

MR. DEPUTY CHAIRMAN: I have already said 11.30.

The House now stands adjourned for lunch.

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

The House reassembled after lunch at half-past two of the clock. THE VICE-CHAIRMAN SHRI (AKBAR ALI KHAN) in the Chair.

### THE FINANCE BILL, 1970—contd.

श्री राजनारायण (उत्तर प्रदेश) : श्रीमन्, इस वित्त विधेयक पर बोलते समय आज मैं आंकड़ों में नहीं जाऊंगा, मगर मैं यह जरूर चाहूंगा कि हमारे देश की जो स्थिति है, उस पर यह सदन गम्भीरतापूर्वक विचार करे और देखे कि क्या इस वक्त मान सरकार को एक पैसा भी खर्च करने की आज्ञा सदन को देना उचित है या अनुचित है हमारा कहना है—अपना निर्णय मैं पहले ही बता देता हूँ—कि यदि यह सदन इस सरकार को एक पैसा भी खर्च करने की अनुमति देता है, तो सदन अपने कर्तव्य का पालन नहीं करता।

पहले मैं घरेलू मामले को लेना चाहूंगा। जब से अंग्रेज गए, अंग्रेज को यहां से भगाने के लिए हम संघर्षरत थे, राष्ट्रपिता महात्मा गांधी के नेतृत्व में आन्दोलन होते थे, अंग्रेजी साम्राज्यवाद का नाश हो, क्विट इंडिया, भारत-छोड़ो के नारे लगे 8 अगस्त, 1942 को, 15 अगस्त, 1947 को भारत आजाद हुआ, हिन्दुस्तान दो हिस्सों में बंट गया, एक का नाम पाकिस्तान हो गया, एक का भारत हो गया, 15 अगस्त, 1947 के बाद आज 12 मई, सन 1970 है, करीब 23 साल हो रहे हैं, मैं जानना चाहता हूँ, भारत की सरकार ने क्या अपने मुल्क की सीमा बचाई? जो सरकार अपने राष्ट्र की सीमाओं के प्रति सचेत न हो, जिस सरकार के शासन में उसका मुल्क कट जाता हो, जो सरकार आज तक अपने मुल्क की सीमा न बता

पाई हो, अगर कोई देश ऐसी सरकार को बर्दाश्त करता है, तो उस देश के नागरिक नालायक हैं, निकम्मे हैं। मैं समझता हूँ कि सदन दो मत का नहीं होगा, भारत की सरकार को राष्ट्रद्रोही करार देने में। मैं इस सरकार को राष्ट्रद्रोही मानता हूँ और मैं यह कहना चाहता हूँ कि यह सदन भी मुक्त कंठ से हमारी बात को कबूल करे, इस सरकार को राष्ट्रद्रोही कहे। केवल अपनी सहूलियत के लिए, व्यक्तिगत लाभ के लिए, अगर कोई इस सरकार का सच्चा विश्लेषण नहीं करता, तो वह सम्मानित सदस्य अपने कर्तव्य का पालन नहीं करता। मैं सभी सदस्यों को बता देना चाहूंगा—उनको डर किस बात है—कि अब वह चाहे रूलिंग कांग्रेस हो चाहे संगठन कांग्रेस हो, चाहे कोई पार्टी हो, किसी पार्टी का सदस्य रहना मात्र ही कोई सिक्योरिटी नहीं है कि वह जनता से चुन कर आ ही जायेगा, इसलिए आज ऐसी स्थिति पैदा हुई कि ईमानदारी से लोग अपनी बातों को कहे। यह वातावरण आज बाध्य कर रहा है लोगों को ईमानदार बनने के लिए, मगर मैं देखता हूँ कि मुल्क ईमानदार की जगह बेईमान होता जा रहा है। कारण क्या है?

श्रीमन्, आज मैं बहुत दर्द भरे दिल से आपसे कहना चाहता हूँ कि 1924 की बात है, एक बड़े अंग्रेज लेखक ने भारत सरकार को चेतावनी दी थी, तिब्बत के बारे में। उसने कहा था कि अगर तिब्बत में शक्ति-संतुलन गड़बड़ाएगा, भारत में कोई ऐसी सरकार आएगी, जो तिब्बत को ठीक ढंग से नहीं रहने देगी, तो नेपाल, भूटान, सिक्किम भारत की ओर से आख मूँढ़ेंगे और चीन की ओर देखने लगेंगे। मैं आज भारत सरकार को दोषी बताता हूँ, उसको दोषी पाता हूँ। आज हमारे पास से नेपाल चला गया, भूटान भी जा रहा है, सिक्किम भी जा रहा है। मैं चाहता हूँ कि सदन के सम्मानित सदस्य उस दिन को याद करें, जब नेपाल के राजा ने कहा था कि मैं चाहता हूँ कि भारत-वर्ष अन्तर्राष्ट्रीय जगत में हमारा प्रतिनिधित्व करे, मगर आज नेपाल और भारत का रिश्ता

[श्री राजनारायण]

क्या है ? ये चन्द छोटे-छोटे राजाओं के घर में पैदा होने वाले सरकारी कुसियों पर बैठ कर बिना किसी जिम्मेदारी की अनुभूति के सारी विदेश नीति को बर्बाद और चौपट कर रहे हैं। मैं अफसोस के साथ कहना चाहता हूँ कि आज भारत की सरकार इतनी मजबूर है, उसकी स्थिति इतनी दयनीय है कि भूटान संयुक्त राष्ट्र संघ में एक स्वतंत्र राष्ट्र की हैसियत से प्रतिनिधित्व पाने के लिए प्रयत्न कर रहा है। कारण क्या है ? भारत के साथ भूटान का जो पुराना रिश्ता था, उसको भारत सरकार क्यों छोड़ने जा रही है ? भारत सरकार मजबूर हो रही है अपनी नालायकी से, अपनी राष्ट्रहित-विरोधी नीति से। वही सिलसिला सिक्किम का हो रहा है। तिब्बत चला गया, अब भूटान, सिक्किम, नेपाल चला जा रहा है। फिर भी यदि यह सदन सरकार को एक पैसा भी खर्च करने की अनुमति देता है, तो वह अपने कर्तव्य का पालन नहीं करता। आपकी जिम्मेदारी राष्ट्र के प्रति है या सरकार के प्रति है। मैं सदन के सम्मानित सदस्यों से कहना चाहता हूँ कि उनकी जिम्मेदारी राष्ट्र के प्रति है, सरकार के प्रति नहीं है। जो सरकार राष्ट्र के प्रति वफादार नहीं है, उस सरकार को हटाना, उस सरकार को गिराना कर्तव्य है।

श्रीमन्, अभी कम्बोडिया का मसला आया था, उस मसले को दबा दिया गया। मुझे अफसोस है कि हमारे यहां के समाचार-पत्रों ने हमारी इस बात को पकड़ा नहीं। कहा जाता है कि अमरीकी उपराष्ट्रपति भारत की सरकार पर दोषारोपण कर रहे हैं कि वह रूस के इशारे पर काम कर रही है। कौन इस गुंजायश को पैदा करता है ? भारत की सरकार की नीति पैदा करती है। सारी बातों को मैं छोड़ दूँ, केवल एक बात को ले लूँ इस बात में कि जब कम्बोडिया में उत्तरी वियतनाम और वियतकांग की सेना जमा थी, जब अतिक्रमण हुआ तो उसके लिए कम्बोडिया ने इंटरनेशनल कंट्रोल कमीशन

जो वहां है और जिस का अध्यक्ष भारत है उस के पास यह मामला भेजा और बाद में उसे वापस ले लिया। भारत की सरकार दुम दबा कर रह गयी। उस पर उसने हल्ला नहीं किया, अपने कर्तव्य का पालन नहीं किया। कोई भी जानकार कह सकता है कि भारत की सरकार इतनी गलत नीति क्यों अख्तियार कर रही है, कोई भी विदेश मंत्री हो या प्रधान मंत्री हो, हम को इसका जवाब दे कि जिस कंट्रोल कमीशन का अध्यक्ष भारत है, वह अमरीकी अतिक्रमण के बाद अपना निर्णय देता है, मगर जब उत्तरी वियतनाम और वियतकांगों के द्वारा अतिक्रमण हुआ, उसकी बात जब आती है, तो कम्बोडिया उस मामले को वापस ले लेता है कि हम अपना मसला तय कर लेंगे, आप हमारा मसला तय मत करो। यहां तक कि आप देखेंगे कि पेकिंग में श्री सिहानुक ने कहा कि कम्बोडिया में उत्तरी वियतनाम और वियतकांग के लोग अपने अड्डे बना कर दक्षिणी वियतनाम पर हमले कर रहे थे। यह बात वह खुद कबूल करता है, स्वीकार करता है, मगर भारत की सरकार आंख-मिचौनी करती है। यह सोचती है कि जिस तरह से अपनी भारत की जनता को वह भेड़ बना कर रखना चाहती है, उसी तरह की बात रूस और अमरीका में भी होगी। वह अपने हित को जानते हैं, रूस अपने हित को जानता है, अमरीका अपने हित को जानता है, मगर भारत की सरकार अपने हित पर सो रही है। यह सरकार अपने हित को जानती नहीं है। जानती है केवल एक बात कि प्रधान मंत्री की गद्दी किस तरह से बरकरार रहे। मुझे अफसोस है इस बात पर और मुझे उम्मीद है कि आप को भी अफसोस होगा अपने दिल में।

आज मैं अपने जजबात का इजहार करूंगा। राष्ट्रपति का चुनाव हुआ। उस के बाद याचिका भी खारिज हो गयी। बहुत अच्छा हुआ। ठीक हुआ। मगर मैं यहां एक एक सदन के सम्मानित सदस्यों को साक्षी बनाना चाहता हूँ कि वे अपनी छाती पर हाथ रख कर सोचें कि क्या \* \* \*

\*\*\*Expunged as ordered by the Chair.

SHRI R. T. PARTHASARATHY (Tamil Nadu) : Can any Member use a word which is unparliamentary, which word the hon. Shri Rajnarain has used?

श्री महावीर त्यागी (उत्तर प्रदेश) : आन ए प्वाइंट आफ आर्रर । \* \* \* मेरे खयाल में यह मुनिसिब नो है । यह एक्सपंज कर दिया जाये ।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I am sorry...

श्री राजनारायण : मैं अफसोस के साथ कहना चाहता हूँ कि श्री महावीर त्यागी, आप ट्रेजरी बेंचेज से आ रहे हैं । आप को विरोधी पक्ष की जानकारी अभी कम है । इसलिए मैं आपके द्वारा उक्त से बहुत अदब से कहना चाहता हूँ कि जरा से मुनना पसंद करें । हर वक्त बोलना न पसंद करें । मैं अपने कर्तव्य को जानता हूँ । अज फैसला हो चुका है ।

SHRI R. T. PARTHASARATHY : Sir, can an hon. Member of this House cast any reflection on the Supreme Court in this manner...

THE VICE CHAIRMAN (SHRI AKBAR ALI KHAN) : No.

SHRI R. T. PARTHASARATHY : ... and say that \* \* \* when the Supreme Court has passed an order? It is absolutely wrong and it is not proper for any Member to say like that.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : That will be expunged.

SHRI R. T. PARTHASARATHY : It should be expunged.

श्री राजनारायण : सुनिये, देखिये । आप अपनी सीमा के बाहर मत जाइये । आप अपनी सीमा के बाहर जाये तो हमको कल से वहां आ कर बैठना होगा । आप सुन लीजिये ।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I am not going...

श्री राजनारायण : जजमेंट हो जाने के बाद किसी भी जजमेंट की टीका होती है और आपको हक नहीं है कि आप इसको एक्सपंज कर सकें । जजमेंट हो जाने के बाद...

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : So far as the conduct of the President is concerned, it is not within the power...

SHRI RAJNARAIN : It is not the conduct of the President.

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI P. C. SETHI) : Sir, he definitely questioned the conduct of the President and has said that \* \* \*

श्री राजनारायण : श्रीमन्, पहले सुनिये । देखिये, प्रेसीडेंट \* \* \* उस समय वह प्रेमी डेंट नहीं है । प्रेसीडेंट के ऊपर एलेक्शन के बारे में एक आरोप लगा । वह वहां अपनी सफाई देने जाता है । तो वह मुकदमें का एक पक्ष है । उस समय वह प्रेसीडेंट नहीं है ।

श्री पी० सी० सेठी : यह फैसला अदालत करेगी या माननीय सदस्य करेंगे ?

श्री राजनारायण : हम करेंगे ।

श्री पी० सी० सेठी : कैसे करेंगे ?

श्री राजनारायण : वह नहीं करेगा जो चापलूस है और \* \* \*

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I have given my ruling.

SHRI RAJNARAIN : You are absolutely wrong.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : My order will be carried out.

श्री राजनारायण : हल्ला मत करिये । आप अपनी शान के विरुद्ध काम मत करिये । आप अपनी शान को समझिये । आप हमारे प्वाइंट को समझिये ।

श्री महावीर त्यागी : मैं राजनारायण जी से कहूंगा...

SHRI R. T. PARTHASARATHY : As President, he gave evidence. There is no doubt about it. The hon. Member has said\* \* \* It is thoroughly wrong.

श्री राजनारायण : मैं आप से कहना चाहता हूँ कि प्रेसीडेंट का कंडक्ट आप डिसकस मत कीजिए। यह प्रेसीडेंट का कंडक्ट नहीं है। प्रेसीडेंट के चुनाव के विरुद्ध एक याचिका दायर हुई है। उस याचिका में अपनी सफाई के लिए प्रेसीडेंट जाते हैं, तो जैसे कोई दूसरा अपनी सफाई के लिए जाता है...

श्री महावीर त्यागी : मैं राजनारायण जी से विनम्रतापूर्वक कहना चाहता हूँ कि हाउस की डिगनिटी के वास्ते, उस को मेन्टेन करने के लिए जब तक प्रेसीडेंट का इम्पीचमेंट न हो तब तक प्रेसीडेंट एक सिम्बल होता है, नेशन का और राष्ट्र का। ऐसी हालत में प्रेसीडेंट के लिए कोई भी ऐसे अल्फाज इस्तेमाल करना मुनासिब नहीं है।

श्री राजनारायण : यही कारण है कि राष्ट्रपति जिस जज को नियुक्त करना है उसके यहां जब राष्ट्रपति की हैसियत से जायेगा तो वह जज खड़ा हो जायेगा। जज वहां खड़े नहीं हुए और वे इसी लिए नहीं खड़े हुए कि वह वहां एक \* \* \* वह प्रेसीडेंट नहीं है। वहां वे प्रेसीडेंट नहीं थे और श्रीमन्, मैं आपसे यह कहना चाहता हूँ कि मैं अपने देश को बनाना चाहता हूँ। मैं सहूलियत नहीं चाहता। मैं तब्दीली चाहता हूँ और मैं आप से कहना चाहता हूँ हुजूर वाला...

श्रीमती विद्यावती चतुर्वेदी (मध्य प्रदेश) : प्वाइंट आफ आर्डर। मेरा प्वाइंट आफ आर्डर यह है कि अगर माननीय सदस्य इस बात को मानते हैं कि श्री वी० वी० गिरि वहां राष्ट्रपति की हैसियत से नहीं गये थे, तो उनको यह शब्द वापस लेने चाहियें कि \* \* \*

श्री राजनारायण : आप पहले हमारी बात सुनिये। वे क्या प्वाइंट आफ आर्डर उठा रहे हैं।

SHRI BAHARUL ISLAM (Assam): Sir, on a point of order. My point of order is this. The Supreme Court has given only the order that the petitions are dismissed. It has not yet given its findings whether \* \* \* This finding is yet to come from it. Therefore, the Supreme Court's judgment is still pending before it and it would be improper on our part to make remarks \* \* \*

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I would request you, in view of the objection raised by Mr. Parthasarathy and Mr. Tyagi, a very old Member of the...

श्री राजनारायण : यह ओल्ड मेम्बर देश को जहन्नुम में ले गये हैं। हमारे महावीर त्यागी जी देश को जहन्नुम में ले जाने के गुनाह से बरी नहीं हो सकते।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : When I am standing, you please sit down. In view of the objection raised by those Members, including the hon. lady Member, I, in my own view, have come to the conclusion that this statement was absolutely uncalled for and that it should be expunged.

श्री राजनारायण : बिलकुल ठीक है। बिलकुल ठीक है।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I have heard your statement and I would request you to cooperate with me, to help me, to keep the dignity of the House. And the dignity of the President is the dignity of the House. You can speak on other points. I would give you time to speak. But please, when I have passed the order, do not rake up that point again.

श्री राजनारायण : श्रीमन्, मैं श्री वी० वी० गिरि के बारे में कहना चाहता हूँ।

उपसभाध्याक्ष (श्री अकबर अली खान) : उनके बारे में मत कहिए।

श्री राजनारायण : अति मत करिये, नहीं तो फिर कार्यवाही ही चलेगी । मैं श्री गिरि के बारे में कहूंगा ।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I will not allow you.

श्री राजनारायण : मैं आपको बताऊं । मैं श्री बी० बी० गिरि के बारे में कहूंगा । राष्ट्र-पति के बारे में आप काटिये ।

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I will not allow you.

SHRI RAJNARAIN : \* \* \* \* \*

SOME HON'BLE MEMBERS : He is in the Chair.

श्री राजनारायण : मैं जानना चाहता हूँ कि \* \* \*

श्री महावीर त्यागी : क्या बात करते हो ?

श्री राजनारायण : आप उम्र में हमसे ज्यादा हैं । \* \* \* हमारी जिन्दगी का ज्यादा हिस्सा आजाद मुक्त में बीत रहा है । इसलिए यह फर्क है । \* \* \* You are not a dictator. You will have to adopt some norms.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : I am going to follow the rules. The rule is that the conduct of the President shall not be discussed.

श्री राजनारायण : क्या आप यह समझते हैं \* \* \* I am not discussing the conduct of the President. You must learn that.

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : If you will insist I will not allow anything to go on record.

पेट्रोल तथा रायन और खान तथा घातु मंत्री (डा० त्रिगुण सेन) : यह बहुत बुरी बात है । You must respect the Chair.

श्री भवानी प्रसाद तिवारी : (मध्य प्रदेश) : मैं यह पूछना चाहता हूँ कि राजनारायण जी के बारे में जो यहां बात कही जाएगी, वह श्री राजनारायण जी के लिए होगी या एक एम० पी० के बारे में भी होगी ।

(Interruptions)

श्री राजनारायण : हमारी एक बात सुनिये । महात्मा गांधी जी का कहना है कि धन और सत्ता का लोभ मनुष्य से क्या क्या नहीं कराता । धन और सत्ता के लोभ से ही आज हमारे देश में यह अनर्थ हो रहा है । मेरा यह प्वाइन्ट है । इस प्वाइन्ट को आप देखें और समझें ।

अब मैं इस बात को बताऊँ कि हम अपने मान की रक्षा करें, हम अपने राष्ट्र की रक्षा करें या राष्ट्र से ऊपर किसी को मानें ?

श्री पी० सी० सेठी : मान की रक्षा बेई-मानी से नहीं होगी ।

श्री राजनारायण : अगर कोई व्यक्ति \* \* \* और अनर्थ करता है, तो हमारा कर्तव्य है कि हम उस अनर्थ के बारे में कहें । इसलिए केवल \* \* \* लोगों को इतना उत्तेजित कर दिया, यह नहीं होना चाहिए । मैं चाहता हूँ और मैं आपसे अपील करना चाहता हूँ, श्री महावीर त्यागी से अपील करना चाहता हूँ, वे बुजुर्ग हैं और हमसे उम्र में ज्यादा हैं, वे हमें बताएं कि जिस राष्ट्र की \* \* \*

उपसभाध्यक्ष (श्री अकबर अली खान) : यह गलत है । इस तरह से बोलने का आपको हक नहीं है ।

श्री राजनारायण : यह गलत है ?

उपसभाध्यक्ष (श्री अकबर अली खान) : यह गलत है । You cannot speak about the Rashtrapati in this manner.

श्री राजनारायण : \* \* \* यह मेरा प्वाइन्ट है ।

**श्रीमती विद्यावती चतुर्वेदी :** इस बात को आप कैसे साबित करते हैं कि \* \* \* यह आप कैसे कहते हैं ?

**श्री श्रीमन् प्रफुल्ल गोस्वामी (आसाम) :** इनको कंट्रोल करना चाहिए। If some Member goes out of his brain he can be set right only by being thrown out of the House. You have to take drastic steps.

**श्री राजनारायण :** तुम्हारे जैसे बहुत से लोगों को देखा है। I am prepared for that. You must know all these things. Democracy is not hypocrisy.

**SHRI SRIMAN PRAFULLA GOSWAMI :** He does not know the procedure of the House. He goes on violating the rules. He is unfit to be in this House because he wants to defy Chair's ruling.

**THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) :** I do not want to take such an extreme step at this stage. I would again appeal to Mr. Rajnarain not to do or say anything which is against the dignity of the House and the procedure.

**SHRI PITAMBER DAS (Uttar Pradesh) :** I would like to make a small submission in this respect. A very fine point has been raised, when the point of order was raised by Mrs. Chaturvedi. I really appreciated the point. What she said was that the office of the President should not be discussed in the House, which means that since Mr. Giri went to the court in his personal capacity, if anything is said in regard to his person, then Mr. Rajnarain may not be objected to. That is what at least I understood from her point of order. I appreciated it and I fully agree with it. Now I want your categorical ruling on this point, whether you hold that even the person is not to be criticised. The Constitution only talks of the office. The President in office of the President or his actions as President cannot become the subject-matter of discussion in the House, I concede. But do you hold that even his actions in his private, perfectly in private capacity, cannot be discussed in the House? I want a categorical ruling on this point.

\* \* \*Expunged as ordered by the Chair.

sed in the House? I want a categorical ruling on this point.

**SHRI P. C. SETHI :** Before you are pleased to give your ruling, I would like to most humbly submit that the entire matter of evidence of the President is before the Supreme Court and is, as has been rightly pointed out by the hon'ble Member, *sub judice* because the court has given only the decretal part of the judgment. While the judgment on the other part is still to come and when the subject-matter is *sub judice* to the extent that it is before the Supreme Court it should not be raised here.

**SHRI PITAMBER DAS :** The objection taken by my friend, Mr. Sethi, is entirely different.

**SHRI P. C. SETHI :** It is as absolutely wrong for Mr. Rajnarain to say anything about the evidence tendered by this person or that person without the court giving its judgment.

**श्रीमती विद्यावती चतुर्वेदी :** मेरी नियम सम्बन्धी आपत्ति सुन लीजिए। नियम यह है जो कि बोलते समय आपको पालन करना चाहिए। 238 के 6 पर लिखा है कि वाद-विवाद पर बोलते समय राष्ट्रपति के नाम का उपयोग नहीं करना चाहिये। तो नियम के अनुसार जब कभी भी कोई वाद-विवाद ईधर हो रहा हो, बहस हो रही हो, तो राष्ट्रपति को बीच में नहीं लाना चाहिए, चाहे वह व्यक्तिगत हो या उसके पद से सम्बन्धित हो।

**SHRI BAHARUL ISLAM:** Sir, Mr. Rajnarain would have been all right if the election of Shri V. V. Giri would have been set aside. After his election has been upheld by the Supreme Court he continues to be in the President's office. Therefore, Mr. V. V. Giri as the President of India and as an individual is one and the same person. Similarly, Chief Justice Mr. Hidayatullah and the individual, Mr. Hidayatullah, is one and the same person. They cannot be split up. I am not going to criticise the Chief Justice of India. But can I say that I can criticise Mr. Hidayatullah? Similarly, we cannot say that we are not criticising the president of India but we are criticising Shri V. V. Giri. They are one and the same person. Their conduct can be criticised only in a substantive motion for impeachment.

**THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) :** I have understood it.

**SHRI R. T. PARTHASARATHY :** The hon'ble Mr. Pitamber Das has tried to make a distinction between the office of the President and his personality. I beg to submit that once a person occupies the office of the President his personality gets merged in the office itself. And any action of the President, anywhere during the pendency of his office cannot be separated. So my learned friend is out of order.

**SHRI THILLAI VILLALAN (Tamil Nadu) :** Mr. Vice-Chairman, Mr. Pitamber Das has raised a very subtle point whether the office of the Presidentship can be separated from the personality. So far as the Constitutional position goes, I am afraid, we cannot separate the personality and the office because the whole structure of our administration is based on the Constitution.

