

SHRI K. C. PANT : Sir, I have not read the Calcutta High Court's judgment, the whole judgment. But he himself says that something that is an offence is not an offence. That's what it comes to. Now, Sir, as far as the confinement, the restraint on a person's freedom to go, is concerned, that obviously is a cognizable offence. I think the hon. Member knows it.

MR. CHAIRMAN : Yes.

SHRI A. P. CHATTERJEE : Sir, my point of order is this : When I am asking two questions, the hon. Minister was completely out of order when he said that I did not mean the first question seriously. This he said. Then, the second thing is that he cannot run away in this fashion and the Minister was misleading the House when he said that this is not in the judgment . . . (Interruptions). No, no. He made the House to laugh, I did not know at whose cost. But he laughs best who laughs last.

MR. CHAIRMAN : All right.

SHRI A. P. CHATTERJEE : Sir, I am on my point of order. If he were not a Minister, I would have said that he was indulging in buffoonery . . .

(Interruptions)

MR. CHAIRMAN : No, do not use this language. Next question, please.

SHRI A. P. CHATTERJEE : He said it is not in the judgment.

MR. CHAIRMAN : Please sit down.

SHRI A. P. CHATTERJEE : I shall raise a question of privilege on this point and I will give notice to you that the Minister deliberately tries to mislead the House by saying about the judgment of the High Court that it is not . . . (Interruptions). He has misled the House.

SHRI CHANDRA SHEKHAR : I rise on a point of order. Mr. Chatterjee says that he was a pleader in this case which he is pleading in this House. According to parliamentary propriety . . .

SHRI A. P. CHATTERJEE : I know the judgment. So I am saying that he was misleading.

SHRI CHANDRA SHEKHAR : Mr. Chatterjee said on the floor of this House that he argued the case and he is trying to argue the same case in the Parliament which is against parliamentary propriety. The Member was greatly interested in the matter and he wants to project through the forum of this House his ideas. I want to bring it to your notice that the Member should desist from personal propaganda through the forum of the House.

SHRI MONORANJAN ROY : On a point of order. I would ask through you whether any Minister has the right to misinterpret and mislead about a judgment of a High Court.

MR. CHAIRMAN : There is no point of order. Next question.

SHRI MONORANJAN ROY : He has no authority to mislead the House without reading the judgment. This is a very serious matter.

MR. CHAIRMAN : Please sit down. No, this will not be recorded. I have called the next question.

(Shri Monoranjan Roy continued to speak)

\*563. [The questioner (Shri Hamid Ali Schamnad) was absent. For answer, vide col. 35 infra.]

### DELHI'S TAX PROPOSALS

♦564. SHRI SITARAM JAIPURIA :

SHRI M. K. MOHTA :

Will the PRIME MINISTER be pleased to state :

(a) whether Government's attention has been drawn to a news-item published in the Times of India dated July 3, 1970 in which the Centre's attitude towards the Delhi Administration has been criticised;

(b) if so, the details of the tax proposals forwarded to the Delhi Administration and the Delhi Municipal Corporation in which the Centre has recommended an increase during this year;

The question was actually asked on the floor of the House by Shri M. K. Mohta.

(c) the details of such tax proposals which have been (i) accepted and (ii) rejected by the Delhi Administration and the Delhi Municipal Corporation;

(d) the details of the schemes, such as unauthorised colonies and improvement of jhuggi-jhonpri colonies and other schemes for the benefit of the poor section of the society, forwarded by the Delhi Administration to the Central Government; and

(e) the action taken by the Central Government thereon?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : (a) Government have seen the news item.

(b) and (c) A statement I is laid on the table of the House.

(d) and (e) A statement II based on the information furnished by the

Delhi Administration is laid on the table of the House.

#### STATEMENT I

No proposals were sent by the Government of India this year either to the Delhi Administration or to the Delhi Municipal Corporation recommending any increase in taxes.

2. In April 1970, Delhi Administration suggested that immediate action should be taken to exempt from sales tax, rexine and other rubberised fabrics as these goods had been subjected to additional excise duty. While agreeing to the proposal, the Administration was informed that pure silk fabrics, which were subject to additional excise duty but had been since exempted, be removed from the list of goods exempted from sales tax, as recommended by the Regional Council. Both these changes were effected simultaneously from 1st August, 1970.

