

number of women who might be put on this device. But the hon. Member's contention is quite right. It may not be what we may call in mathematics a significant example in the universe of one hundred million devices. But from the corroborative evidence gathered elsewhere in other parts of the world, I would consider it satisfactory statistically.

**INCOME-TAX ARREARS OF SHRI
B. PATNAIK**

*62. SHRI LOKANATH MISRA: Will the Minister of FINANCE be pleased to refer to the answer to Starred Question No. 604 answered in the Rajya Sabha on 21st January, 1967 and state;

(a) whether any steps have been taken not to allow Shri Biju Patnaik to transfer or sell his properties before a final decision is taken in the income-tax arrears case against *him*; and

(b) whether any assessments has been made as to the approximate value of Shri Biju Patnaik's existing properties and if so, whether these would cover the said arrears?

THE MINISTER OF STATE IN THE MINISTRY OF FINANCE (SHRI K. C. PANT): (a) As the recovery of income-tax demands against Shri Biju Patnaik has been stayed by the High Court, no steps could be taken in this regard.

(b) The Wealth-tax assessment of Shri Biju Patnaik for the assessment year 1963-64 has been completed. Shri Patnaik has also filed his wealth-tax return showing his net wealth as on 31-3-1966. The value of the properties of Shri Patnaik determined in the wealth-tax assessment for 1963-64 and shown in the wealth-tax return as on 31-3-1966 would not be sufficient to cover the demands created against Shri Patnaik.

SHRI LOKANATH MISRA: Sir, I am sorry that the honest tax-payer of the country is penalised for the leniency shown to a dishonest tax-evader

like Mr. Biju Patnaik by the Finance Ministry. May I know whether the Government was represented in this case for injunction in the High Court when it was moved by Mr. Biju Patnaik and, if not, who was responsible for the non-representation by the Government? Was it leniency? Was it shielding the tax-evader or was it anything else?

SHRI K. C. PANT: There is no question of leniency. The Department had no prior notice of the writ filed in respect of the assessments from 1962-63 onwards before the High Court, and it is not in every case obligatory or necessary for the High Court to give notice to the Government in such cases. In this particular case no notice was received for the injunction issued by the High Court. The final orders of the High Court will be passed after hearing the department. The hearing has not yet taken place.

SHRI AKBAR ALI KHAN: Interim injunctions are passed always without hearing.

SHRI LOKANATH MISRA: Pending the disposal of this injunction petition by the High Court, may I know, Sir, whether the Finance Ministry is doing anything in the matter to restrain Shri Biju Patnaik from alienating his property any further? As it is, Sir, you must have noticed from the answer that the property left with Mr. Biju Patnaik is not sufficient even to cover the tax-arrears. In the meantime he has disposed of the properties in spite of my warnings and in spite of the warnings of Mr. Banka Behary Das who had written a letter to him which still remains unreplied.

SHRI A. D. MANI: To whom has he disposed of the properties?

SHRI LOKANATH MISRA: He has disposed it of to different persons in his family. He has sold many of his shares of the Kalinga Airlines. He was thinking of building the Kalinga Mansion, 17 or 18 storeys. Now I find that even the

sign board has been removed. I do not know to whom that property now belongs. May I know, Sir, whether the Finance Ministry is restraining further alienation of the property or, else the entire money would not be recovered at all from him because he knows so many tactics of evading income tax—I would not say with the connivance of Mr. Morarji Desai though he has politically given him a shield . . .

MR CHAIRMAN: Put a question. Do not make a speech.

SHRI LOKANATH MISRA: . . . I cannot involve him financially. If it were some other Minister I could have thought that there might be something financial also about it. But in the case of Mr. Morarji Desai I do not have at least that suspicion. But politically he is giving him shelter. (*Interruptions*). Mr. Morarji Desai is giving him political shelter only because when he was contesting for the Prime Ministership, Mr. Biju Pat-naik asked his people to vote for him. Therefore— (*Some hon. Members stood up in their seats*) I am on my feet.

