime Minister has said, with an indirect invasion of one crore of people. To feed them and to give them shelter is our humanitarian obligation of not political or any other type. We are not forced to do it, but we have to do it because needy people, people who are homeless, who are afraid of their lives, have run to our country for shelter and food and crores of rupees are being spent. I agree with some Opposition Members that a sum of Rs. 7 or 8 crores which we are going to collect through these extra fares is not a very large one and Shri Balachandra Menon has very kindly offered to collect this sum by his own efforts rather than the efforts of this Government. Sir, this is a question of running a Government. It is not a question of just one single item, but it is a question of adding to something which is required very urgently and, therefore, in my humble opinion, Shri Balachandra Menon's this kind of offer cannot be accepted by this Government.

Then, Sir, Dr. Bhai Mahavir has mentioned that the money could be saved to a greater extent by eradication of corruption. There can be no two opinions on that. Corruption is there and the Government is alive to it and they are taking steps to eradicate it but it is a long-term work. You cannot eradicate corruption in a day or two or in a month or so. Therefore, to save money by preventing corruptions should be there, but it is a long-term process. Also I agree with him that all the corrupt practices, under Railways, *i.e.* theft, pilferage and malpractices, should also be eradicated, they should be removed.

He has also referred to black money. Black money is there. There are different ways of collecting black money by people

and the Government should take steps to bring it out from the hands of those who have got it, but these are long-term measures and they cannot immediately produce results. The ticketless travelling can certainly bring immediate result and the Government have taken steps, I know that and the ticketless travelling has been reduced to an appreciable extent in recent months.

One hon. Member from the Opposition has condemned the police force as such. Sir, there might be instances at different times and different places where police has done excessive things and they must be found out, but the thing should be probed into and the guilty must be punished. But, Sir, the practice to condemn the police force as such is a very dangerous one. We are living here in Delhi and even in other places the Leader of Opposition, like M^{rs} Jyoti Basu feels that he should have police protection. Police force as such is a backbone of our law and order and if we condemn the police force everytime something happens, some instance occurs, some excesses are done, then I think it will demoralise the police and they might also think of taking measures where no one would be safe, where no one's life would be safe, neither ours nor theirs. Therefore, I will request the hon. Members of the Opposition not to indulge in this practice of condemning the force which is protecting our life, property and its very existence. The other point I would like to make here is this. There is no doubt that taxation is not a very pleasant thing and the poor people have to suffer. These are indirect taxes and everyone has to share the burden. Everyone suffers but exemption have been made up to Re. 1/- and in the case of season tickets and this will give relief to a great many people who travel short distances and do their every day work. There was this suggestion that the people who are getting salaries of Rs. 1,500/- or Rs. 2,000/- should be taxed more and others less. I quite agree that the poor should be burdened less but here in the case of a five per cent rise in railway fares one could not make much distinction between classes. Therefore this point is not relevant here. I think people who can pay are doing it already. I think it is being done although it may not be known to everybody. Members of Parliament are contributing, others must be contributing, Ministers must be contributing.

[Dr. (Mrs.) Mangladevi Talawar.]

So those who can pay are doing it either voluntarily or on request. That way this suggestion is being implemented. Of course I quite agree with the principle that people who can pay should be asked to pay more and people who cannot should not be asked to bear more burden.

A point was made by one of the Members in the opposition that this measure is anti-socialism or that we want to destroy the poor and not poverty. I think it is not a correct statement. Nothing can be farther from the mind of the Government. One of the hon. Members from there said that there is no sense and no patriotism in the people who levied these taxes. This was said in general terms. To assess anybody's sense is a personal matter and I cannot say much about it but the charge of lack of patriotism I must challenge, I think every Indian especially those who are in power, our Prime Minister, her Cabinet colleagues, our party, and I am sure members of many other parties, are not lacking in patriotism. May be there are other considerations because of which the Government is obliged to come forward with such measures of taxation which throw burden on the people but surely it is not due to lack of patriotism. There could not be greater patriotism than in our people, people who are in authority, who have the good of the common man at heart in every action and in every thought of theirs. With these words I support this measure.

3 P.M.

SHRI T.V. ANANDAN(TamilNadu): Mr. Deputy Chairman, Sir, the culture of India from time immemorial is such that wherever there is distress, 'has gone to their assistance. From the days of the Ramayana and Mahabharata I quote. Therefore, nobody in this country is against Bangla Desh and the relief that the Government of India has undertaken to grant them. The relief that is coming from the international community is not enough. The Budget amount which the Government of India has allotted to the extent of Rs. 60 crores is also not enough. Therefore, the Government of India today under the Prime Ministership of Mrs. Indira Gandhi has come forward with an Ordinance for taxation. I may quote here what that great Chittaranjan Das said in 1905, viz., no taxation

without representation. It is with that programme, policy and slogan the people of India fought the British Government and got rid of them. For the last 24 years the democratic form of Government has functioned. The main reason for the Chinese hostility was that they found that India was growing under a democratic system of Government. The world also did not like the way in which the Government of India under the great leadership of Jawaharlal Nehru and the Congress party in power was growing. They did not want us to grow so rapidly. That opened the eyes of our neighbour, viz., China, which has a different ideology and which has a different form of Government. They thought that if India grew and succeeded in democracy, it would be ruinous to their ideology of dictatorship. Therefore there was hostility and our people faced it successfully. Today the same democracy is being pulled to pieces. I say it is an affront to democracy by the daughter of the greatest democrat Jawaharlal Nehru, who proved to the World that he was a democrat. Here, his daughter Mrs. Indira Gandhi, who has come to power, is shattering democracy by promulgating Ordinances. It is a great shame for the people and for us. Here we have functioned very well under a democracy. What harm would there be if she had waited for a fortnight? Parliament was to meet on the 15th November. Nothing would have happened. She could have spent what she is spending now. She has solid support and she would get the support of the people and Parliament. The only objection that I raise is to the way in which the Ordinance has been promulgated and the Bill is before us to replace the Ordinance issued by the President. I am not going to blame the Prime Minister. It is her advisers. Proper advice was not given to the Prime Minister. Had proper advice been given, I think there would have been no Ordinance issued. However, the Ordinance is here. When rightly demanded by the Working-class that the President should issue an Ordinance for the grant of dearness allowance or bonus or for any welfare measure, the Government of India do not come forward, but here for a paltry sum of Rs. 70 crores, there is an Ordinance. Was not a sum of Rs. 100 crores willingly donated when Jawaharlal Nehru was alive and our late Lal Bahadur Shastri was alive? Did not the people of India come forward with bangles and golden ornaments, with everything that they had? Did