We have created by the Constitution certain high offices. We may call them as constitutional creatures. We cannot say that they are individuals who are holding those offices. The very basis, the very structure, is the office itself. So my humble submission is that we cannot separate the person and the office.

**THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) :** I have considered the points and the different views expressed. I feel that it is difficult to separate, as was pointed out by the person and the authority. Besides that it was also pointed out that the Supreme Court has not delivered judgment on facts yet. They have given the decision.

**SHRI PITAMBER DAS :** I would request you not to mix it up. . .

**THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) :** I mentioned it as a fact. But a view of the situation and the provision. I think it will be a very dangerous precedent if I hold that a person so long as he occupies that position should be separate from the office. So neither by the name of the President nor, so long as he is the President, by the name of Mr. Giri should we discuss his conduct. So my ruling is that such a discussion cannot be allowed.

**श्री मान सिंह वर्मा (उत्तर प्रदेश) :** आन ए प्वाइंट आफ आर्डर । श्रीमन्, इसके सम्बन्ध में केवल एक ही प्रश्न आपसे पूछना चाहता हूँ । जब हमारे राष्ट्रपति कोर्ट में एपीयर हुये, तो वह राष्ट्रपति या वह मिस्टर गिरि हुये, ऐज राष्ट्रपति या ऐज मिस्टर गिरि हुये । इसका जवाब आप दे दीजिये । He appeared as Mr. Giri or as the President ?

**उपसभाध्यक्ष (श्री अकबर अली खान) :** बैठे जाइये । I have given my ruling.

**श्री मान सिंह वर्मा :** पिटिशन किस चीज का था ?

**उपसभाध्यक्ष (श्री अकबर अली खान) :** राजनारायण जी, आप अपनी स्पीच जारी रखें ।

**श्री राजनारायण :** श्रीमन्, मैं पहले ही कह दूँ कि आपने जो कुछ भी इस समय व्यवस्था दी है, मैं उस व्यवस्था को मानने से इंकार करता हूँ, मैं इसको चैलेंज करता हूँ और यह अच्छी तरह से समझता हूँ कि कोई भी इंडिपेंडेंट जज होगा जुडीशियरी का तो मैं अपने प्वाइंट को वहाँ गेन कर लूंगा ।

मैं इस समय एक हाइपोथेटिकल क्वेश्चन, एक काल्पनिक प्रश्न प्रस्तुत कर रहा हूँ ।

\* \* \* उस राष्ट्र की कितनी दुर्दशा हो सकती है, इसको सदन के सम्मानित सदस्य समझें ।

श्रीमन्, मैं कहना चाहता हूँ कि इस समय से हमारा भाषण शुरू हो रहा है ।

**श्री पी० सी० सेठी :** बीस मिनट आप बोल चुके हैं ।

**श्री राजनारायण :** वह हम नहीं बोले हैं, वह तो प्रकाश चन्द्र जी सेठी बोले हैं ।

**उपसभाध्यक्ष (श्री अकबर अली खान) :** आपका समय थोड़ा है, आप बोलिये ।

\* \* \* Expunged as ordered by the Chair.

**श्री राजनारायण :** चाहे वह प्रधान मंत्री हो, चाहे वह विदेश मंत्री हो, चाहे वह संगठन का सदस्य हो \* \* \* आज हमारे देश की गली-गली में, कूचे-कूचे में जहाँ लोग बैठते हैं, वहाँ बात करते हैं, पब्लिक मीटिंग में हमसे सवाल होता है कि जब हमारे देश का \* \* \*

**उपसभाध्यक्ष (श्री अकबर अली खान) :** यह गलत है। This portion will be expunged.

**श्री राजनारायण :** एक दिन आयेगा जब कि आप खुद एक्सपंज कर दिये जायेंगे।

**उपसभाध्यक्ष (श्री अकबर अली खान) :** जरूर। So long as I am here. I will keep up the decorum of the House ठीक है, आप आगे चलिये।

**श्री राजनारायण :** तो मैं फिर कहना चाहता हूँ कि राष्ट्र क्या है। असल में हम लोग जनतंत्र को समझे नहीं हैं। हम लोग जनतंत्र को हड़बोल समझे हैं, हम लोग जनतंत्र को संख्या-सुर समझे हैं। संख्या-सुर की बदौलत कोई काम कर दिया जाय, कोई बात कह दी जाय, तो समझते हैं कि वही जनतंत्र है।

हमारे डा० त्रिगुण सेन बैठे हैं, जिनकी मैं इज्जत करता हूँ, वह वाइस चांसलर भी रह चुके हैं, वह जिस कम्पनी में रहते हैं उनको भी, उस समुदाय को भी कुछ सिखायें। मैं अभी इन्हीं के सवाल को ले लेना चाहता हूँ। रोज हल्ला मचा रहे हैं कि दवा की कीमत घटेगी, दवा की कीमत घटेगी, मुनाफा कंट्रोल होगा, मुनाफा कंट्रोल होगा, मगर मैं आपके द्वारा श्री सेठी जी से और श्री त्रिगुण सेन जी से पूछना चाहता हूँ कि श्री त्रिगुण सेन जी मुनाफे को कंट्रोल करने के लिये एक औसत बांध दें 15 फीसदी और श्री फखरुद्दीन अली अहमद बोल दें कि हर्गिज नहीं, कभी भी मुनाफे पर पाबन्दी नहीं लगाई जा सकती, अगर मुनाफे पर पाबन्दी लगाई जायगी तो उद्योग व्यवसाय की तरक्की

रक जायगी। यह सही है या गलत है, मैं आपके द्वारा श्री त्रिगुण सेन जी से पूछना चाहता हूँ, मैं आपके द्वारा श्री प्रकाश चन्द्र सेठी जी से पूछना चाहता हूँ। आज ही की बात है। आप जा कर के रेडियो सुनिये, उनका बयान सुनिये, श्री फखरुद्दीन अली अहमद साहब, उद्योग मंत्री कहते हैं कि उद्योग के मुनाफे पर कोई प्रतिशत नहीं बांधा जा सकता है, उद्योग के मुनाफे पर पाबन्दी नहीं लगाई जा सकती और श्री त्रिगुण सेन जी कहते हैं कि हम उद्योग पर पाबन्दी लगायेंगे, हम दवाओं के बारे में इस तरह से करेंगे। क्या बात सही मानी जाय? जिस मंत्री-परिषद् के दो मंत्रालय दो मुँह से बोलें, जिस सरकार की दो जीभ हो, वह सांप है। सांप जानवर है, उसके दो जीभ होती हैं। सांप जानवर है। दो जीभ आज इस सरकार की हो गई हैं। प्रकाश चन्द्र सेठी साहब बैठे हुये हैं, उनसे पूछिये कि श्री फखरुद्दीन अली अहमद साहब का रेडियो ब्राडकास्ट सुना है। बोलो, काहे बैठे हो, इस्तीफा दे कर निकल जाओ।

**श्री पी० सी० सेठी :** अच्छा, आप बोलिये।

**THE VICE-CHAIRMAN (SHRI AK-BAR ALI KHAN):** Mr. Rajnarain, you are addressing me. You are not cross-examining anybody

**श्री राजनारायण :** श्री त्रिगुण सेन से मैं पूछना चाहता हूँ कि काहे को मंत्रिमंडल में बैठे हो। त्रिगुण सेन साहब मिनिस्टर हैं। यह फखरुद्दीन अली अहमद साहब से पूछते। काहे बैठे हो, इस्तीफा दे कर हट जाओ। श्रीमन्, मैं इशारे के साथ बात कह रहा हूँ।

मैं पूछता हूँ कि क्या जहाँ जिस जज़्बात का इजहार हो रहा है, यहाँ जो लोग ऐसा कर रहे हैं, वही लोग समाज बनाने वाले हैं। यही समाज बनायेंगे। यह हमारे लिये हल्ला करते हैं, कहते हैं कि इसको निकाल कर के फेंक दिया जायगा। हमारी तो इन्होंने टांग तोड़ दी और अब निकाल कर फेंक देंगे।

**श्री ओम् मेहता (जम्मू-और काश्मीर) :** दूसरी टांग टूट जायगी।



**श्री राजनारायण** : तो क्या बिगाड लगे । क्या बिगाड जायगा मारा ? इस पैर पर एक एक चोट जो पड़ी है वह इन्दिरा रानी पर चोट है, समाजवाद और जनतन्त्र पर चोट है और इस सरकार पर कंक है । कहने हैं कि फेंक दो . . .

**श्रीमती विद्यावती चतुर्वेदी** : कौन कहता है ।

**श्री राजनारायण** : मैं दिल के चोट की बात नहीं करता, जिसको कि आप मुझसे ज्यादा समझती हैं, कभी-कभी हम भी रस में विभोर हो जाते हैं ।

तो, श्रीमन्, अब धरलू मसले को ले लीजिये । हमारा घर कहा है । हमारा घर बना है या हमारा घर बिगडा है । गांधी कहा करता था कि मैं चाहता कि अगर मैं पुन जन्म लू, तो एक हरिजन के घर में जन्म लू । आज कांग्रेस सरकारें जह-जहा हैं, हमको कोई माई का लाल ईमानदारों में बता दे कि हरिजनो का उत्थान किया । वहा आज हरिजनो की कितनी दयनी दशा है । हरिजनो के लिये जो प्रतिशत नौकरी में रखा जाता है, उनका आज वह प्रतिशत सुरक्षित नहीं है । क्या जिस देश को गांधी का नेतृत्व प्राप्त हो चुका हो और जिसमें 23 साल तत्प्रह शासन में रहे हो, वह देश आज ब्राह्मण, पार, भगी, बनिया, ठाकुर, जाट, अहिर, कुर्मी इनका भेद मिटा पाया है । यह भेद बढ़ रहा है, दिन ब दिन बढ़ रहा है । हमारे भाई महावीर त्यागी बैठे हैं, इनकी मैं इज्जत करता हूँ बजुर्ग हैं, बहुत दिनों तक सरकारी कुर्सी पर गाराम किये हैं बापू की हत्या के बाद, मैं उनसे पूछना चाहता हूँ कि बापू की, राष्ट्रपिता बापू की हत्या क्यों हुई ? 23 साल के बाद भी कमी को याद है । राष्ट्रपिता बापू की हत्या (जन वजुहातो से हुई, क्या वह वजुहात आज दूर हो गये । उसमें इजाफा हुआ है । अगर दूर हो गये हो तो इस सरकार को पैसा दिया जा और अगर उसमें इजाफा आ हो, तो इस सरकार को एक पैसा खर्च

करने के लिये देना हराम समझा जाय । इसलिये कि हम सरकार में हैं, हम उसके पक्ष में हैं, हम उसकी पार्टी में हैं, जो चाहे कह दे । श्रीमन्, मैं आपसे पूछता हूँ, कभी-कभी आप बहुत आसू गिरा कर बोलते हैं, आप बताइये कि राष्ट्रपिता महात्मा गांधी की हत्या जिन वजुहात से हुई वह दूर हो गई । 23 साल किसी राष्ट्र के जीवन में एक लम्बी अवधि मानी जाती है 23 साल कम नहीं है । दुनिया के मुल्क जो तबाह हो चुके थे, पश्चिमी जर्मनी तबाह हो चुका था, लंदन ध्वस्त हो चुका था, जापान की क्या हालत हो गई थी, मगर आज जापान की तरक्की को देखा जाय, आज पश्चिमी जर्मनी की तरक्की को देखा जाय, कहा से कहा चले गये और हम कहा के कहा हैं, हमारी जो एक लड़िया गाडी चलती थी उसको भी और अधिक तोड़ दिया है और दूसरे लोग चन्द्र लोक में प्रयाण कर रहे हैं । तो इस स्थिति को भी देखा जाय । कहा हमारी तुलना है, कहा हम जा रहे हैं । त्यागी जी बैठे हैं, जरा बताये ।

**श्री महावीर त्यागी** : मैं आज कल मिनिस्ट्री में थोड़े ही हूँ, आप हमको क्यों कहते हैं ?

**श्री राजनारायण** : हो न हो, 10 दिन के बाद कहा जायेंगे कुछ पता नहीं । आपका तौर तरीका तो वही दीखता है . . क्योंकि अभी तो आपका सरकारी ही रूप बना हुआ है । आप अभी विरोधी पक्ष की वाणी अख्तियार नहीं कर पाये, आपको विरोध पक्ष की वाणी का पता नहीं है । विरोध पक्ष की वाणी जब कम से कम 38 बार कांग्रेस के राज में जेल काटी है और डंडे खाये हैं, तब हमने पाई है । तब हमें विरोध पक्ष की जानकारी है । विरोध पक्ष को विरोध में वातावरण बनाने के लिये क्या-क्या करना पड़ता है, वह हमको पता है ।

मैं दूसरी तरफ आना चाहता हूँ । शिक्षा को ले लीजिए । शिक्षा की प्रगति कहा है । इस देश में कितने लोग अशिक्षित हैं ? इस देश में 35 करोड़ से ज्यादा लोग अशिक्षित हैं । शिक्षा का यह हाल है । कल मैं एक पब्लिक

[श्री राजनारायण]

मीटिंग में बोल रहा था, तो लोग कह रहे थे जगजीवन राम का नाम जगमारक रखो। ये जग मारक बने हैं। इसकी उद्योग की नीति क्या है। पी० सी० सेठी, हुजूर, यह 30 फीसदी जो चीनी के लिये छूट मिल मालिकों को दी गई है क्यों? इससे उपभोक्ता को फायदा है कि गन्ना उत्पादकों का फायदा है या सामान्य नागरिक का फायदा है। फिर भी बेह्याई और धड़ले से कह रहे हैं: मैं समाजवादी हूँ, मैं जनतंत्री हूँ। बेह्याई की सीमा पार हो रही है और तिस पर आप हमसे कहते हैं लीगल नाइसीटीज, डीसेन्सी, डिंकोरम, मुगैति, मुशोभा।

इस सदन की सुरीति है, मुशोभा है, इसको बनाओ। यह सदन की मुशोभा को बनाओगे कैसे? असत्य आचरण कर हर्गिज नहीं बना सकते। इसकी शोभा बिगड़ जायेगी। शोभा बनती है आचरण से। जिसका आचरण न हो, वह शोभा क्या बनायेगा। आज इस देश में शब्द का अर्थ खराब हो गया है। हमारे मित्र कहते हैं, ईमानदारी के साथ कि आज हिन्दू, मुसलिम सवाल है। चाहते हैं हर आदमी ईमान को सामने रख कर इस बात का जवाब दे। आज सरकारी पक्ष के लोग क्या सम्प्रदायवाद को बढ़ावा नहीं दे रहे हैं। यह क्या है? चाहे हमारे अकबर अली साहब थोड़े समय, एक दो मिनट के लिये फूल जाये कि चव्हाण ने कह दिया कि मुसलमान मारे गये। मगर मुसलमानों को किसने मारा है? चव्हाण ने मारा है, उसके कलेक्टर ने मारा है या पुलिस ने मारा है, क्योंकि उनको खतरा था कि उस समय कत्ल हो जायेगा। फिर भी वह कलेक्टर और पुलिस न हटाई जाय, पड़ी रहे।

अब एक नारा चला हुआ है: मैजारिटी कम्युनलिज्म, माइनारिटी कम्युनलिज्म। अल्पसंख्यक का सम्प्रदायवाद और बहुसंख्यक का सम्प्रदायवाद। हुजूर, यह अल्पसंख्यक की सम्प्रदायवादिता का नारा उठा कर सम्प्रदायवादिता को बढ़ाया जायेगा, तो यह कथनी में मुसलमानों का भला चाहने वाले मुसलमानों

को कत्ल कर देंगे और अपने या तो यहाँ सदन में बैठेंगे या कुर्सियों में जाकर बैठे रहेंगे। यह इतने पतित हो गये हैं, इतने नीच हो गये हैं। इनकी चमड़ी इतनी मोटी हो गई है कि उनके जब तक बहुत बड़ा लाल करके लोहा बदन में घुसेड़ा न जाये, उनको आच नहीं लग सकती।

श्री पी० सी० सेठी : आपसे चमड़ी अभी पतली है।

श्री राजनारायण : हा पतली है, पतली होती तो वहाँ बैठ ही नहीं पाते, वहाँ से निकाल दिये गये होते।

मैं यहाँ अपील करूँगा, ईमानदारी के साथ बता दूँगा, कि कभी-कभी हमारे श्यामधर हैं जो बनारस के हैं, वह कहते हैं...

श्री ओमू मेहता : आप भी तो बनारस के हैं।

श्री राजनारायण : ... कि आप तो भीतर ही भीतर इन्दिरा के पैरों चलते हैं। हम जैसे भीतर हैं वैसे ही बाहर हैं। लेकिन हम इन्दिरा के व्यक्तित्व से नफरत नहीं करते, हम उनके चेहरे के रंग से नफरत नहीं करते हैं, उनके सरकारी चलन से नफरत करते हैं। उनका सरकारी आचरण बदचलन है। कैसे? कोई माई का लाल कह सकता है कि वह उनका बयान है कि हमको ये लोग प्रधान मंत्री पद से हटाना चाहते थे, इसलिए हमने यह सब कर दिया। इसके मूल में क्या आया कि प्रधान मंत्रित्व पद की सुरक्षा। क्यों रानी इन्दिरा नेहरू गांधी ने अर्थ का अनर्थ कर दिया। मैं आज यह सवाल उठा रहा हूँ। कोई दे इसका जवाब। इसका जवाब होना चाहिये। कोई जवाब नहीं है। दुनिया की राजनीति में कोई उदाहरण दे दे कि किसी देश का प्रधान मंत्री अपने उम्मीदवार का नामजदगी पत्र मरने के बाद उसकी मुखातिफत में आचरण करे कोई नज़ीर है क्या। यह एल० एन० मिश्र हमारे सामने बच्चा पढ़ता था।

रक्षा मंत्रालय में राज्य मंत्री (रक्षा उत्पादन)  
(श्री ललित नारायण मिश्र): बच्चा नहीं था।

श्री राजनारायण 1942 के पहले नहीं थे, सन् 1946 में आये। क्या कोई नजीर पी० सी० सेठी के पास है, श्री त्रिगुण सेन के पास है। कोई सदन वा माननीय सदस्य हमको नजीर दे। क्या महावीर त्यागी जी के पास है। यह सुरीति क बात क्यों। क्या प्रधान मंत्री का मुंह है, जो सुरीति और शोभा की बात करती हैं। मुझे कट होता है, पीड़ा होती है, तकलीफ होती है, क्रोध आता है।

श्री महावीर त्यागी : मैंने प्राइम मिनिस्टर के उस एक्शन को सपोर्ट नहीं किया। मुझे क्यों आप छ्वाहमछाह लाते हैं।

श्री राजनारायण : सुरीति और सुशोभा। मैं यह कहना चाहूंगा कि यह टैक्स किस पर बढ़ रहा है, क्यों टैक्स बढ़े। कहां का समाजवाद है भाई कि बम्बई में बंगलौर में जाकर कहें कि हम समाजवादी हैं। समाजवाद शब्द है क्या। प्रधान मंत्री इन्दिरा नेहरू कागजी समाजवाद जो है, उसका कागज कट गया है। तुम्हारा चेहरा साफ हो गया है। घूघट खुल गया है। “घूघट के पट खोलो, तोहे राम मिलेंगे।” मैं जानना चाहता हूं... (Interruption)... माननीय सदस्या काले घूघट को खोलें और राम का दर्शन करें...

श्रीमती विद्यावती चतुर्वेदी : उपसभाध्यक्ष महोदय, अब घूघट खोलने की जरूरत नहीं है, चश्मा उतारने की जरूरत है।

श्री राजनारायण : लो, चश्मा उतार दिया जिस तरह से अपने काले घूघट को खोला। मैं कहना चाहता हूं : जरा पढ़ो। कभी कभी रामायण भी पढ़ती हैं, हमको बड़ी मस्ती आती है। उनके मुंह में रामायण का दोहा, चौपाई सुन कर। तो मैं एक ही दोहा, कह देना चाहता हूं, रामायण के राम राज्य प्रसंग से :

“पणि माणिक मन्ग किए, मंहगे जल तून नाज,

तुलसी तेते जानिये राम गरीब नवाज।” गंगा बाबू बैठे हैं, वह जानते हैं। श्रीमन्, आप भी क्या इसका मतलब समझते हैं। तो समझिये। चेयर का कर्तव्य होता है कि जो किसी की बात को न समझे उसे बोलने ही न दें और आप हमें बोलने दे रहे हैं। चेयर के कर्तव्य का अनादर कर रहे हैं। तो इसका मतलब मैं समझा देना चाहता हूं। राम ने क्या किया। पणि, माणिक मन्ग मंहगे किये। हीरे जवाहिरात को मंहगा कर दिया। फैशन और विलासिता की चीजें मंहगी कर दीं और पानी, चारा और अन्न को सस्ता किया। तभी राम को गरीब नवाज कहा गया। और यहां राम राज्य प्रतिष्ठित करने वाले इन्दिरा नेहरू क्या करती हैं। अन्न मंहगा हो जाये, जल मंहगा हो जाये, चारा मंहगा हो जाये, चीनी मंहगी हो जाये, चाय मंहगी हो जाये, काफी मंहगी हो जाये, मिट्टी तेल मंहगा हो जाये...

श्री गनेश लाल चौधरी (उत्तर प्रदेश) : और डालडा।

श्री राजनारायण : डालडा तो गायब हो गया। डालडा मंहगा हो जाय और फिर कह दो : हमको समाजवादी मानो, हम समाजवादी हैं। हम बड़े बड़े समाजवादी हैं...

THE VICE-CHAIRMAN (SHRI AKBAR ALI KHAN) : Please.

