SHRI RAJ BAHADUR: Madam Deputy Chairman, I do not think the points raised by my hon. friend, Mr. Ghani, are at all relevant to this particular matter. In fact, I was wondering whether it was in order that what happened in a particular State could be brought, as a matter of complaint or grievance, in the discussion of this particular measure. I would say that the Punjab Government is a responsible Government chosen by the people, elected by the people, and is fully answerable to the Legislature. It will take into account all the pitfalls that come before it and there is no reason to doubt its effectiveness or its efficiency to overcome all such pitfalls or faults. I will not like to say anything more on this point as the matter raised concerns Punjab. But so far as evasion and other things are concerned, as the hon. Member might have noticed, clause 10 deals with assessment and penalty in case of evasion by unregistered persons and clause 11 deals with assessment and penalty in case of evasion by registered persons, and there are certain penalties prescribed. So, if any evasion takes place of any tax, I think we would be able to look after it.

With these words, I commend the motion for acceptance.

THE DEPUTY CHAIRMAN: The question is:

"That the Bill to consolidate and amend the law relating to the levy of a tax on sales of motor spirit and lubricants in the Union territory of Manipur, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

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

Clauses 2 to 37 were added to the Bill.

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

SHRI RAJ BAHADUR: Madam, I move:

'That the Bill be returned."

The question was put and the motion was adopted.

THE DELHI MOTOR VEHICLES TAXATION BILL, 1962

THE MINISTER OF SHIPPING UT THE MINISTRY OF TRANSPORT AND COMMUNICATIONS (SHRI RAJ BAHADUR); Madam, I move:

"That the Bill to impose a tax on motor vehicles in the Union territory of Delhi and for other matters connected therewith, as passed by the Lok Sabha, be taken into consideration."

As we all know, in Delhi taxes on motor vehicles are levied under the Punjab Motor Vehicles Act of 1924 as extended to Delhi in 1933. In Punjab, the rates have been substantially increased from time to time by certain amending Acts, for example, in 1954 and 1956. No increase, however, of these taxes has taken place in Delhi since 1933. The rates at present are lower than in many of the other States, particularly as compared to U. P. and Maharashtra. Apart from that, we have, in the case of the Bombay Municipal Corporation, a tax which is known as 'Wheels Tax' on motor vehicles. No such tax obtains or is levied in Delhi. Delhi is the Capital of our country and its roads require greater attention and the cost of construction and maintenance has 'been going up. Larger funds are required to finance these projects of construction and maintenance. With this background in view, we have come forward with this measure. The objectives are, firstly, to augment the

Taxation Bill, 1962 3662

resourses through slight adjustments of these taxes and secondly, to rationalise the existing basis for assessment of taxes, particularly on goods vehicles. At present, motor cycles and goods vehicles are taxed on the basis of their unladen weight and cars and public service vehicles on their seating capacity. It is now proposed that private cars should be taxed on the basis of their unladen weight, motor cycles, scooters, scooterettes, auto-cycles and tricycles on the basis of a flat rate related to their unladen weight.

Let me add here that this particular measure has been proposed in the light of the recommendations of the Motor Vehicles Taxation Enquiry Committee. And so the goods vehicles are now proposed to be taxed on the basis of their registered laden weight. Buses and taxis will however continue to be taxed on the basis of their seating capacity.

The Punjab Motor Vehicles Act, 1924, was once amended by the Legislature of the then Delhi State in 1954, section 3 whereof was the subject-matter of that amendment. If we want to now make any amendment or change in the existing enactment, it has to be done through the medium of this Parliament. Hence this Bill. We have also taken this opportunity to effect certain improvements in the scheme of the proposed enactment.

I would also like to refer to a particularly important matter in this context, and that is in regard to the distribution of the proceeds of this tax between the Delhi Municipal Corporation and the New Delhi Municipal Committee. At present the basis on which these proceeds are distributed is a ratio of 6:4 of the net revenues earned from this tax. The net revenues are calculated by deducting the cost of collection of this tax from the gross realisations. We at present have a basis of distribution which is related to the number of vehicles

which have been registered in the areas which come within the respective jurisdictions of the Delhi Municipal Corporation and the New Delhi Municipal Committee. It has now 'been proposed to revise this basis, and we will certainly give attention to this matter. It is now proposed that the basis of distribution should be related not to the number of vehicles but to the route mileage in the two areas. As I have said, this is a matter which would require a more detailed examination. Hence we think that in consultation with the Ministry of Home Affairs and the Delhi Administration, the Transport Ministry will undertake this examination and come to certain conclusions, and after taking a decision on the conclusions, the rules will be modified in the light of the decision taken, and the rules as modified, will be laid on the Table of the House for its final word on them. At present no increase is envisaged on account of the scheme of the Bill of invalid vehicles, carriages, private cars, motor cycles, etc.

I think, Madam, I have sufficiently explained the background and the outline of the present measure and I commend it for the consideration of the House.

The question was proposed.

भी विमलकुमार मन्नालालजी बौर-ड़िया (मध्य प्रदेश) : उपसमापति महोदया, जो बिल प्रस्तुत किया गया है, जसा कि मन्त्री जी ने कहा, नेशनलाइज करने का हम प्रयास कर रहे हैं।

[THE VICE-CHAIRMAN (SHRI M. GOVTNDA REDDY) in the Chair]

तो कुछ तो किया ही होगा किन्तु फिर भी इसमें कुछ बातें रह जाती हैं। वैसे मैं प्रपने सन्त्री जी को इस बात के लिये धन्यवाद दे दूं कि जो लोक सभा में पहले बिल पेश किया था उसमें ट्रामकार्स पर भी टैक्स लगाया था जबकि यहां ट्रामकार्स का पता नहीं है और बड़ी खुशी की श्रि विमलकमार मन्तालालजी चौरहिया]

बात है कि उन्होंने वहां पर इस बारे में दुब्स्ती करके यहां पर संशोधित रूप में बिल प्रस्तुत किया है ।

SHRI M. P. BHARGAVA (Uttar Pradesh): Even if there was one, it was necessary.

भी विमलकुभार मन्नालासजी चौरड़िया: बह तो मद पुरातत्व के महत्व की हो गई है जो प्रदर्शनी में देखने को मिलेगी मौर जब दिल पेश किया था तब बन्द हो गई पी। यह ठीक है कि म्रपनी झेंप को मिटाने के लिये कोई मौर बहाने लगाने हों तो कोई म्रापत्ति नहीं। मगर मैं धन्यवाद ही दे रहा हूं कि म्रापने मच्छा काम किया, मक्स का काम किया, बुढिगानी का परिचय दिया कि पहले त्रो गलती हो गई थी उसको दुरुस्त कर लिया है। इससे ज्यादा कम्प्लीमेन्ट चाहते हों तो माप मुझा दें, मैं दे दूंगा।

श्री राज शहादुर : मुझे पता नहीं, यह जेंप पालियामेंटरी है या नहीं । ग्रगर पालिया-मेंटरी है भी तो मैं कहना चाहूंगा कि झेंप का कोई सवाल इसमें नहीं था क्योंकि यह पहला ही ऐक्ट था इसलिये इसको संशोधित करके ही प्रस्तुत किया गया ।

श्री विमलकुमार मन्तालालजी वौरड़िया: मुझे स्थाल नहीं था कि भागव स.हब के बाद माननीय मन्त्री जी बोलेंगे। मुझे पता नहीं भागव साहब को डिफेंड करने के सिये मापने यह सब कुछ कहा। परन्तु मैं नहीं चाहता था कि मैं जिस चीज के लिये धन्यवाद दूं उसका उन्हें बुरा लगे।

तो जहां तक इसमें लेवी भाफ टैक्स का सवाल है नो माननीय उपसभाष्यक्ष महोदय, इसमें जहां पैतेंजर बसेज की बात भाती है उन पर तीन नरह से टैक्स लगाये जा सकते हैं, एक तरांका यह है कि इतनी उसकी सीटिंग कै: जिनो हो, उसके भाषार पर जिया जाय । दूसरा तरोका यह हो सकता है कि कितने मीक्ष भ्रति दिन यात्री गाड़ी चलती है, माइलेज कितना कवर करती है, उसका रूट दिया जाय, उसके भाषार पर लिया जाय । म्रौर तीसरा एक तरीका यह हो सकता है कि दोनों का कंबिनेवन किया जाय--सीटिंग कपेसिटी का भी ख्याल रखा जाय और माइलेज का भी ख्याल रखा जाय। तो इन तीन तरीकों से टैक्स बसूल किया जा सकता है । और ग्रगर हमें सचमुच रैशनलाइज करना है तो यह प्रत्यन्त प्रावश्यक है कि हमको इस बात का विचार करना चाहिये कि केवल एक ही आधार को रख कर, एक ही आधार पर काम करते जाय भौर रैशनलाइजेशन का नाम लेते जायें और एक ही भाषार पर चलते जाये ठीक नहीं मालूम पड़ता है, इन सब बातों से क्या नुकसान हो सकता है उस भोर भी ध्यान ग्राकथित करना चाहता हूं । अगर कोई यात्री गाड़ी पचास मील प्रति दिन चलती है तो भी उसको उत्तना ही टैक्स देना पड़ेगा जितना २०० मील प्रति दिन चलने वाली गाडी को भौर ऐसी स्थिति में यह बिल्कुल न्यायसंगत नहीं कि ४० मील जो गाड़ी चले वह भी वही टैक्स दे झौर २०० मील जो गाड़ी चले वह भी वही टैक्स दे । हमें इस बात को तो देखना चाहिये कि कितनी सीटिंग कपेसिटी है, अगर २४ यात्रियों को ले जाने वाली गाड़ी है तो उस मान से टैक्स लगाना चाहिये, धगर ४४ यात्रियों को ले जाने वाजी गाड़ी है तो उस मान से उसका टैक्स लगाना चाहिये, यदि ४० यात्रियों को ले जाने वाली गाडी है तो उस मान से टैक्स लगाना चाहिये। सेकिन भगर २४ यात्री वाली गाडी का भी वही टैक्स लगाएं भौर ४० वाली का भी वही टैक्स लगाएं तो यह भी न्यायसंगत नहीं होगा । मगर इसके साथ दूसरा पक्ष भी है कि जो यात्री गाही ४० माइलेज करतो है उस पर भी बही टैक्स, जो गाडी २४० मील चलती है उस पर भी वही टैक्स तो यह भी न्यायसंगत नहीं लगता हे और इसलिए यह भरपन्त मावश्यक है कि मगर हम सचमुच इसको रैशनलाइज करना चाहते हैं तो इस दुष्टिकोण को सामने रखें कि सीटिंग कैपेसिटी के साथ साथ. माइलेज को