#### STATEMENT II

*Details of the Schemes submitted by the Delhi Administration to the Government of India for the welfare of poor sections of the society*

| Sl. No. | Details of the scheme  | Budget provision proposed for 1970-71 | Budget provision sanctioned during the year 1970-71 |
|---------|--|---------------------------------------|---|
| 1       | Grant-in-aid to Co-operative Societies for labour contract and construction. | 5,000                                 | 5,000   |
| 2       | Grant-in-aid to Rickshaw Drivers Committee .                                 | 1,800                                 | 1,800   |
| 3       | Grant-in-aid to Dhobi Co-operative Society . .                               | 1,200                                 | 1,200   |
| 4       | Grant-in-aid to Rehra Drivers Co-operative Society .                         | 2,400                                 | 2,400   |
| 5       | Grant-in-aid to Tonga Drivers Committee . .                                  | 2,400                                 | 2,400   |
| 6       | Setting up of a Home for the victims of leprosy .                            | 85,500                                | 85,500  |
| 7       | Setting up of a Home for old and poor persons .                              | 1,15,500<br>50,000                    | 1,15,500<br>25,000                                  |
| 8       | Home for widows . . . . .  | 60,000                                | 60,000  |
| 9       | Setting up of a Home for beggars . . . . .                                   | 71,000                                | 71,000  |
| 10      | Setting up of a weavers' colony . . . . .                                    | 3,50,000                              | 3,50,000  |
| 11      | Scheme for removal of jhuggi-jhonpris . . . .                                | 1,20,00,000                           | 90,00,000   |
| 12      | Ad hoc grant for maintenance of services in the jhuggi-jhonpri colonies.     | 35,40,000                             | under consideration of Deptt. of W.H. & U.D.        |

| Sl. No. | Details of the Scheme   | Budget provision proposed for 1970-71 | Budget provision sanctioned during the year 1970-71 |
|---------|---|---------------------------------------|---|
| 13      | Grant to Ashram Schools . . . . .   | 1,00,000                              | 60,000  |
| 14      | Financial assistance to helpless men, women and children.   | 3,25,500                              | 1,50,000  |
| 15      | Provision of free-textbooks to the needy children .   | 4,25,000                              | 1,00,000  |
| 16      | Grant to Social Welfare Associations . . . . .  | 8,50,000                              | 6,25,000  |
| 17      | Setting up of a Sanskar Ashram for Scheduled Castes girls.  | 1,20,000                              | 40,000  |
| 18      | Setting up of a 'Bal Gram' for helpless children .  | 6,98,700                              | 1,30,000  |
| 19      | Setting up of a Home for able, disabled and sick-fallen female beggars.                                     | 1,57,400                              | 80,000  |
| 20      | Setting up of a Home for able and disabled beggars  | 3,58,500 }<br>2,00,000 }              | 1,80,000<br>2,00,000                                |
| 21      | Home for the sick-fallen beggars . . . . .  | 1,90,100                              | 95,100  |
| 22      | 'Children Home' for boys . . . . .  | 1,68,400                              | 86,500  |
| 23      | Low Income Group Housing Scheme . . . . .   | 75,00,000                             | 46,00,000   |
| 24      | Industrial Housing Scheme . . . . .   | 52,00,000                             | 40,00,000   |
| 25      | Poor Home Hospital . . . . .  | 86,900                                | 78,600  |
| 26      | Home for the beggars who are victims of leprosy and T. B.   | 94,300                                | 94,000  |
| 27      | Grant-in-aid to S. C. and S. T. and backward classes for house.   | 6,00,000                              | 3,00,000  |
| 28      | Scholarship to Harijan girls . . . . .  | 23,100                                | 12,000  |
| 29      | Scheme for training the candidates of S. C. and S.T. and backward classes for the competitive examinations. | 75,000                                | 65,000  |
| 30      | Provision of uniforms and books to the poor children  | 5,10,000                              | Not agreed  |
| 31      | Development of land in Tehar Gram for Harijans.   | 75,000                                | Not agreed  |
| 32      | Old age pension scheme . . . . .  | 21,79,700                             | Not agreed  |
| 33      | Provision of loan for the purchase of taxis and scooters.   | 1,00,00,000                           | Not agreed  |
| 34      | Housing grant to dhobis, sweepers and Harijans etc.   | 10,00,000                             | Not agreed  |

SHRI M. K. MOHTA : The situation that arises from statement II placed on the Table is very intriguing, if I may say so, because Rs. 105 crores are raised as revenue by the Delhi Administration and not more than Rs. 70 crores are allowed to be spent by them leaving a substantial sum of Rs. 35 crores with the Central Government whereas very important requirements for providing

relief to those poorer sections of the society are being pigeonholed. May I draw his attention to items 11 and 12 of statement II as to since when is the request for a grant of Rs. 35 lakhs pending with the Department of W. H. and U. D. and what is the present position regarding the grant for item 11 for which only Rs. 90 lakhs have been provided against

Rs. 120 lakhs requested and regarding item 12 why no grant has been provided till now against Rs. 35 lakhs requested?