they not donate everything when an appeal was issued. Why was not advice tendered to the Prime Minister to issue an appeal to the people of India to rise to the occasion to Support Bangla Desh? We are not against Bangla Desh. But it is an unexpected one. On the 18th March, Mrs. Gandhi was sworn as Prime Minister. On the 25th March, it had fallen on our heads, it came as a bolt from the blue. The country is at a standstill. All our efforts are not progressing. How can poverty be eliminated when the country today is facing the problem of Bangla Desh. We have to support by any means Bangla Desh and the Government of India. But let them take a lesson that this is not the way although they may be assured of support from the people. That support can never be extended if there is going to be another committal like this. Therefore, I say that the Government of the day has failed in not issuing any ordinance against the exploiters of the country, for the control of prices. There was a demand from so many parties for the control of prices but the Government did not come forward with any ordinance. That was the right time to do it and the people Wjulci have been satisfied. Increased dearness allowance you will have to pay to the employees. If it is not today, you have to pay next week, and you are going to add some more by granting additional dearness allowance and again, the cost of living is going to go up. It is a vicious circle which is not going to be controlled. Unless an ordinance is issued, how would you stop it. But here is an ordinance for the taxation of the people and that too on third class passengers who are using the trains in a majority; those poor people are going to be taxed. Both Houses of Parliament did not concur with Mr. Hanumanthaiya to increase the freight and fare. Nobody conceded his request because that was the condition of the people of the country. So, when the Railways were running at a loss and when to put a stop to it and provide more fund, if Parliament did not agree to enhance the rate of freight and fare, in what way through this ordinance we are going to them to the extent of five per cent. The poor people are going to be affected, as has been pointed out by my predecessor. This is not the way of running the GjvemmmJnt. The economy of the country is in the doldrums today. There is no end to the policy adopted by the Government. When it was the appropriate time action should

have been taken, but the Government failed to take it. But in a wrong way, the Government comes forward with such proposals thinking that it has got the massive support of Parliament.

Then, Sir, about the Railways there are some points which the Railway Minister has also to observe. He was late in taking action, somewhere in June or July. There was a press statement given by the officers of the Railway Board. He should have taken drastic action then it self. But he did not. Had he taken prompt action, the present disturbance in the Railway Board would not have been there. From this taxation of five percent the Railways expect to get more and therefore the railwaymen should also be supported. It is no use saying that the railwaymen are all right, that they are Working, well, it is with their energy and support that everything on the Railways is being done— this is said. But the railwaymen are not contented. All the works that are done in the railways are let to contractors, and in course of time the Railway Board is going to come and say that the surplus staff on the Indian Railways with have to be retrenched. Without contentment how can the railwaymen run the Railways. This candid impression should be eliminated from the minds of the 14 lakhs of railwaymen here who do heroic service.

Last month I had been on tour of the border areas. I have seen How our railwayman are 'uiKtioning there. Stations are : s foi- tie refugees who have come; in thousands and occupied the platforms and stations. The railway men are doing a very good work, but they have to be supported. How? Not by telling out all the work that they have been doing through outside contractors thereby leading to their retrenchment. Lakhs of people are still not confirmed. About the Southern Railway I have received a letter day before yesterday that hundreds of people are being served with notice of termination of their service although they have put more than 5-6 years of service. It is all because the Railway Ministry and the Planning Commission have curtailed the allotment made to the Railway Minister. I take this opportunity to impress upon the Railway Minister and also the other Ministers present here to see that whatever amount was curtailed should be restored back to the Railways so that the Railways

[Shri j. V. Anandan.J

will work normally and the Finance Minister who is now presenting this Bill can give more from this taxation.

Finally, Sir, I will have to mention that the Government of India which is now under the leadership of the Prime Minister should evolve a policy to eliminate the poverty and unemployment in this country. There should be no retrenchment. There should be no abolition of factories and firms. Unless the Government of India comes forward with an ordinance that there should be no factory closed, the owners of the factories after having got everything from the factories, will close down the factories throwing their men into unemployment. How can the Prime Minister of India solve the unemployment when the employed people are thrown out of employment and swell the rank and file of the unemployed people? Therefore, the Ordinance, rightly issued to improve the working class conditions and the welfare measures of the people of India, should be given top priority over the other Ordinances. Therefore, I appeal once again to the members of the Cabinet that they should tender such advice to the Prime Minister to see that the country is always in support of the good measures and I am sure the people will never fail to support the Government of the day. Thank you very much.

SHRI LOKANATH MISRA : Mr. Deputy Chairman, Sir, I participate in this debate not because of any other reason but emphatically I register my protest against the undemocratic way in which this Government has promulgated ordinances, particularly this Ordinance alone with 12 others.

SHRIMATI SUSHILA ROHATGI :
How do you say it is undemocratic ?

SHRI LOKANATH MISRA : When the expected help for the Bangla-Desh refugees did not come from the international community, it was natural that the Government of India would depend upon internal resources and would try to raise internal resources as far as possible. I have no quarrel on that matter.

SHRI ARJUN ARORA (Uttar Pradesh) : So this was also possible.

SHRI SHEEL BHADRA YAJEE :
What is the quarrel now ?