[10 DEC. 1962]

3665 Delhi Motor Vehicles

भी हम देखें भौर जब तक इन दोनों का हम कंबिनेशन नहीं करते, तब तक उचित नहीं कहा जा सकता । इसलिये यह ग्रत्यन्त ग्राव-क्यक है कि मन्त्री महोदय इस बारे में विचार करें स्रौर जो संशोधन मैंने दिया है उस पर बाद में, उसको प्रस्तुत करते समय, चर्चा करूंगा । इसके साथ ही साथ एक तीसरा पक्ष और है कि कच्चे रास्ते पर **चलने वाली गाडी ग्रौ**र मेटल्ड रोड या डामर वाली सड़क पर चलने वाली गाडी में फर्क होना चाहिय । कच्चे रास्ते पर यात्री गाडी को सडक भी बनानी पड़ती है, वीयर एण्ड टीयर भी उसका ज्यादा होता है, खर्चा भी ज्यादा उठाना पडता ह । ऐसी स्थिति में हमें दोनों की तुलना करते हुए ऐसी यात्री गाड़ियों को कुछ कंसेशन देना चाहिये । इसी दुष्टि से ग्रौर इर्व ग्राशय से मैंने अपना अमेन्डमेंट भी दिया है कि ऐसे मार्ग पर चलने वाली गाडियों को कांसेशन दिया जाय । इस बारे में पूर्वी मध्य भारत में काफी चर्चा हई थी ग्रौर एक बिल आया था। इन सारी बातों पर विचार करके ग्रौर कंसिंडर करके बहुत ग्रच्छा टेबल बनाया गया था ग्रौर उसी के श्राघार पर मैंने टेबल दिया है । उस समय संभवतः टैक्स कम थे ग्रौर उसी दुष्टि से टेबल भी था। यहां पर टेबल जो मैंने वर्क म्राऊट करके बनाया है वह इस दृष्टि से बनाया है कि हमारी आमदनी में किसी तरह की कमी न हो । मंत्री महोदय मेरे टेबल को देखकर कह दें कि इषर इतना रुपया बढ जाता है या कम हो जाता है ग्रीर वे स्वयं वर्क ग्राऊट करके निकाल सकते हैं कि कहां से कितनी माय हो सकती है मौर जो कमी व बेशी हो उसको एडजस्ट किया जा सकता है। मगर यह कहना कि यह व्यवस्था ग्रपना लेने से कभी पड जावगी या बढ जायगी, यह उचित नहीं है। इसको कम या 3 p.m. ज्यादा करने का जहां तक सवाल है वह हम म्रपने कैलकूलेशन के आधार पर कर सकते हैं। लेकिन जहां तक "लैवी ग्राफ टैक्सेस" का सवाल है उसको हमें सचमुच

रैंशनलाइज करना चाहिये ।

Taxation Bill, 1962 3666

इसके साथ ही साथ मैं यह भी निवेदन करना चाहता हूं कि भारतवर्ष में अलग अलग स्टेट्स में ग्रलग ग्रलग टैक्स होने की वजह से मोटरवालों को बहुत कठिनाई पडती है । कांस्टीट्यूशन में इस तरह की व्यवस्था है इसलिए इस तरह की बात हम करते हैं लेकिन मेरा निवेदन यह है कि हमें सारे देश को एक युनिट मानकर सब जगह एकसा टैक्स लगाना चाहिये । सारे देश में एक ही जैसी टैक्स की पद्धति होनी चाहिये । टान्सपोर्ट डेवलपमेंट कौंसिल ने सन १९६१ में सिफारिश की थी कि मद्रास लाइन के भाषार पर सारे देश में एक ही टैक्स पद्धति लाग की जानी चाहिये परन्तू उस दिशा में ग्रभी तक सरकार ने कोई कदम नही उठाया । सरकार के पास कोई सिफ़ारिश माती है उसको इम्पलीमेंट करने में इतनी देर हो जाती है कि फिर उसके लिए दूसरी कमेटी बैठानी पड़ती है कि इस चीज में क्या सुधार करना चाहिये ग्रौर क्या नहीं करना चाहिये । इस बारे में मैं कई उदाहरण देसकता हं। कि एक प्रकार का विशास बन गया सकल (vicious circle) है । इस तरह से हमारा काम नहीं चल सकता है। मैं यह प्रार्थना करूंगा कि हमें विघान में इस तरह का संशोधन करना चाहिये जिसके द्वारा सारे देश में एक ही प्रकार का टैक्स हो जाय ।

मैं यह भी चाहता हूं कि हमें ट्रान्सपोर्ट के ग्राघार पर सारे देश को जोन्स में बांट देना चाहिये । ग्राजकल ग्राप देखते हैं कि हमारे देश में गाड़ियां २०० ग्रौर ३०० मील प्रतिदिन जाती हैं । इस तरह से एक गाड़ी दिल्ली से जयपुर, जयपुर से भोपाल तथा इन्दोर से घुलिया ग्रादि तक चली जाती हैं । इस तरह से जब वे लम्बी सफर में जाती हैं तो दो दो ग्रौर तीन तीन स्टेट्स को पार करना पड़ता है ग्रौर इन स्टेट्स में ग्रलग ग्रलग टैक्स की पद्धति है जिसकी वजह से इन्हें काफी कटिनाई का सामना करना पड़ता है । ग्रगर दो स्टेट्स की ग्रापसी समझौते के ग्रनुसार सिंगल पाइंट [आ विमलकुमार मन्नालाल जी चौरड़िया] की टैक्स पढति हुई तो कोई परेशानी नहों होती है मगर्, जब तीसरी स्टेट बीच में आ जाती है भीर वहां अलग टैक्स की पढति हो तो इस तरह से गाड़ी वालों को काफी परेशानी होती है । इस तरह से भ्रलग भ्रलग युनिट्स होने की वजह से भीर घलग भ्रलग युनिट्स होने की वजह से भीर घलग भ्रलग टैक्स पढति होने की वजह से यात्री तथा भारवाही गाड़ियों के चलाने वालों को तरह तरह की परेशानियों का सामना करना पड़ता है। इन सब बातों को वृष्टि में रखकर यह भरवन्त भ्रावश्यक है कि सारे भारतबर्ध को एक इकाई के रूप में मान लिया जाना चाहिये भ्रीर उसमें केन्द्र एक ही टैक्स पढति जोन्स के म्राधार पर लागू कर सकता है जिससे मोटरवालों को लाभ होगा।

एक बात मैं सीर कहना चाहता हूं झौर वह यह है कि झाप धारा १४ के झन्तर्गत कोग्रापरेटिव सोसाइटीज को रिर्लीफ देना चाहते हैं । हम कब तक इन तीन पहियों वाली गाड़ी बच्चों को देने के समान कोग्रापरेटिव सोसाइटियों को प्रोत्साहित करते रहेंगे यह कांग्रेस ही ग्रच्छी तरह से जान सकती है ग्रीर इसके वारे में मुझे कुछ कहना नहीं है। ग्राप इन सोसाइटियों को मोटर लाइसेन्स का परमिट देने में प्रायमिकता दोजिये; उनको घन्वा चलाने के लिए मोटर की सुविधा दीजिये झौर उसके लिए इथया भी दीजिये । इस तरह से मापने इन सोसाइटीज को रुपया, पर्रामट तथा हर तरह का प्रिफेरेल्स दिया, इससे मुझे कोई विरोध नहीं है । लेकिन आपने टैक्स पर उन्हें जो राहत दी है उससे ट्रेजरी की श्चामदनी कम होती जा रही है जो न्यायसंगत मालम नहीं देता है । आप जब उन्हें इतनी प्रकार की सुविधा दे रहे हैं, प्रिफेरेन्स दे रहे हैं, सब तरह से उन्हें इनकरेज कर रहे हैं, जिसका मैं विरोध नहीं करता, लेकिन जब ये सोसाइटियां व्यापारिक ग्राधार पर चलाई जाती हैं, इन्हें तरह तरह का लाभ हो रहा है तो उस लाभ का न्यायोचित हिस्सा टैक्स के रूप में देजरी में भी माना चाहिये । इसमें ग्राप उन्हें

प्राधा टैक्स माफ़ कर रहे हैं यह न्यायसंगत मालुम नहीं देता है। जब वे बिजनेस के ग्राष।र पर मैदान पर म्राते हैं तो विजनेस के माधार पर उन्हें टैक्स भो देना चाहिये । म्रापने पहले से ही उन्हें इतनी सुविधा दे रखी है जिसका मैं विरोध नहीं करता हं । ग्राप उनका हिसाब किताब देखने के लिए सेक्रेटरी रख सकते हैं या कोई दूसरी तरह की मदद कर सकते हैं लेकिन जव वे बिजनेस के ग्रावार पर मैदान में ग्राते हैं तो उन्हें और लोगों की तरह टैक्स देना चाहिये। इस तरह से ज्यादा सूविधा देना उचित मालुम नहीं देता है । आप उनका माफ किया जाने वाला टैक्स ग्राधा से एक चौथाई कर सकते हैं। ग्राप उन्हें तीन पहिये की जगह दो पहिये की गाड़ी पर ले झाइये और इस तरह से धोरे धीरे टैक्स की छुट में कमी कोजिये ताकि वे ग्रागे चलकर खुद अपने पांवों पर खड़ी हो सकें। ग्रगर ग्राप उन्हें इसी तरह को सूविधा देते रहेंगे तो मझे संदेह है कि वे भविष्य में सफल हो सकेगी या नहीं?