SHRI K. C. PANT : Sir, so far as the general picture of the Plan expenditure of Delhi is concerned, Delhi is certainly assisted to a large extent by the Centre as its revenues are not enough to meet its requirements, and I may say, since my hon. friend has raised the very important question of revenue and expenditure, that the Third Plan outlay for Delhi was Rs. 99.33 crores and the Fourth Plan outlay for Delhi is Rs. 162.65 crores. And if you take the per capita Plan expenditure in Delhi, during the Third Plan the per capita expenditure was Rs. 350 as against Rs. 97 for all the other States put together. During the Fourth Plan the per capita expenditure in Delhi is Rs. 390 as against Rs. 115 for all the other States put together. In other words, the per capita Plan expenditure in Delhi was 3.6 times the all-States figure during the Third Plan and now it stands at 3.9 times during the Fourth Plan. And if you come to the effort at raising resources, the Morarji Deas Commission has gone into the Municipal Corporation's rates of taxation and collection of the taxes and they have found both to be low as compared to the other metropolitan cities. On the second question, my hon. friend, Mr. Shah, can perhaps supplement the information given by me in respect of item No. 11. So far as item No. 12 goes, that is under consideration at the moment. As for the others I think he is in a better position to explain.

SHRI K. K. SHAH : The Delhi Administration asked for an allocation of Rs. 120 lakhs for 1970-71. The Plan Finance Division of the Ministry agreed to the allocation of Rs. 90 lakhs. Later on, the Delhi Administration requested that the allocation might be reduced to Rs. 80 lakhs. Even then we have maintained the allocation at Rs. 90 lakhs.

SHRI M. K. MOHTA : Sir, my first submission is that the last part of my first question still remains unanswered, namely, since when has this request for Rs. 35 lakhs in item No. 12 is lying with the Department of W. H. and U. & D. and when it is expected to be finalised. That has not been answered.

MR. CHAIRMAN : If you have a second question to put, put that second question also now.

SHRI M. K. MOHTA : My second question will arise out of the answer, Sir.

MR. CHAIRMAN : There are other gentlemen who want to put questions.

श्री मान सिंह बर्मा : पहले उनका जवाब नो आ जाये ।

श्री जगदम्बी प्रसाद यादव : उनके जवाब पर ही तो क्वेश्चन अराइज करेगा ।

SHRI K. K. SHAH : Sir, the Lieutenant-Governor wrote to this Ministry, my Ministry, on the 6th of February, 1970, that the Delhi Development Authority might be given a sum of Rs. 35 to 40 lakhs per annum as special grant for improving sanitary arrangements and for the maintenance of civic amenities. The letter was discussed with the Chief Executive Councillor on the 1st of June, 1970. The Chief Executive Councillor stated that a sum of Rs. 30 lakhs should be given. Sir, what we are doing at present is like this. Thirty per cent, of the collections are retained by the Corporation for purposes of meeting the requirements of civic amenities. Now it is the rule that those properties, which are assessed as being below Rs. 100, are not paying any tax. And still they are looked after by the Corporation. In this case the Government is paying 30% of the rent collections which they would not otherwise have been entitled to. Even then we said, "All right", and the entire question of handing over the entire collection of rent is already under consideration.

SHRI M. K. MOHTA : My second question is that Delhi being the capital of India must stand on a very special footing. May I ask the hon. Prime Minister whether special financial powers would be given to the Delhi Administration so that these very important schemes of clearance of jhuggi-jhonpris and other schemes like provision of books to poor children, old age pension scheme and so on and so forth may be really gone through without the rigmarole of sending a request to the Central Government, waiting for their grant and so on?

SHRI K. K. SHAH : Sir, I hope my hon. friend would like to extend the

same concession. How much we are spending on Delhi in comparison to other cities, that question will then be raised and if you get the figures, probably I do not know whether we will be able to justify,

SHRI DEV DATT PURI : Is it a fact that the very low rates of sales and property tax in Delhi are diverting the revenues of the neighbouring States, particularly, Haryana, in a big way and this is made possible on account of the fact that the Central Government treats Delhi like a pampered child by allowing low taxation and high expenditure?

SHRI K. C. PANT : Sir, so far as rates of property tax go, the rate of taxation in Delhi is certainly lower than the rate of taxation in Bombay, Calcutta, Madras, Ferozpur and Ahmedabad. I do not have the figures for the neighbouring States; I have figures for comparison with metropolitan cities only.

SHRI N. G. JORAY : What is the justification for allowing lower rates?

MR. CHAIRMAN : Let him finish the answer.

SHRI K. C. PANT : The Morarka Commission has gone into it and its recommendations will be considered. But this is the factual position now.

So far as the other question goes, there has been a difference of opinion between the Delhi Administration and the neighbouring States in the matter of level of sales tax to be levied on various commodities and of the neighbouring States have been complaining that the rates in Delhi are lower and it is for this reason that the Northern Regional Council which was set up in order to harmonise the sales tax rates regionwise has met twice to consider this matter. It made certain recommendations and those recommendations were considered by the Delhi Administration but they were unable to agree to some of them and we have been trying to persuade them to agree to them in the interests of having harmonised sales tax rates in the whole region. This complaint has come up that Delhi is benefiting as trade centre in the Nation to the neighbouring areas.