श्री राजनारायण : क्या प्लीज।

उपसभाध्यक्ष (श्री अकबर अली खान) : टाइम हो गया।

विपक्ष के नेता (श्री श्यामनन्दन मिश्र) : अभी तो शुरू किया है।

श्री राजनारायण : अभी तो हमारा भाषण शुरू हो रहा है।

उपसभाध्यक्ष (श्री अकबर अली खान) : बांका विहारी दास 4 बजे की गाड़ी से जा रहे हैं।

**श्री राजनारायण :** हमको भी जाना है । हमको भी हमारी एक भीटिंग मथुरा में हो रही है, इसी हालत में जाना होगा । यह पैर इन्दिरा रानी के राज को खायेगा । यह मत समझना एक दिन सदन में बहस होकर छुट्टी पा जाओगे, यह पैर तुम्हारी गर्दन को तोड़गा, तुम्हारी गर्दन से मतलब तुम्हारी निजी गर्दन से नहीं, तुम्हारे सरकार की । तो मेरा कहना है श्रीमन्, कि अगर इस सरकार को एक पैसा भी खर्च करने की इजाजत सदन देता है, तो सदन अपने कर्तव्य का पालन नहीं करता है ।

एक बात में, कि हमारे बुजुर्ग भाई महावीर जी त्यागी कभी-कभी बोल दिया करते हैं, मैं उनसे बहुत परेशान हो गया हूँ, सच कहता हूँ, इतना परेशान हो गया हूँ, क्योंकि ये बोलते हैं तो हम उनकी बात समझते ही नहीं कुछ । जो अपने स्वार्थ के लिये अपने कर्तव्य की आहुति दे सकता है, वह कुछ का कुछ कर सकता है । अर्थ का अनर्थ कर सकते हैं, मगर यह तो उसको छोड़ चुके हैं । अब इस आदत में क्यों चलते हैं । देखिये, एक श्लोक है ।

सर्वं कला ... तो मैं भूल गया हूँ, याद ही नहीं आ रहा है ।

**उपसभाध्यक्ष (श्री अकबर अली खान) :** आप बाद में फरमा दीजिये ।

**श्री राजनारायण :** सर्वं कला समधि गच्छति वाच्माना लोक स्थिति पदिने वेत् पधानूपा सर्वः मूर्ख निखरसय सा चक्रवर्ती ।

कहने का मतलब यह है कि कोई बड़ा पंडित हो जो संस्कृत में काव्य करता हो, जो बोलने की कला में माहिर हो, अच्छी अच्छी भाषा का प्रयोग करता हो, अगर वह लोकस्थिति का सच्चा वर्णन नहीं करता है, तो उसको मुखौं का चक्रवर्ती राजा कहना चाहिये । इसको आप को अच्छी तरह से समझ लेना चाहिये । सुरीती और सुशोभा में इतना न फंसें की सच्च बात न कह सकें । आचरण और बुद्धि, कर्म और वाणी इसमें कोई समन्वय है, कोई संबंध है ? बुद्धि का चाहे कितना ही अच्छा प्रदर्शन करें, मगर

आचरण को उसमें कभी न पिये ? हमें बुद्धि से सीखना चाहिये और उसके अनुरूप ही आचरण करना चाहिये और आचरण के तदनुरूप ही बुद्धि होनी चाहिये । आचरण के विरुद्ध बुद्धि है, तो उस आचरण को छलना कहते हैं । बुद्धि के विरुद्ध आचरण है तो उस आचरण को भ्रष्ट कहते हैं । तो छलना बुद्धि और भ्रष्ट बुद्धि से आचरण मत बनाओ । इसी लिए मैं कहना चाहता हूँ कि अगर देश को बनाना है, देश को ठीक तरह से चलाना है, तो हमारे प्रधान मंत्री को इस्तीफा दे देना चाहिये ।

आज इस वित्त विधेयक पर बोलते हुए मैं चाहता हूँ कि प्रधान मंत्री जनतंत्र और समाजवाद की रक्षा करें और इस्तीफा दें । 14 बैंकों के राष्ट्रीयकरण करने के बाद उनके पास एक ऐसा समाजवाद आ गया है, जिसका वे ढिंढोरा पीटती फिरती हैं, ढोल पीटती फिरती हैं कि समाजवाद आ गया, समाजवाद आ गया । तो मैं यह जानना चाहता हूँ कि क्या आ गया, क्या आ गया । क्या तांगे वालों को, खोमचे वालों को पैसा मिल गया भाई । आप इस बात का पूरा हिसाब लगाइये कि इन 14 बैंकों की जो धनराशि से वह कहा जा रहा है । और क्या कुटीर उद्योग को पैसा मिला । इसलिए यह जो आकाश रूपी निजी हाथ हैं, यह 14 बैंकों में गिरे हैं और खजूर रूपी सरकार के हाथ में अटक गये । आकाश से गिरे और खजूर में अटक गये । अगर समाजवाद बनाना चाहते हो तो सरकार के जो खजूर रूपी हाथ हैं उनको काटो और जनता का स्वामित्व कायम करो और उत्पादन, विनिमय और वितरण का कार्य जनता के हाथ में दो । 24 सालों के बाद आज क्या हो रहा है । मैं आपसेही पूछना चाहता हूँ और आप इसका जवाब दीजिये । सरकार और राष्ट्र दो हैं या एक है । सरकार और राष्ट्रों दोनों एक हैं या दो हैं । मैं यह बात जानना चाहता हूँ । अगर सरकार और राष्ट्र एक है, तो एक ही कम्युनिस्ट पार्टी को रहने दीजिये और जितनी भी पार्टियाँ हैं पी० एस० पी०, कांग्रेस, इन सभी को खत्म कीजिये । इस तरह

से एक ही पार्टी रहने दीजिये। अगर हम यह कहते हैं कि सरकार और राष्ट्र अलग अलग हैं, सरकार अलग है, राष्ट्र अलग है और अगर सभी उत्पादन के जो साधन हैं, वे सरकार के हाथ में चले जायें, तो यह समाजवाद नहीं है, बल्कि यह तो सरकारवाद है। इसलिए मैं अदब के साथ कहना चाहता हूँ कि चाहे शिक्षा की नीति हो, चाहे विदेह नीति हो, चाहे कृषि की नीति हो, चाहे उद्योग की नीति हो, चाहे सीमा की नीति हो, चाहे णा की नीति हो, आज ये सभी पहलुओं से जन्म दिन विरोधी हैं और राष्ट्र-हित विरोधी हैं। इसलिए अगर राष्ट्रहित विरोध में काम करने के लिए इस सरकार को एक पैसा भी देना अपने आप में अन्याय करना है। इसलिए मैं इस सदन के सम्मानित सदस्यों से अपील करूँगा कि वे आंकड़ों के जाल में न जायें और जो सत्य है उसको सामने प्रदर्शित करें कि सत्य क्या है और असत्य क्या है।

**उपसभाध्यक्ष (श्री अकबर अली खान) :**  
अब आप समाप्त कीजिये।

(Interruptions)

**श्री राजनारायण :** गांधी जी का एक वाक्य कहना चाहता हूँ, अगर उससे पहले मैं यह कहना चाहता हूँ कि स्पीकर वह होता है, जो चेयर में बैठता है और बोलना नहीं है, बल्कि सुनते रहता है। मगर हमने यहाँ यह देखा है कि जो भी चेयर में बैठता है, वह केवल बोलता है और यह सही नहीं है आप दूसरों को भी सुनिये। 1946 में कानपुर में पहली बार मजदूरों के ऊपर गोली चलाई गई थी कांग्रेस राज्य में जब वे पहली बार बनी थी। उस समय वहाँ पर पंत जी मुख्य मंत्री थे। उस समय गांधी जी ने कहा था कि यदि इतनी हिंसा के बिना भी सरकार का कार्य बार न चले तो मैं सत्याग्रहियों से कहूँगा कि वे सरकार में जायें ही नहीं। यह गांधी जी के वाक्य थे। हमारे भाई जो बुजुर्ग बैठे हैं, वे योगी भी करते हैं क्योंकि यह बात हमें अस्पताल से पता चली कि हमारे भाई श्री के० के० शाह योगी साधना भी करते हैं। क्या योगी वही होगा जो भोग को योग माने। भोग

को योग मत मानो। भोग और योग, ये दो अलग अलग चीजें हैं आज इस सरकार ने कर्म युग समाप्त कर दिया है। इसलिए मैं कहना चाहता हूँ कि आज इस भोग युग को समाप्त करो और कर्म युग को लाओ। आज श्री सेठी साहब भोग युग में चल रहे हैं और मैं उनसे कहना चाहता हूँ कि भोग युग को समाप्त करके कर्म युग लाओ तब जाकर समाज बनेगा।

**श्री श्यामनन्दन मिश्र :** श्री एल० एन० मिश्र किस युग के हैं।

(Interruptions)

**श्री राजनारायण :** अगर मैं श्री एस० एन० मिश्र का जवाब न दूँ, तो मैं उनका अनादर करता हूँ। मैं इतना ही कहना चाहता हूँ कि श्री एल० एन० मिश्र के बहुत से कर्म और कुकर्मों को हम जानते हैं, मगर हम कहेंगे नहीं। हम उनके बारे में सब बातें जानते हैं, मगर सदन में कहेंगे नहीं। तो मैं यह कहना चाहता हूँ कि ये बेचारे फंस गये हैं, और इन्दिरा नेहरू गांधी के मगर जाल में फंसे हुए हैं और पता नहीं कि उसमें से निकलते हुए मर न जायें या उनकी टांग न टूट जाय।

श्रीमान्, हम आपसे एक बार फिर कहना चाहते हैं कि जो चश्मदीन सामने बैठे हुए हैं, जो हमें कहा करते हैं कि इन्हें बाहर निकाल कर फेंक दो। मैं इस चीज के लिए बराबर तैयार रहता हूँ कि हमें बाहर निकाल कर फेंक दिया जाय। मुसटिक ताहि एक कपि हनि, रुधिर बघत धरनी फनमनी। लंका के राज में हनुमान निकाला गया और अगर वह लंका से न निकाला गया होता, तो लंका का दहन नहीं होता। इसलिए मैं कहना चाहता हूँ कि इन्दिरा के राज को दहन करने के लिए ही 6 अप्रैल को लाठी और अश्व गैस का प्रयोग किया गया था। दहन होगा और हनुमान के पृष्ठ पर क्या बंधा था। लता।

असि रिस होय दसव मुख तौरा  
लंका गहि समुद्र मह बोरा।

[ श्री राजनारायण ]

लका के समुद्र को बुलाने की क्षमता रखते हैं राम जी, मगर उस समय उन्होंने अपनी शक्ति का प्रयोग नहीं किया। 6 अप्रैल को पुलिस ने इन्दिरा की साजिश से वहाँ पर अश्रु गैस और लाठी का प्रयोग करवाया और अगर हम चाहते तो वे भी बंध जातीं। हम आज आफत और मुसीबत उठा कर जनतंत्र के प्रहरी बनना चाहते हैं। आज हम हिंसा का प्रयोग करना नहीं चाहते हैं। हम इस बात पर अडिग हैं और इसीलिए हम इस चीज को बर्दाश्त कर रहे हैं वरना हमारा यह दृढ़ विश्वास हट गया तो फिर इस देश में जनतंत्र को कोई नहीं बचा पायेगा, इस बात को हम बता देना चाहते हैं। इस बात को सबको अच्छी तरह से, खूब अच्छी तरह से समझ लेना चाहिये; क्योंकि हम नये नहीं हैं, 1942 के हैं और 1942 वालों की कमाई पर आज बहुत से लोग गद्दियों पर बैठे हुए हैं।

हमारी प्रधान मंत्री 33 और 54 परिवारों का नाम गिनाती है और कहती है कि हमारे परिवार ने यह किया, वह किया। उन्होंने क्या किया? इस तरह की जो मनोवृत्ति है, वह क्या है? यह तानाशाही मनोवृत्ति है, अधिनायक मनोवृत्ति है, साम्राज्यवादी मनोवृत्ति है। क्या राजनीतिक उत्तराधिकार चलता है? राजनीतिक उत्तराधिकार नहीं चलता है। जो दिमाग यह कहता है कि हमारे बाप यह थे, हमारे बाबा यह थे, इसलिए हम प्रधान मंत्री रहें, तो वह अधिनायकशाही मनोवृत्ति है, वह जनतंत्र नहीं है। इसलिए पी० सी० सेठी राजनीति में जनतंत्र की प्रतिष्ठा के लिए आप श्रीमती इन्दिरा नेहरू गांधी का दामन छोड़ो, नसान बनो, वित्त मंत्री रहो, न रहो, नसान तो रहोगे। वित्त मंत्री बनने से पहले इनसान बनो। इस मंत्रि-परिषद् से अलग हो जाओ; क्यों वहाँ तुम्हारी कोई इज्जत नहीं, पान खाने के लिए कुछ तनख्वाह मिल जाती है और कुछ नहीं।

उपसभाध्यक्ष (श्री अकबर अली खान) :

अब आप बैठ जाइए।

श्री राजनारायण : आप कहते हैं कि बैठ जाइए, इसलिए मैं बैठ जाता हूँ।

SHRI BANKA BEHARY DAS (Orissa): Mr. Vice-Chairman, I am grateful to you and the other friends to have permitted me to speak earlier than I would have done. Before discussing about certain items in the Finance Bill I want to draw the attention of the House to how the economic crimes like tax evasion, misappropriation, under-invoicing and over-invoicing and gross violation of foreign exchange rules are being committed in this country as a result of which most of the money that would have accrued to the State exchequer is being lost. Here I have a case about Mr. Haridas Mundhra. I want to draw the attention of the House to how the State exchequer is being defrauded because of the combination of bureaucrats in the Income-tax Department, the top officers of the Board of Direct Taxes and some of the persons who are violating the foreign exchange rules in this country and from this you will know that the Finance Ministry has not been able to tap all the sources that they could have done in this country. Here I want to give some illustrations regarding Mr. Mundhra. When Mr. Sachin Chowdhry was the Finance Minister and the question of that famous illustrious Mr. Mundhra was raised, he said on the floor of this House that about Rs. 5 crores of arrears of Income-tax were lying against him. Subsequently, though not a single pie was realised, from the evidence of the Income-tax Officer before the Calcutta High Court, it appears that it was slashed down to Rs. 3 crores and you will be astonished to know that in spite of the fact that not a single pie was collected from him at that time, it was reduced to Rs. 2 crores by Shri Morarji Desai, the Finance Minister and Mr. Sethi, in the last Session, had corroborated it by saying that he is to pay only Rs. 2 crores. In this connection I wish to draw your attention to the judgment of hon. Mr. Justice I. B. Mukherjee in the Calcutta High Court in August 1968 when Mr. Probodh Chandra Dutta, the Income-tax Officer, gave evidence before him. Here you will find how the officers, in collusion with Mr. Mundhra and his companies, are trying to cheat the exchequer and this Government. In a leading question by the Court itself he was asked :

"How long have you come to this Department?"

The answer was : "About ten months." The next question was :

"The attachment was made on 28th February, 1964?"

The answer was : 'Yes'. The next question was : "To-day is 1968 and during these four years nothing have been done?". The reply was : 'I have not done'. The next question was : "What is the usual step you take after you attach certain property or shares?". The reply was : "Usually we write the shareholding company to restrain transfer of these shares and as first step we write them to remit the dividends accrued, if any." The next question was : "In this case have you asked the Registrar to transfer the shares to you?" The reply was "No. Since then, not." The next question was : "Have you asked the Registrar to transfer the dividends to you?" The reply was : 'No, not'.

So even the High Court has seriously taken objection to how the Income-tax Department behaved though about Rs. 5 crores of Income-tax arrears were to be received by the Government.

I want to draw the attention of the Government to this because large sums of money they are to get from those tycoons who, in collusion with the bureaucrats of the Board of Direct Taxes and the Income-tax Officers are trying to defraud the Government. In this connection I want to draw attention to a photostat copy of a letter of Mr. Mundhra and how he is violating the foreign exchange rules of this country and is also cheating the Government with the collusion of officers and he is not doing things properly and yet no case has been started against him. He wrote a letter to Mr. Taylor who is a representative in London. He wrote to him about Mr. Varma who is also another agent of Mr. Mundra in Calcutta. He wrote :

"Mr. Varma is going to London. Please assist him in all possible ways. You have to work with him as a team. He will explain you everything in detail. He will require five pounds of tea at once. Please supply without delay".

You can understand how Mr. Mundra wrote to his agent, Mr. Taylor, in London. I do not know whether the Government of India knows that he has a dominating share in three foreign concerns in London. He says : 'You give five pounds of tea to this gentleman who is going to have some business deals.' Here I have a photostat of the cheques of the Lloyds Bank, London and according to this, instead of five pounds of tea to be supplied to him £ 5000 were supplied to Mr. Varma and here is the money. I can lay the copy of the cheques on the Table, which are of the Lloyds Bank. In one cheque Mr. Varma was given £ 3000. and in another £ 2000. So it is not five pounds of tea but it is £ 5000.

SHRI M. RUTHNASWAMY : Tea or money ?

SHRI BANKA BEHARY DAS : It is written that Mr. Varma may be given five pounds of tea. If the Government is to be cheated and if something is to be done, he cannot write directly 'You give this gentleman £ 5000' because I am sure immediately they will catch him under the law. So he says, 'five pounds of tea'. When Mr. Varma came to London he was given £ 5000. Here is the photostat of the cheques and the letter of the Lloyds Bank in which his firm's director is given £ 5000 by two cheques. From this you can imagine how this man who has been blacklisted virtually because of the Chagla Commission report is still ruling the roost in this country and in collusion with the Income-tax Department and also the Directorate of Foreign Exchange is defrauding the Government. I am told that this matter had been brought to the notice of the Government about a year back but the Government has not done anything nor any prosecution has started till now. If you want I am prepared to place this on the Table or if the Minister wants I am prepared to give it to him.

More interesting facts I want to give about Mr. Mundhra. You will be astonished to know—though we have respect for the Chief Justice of this country—how a Chief Justice of this country, after retirement, is on the pay roll and service of this man, Mr. Mundhra, and the judgement

[Shri Banka Behary Das.]

of the Calcutta High Court delivered on 3-12-68 is there in which the Calcutta High Court gave strong strictures against Mr. B. P. Sinha who was the Chief Justice of the Supreme Court in this country. You know though I never like to decry the Judges of the Supreme Court for their personal conduct, I have to say this because after retirement this gentleman has definite connection with the Mundhra firm—perhaps even from before he was in collusion—and he accepted the Chairmanship of the Board of Turner Morrison and Company which controls most of the firms of Mr. Mundhra. You will be astonished to know this. I am quoting from that judgement. On page 48 the Calcutta High Court has commented about Mr. B. P. Sinha who accepted the Chairmanship of the Board after knowing fully well that a few months back that concern and its officers were committed because of violation of the foreign exchange rules. Here the judgement says :

"Mr. Bhubaneswar Prosad Sinha joined about the end of March 1966. Mr. Bhubaneswar Prosad Sinha is said to have joined on the invitation of Mr. Jaffray. There was an order of seizure passed by the Enforcement Directorate on November 3, 1965. That would be clear from Hormosjee's answers to Q.330. He admits in answers to Questions 336-37 that Mr. Jaffray was convicted and fined for violating Foreign Exchange Regulations and Mr. Bhubaneswar Prosad Sinha, a retired Chief Justice of India, agreed to sit on the same Board with him. It was at the invitation of this Mr. Jaffray, who was convicted and fined, that Mr. Bhubaneswar Prosad Sinha joined the plaintiff company's Board of Directors."

This is in the Judgment. You will be astonished to know that all the big Income Tax Officers like Mr. Srivastava and Mr. P. V. Ramakrishna who were supposed to deal with the cases against Mr. Haridas Mundhra and his firms were acting as Members because they were in collusion with this firm. At the instance of this retired Chief Justice they were taken in as employees of Turner Morrison & Co. and they are still continuing. How can you expect these officers of the Income Tax Department who were dealing with the income tax cases and

assessment of Mr. Haridas Mundhra's firms who are now at the instance of Mr. Bhubaneswar Prosad Sinha who happens to be the one-time Chief Justice of the country. . . (*Time bell rings*)

SHRI MULKA GOVINDA REDDY (Mysore) : He may be given more time, Sir. He is making out important points; he is not letting out gas as other Members do.

SHRI BANKA BEHARY DAS : Sir, You will be astonished to know that in their Judgement the Calcutta High Court in 1960 says about Mr. Srivastava that these officers did not realise any income tax from this person. It is said in the Judgment :

"The Income Tax officer seems to be more catholic than the Pope and for this catholicity the Income Tax officer was rewarded with a job in Turner Morrison & Co. on a salary of Rs. 3,000/- per month."

From this you can well imagine the state of affairs. When we are passing the Finance Bill and trying to give some power to the Government to realise taxes from the poor and from the rich in the country, we find there is great collusion by these officers not only of the Income Tax Department but also of the Board of Direct Taxes and others, to defraud the Government of India and put heavy burdens on the tax-payers of the country.

Mr. Vice-Chairman, I have no time otherwise I could have quoted from the other Judgments to show how the Government has not at all cared about realising money from this Mundhra concern. Mr. Vice-Chairman, before I take my seat I want to plead with the Minister that it will be wrong and it is against fiscal discipline and all that to impose taxes on kerosene, sugar or tea and place a heavy burden on the common man when the big tycoons of the country who have been blacklisted already are being given shelter by their own Finance Ministry and other various Departments under the Finance Ministry.

Mr. Vice-Chairman, Sir, before I take my seat I want only to request the hon. Minister to tell us when the replies what has happened to the idea of urban ceiling because this was promised to us but up till now nothing has been done ;



except writing letters to the State Governments no effective steps have been taken to see that urban ceilings are fixed.

I also want to draw the attention of the hon. Minister to some of the speeches of Mr. Nicholas Kaldor who spoke about Expenditure Tax in this country. Some time back, the Expenditure Tax was imposed in this country in a half-hearted way and Dr. Kaldor had to remark that it was not an Expenditure Tax but actually it was only a show piece that has been dangled before the people of the country. I hope the Minister when he replies will deal with this point also. Sir, an effective system of progressive taxation, whether it is direct or indirect, and its proper implementation is vital for the survival of democratic institutions in the country. Not only it helps in raising adequate resources but also brings about social cohesion. Unless the tax structure is changed and a social cohesion is brought about, whatever we may say about the survival of democratic institutions in the country we will after some time find that democracy has been buried in this country not because of any fault of political parties or of the common man but because of the way the taxation measures are imposed or the way the whole machinery is being utilised for raising resources in the country.

**SHRI M. K. MOHTA (Rajasthan) :** Mr. Vice-Chairman, Sir, I rise to speak on the Finance Bill with sadness in my heart, sadness because a splendid opportunity has been lost by the Government to give the much-needed boost to the economy of the country. That the economy was poised for a rapid growth is known to students of Indian economy and that we need this rapid growth of the economy very badly also cannot be denied. The obstacle in the way unfortunately has been the policy of the Government on the economic front and the last Budget has proved that the Government has not taken any lesson from its past mistakes and has not changed its policies which would bring about the desired growth in the economy and allow us to reach the goal of eradication of poverty in this country in as short a time as possible.

Sir, the Budget is a clever exercise in presenting what is good for the ruling party as being good for the country. The Prime Minister claims to have provided

new incentives for savings and investment but what exactly are the cold and hard facts? The high and constantly rising prices have made it practically impossible for the middle classes to save or invest on any appreciable scale. It is only the upper crust of the middle class which has any ability to save and it is precisely against this section that the axe of income-tax has been repeatedly wielded eroding to a considerable extent savings and private investment. On the high-sounding plea of social justice but in reality in a bid for cheap popularity.

[MR. DEPUTY CHAIRMAN IN the Chair.] The Prime Minister has sharply increased the rates of income tax on slab of income having any substantial saving or investment potential and yet she would have us believe that her Budget is generally concerned with the promotion of savings in the community. The quantum of savings is determined by the ability to save as well well as the willingness but sadly enough neither this ability nor this willingness is likely to be stimulated by the politically motivated increase in personal taxation.

Sir, before I go any further I would like to discuss a little but about the current theory which the Government subscribes to about taxing at a very high rate incomes above a certain level. It is said that above a certain level of income the saving cannot be that of the individual but must be that of the community. The community must be benefited by the higher income above a certain level but what exactly happens? What happens is that above that certain level that is fixed by the Government the savings of the community are diverted to the coffers of the Government but in the process the community does not benefit because these savings of the individuals which become tax collections in the hands of the Government are unfortunately squandered away on grandiose public sector projects of the Government which do not yield either proper return on the capital employed or even the desired production on the capital invested. The policies of the Government have completely dried the money market. As is well known interest rates today range between 12 and 30 per cent. In these circumstances I do not understand how the Government

[Shri M. K. Mohta.]

can expect any potential investor to invest in equities which is the only foundation of development in the private sector. It is all very good to say that public financial institutions would provide the necessary funds for the development of industries in the private sector but the foundation is the risk capital, the shareholders' capital which is sadly missing and which the Government policies do not allow to be built up. Sir, a minimum overall growth rate of 6 per cent entails a minimum industrial growth of something like 12 per cent. It is only through the growth of the industrial sector that the economy of the country can hope to get any boost and unfortunately the industrial sector has been sadly neglected by the Government. The capital market, which is all but dead today, can be strengthened only by positive steps by the Government in two directions. The first is, the corporate tax structure must be lowered, so that the companies may earn decent after-tax profits and distribute them to the shareholders. The second is, there must be a lower personal tax, so that savings and reinvestment may be stimulated. In this connection, I must comment on the discontinuance of the tax credit certificates, which is to come about this year, and also on the reduction in the development rebate. As is well known, these two were quite potent weapons, quite attractive measures for the development of industries and the discontinuance of the certificates and the reduction in the development rebate will have a deleterious effect on the development of industries. Even the Boothalingam Committee had recommended a lower tax rate for the corporate sector. The mere fact that there has not been any increase in the corporate tax rates cannot give us any consolation. It is well known that, having exhausted all other avenues for further taxation this year, the Government in its present state of thinking will perhaps come down on the corporate sector also very soon and it is precisely due to this reason that the investors are even now fighting shy of providing more risk capital for industrial growth. I would like to mention here that more revenues can come from increased industrial activity which will have the twin effect of boosting the economy and at the same time of providing the needed resources to the Government. The present policy of the Government to have more revenue out of increased rates

is sure to have a very bad effect on the economic scene. In this connection, I would like to say that there has been a direct connection between industrial growth and the revenues of the Central Government. During 1961-65 industry grew at the rate of 8 to 9 per cent and in the process the corporate tax collections nearly doubled from Rs. 160 crores to Rs. 313 crores. Unfortunately since 1965 there has been a tapering off in the rate of growth of industries. It has become lower and lower and the result has been that tax collections have become static. A simple calculation would show that even an extra five per cent growth in industry could easily yield as much as Rs. 100 crores per year to the exchequer without having any bad effect on the industrial sector and secondly, a modest yield of 6 per cent on the public sector investment, which today stands at Rs. 3900 crores, can yield Rs. 240 crores annually. The two together would come to Rs. 340 crores, which would obviate completely any necessity to place further burdens on the economy in the shape of direct or indirect taxes.

