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. 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 this point as the matter raised concerns Punjab. But so far as evasion and other things are concerned, 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 evasion by registered persons. 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.

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, move:

"That the Bill be returned."

The question was put and the motion was adopted.

## THE DELHI MOTOR VEHICLES TAXATION BILL, 1962

SHIPPING IN THE MINISTER OF THE MINISTRY OF TRANSPORT AND RAJ COMMUNICATIONS (Shri BAHADUR): Madam, I move:

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

As we all know, in Delhi taxes on motor vehicles are levied under the Puniab 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 States, particularly as compared 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

resourses through slight adjustments of these taxes and secondly, 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 their seating capacity. It is now proposed that private cars should taxed on the basis of their unladen motor cycles. scooters. weight. 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 subjectmatter 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 areas which come within the respective jurisdictions of the Delhi Municipal Corporation and the New Delhi Municipal Committee. It has been proposed to revise this 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.

श्री विमलकुमार मन्तालातजी चौर-ड़िया (मध्य प्रदेश) : उपसमापित 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. GOVINDA REDDY) in the Chair]

तो कुछ तो किया ही होगा किन्तु फिर भी इसमें कुछ बातें रह जाती है। वैसे में अपने मन्त्री जी को इस बात के लिये धन्यवाद दें दू कि जो लोक सभा में पहले बिल पेश किया था उसमें द्रामकार्स पर भी टैक्स लगाया था जबकि यहां द्रामकार्स का पता नहीं है और बड़ी खुशी की

[श्री विमलकुमार मन्नालालजी चौरडिया] बात है कि उन्होंने वहां पर इस बारे मे दुरुस्ती करके यहां पर संशोधित रूप में बिल प्रस्तृत किया है।

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

श्री विमलकुमार मन्त्रालालजी चौरड्याः वह तो श्रव पुरातत्व के महत्व की हो गई है जो प्रदर्शनी में देखने को मिलेगी भीर जब बिल पेश किया था तब बन्द हो गई थी। यह ठीक है कि ग्रपनी झेंप को मिटाने के लिये कोई ग्रीर बहाने लगाने हों तो कोई ग्रापत्ति नहीं। मगर मैं घन्यवाद ही दे रहा हूं कि म्रापने म्रच्छा काम किया, म्रक्ल का काम किया, बुद्धिमानी का परिचय दिया कि पहले जो गलती हो गई थी उसको दुरुस्त कर लिया है। इससे ज्यादा कम्प्लीमेन्ट चाहते हों तो घाप सुझा दें, मैं दे दंगा।

श्री राज बहादुर: मुझे पता नहीं, यह झेंप पालियामेंटरी है या नहीं। भ्रगर पालिया-मेटरी है भी तो मैं कहना चाहूंगा कि झेंप का कोई सवाल इसमें नही था क्योंकि यह पहला ही ऐक्ट या इसलिये इसको संशोधित करके ही प्रस्तृत किया गया।

श्री विमलकुमार मन्त्रालालजी चौरड्या : मुझे स्थाल नहीं था कि भागव स.हब के बाद माननीय मन्त्री जी बोलेंगे। मुझे पता नहीं भागव साहब को डिफेंड करने के लिये भापने यह सब कुछ कहा। परन्तु में नहीं चाहता था कि मैं जिस चीज के लिये धन्यवाद दुं उसका उन्हें बुरा लगे।

तो जहां तक इसमें लेवी श्राफ टैक्स का सवाल है नो माननीय उपसभाध्यक्ष महोदय, इसमें जहा पैतेंजर बसेज की बात ग्राती है उन पर तीन नरह से टैक्स लगाये जा सकते हैं, एक तरीका यह है कि इतनी उसकी सीटिंग कै। निटी हो, उसके आधार पर निया जाय । दूसरा तरीका यह हो सकता है कि कितने मील प्रति दिन यात्री गाडी चलती है,

माइलेज कितना कवर करती है, उसका रूट दिया जाय, उसके भ्राधार पर लिया जाय। श्रीर तीसरा एक तरीका यह हो सकता है कि दोनों का कंबिनेशन किया जाय-सीटिंग कपेमिटी का भी ख्याल रखा जाय श्रौर माइलेज का भी ख्याल रखा जाय। तो इन तीन तरीकों से टैक्स वसूल किया जा सकता है। ग्रीर ग्रगर हमें सचमुच रैशनलाइज करना है तो यह श्रत्यन्त भावश्यक है कि हमको इस बात का विचार करना चाहिये कि केवल एक ही ब्राधार को रख कर, एक ही ब्राधार पर काम करते जाय श्रीर रैशनलाइजेशन का नाम लेते जायें भौर एक ही भाधार पर चलते जाये ठीक नही मालूम पड़ता है, इन सब बातों से क्या नुकसान हो सकता है उस भ्रोर भी ध्यान श्राकर्षित करना चाहता हूं। श्रगर कोई यात्री गाड़ी पचास मील प्रति दिन चलती है तो भी उसको उतना ही टैक्स देना पड़ेगा जितना २०० मील प्रति दिन चलने वाली गाडी को भौर ऐसी स्थिति में यह बिल्कूल न्यायसंगत नहीं कि ५० मील जो गाड़ी चले वह भी वही टैक्स दे भौर २०० मील जो गाड़ी चले वह भी वही टैक्स दे। हमें इस बात को तो देखना चाहिये कि कितनी सीटिंग कपेसिटी है, ग्रगर २५ यात्रियों को ले जाने वाली गाड़ी है तो उस मान से टैक्स लगाना चाहिये, श्रगर ४४ यात्रियों को ले जाने वाली गाड़ी है तो उस मान से उसका टैक्स लगाना चाहिये, यदि ५० यात्रियों को ले जाने वाली गाडी है तो उस मान से टैक्स लगाना चाहिये । लेकिन ग्रगर २५ यात्री वाली गाड़ी का भी वही टैक्स लगाएं श्रोर ४० वाली का भी वही टैक्स लगाएं तो यह भी न्यायसंगत नही होगा । मगर इसके साथ दूसरा पक्ष भी है कि जो यात्री गाड़ी ५० माइलेज करतो है उस पर भी वही टैक्स, जो गाड़ी २५० मील चलती है उस पर भी वहीं टैक्स तो यह भी न्यायसंगत नहीं लगता है भीर इसलिए यह भ्रत्यन्त भ्रावश्यक है कि धगर हम सचम्च इसको रैशनलाइज करना चाहते हैं तो इस दृष्टिकोण को सामने रखें कि सीटिंग कैपेसिटी के साथ साथ, माइलेज को