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY) : Mr, Chordia. the time allotted is half an hour. There are two more speakers.

SHRI V. M. CHORDIA; But there are amendments also.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY); Please conclude.

श्वी विंभलकुमार मन्नालाल श्वी चौरांडू ाः तो धारा १४ के बारे में यह निवेदन है कि अगर किसी दूसरे प्रान्त को गाड़ी यहां झा जाय ब्रौर ६० दिन तक यहां चलती रह तो उसको टैक्स नहीं देना पड़ेगा । मैंने इस बारे में कम्परेटिव स्टेटमेंट मांगा था कि कहां कहां पर कितना कितना टैक्स है किन्तु अभी मिला नहीं । दिल्ली के मुकावले में दूसरी जगह कम टैक्स है । झक्सर देखने में यह बाता है कि गाड़ी या ट्रक वाले जयपुर तथा राजस्थान के किसी ब्रौर शहर में गाड़ी का रजिस्ट्रेशन करा लेते हैं क्योंकि वहां पर दिल्ली के मुकाविले में टैक्स

कम है ग्रौर फिर दिल्लो में १० दिन तक गाड़ो आसानी के साथ बिना टैक्स दिये चसा सकते हैं फिर एक दिन बाहर जाकर १० दिन चला सकते हैं इस तरह से ट्रंक वाले ज्यादा दिनों तक यहां भ्राकर गाड़ी चलाते हैं बिना यहां का टैक्स दिये ।

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Please conclude.

SHRI V. M. CHORDIA: I will take five minutes.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY); No, no. You cannot take five minutes. Do it in two minutes and be brief.

SHRT V. M. CHORD)A: I shall try to be brief. तो इस तरह से ट्रक और गाड़ी वाले अनुचित लाभ उठा रहे हैं और इस बिल में इस तरह की सम्भावना अब भी बनी हुई है और जिसको रोकन के लिए कोई व्यवस्था नहीं है। इस ओर भी माननीय मंत्री जी का ध्यान दिया जाना ग्रावश्यक है। मैं इस बारे में संशोधन के समय चर्चा करूंगा।

एक झौर विशेष बात में इस समय ग्रापके सामने कहना चाहता हूं वह यह है कि धारा २५ द्वारा दिल्ली म्युनिसिपल कारपोरेशन ऐक्ट, १९४७ में संशोधन किया गया है । हम कानून बनायें दिल्ली मोटर बहिकिल्स टैक्सेशन विल,१९६२ भौर दिल्ली म्युनिसिपल कारपोरेशन ऐक्ट, १९४७ का संशोधन करें, यह बात उचित मालम नहीं देती है। इस तरह की परम्परा ठीक मालुम नहीं देती है, वैसे ग्रापको सब तरह का ग्रधिकार है। ग्रापके जितने भी कानून हैं, पालियामेंट द्वारा वनाये गये हैं, उनको एक ही कानून से संशोधन कर सकते हैं लेकिन यह परम्परा ठीक मालूम नहीं देती है। पब्लिक को देखने में भी कठिनाई का सामना करना पड़ता है कि इस तरह से बार बार कानून को संशोधन किया 979 RS-4.

जाता है। इस तरह की जो परम्परा बढ़ती चली जा रही है उसका में विरोध करता हूं। में प्रार्थना करूंगा कि ग्रगर भविष्य में इस तरह से ग्रन्थ विधान में संशोधन करना ही है तो उसके लिए ग्रलग से विधेयक व्यवस्था को जानी चाहिये ग्रौर एक ही कानून को संशोधन करना न्यायसंगत मालूम नहीं देता है। इसलिए में इस तरह की व्यवस्था का विरोध करता हूं।

श्री महाबीर प्रसाद भार्गवः में एक सवाल पूछ सकता हूं क्या ग्राप बतलायेंगे कि किन किन देशों में माइलेज के ग्राधार पर टैक्स वसूल किया जाता है?

श्री विमलकुमार मन्मालालजी चौरड़िया: मुझे ख्याल नहीं था कि श्री भागंव साहब को यही जानने पर इसकी ग्रच्छाई मालूम पड़ेगी। ग्रच्छा होगा कि वे इसके मैरिट ग्रौर डिमैरिट पर जाय। ग्रगर कोई चीज ग्रच्छी है और दूसरे देशों में नहीं चलती है तो यहां चलाना कोई ब्राई की बात नहीं है।

श्री महाबीर प्रसाद भागँव : मेरा ख्याल है कि माइलेज का ग्राधार विल्कुल प्रेक्टिकल नहीं है ग्रौर इसलिए मैंने सवाल किया कि ग्रगर कोई प्रिसिडेन्ट है तो बतलाइये ।

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): That is his opinion.

SHRI BHUPESH GUPTA (West Bengal): Sir, I only want to stress one point taking the cue from the hon. Minister when he said that in order to improve roads and so on, this additional taxation or adjustment in taxation in some cases would be necessary. And in that connection, he also mentioned that taxes would be there on scooters, motor cycles and so on. My fear in this matter is this that as far as Delhi is concerned, we should have a somewhat different approach with regard to this problem. In the first place, we have in Delhi a very bad, rather inadequate, public trans-

[Shri Bhupesh Gupta.] port system. I think this is one of the big cities in India where public transport in the physical sense is not only inadequate but it is also at the same time expensive. That is why perhaps we have in this city so many scooters and people using motor cycles and so on. This has to be borne in mind. I think the problem of Delhi has to be tackled entirely differently and if the Government wants to improve the situation by putting additional taxes and so on for the improvement of roads, the incidence of such taxes will increasingly be passed on to the passengers and others, public generally. I think that is not a right approach. Monies have to be found, as far as Delhi is concerned, from other sources. It is just not one of the many cities in our country. It is the capital of India. Here public transport, roads, etc. should be all in tip-top condition and if you want to improve these by taxing the motor vehicles and taxies, then you will not get far. Resources have to be found from elsewhere. On the contrary, the effort on the part of the Government should be to make public transport adequate so that it becomes available to the bulk of the citizens of Delhi. We know how people have to wait for a long time to catch a bus anjd how the buses are few and far between and how they are crowded. This means that the citizens of Delhi have to spend money on scooters and other things which normally they would not have done if public transport was good. Go to Calcutta, Bombay or Madras. You do not see scooters oi this type. You do not see motor cycles and so on. It is not as if the people in Delhi like motor cycles, because they have no other alternatives but to find vehicles or means of transport for themselves. Now, I should not like the Government to impose more and more taxes on such people. This is one thing I would like to avoid. I should not like the taxes to be placed in such a manner that the conveyance expenditure on the part of the citizens of Delhi goes up,

whether they travel by scooters or by buses or by taxies. As far as cars a ft concerned, I have nothing much to say. Cars are generally used by well-to-do sections of the community. They should be in a position to pay a little more tax if it comes to that. But beyond that I am not prepared to go. I say that I am not prepared to go to the point where I am to put additional levies on scooters or motor cycles or certain other vehicles in the common use of the common people. This is my suggestion in this connection. As far as resources are concerned, you can never meet the requirements of Delhi for the improvement of transport unless you find resources mainly, if not wholly, from other sources and do not think the Central Government should grudge it when we are dealing with the transport problem of the capital of our country. This is what I would like to say.

We, Members of Parliament, are very much happily placed in this matter. We have the buses for us to bring us to Parliament, we can also, because of our allowances and so °n. even if we do not get buses, always afford to hire taxies and so on. But imagine the Government employees and others, imagine other people, small traders and businessmen and others, to what difficulties they are put as a result of lack of conveyance in Delhi. Many arguments have been given to justify the present position of the Government. We are not convinced by any of there arguments. Therefore, I say that we must keep our eyes on the needs of that section of the community which finds it difficult, especially in the context of the rising prices, to get conveyance at reasonable cost. This is what the Government should be concerned with. As far as roads are concerned, you find the roajds here are good. New Delhi is the favoured section of Delhi but if you go slightly out, on the fringe of Delhi and to Old Delhi, you will find the roads are not well kept at all. They are in fact very badly kept. It is probably because the Ministers do

not go there very frequently and the so-called V.I.Ps who go round New Delhi do not have the time to go to Old Delhi or the vicinity of Delhi which is covered by the Old Delhi Municipal authority. If you go there, you will find that the roads are extremely bad and kept in very bad shape. I think certainly these have to be improved but here again am I to put more taxes on the scooters, on the motor cycles and others in order to improve the roads in Delhi or should I find money from other sources in Government in order to improve the roads? This is a question of approach and here in this matter, the approach of the Government is very narrow and certainly not really in the public interest. The public of Delhi want the road transport to be improved, to be made adequate, to be made cheaper for the common citizen of Delhi and they do not expect that the Government should take such fiscal and financial measures which would continue to increase, in addition to bad transport, the economic burdens on the people. This is the main problem and I hope the Government will tackle it in the right way.