The present taxes must be lowered from another angle too. The Government has professed its concern for the small businessman, the small industrialist, the technocrat and so on. Unfortunately the rates of income-tax above Rs. 40,000 would not allow even the small industrialist to save enough from his current profits to pay interest on his borrowings or repay the loan for the fixed capital investment, which he would be forced to take from public financial institutions or the nationalised banks. The taxes have been made so exorbitant above the level of Rs. 40,000 that there is no scope for even the small industrialist to repay his debt and to stand on a surer footing at the current level of taxes.

Another factor which must be considered is the brain drain which the country is already experiencing in several fields, notably in the technical field, inasmuch as technicians today are electing to go abroad and accept appointments abroad in preference to serving in their own country, particularly because of the high tax rates that prevail in the country.

SHRI PITAMBER DAS : What objection has my friend if it solves the population problem of India?

SHRI M. K. MOHTA . It does not.

SHRI DAHYABHAI V PATEL (Gujarat) . All the bad people are left here and the good people go abroad.

SHRI M. K. MOHTA . Not only they, but business managers, of whom there is a great dearth in the country, the professional managers, who are required in more and more numbers to manage the giant concerns—whether they are in the private sector or in the public sector—would not be attracted to India. Anyone who has received modern training in business management can receive a much higher-paid job abroad as compared to what he will get here after paying all the taxes.

A ten per cent surcharge on income-tax was levied in 1966 purely as a temporary measure. It is unfortunate that the surcharge is still continuing, although there is no emergency and there is no justification for its continuance. The excessive tax burden prevents salaried persons from making provision for their retirement out of current earnings because the post-tax earnings are barely enough to meet the day-to-day expenses which are also going up as a direct result of the Government's policy of imposing more and more excise duties on goods of day-to-day consumption. Therefore, it is very essential that retirement benefits should be very liberally treated for tax purposes. It would be advisable to increase the limit of 25 per cent of salary or Rs 8,000 which is allowed today for the purpose of provident fund, etc., so that at least the salaried persons could save a little out of their current earnings or use in their old age. Similarly, the limit of Rs 24,000 on retirement gratuity requires to be raised (*Time bell rings*). Another ten minutes I will take. It is not my mistake if Shri Rajnarain took one hour of the House.

MR. DEPUTY CHAIRMAN . You have taken about 15 minutes. You can take five minutes more.

4 P.M.

SHRI M. K. MOHTA . Sir, I now come to the recent provision in the Finance Bill regarding Wealth Tax on Urban Property. A very novel proposal has been introduced this year regarding wealth tax on urban property in the name of social justice. What I fail to understand, Sir, is

what kind of social justice is involved if a land owner constructs a building and lets it out to dozens or perhaps hundreds of middleclass families. Every middleclass family in the country today cannot hope to own its own residence. Particularly in the cities they have got to stay in rented apartments and if a land owner constructs a building, which he uses not for his own purpose, but lets it out for the enjoyment, use, residence of middleclass families, I do not see how social justice can be involved and why should such a land owner be penalised at such excessive rates. The present position is that the rates of wealth tax rise upto 12% per year, which means that in 8 years' time the entire value of the property will be taken away by Government. I can very well understand if this kind of provision could apply to people who have big houses for their own personal use, but the kind of logic that has gone into the framing of this provision is beyond my comprehension.

Secondly, Sir, in respect of Wealth Tax the Prime Minister, in her budget speech, said that the exemption limit for wealth tax in respect of some assets was being increased from 12 lacs to 15 lacs. Sir, I tried to study this provision in some detail and I found that there was an apparent inconsistency in the provisions of the Bill and the speech of the Prime Minister. The provision as applied upto last year was that a person could claim an exemption of 2.4 lacs if a part of the property stood in his own name and a part stood in the joint names of himself and his wife or his minor dependents. The provision, as it stands today, is that this exemption limit of 2.4 lacs would be decreased in such cases to 1.5 lacs only. I only hope that this has been done due to an oversight and the Hon'ble Minister would be pleased to rectify this inconsistency as early as possible.

Another point I would like to make, Sir, is in regard to plantation buildings. As is wellknown, there are buildings for use of labour in plantations. If the plantations are owned by limited companies, they do not come within the mischief of this section, but if they are owned by individuals, a very iniquitous position arises because even labour quarters, hospitals, creches and buildings like that of schools and water installations are all to be valued and subjected to this urban property tax. This

[Shri M. K. Mohta.]

is something which, I am sure, is unintended and the Hon'ble Minister should pay attention to the rectification of this anomaly.

Another very important but very unjust provision has been brought about in the case of charity trusts. Sir, like all individuals or companies or firms, even charity trusts, need to accumulate at least a certain part of their income. It is unfortunate that the provisions of the Finance Bill required the charity trusts to spend their entire income within a short period of time. Even if a single rupee is saved by the charity trust, it would come within the mischief of the taxing provisions of the Finance Bill.

By another provision, it has been provided that if investment is made by charity trusts in concerns in which the founder of the concern had a substantial interest, the Trust would disqualify for tax exemption. I cannot understand the logic which has gone behind the framing of this provision. This is a kind of "ANDHER NAGRI CHAUPAT RAJA" logic. It means that the person whom the noose fits should be hanged because it should be clear to every thinking person that if somebody has derived any undue advantage from a charity trust, naturally, that person is the one who should be termed the culprit. By all means, you tax that person who has derived a benefit from a charity trust. But what is intended to be done by the Finance Bill is that the trust itself would be taxed, which means the laudable causes for which the public trust had been formed will suffer. If the causes were not charitable, naturally the trust would not have qualified in the first place. But having conceded that the causes for which the trust was formed were in the public interest, now just because somebody else is going to benefit, the trust is going to be penalised. I do not understand the logic of this. If the trust gives money to any person without adequate security or at inadequate rates of interest, I can understand the provision which says that the trust will be deemed to have done something wrong, but if a trust receives donations in kind, donations which consist of shares in the concerns of the founder of the trust cannot be said to have done anything wrong. It has received donations in kind; it has not invested any funds out of its own pockets in the concern of the founder but even such an eventuality will penalise the trust for no fault of its own.

In the sphere of indirect taxes, there has been a largescale imposition on items of day-to-day consumption, like sugar, tea, kerosene, aerated water, biscuits, condensed milk, milk powder, malted milk and so on, and so forth. The Prime Minister said that on annual incomes of Rs. 25,000 the assessee would get a tax benefit of Rs. 11 a year. As against this, such middleclass people with incomes not exceeding Rs. 25,000 would have to incur an additional expenditure on their food basket alone of anywhere between Rs. 250 to Rs. 500 per year. If after making such provisions the Government can still say that it has concern for the lower income groups, I for one cannot understand the logic of this.

MR. DEPUTY CHAIRMAN : You have taken more time than what you wanted.

SHRI M. K. MOHTA : I will take two minutes more, Sir. Since I do not have much time to go into the details of excise duties that have been imposed on several industries, I would only take up the matter of the tea industry which is one of the foremost industries of India and one of the foremost earners of foreign exchange. Sir, the principle seems to have been applied that the domestic consumer can be burdened to any extent that the Government likes in order to give a boost to the exports. Unfortunately, the right argument has been applied in a wrong way because neither can the Indian consumer in his present state be expected to shoulder the burden of Rs. 7 crores per year that has been imposed on tea alone, nor can the industry in its present state of health hope to shoulder this burden without very seriously affecting its development. Sir, if we want an industry to go on exporting in a big way, we must see that its health is maintained. The health of the tea industry can be maintained only if the tea bushes are renewed from year to year and replantation is done. Unfortunately today neither the industry has sufficient funds nor sufficient profits to finance such replantation. Even the subsidy that the Government gives, namely, Rs. 3500 is nothing as compared to the subsidy that is given by our nearest competitor, Ceylon, which gives Rs. 9000 for replantation. Unless the industry is allowed and enabled to modernise, to keep up its health and its capacity to compete in the world markets, the foreign exchange that we are earning with tea may fall very considerable in a very short space of time. We cannot expect the industry to pass on all the

burdens to the Indian consumer for the sake of giving relief to the exports. There is this a very strong case for giving relief to the tea industry and the tea consumers. Thank you.

**SHRI A. P. CHATTERJEE** (West Bengal) : Mr. Deputy Chairman, I had occasion to speak on the Budget sometime ago. Now the Finance Bill of course is a concretisation so to say of some of the Budget proposals. Now, Sir, as far as this Finance Bill is concerned, it is again an index of how the Indian Government, I mean the party which is in power, is introducing more and more benefits for capitalism and monopoly capitalism and speaking of socialism at the same time. Sir, if you analyse the proposals in the Finance Bill itself, you will find that as far as the contribution from direct taxes is concerned, it is only the pitiful sum of Rs. 36 crores, and the Rs. 36 crores also we are not getting immediately. In 1970-71 it is Rs. 5 crores, and that add up to Rs. 23 crores in 1971-72, and in this way we are getting only Rs. 36 crores from these direct taxation proposals that are being given in the Finance Bill. But on the other hand look at the indirect taxation, the taxation which will impinge heavily upon the poorer people, and you will find that as far as the indirect taxation proposals are concerned mainly by way of excise duties on items which are currently in daily use by ordinary people, the revenue from that source is Rs. 135 crores. Already the revenue from various excise duties has come to more than 60 per cent of the gross revenues of the country and this is also being further increased by Rs. 135 crores, by way of another dose of increase in excise duties.

Again, look at the customs duties. We have found that in the budget proposals our socialist Government has abolished export duty on tea and also export duty on certain quantities of jute goods, so much so that the earnings from customs are again the pitiful sum of Rs. 20 crores only. So, it is quite clear that as far as the burden of running the Government through payment of money is concerned, that burden is being daily more and more shifted to the burden of the poor. In the Budget speech itself the Prime Minister has had to admit that 75 per cent of the revenues of India are derived from indirect taxation. After admitting this, we do not understand why the Prime Minister did not choose to shift some of

the burdens from the poorer sections of the people to the richer sections of the people. Seeing that 75 per cent of the revenue comes from the poorer sections the Prime Minister has chosen not to increase the corporate tax and again has kept the field of direct taxation too narrow, too limited in its scope as well as in its extent.

When I was listening to Mr. Mohhta speaking on behalf of the Swatantra Party I was really wondering that he wanted, because actually the bread has been buttered on both sides as far as the capitalists are concerned, for whom of course, the Swatantra Party stands; I think they also would not deny it. What more do they want?

**SHRI PITAMBER DAS** : It should not be difficult for Mr. Chatterjee to know what Mr. Mohhta wants. He has tabled a number of amendments.

**SHRI A. P. CHATTERJEE** : I do not know whether those amendments are in order or not. Anyway that is a different matter. But what I am submitting is this. As far as Mr. Mohhta is concerned, he is still wanting to have all in the way of gains for the capitalists, gains for the monopolists and further concessions for them.

**SHRI M. RUTHNASWAMY** : He also wanted reduction in excise duties and indirect taxes.

**SHRI A. P. CHATTERJEE** : That he has to say because after all demagogic slogans have to be given in order that the thin end of the wedge may go in. That is the thin end of the wedge, the demagogic slogan about reduction in the indirect taxation. If he has sincerely canvassed for reduction in indirect taxation, of course that is to be welcomed, but I am quite sure that he was not sincere that way. He merely said...

**SHRI M. RUTHNASWAMY** : Sir is any Member justified in talking of the sincerity of another Member?

**SHRI A. P. CHATTERJEE** : I am sorry, not he; his party. I am saying his party was not sincere in making a demand for reduction in indirect taxation. As I was saying, it was merely the thin end of the wedge. By this thin end of the wedge he wanted to get more benefits and more concessions for the monopolists

[Shri A. P. Chatterjee]

and capitalists saying this about Mr. Mohta who of course will speak on behalf of a particular section of the community, the richer section of the community, the tiniest section of the community to whom all the luxuries and all the riches of the people are gravitating and who are pocketing all the things belonging to the people, as far as the Swatantra Party is concerned, it is quite well known that the Swatantra Party will speak on their behalf. But I am not very much apprehensive about what the Swatantra Party says because they are known devils—I think it is not an unparliamentary term,—they are known devils. Known devils are never dangerous. But the difficulty is this. When the Indira Government, I mean the ruling Congress Government, begins to speak of socialism and then ultimately insidiously, treacherously, so to say, begins to increase the burden on the people and lessen the burden on the richer section of the community, that becomes dangerous because it is a little difficult or it takes a little time so to say to understand bluffing and hypocrisy, and that way they are more dangerous than blunt support of the monopoly capitalists which of course should be expected from the Swatantra Party. I may only point out certain features of the Finance Bill which will clearly show that this Bill is heavily weighted in favour of the capitalists and the monopoly capital, and nothing but that I am speaking, for example, of the measures for facilitating the savings and investment. The Finance Bill has said that investment up to Rs. 3,000 is protected. In the earlier Finance Bills, investment up to Rs. 1,000 was protected. But now we find that investment up to Rs. 3,000 is protected even if such investment is made in the form of shares in Indian companies. This is one of the very blatant, very insidious and very much condemnable amount of concession given to the capitalists in order that they may get more by investing more and they have not to pay any tax. That exemption has been extended and increased to investment to the extent of Rs. 3,000 in so many things, well, including shares in Indian companies.

The matter does not end there also. Mr. Sethi, the Minister of State for Finance, while introducing the Finance Bill said much about the taxing of the income of the charitable and religious trusts. Well, words fell from his lips which might lead us to believe that as far as the charitable

trusts are concerned, perhaps the Government will deal with them with an iron hand. But look at what has happened. As far as charitable and religious trusts are concerned, I am not concerned with certain variations in the income-tax which will be levied on this income arising from charitable and religious trusts. But the most odious parts of it, they remain. For example, this Finance Bill maintains a provision that income arising from charitable and religious trusts will be allowed to accumulate for ten years. Not only that. The most important part of it or rather the most odious, the most sinister part of it, is this.

SHRI U. K. LAKSHMANA GOWDA  
(Mysore) : Very nicely put.

SHRI A. P. CHATTERJEE : It is said that the income from the trust or property of the charitable and religious trusts will not be exempt from income-tax if it is invested in a concern in which any of the specified persons, for example, the benefactor of the trust, has a substantial interest. So far so good. It appears to be good. It looks good that the investment which is made in a concern in which a particular person has a substantial interest will not be free from income-tax. But the sting lies in the tail. What is the definition of a person having a substantial interest in a concern? A person who owns equity shares to the extent of 20 per cent, he only will be regarded as having a beneficial or substantial interest in a concern. Equity shares to the extent of 20 per cent in a company is a very large share, a very large amount of share. In other words, they say that a person will be regarded as having a substantial interest—

“(1) in a case where the concern is a company, if its shares carrying not less than twenty per cent of the voting power are, at any time during the previous year, owned beneficially by such person or partly by such person and partly by one or more of the other persons referred to in sub-section (3),”

Twenty per cent in the form of shares in a company, that is a very big amount. That is to say, only if it is above 20 per cent, when a person will be regarded as having a substantial interest. That is to say, on the one hand they say that investments from charitable and religious trusts in concerns in which the benefactor has a substantial interest will not be exempt from income-tax. On the other hand, they are giving

exemption because 20 per cent really is a big sum and many of the charitable and religious trusts will get away without paying tax by virtue of this proposal (Time bell) How much time has my party got?

MR DEPUTY CHAIRMAN Your party has got 12 minutes. You have taken 15 minutes.

SHRI A. P. CHATTERJEE Twelve minutes? We have got 16 minutes.

Very well I will finish.

Then there is another thing also. It is said that when the trust funds are invested in any concern in which any of the specified persons have a substantial interest and the quantum of the investment does not exceed 5 per cent of the capital, then the exemption from income-tax will apply only on the income from that investment. Well, I should say that this is a way in which the religious and charitable trusts will be continued to be used by the monopoly capitalists in the way in which they have been using them, whatever Mr Sethi, the Minister of State for Finance, may have said at the time when he gave his introductory speech while moving the Bill.

Then look at the provision in respect of wealth tax. As far as the 1960 Finance Act is concerned, wealth tax was imposed on the net wealth of the companies. But that has been withdrawn, and that has not been replaced at all. That is also another concession to the companies. Business premises will be exempted from wealth tax. Who does not know, for example, as far as the monopolists are concerned, that they even use their residential premises always as business premises? They show the residential premises in which they live as business premises. And in that way, what will happen is this that as far as the wealth tax is concerned, it will not fall upon that sector of the economy on which it was to have fallen and should have fallen.

Then, look at wealth tax in the form of shares in Indian companies. As far as this is concerned, again, there is trouble for the common and poorer people. You will say that the limit is Rs. 1,50,000. That limit will be the limit in respect of the investment in different lines, for example, shares in Indian companies, in the securities of the Central Government. But

then you have said that wealth tax will be imposed only after the entire aggregate amount exceeds Rs. 1,50,000. But then this Finance Bill has said and it has made a provision which is giving it, which is seeking to give the benefit which it says it wants to take away from the particular capitalist community. It says this that this limit of Rs. 1,50,000 will not apply for five years in regard to shares in certain manufacturing companies. So far as those shares are concerned, it will appear that they may exceed the limit of Rs. 1,50,000. But wealth tax will not be imposed on that at all.

Now, Sir, this is the position in regard to the Finance Bill. It appears that this is a Bill which has been made, of course, in the wake of the Budget proposals of the Prime Minister. But those Budget proposals, as I have already said, are proposals which are meant to buttress the monopolist economy and the capitalist economy and therefore who does not know that when these Budget proposals were made, there was a spurt in the Stock Exchange markets in Bombay, Calcutta and elsewhere? The capitalist community, they welcomed the proposals because they found that the corporate tax has not been increased. They found that the direct taxes had increased to a pitiful amount only Rs. 36 crores. They also know how, to evade it. So far as the export and import duties and customs duties are concerned, well, they have been slashed down in the matter of certain goods and certain varieties of things. But then as far as the other goods and duties and taxes are concerned they have been increased. I am concluding by reading

(Interruptions)

MR DEPUTY CHAIRMAN You will say the last sentence.

SHRI A. P. CHATTERJEE I am saying I am reading from

MR DEPUTY CHAIRMAN Do not read. Make only the concluding speech.

SHRI A. P. CHATTERJEE an articles of a person whose attitude is completely monopolistic and capitalistic. He is an economist. I am quoting the words of Prof. Shenoy. He is an economist whose views are capitalistic and certainly not socialistic. He has said —

"The discontent of the people would seem to be reaching boiling point".

[Shri A P Chatterjee]

He has cited a case wherein he says —

“This deplorable incident is a measure of the depth of resentment of the workers, which at times, might drive them into even act as of inhumanity”

Further, he says —

“*Per capita* incomes being stagnant or worse, the income shifts have produced prosperity for the few—the beneficiaries of the income shifts—and growing indigence for the rest, the victims of the income shifts”

That is the position. The poor are getting poorer and the rich are getting richer. We are finding that in every Finance Bill the burden on the people is growing, and the burden on the capitalist, corporate-sector is lessening. Therefore, as far as this Finance Bill is concerned, there is no doubt about it that it requires strong and scathing condemnation from all sections of progressive opinion throughout the country.

**SHRI THILLAI VILLALAN** Mr Deputy Chairman, I will be very brief. I will not go beyond the time limit given to our party. Sir, a Finance Bill is a mirror through which we can see the economic policy of the Government and at the same time the economic activity and the economic stability of the States and the Centre. For this purpose, Sir, in the morning also we have discussed the harmonious relationship between the communities. Here we must have harmonious relationship between the States and the Centre. Unless and until there is an atmosphere of harmonious relationship between the States and the Centre there will not be economic stability or economic feasibility in running the Government. So my first point would be this.

So far as the State-Centre relationship is concerned, there must be consultation between the Centre and the States in every fiscal step which the Centre wants to take for implementation. So under article 263 there is scope for the setting up of a Centre-State Council for this purpose. Unless consultation is made there will always be hindrance to the States when the Centre *suo motu* attempts to bring Finance Bills. Under article 274 also there is a provision by which, before the Centre takes any step to bring forward any Finance Bills, it must get the sanction

from the President because the financial steps taken by the Centre will definitely affect the State. So there must be a mechanism, a permanent body, for consultation between the States and the Centre. That is why the Constitution provides under article 263 for the formation of a Centre-State Council. Sir, I will restrict myself to only one aspect of the State-Centre relationship.

In this connection, Sir, you can see that from 1951 to 1970 the indebtedness of the States to the Centre is always growing. The debt burden of the States in 1951-52 was only of the order of Rs 445 crores. It has gone in 1968-69 to the tune of Rs 7,032 crores. The debts of the States to the Centre—which is a more crucial one—stood in August 1947, when India attained independence, at only Rs 44 crores. The entire States put together owed to the Centre only Rs 44 crores at that time. Now, in March 1970, it has gone to the tune of Rs 5,997 crores. From Rs 44 crores to nearly Rs 6,000 crores is a long track. Now, Sir, in one sphere the State is a beggar and in another the Centre is a beggar. The States are going with the begging bowl to the Centre while the Centre is going all over the world with its begging bowl. Both are beggars in the process of getting resources for the country. Because debts become permanent in the field of finance of a country, there must be a permanent body, as I have suggested, for consultation between the Centre and the States for the purpose of having a review of the debts of this country. We must have a Federal Debt Commission in which we can discuss about the debt of the States, we can discuss about the interest, about the way of repayment and everything. If we have a permanent body we can do all these things there.

By the appointment of a Federal Debt Commission we can analyse the nature of the debts. The Centre is giving loans to the States for which they have fixed a crucial period of only seven years plus three years, in all ten years, for repayment. But they are getting loans from the World Bank and other agencies throughout the world at lower rate of interest and for repayment spread over 40 to 50 years. In the case of the States they are conducting themselves as usurious money-lenders. But before the World Bank and other money agencies in the world they are like humble debtors like the States. So all these things can be



reviewed if a permanent Federal Debt Commission is constituted under the Constitution.

I do not want to touch every aspect of fiscal relationship in this connection. I only submit that our State, Tamil Nadu, is suffering from the recommendations of the Fifth Finance Commission. In respect of devolution of major taxes like income-tax, excise and additional excise duties on sugar, textiles and tobacco, the percentage share of the State has declined. In respect of income-tax Tamil Nadu's share has declined from 8.34 per cent to 8.18 per cent and in respect of additional excise duties from 11 per cent to 9.63 per cent. On top of this, the deficit grant for the five years 1969-74 has also been reduced from Rs. 34 crores to Rs. 23 crores. Out of the total transfer of resources of Rs. 4,266 crores as a result of the award, Tamil Nadu is to get only Rs. 295 crores, that is, 6.9 per cent as against 7.2 per cent under the previous award. As against the requirement estimated by Tamil Nadu at Rs. 718 crores, the Commission has awarded Rs. 295 crores for the period 1969-74. This is the grievance of Tamil Nadu. I will say every State has got grievances in the field of financial allocations. So my humble submission would be that this is the proper time for reviewing the fiscal relationship between the States and the Centre. For this purpose, I have already submitted that two permanent bodies should be established for the purpose of settling the disputes in the field of financial allocation between the States and the Centre. With these words I conclude.

**MR. DEPUTY CHAIRMAN :** Mr Nagaraja Murthy. Five minutes.

**SHRI B. P. NAGARAJA MURTHY** (Mysoore) Mr Deputy Chairman, Sir, the Finance Bill which is under consideration in this House is mainly concerned with additional and fresh taxes that are being levied from the 1st of April 1970. While considering this Bill we have to consider the following points, i.e., whether fresh taxation and additional taxes are justified, or whether other alternative ways and means have been exhausted to find resources to finance economic development.