भी हम देखें भौर जब तक इन दोनों का हम कंबिनेशन नहीं करते, तब तक उचित नहीं कहा जा सकता । इसलिये यह श्रत्यन्त श्राव-श्यक है कि मन्त्री महोदय इस बारे में विचार करें श्रीर जो संशोधन मैंने दिया है उस पर बाद में, उसको प्रस्तृत करते समय, चर्चा करूंगा। इसके साथ ही साथ एक तीसरा पक्ष और है कि कच्चे रास्ते पर चलने वाली गाडी श्रीर मेटल्ड रोड या डामर वाली सडक पर चलने वाली गाड़ी 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 दृष्टि से श्रौर इवं श्राशय से मैंने अपना अमेन्डमेंट भी दिया है कि ऐसे मार्ग पर चलने वाली गाडियों को कंसेशन दिया जाय । इस बारे में भारत में काफी चर्चा हुई थी भौर एक बिल श्राया था । इन सारी बातों पर विचार करके श्रौर कंमिडर करके बहुत श्रच्छा टेबल बनाया गया था ग्रौर उसी के श्राघार पर मैंने टेबल दिया है। उस समय संभवतः टैक्स कम थे ग्रीर उसी दुष्टि से टेबल भी था। यहां पर टेबल जो मैंने वर्क श्राऊट करके बनाया है वह इस द्पिट से बनाया है कि हमारी भ्रामदनी में किसी तरह की कमी न हो। मंत्री महोदय मेरे टेबल को देखकर कह दे कि इधर इतना रुपया बढ जाता है या कम हो जाता है भ्रौर वे स्वयं वर्क ग्राऊट करके निकाल सकते हैं कि कहां से कितनी भाय हो सकती है और जो कमी व बेशी हो उसको एडजस्ट किया जा सकता है। मगर यह कहना कि यह व्यवस्था श्रपना लेने से कमी पड जायगी या बढ जायगी। यह उचित नही है। इसको कम या 3 P.M. ज्यादा करने का जहां तक सवाल है वह हम भ्रपने कैलकुलेशन के आधार पर

कर सकते हैं। लेकिन जहा तक "लैवी ग्राफ

टैक्सेस" का सवाल है उसको हमें सचम्च

रैशनलाइज करना चाहिये।

इसके साथ ही साथ मैं यह भी निवेदन करना चाहता हं कि भारतवर्ष में ग्रलग ग्रलग स्टेट्स में ग्रलग ग्रलग टैक्स होने की वजह से मोटरवालों को बहुत कठिनाई पड़ती है। कांस्टीट्युशन 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 १६६१ में सिफारिश की थी कि मद्रास लाइन के आधार पर सारे देश में एक ही टैक्स पद्धति लाग की जानी चाहिये परन्तू उस दिशा में स्रभी तक सरकार ने कोई कदम नही उठाया । सरकार के पास कोई सिफ़ारिश भाती 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 ग्रीर क्या नहीं करना चाहिये । इस बारे मे मैं कई उदाहरण दे सकता हं। कि एक प्रकार का विशास (vicious circle) बन है। इस तरह से हमारा काम नही चल सकता है। मैं यह प्रार्थना करूंगा कि हमें विधान 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 श्राघार पर सारे देश को जोन्स में बांट देना चाहिये। श्राजकल श्राप देखते हैं कि हमारे देश में गाड़ियां २०० श्रीर ३०० मील प्रतिदिन जाती है। इस तरह से एक गाड़ी दिल्ली से जयपुर, जयपुर से भोपाल तथा इन्दीर से घुलिया श्रादि तक चली जाती है। इस तरह से जब वे लम्बी सफर में जाती है तो दो दो श्रीर तीन तीन स्टेट्स को पार करना पड़ता है श्रीर इन स्टेट्स में श्रलग श्रलग टैक्स की पदित है जिसकी वजह से इन्हे काफी किटनाई का सामना करना पड़ता है। श्रगर दो स्टेट्स की श्रापसी समझौते के श्रनुसार सिगल पाइंट

[श्री विमलकुमार मन्नालालजी चौरडिया] की टैक्स पद्धति हुई तो कोई परेशानी नही होती है मगर जब तीसरी स्टेट बीच मे आ जाती है श्रीर वहा ग्रलग टैक्स की पद्धति हो तो इस तरह से गाडी वालो को काफी परेशानी होती है। इस तरह से भ्रलग भ्रलग यनिटस होने की वजह से और धलग धलग टैक्स पद्धति होने की वजह से यात्री तथा भारवाही गाडियो के चलाने वालो को तरह तरह की परेशानियो का सामना करना पडता है । इन सब बातो को दिष्टि मे रखकर यह ग्रत्यन्त ग्रावश्यक है कि सारे भारतवर्ष को एक इकाई के रूप मे मान लिया जाना चाहिये श्रीर उसमे केन्द्र एक ही टैक्स पद्धति जोन्स के श्राघार पर लाग कर सकता है जिससे मोटरवालों को लाभ होगा।