SHRI R. S. KHANDEKAR (Madhya Pradesh): Mr. Vice-Chairman, in supporting this Bill I have to make a few observations. It is not possible for me to deal with all the clauses exhaustively. But I would deal with some clauses which are really very welcome. I refer to clause 10 which makes provision for refund. It is really a welcome provision. I commend clause 13 also which gives certain exemptions for, some agricultural purposes. That is really a commenda-able provision but clause 13, subclause (3) is rather objectionable. It gives power to the Chief Commissioner and it is left to his discretion to exempt certain vehicles. There are no rules for the present as to how &i» discretion will be exercised. I submit that when the rules are to be made, provision should be made as

t.o how the Chief Commissioner will use his discretion. There is another clause which takes away the jurisdiction of the civil courts—clause 16 (3)—and it says:

"Every decision on such appeal shall be final and shall not be called in question in any court of law."

This appeal also is to be governed and regulated by the rules. There is no mention as to whether the appeals will be to some tribunals or to regular judicial authorities. I suggest that while making rules, provision regarding this should be made because these days there is a tendency to constitute tribunals and they are mostly constituted by the administrative heads of departments and there are no judicial authorities or people who are in the judiciary included in these tribunals. Therefore, the rules should govern this fundamental principle of appointing judicial persons. I would say that the clause which was opposed by Mr. Chordia should be welcomed, for cooperative societies in this country still need protection and also encouragement and if some concessions are given to them, there is no harm.

While commending this Bill, I would like to make one or two observations also. I would submit that when you increase the taxes, you should not forget their reaction on the trade or business. As you are aware, this transport system is well organised and there is the recent example in Madhya Pradesh where they tried to raise the taxes on motor transport and so a strike was organised and there was a strike for a number of days. Only the emergency came to the rescue of the State Government and that strike was called off. Otherwise the situation would have become very serious. So while imposing taxes we should be careful and we should take into consideration public opinion and the opinion of the persons in that trade or business.

One word about the condition of transport in Delhi. As has been [Shri R. S. Khandekar.] pointed out just now, the condition of transport in Delhi is not satisfactory. There is too much of overcrowding in the buses. The buses are also irregular and their speed is not regulated. We read almost everyday of certain accidents having taken place and so many casualties having taken place. So there should be some regulation over the speed and also something

to prevent overcrowding in the buses. Steps should also be taken to have regular running of this transport system. As regards the licensing system also I would submit that the licences should be given for a longer period than is the case now, because it is very inconvenient if the licences are to be renewed every now and then. Also when the vehicles are not in use, the licences

With these remarks, I support the Bill.

suspension of the licence.

should be suspended and there should be some provision in this measure for such

تریفک پر جو کہ پیسلجر کو لائے اور لے جانے کے لگے ھے تیکس بر اتے وقت سرکار کو ضرور توجه دیدی چاھیگے کیونکہ وہ سرکار کی ایک بڑی دقت کو دور کرنے میں اس وقت ھیلپفل ھو رہے ھیں -

متجهر إفسوس هے که آنریدل۔ ڌپڻن منسقر صاحب نے پہلی بار جب میں اللها تها تب میں نے جو کچھ باتیں کہیں اس کے بارے میں انہوں نے کہا که په ريلهوينٽ ۾ ۽ مربي کي ايک مشہو مثل ہے وہ میں ان بے عرض كرتا ان - ددالمومن لا يلاع في الهر مرتهن -ee جو سم**جهدا**ر اور ابدھیمان ھے وہ سالپ کے ہل سے دوبارہ نہیں ڌما جانا - تو يارليملڪ کے قاونون ھارسوں سے جب بہی سرکار کوئی ملظوري لهدي ۾ اور ره پارليملڪ میں کوئی بل اتی ہے تو اس۔ کو۔ یہ ضرور دیکھلا ہے کہ ہم جو چھوٹ دے رہے ھیں اس کا کہیں۔ مس ہےز تههن کها گها. اور اگر وه مس ایرو هوا **و** تو اِس پر کس_ی طرح ہے _{دو}ک لکانی ہے -

دامعة ۱۲ کے بارے میں مجھے کہنا ہے کہ ج کل کوآپریڈیو تی بڑی چرچا ہے - میں بھی کوآپریڈیو کے حق میں ہون - کبھن یہ نہ سمجھ لیا جائے تہ میں کوآپریڈیو مورمات کے خلاف ہوں لیکن میں چاہتا ہوں کہ کوآپریڈیو نے نام پر یہ دیانتی نہ مو - میں آیسا

کیوں کہتا ہوں - اس لئے کہ کئی مثالیں ہمارے ساملے میں جیسے کے هريجن بهائيوں کا ايک کوآپريٽيو سوسائتی دمارے یہاں بلانی کئی ارو اس مهن سرکار کو خاص دلچسپی تھی اور ایھی تک دلچسپی ہے لهکن وہ ہے چارے اس کو میڈیے نہیں کر پائے اور نتینچه به هوا که نام ان کا ھی رہا لیکن سرمایت داروں نے اس کو ابی تبضه میں کر لیا - تو ایسی كوأپريتيو سوسانځيان بهي هين -دوسری بات *یه* **هے که** کواپریٹھو کے نام پر گورنملمے سے بعض ہوشیار آدمہوں نے لاکھوں روپیہ وصول کہا اور اس کے پردے میں وہ درسرے کام چلاتے رہے - در میں پوچھتا هوں که آیا ایسی کوآپریڈیو سوسائٹیاں يهي رعايت کې مستحق هين ? كترى كوأپريتيو سوسائتيان همارے علم میں میں جن میں ایک جاندان کے پچاس فی صدی ہے زیادہ سبر ہیں -میں مانٹا ہوں کہ کنچہ تو معبولی شہر ہونگے لیکن آیک کلسب کے جو لوگ ھیں ان کے شہر زیادہ ھیں اور وهي إس سے زيادة فائدة أتهاتے هون كيوانكة مهذيجمذت مين أن كا هي دڪل هوتا <u>ه</u>ے - تو اس مهن جو دفعة تنبير ١٢ هے اس کی طرف سرکار کی توجہ دلانا ہوں کہ میرے تجربہ سين ايسے كيسز ألئے هيں - س کی تو ہوتی وسیع پارز ہوتی ہے۔ اور

ولا چاهین تو کهدین که یه بات رليونت في يا ارويلونت في حالانكه يد هتي ان کو نہيں هوتا ۾ يه حق تو چهرمهن صاحب کا هوتا هے جو پردهان کی گډی پر بیٹیے ہوئے رہتے هیں ان کو هوتا ہے که وہ کی<u>د</u>ں که يه رلهونت هے يا ارزلهونت هے ليکن میں ان سے کہتا ھوں کہ۔ میرا تجربہ یہ ہے کہ کوآپریٹیو کے نام پر ہاوسلگ سوسائتی بغالی گئی - وہ پھر غصہ هو جائیلگے لیکن میں عرض کررنگا که اس کو بنانے والے منسٹیریل گروپ کے عزیز تھے اور انہوں نے اس کا رویعہ لے لیا اور جو شرائط تھیں ان کو بورا نہیں کیا - تو میں کہتا ہوں کہ وہ جب اس طرح کی رعایت دیلے گی سرچهن تب متعتاط رهین - وه یه له کهین که یه ارزلیونت هے - جب هم لوئی بھی قانون بنانے جاتے ہیں تو همهن یه دیکهنا هوکا که کهان کها خرابی ہوتی ہے - اس لئے میں ادب سے عرض کرتا ہوں کہ کوآپریڈیو کے نام پو چھوت دیتے ہوئے اس بات ۲ کمپال رکیبی که اس سے قائدہ غریب ئوگوں کو هو اور ایسے لوگوں کو ان<mark>ہ ه</mark>و چو کہ سرکار کے بھی دشن<mark>ن ھی</mark>ں سوسائد کے بھی دشمن ھیں اور سماج] اچ بھی دشانی ھیں ۔ اتھیلک ہو -

†श्वी प्रब्युल गनी (पंजाब) : मुझे इस बिल की भी ताइद करनी है क्योंकि कोई वजह नहीं है कि ग्रगर दूसरे सूबों ग्रौर दूसरे स्टेटों के भाई ज्यादा टें क्सेज दें तो दिल्ली वाले बयों न दें। दूसरे भ्रानरेवल मेम्बरान की तरफ से जो यह बात उठाई गई है उसकी भी में ताइद करता हूं कि देखना यह है कि इस वक्त सरकार की छोर से दिल्ली के भाइयों को लाने ग्रीर ले जाने के लिये कितना इंतजाम है। वह पूरे तौर पर न हो लेकिन अपगर उसका पचहत्तर फी सदी भी इन्त जाम न कर सकते हों ग्रौर यहां दिक्कत ग्राली हो तो पैसेंजर ट्राफिक पर जो कि पैसेंजर को लाने म्रौर ले जाने के लिये है टक्स बढ़ाते वक्त सरकार को जरूर तवज्जो देनी पाहिये क्योंकि वह सरकार की एक बड़ी दिक्कत को दूर करने में इस बक्त हेल्पफूल हो रहे हैं।

दफा चौदह के बारे में मुझे कहना है कि ग्राजकल कोपरेटिव की बडी चर्चा है। मैं भी कोपरेटिव के हक में हूं। कहीं यह न समझ लिया जाये कि मैं कोपरेटिव मुवमेंट के खिलाफ हूं लेकिन मैं चाहता हूं कि कोपरेटिव के नाम पर बददयानती न हो। मैं ऐसा क्यों कहता हूं इसलिये

+ [] Hindi transliteration.