SHRI LOKANATH MISRA : If you talk for me kindly do it. I will sit down. I think all the Opposition parties in India and more so my party would have helped the Government in order to find resources much more than what they expect to get through this Bill. But the way it was done was extremely unfair, extremely undemocratic. The authorities perhaps thought that there was no Opposition party in existence in the country. And they did it on their own. They could have consulted the Opposition parties on a matter like this which they say is a matter of national emergency. They could have taken the Opposition parties into confidence even if they wanted to promulgate an Ordinance. There was nothing wrong. On many other occasions the Prime Minister sends telegrams to different parts of the country so that the leaders of the Opposition could come and assemble together and advise her on matters of great importance. Why did she forget on this particular occasion to take the advice of the Opposition leaders in the country? That is where the shoe pinches. It pains us really to find that a party which professes that they are democrats, that they believe in democratic socialism, should go on flouting the essence of democracy in this way. Parliament was to meet on the 15th of November, and the Ordinance came a few days earlier. Many other hon. Members have emphasised that point. I do not want to repeat it. But it goes to show how flagrantly the Government wanted to violate the essence of democracy. Even if it was essential to promulgate the Ordinance just a few days before Parliament was due to meet the leaders representing the different parties could have been summoned and their counsel or advice taken or their consent taken. The hon. Minister said that the Prime Minister had discussed the matter with the Governors. She would take the plea that they had consulted the Chief Ministers of the different States and the Governors. But that does not satisfy my point. The point is the Chief Ministers of different States even though they belong to different parties or parties other than the ruling party at the Centre, do not represent the Opposition in both Houses of Parliament. There are other leaders called the Opposition leaders. They are the persons who should be consulted on a matter

like this. When the Prime Minister does not consult the Chief Ministers on other occasions, why did she prefer this occasion for consultation with the Chief Ministers, ignoring the Opposition, leaders?

SHRI DEV DATT PURI (Haryana) : For my clarification, can the hon. Member give a single instance of Opposition Members having been Consulted in matters of taxation, one single instance anywhere in the world.

SHRI DAHYABHAI V. PATEL (Gujarat) : Can you give any instance of taxes being raised by an Ordinance, single instance in any democracy ?

SHRI DEV DATT PURI : That is another matter.

SHRI SHEEL BHADRA YAJEE : Even the ruling party members were not consulted.

SHRI LOKANATH MISRA : I Would advice Mr. Puri, who is an eminent businessman, to remain in the Opposition and be an Opposition leader in order to know when the Prime Minister consults Opposition leaders and when not.

SHRI SHEEL BHADRA YAJEE : Not on taxation matters.

SHRI LOKANATH MISRA : It is for the Opposition leaders to say that. It is not for the treasury benches to say that.

SHRI DEV DATT PURI : The consultation that takes place between the Prime Minister and the Opposition leaders is not a matter of secrecy. It is a public matter. I want the hon. Member to give a single instance in this country or elsewhere where except in the case of a coalition government, the Opposition was consulted on a matter of taxation.

SHRI SHEEL BHADRA YAJEE : Nowhere, not even in Orissa.

SHRI LOKANATH MISRA : Sir this occasion was not an occasion or ly for taxation- There was a national emergency. The Bangla Desh refugee problem is a problem of every Indian. It is not a problem of Mr. Puri alone or Mr. Yajce alone. Everybody feels that

we must find a way out, and everybody is probably as anxious as the Prime Minister, if not more, that away out should be found.

My leader has just now indicated that the Prime Minister has never consulted Opposition leaders on matters of taxation, never probably has any country in the World, has any democratic country in the world, taxed the people through the promulgation of an ordinance . . .

SHRI DEV DATT PURI : That is a different matter.

SHRI DAHYABHAI V. PATEL : That is the more important matter.

SHRI LOKANATH MISRA : Apart from these interferences, Some friends on the other side wanted to . . .

SHRI DAHYABHAI V. PATEL : ... display their loyalty . . .

SHRI LOKANATH MISRA : ... display their allegiance to their leader and sympathise with them.

The Bill as such does not say how long it is going to last When it becomes an Act. We have been repeatedly assured by the Prime Minister that the refugee problem would be solved within six months . . .

AN HON. MEMBER : Two months.

SHRI LOKANATH MISRA : Now two months after ten months have passed. Nobody including the Prime Minister can assure when the refugee problem is really going to come to an end. It depends on so many contingencies. If anybody is going to venture such a forecast he or she, however eminent he or she is, is bound to go wrong or as she has gone wrong on two other occasions. Therefore, in future she should not venture to make such a commitment to the nation that I am going to solve it within two months or one month or six months or five months. Let her refrain from that. The country is with her so far as Bangla Desh refugee problem is concerned. But exploiting sentiment too much- probably Would not be very fair also- Now every attempt is being made to shift the inefficiency,

[Shri Lokanath Misra,]

the undemocratic way of working of the ruling party, to the issue of Bangla Desh. The issue of Bangla Desh is not such a question which can take in all kinds of inefficiency, all kinds of deficiency or anti-democratic acts. There must be a limit. Therefore, I would suggest hereafter whatever is done, the Opposition should be taken into confidence. A time-limit for the Bill should be put. I do not know whether she can now put a time-limit to the Bill after the Bill has been passed in the other House...

SHRI SHEEL BHADRA YAJEE :
Till return of the refugees.

SHRI LOKANATH MISRA : It cannot be done because the other House is the main House so far as taxation measures are concerned. We have to endorse it and even if we do not endorse it, it becomes an Act within fifteen days. Therefore, I do not know how far the Deputy Finance Minister would be in a position to categorically assure us that this is going to end on such and such a date...

(*Interruption by Shri Sheel Bhadra Yajee*)

I will be happy and I wish you were the Deputy Finance Minister so that...

(*Interruption*)

SHRI DAHYABHAI V. PATEL :
What will be the fate of the country if he were the Deputy Finance Minister?