एक बात मैं भीर कहना चाहता ह भीर वह यह है कि आप धारा १४ के अन्तर्गत कोग्रापरेटिव सोसाइटीज को रिलीफ देना चाहते है। हम कब तक इन तीन पहियो वाली गाडी बच्चो को देने के समान कोग्रापरेटिव सोसाइटियो को प्रोत्पाहित करते रहेगे यह काग्रेस ही अच्छी तरह ने जान सकती है और इसके बारे मे मने कुछ कहना नही है। ग्राप इन सोसाइटियो को मोटर लाइसेन्स का परिमट देने मे प्राथमिकना दाजिये. उनको घन्वा चलाने के लिए मोटर की सुविधा दीजिये स्रोर उसके लिए इपया भी दीजिये । इस तरह से भ्रापने इन सोसाइटीज को रुपया, परिमट तथा हर तरह का प्रिफेरेत्स दिया, इससे मुझे कोई विरोध नहीं है। लेकिन आपने टैक्स पर उन्हें जो राहत दी है उससे ट्रेजरी की श्रामदनी कम होती जा रही है जो न्यायसगत मालुम नही देता है । ग्राप जब उन्हे इतनी प्रकार की मुविधा दे रहे है, प्रिफेरेन्स दे रहे हैं, सब तरह से उन्हे इनकरेज कर रहे है, जिसका मैं विरोध नही करता, लेकिन जब ये सोसाइटियां व्यापारिक ग्राधार पर चलाई जाती है, इन्हे तरह तरह का लाभ हो रहा है तो उस लाभ का न्यायोचित हिस्सा टैक्स के रूप मे देजरी मे भी ग्राना चाहिये। इसमे ग्राप उन्हे

ब्राधा टैक्स माफ कर रहे हैं यह न्यायसंगत मालम नहीं देता है। जब वे बिजनेस के भ्राधार पर मैदान पर ग्राते हैं तो बिजनेस के ग्राधार पर उन्हें टैक्स भी देना चाहिये। स्रापने पहले से ही उन्हें इतनी सुविधा दे रखी है जिसका मैं विरोग नहीं करता है। ग्राप उनका हिसाब किताब देखने के लिए सेक्रेटरी रख सकते हैं या कोई दूसरी तरह की मदद कर सकते हैं लेकिन जब वे बिजनेस के प्रावार पर मैदान मे स्राते हैं तो उन्हें और लोगों की तरह टैक्स देना चाहिये। इस तरह से ज्यादा सविधा देना उचित मालम नहीं देता है। स्राप उनका माफ किया जाने बाला टैक्स आधा से एक चौथाई कर सकते हैं। भ्राप उन्हें तीन पहिये की जाह दो पहिये की गाडी पर ले स्राइये सौर इप तरह से धोरे धोरे टैक्स की छट में कमी कीजिये ताकि वे आगे वलकर खद ग्रपने पावो पर खडी हो सके। भ्रगर भ्राप उन्हे इसी तरह की सुविधा देते रहेंगे तो मझे सदेह है कि वे भविष्य मे सफल ह्रो सकेगी या नही<sup>?</sup>

THE VICE-CHAIRMAN (SHRT ML GOVINDA REDDY). Mr. Chordia, the time allotted is half an hour. are two more speakers.

SHRI V M CHORDIA But there are amendments also.

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

श्री विपलकुमार मन्तालालजी चौरडि ाः तो धारा १५ के बारे मे यह निवेदन है कि अगर किसी दूसरे प्रान्त की गाडी यहा आ जाय भ्रोर ६० दिन तक यहा चलती रह तो उसको टैक्स नहीं देना पड़ेगा । मैने इस बारे मे कम्परेटिव स्टेटमेट मागा था कि कहा कहा पर कितना कितना टैक्स है किन्तू अभी मिला नहीं । दिल्ली के मकाबले में दूसरी जगह कस टैक्स है। अक्सर देखने मे यह आता है कि गाडी या ट्रक् वाले जयपूर तथा राजस्थान के किसो भौर शहर मे गाडी का रजिस्ट्रेशन करा लेते है क्योंकि वहा पर दिल्ली के मकाबिले में टैक्स

कम है और फिर दिल्ली मे ६० दिन तक गाड़ी श्रासानी के साथ बिना टैक्स दिये चला सकते है फिर एक दिन बाहर जाकर ६० दिन चला सकते है इस तरह से ट्रक वाले ज्यादा दिनों तक यहां स्राकर गाडी चलाते है 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 minutes and be brief.

SHRI V. M. CHORDIA: I shall try to be brief. तो इस तरह से दूक भ्रौर गाडी वाले अनुचित लाभ उठा रहे हैं श्रीर इस बिल में इस तरह सम्भावना भ्रब भी बनी हुई है भ्रौर जिसको रोकन के लिए कोई व्यवस्था नही है। इस श्रोर भी माननीय मत्री जी का ध्यान दिया जाना भ्रावश्यक है। मैं इस बारे में संशोधन के समय चर्चा करूंगा।

एक श्रीर विशेष बात मैं इस समय श्रापके सामने कहना चाहता हूं वह यह है कि धारा २५ द्वारा दिल्ली म्यनिसिपल कारपोरेशन ऐक्ट. १६५७ में संशोधन किया गया है। हम कानुन बनायें दिल्ली मोटर वहिकिल्स टैक्सेशन बिल,१९६२ श्रौर दिल्ली म्युनिसिपल कारपोरेशन ऐक्ट, १६५७ का संशोधन करें, यह बात उचित मालम नही देती है। इस तरह की परम्परा ठीक मालुम नही देती है, वैसे भ्रापको सब तरह का स्रधिकार है। स्रापके जितने भी कानून है, पालियामेंट द्वारा वनाये ग्ये है, उनको एक ही कानुन से संशोधन कर सकते हैं लेकिन यह परम्परा ठीक मालूम नहीं देती है। पब्लिक को देखने में भी कठिनाई का सामना करना पडता है कि इस तरह से बार बार कानून को संशोधन किया 979 RS-4.