DR. BHAI MAHAVIR : Sir, statement No. 1 says no proposals were sent this year recommending any in-

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creases in taxes. May I know if the Central Government did not insist that the house tax be raised by a minimum of 15 per cent, whether it also did not insist, as recommended by the Morarka Commission, that maximum octroi duties should be charged and that bus fares should also be raised? Similarly may I know whether it was not a fact that sales tax was asked to be imposed on kerosene and matches?

Secondly, I would like to know out of these schemes that have been given in the list whether the Delhi Administration did not ask that the rent collected from jhuggi-jhonpuri colonies should not be pocketed by the Central Government but that the rent should be given to those very colonies for the improvement of sanitation and living conditions of the people who have been removed from the slums. Similarly Rs. 20 lakhs were asked for medical facilities to the slums which have not been cleared but that was not approved. Sir, a two-crore revolving fund has been asked and for three years it has been pending and has any decision been taken on it? And why, I would like to know, is the Government insisting on sales tax being put on silk fabrics?

SHRI K. C. PANT : Taking the last question first, this matter has been pending for some time. Mr. Shubh, I think, of the Delhi Administration, wrote to the Government suggesting that certain items like rexine and rubberised cloth should be exempted from sales tax on the ground that these items have been brought under the scheme of additional excise duty. Now silk which was under the scheme of additional excise duty has been taken out of it and therefore it was only logical that silk should now be included in the sales tax list. It is by that simple logic that this thing has been done.

So far as the first question is concerned, now the Central Government has not made any recommendation. That is what I have said in the statement. As I said earlier, it is the Regional Council which made these recommendations and forwarded them to the Central Government and to the Union Territory Administrations, to the State Governments and it is to these I think to which he is referring.

DR. BHAI MAHAVIR : You have not asked for minimum 15 per cent rise in house tax?

MR, CHAIRMAN : Question Hour is over.  
 DR. BHAI MAHAVIR : Let him finish the answer, Sir.

MR. CHAIRMAN : You cannot ask another question. Question Hour is over.

**WRITTEN ANSWERS TO QUESTIONS**  
**HARASSMENT CAUSED BY MYSORE**  
**POLICE TO PEOPLE GOING TO**  
**KERALA**

\*563. SHRI HAMID ALI SCHAMNAD : Will the PRIME MINISTER be pleased to state :

(a) whether the attention of the Government of India has been drawn to the harassment caused by the Mysore police to the people who pass from Mangalore in Mysore to Kerala at the border check post;

(b) whether it is a fact that travellers are compelled by the Border Police to sign a register maintained by the Mysore Police; and

(c) if so, what steps the Government of India propose to take to stop such harassment to the people?

THE MINISTER OF STATE TN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : (a) and (b) No, Sir.

(c) Does not arise.

**MERGER OF TOURIST OFFICES WITH AIR INDIA**

\*565. DR. BHAI MAHAVIR :

SHRI LAL K. ADVANI:

Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether it is a fact that the Tourist Offices of the Government of India located in various countries are being merged with Air India Offices; and

(b) if so, the reasons therefor?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) and (b) While the offices have not been merged, a new working pattern has been evolved according to which they function in close cooperation for the promotion of tourism.

**CHAIRMAN OF INDIA TOURISM**  
**DEVELOPMENT CORPORATION**

\*566. SHRI K. CHANDRASEKHARAN : Will the Minister of TOURISM AND CIVIL AVIATION be pleased to state :

(a) whether it is a fact that a permanent official has been appointed as the Chairman of the India Tourism Development Corporation; and

(b) if so, the reasons therefor?

THE MINISTER OF TOURISM AND CIVIL AVIATION (DR. KARAN SINGH) : (a) Yes, Sir. The Director General of Tourism has been appointed as part time Chairman as an interim measure.

(b) This has been done as a transitional measure so as to ensure complete co-ordination between the activities of the Department of Tourism and the India Tourism Development Corporation, and also expedite and facilitate the transfer to the Corporation of certain functions at present being performed by the Department.

**BORDER DISPUTE BETWEEN ASSAM**  
**AND NAGALAND**

\*567. SHRI CHITTA BASU : Will the PRIME MINISTER be pleased to state :

(a) whether it is a fact that there has been a long standing border dispute between Assam and Nagaland;

(b) if so, the nature of the dispute; and

(c) the steps taken by the Government of India to resolve the same?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI K. C. PANT) : (a) and

(b) The Government of Nagaland have been claiming certain adjoining areas of Assam.

(c) The matter is under correspondence with the Governments of Assam and Nagaland.