SHRI LOKANATH MISRA : The other point that I wanted to emphasise is —of course, it has already been mentioned by one or two of my previous speakers— the Government is lacking seriously in its manifestation of earnestness, of a sense of urgency or of a sense of austerity. Everything that was going on previously goes on now. They have spoken about austere motor cars, marriages, this and that. I will not repeat it again. But there has not been my spectacular, distinct, change in their behaviour before the crisis and after the crisis. They call themselves the leaders of the society because anybody who is leading the country as Prime Minister is definitely the leader of the country. And she has fifty-two followers. But everybody is going his own way. This morning I saw in the newspapers two Ministers of State

are criticising the Prime Minister. This also goes on here...

AN HON. MEMBER : Is it a matter of happiness.

SHRI LOKANATH MISRA : Not happiness. It is a question of joint responsibility. I want the government to function as it should. Once the government takes a certain action, unless a Minister resigns from his post, he has no business to move about criticising the government. Then the question of joint responsibility ceases. As I was saying the Prime Minister along with 52 other Ministers in the Central Government should set an example for exemplary behaviour in order to inspire the people in this country. They should be in a position to tell the people : "We were enjoying these perquisites. We have done away with them. We were enjoying these benefits as Ministers. Now we have done away with at least 50 per cent of them". Shri Hanuman-thaiya should say : "I used to travel in saloon. My officers used to travel in saloons. Now we have done away with that". If our leaders show such exemplary behaviour, then I think people would be too anxious to co-operate with whatever is done for the Bangla Desh refugees. If the Ministers keep on misbehaving without showing any sense of austerity...

श्री डाह्याभाई व० पटेल : साढ़े चार लाख रुपया खर्च होता है एक मिनिस्टर पर और आप आस्टेरिटी की बात करते हैं।

SHRI LOKANATH MISRA : ...! can you expect the people to do their best? Now the poorest man is going to be taxed by this increased railway fare. The poorest man in the country is going to be affected by this. But he is not grudging it for the present because he thinks that he is doing it for a laudable cause. Our objection is that it has been done in an undemocratic way. For the cause we have our sympathies and we want to contribute for that cause. But there is heart burning because the common man feels that Shri Hanuman-thaiya is enjoying so much of benefits and he does not want to part with a single item. He feels : "I am being further -taxed even though my earning is not even one-tenth of Shri Hamiman-thaiya's earnings including the per-

quisites". I would, therefore, request the government to manifest to the people that they are serious about this matter and they are feeling as much as the common man feels. Then you can expect the common man also to sacrifice.

SHRI SASANKASEKHAR SAN YAL (West Bengal) : Mr. Deputy Chairman, the Bangla Desh issue has turned out to be a viable anaesthesia for encouraging any rash surgical operation upon the poor people of India. Sir, during the last two budgets, there was no additional taxation upon the third class passengers. Probably the government has come to repent and therefore under the specious plea of assistance to Bangla Desh people—for which our tears have no end—you are inflicting a burden upon 90 per cent of the railway travelling people who travel in third class. Of this 90 per cent, a sizeable volume are daily passengers who cover 60 to 100 miles in up and down journeys. Their families are below subsistence level already. They will now be axed with this tax which gives them a little bit of extra trouble.

The other thing is that in this country—uncountable millions are unemployed people. They move from place to place in search of employment. I hope one of my friends will come to this subject while speaking on the increase in postal rates. We are charging five paise more on 20 paise envelopes. In Bengal there are more than 30,000 educated unemployed people and each of them makes an application at least thrice every month. So, they will have to pay sometimes 5 paise more or 10 paise more depending upon the volume of testimonials attached. That is another matter. These people who travel from place to place in search of employment will be compelled to pay more. And, Sir, look at another aspect : We have got 'sharanartis' from Bangla Desh, the people from Bangla Desh, who are our honourable guests and we do not grudge. But, in the borders where permanent citizens are living, under pressure of constant shelling, they are shifting inwards and they have to undertake railway travels. They have to leave their homes and they have to leave their professions and they have no camps to go to. But our Government will not look after them for the time being. The only way that they will be looked after is to be called upon to pay a little more. Sir, this causes irritation. After all, uniformity between

one section and another is the best thing and the least avoidable thing. But these people will curse themselves that they are not 'sharanartis'; they will curse themselves that they are Indian citizens on the borders; and they will curse themselves that they are being attacked from outside.

Then, Sir, look at another aspect. This 5% on the First Class passenger and the 5% on the Third Class passengers—is it the same thing ? Then 5% on the Air-Conditioned Class passengers, is it the same thing ? Then, Sir, what about the ticketless travellers? Mr. Menon was referring to our salaries and allowances and all these things. Sir, these Ministers, these MPs, the President and the Vice-President and the top-ranking executives—they are all ticketless travellers, privileged ticketless travellers. The Bill provides for taxing those who are holding season tickets and mileage coupons. Well, we do not hold either the season tickets or the mileage coupons. But we hold the identity cards ! So, we talk about Bangla Desh and we are scraping the flesh and dripping the blood of our brethren who have voted us to power and position and we are taking care of ourselves, the privileged ticketless travellers.

SHRI SHEEL BHADRA YAJEE :
They are passing the Bill.

SHRI SASANKASEKHAR SANYAL:
Yes, they are passing the Bill and at great cost. So, Sir, I would suggest that we do not pay a single paise out of our pocket for this. So, let there be either an *ad hoc* levy or substantial levy on an age basis. After all, do to yourself what you want to do to others.

SHRI MAHAVIR TYAGI (Uttar Pradesh) :
What will my friend say if I point out that there is a Bill to be moved to the effect that the so-called ticketless travellers will pay from their own pockets?

SHRI SASANKASEKHAR SANYAL:
Then, at least there is something and I will be satisfied with anything. I am a poor man and you cannot make me poorer. They are people who think of their property and prosperity. I am not one of them, because I am one of the absolute rank and file and you cannot make me more economically unsound. Now, Sir, in this background...

SHRI SHEEL BHADRA YAJEE : Every advocate is like you.