जाता है। इस तरह की जो परम्परा बढती चली जा रही है उसका में विरोध करता हं। में प्रार्थना करूंगा कि ग्रगर भविष्य मे इस तरह से अन्य विधान में संशोधन करना ही है तो उसके लिए म्रलग से विधेयक व्यवस्था को जानी चाहिये श्रीर एक ही कानुन को संशोधन करना न्यायसंगत मालुम नही देता है। इसलिए में इस तरह की व्यवस्था का विरोध करता हं ।

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

श्री विनलकुमार मन्नालालजी चौरडिया: मुझे ख्याल नही था कि श्री भागव साहब को यही जानने पर इसकी ग्रच्छाई मालम पडेगी। अच्छा होगा कि वे इसके मैरिट और डिमैरिट पर जाय । ग्रगर कोई चीज ग्रच्छी है श्रौर दूसरे देशों में नही चलती है तो यहां चलाना कोई बुराई की बात नही है।

श्री महाबीर प्रसाद भागंव: मेरा ख्याल है कि माइलेज का ग्राधार बिल्कुल प्रेक्टिकल नहीं है ग्रौर इमलिए 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 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 situation by putting additional taxes and so on for the improvement 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 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 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 bulk of the citizens of Delhi. know how people have to wait for a long time to catch a bus and how the buses are few and far between and how they are crowded. This means that the citizens of Delhi have spend money on scooters and other things which normally they would not have done if public transport was good. Go to Calcutta, Bombay Madras. You do not see scooters of this type. You see motor do not cycles and so on. It is not as if the people in Delhi like motor cycles. because they have no other natives but to find vehicles or means of transport for themselves. Now, should not like the Government 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 part of the citizens of Delhi goes up,

whether they travel by scooters or by buses or by taxies. As far as cars a e concerned, I have nothing much to say. Cars are generally used by wellto-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 mon 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 on, even if 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. arguments have been given to justify the present position of the Government. We are not convinced by any of these 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 roads 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 kept. Ιt verv badly bably because Ministers the

not go there very frequently and the so-called V.I.Ps who go round New Delhi do not have the time 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 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 sources in Government in order improve the roads? This is a question of approach and here in this matter, the approach of the Government 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 Government will tackle it in the right way.

SHRI R. S. KHANDEKAR (Madhya Pradesh): Mr. Vice-Chairman, 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 welcome. I refer to clause 10 which provision for refund. It makes really a welcome provision. I commend clause 13 also which gives certain exemptions for some agricultural purposes. That is really a commendaable provision but clause 13, clause (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 his discretion will be exercised. I submit that when the rules are to made, provision should be made as to how the Chief Commissioner use his discretion. There is another clause which takes away the jurisdiction of the civil courts-clause (3)—and it says:

"Every decision on such 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 while making rules, provision regarding this should be made because these days there is a tendency to constitute tribunals and they are mostly stituted 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 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 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 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 be careful and we should take consideration public opinion and the opinion of the persons in that trade or business.

One word about the condition Delhi. As has transport in

[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 every day 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 very inconvenient if the licences are to be renewed every now and then. Also when the vehicles are not use, the licences should be suspended and there should be some provision in this measure for such suspension of the licence.

With these remarks, I support the Bill.

شرى عبدالغنى ـ (پنجاب) : مجهر اس بل کی بھی۔ تائید کرنی ہے کیونکه کو ی وجه نهین ه که اگو دوسرے صوبوں یا دوسرے استھتوں کے بهائی زیادہ تیکس دیں تو۔ دہلی والے کیوں نہ دیں - دوسرے آنریبل مسہواں کی طرف سے جو نہ بات اللہائی کئی ھے اس کی بھی میں تائید کرتا ھوں که دیکهنا یه هے که اس وقت سرکار کی اور سے دلی کے بھائھوں کو لانے اور لے جانے کے لئے کتفا انتظام ہے ۔ وہ پورے طور پر نه هو ليکن اگر اس کا پنجهتر في صدي بهي

ا یا ن دقت اتی هو تو پیسدهور

تریفک پر جو که پهسلجر کو لانے اور لے جانے کے لئے ہے ڈیکس ہو اتے وقت سرکار کو ضرور توجه دیدی چاههئے کھونکہ وہ سرکار کی ایک ہوی دقت کو دور کرنے میں اس وقت هیلپفل هو رهے هيں -

مجه افسوس في كه آنريبل دهتي منستر صاحب نے پہلی بار جب میں اتھا تھا تب میں نے جو کچھ باتھی کہیں اس کے باوے میں انہوں نے کہا که یه اربلهرینت هے ، مربی کی ایک مشہو مثل ہے وہ میں ان سے عرض كرتا بن - ووالمومن لا يلام في الهر مرتین -۲۰ جو سمجهدار اور بدهی ماری ھے وہ سانپ کے بل سے دوبارہ نہیں قسا جانا - تو پارلیملٹ کے دونوں ھارسوں سے جاب بہی سرکار کوئی ملظوري لهتني ه أور ولا پارليملت میں کوئی بل لاتی ہے تو اس کو یہ ضرور دیکھل ہے کہ ہم جو چھوٹ دے رھے ھیں اس کا کہیں مس یوز تو نهیں کیا گیا اور اگر وہ مس ہوڑ ہوا و تو اس پر کسی طرح سے روک لکانی ہے -

دفعہ ۱۲ کے بارے میں مجھے کہنا ھے کہ ہے کل کوآپریٹیو کی بڑی ہورچا ھے - میں بھی کوآپریٹیو کے حق میں هون - كهين يه نه سمجه لها جائم دُه میں کوآپریٹیو مووملت کے خلاف ہوں ليكن مين جاهتا هون كه كرآيريتيو نے نام پر د دیانتی نه مو - میں ایسا