SHRI AWADHESHWAR PRASAD SINHA: On a point of order, Sir...

MR. CHAIRMAN: No, no. There is no use so many people getting up and making noise. In fact, I shall give instructions to the Reporters not to write down anything when ten people get up and put questions. I do not want any other Member to speak.

SHRI LOKANATH MISRA: I will ask a question.

SHRI MORARJI R. DESAI: I would request the hon. Member not to take advantage of the Question Hour for making imputations. Of course, he makes imputations according to his own theory. He may be shielding his friends. But I will not shield any friend, not even my son if it comes to that. What is the meaning of this?

SHRI LOKANATH MISRA: Now can I get an assurance from the hon.

Finance Minister that he will realise all the money due from Mr. Biju Patnaik, that he would recommend to the External Affairs Ministry to impound his passport in case he is trying to get away from India? He is evading taxes. Would he do that?

SHRI AKBAR ALI KHAN: According to law he will do that.

SHRI LOKANATH MISRA: Yes, according to law. But what is this? Rs. Four crores are in arrears. I have been bringing it consistently to the notice of the Finance Minister, his predecessor, and himself that this money is due, that he should make all arrangements to realise it. In fact, a passport is now given to him. Would he request the External Affairs Ministry to impound the passport, and would he see to it "that no further alienation of the property is permitted?"

SHRI ABID ALI: What is the question?

SHRI MORARJI R. DESAI: I am not concerned with the obsession of the hon. Member with Mr. Biju Patnaik. I have no quarrel with it. He can pursue him as much as he likes. He may do whatever he likes about him. But why does he make imputations against other people. Well, he is a very intelligent person. Let him give me a law under which. I can prevent him from doing away with his property and I will utilise that law. Immediately I do not know of any such law. If I had known I could have impounded his property. I could have issued a warrant against him. Just now I cannot do anything because it is stayed by the High Court. One cannot do anything about it. He also ought to know that if there are any fraudulent transfers of property they cannot be protected under law. Government will certainly take all necessary steps in that matter to recover when it comes to that. But the hon. Member is simply impervious to all sense of decorum and discretion ia

making all these imputations to which I certainly object.

SHRI MULKA GOVINDA REDDY: I would like to know from the Minister the value of his property assessed for wealth tax purposes. How much is the assessment of the property, and what are the income-tax arrears due from Mr. Biju Patnaik? What steps is the Government going to take to recover the entire dues from Mr. Biju Patnaik, and what steps have the Government taken for the withdrawal of the injunction order that has been passed by the High Court?

SHRI K. C. PANT: Sir, the total wealth assessed is Rs. 26,48,208 as on 31-3-63.

SHRI MULKA GOVINDA REDDY: What about the second question, tax arrears?

SHRI K. C. PANT: The tax arrears today are of the order of Rs. 41 lakhs. For the three nending years 1962-63, 1963-64, 1964-65 recovery has been stayed by the High Court. There are no other arrears pending, no other demand for arrears.

The third question was: What has been done to get the stay vacated? Well, an application has been moved, in that connection.

SHRI BANKA BEHARY DAS, Sir, on 15-6-67 I wrote a letter to Mr. Morarji Desai drawing his attention to the income-tax dues of Mr. Biju Patnaik on the Kalinga Airlines account only which he has not replied to till now. These things have not been assessed. I said that he has taken Rs. 6,65,000 as income-tax deduction from the employees of the Kalinga Airlines which is a criminal offence because he has not deposited it. And after it was agitated for one year only a notice for Rs. 2 lakhs out of Rs. 6,65,000 was given to him. It is a criminal offence under income-tax law. I also showed that the Kalinga Airlines has drawn about Rs. 6 crores for airdropping from the Government of India whereas the Income-tax dues for about 3-4 years

have not been assessed. I also said that the N. E. F. A. administration demanded Rs. 32 lakhs from him...