SHRI SASANKASEKHAR SANYAL: But I have given up my practice.

Therefore, Sir, in the background of these things . . . (*Interruptions*). Sir, Yajee and myself were the same people at one time. Now, he has gone up and I have gone down. We were one when we were under the banner of Netaji Subhas Chandra Bose and now that the banner has changed, he has also changed.

Now, Sir, in the background of these things, there is also black money and according to the official reports, Rs. 4,000 crores of black money is floating and we have not tightened our machinery to bring them out ! Sir, according to the Auditor-General's Report, unrealised taxes are there which amount to Rs. 900 crores and there are also evaded taxes. So, if these things are touched, at least by modest efforts, in the name of patriotism, in the name of uniformity, in the name of humanitarian considerations, in the name of the milk in the mother's breast, well, Sir, these Rs. 70 crores need not have been thrown as a burden on the unfortunate poor people. Sir, my friend, Shri Lokanath Misra, put a very sound question : How long will this go ? I can tell him from my experience of taxes that once imposed they are never withdrawn. After the Bangla Desh problem is over, if at all, when you will cry for restoration of *status quo ante*, these taxes will remain, and will increase in the name of more spacious and wanton phrases of *gharibi hatao*. So, instead of *hatao gharibi*, you will say *hatthao Gharibi*...

(*Interruptions*)

MR. DEPUTY CHAIRMAN : Mr. Kamalanathan.

*SHRI M. KAMALANATHAN (Tamil Nadu) : Mr. Deputy Chairman, I would like to express my thanks for giving me an opportunity to speak on the Resolution relating to Railway Passenger Fares Ordinance 1971 (No. 17 of 1971) promulgated by the President and the Railway Passenger Fares Bill, 1971. All the Members of the Opposition have strongly condemned the Ordinance as it was

•Original speech in Tamil.

promulgated when Parliament was not in session. I fully endorse the views expressed by them. It has been stated by Government that during the recent Governors' and Chief-Ministers' Conference held in October, 1971 consent to issue an Ordinance on taxes has been taken from the States and those taxes are for the benefit of the refugees from Bangla Desh. But the problem is how long these taxes will be imposed on the people. As the Members who spoke before me have stated that a tax once imposed will never be with drawn.' Everybody agrees with this view. In this connection, I would request the Prime Minister to give a date by which the refugees from Bangla Desh will be sent back to their homes and also state the steps which Government are taking in this connection instead of stating as to how long these taxes would continue.

Everybody is aware that 90% of the Railway passengers are poor people. We should not have taxed those persons who travel in the third class and they constitute 90% of the Railway passengers. We have been told that they can collect 70 crores of rupees annually as a result of these taxation proposals. But the proposals do not contain one type of tax. They consist of four types of taxation. After imposing these taxes, to collect those taxes, Government are spending a major portion of money out of the amount collected from these taxes. I feel that instead of this, it would have been better on the part of the Government to bring forward a Supplementary Budget.

As far as the Railways are concerned everybody agrees that the Railways are very badly managed. The hon'ble Minister of Railways Shri K. Hanumanthaiya has stated, in reply to a question in the Lok Sabha on 23-11-71 that in six months the income from the Railways will increase by 7 crores of Rupees annually. We are happy to hear this. But at the same time it is stated that they have to spend 24 crores of rupees more on administration than the anticipated expenditure. They have now to make up the deficit of 17 crores. In addition to this, We have to pay these taxes also.

All are aware that the losses due to thefts and pilferage in the Railways amount to 17 crores of rupees annually. At the same time, the amount of money given by way of compensation by the Railways

comes to 20 crores of rupees annually. In addition to this money which is given by way of compensation an amount of 37 crores of rupees is being spent annually on the staff and on administering the machinery to prevent such thefts. The Railway Administration should be streamlined properly and efforts should be made to increase efficiency. If we can succeed in reducing and preventing thefts in this manner than we can save to the extent of 70 crores of rupees without the levy of this tax.

All Members have stated that the arrears of Income-tax amount to 530 crores of rupees. I want to ask the Government as to why they are not taking vigorous steps to collect these arrears. Taking into account the present Bangla Desh situation, the Government should issue an emergency order to the officials to collect these arrears vigorously and expeditiously. In addition to this, with regard to exports and imports, Government have stated that there is over invoicing and under invoicing to the extent of 400 crores of rupees. These Members who spoke before me have stated that there is black money to the extent of 4000 crores of rupees in the country. At this juncture, Government should give an incentive of 50% to holder* of black money so that we can get a collection of 2000 crores of rupees on this account.

Some Members have rightly stated that Members of Parliament, Ministers, President and Vice-President are all ticketless travellers. They are not affected by these tax proposals. It is correct. All the Political Leaders should make a resolve not only in Parliament but in Public meetings also that we should do everything possible to help Bangla Desh to make Bangla Desh an independent State. But I want to ask : what is our contribution? We get an income of Rs. 500 per month and a daily allowance of Rs. 51. All Members belonging to all Parties should resolve that as long as the Bangla Desh issue is not solved we should contribute 20% of our salary per month. We should also give 20% of our daily allowance per day. According to my calculations if all Members of Parliament contribute like this an amount of 30 lakhs of rupees can be collected annually. This is a suggestion from me and I request all leaders of Political Parties to consider this seriously.

There is horse racing in our country. On horse racing, the rich persons are spending money lavishly. You can collect that money by way of Entertainment Tax, Cinemas, Dramas also from part of entertainment. It will be justified if you increase tax on big hotels at this juncture. Then take the case of the Tirupathi Devasthanams which is in Andhra Pradesh. You might have heard about it. It has been said that an amount of Rupees 10 lakhs is daily collected by the Devasthanams. Even if it is situated in a State and you cannot tax them, you can direct the Andhra Pradesh Government to levy a surcharge on the 10 lakhs of rupees collected there. That amount can be utilised for the benefit of the refugees.