3677 Delhi Motor Vehicles [ 10 DEC. 1962 ] Taxation Bill, 1972 كيوں كهتا هوں - اس لئے كه كئى مثالیں ہمارے ساملے میں جیسے که هريعجن بهاليوں کے ايک کوآپريٽيو سوسائتی همارے یہاں بنائی گئی ارد اس میں سرکار کو خاص دلچسپی تھی اور ابھی تک دلچسپی ھے لهكن وا بے چارے اس كو ميندي نہيں کر پائے اور نتهجه یه هوا که نام ان کا ھی رھا لیکن سرمایه داروں نے اس کو انع قبضه میں کر لھا۔ تو ایسی كوآپريتيو سوسائتيان بهي هين -دوسری بات یه هے که کواپریڈیو کے نام پر گورنملت سے بعض هوشیار آدمهوں نے لاکھوں روپیم وصول کھا اور اس کے پردے میں وہ دوسرے کام چلاتے رہے - در میں پوچھتا هوں که آیا ایسی کوآپریتیو سوسائتیاں بهی رعایت کی مستندق هیں ؟ كأى كوأبريتيو سوسائتيان همارے علم میں هیں جس میں ایک حاندان کے پھاس فی صدی سے زیادہ ممبر ھیں -میں ماندا هوں که کنچه تو معمولی شهر مونگے لیکن ایک کٹسب کے جو لوگ میں ان کے شیر زیادہ میں اور وهی اس سے زیادہ فائدہ اتھاتے هیں كيونكة ميليجمنت مين أن كا هي دخل هوتا هے - تو اس مهن جو دفعه نمهر ۱۳ هے اس کی طرف سرکار کی نوجہ دلانا ہوں که میرے تجربه سرس ایسے کیسز آئے ہیں۔ س 🖟 کی تو ہوی وسیع پاور ہوتی ہے اور

وه چاهیں تو کہدیں که یه بات رليونت هے يا ارزيلونت هے حالانكه ید حق ان کو نہیں ہوتا ہے یہ حق تو چهرمين صاهب كا هوتا هے جو پردهان کی گدی پر بیتھے ہوئے رہتے هيں ان کو هوتا هے که وه کهيں که ية رلهونت هے يا ارزلهونت هے ليكن میں ان سے کہتا ہوں که میرا تجربه یہ ہے کہ کوآپریتھو کے نام پر ہاوسنگ سوسائتی بغائی گئی - رہ پھر غصہ هو جائيلگه ليكن مين عرض كررنكا کہ اس کو بلانے والے منستیریل گروپ کے عزیز تھے اور انہوں نے اس کا روپیہ لے لیا اور جو شرائط تھیں ان کو پورا نهیں کیا۔ تو میں کہتا ہوں کہ وہ جب اس طرح کی رعایت دیاہے گی سرچیں تب مصناط رهیں - ولا ية له كهين كه يه ارولهونت هے - جب ھم کوئی بھی قانون بنانے جاتے ھیں تو همهن يه ديكهنا هولا كه كهال كها خرابی هوتی هے - اس لئے میں ادب ہے عرض کرنا ہوں که کوآپریڈیو کے نام پو چھوت دیتے ھوئے اس بات ا خهال رکهیں که اس سے فائدہ غریب الوگوں کو هو اور ايسے لوگوں کو نه هو جو کہ سرکار کے بھی دشس ھیں سوسائد کے بھی دشمن هیں اور سماج یے بھی دشن ھیں - تھیلک ہو -

† श्रि ग्रब्द्ल गनी (पंजाब) : मुझे इस बिल की भी ताइद करनी है क्योंकि कोई वजह नही है कि ग्रगर दूसरे सूबों ग्रौर दूसरे स्टेटों के भाई ज्यादा टै क्सेज दें तो दिल्ली वाले क्यो न दें। दूसरे अप्रानरेबल 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 ग्रोर से दिल्ली के भाइयों को लाने श्रीर ले जाने के लिये कितना इंतजाम है। वह पूरे तौर पर न हो लेकिन अगर उसका पचहत्तर फी सदी भी इन्त जाम न कर सकते हों ग्रौर यहां दिक्कत ग्राती हो तो पैसेंजर ट्राफिक पर जो कि पैसेंजर को लाने श्रीर 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 वक्त हेल्पफूल हो रहे है।

मुझे अफसोस है कि ग्रानरेबल डिप्टी मिनिस्टर साहब ने पहली बार जब में उठा था तब मैंने जो कुछ बातें कही उसके बारे में उन्होंने कहा कि यह इररेलेवेंट है। ग्ररबी की एक मशहूर मशल है वह में उनसे म्रर्ज करता हूं — म्रल्मूमिन ला यलदाम्रो फिलबिर्रे मर्रातैन--जो समझदार श्रौर बुद्धिमान है वह सांप के बिल से दुबारा नही डंसा जाता । तो पार्लियामेंट के दोनों हाउसो से जब भी सरकार कोई मजूरी लेती है श्रौर वह पालियामेट में कोई बिल लाती है तो उसको यह जरूर देखना है कि हम जो छट दे रहे है उसका कही मिसयूज तो नही किया गया श्रौर श्रगर वह मिसयूज हुग्रा है तो उस पर किस तरह से रोक लगानी है।