The main object of taxation is to ensure proper distribution of wealth among the public and to find resources to finance economic development, economic development which ensures increase in production

and proper distribution, better administration and maintenance of laws and order inside the country and defence from outside aggression and to provide better education for the public. Sir, while considering economic development, let us see whether all these things under the development programme have been achieved. Let me confine myself to agriculture. Sir, the chief of the ruling party, who happens to be the senior-most member of the Central Cabinet is holding the portfolio of Agriculture. Let me review what achievements have been made in the farming sector. Has the Government been able to provide fertilisers at reduced prices? We have seen every year that the prices of fertilisers have been shooting up and unnecessary statistics have been collected for storage of fertilisers. We see from the reports that nearly 50 per cent of the fertilisers which can be utilised for the next year have been stored. What is the cost of this fertiliser? What is the interest on this amount that has been paid for the fertilisers? Now, let us see whether other alternatives to find resources have been exhausted. The other alternatives are to plug the leakage in the collection of income-tax and to ensure economy measures in administration. Now Parliament has been seriously discussing about taking away the privileges of the ICS officers and about abolishing the privy purses. There are so many other items where we can exercise economy measure to reduce our expenditure. Next to the Princes, may I submit, the privileged class is the MPs. Why not some measure be introduced to cut down the expenditure on the Members of Parliament? The most privileged Members of Parliament are the Ministers of the Central Cabinet. How much expenditure has been incurred on the Ministers and what amount of money is spent on the automobiles that are supplied to Government officers? Crores of rupees are going to the gutter on these automobiles. Even at the taluk level the Block Development Officers have the privilege of having two or three vehicles. There is heart burning among the officials at the taluk level when a tahsildar has no vehicle and Block Development Officer has two or three vehicles. And what is the result of this heart burning? The administration has failed and corruption is rampant at the block level. Why not take away all these vehicles which can save crores of rupees for the Central Government?

Now perhaps all this money which is collected by way of taxation is given to the improvement of only the urban areas

[Shri B. P. Nagaraja Murthy]

and not the rural areas. What is the situation in the rural areas? We do not find access for the main roads to the interior villages. A villager who is residing in an interior villages cannot get a vehicle even during an emergency to take a patient to a doctor. This is the situation. There are a number of villages in the rural areas where even after 23 years of independence, no drinking water is provided. This is the sad situation of the rural side. I was quite confident that the hon. Agriculture Minister who happens to be the chief of the ruling party, will prevail over the hon. Prime Minister to prevent any taxation, either direct or indirect, on the farmer, on the population of the rural areas. Besides that, I thought the hon. Minister of Agriculture who is in the habit of always resenting to pay income-tax, who is always reluctant to pay taxes, will prevail over the hon. Prime Minister to prevent this taxation.

SHRI MAHAVIR TYAGI : He only forgot

SHRI B. P. NAGARAJA MURTHY : What about education? In the rural areas education has been completely neglected. We are following a system of education which was in existence under the British bureaucracy. The system of education that we are following is the education that the Government needs, not the education that the individual needs. We must have a system of education which can help the individual to stand on his own legs and earn his living without depending on Government employment (*Time-hell*). Yes, I will sum up. Unless these taxes are utilised for the betterment and improvement of the rural areas and to provide better amenities to the neglected and poor villages, the Government has no moral right to tax these villagers.

MR. DEPUTY CHAIRMAN : Mr. Niranjana Varma. Five minutes.

श्री निरंजन वर्मा (मध्य प्रदेश) : श्रीमन्, फाइनेंस बिल सदन के सामने अभी प्रस्तुत हुआ है और बहुत से मित्रों ने अपनी अपनी बातों के अनुरूप उस का विश्लेषण किया है लेकिन हम यह देखेंगे कि वास्तव में यह जो कर लगा कर जनता के मुख की बाते कही जाती उस में हमारा शासन उतना सफल नहीं

हुआ और न उस के सफल होने की कोई संभावना ही है। इस देश में जो इस प्रकार का फाइनेंस बिल लाया गया है उस को हम दो टुकड़ों में विभाजित कर के उस के स्वरूप का दर्शन करेंगे। अगर हम यह देखें कि हमारे ऊपर वास्तव में इतने करारोपण के बाद भी कितना कर्जा है तो यही चिन्ता का एक बहुत बड़ा कारण हमारे लिए हो सकता है। हमारे देश पर जितना ऋण है, भारतवर्ष की जन सख्या के हिसाब से अगर उस का बाट दिया जाय तो वह प्रति व्यक्ति 133 रुपये के करीब पड़ता है और जिस को कि हम अपने आगे आने वाले बहुत वर्षों तक भी चुका नहीं पायेंगे। इस प्रकार आर्थिक जगत में अगले देश की यह हालत है। इस के साथ ही हम को देखना चाहिए कि शैक्षणिक जगत में हम कहाँ हैं। 22 वर्षों के बराबर आश्वासन देने के पश्चात् भी हमारे देश में शिक्षा के क्षेत्र में कोई अधिक वृद्धि नहीं हुई है। हम अभी तक 24 प्रतिशत से आगे नहीं बढ़ पाये हैं और दुख का विषय यह है कि जिस काश्मीर पर हम करोड़ों, अरबों रुपये खर्च कर रहे हैं उस की हालत यह है कि वहाँ पर शिक्षा केवल 11 प्रतिशत है और उस से आगे हम अभी तक नहीं बढ़ पाये। इसी प्रकार से हमारी आमदनी का जो लेखा-जोखा करते हैं उन के आकड़ों पर अगर हम निगाह डालें तो खर्च के ऊपर हम 55 प्रतिशत व्यय करते हैं। लेकिन दुख का और आश्चर्य का विषय यह है कि 55 प्रतिशत खर्च पर खर्च करने के पश्चात् भी इस देश के बच्चे, बूढ़े, बालक केवल 9 प्रतिशत दूध पर रहते हैं। 9 प्रतिशत से ज्यादा उन्हें कोई पौष्टिक चीज नहीं मिलती। इस प्रकार से हमारी खर्च की समस्याएँ भी अभी किसी प्रकार से समुचित रूप से सुलझ नहीं पाई हैं। आप कहते हैं कि हमारे देश में खेती 69 प्रतिशत किसानों के हाथ में है। 69 प्रतिशत खेती में हमारे यहाँ पर जो आकड़े दिये गये हैं उन के अनुसार केवल 32 प्रतिशत से ज्यादा सिंचाई में अभी हम आगे नहीं जा पाए हैं जबकि और देशों की अगर तुलना की जाए जैसे हमारे पास ही एक पड़ोसी छोटा

मा देश ताइवान है, वहां पर सिचाई की योजनाओं के काम को अगर देखा जाए तो वह हम से बहुत आगे बढ़ा हुआ है, इजराइल भी हम से सिचाई के मामले में आगे बढ़ा हुआ है और इसी तरह से जापान जो कि अमरिका के अकुश के नीचे है, वह भी सिचाई के मामले में हम से बहुत अधिक बढ़ा हुआ है।

हमारे यहां पर 1948 में खाद्य पदार्थ 1 अरब 29 करोड़ 0 लाख रुपये का इम्पोर्ट हुआ था। हमारी सरकार बार बार हम से यह कहती रही है कि इन वर्षों में बाहर से जो खाद्य पदार्थ का इम्पोर्ट हुआ है, उस को हम कम करते चले जाएंगे और खाद्य पदार्थ के मामले में यह देश आत्म-निर्भर हो जाएगा। अभी कुछ दिन पहले हमारे खाद्य मंत्री महोदय ने इस प्रकार की घोषणा की थी, केवल इस वर्ष के बारे में भविष्यवाणी करके उन्होंने यह चाहा था कि हम इस मामले में आत्म-निर्भर हो जाएंगे। 1948 के जो उका आकड़े हैं उन की तुलना में सन् 1968 में बाहर से हम ने 3 अरब 61 करोड़ 20 लाख रुपये का फूडग्रेन्स इम्पोर्ट किया। ये हमारे आकड़े हैं।

इसी हिसाब से और दूसरे मामले में भी देखा जाए, स्वर्ण के बारे में या दूसरे मिनरल्स के बारे में, तो यह पता चलेगा कि इस दिशा में भी हमारी प्रगति रुकी है। हम जो सोना इकट्ठा करते हैं और मिनरल्स से निकालते हैं सन् 1960 में 500 प्रतिशत हमने निकाला, लेकिन 1967 में 1 कर के आकड़े और कम हो गये और 3.6 प्रतिशत पर आ गये। अर्थात् इस दिशा में भी हम अवनति करते चले जा रहे हैं और पीछे हटते जा रहे हैं।

यही हाल कपास के मामले में है। हमारे यहां पर सब का मालूम है कि टैक्सटाइल के मामले में हमारी सरकार उदासीन रही। उस का परिणाम यह हुआ कि टैक्सटाइल के लिए जो अच्छे किस्म की फाइबर की जरूरत होती है उसे हमें बाहर के देशों से मंगाने पर बाध्य होना पड़ा और बाध्य होने के पश्चात भी हम

अपने देश में उतना अच्छी कपास पैदा नहीं कर पाए।

इसी प्रकार जूट का मामला है। जूट हम इतनी अधिक पैदा करते थे कि बाहर के देशों को निर्यात करते थे लेकिन जूट के मामले में सन् 1965 में जो हमारा 120 प्रतिशत अंक था, वह गिरकर सन् 1968 में केवल 96 का अंक रह गया। अर्थात् जूट के मामले में भी हम प्रगति नहीं कर पाए और अवनति कर रहे हैं।

इसी तरह से ट्रांसपोर्ट के आकड़े देखने के लायक हैं। सन् 1965 में ट्रांसपोर्ट का जो अंक था वह 206 था। 1968 में वह 143 रह गया। इस मामले में भी हम नीचे गिरते चले जा रहे हैं।

इसी तरह से और सामान के मामले में है। एक्सपोर्ट और इम्पोर्ट पर ही किसी देश की एकेनामी निर्भर करती है। होना यह चाहिए कि देश में इम्पोर्ट कम से कम हो और एक्सपोर्ट अधिक से अधिक हो लेकिन हमारे देश में हमने देखा है कि इस वर्ष हमने 2 अरब 48 करोड़ 20 लाख रुपये का सामान इम्पोर्ट किया जबकि एक्सपोर्ट कितने का किया? केवल 1 अरब 81 करोड़ 30 लाख रुपये का। अर्थात् इस का मतलब यह हुआ कि हम वास्तव में बाहर के देशों से सामान मंगाने के आदी हो गये हैं और हमारी सरकार इस पर अकुश नहीं लग पाती है। इस तरह से जो आर्थिक अवस्था हमारी है वह छिन्न-भिन्न होने को आ गई है।

इसी प्रकार, श्रीमन्, मैं अर्थ मंत्री जी का ध्यान इस ओर भी दिलाऊंगा कि अपने यह पर एक्सटरनल एसिसटेस लेने की, चाहे वह नगदी के रूप में हो, चाहे वह सहायता के रूप में हो या चाहे वह किसी और रूप में हो, परम्परा भी भारत सरकार को बहुत हो गई है। सप्ताह में कोई देश ऐसा नहीं बचा होगा जिससे हमारी सरकार ने भीख न मांगी हो। एमिसटेस लेने इस का एक प्रकार का धर्म सा बन गया है। हमने 13 अरब 59 करोड़ डालर की एसिसटेस

[श्री निरजन वर्मा]

बाहर के लोगों से ली। इस प्रकार की एसि-  
मेंट्स के बल पर, इस प्रकार की आर्थिक सहायता  
के बल पर हमारा देश प्रगति नहीं कर सकता।  
एक बात यह भी है कि हमारा देश इसनिए  
प्रगति नहीं कर सकता क्योंकि जितनी हम को  
आर्थिक सहायता मिलती है, उसको पब्लिक  
सेक्टर में अधिक से अधिक हम खर्च कर देते  
हैं। पब्लिक सेक्टर के कई कारखानों में 70  
करोड़ रुपये तक का घाटा था। इस प्रकार से  
जितना ड्रव हम बाहर से या अपने देश में साधनों  
से जुटाते हैं, वह सब इस प्रकार हानि में चला  
जाता है। तो अपने योग्य अर्थ मंत्री जी से,  
वित्त मंत्री जी से मैं यह निवेदन करूंगा कि  
वे यह देखें कि यह जो असतुलन है, उसका दूर  
करने के लिए कोई कदम उठाएं। केवल यह  
समाजवाद का प्रतीक है, इन शब्दों के कहने  
मात्र से देश में समाजवाद नहीं आनेवाला है  
और गरीबों की स्थिति नहीं सुधरनेवाली है।

MR. DEPUTY CHAIRMAN : The Minister.

SHRI P. C. SETHI : Sir, I have listened with great attention to the speeches made by honourable Members and I would not like to take much time of the House going into the various details...

SHRI U. N. MAHIDA (Gujarat) : You have not called me at all, Mr. Deputy Chairman.

MR. DEPUTY CHAIRMAN : I am sorry that I could not call you. I would have called you, but we have very little time at our disposal.

SHRI U. N. MAHIDA : Sir, You had allowed one full hour for one Member and forty minutes to another Member. It is not fair.

MR. DEPUTY CHAIRMAN : No. Only one Member took one hour and all other Members stuck to the time allotted to them.

SHRI U. N. MAHIDA : And you could not allow any time for me.

MR. DEPUTY CHAIRMAN : I am very sorry that I could not call you. Perhaps we might find some other occasion to accommodate you.

SHRI P. C. SETHI : Sir, I do not propose to take much time of the House going into the various details because I had explained the various proposals in my opening remarks. However, I would like to say briefly on some points which the honourable Members have raised here.

Mr. Gurupadaswamy started by complaining that the concessions which the changes and amendments made in the Finance Bill are meagre and do not go far enough. While at one time he was asking for more concessions, he was now complaining that our efforts to mobilise the economy, our efforts for making an economic thrust, are not moving in a proper direction. These two things cannot go together. If we have to have growth, then, it should be first of all growth with social justice. And secondly, for having growth in a poor country like India, the tax efforts have to be on a wider base. And from that point of view the present Budget proposals have been appreciated not only in this House and in the other House, but all over the country.

Mr. Gurupadaswamy also made a particular reference to the problem of unemployment. As far as the question of unemployment is concerned, we should not lose sight of the magnitude that it involves. Since 1961 our population has increased at a compound rate of 2.1 per cent annually. Although for precise estimates we will have to wait till June next year, it is generally agreed that the rate of growth of population has accelerated since 1961 and is now around 2.4 to 2.5 per cent. That means every year we are adding almost 18 millions to our population and nearly 6 to 7 millions to our working force. It is against this stupendous increase in our population and our working force that one should view the task of employment creation. It is not that employment has not gone up at all. For example, employment in the public sector, which was only 5 millions in 1956, was close to 10 million last year. Factory employment was less than 3 millions in 1951 and today it is of the order of more than 5 millions. Employment in mines has increased by nearly 20 per cent over the past two decades. As the industry has gone more sophisticated our national income has gone up

and our people have been progressively absorbed in commercial services. It is true that unless investments are stepped up substantially and the rate of population growth is partly checked the backlog of unemployment in rural areas will continue to be with us. It is not as if nothing has been done over the twenty years since independence. I admit that much more has to be done in this direction. But we have to mobilise the resources and move in the right direction. A complaint was also made by Mr Gurupadaswamy that our efforts for moving into the rural economy are very meagre today.

5 P.M. But, Sir, I would like to point out that a step in the right direction has been taken. The task is stupendous and we will have to do it in a couple of years. By a single Finance Bill it is absolutely impossible to do anything substantial or improve the rural sector or the rural economy. The point that was obsessing the mind of the hon. Member Shri Gurupadaswamy, was about the nationalisation of banks. That is a correct step in the right direction because that will give us additional resources for reaching the small entrepreneur, the small trader and much more so as far as the agricultural sector is concerned. Therefore instead of appreciating the step he should not be obsessed by political considerations and say that our socialism is limited to bank nationalisation and no more.

Then, Sir, Shri Sri Kant Mishra who is a new addition to this House was not much relevant to the point as far as the Finance Bill concerned. He wanted to make out a case as if nothing has been done in the industrial sector, the education sector and other sectors. Sir, I would like to briefly point out that our industrial base is now wide indeed and we can go with only a minimum of industrial imports. We can see that our capacity in different directions has gone up. We were raising only 11 million tons of iron ore in 1960-61. Today we raise nearly double that magnitude. The production of imports is nearly double of what it was a decade ago. The production of aluminium has gone up by nearly seven times. We are producing machine tools worth more than Rs. 30 crores whereas it was only worth Rs. 7 crores in 1960-61. I do not want to take much time of the House in giving more figures which I can quote in all spheres. I only want to point out that a solid base has been created in the basic economy and in most of the sectors we are self-sufficient. Of

course, as far as the raw materials are concerned we are still dependent on imports particularly for those sectors which we have not developed but we are moving in that direction and I am quite sure that we shall be able to reach a stage where even the import of raw materials would come down considerably.

Then, Sir, as far as Mr Sardesai and Mr Schamnad are concerned, they raised the question of national integration and communal disharmony. Sir, I have nothing to do as far as these points are concerned. They made valid points but the House is already seized of the matter and this question is going to be discussed at length and therefore I need not go into these points here.

Then, Sir, Shrimati Mehta particularly mentioned the question of improving the animal wealth. I entirely agree with her that the animal wealth of this country has not been sufficiently taken care of and we should devote more time not only at the Central level but also at the State level to improve our cattle wealth so that the country's economy and particularly the economy of the rural sector can prosper.

Then, Sir, as far as Mr. Rajnarain is concerned he did not give any figures because he had none. He spoke on the general problems. He was mentioning about our relations with Bhutan, Sikkim and Nepal. Although this is not my subject, I would like to point out from my general experience that our relations with these countries are very cordial and very friendly and whatever Mr Rajnarain may feel, we do feel that our relations with these countries are very nice. He also raised the question of Cambodia. I need not go into any details into this question because the Prime Minister has elaborately clarified the position of India, as far as Cambodia is concerned, yesterday in this House when this question was raised.

Lastly Mr Niranjan Varma raised the question of education in this country and he said that nothing has been done as far as education is concerned. I would like to point out that as far as education is concerned, in the age group of 6 of to 11 it was 43 per cent in 1950-51. Now it has gone up to 78 per cent in 1968-69. The combined revenue expenditure by

[Shri P. C. Sethi]

both the Centre and the States taken together is estimated to have risen from nearly Rs. 100 crores in 1950-51 to more than Rs. 1200 crores in 1968-69. That itself is an indication that, as far as education and health services are concerned, we have taken considerable steps in that direction. The problem is vast and the numbers are quite big but still one can clearly see the marks of growth and improvement in that direction.

Then, Sir, Shri Banka Behary Das particularly raised the question of tax-evasion. It is well known that tax is being evaded and at the same time Government is also vigilant in taking measures. The House would be pleased to know that, as far as tax effort is concerned, on the income-tax side we have crossed the mark.

श्री नागेश्वर प्रसाद शाही (उत्तर प्रदेश) :  
माननीय मंत्री भी टैक्स इवैड करते हैं ।

श्री पी० सी० सेठी : मैं इस समय कोई व्यक्तिगत सवालें में नहीं जाता कि मंत्री करते हैं, सदस्य करते हैं या कौन करते हैं लेकिन टैक्स जो भी इवैड करते हैं वह बुरी बात है, उसको रोकना चाहिये ।

Sir, he particularly referred to the case of Mr. Haridas Mundhra. I would particularly like to point out that the replies given by Shri P. C. Dutta were only with reference to the execution of the decree attaching the option right of 51 per cent. shares of Turner Morrison & Co. for which Shri Mundhra had obtained the right of specific performance, Suit No. 6 of 1961. Further I would like to point out that, as far as the tax of Shri Mundhra is concerned, we have neither written it off nor reduced this liability and the Government is taking all possible steps to recover the dues from him. At the same time, as far as the general question of tax-evasion is concerned, we are very much concerned about it and by tightening the laws and the Administration we can clearly see that our tax effort, particularly on the income-tax side, are very heartening and this year's collection are very good.

Then Sir, Mr. Banka Behary Das also asked me a question as to what is happening with regard to the ceiling on urban property. We had answered

this question in Parliament. But this is a matter where we will have to take the States with us. The Prime Minister has already written to the State Governments and we are seeking their co-operation in this matter. Some of the State Governments have already written to us and we are expecting replies from some others.

Then, Sir, Mr. Mohta particularly said that this year's Budget proposals would thwart the economic growth. I would like to point out for the benefit of the hon. Member that it is not only the economic growth that we have to take into consideration; along with the economic growth we have to take into consideration social justice. Therefore the Budget proposals have been framed from that point of view. From that point of view of the personal taxation has become steep—there was some criticism that it was monotonous—it is absolutely necessary that there should be some element of social justice. Now, Sir, Mr. Mohta is producing one side of the picture and Mr. Chatterjee is producing quite another side of the picture. Therefore the fact remains that whatever steps we have taken are in the right direction neither Mr. Chatterjee is correct nor Mr. Mohta is correct. Mr. Mohta raised the question of charitable trusts. As far as that is concerned, I would point out that we have tried to plug the loopholes. I would not like the trusts to be a source of evasion of tax. That is why charitable trusts had been taken into account but wherever legitimate difficulties of the trusts are there, to that extent, we have taken them into account and the amendments that have been brought forth in the Finance Bill are in view of those difficulties but if avoiding tax is taken recourse to by the trusts, certainly we will have to plug that loophole and we cannot help in that matter.

He also raised the question of public sector. Without going into details, I would point out that certainly some of the public sector undertakings are working very nicely, some are still in the construction stage ..

SHRI R. T. PARTHASARATHY :  
Some are in bad condition.

SHRI P. C. SETHI : Some are developing and some are making losses. To that extent there is need for improvement but we will take the criticisms of the public sector. Actually I would not go into

details but I would point out that there are three types of criticisms as far as on public sector is concerned. One is really benevolent criticism which wants to improve it. We welcome such criticisms and we would like to benefit by that but then there is the criticism which is from the political point of view. Those who are opposed to the public sector, if they offer some criticisms from that point of view, to that extent we will have to ignore such criticism and go on with the public sector because that has given us the basic structure in our economy.

**SHRI MAHAVIR TYAGI :** Criticisms have been made of public sector losses. Will you continue with that ?

**SHRI P. C. SETHI :** I have already said that wherever there is a public sector undertaking with it making losses and there is a case for improving it, certainly we should improve it. I am not for the public sector making losses. We want them to improve but if the criticism is on account of ignorance, then to that extent, we have to educate them. Therefore I would not take Mr. Mohta's criticism of the public sector as a benevolent criticism but if it comes from hon. Members who want to criticise the Public Sector and point out some deficiencies for our guidance and improvement of the public sector, certainly it is most welcome.

Mr. Chatterjee particularly mentioned the question of export duty being reduced completely on tea. As far as that is concerned, the House is well aware of the fact that we have a competition as far as tea is concerned. Other countries have come up. Our exports on tea are dwindling and it is absolutely necessary that we should maintain the exports and it is from that point of view that we have to have a proper export market in tea. It is not to favour a particular industry or industrialist here or there but the over-all export requirements of the country has to be taken into consideration particularly when we are short of foreign exchange and the gap has to be bridged.

Mr. Villalar made a point about a permanent Finance Commission. We have explained our position that we are not for a permanent Finance Commission. The Finance Commission which was appointed and of which Mr. Tyagi was the Chairman, has recently submitted the report. The Government has accepted the report in toto and we shall abide by the report and the usual practice of appointing

a Finance Commission every five years would be followed.

Mr. Nagaraja Murty said that economy measures are necessary. I agree that wherever economy could be effected, it should be effected and wherever extravagance is there, it should be checked and there is nothing much to be said on it.

Lastly Shri Niranjan Varma mentioned about export and import duties. I certainly agree that there is a gap between the two but we are trying to improve the situation and particularly the gap between the exports and imports in this year has come down considerably. In the Fourth Plan we hope to have 7% growth level as far as export is concerned and we hope that by 1980/81, this gap would be closed and we shall come to an era when the deficit in the export and import market would be changed in our favour and we are working in that direction. I have nothing more to say. I move that the Bill be taken into consideration.

**SHRI MAHAVIR TYAGI :** While I congratulate the Minister for his nice speech, I wish to point out one thing. The Opposition put forward certain points which were replied to but conventionally your Party must also come out with some support to the Budget. None of your Members has supported it.

**SHRI P. C. SETHI :** It was for the convenience of hon. Members.

**MR. DEPUTY CHAIRMAN :** The sacrificed some time to accommodate the Opposition Members.

**SHRI PITAMBER DAS :** You have sent very thankless people to our side.

**MR. DEPUTY CHAIRMAN :** The question is :

"That the Bill to give effect to the financial proposals of the Central Government for the financial year, 1970-71, as passed by the Lok Sabha, be taken into consideration."