I request the Ministers and the Officials to cut down travelling expenses. As a result of this, lakhs of rupees may be saved. We should do everything in our power to save as much money as possible for the benefit of the people of Bangla Desh so that they can live happily and freely.

I would like to conclude by stating that as these tax proposals generally affect the poor people, I oppose this Bill.

Thank you.

SHRIMATI SUSHILA ROHATGI : Mr. Deputy Chairman, Sir, at the very outset I would like to thank hon. Members for the very valuable suggestions they have made. I think many of the suggestions are really good, and I can assure them that the Government will take due note of them and give them the attention that they really deserve. But with your permission, Sir, I may be permitted to say that in the case of many speakers I can understand their rancour, I can understand their political strategy, but I must admit at the same time that there was no sound and fury, and there are very few of them who really came out with suggestions which were vitally linked up with the subject under discussion just now.

SHRI SASANKASEKHAR SANYAL: We did not indulge in fury because we did not want to frighten a lady member.

SHRIMATI SUSHILA ROHATGI : You were an exception, and when it comes to that I shall deal with it.

[Shrimati Sushila Rohatgi.]

So far as the opposition of the Member to the Ordinance is concerned, Sir, can appreciate it, and I can quite understand it because we are all representatives of the public. At the same time we explained to the people at large and to our representatives beforehand that there were certain circumstances that induced the Government to resort to this taxation by Ordinance. First I would like to concentrate on the Ordinance alone. There are people who object to Ordinances and I may, for their benefit, only quote article 123 of the Constitution and explain the reason which prompted the Government to this action. It is stated in article 123(1) :—

"If at any time, except when both Houses of Parliament are in session, the President is satisfied that circumstances exist which render it necessary for him to take immediate action, he may promulgate such Ordinances as the circumstances appear to him to require."

Now I think there can be no two views on this matter—that this is an urgent matter, an extraordinary matter and a matter which requires immediate action. Therefore, I think the allergy which we as representatives of the public have to Ordinances does not really apply to Ordinances in this particular case.

Some hon. Members have quoted the late Mr. Mavlankar. I would like to give them the other side of the picture—the replies given by Pandit Nehru in this connection—and I may be permitted to quote in this connection. This is what Pandit Jawaharlal Nehru said on 13th December, 1950 :—

"I think all of my colleagues will agree with you that the issue of Ordinances is normally not desirable and should be avoided except on special and urgent occasions."

I think we all believe in this even now. But we have been reluctant to issue Ordinances. And this is a continuation of the same quotation :—

" it is only when we have felt compelled to do so by circumstances that we have issued them."

I think the hon. House will agree with that also.

To continue the quotation :—

"You will appreciate that it is the responsibility of the Government to decide what steps should be taken in a particular contingency."

I think the House will rise as one person and realise that there is a particular contingency in the matter and, therefore, it is left to the discretion and the wisdom of the Government where and what steps to take and in which manner. That is the point which I wanted to bring in justification of the Ordinance.

Some other Members have said that this is undemocratic. I do not think this is undemocratic and here again I am repeating the words of the late Pandit Nehru :—

"I am myself unable to see why this should be considered undemocratic. Of course, this power, like any other power, may be abused and Parliament will be the ultimate judge as to whether the use of this power has been right or wrong."

These words are correct even today also and we cannot retaliate that it is not a very desirable step. As the circumstances are such this had to be issued and I think the country as a whole will appreciate the Ordinance. I think it should not be met with the normal opposition that they are entitled to in normal conditions where it is not very necessary.

SHRI MAHAVIR TYAGI : May I make one point clear to the hon. Minister ? The objection taken by most of the opposition Members is not for the Ordinance. Basically it emphasises the fact that it is an Ordinance for levying taxes. There is a distinction that we made. Then again, that tax was leviable on the date when Parliament was to meet. The Government would not incur any loss if instead of issuing the Ordinance on that very date the taxation measure was put before the House.

SHRIMATI SUSHILA ROHATGI : I am grateful to the hon. Member. I was just coming to those points. I am glad to know that the hon. members as such do not oppose the Ordinance.

I thought the basic idea of Ordinance is not a very normal feature.

Now I come to the charges that have been made, that is, taxation by Ordinance. There are some Members who have mentioned that never before in the history of this country has there been taxation by an Ordinance. Not that it is a very palatable idea; I think it should be avoided at normal times. But just to put the record straight I may give some illustration. We have with us a few Ordinances through which taxation has been resorted to. They are :—

- (1) Mineral Oil (Additional Duties of Excise & Customs) Ordinance 1958.
- (2) Sugar (Special Excise Duty) Ordinance, 1959.
- (3) Indian Tariff (Amendment) Ordinance, 1965.
- (4) Indian Tariff (Amendment) Ordinance, 1966.
- (5) Mineral (Amendments) Additional Duties of Excise & Customs) Amendment Ordinance 1966.
- (6) Taxation Laws (Amendment) Ordinance, 1967.

SHRI LOKANATH MISRA : Have you imposed new taxation or the previous Bill was expiring and therefore you promulgated those Ordinances ?

SHRIMATI SUSHILA ROHATGI : I get your point. They have amended the law and even by amendment also various things have been introduced and as such the basic point that there has never been a taxation through Ordinance is not correct. Now the point that has been raised...

SHRI LOKANATH MISRA : In this case the question is that this is a fresh taxation whereas that was a continuing process, that is the difference.

SHRIMATI SUSHILA ROH ATGI : Not all of them. I will give you the statutes, but it is not applicable to all of these cases.

About the third point raised by Shri Mahavir Tyagi and also the other Members, which is a very relevant one as to why this particular Ordinance should 7—15 R.S./71

come into force when the Parliament was meeting, I say that this is a very relevant point and all of us should share, but for his information, I may only say that the Ordinance was promulgated on the 22nd November and there were certain preparatory steps, that were necessary to be taken. Certain actions had to be taken, especially so far as the railway fare was concerned, we were aware of the fact that the reservation booking starts about 20 days in advance. Therefore, for the taxation to be realised from those people it was necessary to do it earlier. It would have been a little difficult to assimilate and collect the taxes once after the reservation had been done and, therefore, it was to avoid the inconvenience to the public that it was thought necessary to make all the preparations beforehand. I would like to assure the House and allay the fears of the hon. Members...