दफा चौदह के बारे मे मुझे कहना है कि श्राजकल कोपरेटिव की बडी चर्चा है। में भी कोपरेटिव के हक में हूं। कही यह न समझ लिया जाये कि मैं कोपरेटिव मुवमेंट के खिलाफ हुं लेकिन में चाहता हु कि कोपरेटिय के नाम पर बददयानती न हो। में ऐसा क्यों कहता हूं इसलिये कि कई मिसाले हमारे सामने है जैसे कि हरिजन भाईयों की एक कोग्रापरेटिव सोसाइटी हमारे यहां बनाई गई स्रौर उसमे सरकार को खाम दिलचस्पी थी श्रीर श्रभी तक दिलचस्पी है लेकिन वह बेचारे उसको मेनेज नही कर पाय ग्रौर नतीजा यह हुग्रा कि नाम उनका ही रहा लेकिन सर्मायादारों ने उसको ऋपने कब्जे में कर लिया। तो ऐसी कोपरेटिव सोसा-इटियां भी हैं। दूसरी बात यह है कि कोपरेटिव के नाम पर गवर्नमेंट से बाज होशियार श्रादिमयो ने लाखों रुपया वसूल किया श्रौर उसके पर्दे में वह दूसरे काम चलाते रहे। तो मे पूछता हूं कि म्राया एसी कोम्र.परेटिव सोसाइ-टिया भी रियायत की मुसतहिक हैं ? कई कोपरेटिव सोसाइटिया हमारे इल्म में हैं जिनमें एक खानदान के पचास फी सदी से ज्यादा मेम्बर हैं। मैं मानता हूं कि कुछ तो मामूली शेयर होग लेकिन एक कुटुम्ब के जो लोग हैं उनके शेयर ज्यादा है ग्रौर वही उससे ज्यादा फायदा उठाते है क्योंकि मैंनेजमेट में उनका ही दखल होता है। तो उसमें जो दफा नम्बर चौदह है उसकी तरफ सरकार की तव्वजो दिलाता हूं कि मेरे तजुर्बे में ऐसे केसेज ग्राये है। सरकार की तो बड़ी वसीह पावर होती है ग्रौर वह चाहे तो कह दें कि यह बात रेलेंवेंट है या इररेलेवेंट है हालांकि यह हक उनको नही 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 इररेलेवेट है लेकिन में उनसे कहता हूं कि मेरा तजुर्बा यह है कि कोपरेटिव के नाम पर हाउसिंग सोसाइटी बनाई गई तो वह फिर गुस्सा हो जायेगे तो में मर्ज करूंगा कि इसको बनाने वाले मिनिस्टरियल ग्रुप के म्रजीज थे भौर उन्होंने उसका रुपया ले लिया ग्रौर जो शरायत थी उनको पूरा नही 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 है तो हमें यह देखना होगा

<sup>+ []</sup> Hindi transliteration.

कि कहां क्या खराबी होती है। इसलिये में अदव से अर्ज करता हं कि कोपरेटिव के नाम पर छट देते हये इस बात का ख्याल रखें कि इससे फायदा गरीब लोगों को हो भौर ऐसे लोगों को न हो जो कि सरकार के भी दश्मन हैं. सोसाइटी के भी दूश्मन हैं स्रोर समाज के भी दश्मन हैं। थेंक्य ।

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 important points that have been made by hon. Members while they 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 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 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 pucca roads. There are very few kutcha roads. There may be hardly one or two, if at all. But I know of any one service which is plying entirely on kutcha roads. Even

so, if because of the character of the road-kutcha or pucca-bigger losses are incurred or bigger expenditures on maintenance of the vehicles are incurred by the operators. 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 uniformity of taxation. This measure itself is one by which we seek bring the whole taxation on vehicles in the Union territory 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, fore, like my hon, friend, Mr. Chordia, to appreciate this point. Let us also realise that the State Governments today are being asked to more and more resources to meet the urgent and unavoidable needs of our Plan in view of the emergency and the defence requirements and 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 That would require a 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 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 possible. He made autonomy as another point which was not

[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 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, 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 roads, he would probably be the first to stand up against those other means. He would ask us not to divert funds to roads. He has been beautifully vague in this particular matter and he has not thrown any whatsoever as to from where this money is to come. I can only 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 in the tax which brings a total of 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 Municipal Corporation.

SHRI BHUPESH GUPTA: May 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 that?

THE VICE-CHAIRMAN (Shri M. GOVINDA REDDY): His sources 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 V.I.Ps. There is no distinction made between the ordinary persons the V.I.Ps. Let him know that there are only four V.I.Ps. in Delhi, President, the Vice-President, 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 representatives of the people in the Municipal Corporation by saying that the New Delhi Municipal

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 or not?

SHRI RAJ BAHADUR: I do not know. He has said that. Despite the heavy pressure of traffic and 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 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 repudiate. He said that transport was expensive, inadequate and added that because of all this we are having a large number of private cars, scooters and all 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 cooters or motor cycles, excepting, of course, partymen. We have got a arge number of cars and we would ike 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 compartd 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: Then, 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 my attention to clause 13(3) which gives the Chief Commissioner certain to exempt certain vehicles and said that these powers might not be properly used. This is what he said, if I understood him correctly. 1 invite his attention to the last three lines of this particular sub-clause. If he goes through them a little closely, he will find that this power of exemption has been given Chief Commissioner to be 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 class of vehicles or a class of persons and 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 things are in Punjab. He has been speaking 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

شرى عبد الغلى: شري راج بهادر صاحب بتلائینکے که وہ اس بل کے تحمت کوآپریته و سوسائتی کو جروت ديلي جا رهے هيں تو ميں ان کي بوجه اس طرف دلابا جادتا هون که آپ جو بات کر رہے ھیں اور جن کے لئے کو رہے ھیں اگر وہ کوآپریٹیو سوسائٹیاں ہے ایمانی کریں تو ان کے لیے كچه كهنا اربيليونيت هے -

†श्री श्रव्दल गनी श्री राज बहादूर साहब बनलायेगे कि वह इस बिल के तहत कोपरेटिव सोमाइटीज को छट देने जा रहे है तो मैं उन की तवज्जो इस तरफ दिलाना चाहता ह कि ग्राप जो बात कर रहे है स्रौर जिन के लिये कर रहे है स्रगर वह कोभ्रापरेटिव सोसाइटिया बेईमानी करे ता उन के लिये कुछ कहना इररेलेवेन्ट है ?]