कि कई मिसालें हमारे सामने हैं जैसे कि हरिजन भाईयों की एक कोग्र।परेटिव सोसाइटी हमारे यहां बनाई गई भौर उसमें सरकार को खास दिलचस्पी थी भौर भ्रमी तक दिलचस्पी है लेकिन वह बेचारे उसको मेनेज नहीं कर पाय और नतीजा यह हुआ कि नाम उनका ही रहा लेकिन सर्मायादारों ने उसको अपने कब्जे में कर लिया । तो ऐसी कोपरेटिव सोसा-इटियां भी हैं। दूसरी बात यह है कि कोपरेटिव के नाम पर गवर्नमेंट से बाज होशियार धादमियों ने लाखों रुपया वसूल किया और उसके पर्दे में वह दूसरे काम चलाते रहे। तो में पूछता हूं कि भाया एसी कोग्र परेटिव सोसाइ-टियां भी रियायत की मुसतहिक हैं ? कई कोपरेटिव सोसाइटियां हमारे इल्म में हैं जिनमें एक खानदान के पचास फी सदी से ज्यादा मेम्बर हैं। मैं मानता हं कि कुछ तो मामूली शेयर होंग लेकिन एक कुट्म्ब के जो लोग हैं उनके कोयर ज्यादा है मौर वही उससे ज्यादा फायदा उठाते हैं क्योंकि मैनेजमेंट में उनका ही दखल होता है। तो उसमें जो दफा नम्बर चौदह है उसकी तरफ सरकार की तब्बजो दिलाता हूं कि मेरे तजुर्वे में ऐसे केसेज ग्राये हैं। सरकार की तो बड़ी बसीह पावर होती है श्रीर वह चाहे तो कह दें कि यह वात रेलेंबेंट है या इररेलेबेंट है हालांकि यह हक उनको नहीं होता है। यह हक तो चेयरमैन साहब का होता है जो प्रधान की गद्दी पर बैठे हुये रहते हैं उनको होता है कि वह कहें कि यह रेलेवेंट है या इररेलेवेंट है लेकिन में उनसे कहता हूं कि मेरा तजुर्वा यह है कि कोपरेटिव के नाम पर हार्जीसंग सोसाइटी बनाई गई तो वह फिर गुस्सा हो जायेंगे तो में भर्ज करूंगा कि इसको बनाने वाले मिनिस्टरियल युप के ग्रजीज थे और उन्होंने उसका रूपया ले लिया ग्रौर जो शरायत थीं उनको पूरा नहीं किया । तो में कहता हूं कि वह जब इस तरह की रिया-यत देने की सोचें तब मोहतात रहें। वह यह न कहें कि यह इररेलेवेंट है। जब हम कोई भी कानून बनाने जाते हैं तो हमें यह देखता होगा

कि कहां क्या खराबी होती है। इसलिये में अदब से अर्ज करता हूं कि कोपरेटिव के नाम पर छूट देते हुये इस बात का ख्याल रखें कि इससे फायदा गरीब लोगों को हो झौर ऐसे लोगों को न हो जो कि सरकार के भी दुश्मन हैं, सोसाइटी के भी दुश्मन हैं और समाज के भी दूश्मन हैं। येंक्यु।]

SHRI RAJ BAHADUR: Mr. Vice-Chairman, I am grateful for the support which has been generally extended to this measure and I propose to deal with some of the salient and important points that have been made by hon. Members while they spoke on this motion.

Mr. Chordia has thrown out a suggestion that apart from the criterion of the number of seats in a particular bus we should also take into account the distance for which it has been given a licence. My hon. friend, Shri Bhargava, then in fact hit the nail on the head when he asked him to quote one single precedent where tax on motor vehicles was related to the distance which was traversed by that bus. As a matter of fact, it is not the distance that should be the criterion, it should be the number of seats, that is to say, the revenue which is earned therefrom, that should be the criterion. A particular bus that has been registered for a route of, say, only 50 miles, may still make 3 or 4 or 5 trips. One does not know. We do not know the conditions because they differ from region to region and from State to State. So it is not possible for us to relate the tax to the mileage.

Apart from that, the hon. Member also made the point that we should have some consideration for vehicles moving on *kutcha* roads. As a matter of fact, in the Union territory of Delhi we have mostly got these buses plying on pwcca roads. There are very few *kutcha* roads. There may be hardly one or two, if at all. But I don't know of any one service which is plying entirely on *kutcha* roads. Even

Taxation Bill, 1962 3682

so, if because of the character of the roadkutcha or pwcca-bigger losses are incurred or bigger expenditures on maintenance of the vehicles are incurred by the operators, it is a matter which should be taken into account at the proper level. At this moment I can only say that this can be looked into when such cases come to our notice. Then he pleaded for uniformity of taxation. This measure itself is one by which we seek to bring the whole taxation on motor vehicles in the Union territory of Delhi on a par more or less with that obtaining in Punjab. It is not possible to lay down a hard and fast rule for the whole of the country because the circumstances and the conditions differ from State to State and it is not possible to lay down one uniform rate or pattern of rates for taxation on motor vehicles. I would, therefore, like my hon, friend, Mr. Chordia, to appreciate this point. Let us also realise that the State Governments today are being asked to mobilise more and more resources to meet the urgent and unavoidable needs of our Plan in view of the emergency and the defence requirements and other things. It is not possible for us, in these conditions, to inhibit them in any way in any shape or form. These are my remarks on that point.

He asked, why we should not abolish State boundaries so far as it goes for the issue of permits and create zones. That would require a very far-reaching amendment to our Constitution and I do not think we can do that, because at present the executive responsibility in respect of road transport vests entirely with the State Governments and it is not possible for us at the Centre to transgress into the field of authority of the State Governments without a proper amendment of the Constitution. I do not know whether any strong case can be made for that especially when we want our States to function with as much of autonomy as possible. He made another point which was not quite

[Shri Raj Bahadur.] clear to me because his amendment goes the other way. In respect of cooperative societies, his amendment says that instead of fifty per cent, the taxes should be reduced by seventyfive per cent, that means, they should pay only twentyfive per cent, but from the speech I got the impression that he wants them to pay seventyfive per cent. When he speaks on the amendment, I will come to know his mind better and then I can answer the point.

Mr. Bhupesh Gupta, as usual, he would not mind my saying so, has tried to play to the galleries. He said that the people of Delhi want good roads and he says that we should not provide for those roads only by such measures of taxation but through other means also. But if when I come to him with other means for the roads, he would probably be the first to stand up against those other means. He would ask us not to divert the funds to roads. He has been beautifully vague in this particular matter and he has not thrown anv light whatsoever as to from where this money is to come. I can only sav that the total realisation from these taxes at present comes to Rs. 35 lakhs approximately and a sum of Rs. 41 lakhs more will be added by the slight adjustments made here road tax which brings a total of in the Rs. 76 lakhs per annum. I am quite sure that in the Union territory of Delhi we are spending much more than that. If notice is given to me, I will produce the relevant figures, the budget figures, for roads in the Union territory of Delhi as this is an important matter. As and when notice is given to me, I will supply that information. He said that our transport system is bad, it is inadequate and it is expensive. He also said that roads in New Delhi are better than roads in Delhi. Sir, this is a very serious reflection by the hon. Member on the chosen representatives of the people who constitute the Delhi Corporation. If the roads in New Delhi are good, it

goes to the credit of the New Delhi Municipal Committee and if the roads in Delhi are bad, the responsibility thereof is on the elected representatives of the people in the Delhi Municipal Corporation.

Taxation Bill, 1962 3684

SHRI BHUPESH GUPTA: May I ask a question? I live in Ferozeshah Road. Suddenly I found that wide road still being widened. I made enquiries as to why it was being done. Do you know what I was told? I was told by some people that this road was being widened because it is very often used by the V.I.Ps., the President, the Prime Minister and various other persons.

SHRI RAJ BAHADUR; Who said that?

VICE-CHAIRMAN (Shri M. THE GOVINDA REDDY): His sources of information are many.

SHRI RAJ BAHADUR: I think, Mr Bhupesh Gupta, with all his sense of responsibility and sobriety should not be guided by any particular man's opinion, a man going about the street telling him. He should tell me whether there was some officer who said that the road was being widened because it was being used by the V.I.Ps. There is no distinction made between the ordinary persons and the V.I.Ps. Let him know that there are only four V.I.Ps. in Delhi, the President, the Vice-President, the Prime Minister and the Home Minister. This was the information given to us in some other connection. Mr. Gupta, I think, will not be quite uncharitable to them. This is not the time. They are our nation's leaders. I am quite sure the roads are not meant only for them; they are meant for others also and so far as the roads are concerned, there is no distinction based on caste, creed or party or anything. It was not quite proper on his part to have cast reflections on the chosen people in the representatives of the Municipal Corporation by saying that the New Delhi Municipal

Taxation Bill, 1962 3686

Committee roads are better maintained and that the old Delhi Municipal Corporation roads are not. I would only say that there is congestion of population and there is greater movement of slow-moving vehicles?

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): How can you be sure whether he has seen those roads I or not?

SHRI RAJ BAHADUR: I do not know. He has said that. Despite the heavy pressure of traffic and the wear and tear of the roads, the roads in old Delhi are very well maintained and I would particularly like to mention that the road that goes from Kashmiri Gate to Ambala. which is our national highway number one, is one of our best roads in the country and part of it is in Delhi. I do not want to say much but it is rather unfair on Mr. Gupta's part to say this. In fact, he also lives in New Delhi and he is also one of the recipients of this favouritism if there is any, which I dispute, which I He said that transport was repudiate. expensive, inadequate and added that because of all this we are having a large number of private cars, scooters and all that. Sir, we are not living in a country where everything is regimented, where people can go only in a bus and where they cannot have cars or scooters or motor cycles. excepting, of course, partymen. We have got a large number of cars and we would like to have more and more. We should like this number to grow manifold. After all, in this huge country the total vehicle population today is in the vicinity of about 500,000 and by the end of the Third Plan it is expected to go up to 800,000 as com-partd to seventy million in the United States. Where are we, seventy million against eight hundred thousand? I wish there were a greater number of such vehicles, scooters, motor cars and motor cycles.