SHRI MAHAVIR TYAGI : If you don't mind, this could also have been done by issuing a press note saying that the Government have decided to levy such and such taxes and that the Bill will be placed on the floor of the House on the day when the House meets. By means of a notification this could have been done.

SHRIMATI SUSHILA ROHATGI : I do not know how far this could have been achieved by a press note but all the same the fact lies that it was basically, to avoid inconvenience and I may say Sir, that this is just a coincidence that it has happened to be on the 15th. It is coincidence, otherwise the same thing could have been done two or three days earlier. In fact, when it was promulgated on the 22nd October, it could have come into operation on the 12th also but since 12th and 13th happened to be Friday and Saturday it is only incidental that it happened on the 15th. I can assure the hon. Members that there is no intention of political arrogance as some of the Members have mentioned. I think it is only this time when we realise that the massive mandate is with us, it is only now that we realise the people believe in us and they have the aspirations and they expect us to deliver them the goods. It is not arrogance, but it is the humanitarian ground that we want to discharge our duty and I think the question of arrogance does not arise.

श्री सुन्दर सिंह भंडारी (राजस्थान) :
आन ए प्वाइंट आफ आर्डर। मेरा यह प्रश्न
है कि क्या सरकार के द्वारा जिस दिन यह
ऑर्डिनेंस जारी करवाया गया, उसके पहले
राष्ट्रपति के द्वारा संसद् के अधिवेशन को 15
नवम्बर की तारीख से बुलाये जाने का आदेश
जारी किया जा चुका था या नहीं।

श्रीमती सुशीला रोहतगी : जो हां
जारी किया जा चुका था।

श्री सुन्दर सिंह भंडारी : तो यह
कोईसिडेंस कैसे हो गया।

श्रीमती सुशीला रोहतगी : कोईसिडेंस
इसलिये हो गया जो कि मैंने आपको पहले ही
बताया था कि वह 12 को भी हो सकता था
और इसको 15 को बुलाया गया था। केवल
यह 20 दिन का लैस देना था और वह 12
न हो कर 15 हो गया। इसमें कोई पोलिटिकल
मोटिव नहीं है। वह 15 की जगह 12 भी
हो सकता था।

श्री सुन्दर सिंह भंडारी : जब 12 नहीं
किया गया तो 15 को तो पार्लियामेंट नीट
कर रही थी।

SHRIMATI SUSHILA ROHATGI : I am
glad that you raised that point. I appreciate the
point. Even otherwise I would have answered it.
What is the basic point here? Why has it to be
on the 15th and not a little later on? The main
reason behind is that every day we are losing
about Rs. 2.2 lakhs from these taxes.

SHRI SUNDAR SINGH BHANDARI :
Then why not from the day the Ordinance was
issued?

SHRIMATI SUSHILA ROHATGI : Let me
explain this. Every day, every hour, every
minute, every second that passes is of vital
significance and I think hon. Members will
agree with us on this. By these various levies
imposed through the Ordinances I think the
Government is in a position to collect a revenue
of nearly Rs. 12 lakhs per day; I am taking all
the levies into consideration. And that is not a
small sum and I think hon. Members even on
the Opposition side would agree that money is
more important and Rs. 12 lakhs a day

is not very small. So these had to be brought,
it could have been 12th or 16th or 15th. So this
fear—and I think it is the normal fear—is not
well-founded and this charge against the
Government is not substantiated.

We now come to the point made that this
measure like other measures taken by the
Government is going to hit the common man but
before I come to that I must say that it is rather
amusing to hear a Swatantra Member speaking
of the garib. I would not expound on that any
further but I will leave it at that. Similarly it was
also amusing to hear some Members of the
C.P.M. party speaking of the pain that would be
caused to the garib people and questioning our
slogan of 'garibi hatao'. For their information I
may pose one question here; is there any other
political party in the country which has
contributed greater loss and caused more pain
than the C.P.M. so far as the garib people are
concerned? What have they done in West
Bengal? Are all their gheraos, their strikes,
all the man-hours lost, all the dislocation of
the industry, paralysing the normal life, going
to help the garib whom they want to help? I
think this question would incidentally answer the
charge how sincere we are about 'garibi
hatao'. However, I am very grateful for
the valuable suggestions that he has made
regarding savings, realisation of income-tax etc.
Here I am one with him; there is much to be
done but the Government has already taken cer-
tain steps in that direction. It may be a small
step but we are hoping that during the course of
the year through various steps we may be in a
position to collect about Rs. 50 to Rs. 60 crores.
As for the other thing already certain economy
measures have been taken; they are not very
big but they are symbolic and the Central
Government expects that the various measures
should bring in some Rs. 50 to 60 crores. At
the same time you will be happy to know that
the savings movement has gained momentum. We
hope that not only the target of Rs. 750 crores
will be achieved but it will be exceeded and may
go up to Rs. 1000 crores. These are some of the
measures that have been taken and I am grateful
to the Members for having raised this point.