श्री राज बहादुर मै श्री अब्दुल गनी साहब से यह अर्ज करना चाहता हं कि अगर हजार कोम्रापरेटिव सोसाइटीज मे एक दो श्राप की निगाह मे गडबड करती है श्रौर उस की बिना पर ग्राप सब कोग्रापरेटीव सोसाइटीज ग्रीर इस म्वमेन्ट को खत्म कर देना चाहते है, डिसक्वालिफाई कर देना चाहते हैं, तो यह बात मेरी समझ मे नही

स्राती । स्रगर स्राप के नोटिस मे एक दो इस तरह की सोसाइटीज म्रा गईं म्रौर उन की बिना पर ग्राप सब को खराब बतलायें तो यह श्राप का वहम है।

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

"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"

The motion was adopted

THE VICE-CHAIRMAN (SHRI 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 a motor vehicle used or kept for use in Delhi is a co-operative society registered under any relating to co-operative societies for the time being in force, the 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 बहादूर जी ने बतलाया वह सही है, मैंने गलत कैलकूलेट किया था। मेरे कहने का स्राशय यह है कि टैक्स मे जो म्कित दी जाने वाली है वह एक चौथाई

<sup>† []</sup> Hindi transliteration

से ज्यादा नहीं होनी चाहिये। श्रगर श्राप इस से ज्यादा मुक्ति देने की व्यवस्था करते हैं तो इस तरह की कोश्रापरेटित सोसाइटीज़ को श्रपने पांचों पर खड़े होने श्रौर बढ़ने का श्रवसर नहीं मिलेगा। इसलिए मेरे संशोधन का मतलब यह है कि टैक्स में एक चौथाई की छट दी जानी चाहिये श्रौर तीन चौथाई टैक्स उन से वसूल किया जाना चाहिये। मुझे श्राशा 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 of thought that we have, in order encourage co-operative movement in transport and to provide opportunity and avenues for our young educated particular people, incorporated this 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.

†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 were added to the Bill.

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.

श्री विमलकुपार मन्नालालजी चौराङ्गाः धारा १७ में "पावर्स आफ पुलिस आफिसर्स एन्ड अदर्स" के अन्तर्गत यह अधिकार 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 where he has reason to believe that a motor vehicle is kept.".

स्रभी इस बिल में यह व्यवस्था है कि स्रगर कोई गाड़ी मकान के अन्दर पड़ी हो स्रौर पुलिस स्राफिसर को उस के बारे में शंका हो तो वह सूर्यास्त के पहले स्रौर सूर्यास्त के बाद उस मकान में घुस सकता है। लेकिन मेरे संशोधन का स्राशय यह है कि स्रगर उस गाड़ी से टैंक्स वसूल किया जाना है स्रौर वह किसी मकान के अन्दर पड़ी है तो ऐसी हालत में स्राफिसर उस मकान में घुस सकता है। इसी दृष्टि से मैंने अपना यह संशोधन रखा है कि 'A motor vehicle which is liable. 'E to tax is kept.'

घारा 'बी'' में यह कहा गया है कि :

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

<sup>†</sup>For text of amendment, vide col. 3688 supra.

## श्री विमलकुमार मन्नालालजी चौरडिया]

यहां पर पुलिस ग्राफिसर को यह ग्रधिकार दिया गया है कि अगर गाडी "केवल पब्लिक प्लेस" में हो ग्रौर उस पर टैक्स लाइबिलिटी हो तो वह उस को रोक सकता है। ग्रगर कोई यात्री गाडी या "ट्क" जिस को टैक्स देना है किसी मकान में पड़ी रहती है तो इस धारा के अनसार पुलिस अधिकारी उस गाडी को ग्रपने ग्रधिकार में नहीं ले सकते हैं क्योंकि इस में तो केवल "पब्लिक प्लेस" के बारे 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 खडी हो, पुलिस अधि-कारी उस पर कब्जा कर सकते हैं। इस तरह का ग्रधिकार इस संशोधन के द्वारा देने का प्रयत्न किया गया है । हम इस तरह का श्रिधकार 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। मुझे 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-free then it will

carry a token which has got the words "tax-free" 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 necessary, and we cannot limit powers in this respect.

Secondly, his suggestion is that the words 'in any public place' may be 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 amend-

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 motor vehicle which to tax is kept' be is liable substituted."

The motion was negatived.

THE 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 you propose alteration of the tax. No such amendment can be 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. 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 the Schedule. Would you like to speak on the Schedule?

SHRI V. M. CHORDIA: Yes, Sir.

इस सम्बन्ध मे जब पहले चर्चा कर रहे थे तो मुझे भागव सात्व ने रोका था और मुझसे पूछा था कि क्या इस तरह की ध्यवस्था कहीं है और जब में चुप हो गया तो हमारे मंत्री जी को बड़ा उत्सा आा इस बात के लिये कि बड़ा निशाने पर तीर लगाया । किन्तु मुझे ध्यान नहीं था कि मंत्री जी को भी भागंव 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 श्रीर बिलकुल निशाने पर तीर लग गया।