SHRI ABID ALI: On a point of order. Sir. Only questions should be asked and not information given. We are not interested in what he has done. What we want is facts. He should put a question seeking information. On that kindly give your ruling.

MR. CHAIRMAN: So long as he seeks information I shall not object.

SHRI BANKA BEHARY DAS: I am asking a question. Why do you get annoyed? The money on provident fund and gratuity account he has not deposited. And also for retrenchment he has not paid Rs. 16 lakhs. All these things I wrote because there are income-tax dues....

SHRI ABID ALI: We are not interested in that.

SHRI BANKA BEHARY DAS: I am asking whether it is a fact that all these dues which I have mentioned here particularly about income-tax, some assessed and some unassessed, whether these figures are correct, and what steps the Government have taken to see that he does not dispose of those aircraft etc. as he is already in communication with the Nepal Airlines and also the Hindustan Aeronautics. I have drawn the attention of the Minister to this in my letter. I also want to know from the hon. Minister this thing after a discussion in the Rajya Sabha last time the Chief Minister of the State has written a letter on July 1st.

"The sense of the House," i.e. the Orissa Assembly in which there are 31 Congress Members and no one objected, "was that the passport of Shri Patnaik should not have been renewed when a Commission of enquiry was going to be set up by the State Government and when he has been summoned as an accused in a criminal case in Calcutta and admittedly a large amount of money is due

from him as arrear income-tax." The Department concerned is the Finance Ministry. May I know from the Minister in view of the fact that so much money for all these years has not been assessed, what steps he is going to take so that the money can be realised in future? And secondly, in view of these facts and in view of the sense of the Orissa Assembly, is he going to recommend to the External Affairs Ministry which issued the passport in spite of the wish of the Chief Minister, because it is on record that on April 7 the Home Secretary of Orissa wrote...

MB. CHAIRMAN: Mr. Das don't make a speech. Please put the question.

SHRI BANKA BEHARY DAS: So in view of all these facts, I would like to know whether he is going to recommend to the External Affairs Ministry to impound his passport.

SHRI MORARJI R. DESAI: No, Sir.

SHRI BANKA BEHARY DAS: What about the Kalinga Airlines?

SHRI MULKA GOVINDA REDDY: He has asked so many questions and the Finance Minister should reply. He has replied only to the last part of the question.

SHRI BANKA BEHARY DAS: For the later question he says "No." What about the Kalinga Airlines dues?

SHRI A. D. MANI: On a point of order. The hon. Member and raised very important questions with the hon. Minister. He drew his attention to a letter that he has written giving particulars and he wanted to know whether an enquiry had been conducted into the allegation that he has made. This question has got to be answered in fairness to the House. The Minister should be in a position to say that these allegations are false or that the substance of the allegations is being pursued. He cannot take shelter behind a very brief "No" or 'Yes'.

SHRI MORARJI R. DESAI: To j thp question about whether I will !

make a recommendation, I replied no. But he spoke for Ave minutes and put all the questions. He can put another question and I will certainly answer it. If he wants a reply about the letter written to me, I am making enquiries into that and as soon as I get facts, I will convey them to him I have never failed to reply to any hon. Member. Even to an ordinary member of the public I give a reply.

SHRI A. M. TARIQ: May I know if the Government has received any information about the financial deals between Mr. Biju Patnaik and the other political leaders, non-Congress political leaders, in Orissa? If so, what action has been taken in that regard?

SHRI MORARJI R. DESAI: Government cannot go into those things.

SHRI P. K. KUMARAN: The Minister stated that according to the latest statement the properties owned by Mr. Biju Patnaik will not cover the income-tax arrears. It is very clear that he should have been having a lot of property but he has disposed of them. I would like to know whether the Government has asked the Special Police Establishment to make an enquiry to find out what happened to the property which he had been having.

SHRI MORARJI R. DESAI: Which property? If the hon. Member can send me a list of the properties, I will certainly make an enquiry.