About the main charges against the
Railways, I am not holding a brief for the
Railways. I personally feel that

there is much more to be done and the Government is looking into those things. If it is contended that there should be taxes only when there is a state of perfection we might be living in Utopia. It will take a long time to come about; it will take years and years. Attainment of perfection will be a long-term process and as such we have to resort to certain instrument of taxation where there would be mass involvement. They ask why the Government should resort only to such instruments where there is mass involvement. The reason is very simple; there is no big strategy behind it. It is only to involve the people as much as possible in this stupendous task, and the charge that it hurts the common man is not substantiated, because I will quote certain figures to show how far it goes against the common man. If we go through the chart we find that in the case of ordinary third class up to 100 kms. on a fare of Rs. 2.65 the increase is 15 paise, up to 500 kms. On a fare of Rs. 12.50, it is 65 paise; up to 1000 kms. on a fare of Rs. 22 it is Rs. 1.10 and upto 4000 kms.—which very few people travel on very few occasions—on a fare of Rs. 72.95 it is Rs. 3.65. By third class mail or express up to a distance of 100 kms. - on a fare of Rs. 3.50 it is 20 paise "fir.M. - Up to 1500 Km on a fare of Rs. 16.35 of it is 80 p. Up to a distance of 1,000 Km. on a fare of Rs. 28.55, it is Rs. 1.45. Up to 4,000 Km on a fare of Rs. 85.45, it is Rs. 4.25. Therefore, we find that in respect of third class ordinary it never exceeds more than Rs. 3.65 throughout the length and breadth of the country up to 4,000 Km and in respect of third class mail it does not exceed Rs. 4.25. This is how it affects the third class people, apart from those who have been exempted up to Re. 1. Those who have been exempted are rightly exempted because we find that it affects quite a number of people. In the case of those who can travel first class and air-conditioned, naturally their fares have been raised. I think, the suggestion made by some of the Opposition Members that these should have been raised further is worthy of consideration. All the same, these have been raised to some extent. Now, some have said that the third class should have been totally exempted. Out of a total revenue of Rs. 8 crores, if they had been exempted, we would have been able to raise a revenue of only Rs. 1.3 crores and, therefore, the efforts would not

have been equivalent to the intentions here at all. After all this new tax which has been levied on the Railways, about 53.88 per cent of the people have been exempted altogether and, therefore, that proves the contention that the lot of the common people is not affected so much. The commuters, the people who are daily travelling short distances have not been affected. I do not think the charge made by the votaries of the third class people is substantiated by any logic or reason.

SHRI BABUBHAI M. CHINAI (Maharashtra) : I want to correct the hon. Minister by saying that they are not third class people. They are first class people.

SHRIMATI SUSHILA ROHATGI : I am very happy to be corrected. I would like to say that they are not third class, but they are excellent people. Apart from these things we realise and all the Members realise that we have ultimately to stand on our own legs. The foreign assistance that we have received so far is Rs. 55 crores. Therefore, in some form or other it has to come from the common people. Now, the common people have done very well in the past. They have said that at the time of the Chinese aggression there was no Ordinance issued and so why issue an Ordinance now ? How can we compare the two things ? We are students of history. Never before has there been a flood of one crore refugees and there is no comparison between the two. We also know that in Meghalaya, Tripura and West Bengal, where they have come and settled down, the people are sacrificing their daily ration, their houses, their colleges, their studies. They are doing it in a happy manner because they realise that it is for a good cause. With these words, I think I have been able to meet some of the charges. As regards the other charges that are political, I would only appeal to the Opposition parties. They have done their part by registering their opposition and by registering their objection. Now, I would appeal to them to rise above the stature of their political affiliations and like Members of Parliament they should speak with one unequivocal voice.

SHRI BHUPESH GUPTA (West Bengal) : Why do you not register your protest by withdrawing it ?

SHRIMATI SUSHILA ROHATGI : I have registered my acceptance by saying that I seek the unanimous approval of the House.

MR. DEPUTY CHAIRMAN : The question is :

"That this House disapproves the Railway Passenger Fares Ordinance, 1971 (No. 17 of 1971), promulgated by the President on the 22nd October, 1971."

SOME HON. MEMBERS : 'Ays'.

SHRI BHUPESH GUPTA : On a point of order...

MR. DEPUTY CHAIRMAN : There is no point of order.

SHRI BHUPESH GUPTA : The Minister of Parliamentary Affairs should answer. Under the normal rule for "Ayes" and "Noes" if some people say "Aye" and some people say "No", there should be division. Here voluminous Ayes have come in support of the Motion.

HON. MEMBERS ON THE TREASURY BENCHES : No, no.

SHRI BHUPESH GUPTA : Therefore, as far as I know, Sir, you do not suffer from any ear trouble. You must have heard properly.

MR. DEPUTY CHAIRMAN : Therefore, I can give a proper decision on this question.

SHRI BHUPESH GUPTA : May I, as a colleague of yours in this House suggest that you should be taken immediately to an ear specialist ?

MR. DEPUTY CHAIRMAN : The question is :

"That this House disapproves the Railway Passenger Fares Ordinance 1971 (No. 17 of 1971), promulgated by the President on the 22nd October 1971."

The motion was negatived.

MR. DEPUTY CHAIRMAN : Now I am putting the motion to vote. The question is :

"That the Bill to provide for the levy of a tax on railway fares, 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 to 8 were added to the Bill

Clause 1, the Enacting Form ula, the title and the Schedule were added to the Bill.

SHRIMATI SUSHILA ROHATGI = Sir, I move :

"That the Bill be returned."

The question was put and the motion was adopted.

**I. STATUTORY RESOLUTION DIS-
APPROVING THE*: TAX ON POSTAL
ARTICLES ORDINANCE, 1971 (18 OF
1971), PROMULGATED BY THE
PRESIDENT ON THE 22ND OCTOBER,
1971**

**II THE TAX ON POSTAL ARTICLES
BILL, 1971**

श्री लाल आडवाणी (दिल्ली) :
श्रीमन्, मैं आपकी आज्ञा से निम्नलिखित
संकल्प प्रस्तुत करता हूँ, "यह सभा राष्ट्रपति
द्वारा 22 अक्टूबर, 1971 को प्रख्यापित डाक
वस्तुओं पर अध्यादेश, 1971 (1971 का सं०
18) का निरनुमोदन करती है" ।

THE DEPUTY MINISTER IN THE
MINISTRY OF FINANCE, वित्त
मंत्रालय में उपमंत्री (SHRIMATI SUSHILA
ROHATGI) : Sir, I move :

"That the Bill to provide for the levy of a
tax on certain postal articles, as passed by the
Lok Sabha, be taken into consideration."