

[21 December, 2005]

RAJYA SABHA

जहां तक कंपेंसेशन का सवाल है। आपको मालूम होना चाहिए कि 3 लाख रुपये कंपेंसेशन दिये जाते हैं, तो एक भाई, दूसरे भाई, इसके घर के लोग एक-दूसरे के खिलाफ हो जाते हैं और इसमें कहीं-कहीं कई जगहों पर बहुत झगड़ा भी हो जाता है। यह कोर्ट डिसाइड करता है कि किस आदमी के हाथ में यह कंपेंसेशन देना चाहिए। नहीं तो, वह चला जाता है। पैसे की कमी नहीं है, इसके अन्दर ये फॉर्मैलेटिज पूरी करने की है।

आप कह रहे हैं कि आपको यह कैसे मालूम कि लोग हाजिर नहीं हैं। हमारे देश में क्या हालत है, यह हमें मालूम है। सुप्रीम कोर्ट में कितने जज कम हैं। हाई कोर्ट के कितने जज कम हैं, कितनी वैकेंसीज हैं, यह हमें मालूम है। दूसरे केसेज में जब चीफ जस्टिस को पूछा जाता है, तो वे कहते हैं कि *we are not able to spare our judges*, इसलिए मैं ने यह आपको बताया, अन्यथा दूसरी की बात नहीं है।

THE VICE-CHAIRMAN (PROF. P.J. KURIAN): Thank you Mr. Minister. I would like to have the sense of the House now. We will take up the Central Sales Tax (Amendment) Bill, 2005 and, thereafter, the Special Mentions. (*Interruptions*) No, no. Let me assure you that after this Bill, Special Mentions will be taken up because the Finance Minister.... (*Interruptions*) Please cooperate. हो जाएगा हो जाएगा ...*(व्यवधान)*... Now, Mr. Chidambaram.

GOVERNMENT BILLS

The Central Sales Tax (Amendment) Bill, 2005

THE MINISTER OF FINANCE (SHRI P. CHIDAMBARAM): Sir, I move:-

"That the Bill further to amend the Central Sales Tax Act, 1956, as passed by Lok Sabha, be taken into consideration."

Sir, I will take only a couple of minutes to introduce this Bill.

Sir, the Central Sales Tax is a tax levied on inter-State sale of goods and is collected by the State Government. Now, against the orders of the Assessing Officers, appeals are provided. In 2001, 2002 and 2003, the Act was amended to provide for an appellate authority at the Centre.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI) in the chair. Unfortunately, while amending the Act, appeal was provided against the orders of an assessing authority. Now, the intention was not to provide for appeal in Delhi against the order of every assessing authority in every

State. The intention was that this should be the final appellate authority. Therefore, when the practical problem was pointed out, we are now amending the Act to correct the error that was committed in 2001 and 2002. The appeal now to the Central Appellate Authority will be against the order of the final appellate authority in the State so that millions of appeals don't land up here.

Secondly, Sir, we are not creating a separate tribunal. We are requesting, or, by this Act authorising the Advanced Tax Ruling Authority under the Income-tax Act to also function as the Central Sales Tax Appellate Authority. The reason is obvious. The Central Sales Tax is proposed to be phased out in, two or three years. There is no need to create a separate tribunal and appoint separate judges for that and create an infrastructure. Therefore, we are taking steps to name this authority as the appellate authority. The Central Sales Tax, I believe, we are under discussions with the State Finance Ministers' Empowered Committee, will be phased out in two years or so, may be, in three years or so. Once that decision is taken, the CST will go. Sir, this is an interim arrangement. I request that the House may kindly be pleased to return the Bill.

The question was proposed

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Thank you Mr. Minister. Motion moved. Since there are no speakers, the question is:

That the Bill further to amend the Central Sales Tax Act, 1956, as passed by Lok Sabha, be taken into consideration.

The motion was adopted.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): We shall now take up clause-by clause consideration of the Bill.

Clauses 2 to 8 were added to the Bill.

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

SHRI P. CHIDAMBARAM: Sir, I move:

That the Bill be returned.

The question was put and the motion was adopted.

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): Hon. Members, now we will take up Special Mentions which are 50 in numbers. Shrimati Vanga Geetha, not present; Shri Amar Singh, not present;

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Shri C. Ramachandraiah, not present. Shri Moolchand Meena. Are you present, Mr. Meena? Not present. ...*(Interruptions)*... At least, I can see him physically present.

SPECIAL MENTIONS

Demand for implementation of Reservation Policy for Scs/Sts in all Universities of Rajasthan

श्री मूल चन्द मीणा (राजस्थान): महोदय, संविधान के अनुसार अनुसूचित जाति एवं जनजाति के सभी विश्वविद्यालय इस आरक्षण की नीति का पालन नहीं कर रहे हैं, जैसे राजस्थान जयपुर, सुखड़िया विश्वविद्यालय उदयपुर, विश्वविद्यालय जोधपुर।

इन विश्वविद्यालयों में प्रशासनिक एवं शैक्षणिक पदों पर अनुसूचित जाति एवं जनजाति के आरक्षित पदों पर सामान्य वर्गों के व्यक्तियों को लगा रखा है जबकि इन वर्गों के व्यक्ति बेरोजगार बनकर घूम रहे हैं। ये विश्वविद्यालय अनुसूचित जाति एवं अनुसूचित जनजाति के साथ संविधान की नीति के अनुसार न्याय नहीं कर रहे हैं। इसलिए मैं केन्द्र सरकार से निवेदन करना चाहता हूँ कि सरकार इन विश्वविद्यालयों को निर्देश दे कि वे संविधान के अनुसार आरक्षण की नीति का पालन करें। साथ ही विश्वविद्यालय ग्रांट्स कमीशन द्वारा दी जाने वाली आर्थिक ग्रांट को जारी तब करें जब यह सुनिश्चित हो जाय कि ये विश्वविद्यालयों ने संविधान के अनुसार अनुसूचित जाति एवं अनुसूचित जनजाति के आरक्षण की नीति को लागू कर दिया है।

डा.फाकुनी राम (बिहार): महोदय, मैं इस विशेष उल्लेख से अपने को सम्बद्ध करता हूँ।

THE VICE-CHAIRMAN (SHRI DINESH TRIVEDI): I seek the sense of the House; we have a Bill which was left out and it will take not even half a minute. If the House so permits, may I go ahead with that?

HON. MEMBERS: yes, Yes.

GOVERNMENT BILLS—(Contd.)

The Petroleum and Natural Gas Regulatory Board Bill, 2005

THE MINISTER OF PETROLEUM AND NATURAL GAS AND MINISTER OF PANCHAYATI RAJ (SHRI MANI SHANKAR AIYAR): Sir, I beg to move for leave to introduce a Bill to provide for the establishment of Petroleum and Natural Gas Regulatory Board to regulate the refining, processing, storage, transportation, distribution, marketing and sale of