सबसे पहले तो मेरा यह निवेदन है कि किसी भी चीज को उसकी मेरिट ग्रौर डिमेरिट पर देखना चाहिये । ग्रब हमारे मंत्री जी ने यह कहा कि यह प्रैक्टिकल नहीं है । प्रैक्टिकल नही होता तो मध्य भारत में काफी दिनों तक पहले यह कैसे चला था ? दूसरे, प्रैं क्टिकल नहीं है, केवल यह कह देने से काम नहीं चलेगा । मैं कह दूं कि हमारे मंत्री जी ने जो विधान रखा है वह बिलकूल ग़लत है, इससे वह ग़लत नहीं हो जाता। इसके बारे में यह बताना चाहिये कि इसमें यह यह कठिनाई स्रा सकती है, इसमें यह यह कप्ट है। इसमें जबिक स्पष्ट है हर चीज श्रीर ग्रलग ग्रलग खुलासा कर लिया गया है तब प्रैक्टिकल क्यों नहीं हो सकता । यह जरूर है कि थोड़ी मेहनत करनी पडेगी श्रीर उसका हिसाब लगाना पडेगा। यह जो व्यवस्था सीटिंग कैपेसिटी की श्रौर माइलेज , की रखी गई है, यह केवल स्टेंज कैरिज परिमट की यात्री गाडियों की रखी गई है स्रौर कांट्रैक्ट कैरिज की परिमट के लिये नहीं। स्टेंज कैरिज परिमट का मतलब यह होता है कि किसी फिक्स्ड रूट के लिये परिमट मांगा जाता है कि यहां से जयपूर तक हम यात्री गाडी चलायेंगे जो दिन में यहां से जयपुर तक एक रोज जायेगी श्रोर दूसरे रोज जयपूर से वापस ग्रायेगी माइलेज फिक्स्ड रहता है । ऐसी स्थिति मे उसमें यह करने की ज़रूरत नही 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 ऐंसा

श्री विमलकुमार मन्नालालजी चौरडिया] स्थिति में उसमें किसी प्रकार की दिक्कत नही ग्रा सकती।

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

इसमें उन्होंने बताया है अपेंडिक्स ५ 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, there is a reduction of Rs. 5 per seat per quarter."

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

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

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

भी विमलकमार मन्तालालजी चौर डिया: इस में यह लिखा है कि यदि ६० मील से ज्यादा माइलेज न हो, उससे कम हो, तो टैक्स उसको ५ रुपया प्रति सीट के हिसाब से कम किया जायगा । इस तरह से इसमें व्यवस्था है । तो माइलेज का कांमीड़ेशन इसमें किया गया है। हम ग्रीर स्पेसिफिक हो कर यह कर सकते हैं कि माइलेज के स्राधार पर उसको जोड सकते है। स्राज यह प्रैक्टिकल नहीं है क्योंकि हमारे मंत्री जी ने न इसको कालकूलेट किया है श्रौर न पूरी तरह से इस पर विचार किया है। मगर न्याय यह कहता है कि दोनो चीजों का कांसिड़ेशन कर के हमें संशोधन देना चाहिये श्रौर इसी आशय से मैन संशोधन रखा था। मेरी माननीय मंत्री जी से प्रार्थना है कि इस विषय में थोड़ा सोच कर

के स्रौर गंभीरता से काम करे स्रौर ऐसा नही है कि भार्गव साहब ने कह दिया और स्नापने भी कह दिया, इसलिय यह संशोधन बडा खराब हो गया । इससे काम नही चलेगा । उसकी मैरिट पर ग्रौर डिमैरिट पर विचार करना चाहिये स्रौर स्रगर मै गलत हं तो मझे भी समझानें का कष्ट करना चाहिये कि स्रापका यह सोच विचार इन कारणों से गलत है जिससे मैं भविष्य में इस बात को दोहराऊं नहीं। इसी म्राशय से मैं यह संशोधन रखना चाहता था।

श्री राज बहाद्र : क्षमा करेंगे अगर मैं हिन्दी में जवाब द।

विमलकुमार मन्नालाहजी चे रिख्याः हम तो खुश होंगे।

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

SHRI RAJ BAHADUR: I 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. Bhargava 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.

विम तक मार मन्नालालजी चौरडिया: एसा नहीं है। जहां तक मेरा ज्ञान है परिमट में. जितने टिप्स करने होते हैं वे सब फिक्स्ड होते हैं ग्रौर उनको वे बिना ग्रलग ग्रस्याई परमिट लिये बढा 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. GOVINDA 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 be 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 regard to the scooters. I 4 P.M. do understand the need for

having a large number of scooters in this city. I am not opposed to having them, but they underline one single fact and it is this, that public conveyance in modern times as we understand it is inadequate in our capital city here. But here again I suggested that 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 for 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 bull's eye. We have arranged rifle 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 than this. All I was saying was that Old Delhi was being neglected by the Central Government. The municipal authorities cannot do much unless the Central Government helps 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, wellto-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. I am 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 true. You have a bias in favour of certain 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 I 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.

श्री विमलकमार मन्नालालजी चौरिडया": में केवल इतना ही कहना चाहता हं, जैसा कि मंत्री जी ने कहा कि एक यात्री गाडी दिन में दस चक्कर लगाये तो उसका हिसाब नहीं रख सकते.-मैं यह नहीं कहता कि उन्हें उसका पुरा ग्रनभव नहीं होगा-लेकिन जितने स्टेट कैरिजेज के परिमटस ग्रांट किये जाते हैं उनके रूट्स फिक्स्ड होते हैं, उनकी माइलेज फिक्स्ड रहती है, उसमें परिवर्तन तब होता है जब कि स्पेशल अकेजन पर टैम्पोरेरी परिमट हासिल करके चलाना चाहते हैं। तो ऐसी स्थिति में उसके लिये हमारे यहां म्रलग से व्यवस्था की जा सकती है कि जो स्पेशल टिप करेगा तो १० रुपया 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 निवेंदन है कि उन्हें यह भ्रम हो तो उसको निकाल कर इस मद्दे पर विचार करें।

SHRI RAJ BAHADUR: Mr. Vice-Chairman, there are two or three 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.

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 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 not 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 is 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. GOVINDA REDDY): The question is:

"That the Bill be returned."

The motion was adopted.

979 RS-5

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

THE DEPUTY MINISTER IN THE MINISTRY OF LABOUR AND EMPLOYMENT 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 get some basic relief according to the