*The motion was adopted.*

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

*Clause 2 was added to the Bill.*

*Clause 3—Amendment of Section 2*

**SHRI PITAMBER DAS :** I move :

20. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely—

"That at page 3, lines 42 to 47 be deleted."

Sir, I have tabled a number of amendments, about 6 or 7, and the underlying idea in all of them is the same. My argument also for all the seven would be the same and so instead of taking the time of the House seven times, I would put forward my argument only while moving amendment No. 20 for clause 3.

As I said yesterday also, I do not contest that this is a Money Bill. The certificate of the Speaker is quite enough so far as that is concerned, but I should be very eager to see that it continues to be a Money Bill and as such it should contain only matters which a Money Bill should contain. If it is allowed to contain matters other than what it should contain, or if some matter is allowed to creep in which should not creep in a Money Bill then of course we will be within our rights, it will be a part of our duty to clear the Bill of material which should not have been here. To illustrate my point in a railway train there is a compartment which is marked as a compartment for ladies.

**AN HON. MEMBER :** You want to occupy that compartment? !

**SHRI PITAMBER DAS :** No. I will tell you what I will do when you try to occupy that compartment I am coming to that.

**SHRI MAHAVIR TYAGI :** But they are all in the 'Ladies compartment'.

**SHRI PITAMBER DAS :** When on the compartment the board is there that it is 'ladies', it is not within the right of anybody to question the propriety of it. One has to accept it. Supposing somebody finds that in that compartment which is meant exclusively for ladies some people like my friend over there creep in, and occupy it, rather trespass into that compartment—what would people like me do? I would go to the Railway Protection

Force and ask them to clear that compartment of the elements that should not have been there because the compartment is meant for ladies. Similarly, when this particular Bill is a money Bill if an attempt has been made to put certain matter into it which according to the Constitution should not be in a money Bill then certainly I am within my right and it is my duty to request this House to clear this Bill of the matter which may prevent this Bill from being called a money Bill. Now, if we were to look at article 110, that gives us an idea as to what a money Bill should contain.

**MR. DEPUTY CHAIRMAN :** The constitutional provision is quite clear. You need not refer to the constitution.

**SHRI PITAMBER DAS :** The word 'only' is very significant. The Bill should contain only the imposition, abolition, remission, alteration or regulation of any tax and of course matters incidental to it. I want to know very clearly when the definition of the word 'Commissioner' is there what particular tax has been imposed, abolished, remitted, altered or regulated with necessitate, this definition of 'Commissioner' in this clause. Similarly about other amendments also, just for the sake of illustration I want to refer to clause 9 where in the Explanation it is mentioned 'For the removal of doubts'. I want very clearly to know whether a Money Bill is meant for removal of doubts or it is only for imposition, abolition, remission, alteration or regulation of any tax. Similarly there are other provisions in this Bill which do not come within the purview of any of the conditions mentioned in article 110 and therefore not only it is our right but it is our duty to clear this Bill of those clauses which should not have been there.

There is another aspect to this matter. Why after all could these clauses be inserted in this Bill? You will notice that the difference between an ordinary Bill and a money Bill is with regard to the procedure that is to be adopted with regard to these two types of Bills in this House. I am not going to challenge the propriety of these clauses or the idea behind these clauses on merits. It may be proper; it may be improper. This is not the occasion for me to discuss these clauses on merits. If they come up as part of another Bill, then I would discuss them and express myself on their merits. The difference in the procedure between an ordinary Bill and a money Bill is that in an



ordinary Bill the House has the right to make amendments which if the lower House does not agree to there will be a joint session of both the Houses but in a Money Bill if we make a recommendation the lower House may not accept it. They are within their rights to accept it or not to accept it. I do not attribute motives to the Government although I can but I am not in the habit of doing it. Whatever be their motives, certainly this affects the rights of this House so far as these clauses are concerned. Therefore, Sir, I would request this House, in the name of the Money Bill, to see that this does not go out as adulterated money Bill and rid it of all the impurities that have entered into this Bill. I would request this House to accept my amendments in whatever form they like, whether as recommendations or as amendments. I therefore, move my amendment to clause 3.

Thank you.

*The question was proposed.*

SHRI P. C. SETHI : As far as this point is concerned, this was thrashed out yesterday very clearly and it was also held by the Chair that this is a money Bill. Whether this is adulterated or not, the question has to be decided by the speaker and the speaker's Certificate was also produced. As far as this particular change in clause 3 is concerned, this is mostly consequential arising out of the agricultural tax and therefore anything which is consequential is part of the change. Therefore I do not accept the amendment.

MR. DEPUTY CHAIRMAN : The question is :

20. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 3, lines 42 to 47 be deleted."

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

"That clause 3 stand part of the Bill."

*The motion was adopted.*

*Clause 3 was added to the Bill.*

#### Clause 4—Amendment of Section 10

SHRI NAWAL KISHORE (Uttar Pradesh) : Sir, I move :

1. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 4, after line 29, the following be inserted, namely :—

(c) after clause (22A), the following clause shall be, and shall be deemed always to have been, inserted, namely :—

"(22B) Any income of a public charitable trust or other institution whose object is printing and publication of books, magazines, newspapers and periodicals provided that such activity is not carried on for private profit,"

I would not make any long speech. The purpose of my amendment is that charitable trusts and other institutions which are engaged in printing and publishing good and cheap books should be exempted from taxation. I will give an example. There is one Gita press which is bringing out very cheap and good books for the children. There can also be some other institutions like that. My only idea in moving this amendment is to see that such institutions are exempted.

*The question was proposed.*

SHRI P. C. SETHI : As far as the newspaper press are concerned if they carry on activities for profit they have been taxed after 1961 after the change of the Act and therefore it would not be a desirable thing to accept this amendment.

MR. DEPUTY CHAIRMAN : The question is :

1. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 4, after line 29, the following be inserted, namely :—

"(c) after clause (22A), the following clause shall be, and shall

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be deemed always to have been, inserted, namely :—

(22B) Any income of a public charitable trust or other institution whose object is printing and publication of books, magazines, newspapers and periodicals provided that such activity is not carried on for private profit, ”.

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

“That clause 4 stand part of the Bill.”

*The motion was adopted.*

*Clause 4 was added to the Bill.*

*Clause 5—Amendment of Section 11*

SHRI M. K. MOHTA : Sir, I move :

21. “That the Rajya Sabha recommends to the Lok Sabha that the following amendments be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

“That at page 4, for lines 32 to 43, the following be substituted, namely:—

(i) in clause (a), for the words ‘not in excess of twenty-five per cent. of the income’ the words ‘not in excess of fifteen per cent. of the income’ shall be substituted,

(ii) in clause (b) for the words ‘not in excess of twenty-five per cent. of the income’ the words ‘not in excess of fifteen per cent. of the income’ shall be substituted.”

22. “That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

“That at page 5, line 41, after the word ‘behalf’ the words ‘or any shares or debentures of a company incorporated in India’ be inserted.”

*The questions were proposed.*

SHRI M. K. MOHTA : I want to say in favour of my amendment No. 21

that there is a very strong case for allowing charity trusts to accumulate at least a part of their income. There are any number of cases where the expenditure of the charity trusts may be fixed like in cases where some schools may be run by them or hospitals or some such institutions where the expenditure every year is fixed whereas the investment of the trust may be of such a nature that the income may vary from year to year. Unless at least some part of the income is allowed to be accumulated in a subsequent year if the expenditure is more than the income of the current year the trusts would have to disinvest which would not be a desirable thing to do. Another type of case may be where the income may be fixed but the expenditure might vary; for instance salaries and wages may go up in hospitals and schools or some other unforeseen expenditure may have to be incurred to carry on the activities of the trust. Unless some accumulation is allowed it would not be a desirable thing. So my amendment says that accumulation which is not in excess of 15 per cent. of the income would not be subjected to tax.

In respect of my amendment No. 22, the purpose of this amendment is that such accumulation which is at present required to be invested in Government securities, deposits with the Post Office Saving Banks etc. may also be allowed to be invested in shares or debentures of a company incorporated in India. The reason for my amendment is that the managers of the charity trusts are the best people to judge where their money should be invested. I dispute the right of the Government to say that it only can say where public funds of charity trusts can best be invested. No such restriction should be imposed on the charity trusts so far as their investments are concerned. Therefore my amendment says that investment in shares and debentures of a company should also qualify the test for tax exemption.

SHRI P. C. SETHI : As far as No. 21 is concerned, this would be contrary to the basic purpose underlying the provision in the Bill. As far as the accumulation is concerned, for specified purposes, as has been pointed out in my opening remarks they could certainly do it with an intimation to the Income-tax Officer. As far as investment in the share-capital is concerned, previously these accumulations

were required to be invested only in Government securities. Keeping in view the difficulties of the trusts, now this has been expanded. We would not like it to be invested in the share-capital and other things. That is why we have now allowed the Post Office Saving Bank or a banking company or a co-operative banking institution. So, the scope has been further widened. I do not propose to go beyond that.

MR. DEPUTY CHAIRMAN : The question is :

21. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 4 for lines 32 to 43, the following be substituted, namely:—

(i) in clause (a) for the words 'not in excess of twenty-five per cent. of the income' the words 'not in excess of fifteen per cent. of the income' shall be substituted;

(ii) in clause (b), for the words 'not in excess of twenty-five per cent. of the income' the words 'not in excess of fifteen per cent. of the income' shall be substituted."

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

22. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 5, line 41, after the word "behalf" the words "or any shares or debentures of a company incorporated in India" be inserted.'

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

"That clause 5 stand part of the Bill",

*The motion was adopted.*

*Clause 5 was added to the Bill.*

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Clause 6—*Substitution of new section for section 13*

SHRI M. K. MOHTA : Sir, I move :

23. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 8, lines 16 to 31 be deleted.'

24. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 9,—

(i) in line 6, for the words "twenty per cent." the words "fifty per cent." be substituted; and

(ii) in line 13, for the words "twenty per cent." the words "fifty per cent." be substituted.'

*The questions were proposed.*

SHRI M. K. MOHTA : As regards my amendment No. 23, it relates to the investment of charitable trust funds in the concerns of the founder. The whole idea and the whole concept is objectionable. The Government alone cannot sit in judgment as to where the investments of charitable trusts should be made. The criterion has to be whether the investment has been done bona fide or mala fide, whether the investment yields a reasonable return to the charitable trust or not, whether the income from the charitable trust is applied for approved purposes, for public and charitable purposes or not. The Government cannot say that just because the charitable trust has invested money in the concern of the founder, it is something mala fide. The concern of the founder may be a very good concern. Thousands of other investors may have invested their money in that concerns but if a charitable trust does so, it is found objectionable. The whole idea is objectionable. Therefore, my amendment says that the entire scheme, lines 16 to 31, should be dropped.

My second amendment No. 24 is regarding the definition of the words 'substantial interest of the founder'. In case my amendment No. 23 is not accepted by the Government, I would like to say that

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the definition of substantial interest given in the clause is also something which is very puzzling. Even if the founder has twenty per cent interest, he may not have any controlling interest and he may not have any say in the running of the concern. With 20 per cent investment, can anybody have control over the working of the concern? The definition is so narrow that even if the founder has 20 per cent share, it comes within the mischief of this clause. Therefore, my amendment says that it should be fifty per cent instead of twenty per cent.

SHRI P. C. SETHI : The amendments moved by the hon. Member would be contrary to the purpose underlying the relevant provision, namely, trust funds should not be allowed to be used for gaining control of industries and business in which the author and his relatives are substantially interested. With regard to the limit of 20 per cent, we have just heard the speech of the hon. Member, Shri Chatterjee, saying that 20 per cent is on the highside. Now, the hon. Member wants to raise it from 20 per cent to 50 per cent. We have considered the whole matter and we think that 20 per cent is a reasonable limit. Therefore, I am not accepting it.

MR. DEPUTY CHAIRMAN : The question is :

23. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 8, lines 16 to 31 be deleted."

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

24. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 9,—

(i) in line 6, for the words "twenty per cent." the words "fifty per cent." be substituted; and

(ii) in line 13, for the words 'twenty per cent.' the words 'fifty per cent.' be substituted."

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

"That clause 6 stand part of the Bill."

*The motion was adopted.*

*Clause 6 was added to the Bill.*

*Clauses 7 and 8 were added to the Bill.*

MR. DEPUTY CHAIRMAN : Clause 9—Amendment No. 25 is a negative amendment.

*Clause 9 was added to the Bill.*

*Clauses 10 to 13 were added to the Bill.*

*Clause 14—Substitution of new section for section 80L*

SHRI M. K. MOHTA : Sir, I move :

26. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 13, line 33, for the words "three thousand" the words "five thousand" be substituted."

27. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha namely :—

"That at page 14, line 1, for the words "three thousand" the words "five thousand" be substituted."

*The questions were proposed.*

SHRI M. K. MOHTA : My amendments relate to exemption from income-tax in respect of income from interest, dividends, etc. to the extent of Rs. 5,000. At the outset I must say that the step has been in the right direction, namely, the exemption limit has been increased this year to Rs. 3,000/-. My only complaint is that it does not go far enough. In my speech on the Finance Bill I had occasion to mention that the savings of the community are already at a very low pitch and unless the equity-shareholder, the

ordinary investor is given more incentive, the economy can not be expected to grow at a faster rate. In view of the high personal tax and also in view of the high cost of living due to the imposition of excise duties, the investible fund of the ordinary investor has gone down and, therefore, it is essential that this exemption, which is in the nature of an incentive, should be further increased from Rs. 3,000 to Rs. 5,000.

SHRI P. C. SETHI : The provision in the Bill exempting from tax income up to Rs. 3,000 from the specified categories of investment is adequate to attract investments and any increase in the exemption limit from Rs. 3,000 to Rs. 5,000 will not be justifiable. It has large revenue implications and the amendments are not acceptable.

MR. DEPUTY CHAIRMAN : The question is :

26. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 13, line 38, for the words "three thousand" the words "five thousand" be substituted."

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

27. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 14, line 1, for the words "three thousand" the words "five thousand" be substituted."

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is

"That clause 14 stand part of the Bill."

*The motion was adopted.*

*Clause 14 was added to the Bill.*

Clauses 15 and 16 were added to the Bill.

MR. DEPUTY CHAIRMAN : Clause 17—Amendment No. 28 is a negative one.

*Clause 17 was added to the Bill.*

MR. DEPUTY CHAIRMAN : Clause 18—Amendment No. 29 is negative.

*Clause 18 was added to the Bill.*

*Clause 19—Substitution of new section for section 130*

MR. DEPUTY CHAIRMAN : This also has a negative amendment.

The question is :

"That clause 19 stand part of the Bill."

*The motion was adopted.*

*Clause 19 was added to the Bill.*

*Clause 20 was added to the Bill.*

*Clause 21—Substitution of new section for section 164*

SHRI M. K. MOHTA : Sir, I move :

31. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 16, line 11, for the words "sixty-five per cent." the words "twenty-five per cent. subject to an initial exemption of Rs. 5,000 only." be substituted."

Clause 21 is in respect of the treatment for tax purposes of private investments which are known as discretionary trusts. Sir, my submission is that the Government has tried to treat the donkey and the horse with the same stick, as we say in Hindi. There may be private discretionary trusts which have been formed to avert or avoid, income-tax; at the same time there are any number of private trusts which are formed for very legitimate and reasonable purposes. As is well known, Sir, in Indian society there are some vulnerable sections like widows or orphans for whom it has been the practice to form private trusts so that their monetary needs could be taken care of. Now, Sir, in order to plug one loophole if all other trusts are also put to

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such an inconvenience as a tax rate of 65% that would not be justifiable. Therefore, my amendment says that the tax rate should be 25% instead of 65% and also tax exemption of 5,000 which is available to all individuals also. If individuals can get an exemption of 5,000, I do not see any reason why these trusts should not be given that exemption. Sir, I do hope the Hon'ble Minister would be pleased to accept my amendment.

*The question was proposed.*

SHRI P.C. SETHI: The proposed amendment would defeat the very objective underlying the Bill, viz., discouraging the evasion of income-tax. Therefore, the amendment is not acceptable.

MR. DEPUTY CHAIRMAN : The question is —

31. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 16, line 11, for the words "sixty-five per cent." the words "twenty-five per cent." subject to an initial exemption of Rs 5,000 only', be substituted.'

*The motion was negatived*

MR. DEPUTY CHAIRMAN : The question is

"That clause 21 stand part of the Bill."

*The motion was adopted.*

*Clause 21 was added to the Bill.*

*Clauses 22 to 25 were added to the Bill*

*New Clause 25A*

SHRI M K MOHTA : Sir, I move :

32 "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 18, after line 51, the following new clause be inserted, namely :—

'25A For section 280 of the Income-tax Act, the following section shall be substituted, namely :—

280 (1) If a public servant furnishes any information or produces any document in contravention of the provision of sub-section (2) of section 138, he shall be punishable with imprisonment which may extend to six months and shall also be liable to fine.

(2) If an Income-tax Officer or any other authority in the exercise, or purported exercise, of his powers under this Act—

(a) recklessly makes unlawful additions to the income declared by any assessee or recklessly disallows lawful deduction claimed by an assessee in the computation of his total income; or

(b) *mala fide* and without reasonable cause exercises undue pressure upon or coercion against an assessee in respect of any matter in the course of assessment proceedings—

he shall be punishable with imprisonment for a term which may extend to one year

(3) No prosecution shall be instituted under this section except with the previous sanction of the Central Government."

I beg to move this amendment which is regarding misuse of power by a public servant in a reckless manner and in a *mala fide* way and without reasonable cause. Sir in income-tax as well as sales tax there are a number of very severe penalties on assesses for tax evasion, even though they may be technical tax evaders. Even if somebody is a technical tax evader the tax penalty is very high. Tax evasion may not be deliberate; it may be merely a difference of opinion about the interpretation of the law between the taxing authority and the assessee, but if a public servant does something *mala fide* recklessly and without reasonable cause, there is no action against him. We know that there are many instances of such reckless and *mala fide* action by public servants. Since this has been a lacuna in the tax law for a long time, it is high time that this is plugged. Since I have already stated in my amendment that no such action would be taken unless the action of the public servant is *mala fide* and unless the previous sanction of the Government is taken in this regard, I do not think the Government will have any objection to it.

*The question was proposed.*

SHRI P. C. SETHI : As far as the over-pushing of assessments is concerned, we have ourselves taken the view that if there is any case of over-assessment and regularly the official is committing mistakes, then certainly this would also form part of his confidential report. It is not for collecting tax revenue only that he would get a good chit. But, Sir, for a *bona fide* discharge of his duties by an officer, you cannot penalise him. If we adopt this procedure, then the entire morale of the officers will be affected and instead of over-pushing, they would under-assess and there would be a gradual loss to the revenues of the Government, and, therefore, Sir, this amendment is not acceptable.

MR. DEPUTY CHAIRMAN : The question is :

32. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 18, after line 51, the following new clause be inserted, namely :—

'25A. For section 280 of the Income-tax Act, the following section shall be substituted, namely :—

28. (1) If a public servant furnishes any information or produces any document in contravention of the provisions of sub-section (2) of section 138, he shall be punishable with imprisonment which may extend to six months and shall also be liable to fine.

(2) If an Income-tax Officer or any other authority in the exercise, or purported exercise, of his powers under this Act—

(a) recklessly makes unlawful additions to the income declared by any assessee or recklessly disallows lawful deduction claimed by an assessee in the computation of his total income; or

(b) *mala fide* and without reasonable cause exercises undue pressure upon or coercion against an assessee in respect of any matter in the course of assessment proceedings—

he shall be punishable with imprisonment for a term which may extend to one year.

(3) No prosecution shall be instituted under this section except with the previous sanction of the Central Government'."

*The motion was negatived.*

Clause 26—Amendment of Act 27 of 1957.

SHRI PITAMBER DAS : Sir, I move :

33. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 20, lines 43 to 53 be deleted.'"

SHRI M. K. MOHTA : Sir, I move :

34. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That at page 21, line 29, after the words "one-half per cent." the words "subject to an initial exemption of rupees one lakh only" be inserted'."

35. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

'That as page 21, after line 50, the following be inserted, namely :—

'(ee) After section 43 of the Wealth-tax Act, the following section shall be inserted, namely :—

43A. (1) Notwithstanding anything contained in section 43 of this Act, if a Wealth-tax Officer or any other authority in the exercise or purported exercise, of his powers under this Act—

(a) recklessly makes unlawful additions to the wealth declared by any assessee or recklessly disallows lawful deduction claimed by an assessee in the computation of his total wealth; or

[ Shri M. K. Mohta ]

(b) *mala fide* and without reasonable cause exercises undue pressure upon or coercion against an assessee in respect of any matter in the course of assessment proceedings—

he shall be punishable with imprisonment for a term which may extend to one year.

(2) No prosecution shall be instituted under this section except with the previous sanction of the Central Government."

36. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 23, line 4, after the brackets and words "(other than business premises)" the words "which is used by the assessee for his own residence" be inserted."

37. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 23, after line 20, the following be inserted, namely :—

'provided that if in respect of any assessment year the aggregate of :

(a) the amount of Income-tax payable by an assessee in respect of his total income under the provisions of the Income-tax Act after making allowance for any relief, rebate or deduction to which the assessee may be entitled under the provisions of the said Act or the relevant Finance Act; and

(b) the amount of Wealth-tax payable by an assessee in respect of his net wealth under the provisions of the Wealth-tax Act after making allowances for any relief, rebate or deduction to which the assessee may be entitled under the provisions of the said Act or the relevant Finance Act;

exceeds the amount of the total income of the assessee, then and in that event the amount of Wealth tax payable by the assessee shall be reduced by the amount of such excess."

*The questions were proposed.*

SHRI M. K. MOHTA : Sir, my amendment 34 is regarding Wealth tax on private discretionary trusts. The short point of the amendment is thus there should be an initial exemption of Rs. 1 lakh in respect of these private trusts before wealth tax could be levied on them. Sir, this initial exemption of Rs. 1 lakh is available to all individuals and there is no reason why only private trusts should be discriminated against. Unless the private trusts are also put on par with other individuals, it would be discriminatory and, therefore, my amendment.

Sir, my amendment 35 is regarding the misuse of powers by the assessing authorities recklessly in a *mala fide* way and without reasonable cause which is similar to the amendment that I moved in respect of income-tax. This amendment is in respect of wealth tax. The Hon'ble Minister said that if an officer does something *bona fide*, he cannot be penalised. Certainly not Sir, and that is why I have taken care to mention the words '*mala fide* and without reasonable cause and recklessly' in my amendment. Unless the action of the officer is *mala fide* or reckless or without reasonable cause and at the same time unless there is the previous sanction of the Central Government, this provision would not apply at all. There is a very real need for this kind of provision in the Act itself so that the ordinary citizen could have recourse to a court of law, because simple departmental procedure is not enough and there are many cases of harassment and misuse of powers by the officials.

My amendment No. 36 is regarding urban property wealth tax. As I said earlier, unless the owner of an urban property is in actual enjoyment of the property itself he cannot be said to be committing any act which is against social justice. If a person is enjoying that urban property which may be worth a substantial amount of money, the conception of higher wealth tax on such a property can be understood. But if a person is not directly enjoying such property but is letting it out for the residence of other middle-class families or other middle-class businessmen, he should not be penalised. Therefore, my amendment says that the property should be used by the assessee for his own residence for the purpose of the *ex ra* wealth tax proposed by the hon. Pr. tm Minister.



My next amendment No. 37 is regarding the total tax that may be paid by any assessee including income-tax and wealth tax. It is common knowledge that at certain levels the income-tax along with the wealth tax exceeds the income of a person. In such a case the only thing open to that person is to disinvest, to sell his investments, to sell his properties in order to pay tax only. In the present state of the country's economic development such disinvestment is clearly not in public interest. Such people should be rather encouraged to save and further invest in productive enterprises. The provision could easily be made to ensure that higher incomes would be used not for conspicuous consumption but for productive investment. But this kind of disinvestment should not be encouraged by the Government. Therefore, my amendment says that the total of income-tax and wealth tax should not exceed the total income of a person in any particular year.