SHRI BHUPESH GUPTA: Them, do not put tax on them.

DR. SHRIMATI SEETA PARMA-NAND (Madhya Pradesh): Before we aspire to have a similar number of ' cars, scooters or vehicles as the United States, we may have to provide so many broad highways as they have.

SHRI RAJ BAHADUR: I have no doubt in my mind that we shall have to have roads but he does not want even this little rise in the tax that I want to raise for the Delhi roads.

Mr. Khandekar invited mv attention to clause 13(3) which gives the Chief Commissioner certain powers to exempt certain vehicles and said that these powers might not be properly used. This is what he said, if I understood him correctly. I will invite his attention to the last three lines of this particular sub-clause. If he goes through them a little more closely, he will find that this power of exemption has been given to the Chief Commissioner to be exercised in favour of a class of motor vehicles, not individuals, or a class of persons, not an individual. So, these powers cannot be misused in favour of an individual. It can be used and properly used in favour of a of vehicles or a class of persons and class that class of persons has also been indicated here, in the sense that it has got to be exercised in favour of vehicles which are used for public purposes, if I may say so, benevolent purposes, purposes which are for the good of the common man or common people, vehicles belonging to the Administration, ambulance, Red Cross vehicles and all that. This is exactly what is meant and I am sure the Chief Commissioner, a responsible head of the administration of the Union territory of Delhi, will not misuse the discretion given to him under this particular clause.

My hon. friend, Mr. Abdul Ghani, perhaps has got—if I may use that word with all respect to him—an obsession about Punjab and how thing_s are in Punjab. He has been speaking I about certain co-'operative societies

[Shri Raj Bahadur.] and how they are membered by various relations of some person or the other. There may be misuse but I have no information about that. But I would like to repeat in all sincerity and with all the emphasis at *my* command that all these observations which he has made are completely irrelevant for the consideration of this Bill and should not have been made because they do not throw any light on this particular question.

<u>شری عبد الغلی</u>: شری راج بہادر صاحب بتلائیلڈکے کہ وا اس بل کے تتھت کوآپریٹھو موسائٹی کو جاوت دیلے جا رہے ھیں تو میں ان کی توجہ اس طرف دلانا جاءتا ھوں کہ آپ جو بات کر رہے ھیں اور جان کے لئے کو رہے ھیں اگر وا کوآپریٹیو سوسائٹیاں نے ایسانی کویں تو ان کے لئے کچو کیفا ارریلیونیٹ ھے -

†[श्री ग्रस्कुल गनी : श्री राज बहादुर साहव वतलायेंगे कि वह इस विल के तहत कोपरेटिव सोसाइटीज को छट देने जा रहे हैं तो मैं उन की तवज्जो इस तरफ दिलाना चाहता हूं कि ग्राप जो बात कर रहे हैं ग्रीर जिन के लिये कर रहे हैं ग्रगर वह कोग्रापरेटिव सोसाइटियां बेईमानी करें तो उन के लिये कुछ कहना इररेलेवेन्ट हैं ?]

श्री राज बहाबुर : मैं श्री अब्दुल ग़नी साहब से यह प्रर्ज करना चाहना है कि चगर हजार कोग्रापरेटिव सोसाइटीज में एक दो आप की निगाह में गडबड़ करती हैं ग्रौर उस की बिना पर ग्राप सब कोग्रापरेटीव सोसाइटीज ग्रोर इस मूवमेन्ट को खत्म कर देना चाहते हैं, डिसक्वालिफाई कर देना चाहते हैं, तो यह बात मेरी समझ में नहीं

j- [] Hindi transliteration.

आती । अगर आप के नोटिस में एक दो इस तरह की सोसाइटीज आ गई भीर उन की बिना पर ग्राप सब को खराब बतलायें तो यह भाप का वहम है ।

THE VICE-CHAIRMAN (SHHI M. GOVINDA REDDY): The question is:

"That the Bill to impose a tax on motor vehicles in the Union territory of Delhi and for other matter* connected therewith, as passed by the Lok Sabha, be taken into consideration."

The motion was adopted.

THE VICE-CHAIRMAN (SHRI ML GOVINDA REDDY): We shall now take up the clause by clause consideration.

Clauses 2 to 13 were added to the Bill.

Clause 14—Reduction of *tax in cases of certain motor* vehicles.

SHRI V. M. CHORDIA: Sir, I move:

1. "That at page 6, line 24, for the words 'one half the words 'one fourth' be substituted."

धारा १४ में इस प्रकार लिखा हुआ है:

"Where the registered owner of motor vehicle used or kept 'or use in Delhi is a co-operative society registered under any 'aw relating to co-operative societies for the time being in force, the tax payable in respect of that motor vehicle shall be one half of the rates specified in Schedule I, if the taxation authority is satisfied, after such enquiry as it deems fit. that".

जैसा श्री राज वहादुर जी ने बतलाया वह सही है, मैंने गलत कैलकुलेट किया था। मेरे कहने का ग्राशय यह है कि टैक्स में जो मुक्ति दी जाने वाली है वह एक जोबाई

से ज्यादा नहीं होनी चाहिये । प्रगर ग्राप इस से ज्यादा मुक्ति देने की व्यवस्था करते हैं तो इस तरह को कोम्रापरेटिन सोसाइटीज को ग्रपने पांवों पर खड़े होने ग्रौर बढ़ने का ग्रवसर नहीं मिलेगा । इसलिए मेरे संशोधन का मतलब यह है कि टैक्स में एक चौथाई की छट दो जानी जाहिये ग्रौर तीन चौथाई टैक्स उन से वसूल किया जाना चाहिये । मुझे ग्रागा है कि सरकार उन्हें एक चौथाई ही टैक्स की छट देगी ।

The question was proposed.

SHRI RAJ BAHADUR: I would say that it was after a good deal >f thought that we have, in order to encourage co-operative movement 'n transport and to provide opportunity and avenues for our young educated people, incorporated this particular provision. And I think the incentive which we have provided in this clause, that is, fifty per cent, concession is very much needed. It is unique in so far as it is not found in any of the motor vehicles taxation Acts of the States. Sir, I cannot accept the amendment.

f Amendment No. 1 was, by leave, withdrawn.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): 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 toere added to the Bill.

tFor text of amendment, *vide* col. 3688 *supra*.

Clause 17—Powers of police officers and other officers.

SHRI V. M. CHORDIA: Sir, I move:

2. "That at page 7, line 25, for the words 'a motor vehicle is kept' the words 'a motor vehicle which is liable to tax is kept, be substituted."

3. "That at page 7, lines 27-28, the words 'in any public place ' be deleted."

The questions were proposed.

भी विमलकुमार मन्नालालभी चौरड़िया: घारा १७ में "पावर्स ग्राफ पुलिस ग्राफिसर्स एन्ड ग्रदर्स" के ग्रन्तगॅंत यह ग्रधिकार दिया गया है:

"Any police officer in uniform, not below the rank of Sub-Inspector or any other officer prescribed in this behalf may enter at any time between sunrise and sunset any premises wher[®] he has reason to believe that a motor vehicle is kept.".

ग्रभी इस बिल में यह व्यवस्था है कि ग्रगर कोई गाड़ी मकान के भ्रन्दर पड़ी हो ग्रौर पुलिस भ्राफिसर को उस के बारे में शंका हो तो वह सूर्यास्त के पहले भौर सूर्यास्त के बाद उस मकान में घुस सकता है । लेकिन मेरे संशोधन का भ्राशय यह है कि ग्रगर उस गाड़ी से टैक्स बसूल किया जाना है ग्रौर वह किसी मकान के मन्दर पड़ी है तो ऐसी हालत में भ्राफिसर उस मकान में घुस सकता है । इसी दृष्टि से मैंने भ्रपना यह संशोधन रखा है कि 'A motor vehicle which is liable to tax is kept.'

धारा "बी" में यह कहा गया है कि :

"require the driver of any motor vehicle in any public place to step such vehicle and cause it to remain stationary so long as may reasonably be necessary."

[श्री विमलकूमार मन्नालालजी चौरडि़या]

यहां पर पुलिस आफिसर को यह अधिकार दिया गया है कि अगर गाडी ''केवल पब्लिक प्लेस" में हो ग्रीर उस पर टैक्स लाइबिलिटी हो तो वह उस को रोक सकता है। अगर कोई यात्री गाड़ी या "टुक" जिस को टैक्स देना है किसी मकान में पड़ी रहती है तो इस धारा के अनुसार पुलिस अधिकारी उस गाड़ी को अपने अधिकार में नहीं ले सकने हैं क्योंकि इस में तो केवल ''पब्लिक प्लेस" के वारे में कहा गया है । मेरे संशोधन का यह आशय है कि अगर कोई गाडी जिसे टैक्स देना है चाहे वह पब्लिक प्लेस में हो या मकान के अन्दर खड़ी हो, पूलिस अधि-कारी उस पर कब्जा कर सकते हैं। इस तरह का श्रविकार इस संशोधन के द्वारा देने का प्रयत्न किया गया है। हम इस तरह का अधिकार दे कर सरकार के हाथ ही मजबत करना चाहते हैं ताकि उस को व्यापक ग्रधि-कार प्राप्त हो जायें। इस संशोधन से सरकार के हाथ कमजोर नहीं होंगे बल्कि मजबत होंगे। मझे आशा है माननीय मंत्री जी मेरे संशोधन को स्वीकार कर लेगे।

SHRI RAJ BAHADUR: I am afraid I cannot accept any of these two amendments. By the first amendment he wants that we should have the words "a motor vehicle which is liable to tax is kept" in sub-clause (a) of this clause. The purpose of the clause has been indicated in lines 29 and 30. It is for the purpose of satisfying himself that the amount of the tax in respect of such vehicle has been paid which means that an officer has to enter the premises where the motor vehicle is kept. It can only be a garage; it cannot be a bungalow or residental building. He has to enter the premises in order to ascertain whether the tax has been paid. Unless and until he sees the vehicle, how can he know that the tax has been paid or not? How can he know whether it is a tax-free vehicle or not. If it is tax-freu then it will

carry a token which has got the words "taxfree" 'on it and unless and until he sees that token he cannot make out whether a particular vehicle is tax-free or not. Therefore this is necessary, and we cannot limit his powers in this respect.