SHRI NIREN GHOSH: May I know the total amount of arrears of taxes? May I also know whether all the taxes have been assessed or some are still pending? I would also like to know whether he has invested any money or wealth in fake charitable trusts. From Mr. Pant's reply it is seen that his department did not even attend the court because the court did not inform him. That means that they do not have any interest in this matter. And the Minister says "if there is a law to prevent alienation..." (*Interruption*) I would like to know whether the Government will try to block this kind of tax-dodging? Does

it not indicate a sort of partiality towards the tax dodger and are there not enough weapons and instruments to plug the loopholes? May I know whether his passport. . . (Interruption)

SHRI ABID ALI: We have already taken 20 minutes on this question.

SHRI K. C. PANT: With regard to the arrears, etc., I have already given the reply. That is in the main question itself and in the answer to a supplementary. So far as the processes are concerned, all procedures open under the law are being followed. I do not know why the hon. Member should make this charge of partiality.

श्री सुन्दर सिंह भंडारः : समापति जी, मुझे आप से एक निवेदन करना है। इस सवाल पर श्री बांक बिहारी दास जी ने और श्री मिश्र जी ने कुछ तथ्य रखे हैं और प्रश्नोत्तर-काल में वित्त मंत्री महोदय ने उन सारे प्रश्नों को टाल कर अपने हित का एक प्रश्न चुन कर उसका जवाब दिया लेकिन यह बात साफ है कि जितना टैक्स हमें श्री पटनायक से वसूल करना है, सरकार के पास उनकी जायदाद के बारे में कुछ न कुछ घटती प्रति साल होती जा रही है और यह पूर्ण संभावना है कि टैक्स वसूल नहीं हो पायेंगे। केवल मुकदमे में इंजेक्शन की आड़ लेकर हम उसके बारे में सब लाचार हो कर बैठें, यह परिस्थिति कुछ समय में आने वाली बात नहीं है। इसलिये मैं आप से चाहूंगा कि इस उत्तर से सदन को संतोष नहीं हुआ है इसलिये इस विषय पर आप आधे घंटे की चर्चा की अनुमति प्रदान करें।

SHRI MORARJI R. DESAI: May I say that I have not avoided any question? The hon. Members who are speaking just now on this question are making allegations without any foundation. . . (Interruption) All legal action is being taken. We are in a rule of law and not under the rule of the wishes of the hon. Members here. We have got to follow legal procedures... (Interruption). We are not in a Communist society.

MR. CHAIRMAN: Next question.

FAMILY PLANNING CENTRES

*63. SHRI BIREN ROY: Will the Minister of HEALTH AND FAMILY PLANNING be pleased to state:

(a) the number of Family Planning Centres now operating in different states (i) directly under the Central Health Ministry and (ii) under other agencies;

(b) whether oral pills are being distributed free through such centres;

(c) Whether Government have taken steps to provide birth control advice as well as free supply of all kinds of birth control devices to all recognised charitable dispensaries and hospitals (private or government controlled) throughout the country; and

(d) if not, by what time they would be in a position to do so?

THE MINISTER OF HEALTH AND FAMILY PLANNING (DR. S. CHANDRASEKHAR): (a) The number is 18 and 19,987 respectively.

(b) No. Oral Contraceptives have not yet been introduced in the official programme.

(c) and (d) Steps have been taken to provide free advice and contraceptive supplies and services at all Government Hospitals and Family Planning Welfare Centres, Government have approved schemes of assistance for making these free facilities available in all other hospitals and dispensaries which opt for these schemes.

SHRI BIREN ROY: Sir, there is a branch in West Bengal of the Family Planning, Association of India. So it appears that there are other branches also. I would like to know whether he has enquired into the working of this organisation. There are a lot of letters written to him about inaction and also about not paying the Doctors and the Family Planning Educators properly. Sometimes they get them to sign for a bigger amount but pay them reduced salaries. I would like to know whether he has got these complaintfl.