**SHRI P. C. SETHI :** As far as the amendment about the over-pitching is concerned I have already explained the position that the Department is itself conscious of the fact and we are taking administrative steps in order to see that a malady of this nature is removed. With regard to amendment No. 36, I would like to point out that this amendment considerably restricts the scope of additional wealth tax on urban land and buildings by making it applicable only to houses used by the assessee for his own residence and not those which are let out. This will defeat the very purpose underlying the levy of additional wealth tax, namely, to reduce the concentration of ownership in urban land and buildings.

The amendments are not acceptable.

**MR. DEPUTY CHAIRMAN :** The question is :

33. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 20, lines 43 to 53 be deleted."

*The motion was negatived.*

**MR. DEPUTY CHAIRMAN :** The question is :

34. "That the Rajya Sabha recommends to the Lok Sabha that the follow-

ing amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 21, line 29, after the words "one-half per cent." the words "subject to an initial exemption of rupees one lakh only" be inserted."

*The motion was negatived.*

**MR. DEPUTY CHAIRMAN :** The question is :

35. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 21, after line 50, the following be inserted, namely :—

"(cc) After section 43 of the Wealth-tax Act, the following section shall be inserted, namely :—

43A. (1) Notwithstanding anything contained in section 43 of this Act, if a Wealth-tax Officer or any other authority in the exercise or purported exercise, of his powers under this Act—

(a) recklessly makes unlawful additions to the wealth declared by any assessee or recklessly disallows lawful deduction claimed by an assessee in the computation of his total wealth; or

(b) *mala fide* and without reasonable cause exercises undue pressure upon or coercion against an assessee in respect of any matter in the course of assessment proceedings—

he shall be punishable with imprisonment for a term which may extend to one year.

(2) No prosecution shall be instituted under this section except with the previous sanction of the Central Government."

*The motion was negatived.*

**MR. DEPUTY CHAIRMAN :** The question is :

36. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha namely :—

[Mr. Deputy Chairman]

"That at page 23, line 4, after the brackets and words "(other than business premises)" the words "which is used by the assessee for his own residence" be inserted."

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

37. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 23, after line 20, the following be inserted, namely :—

"Provided that if in respect of any assessment year the aggregate of :

(a) the amount of Income-tax payable by an assessee in respect of his total income under the provisions of the Income-tax Act after making allowances for any relief, rebate or deduction to which the assessee may be entitled under the provisions of the said Act or the relevant Finance Act; and

(b) the amount of Wealth-tax payable by an assessee in respect of his net wealth under the provisions of the Wealth-tax Act after making allowances for any relief, rebate or deduction to which the assessee may be entitled under the provisions of the said Act or the relevant Finance Act;

exceeds the amount of the total income of the assessee, then and in that event the amount of Wealth-tax payable by the assessee shall be reduced by the amount of such excess."

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

"That clause 26 stand part of the Bill".

*The motion was adopted.*

*Clause 26 was added to the Bill.*

*Clauses 27 to 31 were added to the Bill.*

*Clause 32 Amendment of Act 1 of 1944.*

SHRI LAL K. ADVANI (Delhi) : Sir, I move :

4. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at pages 27 and 28, lines 14 to 47 and 1 to 7, respectively, be deleted."

8. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at pages 28 and 29, lines 8 to 60 and 1 to 15, respectively, be deleted."

9. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 29, after line 13, the following be inserted, namely :—

"(viii) in Item No. 7, for the entry in the third column, the entry "Two hundred and five rupees and twenty five paise per kilolitre at fifteen degrees of Centigrade thermometer." shall be substituted."

10. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 29, lines 24 and 25 be deleted."

11. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 29, lines 38 to 40 be deleted."

12. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 30, lines 23 and 24 be deleted."

13. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely:—

"That at page 31, lines 1 to 33, be deleted."

(Amendment Nos. 4 and 8 to 13 also stood in the names of Sarvashr Prem Mandohar, Man Singh Varma and Jagdish Prasad Mathur.)

SHRI NAWAL KISHORE : Sir, I move :

5. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely:—

"That at page 27, line 24, the word 'toffees' be deleted."

6. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely:—

"That at page 27, line 45, the word 'Biscuits' be deleted."

7. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely:—

"That at page 28, lines 5 and 6 be deleted."

(Amendment Nos. 5 to 7 also stood in the name of Shri Ganeshilal Chaudhary).

The questions were proposed.

SHRI LAL K. ADVANI : Sir, I do not want to make a long speech on this occasion, but I would like to draw the attention of the House that all these amendments that I have moved, Nos. 4 and 8 to 13, are aimed at just one objective. They are all intended to deter Government from taxing or increasing imposts on articles of consumption for the common man, articles such as sugar, kerosene oil, biscuits, toffee and such other numerous articles. Every such article has been covered by these amendments. This clause 35; is the one clause which came as the sore disappointment to us when the Budget was presented. In all the

happenings and political events of the past ten months or so, whatever their motivation—I need not go into them—the focal point of all talk had been the welfare of the common man. Everyone used to talk about the common man and the worst things were done in the name of the common man. The minimum expectation the common man had really been looking forward to was that the budget would honestly reflect this concern for the common man that had been so much talked about. This particular clause increases the excise duty and imposes various levies on articles used by the common man, such as kerosene oil, sugar, etc. I am surprised to hear it being said in support of these levies that there are sections in the country who are far worse off than the sections that consume these articles. That is of course true, but is it the contention of those who now put forth this argument that these sections, which are mostly the salaried classes, whose economy is the tightest, are in a position to pay more taxes are in a position to bear more burdens? I am afraid I cannot agree with it. I think this approach does not help the economy of the country. We are in a way adversely affecting the economy of the country also.

When following the reaction of the people to the Railway Budget, there was a withdrawal of the proposed increase in railway fares of the Third Class passengers, there was an expectation that perhaps the Government might reconsider these particular levies also that are proposed in this clause 32 of the Bill. It was hoped that when moving the Finance Bill the Prime Minister or the Government would come forward with an assurance that these would be withdrawn. It has been a sore disappointment to us that this has not been done. Of the Rs. 170 crores additional taxation proposed the relief that is to be given is more of a joke. It is like pouring salt on wounds to say that we are going to give a relief of Rs. 2 crores or even less. I think that even now the Government should reconsider this matter and in the matter of sugar, kerosene oil, etc., it should demonstrate its concern for the common man in deeds rather than only in words. If these amendments that I have suggested are accepted by the House, perhaps their *bona fides* can be accepted.

6 P.M.

SHRI NAWAL KISHORE : Sir, there is nothing much for me to speak about except one thing that my amendment

[Shri Naval Kishore]

very simple because it includes only four items, toffees, biscuits, glucose and dextrose. The first two are commodities which as my friend before has said, are food for the common man and more so, for the children. So, I think that toffees and biscuits should not be touched at all. So far as glucose and dextrose are concerned, these are common medicines, which are used by the common man and mostly by children. I am sure that the Finance Minister would have no difficulty in at least accepting my amendment. It is a simple but useful amendment.

श्री गनेशी लाल चौधरी : मैं भी इस पर बोलना चाहता हूँ ।

श्री जगदीश प्रसाद माथुर (राजस्थान) : मेरे नाम से भी अमेंडमेंट है । मुझे आपने नहीं बुलाया ।

श्री उपसभापति : सभी के नाम से अमेंडमेंट है, लेकिन जिसने मूव किया है उसको मौका दिया ।

श्री जगदीश प्रसाद माथुर : मैंने भी अमेंडमेंट पेश किया है, मुझे मौका दें ।

श्री उपसभापति : आपने मूव नहीं किया है, मूव केवल एक सदस्य करते हैं, उनको मौका दे दिया है । वही आरगुमेंट्स बार बार कहे जायेंगे ।

श्री जगदीश प्रसाद माथुर : मुझे केवल एक ही बात कहनी है । मैं ज्यादा समय नहीं लूंगा ।

श्री उपसभापति : अच्छा । श्री गनेशी लाल चौधरी ।

श्री गनेशी लाल चौधरी : श्रीमन्, यह अमेंडमेंट जो है वह बहुत ही छोटा है । आज भी बच्चों का खाना है उसके बारे में है । आज देश के बच्चे चाचा नेहरू की याद कर रहे हैं और यह कह रहे हैं कि ए चाचा तुम्हारी टी फाइनंस मिनिस्टर आज हम पर भी टैक्स

लगाना चाहती है, हमको भी खाना नहीं देना चाहती है । तो आज नेहरू जी की आत्मा जहाँ होगी, वहाँ वह क्या कह रही होगी । जब देश में गौओं के ऊपर अत्याचार हुआ था, तो गौओं ने श्री कृष्ण जी को पुकारा था । आज देश के बच्चे पुकार रहे हैं कि चाचा देखो तुम्हारी भतीजी का क्या हाल हो रहा है, तुम्हारी पुत्री जो है वह हमको भूखे रखना चाहती है । आज अगर उनकी आत्मा को आप शांति देना चाहते हैं, तो कृपा कर के वित्त मंत्री जी आप बच्चों के नाश्ते व कलेवा पर टैक्स न लगाइये, उनकी खाने की चीजों के ऊपर टैक्स न लगाइये क्योंकि आज बच्चे जो हैं, वह देश के भावी नागरिक हैं, उनको खाने को मिलेगा तो उनकी तंदुरुस्ती बढ़ेगी और जब उनकी तंदुरुस्ती बढ़ेगी तो देश को लाभ होगा ।

तो इन शब्दों के साथ मैं आपसे कहूँगा कि नेहरू जी की आत्मा के लिये जो आपने बच्चों के बिस्कुट पर, बच्चों की टाफी पर टैक्स लगाया है, उसको समाप्त करें ।

श्री जगदीश प्रसाद माथुर : उपसभाध्यक्ष महोदय, जिस समय एप्रोप्रिएशन बिल पर बहस हुई थी, तो उस समय कहा गया था कि बजट से महंगाई नहीं बढ़ी है । लेकिन जिन-जिन वस्तुओं पर इस फाइनेंस बिल के द्वारा टैक्स लगाया गया है, वे ऐसी हैं जो कि दैनिक आवश्यकता की लोगों की चीजें हैं । इस पर जब टैक्स लगता है और साथ ही यह कहते हैं कि महंगाई नहीं बढ़ती है, तो ये दोनों बातें बिल्कुल विपरीत हैं । सभी माननीय सदस्यों ने एक बात यह कही है कि बच्चों की मिठाई के ऊपर टैक्स नहीं लगाना चाहिये । मिठाई के सम्बन्ध में यह सवाल जब माननीय मोरारजी भाई देसाई वित्त मंत्री थे, उस समय भी लोगों ने उठाया था, उस समय भी मिठाई पर टैक्स न लगाने की बात कही गई थी और उस समय मोरारजी भाई देसाई से जब यह बात कही गई थी, तो उन्होंने उस समय यह टैक्स वापस ले लिया था । आज जब उनके स्थान पर नई वित्त मंत्री श्रीमती इन्दिरा गांधी आई हैं, तो उसी टैक्स को जिसका

कि सब लोगों ने उस समय विरोध किया था और जिसको मोरारजी भाई देसाई ने वापस ले लिया था, उसको गीनती इन्दिरा गांधी प्रगतिशील कहने के बाद भी और समाजवादी कहने के बाद भी लगा रही है, बच्चों की मिठाई पर टैक्स लगा रही हैं। यह कोई अच्छी बात नहीं है कि इसको लगाते। तो मैं निवेदन करूंगा कि कम से कम जो बच्चों की मिठाई के ऊपर टैक्स लगा रहे हैं, उसको तो वापस लेने के संशोधन का समर्थन कीजिये।

**श्री ह्यातुल्ला अन्सारी (उत्तर प्रदेश) :** डिप्टी चैयरमैन साहब, अमी नेहरू जी की आत्मा का सवाल हुआ था, तो मैंने नेहरू जी की आत्मा से पूछा कि क्या कहना है तो नेहरू जी की आत्मा ने कहा कि बच्चे गुड़ खायें, बच्चे रोटी खायें और तमाम दूध पियें, यह सब करें और जो मिठाई है, जो टाफी है वह न खायें। शुरू से ही बच्चों को यह सिखा देना चाहिये कि यह जो चीज है वह अच्छी नहीं है, वह नहीं खानी चाहिये। उसको वह न खाए।

**श्री नागेश्वर प्रसाद शाही :** नेहरू जी की आत्मा ने यह भी कहा कि बच्चों शराब भी पियो। नेहरू जी की आत्मा ने यह कहा।

**श्री ह्यातुल्ला अन्सारी :** वह आपकी आत्मा कह रही है।

**SHRI P. C. SETHI :** A question has been raised about sugar, kerosene and particularly about biscuits and toffees. I would like to point out that so far as the increase in sugar is concerned, it is only nominal. With a substantially higher production and releases for free sale the retail price has come down and now it is much cheaper than what it was before the Budget. There is no justification at present therefore to withdraw or reduce the levy proposed. However as the Prime Minister mentioned in the other House the Government will no doubt keep the position constantly under review and take appropriate remedial action whenever necessary. Therefore I do not oppose to accept this amendment.

As far as confectionary and chocolates including toffees are concerned these are consumed by the well-to-do classes and therefore I do not accept the amendment.

As far as the question of kerosene is concerned kerosene is one of the petroleum products in which we are not yet self-sufficient as we are still having to import some quantity and the consumption has been going up steadily. Some part of the demand is also due to its misuse as an adulterant with high speed diesel oil for transport vehicles. Such misuse is due to the substantial differences in the excise duties charged on superior kerosene and high speed diesel oil. The proposed measure is principally a measure to discourage such adulteration of superior kerosene and the burden of the increase by two paise per litre on the lower and middle classes using kerosene genuinely for burning wick lamps will not be much and other in the more affluent sector of the community can well afford to bear this increase. Therefore I do not propose to accept this amendment.

**MR. DEPUTY CHAIRMAN :** The question is :

4. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill 1970, as passed by the Lok Sabha, namely :—

"That at pages 27 and 28, lines 14 to 47 and 1 to 7, respectively, be deleted."

*The motion was negatived.*

**MR. DEPUTY CHAIRMAN :** The question is :

5. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 27, line 24, the words "toffees" be deleted."

*The motion was negatived.*

**MR. DEPUTY CHAIRMAN :** The question is :

6. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance

[Mr. Deputy Chairman]

Bill, 1970, as passed by the Lok Sabha, namely :—

‘That at page 27, line 45, the words “Biscuits” be deleted.’ ”

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

7. “That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

‘That at page 28, lines 5 and 6 be deleted.’ ”

*The motion was negatived.*

SEVERAL HON. MEMBERS : Sir, we want a division.

MR. DEPUTY CHAIRMAN : If the hon. Members wanted that there should be a division, in that case, we will have to take up each amendment separately. I would request the hon. Members to select three or four amendments on which they want to press for a division.

MR. DEPUTY CHAIRMAN : The question is :

8. “That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

‘That at pages 28 and 29, lines 8 to 60 and 1 to 15, respectively, be deleted.’ ”

*The House divided.*

MR. DEPUTY CHAIRMAN :

Ayes . . . . . 43

Noes . . . . . 69

AYES—43

Advani, Shri Lal K.  
Bindumati Devi, Shrimati  
Chaudhary, Shri Ganeshi Lal  
Chavda, Shri K. S.  
Doogar, Shri R. S.

Gautam, Shri Mohan Lal  
Gupta, Shri Balkrishna  
Gurupadaswamy, Shri M. S.  
Kaul, Shri B. K.  
Kemparaj, Shri B. T.  
Mahavir, Dr. Bhai  
Mallikarjunudu, Shri K. P.  
Mathur, Shri Jagdish Prasad  
Mishra, Shri S. N.  
Mishra, Shri Sri Kant  
Misra, Shri S. D.  
Mitra, Shri P. C.  
Mohammad, Chaudhary A.  
Mohta, Shri M. K.  
Muniswamy, Shri N. R.  
Murahari, Shri Godey  
Murthy, Shri B. P. Nagaraja  
Nawal Kishore, Shri  
Pande, Shri C. D.  
Parthasarathy, Shri R. T.  
Pattanayak, Shri B. C.  
Pitamber Das, Shri  
Prem Manohar, Shri  
Pushpaben Janardanrai Mehta, Shrimati  
Sahai, Shri Ram  
Shah, Shri Manubhai  
Shahi, Shri Nagesawar Prasad  
Shanta Vasisht, Kumari  
Shejwalkar, Shri N. K.  
Sherkhan, Shri  
Singh, Shri Sitaram  
Singh, Shri T. N.  
Tripathi, Shri H. V.  
Tyagi, Shri Mahavir  
Varma, Shri Man Singh  
Varma, Shri Niranjan  
Vasavada, Shri S. R.  
Yashoda Reddy, Shrimati

NOES—69

Ahmad, Shri Syed  
Alva, Shri Joachim  
Amla, Shri Tirath Ram  
Anandam, Shri M.  
Ansari, Shri Abdul Qaiyum

Ansari, Shri Hayatullah  
 Arora, Shri Arjun  
 Bachchan, Dr. H. R.  
 Baharul Islam, Shri  
 Bhatt, Shri Nand Kishore  
 Chandra Shekhar, Shri  
 Chattopadhyaya, Dr. Debiprasad  
 Das, Shri Balram  
 Deshmukh, Shri T. G.  
 Dikshit, Shri Umashankar  
 Goswami, Shri Suman Prafulla  
 Gujral, Shri I. K.  
 Hasan, Prof. Saiyid Nurul  
 Jairamdas Daulatram, Shri  
 Kalyan Chand, Shri  
 Khaitan, Shri R. P.  
 Khan, Shri Akbar Ali  
 Kollur, Shri M. I.  
 Krishan Kant, Shri  
 Kulkarni, Shri A. G.  
 Kulkarni, Shri B. T.  
 Mahida, Shri U. N.  
 Mangladevi Talwar, Dr. (Mrs.)  
 Maragatham Chadrasekhar, Shrimati  
 Mehta, Shri Om  
 Mishra, Shri L. N.  
 Mohamod Usma, Shri  
 Musafir, Shri Gulumukh Singh  
 Nandini Satpathy, Shrimati  
 Narayani Devi Malaklal, Shrimati  
 Necki Ram, Shri  
 Panda, Shri Brahma Mananda  
 Panj hazari, Sardar Raghbir Singh  
 Patil, Shri G. R.  
 Patil, Shri P. S.  
 Punnaiah, Shri Kota  
 Purabi Mukhopadhyay, Shrimati  
 Purakayastha, Shri Mahitosh  
 Ramaswamy, Shri K. S.  
 Rao, Shri Katrakadda Srinivas  
 Reddy, Shri Gadam Narayana  
 Reddy, Shri K. V. Raghunatha  
 Reddy, Shri M. Srinivasa  
 Roshan Lal, Shri  
 Samuel, Shri M. H.  
 Sangma, Shri B. M.

Sanjivayya, Shri D.  
 Satyavati Dang, Shrimati  
 Sen, Dr. Triguna  
 Shah, Shri K. K.  
 Shyamkumari Devi, Shrimati  
 Singh, Shri Bhupinder  
 Singh, Shri Dalpat  
 Singh, Shri Jogendra  
 Singh, Shri Phool  
 Singh, Raja Shankar Pratap  
 Singh, Shri Sultan  
 Singh, Shri Triloki  
 Sinha, Shri Awadheshwar Prasad  
 Sinha, Shri Rajendra Pratap  
 Tiwary, Pt. Bhawaniprasad  
 Untoo, Shri Gulam Nabi  
 Usha Barthakur, Shrimati  
 Vidyawati Chaturvedi Shrimati

*The motion was negatived.*

MR. DEPUTY CHAIRMAN : The question is :

9. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 29, after line 13, the following be inserted namely:—

"(viii) in Item No. 7, for the entry in the third column, the entry "Two hundred and five rupees and twentyfive paise per kilolitre at fifteen degrees of Centigrade thermometer." shall be substituted."

*The House divided.*

MR. DEPUTY CHAIRMAN : Ayes—43; Noes—71.

AYES—43

Advani, Shri Lal K.  
 Bindumati Devi, Shrimati  
 Chaudhary, Shri Ganeshi Lal  
 Chavda, Shri K. S.  
 Doogar, Shri R. S.  
 Gautam, Shri Mohan Lal

Gupta, Shri Balkrishna  
 Gurupadaswamy, Shri M. S.  
 Kaul, Shri B. K.  
 Kemparaj, Shri B. T.  
 Mahavir, Dr. Bhai  
 Mallikarjunudu, Shri K. P.  
 Mathur, Shri Jagdish Prasad.  
 Mishra, Shri S. N.  
 Mishra, Shri Sri Kant  
 Misra, Shri S. D.  
 Mitra, Shri P. C.  
 Mohammad, Chaudhary A.  
 Mohta, Shri M. K.  
 Muniswamy, Shri N. R.  
 Murahari, Shri Godey  
 Murthy, Shri B. P. Nagaraja  
 Nawal Kishore, Shri .  
 Pande, Shri C. D.  
 Parthasarathy, Shri R. T.  
 Pattanayak, Shri B. C.  
 Pitamber Das, Shri  
 Prem Manohar, Shri  
 Pushpaben Janardanrai Mehta, Shrimati  
 Sahai, Shri Ram  
 Shah, Shri Manubhai  
 Shahi, Shri Nagesawar Prasad  
 Shanta Vasisht, Kumari  
 Shejwalkar, Shri N. K.  
 Sherkhan, Shri  
 Singh, Shri Sitaram  
 Singh, Shri T. N.  
 Tripathi, Shri H. V.  
 Tyagi, Shri Mahavir.  
 Varma, Shri Man Singh  
 Varma, Shri Nirranjan  
 Vasavada, Shri S. R.  
 Yashoda Reddy, Shrimati.

## NOES—71

Ahmad, Shri Syed  
 Alva, Shri Joachim  
 Amla, Shri Tirath Ram  
 Anandam, Shri M.  
 Ansari, Shri Abdul Qaiyum  
 Ansari, Shri Hayatullah  
 Arora, Shri Arjun  
 Bachchan, Dr. H. R.  
 Baharul Islam, Shri.  
 Bhatt, Shri Nand Kishore

Chandra Shekhar, Shri  
 Chattopadhyaya, Dr. Debiprasad  
 Das, Shri Balram  
 Deshmukh, Shri T. G.  
 Dikshit, Shri Umashankar  
 Goswami, Shri Sriman Prafulla  
 Gujral, Shri I. K.  
 Hasan, Prof. Sayiid 'Narul  
 Jairamdas Daulatram, Shri  
 Kalyan Chand, Shri  
 Khaitan, Shri R. P.  
 Khan, Shri Akbar Ali  
 Khan, Prof. Rashid Uddin  
 Kollur, Shri M. L.  
 Krishan Kant, Shri  
 Kulkarni, Shri A. G.  
 Kulkarni, Shri B. T.  
 Mahida, Shri U. N.  
 Mangladevi Talwar, Dr. (Mrs.)  
 Maragatham Chandrasekhar, Shrimati  
 Mehta, Shri Om  
 Mishra, Shri L. N.  
 Mohamod Usman, Shri  
 Mukherjee, Shri Pranab Kumar  
 Musafir, Shri Gurumukh Singh  
 Nandini Satpathy, Shrimati  
 Narayani Devi Manaklal, Shrimati  
 Neki Ram, Shri  
 Panda, Shri Brahmananda  
 Panj hazari, Sardar Raghbir Singh  
 Patil, Shri G. R.  
 Patil, Shri P. S.  
 Punnaiah, Shri Kota  
 Purabi Mukhopadhyay, Shrimati  
 Purakayastha, Shri Mahitosh  
 Ramaswamy, Shri K. S.  
 Rao, Shri Katragadda Srinivas  
 Reddy, Shri Gaddam Narayana  
 Reddy, Shri K. V. Raghunatha  
 Reddy, Shri M. Srinivasa  
 Roshan Lal, Shri  
 Samuel, Shri M. H.  
 Sangama, Shri E. M.  
 Sanjayaya, Shri D.  
 Satyavati Dang, Shrimati



Sen, Dr. Triguna  
 Shah, Shri K. K.  
 Shyamkumari Devi, Shrimati  
 Singh, Shri Bhupinder  
 Singh, Shri Dalpat  
 Singh, Shri Jogendra  
 Singh, Shri Phool  
 Singh, Raja Shankar Pratap  
 Singh, Shri Sultan  
 Singh, Shri Triloki  
 Sinha, Shri Awadheshwar Prasad  
 Sinha, Shri Rajendra Pratap  
 Tiwary, Pt. Bhawaniprasad  
 Untoo, Shri Gulam Nabi  
 Usha Barthakur, Shrimati  
 Vidyawati Chaturvedi, Shrimati

*The motion was negatived.*

MR. DEPUTY CHAIRMAN: The question is:

10. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha namely:

'That at page 29, lines 24 and 25 be deleted' "

*The motion was negatived.*

MR. DEPUTY CHAIRMAN: The question is:

11. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha namely:

'That at page 29, lines 38 to 40 be deleted'.