Secondly, his suggestion is that the words 'in any public place' may he deleted. This particular expression 'public place' has been defined in the Motor Vehicles Act in section 2(24). We have a definite connotation attached to this particular expression. In fact, care has been taken to cover all possible places, and the policeman or the traffic man can stop the vehicle in all such places. Now, you can say a motor vehicle owner may perhaps drive to a friend's place and that cannot be a place where a vehicle is kept. If he wants that the policeman or the traffic man should go to a third party's bungalow or the third party's premises, then this amendment could be all right. Otherwise as it is this is quite clear and I do not think we can accept any of these amendments.

THE VICE-CHAIRMAN: (SHRI M. GOVINDA REDDY): The question is:

2. "That at page 7, line 25 for the words 'a motor vehicle is kept' the words 'a m'otor vehicle which is liable to tax is kept' be substituted."

The motion was negatived.

THB VICE-CHAIRMAN: (SHRI M. GOVINDA REDDY): The question is:

3. "That at page 7, lines 27-28, the words 'in any public place' be deleted."

The motion was negatived.

THE VICE-CHAIRMAN: (SHRI M. GOVINDA REDDY): The question is:

"That clause 17 stand part of the Bill."

The motion was adopted.

Clause 17 was added to the Bill.

Clauses 18 to 25 were added to the Bill.

Schedule I

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY) : There is one amendment, Mr. Chordia's Mr. Chordia I am afraid you cannot move it because it is an amendment wherein vou propose alteration of the tax. No such amendment can he moved without the permission of the President.

SHRI V. M. CHORDIA: I cannot propose an amendment to increase the tax.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): YOU have proposed an increase in the last item, in case the mileage covered daily is more than 30 miles.

SHRI $V_{\rm N}$ M. CHORDIA: That comes to about Rs. 2,000.

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY): Whatever it is.

SHRI V. M. CHORDIA: The maximum amount which is fixed is below Rs. 2,200 and my suggestion is....

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY) : It may exceed Rs. 2,000 also. In any case, that cannot be moved without the approval or consent of the President. You can make that point while speaking on the Schedule. If you want to make that point, you can speak on (he Schedule. Would you like to speak on the Schedule?

SHRI V. M. CHORDIA: Yes, Sir.

इस सम्बन्ध में जब पहले चर्ता कर रहे थे तो मुझे भागंव सातंब ने रोका था त्रौर मुझसे पूछा था कि क्या इस तरह की ध्यवस्था कहीं है ग्रौर जब मैं चुप हो गया तो हमारे मंत्री जी को बड़ा उत्सार ग्राग इस बात के जिये कि बड़ा निशाने पर तीर लगाया । किन्तु मुझे ध्यान नहीं था कि मंत्री जी को भी भागव साहब सरीखे पूरे भारतवर्ष में कहां कहां क्या व्यवस्था है, इसका ज्ञान नहीं होगा, इसी वजह से वे बड़े प्रसन्न हो गये कि मोर्चा मिल गया मौर बिलकुल निशाने पर तीर लग गया ।

सबसे पहले तो मेरा यह निवेदन है कि किसी भी चीज को उसकी मेरिट श्रौर डिमेरिट पर देखना चाहिये । ग्रब हमारे मंत्री जी ने यह कहा कि यह प्रैक्टिकल नहीं है। प्रैंक्टिकल नहीं होता तो मध्य भारत में काफी दिनों तक पहले यह कैसे चला था ? दूसरे, प्रैंक्टिकल नहीं है, केवल यह कह देने से काम नहीं चलेगा । मैं कह दूं कि हमारे मंत्री जी ने जो विधान रखा है वह बिलकूल गलत है, इससे वह ग़लत नहीं हो जाता । इसके बारे में यह बताना चाहिये कि इसमें यह यह कठिनाई झा सकती है, इसमें यह यह कष्ट है। इसमें जबकि स्पष्ट है हर चीज ग्रीर ग्रलग ग्रलग खुलासा कर लिया गया है तव प्रैक्टिकल क्यों नहीं हो सकता । यह जरूर है कि थोड़ी मेहनत करनी पड़ेगी ग्रौर उसका हिसाब लगाना पडेगा। यह जो व्यवस्था सीटिंग कैंपेसिटी की ग्रौर माइलेज की रखी गई है, यह केवल स्टेज कैरिज परमिट की यात्री गाडियों की रखी गई है और कांट्रैक्ट कैरिज की परमिट के लिये नहीं । स्टेंज कैरिज परमिट का मतलब यह होता है कि किसी फिक्स्ड रूट के लियें परमिट मांगा जाता है कि यहां से जयपुर तक हम यात्री गाडी चलायेंगे जो दिन में यहां से जयपूर तक एक रोज जायेंगी झौर दूसरे रोज जयपुर से वापस ग्रायेगी । उसका माइलेज फिक्स्ड रहता है । ऐसी स्थिति में उसमें यह करने की जरूरत नहीं रहती कि इतने माइलेज का हिसाब प्रतिदिन करना पडेगा । कांट्रैक्ट कैरिज के लिये जैसी व्यवस्था ग्रापने दी थी, वैसी है। स्टेज कैरिज के लिये यह व्यवस्था है जिस के लिये यह फिक्स्ड रहता है कि इस रूट पर गाडी चलेगी तो प्रति दिन इतना माइलेज करेगी । तो ऐंसी [श्री विमलकुमार मञ्चालालजी चौरड़िया] स्थिति में उसमें किसी प्रकार की दिक्कत नहीं मा सकती ।

ग्रव रहा यह कि दूसरे कहां पर एसी व्यवस्था है, तो बिल्कुल एक्जैक्टली यह व्यवस्था कहीं नहीं है, मगर इस सम्बन्ध में माइलेज का जहां कांसिड्रेशन किया गया, उसकी व्यवस्था मैसूर में है। यह The Road Transport Reorganisation Committee's Report, March 1959 है।

इसमें उन्होंने बताया है अपेंडिक्स ४ में :

"Mysore. Amount of yearly tax levied on a 40-seater stage carriage Rs. 4,800 or if the daily mileage does not exceed sixty $_{\rm f}$ there is a reduction of Rs. 5 per seat per quarter."

तो ऐसी स्थिति में यह कहना कि बिल्कुल हमने जो लाइन बनाई हैं

SHRI RAJ BAHADUR: 'If the daily mileage does not exceed'.

THE VICE-CHAIRMAN (SHHI M. GOVINDA REDDY): That is what he read out.

भी विमलकुमार मन्नालालजी चौरड़िया : इस में यह लिखा है कि यदि ६० मील से ज्यादा माइलेज न हो. उससे कम हो. तो टैक्स उसको ४ रुपया प्रति सीट के हिसाब से कम किया जायगा। इस तरह से इसमें व्यवस्था है । तो माइलेज का कांसीइँशन इसमें किया गया है। हम और स्पेसिफिक हो कर यह कर सकते हैं कि माइलेज के साधार पर उसको जोड़ सकते हैं। आज यह प्रैक्टिकल नहीं है क्योंकि हमारे मंत्री जी ने न इसको कालकूलेट किया है और न पूरी तरह से इस पर विचार किया है। मगर ज्याय यह कहता है कि दोनों चोजों का कांसिड़ेशन कर के हमें संशोधन देना चाहिये और इसी ग्राशय से मैंन संशोधन रखा था। मेरी माननीय मंत्री जी से प्रार्थना है कि इस विषय में थोडा सोच कर

के और गंभीरता से काम करे और ऐसा नहीं है कि भागंव साहब ने कह दिया और आपने भी कह दिया, इसलिय यह संशोधन बड़ा खराब हो गया । इससे काम नहीं चलेगा । उसकी मैरिट पर और डिमैरिट पर विचार करना चाहिये और अगर मैं गलत हूं तो मुझे भी समझानें का कष्ट करना चाहिये कि आपका यह सोच विचार इन कारणों से गलत है जिससे मैं भविष्य में इस बात को दोहराऊं नहीं । इसी आशय से मैं यह संशोधन रखना चाहता था ।

श्री राज बहादुरः क्षमा करेंगे ग्रगर मैं हिन्दी में जवाब दं।

श्री विमलकुमार मन्नालालजी चरेडिया : हम तो खुश होंगे ।

SHRI MULKA GOVINDA REDDY (Mysore): In English please.

SHRI RAJ BAHADUR: 1 am in the hands of the House. My friend has made out a point and I will have to explain his point also. He said that I have simply toed the line of Mr. Bhar-gava and yet I think that I have hit the bull's eye, by taking advantage of the point that he has made. In fact I have hit the bull's eye; otherwise Mr. Chordia would not have come forward with all the observations that he has made. I explained, I think, in detail that at present the only criterion that we have adopted for this taxation on the stage carriages is on the basis of seating capacity and not on the basis of distance. On a particular route if the same vehicle makes two, three or four trips it is not possible for us to refuse permission to it.

श्री विमल्फुमार मलालालगे चौरड़िया : एसा नहीं है । जहां तक मेरा जान है परमिट में, जितने ट्रिप्स करनें होते हैं वे सब फिक्स्ड होते हैं और उनको वे बिना बलग बस्याई परमिट लिये बढ़ा नहीं सकते ।

SHRI RAJ BAHADUR: Please listen to me. It happens that the same carriage may do twenty miles today and if there is a heavy rush of traffic on account of fairs or an extraordinary occasion, the same may be allowed five, six or ten trips. Apart from that, suppose on a particular route, there are ten vehicles moving. Five vehicles go out of order and the remaining five will do as many trips as they can. Thus the tax cannot be related to distance. It can be related only to seating capacity. As I said, it is the seating capacity which earns the revenue for the operator. It is not the distance as such that earns his revenue. We have to relate the tax to the revenue. That is the reason why I have in some detail explained this today. And he thinks that I have not hit the bull's eye. It is my misfortune, or is it his good luck?

THE VICE-CHAIRMAN (SHRI M. GOVTNDA REDDY): The question is:

"That Schedule I stand part of the Bill."

The motion was adopted.

Schedule I was added to the Bill.

Schedule II was added to the Bill.

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

SHRI RAJ BAHADUR: Sir, I move: "That

the Bill be returned.'

The question was proposed.

SHRI BHUPESH GUPTA: May I clear up a little misunderstanding, which the hon. Minister needlessly created? But then he thinks always that he is hitting the bull's eye, nothing but the bull's eye. When I said that the resources should foe found from somewhere else, he asked me why I did not suggest as to where the resources could be found from. I should have thought that the hon. Minister, who has been in the Government for such a long time, would be familiar with the verious sources of

resources for such matters instead of asking me a question of this sort. All that I said is that the Government should not put additional tax burdens on certain categories of vehicles or vehicle owners in order to find the resources for improvement in the roads and so on. It is for them to consider from where else to find the resources. I think the Government has got plenty of resources and they can easily find it if they are so minded. I was a little surprised when the hon. Minister asked me this question. But then even on this point perhaps he was hitting the bull's eye. Then he completely misunderstood my position with 4 regard to the P.M. scooters. I do understand the need for having a large number of scooters in this city. T am not opposed to having them, but they underline one single fact and it is this, that public convevance in modern times as we understand it is inadequate in our capital city But here again I suggested that here. because the scooters are there they should not put more tax on the scooters and so on. All that I suggested was directed to one objective, namely, that the public conveyance or transport should not be made more expensive than what it is today. This is what I wanted to convey to him. Here again he felt that he was hitting the bull's eye by not accepting what was a plain and simple question fr_T any one to answer. I think he should descend to the firing range nowadays because every time he hits, he hits the bull's eye and nothing but the arranged rifle bull's eye. We have practices and I think he would do well . .

THE VICE-CHAIRMAN (SHRI M. GOVINDA REDDY) : We have no time for all this. Please come to the point.

SHRI BHUPESH GUPTA: Mr. Vice-Chairman, this is the point that I made, and I stress again that this matter should be considered in a different way. He accused me for one good thing—we have plenty of time by the way, we are ahead of time. When I said that in New Delhi the roads are

[Shri Bhupesh Gupta.] better looked after, better than in Old Delhi, at once the hon. Minister said that I was casting a reflection on the Old Delhi Municipal Corporation. Flight of imagination could not be greater All I was saying was that Old than this. Delhi was being neglected by the Central The municipal authorities Government. cannot do much unless the Central Government helps them. Adequate resources should be found for that, and what is more, the Central Government should take the initiative in such matters. You will be a little surprised as to how I could think that one part of the city is better looked after than another part. Well, go to any city in India. It is a fact that for historical or other reasons certain parts of the city are better looked after because rich people, well-to-do people, and V.I.Ps., even if the number is getting restricted, live there. We have in Calcutta certain areas better looked after, we have in Bombay certain areas better looked after; in Madras also certain areas are better looked after. You go to London, you go to Paris, you go to Rome, wherever you go you find that the areas where the rich people live are generally better looked after and Government do spend more money on them, while the slum areas and other areas where the poor people live are not much looked after. I think he should have understood it. Lam very glad to hear that the V.I.P. number has come down to three. Only on the President's Birthday, I saw a newspaper advertise, ment that the President would be receiving in the morning V.I.Ps. If it was only three, it should not have taken two or three hours. Anyway if the number has come down to three, I have nothing to say. But then what I told you about certain roads in Delhi is You have a bias in favour of certain true. areas. You think that these areas are in the use of big people who come from abroad. Therefore, I can understand that to a certain extent these will have to be better looked after. In the part in which 1 live not much traffic is there. You do not see much traffic there. I believe you are

familiar with Ferozeshah Road. You do not see a large number of cars going about that area every day. Yet the road is quite good, I can use hat as a pedestrian and others can use it. But when they widen such roads, they have their own reasons, and they are not always tenable reasons. What I tell the Government is that it should have a more popular and more democratic approach in this matter and should pay attention where it is needed most.

थी विमलक्तार मन्गलालजी चौरड़ियाः में केवल इतना ही कहना चाहता हं, जैसा कि मंत्री जीने कहा कि एक यात्री गाढी दिन में दस चक्कर लगाये तो उसका हिसाब नहीं रख सकते,-मैं यह नहीं कहता कि उन्हें उसका पूरा ग्रनुभव नहीं होगा-लेकिन जितने स्टेट कैरिजेज के परमिट्स ग्रांट किये जाते हैं उनके रूट्स फिक्स्ड होते हैं, उनकी माइलेज फिक्स्ड रहती है, उसमें परिवर्तन तब होता है जब कि स्पेशल ग्रकेजन पर टैम्पोरेरी परमिट हासिल करके चलाना चाहते हैं। तो ऐसी स्थिति में उसके लिये हमारे यहां भ्रलग से व्यवस्था की जा सकती है कि जो स्पेशल ट्रिप करेगा तो १० रुग्या या १५ रुपया देना होगा, जो भी उचित समझें वैसा कर सकते हैं लेकिन जहां तक स्टेट कैरिजज का सवाल है उसमें रूट्स फिक्स्ड रहता है, माइलेज फिक्स्ड रहता है और उसमें कोई परिवर्तन नहीं होता है। इसलिये माननीय मंत्री जी से मेरा निवेदन है कि उन्हें यह भ्रम हो तो। उसको। निकाल कर इस मुद्दे पर विचार करें।

SHRI RAJ BAHADUR: Mr. Vice-Chairman, there are two or threo points which have been raised, and I think it is my duty to clarify the position. I never doubt that what Mr Bhupesh Gupta says he does mean. but what he said now really came to me as a big'surprise, because he clearly said that New Delhi roads get « favoured treatment. He said that Old Delhi roads are not getting that treatment and that in New Delhi it is so because of the V.I.Ps. 3701 Personal Injuries

SHRI BHUPESH GUPTA: What about Ferozeshah Road?

SHRI RAJ BAHADUR: According to the statement made to you by a certain gentleman, Ferozeshah Road is being widened because of V.I.Ps. I never claim that all the roads can be uniformly good, but we have to compare equals with equals. The main arterial roads in New Delhi and in Old Delhi can be compared with each other favourably. I cannot say that all the roads in New Delhi are also good. I cannot say that the lanes and by-lanes are good in many places. Similarly, the smaller roads and by-lanes in Old Delhi also may be, bad for any reasons_E social, historical, psychological, whatever they are. But I would quite say that so far as this matter is concerned, it will not be proper on my part or on any Member's part to say that the Delhi Municipal Corporation is not doing its duty.

Secondly, Sir, it came to me as a big surprise that Mr. Gupta is surprised that I, with all my experience and long standing in the Government, do hot know where to get the resources from. I still plead with him to let me know out of the budget that we have got, which item has to be struck down or reduced in order to divert the funds from that to certain other directions. Otherwise he knows that we are spending quite a lot more than we are getting by way of taxation in Delhi. So, that complaint cannot be made.

Then he said that scooters should not be overtaxed. There is no question of overtaxing. We are trying to rationalise the tax structure and we are trying to have the same rates as obtain in Punjab more or less.

It i_s for the House and for you, Sir, to judge whether I did hit the bull's eye or not, but I can positively say that Mr. Bupesh Gupta hopelessly failed to hit the bull's eye.

THE VICE-CHAIRMAN (SHRI M. GOVTNDA REDDY): The question is:

"That the Bill be returned."

The motion was adopted. 979 RS—5.

] (Emergency Provisions) 3702 Bill. 1962

THE PERSONAL INJURIES (EMER-GENCY PROVISIONS) BILL, 1962

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND EM-PLOYMENT AND FOR PLANNING (SHRI C. R. PATTABHI RAMAN): Sir, I beg to move:

"That the Bill to make provision for the grant of relief in respect of certain personal injuries sustained during the period of the emergency, as passed by the Lok Sabha, be taken into consideration."

This Bill seeks to empower the Central Government to formulate a scheme under which monetary and other relief could be granted to, or in respect of, gainfully occupied persons and civil defence volunteers who get injured, diseased or killed as a result of enemy attacks or other military operations. The operative provisions of this Bill are generally on the lines of the War Injuries Ordinance, 1941, issued at the time of the Second World War. That Ordinance and the Scheme framed thereunder, though still in force, cannot be invoked to deal with cases arising during the present emergency.

As hon. Members are well aware, modern warfare is not confined to the battle field as such. It is not only the combatants who have to face the enemy fire. Even the ordinary inhabitants are exposed to aerial attacks. No one is immune. Planned evacuation of people from danger zones may ensure safety to a certain extent. It is, however, imperative that persons employed in essential undertakings and services, whether it be industry, agriculture or transport, should not desert their place of duty, whatever be the risk. Members of the civil defence forces, in particular, are exposed to special risks since their services will be required most during and immediately after air raids. At the same time, Government will have to ensure that all these persons <?et some basic relief according to the