*The motion was negatived.*

MR. DEPUTY CHAIRMAN: The question is:

12. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely:

'That at page 30, lines 23 and 24 be deleted' "

*The motion was negatived.*

MR. DEPUTY CHAIRMAN: The question is:

13. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely:—

'That at page 31, lines 1 to 33 be deleted' "

*The motion was negatived.*

MR. DEPUTY CHAIRMAN: The question is:

"The clause 32 stand part of the Bill."

*The motion was adopted.*

*Clause 32 was added to the Bill.*

*Clauses 33 and 34 were added to the Bill.*

*Clause 35—Amendment of Act 58 of 1957.*

SHRI LAL K. ADVANI: Sir, I move:

14. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill 1970, as passed by the Lok Sabha namely:—

'That at page 33, lines 3 and 4 be deleted.'

(The amendment also stood in the names of Sarvashri Alan Singh Varma, Jagdish Prasad Mathur and Prem Manohar.)

Sir, I do not want to make a speech but I would like to point out to the House that this amendment is aimed at withdrawal of the rise in the rate of additional excise duty on sugar which is proposed to be levied in lieu of sales tax.

*The question was proposed.*

MR. DEPUTY CHAIRMAN: The question is:

14. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill 1970, as passed by the Lok Sabha namely:

'That at page 33, lines 3 and 4 be deleted.'

*The motion was negatived.*

MR. DEPUTY CHAIRMAN: The question is :

"That clause 35 stand part of the Bill."

*The motion was adopted.*

*Clause 35 was added to the Bill.*

*Clause 36 was added to the Bill.*

*Clause 37 : Amendment of Act 6 of 1893."*

SHRI NAWAL KISHORE: Sir, I move :

16. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :

"That at page 33, line 20, for the figures and words "20 Paise" the figures and words "15 paise" be substituted".

*The amendment also stood in the name of Shri Ganeshilal Chaudhary.*

*The question was put and the motion was negatived.*

MR. DEPUTY CHAIRMAN: The question is :

"That clause 37 stands part of the Bill.

*The motion was adopted.*

*Clause 37 was added to the Bill.*

*Clause 38 was added to the Bill.*

MR. DEPUTY CHAIRMAN: There is one amendment to clause 39. But it is negative and so it cannot be moved.

The question is:

"That clause 39 stands part of the Bill".

*The motion was adopted.*

*Clause 39 was added to the Bill.*

#### *First Schedule*

SHRI LAL K. ADVANI : Sir, I move :

17. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 34,—

(i) in line 13, for the word and figures "Rs. 5,000" the words and figures "Rs. 7,500/-" be substituted.

(ii) for lines 14 to 16, the following be substituted, namely :—

(2) where the total income exceeds Rs. 7,500 but does not exceed Rs. 10,000—10 per cent of the amount by which the total income exceeds Rs. 7,500."

*(The amendment also stood in the names of Sarvashri Prem Manohar, Man Singh Varma and Jagdish Prasad Mathur.)*

SHRI NAWAL KISHORE: Sir, I move :

18. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely :—

"That at page 41,—

(i) in line 37, for the word and figures "Rs. 5,000" the word and figures" "Rs. 6,000" be substituted;

(ii) for lines 38 to 40, the following be substituted, namely :—

(2) where the total income exceeds Rs. 6,000 but does not exceed Rs. 10,000—6 per cent of the amount by which the total income exceeds Rs. 6,000."

*The amendment also stood in the name of Shri Ganeshilal Chaudhary.*

*The questions were proposed.*

SHRI LAL K. ADVANI : Sir, my amendment is aimed at substituting in the schedule the figure Rs. '7,500' for the figure 'Rs. 5,000'. This amendment is in accordance with the Bhoothalingam Committee's recommendations. I really fail to see why the Government should not accept it because that committee itself has said that if this recommendation was accepted, it would mean a loss of revenue only to the extent of Rs. 7 or 8 crores but the advantage in terms of administration would be immense. Both on economic and on practical administrative grounds the committee has strongly recommended

that the exemption limit should be raised to Rs. 7,500 for individuals. I think the Government should accept it.

**SHRI NAWAL KISHORE:** My amendment is a bit different. Here the limit suggested is only Rs. 6,000. My purpose is that the lower middle-class should be given some relief. So I want that the exemption limit should be raised from Rs. 5,000 to Rs. 6,000. Then, from Rs. 6,000 to Rs. 10,000 the rate should be 6 per cent and not 10 per cent. It would go a long way to ease the burden of the lower income group as people with an annual income of Rs. 10,000 come under lower middleclass community.

**SHRI P. C. SETHI :** Sir, as far as the fixing of the exemption limit is concerned, the personal income of Rs. 5,000 is based on a broad judgment of what should be the optimum coverage of income-tax in the present context of our economic growth. I would like to point out that taking into account the deduction of Rs. 35 per month, which we have accepted by way of an amendment, for the salaried class, the exemption limit would be much nearer to about Rs. 6,000. Therefore, I do not propose to accept this amendment.

**MR. DEPUTY CHAIRMAN:** The question is:

17. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely:—

'That at page 34,—

(i) in line 13, for the word and figures "Rs. 5,000" the word and figures "Rs. 7,500" be substituted.

(ii) for lines 14 to 16, the following be substituted, namely:

(2) where the total income exceeds Rs. 7,500 but does not exceed Rs. 10,000—10 per cent of the amount by which the total income exceeds Rs. 7,500.' "

*The motion was negatived.*

**MR. DEPUTY CHAIRMAN:** The question is:

18. "That the Rajya Sabha recommends to the Lok Sabha that the

following amendment be made in the Finance Bill, 1970, as passed by the Lok Sabha, namely:—

That at page 41,—

(i) in line 37, for the word and figures of "Rs. 5,000" the word and figures "Rs. 6,000" be substituted.

(ii) for lines 38 to 40 the following be substituted namely:—

'(2) where the total income exceeds Rs. 6,000 but does not exceed Rs. 10,000—6 per cent of the amount by which the total income exceeds Rs. 6,000.' "

*The motion was negatived.*

**MR. DEPUTY CHAIRMAN:** The question is:

"That the First Schedule stands part of the Bill.

*The motion was adopted.*

*The First Schedule was added to the Bill.*

*Second Schedule*

**SHRI LAL K. ADVANI :** Sir, I move:

19. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970 as passed by the Lok Sabha namely:—

"That at page 47, Part II of the Second Schedule be deleted".

*(The amendment also stood in the name of Sarvashri Prem Manohar, Man Singh Varma and Jagdish Prasad Mathur.)*

Sir, this amendment is about withdrawing the rise in duty on synthetic resins and plastic materials.

*The question was proposed.*

**MR. DEPUTY CHAIRMAN:** The question is:

19. "That the Rajya Sabha recommends to the Lok Sabha that the following amendment be made in the Finance Bill, 1970 as passed by the Lok Sabha namely:

"That at page 47, Part II of the Second Schedule be deleted".

*The motion was negatived.*

MR. DEPUTY CHAIRMAN: The question is:

"That the Second Schedule stands part of the Bill."

*The motion was adopted.*

*The Second Schedule was added to the Bill.*

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

SHRI P. C. SETHI : Sir, I move :  
"That the Bill be returned."

*The question was proposed.*

MR. DEPUTY CHAIRMAN: Mr. Mahida.

SHRI U. N. MAHIDA: At this stage, I do not want to speak just to hear my voice. I wanted to seek a few clarifications which would take me about 10 minutes. If you are so indulgent and if the Minister would care to make the clarifications, I will be most grateful to be allowed to speak.

MR. DEPUTY CHAIRMAN: You make your observations and the hon. Minister will reply.

SHRI U. N. MAHIDA: Thank you, Sir. I originally intended to speak something recommending the adoption of this Bill as it was furthering the objectives of the Government which is wedded to the socialistic pattern of life. No single measure of government can advance the policies of the Government more than the Budget and the financial Bill. Looked at broadly from this point of view, there are many points which are in favour of the adoption of these financial proposals and there are really some salient points like the raising of the Income-tax exemption limit to Rs. 5,000. The only one single point that I want to make is this that the overall objective of the Finance Bill should be to advance the ideals of the State and remove the difficulties that the people may have. The whole criticism has to be based on this and not on any particular aspect of the Bill. I am only saying this because the Finance Bill is supposed to advance the comforts, the prosperity and the development of the country. Viewed this way, the Finance Bill suffers from three defects. One is in relation to the urban property tax. The urban property tax is likely to be a disincentive for investments in urban housing. One of our objectives is to provide better housing. This tax will retard investment in housing. Not only

that, there is another aspect of this problem. If housing is curtailed, not only will there be difficulty in regard to accommodation, but it will affect very materially the employment potential. None of the projects either in the private sector or in the public sector is providing so much employment potential as housing. Even the largest irrigation projects even earthen dams, do not give such opportunities for labour employment because of use of earth moving machinery. This additional urban tax will, therefore, be disadvantageous in two respects, in respect of housing accommodation and in respect of employment.

Then I will very briefly come to the question of agricultural wealth tax. The only justification that has been given is that it is legally justifiable. Because a taxation measure is legally justifiable, it does not mean that it is economically justifiable. Last time, the then Finance Minister in reply to the various objections raised by me against equating agricultural wealth with the ordinary wealth, he merely said he did not understand whether there was any distinction. He tried merely to say that both forms of wealth must be equated. Now, Sir, this is in utter disregard of economic considerations to say that both forms of wealth are the same. One wealth, in the form of money, bank balances, deposits and shares does not require any effort on the part of the possessor of the wealth to earn income. It is not the case with agricultural wealth. Agricultural wealth is one wealth that not only requires personal and rigid attention and complete vigilance, but also requires at the same time further inputs in the matter of wealth itself. A property holder who will be liable to pay wealth tax at the stage of Rs. 2 lakhs will have to find another wealth of at least Rs. 50,000 as inputs before he can get any income. And with all this done agricultural wealth is not quite content to yield income. There are so many natural difficulties, pestilence, frost and the like, and fluctuation of prices. All this removes fundamentally agricultural wealth from any comparison with ordinary wealth.

Now, no clarification has so far been made—I have discussed this with Income-tax experts and the tax authorities—as to how the land is to be valued. The only thing that the Finance Minister has been saying is that there will be no harassment. That is a very poor solace. Now, let there be two parcels of land of equal productivity.

One is an irrigation field and the other is a private field where agricultural production has been stepped up by personal effort and private investment, namely, wells, pump-sets channels and the like. Both parcels of land will be valued on the same basis because of productivity. In one case the man has spent Rs. 2,000 per acre.

He will be taxed at the same valuation as another man who is benefited from Government expenditure on canal works by at least Rs. 2,000 per acre. This is a great disparity. Unless this is removed, the measure will not be fair. At the same time there is another anomaly. And that is today on the Statue Books of almost all the States there is an Act regarding betterment tax. That is the policy of the Planning Commission also and it has been accepted universally that betterment tax should be levied though for political reasons the Government is not levying betterment tax today. Now the land that is benefited by this betterment today will be taxed at its present valuation, but after five years hence the Government may for political reasons want to levy betterment tax and recover it. And then the Government will recover betterment on wealth on which it has already collected Wealth Tax in the past five years. This is an anomaly for which there is no explanation. Lastly, those who are familiar with land tenure and agriculture must know that the valuations of the old tenures and new tenures will have to be materially different. And there is no clarification on this. And there has to be a difference because when a person holding an old tenure sells land he gets the value fully, for a new tenure land sold even after ten years, the Government takes away the major share. That is why valuation is the greatest difficulty and no amount of platitudes that there will be no harassment will help us. There is no light thrown on this subject. There are Members of 70 years or 80 years of age in this House and they know that it is for the first time that agriculture has been a little prosperous in the last five ten years. So this sort of taxation without any rational thinking will not be conducive to the stepping up of agricultural production. Therefore, my appeal to the honourable Minister is, if at all, in spite of the opposition of the States, this measure is to be enforced, then, let there be a committee of people who know agriculture, who know farming, who know land tenure, who know the valuation of land. Let, a committee of expert agriculturists, land

tenure experts and 'settlement' expert along with Members of Parliament be appointed so that the people may not be harassed. Merely to say that there will be no harassment will not help us. Thank you.

**SHRI P. C. SETHI :** I am very thankful to the honourable Members who have participated in the debate. The level of the debate was very high and dignified with the one exception of Shri Rajnarain. As far as the points made by the last speaker on agricultural wealth-tax are concerned, these provisions have been fully explained and we have also assured that there will be no harassment. I would again assure the honourable Members that the Board will take help, guidance and expert advice from all the quarters, from whatever quarters expert advice may come, and the Board will issue suitable instructions with regard to land valuation.

**DR. BHAI MAHAVIR (Delhi) :** Mr. Deputy Chairman, I also wanted to ask, for some clarifications.

**MR. DEPUTY CHAIRMAN :** Actually Mr. Mahida wanted to speak at the initial stage but we could not find time for him. After the honourable Minister has replied to the debate no speeches are made. But since Mr. Mahida could not be given a chance in the beginning, I allowed him now with the request that he should only ask for clarifications and not make a speech. So he asked for his clarifications and the Minister has replied to them.

**DR. BHAI MAHAVIR :** This is a measure which has to be given special consideration. You say that since Mr. Mahida was not permitted in the beginning you allowed him now. I also made a request to you to give me an opportunity during this stage. Now, is it your decision that during the third reading only one Member could make a speech simply because he had not got a chance in the beginning? There is still some time and the House was prepared to sit till 7 O'clock.

**MR. DEPUTY CHAIRMAN :** If you had drawn my attention to this fact, I could have allowed you to speak for a few minutes. But since the honourable Minister has already replied to the debate, I think it is not desirable that... (*interruptions*)

श्री गणेशो लाल चौधरी : आप हमारे अधि कारों का हनन कर रहे हैं... (Interruption)

DR. BHAI MAHAVIR : I drew your attention to this. The procedure is that during the third reading you do permit a couple of minutes for Members to ask....

MR. DEPUTY CHAIRMAN : No, no, not necessarily.

SHRI MAHAVIR TYAGI : He only wants to tire them out.

DR. BHAI MAHAVIR : If you have only a technical objection...

MR. DEPUTY CHAIRMAN : The objection is that after the honourable Minister has replied, there should be no speeches now.

DR. BHAI MAHAVIR : But he has not replied to some of the points.

MR. DEPUTY CHAIRMAN : I would like to appeal to honourable Members that we have had enough discussion on this and if the House...

DR. BHAI MAHAVIR : Actually we shall never be able to say that we have had enough discussion because so many issues are there.

SHRI R. T. PARTHASARATHY : Mr. Deputy Chairman, the honourable Member there raised some special points.

MR. DEPUTY CHAIRMAN : No, no special points. (Interruptions) The honourable Member said that he would not like to make a speech but that he only wanted to ask for some clarifications if only the honourable Minister would reply.

DR. BHAI MAHAVIR : You can give me only a couple of minutes.

MR. DEPUTY CHAIRMAN : We have had enough discussion now on this. Why do you want to prolong the time of the House? This is not good.

DR. BHAI MAHAVIR : I would have actually finished by this time. This has been the understanding, the Government wanted under your guidance to dispose of this Finance Bill and the House was prepared to sit till 7 O'clock...

SOME HON. MEMBERS : No, no.

DR. BHAI MAHAVIR : I am not asking for a chance to make a speech.

MR. DEPUTY CHAIRMAN : All right. Let us have a via media. As the honourable Minister has replied to the debate, during the third reading it is not desirable to make any speeches. So if Dr. Mahavir wants to ask one or two clarifications, I will allow him to do so and the honourable Minister may reply.

श्री महावीर त्यागी : ... (Interruptions)  
डिवीजन हो गया, डिवीजन होने की वजह से पब्लिक को मालूम हो गया कि कौन कौन हैं, जिन्होंने शुगर पर टैक्स लगाया। हमारा मतलब हल हो गया, हम पब्लिक को बताना चाहते हैं...

SHRI PITAMBER DAS : As a matter of fact, if it is a question of procedure I may tell you that whatever the honourable Minister said just now was only a clarification of some points which was sought from him. It was not a reply. We did not consider it as a reply.

MR. DEPUTY CHAIRMAN : He made his points and those points were replied to.

SHRI PITAMBER DAS : No, he clarified those points.

MR. DEPUTY CHAIRMAN : A number of Members had made points and the honourable Minister during his first speech clarified them. Similarly during the third reading he made some points. All right, Dr. Mahavir, you can ask some questions now.

DR. BHAI MAHAVIR : The way in which the amendments suggested from this side have been disposed of has raised a question mark in our minds because the attitude which the ruling party has adopted on this issue is such that the ruling party is not only not sympathetic to the burdens of the common man for whose sake the people in the ruling party talk of socialism but also when amendments asking additional duties on tea, on sugar, on keosene, on cigarettes etc. not be levied, all these amendments were rejected. That a party which swears in the name of socialism should fail to appreciate... (interruptions) ...the basic needs of the common man is something to be ashamed of...

SOME HON. MEMBERS : Is he making a speech or is he asking for clarifications?

DR. BHAI M. HAVIR. I am only asking for clarifications. Please have some patience.

Then, Sir, when in the Lok Sabha this question was raised, the Prime Minister gave an assurance that if at any time she felt that because of this duty on sugar the price of sugar was rising, she would reconsider the question of withdrawing it. Now I would like to know from the honourable Minister if he can give this assurance on the floor of this House also in respect of not only sugar, but also in respect of things required by the common man for his everyday use, like biscuits, kerosene, cigarettes, tea, etc. I am asking for this clarification because when at the time of the discussion I asked why this should not be done, some Members from the ruling party said that these items, at least biscuits, were not things of the common man's daily use and that they were items of luxury. I would like to know whether the Government considers these things as items of luxury or items of common man's consumption. Secondly, Sir, I would like to know one more thing. This morning also there was a question but it could not come, about economy. The Minister has said and the Prime Minister has also given this assurance that they are examining the economy measures. It has been disappointing for us to see that sufficient attention has not been paid to this thing because we believe that 7 per cent. economy in Government expenditure is feasible. I would like to know whether they really mean to introduce economy measures so that the burden on the common man can be reduced. If they want to introduce such measures, when they would be able to take a decision. In this connection, Sir, where expense incurred by Ministers are concerned, 'extravagance' is the word that can be used for the way the money is spent. There are instances. For example about Rs. 3,000 are spent on the maintenance of Jawahar Jyoti. That is the salary of a Minister. Now I do not know if Pandit Jawaharlal Nehru would have liked this type of orthodox idolatry in his name being carried on by the Government in the interests of economy.

Lastly, Sir, when the Government talks of general improvement of the economy, does it mean to do something serious about the unemployment problem? I gave the figures which have been given by the Planning and Special Studies unit of the Reserve Bank of India. Their estimate is that

in 1968-69 there were 34.6 million unemployed people in the country and what the Budget proposals seem to do in that direction is precious little. I want an assurance that the Government do not mean to shelve this issue by handing it over to an expert body which is indulging in only high-flown technical language merely trying to define what unemployment is. Whatever the definition, we have such a huge burden of unemployment. I would therefore like the Government to give us a categorical assurance that it is going to do something about it and it is going to wipe out this unemployment or to aim at full employment in the foreseeable future. I would like the hon. Minister to say a few words in clarification of these points.

SHRI S. N. MISHRA : Sir, in summing up may I ask whether the hon. Minister has noticed that when it came to the impact on the common man, a considerable section of the House was against them and it was rather very strange to see that many of the Benches occupied by the so-called progressive elements—there was no compulsion—happened to be turncoats, so far as the common man is concerned?

श्री गनेशो लाल चौधरी : श्रीमान्, मैं यह देख रहा हूँ कि किस तरह से चेयरमैन को सरकार चोक कर रही है कि थर्ड रीडिंग पर बहस न हो सके। हमारा जो मौलिक अधिकार है थर्ड रीडिंग पर बोलने का, वह अधिकार भी नहीं दिया जाता है। मैं पार्टी की बात तो नहीं कह सकता, लेकिन मैं व्यक्तिगत रूप से इस को प्रोटस्ट करता हूँ और दस मिनट के लिए हाउस का त्याग करता हूँ।

SHRI R. T. PARTHASARATHY : Sir, I have only one clarification to seek from the Prime Minister. Mr. Deputy Chairman, will the Government explain as to how during the course of these two and a half months since the Budget was presented by the Prime Minister to the Parliament Rs. 400 crores of currency has been issued much ahead of time? The Budget reflected round about Rs. Rs. 200 crores of uncovered balance to be substantiated by the issue of currency for the whole year. But in a space of 74 days as per the Reserve Bank chart we find Rs. 400 crores have been released, and 2 to 3 per cent. of price inflation is there, which nobody can deny. Now if

[Shri R. T. Pathasarathy]

is is the state of affairs, I would like to have an explanation from the Minister whether the Finance Minister and the Prime Minister is not heading the country to what I would call economic and financial bankruptcy.

श्री श्यातुल्ला अन्सारी : डिप्टी चेयरमैन साहब, मैं आनरेबिल मिनिस्टर साहब से रिक्वेस्ट करूंगा कि वे इन मेम्बर साहबान का शुक्रिया जदा करें; क्योंकि उन्होंने इतना बड़ा ट्रिब्यूट पे किया है जितना कि कोई और नहीं कर सकता। एक मेम्बर ने कहा कि कामन मैन बिस्कुट खाता है। द पैसे का बिस्कुट मिलता है और दो पैसे की रोटी मिलती है। तो अगर कामन मैन बिस्कुट खाता है तो यह एक बड़ी तरक्की है। एक दूसरे मेम्बर साहब ने कहा कि कामन मैन टाफी खाते हैं। तो अगर हिन्दुस्तान इतनी तरक्की कर गया है, तो मेरा खयाल है कि सरकार के लिए इतना बड़ा ट्रिब्यूट और कोई पे नहीं कर सकता जितना कि उन्होंने किया है।

SHRI P. C. SETHI : Sir, when the voting took place here, we were only hearing certain things but one thing was confirmed that there is perfect agreement and understanding between the Congress (O) and the Jan Sangh. That was quite visible when the voting took place.

SHRI S. N. MISHRA : Where were the Communists and the DMK?

(Interruptions)

MR. DEPUTY CHAIRMAN : Order, order.

SHRI P. C. SETHI : Sir, I am not saying whether it is wrong or right. I am only pointing out the facts. Sir, as far as the Budget proposals are concerned, I need not go into the details because I have already explained the position in my opening remarks and also while replying to the debate.

Now, Sir, as far as the question of the commodities being taxed is concerned—Dr. Bhai Mahavir has raised this question of the Prime Minister's assurance—when I was replying to the debate, Dr. Bhai Mahavir was not here. I had repeated what the Prime Minister had said in the other House, that we would be constantly keeping the situation under watch and after watching the situation if something becomes necessary, then we shall consider it. I have repeated that the Prime Minister has said in the other House. Once the Prime Minister has said it in that House or in this House, we have to abide by it.

Then with regard to the question of price increase, we have replied to this question also. As far as the money supply is concerned, if it is equivalent to the production of consumer goods, etc., it is not bound to be inflationary and the overall prices increase is one per cent. and on account of the Budget proposals it is 0.6 per cent. Therefore the contention of the hon. Members that there has been a steep rise after the Budget proposals is not correct. (Interruptions)

DR. BHAI MAHAVIR : Sir, I asked him what steps the Government propose to take with regard to economy. I mentioned the Jawahar Jyoti expenditure also. Let him say 'yes' or 'not' about it.

(Interruptions)

MR. DEPUTY CHAIRMAN: The question is :

“That the Bill be returned.”

The motion was adopted.

MR. DEPUTY CHAIRMAN: The House stands adjourned till 11 A. M. tomorrow.

The House then adjourned at fifty minutes past six of the clock till eleven of the clock on Wednesday, the 13th May, 1970.